

February 5, 2015

The Honorable Deborah Lee James
Secretary of the Air Force
U.S. Department of the Air Force
1670 Air Force Pentagon
Washington, DC 20330-1670

Via email:

Dear Secretary James:

We are writing to express our deep concerns about reported comments from Major General James Post that service members who communicate to Congress about the capabilities and successes of the A-10 are committing “treason.”¹ These comments undermine service members’ constitutional rights to petition their government, and appear to violate statutory protections for military whistleblowers.² Most importantly, they try to interfere with Congress’s ability to learn how these systems are currently performing in combat to address current threats, precisely the kind of information they need to know to conduct their constitutional duties and to oversee the Air Force’s operations and programs.

We are also deeply concerned about allegations that the Air Force has initiated retaliatory investigations against service members who have already come forward to Congress.³ If true, this seems to indicate that there is a broader problem of a toxic culture against whistleblowers. We urge you to ensure that no prohibited personnel actions are taken against any service members who have come forward, and to suspend or remove any officials found to be responsible for initiating retaliatory investigations.

Major General Post’s comments seriously call into question his judgment and ability to continue in his role as vice commander of the Air Force’s Air Combat Command. Major General Post has not denied making these comments, and while we understand that an investigation is ongoing, we think the known facts merit his immediate removal. At the very least, he should be suspended while the investigation is ongoing and removed if the allegations are proven to be true.

As you are aware, Congress recently expanded whistleblower protections for service members to ensure that they could come forward without fear of retaliation. These reforms were initiated following reports of reprisal against sexual assault survivors, including 62 trainees at Lackland Air Force Base, and against Air National Guard whistleblowers expressing concerns about the F-22’s On-Board Oxygen Generation System (OBOGS).⁴ Given these previous concerns about the Air Force’s treatment of whistleblowers, we

¹ ADI News Service, “Post’s comments send chills through Air Force ranks, A-10 panics ISIS,” *Arizona Daily Independent*, January 15, 2015. <http://www.arizonadailyindependent.com/2015/01/15/posts-comments-send-chill-through-air-force-ranks-a-10-panics-isis/> (Downloaded January 30, 2015)

² 10 U.S.C. 1034

³ Travis J. Tritten, “After treason comment, senator asks AF chief about ‘reverse’ probe,” *Stars and Stripes*, January 28, 2015. <http://www.stripes.com/news/after-treason-comment-senator-asks-af-chief-about-reverse-probe-1.326342> (Downloaded January 30, 2015)

⁴ “Sen. Warner Talks Military Whistleblower Protection on WTOP Radio,” June 4, 2013.

http://www.warner.senate.gov/public/index.cfm/mobile/blog?ContentRecord_id=1be40a69-4b03-4519-90e8-58786a337694 (Downloaded January 30, 2015)

believe it is particularly incumbent upon you to send a strong signal that retaliatory behavior will not be tolerated.

We appreciate your attention to this issue, and would welcome the opportunity to discuss this in more detail with you or your staff. If you have any questions or would like additional information, please contact Mandy Smithberger at the Project On Government Oversight's Straus Military Reform Project at 202-347-1122 or msmithberger@pogo.org.

Sincerely,

Project On Government Oversight

Center for Financial Privacy and Human Rights

Government Accountability Project

International Association of Whistleblowers

London Center for Policy Research

National Whistleblower Center

NETWORK, A National Catholic Social Justice Lobby

Peace Action

Taxpayers Protection Alliance

Whistlewatch.org

Elaine Mittleman, Esq.

Kevin Downing

cc: Senator John McCain, Chairman, Senate Armed Services Committee
Senator Jack Reed, Ranking Member, Senate Armed Services Committee
Representative Mac Thornberry, Chairman, House Armed Services Committee
Representative Adam Smith, Ranking Member, House Armed Services Committee
Members of the House and Senate Armed Services Committee
Senator Susan Collins
Senator Chuck Grassley
Senator Mark Warner