

14 June 2005

The Honorable Susan M. Collins
United States Senate
via fax 202-224-2693

The Honorable Joseph I. Lieberman
United States Senate
via fax 202-224-9750

Dear Senators Collins and Lieberman:

We are writing to you about the case of a civil servant whose employment with the Department of defense was unjustly terminated sixteen years ago. For the last fourteen years, Richard Barlow has served as a consultant to the federal government, mostly in law enforcement. Before his termination by DOD in 1989, Mr. Barlow had worked on non-proliferation issues for eight years with the Central Intelligence Agency, the Arms Control and Disarmament Agency and DOD.

His case is important and relevant not only because of the injustice of the damage to Mr. Barlow that followed from his termination, but also because of the reasons for his termination. We believe the record clearly shows that Mr. Barlow was a loyal, honest and able intelligence analyst who paid a price for refusing to slant or adjust information conveyed to Congress in the interest of supporting Administration policy. The accusations of those in the Defense Department who sought to characterize Mr. Barlow's behavior as inappropriate have been shown to have been without merit. The value of Mr. Barlow's argument at the time has become evident with the passage of time. It is now about time that some effort be made to right the wrong that was committed in 1989.

The outline of the case is contained in the 6 December 2002 letter to Senators Grassley and Leahy on Mr. Barlow's Congressional Reference case from his attorney, Joseph Ostoyich. Mr. Ostoyich's letter of 29 April 2004 to Mr. Bingaman sets forth the remedy sought by Mr. Barlow. Essentially, he asks that his twenty years of federal government service, including his time as a consultant count toward his retirement. As matters stand, because of his termination sixteen years ago, Mr. Barlow has no right to retirement benefits.

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We believe the record is clear and substantial that Mr. Barlow was terminated by the Department of Defense without cause, and that because of that, a honorable and effective civil servant continues to suffer the consequences of that injustice. His attorney, Mr. Ostoyich, is prepared to continue his pro bono support for Mr. Barlow to see this case resolved. In addition, Sherman Funk, former Inspector General of the Foreign Service, and Fred Hitz, former Inspector General of the Central Intelligence Agency, both of whom are familiar with the case, are prepared to speak on Mr. Barlow's behalf. We hope that you will take the necessary steps to look into this matter as soon as possible. We are both prepared to provide any assistance or additional material that your staff may require.

Sincerely,

Robert L. Gallucci
Dean
School of Foreign Service

Danielle Brian
Director
Project On Government Oversight

Attachments