

**U.S. SENATE ARMED SERVICES COMMITTEE HOLDS A HEARING ON THE  
NOMINATION FOR THE  
DEPUTY SECRETARY OF DEFENSE**

February 27, 2001

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**SPEAKERS:** Senator John Warner (R-VA), Chairman; Senator Strom Thurmond (R-SC); Senator John McCain (R-AZ); Senator Robert C. Smith (R-NH); Senator James M. Inhofe (R-OK); Senator Rick Santorum (R-PA); Senator Olympia J. Snowe (R-ME); Senator Pat Roberts (R-KS); Senator Wayne Allard (R-CO); Senator Tim Hutchinson (R-AR); Senator Jeff Sessions (R-AL); Senator Susan Collins (D-ME); Senator Jim Bunning (D-KY); Senator Carl Levin (D-MI); Senator Edward M. Kennedy (D-MA), Ranking Member; Senator Robert C. Byrd (D-WV); Senator Joseph I. Lieberman (D-CT); Senator Max Cleland (D-GA); Senator Mary Landrieu (D-LA); Senator Jack Reed (D-RI); Senator Daniel Akaka (D-HI); Senator Bill Nelson (D-FL); Senator Ben Nelson (D-NE); Senator Jean Carnahan (D-MO); Senator Mark Dayton (D-OH)

**WITNESSES:** Paul Wolfowitz, Deputy Secretary of Defense Nominee

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SEN. LEVIN: Just two last questions, and I thank our chairman for yielding to me. My time is up, but there being no others here, and since I need to get to another hearing, the chairman, as always, graciously allowed me to extend this period.

When you were Undersecretary for Policy in President George Bush's administration, there was an employee in the Office of Nonproliferation Policy who became convinced that the administration was about to present false information to Congress in a classified briefing about Pakistan's nuclear capabilities.

The individual complained to his supervisor, and the supervisor then became concerned that the employee might take it upon himself to correct the inaccurate information presented to Congress.

And I'm not getting into the merits at all of that case as to who was right, who was wrong, but there was a response by the supervisor there ordering him not to supply that information, and terminated the employment, and apparently acted to ensure that security clearances be removed from that employee. I don't want to get involved in the specifics of that, either. That's the background, however, and there's apparently litigation going on, so I don't want to--I'm not asking you to comment in any way which could affect that litigation.

The reason I'm asking you this is because of the questions asked of you at this hearing about providing information to this committee and to our designated staff who are cleared

to receive classified information. And it is important, I believe, to us, that people who wish to come to give us classified information in no way be deterred from doing so or be threatened or be in any way deterred from providing that to, again, designated staff who are cleared to receive classified information.

The Whistleblower Protection Act does not apply to this type of case, because information is classified. But do you believe, putting that aside, that it is appropriate in any way to retaliate against an employee who threatens to take accurate information to properly cleared congressional staffers, as a matter of policy?

MR. WOLFOWITZ: My answer is absolutely not. **I don't believe that kind of retaliation is appropriate at all.** I'd go a bit further, too. I think it's terribly important, and on that specific issue of what Pakistan was doing in nuclear weapons, there was a legal obligation to keep the Congress appropriately informed. [Emphasis added]

Senator, I wasn't even aware of that employee or the entire case until about 18 months ago when I was asked to give a deposition in a civil suit. Most of the events he alleged took place before I was confirmed as undersecretary.

SEN. LEVIN: Yes, and I didn't want to get into your--

MR. WOLFOWITZ: Well, okay, but you brought it up. So I believe--

SEN. LEVIN: I assumed you were aware of it one way or another.

MR. WOLFOWITZ: Only within the last--

SEN. LEVIN: The issue -- I don't mean back them. I mean, you are--

MR. WOLFOWITZ: I am aware of the issue. In fact, there have been times on that issue when **I specifically sensed that people thought we could somehow construct a policy on a house of cards, that the Congress wouldn't know what the Pakistanis were doing. I've always thought policies based on withholding information from Congress are going to fail in the long run, and in that case, there was a clear legal obligation to keep the Congress informed.** [Emphasis added]

SEN. LEVIN: I appreciate that.