October 22, 2007

Re: Joe Carson's Faith-Based Contributions to Advancing the Merit System Principles of the Civil Service and the Code of Ethics for Engineers

To Whom it may Concern:

I am Tom Devine, the Legal Director of the Government Accountability Project (GAP), www.whistleblower.org. GAP is the nation's leading whistleblower protection organization. Through litigating whistleblower cases, publicizing concerns and developing legal reforms, GAP's mission is to protect the public interest by promoting government and corporate accountability. Founded in 1977, GAP is a non-profit, non-partisan advocacy organization with offices in Washington, DC and Seattle, WA.

I have been involved with literally hundreds of federal whistleblowers in the past 25 years, have testified to Congress about federal whistleblower issues on numerous occasions, and have been quoted in media literally hundreds, if not thousands, of times about federal whistleblower issues.

My testimony is that Joe Carson, PE, has been and is making singular contributions to advance and protect both the merit principles of the civil service and the code of ethics of his profession of engineering. He decided to be a professional engineer (PE) as his life's vocation, PE's have a positive legal and professional duty to "blow whistles" when necessary to protect public health and safety in the course of their professional duties. As a PE, employed as a nuclear safety engineer in the US Department of Energy (DOE), that is what he has done. He has stood his ground in doing so, against DOE's repeated unlawful reprisals. Absent Joe's actions, I question whether the Energy Employee Occupational Illness Compensation Program Act of 2000 (EEOICPA) would have passed. Over 25,000 disabled, diseased, or prematurely deceased DOE workers or their survivors have received over 3 billion dollars under the EEOICPA, for being put in harm's way, without their knowledge or adequate protection in DOE's facilities during the Cold War.

As a Christian, Joe believes one's work matters to God, and that humanity was created in God's image and given stewardship responsibilities for planet earth, its inhabitants, resources and ecosystems. Joe attributes his actions, which have come at great risk, cost, sacrifice and suffering to him and his family, to his moving forward, in faith, to advance God's will on earth, in and through his profession of engineering. In my experience, many whistleblowers attribute their religious faith as motivating their actions
to protect others and/or being a source of strength in withstanding the too-often retribution.

Unfortunately, many, if not most, federal whistleblowers end up with broken lives and careers. Joe is still employed, still married, an influential voice in his profession of engineering, and has not let allowed himself to be silenced or worn down by years of harassment. He is also singular, in my extensive experience, in going beyond the lawbreaking he experienced in his agency, to expose and correct lawbreaking in other agencies - specifically the U.S. Office of Special Counsel and U.S. Merit Systems Protection Board - that enabled his agency to unlawfully punish him (and many others) for putting their duty to the public health and safety before their self-interest.

I agree with Joe that the system to protect concerned federal employees is broken and puts us all as increased and unnecessary risk of a nuclear 9/11 (some of Joe's concerns involved safeguards and security of America's nuclear arsenal). I agree with Joe that OSC's lawbreaking and MSPB's enabling lawbreaking need to be exposed and stopped. I agree with Joe that the 10,000 or more direct victims of this lawbreaking, since 1989, merit some measure of justice. Joe agrees with me that existing law, even if properly implemented by OSC and MSPB, is significantly inadequate to protect concerned federal employees from agency reprisal, and pending legislation to significantly strengthen the due process rights of employees seeking help from those agencies is badly-needed and long overdue.

Respectfully,

Tom Devine, Legal Director
Government Accountability Project