

Is Seeking to Stop a War a Crime? Whistleblowers and Other Government Activists Need to be Heard.

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Region: [USA](#)

Theme: [Intelligence](#), [Law and Justice](#)

*The early November detention of **Asif Rahman**, a Central Intelligence Agency (CIA) officer, indicted in a federal [national security court](#) in the Eastern District of Virginia on two counts of “willful retention and transmission of national defense information under the Espionage Act,” was largely downplayed in the national media. He [was arrested](#) by the Federal Bureau of Investigation (FBI) on Tuesday November 5th at the US Embassy in Phnom Penh in Cambodia where he was stationed and was sent to appear in the nearest federal court in Guam on Thursday the 7th to be charged. After his initial court appearance and indictment, Rahman, was transferred to a federal prison in Virginia.*

Rahman was a CIA analyst with a top-secret clearance that gave him access to the classified material that passed through the Agency’s Cambodia Station, which would have included much of the routine collection and dissemination of information on developments in Asia. **Rahman allegedly selected one report containing two files relating to plans by Israel to attack Iran**, which he then placed on an Iranian frequented site on the Telegram messaging app called the “Middle East Spectator,” which in turn claimed that the information came from a Pentagon source. After being posted it attracted a considerable audience, including US security monitors, numerous Iranians and, inevitably, the Israelis. The two top secret [documents](#) were marked as having been produced by the US government’s National Geospatial-Intelligence Agency and the National Security Agency. They included satellite imagery from October 15th and 16th that showed that Israel was moving Air Force military assets preparatory to conducting a military strike on Iran. Bear in mind that Israel has long sought to eliminate Iran as an adversary in the Middle East region they share, up to and including assassination of Iranian scientists and government officials and air attacks on targets in places like Syria that have been regarded as Iranian allies. Iran, for its part, has never attacked Israel prior to recent developments relating to the Gaza conflict.



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My Colleague, Middle East Spectator, has leaked some documents relating to an NGIA analysis done by the Pentagon in recent activities in Israel relating to a response against Iran.

The documents are probably real.

rise Forces Continue Key Munitions Preparations and Covert UAV Activity Almost Certainly for a Strike on Iran

Select GEDINT Indicators of Israeli Military Activity Related to Iran

Weapons Handling

Long-range ALBM handling

Rocky/500 ALBM handling

Precision-guided munitions handling

Air Defence

Evaded missile and air defences*

Interceptor resupply

Ground Forces

Change in IDF posture related to Iranian proxies in northern Israel**

Navy

Navy defensive dispersal

Medium

Medium

Low

Low

Covert UAV flight operations

Combat search and rescue preparations

Aircraft defensive dispersal

Nuclear and missile dispersal

Yes

No

Change since 15 October

Yes

No

Change since 15 October

Report Title

(TS//TK//SI//NF//REL TO USA, FVEY) Israel: Air Force Continues Preparations for Strike on Iran and Conducts a Second Large-Force Employment Exercise, 15-16 October 2024

Report Details

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Test Type	Status	YOT	TRG	Report Type	Producer / Agency	SAC Group
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Report Summary

(TS//TK//SI//NF//REL TO USA, FVEY) Israel: Air Force Continues Preparations for Strike on Iran and Conducts a Second Large-Force Employment Exercise, 15-16 October 2024

(TS//TK//SI//NF//REL TO USA, FVEY) The Israel Air Force (IAF) continued air-launched ballistic missile (ALBM) handling, covert UAV operations, and conducted a second large-force employment (LFE) exercise from 15 through 16 October 2024, according to imagery analysis. The IAF has handled at least 10 Golden Horizon ALBMs and at least 40 Rocky/500 ALBMs since 8 October, according to imagery analysis.

(TS//TK//SI//NF//REL TO USA, FVEY) The IAF continued ALBM handling at Hatserim Airfield on 15 October 2024. The IAF placed concealment screens over six F-15I hardened aircraft shelter (HAS) entrances on an alert apron on 16 October, which indicated ALBM handling occurred in the HAS area. We cannot differentiate if this activity is related to Rocky/500 (Rocky) or Golden Horizon ALBMs; however, three possible Golden Horizon ALBM-associated duties arrived in a separate HAS adjacent to the F-15I alert HAS complex. We did not observe increased personnel at the ALBM handling area at Hatserim Airfield on 16 October.

(TS//TK//SI//NF//REL TO USA, FVEY) The IAF likely handled air-to-surface missiles (ASM) at Ramat David Airfield and Ramon Airfield from 15 through 16 October. The IAF handled one probable unidentified ASM at Ramat David Airfield on 15 October. One unidentified ASM was in front of hardened aircraft shelter (HAS) entrance on an alert apron on 16 October, which indicated ASM handling occurred in the HAS area. We did not observe increased personnel at the ASM handling area at Ramat David Airfield on 16 October.

(TS//TK//SI//NF//REL TO USA, GBR) The IAF continued to conduct covert UAV flight activity at Ramon Airfield from 15 through 16 October. The IAF opened the RA-01 operations hanger screen and the gate to the RA-01 operations area, indicating an RA-01 aircraft was travelling to or from the operations area at 1731Z 16 October. On 16 October, NSA observed personnel and ground equipment active within the RA-01 operations area, indicating pre or post-flight activity occurred.

(SI//REL TO USA, FVEY) The IAF conducted an LFE exercise on 15 October, the second LFE exercise since 13 October, likely to practice air-to-air refueling and combat search and rescue operations with a large number of aircraft. The LFE exercise included at least three KC-707 tankers, one G-550 Gulfstream airborne early warning aircraft, and possibly fighter aircraft, according to SIGINT reporting. [1] The KC-707 tankers and G-550 Gulfstream aircraft involved in the LFE exercise is a similar package to what the IAF used to conduct long-range strikes in Yemen on 29 September 2024, according to imagery analysis.

(U) Sources

(SI//REL TO USA, AUS, CAN, GBR, NZL) [1] Originating Agency: NSA; Source ID Number: S/CY/227249-24; Date of Publication: 15 October 2024; Report Title: Middle East Hostilities: Israel Air Force Aircraft Participate in a Large Force Employment Exercise Amid Possible Strike Preparations, 13 October 2024 (SI//REL TO USA, AUS, CAN, GBR, NZL); URL: S/CY/227249-24 (u-gov); (Source information available Classified SI//REL TO USA, AUS, CAN, GBR, NZL).

(U) Point of Contact

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6447-0813000000 HATSERIM AFLD

MedManOG @MedManOG · Oct 18
Something big will drop soon.

6:14 AM · Oct 18, 2024 · 49.2K Views

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The US government declared the leak of the classified files to be “deeply disturbing” and investigators who finally focused on Rahman declared that he might have been “ideologically” motivated to expose the information. Rahman has declared himself to be not guilty and as the case relates to intelligence on a non-allied foreign country’s military making preparations for war it raises some ethical problems as well as political issues connected to Israel’s unofficial special relationship with the United States government. It is, for example, not normal for someone detained for leaking classified information to be imprisoned as the preparations for trial are underway unless they are likely to flee jurisdiction. Rahman is from a prominent and wealthy family based in Vienna Virginia and his father Muhit Rahman and lawyer Amy Jeffress sought to have him stay at home with family in custodial pretrial, which is normal, but a ruling by US District Judge Patricia

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Tolliver Giles overruled a magistrate who said a week before that Rahman could be free of additional restrictions including detention while he is awaited his trial. Jeffress has indicated that she will be appealing the detention order which was restored by Giles.

Image: Israeli attack on Iran ([Source](#))



In the event, Israel decided to proceed with its plans and [carried out the attack](#) targeting Iran's air defense systems and missile manufacturing facilities in late October. Citing no actual evidence, court papers related to the case reveal that the US government claims the leak of the files caused Israel to delay its attack plans. Prosecutor Troy Edwards said the volatile nature of the developing situation in the Middle East made the leak especially dangerous. He explained that

"It is hard to overstate what other circumstances present graver risks of danger to human life than unilaterally deciding to transmitting information related to plans for kinetic military action between two countries."

Actually, stopping the planned "kinetic action" is the solution if one wants to save lives. Edwards' line of reasoning, encouraging one side to proceed, could be considered to be the reverse of what might be true if one is truly seeking to mitigate the "danger to human life." While it is unquestionably true that a government employee who takes classified information and shares it is committing a serious crime under the Espionage Act as well as other legislation, one might argue that Rahman, if actually guilty as charged and convicted, may have been responding to what he might have considered to be mitigating circumstances. By exposing information on Israeli plans to attack Iran he might have believed that he was actually saving many lives as well as avoiding an escalation of a developing major war in the Middle East. He may have revealed information that the US government considered to be classified due to the way it was obtained by satellite but which, apart from that fact, did not in any way impact on the national security of the United States. Quite the contrary, as it would be quite plausible to argue that the United States would have been dragged into any conflict escalated by Israel against Iran, which does not in any way threaten the US, and which would serve no American national interest. Examining the leak from that perspective it would be quite reasonable to argue that Rahman, if he is guilty of mishandling the classified information, was trying to avert escalating a war that would quite plausibly do damage to all countries involved, including the United States and Israel.

The Rahman case is just one more indication of how anything having to do with Israel is not quite treated by government and media in the same fashion as for any other country. It is clearly a response to the immense power of the Israel Lobby in the United States. There is a strong tendency by the US to always defer to actions and behavior that Israel exhibits while also giving the Jewish state a pass when the results are awful or even genocidal as they are in Gaza. And there is a certain irony in how it all plays out going in the other direction.

Israel, in fact, has a history of actively spying against the United States without any real consequences to make it pay a price for such behavior. The most devastating spy ever to steal American defense secrets was Jonathan Pollard, a Jewish civilian employee of the US Navy, who stole whole rooms full of classified information in the 1980s, including the beyond top secret [National Security Agency](#)'s ten-volume manual on how the US gathers its signal intelligence, to include the technical details of how the US collected information on its actual enemies during the Cold War, revealing aspects of US intelligence gathering's "sources and methods." The defense information went to Israel where it was used in part to trade for visas from Moscow so Russian Jews could emigrate, certainly arguably a good cause, but paid for by damaging US security. Other US classified information went from Tel Aviv to China. Condemned to a life prison sentence, Pollard actually spent years in jail, where, in 1995, he became an Israeli citizen, but he was eventually released under parole in 2015 requiring him to stay in the United States. The parole requirement was canceled by President Donald Trump and Pollard immediately returned to Israel where he was celebrated as a hero. So much for Israel as America's good friend and ally.

By another definition, Rahman, even if found guilty as charged over the sharing of classified documents, might easily be viewed as a whistleblower, revealing information that the United States government had collected on a foreign government that might lead to a war and many deaths. Rahman may have believed that the exposure of the war plans would make Israel pause and reconsider. And maybe it would also lead the United States to also reexamine its often touted "ironclad" support of everything that Israel does as excessively risky in a volatile part of the world where Washington has considerable real interests in terms of energy issues and national security.

Image: John Kiriakou speaking at the Disruption Network Lab conference Prisoners of Dissent, Berlin, May 12, 2017. (Licensed under CC BY-SA 4.0)



If Rahman were to consider himself a whistleblower acting as he did as a matter of conscience, he would not be the first CIA officer to do so. **John Kiriakou** was an analyst and later a case officer and counterterrorism specialist for the Central Intelligence Agency (CIA) who worked in the Middle East, Pakistan and Greece. After leaving the Agency he became a senior investigator for the [Senate Foreign Relations Committee](#), and later a consultant for ABC News, after which he became the operating manager of a political risk analysis consulting firm in Arlington Virginia. To John's credit, he became the first US government official to confirm, during an interview with a reporter in December 2007, that waterboarding, which was simulated drowning, was routinely used to interrogate terrorist suspects, which he described as torture. One victim was reportedly waterboarded [183 times](#)

in a secret prison.

In Kiriakou's case, as it was and still is illegal for the US government to torture people to extort a confession, the same Virginia court that is trying Rahman had to avoid allowing the potential war crimes issue to surface. So on April 5, 2012, Kiriakou was indicted, not for exposing torture, but rather for one count of violating the Intelligence Identities Protection Act, three counts of violating the [Espionage Act](#), and one count of "making false statements" for lying to the Agency's Publications Review Board regarding a book that John was writing. Kiriakou pleaded not guilty and was released on bail. His time in court began on September 12th, 2012, at the District Court for the Eastern District of Virginia. It was conducted as a closed hearing in line with the [Classified Information Procedures Act](#). On October 22, 2012, Kiriakou agreed to a plea bargain of guilty to one count of passing classified information to the media, violating the [Intelligence Identities Protection Act](#) and thereby avoiding a formal trial. All other charges were dropped. On January 25th, 2013, John Kiriakou was sentenced to 30 months in a federal prison. On February 3rd, 2015, Kiriakou was released to serve a final three months under house arrest at his home in Virginia. Following his release, Kiriakou said his case was not about leaking information but about exposing torture, continuing, "and I would do it all over again."

Kiriakou, to his immense credit, never walked away from what he did, declaring firmly that the torture regime and the lies that supported it was wrong, both illegal and immoral. Was Asif Rahman a whistleblower like Kiriakou? The answer to that depends on one's point of view as he might have been seeking to stop a war rather than start one. He may have thought that it was something that his conscience and sense of shared humanity obligated him to do without regard for the possible consequences to himself. We will see how he defends himself when he finally appears before the judges. It will possibly be a very interesting discussion about America's values as a nation vis-à-vis the questionable behavior of the state of Israel, but instead of listening to what Rahman has to say, the public will likely be hearing [something like this](#) from those in government as echoed by the captive media: **Michael Waltz**, Trump's foreign policy advisor nominee recently said

"When [Secretary of State] Blinken touched down in Israel yesterday, I hope he apologized to Bibi for leaking their battle plans, and told the Israelis that they were right all along. Because the Ayatollah is in hiding right now, not because of Biden, but because of Bibi."

The sad reality is that Israel's **Prime Minister Benjamin Netanyahu**, who has overwhelmed **Joe Biden** and will likely do the same to **Donald Trump**, has been allowed to become the prime architect of the shambles that the Middle East has become with no one but a handful of whistleblowers seeking to restore sanity.

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