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Judge OKs questioning of ex-base workers

By Dave Palermo
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Investigators examining possible environmental crimes at the Air Force's classified military base at Groom Lake may question current and former workers, including those who filed a lawsuit against the federal government, a U.S. District Court judge ruled Monday.

Court orders protecting the identity of "John Doe" plaintiffs in the lawsuit "(do) not preclude investigators ... involved in a criminal investigation from interviewing or attempting to interview present and former employees," Judge Philip Pro said in his order.

The investigators will not be permitted "to ask witnesses whether or not they are plaintiffs" or know of plaintiffs in the lawsuit, Pro said.

Former workers at what is known as Area 51 are suing the federal government because of illnesses they blame on the burning of hazardous wastes at the base. They have requested their identifies remain a secret for fear of reprisals.

The former employees last month filed an motion with the 9th U.S. Circuit Court of Appeals to prevent Pro from allowing field interviews with the workers. They contend the investigation is a thinly veiled attempt to retaliate against the workers.

Pro said court orders in the civil lawsuit "are not intended to limit the scope of a separate and independent criminal investigation into alleged violations of environmental laws" at the base.

"The Area 51 workers requested a criminal investigation two years ago," said their attorney, Jonathan Turley. They have since been threatened with "civil and criminal reprisals," he said.

James Morgulec, an attorney with the Justice Department's Environmental Crimes Section said in court papers that those questioned in the investigation "unless otherwise informed, (would) be considered witnesses only."

Morgulec said the workers can be interviewed without jeopardizing the protective order keeping their identities a secret.

Turley argues the government will not grant the workers immunity for environmental crimes they may have committed.

He also said the workers could be prosecuted for the unauthorized disclosure of classified information about the base.

Federal law requires workers to reveal information disclosed in interviews, Turley said, "creating a classic Catch-22 situation."

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