

**U.S. Department of Justice**

Federal Bureau of Investigation

Office of the General Counsel

Washington, D.C. 20535

August 6, 2009

VIA FACSIMILE TRANSMISSION
(202) 342-1904

Stephen M. Kohn, Esq.
National Whistleblowers
Legal Defense & Education Fund
3238 P Street N.W.
Washington, DC 20007

Re: Sibel Edmonds

Dear Mr. Kohn:

This letter is being sent in response to your undated letter addressed to Attorney General Holder with regard to the anticipated testimony of your client, Sibel Edmonds, before the Ohio Elections Commission (Commission) on Saturday August 8, 2009. The letter included a copy of Ms. Edmonds' proposed affidavit, which she seeks to submit to the Commission. You had the letter and affidavit delivered to the Department of Justice on August 3, 2009. The FBI received them on August 4. As you know, your client executed a Basic Ordering Agreement (BOA) with the Federal Bureau of Investigation (FBI) which applies to disclosure of any information relating to the services she provided to the FBI. That agreement expressly prohibits disclosure (without prior approval from the Director of the FBI or his delegate) of information acquired as part of the performance of her contract or her contractor status. She also signed a Security Acknowledgment Form and Classified Information Non-disclosure Agreement.


When signing the BOA your client agreed to request the approval of the Director of the FBI before making any disclosure of information (oral or written) to an unauthorized party by presenting the full text of the proposed disclosure to the Director of the FBI at least thirty days prior to the disclosure. The purpose of the agreement your client signed is not to prevent her from speaking about the FBI, but to prevent the disclosure of information where disclosure is contrary to law, regulation or national security.

Compliance with the BOA, the Security Acknowledgment form and the Classified Information Non-disclosure agreement are the obligation of Ms. Edmonds and the FBI has not and will not waive that compliance. Your client did not comply with the terms of those

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documents. Therefore she does not have approval for any disclosure of any information covered by the BOA, the Security Acknowledgment form and the Classified Information Non-disclosure agreement.

Sincerely,



Valerie Caproni
General Counsel
Federal Bureau of Investigation