

For Immediate Release
Tuesday, February 27, 2007

Grassley: FBI Should Discipline Supervisors Found to Retaliate Against Agents

WASHINGTON – Senator Chuck Grassley has asked FBI Director Robert Mueller about the agency’s plans to discipline supervisors who have been found to retaliate against agents who report wrongdoing.

Grassley’s questions come following a decision by a Minnesota jury in favor of Special Agent Jane Turner, who alleged that FBI supervisors falsified negative performance reviews in retaliation for filing an equal employment opportunity complaint.

“The high standards of the FBI do not allow for anything less than the truth. It’s time for the supervisors who retaliated against Jane Turner, and any other whistleblower for that matter, be held accountable,” Grassley said. “This jury verdict is vindication for Agent Turner. She had the courage to stand up alone, in the face of resistance, and say what happened was wrong.”

Grassley has been an outspoken advocate for Turner since an Inspector General report showed agents improperly removed items from the site of the 9-11 terrorist attack in New York City. In a letter to Mueller dated February 26, 2004, Grassley wrote “As a sworn federal agent, Agent Turner had a duty and obligation to report such misconduct. Her reward was continued hostility, and the FBI eventually initiated termination proceedings against her...Moreover, the appearance of retaliation is, unfortunately, consistent with what has happened to previous whistleblowers.”

Here is a copy of Grassley’s letter.

Via Electronic Transmission

The Honorable Robert S. Mueller, III
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, D.C. 20535

Dear Director Mueller:

On many occasions you have assured me that you will not tolerate retaliation against FBI whistleblowers. A federal jury sitting in Minneapolis, Minnesota, recently returned a substantial judgment against the FBI in a civil suit brought by former Special Agent Jane Turner. The jury found merit in Agent Turner’s allegations that FBI supervisors falsified negative performance reviews in retaliation for filing an equal employment opportunity complaint.

Given that her allegations have now been substantiated, I am writing to you to for information about how you intend to hold supervisors accountable for the acts of retaliation. Please provide detailed written answers to the following questions:

1. During the past five years, how many FBI supervisors have been disciplined for acts of retaliation? Please provide a description of the facts in each case and the discipline imposed.
2. What disciplinary actions, if any, will be taken against FBI employees for their involvement in and/or approval of the acts of retaliation against Agent Turner?
3. Please describe the role of Supervisory Special Agent Craig Welkin in the retaliation against Agent Turner and explain whether Welkin will be subject to discipline, and why or why not.
4. Please describe the role of Supervisory Special Agent James "Chip" Burriss in the retaliation against Agent Turner and explain whether Burriss will be subject to discipline, and why or why not.
5. Please describe the role of Supervisory Special Agent James Casey in the retaliation against Agent Turner and explain whether Casey will be subject to discipline, and why or why not.

Actions speak louder than words. Now that a jury has substantiated retaliation by the FBI in this case, I am anxious to find out what the FBI will do to demonstrate that your commitment to protecting FBI whistleblowers is more than just words. Unless retaliators are held accountable, the FBI culture will not change. Please provide me with written responses to these questions before March 7, 2007.

Sincerely,

Charles E. Grassley
United States Senator

cc: Chairman Patrick Leahy
Senate Committee on the Judiciary

Ranking Member Arlen Specter
Senate Committee on the Judiciary