

August 12, 2014

VIA ELECTRONIC TRANSMISSION

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

When the Civil Service Reform Act of 1978 prohibited certain personnel practices in the FBI, it instructed the Attorney General to prescribe regulations against reprisal (5 U.S.C. § 2303). Further, it stated that the President should provide for the enforcement of the section in a manner consistent with section 1206 of the Civil Service Reform Act, which established the Office of Special Counsel. Instead, no action was taken until 1997, when President Clinton issued a memorandum on April 14 delegating these responsibilities to the Attorney General. Now, seventeen years later, effective procedures for protecting whistleblowers at the FBI are needed more than ever.

On October 10, 2012, you issued the Presidential Policy Directive 19 (PPD 19), entitled "Protecting Whistleblowers with Access to Classified Information." Section E of PPD 19 mandated that the Attorney General deliver a report to you within 180 days assessing the efficacy of the Federal Bureau of Investigation (FBI) regulations for deterring prohibited personnel practices, as well as ensuring enforcement of those regulations and describing any proposed revisions which would increase their effectiveness.

This 180 day period passed on April 8, 2013, and the report was not delivered at that time. However, we understand that as of June 2, 2014, the Attorney General finally delivered the report.

The Government Accountability Office (GAO) is currently studying the effectiveness of the Justice Department's mechanism for investigating retaliation in the FBI as well. In addition to having the findings of the GAO study, Congress also needs to know what the Attorney General's review found so that we may be fully informed before considering any legislation related to this topic. Therefore, we respectfully request a copy of the Attorney General's recent report.

Thank you for your prompt attention to this important matter.

Sincerely,
Chuck Grassley
Ron Wyden