

United States Senate

WASHINGTON, DC 20510

March 6, 2018

VIA ELECTRONIC TRANSMISSION

The Honorable Daniel Coats
Director of National Intelligence
Washington, DC 20511

Dear Director Coats:

We write to express deep concern about the Office of the Intelligence Community Inspector General (OIG) and to urge that you stay actions taken by the OIG pending confirmation of the new Inspector General. We are writing to you because the current acting leadership of the OIG is the subject of our concerns as well as the subject of allegations in the specific personnel matter in question.

Late last week, the OIG's Executive Director of Intelligence Community Whistleblowing and Source Protection (the "Executive Director") was terminated in a process marked by procedural irregularities and serious conflicts of interest. Further, the termination of the Executive Director came after an extended period during which the acting leadership of the OIG demonstrated a lack of support for the critical whistleblower protection mission of the office.

The timing of these actions, which occurred during the confirmation process for Mr. Michael Atkinson to be the new Inspector General, is especially troubling. We are concerned that the termination of the Executive Director may constitute an effort to preempt the nominee's authority to make his own decisions upon confirmation. Moreover, during the nominee's hearing, multiple U.S. Senators expressed the expectation that the nominee would, if confirmed, address their concerns regarding the current acting leadership of the OIG and its approach to whistleblowers. We are concerned that any preemptive steps taken by the acting leadership risk undercutting the constitutional authority of the U.S. Senate to provide advice and consent through the confirmation process.

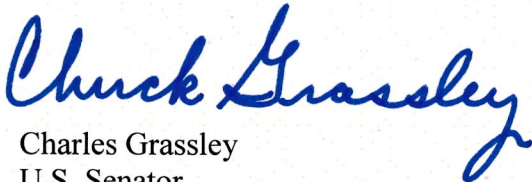
We therefore write with several urgent requests. First, on November 29, 2017, Senator Grassley sent you and the Acting Inspector General letters urging the preservation of all records relating to the Executive Director's then-proposed termination, as well as all the contents of the Executive Director's office. Senator Grassley has not received responses to those letters. We request that you respond and that you ensure that the Acting Inspector General responds as well. We further request that the preservation described in the letters be implemented, and that it be applied as well to all subsequent records related to the Executive Director's termination and all matters then pending involving his Office.

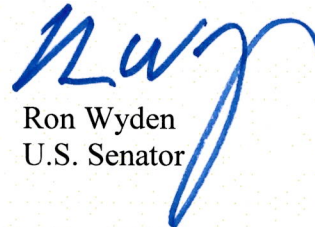
Second, Senator Grassley's letters requested documents related to the personnel action against the Executive Director and related matters. We request your support in ensuring that Congress receives the documents described in the letters as well as subsequent documents related to the process by which the Executive Director was terminated.

Finally, we urge that all personnel decisions made by the OIG since the nomination of Mr. Atkinson, including the termination of the Executive Director, be stayed pending his confirmation. (Mr. Atkinson's nomination has been favorably reported by both the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence and is awaiting final Senate action on the Calendar.) Upon his confirmation, the new Inspector General should have the unfettered authority to consider both personnel and policy matters *de novo* without being hindered by preemptive actions taken by the current acting leadership.

Thank you for your attention to this urgent matter.

Sincerely,


Charles Grassley
U.S. Senator


Ron Wyden
U.S. Senator

CC: Wayne Stone
Acting Inspector General