

# FBI CAN'T HAVE WHISTLEBLOWER PROTECTION BECAUSE IT WOULD ENCOURAGE TOO MANY COMPLAINTS

The Department of Justice is undercutting Chuck Grassley's efforts to provide FBI employees whistleblower protection. That became clear in an exchange (2:42) on Wednesday.

The exchange disclosed two objections DOJ has raised to Grassley's FBI Whistleblower Protect Act. First, as Attorney General Loretta Lynch revealed, DOJ is worried that permitting FBI Agents to report crimes or waste *through their chain of command* would risk exposing intelligence programs.

What I would say is that as we work through this issue, please know that, again, any concerns that the Department raises are not out of a disagreement with the point of view of the protection of whistleblowers but again, just making sure that the FBI's intelligence are also protected at the same time.

I suspect (though am looking for guidance) that the problem may be that the bill permits whistleblowers to go to any member of Congress, rather than just ones on the Intelligence Committees. It's also possible that DOJ worries whistleblowers will be able to go to someone senior to them, but not read into a given program.

Still, coming from an agency that doesn't adequately report things like its National Security Letter usage to Congress, which has changed its reporting to the Intelligence Oversight Board so as to exempt more activities, and can't even count its usage of other

intelligence programs, it seems like a tremendous problem that DOJ doesn't want FBI whistleblowers to have protection because it might expose what FBI is doing on intelligence.

That's sort of the point!

Especially given Grassley's other point: apparently, DOJ is opposed to the bill because it will elicit too many complaints.

One of the issues that your department has raised is that allowing FBI employees to report wrong-doing to their chain of command could lead to too many complaints. You know? What's wrong with too many complaints? ... Seems to me you'd invite every wrong doing to get reported to somebody so it could get corrected.

Apparently, DOJ knows there are so many problems FBI employees would like to complain about that things would grind to a halt if they were actually permitted to complain.

This is the FBI! Not only a bureau that has tremendous power over people, but also one with a well-documented history of abuse. It should be the first entity that has whistleblower protection, not the last!

Grassley raised two more points. First, in April 2014, DOJ promised to issue new guidelines on whistleblowing for FBI, clarifying who employees could go to. That hasn't been done yet.

FBI has, however, created a video about whistleblowing which is, according to what Grassley said, pretty crappy. He's asking for both those things as well.