

Charles McCullough, III
Inspector General of the Intelligence Community
Office of the Inspector General of the Intelligence Community
Investigations Division
Reston 3
Washington, D.C. 20511

January 6, 2016

Dear Inspector General McCullough:

As organizations concerned with openness and accountability in all parts of government, we are writing to remind you about the important role that whistleblowers play in the proper functioning of the federal government. They deserve our protection, not persecution. We are concerned about the Office of the Inspector General's characterization of whistleblowers as insider threats, despite the clear policy from the White House that those individuals should not be considered or targeted as such.

Whistleblowers are the first and best line of defense against waste, fraud, and abuse in federal programs, but in an internal training, ODNI recently gravely mischaracterized whistleblower Thomas Drake as an insider threat, placing him in the same category as Fort Hood shooter Nidal Hasan and Navy Yard killer Aaron Alexis.¹ The presenter, ODNI official Patricia Larsen, reiterated an overly broad definition of

testifies.html

⁴ Exec. Order No. 13,587, § 7(e).

⁵ PEN America, *Secret Sources: Whistleblowers, National Security, and Free Expression*, November 10, 2015, p.

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This training is not the first time ODNI has erroneously conflated insider threats and whistleblowers. ODNI guidance improperly equates unauthorized disclosures of unclassified information with espionage and sabotage.⁷ This broad lumping together of information sharing gave our community pause years ago, when *McClatchy* reported that agencies were using the Insider Threat Program as grounds to pursue unauthorized disclosures of unclassified information—information that whistleblowers can legally disclose to anyone under current law—in 2013.⁸ When the office leading this program does not understand the distinction between a whistleblower and a genuine threat, there is a fundamental flaw in the Insider Threat Program.

Because of these instances of confusion on this fundamental point, we are asking you to perform an evaluation of the Insider Threat Program, including an investigation into whether it has been improperly

