



U.S. Department of Justice

12-2001

Federal Bureau of Investigation

Washington, D.C. 20535

November 7, 2001

MEMORANDUM TO ALL EMPLOYEES

RE: WHISTLEBLOWER PROTECTIONS FOR
FEDERAL BUREAU OF INVESTIGATION EMPLOYEES

I want to express my firm commitment to the protection of employees who report organizational wrongdoing. The attached description explains the whistleblower protections at the FBI. These protections exist to protect employees from retaliation by their superiors for lawfully and in good faith reporting wrongdoing within a government agency. The freedom to expose any impropriety within the Bureau, without suffering reprisal, is fundamental to our ability to maintain high standards of organizational performance and conduct and to expeditiously root out inefficiency and malfeasance. This critical freedom cannot be impaired by fear of reprisal or intimidation.

I will not tolerate reprisals or intimidation by any Bureau employee against those who make protected disclosures, nor will I tolerate attempts to prevent employees from making such disclosures. Employees who engage in such behaviors can expect appropriate disciplinary sanctions, including dismissal from the rolls of the FBI, where warranted.

Whistleblower Provisions

Whistleblower regulations (28 C.F.R. Part 27) provide special protections for employees who make "protected disclosures" if two conditions exist: First, the employee making the disclosure must reasonably believe that he or she is reporting mismanagement, a gross waste of funds, an abuse of authority, a substantial and specific danger to public health or safety, or a violation of any law, rule, or regulation. Second, this disclosure must be made to one of the following: the Department of Justice, Office of Professional Responsibility (DOJ/OPR); the Department of Justice, Office of Inspector General (DOJ/OIG); the Federal Bureau of Investigation, Office of Professional Responsibility (FBI/OPR); the Attorney General or Deputy Attorney General; the Director, or Deputy Director, FBI; or the highest-ranking official in any FBI field office (ADIC or SAC).

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Thereafter, if an employee believes that another Bureau or DOJ employee has taken or failed to take a personnel action, or threatened such action or inaction, as a reprisal for having made a protected disclosure, that employee may report the reprisal, in writing, to DOJ/OPR or DOJ/OIG. "Personnel actions" include a wide range of decisions, among which are appointments, promotions, disciplinary or corrective actions, details, transfers, or reassignments; performance evaluations; decisions concerning pay, benefits, or awards; certain education and training decisions; a decision to order psychiatric testing; and any other significant change in duties, responsibilities, or working conditions. DOJ/OPR or DOJ/OIG will investigate allegations of reprisals, and, where allegations are substantiated, corrective actions may be ordered.

Robert S. Mueller, III
Director

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