



September 9, 2019

**PERSONAL AND CONFIDENTIAL
VIA HAND DELIVERY THROUGH COMMITTEE COUNSEL**

The Honorable Richard Burr
Chairman, Senate Select Committee on Intelligence
The Honorable Mark Warner
Vice Chairman, Senate Select Committee on Intelligence
United States Senate
Washington, DC 20510

The Honorable Adam Schiff
Chairman, House Permanent Select Committee on Intelligence
The Honorable Devin Nunes
Ranking Member, House Permanent Select Committee on Intelligence
United States House of Representatives
Washington, DC 20515

RE: Report of Urgent Concern via the Intelligence Community Inspector General

Dear Chairman Burr, Chairman Schiff, Vice Chairman Warner, and Ranking Member Nunes:

I represent a member of the Intelligence Community who has reported an Urgent Concern to the Office of the Intelligence Community Inspector General (“ICIG”) pursuant to the Intelligence Community Whistleblower Protection Act of 1998 (“ICWPA”). In accordance with 50 U.S.C. § 3033(k)(5)(I), I am writing to inform you that my client has (1) submitted a disclosure to the ICIG in accordance with the ICWPA, and (2) the date on which the submission was made.

On or about August 12, 2019, my client disclosed to the ICIG their reasonable belief of a violation of law, rule, regulation, or an abuse of authority. In accordance with 50 U.S.C. § 3033(k)(5)(B), the ICIG determined that my client’s disclosure was a credible Urgent Concern and transmitted to the Acting Director of National Intelligence both its determination as well as the disclosure. The statute mandates that within 7 calendar days of receipt, the Director of National Intelligence “shall . . . forward such transmittal to the congressional intelligence committees, together with any comments the Director considers appropriate.” 50 U.S.C. § 3033(k)(5)(C).

The ICIG has informed me that despite its determination, my client’s disclosure will not be transmitted to Congress because the Acting Director of National Intelligence views the matter as “outside of the scope” of the applicable whistleblower statute.



I thank you in advance for your time and attention to this matter. Should you require any further information, please do not hesitate to contact me directly.

Sincerely,



Andrew P. Bakaj

Enclosures: None.

