



**Permanent Select Committee
on Intelligence
U.S. House of Representatives**

September 10, 2019

The Honorable Joseph Maguire
Acting Director of National Intelligence
Office of the Director of National Intelligence
Washington, D.C. 20511

Dear Acting Director Maguire:

The House Permanent Select Committee on Intelligence (“Committee”) has learned that, contrary to your express obligations under the law, you are withholding from the Committee an authorized and protected whistleblower disclosure involving “a serious or flagrant problem, abuse, violation of law or Executive order, or deficiency relating to the funding, administration, or operation of an intelligence activity within the responsibility and authority of the Director of National Intelligence involving classified information.”¹

On August 26, 2019, consistent with the procedures in the Intelligence Community Whistleblower Protection Act (“ICWPA”), the Inspector General of the Intelligence Community (“ICIG”) transmitted to you a whistleblower disclosure intended for Congress, which an individual within the Intelligence Community lawfully submitted to the ICIG on August 12, 2019. Based on a preliminary review conducted within the 14-day period provided by the statute, the ICIG determined that the disclosure meets the statutory definition of an “urgent concern” and that there are reasonable grounds to believe the information relating to the urgent concern is credible.

The ICWPA requires you to forward all whistleblower transmittals from the ICIG to the congressional intelligence committees within a statutorily-mandated 7-day period.² You should

¹ 50 U.S.C. §3033(k)(5)(G).

² 50 U.S.C. §3033(k)(5)(A) requires that “upon receipt of a transmittal from the Inspector general...the Director *shall*, within 7 calendar days of such receipt, forward such transmittal to the congressional intelligence committees, together with any comments the Director considers appropriate” (emphasis added). The statute does not provide the Director of National Intelligence with discretion to withhold a whistleblower disclosure.