

February 11, 2026

**VIA EMAIL**

Jack Dever  
General Counsel  
Office of the Director of National Intelligence  
Washington, DC 20511

**RE: Response to February 7, 2026 Correspondence Received February 9, 2026**

Dear Mr. Dever:

We are in receipt of your correspondence dated Saturday, February 7, 2026, which we received on Monday, February 9, 2026, at 9:01 am.

Thank you for your response.

As a preliminary matter, we are in absolute agreement that all classified information, including any at issue or related to our client's protected whistleblower disclosure, must be safeguarded. This is precisely why our client – even prior to engaging counsel – proceeded with lawfully disclosing their concerns to the Intelligence Community Inspector General (“ICIG”). If anything, this underscores our client's commitment to following all established processes and procedures. This also speaks well of the Intelligence Community's outreach efforts to its members so that they are aware of those processes and understand how to lawfully report concerns.

Our goal is simple: to ensure that our client's disclosure, and the underlying intelligence, is properly and lawfully transmitted to Congress and that, prior to any engagement by our client and/or legal counsel in any briefings, unclassified or classified, that such engagement is only done after receiving the appropriate guidance and authorization by which to do that.

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<https://WhistleblowerAid.org> – Anonymously via **Tor Browser**:

<http://p6ufg73qskew53cglxt6hktyt35rbl46yultzyuytq3tvicywa3pclid.onion>

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We sincerely understand that there can be intelligence so classified – so “exquisite” as you write – that determining how best to proceed, from the agency’s standpoint, can be challenging. With that said, it is not an impossible task – and certainly not one that should have taken nearly eight months. In fact, notwithstanding our asking on multiple occasions, as detailed below, it still has not occurred.

As you know, and has been publicly acknowledged by the ICIG in his letter dated February 2, 2026, to the congressional intelligence committees, our client’s whistleblower complaint alleged: “(1) distribution of a highly classified intelligence report was restricted for political purposes; and (2) the responsible IC element's Office of General Counsel failed to report a potential crime to the Department of Justice, also for political purposes.”<sup>1</sup>

In addressing the contested matters at hand, a correct and accurate chronology of the whistleblower’s complaint and related events is important for the public to know.

### **Relevant Procedural Chronology of Events**

- In **mid-April 2025**, our client filed an “urgent concern” one-page complaint with the ICIG. Because our client was unaware of who would have access to the complaint, this narrative specifically and deliberately did **not** include any compartmented information.
- On **May 9, 2025**, Director of National Intelligence (“DNI”) Tulsi Gabbard placed one of her top advisers, Dennis Kirk, within the ICIG. *The Washington Post* reported the following:

The adviser, Dennis Kirk, was placed within the watchdog office on May 9, but reports to the DNI . . . .

“The appointment of a highly partisan advocate for prioritizing personal loyalty to President Trump above independence and professionalism in the federal government — and one who apparently answers to DNI

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<sup>1</sup> Letter dated Feb. 2, 2026, from Cristopher R. Fox, Inspector General of the Intelligence Community to Congressional Intelligence Committees. A copy of this correspondence is included at Enclosure “1”.

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Gabbard rather than to you — in a senior role within [the intelligence community inspector general’s office] **raises troubling questions about the independence of the IC IG and whether there exists a need for Congress to strengthen protections for the IC IG’s independence,**” [Congressman Stephen F. ] Lynch wrote to [Acting Inspector General Tamara A.] Johnson.

Director Gabbard’s office in turn accused the intelligence community inspector general of politicization.

**In a statement to *The Washington Post*, Director Gabbard’s press secretary, Olivia Coleman, accused the intelligence community inspector general of failing to fulfill “the responsibility to be an independent organization un beholden to partisan interests.”**

Coleman said that Kirk was assigned to the watchdog office as part of the transition team and found “evidence of overwhelming and intentional politicization by the current IC IG team.”<sup>2</sup>

- On **May 21, 2025**, our client completed their protected disclosure/complaint submission to the ICIG. By this time the ICIG was now in possession of the relevant underlying evidence, to include compartmented information, because it was specifically requested by the investigators.<sup>3</sup>
- By correspondence dated **June 6, 2025**, the ICIG informed our client that on June 4, 2025, and within the statutorily-mandated period, they concluded their review of the disclosure and **“determined that the allegations in your submission, if accepted as true, meet the statutory definition of an "urgent concern" under 50 U.S.C. § 3033(k)(5)(G)(i). However, pursuant to 50 U.S.C. § 3033(k)(5)(B), the Inspector General could not determine if the allegations ‘appear credible.’”**. The ICIG further asserted that two requirements must be

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<sup>2</sup> Meryl Kornfield and Ellen Nakashima, *Gabbard placed top adviser inside the ODNI’s watchdog office, officials say*, The Washington Post, June 5, 2025, <https://www.washingtonpost.com/politics/2025/06/05/tulsi-gabbard-odni-watchdog-signalgate/>.

<sup>3</sup> It is this date that the ICIG has identified as the date upon which the whistleblower filed their hotline complaint, but it is the day the filing was completed. Initial outreach by the whistleblower occurred a month before.

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fulfilled *before* our client was permitted to even contact the congressional intelligence committees which was to (1) notify the ICIG of their intent to directly contact the committees, and (2) “obtain, through the ICIG, and follow DNI’s direction on how to contact the congressional intelligence committees in accordance with appropriate security practices.” A copy of this correspondence is included at Enclosure “2”.

- That same day on **June 6, 2025**, and consistent with 50 U.S.C. § 3033 (k)(5)(D)(ii)(I), our client informed the ICIG of their intent to directly contact the congressional intelligence committees and requested direction from the DNI on how to contact the committees in accordance with appropriate security practices. The ICIG has acknowledged, per its letter dated February 2, 2026, to the congressional intelligence committees, that on “[t]hat same day, as required by 50 U.S.C. § 3033 (k)(5)(D)(ii)(II), IC OIG's former Acting Counsel requested security guidance from the DNI through ODNI's then-Acting General Counsel.” Moreover, it has been admitted that beginning in June and at least monthly thereafter, the ICIG attempted on multiple occasions to obtain guidance from the DNI without success.
- By correspondence dated **November 21, 2025**, Whistleblower Aid first engaged the DNI and renewed our client’s request for direction on how to contact the committees in accordance with appropriate security practices. Again, no direction was received. A copy of this correspondence is included at Enclosure “3”.
- In his **February 2, 2026**, letter, the ICIG also revealed that:

On 9 June 2025, after receiving newly-obtained evidence, Acting IC IG Johnson issued a supplemental determination memorandum, finding that the first allegation did not appear credible while remaining unable to assess the apparent credibility of the second allegation.

None of this information was ever made known to our client. Indeed, it was the first time we learned of the existence of any subsequent supplemental determination.

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- On **February 3, 2026**, we again renewed our client’s request for DNI guidance and notified the DNI that should we not receive guidance by Friday, February 6, 2026, that we would contact the congressional intelligence committees.

This brings us to today and your recent letter.

### **Statutory Law Permits the Whistleblower to go to Congress – predicated on obtaining security guidance from the DNI**

In your letter you accuse us of misinterpreting the statute and ignoring the fact that the DNI has followed the law throughout this process. You further claim that “[a]ny allegations to the contrary are baseless and do not accurately reflect the DNI's actions to keep the relevant Congressional committees fully informed.” We respectfully disagree with your assertions.

Title 50 U.S. Code § 3033 (k)(5A) states:

- (i) An employee of an element of the intelligence community... who intends to report to Congress a complaint or information with respect to an urgent concern may report such complaint or information in writing to the Inspector General.
- (ii) The Inspector General shall—
  - (I) provide reasonable support necessary to ensure that an employee can report a complaint or information under this subparagraph in writing; and
  - (II) if such submission is not feasible, create a written record of the employee’s verbal complaint or information and treat such written record as a written submission.

The ICIG properly followed the provisions of the statute and thereafter rendered its determination regarding whether our client’s whistleblower complaint met the requirements for “urgent concern” and whether it is “credible”. As noted in the official correspondence, our client’s complaint was deemed, if true, to constitute an “urgent concern”. Notably, “the Inspector General shall have sole authority to determine whether any complaint or information reported to the Inspector General is a matter of urgent concern under this paragraph.” *Id.* at (k)(5)(G)(ii). The type of complaint that justifies the designation of “urgent concern” deserves to be highlighted.

Per the statute, 50 U.S.C. § 3033 (k)(5)(G), the term "urgent concern" means any of the following:

- (l) 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 of the Federal Government that is-
  - (aa) a matter of national security; and
  - (bb) not a difference of opinion concerning public policy matters.

While it is true the ICIG modified its initial determination of whether our client's whistleblower complaint was "credible," this apparently occurred based on "newly obtained evidence," the merits of which remain unknown. But even then, the ICIG made clear that:

**"this supplemental determination had no legal effect on the complainant's right to submit the complaint to the congressional intelligence committees. IC OIG's Acting Counsel contacted ODNI's Acting General Counsel at least monthly to inquire about the status of the security guidance."**

Thus, the ICIG expressed continuing recognition of the legal right of our client's ability to directly interact with the congressional intelligence committees regarding the substance of their "urgent concern" complaint. There should be no surprise that this view was unequivocally expressed because the statute at § (k)(5)(D) is perfectly clear that:

If the Inspector General does not find credible under subparagraph (B) a complaint or information submitted under subparagraph (A), or does not transmit the complaint or information to the Director in accurate form under subparagraph (B), **the employee (subject to clause (ii)) may submit the**

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**complaint or information to Congress by contacting either or both of the congressional intelligence committees directly.<sup>4</sup>**

As noted above, the exercise of this right has been sought for the past eight months. But to date, to include your lengthy letter, no such DNI guidance has been provided to the whistleblower, notwithstanding repeated requests by not just the undersigned and our client but by the ICIG itself. While you might be technically correct that “the law does not provide a timeline for provision of security guidance in that circumstance,” no reasonable person would believe the timeframe for this to occur is open-ended or subject to neither limitation nor enforcement. Indeed, respectfully, given the repeated attempts and the lengthy lapse of time that has occurred since the first request was made, it is difficult to reach any other conclusion but that the DNI is deliberately obstructing our client’s ability to directly communicate with the congressional intelligence committees and provide a briefing of the contents of their whistleblower complaint.

In the February 2, 2026, correspondence to the congressional intelligence committees, the ICIG also noted:

“Of all ‘urgent concern’ complaints handled by IC OIG since the establishment of this Office, only one previous case from 2020 included information so sensitive that it needed to be hand-carried to Congress. In the present case, the intelligence report from which the complaint was derived is the most sensitive to-date received by IC OIG as an ‘urgent concern’ complaint. In fact, the referenced intelligence reporting in the complaint would ordinarily be restricted by the originating IC element to oral briefings to the ‘Gang of Eight’ according to longstanding security guidance from that element’s security office.”

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<sup>4</sup> Thus your assertion that “[t]he complainant remains authorized to notify Congress of the ‘fact of’ their complaint, not details of the contents” is completely belied by the explicit statutory language. That right, which is set forth in § (k)(5)(I), is completely distinct from the whistleblower’s additional right pursuant to § (k)(5)(D) to submit the substantive complaint or information directly to the congressional intelligence committees.

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Whether this is factually true or not, the ICIG has acknowledged that security guidance exists as a mechanism to disseminate the information allegedly at issue in our client's complaint to Congress.

Furthermore, based on our client's recollection of the ICIG intake process, the assertions concerning our client's initial whistleblower submission to the ICIG presented in your letter are inaccurate. You claimed:

“. . . the classification of the complaint is the direct result of your client taking the unprecedented step of putting highly classified intelligence in the whistleblower intake form.”

According to our client, the intake form they completed did not include compartmented information. In fact, the written narrative that initiated the complaint process is very short, literally just one page. This was done in order to minimize any “exquisite” intelligence from being disclosed to an unauthorized individual even within the ICIG. During the subsequent weeks, the whistleblower met with ICIG officials and coordinated – per their request – the production of what is no doubt highly classified evidence, with specific direction as to where and how to resubmit the compartmented information – and therefore complete – the intake process.

Regardless of whether our client or the ICIG was responsible for the creation of such a highly classified complaint, the statutory obligations remain in place. You claim that “ODNI has satisfied congressional notification requirements” with the transmission of our client's complaint being “hand-delivered by the IC IG to the ‘Gang of Eight’, on a ‘read and return’ basis and that no notes be taken.” We disagree with your assessment that the DNI's lawful obligations have been met. And while we recognize that the current IGIC has noted that he does not believe, were a *de novo* review to be conducted by him of our client's complaint, that this matter meets the statutory "urgent concern" threshold, he articulated the principled view that he “must respect the lawful determination made by [his] predecessor.”

Therefore, the statutory ability of our client to meet directly with the congressional intelligence committees remains absolute and unaffected. Indeed, the reasons articulated by the ICIG in his letter dated February 2, 2026, as to why he does

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not believe our client’s complaint constitutes an “urgent concern” only strengthens – not weakens – the need for our client to brief Members (and where appropriate their staff) of the substantive information underlying their whistleblower complaint. In fact, our client has a different interpretation of the nature of their complaint from how it is described by the ICIG which further amplifies the need for the whistleblower to present the facts as they know and understand them to the appropriate congressional intelligence committees.

Therefore, to reiterate, our client – with legal counsel present – desires to meet directly with the intelligence committees to “submit the complaint or information” that is contained within their “urgent concern” complaint. And let us also be perfectly clear that there is no authority within the relevant statute, 50 U.S.C. § 3033, that permits the DNI to prevent, whether on the basis of classification or Executive Privilege, our client from submitting their complaint or the information in its entirety and without redaction directly to Congress. All that is needed and that we await is the appropriate security guidance on how to do so. This is what the statute states and lawfully mandates, and we respectfully expect the ODNI to meet its legal obligations in this regard.

Therefore, we ask again that you comply with our request to provide the appropriate security guidance and proposed next steps by no later than **Friday, February 13, 2026**. Please note that your failure to do so may lead to our pursuing litigation before the appropriate U.S. District Court to compel the DNI’s compliance with the law.

Thank you for your commitment, and we look forward to collaboratively making this happen.

Sincerely,



Andrew P. Bakaj, Esq.  
Chief Legal Counsel

[Andrew.Bakaj@WhistleblowerAid.org](mailto:Andrew.Bakaj@WhistleblowerAid.org)



Mark S. Zaid, Esq.  
Founding Partner

Enclosures: As stated.

cc: Christopher Fox, Intelligence Community Inspector General  
Senate Select Committee on Intelligence  
House Permanent Select Committee on Intelligence

**ENCLOSURE “1”**



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY  
WASHINGTON, D.C. 20511

2 February 2026

**VIA ELECTRONIC TRANSMISSION**

The Honorable Tom Cotton  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

The Honorable Eric A. "Rick" Crawford  
Chairman  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Mark R. Warner  
Vice Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

The Honorable James A. Himes  
Ranking Member  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, D.C. 20515

Chairman Cotton, Chairman Crawford, Vice Chairman Warner, and Ranking Member Himes:

(U// [REDACTED]) Today, I received security guidance from Director of National Intelligence (DNI) Tulsi Gabbard for transmittal of "urgent concern" complaint 25-0002-CD to the congressional intelligence committees. The guidance requires the complaint to be hand-delivered and made available for review exclusively to the "Gang of Eight," which includes the Chairman and Vice Chairman of the Senate Select Committee on Intelligence, the Chairman and Ranking Member of the House Permanent Select Committee on Intelligence, the Speaker of the House, the House Minority Leader, the Senate Majority Leader, and the Senate Minority Leader. It further provides for "read and return" and that no notes may be taken. Upon receipt of this guidance, I directed my Chief of Staff to arrange for your review of this highly classified information at your earliest convenience.

(U// [REDACTED]) The IC IG Hotline received this complaint on 21 May 2025 from an IC employee pursuant to 50 U.S.C. § 3033(k)(5). The complainant alleged: (1) distribution of a highly classified intelligence report was restricted for political purposes; and (2) the responsible IC element's Office of General Counsel failed to report a potential crime to the Department of Justice, also for political purposes. On 4 June 2025, then-Acting IC IG Tamara Johnson determined the complaint, "if true," met the statutory definition of "urgent concern" under 50 U.S.C. § 3033(k)(5)(G)(i) but was unable to determine its apparent credibility as required by 50 U.S.C. § 3033(k)(B)(i).

Chairman Cotton, Chairman Crawford, Vice Chairman Warner, and Ranking Member Himes

(U// [REDACTED]) Acting IC IG Johnson notified the complainant of her determination on 6 June 2025, to which the complainant immediately responded with his/her election to transmit the complaint to the congressional intelligence committees pursuant to 50 U.S.C. § 3033(k)(5)(D)(i). That same day, as required by 50 U.S.C. § 3033(k)(5)(D)(ii)(II), IC OIG's former Acting Counsel requested security guidance from the DNI through ODNI's then-Acting General Counsel.

(U// [REDACTED]) On 9 June 2025, after receiving newly-obtained evidence, Acting IC IG Johnson issued a supplemental determination memorandum, finding that the first allegation did not appear credible while remaining unable to assess the apparent credibility of the second allegation. However, this supplemental determination had no legal effect on the complainant's right to submit the complaint to the congressional intelligence committees. IC OIG's Acting Counsel contacted ODNI's Acting General Counsel at least monthly to inquire about the status of the security guidance.

(U// [REDACTED]) On 17 September 2025, ODNI's Acting General Counsel cited complexity in the classification as the reason for the delay. The 43-day government shutdown beginning 1 October 2025 further delayed this effort, followed by the Senate's confirmation of the new ODNI General Counsel and myself as IC IG. I received a briefing on this matter from IC OIG's Acting Counsel on 17 October 2025, the day after I was sworn in, and immediately prioritized IC OIG's transmittal of this complaint to Congress. After obtaining the compartmented access required to view the complaint on 31 October 2025, I met with the newly-confirmed ODNI General Counsel to impress upon him the importance of receiving the security guidance. I agreed to standby until he also received access to the information in the complaint, which occurred on 1 December 2025.

(U// [REDACTED]) On 4 December 2025, I met separately with Mr. Dever and DNI Gabbard. In my meeting with Director Gabbard, I inquired about the security guidance and she revealed to me that the Acting General Counsel prior to Mr. Dever's confirmation had never informed her of the outstanding requirement for this security guidance, nor had she received any request from IC OIG. Upon learning it was one of my office's top priorities, Director Gabbard committed to providing the guidance as soon as practicable. That same day, the ODNI General Counsel informed me that security guidance was forthcoming, pending a review by the White House Counsel for a potential assertion of executive privilege. I received the security guidance from the DNI on 30 January 2026.

(U// [REDACTED]) Given Acting IC IG Johnson's unprecedented supplemental determination and the attention this case has received, I believe the committees should know my view on the determination by Acting IG Johnson in this case and the process by which this matter was evaluated. Were I to conduct a *de novo* review, or if the same or similar matter came before me today, I would likely determine that the allegations do not meet the statutory definition of "urgent concern" under 50 U.S.C. § 3033(k)(5)(G). This conclusion rests on

Chairman Cotton, Chairman Crawford, Vice Chairman Warner, and Ranking Member Himes

three critical flaws in Acting IC IG Johnson's initial determination in the present case: (1) failure to apply a "basis of knowledge" test; (2) expansive application of the "if true" standard to intent elements rather than to the complaint holistically; and (3) failure to apply the ICWPA provision barring "policy disagreement" as a basis for an "urgent concern" complaint.

(U// [REDACTED]) For any complaint, the IC IG should consider how the complainant knew or reasonably could have known the information at issue, and evaluate the complainant's ability to understand and interpret the events as alleged. Complaints resting exclusively on inference, speculation, or unverified rumors should not be handled as matters of "urgent concern." In the present case, the complainant's access to the intelligence report had no bearing on the central allegations.

(U// [REDACTED]) In her 4 June 2025 determination, Acting IC IG Johnson explained that a decision to limit the distribution of a report, on its own, would not meet the "urgent concern" definition. The first allegation in the complaint became potential misconduct only when "for political purposes" was ascribed as intent by the complainant. The "basis of knowledge" examination fails because the complainant could not have reasonably known the intent for the limited distribution and offered no evidence beyond his/her own speculation. Numerous permissible reasons exist for limiting distribution of highly sensitive reporting. Applying the "if true" analysis to speculative intent allows naked assertions to avoid plausibility scrutiny.

(U// [REDACTED]) The second allegation concerned the alleged failure to report a potential crime to the Department of Justice. Congress expressly excludes "difference of opinion concerning public policy matters" from the "urgent concern" definition under 50 U.S.C. § 3033(k)(5)(G)(i)(III). Acting IC IG Johnson cited a DOJ Memorandum of Understanding (MOU) outlining reportable crimes for non-employees, but continued to apply the "if true" standard to the complainant's assertion of a political motive, effectively disregarding the guidance of the MOU. Absent extending "if true" standard to the speculative intent, the second allegation would necessarily be reduced to a policy disagreement, which Congress explicitly excluded from consideration under the ICWPA framework.

(U// [REDACTED]) Applying facially neutral standards for determining credibility and statutory sufficiency, I would likely conclude these allegations do not meet "urgent concern" standards. The complainant would nonetheless remain authorized under 50 U.S.C. § 3033(k)(5)(D) to notify Congress of the "fact of" their complaint. Further evidencing the disconnect between the legal "urgent" determination and the real-world urgency of the allegations, IC OIG administratively closed the case on 6 June 2025 and ceased all further investigative efforts. If the allegations were truly "urgent" in the present case, then one would reasonably expect my predecessor to have continued an investigation, at least to determine the credibility of the second allegation.

Chairman Cotton, Chairman Crawford, Vice Chairman Warner, and Ranking Member Himes

(U// [REDACTED]) Of all "urgent concern" complaints handled by IC OIG since the establishment of this Office, only one previous case from 2020 included information so sensitive that it needed to be hand-carried to Congress. In the present case, the intelligence report from which the complaint was derived is the most sensitive to-date received by IC OIG as an "urgent concern" complaint. In fact, the referenced intelligence reporting in the complaint would ordinarily be restricted by the originating IC element to oral briefings to the "Gang of Eight" according to longstanding security guidance from that element's security office.

(U// [REDACTED]) Despite my assessment as the current IC IG that this matter does not meet the statutory "urgent concern" threshold, I must respect the lawful determination made by my predecessor. Accordingly, I have prioritized its transmittal to Congress since the moment I first learned of it on 17 October 2025. My intent in this memorandum to the leadership of the congressional intelligence committees is to provide information that is responsive to many of the questions my staff have already received from the Congress and members of the press, in order "to ensure that the congressional intelligence committees are kept similarly informed..." as required by 50 U.S.C. § 3033(b)(4).

(U// [REDACTED]) We will also be providing the congressional intelligence committees with the 4 June 2025 determination memorandum, the 9 June 2025 supplemental determination memorandum, and the complaint in accordance with the DNI's security guidance.

(U// [REDACTED]) For further coordination or questions, please contact my Chief of Staff, [REDACTED], at [REDACTED] or [REDACTED].

Sincerely yours,

[REDACTED]

Christopher R. Fox  
Inspector General of the  
Intelligence Community

Cc: The Honorable Tulsi Gabbard, Director of National Intelligence

**ENCLOSURE “2”**

UNCLASSIFIED



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY  
CENTER FOR PROTECTED DISCLOSURES  
HOTLINE PROGRAM  
WASHINGTON, DC 20511

June 6, 2025

VIA ELECTRONIC MAIL: [REDACTED]

[REDACTED]

Thank you for your recent submission to the Office of the Inspector General of the Intelligence Community (IC IG) pursuant to the Intelligence Community Whistleblower Protection Act, 50 U.S.C. § 3033(k)(5). The IC IG processed your submission pursuant to the requirements of 50 U.S.C. § 3033(k)(5) and concluded its review on June 4, 2025, the end of the statutorily-directed 14-calendar-day review period. Based on IC IG's review, the Inspector General determined that the allegations in your submission, if accepted as true, meet the statutory definition of an "urgent concern" under 50 U.S.C. § 3033(k)(5)(G)(i). However, pursuant to 50 U.S.C. § 3033(k)(5)(B), the Inspector General could not determine if the allegations "appear[] credible."

Due to this determination, the statute does not require IC IG to transmit your complaint to the Director of National Intelligence (DNI) or the congressional intelligence committees. However, given the nature of the allegations, IC IG exercised its authorities under 50 U.S.C. § 3033(b)(3) to keep the DNI fully and currently informed, and accordingly provided the DNI a copy of your complete submission, with redactions to protect whistleblower and potential witness identities, and the Inspector General's determination.

Based on the Inspector General's determination, you may contact the congressional intelligence committees directly only if: (1) before making such contact, you furnish the DNI, through IC IG, your submission and notice of your intent to contact the congressional intelligence committees directly; and (2) you obtain, through IC IG, and follow the DNI's direction on how to contact the congressional intelligence committees in accordance with appropriate security practices. Please advise us if you wish to pursue this option.

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We appreciate you bringing this matter to our attention. If you would like to discuss this notification further with IC IG representatives, you may schedule a call by contacting the IC IG Hotline at 855-731-3260 or via email at [ICIGHOTLINE@odni.gov](mailto:ICIGHOTLINE@odni.gov).

Sincerely,  
IC IG Hotline Program

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**ENCLOSURE “3”**

November 21, 2025

**VIA EMAIL  
THROUGH THE INTELLIGENCE COMMUNITY INSPECTOR GENERAL**

Director of National Intelligence  
Office of the Director of National Intelligence  
Washington, DC 20511

**RE: Notice of Intent to Contact Congressional Intelligence Committees**  
**ICIG Contact Number: 25-0002-CD**

Dear Director Gabbard:

Whistleblower Aid and Compass Rose Legal Group, PLLC jointly represent a member of the Intelligence Community who has filed a disclosure with the Office of the Intelligence Community Inspector General (“ICIG”). Our client submitted their disclosure through the established procedures promulgated by law. By correspondence dated June 6, 2025, and within the statutorily-mandated period, the ICIG informed our client that on June 4, 2025, they concluded their review of the disclosure and were unable to come to a determination under the standards set forth in 50 U.S.C. § 3033(k)(5)(G).

Consistent with 50 U.S.C. § 3033(k)(5)(D)(ii)(I), our client informed the ICIG of their intent to contact the congressional intelligence committees and requested direction from the Director of National Intelligence (“DNI”) on how to contact the committees in accordance with appropriate security practices. Based upon information and belief, beginning in June and on numerous occasions, the ICIG has attempted to obtain guidance from the DNI, which to date has not been provided.

In accordance with 50 U.S.C. § 3033(k)(5)(D)(ii)(I), We are providing you with formal notice of our intent to contact the congressional intelligence committees directly. Accordingly, we request direction on doing so in accordance with appropriate security practices per 50 U.S.C. § 3033(k)(5)(D)(ii)(II).

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**Whistleblower Aid is a U.S. tax-exempt, 501(c)(3) organization, EIN 26-4716045.**

<https://WhistleblowerAid.org> — Anonymously via **Tor Browser**:

<http://p6ufg73qskew53cglxt6hktyt35rbl46yultzyuytq3tvicywa3pclid.onion>

Contact via **SecureDrop** over Tor: <http://whistlebloweraid.securedrop.tor.onion> — via **Signal App**: +1 201-773-1371

We thank you in advance for your time and attention to this matter, and we look forward to the forthcoming guidance.

Sincerely,



Andrew P. Bakaj, Esq.  
Chief Legal Counsel  
Andrew.Bakaj@WhistleblowerAid.org

Enclosures: None.

cc: Senate Select Committee on Intelligence  
House Permanent Select Committee on Intelligence