



JAMIE RASKIN  
CONGRESS OF THE UNITED STATES  
8TH DISTRICT, MARYLAND

July 26, 2019

Michael E. Horowitz  
Inspector General for the Department of Justice  
950 Pennsylvania Avenue, NW, Suite 4706  
Washington, D.C. 20530-0001

Dear Mr. Horowitz:

I am writing in response to your letter of April 12, 2019, in which you denied the request of Senator Van Hollen, Senator Cardin, and myself that the Department of Justice Office of Inspector General (OIG) conduct an investigation to determine whether the FBI could show “clear and convincing evidence that” it would have terminated Darin Jones absent his alleged whistleblowing. I am familiar with the lengthy proceedings in this matter, including the findings by the Office of Attorney Recruitment and Management (OARM) that Mr. Jones made protected disclosures which warranted remand for review. I remain concerned that a “clear and convincing” investigation was not undertaken at any point in time, despite these findings.

Notwithstanding the jurisdictional interests of OARM and the Office of the Inspector General, whistleblowers should be afforded the utmost protection, and it is far from clear that Mr. Jones received it. OARM’s Remand Opinion firmly certified Mr. Jones as an FBI whistleblower. Mr. Jones thus deserves all possible avenues for protection in accordance with law and the inherent fairness that should be provided in the process of reviewing a retaliation complaint. The OIG’s independent “clear and convincing” investigation is a significant step in this process. Whether or not OARM takes any action on the OIG’s “clear and convincing” investigation is, as you stated in your letter and in the OIG’s March 14, 2018 “Investigative Summary,” outside of OIG’s authority. However, this investigation is a necessary step in establishing whether Mr. Jones was, in fact, terminated for whistleblowing. Accordingly, I reiterate the request made in the March 13, 2019 letter that an appropriate “clear and convincing” investigation be conducted.

Thank you for your continued attention to this matter, and I look forward to your response.

Very truly yours,

Jamie Raskin  
Member of Congress