

United States Senate  
WASHINGTON, DC 20510

March 16, 2015

The Honorable Gene Dodaro  
Comptroller General of the United States  
United States Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Dear Mr. Dodaro:

At the request of Senators McCaskill, Grassley, and Gillibrand, GAO has undertaken a review on DOD's oversight of military whistleblowers. We appreciate the excellent efforts of the team conducting the work, who have kept us apprised of the status of that work to date. We wish to build upon that work and request that the Government Accountability Office (GAO) conduct a review of whistleblower reprisal investigations conducted by the Defense Department's Office of Inspector General (DOD IG). Specifically, we request that GAO examine the DOD IG's whistleblower retaliation investigations of civilian Defense Department employees and contractors. We request that this review include the following:

- (1) A matrix for all civilian and contractor cases reviewed in fiscal years 2013 and 2014, showing processing times for each phase of the investigation from start to finish;
- (2) The number of cases received in fiscal years 2013 and 2014;
- (3) The number of cases closed in fiscal years 2013 and 2014, the length of time for disposition, and the rate of substantiation;
- (4) The number of cases that were not fully investigated in fiscal year 2013 and 2014 and were ultimately dismissed and mean closing times for those cases and range of time for shortest to longest to dismiss;
- (5) The DOD IG's processes for ensuring that its whistleblower retaliation investigations is independent and thorough, including guidance and training provided to investigators; and
- (6) The DOD IG's processes for ensuring the independence of investigators conducting oversight, including procedures to avoid the appearance of conflict of interest.

We also request that the review include a close examination of a representative sample of both contractor and civilian cases closed and dismissed in fiscal years 2013 and 2014 to determine whether the DOD IG's review complied with law, regulations, policies, and best practices related to whistleblower retaliation investigations. This examination should include an assessment of any major factors driving delays in completing investigations in a timely manner and a review of the application of the legal standard to the evidence collected, including the

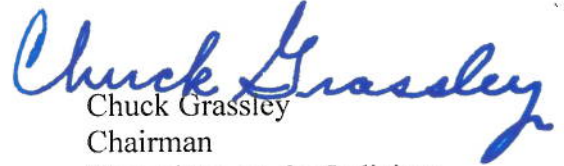
identification of any narrowing or expanding of the investigation and whether such actions affect the outcome of the investigation.

Please have your staff contact Margaret Daum with the Permanent Subcommittee on Investigations at (202) 224-9505 with any questions. Please send any official correspondence related to this request to [Kelsey\\_Stroud@hsgac.senate.gov](mailto:Kelsey_Stroud@hsgac.senate.gov).

Sincerely,



Claire McCaskill  
Ranking Member  
Permanent Subcommittee on Investigations  
Homeland Security and Governmental Affairs Committee



Chuck Grassley  
Chairman  
Committee on the Judiciary



Kristen Gillibrand  
Ranking Member  
Subcommittee on Personnel  
Committee on Armed Services