

Congressional Oversight Training Seminars
March 2007

Working with Insiders and Whistleblowers

- **Make sure people know how to contact you.** When beginning an investigation it's not a bad idea to send a letter to the agency giving a broad description of your investigation and including your contact information. This serves less to warn the agency than to let potential whistleblowers know how to get in touch with you. You can also work with the relevant trade press to accomplish this goal.
- **Figure out what is important.** There are tons of whistleblowers out there and millions of pages of documents that could potentially be used in innumerable investigations. Know what is most important to your boss and set your priorities accordingly so you don't get buried by paperwork.
- **Be sympathetic.** In coming to you, whistleblowers are making a huge break from the places they work and the lives they have established there. It likely has been a very difficult journey for them to arrive at the place they are in and you need to understand their situation.
- **Find out if your whistleblower has become known internally.** More often than not, whistleblowers have already spoken to their supervisors at the agencies they are working with only to be frustrated time and time again. They are usually coming to you as a last resort and are already well known by the leadership within their respective agency. If you already know who knows about their complaints you'll know the degree of secrecy you need to work under.
- **If at all possible, keep your whistleblower anonymous.** Keeping their identities secret not only helps them in their professional lives, it also helps you since as soon as the agencies know who gave you information, your whistleblower will likely no longer have access to other resources that could help your investigation.
- **Make sure your whistleblower knows what he or she is getting into.** Be cautious before asking people to come forward in the media or in hearings. Make sure they know the possible professional and personal repercussions of their actions. When the agency becomes aware of your investigation, their first priority will often not be to go

about trying to fix the problem that was exposed, but rather to find out who leaked the information.

- **The whistleblower's motivation shouldn't concern you.** A tactic often employed by agencies involves attempting to discredit whistleblowers by alleging ulterior motives or a personal vendetta. If their information is accurate and detailed and has sufficient back up it shouldn't matter what their reason for revealing the problem is – it only affects whether they'd make a good witness in a hearing.
- **Protect your whistleblower.** There are ways to get what you need from an agency without requesting specific documents. If you ask for a specific document it will give the agency clues as to who has been tipping you off. If you ask for some grouping of documents that you know will include what you are looking for, you cast a wide net that throws them off determining your source.
- **Stand by your whistleblower.** If your whistleblower becomes known, ask your boss to write a letter on their behalf explaining that they are cooperating in a Congressional investigation and that any negative actions against them will be considered retaliation.