

EMPOWER OVERSIGHT

Whistleblowers & Research



March 5, 2025

VIA ELECTRONIC TRANSMITTAL

General Counsel Samuel R. Ramer
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535-0001

RE: SUMMARIES OF CLIENTS' PENDING LEGAL AND/OR ADMINISTRATIVE MATTERS

Dear General Counsel Ramer:

Empower Oversight Whistleblowers & Research ("Empower Oversight") is a nonpartisan, nonprofit educational organization dedicated to enhancing independent oversight of government and corporate wrongdoing. We work to help insiders safely and legally report waste, fraud, abuse, corruption, and misconduct to the proper authorities and seek to hold those authorities accountable to act on such reports.

In pursuit of its mission, Empower Oversight represents several current and former Federal Bureau of Investigation ("FBI") employees with pending legal and/or administrative matters with the FBI. Attached are brief summaries describing the cases of ten clients who are interested in resolving their matters. We are happy to provide additional information if necessary. Those ten clients are (in alphabetical order):

- 1) Marcus Allen
- 2) [REDACTED]
- 3) Stephen Friend
- 4) [REDACTED]
- 5) [REDACTED]
- 6) Garret O Boyle
- 7) [REDACTED]
- 8) Zachery Schoffstall
- 9) Monica Shillingburg
- 10) Michael Zummer

The actions taken against our clients were in reprisal for protected whistleblowing and/or improper targeting because of their political beliefs. The common theme among most of our clients who had their security clearances suspended and/or revoked is the FBI's ability to indefinitely delay the process and financially pressure FBI employees by suspending their pay and blocking their ability to earn a living any other way. Most facing that dilemma simply resign with no prospect of a fair process to challenge it, which allows the pattern to repeat without remedy.

In order to avoid any conflicts of interest, prejudice, or continued reprisal as a result of this submission, we are providing these summaries based on assurances that they will be reviewed for potential action only by objective senior officials with no prior involvement in these cases. Also, while we appreciate your review of these cases to explore ways to amicably resolve and remedy the harms the FBI has inflicted on our clients, we are also willing to engage in other good faith efforts to reach the same goals. For example, if the review by your office alone does not lead to direct managerial action to remedy the harms and resolve our clients' pending matters, we would be willing to propose to our clients that they enter into mediation facilitated by a neutral mediator—assuming an acceptable senior official with no animus toward our clients is delegated settlement authority to represent the FBI in the mediation.

Additionally, we request the opportunity to engage a representative of the Justice Department's Weaponization Working Group, which was announced by Attorney General Bondi on February 5, 2025. The group is tasked with examining, among other things, "The retaliatory targeting ... of legitimate whistleblowers."¹ Some of our clients have expressed an interest in providing additional protected whistleblower disclosures to the Weaponization Working Group, as well as seeking remedies through that review for the targeting and reprisals they have suffered.

To be clear, these proposals are not mutually exclusive. While it is our belief that new leadership of the FBI has the authority to remedy the wrongs suffered by our clients through management directives and should do so immediately, we are willing to work cooperatively on each of the fronts outlined above in order to explore amicable resolutions in each case.

Thank you for the opportunity to advocate for justice and long overdue resolutions for our clients. They have suffered substantially, sacrificing their careers because they stood up against government wrongdoing and/or were improperly targeted for their vaccine status or political views. Please let us know if you have any questions or need any further information about any of our clients.

Cordially,

/Jason Foster/

Jason Foster
Empower Oversight
Chair & Founder

cc: Chad Mizelle
Office of the Attorney General

Jordan Fox
Office of the Deputy Attorney General

¹ <https://www.justice.gov/ag/media/1388506/dl?inline>

CLIENT SUMMARIES

MARCUS ALLEN:

Background: SOS Marcus Allen was assigned to the Charlotte Division when his security clearance was suspended for questioning whether Director Wray had testified truthfully to Congress and other allegations based on SOS Allen's political beliefs and concerns about the COVID-19 vaccine. He was suspended indefinitely without pay. He filed suit in the District of South Carolina, made whistleblower reprisal complaints to the OIG, and requested reconsideration of the FBI's later revocation of his clearance.

Settlement Agreement: Allen and the FBI agreed to a settlement while his request for reconsideration was pending. The settlement would take effect only if his clearance was reinstated. The FBI reinstated his clearance on May 31, 2024, and, pursuant to the settlement agreement, SOS Allen resigned. The FBI owed him back pay and benefits.

FBI Failure to Perform Pursuant to the Agreement: The FBI has made some payments but made substantial errors in the back pay and benefits calculations. Most significantly, the FBI has made none of the required contributions to his TSP account, which would be worth at least \$19,284.77, prior to lost investment earnings. He is also owed \$3,586.52 for Social Security taxes that were over-withheld and \$3,072.26 for annual leave that was not correctly calculated. There are also errors in his W-2 from the NFC. A full analysis of the underpayments has been provided separately to DOJ, OIG and FBI OGC.

Desired Outcome: SOS Allen seeks the full payment of what he is owed under the settlement and corrected tax forms before the deadline to file his 2024 federal tax return.

Pending Litigation and Administrative Matters: None currently post-settlement, but if the government refuses to perform its obligations within 30 days from the time counsel notified the FBI of its material breach, he will take legal action seeking specific enforcement of the government's agreement.

[REDACTED]

Duties at FBI: [REDACTED]

[REDACTED], primarily supporting covert operations.

Grievance: On January 6, 2021, [REDACTED] attended President Trump's speech on the Ellipse in Washington, DC. He was accompanied by his wife, another FBI employee, and that employee's wife. The four went to the U.S. Capitol after other protesters had moved and removed barriers indicating which portions of the lawn around the Capitol were restricted. [REDACTED] did not observe that the barriers had been moved and did not know he was entering an area that had been declared restricted. Neither he nor any of his companions entered the U.S. Capitol building, or even ascended the Capitol steps, and they left the area after a short period without being involved in any violence. Although [REDACTED] self-reported that he had been at the Capitol, SecD took no action against him for more than a year. However, like SOS Allen, around the time that [REDACTED] expressed hesitance about the COVID vaccine, SecD suspended his clearance and suspended him from duty without pay. [REDACTED] made protected disclosures directly to Capitol Hill about his improper suspension, later through counsel to the Hill and to the OIG. SecD ultimately revoked his clearance based improperly on [REDACTED] political beliefs and lawful participation in a protest. Post-revocation review of his file revealed that SecD investigators' outlines for [REDACTED] co-workers included improper questions about his views on the COVID vaccine and support for President Trump. Suffering from the severe financial distress of his suspension without pay, [REDACTED] was forced to retire early from the FBI.

The inequity in [REDACTED] losing his clearance and FBI career over lawful, nonviolent, protected First Amendment activity is particularly egregious given the President's decision to pardon and commute the sentences of January 6th rioters who violently attacked police and destroyed property inside the Capitol.

Desired Outcome: [REDACTED] seeks reinstatement of his clearance, back pay and related benefits since his initial suspension and any other applicable corrective action authorized under 28 C.F.R. Sec. 27.4(g)—including reinstatement to duty with reassignment to a different section to prevent further reprisal (his retirement could be coded as erroneous to allow his reinstatement), and an agreement from the FBI to take no administrative action against him for his activities on or related to January 6, 2021.

Pending Litigation and Administrative Matters: His request for reconsideration of the revocation of his security clearance is pending with SecD. The OIG has an open investigation into SecD's improper questions about issues irrelevant to security decisions, such as COVID vaccines and Trump support. [REDACTED] protected whistleblower disclosures to the OIG and Congress about the documents found in his security file prompted the pending OIG review.

STEPHEN FRIEND:

Duties at FBI: SA Friend was assigned to the Daytona RA, where he investigated crimes against children. He had previously served on the SWAT team in Omaha.

Grievance: SA Friend sought reasonable accommodations for religious reasons to avoid the COVID vaccine mandate. He complied to the best of his ability with testing requirements, although on one occasion, he was unofficially reprimanded on that issue. Similar to other clients, around the same time as issues arose over the COVID vaccine, he experienced other conflicts with supervisors. SA Friend objected to an operation where the Jacksonville SWAT team was being used to arrest a January 6, 2021, riot defendant on a misdemeanor charge. Friend objected because of the risk to public safety and the safety of FBI personnel that he believed was inherent in an unnecessary use of force to effect the arrest. Friend proposed other alternative, less risky methods to effect the arrest. As a case agent on the matter, Friend also informed superiors that the subject had participated peacefully and cooperatively in a voluntary interview with the FBI after January 6, 2021, was represented by counsel, and had offered to provide further information if agents had more questions. After Friend made these protected disclosures, his superiors threatened his career, overruled his objections, denied his request to volunteer for other duties on the day of the arrest, and ordered him to stay home on the day of the arrest. They forced him against will to be recorded as AWOL that day despite his willingness to perform other duties. The FBI then suspended his security clearance, suspended him indefinitely from duty without pay, and refused to timely respond to requests for documents and approval necessary to obtain outside employment. To SA Friend, the indefinite, potentially unending suspension under these circumstances with no timeframe for resolution or remedy amounted to a constructive termination. Suffering under this extreme financial duress, SA Friend was forced to resign from the FBI to take outside employment that the FBI would not approve during his unpaid suspension. SA Friend also made protected disclosures to the House of Representatives Select Subcommittee on the Weaponization of the Federal Government, including testimony before the committee on May 18, 2023.²

Desired Outcome: SA Friend seeks reinstatement of his clearance, reinstatement to duty with back pay and benefits up to the date of his constructive termination/forced resignation, and any other applicable corrective action authorized under 28 C.F.R. Sec. 27.4(g).

Pending Litigation and Administrative Matters: Because he was forced to resign, he has not had an opportunity to receive his security file, administratively challenge the revocation of his clearance, or have such a request for reconsideration adjudicated by SecD.

² <https://judiciary.house.gov/committee-activity/hearings/hearing-weaponization-federal-government-2>.

██████████ :

Duties at FBI: ██████████ served an entire career at the FBI ██████████. After retirement, she returned to SecD as part of the RSP, ██████████ in the Security Integrity and Investigations Section (SIIS).

Grievance: ██████████ observed that SIIS ASC Dena Perkins, who also at times served as the Acting SC, and SC Jeff Veltri, who also served at times as the Acting SecD DAD, routinely abused their authority in the security clearance process, including the targeting of employees for their political beliefs and other improper purposes. Specifically, in October 2022, ██████████ disclosed to then EAD Jennifer Moore and AD Douglas Beidler that then A/DAD Veltri became emotional during a brief disclosing text messages on January 6, 2021, between an FBI supervisor, who was not at the U.S. Capitol that day, and one of his employees who was there that day. Veltri ranted at ██████████ because he believed the supervisor's clearance should "clear[ly]" be revoked for his text messages, even though he was not even present at the Capitol. After ██████████ protected disclosure, the case was reassigned by EAD Moore and AD Beidler to an ASAC in WFO to review. The supervisor's clearance was ultimately not revoked, but Veltri and Perkins began retaliating against ██████████ through verbal abuse and other actions, creating a hostile work environment for her. During the summer of 2023, with another Empower Oversight client, ██████████, ██████████ made a second protected disclosure to DAD Lawrence Buckley and SC Matthew Nagle. ██████████ and ██████████ disclosed that ASC Perkins had engaged in unlawful discrimination in the investigation and revocation of an employee's security clearance. ASC Perkins manipulated the facts of the case to justify the clearance actions. Eleven days after this protected disclosure, ASC Perkins entered a negative performance check-in for ██████████. Also, around the same time ██████████ was reporting the discrimination, she learned through a mutual friend with EAD Moore that SecD would not be renewing her RSP position. ██████████ was forced to leave her position a month before her RSP period ended in September 2023. (SecD unilaterally changed all RSP terms to end with the FY in 2023 - ██████████ original RSP contract was to the end of October 2023. She was the only RSP employee in SecD not renewed, and there were vacant available positions.)

Desired Outcome: ██████████ seeks back pay and related benefits for the period from her departure from SecD to the present (minus proceeds from other employment she has had during that period) and any other applicable corrective action authorized under 28 C.F.R. Sec. 27.4(g).

Pending Litigation and Administrative Matters: ██████████ has a pending whistleblower reprisal complaint before the OIG.

[REDACTED] :

Duties at FBI: [REDACTED] was last assigned to SecD, where he served as a supervisor at different times in the Clearance Investigation Unit and Clearance Adjudication Unit. Outside of his time at FBIHQ, [REDACTED] primarily conducted criminal investigations, particularly child sex trafficking.

Grievance: While assigned to SecD, [REDACTED] objected to abuses of the security clearance process by then ASC Dena Perkins and then SC Jeff Veltri, particularly their apparent use of clearance investigations against individuals for their political beliefs. The abuses were so egregious that [REDACTED] made protected disclosures and filed whistleblower complaints against Perkins and Veltri. For example, he objected to Perkins assigning intent and motive to the Marcus Allen case based solely on her opinion. He also objected to the fact that Garret O'Boyle was transferred with the express intent of suspending his clearance upon arrival. A few months after objecting to a clearance suspension that appeared to be based on an employee's national origin, [REDACTED] clearance was suspended for sending an image of unclassified SecD lunchtime activities to another active FBI employee. SecD took no action against the other employee.

In order to subsist and continue his law enforcement career while suspended indefinitely without pay, [REDACTED] obtained employment with the U.S. Bureau of Prisons after being told by the FBI's Office of Integrity and Compliance that an outside employment request for that position would not be approved. [REDACTED] never resigned from the FBI, but the FBI chose to treat his taking another job while not being paid as a resignation. Even though SecD completes the clearance investigations and adjudications of other employees, even when they have resigned or retired, SecD notified [REDACTED] that it was discontinuing the adjudication of his security clearance.

Desired Outcome: [REDACTED] seeks reinstatement of his clearance, reinstatement with the FBI with back pay and related benefits (minus his pay and benefits from his BOP employment), attorney fees, and all other corrective action authorized under 28 C.F.R. Sec. 27.4(g).

Pending Litigation and Administrative Matters: He has pending whistleblower retaliation complaints with the OIG. [REDACTED] challenging the legality of the FBI's restriction of individuals' outside employment when they are suspended indefinitely from the FBI without pay because of a clearance suspension.

GARRET O'BOYLE:

Duties at FBI: In 2018, SA O'Boyle, a former Iraq and Afghanistan war army veteran, was assigned to the JTTF in Wichita, KS. He was on the Kansas City Division SWAT team, a relief supervisor, training agent, assistant WMD coordinator, and defensive tactics instructor. In June 2022, he was selected for the National Surveillance Team at CIRG in Virginia. He sold his house, initiated plans to buy a house in Virginia, placed his belongings in FBI storage, and, on September 26, 2022, reported to CIRG while his wife and four young daughters (including a newborn infant) were visiting family while in transit to VA.

Grievance: Immediately upon his arrival at CIRG, SA O'Boyle was interviewed by NY agents investigating Project Veritas. After the interview, he was notified his security clearance was suspended, and soon after, he was indefinitely suspended without pay. The security clearance suspension was based on a knowingly false assumption (based on later whistleblower testimony) that O'Boyle had leaked Project Veritas case information to Project Veritas and had allegedly improperly accessed various FBI files. In fact, SA O'Boyle had simply provided information about Project Veritas to another FBI employee and had only accessed FBI files as part of protected whistleblowing to Congress beginning in 2021. SecD has since revoked his clearance based on the additional claim of mishandling classified information that he mistakenly included in his work materials that were shipped from Wichita to CIRG. SA O'Boyle has been suspended without any pay since January 1, 2023, and later lost all employment benefits while awaiting a final decision on his security clearance revocation, which the FBI delayed finalizing until July 18, 2024.

Desired Outcome: SA O'Boyle seeks reinstatement of his clearance, revocation of his indefinite suspension of employment, full reinstatement to the FBI with back pay and related benefits, damages for leaving his family homeless and without its belongings for months while in transit to CIRG, attorney fees, and all other corrective action authorized under 28 C.F.R. Sec. 27.4(g).

Pending Litigation and Administrative Matters: SA O'Boyle has litigation pending before the U.S. Court of Appeals for the Federal Circuit for the illegal and unconstitutional indefinite suspension of his employment based on a whistleblower reprisal claim at the MSPB. (He is a preference-eligible veteran.) He also has pending whistleblower reprisal claims with the OIG. He is preparing an administrative request for reconsideration of his security clearance revocation due to SecD on March 31, 2025. As is the pattern with several other clients, the FBI delayed providing O'Boyle his security clearance investigation file for more than six months after its final revocation decision, which took the FBI more than eighteen months to decide.

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Duties at FBI: ██████████ served in the FBI Counterintelligence Division (CD) for thirteen years. He primarily focused on China and was active in collaborating with other China experts in the Washington, DC area.

Grievance: ██████████ met various experts on China at functions in the Washington, DC area. Through that collaboration, he met a reporter. He initially reported his contact with the reporter to his supervisor. His supervisor told him that he did not need to report the contact in writing. At first, he used his FBI email account to communicate with her, so his communications were transparent to the FBI. He began using his personal email account as the relationship became more social. Unfortunately, the same reporter later broke the story about the FBI investigating Congressman Eric Swalwell. Although ██████████ did not provide any sensitive FBI information, let alone any Swalwell case information, to the reporter, his security clearance was suspended, resulting in his immediate, indefinite suspension without pay. At the time he was suspended, ██████████ was one of the few CD employees who had not attested to taking the COVID-19 vaccine. Based on information from other Empower Oversight clients, SecD officials were improperly using non-compliance with vaccine requirements as a factor in deciding to suspend an employee's clearance. Another possible factor in ██████████ suspension was that for years he challenged multiple CD supervisors/executives on their inconsistent handling of investigations and intelligence reporting regarding foreign political interference (e.g., defense briefings to Democrats, but investigations and prosecutions of Republicans). Also, during the criminal investigation of the leak, ██████████ personal email account was searched, which would have disclosed his conservative political beliefs to investigators. He resigned from the FBI to take another job because of the severe financial distress of being suspended without pay and the unlikely prospect of any timely resolution. Despite his suspended clearance, FBI agents recently asked him to meet with him about prior work of his, and he was temporarily authorized to access that classified information. During the summer of 2024, he declined an opportunity from SecD to be interviewed based on advice from prior counsel.

Desired Outcome: ██████████ seeks reinstatement of his security clearance to enable potential re-employment with the FBI given its need for his significant experience and expertise within the FBI Counterintelligence Division on issues related to China. He would also like to make additional protected disclosures to the Weaponization Working Group about various abuses he observed, including while working under Peter Strzok.

Pending Litigation and Administrative Matters: His security clearance suspension is still pending with SecD and has not been revoked or otherwise adjudicated.

ZACHERY SCHOFFSTALL:

Duties at FBI: SSA Schoffstall served as the SSRA in Coeur d'Alene, Idaho, where he supervised the Coeur d'Alene and Lewiston, Idaho RAs. Prior to serving as an SSRA, he served as a tactical and practical applications instructor at the FBI Academy and investigated a wide range of national security and criminal investigations while assigned to the Richmond Field Office. He is a preference-eligible veteran who served as a U.S. Air Force intelligence officer in Iraq, Kyrgyzstan, Qatar, and Germany.

Grievance: During 2022, agents under his supervision worked with DOJ attorneys to obtain a search warrant for electronic devices seized by local authorities from members of Patriot Front, who had been arrested on misdemeanor charges before an attempt to protest at an LGBTQ event in Coeur d'Alene, Idaho. The agents were aware of previous FBI investigations indicating that Patriot Front members were non-violent, and SSA Schoffstall's agents objected to the exclusion of that exculpatory information from the affidavit. DOJ's efforts to investigate Patriot Front appeared to be politically motivated. When the agents could not swear to the affidavit because of their knowledge, FBI executives told SSA Schoffstall to assign an agent who was not aware of the exculpatory information so that they could sign the affidavit. SSA Schoffstall declined to do so or pressure his investigating agents to attest to the affidavit because he believed it would be part of an effort to mislead the court. He was subsequently removed from his position, temporarily reassigned to West Virginia, was subjected to an unsuccessful LOE request, an unsuccessful attempt to place him on a PIP, and finally investigated by INSD, and in August 2024 was proposed for removal from the FBI. These personnel actions violated 28 C.F.R. Sec. 27.2(a) because they were in reprisal for his disclosures of DOJ misconduct to his executive management, DOJ OIG, and Congress.

Desired Outcome: SSA Schoffstall seeks reinstatement with back pay and related benefits, attorney fees, and all other corrective action authorized under 28 C.F.R. Sec. 27.4(g). SSA Schoffstall also seeks institutional reform and an unbiased investigation of DOJ personnel who committed misconduct related to his removal from the FBI.

Pending Litigation and Administrative Matters: He has pending claims before the MSPB, ODA, OARM, and the EEOC. In those matters, he is represented by John Kutcha, the FBIAA, and Kurt Siuzdak. Empower Oversight represents him in a motion to unseal the search warrant affidavit that was filed after his reassignment and will provide additional representation as needed.

MONICA SHILLINGBURG:

Duties at FBI: UC Shillingburg served in the National Instant Criminal Background Check System (NICS) at CJIS since 1997 until she was reassigned in reprisal for making protected disclosures as a whistleblower. She continues to serve at CJIS as a GS-15. Based on her vast experience, UC Shillingburg was one of the most knowledgeable managers of NICS in the FBI. She is also the recipient of dozens of awards from the FBI and a national award from the Women in Federal Law Enforcement Foundation for her outstanding performance, strong leadership, and extensive experience at the FBI.

Grievance: In 2018, UC Shillingburg notified her chain of command that a proposed move of NICS appeals to a different section was a possible violation of the Brady Act and 28 C.F.R. Part 25. She was particularly concerned that the move was illegal because the two sections used different funding streams. Furthermore, the move was gross mismanagement and a gross waste of funds because the NICS section had already used substantial resources to automate some of its work to address the backlog of appeals that was the stated purpose for moving them. Thus, moving the appeals to a different section would waste the work already done and actually increase the backlog. Finally, the new section's lack of experience with NICS appeals, insufficient training for employees who would perform the work, and shortcuts taken (i.e., not requiring law enforcement verification of submitted fingerprints) increased the likelihood of an improper gun sale. Ultimately, UC Shillingburg's disclosures were proven correct, because a few years after the appeals were moved to the new section, they were moved back to NICS, and when employees were informed of the reversal, FBI executives cited many of the same reasons UC Shillingburg did in her disclosures for why the movement of work should have never occurred. In reprisal for her protected disclosures, UC Shillingburg was moved to a different section and was no longer in a UC position, even though she was likely the most experienced manager in NICS. Although remaining at a GS-15 level, her leadership responsibilities were substantially reduced in a public rebuke within the CJIS Division. Also, after her reassignment, CJIS officials forced her to take leave instead of teleworking, when other employees were allowed to telework under similar circumstances. The telework denials forced her to take 219.25 hours of leave.

Desired Outcome: UC Shillingburg requests a one-time payment equivalent to 219.25 hours of leave she was compelled to take in lieu of telework as reprisal for her whistleblowing—plus all other corrective action authorized under 28 C.F.R. Sec. 27.4(g). She has applied for the Deferred Resignation/VERA program currently offered through OPM and the DOJ, which would facilitate her early retirement. She seeks timely approval of her Deferred/VERA application in order to separate from the FBI with full retirement benefits.

Pending Litigation and Administrative Matters: UC Shillingburg has a pending whistleblower reprisal complaint with the OIG.

MICHAEL ZUMMER:

Duties at FBI: SA Zimmer investigated white-collar crime and public corruption while assigned to the New Orleans Division. During his twelve years with the FBI, he was the lead agent on investigations resulting in thirty convictions. He served as a Marine Corps infantry officer, including volunteering for a tour in Iraq while attending Stanford Law School. He also clerked for Judge Clement at the U.S. Court of Appeals for the Fifth Circuit.

Grievance: SA Zimmer investigated an elected district attorney (DA), who used the power of his office to have oral sex with five women, sexually battered eight, and asked nine for sexual favors. SA Zimmer observed that New Orleans AUSAs had conflicts of interest stemming from the First AUSA owning property with the DA's defense attorney and from his reporting that conflict of interest and other misconduct to the OIG. The AUSAs' conflicts resulted in a lenient plea agreement where the DA was allowed to plead guilty to harassing a witness with a three-year maximum sentence when DOJ had authorized charging him with RICO and several other charges related to his sexual bribery and obstruction of justice. Also, the vast majority of the DA's sexual abuse was deleted from the factual basis, effectively concealing his sexual abuse from the public.

SA Zimmer asked permission to notify the presiding judge of the prosecutorial misconduct favoring the DA. When no permission was given, he submitted a draft letter to FBI prepublication review. When the FBI unlawfully refused to review the letter, he sent it to the court. Even though it contained no classified information and INSD opined that SA Zimmer was a whistleblower, SecD suspended and later revoked his security clearance for sending the letter to the court. Prior to the clearance suspension, then FBI Deputy Director Andrew McCabe was briefed on the matter via email and, ostensibly, tacitly approved the retaliatory action against SA Zimmer. Later, the Obama-appointed U.S. Attorney who supervised most of the misconduct was subsequently appointed by President Biden to lead DOJ's Criminal Division. At the end of the Biden Administration, DOJ's Access Review Committee upheld the FBI's revocation of SA Zimmer's security clearance.

Desired Outcome: Reinstatement of his security clearance, reinstatement with back pay and related benefits, and the opportunity to retire with his full law enforcement retirement benefits, plus all other corrective action authorized under 28 C.F.R. Sec. 27.4(g).

Pending Litigation and Administrative Matters: After previous litigation in the district court, there remains a pending appeal before the Federal Circuit after he filed an appeal with the MSPB. He filed another appeal for his removal with the MSPB after DOJ's ARC decision finalized his removal. He also has a pending appeal with the IC IG under 50 U.S.C. Sec. 3341(j).