



TULLY RINCKEY PLLC
ATTORNEYS & COUNSELORS AT LAW

777 THIRD AVENUE 22ND FLOOR
NEW YORK, NEW YORK 10017
PHONE: (646) 201-9100
FAX: (646) 705-0049
WWW.TULLYLEGAL.COM
EMAIL: INFO@TULLYLEGAL.COM

Via Fax to (571) 204-8088

November 8, 2019

Hon. Michael K. Atkinson
Inspector General of the Intelligence Community
Reston 3, Room E220
Washington DC, 20511
Fax: (571) 204-8088

Re: Reporting of possible violations of Law and/or Federal Regulations

Dear Inspector General Atkinson:

Our law firm represents a client who wishes to anonymously report a possible violation of federal law and/or regulation as well as an abuse of authority by a federal employee within the Intelligence Community.

In August 2019, you transmitted a “credible” and “of urgent concern” complaint to the Acting Director of National Intelligence involving the President of the United States of America. The person who advised you of the “credible” and “of urgent concern” complaint is an employee of the executive branch. Your reporting of this “credible” complaint became worldwide news.

On or about September 25, 2019, several unknown persons (believed to be Attorneys or their agents) who claim to represent the person who contacted your office created a “GoFundMe” page that benefits an entity called “Whistleblower Aid” that as of today raised over a quarter of a million dollars from over 6,100 donors. The “GoFundMe” page (<https://www.gofundme.com/f/support-anonymous-intelligence-official>) states “**A U.S. Intelligence Officer** who filed an urgent report of government misconduct **needs your help.**” (emphasis added) and “We’re working with the whistleblower.” On September 25, 2019 at 8:49 pm, the Twitter account of @AndrewBakaj stated “**support the Intelligence Community Whistleblower raise funds** via @wbaidlaw” (emphasis added). The “GoFundMe” page says the donations raised benefit “Whistleblower Aid” with an EIN of 264716045. That EIN comes back to “Values United” which according to the IRS is run out of an apparent residence owned by a well-known former State Department official named John Tye, with an address of 1821 Florida Ave. NW, Washington, D.C. 20009. A review of the 2017 IRS 990 for “Values United” shows only \$22,398 in contributions but \$173,671 in “Executive Compensation.” “Values United” appears to be a nonprofit incorporated in the State of Louisiana and doing business in Washington, D.C. under the trade name of

Whistleblower Aid. Under separate cover, an IRS Form 13909 has been filed with the Internal Revenue Service pertaining to allegations of possible misconduct outside the scope of your office to investigate.

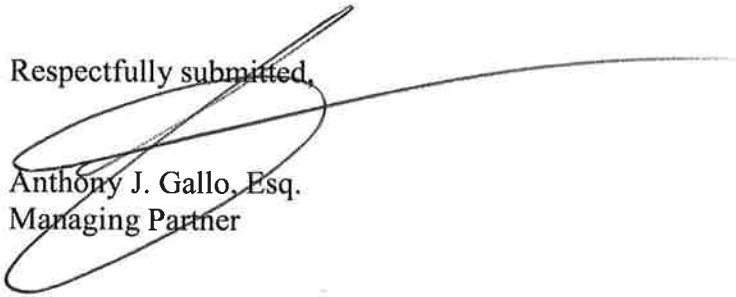
My client believes that the donations made by these 6,100 people clearly constitute a "gift" for the benefit of a federal employee as defined at 5 CFR 2635.203(b). At least three donations are for \$1,000.00 each. Alternatively, my client believes that these donations, inter alia, constitute an indirectly solicited gift as defined at 5 CFR 2635.203(f)(2). It should be undisputed that these gifts are for "A U.S. Intelligence Officer," or to "support the Intelligence Community Whistleblower raise funds" (quoting from the fundraising material) and are only being provided to or for the benefit of the "U.S. Intelligence Officer" because of his prior status, authority or duties associated with the employee's federal position (see 5 CFR 2635.203(e)) working at the National Security Council. My client also believes that several of these gifts may violate 5 USC 7342, or that numerous gifts were given below the "minimal value," but the aggregate total was in excess of the allowed minimal value.

My client believes that many of these donations are from "prohibited sources" as defined by 5 CFR 2635.203(d), and requests that you investigate each and every donation to determine if it is from a prohibited source, or if a foreign citizen or agent of a foreign government made gifts to this intelligence official. The nature of this funding also gives rise to concerns as to whether this outside activity, and the donors of concern, have been lawfully reported pursuant to Guide L: *Outside Activities* of Security Executive Agent Directive 3.

The most concerning allegation that my client believes is that the federal employee you are protecting and their attorneys apparently have strategically weaponized their alleged whistleblowing activities into a very lucrative money-making enterprise using a charity incorporated under a different name than the trade name it is using for fund-raising purposes, which would appear to my client to be a clear abuse of the federal employee's authority and access to classified information.

We are requesting you investigate whether 18 USC 208, 18 USC 209, or any other criminal statute or regulation, has been violated by the federal employee you are protecting when they reportedly requested an investigation into a matter that they had no direct personal knowledge of, and on account of which they were able to obtain sizeable gifts from unknown persons because of their official duty.

Respectfully submitted,


Anthony J. Gallo, Esq.
Managing Partner

CC: Internal Revenue Service – Criminal Investigations Division