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Fielding, Fred - General Files

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Folder Title:

Office of Special Counsel Reports & Scott Bloch Issues: Scott Bloch [Folder 2]

## Bakke, Mary Beth

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**From:** Bakke, Mary Beth  
**Sent:** Friday, July 18, 2008 9:14 AM  
**To:** Brady, Ryan D.; Adams, John D.; Farren, J. Michael; Flood, Emmet T.; Burck, William A.  
**Cc:** Farren, J. Michael; Edwards, Tobi M.  
**Subject:** RE: COS Correspondence: Project on Government Oversight

Fred has asked Emmet, Mike Farren and Bill Burck to handle and prepare a response by Monday.

MB

-----Original Message-----

**From:** Brady, Ryan D.  
**Sent:** Friday, July 18, 2008 9:11 AM  
**To:** Adams, John D.  
**Cc:** Farren, J. Michael; Edwards, Tobi M.; Bakke, Mary Beth  
**Subject:** FW: COS Correspondence: Project on Government Oversight

Please see attached. COS' office is seeking WHCO's guidance on how to respond. Thanks.

-----Original Message-----

**From:** Joo, Mae  
**Sent:** Friday, July 18, 2008 9:06 AM  
**To:** Brady, Ryan D.  
**Subject:** COS Correspondence: Project on Government Oversight

cc: WHC - can you advise on how to reply?

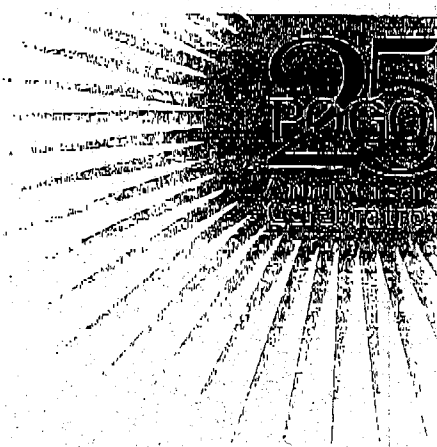
Thank you.

# Project On Government Oversight

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Fanen  
Flood  
Burck

7-17-08



## FAX TRANSMITTAL SHEET

DATE: 17 July 2008

DELIVER TO: White House Counsel Fred Fielding

PHONE NUMBER: \_\_\_\_\_

FAX NUMBER: 202.456.6279

*Need response by COB Monday.*

FROM: PROJECT ON GOVERNMENT OVERSIGHT

Danielle Brian

DESCRIPTION OF DOCUMENT: cc of Letter to the Honorable Joshua Bolton

NUMBER OF PAGES TO FOLLOW: 2

COMMENTS: \_\_\_\_\_

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THANK YOU!

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Exposing Corruption Exploring Solutions

# Project On Government Oversight



July 17, 2008

The Honorable Joshua Bolten  
Chief of Staff  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Via facsimile: (202) 456-0192

Dear Mr. Bolten:

I am writing to urge you to remove the U.S. Special Counsel Scott Bloch from his position. Last Friday, the Office of Special Counsel's (OSC) Deputy Jim Byrne resigned. His departure removes a vital barrier protecting the OSC's staff from further retaliation and intimidation by Mr. Bloch and signals a disturbing downward spiral for the agency, which is supposed to protect whistleblowers, prosecute Hatch Act violations, and perform other vital duties.

As you know, Mr. Bloch was subject to an unprecedented FBI raid involving two dozen agents earlier this year. My organization, the Project On Government Oversight (POGO), was party to the complaint filed three years ago that resulted in the Office of Personnel Management Inspector General (OPM IG) investigation into Mr. Bloch and now the related FBI investigation.

The Special Counsel has statutory protection from being dismissed from office in order to maintain his independence. However, he can be removed for malfeasance, neglect of duty, or inefficiency. I understand malfeasance and neglect of duty might be somewhat difficult to prove conclusively without the finalized OPM IG investigation. However, two federal judges in Washington, DC, and Virginia approved invasive search warrants, which have high standards of probable cause, indicating a strong belief by the judges that Mr. Bloch not only engaged in misconduct but that he committed a crime. These search warrants were executed to seize information from his office, his home, and his person.

Furthermore, it is quite simple to prove that Mr. Bloch's continued presence in the office is causing gross inefficiency at the OSC. To wit:

- Communications between Mr. Bloch and his staff are seriously impaired given that nearly 20 current and former staff members have been subpoenaed to provide evidence or appear before the Grand Jury considering Mr. Bloch's possible indictment. It is an untenable situation that witnesses continue to be subjected to the supervision of Mr.

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Bloch while they are being called upon to provide evidence to the Grand Jury concerning his wrongdoing. As previous letters to White House General Counsel Fred Fielding from our attorney Debra Katz have documented, Mr. Bloch and his deputies have repeatedly attempted to interfere and intimidate witnesses involved in the OPM IG's investigation.

- Staff at the agency have expressed concern that Mr. Bloch's private attorney is poised to depose them. This undoubtedly has created a chilling effect on staff who must interact with Mr. Bloch on a daily basis.
- In yet another sign of how the agency is being harmed by Mr. Bloch's leadership, the OSC's reauthorization bill is being held up by Congress because Mr. Bloch remains as Special Counsel. This reauthorization bill is urgently needed to enact long-overdue reforms to the agency.
- Staff at the agency report that their ability to perform many of their duties has been harmed by the shadow cast by Mr. Bloch's leadership. Other agencies are reportedly refusing to respond to OSC inquiries, preventing the OSC from conducting its statutorily required investigations and oversight.

As a result, I am imploring that you recommend to the President that he remove Mr. Bloch from office. At the very least, Mr. Bloch should be put on administrative leave pending the outcome of the investigation and Grand Jury. This is the only fair course of action for the employees of the agency and for the taxpayers who depend on a functioning OSC to ensure that the government is honest and accountable.

Sincerely,



Danielle Brian  
Executive Director

cc: White House Counsel Fred Fielding