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## United States Senate

COMMITTEE ON FINANCE  
WASHINGTON, DC 20510-6200

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November 30, 2023

The Honorable Gail S. Ennis  
Inspector General  
Social Security Administration  
6401 Security Boulevard; Suite 300  
Baltimore, MD 21235

Inspector General Ennis:

I write to request information regarding your Office's actions to protect whistleblowers.

In my letter to you dated July 17, 2023, I stressed the instrumental role whistleblowers play, "risking retaliation from their employer, colleagues, or other accomplices," to keep our government and its leaders accountable. However, I am concerned that your office's performance regarding treatment of whistleblowers have cultivated a hostile environment for current and future whistleblowers.

When I raised these concerns in my July 17 letter to you, you doubled down on your performance, took no accountability for your actions, argued that your office is not required to notify Congress of instances of whistleblower retaliation, and provided no details on how you were going to remediate the situation going forward. Instead, you chose to impugn the whistleblowers' character, motives, and work ethic. This combative posture toward whistleblowers is further exacerbated by the recent lawsuit against SSA OIG whistleblowers filed by your appointed Federal Whistleblower Protection Coordinator and raise questions on your ability to lead the Office of Inspector General.

As you know, all Inspectors General are required to designate a Whistleblower Protection Officer to educate employees throughout the agency about prohibitions on retaliation for whistleblowing and educate employees who have made or contemplate making a protected disclosure about their rights and remedies against retaliation. It is my understanding that you appointed your Chief Counsel, Michelle Murray to be the Federal Whistleblower Coordinator.

On October 24, 2023, Ms. Murray, your Chief Counsel and Federal Whistleblower Coordinator, filed a lawsuit against two SSA OIG whistleblowers, Debbie Shaw and Joscelyn Funnie, along with the Washington Post reporter who reported the whistleblowers' claims, the Washington

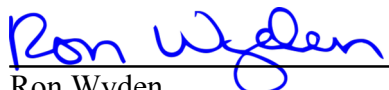
Post Company itself, and the Project on Government Oversight and its Director of the Effective and Accountable Government Program, Faith Williams. Alleging defamation, tortious conduct, and reputational damage, Ms. Murray requested \$10 million in compensatory damages and \$1 billion in punitive damages.

While Ms. Murray is within her right to file a lawsuit, it is concerning that one of your senior agency executives filed a lawsuit against two of her colleagues—one of whom is her subordinate—and against a news reporter. Whistleblowers and the free press are two democratic pillars that hold those in power accountable, and Ms. Murray's role makes her responsible for protecting whistleblowers and representing their concerns. The request for \$1 billion in punitive damages raises serious questions about whether Ms. Murray's actions are in the bounds of good faith and common sense, and strongly suggest an action of intimidation and retaliation. I am concerned that an individual holding such a critical position presents a hostile environment for current and future whistleblowers.

Whether or not you agree with the concerns raised by the whistleblowers, the MSPB ALJ decision, or Ms. Murray's lawsuit, it is your responsibility as a leader to turn down the temperature so the Office can perform to the best of its ability. With that in mind, within 14 days of receipt of this letter, please respond in writing how you are going to fulfill your obligations in protecting whistleblowers. This should include any remedial steps you have taken to preserve this Office's role, and whether Ms. Murray will continue serving as Federal Whistleblower Protection Coordinator.

I look forward to your prompt response.

Sincerely,



Ron Wyden  
United States Senator  
Chairman, Committee on  
Finance