



U.S. OFFICE OF SPECIAL COUNSEL

1730 M Street, N.W., Suite 218
Washington, D.C. 20036-4505
202-804-7000

April 7, 2022

Mr. Edward Canales
c/o Mr. Ward Morrow
American Federation of Government Employees, AFL-CIO
80 F Street, N.W.
Washington, D.C. 20001

SENT VIA E-MAIL AT MORROJ@AFGE.ORG AND CANALESDIRECT@YAHOO.COM

Re: OSC File No. DI-22-000357

Dear Mr. Canales:

The Office of Special Counsel (OSC) has completed its review of the information you referred to the Disclosure Unit. You alleged that employees at the Department of Justice (DOJ), Bureau of Prisons, Federal Corrections Institution Dublin, Dublin, California, (FCI Dublin), engaged in conduct that may constitute a violation of law, rule, or regulation, and a substantial and specific danger to public health.

OSC is authorized by law to determine whether a disclosure should be referred to the involved agency for investigation or review, and a report; however, OSC does not have the authority to investigate disclosures. OSC may refer allegations of violations of law, rule, or regulation; gross mismanagement; a gross waste of funds; an abuse of authority; a substantial and specific danger to public health or safety; or censorship related to scientific research or analysis. Disclosures referred to the agency for investigation and a report must include information sufficient for OSC to determine whether there is a substantial likelihood of wrongdoing.

You consented to the release of your name and disclosed that various areas in FCI Dublin have been contaminated with asbestos dust/debris and mold. You stated that you have brought the issues to management's attention, but they remain unresolved.

After reviewing the information submitted, we have requested that the Attorney General conduct an investigation into these allegations and report back to OSC pursuant to 5 U.S.C. § 1213(c). We have provided the Attorney General 60 days to conduct the investigation and submit the report to OSC. However, you should be aware that these investigations usually take longer, and agencies frequently request and receive extensions of the due date. Should the agency request an extension in this case, we will advise you of the new due date for the report.

Unless the report is classified or otherwise not releasable by law, we will send you a copy after our review so that you may comment on the report, if you wish. When the matter

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is closed, the Special Counsel will transmit the report and your comments to the President and the appropriate congressional oversight committees. Copies of these documents will be maintained by OSC in a public file, which is posted on OSC's website at www.osc.gov.

We emphasize that, while OSC has found a substantial likelihood of wrongdoing based on the information you submitted in support of your allegations, our referral to the Attorney General for investigation is not a final determination that the allegations are substantiated. This remains an open matter under investigation until the agency's final report is forwarded to the President and Congress.

If you have questions or would like to discuss this matter, please contact me at (202) 804-7050.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie J. Gogan", written in a cursive style.

Leslie J. Gogan
Attorney, Disclosure Unit