

Attachment 9

From: [Batdorf Michael T](#)
To: [Shapley Gary A Jr](#)
Subject: RE: For Review/Approval: Administrative Leave Request for Protected Whistleblower Activities - Shapley
Date: Friday, February 10, 2023 3:48:43 PM
Attachments: [image002.wmz](#)
[image004.png](#)
[image001.png](#)

Good Afternoon Gary. I hope you are doing well and enjoying the West Coast for a little bit.

I apologize for the delay but I have been traveling and we just finished up exec week here in HQ. There is no need for you to incur admin leave as this is your duty to file and support your claim as you see fit. Further, there is no need to provide any updates, written or verbal of your meetings, testimony and work being done on this claim. Again, as a federal employee, it is your duty and obligation to answer/support the claim you have made.

However, I can offer assistance if the burden to support your claim and run the day-to-day operations of your assigned group. Should you feel that you will be or are burdened trying to meet your duties as assigned, please let your ASAC and SAC know who will inform me so I can make a timely decision to give you additional flexibility.

Have a great weekend



From: Shapley Gary A Jr [REDACTED]
Sent: Wednesday, January 25, 2023 10:17 AM
To: Batdorf Michael T [REDACTED]
Subject: For Review/Approval: Administrative Leave Request for Protected Whistleblower Activities - Shapley

Mike,

Thank you for offering your and the agency's support as I navigate this complex process. As my protected whistleblower information is being delivered to the necessary oversight groups, I ask that I am granted permission to use administrative leave during the process. Instances where I would use administrative leave are as follows:

1. Testimony provided to various congressional committees
2. Meetings with congressional committees
3. Meetings with oversight groups to include;
 - a. Office of Special Counsel
 - b. Merit Service Protection Board
 - c. Various Office of Inspector Generals
4. Meetings with my legal counsel

5. All of the above are in process and if there are any meetings that materially deviate from the above list I would note that during the bi-weekly updates

If you approve, I suggest that I provide an itemized list of administrative leave taken each pay period to the ASAC (or your designee) that includes the amount of administrative leave taken and the group (i.e. congressional committee, OIG, OSC, Counsel, etc.) I met with. By providing an itemized accounting, the agency will both be kept in the loop of the groups I am meeting with and will be able to assess my use of administrative leave on a recurring schedule.

As we have discussed, I have a long history of exceeding expectations while taking on several time consuming roles simultaneously to include ASAC, SSA, [REDACTED] and J5 duties. With my roles being diminished recently, I ensure you I will exceed my responsibilities and commitments during this process.

I am available to discuss any time.

Thank you.

