

Subject: Re: Complaint about DOJ OIG
From: Walt Tuvell <Walt.Tuvell@gmail.com>
Date: 9/3/19, 2:01 PM
To: Integrity-Complaint <Integrity-Complaint@cigie.gov>

To CIGIE-IC WG —

Thank you.

I pledge my full cooperation in assisting your "pre-investigation" (if that's the proper term) in any way I can, of course, and I do very much hope you will contact me immediately if/when anything at all is questionable/unclear to you. It goes without saying (but I'll say it anyway), that my whole story is well-documented (to the best of my ability) on my website/page, <https://JudicialMisconduct.US/CaseStudies/WETvIBM> (**you should/must read it ALL very closely**), and **I stand behind it all**, even to the extent of hereby **SWEARING/VERIFYING UNDER PAIN AND PENALTY OF PERJURY** as to its accuracy/correctness/truthfulness/completeness (to the best of my ability, in all relevant respects).

I observe that if CIGIE does now do an honest/competent job (esp. in a timely manner, noting that the IG Act §4(d) speaks of "expeditiously," since federal criminal laws *have* been broken, and statutes of limitations could be in jeopardy), it will indeed be an amazing/legendary feat of living up to "**transcendent integrity**" (essentially CIGIE's motto), establishing a new standard for future generations, and I truly do hope you're up to the job (legally, morally/ethically, constitutionally, etc.). Please put your best, most rigorous people on this; don't delegate anything to less-qualified agents/representatives! Up till now, everything I've received from nominally "trusted" government officials (others, not CIGIE) has been nothing but incompetent/criminal slowwalk/nowalk stonewalling/gaslighting/doubletalking/obfuscating/covering-up/lying, and no American should ever again be forced to undergo such shabby mistreatment as I have experienced (cf. Charles Dickens, Little Dorrit, The Circumlocution Office, cited on my webpage).

Thank you again, and godspeed. For the sake of our country.

— Walter Tuvell

On 9/3/19 9:11 AM, Integrity-Complaint wrote:

Dear Mr. Tuvell,

We have received your emails; thank you for providing this information for Integrity Committee (IC) review. As a complainant, you may receive the following letters or notifications from the IC: a request for additional information, notification of referral, or a notification of closure. Additionally, if the IC determines to investigate the allegation, you may be contacted directly by an IC investigator for an interview or to provide additional information.

Please note: Other than the notifications above, you will receive no further communications from the IC regarding your previously submitted materials and communications until they make a determination on the allegations. In general, if you have not received a notification of referral or closure, the complaint is likely still under review by the IC. However, if you wish to submit a new allegation based on information not previously submitted to the IC, you are welcome to submit the same for review.

Sincerely,
Integrity Committee Working Group

From: Walt Tuvell <walt.tuvell@gmail.com>
Sent: Saturday, August 31, 2019 10:46 AM
To: Integrity-Complaint <Integrity-Complaint@cigie.gov>
Subject: Re: Complaint about DOJ OIG

/* RETURN RECEIPT REQUESTED: Please acknowledge receipt of this email. */

In the email I sent you yesterday (included below), I alluded to so-called "**deliberate ignorance**"/"**willful blindness**" by mentioning "**constructive knowledge**." Perhaps I should be more explicit, by mentioning the closely related "**ostrich instruction**" (see https://en.wikipedia.org/wiki/Ostrich_instruction and <https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=6659&context=jclc>). To quote Judge Richard Posner (U.S. v. Giovanetti, 919 F.2d 1223, 7th Cir. 1990):

"The ostrich instruction is designed for cases in which there is evidence that the defendant, knowing or strongly suspecting that he is involved in shady dealings, takes steps to make sure that he does not acquire full or exact knowledge of the nature and extent of those dealings. A deliberate effort to avoid guilty knowledge is all the guilty knowledge the law requires."

In my (strong) opinion, the various "persons" ("covered" or not) involved in

this matter (from IG Horowitz, through the heads of various organizations such as FBI/PIN/EOUSA/OPR/PIN/etc., and all lower-level designees/agents /representatives) are doing everything in their (abuse-of-)power/authority to "distance"/"ostrich" ("willfully blind") themselves from involvement/responsibility/liability/culpability in this matter (in particular, creating **long/tenuous chains-of-command, trying to hide** behind known/hoped-for false/blind/unwarranted dismissals of my complaints by low-level incompetents). We've certainly seen that in the case of Lelling and EOUSA, whose dismissals of my complaints are even anonymous, because the authors (Lelling and James Crowell, head of EOUSA) don't want to be associated with them. Others (FBI/PIN/OPR) don't even take the effort to respond in any way (**not even acknowledging receipt**), and just offer total silence (I address such inaction/"omission-to-act" on my website and in some of my letters). This "ostriching" is particularly prominent in **everyone's abject refusal to even attempt to address my many-times repeated plea ("Prove me wrong, if I'm wrong")** in the "Conclusion" section of many of my letters. In short: "constructive knowledge" and "ostrich instruction" certainly appear to apply over-and-over again, to everyone involved (except for CIGIE, at least to date).

— Walter Tuvell

PS: Going into this whole process, I had no preconceived notions of the players (organizations and people) involved, other than hoping to find honest brokers. In particular, I certainly have no "political agenda" (or any other ulterior motive), against Horowitz or anyone else. I would be very happy to be proven incorrect about my accusations against The Watchdogs. But from what I've seen to date, I'm extremely suspicious. (And, this justified-"paranoia" prompts me to ask for Return Receipts to my emails.)

On 8/30/19 1:53 PM, Walt Tuvell wrote:

/* Please acknowledge receipt of this email. */

I was just reading CIGIE-IC's Policies and Procedures document (https://www.ignet.gov/sites/default/files/files/Integrity_Committee_Policies_and_Procedures_Revised_Jan-2018_Final.pdf), and it contains the following definitions:

Appendix A: Definitions

“Abuse of authority” means arbitrary or capricious exercise of power by a federal official or employee that adversely affects the rights of any person or that results in personal gain or advantage to her/him or to preferred other persons. There is no de minimis standard for abuse of authority.

“Days” means calendar days, unless otherwise stated.

“Gross mismanagement” means action or inaction that creates a substantial risk of significant adverse impact on the OIG’s ability to accomplish its mission. It does not include discretionary management decisions, or action or inaction that constitutes simple negligence or wrongdoing. There must be an element of willful misconduct or gross and wanton negligence.

“Gross waste of funds” means an expenditure that is significantly out of proportion to the benefit reasonably expected to accrue to the government; it is more than a debatable expenditure.

Clearly, "exercising power" (as Horowitz and others appear to have done) to appoint/delegate authority to agents/representatives who "adversely affect my rights" and "advantages preferred other persons (namely, judges who commit crimes, but also people like Lelling, EOUSA/FBI/PIN/OPR/etc. employees)" amounts to "abuse of authority."

And equally clearly, taking the "action" (as Horowitz and others appear to have done) to effect the above paragraph, as well as taking the "inaction" (as Horowitz and others appear to have done) of failing to correct it (by forcing Lelling/EOUSA/FBI/PIN/OPR/etc. to do their jobs), amounts to "gross mismanagement."

— Walter Tuvell

PS: I have now learned that my reference to the "IG Act of 1978" in my letter of Aug 26 should have just been to the "IG Act" (which includes subsequent amendments too).

On 8/30/19 10:29 AM, Walt Tuvell wrote:

To CIGIE-IC —

I write to raise the following three items:

First: Please acknowledge your receipt of my Aug 26 email (with its attached letter) to you (included below), and also of this instant email.

Second: Please assure me that Michael Horowitz has been recused/disqualified from any involvement in this matter (because he has been accused of wrongdoing, and for that reason the appearance of bias is palpable).

Third: In my Aug 26 letter (mentioned above), I listed three "examples." I have now belatedly recognized that letter should be amended to include also the following fourth example:

EXAMPLE 4: OPR

On Jul 15 I wrote OPR, complaining (with proofs, of course) about wrongdoing by Lelling and others in DOJ, FBI, PIN. That letter was addressed directly to Corey Amundson (who may be a "covered person" in your terminology), and was Cc'd to the DOJ OIG "Investigations Division" (because some agents/representatives of that organization were been exchanging letters with me, ultimately with the authorization of Horowitz). OPR (and the OIG Investigations Division) was also Cc'd on my Jul 23 letter. And, EOUSA's Aug 7 letter to me suggested that I write to OPR (though I had already done so). However, OPR has never (even to this date) responded to me (and OIG is or should be aware of this, in the standard "constructive" sense, because I've emphasized repeatedly to OIG and others that "they are assumed to be familiar with" my continuously up-to-date website). OPR, if honest, should have responded to me. This is similar to my "Example 3: FBI/PIN" (because FBI/PIN, if honest, also have never responded to me).

Clearly (because the wrongness of the wrongdoing is proven), (some agent of) the DOJ OIG should/must have done (or be doing) something about this. But they have not (all I'm getting is silence). Hence I believe my complaint to CIGIE (regarding DOJ OIG's negligent silence/omission-to-act) is sufficient.

Thank you.

— Walter Tuvell

On 8/26/19 4:31 PM, Walt Tuvell wrote:

Attached is my response to your Aug23 letter. Also available at <https://judicialmisconduct.us/sites/default/files/2019-08/CIGIELetter2.pdf>.

On 8/24/19 6:26 AM, Walt Tuvell wrote:

FYI: I have received the enclosed letter of yours, and I plan to respond promptly.

— Walter Tuvell

On 8/23/19 12:20 PM, Integrity-Complaint wrote:

Dear Mr. Tuvell,

Thank you for contacting the Integrity Committee (IC).

The IC is charged with receiving, reviewing, and investigating, where appropriate, allegations of misconduct made against Inspectors General (IG) and designated members of an IG's staff (i.e., generally direct reports to the IG) and the Special Counsel and Deputy Special Counsel of the U.S. Office of Special Counsel. The IC takes action on allegations of wrongdoing that involve abuse of authority in the exercise of official duties or while acting

under color of office;
substantial misconduct, such as
gross mismanagement, gross
waste of funds, or a substantial
violation of law, rule, or
regulation; or conduct that
undermines the independence
or integrity reasonably
expected of such persons.

Upon initial review, your
complaint does not appear to
be within the authority of the
IC, as described
above. Rather, it appears to
generally concern the
Department of Justice, Office of
Inspector General. Unless your
allegation is against a covered
person, the IC does not have
jurisdictional authority to act on
your complaint. If you have a
complaint against an individual
within the IC's authority, please
provide it to this email address
as soon as practical.

Sincerely,
Integrity Committee Working
Group

From: Walt Tuvell
<walt.tuvell@gmail.com>
Sent: Thursday, August 22,
2019 1:35 PM
To: Integrity-Complaint
<[Integrity-
Complaint@cigie.gov](mailto:Integrity-Complaint@cigie.gov)>
Subject: Re: Complaint about
DOJ OIG

Thank you for this
acknowledgment of receipt. I
look forward to a prompt

substantive response from
you.

— Walter Tuvell

On 8/22/19 1:32 PM, Integrity-
Complaint wrote:

Dear Mr. Tuvell,

We received your
email and
attachment. Thank
you for providing
this information for
Integrity Committee
review.

Sincerely,
Integrity Committee
Working Group

From: Walt Tuvell
<walt.tuvell@gmail.com>

Sent: Wednesday,
August 21, 2019
10:54 AM

To: Integrity-
Complaint
<[Integrity-
Complaint@cigie.gov](mailto:Integrity-Complaint@cigie.gov)>

Subject: Complaint
about DOJ OIG

To CIGIE Integrity
Committee —

Pursuant to your
webpage at
[https://www.ignet.gov
/content
/integrity-0](https://www.ignet.gov/content/integrity-0), please

see the attached
Complaint letter
(which is also
available at
[https://judicialmisconduct.us
/sites/default/files
/2019-08
/CIGIELetter.pdf](https://judicialmisconduct.us/sites/default/files/2019-08/CIGIELetter.pdf)).

— Walter Tuvell
(PhD, Math, MIT &
U.Chicago — i.e.,
“not-a-crank”)

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<https://JudicialMisconduct.US>