

From:

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To:

CIGIE Integrity Committee

Subject:

Response to CIGIE Email Letter of Aug 23 2019

RESPONSE TO CIGIE LETTER OF AUG 23

This letter responds to your letter¹ to me dated Aug 23 2019 (responding to my letter to you dated Aug 21),² which I summarize/paraphrase as follows (relevant portions): You have not been able to discern “covered persons”³ that I have accused of “wrongdoing, with respect to abuse of authority in the exercise of official duties or while acting under color of office, or substantial misconduct such as violation of law/rule/regulation, or conduct that undermines integrity.”

I do believe the allegations I’ve made *are sufficient* to satisfy the above requirement of “discernment.” And above-and-beyond that, I believe the allegations I’ve made are sufficient to spur you to action even independently of what the above paragraph requires.

1 • Available at [https://JudicialMisconduct.US/sites/default/files/2019-08/CIGIE letter%3D2019-08-23.pdf](https://JudicialMisconduct.US/sites/default/files/2019-08/CIGIE%20letter%3D2019-08-23.pdf). More generally, **all relevant documentation is available on my website, and you are expected to be familiar with it.**

2 • But note that I also followed-up that Aug 21 letter with another letter, on Aug 22, which you have not acknowledged, though I will assume you did receive it.

3 • Defined at <https://www.oversight.gov/inspectors-general/council-inspectors-general-integrity-and-efficiency-integrity-committee>.

CLARIFICATION OF TERMINOLOGY

Your Aug 23 letter demurs that I complain “generally” about the DOJ OIG “organization-as-a-whole” (paraphrase), as opposed to complaining about “specific” “covered persons.” I don’t believe this is the case. Instead, it appears I am merely using language/wording, in a valid/standard way, differently from how you’re interpreting it.

Indeed,⁴ an “organization-as-a-whole” cannot “commit an act” independently of the “persons” comprising the organization. Thus, when we speak of “an organization committing some act,”⁵ what we really mean is that “some **person** who is an ‘**agent/representative**’ has committed the act in question, via some ‘official’ (explicit or implicit) ‘chain-of-command’ (master/servant, boss/underling) relationship/arrangement, authorizing that person to act on behalf of the organization and ‘**principals**’ in the chain-of-command.” And therefore, **all the persons in such chain-of-command** (all the way from the ultimate top/leader/head down to the proximate/immediate/bottom committer-of-the-act) bear responsibility/liability/culpability for the act committed (and so does even the organization-as-a-whole).

Thus, my complaints to you involving DOJ OIG do indeed accuse the DOJ IG, Michael Horowitz⁶ (a “covered person”), of wrongdoing,

4 • The **agency** (*respondeat superior*) precepts of this paragraph are typically formally invoked in tort cases involving commercial/contract law (see https://en.wikipedia.org/wiki/Law_of_agency), but are generally/universally applicable, including in criminal cases (and even at the Nuremberg war crimes trials). See <https://fas.org/sgp/crs/misc/R43293.pdf> (with “corporations” for “organizations/principals”).

5 • *Acts of omission* (or *omission-to-act*) can be equally as harmful/culpable as *acts of commission*, in the presence of some sort of duty/obligation/compulsion to act/perform (as I’ve discussed at <https://JudicialMisconduct.US/CaseStudies/WETvIBM>).

6 • Noting that I do indeed send my letters of complaint directly to Horowitz, via Certified U.S. Mail. (And, if someone else intercepts them, and/or acts upon them, then they presumably do so as an agent/representative of his, as described *supra*).

together with all persons in the chain-of-command (presumably including one or more “covered persons”),⁷ down to the actual commit-ter-of-the-act (who may or may not be a “covered person”).

Based on the discussion in this section, it is seen that my complaints to CIGIE do satisfy your requirements *vis-à-vis* “specific covered persons” vs. “generalized DOJ-as-a-whole.” In the next three sections, I apply this discussion to the three Complaints I have submitted to CIGIE *vis-à-vis* the types of wrongdoing stated in the first paragraph of the instant letter.

EXAMPLE 1: ANDREW LELLING

Consider first the May 22 and Jun 13 letters sent to me by Lelling. I don’t/can’t know who precisely actually wrote those letters (other than “Duty Paralegals” “K.M.” and “T.M.”), but I do know Lelling is responsible for them (they’re on his letterhead). Those Lelling letters amounted to “wrongdoing” (even criminal conspiracy/cover-up), as I proved in my letters of Jun 5,8,21, and I’ve complained to (agents of) both DOJ OIG and CIGIE about it.

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.

7 • It is plainly **unreasonable** (through no fault of my own) to expect me to *individually name/specify* all the relevant “covered persons” (other than Horowitz), due to the **lack of transparency** DOJ OIG affords me, about both its chain(s)-of-command, and the identities of its “covered persons.” Rather, it is **CIGIE’s investigative job** to personally identify such “covered persons” (noting that such “investigations” surely fall within the core competency of CIGIE).

EXAMPLE 2: EOUSA

Next consider the Aug 7 letter sent to me by EOUSA. Again, I don't/can't know who wrote it (it was unsigned, except for an indication of "Strategic Communications Staff"), but I do know EOUSA and some of its agents are responsible for it (it's on EOUSA letterhead). That EOUSA letter amounted to "wrongdoing" (even criminal conspiracy/cover-up), as I proved in my Aug 13 letter, and I've complained to (agents of) both DOJ OIG and CIGIE about it.

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.

EXAMPLE 3: FBI/PIN

Finally consider this, my major/primary complaint (whereas Lelling and EOUSA, *supra*, are minor/secondary). I informed, with proof, (agents of) the FBI and PIN of wrongdoing in my May 15 letter. However, neither FBI nor PIN has replied/responded (they haven't even acknowledged receipt of my letter) even now, more than 3 months later. That "deep-sixing" of my complaint amounts to "wrongdoing" (namely, criminal conspiracy/cover-up) by FBI/PIN.⁸

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 (see my letter of Jul 23). But they have not (all I'm getting is silence). Hence I believe my complaint to CIGIE (regard-

8 • See f5 *supra*.

ing DOJ OIG's negligent silence/omission-to-act) is sufficient.

For **EXAMPLE 4: OPR**, see my email of Aug 30.

GOOD-FAITH INTEGRITY IN GOVERNANCE

Your webpage (f3 *supra*) states that CIGIE addresses “integrity ... issues that transcend individual Government agencies.” Because⁹ this “sacred” charge is apparently unique amongst all governmental organizations, I strongly believe that CIGIE should address the issue I discuss in this section, above-and-beyond the issues discussed *supra*.

See the Conclusion section of this letter, *infra*, referring to the core issue I complain of: criminal behavior by Federal Judges.¹⁰ That Conclusion proposes a very simple proposition: **Prove me wrong, if I'm wrong**. I have now posed this proposition to multiple Governmental organizations, but they have uniformly refused to respond. This means they cannot prove me wrong (else they *would* have responded).

Because of your unique charge to “**transcend**,” you are now the **final bastion of integrity**. **If I am wrong, YOU must prove it. NOW**. If you do not, then the only reasonable/rational conclusion is that **I am right**: the Federal Judges (and others) I've complained about are indeed criminals, and must be held accountable, beginning by reporting them to the AG (IG Act ~~of 1978~~ §4(d)).
as amended

9 • In short: “If not you, who? If not now, when?”

10 • At this point, you *really* must take a look at my case, *Tuvell v. IBM*. You need not look at any of its **substantive** aspects (unless you want to), only its **procedural** aspects, because that's where the wrongdoing occurred. **To get the gist**, you need only take a look at (i) the **Smoking Gun** in the District Judge's Opinion at <https://JudicialMisconduct.US/CaseStudies/WETvIBM#smokinggun>, followed by (ii) the **Appellate Smoking Gun** in the Appellate Opinion at <https://JudicialMisconduct.US/CaseStudies/WETvIBM#appellatesmokinggun>. That's all. Any competent lawyer can immediately parse and evaluate the criminal illegality of those two passages. And if you're not certain of the exact “criminality,” it is: Obstruction of Justice via Falsification of Facts and Cover-Up (18 USC §1503(Omnibus Clause), §1001, and possibly §1519), and Conspiracy (18 USC §371).

CONCLUSION

I conclude with my many-times-repeated plea, which you (all sworn/"trusted" government agencies/authorities) keep ignoring: if anyone really wants to "solve" this case once-and-for-all (absent taking serious action on my complaints), he/she can do so very easily, merely by concisely explaining — *truthfully* — why my Complaint of judges' criminality lacks merit. **If I'm wrong: simply state/prove why! Stop stonewalling/gaslighting/doubletalking/obfuscating/covering-up/lying!!**

VERIFICATION; SIGNATURE

Signed under the pains and penalties of perjury:



Walter Tuvell