



SENT VIA ELECTRONIC COMMUNICATION

Senator Charles E. Grassley
135 Hart Senate Office Building
Washington, D.C. 20510

June 5, 2017

Senator Grassley,

I read with great interest your February 09, 2017 letter to President Trump encouraging him to empower whistleblowers who bring attention to fraud, waste and abuse in government. I agree whistleblowers can be instrumental in helping to “drain the swamp” in Washington by shedding light on abuses within the bureaucracy. However, rather than holding a White House Rose Garden ceremony to honor the work of whistleblowers, I suggest President Trump vigorously support legal reform that would protect whistleblowers in federal court. This is the only way to send a clear message that bureaucratic misbehavior and retaliation against those who report such atrocities will not be tolerated. As you aptly stated:

“After eight years under the leadership of what even the press has described as 'the least transparent administration in history' that prosecuted more whistle blowers than any other previous administration, the time is ripe to finally recognize the immeasurable value that whistle blowers bring to our democracy.”

I hope President Trump will usher in sweeping changes and renewed optimism to a problem that has been allowed to fester far too long. Laws need to be enacted to protect the Intelligence Community's contractor employees. Presently, contractors receive very little protection. We are not simply "being treated like skunks at a picnic," we are intelligence professionals who are not afforded the same protection under federal law like our federal government counterparts. We are professionals that the internal reporting system has failed. The current system stands in stark opposition to your claim that the “government is transparent and accountable to the American people.” As I will demonstrate below, the internal system available to contractors is undeniably unfair and highly unethical due to lapses in integrity by Offices of the Inspector General within the Intelligence Community. Until contractors receive robust protection under the law, the specter of intelligence employees going outside the internal system and risking the disclosure of classified information will be forever present. This is a threat to the safety and security of America.

I know you are a champion for whistleblower protection. Your office has been aware of my case for the past three years. The intent of this letter is to provide you a clear understanding of where my case currently stands, point out specific problems with the current state of Intelligence Community whistleblowing, and to request that you and the Senate Whistleblower Caucus take immediate action to help rectify ongoing problems with several Inspector Generals.

I understand why your office had to allow both the Central Intelligence Agency's Office of the Inspector General (CIA IG) and the Intelligence Community Inspector General's Office (ICIG) handle my case. It is their responsibility. Their reviews have concluded. However, due to both offices committing fraud (by outright lying and intentional misrepresentation), as well as blatantly ignoring several conflicts of interests within my case, the time for inaction has passed. This letter also serves as a warning to all Intelligence Community contractors about the pitfalls of engaging the internal process. Several contractor whistleblowers have claimed that the system is

broken. Unfortunately, the evidence to back up their claims was sparse. This is not the case for me as I have taken great care over the years to document the systematic shortcomings of the process. These are presented herein. Make no mistake about it - the current system is horribly broken and quite frankly beyond repair. The President is correct; we need to drain the swamp. For the sake of national security, the Intelligence Community Inspector General apparatus needs to be drained. The Intelligence Community whistleblower policies and procedures need immediate attention. It is a virtual quagmire ensnaring intelligence professionals who are trying to abide by their legal duty to report fraud, waste, abuse and mismanagement. The nation will be at risk until the fear of reprisal is removed and the internal system addresses its integrity shortcomings.

Major Concerns

A defense contractor would be extremely foolish to engage the Inspector General system as a whistleblower. Whistleblowers must keep in mind that this process is designed to frustrate you, isolate you, exhaust you, and stress you out. The process will financially destroy you and grossly effect your family members. A whistleblower needs to be courageous and not deviate from their moral convictions. Our country needs whistleblowers to let the government know when there are problems hindering national security or wastes of taxpayers' money. The following are my major concerns. Further detail (and the exact complaints submitted to the Inspector Generals) are provided below.

1. The number one reason to avoid at all costs the Inspector Generals is that they are ethically challenged. In my case, both the CIA IG and the ICIG have committed fraud by lying/misrepresenting the facts. There is no consistency in how they deal with apparent, potential and actual conflicts of interest. The ICIG is aware of these transgressions. They were provided sufficient documentary evidence to back up these claims. I filed a formal request to the ICIG to vacate both the CIA IG whistleblower retaliation decision as well as the ICIG External Review Panel's decision on whistleblower retaliation. I requested an impartial IG office be assigned the case. If granted it would render the past three years of investigations meaningless and a complete waste of taxpayer funds.

As the press has widely reported, unethical actions are not limited to these two IG offices. It is an epidemic contaminating the Intelligence Community and Department of Defense. No matter the facts of a case, no matter which laws are applicable, if the Inspector General's Offices acts unethically, one is better off bringing their concerns elsewhere.

2. As a whistleblower, if you choose to seek legal representation, your attorney will have very limited access to the details of your case. Without knowing the facts of your case, your lawyer can not provide sufficient legal counsel. You will have to handle a majority of the case by yourself. In my case, an attorney was granted a clearance by the DNI to review my case, however, the CIA declined to grant access to any of "their" information, rendering the clearance useless.
3. I had no access to government documents to support my claims. More than four years and seven months after filing the first of dozens of Freedom of Information and Privacy Act requests, the government has only provided me the documents I supplied to them. The government has not provided a single document. Transparency and accountability cannot occur while this practice continues. Requests for my security file, requests for regulations on whistleblower protection, requests for derogatory emails written by the government, requests for completed investigative reports - all fall into a bureaucratic black hole. A whistleblower does not stand a chance of prevailing without access to critical documents.
4. Presidential Policy Directive-19 provides little to no protection for whistleblowers. It is poorly conceived and does not contain sufficient detail nor teeth to make it an effective tool to stop reprisals. Federal laws are desperately needed.
5. The Inspector Generals will not provide a speedy resolution to claims. My Presidential Policy Directive-19 allegation that the CIA retaliated against my whistleblowing by delaying and terminating the adjudication of my clearance took three years and two months to decide. One of my fraud, waste, abuse

and mismanagement claims was initiated in 2009. To this day, it remains unresolved.

6. Finally, the government will not even acknowledge whether issues you have reported are being investigated. Over 30 months after I brought concerns to the attention of the ICIG, neither the CIA nor the ICIG will confirm any investigation is taking place. Further, neither office has interviewed me nor made a single attempt to collect evidence on any issues besides processing of my clearance. All other issues have been ignored. When Inspector Generals do not conduct timely investigations, pertinent evidence can be lost or forgotten as time passes.

These issues have been reported to the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence. To date, they have chosen to let CIA handle my concerns. I believe these Committees need to take a more proactive stance. I requested the Director of National Intelligence and the Director of Central Intelligence open investigations on their respective IG staffs' behavior. I strongly recommend every effort is made to support you and Senator McCaskill in your efforts to pass legislation designed to protect whistleblowers in the Intelligence Community. Every elected official has a vested interest in protecting whistleblowers because their efforts make the country safer.

Reports in May 2017 indicated that you planned to block Courtney Elwood's nomination as CIA General Counsel until CIA responds to your 2014 request for the declassifying of whistleblowing letters and the release of CIA internal whistle blowing regulations. You are an elected official. You represent U.S. citizens. Yet, the CIA refuses to accommodate you. If you are being stonewalled, what chance does the average citizen like me stand against the CIA? Three years ago, I requested that you be given access to my case. CIA refused. You have jurisdiction over my case in several areas that CIA will never admit. This is not a pure intelligence matter under CIA's purview. Laws have been broken. Laws have not been enforced. These are the responsibility of the Judicial Branch and not the Executive Branch. As Chairman of the Judiciary Committee, I urge you to open a full investigation into the illegal activity I have reported.

I engaged the Inspector General system hoping for the best. What I experienced is disheartening. I brought my initial contract concerns to the CIA IG in 2009 and here I am in 2017 with very little addressed in a professional manner. The system needs an overhaul. These issues are beyond the Intelligence Community to resolve in a timely and equitable manner. Whistleblowers need to be protected by robust federal law. Nothing short of legislation can remove the institutional bias and inherent conflicts of interest that would allow whistleblowers to safely report and substantiate their claims. If a defense contractor chooses to still blow the whistle, it is not inconceivable you will be treated in a similar manner.

Unethical Behavior by the Inspector Generals

I filed complaints with the Council of Inspector General for Integrity and Ethics (CIGIE) and the DNI ethics board over the handling of my case by the ICIG and the CIA. CIGIE has refused to open any investigation on any issues. They can only investigate complaints about specific individuals and not the offices. Until I receive more documents, it is impossible to identify everyone who has made inappropriate decisions in my case. The allegations range from inadequate investigative practices to failure to avoid all conflicts of interest. Both Inspector General Offices have held on to my case simply to keep others from scrutinizing their combined investigative incompetence and their failure to abide by the law, presidential orders, and agency specific regulations. The press has correctly described the CIA IG as the "Keystone Cops" due to their inept efforts. I can honestly say the ICIG deserves the same moniker.

If the CIA IG and the ICIG are not held accountable when they perform unethical acts, there is little incentive for whistleblowers to engage these offices. There have been several instances in my case where the Inspector Generals were deceitful and intentionally failed to apply commonly accepted ethical legal principles.

Fraud

I made the ICIG aware that their office and the CIA IG perpetrated fraud. Fraud is a false representation of a

matter of fact, whether by words or by conduct, by false or misleading allegations, or by concealment of what should have been disclosed, that deceives and is intended to deceive another so that the individual will act upon it to his legal injury. The ICIG and the CIA falsely represented their justification as to why my case was sent back to CIA after my appeal. Initially, the ICIG Director of Whistle Blowing and Source Protection claimed the case was being remanded because the CIA failed to "exhaust" their initial investigation. Later an attorney in the ICIG's office made the same claim. Their claims are in stark contrast to information another ICIG attorney reported. She claimed the case was sent back because CIA failed to analyze the case under the applicable whistle blower protection laws and executive orders. I believe the latter claim to be true simply because the ICIG had to certify that the case was exhausted prior to accepting my appeal. If the CIA failed to investigate my concerns it sets up an apparent conflict of interest. This is very problematic as the primary ethical issue is lies were told. These misrepresentations consequentially altered the course of the investigation and both offices tried to conceal them for their own benefit.

Enclosed with this letter are my complaints and supporting email below:

- A. "Urgent Concern ICIG conspiracy and fraud"
- B. "McClanahan email"
- C. "ICD 120 ERP 45 days"

Conflict of Interest

The CIA IG and the ICIG do not consistently apply the legal concept of a conflict of interests in their investigations. In September 2016, I filed a concern that a staff member in the ICIG office should have recused himself from my case because he was intimately involved in the facts of the case. This individual also had a retaliation claim against CIA. This is an actual conflict of interest that CIA recognized but the ICIG conveniently ignored. The individual was removed from my case due to "workload reasons." The ICIG will not confirm whether the individual who was the primary decision maker in my case was removed for failing to recuse himself or failure by his superiors to remove him. This individual should have been removed in 2014, not 2016. This oversight calls into question the integrity of the investigative process as well as the entire ICIG's ability to recognize ethical issues.

Recognizing and de-conflicting conflicts of interest are mandated by the Council of Inspector General for Integrity and Ethics. Whistleblowers should realize there are three types of conflicts of interest: actual, potential and apparent. Actual conflicts of interests arise in situations where an individual has an actual conflict between competing interest. Potential damage is mitigated by removing the individual in question from the investigation. From January 2014 until September 2016, the ICIG would not remove several compromised individuals from my investigation.

More disturbing is the fact that the CIA IG and the ICIG do not consistently recognize the legal concept of an apparent conflict of interest. An apparent conflict of interest occurs when it could reasonably appear to a third party that a situation or a relationship between individuals and organizations involves a potential or actual conflict of interest. The conflicted parties must be removed from the situation. Since 2014, I implored the ICIG to the prohibit CIA IG from investigating its own retaliatory acts and their previous investigations. The ICIG ignored this obvious conflict and made no attempt for another Inspector General's Office to investigate CIA's misconduct. The ICIG is aware that remanding my case back to CIA is a conflict of interest, yet they allowed CIA to make that determination.

See the enclosed:

- D. "Failure to Recuse"
- E. "Dan Meyer ICIG removal"

The CIA IG determined in 2014 that no whistleblower retaliation occurred. After my appeal in October 2014, the ICIG sent the case back to CIA to re-investigate. Dan Meyer of the ICIG claimed the case was sent back because the CIA IG failed to "exhaust" the investigative process. However, the PPD-19 process required the ICIG to get a certification from CIA that the process had been "exhausted" in 2014. The ICIG refuses to explain the inherent

disparity. In 2015, an ICIG attorney claimed the case was sent back to CIA because CIA failed to apply PPD-19 to my retaliation allegations. The retaliation occurred after PPD-19 was issued. The ICIG will not elaborate on the two explanations given by its office as to why my case was "remanded." The CIA IG provided me a written statement that their PPD-19 investigation found no evidence of retaliation. I was promised a sanitized version of the findings by the ICIG, yet months later I have not received the report. CIA's written reason and the ICIG's explanation do not match. I filed a complaint to the ICIG for an explanation as to why my case was given back to CIA. Once again, there is an apparent conflict of interest in allowing the CIA IG to investigate my case and its own misconduct if they failed to apply Presidential Policy Directive-19.

Finally, I raised apparent conflicts of interest regarding the ICIG handling of my case. The contentious relationship between the ICIG and the CIA IG when it comes to the handling of whistleblower cases has been reported in the press. They have a toxic relationship. Contact with your office over the treatment of whistleblower is at the center of that conflict. It would appear to a reasonable person that both the CIA IG and the ICIG should have removed themselves from my case, but they did not.

The ICIG has never recognized an apparent conflict of interest in my case. This is unacceptable. CIA has recognized this ethical issue in other cases, but not in mine. This too is unacceptable. I also raised this issue with the ICIG.

See the enclosed:

F. "ICIG Complaint"

G. "CIA recognizes apparent conflict of interest in whistle blower case"

Compromise of Integrity in the ICIG System

Recent press reporting and my experience with both the Intelligence Community Inspector General's Office and the Central Intelligence Agency Inspector General's Office have called into question the integrity of the entire Intelligence Community Inspector General system.

According to the Council of Inspector Generals on Integrity and Ethics:

"Integrity is the cornerstone of all ethical conduct, ensuring adherence to accepted codes of ethics and practice. Objectivity, independence, professional judgment, and confidentiality are all elements of integrity. Objectivity imposes the obligation to be impartial, intellectually honest, and free of conflicts of interest."

"Independence is a critical element of objectivity. Without independence, both in fact and in appearance, objectivity is impaired."

"Professional judgment requires working with competence and diligence. Competence is a combination of education and experience and involves a commitment to learning and professional improvement."

"Diligence requires that services be rendered promptly, carefully, and thoroughly, and by observing the applicable professional and ethical standards."

The evidence I am providing, along with the reports in the press, undermine the integrity of the Inspector General process. If left unchecked and broken, it will undermine the public's faith in the very institutions that are responsible for safeguarding national security. This cannot continue.

I have reported urgent concerns about both IGs lack of objectivity. My conflict of interest allegations is well documented. Both offices have issues with honesty. As Kel McClanahan reported to the ICIG on why my case was given back to CIA, either the ICIG or the CIA IG lied. I believe they both lied. CIA lied that it had completed an investigation using the correct laws, Presidential Policy directives, Executive Orders and practices. The ICIG lied in telling me why the cause was sent back. The ICIG refuses to explain the contradiction. The CIA final investigative reports will clearly show who is telling the truth. I have not received them under my legal FOIA and Privacy Act requests.

See the enclosed:

H. "ICIG CIAIG lying"

I. "CIA July 2014 letter claiming it investigated"

J. "Dan Meyer claiming CIA IG did not exhaust investigation"

K. "Urgent Concern - Fraud, Waste, Abuse and Mismanagement - exhaustion of case"

McClatchy's article published in July 2014¹ describes the toxic relationship between the CIA IG and the ICIG as it pertains to whistleblowers and calls into question the independence of the offices and their personnel, "*The email controversy points to holes in the intelligence community's whistleblower protection systems and raises fresh questions about the extent to which intelligence agencies can elude congressional oversight.*" The appearance of not being independent is strictly prohibited.

The last paragraph points to the CIA IG's lack of professional judgement and competence, "*The email related to allegations that the agency's inspector general, David Buckley, failed to properly investigate CIA retaliation against an agency official who cooperated in the committee's probe, said the knowledgeable people, who asked not to be further identified because of the sensitivity of the matter.*"

I have attached investigative documents collected in connection to a complaint against CIA IG David Buckley. I present these as evidence of issues present during the processing of my case but also to highlight that the head of the CIA IG called out short comings of his own investigators. The suggested reassigning of top investigators is particularly concerning given my case was investigated during this time and apparently, the junior staff were assigned projects they were not qualified to investigate. It demonstrates that even the CIA IG staff feared internal reprisal.

See the enclosed:

L. "FBI-CIGIE investigation" (added as last document due to the number of pages)

On May 16, 2016, Michael Isikoff of Yahoo News² reported:

"The CIA inspector general's office — the spy agency's internal watchdog — has acknowledged it "mistakenly" destroyed its only copy of a mammoth Senate torture report at the same time lawyers for the Justice Department were assuring a federal judge that copies of the document were being preserved, Yahoo News has learned."

"The deletion of the document has been portrayed by agency officials to Senate investigators as an "inadvertent" foul-up by the inspector general. In what one intelligence community source described as a series of errors straight "out of the Keystone Cops," CIA inspector general officials deleted an uploaded computer file with the report and then accidentally destroyed a disk that also contained the document, filled with thousands of secret files about the CIA's use of "enhanced" interrogation methods."

When the newspaper refers to you as "the Keystone Cops," there is a public image concern. There are several instances of incompetence and a failure to be diligent in my case. The public trust in the CIA IG's office continues to erode.

I will present further proof of the ICIG's competence in subsequent complaints once my FOIA/privacy act requests are complied with.

I have highlighted my issues with both the CIA IG and the ICIG's diligence. The PPD-19 investigation took three and two months. This is not prompt and it certainly does not follow applicable professional and ethical standards.

Failure to Investigate

¹ <http://www.mcclatchydc.com/news/nation-world/national/national-security/article24771052.html>

² <https://www.yahoo.com/news/senate-report-on-cia-torture-1429636113023030.html>

Whistle blower retaliation under PPD-19 is not the only allegation I brought to the ICIG in October 2014. I have filed five “urgent concerns” reports to the ICIG because they failed to investigate significant concerns that are the responsibility of the Director of National Intelligence to address. The ICIG kept control of my case, but allowed CIA to investigate all the claims in my 2014 complaint. In two years and 6 months, neither the CIA IG nor the ICIG has interviewed me or asked a single follow-up question the other allegations. I did not receive prompt services. I did not receive feedback on status or a decision that parties committed a wrongdoing. I was not interviewed. I was not afforded the opportunity to provide additional evidence. Further, I do not believe either the CIA or the ICIG have investigated any of the issues that fall under the False Claims Act. In 2012, I filed the appropriate FOIA/Privacy Act requests for the final investigative reports concerning several investigations. I have not received a single report.

See the enclosed concerns to the ICIG:

M. "Urgent Concern - Failure to Investigate Intelligence Failures"

N. "Urgent Concern - Failure to Investigate ManTech International"

O. "Urgent Concern - Failure to Investigate Raytheon CIA contract Officer"

P. "Urgent Concern - Failure to Investigate SAIC CIA contract Officer"

Q. "Urgent Concern - Failure to Investigate Fraud, Waste and Abuse (CIA Contractors)"

The ICIG will not confirm or deny which of these issues were reported to HPSCI and SSCI. They would only say that they were not urgent concerns because they were derived from my 2014 complaint. This is a very limited definition of what is a "new" concern.

Integrity Issues within the Intelligence Community Inspector General System

The Government Accountability Project republished Patrick Eddington’s Just Security article on March 2, 2017³ which states, *“The role of an Inspector General (IG) office in a federal agency or department is to root out waste, fraud, and abuse, and where necessary refer criminal conduct to the Justice Department for prosecution. But what happens when the IG itself is corrupt, especially in a national security context where secrecy can be used to conceal malfeasance?”*

This question is at the heart of the problem. What happens when the IG is corrupt? What happens when there is no transparency? What happens when you ask the ICIG who investigates their misbehavior seven times and your query goes unanswered?

Further evidence that the IG’s behavior constitute a threat to national security and are thus an "urgent concern" include the following facts within the article:

“In March 2016, the Office of Special Counsel announced that it had uncovered evidence of Drake prosecution-related document destruction by the DoD IG, involving a “substantial likelihood” that IG personnel had potentially violated the law.”

“Those allegations received additional support when former DoD IG Assistant Inspector General John Crane went public in May 2016 with allegations that he had witnessed retaliation against Drake while working in the DoD IG office.”

“And in July 2016, former DoD IG ombudsman Dan Meyer officially claimed that he had experienced retaliation for exposing attempts by DoD IG officials to manipulate a final version of an investigative report into allegations that then-Defense Secretary Leon Panetta “had leaked classified information to the makers of the film ‘Zero Dark Thirty.’”

“On December 13, 2016, The Intercept reported that the Government Accountability Office (GAO) had “quietly launched an investigation into the ‘integrity’ of the Pentagon’s whistleblower protection

³ <https://www.whistleblower.org/multimedia/just-security-whistleblower-retaliation-governmental-accountability-and-national-security>

program.” Whether Drake’s case is one of the subjects of the GAO probe is unknown, but the fact that the entire Pentagon Inspector General operation is now the subject of an external investigation is virtually unprecedented.”

“And just three days after The Intercept’s story on the GAO inquiry broke, Government Executive reported that NSA IG George Ellard had been recommended for termination for whistleblower retaliation by NSA Director Adm. Mike Rogers, based on the recommendations of a three-person external IG review panel established under an Obama-era presidential directive, PPD-19.”

See McClatchy Article published on March 21, 2016 about a Pentagon Inspector General possibly destroying whistle blower evidence.⁴

See McClatchy article published September 30th, 2016 showing retaliation against whistle blower Dan Meyer and highlights why ICIG excused his questionable behavior in my case.⁵

“As part of the agreement, the Pentagon inspector general’s office said it would give Meyer an undisclosed monetary settlement, according to three people with knowledge of the negotiations. They asked to remain anonymous because of the sensitivity of the matter.”

“The inspector general’s office also promised to give Meyer two awards in “recognition for his services,” a Sept. 19 settlement document obtained by McClatchy says.”

“Kathie Scarrah, spokeswoman for the inspector general’s office, said her office and Meyer had come to a ‘mutually satisfactory resolution’ including giving him an award. Scarrah added that ‘Meyer withdraws and repudiates, unconditionally and completely, all allegations’ against the officials he accused.”

“Meyer and the Pentagon inspector general’s office agreed the settlement did not ‘constitute an admission of any violation of law, rule or regulation,’ the Sept. 19 document says.”

It is imperative for you to take a proactive interest in my case for all the reasons stated above. It will have ramifications on how whistleblowers engage the internal IC mechanism for reporting and how they are treated. The IC is not equipped to handle complex investigations. They just delay, delay, and delay and hope the problem goes away. This practice must end. You will be instrumental in creating change and the country will be safer for your actions.

Finally, I bring to your attention a Marcy Wheeler article.⁶ I have never in my entire career been involved in Chinese operations. As a result, those who can investigate my intelligence failure claims should get to the bottom of what I reported least we repeat, and continue to repeat, past mistakes.

Thank you,

//signed//

John Reidy
Twitter @ICwhistleblower
icwhistleblowingstopthemandness@gmail.com

“But what happens when the IG itself is corrupt, especially in a national security context where secrecy can be used to conceal malfeasance?” - Patrick Eddington

⁴ <http://www.mcclatchydc.com/news/nation-world/national/national-security/article67392097.html>

⁵ <http://www.mcclatchydc.com/news/nation-world/national/national-security/article105229571.html>

⁶ <http://www.radiofree.org/us/were-shitty-saic-systems-the-cause-of-the-cias-china-disaster/>

Urgent Concern - Inspector General Conspiracy and Fraud

[John Reidy](#)

4/7/2017 6:55 PM

To [PaulJ.Wogaman](#) Copy [cigie.information@cigie.gov](#), [icig_complaints@dni.gov](#), [ic_complaints@ic.fbi.gov](#), [margaret_daum@hsgac.senate.gov](#), [Patrick \(Judiciary-Rep\) Davis](#)

Paul,

Please record this as a reporting under 50 USC Section 3033 (k)(5) Complaint of an 'Urgent Concern' to the ICIG. Please include it as part of my complaint to CIGIE and DNI ethics board. Please transmit my entire email and attachments as my entire complete, accurate complaint. Please consider this complaint under any and all federal law that proscribes inappropriate behavior by Inspector Generals. Please report this under applicable fraud, waste, abuse and mismanagement laws. Please forward to the Department of Justice any issues that fall within their purview.

Fraud is a false representation of a matter of fact—whether by words or by conduct, by false or misleading allegations, or by concealment of what should have been disclosed—that deceives and is intended to deceive another so that the individual will act upon it to his legal injury.

Fraud must be proved by showing that the defendant's actions involved five separate elements: (1) a false statement of a material fact (2) knowledge on the part of the defendant that the statement is untrue, (3) intent on the part of the defendant to deceive the alleged victim, (4) justifiable reliance by the alleged victim on the statement, and (5) injury to the alleged victim as a result.

The ICIG and the CIA IG have consistently and continue to perpetrate a fraud. Howard Cox stated in the attached document that the CIA IG conducted an investigation into my PPD-19 allegations. The CIA IG also claimed the contracting company stopped processing my clearance. This is untrue. The CIA IG stated that the matter was closed and no further action was taken.

The ICIG certified that the CIA IG investigation was exhausted during the intake process after Cox's letter. Dan Meyer claimed the matter was sent back to CIA because the matter was not "exhausted." (see attachment). Jeanette McMillian claimed the case was sent back because the CIA IG did not apply PPD-19. CIA's report will whether PPD-19 was applied. Finally, you state "Next, our requesting an initial investigating IG to address unresolved issues impeding agency exhaustion, and thus depriving an ERP of jurisdiction, is not itself a conflict of interest; nor is our having done so unique to your request for ERP review." You are back claiming the case was not exhausted. When CIA makes a mistake of law or fact or they fail to follow basic investigation policy (not interviewing me or collecting evidence), it is not failure to exhaust a case. It is incompetence.

If more than one ICIG or CIA IG investigator or attorney made a pact to lie or mislead then a conspiracy occurs, Conspiracy - an agreement between two or more persons to engage jointly in an unlawful or criminal act.

To your comment that sending a case back to CIA is not itself a conflict of interest. I disagree. There is an inherent apparent conflict of interest if the CIA IG is reviewing its own misconduct. No reasonable person would miss the conflicting interests.

The fraud and conspiracy issues also represents an apparent conflict of interest for both IG staffs. The IG's primary duty is to investigate wrongdoings. Neither can investigate their own malfeasance.

Thank you,

John Reidy

Subject:

Reidy appeal/complaint -- further supplement

Date:

Thu, 12 Nov 2015 03:43:00 -0500

From:

Kel McClanahan, Esq. <kel@nationalsecuritylaw.org> kel@nationalsecuritylaw.org

To:

Dan Meyer (ICIG) <DANIEPM5@ucia.gov> DANIEPM5@ucia.gov

Hello Dan,

As you are likely aware, I had a lengthy conversation with Jeanette McMillian on Tuesday, which unfortunately resolved none of the lingering problems, and in fact raised a few new ones. In light of that conversation, I reluctantly must again supplement/amend Mr. Reidy's PPD-19 appeal/ICWPA complaint with the following items:

1) Jeanette informed me that neither she nor anyone else at the ICIG would make any inquiries into the progress of the CIA OIG investigation beyond simply asking, "Is this matter under review?" She clearly stated that if the CIA OIG responded, "Yes, it's under review," the ICIG would not inquire further, for example, asking where in the review process it was, or how long the CIA OIG expects it to take. This is extremely problematic when the CIA OIG has demonstrated a clear pattern of misleading the ICIG and Mr. Reidy regarding the progress of its investigations, to the point of issuing a final response to the investigation without actually investigating anything, such that the ICIG had to send the matter back to be reinvestigated. As noted previously, the ICIG requested further information from the CIA OIG while retaining control over the appeal (rather than simply remanding the matter to the CIA OIG), which means that the ICIG still controls the case. As such, it is negligent at best and complicit at worst for the ICIG to take a completely hands-off approach to whatever "investigation" the CIA OIG is conducting and simply let that office take as long as it likes without any pressure from your office. Jeanette stated that your office "has to trust the CIA OIG," but such a sentiment is dangerously misplaced when the complainant is alleging reprisal by the CIA OIG. An OIG cannot simply "trust" the office being accused of reprisal.

2) You informed me in April or May of this year that the CIA had a regulation which governs the way in which it conducts whistleblower reprisal investigations, and you claimed that it was a "good" one. You stated, however, that you could not tell me the name or number of the regulation or provide me a copy. You also could not tell me what deadline it established for the completion of such investigations. Accordingly, please incorporate that regulation into the file for this appeal/complaint, for the following

purpose. Please review that regulation, and if the CIA OIG is not meeting the deadline established in its own regulations (which we strongly suspect is the case), and if the ICIG remains content to allow the CIA OIG as much time as it wants to complete this investigation (as Jeanette implies it is), then consider that both the CIA OIG and the ICIG are contributing to the ongoing whistleblower reprisal which started at the CIA. This is a formal request for the ICIG to set a deadline for the completion of CIA's investigation and then adjudicate Mr. Reidy's appeal promptly after that deadline passes, with whatever information the CIA OIG has given you by that time. If the ICIG does not do so, and instead refers this complaint to the congressional intelligence committees, we hereby request of the committees that one of them obtain a copy of this CIA regulation and proceed accordingly.

3) Jeanette also clarified the nature of the CIA's failure to exhaust its administrative process, which actually gives rise to another previously-unknown reprisal complaint. According to her, when the CIA OIG issued its final response in July 2014, it had only investigated the allegations which predated PPD-19, and specifically had not investigated any of the allegations related to Mr. Reidy's security clearance. According to her, it was for this reason that the ICIG sent the matter back to the CIA OIG, so that that office could investigate the more recent allegations and apply PPD-19. However, if this is accurate, it demonstrates yet another act of reprisal by the CIA OIG. On 27 January 2014, Mr. Reidy executed an affidavit in your office appealing the previous determination by the CIA OIG and complaining of an urgent concern, specifically invoking PPD-19 and the ICWPA. Shortly thereafter, you contacted the CIA to ask about the status of Mr. Reidy's security clearance, which we allege was being delayed as an act of reprisal. Within two weeks, the CIA "lost jurisdiction" over Mr. Reidy's security clearance and administratively closed the security investigation. On 10 February 2014, you informed Mr. Reidy that the ICIG had not classified any of his disclosures as an "urgent concern," and so would not be forwarding the affidavit to the DNI. You then concluded your letter, "As this is a reprisal allegation, we are forwarding the complaint to the CIA Office of the Inspector General (OIG) for intake. Should the CIA OIG find they are conflicted out, we will assist them in finding an appropriate OIG to conduct an inquiry. Once you have exhausted the applicable administrative processes pursuant to PPD-19, Section B, you may then appeal to the External Review Panel through the IC IG Hotline." It was therefore this referral, including the security clearance-related allegations, which the CIA OIG allegedly investigated and found to be meritless, and responded to in July 2014. If, as Jeanette claims, the CIA OIG never applied PPD-19 until asked to do so this year and did not investigate the allegations which postdated its issuance, and that failure caused the referral back earlier this year, then that means that the CIA OIG intentionally refused to apply PPD-19 or investigate the recent allegations (including the clearance-related ones) even though they were the core of the referred complaint. This is another reason that the CIA OIG should not be allowed to take its time doing whatever it is doing without being required to adhere to any sort of timetable or even keep the ICIG apprised of its progress. That office now appears to have deliberately ignored the content of the complaint the ICIG referred to it, instead "reinvestigated" the earlier allegations without any consideration for PPD-19, and then closed the investigation, stating, "This office plans to take no further action and considers the matter closed." That last sentence is very strange for an office which then turned around and claimed this year that it needs another chance to exhaust its administrative process.

4) It is difficult, though, to reconcile one part of Jeanette's statement with the CIA OIG's 25 July 2014 letter: "Mr. Reidy has also alleged that the CIA stopped processing his clearance for a position with an

industrial contractor in reprisal for Mr. Reidy contacting the ICIG. Our investigation of that allegation determined that the CIA stopped the processing of his clearance when the contractor involved notified the Agency it was withdrawing the request because they were not going to fill the position with Mr. Reidy. This Office advised the ICIG of the above in May 2014." If, as Jeanette stated on Tuesday, the CIA OIG did not exhaust its administrative process because it did not investigate the clearance-related allegations, then this letter explicitly claiming to have done so is a clear falsehood and evidence of reprisal by the CIA OIG and is another reason that that office should not continue to be allowed to investigate itself. If, however, this letter correctly stated that the CIA OIG did investigate the clearance-related allegations, then Jeanette misinformed me (in rather explicit detail) of the nature of the CIA's failure to exhaust, although I do not know why she would do so. However, both cannot be true, resulting in the unfortunate but unavoidable conclusion that either the CIA OIG or the ICIG have misled us about the nature of this investigation and/or the reasons for determining that the administrative process was not exhausted.

5) Jeanette also explained that the ICIG's use of the term "intake" in the 10 February 2014 letter was significantly more ambiguous than the normal definition. According to her, the statement, "We are forwarding the complaint to the CIA Office of the Inspector General (OIG) for intake," does not mean that the CIA OIG was under any duty to investigate the complaint, and does not even mean that the ICIG instructed the CIA OIG to investigate the complaint. She stated that "intake" could simply mean "putting a copy in their files," and that, in the ICIG's opinion, a perfectly acceptable outcome to the 10 February 2014 referral would be the CIA OIG placing a copy of the complaint in its files and doing nothing further. This is an extremely troubling position for any OIG to take, especially one tasked with overseeing the entire Intelligence Community, and we respectfully request that the ICIG reverse its position on this and take an unambiguous position that it is never appropriate for an OIG to simply ignore a referral of a whistleblower reprisal complaint, and that the ICIG will never consider "intake" to mean anything less than "proper processing and investigation" and will clearly impose this rule on the OIGs it oversees.

6) Jeanette also advised me that the ICIG had no intention of allowing me to sign the non-disclosure agreement referenced by the ODNI Office of Security in its email to you or be briefed on my responsibilities by officials from that office as long as the CIA OIG was conducting its new investigation, "because there is no classified DNI information for me to look at." By taking the position that, even though the ODNI granted me an LSA, nobody in the ODNI would allow me to actually review any classified information "because it's CIA information," the ICIG is deliberately obstructing Mr. Reidy's ability to communicate with his attorney, since the ICIG will also not do anything to compel the CIA OIG to process me for an LSA itself, or even compel it to respond to my inquiries about the subject. If the position of the ODNI is that my LSA only allows me to access classified ODNI information, and this case does not involve any classified ODNI information according to the ICIG, then the LSA is worthless and was nothing more than a delay imposed by the ICIG, and I should have been processed for an actual full security clearance, with reciprocity which would apply to the CIA, as I originally expected when you instructed me to complete the full SF-86. I therefore request that the ICIG either (a) reach an agreement with the CIA OIG which would allow me to review the classified information; (b) unilaterally grant me access to the unredacted appeal and allow me to discuss relevant classified information with my client; or (c) process me for an actual security clearance which the CIA OIG would be forced to recognize. Respectfully, this dilemma too would be resolved if the ICIG would simply recognize that it still retains

control over this matter and can compel the CIA OIG to allow me to represent Mr. Reidy in the investigation, which would force the CIA OIG to process me for an LSA of its own. Alternatively, if this complaint is referred to the congressional intelligence committees instead of the ICIG taking action, I request that the committees get immediately involved and take whatever measures are necessary to ensure that I am correctly processed for access to the classified information at issue in this case, regardless of which agency it belongs to.

Please consider this email an amendment to the existing PPD-19 appeal and ICWPA complaint and process it as such, including making a determination as to whether or not it constitutes an urgent concern and informing the DNI of that determination within 14 days, so that he may forward the transmittal within 7 days to the congressional intelligence committees.

On a related note, as 14 days from the submission of our last amendment expired yesterday, 11 November 2015, please also advise me as to your determinations regarding that amendment, so that we may contact the intelligence committees directly if the ICIG did not determine that that amendment constituted an urgent concern.

Thank you,

Kel McClanahan

From: John Reidy <reidy@form3defense.com>

To: [Paul J. Wogaman](mailto:Paul.J.Wogaman)

Cc: jeanejm@dni.gov

Date: March 7, 2017 at 2:25 PM

Subject: ICD 120

Paul,

Please address in any response specifically the ICD 120 text below:

1. IC IG Request Intake Process: Once the IC IG Hotline Manager receives a complete external review request package from a covered employee, the IC IG will:

1. request any and all official records, documents, materials, or accurate copies thereof from both the department or agency head and the IG who conducted the initial IG review; and

2. request a written certification from the department or agency that the requesting employee exhausted the applicable review process required under PPD- 19

3. To ensure that the IC IG's review includes the official agency record and can consider relevant materials in addition to those materials provided by the requesting employee, materials requested from the agency should be provided to the IC IG within two (2) weeks of the IC IG's request.

1. An agency employee's failure to provide requested materials in a timely manner, may result in administrative disciplinary action as stated in section I.

1. IC IG Initial Review: The IC IG will review all relevant materials submitted by the requesting employee, the head of the department or agency, and the IG who conducted the initial PPD- 19 review. The IC IG will make a determination, based upon his or her discretion as outlined in IC IG guidance, whether to convene an external review panel (ERP) within forty-five (45) calendar days of receiving the requesting employee's complete external review request package.

I filed an appeal with Dan Meyer on in January 2014. The IC IG sent back to CIA even with conflict of interest. The IC IG maintained control of my case. IC IG was notified by CIA of their investigation in May 2014 (attachment). I was not notified until July 2014. I appealed this decision in October 2014. I provided all necessary documents and information asked for by ICD 120. The intake process required the ICIG to request a written certification from the department or agency that the requesting employee exhausted the applicable review process required under PPD- 19

and

The IC IG will review all relevant materials submitted by the requesting employee, the head of the

department or agency, and the IG who conducted the initial PPD- 19 review. The IC IG will make a determination, based upon his or her discretion as outlined in IC IG guidance, whether to convene an external review panel (ERP) within forty-five (45) calendar days of receiving the requesting employee's complete external review request package.

On April 21, 2015 Dan Meyer sent an email stating the CIA did not exhaust its process (attached). The IC IG was required to certify the fact the CIA was done months before. In May 2016, CIA provided a second decision. I appealed on 11 May 2016. The IC IG did not grant my request for ERP until September 23, 2016. Delays again.

I provided everything required of me both times yet a decision was not reached to convene a panel within 45 days.

The IC IG has the power to make CIA provide required documents pursuant to ICD 120 yet delays resulted (An agency employee's failure to provide requested materials in a timely manner, may result in administrative disciplinary action as stated in section I.)

Actions by the IC IG have delayed a decision on my case for over a year.

John Reidy



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
EXECUTIVE DIRECTOR FOR INTELLIGENCE COMMUNITY
WHISTLEBLOWING & SOURCE PROTECTION
WASHINGTON, DC 20511

MEMORANDUM FOR: John A. Reidy, Applicant for CIA Contractor Employment

SUBJECT: (S) Congressional Disclosure of Alleged National
Reconnaissance Office (NRO) Wrongdoing

REFERENCES: A. (U) 50 U.S.C. § 3033 (k)(5)(A)
B. (U) Title 50 Disclosure of an Urgent Concern

(U//FOUO) Pursuant to ref. (A), on 27 January 2014, this office received your complaint alleging CIA, SAIC and Raytheon are engaged in wrongdoing, ref. (B). In accordance with the National Security Act of 1947, as amended (the "Act"), we have determined that your allegations do not meet the statutory definition for an "urgent concern." Accordingly, we will not forward the complaint to the Director of National Intelligence (DNI) at this time.

(U) The Act provides, however, that you may communicate your allegations of wrongdoing to the congressional intelligence committees directly, notwithstanding our determination. To do so, you must:

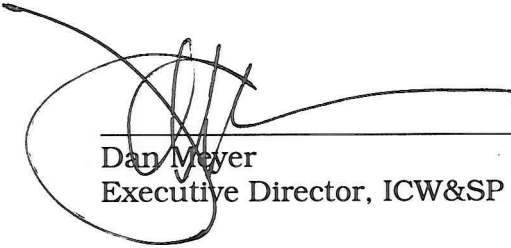
1. Provide a statement of your complaint or information, and a notice of your intent to contact the congressional intelligence committees; and
2. Follow established security practices as we direct on how to contact the congressional intelligence committees.

(U) Should you choose to proceed, this office can assist you with continued processing of your disclosure. ICW&SP will accept your statement and notice on behalf of the IC IG and forward it to the DNI. We will also advise on, and coordinate, the security practices necessary to ensure that your disclosure protects classified information and is provided to appropriately cleared congressional staff. If you would like to proceed with contacting the committees directly, please contact me within 30 days of receipt of this memorandum.

SUBJECT: (U) Congressional Disclosure of Alleged CIA Wrongdoing

(U) As this is a reprisal allegation, we are forwarding the complaint to the CIA Office of the Inspector General (OIG) for intake. Should the CIA OIG find they are conflicted out, we will assist them in finding an appropriate OIG to conduct an inquiry. Once you have exhausted the applicable administrative processes pursuant to PPD-19, Section B, you may then appeal to the External Review Panel through the IC IG Hotline.

(U) I want to thank you for your service to the Intelligence Community in this matter. Your complaint and participation in this review process are IC IG protected disclosures and as such any action constituting reprisal or threat of reprisal for making these disclosures is prohibited under 50 U.S.C. § 3033 (g)(3)(B). If you have any additional questions or comments, please contact me on 571-204-8003.



Dan Meyer
Executive Director, ICW&SP

Feb. 10, 2014

Date

From: John Reidy <reidy@form3defense.com>
To: [Paul J. Wogaman](mailto:Paul.J.Wogaman)
Cc: [Davis, Patrick \(Judiciary-Rep\)](mailto:Davis.Patrick@Judiciary-Rep), margaret_daum@hsgac.senate.gov
Date: March 23, 2017 at 9:01 PM

Subject: IC IG conflict of interest and recusal

Paul,

In 2015, per the email below, Dan Meyer stated that if I alleged misbehavior (wrong doing), the ICIG would not be able to review my case. On several instances since the email below and in several emails I sent directly to you I provided documentary evidence demonstrating "wrongdoing" by the ICIG. How was the ICIG able to continue reviewing my case when Dan Meyer stated it would not be possible. How was Erin Copeland, an ICIG investigator allowed to sit on the External Review Panel given the allegations of misconduct.

As I have stated before, both the CIA IG and the ICIG needed to be recused from my case.

Please consider this as a separate act of retaliation pursuant to 50 USC Sec 3033 Reports. Please consider this an urgent concern and notify me within 14 calendar days if you have sent the matter to the Director of National Intelligence.

Sincerely,

John Reidy

On 11/13/2015 11:16 AM, DANIEPM5 wrote:

Are you alleging wrongdoing by the IC IG; that is the key point. If we are in the facts of your client's complaint, we won't be in a position to review it.

w/r

Dan Meyer

Executive Director for Intelligence Community Whistleblowing & Source Protection (ICW&SP)

Office of the Inspector General of the Intelligence Community (IC IG)

Reston 3

Washington, D.C. 20511

(571) 204.8003 | (202) 253-0284 mobile

IC IG Hotline (855) 731-3260

CIA IG and ICIIG Complaint

4/3/2017 1:14 PM

[John Reidy](#)

To [Paul J. Wogaman](#) Copy cigie.information@cigie.gov and 2 others

Paul,

I find the following article in Vice News very troublesome.

<https://news.vice.com/article/a-cia-interrogator-said-the-agency-punished-him-for-cooperating-with-torture-probe>

The pertinent points are:

"The CIA Office of Inspector General (OIG) had received a separate complaint months earlier from Daniel P. Meyer, the Pentagon's top whistleblower advocate, according to interviews with US officials and documents VICE News obtained. He said he too was a whistleblower, and that the CIA was retaliating against him over a confidential email he sent to Senator Chuck Grassley, which was intercepted by the OIG, that said the watchdog's office failed to investigate interrogators' claims that they weren't reimbursed for legal fees."

Dan Meyer had alleged CIA was retaliating against him. His complaint was not just about DOD IG retaliation. This CIA allegation automatically sets up a conflict of interest with his duties of handling my case.

"The allegations leveled by Meyer were reviewed by the CIA Office of Inspector General between December 20, 2012 and June 14, 2013, and then passed to the Intelligence Community's Inspector General (ICIIG) due to an undisclosed conflict of interest."

CIA can recognize conflicts of interest.

"The Assistant Inspector General for Investigations determined that because of a potential appearance of a conflict of interest, a full independent investigation into the allegations is not appropriate and directed the matter be referred to the Intelligence Community Inspector General for investigation,' the CIA watchdog's closing memo in the case said."

CIA can recognize the legal concept of "a potential appearance of a conflict of interest." CIA has had an appearance of a conflict of interest in my allegations since their failure to investigate

claims in 2012. All CIA decisions across the board on my whistle blower retaliation, PPD-19 and fraud waste, abuse and mismanagement claims are rendered meaningless.

CIA IG does understand the difference between the appearance of a conflict of interest and an actual conflict of interest. They just chose to ignore it on several occasions in my case.

"The ICIG determined that Meyer 'did not use proper channels when communicating with Congressional committees' and the 'ICIG may be a fact witness in the matter, creating a conflict and precluding the them [sic] from initiating an investigation.'"

The CIA has the ability to recognize conflicts of interest that preclude the ICIG and Dan Meyer from handling a case. From the beginning when Dan Meyer asked CIA about my security clearance, the ICIG was a fact witness in the matter creating a conflict precluding the ICIG from investigating. The ICIG further became a factor in my case with how Dan Meyer made (or received) legal and regulatory interpretations.

I have attached the CIA memorandum.

Please consider this a separate report under 50 USC section 3033 K Reports of an Urgent Concern.

CIGIE,

Please use these facts as further evidence of my allegations against Dan Meyer. Furthermore please use these facts as proof that other officers in both the CIA IG and the ICIG were aware of the ethical problems in my case and several people chose to ignore them. My FOIA requests to the DNI will cover the documents mentioned in the article.

Thank you,

John Reidy

I. Administrative Data

(b)(3) CIAAct

Case No.: [redacted]
Investigator: [redacted] (b)(3) CIAAct
Date Received: 19 November 2012
Date Assigned: 20 December 2012

Case Title: Possible Retribution Against Alleged Whistleblower
Supervisor: [redacted] (b)(3) CIAAct
Date Opened: 19 November 2012
Case Type: IRD-Reprisal

Summary of Investigative Actions

(b)(7)(c)

1. ~~(S//NOFORN)~~ On 5 October 2012, [redacted] through [redacted] attorney [redacted] [redacted] contacted the Central Intelligence Agency (CIA) Office of General Counsel (OGC) alleging whistleblower reprisal.

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(7)(c)

2. (U//~~FOUO~~) Between 20 December 2012 and 14 June 2013, CIA OIG reviewed the allegations. The Assistant Inspector General for Investigations directed that because of a potential appearance of a conflict of interest, a full and independent investigation into the allegations is not appropriate and directed the matter be referred to the Intelligence Community Inspector General (ICIG) for investigation.
3. ~~(S//NOFORN)~~ In January/February 2013, the ICIG informed the Assistant Inspector General for Investigations and the General Counsel to the CIA OIG that:
 - a. [redacted] did not use proper channels when communicating with Congressional Committees;

Reidy appeal/complaint -- further supplement

[Esq. Kel McClanahan](#)

11/12/2015 3:43 AM

To [Dan Meyer \(ICIG\)](#)

- [Quick reply](#)
- [Reply All](#)
- [Forward](#)
- [Delete](#)
- [Add to whitelist](#)
- [Add to blacklist](#)
- [Actions](#)

Hello Dan,

As you are likely aware, I had a lengthy conversation with Jeanette McMillian on Tuesday, which unfortunately resolved none of the lingering problems, and in fact raised a few new ones. In light of that conversation, I reluctantly must again supplement/amend Mr. Reidy's PPD-19 appeal/ICWPA complaint with the following items:

1) Jeanette informed me that neither she nor anyone else at the ICIG would make any inquiries into the progress of the CIA OIG investigation beyond simply asking, "Is this matter under review?" She clearly stated that if the CIA OIG responded, "Yes, it's under review," the ICIG would not inquire further, for example, asking where in the review process it was, or how long the CIA OIG expects it to take. This is extremely problematic when the CIA OIG has demonstrated a clear pattern of misleading the ICIG and Mr. Reidy regarding the progress of its investigations, to the point of issuing a final response to the investigation without actually investigating anything, such that the ICIG had to send the matter back to be reinvestigated. As noted previously, the ICIG requested further information from the CIA OIG while retaining control over the appeal (rather than simply remanding the matter to the CIA OIG), which means that the ICIG still controls the case. As such, it is negligent at best and complicit at worst for the ICIG to take a completely hands-off approach to whatever "investigation" the CIA OIG is conducting and simply let that office take as long as it likes without any pressure from your office. Jeanette stated that your

office "has to trust the CIA OIG," but such a sentiment is dangerously misplaced when the complainant is alleging reprisal by the CIA OIG. An OIG cannot simply "trust" the office being accused of reprisal.

2) You informed me in April or May of this year that the CIA had a regulation which governs the way in which it conducts whistleblower reprisal investigations, and you claimed that it was a "good" one. You stated, however, that you could not tell me the name or number of the regulation or provide me a copy. You also could not tell me what deadline it established for the completion of such investigations. Accordingly, please incorporate that regulation into the file for this appeal/complaint, for the following purpose. Please review that regulation, and if the CIA OIG is not meeting the deadline established in its own regulations (which we strongly suspect is the case), and if the ICIG remains content to allow the CIA OIG as much time as it wants to complete this investigation (as Jeanette implies it is), then consider that both the CIA OIG and the ICIG are contributing to the ongoing whistleblower reprisal which started at the CIA. This is a formal request for the ICIG to set a deadline for the completion of CIA's investigation and then adjudicate Mr. Reidy's appeal promptly after that deadline passes, with whatever information the CIA OIG has given you by that time. If the ICIG does not do so, and instead refers this complaint to the congressional intelligence committees, we hereby request of the committees that one of them obtain a copy of this CIA regulation and proceed accordingly.

3) Jeanette also clarified the nature of the CIA's failure to exhaust its administrative process, which actually gives rise to another previously-unknown reprisal complaint. According to her, when the CIA OIG issued its final response in July 2014, it had only investigated the allegations which predated PPD-19, and specifically had not investigated any of the allegations related to Mr. Reidy's security clearance. According to her, it was for this reason that the ICIG sent the matter back to the CIA OIG, so that that office could investigate the more recent allegations and apply PPD-19. However, if this is accurate, it demonstrates yet another act of reprisal by the CIA OIG. On 27 January 2014, Mr. Reidy executed an affidavit in your office appealing the previous determination by the CIA OIG and complaining of an urgent concern, specifically invoking PPD-19 and the ICWPA. Shortly thereafter, you contacted the CIA to ask about the status of Mr. Reidy's security clearance, which we allege was being delayed as an act of reprisal. Within two weeks, the CIA "lost jurisdiction" over Mr. Reidy's security clearance and administratively closed the security investigation. On 10 February 2014, you informed Mr. Reidy that the ICIG had not classified any of his disclosures as an "urgent concern," and so would not be forwarding the affidavit to the DNI. You then

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4) It is difficult, though, to reconcile one part of Jeanette's statement with the CIA OIG's 25 July 2014 letter: "Mr. Reidy has also alleged that the CIA stopped processing his clearance for a position with an industrial contractor in reprisal for Mr. Reidy contacting the ICIG. Our investigation of that allegation determined that the CIA stopped the processing of his clearance when the contractor involved notified the Agency it was withdrawing the request because they were not going to fill the position with Mr. Reidy. This Office advised the ICIG of the above in May 2014." If, as Jeanette stated on Tuesday, the CIA OIG did not exhaust its administrative process because it did not investigate the clearance-related allegations, then this letter explicitly claiming to have done so is a clear falsehood and evidence of reprisal by the CIA OIG and is another reason that that office should not continue to be allowed to investigate itself. If, however, this letter correctly stated that the CIA OIG did investigate the clearance-related allegations, then Jeanette misinformed me (in rather explicit detail) of the nature of the CIA's failure to exhaust, although I do not know why she would do so. However, both cannot be true, resulting in the unfortunate but unavoidable conclusion that either the

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Please consider this email an amendment to the existing PPD-19 appeal and ICWPA complaint and process it as such, including making a determination as to whether or not it constitutes an urgent concern and informing the DNI of that determination within 14 days, so that he may forward the transmittal within 7 days to the congressional intelligence committees.

On a related note, as 14 days from the submission of our last amendment expired yesterday, 11 November 2015, please also advise me as to your determinations regarding that amendment, so that we may contact the intelligence committees directly if the ICIG did not determine that that amendment constituted an urgent concern.

Thank you,

Kel McClanahan

This electronic mail (email) transmission is meant solely for the person(s) to whom it is addressed. It contains confidential information that may also be legally privileged. Any copying, dissemination or distribution of the contents of this email by anyone other than the addressee or his or her agent for such purposes is strictly prohibited. If you have received this email in error, please notify me immediately by telephone or email and purge the original and all copies thereof. Thank you.

Kel McClanahan, Esq.
Executive Director
National Security Counselors

"As a general rule, the most successful man in life is the man who has the best information."
Benjamin Disraeli, 1880

UNCLASSIFIED

Central Intelligence Agency



Washington, D.C. 20505

JUL 25 2014

Mr. Kel McClanahan
1200 South Courthouse Rd.
Suite 124
Arlington, Virginia 22204

Reference: Mr. John Reidy

Dear Mr. McClanahan,

On 21 February 2014, the Intelligence Community Inspector General (ICIG) contacted the CIA Office of Inspector General (OIG) regarding claims by your client, John Reidy, that he was the subject of CIA reprisals. Mr. Reidy alleged these reprisals were the result of his engaging in whistleblowing activities since his post-CIA staff employment.

In 2010 and 2012, the CIA OIG investigated Mr. Reidy's complaints that his terminations from CIA contracts were reprisals. Mr. Reidy's allegations were not substantiated. In March and April 2014, the CIA OIG re-examined these cases and affirmed the original findings.

Mr. Reidy has also alleged that the CIA stopped processing his clearance for a position with an industrial contractor in reprisal for Mr. Reidy contacting the ICIG. Our investigation of that allegation determined that the CIA stopped the processing of his clearance when the contractor involved notified the Agency it was withdrawing the request because they were not going to fill the position with Mr. Reidy.

This Office advised the ICIG of the above in May 2014. The ICIG returned the matter to our office for follow-up with Mr. Reidy. This office plans to take no further action and considers the matter closed.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard W. Cox".

Howard W. Cox
Assistant Inspector General
for Investigations

UNCLASSIFIED

----- Original Message -----

Subject: Status of PPD-19 Request for Appeal i.c.o. John A. Reidy
Date: Tue, 21 Apr 2015 13:39:30 +0000
From: DANIEPM5 <DANIEPM5@ucia.gov>
To: 'Kel McClanahan, Esq.' <kel@nationalsecuritylaw.org>

Mr. McClanahan:

Thanks for your question regarding the status of your client's PPD-19 appeal with the IC IG. Upon review of your client's record, the PPD-19 agency review process has not been exhausted. The local agency IG has agreed to provide a PPD-19 review, which will achieve exhaustion of the local agency review process. The local IG will be reaching out you and your client shortly.

After the completion of that IG review, should your client wish to submit a request for appeal of that review, then the IC IG will consider the request for appeal in accordance with the ERP procedures.

Dan Meyer

Executive Director for Intelligence Community Whistleblowing & Source Protection (ICW&SP)

Office of the Inspector General of the Intelligence Community (IC IG)

Reston 3

Washington, D.C. 20511

(571) 204.8003 | (202) 253-0284 mobile

IC IG Hotline (855) 731-3260

E/ml: daniepm5@ucia.gov <daniepm5@ucia.gov>

"Urgent Concern" and Fraud, Waste, Abuse and Mismanagement Claim

3/6/2017 5:10 PM

[John Reidy](#)

To [Paul J. Wogaman](#), jeanejm@dni.gov

Paul,

I have not received an answer as to who would handle the issues I have with how my case was handled. I consider the actions taken by the IC IG in connection with my October 21, 2014 whistle blower appeal to be misconduct prohibited by federal fraud, waste, abuse and mismanagement statutes. I also consider the referral of my case back to CIA without regard to the inherent conflict of interest to be an act of retaliation prohibited by federal law. An act of retaliation by an Inspector General's Office is an 'Urgent Concern' (50 U.S.C. § 3033(k)).

The IC IG has never answered my requests for information on how it considered CIA's written decision not "exhausted." The IC IG has not provided a rational reason why it failed to follow ICD 120 twice in not having CIA provide documents within the 2 week time frame cited by the order not has it explained why it could not meet the 45 day decision to convene a panel. Citing that as a whistle blower I did not provide the CIA's decision is a very weak answer. The ICIG has not explained why Dan Meyer or Charles McCullough were involved in my case after the press reported that Dan Meyer reported to Senator Grassley that CIA IG Buckley did not adequately investigate a whistle blower retaliation case in July 2014. The IC IG has not explained why Dan Meyer was allowed to participate in my case after the CIA raised a conflict of interest issue.

Simply put, the ICIG and the CIA have shown a lack of ethical responsibility several times in this case. Both offices' integrity is suspect. A conflict of interest (COI) is a situation in which a person or organization is involved in multiple interests, financial or otherwise, one of which could possibly corrupt the motivation or decision-making of that individual or organization.

The presence of a conflict of interest is independent of the occurrence of impropriety . Therefore, a conflict of interest can be discovered and voluntarily defused before any corruption occurs. A conflict of interest exists if the circumstances are reasonably believed (on the basis of past experience and objective evidence) to create a risk that a decision may be unduly influenced by other, secondary interests, and not on whether a particular individual is actually influenced by a secondary interest.

A widely used definition is: "A conflict of interest is a set of circumstances that creates a risk that professional judgement or actions regarding a primary interest will be unduly influenced by a secondary interest."

I provided this in a previous email and it bears repeating:

"The CIGIE states that any activity that undermines the integrity of the IG institution is not appropriate.

Questionable Behavior

1. During my initial emails with Dan Meyer in January 2014, he gave me "advice" on how to proceed and instructed me to keep it hidden. I am aware that his management reprimanded him for this act. Both the act by Meyer and the subsequent allowing of Meyer to continue by his superior undermines the IG. Please report both individuals.
2. In October 2014, I was allowed access to the ICIG SCIF to write my classified appeal. I was told I would have 3 days. On the third day at approximately noon, I was told by Meyer that I had to finish my appeal in 1/2 an hour because I had to leave the facility. He said the decision was his boss's and it was because they had an award ceremony. I had to leave hours before I was finished. I was told I would be allowed to complete my appeal. I was never given that chance. I can't see how an award ceremony takes precedence over a whistle blower writing an appeal that was planned ahead of time. I would like both individual's actions reported. Meyer has my email explaining my issue with what happened.
3. Meyer routinely failed to provide adequate updates and answer questions related to my appeal. You will see in his emails that he often stated that he was precluded by regulation and when asked to provide the regulations and rational, he never followed through.
4. I regularly asked for status and Meyer did not provide it, however, when a Senate staffer asked for an update on the same issue, Meyer responded immediately. Meter was able to get a response from CIA within days. This undermines the IG's integrity because it goes against the IG being independent in both fact and appearance. The whistle blower is ignored but a Senate request is immediately satisfied. Dan Meyer has the emails.
5. Dan Meyer should have been conflicted out due to his dispute with CIA. Ethically Meyer should have recused himself. I am aware that it was Dan Meyer's boss who allowed him to stay. Both the action's of each individual are reportable.

If it turns out that ICIG McCullough made some of these decisions, what is the ICIG process of reporting these actions?

Please consider these complaints against the CIA IG for intake:

1. Special Agent Ricardo Martinez's email that stated that the CIA IG did not have the time or the resources to look into the 80 emails and 53 documents I presented the CIA IG with highlighting illegal and unethical contracting behavior.
2. The CIA IG made a decision in regards to my PPD-19 complaint without interviewing me nor collecting any documents. Howard Cox sent me the CIA IG decision. I would like all Special Agents and CIA IG management involved in this poorly conducted investigation reported.
3. Any decisions made by CIA IG Sharpley in regards to my case or its delays should be reported.

Per your instruction, I have cc'd the IC IG hotline for all ethical issues.

Please handle all my concerns to the Intelligence Committee as "urgent." They qualify as urgent because they are acts of reprisal committed by an Inspector General. If there are other reasons for qualifying these concerns as urgent please do so. I would like all my correspondence with you and Ms. McMillian attached to a complaint and transmitted to the Intelligence Committees.

1. CIA's inadequate FOIA and Privacy Act - please convey to the committees that these are not regular FOIA and privacy act requests. These requests are in response to a whistle blower retaliation complaint. I have filed approximately 20 FOIA and privacy act complaint since October 2014. I have not received a single government document. This severely interferes with a whistle blower's ability to seek justice through the executive branch whistle blower system. I consider it further retaliation.
2. Your remanding the appeal back to CIA - I agree that in normal situations handing a case back to the local agency is the right move but not in this case. CIA has a history of retaliation against whistle blowers that the ICIG is aware of. Further, the CIA IG has a history of retaliation against whistle blowers. The CIA IG also has a history of poor investigations and improper actions (Director Brennan had to create a committee headed by Evan Bayh because he was unsatisfied with the CIA IG torture report investigation and CIA IG Sharpley destroyed evidence he was instructed to preserve). Specifically for my case, the CIA IG has previously stated they did not have the time or resources to investigate my issues. They made decisions without following proper investigative technique on the first PPD-19 investigation and they refuse to hand over any investigative material that can be scrutinized or called into question in a whistle blower investigation. Yet, the ICIG gave the case back to the CIA IG. As you will see below the CIGIE has stated that a threats to IG independence include self interest and self review. CIA IG can not escape the appearance that their objectivity (independence in fact and appearance) has been compromised.

Below I have added the exact wording of the CIGIE guidance. I will put in BOLD where I think

actions are reportable.

Office of the Inspector General's staff shall adhere to the highest ethical principles by conducting their work with integrity. Integrity is the cornerstone of all ethical conduct, ensuring adherence to accepted codes of ethics and practice. Objectivity, independence, professional judgment, and confidentiality are all elements of integrity.

-Objectivity imposes the obligation to be impartial, intellectually honest, and free of conflicts of interest.

All conflicts of interest by ICIG and CIA IG staff are precluded. Both the individual and supervisors are responsible for identifying the COI and remedying the situation. Actual conflicts of interests are potentially mitigated. The appearance of a conflict of interest is also not allowed and these are almost impossible to remedy by law.

-Independence is a critical element of objectivity. Without independence, both in fact and in appearance, objectivity is impaired.

Meyer responding to Senate request. CIA IG reinvestigating itself in general and specifically after I raised a retaliation claim against the CIA IG in my October 2014 appeal.

-Professional judgment requires working with competence and diligence. Competence is a combination of education and experience and involves a commitment to learning and professional improvement.

CIA IG practices in general. When the newspaper refers to you as "The Keystone Cops," there is an issue. There are several instances of incompetence and a failure to be diligent in my case. I would have more examples but I have yet to receive any CIA IG investigative reports after 4 years.

Diligence requires that services be rendered promptly, carefully, and thoroughly, and by observing the applicable professional and ethical standards.

CIA IG did not follow applicable professional standards by not interviewing me nor collecting exculpatory evidence. CIA IG Sharpley and all Special Agents involved should be held to the standard.

OIG staff should also consult with the Designated Agency Ethics Official or similar official within their office, agency or organization regarding application of the Ethical Standards.

Please consult with the applicable ethics office on all these items of concern.

In conducting its work, OIG staff must be both independent in fact and in appearance. This

requires staff to act with integrity and exercise objectivity and professional skepticism and avoid circumstances that would cause a reasonable and informed third party to believe that staff is not capable of exercising objective and impartial judgment or that an OIG's work had been compromised.

Previously addressed.

The steps to assessing OIG independence are as follows:

1. apply safeguards as necessary to eliminate the threats or reduce them to an acceptable level.

Threats to Independence:

There are generally seven categories of threats that may apply to OIG work:

1. Self-interest: the threat that a financial or other interest will inappropriately influence an auditor's judgment or behavior;
2. Self-review: the threat that an OIG employee or OIG that has provided non-audit services will not appropriately evaluate the results of previous judgments made or services performed as part of the non-audit services when forming a judgment significant to an audit;
1. Bias: the threat that an OIG employee will, as a result of political, ideological, social, or other convictions, take a position that is not objective;

I had asked for Ms. McMillian to be removed because of a potential bias involved in her opinion that whistle blower's do not require legal representation. I do not think it was appropriate for the subject of a COI claim to respond in her own defense. Also, Dan Meyer previous whistle blowing activities and his ongoing dispute with CIA may hinder his objectivity.

1. Familiarity: the threat that aspects of a relationship with management or personnel of an audited entity, such as a close or long relationship, or that of an immediate or close family member, will lead an OIG employee to take a position that is not objective;
2. Undue influence: the threat that external influences or pressures will impact an OIG employee's ability to make independent and objective judgments;

Dan Meyer was susceptible to influence by a Senate staffer. Previously mentioned.

Safeguards:

Safeguards are controls designed to eliminate or reduce threats to an acceptable level, but vary with the specific facts and circumstances under which threats to independence exist. Safeguards may exist or develop from various sources, both external and internal. Several noted external safeguards are created by legislation, regulation, or applicable professional governing bodies. Internal safeguards are created generally pursuant to OIG policies and practices or entity

directives.

Examples of internal safeguards include but are not limited to:

- (1) OIG selection of a replacement non-impaired auditor,
- (2) utilizing separate engagement teams to avoid threats to independence,
- (3) implementing secondary reviews, and
- (4) involving another OIG or audit organization to perform or re-perform part of an audit. OIGs should evaluate threats to independence both individually and in the aggregate because threats can have a cumulative effect on an OIG employee's independence.

The ICIG should have instituted this safeguard and allowed another IG to investigate claims against the CIA IG and allowed another IG to look at the PPD-19 claim.

GENERAL STANDARDS

DUE PROFESSIONAL CARE

Another general standard for investigative organizations is:

Due professional care must be used in conducting investigations and in preparing related reports.

This standard requires a constant effort to achieve quality and professional performance. It does not imply infallibility or absolute assurances that an investigation will reveal the truth of a matter.

This standard requires:

Thoroughness—

All investigations must be conducted in a diligent and complete manner, and reasonable steps should be taken to ensure that pertinent issues are sufficiently resolved and to ensure that all appropriate criminal, civil, contractual, or administrative remedies are considered.

CIA IG's PPD-19 investigation failed this requirement.

Impartiality—

All investigations must be conducted in a fair and equitable manner, with the perseverance necessary to determine the facts.

All CIA IG investigations fail this requirement because they are one sided. No documents are presented to the whistle blower to provide evidence. No facts, arguments or rulings can be scrutinized or called into question.

Objectivity—

Evidence must be gathered and reported in an unbiased and independent manner in an effort to determine the validity of an allegation or to resolve an issue. This includes inculpatory and exculpatory information.

CIA IG does not allow for evidence or arguments against their investigation because they do not provide whistle blowers with their investigations.

Ethics— At all times, the actions of the investigator and the investigative organization must conform with all applicable standards of ethical conduct.

Timeliness

—All investigations should be conducted and reported in a timely manner.

The CIA IG does not disclose their timeline for investigation regulations and there investigations drag on.

This is especially critical given the impact investigations have on the lives of individuals and activities of organizations. Hence, the effectiveness of an investigator depends, in part, on the promptness of finished work products, such as prepared findings and memorialized witness interviews.

Whistle blowers are particularly susceptible to damages as a result of lengthy investigations. The financial impact is devastating. PPD-19 tries to make the process quick by adding language that should quicken the decision making process. However, after 2 and a half years, I am back to the appeal being heard. From here it will take a few weeks to decide the ERP decision. Then 6 months for the panel to decide. Then it could take months for the panel's remedies to be carried out. The process is too long.

QUALITATIVE STANDARDS

1. EXECUTING INVESTIGATIONS

The second qualitative standard for investigative organizations is:

Investigations must be conducted in a timely, efficient, thorough, and objective manner.

Collecting Evidence

—Evidence should be collected in such a way as to ensure that all known or obviously relevant material is obtained, the chain of custody is preserved, and the evidence is admissible in any subsequent proceeding. The validity of information and evidence obtained during an investigation should be verified. A procedure for the disposal of physical evidence by an independent party must be followed. When using the work of a specialist, such as criminal laboratory examiners, computer forensic examiners, and financial experts, investigators should assess the specialist's ability to perform and report on the work in an impartial manner and should understand the scope and objective required of the specialist. Investigators should also consider the specialist's professional certification, experience, and relevant standards.

The CIA IG did not collect all evidence when it failed to interview me or collect any of my documentary evidence."

Thank you,

John Reidy

Urgent Concern - Failure to Investigate (Intelligence Operations)

[John Reidy](#)

3/25/2017 6:38 PM

To [PaulJ.Wogaman](#), cigie.information@cigie.gov, icig_complaints@dni.gov, ic_complaints@ic.fbi.gov, [DNI-FOIA](#)

Please record this letter as a reporting under 50 USC Section 3033 (k)(5) Complaint of an Urgent Concern to the ICIG, please include it as part of my complaint to CIGIE and DNI ethics, and finally as a FOIA/Privacy Act request. Please see applicable paragraphs

Paul,

In October 2014, I filed a complaint with the Intelligence Community Inspector General's Office. The complaint consisted of a Presidential Policy Directive - 19 allegation, violations of the Intelligence Community Whistle Blower Protection Act and various other fraud, waste and abuse claims. It also included information on intelligence operations failures.

The IC IG kept control of my case and sent aspects back to CIA to investigate. To date neither the CIA IG nor the IC IG has interviewed me or asked any follow-up questions on my reported intelligence failures. This lack of follow-up is troublesome. Since the IC IG maintained authority over my case, the responsibility to make sure my claims were investigated rests with you office. In waiting 2 years and 5 months without asking me for additional information, you are letting valuable evidence erode to events transpiring years ago. Please process the IC IG's lack of appropriate follow-up and not enforcing CIA to do so either as an urgent concern. An urgent concern is defined as:

"A serious or flagrant problem, abuse, violation of law Executive order, or deficiency relating to the funding, administration, or operation of an intelligence activity within the responsibility and authority of the Director of National Intelligence involving classified information, but does not include differences of opinions concerning public policy matters."

Please notify me within 14 days whether this complaint will be referred to the Director of National Intelligence. If so, please pass on this email in its entirety to both the DNI and the Intelligence Committees.

CIGIE and DNI Ethics,

Please consider the IGIG's lack of appropriate follow-up as further in evidence that they should have conflicted out of my case. Just so we are clear, I am not talking about an actual conflict of

interest (which can be mitigated), I am claiming an apparent conflict of interest that a reasonable person would recognize. There are no legal remedies nor ways to mitigate this issue.

Also, please consider this a violation of established IG practices. Timeliness is a problem. Not interviewing me is a problem. The failure to preserve evidence is a problem.

DNI FOIA

I hereby file this FOIA and Privacy Act ("FOIA/PA") request for any/all documents to demonstrate that the IC IG has investigated any of my intelligence failure claims since October 2014.

As this request is for a small number of pages which are easily locatable, I do not agree to pay any fees for this request. I do, however, have no commercial interest in the requested records.

Please release the requested documents in electronic format.

Thank you,

John Reidy

Failure to Investigate - Whistle Blower Retaliation Claims (Mantech)

[John Reidy](#)

3/25/2017 6:53 PM

To [PaulJ.Wogaman](#), cigie.information@cigie.gov, icig_complaints@dni.gov, ic_complaints@ic.fbi.gov, [DNI-FOIA](#)

Please record this letter as a reporting under 50 USC Section 3033 (k)(5) Complaint of an Urgent Concern to the ICIG, please include it as part of my complaint to CIGIE and DNI ethics, and finally as a FOIA/Privacy Act request. Please see applicable paragraphs

Paul,

To date neither the CIA IG nor the IC IG has interviewed me or asked any follow-up questions on my allegations of whistle blower retaliation against Mantech for reporting illegal and unethical behavior committed by Raytheon and CIA contract officers. Since the ICIG maintained authority over my case, the responsibility to make sure my claims were investigated rests with your office. Please process the IC IG's lack of appropriate follow-up and not enforcing CIA to do so as an urgent concern. An urgent concern is defined as:

"A serious or flagrant problem, abuse, violation of law Executive order, or deficiency relating to the funding, administration, or operation of an intelligence activity within the responsibility and authority of the Director of National Intelligence involving classified information, but does not include differences of opinions concerning public policy matters."

Please notify me within 14 days whether this complaint will be referred to the Director of National Intelligence. If so, please pass on this email in its entirety to both the DNI and the Intelligence Committees.

CIGIE and DNI Ethics,

Please consider the IGIG's lack of appropriate follow-up with the additional documentary evidence I have supplied.

DNI FOIA

I hereby file this FOIA and Privacy Act ("FOIA/PA") request for any/all documents to demonstrate that the IC IG has investigated any of my whistle blower retaliation claims against Mantech since October 2014.

As this request is for a small number of pages which are easily locatable, I do not agree to pay any fees for this request. I do, however, have no commercial interest in the requested records.

Please release the requested documents in electronic format.

Thank you,

John Reidy

Failure to Investigate - Fraud, Waste and Abuse (Raytheon)

[John Reidy](#)

3/25/2017 6:49 PM

To [PaulJ.Wogaman](#), cigie.information@cigie.gov, icig_complaints@dni.gov, ic_complaints@ic.fbi.gov, [DNI-FOIA](#)

Please record this letter as a reporting under 50 USC Section 3033 (k)(5) Complaint of an Urgent Concern to the ICIG, please include it as part of my complaint to CIGIE and DNI ethics, and finally as a FOIA/Privacy Act request. Please see applicable paragraphs

Paul,

To date neither the CIA IG nor the IC IG has interviewed me or asked any follow-up questions on my allegations of inappropriate behavior by Raytheon and CIA contract officers. Since the IC IG maintained authority over my case, the responsibility to make sure my claims were investigated rests with your office. Please process the IC IG's lack of appropriate follow-up and not enforcing CIA to do so as an urgent concern. An urgent concern is defined as:

"A serious or flagrant problem, abuse, violation of law Executive order, or deficiency relating to the funding, administration, or operation of an intelligence activity within the responsibility and authority of the Director of National Intelligence involving classified information, but does not include differences of opinions concerning public policy matters."

Please notify me within 14 days whether this complaint will be referred to the Director of National Intelligence. If so, please pass on this email in its entirety to both the DNI and the Intelligence Committees.

CIGIE and DNI Ethics,

Please consider the IGIG's lack of appropriate follow-up with the additional documentary evidence I have supplied.

DNI FOIA

I hereby file this FOIA and Privacy Act ("FOIA/PA") request for any/all documents to demonstrate that the IC IG has investigated any of my fraud, waste, abuse claims involving Raytheon and CIA contract officers since October 2014.

As this request is for a small number of pages which are easily locatable, I do not agree to pay any fees for this request. I do, however, have no commercial interest in the requested records.

Please release the requested documents in electronic format.

Thank you,

John Reidy

Urgent Concern - Failure to Investigate Fraud, Waste and Abuse (SAIC, CIA)

[John Reidy](#)

3/25/2017 6:45 PM

To [PaulJ.Wogaman](#), cigie.information@cigie.gov, icig_complaints@dni.gov, ic_complaints@ic.fbi.gov, [DNI-FOIA](#)

Please record this letter as a reporting under 50 USC Section 3033 (k)(5) Complaint of an Urgent Concern to the ICIG, please include it as part of my complaint to CIGIE and DNI ethics, and finally as a FOIA/Privacy Act request. Please see applicable paragraphs

Paul,

To date neither the CIA IG nor the IC IG has interviewed me or asked any follow-up questions on my allegations of inappropriate behavior by SAIC or CIA contract officers. Since the IC IG maintained authority over my case, the responsibility to make sure my claims were investigated rests with your office. In waiting 2 years and 5 months without asking me for additional information, you are letting valuable evidence erode to events transpiring years ago. Please process the IC IG's lack of appropriate follow-up and not enforcing CIA to do so as an urgent concern. An urgent concern is defined as:

"A serious or flagrant problem, abuse, violation of law Executive order, or deficiency relating to the funding, administration, or operation of an intelligence activity within the responsibility and authority of the Director of National Intelligence involving classified information, but does not include differences of opinions concerning public policy matters."

Please notify me within 14 days whether this complaint will be referred to the Director of National Intelligence. If so, please pass on this email in its entirety to both the DNI and the Intelligence Committees.

CIGIE and DNI Ethics,

Please consider the IGIG's lack of appropriate follow-up with the additional documentary evidence I have supplied.

DNI FOIA

I hereby file this FOIA and Privacy Act ("FOIA/PA") request for any/all documents to demonstrate that the IC IG has investigated any of my fraud, waste, abuse claims involving SAIC and CIA contract officers since October 2014.

As this request is for a small number of pages which are easily locatable, I do not agree to pay any fees for this request. I do,

however, have no commercial interest in the requested records.

Please release the requested documents in electronic format.

Thank you,

John Reidy

Failre to Investigate - Fraud, Waste and Abuse (CIA Contractors)

[John Reidy](#)

3/25/2017 7:23 PM

To

[PaulJ.Wogaman](#), cigie.information@cigie.gov, icig_complaints@dni.gov, ic_complaints@ic.fbi.gov, [DNI-FOIA](#)

Please record this letter as a reporting under 50 USC Section 3033 (k)(5) Complaint of an Urgent Concern to the ICIG, please include it as part of my complaint to CIGIE and DNI ethics, and finally as a FOIA/Privacy Act request. Please see applicable paragraphs

Paul,

To date neither the CIA IG nor the IC IG has interviewed me or asked any follow-up questions on my allegations of CIA contractors providing products whose maintenance and design are inherently flawed and yet they are still charging the government for the products. This is classic fraud, waste and abuse. Since the ICIG maintained authority over my case, the responsibility to make sure my claims were investigated rests with your office. Please process the IC IG's lack of appropriate follow-up and not enforcing CIA to do so as an urgent concern. An urgent concern is defined as:

"A serious or flagrant problem, abuse, violation of law Executive order, or deficiency relating to the funding, administration, or operation of an intelligence activity within the responsibility and authority of the Director of National Intelligence involving classified information, but does not include differences of opinions concerning public policy matters."

Please notify me within 14 days whether this complaint will be referred to the Director of National Intelligence. If so, please pass on this email in its entirety to both the DNI and the Intelligence Committees.

CIGIE and DNI Ethics,

Please consider the IGIG's lack of appropriate follow-up with the additional documentary evidence I have supplied.

DNI FOIA

I hereby file this FOIA and Privacy Act ("FOIA/PA") request for any/all documents to demonstrate that the IC IG has investigated any of my claims that CIA contractors provided products whose maintenance and design were inherently flawed and they are still charged the government for the products since October 2014.

As this request is for a small number of pages which are easily locatable, I do not agree to pay

any fees for this request. I do, however, have no commercial interest in the requested records.

Please release the requested documents in electronic format.

Thank you,

John Reidy

Federal Bureau of Investigation (FBI) file 1338181-0:
Council of Inspectors General on Integrity and Efficiency (CIGIE)
Integrity Committee Reports Related to Complaints Against
Central Intelligence Agency (CIA) Inspector
General David Buckley

Section 1

Central Intelligence Agency



Washington, D.C. 20505

IC #730

Inspector General
703-874-2555

23 October 2012

Mr. Kevin L. Perkins
Chairman, Integrity Committee
Council of the Inspectors General
on Integrity and Efficiency
935 Pennsylvania Avenue, N.W.
Room 3973
Washington, D.C. 20535-0001

Dear Mr. Perkins:

In accordance with 5 U.S.C. Appendix 3, §11(d)(4), I am referring to the Integrity Committee allegations made against myself. These allegations are made as I continue to institute policy and management reforms within the Central Intelligence Agency (CIA) Office of Inspector General (OIG), which are designed to increase the quality and professionalism of the office.

I have been informed that some members of the OIG investigations staff have alleged to the CIA Ombudsman that I have engaged in "cronyism, abuse of my office, misuse of resources, and waste of funds." The specific matters reported to me are:

- I allegedly improperly influenced a Congressionally-mandated study of my office conducted by the Inspector General for the Office of Personnel Management,
- I allegedly engaged in cronyism in the hiring of Mr. Christopher Sharpley as Deputy Inspector General, the hiring of [redacted] as an Investigations Staff division chief, and the

b3 per CIA



Mr. Kevin L. Perkins

- That I, or Mr. Sharpley acting on my behalf, allegedly improperly removed certain individuals from their positions and assigned them jobs not commensurate with their grade and experience.

I will note that I have known Deputy Inspector General Sharpley since 1981 and that he is a personal friend. However, the friendship was not the basis for his hiring. The panel selected Mr. Sharpley as best qualified, based in part on his experience as a Deputy Inspector General at the Federal Housing Finance Authority, the Special Inspector General for the Troubled Asset Relief Program, and in the Office of Inspector General for the Department of Energy.

While I do not believe there are any factual bases for the allegations, I am requesting that the Committee independently review them. Some of the complainants also allege age discrimination. These complaints have been referred by the CIA Ombudsman to the CIA's Office of Equal Employment Opportunity (OEEO).

The Ombudsman has provided my counsel, [redacted] with copies of two of the unsigned complaints. [redacted] also has a copy of the memorandum regarding the selection of Mr. Sharpley. The Ombudsman, the Chief of OEEO, and the CIA Human Resources Office may have other relevant information. [redacted] can provide you with any necessary contact information.

b3 per CIA

If you need any additional information or have any questions, please contact [redacted]

Sincerely,

[redacted signature box]

David B. Buckley
Inspector General

b3 per CIA
b6

cc: Director, Central Intelligence Agency

**Memorandum for the Record
(Anonymous Complaint #1)**

①

12 October 2012

MEMORANDUM FOR THE RECORD

This memorandum for the record outlines specific instances and actions undertaken during the current tenure of the OIG Inspector General (IG) Dave Buckley beginning September 2010 to the present that I believe should be brought to the attention of Director Petraeus. In my opinion, these actions not only fall into the category of discrimination and hostile work environment, they reveal a pattern of unethical behavior and abuse of position that impedes the ability of this office to fulfill its statutory obligations to the Agency at large.

In a reorganization of the INV Staff announced Wednesday, 3 October 2012, I was placed on an unnamed team that has inadequate substantive work commensurate with my grade and experience. The standing Deputy AIGI [redacted] the Chief, Integrity Division [redacted] and most of the working-level officers were blindsided last Wednesday in that neither they nor we were given a heads-up or apprised of the reasoning for the abrupt job description and assignment changes.

b6
b7c

This reorganization is one of many actions undertaken over the last two years that constitute what I perceive as an ongoing effort by the IG to intimidate some of the long-serving officers on the INV Staff. I am but one of several officers in INV being marginalized, and the only message to be taken from this latest action is that the IG intends to continue making the atmosphere intolerable so that I feel forced to leave my job.

Notably, at least five other senior officers also were relieved of job responsibilities that we were hired to do. To the best of my knowledge, none of us has ever been advised of deficiencies in our work; rather we have received EPAs and other professional recognition throughout our investigative careers.

While the IG has great latitude to effect certain changes in staff make up and office policy, I believe he is targeting me to leave. In a staff meeting on Thursday, 4 October the Acting Assistant IG for Investigations (Acting AIGI) [redacted] stated that hiring new officers is continuing in anticipation of the departure of current officers. This statement sounded to me like a warning given that this statement was made at the staff meeting one day after being blindsided by the organizational changes.

b3 per CIA

To date, no one on my newly established team has been given information to understand why we were removed from groups that are responsible for conducting substantive investigations. In the staff meeting, the Acting AIGI listed some nebulous duties and tasks that the new group would undertake, but they are primarily administrative in nature and have little to do with investigating cases involving fraud, waste, and abuse.

Generally, remarks directed to the staff by the IG usually include a note of appreciation for the work we do, but the actions taken since his arrival in Sep 2010 demonstrate the opposite, and they have an element of cruelty and malice that dishonors the position he occupies. Improvements to practices and policy, when clearly articulated and explained, could have been achieved in a transparent, above board, and dignified manner. Instead, the IG has told 7th floor principals and Congress he "studied" this office and reached a determination that the current staff lacks the necessary skills, training, and authorities to fulfill the OIG mission.

Absent information to support his claims, in a May 2011 letter to Congress, the IG stated that the preponderance of investigations in this office appeared to include violations of federal criminal law. Those officers who have worked here for years and years can attest that there are some cases involving potential violations of criminal law but very few have resulted in prosecution, and, the IG's assertions are misrepresentations of the body of our work. However, contrary to the IG's representation to Congress, in the limited criminal cases involving Agency officers, INV has established an excellent relationship with the Department of Justice (DoJ) to effectively conclude cases. In fact, prosecutors have commended the work of INV officers with whom they have worked.

- In May 2011, INV officers requested a copy of the IG's letter to Congress. No response was forthcoming on the letter or the IG's study. The letter was posted to the OIG internal website a full year later, following a June 2012 hearing during which the IG appeared before the SSCI.
- As the IG has continued to lobby to obtain law enforcement authority, the staff has repeatedly asked for clarification to understand the basis upon which he determined that the OIG mission cannot be fulfilled without this additional authority. Aside from stating the staff is not equipped, the IG has not articulated any persuasive argument that has merit; rather he has repeatedly told the staff that other IG's have this authority and he wants it.

Furthermore, the current IG is determined to have CIA/OIG conform to the standards of regulatory agency OIGs and that includes obtaining law enforcement authority.

Congress did not act on the IG's law enforcement proposals but rather passed legislation calling for a review of the current OIG personnel authorities. The results of the OPM study were posted to the OIG website in early 2012 and further contributed to the hostile atmosphere. The OPM study contained anecdotal information provided by only a few officers. Notably, it also contained numerous factual inaccuracies that the IG has allowed to stand as truthful. Claiming he had no opportunity to comment on the report and had no hand in who was interviewed by OPM, the IG managed to further the perception and convey his own assessment that the current staff as it stands is not equipped to fulfill the OIG mission.

While these events have occurred over a period of two years, the hostility toward the current staff began with his arrival, and got into full swing when the IG soon advised that he intended to immediately and arbitrarily down-grade OIG positions. This initiative failed. The IG had attempted to down grade the GS-15s en masse by using the PRA process. Subsequently, in an early 2011 INV staff meeting, the IG announced that down grades were not imminent, and that it would take him a little longer than he planned to implement the changes and improvements he wished to make.

Below is a summary of the actions undertaken to date that have contributed to the hostile atmosphere in INV, and which are indirectly and directly curtailing my ability and contributions in advancing the OIG mission.

- Efforts by the IG to arbitrarily downgrade positions in INV. The majority of the officers in this group are over the age of 40, and this is discrimination. With the failure of this initiative, the IG has generally displayed frustration and a level of contempt at the few staff meetings he has joined when officers have attempted to obtain more information to better understand where he is taking the staff and why.
- Abruptly relieving certain managers and investigators of substantive investigative case work.

- Changes in policy and practices are presented as edicts. Simultaneously, the IG seemingly asks for input and says he has an open door, but it is clear he is not open to listening. (Questions submitted to the IG via MAG reps in May 2011 have never been fully addressed with the staff. The IG said he objected to the tone of the officers' written questions.)
- No basis for the IG's proposal to obtain law enforcement authorities other than denigrating the current staff so that it appears to outsiders (7th Floor and Congress) that we are unskilled, untrained, and inept at doing our job. The body of work produced by this office speaks for itself. It has consistently withstood the scrutiny of both internal (Personnel Evaluation Boards) and external (Congress) customers. I would ask anyone who seeks an objective, independent assessment of the work produced here to sit down with U.S. Attorney [redacted]. In response to a query from the IG, [redacted] praised the professionalism, thoroughness, and quality he found in examining numerous investigations completed by officers in INV. b6 b7C
- Metrics with an emphasis on cases concluding in prosecutions and recovery of funds. Evidence of the direction the IG appears to be taking this office is the criminal case cited in the most recent issue of "What's News" (October 2012). I was told that at the commencement of this case, [redacted] aggressively sought prosecution of this case. Subsequently, when the U.S. District Court agreed to prosecute the case, the lead OIG investigator was feted with a tee-shirt at an INV staff meeting to celebrate the officer's "first collar." Printed on the shirt in a foreign language was the equivalent of "I came, I saw, I got a conviction (or collar)." There is now obvious glee when someone's life is ruined. b3 per CIA
- Refusal by the IG to acknowledge that INV has long-established protocols and a working policy manual. This a-historical posture remains as his position, despite the findings of a mock peer review conducted in late 2011. That review found that the INV manual generally was in compliance with standards set by the Council of Inspectors General on Integrity and Efficiency (CIGIE). Subsequently, upon his August 2012 arrival and without reviewing the current INV manual, the new Deputy IG Chris Sharpley, an external hire, declared that the Department of Energy (DoE) investigations manual was going to be the new prototype for the INV manual (ignoring the fact that DoE is a regulatory agency and we are not).

Again, as recently as September 2012, the Deputy IG and newly-named Acting Deputy AIGI [REDACTED]

b3 per CIA

[REDACTED] both claimed the INV manual is out of compliance. However, when queried for specifics so that immediate steps could be taken to self correct deficiencies, the Deputy AIGI could not identify a single practice or policy that required immediate correction. When one investigator dared to raise the fact that certain elements in the existing manual where INV fell short primarily related to law enforcement authority (not yet granted to the CIA/OIG), the new Deputy AIGI shut down that officer's comment.

- The hiring and detailee process for selecting managers in INV has been used for appearance sake only. Three of three new managers brought into OIG are personal friends and/or former colleagues of the IG; all three are external hires. Two of these individuals had previously served on the external advisory board stood up by the IG upon his arrival in September 2010. Acknowledging the existence, or at least the appearance, of a conflict of interest, the Deputy IG joined our 4 October INV staff meeting and emphasized several times that the newly-appointed Acting AIGI and Acting Deputy AIGI were neither his personal friends nor were they former work colleagues. He clarified that he had only known of them by their reputations; the Deputy IG did not raise the fact that he and the Deputy AIGI are personal friends of the IG. Realizing this is hearsay, I believe the circumstances surrounding the compensation and bonus package(s) these managers may have received could be inappropriate at the least.

The reorganization announced last week is the latest in a series of intimidating and bullying tactics employed to move out current INV staff members and make room for new hires. Management and oversight of all the substantive case work has been delegated to the new "acting" Deputy AIGI who was detailed to the OIG in March 2012. A number of officers on the existing staff, including me, have essentially been marginalized so that we will leave and the IG can pursue an agenda of appearing to address shortcomings here that primarily exist because he has declared it so. By these actions, the IG has successfully achieved his goal of effectively removing four investigators and two senior managers from their positions.

By altering the conditions of my job description and, consequently, my employment, I believe the conduct of the IG and Deputy IG is offensive and an abuse of the trust placed in them by virtue of the positions they hold. In summary,

this is a continuing trend of the hostile work environment resulting from the IG's actions.

**cc: OEE0
Agency Ombudsman**

**Memorandum for the Record
(Anonymous Complaint #2)**

(C)

October 2012

To: Whom it may concern

Subject: Ongoing mobbing, career assassinations,
misuse of position, abuse of resources and more -
all charismatically executed by the CIA,
Office of the Inspector General

Background: In the fall of 2010, David B. Buckley, a former Air Force Sergeant turned politician, became the Inspector General (IG). Until that point, CIA Senior Intelligence Services (SIS) officer and former Deputy IG, [REDACTED] served as the acting IG since early 2009, when long time CIA officer and IG, John L. Helgerson, PhD, retired.

b3 per CIA

Agenda: Upon arrival, Buckley's agenda included a review of the OIG investigative (INV) operation and function. This review was conducted by an external advisory board comprised of friends of Buckley under preconceived notions that the INV lacked sufficient resources, principally qualified personnel to do the job. This mockery study was then used to justify a 12 May 2011 letter to Dianne Feinstein, Chairman, Select Committee on Intelligence, United States Senate, advising that for the OIG to "effectively carry out the responsibilities to investigate evidence and allegations of criminal conduct against agency officers... the OIG requires new statutory authorities and skills of personnel trained and designated as federal law enforcement officers..." In his letter, Buckley also stated: "in order to recruit, train, and maintain a cadre of experienced professional criminal investigators, it is necessary to designate certain positions as primary and secondary law enforcement officers... GS-05-SIS." Furthermore, Buckley stated that it was "dangerous" to conduct such criminal investigations without law enforcement authority and without the properly trained criminal investigators.

In addition, following congressional legislation calling for a review of the CIA OIG's authorities, Buckley orchestrated a study by the Office of Personnel Management (OPM) that highlighted the "CIA OIG investigators lack basic training in conducting criminal investigations." The study also noted that,

the "average age of CIA OIG investigators is 51, versus 41 in the rest of the OIG community." In sum, based on anecdotal input from a few selected officers, the OPM study concluded that the current CIA/OIG/INV staff is not qualified to conduct criminal investigations.

The OPM report is not factually accurate. It misrepresents the qualifications, skills, and expertise of the investigations staff and the substantive work conducted by the staff; and it does not include the sources of their findings beyond the few interviews cited. Anecdotal data includes interviews of two or more selected OIG investigators, who aspire to carry loaded weapons and handcuffs on the job. These same investigators claim that their lives were endangered at least on one occasion when these investigators, without the proper jurisdiction and/or proper coordination with management and the appropriate local authorities, conducted investigative activities that were outside the boundary of long established OIG/INV policy and protocol.

The OIG/INV consists of a mixture of very competent professionals, who are highly trained and experienced criminal investigators with backgrounds that range from FBI, Secret Service, Air Force OSI, Army Criminal Investigations/CID (and more) and of senior Agency officers with deep rooted institutional knowledge and expertise that range from financial officers to contracting, clandestine, intelligence, and more. Working as one team, this highly professional intelligent staff and skilled criminal investigators has conducted some of the most complex and highly sensitive criminal investigations in the entire intelligence community. Their findings are unassailable. Many of these investigations are well known by the CIA Director and have withstood the scrutiny of other high ranking officials, to include congressional oversight committee.

In direct contrast to the assertions in the OIG's May 2011 letter to Senator Feinstein and in the OPM study, DOJ special prosecutor [redacted] recently provided feedback to IG Buckley and DIG Sharpley on the body of investigative cases completed by this Office involving the Agency's detention and interrogation program. When queried by the IG on areas for improvement with respect to the work completed by INV staff, Durham had only

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positive remarks about what he found in the work effort and substantive reports produced by INV officers. In fact, we were advised in a recent INV staff meeting that [] said he found the work on these very complex cases to be of the highest quality, thorough, and professional.

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Cases/investigations of wrongdoing involving Agency programs and operations are highly sophisticated and require highly educated, highly intelligent, highly skilled and astute investigators. As the May 2011 letter to Senator Feinstein points out, Buckley believes that he needs junior level law enforcement/gun carrying investigators to accomplish the mission. For him this is a political dimension not about the mission, but a conduit to put a stamp on something during his brief journey at the CIA.

Buckley's power agenda has greatly expanded after he successfully ushered Deputy IG [] out the door. He then filled that position with one of his cronies and a member of the external advisory board, Christopher Sharpley, who is also an Air Force reservist and federal employee retired.

b3 per CIA

In September 2012, a short span after Sharpley's arrival, Buckley announced that [] Assistant Inspector General for Investigations (AIGI) had been called to serve on an Agency's newly created task force. This announcement was made under the pretense that the task force desperately needed [] expertise and that [] would be leaving his post in OIG to serve in a more critical position; we later learned was by far a stretch of the truth. Upon making the announcement, Buckley said that he now faced the challenge of having to choose an Acting AIGI.

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More Announcements: On September 24, Sharpley announced that [] (another long time friend of Buckley) was designated as the Acting AIGI. Sharpley also announced that [] (another long time friend) had been selected to serve as "second deputy" AIGI. Because OIG/INV already had an incumbent Deputy (DAIGI) since 2004, Sharpley stated that [] "will join DAIGI [] in addressing ongoing critical investigative mission requirements."

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[] also served as a member of Buckley's external advisory board (mentioned earlier) concluding that this OIG lacks the

b3 per CIA

resources and has no qualified investigative staff to accomplish the job and fulfill the OIG mission. [redacted] was subsequently [redacted] in March 2012 as an executive staff advisor from [redacted] Office of Inspector General. Since his arrival, [redacted] has occupied an office space in INV, while his official capacity in OIG remained elusive, except for serving as note taker during INV staff meetings. And in a recent INV staff meeting, Deputy IG Sharpley noted that [redacted] has responsibilities outside OIG/INV but oddly provided no description regarding those duties.

b3 per CIA

On October 4, 2012, Sharpley and [redacted] stated that INV was undergoing organizational changes. They announced the cessation of the Integrity Division effective immediately and the creation of the leak investigative unit comprised of approximately four senior staff members. These four staff members are mostly senior and older investigative personnel, including the senior SIS and former chief of the Integrity Division. [redacted], the incumbent DAIGI was designated as head of the leak investigations team. There is one problem: this OIG has no ongoing leak investigations. So, these senior special agents and managers hardly have any meaningful reasons to show up to work, except for preserving their spaces until they are graciously ushered out the door by Buckley and/or Sharpley.

b3 per CIA

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In addition, Sharpley and [redacted] specified that [redacted] Acting Deputy, would oversee the entire investigative staff and would be responsible for all INV recruitment efforts (previously conducted by the Integrity Division Chief, now fired in place). Sharpley stated these changes began over a year ago (unknown to the staff) "but have accelerated with my arrival." He added that "these changes are only the beginning." Sharpley and [redacted] noted that these changes are necessary to meet the standards because we will be "peer reviewed" and as of now, "we are not in compliance." The INV staff however, has never been informed of any particulars, or what exactly is or is not in compliance.

b3 per CIA

Since his arrival, Buckley has added several new positions to the existing management layers under him and has created a system of absolute autocracy. These layers, in addition to the various career assassinations that he devised in lieu of firing the existing management due to certain legal restrictions, have

contributed to inefficiency and lack of productivity at taxpayers' expenses. Buckley has also added several new investigator positions that are highly questionable. The majority of these investigators have nothing to do or cases to investigate. They report to work to warm up their chairs and keep their spaces in INV. Acting AIGI [] told the staff that new staff would continue to be hired in anticipation of some current staff retiring in the future.

b3 per CIA

The OIG/INV currently has two managers that have been relieved of their duties and have virtually no place or substantive work in INV. The new table of organization says it all. These managers are being targeted in a manner to effectively force them to resign or retire so that Buckley can hire more friends in their places. The morale is extremely low in INV and these recent announcements have further aggravated an already hostile work environment.

During his meeting with the INV staff on October 4, 2012, Sharpley told the staff: "make sure your performance is there and your professionalism is there - I will do everything I can to help you find a position in the Agency - we will be peer reviewed - we need to meet the standards - if you don't want to be on board see me -- I will use my contacts to help you find a job."

In brief, this Inspector General fosters an environment that is extremely hostile. He has successfully entrenched himself with cronies in a self asserted centralized regulatory body that may easily qualify as the highest authoritarian hierarchy within CIA. This is the result of misuse of position, abuse of resources, including unnecessary use of IG subpoenas, corruption, waste of taxpayers' funds, and more. These are the very elements that an IG is expected to prevent and protect the Agency against.

An in depth/internal investigation should be launched immediately to unmask the corruption, stop the mobbing, and restore an OIG that the officers of CIA expect and deserve.

Sincerely

Memorandum Regarding the Selection of Mr. Sharpley

Memorandum For The Record

From: David B. Buckley
Inspector General,
Central Intelligence Agency

Subject: Deputy Inspector General Candidate
Selection

Position Number: AA079

Former Incumbent: [REDACTED]

b3 per CIA

Interview Advisory Panel: Chairperson- David B. Buckley,
OIG, [REDACTED] C/HR (Female
Representative), [REDACTED] D/GC,
[REDACTED] DD/NCS (Minority
Representative), [REDACTED] (sp).

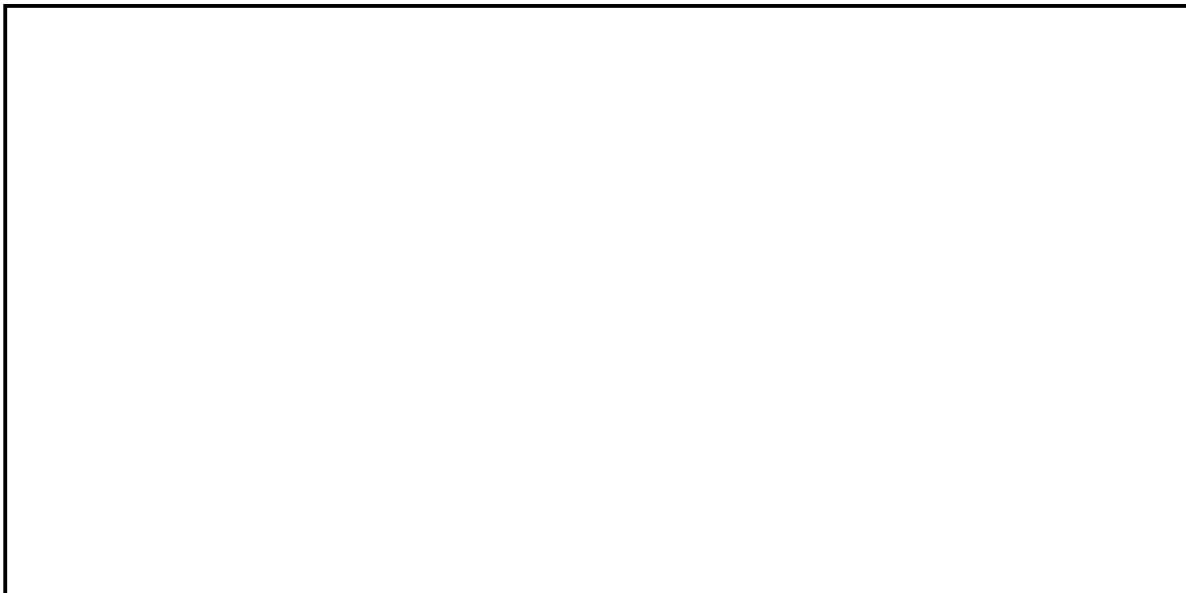
HR Representative: [REDACTED] DIR/HR

1. This memorandum is intended to serve as formal documentation of the candidate selection process for the Deputy Inspector General (DIG) position for the Central Intelligence Agency (CIA).
2. Background: The DIG position was advertised through the CIA's internal agency vacancy system and was also posted on the external IG vacancy website. The OIG's advertisement yielded broad interest and ultimately, a competitive pool of contenders. Consequently, interest was expressed by a total of fourteen applicants (10 external and 4 agency internals). As a preliminary measure each applicant's package was assessed against the required qualifications as outlined in the vacancy notice. The most qualified applicants, a total of six, were recommended for the second phase of the competitive selection process, which included an interview with the IG and his Selection Advisory Panel.
3. The interview process was limited to thirty minutes. Each candidate was asked to respond to a standard set of questions. Based on the interview and a review of the applicant's qualifications the panel concluded that two of the applicants were the most qualified. The panel also provided the following commentary to substantiate their decisions:

Christopher Sharpley - Mr. Sharpley possesses thirty years of cumulative public service, which includes twenty years of active-duty military in the United

States Air Force and ten years of Government sector. While serving in the military, Mr. Sharpley served as a counterintelligence officer and commander. He has also served in command IG and oversight positions with the Federal Housing Finance Administration (2010 - present), US Treasury (2003-2009), Department of Energy (2001 - 2002). Mr. Sharpley is also a Presidential Rank Award Recipient (Meritorious Category 2010 and 2002). The panel recognized Mr. Sharpley's substantive experience with leading and instituting large-scale oversight initiatives to augment organizational operations. They also noted his consistent track record of sustained superior performance specifically while managing issues of extreme complexity and sensitivity. The IG endorsed the panel's recommendations and also recognized Mr. Sharpley as being the most qualified candidate.

OIG Selection: Christopher Sharpley



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David B. Buckley
Inspector General
Central Intelligence Agency

November 1, 2012

Chairman
CIGIE Integrity Committee
935 Pennsylvania Ave., NW
Room 3973
Washington, DC 20535-0001

Dear Mr. Chairman:

It is my responsibility to bring the following two examples of possible misconduct at the CIA OIG to your attention. I request your assessment, investigation, and action, as appropriate.

First issue - The new Deputy IG (D/IG) at CIA is Chris Sharpley. He was selected as the D/IG at CIA working for his friend, and fellow former AFOSI agent, the IG, David Buckley. Following his selection at CIA, Mr. Sharpley retired from another OIG. Reportedly, Mr. Sharpley received a \$10,000 recruitment bonus as an inducement to work at CIA. [redacted]

[redacted]

b3 per CIA

Like others, I question whether the applicability of the circumstances of Mr. Sharpley's bonus is consistent with the terms and conditions of the [redacted] [redacted] CIA administrative guidance. Due to the extended friendship of Mr. Buckley and Mr. Sharpley, should Mr. Buckley be conflicted from seeking or facilitating a bonus for Mr. Sharpley? It is not apparent what was known by those who had a role in proposing, assessing or approving the bonus. Did they know that Mr. Sharpley intended to retire from another Agency and that a bond of friendship existed with M. Buckley? Was there an assertion that Mr. Sharpley required this or any inducement to come to CIA as the D/IG? I encourage you to review the circumstances of this alleged bonus and determine whether there was a false statement made by Messer's Buckley or Sharpley in order to justify it.

[Redacted]

From: [Redacted]
Sent: Monday, November 05, 2012 7:31 PM
To: [Redacted]
Subject: FW: Referral of Anonymous Complaint Re. IG, CIA
Attachments: [Untitled].pdf

Hi... I think this e-mail goes to you.

-----Original Message-----

From: [Redacted]
Sent: Monday, November 05, 2012 12:22 PM
To: [Redacted]
Subject: Referral of Anonymous Complaint Re. IG, CIA

[Redacted]

Per our phone conversation, the ICIG is forwarding the attached anonymous complaint against the Inspector General, CIA for action as the CIGIE deems appropriate. Due to our close working relationship with the CIA Office of the Inspector General, the Office of the ICIG must recuse itself from this matter.

It is my understanding that Mr. Buckley also received a copy of this complaint. If I can be of any assistance, please contact me at the number below.

Respectfully,

[Redacted]

Senior Investigator
Office of the Intelligence Community
Inspector General

[Redacted]

INSPECTOR GENERAL SENSITIVE INFORMATION

The information contained in this e-mail and any accompanying attachments may contain Inspector General sensitive information, which is protected from mandatory disclosure under the Freedom of Information Act (FOIA), 5 USC §552. Matters within IG records are often pre-decisional in nature and do not represent final approved government policy. Dissemination is prohibited except as authorized under 50 USC §403-3h. Do not release outside of government channels without prior authorization from The Intelligence Community Inspector General. If you are not the intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information is prohibited. If you received this e-mail in error, please notify us immediately by return e-mail.

CO-12-016

October 2012

Dear Sir/Madam:

I am reluctantly submitting this anonymous five page document in the hopes that your office will review the following issues that are plaguing the Office of Inspector General (OIG), Central Intelligence Agency (CIA). I am [redacted] and I am deeply concerned about the policy and personnel changes being made by Mr. David Buckley, the Inspector General. I have not revealed any classified information in this complaint and all names are of overt officers.

While my concerns may or may raise legal issues, taken in its entirety, Buckley's tenure at the CIA has created an atmosphere of mistrust, confusion and anger amongst the Investigators. As a result of recent directed managerial changes, these issues are now hindering the successful operation of our mission and are affecting the quality of our work. As a result, the CIA employees and the public are not receiving the best possible results. Therefore, I would like to raise the allegations of misuse of position, favoritism, abuse of power, improper personnel actions, creating a hostile work environment and wasting financial resources against Buckley.

I was in this office prior to his arrival and now, due to Buckley's managerial style, I am now contemplating leaving the office and career that I love. I never imagined having to report a manager for misconduct, as I always try to address issues directly and face-to-face. That attempt has been made in this office, but has failed. Therefore, I have no other choice than to report it.

The CIA is treated different than other Federal Agencies – for a good reason. Our mission is unlike any other Agency.

Since his first day in office, Buckley has harped on obtaining “law enforcement authorities” for Investigators. This is not supported by all Investigators – many of us came to this office specifically because it was not a “cop shop.”

Buckley initiated an OPM IG study on the issue, which in June 2012, found in his favor, but that was based the supporting information was supplied by Buckley. The OPM investigators did not speak to any Investigator and the “criminal” case examples presented to OPM were all by the same Investigator, who has a reputation of being a cowboy and placing himself in unnecessarily dangerous positions. You will note that the report's footnotes do not include any reference to speaking or meeting with investigators, only Buckley. Except footnotes like 181, which refer to an “internal Email” – which is from the one cowboy investigator mentioned above.

Many investigators in this office are concerned that Buckley will hire criminal investigators that will become too aggressive in conducting their investigations and will bog down on-going and future CIA missions in needless IG bureaucracy and

investigations. He has already begun hiring more investigators than is required for our mission – a waste of funds.

One recently-hired investigator came from [redacted]. She has yet to receive a single case and is now working the team revising our investigations manual. We have three more recently hired investigators coming into to Investigations. There simply is not enough work (or space) for all of us – another reason why current investigators have such low morale.

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Buckley is not a career CIA employee, having arrived at the Agency approximately three years ago. Within that time, he has replaced our entire chain of command, who were all Senior Intelligence Service (SIS) Officers including [redacted] a Division Chief, [redacted] a Deputy Assistant Inspector General for Investigations (DAIGI), [redacted] and [redacted], both Assistant Inspector General for Investigations (AIGI), and [redacted] the Deputy Inspector General (DIG).

All these individuals were career CIA SIS officers and well respected within OIG and the Agency. While I certainly recognize the ability for an IG to be able to choose his or her own staff, it has become clear to us that Buckley has an agenda to remove career CIA officers and replace them with personal friends from outside the CIA. As a result, the OIG is losing a deep well of institutional knowledge and “inside” experience that has served the CIA extremely well over the years. It is hard to fathom that four levels between Buckley and his investigators have been removed and replaced within three years.

Of course, there is also the personal side of the matter – five dedicated, motivated and intelligent CIA SIS officers have been “involuntarily” removed, something that I would imagine has not occurred previously in their careers. Could all of these managers have been poor leaders or investigators which required such a drastic personnel action? Their careers and personal lives are permanently scarred.

Of course Buckley will claim that these five SIS officers were not performing up to standard, which is ridiculous. A review of each officer’s career and work history will certainly show their value to the CIA and the OIG.

Buckley will also claim that the officers were not fired or removed, but found other opportunities. That is not true and it is simply act of “covering the tracks” by a very astute and political savvy Presidential Appointee.

Early in his tenure, Buckley initiated an External Advisory Board (EAB) to review OIG’s operations. The four members of the EAB were friends of Buckley. Two members of the EAB, Chris Sharpley and [redacted] now work at OIG. This certainly speaks of favoritism and a conflict of interest.

b3 per CIA

About six weeks ago, Buckley fired the AIGI [redacted] who had been in the position for about a year. Though it was announced that the officer would be heading to another “critical” position within the Agency, it was understood that he was not leaving voluntarily. In fact, [redacted]
[redacted] It now appears that

critical job fell through and he remains in his office today – though not working on IG matters, because an “acting” AIGI is in place.

Buckley replaced the AIGI with [redacted] a recent outside hire that Buckley made about 18 months ago [redacted] was serving as a Division Chief, but was elevated above the DAIGI [redacted] and [redacted] to become the “acting” AIGI.

b3 per CIA

Sharpley is the now the DIG, replacing [redacted] a long serving and well respected DIG.

[redacted] was initially the Executive Advisor to the Investigations Program. He was recently named the DAIGI for Investigations, overseeing all on-going investigations, though he has been at the Agency only since March 2012. This is a newly created position, which was not advertised. It is well speculated that [redacted]

Buckley recently reorganized OIG Investigations from four divisions to three. While [redacted] was moved up to AIGI, a Senior Investigator is his acting replacement as Division Chief.

[redacted] who was a Division Chief, was removed and now holds an ambiguous investigative role in the Support Division with no management responsibilities.

The third Division Chief remained in place, but had previously announced his retirement in May 2013.

[redacted] was the long-serving DAIGI, was “down graded” to the equivalent of Davison Chief, of a support division. For some reason, she was not selected to become the “acting” AIGI, even though she has been the DAIGI for many years.

Therefore, in the Investigation Division today, there are three senior SIS officers [redacted] [redacted] who must face the embarrassment of having been downgraded and/or fired, but remain in place. This is totally unprofessional and shows no respect for their rank, careers, their excellent past performance and OIG. It is my understanding that [redacted] did not know of their removal until [redacted] told them during a management meeting. Buckley did not speak to them privately or before others found out.

As a result of these changes, the Investigations Staff is confused and upset, which is greatly affecting our work environment. Here is what many Investigators predict will eventually occur:

- [redacted] becomes the AIGI
- [redacted]
- [redacted] will retire in embarrassment, frustration and disgust
- Buckley will have replaced the entire Investigations staff with friends and external candidates

Finally, Buckley is ordering the replacement of Investigations case management system. The current system was put in place three years ago after much work and expense – including purchasing many “stand alone” terminals for the staff. Special

Agent [] had the task of making changes to the system and worked with management and the contractor to make expensive upgrades.

When [] left the position as office POC, because it was taking up too much time, the case management system fell under Special Agent [] who has since left the CIA, did not understand the system and instead of learning it, recommended that the entire system be replaced. Buckley appointed [] to work with a contractor to create an entire new system. While [] strongly recommended the current system be maintained, he was overruled. Today, the current case management system remains in use, however there is no instruction to newly arrived personnel and our IT staff is not trained on it. This is a waste of the start-up costs, hundreds of thousands of dollars by Buckley.

I am very, very sorry someone has to review all this detail, therefore to provide some support, I posed the following questions:

- Why has Buckley only hired external candidates to be managers in Investigations?
- Why were [] really removed? (The question must be asked to these officers, and not Buckley.)
- How can Buckley remove five SIS officers in such a short period? Our entire chain of command has been removed and we have no idea why or what direction the office is heading.
- Why did Buckley hire two of the four members of his External Review Board? (Sharpley and [] Were these really the best candidates? Does this cross the threshold of conflict of interest or favoritism? By appearance, it certainly does.
- Why was [] without competition? He came from a very small office with a tiny criminal case load, so there were certainly better qualified candidates if an Executive Advisor was really required.
- Why is [] now overseeing all investigations when he has only been at the CIA a very short time? []
- Why was [] not made acting AIGI, once [] was removed?
- Why was [] a friend of Buckley, "promoted" to acting AIGI, though he was outranked by [] and has very limited CIA experience?
- Why does Buckley treat the removed SIS officers with so little respect, in that he did not discuss their removals with them personally and now has them working in the same office, but in a downgraded position?
- Why didn't Buckley allow [] to remain a Division Chief and replace the other Division Chief who will be retiring in a few months?
- Why did Buckley order a new case management system to be created and purchased while the current system is perfectly acceptable – and could be upgraded if required? Many thousands of dollars in start-up costs were wasted. [] should be included in this discussion)

- Why would Buckley allow a new case management system to be purchased when thousands of dollars were spent on the current system, with upgrades paid for just last year?
- Why are so many investigators being hired, when the number of cases is not that high? A comparison of the number of cases per investigator would be telling.

Please review these allegations. Additionally, I request that an external entity come into the OIG to conduct a sensing session for all investigators. It would surely help us.

Thank you.

Federal Bureau of Investigation (FBI) file 1338181-0:
Council of Inspectors General on Integrity and Efficiency (CIGIE)
Integrity Committee Reports Related to Complaints Against
Central Intelligence Agency (CIA) Inspector
General David Buckley

Section 2



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
WASHINGTON, DC 20511

VIA ELECTRONIC MAIL

Joseph S. Campbell
Chair, Integrity Committee
Council for the Inspector General
On Integrity and Efficiency
935 Pennsylvania Ave., NW, Room 3973
Washington, D.C. 20535

SUBJECT: Reprisal Complaint Against CIA IG Officials- ICW&SP-D-1504

Dear Mr. Campbell:

(U//~~FOUO~~) On 2 December 2014, the Office of the Inspector General of the Intelligence Community (IC IG) received a complaint on the IC IG hotline from [REDACTED] assigned to [REDACTED] In his formal complaint (attached), he alleges that Mr. David B. Buckley, CIA Inspector General, Mr. Christopher Sharpley, Deputy Inspector General, [REDACTED] Assistant Inspector General for Investigations, and his immediate supervisor, Special Agent in Charge, [REDACTED] reprised against him for [REDACTED]
[REDACTED]

b3 per CIA

(U//~~FOUO~~) This complaint includes allegations of misconduct by covered IG personnel; therefore, we are referring this complaint to you as Chair of the Integrity Committee, for the Council of Inspectors General on Integrity and Efficiency (CIGIE) for review and action in accordance with the Inspector General Act of 1978, as amended, the Intelligence Community Whistleblower Protection Act, as amended, and Presidential Policy Directive - 19 (PPD-19), *Protecting Whistleblowers with Access to Classified Information*. [REDACTED] consented to our releasing his name and contact information to the CIGIE Integrity Committee.

SUBJECT: Reprisal Complaint Against CIA IG Officials- ICW&SP-D-1504

(U//~~FOUO~~) SUMMARY OF REPRISAL COMPLAINT:

b3 per CIA

[redacted] (home telephone number [redacted] alleges that the CIA Inspector General, Deputy Inspector General, Assistant Inspector General for Investigations (AIGI), and his immediate supervisor, Special Agent in Charge, [redacted] reprised against him by [redacted]

[redacted] He alleges [redacted]

[redacted] by the CIA Inspector General, Deputy Inspector General, Assistant Inspector General for Investigations, and his immediate supervisor, Special Agent in Charge, [redacted] He states that [redacted]

(U//~~FOUO~~) Further, [redacted] states that he [redacted]

[redacted] (NOTE: The [redacted] met with [redacted] in [redacted] regarding the potential investigative misconduct allegations and subsequently referred these allegations to the Department of Justice for review.) Again, [redacted] states [redacted]

[redacted] claims that he informed his immediate supervisor, [redacted] on "several occasions" that he reported the alleged wrongdoing of the CIA IG, Deputy IG, and AIGI to the appropriate authorities.

(U//~~FOUO~~) Finally, [redacted] states that on [redacted] [redacted] told him to [redacted]

UNCLASSIFIED//~~FOUO~~//IG SENSITIVE INFORMATION

SUBJECT: Reprisal Complaint Against CIA IG Officials- ICW&SP-D-1504

(U//~~FOUO~~) If you have any questions regarding this referral, please contact the IC IG Executive Director for Whistleblowing and Source Protection,

[redacted] at [redacted]

[redacted]

16 December 2014
Date

Deputy Inspector General,
Office of the Inspector General of the
Intelligence Community

Attachment:

(U//~~FOUO~~) Letter, [redacted] to Mr. I. Charles McCullough III,
Subj: Formal Complaint of Reprisal (Dec. 2, 2014)

UNCLASSIFIED//~~FOUO~~//IG SENSITIVE INFORMATION

2 December 2014

Mr. I. Charles McCullough III
Inspector General of the Intelligence Community

[REDACTED]
Washington, D.C. 20511

SUBJECT: Formal Complaint of Reprisal

1. (U) By this letter I wish to formally file a complaint of Whistleblower Reprisal and report a violation of the Intelligence Community Whistleblower Protection Act (ICWPA) by the Central Intelligence Agency's Office of Inspector General [REDACTED] November 2014, [REDACTED] Headquarters Operations Section, Investigations Staff, Office of Inspector General, Central Intelligence Agency (CIA), contacted me via secure email and told me to report to [REDACTED]. Upon arriving at [REDACTED] directed me to a conference room and we were joined by [REDACTED] for Intelligence and Integrity Investigations. [REDACTED] stated that I was being issued a Letter of Warning (LOW) for violating the Office's policy concerning accessing and searching [REDACTED]. [REDACTED] did not provide any proof of my having violated said policy and I denied any wrongdoing. Issuance of the LOW was a direct threat to my retention of a Top Secret security clearance and came days after I was informed by [REDACTED] Executive Officer for Investigations Staff, that I would not be interviewed for a vacancy I had applied to. These adverse personnel actions are a continuation and an escalation of retaliation I have endured [REDACTED] Senate and House Intelligence Oversight Committees, the Inspector General of the Intelligence Community, and senior CIA management.

2. (U) The LOW stated that, during a routine audit of the OIG's Case Administration and Evidence Status Reporting system, two searches associated with userid [REDACTED] were identified for further review. The first search presumably occurred [REDACTED] August 2014, and revealed that the keyword [REDACTED] was associated with this search. The second search reportedly occurred [REDACTED] October 2014 and alleges that I had searched upon my own name. The LOW does not cite which OIG policy I presumably violated or what elements of said policy were not adhered to. I am unaware of any relevant policy that would be applicable given the alleged offenses. There is OIG 21-1 (U) *Access Control for Agency Databases, Research Applications, and Information Systems Owned by Outside Components*. However, it only applies to information systems outside of the OIG. The first search I am accused of conducting was associated with my meeting with HPSCI Staffers and the

document I provided Congress had resided on an OIG owned file server and I had vetted its release through the Agency's Office of Congressional Affairs. Although I have no recollection of the second alleged search, it too was on an OIG owned information system. Therefore, I find the issuance of the LOW to be without merit and believe it was concocted in reprisal as a harassing tactic to demoralize and intimidate me.

3. (U) As background: In or about February 2013, I wrote a Letter of Urgent Concern to the oversight committees in which I raised abusive management practices, cronyism, and potential criminal conduct by David B. Buckley, Inspector General (IG) for the CIA and his subordinates. In the summer of 2013, I was interviewed by Staffers from both oversight committees. In or about May 2014, I wrote a second Letter of Urgent Concern to the committees regarding irregular personnel actions and potential reprisal against two of my colleagues that had made protected communications. In or about June 2014, I met with [REDACTED] reported potential investigative misconduct by CIA's OIG. In early August 2014, I met with Staffers from the House Permanent Select Committee for Intelligence and provided information of potential withholding of material evidence in [REDACTED] case that would have exonerated seven industrial contractors that had their security clearances revoked and employment terminated. Note: I had waived "confidentiality" for each of these protected communications and on several occasions had informed [REDACTED] and other colleagues that I had reported wrongdoing to the appropriate authorities. Further, I had filed an age discrimination and hostile workplace complaint against CIA's OIG management team with the CIA's Office of Equal Employment Opportunity (OEEO) in April 2013 (OEEO Case Number: 13-21) that is awaiting final adjudication. OIG management was interviewed by an OEEO Investigator and was therefore witting of my complaint.

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4. (U) I allege that Buckley, Christopher R. Sharpley, Deputy Inspector General (DIG), [REDACTED] have created a hostile work environment and empowered subordinates [REDACTED] to create derogatory documents that defame my reputation because I engaged in protected activities and made disclosures to Congress. I allege that [REDACTED] has interfered with my opportunities for career advancement in retaliation for making disclosures. In his testimony to OEEO, [REDACTED]—because, in his opinion, I was not qualified. However, OEEO's Report of Investigation indicated that I possessed more managerial experience than any other applicant. [REDACTED] was among those applicants OEEO had compared my experience level to. In or about October 2014, I applied to a vacancy notice for the position of Deputy AIGI, but was told in November 2014 that I was being denied an interview. However, [REDACTED] was interviewed for said vacancy. The fact an employee of lesser experience was interviewed and I was not indicates bias/reprisal. It is my perception that I have been unjustly denied opportunities for career progression. OIG management's actions affected the terms and conditions of my employment and have frustrated my efforts to perform my duties—making my job impossible in an apparent attempt to force my early separation from the Agency.

5. (U) I allege that Buckley, Sharpley, [REDACTED] engaged in a pattern of retaliatory conduct that has violated:

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(U) Pertinent Federal and Agency Regulations—

- (U) Presidential Policy Directive 19 (PPD 19) expressly prohibits retaliation against any officer or employee of a covered agency within the IC, prohibits retaliation by affecting eligibility for access to classified information, and allows for employees who allege reprisal to request an external review by a three-member Inspector General panel if the applicable review process is exhausted. PPD 19 states in part,

This Presidential Policy Directive ensures that employees (1) serving in the Intelligence Community or (2) who are eligible for access to classified information can effectively report waste, fraud, and abuse while protecting classified national security information. It prohibits retaliation against employees for reporting waste, fraud, and abuse.

- (U) The Intelligence Community Whistleblower Protection Act (ICWPA) of 1998 provides a secure means for employees to report matters of "urgent concern" to the intelligence committees of Congress and allegations regarding classified information. ICWPA contains no explicit mechanism for obtaining a remedy for retaliation stemming from disclosure of an urgent concern to Congress. It merely allows an IC whistleblower who has faced an adverse personnel action because he disclosed an urgent concern to the congressional intelligence committees to then use the ICWPA's disclosure procedures to inform the committees of the retaliation.

Executive Order 12674, *Principles of Ethical Conduct for Government Officers and Employees*, specifies in part that "employees shall endeavor to avoid any actions creating the appearance that they are violating the law or ethical standards."

6. (U) The US Office of Government Ethics (OGE), *Standards of Ethical Conduct for Employees of the Executive Branch*, and Agency Regulation (AR) 13-2(j)(l), *Misuse of Position*, specify that an employee shall not use his office for the private gain of friends with whom the employee is affiliated, or to give preferential treatment to a friend. In particular,

- AR13-2, Conflict of Interest, Lack of Impartiality....Misuse of Position..., cites federal law and policy on federal ethics regulations, including conflict of interest and lack of impartiality. AR 13-2(c)(6), *Standards of Official Conduct*, specifies that all Agency employees must adhere to the Standards of Ethical

Conduct for Employees of the Executive Branch, which in part, governs impartiality in performing official duties and misuse of position. AR 13-2(d)(l) specifies that "Agency employees are expected to act impartially in the performance of their duties and not to give preferential treatment to any private organization or individual." In addition, AR 13-2(j)(l), Misuse of Position, specifies that an employee shall not use his office for "...the private gain of friends, relatives, or persons with whom the employee is affiliated."

7. (U) The *Standards of Ethical Conduct for Employees of the Executive Branch*, published by OGE, is codified in Title 5 C.F.R. Pertinent are:

Title 5 C.F.R. § 2635, 101, which requires that employees avoid any actions that create the appearance that they are violating the law or ethical standards for federal employees.

Title 5 C.F.R. § 2635.502 also requires employees whose duties would affect the financial interests of a friend, relative, or person with whom he is affiliated in a nongovernmental capacity to determine whether the circumstances of a matter would cause a reasonable person with knowledge of relevant facts to question their impartiality and if so, to not participate in the matter.

Title 5 C.F.R. § 2635.701, Use of public office for private gain, specifies in part: An employee shall not use his public office for his own private gain, for the endorsement of any product, service or enterprise, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity, including nonprofit organizations of which the employee is an officer or member, and persons with whom the employee has or seeks employment or business relations.

Title 5 C.F.R. § 2635.702(d), Performance of official duties affecting a private interest, provides: To ensure that the performance of his official duties does not give rise to an appearance of use of public office for private gain or of giving preferential treatment, an employee whose duties would affect the financial interests of a friend, relative or person with whom he is affiliated in a nongovernmental capacity shall comply with any applicable requirements of [5 C.F.R. § 2635.502].

8. (U) To the layperson these individual acts may appear to be the result of crass individuals or an uncomfortable working environment, but I allege the perpetrators [Buckley, Sharpley,] are highly knowledgeable of

investigative techniques and have conspired to skillfully craft these harassing tactics as pretext to avoid detection. It is only when these acts are viewed in the collective that a pattern is revealed that demonstrates that Buckley and his subordinates have created a dysfunctional office environment in which managers routinely berate and belittle personnel, show contempt for the abilities of career government professionals, cause staff to fear coming to work, and engaged in acts of reprisal/retaliation for having made disclosures that afford transparency into OIG operations. I allege these adverse personnel actions were an effort by Buckley and/or his subordinates to quash further dissent by senior officers of the CIA.

(U) PROPOSED REMEDIES—

9. (U) Per John Brennan, Director of Central Intelligence statement to CIA employees on 18 March 2013, "You have my assurance that I and my senior leadership team will not tolerate any acts of reprisal...Harassment and discriminatory practices are incompatible with our Agency's mission and simply have no place at CIA..."

10. (U) Therefore, I seek the following resolutions and/or remedies:

- Harrassing behavior must stop!
- An examination of the matters raised here to determine the appropriateness and legality of the actions taken.
- Establish a meaningful oversight mechanism to ensure that all of the Inspector General's management practices and assignment processes are transparent and fair, free of bias and discrimination, and in accordance with laws and regulations.

(U) Punitive Remedies—

- David B. Buckley, Christopher R. Sharpley, [redacted] [redacted] be required to attend IC Whistleblower Protection Act training and then instruct employees on the ICWPA.
- One Year Letter of Reprimand to be placed in the personnel file of: Buckley, Sharpley, [redacted] Each to be prohibited from receipt of Awards and Promotions for One Year.

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(U) Liquidated damages—

- Any and all references to a Letter of Warning are to be expunged from Agency records and a letter on Agency letterhead to be provided to Complainant verifying their record has been expunged.

11. This Memorandum contains information protected by the Privacy Act. You should consult with the Office of General Counsel prior to further dissemination of any information to ensure compliance with the Privacy Act.

Respectfully,

[Redacted Signature]

Special Agent
Headquarters Operations Section
Investigations
Office of Inspector General
Central Intelligence Agency

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Federal Bureau of Investigation (FBI) file 1338181-0:
Council of Inspectors General on Integrity and Efficiency (CIGIE)
Integrity Committee Reports Related to Complaints Against
Central Intelligence Agency (CIA) Inspector
General David Buckley

Section 3

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
WASHINGTON, DC 20511

30 July 2014

VIA ELECTRONIC MAIL

Joseph S. Campbell
Chair, Integrity Committee
Council of Inspectors General
on Integrity and Efficiency
935 Pennsylvania Ave. N.W.
Washington, DC 20535

Dear Mr. Campbell:

(U//~~FOUO~~) On 29 July 2014, the Office of the Inspector General of the Intelligence Community (IC IG) received a complaint on the IC IG hotline from a [redacted] alleging reprisal actions against the Inspector General of the Central Intelligence Agency (CIA), Mr. David B. Buckley, and the Deputy Inspector General of the CIA, Mr. Christopher Sharpley. Upon review of the relevant facts of the allegation as outlined below, we determined that our office would not be able to review [redacted] allegations against the CIA IG or Deputy IG because it is not feasible for our office to conduct the required objective review at this time. Therefore, on behalf of the IC IG, I am referring this complaint to you as Chair of the Integrity Committee, for the Council of Inspectors General on Integrity and Efficiency (CIGIE) for review and action. [redacted] consented to our releasing her name and contact information to the CIGIE Integrity Committee.

(U//~~FOUO~~) [redacted] provided the following relevant facts to this office:

- On 29 July 2014 [redacted] telephone number [redacted] who identified herself as a former employee of the CIA Office of Inspector General (OIG), contacted an IC IG Investigator and Hotline manager, through the IC IG Hotline, to file a complaint of reprisal against the CIA IG and Deputy IG.
- [redacted] alleged that the CIA IG and Deputy IG took personnel actions against her in [redacted] for protected disclosures she made alleging, among

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SUBJECT: Referral of Reprisal Complaint Against Two CIA IG Officials

other things, abuse of authority, age discrimination, and a hostile work environment.

- [redacted] stated that she first raised concerns about the CIA IG and Deputy IG to Congressional staff members on the House Permanent Select Committee on Intelligence (HPSCI) and Senate Select Committee on Intelligence (SSCI) in October 2012 through a memorandum from her to the Committees alleging abuse of authority by the CIA IG and Deputy IG.
- At about the same time, the October 2012 timeframe, [redacted] stated that she made an anonymous informal complaint to the CIA Office of Equal Employment Opportunity (OEEO) alleging age discrimination and a hostile work environment within the CIA OIG. After these initial complaints in or around October 2012, [redacted] stated she frequently engaged with the following offices within the CIA: the Office of Congressional Affairs (OCA), Ombudsman, OEEO, Office of Medical Services (OMS), and Office of General Counsel (OGC) regarding her allegations against the CIA IG and Deputy IG.
- [redacted] stated that she drafted a second memorandum in January 2013 to the CIA Ombudsman describing her observations with regard to the work environment within the CIA OIG. [redacted] further stated that she requested that the CIA Ombudsman forward her memorandum to the CIA Director. According to [redacted] the CIA OCA also received this memorandum and received her permission to provide it to the CIA OGC. Subsequently, CIA OCA informed [redacted] that the CIA OGC provided a copy of said memorandum to the CIA OIG.
- The following month, February 2013, [redacted] stated that she filed a formal complaint of age discrimination against the CIA OIG with the CIA OEEO, [redacted] CIA OIG. [redacted] CIA OEEO investigation into [redacted] allegations were inconclusive.
- [redacted] stated that she met with Congressional staffers in April and July of 2013, presumably from HPSCI or SSCI, to discuss her various complaints about CIA OIG management.
- In April 2014, the CIA IG placed [redacted] on administrative leave after the CIA Office of Security suspended her security access. She stated that she was not informed of the reasons behind her placement on administrative leave or why her security access was suspended. However, she surmised that she was under investigation for mishandling of classified information and systems.
- In response to being placed on administrative leave and suspension of security access, [redacted] hired an attorney to represent her, however,

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SUBJECT: Referral of Reprisal Complaint Against Two CIA IG Officials

[redacted] stated that the CIA OGC denied her attorney's request for the necessary temporary security clearance required for representation. While on administrative leave, and before any administrative charges were brought against her, [redacted] retired from Federal service with the CIA.

(U) If you have any questions regarding this referral, please contact the IC IG Assistant Inspector General for Investigations, [redacted] at [redacted]

Sincerely,

[redacted]

30 July 2014

Deputy Inspector General,
Office of the Inspector General of the
Intelligence Community

UNCLASSIFIED//~~FOUO~~

Federal Bureau of Investigation (FBI) file 1338181-0:
Council of Inspectors General on Integrity and Efficiency (CIGIE)
Integrity Committee Reports Related to Complaints Against
Central Intelligence Agency (CIA) Inspector
General David Buckley

Section 4

Integrity Committee
Council of the Inspectors General on Integrity and Efficiency
935 Pennsylvania Avenue, N.W., Room 3973
Washington, D.C. 20535

~~Personal and Confidential~~

October 14, 2014

[redacted]
Deputy Inspector General
Office of the Inspector General
Office of the Director of National Intelligence
Washington, DC 20511

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IC Complaint re: David Buckley and Christopher Sharpley

Dear [redacted]

On July 30, 2014, you referred certain allegations including abuse of authority, age discrimination, and hostile work environment concerning Inspector General David Buckley and Deputy Inspector General Christopher Sharpley of the Central Intelligence Agency to the Integrity Committee (IC) of the Council of Inspectors General on Integrity and Efficiency (CIGIE). The IC recently reviewed these allegations and determined the information provided did not meet the IC's threshold for further consideration, and decided to close the matter.

While the IC is not able to consider this matter, section 5A of the IC's Policies and Procedures permits you to refer the matter to an "uninvolved" OIG to conduct an independent and objective investigation of the allegations.

Should you have any questions, please feel free to contact [redacted] IC Program Manager, at

[redacted] or by email at [redacted]

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Thank you for your attention to this matter.

Sincerely,



Timothy Delaney
Chair
Integrity Committee