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**Department of Defense (DOD)**

**Office of the Inspector General (OIG)**

**Assistant Inspector General for Communications and Congressional Liaison**

**WHISTLEBLOWER DISCLOSURE OF INSPECTOR GENERAL (IG) CRIMINAL MISCONDUCT**

**CONSTITUTIONAL INSIDER THREAT:** Multiple Federal Inspectors General ([**FIG**](https://oig.justice.gov/about/meet-ig)), protected by the Congressionally established self-regulating sui generis (**Article II**) “entity” called the Council of the Inspectors General on Integrity and Efficiency ([**CIGIE**](https://www.ignet.gov/)), collaborated to subvert federal criminal investigation into allegations of Gathering, Transmitting or Losing Defense Information ([**18 USC § 793**](https://www.law.cornell.edu/uscode/text/18/793)) & Disclosure of Classified Information ([**18 USC § 798**](https://www.law.cornell.edu/uscode/text/18/798)) leveled against Former Director CIA (FD/CIA) & current Secretary of Defense (SECDEF) [**LEON E. PANETTA**](https://en.wikipedia.org/wiki/Leon_Panetta) as ordered by Congressman [**PETER T. KING**](https://irp.fas.org/congress/2011_cr/king080911.pdf) (R-NY-04) Chairman of the House Committee on Homeland Security

**CORE FACTS:** The policy of the U.S. Government (USG) is **transparency** achieved via the Freedom of Information Act (**FOIA**) & **accountability** achieved via federal (**Criminal & Administrative**) investigation of allegations of criminal and/or administrative wrongdoing:

* + Transparency and accountability in government is achieved by the programs and operations of the agencies
  + Federal Inspectors General (FIGs) are responsible for promoting the economy, efficiency, and effectiveness of the programs & operations conducted within their assigned agency
  + Congress maintains the exclusive Constitutional authority to conduct oversight of the Executive Branch’s agency programs & operations
* The Council of the Inspectors General on Integrity and Efficiency (**CIGIE**), is a self-regulating sui generis (**Article II**) [“entity”](https://www.congress.gov/110/plaws/publ409/PLAW-110publ409.pdf) established by Congress, currently operating within the Executive (**Article I**) & Legislative (**Article II**) branches of government, tasked with addressing integrity, economy, and effectiveness issues that **transcend** the authority of government agency leadership; while also, ensuring that “investigation” of criminal & administrative allegations of wrongdoing leveled against members of the CIGIE are “contained” within the exclusive membership of the CIGIE to provide “protection” to the [new class of bureaucrats](https://en.wikipedia.org/wiki/Nomenklatura) given lifetime Congressional (**Article I**) political appointment

**REPRISAL:** [[1]](#footnote-1)During August 2011, DoD Inspector General **GORDON S. HEDDELL** & DoD Principle Deputy Inspector General **LYNNE M. HALBROOKS** (PDIG) conspired with the Central Intelligence Agency (CIA) Inspector General **DAVID B. BUCKLEY** (CIA-IG)& Deputy CIA Inspector General (DCIA-IG) **CHRISTOPHER R. SHARPLEY** to fatally obstruct a Congressionally ordered criminal investigation into allegations of criminal misconduct leveled against former Director of the CIA (FD/CIA) & current Secretary of Defense (SECDEF) **LEON E. PANETTA** and Under Secretary of Defense for Intelligence (USD-I) [**MICHAEL G. VICKERS**](https://cdn.govexec.com/media/syndication/DefOneSummit14/Bios/Vickers.pdf) in violation of [18 U.S.C.  § 1505](https://www.justice.gov/archives/jm/criminal-resource-manual-1725-protection-government-processes-obstruction-pending-proceeding-18) Obstruction of Government Process (Investigation) & [18 U.S.C. § 1346](https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title18-section1346&num=0&edition=prelim) Scheme or Artifice to Defraud.

In early February 2012, “Acting” DoD Inspector General (DOD-IG) **LYNNE M. HALBROOKS** retaliated against **JOHN R. CRANE**, DoD Assistant Inspector General for Communications and Congressional Liaison after Crane exercised his protected right to inform “Acting” IG Halbrooks that the DoD-IG/CIA-IG could **not continue** to “slow roll” a legitimate demand for congressional investigation of Congressionally appointed Officers of the Executive Branch:

* In response to Crane’s protected whistleblower disclosure, “Acting” DOD-IG **Halbrooks** coordinated a series of internal/external Inspector General (IG) investigative action(s) to justify the removal of Crane from federal government service

On 13 September 2012, **JOHN R. CRANE**, DoD Assistant Inspector General for Communications and Congressional Liaison disclosed to Senator **CHARLES E. GRASSLEY** the existence of serious criminal misconduct occurring within the Federal Inspector General (FIG) community, under the direction of the CIGIE Chairperson Department of Agriculture Inspector General **PHYLLIS K. FONG**.

On 01 February 2013, “Acting” DOD-IG **Halbrooks** demanded that **JOHN R. CRANE**, DoD Assistant Inspector General for Communications and Congressional Liaison resign in lieu of removal from federal government service after signing an illegal non-disclosure agreement (NDA)

On 09 February 2015, **JOHN R. CRANE** former DoD Assistant Inspector General for Communications and Congressional Liaison contacted U.S. Special Counsel (OSC) **CAROLYN N. LERNER**, (DI-15-2333) a protected member of the CIGIE, required by law to render a 45-day determination that JOHN R. CRANE provided credible reason to believe that criminal misconduct was actively occurring within the Federal Inspector General (FIG) community:

* Rather than protect **JOHN R. CRANE** from retaliation for disclosing criminal misconduct within the Federal Inspector General (FIG) community, CIGE member U.S. Special Counsel (OSC) **CAROLYN N. LERNER** collaborated with the CIGIE Chairperson DOJ-IG **MICHAEL E. HOROWITZ**, CIGIE Integrity Committee (IC) Chairperson **SCOTT S. DAHL**; DoD IG Sergeant Major **JOHN T. RYMER (U.S. Army Reserve)**, Principal Deputy Inspector General **GLENN A. FINE**, DOD-IG General Counsel (GC) CAPT. [**HENRY C. SHELLEY Jr.**](https://www.govexec.com/oversight/2018/09/pentagon-ig-staff-cleared-misconduct-charges-anti-semitism/151258/) USN(Ret.); CIA-IG **DAVID B. BUCKLEY**; and Deputy CIA Inspector General **CHRISTOPHER S. SHARPLEY** to subvert government process (Federal Criminal and/or Administrative function) in violation of [18 USC §1505](https://www.law.cornell.edu/uscode/text/18/1505)
* The protected members of the CIGIE intentionally stripped **JOHN R. CRANE** of his federal employment for performing his duty & reporting fraud, waste, abuse, and corruption within the Department of Defense (DoD) Office of Inspector General (OIG).

**SYSTEMIC FAILURE:** The Congressional (**Article I**) creation of a self-regulating new class of political bureaucrat, granted lifetime appointment, coupled with the creation of an unconstitutional sui generous “entity” called the Council of the Inspectors General on Integrity and Efficiency (CIGIE) causing a complete loss of transparency & accountability over the programs & operations of the federal government.

**SOLUTION:** Immediate Congressional Branch (Article I), Executive Branch (Article II), and Judicial Branch (Article III) intervention:

* Congressional (**Article I**) authority for U.S. citizens to collectively seek civil damages against individual members of the Council of the Inspectors General on Integrity and Efficiency (CIGIE) for [deprivation of rights](https://www.law.cornell.edu/uscode/text/42/1983) taken against all U.S. Citizens exercising their 1st Amendment right to petition their government for redress of grievance (whistleblowing).
* Congressional (**Article I**) modification of [5 U.S. Code § 2302(a)(2)(A)](https://www.law.cornell.edu/uscode/text/5/2302#a_2)- “personal action” to include as: 5 U.S. Code § 2302(a)(2)(A)(xiii)- Security Clearance Personnel Vetting Actions
* Executive Branch (**Article II**) immediate removal from federal government service protected members of the sui generous “entity” known as the Council of the Inspectors General on Integrity and Efficiency (CIGIE)
* Executive Branch (**Article II**) directed criminal charging of members of the CIGIE retaliating against U.S. citizens for exercising the protected 1st Amendment right to petition their government for redress of grievances (Whistleblowing)
* Judicial (**Article III**) Supreme Court strike down as unconstitutional Section 424-Establishment of the Council of the Inspectors General on Integrity and Efficiency contained within the [Inspector General Reform Act of 2008](https://www.congress.gov/110/plaws/publ409/PLAW-110publ409.pdf)

1. Supreme Court (SCOTUS) defines **retaliation** as an intentional act in response to a protected action [See, Jackson v. Birmingham Bd. of Educ., 544 U.S. 167, 173-74 (2005)]. Citing Jackson, the court in Gutierrez **underscored** the intentional nature of a retaliation complaint: *“Retaliation is, by definition, an intentional act. It is a form of “discrimination” because the complainant is being subjected to differential treatment.”* Gutierrez, 2005 WL 2346956, at \*5. The complained of matter need not be a complaint; it can be any lawful conduct that an individual engages in connected with a protected right. “The very concept of retaliation is that the retaliating party takes action against the party retaliated against after, and because of, some action of the latter.” Fed. Mar. Bd. v. Isbrandtsen Co., 356 U.S. 481, 514 (1958). [↑](#footnote-ref-1)