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**Colonel USMC (Ret.)**

**Department of Defense (DOD), Office of the Inspector General (DoD-OIG)**

**Lead Inspector General (Lead IG) Overseas Contingency Operations (OCO) Strategic Planner**

**WHISTLEBLOWER DISCLOSURE ON 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 defy Congress (**Article I**) by actively avoiding construction of a joint strategic plan to conduct comprehensive oversight over all aspects of Overseas Contingency Operations (OCO) as ordered by the U.S. Congress [[P.L. 112-239 126 STAT. 1851 §(d)(2)(B)](https://www.govinfo.gov/content/pkg/PLAW-112publ239/pdf/PLAW-112publ239.pdf)]

This conspiracy designed & implemented by Chairperson of the **CIGIE** [**MICHAEL E. HOROWITZ**](https://www.ignet.gov/content/department-justice) **(**DOJ-IG)and his designated Lead Inspector General [**GLENN A. FINE**](https://www.washingtonian.com/2024/10/08/fired-by-trump-an-inspector-general-writes-a-book-on-why-the-job-matters/)“Acting” DoD IG/Former (DOJ-IG) defrauded the United States, in direct violation of [18 U.S.C. § 371](https://www.law.cornell.edu/uscode/text/18/371), and was designed to subvert federal criminal & administrative investigation into independent and effective oversight of all programs and operations of the Federal Government supporting Overseas Contingency Operations (OCO) [P.L. 112-239 126 STAT. 1851 §(d)(2)(B)] in direct violation of [18 U.S.C. § 1505](https://www.law.cornell.edu/uscode/text/18/1505)- Obstruction of Proceedings (Criminal & Administrative Investigation) and [5 U.S.C § 404(d)](https://www.law.cornell.edu/uscode/text/5/part-I/chapter-4)-Reporting Violation of Federal Criminal Law to U.S. Attorney General

**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
  + On 20 January 2013, the U.S. Congress **ordered** the Chairperson of the Council of the Inspectors General on Integrity and Efficiency (CIGIE) to **appoint** a Lead Inspector General for Overseas Contingency Operations (OCO) & **develop** a joint strategic plan to conduct comprehensive oversight over all aspects of the contingency operation ([P.L. 112-239 126 STAT. 1851](https://www.congress.gov/112/plaws/publ239/PLAW-112publ239.pdf))
* The Council of the Inspectors General on Integrity and Efficiency (CIGIE), is a self-regulating sui generis [“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 leveled against members of the CIGIE are “contained” within the CIGIE “protecting” the [new class of bureaucrats](https://en.wikipedia.org/wiki/Nomenklatura) given lifetime Congressional (**Article I**) political appointment

**REPRISAL:** [[1]](#footnote-1)Chairperson of the Council of the Inspectors General on Integrity and Efficiency ([**CIGIE**](https://www.ignet.gov/)) **MICHAEL E. HOROWITZ** (DOJ-IG) learned, from his Lead Inspector General (Lead IG) **GLENN A. FINE** “Acting DoD-IG/Former (DOJ-IG), that Lead Inspector General (Lead IG) strategic planner Col. **TIMOTHY V. SHINDELAR** USMC (Ret.) disclosed to GLENN A. FINE “Acting” DoD-IG/Former DOJ-IG and his Chief of Staff (CoS) COL. [STEVEN A. STEBBINS](https://www.dodig.mil/Biographies/Bio-Display/Article/1124947/steven-a-stebbins/) USAR (Ret.) that DOD-IG officials intended to report false official statements to Congress, in violation of [18 U.S.C. § 1001](https://www.law.cornell.edu/uscode/text/18/1001)- False Official Statements, contained in the annual Joint Strategic Oversight Plans (JSOPs) prepared by designated Lead IG **GLENN A. FINE** to execute comprehensive oversight on the **$64.8B** in Overseas Contingency Operation (OCO) supporting Operation **FREEDOM’S SENTINEL** (OFS) in Afghanistan and Operation **INHERENT RESOLVE** (OIR) in Iraq/Syria.[[2]](#footnote-2)

Col. **TIMOTHY V. SHINDELAR** USMC (Ret.) disclosed to DoD IG Senior officials that the U.S. Congress appropriated **$10.2** million in FY16 to fund the Lead IG mission; but rather than design a new comprehensive post-conflict strategic oversight plan, the Lead IG recycled an old OCO strategic oversight plan, designed to oversight programs and combat operations conducted under Operation **ENDURING FREEDOM** (OEF), previously conducted in Afghanistan.

Mr. Shindelar disclosed that inclusion of false statements to Congress describing the utilization of an integrated Joint Risk-Based Oversight (JRBO) planning process developed to drive comprehensive oversight planning was knowingly false.[[3]](#footnote-3) Instead of performing legitimate planning as directed by Congress, a “Potemkin Village” report was drafted to conceal the fact that adequate comprehensive post-conflict strategic oversight planning, required by the IG Act, had never been conducted.

Three weeks after Col. Shindelar USMC (Ret.)[[4]](#footnote-4) disclosed criminal misconduct involving the Lead IG Mission, CIGIE Chairperson **MICHAEL E. HOROWITZ** (DOJ-IG) directed his Lead IG “Acting” (DOD-IG)/Former (DOJ-IG) **GLENN A. FINE** to remove Mr. Shindelar after making whistleblower disclosure directly implicating the leadership failure of CIGIE Chairperson **MICHAEL E. HOROWITZ** (DOJ-IG).

After meeting directly with **GLENN A. FINE’S** Chief of Staff (CoS) COL. **STEVEN A. STEBBINS** USAR (Ret.), Stebbins informed Col Timothy V. Shindelar that Shindelar would meet directly with **GLENN A. FINE** to “discuss” the decision to “let Shindelar go” in response to his whistleblower disclosure.

Not just content with firing Col Shindelar for whistleblowing & hiding his own misconduct to protect his upcoming nomination to become DOD-IG, **GLENN A. FINE** arranged with his Chief of Staff (CoS) **STEVEN A. STEBBINS**, a Human Resources Expert, to impose an illegal non-disclosure agreement, in direct violation of [5 U.S. Code § 2302(b)(13)](https://www.law.cornell.edu/uscode/text/5/2302)- Prohibited Personnel Practices, to compel Col. Shindelar to leave the DOD-IG, not seek legal remedy, or report to Congress serious Inspector General misconduct in exchange for a non-derogatory [Standard Form-50](https://www.opm.gov/forms/pdfimage/sf50.pdf)  artfully created to prevent future federal employment and permanent professional damage as reprisal for disclosing Inspector General misconduct.

**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)
2. *See:* §8L. Special Provisions Concerning Overseas Contingency Operations, available at: <https://www.law.cornell.edu/uscode/text/5/419> [↑](#footnote-ref-2)
3. *See*: *FY17 Budget Request OCO Budget Amendment*, November 2016, (p. 1) *available at* <http://comptroller.defense.gov/Budget-Materials/>. [↑](#footnote-ref-3)
4. Prior to joining the DoD IG, Doctor Shindelar was an active-duty USMC Colonel directed by Admiral **MICHAEL G. MULLEN** USN, Chairman, Joint Chiefs of Staff (CJCS), to serve as Senior Military Advisor to the Chief of the General Staff (CoGS) of the Afghan National Army. Admiral Michael Mullen USN, reordered Col. **TIMOTHY V. SHINDELAR** to return to Afghanistan as a Senior Military Civil Military Strategic Planner for General **STANLEY A. MCCHRYSTAL** USA, Commander International Security Assistance Force (ISAF), supervising a **$51B** reconstruction strategy to stabilize international efforts across the entire Afghani civil-military counterinsurgency strategy. In recognition of his efforts, Afghan President **HAMID KARZAI** personally awarded Col. Shindelar the Baryal Medal, First Degree presented for exceptional service to Afghanistan in the field of the war on terror and training of Afghan security forces. As a civilian stationed at the U.S. Diplomatic Mission, Kabul, Afghanistan Mr. Shindelar assumed further responsibility for day-to-day comprehensive planning for the post-2014 diplomatic presence mission. These efforts underpinned a nascent Afghan government migration into a Transformational Decade (2015-2024). [↑](#footnote-ref-4)