

Via US Mail, fax: 504-868-4995 & email

34 Glenburnie Road  
Boston, MA 02132  
November 7, 2008

Mr. Michael Anderson  
Public Corruption Chief  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, NW  
Washington, DC 20535-0001

**RE: RECONSIDERATION OF YOUR DECISION CONCERNING THE DCMAE'S PATTERN AND PRACTICE TO FRAME INNOCENT CITIZEN EMPLOYEES, INCLUDING THE CURRENT, IN PROGRESS, VERIFIED FRAME UP OF WHISTLEBLOWER KEN PEDELEOSE AND OTHER DEPARTMENT OF DEFENSE VIOLATIONS**

Dear Public Corruption Chief Anderson:

I have received your letter dated October 28, 2008, signed by Unit Public Corruption Chief, Luis A. Velez, Jr., concerning my lawful and **required** reporting of verified public corruption operating out of the Defense Contract Management Agency (DCMAE), Boston, Massachusetts.

Despite ample evidence to prove the factual and official government record of the DCMAE's targeting, framing, prosecuting and punishing innocent citizen employees, but for Boston Supervisory Special Agent John T. Foley's stunning declaration that he "has no interest in the prosecution of such matters," the corruption I report is not in dispute and has not been denied. However, the DCMAE violations continue.

In its proper context and perspective vis a' vis framing innocent citizen employees and using taxpayer dollars and public office to retaliate and punish innocent citizen employees, according to Director Mueller's pledge, Foley's decision is on the wrong side of the law.

FBI Agent Velez writes: "The PCU's primary function is program management, policy formulation, training and other administrative duties and responsibilities pertaining to the Public Corruption Program and several other subprograms. The review of potential public corruption is reserved for the appropriate field office. Accordingly, we have not reviewed your materials. However, we have promptly forwarded your information to the Boston field office for review."

Concerning jurisdiction, Agent Velez is not entirely accurate. Although the primary cause of the corruption and crime is Boston, Massachusetts, one of the relevant and willing participants with a history of covering up fraud, waste and abuse and framing innocent citizen employees is the Department of Defense's Hotline Director for fraud, waste and abuse, Leonard C. Trahan, Jr., whose office is located at the Pentagon, Washington, DC.

According to the chain of command and Director Mueller's plain language on the website, by jurisdiction and default your office seems to be the appropriate office for the public to rely on to remedy egregious fraud, waste and abuse on a vast and almost unimaginable scale.

Trahan has direct knowledge of the most recent retaliatory frame up of whistleblower, Ken Pedeleose. In fact, according to Trahan's memorandum dated December 7, 1998, Trahan essentially admits it's okay to frame innocent citizen employees and he backs up the DCMAE's continuing violations by swearing that Pedeleose who saved the government \$34 million is "disruptive, disloyal and counterproductive." Don't take my word for it, read it for yourself in the official government record and the attached sworn excerpts by Trahan.

Following the House Reform Committee hearings of 2002, FBI Director Mueller promised the country that the FBI would no longer participate, in any manner, to frame innocent citizens. Additionally, public corruption is number "four" on the FBI's list of priorities. Foley's decision contradicts Director Mueller's promise of maximum protection to whistleblowers. And, Foley's decision is not in accord with the "doctrine of clean hands" and the "equal justice" standard.

If the DCMAE has a right to insist on framing innocent citizen employees, I have the responsible obligation to persist in reporting such conduct with the expectation that appropriate law enforcement will end such practices.

Despite ample evidence of the DCMAE's pattern and practice to frame innocent citizen employees and a string of verified unethical/felony conduct as outlined in my thirty page affidavit, in his letter of dated March 28, 2005, Foley writes: "This office has reviewed all of the material that you have presented, both written and in person. Inasmuch as there is no substantive proof of your allegations and no interest in the prosecution of such matters, there will be no further investigation of this matter conducted by this office."

Foley's declaration is absurd, unethical and unlawful. Imagine an FBI agent verifying the conduct outlined in my affidavit (the details are worse,) including the frame up of Marie Virella, Morris Plaisance and others and then writing that he "has no interest in the prosecution of such matters?" Foley knows or should know that Virella was framed. Foley knows or should know that Plaisance was framed. Foley knows or should know that Pedeleose is in the process of being framed. Foley knows or should know that there were others who were framed. The taxpayer cost of framing Virella and Plaisance exceeded one million dollars, not to mention other frame-ups.

Foley clearly understands that it is against the law to frame innocent citizen employees. However, based on his conduct, wisecrack and his cavalier attitude, Foley finds such matters to be amusing.

Foley's unjust decision rejects the FBI's purpose and mission. By law, rule, regulation, policy and protocol, Foley has a duty to the government and the FBI to adhere to the strictest standard of behavior. Foley owes a duty not to place his own interest ahead of the government's.

Foley's unjust decision blocks reasonable attempts to end a decade of verified corruption based on his personal feelings - not the law and not what Director Mueller publicly promised.

Foley does not appear to be doing the FBI's work - a genuine conflict of interest.

That one person, Foley, can ignore and essentially condone verified criminal activity and corruption on a false statement and a distorted and defective judgment is conduct that the ordinary citizen would not believe. Foley, a seasoned "crime fighter," has ignored evidence and has allowed his personal feelings to override federal law and his sworn obligation.

Foley's decision sends a clear and unequivocal message that the DCMAE can continue to engage in their established pattern of fraud, waste and abuse and frame innocent citizen employees with impunity.

Based on Foley's comments, conduct and decision, he shows no embarrassment, no shame and no remorse in covering up the DCMAE's pattern and practice to frame of innocent citizen employees.

According to your website, the public should be able to rely on the plain language promise of Director Mueller. Some partial excerpts from the FBI's website:

"Corruption in government at any level strikes at the core of the nation, says Special Agent Jennifer Smith of the public corruption squad at the Houston field office of the FBI. This includes bribery, extortion and voter fraud. In this interview, Smith describes a case involving the corruption of two federal air marshals."

*[Corruption] is #4 in our top 10 list of investigative priorities—following counterterrorism, espionage, and cyber. Why do we rank it so highly? What are we doing to stop it? For the answers to these questions and more, we talked with Supervisory Special Agent Dan O'Brien, chief of our Public Corruption and Government Fraud program at FBI Headquarters.*

**Q: Why's the FBI so concerned about public corruption?**

**Dan:** Two main reasons. First, it strikes at the core of what our country's about. Our democracy depends on a healthy, efficient, and ethical government—whether it's in the courtroom or the halls of Congress. Second, public corruption can have a direct impact on national security.

**Q: What are you doing to stop public corruption?**

**Dan:** Plenty. We've got a strong national program with agents in place around the nation dedicated to the issue. In our investigations, we use every tool we've got—our cyber capabilities, our surveillance skills, our ability to track financial dealings around the world. Last year, we opened over 900 cases, which led to over 650 convictions or guilty pleas. We're also proactive. We've got analysts specifically trained to uncover corruption, and our agents always have an eye out for new and evolving angles. We've got a new initiative to identify DMV employees nationwide who issue fraudulent IDs for bribes and kickbacks. And we're working with state governments to identify fraud and ways to prevent it.

**Q: Does public corruption really have an impact on people's lives?**

**Dan:** Absolutely. Public corruption can take funding away from your child's school and even prevent your street from being re-paved. Police who take bribes endanger your neighborhood. And guess who ultimately foots the bill for these crimes? We all do...through higher taxes. The Government Accountability Office estimates that at least 10 percent of the funding for federal government programs is lost to public corruption and government fraud every year. We're talking tens of billions of dollars.

**Q: Last question: what should people do if they come across evidence of public corruption activities?**

**Dan:** By all means, call us! If you don't want to give your name, leave an anonymous tip.

The DCMAE's corruption has already been established. I am asking that Director Mueller take the DCMAE's verified public corruption to the next appropriate level by taking immediate measures to end a decade of public crime, subsidized by millions of taxpayer dollars.

By copy of this email to President Obama's Transition Team Chair, John Podesta, and co-chairs, Valerie Bowman Jarrett and Pete Rouse, I also ask that the appropriate transition team senior staff become involved with the selection process concerning certain high level government officials whose appointments are co-terminous and who may be candidates for consideration to serve at the pleasure of President Obama, i.e. President's Council on Integrity and Efficiency, that have ignored and/or rejected their oath of office to protect the public.

Please let me know of your decision concerning my request.

Respectfully submitted,



Douglas K. Kinan

cc: John Podesta, Valerie Jarrett, Pete Rouse, Glenn A. Fine, US DOJ Inspector General, via fax: 202-616-9898, Clay Johnson, Director, President's Council on Integrity and Efficiency, via fax: 202-456-5938& 202-395-3888, Members of the PCIE via email, Honorable Charles E. Grassley via fax: 202-224-6020, Honorable Robert M. Gates via fax - 703-571-9339, Attorney General Michael B. Mukasey via fax 202-514-4001/202-307-6777, AUSA Brian Kelly via fax 617-748-3953, Warren Bamford via fax 617-223-6327, Patrick W. Kelley via fax 202-323-2079, Gordon Heddell, DoD IG, Daniel Meyer, DoD IG, Ken Pedeleose



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

October 28, 2008

Douglas K. Kinan  
34 Glenburnie Road  
Boston, MA 02131

Dear Mr. Kinan:

Your recent communication to the Federal Bureau of Investigation, Public Corruption Unit (PCU), has been received.

The PCU's primary function is program management, policy formulation, training and other administrative duties and responsibilities pertaining to the Public Corruption Program and several other subprograms. The review of potential public corruption and related allegations is reserved for the appropriate field office.

Accordingly, the PCU has not reviewed your materials. However, we have promptly forwarded your information to the Boston field office for review. If appropriate, you may be contacted by the Boston field office if further information is needed. Should you wish to provide any additional information related to this matter, please furnish the specific details directly to the Boston Division located at Suite 600, One Center Plaza, Boston, MA 02108-1801.

Sincerely yours,

*Luis A. Velez Jr./ms*

Luis A. Velez Jr.  
Unit Chief  
Public Corruption Unit



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

One Center Plaza  
Suite 600

March 28, 2005

34 Glenburnie Road  
Boston, MA 02131

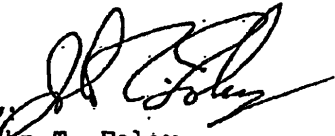
Dear Mr. Kinan:

This letter is in response to your recent letter of February 18, 2005 to Special Agent Debra Robbins. This office is in agreement with Assistant United States Attorney Brian Kelly, Chief of the Public Corruption Unit for the District of Massachusetts. In Mr. Kelly's letter to you dated February 8, 2005, he wrote that the matter of which you have written "has already been reviewed and no further action will be taken..."

This office has reviewed all of the material that you have presented, both written and in person. Inasmuch as there is no substantive proof of your allegations and no interest in the prosecution of such matters, there will be no further investigation of this matter conducted by this office.

Sincerely,

Kenneth Kaiser  
Special Agent in Charge

By:   
John T. Foley  
Supervisory Special Agent

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1 we, we don't have, at least so far, access to is when  
2 management down there would have made the decision that  
3 they were going to do this investigation, that may have  
4 preceded his initial contact with Mr. Meyer so  
5 (inaudible)...

6 MR. TRAHAN: Oh, I can, I can assure you, I  
7 can assure you that it preceded that and, and the  
8 reason why I can say that is because one of the, one of  
9 the, one of the common mis, misconceptions in this  
10 process in any of these defense agencies that have  
11 military leaders is that the military leader moves on  
12 and military leaders don't always close all the  
13 business that's on their watch, that occurred on their  
14 watch that should have. Management from before when I  
15 went down there, as you say is 2003...

16 MR. BIGGS: Umm hum.

17 MR. TRAHAN: management was looking hard at  
18 what to do about this problem. Not of getting rid of a  
19 whistleblower but of getting rid of what, what I would  
20 describe as a manager, someone with a graduate degree  
21 in management, what I would describe as disruptive,  
22 disloyal, and counterproductive employees. They were

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