



The Institute for Complexity Management

Making the complex simple

August 17, 2016

Letter to: Distribution

Subject: Unlawful U.S. Government Domestic Intelligence Collection Activities Are Driving Entrepreneurs and Small Start-ups Out of Business

VIA E-MAIL and POST

Dear Messrs. Chairmen:

We are bringing to your attention a problem that is destroying entrepreneurship and the growth of small businesses across America. Below, we briefly summarize three typical examples of the growing U.S. Government trend to confiscate, without compensation, the property and livelihoods of American citizens without regard for the Constitution of the United of America.

Case number one involves an entrepreneur who developed a mobile drinking canteen for our soldiers that is now used to protect our troops on the battlefield from the effects of chemical, biological and nuclear weapons. After stealing the technology, the U.S. Army duplicated work already done by the entrepreneur driving him out of business. This resulted in over a three-year delay in getting the protective gear into the hands of our troops fighting in the Iraq War. As a result, tens of thousands of veterans are now suffering from Gulf War Syndrome, a debilitating disease that resulted from their unnecessary exposure to toxic materials.

Case number two involves the safety of the American food supply and the U.S. Food and Drug Administration (FDA). In this instance, the FDA stole the technology developed by the entrepreneur that projects the future possibility of food-borne illnesses in order to prevent them. The U.S. Government (FDA and the Department of Defense) proceeded to duplicate the small business's technology for use by the food industry. As a result, the FDA duplicated the technology and drove the small company out of business.

Case number three involves unlawful domestic intelligence collection activities by the National Security Agency (NSA), the Department of Defense (DOD) and the Department of Energy (DOE) targeting a small company to steal their technology. The technology is of great significance for intelligence collection, the precision delivery of weapons, nuclear weapons stockpile stewardship and stealth applications. As a result, the NSA, DOD and DOE duplicated the technology and drove the small company out of business.

We have conducted exhaustive investigations of each of the three cases above. The Commissioner of the FDA and the Secretary of Defense have openly acknowledged their guilt in

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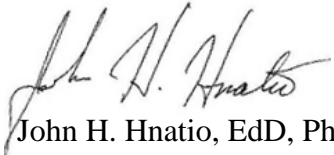
cases one and two above but have taken no actions to correct the problems. Case number three is hidden from public view by the U.S. Government through the unlawful application of the state secrets privilege. However, our investigation has uncovered irrefutable unclassified proof of the unlawful domestic intelligence collection activities where the U.S. Government has stolen, duplicated and used the small business's technology.

In each of the above cases, we presented evidence directly to Attorney General Lynch, Director Comey of the Federal Bureau of Investigation (FBI) and various U.S. Attorneys representing the various jurisdictions where the crimes against these three small companies were committed. In all three cases, the results of our exhaustive investigations and repeated requests for an investigation have been rebuffed. We have also been in communication with each of the individual Inspectors General of the Intelligence Community where the results of our exhaustive investigations and repeated requests for an investigation were rebuffed.

A copy of the letter we wrote to the Senate Select Committee on Intelligence staff on May 11, 2016, is attached. On June 27, 2016, we personally briefed the Senate Select Committee on Intelligence (SSCI) staff of the unlawful search and seizure aspects of these cases, especially as they relate to case number three above. At SSCI's request we have re-referred the matter back to the intelligence community. We are awaiting a response from the Inspector General for the Intelligence Community, writ large, Mr. McCullough.

Since the matters we are bringing to your attention represent such an egregious violation of the Constitution of the United States of America, we formally request that the General Accounting Office (GAO) be instructed to investigate in a timely fashion the activities of these and other federal agencies as they misappropriate and duplicate advanced technologies owned by U.S. citizens and the small businesses they operate in violation of the Constitution and laws of the United States.

Sincerely yours,



John H. Hnatio, EdD, PhD
Executive Director

Post Script September 26, 2016:

The Institute for Complexity Management (ICM) circulated this letter to each member of the Congressional delegations representing the owners of the three companies mentioned above. In spite of the overwhelming evidence that the lives of the three entrepreneurs and their families were being destroyed by the anticompetitive conduct of the U.S. Government, not a single Senator or Representative responsible for protecting the rights of their constituents would sign this letter.

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Simply requesting a General Accounting Office (GAO) Investigation of an egregious matter such as this is not a difficult political task. In a representative democracy, when your elected representatives fail to represent their constituents it means that we are no longer a democracy. The following table more fully describes the failure of our elected representatives to represent their constituents. They have all failed to do the job that must be done to preserve the Constitutional rights of every American citizen. All of these politicians were elected to office based on their promises to support small business as one of the cornerstones of our economy. The ones that have declined to do their jobs are deceiving the American people.

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CONGRESSIONAL REPRESENTATIVE	CONSTITUENT	OBSERVATIONS
<p>Sam Johnson (TX-3rd)</p> <p>DECLINED</p>	<p>Mr. Wesley Schneider, Richardson, Texas</p>	<p>For over two years, Mr. Schneider begged for help. Mr. Schneider was told that Representative Johnson could not help him until after he made contact with the Inspector General's Office of the Department of Defense. For the next year, Mr. Schneider was given the bureaucratic run around with absolutely no help by Representative Johnson. After Mr. Schneider did all that was asked of him, Representative Johnson simply abandoned his constituent. When Representative Johnson was asked to sign this letter he never even bothered to respond to his constituent.</p>
<p>John Cornyn</p>		<p>In August 2016, Senator Cornyn was asked by his constituent to sign this letter. Senator Cornyn's office never responded to Mr. Schneider's pleas for help.</p>
<p>Ted Cruz</p> <p>DECLINED</p>	<p>Mr. Hames O'Keefe Jr., Westwood, New Jersey</p>	<p>For over two years, Mr. Schneider begged for help. Mr. Schneider was told that Senator Cruz could not help him until after he made contact with the Inspector General's Office of the Department of Defense. For the next year, Mr. Schneider was given the bureaucratic run around with absolutely no help by Senator Cruz. After Mr. Schneider did all that was asked of him Senator Cruz simply abandoned his constituent. When Senator Cruz was asked to sign this letter he never even bothered to respond to his constituent.</p>
<p>Scott Garrett (NJ-5th)</p> <p>DECLINED</p>		<p>When his constituent, Mr. O'Keefe contacted Representative Garrett's office he was told that the Representative Garrett would not sign this letter on behalf of his constituent.</p>
<p>Bob Menendez</p>		<p>When his constituent, Mr. O'Keefe contacted Senator Menendez's office he was told that the Senator would not sign this letter on behalf of his constituent.</p>

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<p>Cory Brooks DECLINED</p>		<p>When his constituent, Mr. O’Keefe contacted Senator Brook’s office he was told that the Senator would look into the matter. He never heard a word back from Senator Brooks.</p>
<p>Chris Van Hollen DECLINED</p>		<p>John Hnatio worked with Representative Van Hollen’s office for several years pleading for help. Representative Van Hollen was asked to obtain a response from the FBI as to why they did not conduct a criminal investigation of the Food and Drug Administration (FDA). When the FBI responded that they had talked with the FDA (and their parent agency the Department of Health and Human Services) to ask them whether they had done anything wrong they told the FBI no. The FBI responded that they would not look into the crimes that were committed in the matter. Instead of demanding an objective investigation of the matter, Representative Van Hollen completely abandoned his constituent. Representative Van Hollen refused to meet with Dr. Hnatio and has never responded to a request to sign this letter.</p>
<p>Barbara Mikulski DECLINED</p>	<p>Dr. John Hnatio, Union Bridge, Maryland</p>	<p>Several years ago, Senator Mikulski’s office was contacted with pleas for help from her constituent John Hnatio. Senator Mikulski advised that she, “does not get involved in legal matters,” and immediately abandoned her constituent. She did not respond when Dr. Hnatio asked to meet with her and ignored tens and tens of letters asking for help. When she was asked to sign this letter she never responded.</p>
<p>Ben Cardin DECLINED</p>		<p>Several years ago, Senator Cardin’s office was contacted by John Hnatio after Senator Mikulski abandoned Hnatio’ pleas for help. Senator Cardin wrote a letter to Dr. Hnatio telling him that he would not help because the matter had already been reported to Senator Mikulski. Over the past four years, Mr. Cardin has taken no substantive action to help his constituent in spite of repeated pleas. When Dr. Hnatio asked to meet with Senator Cardin he was told by his staff that the issue, “was not important enough” to waste the Senator’s time. [It is noted that Senator Cardin’s staff director has taken issue with these events and has requested the opportunity to write an opposing opinion. As soon as ICM receives their response we will publish it in its entirety.]</p>

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<p>Senator Grassley Chairman, Senate Judiciary Committee 224 Dirksen Senate Office Building Washington, D.C. 20510-6050</p>	<p>Senator Grassley has never responded to tens and tens of letters asking for help. When Mr. O'Keefe called Senator Grassley's staff asking for help they demanded to know "What's in it for us?" When Dr. Hnatio called to ask for their help they hung up the phone in his ear.</p>
<p>Representative Goodlatte Chairman, House Judiciary Committee 2138 Rayburn House Office Building Washington, DC 20515</p>	<p>Representative Goodlatte's staff was briefed twice about all three cases and did nothing.</p>
<p>Senator Burr Chairman, Senate Select Committee on Intelligence 211 Hart Senate Office Building Washington, D.C. 20510</p>	<p>The Senate Select Committee was briefed on all three cases. We focused on the unlawful intelligence collection activities of the U.S. intelligence community. There was absolutely no sense of outrage. Our request for a special prosecutor was denied and we were told to refer the matter back to the IC-IG. All IG's of the IC were already aware of the situation from letters sent to them. Absolutely nothing has happened.</p>
<p>Representative Nunes Chairman, House Permanent Select Committee on Intelligence Capitol Visitor Center HVC-304 US Capitol Building Washington, DC 20515-6415</p>	<p>Copies of all documents were provided to Senator Burr on the SSCI were also provided to Representative Nunes. Representative Nunes staff was too busy and deferred the matter back to Senator Burr. Senator Burr referred us back to the intelligence IG. Nothing has happened.</p>
<p>Representative Chabot Chairman, House Small Business Committee 2361 Rayburn House Office Building (RHOB) Washington, D.C. 20515</p>	<p>Letters and calls to the House Small Business Committee were ignored.</p>
<p>Representative Chaffetz Chairman, Committee on Oversight and Government Reform 2157 Rayburn House Office Building Washington, DC 20515</p>	<p>At first we were told that a major hearing on the matter would be conducted by Representative Mica who was a subcommittee chairman at the time. Later, the matter was abandoned with all of our subsequent letters and calls ignored.</p>
<p>Senator McCain Chairman, Senate Armed Services Committee Russell Senate Building, Room 228 Washington, D.C. 20510-6050</p>	<p>This is the first time that any official contact has been made to the Senate Armed Services Committee. We are doing so because of the grave national security implications involved in the Demodulation matter and the total unresponsiveness of other elements of the Congress to the matter.</p>
<p>Representative Thornberry Chairman, House Armed Services Committee Committee on Armed Services 2216 Rayburn House Office Building</p>	<p>This is the first time that any official contact has been made to the House Armed Services Committee. We are doing so now because of the grave national security implications involved in the Demodulation matter and the total</p>

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<p>Washington, DC 20515</p>	<p>unresponsiveness of other elements of the Congress to the matter.</p>
<p>Representative Upton Chairman, Energy and Commerce Committee DECLINED Committee on Energy and Commerce 2125 Rayburn House Office Building Washington, D.C. 20515</p>	<p>Letters and calls to the Energy and Commerce Committee were ignored.</p>
<p>Senator Thune Senate Committee on Commerce, Science & Transportation FIRST CONTACT United States Senate SD-511 Washington, DC 20510</p>	<p>This is the first contact with Senator Thune. We are doing so now because of Senator Thune's recognized concern for the importance of small business in the United States.</p>
<p>Representative Smith Chairman, House Committee on Science, Space, and Technology FIRST CONTACT 2321 Rayburn House Office Building Washington, DC 20515</p>	<p>This is the first contact with Representative Smith. We are doing so now because of the high technology nature of the developments involved in these three cases and the critical role of entrepreneurship for the commercialization of scientific developments and advanced technologies.</p>