

Blowback, 9/11, And Cover-Ups



Rodney Stich

Author and former Federal Agent

Stich's Other Books

Drugging America

Defrauding America

Unfriendly Skies

Iraq, Lies, Cover-ups, and Consequences

Terrorism Against America

Subverting America

Lawyers and Judges—American Trojan Horses

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Rodney Stich

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Blowback, 9/11, and Cover-ups

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INTRODUCTION

This book, *Blowback, 9/11, and Cover-ups*, presents detailed and often documented information on vast areas of corruption in the three branches of government that made the tragedies of 9/11 possible, many prior tragedies, and by the continuing and worsening cover-ups, the tragedies yet to occur.

Much of the information in this book, and the other books written by former federal agent Rodney Stich, is based upon his actual discovery, including as a key government agent, and what was discovered or participated in by a great number of other insiders who were in contact with Stich over the years. These insiders include agents from government offices such as the CIA, FBI, DEA, Customs, from former drug smugglers—carrying out assignments for government agents—and former Mafia figures who were also in collusion with government agents.

Unbelievable as these events may sound, they are based upon years of insider knowledge and upon government records. For those who choose to remain in denial about the harm being inflicted upon the people and the country, it may be best to think of the contents as a work of fiction, and allow the tragedies to continue.

This book addresses certain areas of corruption discovered by the author and his group of other former and present government agents. Years of discovery by the author and his group of other former and present government agents, including those from the CIA, FBI, DEA, Customs, Secret Service, reveal a pattern of corruption by people in key government positions. This escalating pattern of corruption continues to inflict great harm upon the United States, its institutions, and its people in a form that resembles a Trojan horse attack. This misconduct has been made possible by the unprecedented media cover-up and media disinformation.

The author, a former federal aviation safety agent and for many years an activist against corruption in government, has acquired a number of insider sources who have provided that are almost without precedence. All of this valuable information will be lost, or made useless, if enough readers do not read and then show some form of courage and responsibility in helping to fight this scourge that brings such great tragedies to people.

The horrendous harm upon America that occurred on September 11, 2001, was simply the latest in a long line of aviation tragedies arising from documented corruption in the government's aviation safety offices. For those who want more details of a history of such fraud-related aviation tragedies, read the author's latest print edition (or e-format edition) of *Unfriendly Skies*.

It is hoped that at least a small percentage of adults will have sufficient outrage, courage, and sense of duty, to help fight the threat to America and what it originally stood for. Also, to generate support to help those who have been victimized, such as people falsely imprisoned on sham charges, such as

is endemic in the arrogant and corrupt war on drugs.

Most of the tragedies described in these pages were preventable, and could have been prevented if any of the government officials occupying a position of responsibility had acted. Or, if even a small but vocal segment of the public has acted.

More details will be found in the other books written by Rodney Stich: *Defrauding America*, *Drugging America*, *Unfriendly Skies*, *Terrorism Against America*, *Lawyers and Judges*, and *Disavow*.

ABOUT THE AUTHOR

Rodney Stich has a long history of insider activities that provided him the training and the opportunity to discover vast areas of misconduct in government offices. These experiences have put him into close contact with dozens of other former and present government agents and other insiders who also discovered corruption in government. Their several hundred years of combined experience and exposure to corrupt activities in government is revealed in the books that Rodney Stich has written. The purpose of these books has been to inform those people who want to be informed, and reveal to them the hardcore misconduct that is inflicting great harm upon national security and the lives of countless numbers of people. Further, to motivate enough people to show long-overdue outrage, to show courage, and to show long-over patriotic reaction.

Aviation Background Started Before the Pearl Harbor Attack

The author's background in aviation started while he was in the U.S. Navy prior to the December 7, 1941, attack on Pearl Harbor. He had joined the Navy at the age of 17 and eventually became a Naval aviator, receiving his Navy wings first as a Naval Aviation Pilot (enlisted pilot) and then as a Naval aviator (commissioned officer).

He became an instructor in advanced PBY training at Jacksonville, Florida and then training as a Patrol Plane Commander in the Navy PB4Y-1 (Liberator) and PB4Y-2 (Privateer). Stich was the youngest Navy Patrol Plane Commander during World War II. Stich received his wings at the Pensacola Naval Air Station at approximately the same time that George Bush senior received his Navy wings at Corpus Christi.

Worldwide Commercial Airline Experience

After World War II, Stich flew for the airlines in domestic and international operations. He was checked out as captain on virtually every type of plane flown by U.S. airlines, including the double-deck Boeing Stratocruiser, Lockheed Super Constellation, DC-4, DC-3, Martin 202, Convair 340, Curtis C-46, Lockheed Electra, DC-8, and Convair 880.

He was one of the first pilots licensed by Japan, holding Japanese pilot license number 170. He was also one of the first captains for Japan Airlines, during which time his copilots were former Japanese military pilots from World War II.

The *Saturday Evening Post* had written a series of three articles in 1950 about the pilots at his primary airline, Transocean Airlines. The articles were titled, "The Daring Young Men Of Transocean Airlines." [The author, Ernie Gann, was a pilot for the same airline.]

In those days, flying overseas, especially in the Middle East, were pioneering experiences, encountering situations that no airline pilot today encounters. In one instance, in 1953, he found himself at the center of a revolution in Iran, which he later learned was engineered by the CIA. He flew Muslim pilgrims to Mecca and Medina on the Hajj during the Muslim

Muslim pilgrims to Mecca and Medina on the Hajj during the Muslim holy period. He may have been the only pilot to take pilgrims to Medina, where he landed in the desert outside of the holy city. He resided in Jerusalem, Ramallah, Beirut, Tehran, and Abadan. He visited Palestine refugee camps, and associated with the residents who were, in those days, friendly to the Americans.

He had his share of inflight emergencies, including engine failures, engine fires, sudden closing of virtually all airports at his destination, serious icing problems on the North Atlantic, sudden shortage of fuel when the head winds over long over-water flights became more adverse than forecast.

Aviation Safety Agent for Federal Government

Eventually he left airline flying and became a federal aviation safety agent for the Federal Aviation Administration (FAA). He was responsible for conducting flight checks of airline pilots, evaluating their competency, issuing government ratings, evaluating safety matters and preparing reports on safety problems and recommended corrective actions.

Assignment To Halt Worst Series of Air Disasters in U.S. History

Eventually, the federal government gave him the assignment to correct the conditions causing the worst series of airline crashes in the nation's history. It was here that he discovered the deadly politics of air safety and corruption in government offices. To circumvent the blocks preventing the federal government from carrying out its aviation safety responsibilities, Stich exercised legal remedies in ways that had never before been done. He acted as an independent counsel, conducting hearings to obtain testimony and additional evidence that showed the deep-seated corruption in the government's aviation safety offices that enabled many preventable aviation tragedies to occur.

The events of September 11, 2001, would be one-day's consequences of these serious matters. Forty years of fatal hijackings, easily prevented if the FAA had carried out its aviation safety responsibilities, are scandals that no government agency or media will address.

Unable to correct the deep-seated corruption, Stich left government services and then engaged in other activities seeking to publicize and force corrective actions. Like a magnet, these activities caused other former and present government agents and insiders to provide him with additional information and evidence of corruption in government offices far beyond the aviation field. These were agents from the CIA, DEA, DIA, FBI, Customs, Secret Service, drug smugglers, and organized crime figures.

Trojan Horse Corruption and David Versus Battles

The magnitude of the corrupt and Trojan horse-like criminal and subversive activities, and the harm resulting from them, caused Stich to spend the remainder of his life fighting the escalating corruption in the three branches of government. He engaged in years of escalating David versus Goliath battles to protect national interests and halt the harm being inflicted upon the

people. No other government agent, or whistleblower, revealing hardcore corruption in government offices, had suffered great personal and financial harm from efforts taken to silence him.

Over 3,000 Radio and Television Appearances

He has appeared as guest and expert on over 3,000 radio and television shows since 1978, throughout the United States and in Canada, Mexico, and Europe. He published numerous books, including multiple editions of *Unfriendly Skies*, *Defrauding America*, *Drugging America*, *Terrorism Against America*, and *Lawyers and Judges—America's Trojan Horses*.

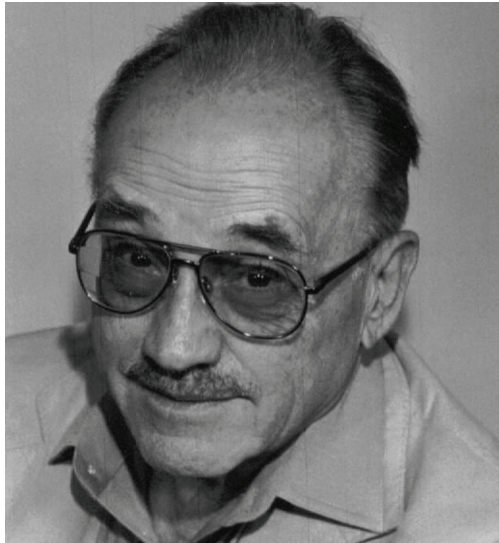
In addition, Stich was a successful entrepreneur, having acquired and developed over \$10 million in real estate properties.

The detailed information in these books reveal a pattern of deep-seated corruption in the three branches of government that played key roles in the success of the terrorists on September 11, 2001, and is responsible for many areas of human tragedies, including the sham imprisonment of tens of thousands of men and women. That corruption is another form of terrorism that continues to inflict far more harm upon America and its people in a Trojan horse fashion.

This information he provides in these books can be the most valuable tool to fight the escalating destruction of the United States, its values, its institutions, and its people.

Fighting the vast deep-seated corruption in government offices by himself, Stich has paid a heavy personal and financial price for seeking to protect important national interests.

For more information put "Rodney Stich" into Internet search engines such as www.google.com. For more information about his various books, go to www.defraudingamerica.com and www.unfriendlyskies.com.



Blowback, 9/11, And Cover-Ups

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Early History of Fraud-Related Airline Disasters

Very few people remember the frequent occurrence of aviation disasters, including aircraft hijackings, occurring in the later half of the Twentieth Century. And virtually no one knows of the deep-seated corruption in the government's aviation safety offices that caused or made them possible. And virtually no one realizes the blowback consequences of what happened in the past that made possible the hijackings of 9/11.

In my book, *Unfriendly Skies*, I detail and document these problems, as I initially discovered them while holding a key position in the government's aviation safety offices. It is the cover-up of this misconduct that has brought about such tragedies as those of 9/11 and others that are not recognized for what they are by the people.

Over a period of years as I discovered corruption in other government offices and covert government operations, I wrote and document the misconduct in other books. Each book addresses the corruption in certain areas of government, as reflected by the book titles.

The "Butterfly Effect"

One of these crashes was a United Airlines DC-8 that crashed into the Brooklyn borough of New York City, approximately one mile from where the World Trade Center was later built. That early United Airlines crash and the crashing of a United Airlines jet into the World Trade Center on 9/11 is a classic example of the "butterfly effect."

Symbiotic Corruption Between United Airlines and FAA

After I was asked to take on an assignment to correct serious aviation safety problems and had started on that assignment I soon learned the nature and details of the problems. At United Airlines there was considerable fraud perpetrated by key people involvement massive violations of federally required safety practices and criminal falsification of government-required records to cover up for the violations. This fraud caused and enabled many crashes to occur that killed many people.

Compounding the deadly misconduct at United Airlines was the mis-

conduct of FAA management that blocked federal inspectors from performing their safety duties, thereby preventing the federal government from meeting its safety responsibilities.

This misconduct prevented corrective and preventative measures from being taken and affected all of aviation, including refusal to order the simple and inexpensive preventative measures that would have halted fifty years of hijackings, some of which ended fatally.

Federal aviation safety agents were told not to report unsafe or illegal conditions, and when inspectors did report them, the official reports would either be destroyed or given back to the inspectors with a warning that these were not wanted; they would make the office look bad when there was a crash. Of course, the intent of their positions was to act on safety problems so the crashes would not occur. But there were various reasons for not acting.

Safety agents who took corrective actions as required, including making the reports, would be removed from their assignment, given menial tasks that prevented them from their intended safety functions, petty harassment actions would be taken, and other petty conduct.

Inspectors exposed to these conditions had several options: transfer to another office; look the other way and report or attempt to correct the problems; or participated in the misconduct and became as they say, part of the team. Those who tried to perform their legal tasks were accused of not being on the team.

I made many reports of the safety problems and safety violations that I discovered. Many of these reports, which were official government documents, were either destroyed or given back to me with the warning that these reports were not wanted. The deadly problems then continued, along with the expected federal crashes. Working within the system was not possible, as the culture was throughout the operations section of the FAA, with cooperation of the legal department and the administrator.

For various reasons, United Airlines had considerable control of the FAA. They had members of Congress put additional pressure on the FAA when certain safety inspectors reported the safety violations or criminal falsification of safety records.

Exposed to these conditions, in an act of desperation brought on by the arrogance and deaths, I exercised the law in such a manner that I acted as an independent prosecutor for about six months. I conduct hearings, obtained testimony and additional government documents, that proved my charges of deep-seated corruption within the FAA and its relationship to a series of specific airline crashes.

During these hearings two other major airline crashes occurred which were in my immediate area of federal aviation safety responsibilities and which were caused by the very same safety problems that I had reported in writing and which were blocked from being corrected by FAA management.

A 4000-page hearing record documented the testimony and evidence.

Never in the history of the government's aviation safety offices had such an event occurred, where a safety agent became an independent prosecutor to correct the deadly corruption. The hearing was followed by the usual cover-up.

I reported my concerns and offered my evidence to the political board members of the National Transportation Safety Board (NTSB). Under law, they had a responsibility to investigate my charges. I discovered that other safety inspectors had already notified them of the serious problems and that they had refused to respond.

The NTSB saw the consequences of the misconduct and their refusal to act in two recent air disasters, one of which was a United Airlines DC-8 that crashed into New York City, the world's worst air disaster at that time. The occurrence of these two crashes, plus others, caused the FAA to ask me to volunteer for that air safety assignment, which I "foolishly" accepted, and have paid a grave price to this very day.

By refusing to act, as they were required to do under law, the NTSB became criminally complicit with the perpetrators. In addition, the continuation of the air safety problems and violations caused the expected crashes to continue, forcing the NTSB to cover up for the FAA corruption but also its own cover-up role.

As a federal air safety agent, I reported the federal offenses to the FBI and other divisions of the U.S. Department of Justice. Their response was the usual cover-up.

Members of Congress had oversight responsibilities over the FAA, so; I made many of them aware of the FAA problems and the related crashes. Another cover-up. I sent complaints to the General Accounting Office, which conducts investigations for Congress. Another stonewall.

I felt that the nature of the misconduct and the many related deaths were so great that no one wanted these matters to become known. However, in later years when I discovered serious misconduct in other government offices—including drug smuggling by personnel assigned to the CIA—I discovered the same congressional cover-ups and refusal to respond. Eventually I came to the conclusion that no matter how grave the misconduct in government offices, no matter how much harm was being inflicted upon innocent people and national security, it was virtually impossible to get them to receive the evidence. Of course, this met the definition of obstruction of justice under the federal crime reporting statute, 18 U.S.C. § 4.

Leaving Government Service

A combination of factors caused me to resign from government service. For one, I refused to work under the corrupt conditions that had such a deadly effect. I had real estate in California that I acquired as an airline pilot and could develop into a source of income. For most FAA inspectors, they did not have this financial alternative, and decided to live with the problem

or transfer to another office where the internal FAA problems were more manageable. Also, most airlines had a relatively good compliance with safety requirements, quite contrary to the culture at United Airlines at its training base in Denver.

Continuing Culture and Continuing Crashes

The crashes due to the unsafe practices continued to occur, at United Airlines and elsewhere. While building up my real estate investments I simultaneously continued to send letters to members of Congress and to the media offering to provide evidence of the deep-seated problems. None accepted.

I decided to use other means. Federal statutes provide certain opportunities and certain responsibilities relating to federal crimes. The federal crime reporting statute¹ requires that anyone who knows of a federal crime must promptly report it to a federal judge, or other federal officer. And if he or she doesn't, that person is guilty of the crime of cover-up, or in legal terms, misprision of a felony.

Another federal statute² provides any citizen the *right* to file a federal action seeking an order to force a federal official to comply with the law and cease his or her unlawful conduct.

In the early 1980s, I filed several federal actions under these statutes in the U.S. district courts at San Francisco, against the FAA and NTSB. In the first two actions district court and then appellate court judges acknowledged the gravity of my charges but held that it was the responsibility of Congress to investigate.

True, it was the responsibility of Congress to *investigate* (as it was the FBI and other Justice Department divisions. However, I wasn't expecting federal judges to investigate; I was merely meeting my legal duty to *report* the federal crimes, which would have made a record and which would have required federal judges to pass the information on to the proper government office. It *was* a congressional responsibility to take action, and I stated that every member of Congress to whom I sought to provide the evidence refused to receive it.

In addition to the federal judge's responsibility to receive the information of a federal crime, under the clear wording of the federal crime reporting statute, he or she must receive the information as part of the judge's administrative or ministerial duties. They didn't have the judicial discretion to block a person from making the reports to a federal judge.

They also had a clear duty to receive my evidence to determine whether

¹ Title 18 USC § 4. Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

² Title 28 U.S.C. § 1361. Action to compel an officer of the United States to perform his duty.

to issue an order, as provided by 28 U.S.C. § 1361, requiring a federal official to perform a mandatory duty and to halt unlawful conduct.

Refusal by federal judges to act would knowingly continue the corruption I was seeking to report and would continue the related deadly aviation disasters. The deadly consequences did subsequently continue.

Complicity of Supreme Court Justices

Because federal judges were obstructing justice, I filed “appeals” with the U.S. Supreme Court, making the Justices aware of these matters. Justices have supervisory responsibilities over the actions of federal judges, and also have responsibilities under the federal crime reporting statutes to receive this information. Their cover-ups are a matter of judicial records.

Circumventing the Cover-ups

I then used my assets to fund other activities seeking to expose these matters. I wrote and published information books to inform people of these matters, with the hope that there would be a few who would show outrage, forcing corrective actions. I also started appearing as a guest and expert on the first of over 3,000 radio and television shows. The first of these shows focused on the misconduct in government offices and the relationship to preventable airline crashes. Later shows would expose the corruption in other government offices and government operations.

In the second edition of *Unfriendly Skies*, which came out in 1981, I named the federal judges who blocked the reporting of these matters and identified the deadly consequences of their conduct. I started traveling to distant cities to appear on hundreds of radio and television shows, using my twin-engine aircraft. The combination of the books and my appearances threatened to expose people directly involved in the corrupt activities and those involved in criminal cover-ups.

Other Government Agents Provided Evidence of Corruption

Starting in the mid-1980s, other government agents started contacting me and providing information and documentation on other forms of corruption that they either discovered or in which they became involved. These agents were from the FBI, DEA, FAA, Customs, Secret Service, CIA, including and elsewhere.

Under the federal crime reporting statute, I must promptly report these crimes to a federal judge or other federal official. However, these were crimes of people in key government positions, which were already known to Justice Department personnel, and members of Congress did not wish to confront such powerful forces.

In 1986 I filed papers in the U.S. district courts at Sacramento, California, requesting that my sources and I be allowed to testify and present evidence. By this time the areas of corruption were in other government offices and in covert government operations.

Continuation of Judicial Cover-ups

Federal judges were now openly hostile to my attempts to report corrup-

tion in key government offices. Federal judges refused to allow me to proceed, dismissing the federal filings almost as soon as they were filed. Two of the federal judges³ entered unlawful and unconstitutional orders barring me for the remainder of my life from accessing federal courts. These orders also terminated for me all the rights and protections guaranteed under the laws and Constitution of the United States, and are still in effect at this time.

As the severity of the evidence provided to me included additional areas of criminal activities, I again exercised my duty, and my right, and attempted to report these matters to a federal judge. The same judges who entered the orders terminating my right to federal court then, with the assistance of federal prosecutors, charged me with criminal contempt of court. They sought to have me imprisoned for two years. I was denied a jury trial and at the age of 67, sentenced to six months in federal prison. From 1987 to 1995, I was constantly under charges of criminal contempt of court.

Sentenced to Federal Prison for Attempting to Report Criminal Activities Later Responsible for Hijacking Four Airliners

Ironically, I was sentenced to prison for attempting to report corruption in federal government that was continually resulting in deadly tragedies and in some areas inflicting great harm upon national security. Some years later, these same problems would make possible catastrophic events on September 11, 2001. This relationship would make an ideal cause and relationship setting, blowback example, or the “butterfly effect.”

Documented Judicial Crimes

The block to reporting criminal activities was a felony 18 U.S.C. §§ 2, 3, and 4. The retaliation against a former federal agent or witness for seeking to report federal crimes was a felony under Title 18 U.S.C. §§ 35, 111, 153, 241, 242, 245(b)(1)(B), 246, 371, 1341, 1343, 1503, 1505, 1512, 1513(b), 1515(a). Conspiracy to obstruct justice is also a federal crime.

Legal Fraternity Heavily Involved in Cover-ups

In 1982, shortly after the second edition of *Unfriendly Skies* was published that exposed the complicity of federal judges a scheme was concocted using the CIA-front law firm of Friedman, Sloan and Ross, to halt my exposure activities. The details of this scheme are in the latest edition of *Unfriendly Skies*. Their involvement was through sham legal actions that violated many state and federal laws, which constituted violations of federally protected rights, for which defenses exist in federal law. By terminating my right to file papers in federal courts, federal judges were protecting the CIA-front law firm whose actions were parallel attempts to block the reporting of the criminal activities. The function of the sham CIA sham lawsuits was to strip me of the assets that funded my expensive exposure activities.

Role of Members of Congress in Defrauding America

I first contacted members of Congress while I held federal air safety re-

³ U.S. district judges Marilyn Patel (San Francisco); Milton Schwartz (Sacramento).

sponsibilities during the time when airline crashes were occurring in my areas of responsibilities, seeking to provide evidence of misconduct that was in their area of oversight responsibilities. These crashes included the United Airlines DC-8 crash into New York City that was the world's worst air disaster at that time, and for which I had the primary government safety responsibilities shortly after it happened.

Once the congressional cover-ups started, which enabled the preventable crashes to continue—including the long line of preventable hijackings—it became necessary to continue the cover-up to protect the key players in that system. This culture in Congress would later include other areas of corruption that had and continue to inflict great harm upon vital national interests. I was offering to provide my testimony and government documents, and offering the testimony of other government agents.

Federal Aviation Safety Inspectors Had Been Blocked From Performing Their Aviation Safety Duties at Alaska Airlines

For years prior to the Alaskan Airlines crash, FAA inspectors were reporting the culture of contempt for federal air safety requirements and the culture of FAA management blocking inspectors from performing their air safety duties. Mary Rose Diefenderfer was one of those inspectors, and held the position of Principle Operations Inspector (POI).

Mary Rose had worked for the FAA for 12 years until she was forced to quit when FAA management repeatedly harassed her in retaliation for her reports on air safety problems. Prior to going with the FAA she was an airline pilot.

Her story of major problems within the FAA that played a key role in the conditions causing the deaths of 88 people received virtually no attention. Even the NTSB covered up for these serious problems when they issued their report on the crash—duplicating what I discovered as an FAA inspector.

The following are extracts from documents that Mary Rose Diefenderfer wrote, including a 24-page statement to the NTSB to use in their investigation of Alaska airlines Flight 2611:

I was forced to reveal government corruption involving selective safety oversight of this airline, and safety problems ignored by FAA management. My commitment to public safety resulted in my being forced out of the FAA.

During a four-year period my team of inspectors and I identified many safety infractions at our assigned airline, ranging from falsification of records and inadequate training, to unsafe flight procedures and failure to document mechanical discrepancies. Time, observation, and responsible investigation clearly identified an increasing negative safety trend, one that indicated a potential airline disaster if not aggressively corrected. Everybody up to and including the FAA Administrator was provided with numerous reports detailing the problems we identified.

When these facts and the trends were reported within the agency, the FAA management disregarded the accident potential, choosing to react instead to the airline reports of “problem” inspectors. We were reported as troublemakers. FAA management vowed to “fix” the inspectors. Instead of addressing the safety problems, they labeled us “disgruntled” employees. Eventually the FAA removed three inspectors, including myself, from oversight of Alaskan Airlines, and replaced us with less “energetic” employees. These employees understood that career survival required silence about the major safety issues.

After finding safety problems, I was told I was not a “team player,” I was a “problem,” and I “caused too much work.” I was told I could not make safety reports, a mandate under federal law. Politics overrules safety.

Mary Rose describes FAA management officials holding safety oversight responsibilities for Alaskan Airlines while holding an employment contract with the same company. She described Alaskan Airlines management personnel and former FAA management officials demanding to allow passenger flights over vast stretches of ocean in Alaska without life rafts, to where passenger survival in case of aircraft ditching would be out of the question, and threats if she did not approve the demand.

She describes FAA management attacks upon her when she reported falsification of training records, of maintenance records, non-compliance with mandatory and important federal air safety requirements. She described repeated instances of FAA management retaliation against federal air safety inspectors who reported safety problems. She described being told she was “not on the team,” with increasing the workload of the office and FAA management, by making the reports of safety problems. She described the practice of Alaskan Airlines officials complaining to FAA management about FAA inspectors, a dangerous practice encouraged by FAA management, showing the airline that it could ignore federal air safety requirements.

She reported FAA management repeatedly telling her and other inspectors that Alaskan Airlines was the FAA’s customer and to give them what they wanted, meaning to ignore federal air safety requirements.

She described the complete lack of support by FAA management personnel for FAA inspectors, preventing the federal government from meeting its air safety responsibilities. She described the practice of Alaskan Airlines pilots routinely descending below instrument approach minimums at Dutch Harbor in Alaska, which endangers the flights and the cause of many aviation crashes.

She reported these problems before the 88 people died in the Alaskan Airlines crash off the coast of California, another consequence of the deep-seated arrogance and corruption within the government’s air safety offices.

The endemic problems that she found in the Northwestern Region of the FAA were similar to what I discovered in the Western Region, although

there were many more crashes associated with what I encountered.

Similar Complaints from FAA Security Chief

A short but significant comment appeared in the June 2002 issue of *Business and Commercial Aviation* by Billie Vincent, a former FAA chief of security, as excerpted from *Playboy*:

It's a sick organization, and you survive in that environment by not making any waves. The mediocre survive. They go along to get along.

Another Slant to Internal FAA Problems

In addition to the deadly problems that I encountered while a federal air safety inspector was the placement of politically correct people in key management positions, people who lacked the background to perform their air safety responsibilities but whose selection garnered votes for that particular sex or race. I had been told of this problem by FAA and NTSB personnel. One source, Richard Russell, an old timer in the FAA, wrote about this problem in a media article and then was subjected to so much harassment by FAA management that he took early retirement. In a letter to me in January 2002 he wrote, "Here are excerpts of my letter to several of my elected officials, Senators and Congressmen, in 1996. Is it no wonder "we" are in the predicament that we are in now?" The letter follows:

I write you because you have demonstrated your interest in aviation safety and the improvement of same for the traveling public. However, there remains much to be done, as there are too many unqualified and inept individuals in policy and regulatory management positions with the FAA. That MUST change if we are to have the best and safest air transportation system in the free world.

Having had over 40 years of "hands on" aviation experience, including a tour at 800 Independence Avenue [Washington], I believe I am qualified to speak with some authority. One cannot continue to try and make chicken salad out of chicken droppings! To continue to perpetuate the fraud on America known as diversity and affirmative action is degrading aviation safety at an alarming rate!

The Director of the Mike Monroney Aeronautical Center in Oklahoma City seems proud that her degree in fashion design qualifies her to oversee and attempt to manage all logistics activities, flight inspection and training for the FAA. She previously held various clerical and administrative positions more commensurate with her background, which DOES NOT include any real world aviation experience such as one might gain as a pilot, mechanic, or airline manager. She can hardly spell airline let alone understand the criteria for qualification as a pilot or mechanic! Her assistant is an engineer, NOT aeronautical, and has climbed the ladder of "success" in the FAA bureaucracy due to the circles one travels rather than becoming the best qualified to manage safety activities.

The government has perpetuated fraud upon the American public

through the diversity efforts to move women and minorities upward into senior management positions these past 10 years! It is a travesty that one should have to witness better qualified and experienced individuals fall by the wayside and be discriminated against because “they” are truly the best qualified and trained and in most instances better educated. Broderick once made the statement to the gathered FSDO managers of the FAA (1991) that look around you and in less than 4 years this group will be 50 percent female or minorities, not that 50 percent of this group will exhibit the best qualifications we can find to assume management positions to ensure the highest level of safety for the traveling public.

The government continues to place inept, unqualified individuals in positions of great responsibility to satisfy marks on the bark rather than efficient and safety while maintaining integrity and credibility with the American public.

How true! And the public repeatedly pays for it, and on a particular fateful day on September 11, 2001, they will *really* pay for it!

These problems are endemic throughout government and a reflection on the culture in the United States that contributes to the unrecognized deterioration of the United States as a nation.

An example of many other instances of this type of decay is found in the affidavit prepared by former U.S. Customs Service agent Darlene Fitzgerald-Catalan on September 18, 2001. Excerpts from her affidavit follows:

In October 1999, I resigned from the U.S. Customs Service, after having been subjected to retaliation, intimidation, threats, and harassment on an enormous scale. This abusive treatment was the result of becoming a witness ... as well as being a whistleblower to corruption I identified. I left only because I honestly felt that I had no choice, and refused to work for people in this agency that were worse than the people I had put in jail.

It is important to note that prior to my whistle blowing activities I had completed over nine years of excellent service with U.S. Customs. Additionally, I was an honorably discharged, decorated veteran (Captain) with the U.S. Army Military Police Corps

The remainder of her six-page affidavit described how certain management officials in U.S. Customs repeatedly blocked the inspection of rail cars from Mexico suspected of carrying drugs, and which were potential means for terrorists to smuggle nuclear or other material into the United States and to be parked and detonated within city limits. Details and wording of this shocking affidavit is included with the latest edition of *Drugging America*.

Cover-ups by every government check and balance would continue this culture and the brutal consequences, and within a few years this culture—and the cover-ups, would make possible the world’s greatest series of related air disasters occurring in a single day.

Thinking Back to My Earliest Efforts to Expose Corruption

As crashes continued to occur in my immediate area of federal air safety responsibilities, and after I had been forcibly transferred away from the airline aviation safety responsibilities, and transferred to Oklahoma City, I continued my efforts to make others aware of these matters.

While working at the aeronautical center I met a former FAA lawyer with whom I worked in the Los Angeles area; John Graziano. He was now legal counsel in charge of Security and Compliance for the FAA training center. He knew of the internal FAA problems and my attempts to expose them. During our first conversation Graziano stated, “Rod, please, don’t do anything here until I can get away; I don’t want to get involved.”

“The main victims are our own citizens.”

Senator Gaylord Nelson stated in a Congressional speech that there is “an alarming trend in this country toward the use of police-state tactics ... assurances [from Government agencies] it now appears, were lies ... The worst thing about all of these tactics is that the main victims are our own citizens.” Nelson couldn’t be bothered when I advised him of government-funded corruption in the air safety field.

“Crisis of Confidence Rocks Capital; Nobody Knows who’s Telling the Truth,” captioned a James Reston column. Describing the housecleaning needed in Congress, the *National Observer* stated: “In Paris, *Le Monde* editorialized that not a day passes any more but that the most moderate American press catches the President or his collaborators in the flagrant act of lying.”

The lying they were addressing was in the junior league compared to what it had become by the time this book was written.

Arrogance of Those in Government Offices

Conducting hearings into government misconduct, Senator Sam Ervin stated, “In all of our investigations, I have never seen anything to equal the outrage and indignation from government employees, their families and their friends.” Senator Ervin, a former Supreme Court judge in his home state, was an astute investigator, especially of criminal misconduct. He understood the evidence I presented to him, but he refused to act on it.

Writing of government’s brutality toward its own employees, reflecting its attitude toward the public, Joseph Yount wrote in a *Washington Star* article:

One of the most insidious factors [within government] of involuntary retirements is that many of them are based on mental disability charges ... Employees charge that they have been involuntarily removed through this procedure ... because they dared criticize the way things were being run in their office. Others are threatened with such actions if they don’t stay in line.

In one instance, Senator John Williams rushed to the rescue of a government employee who refused to remain quiet when the Billie Sol Estes scandal in

the mid-1960s threatened to implicate President Johnson and other government officials.

Senator Williams said, "She was railroaded to a mental institution because she knew too much" about the Estes scandal; she was "guilty of nothing other than refusing to cooperate in covering up the corruption." Robert Kennedy held the post of Attorney General while his Department of Justice legal goons dragged this woman to a mental institution.

"Vast powers of the government..."

In *The Pentagon*, author Clark Mollenhoff speaks of the political maneuvering and coercion by government, of how their threat to close key military bases, awarding or denying multi-million dollar contracts, can impose the will of Government on industry and others. He explained, "the vast powers of the government to keep powerful congressmen in line and to keep others from complaining" kept many from exposing corruption by federal officials.

Initial Obstruction of Justice by Justice Department personnel

My initial exposure to the obstruction of justice by Justice Department personnel occurred while I was still a federal agent attempting to report deadly criminal misconduct that I had discovered while holding a government position that authorized me to make such determination. However, as years passed, the misconduct constituting criminal obstruction of justice became far worse.

My first encounter was with the U.S. Attorney in Denver where the criminal acts occurred. He stonewalled me. After I changed my residence to Oklahoma, I filed a complaint with the U.S. Attorney in Oklahoma City, describing the criminal acts occurring in Denver, identifying myself as a government employee, and briefly described the specific criminal acts, including the association with several recent airline disasters occurring in my area of government aviation safety responsibilities.

The stonewalling continued. The U.S. Attorney responded: "The matter you complained of occurred in Denver, it seems unlikely that any action by this office would be appropriate. However, we are double checking our own judgment on this with our superiors."

A private citizen does not have to run to the far corners of the country to report federal crimes. The local U.S. Attorney is responsible for making the *initial* investigation and then coordinating it with the U.S. Attorney at Denver. Apparently the Justice Department sought to stonewall me and gave me phony excuses for not investigating what would be the free world's worst ongoing air disaster scandal. This stonewalling, or felony cover-up, continues to this day.

When I received no reply I wrote again: "It is now almost five weeks since I submitted to your office charges of criminal acts gravely involved in air carrier safety. Is it possible that your office has no interest in this serious matter involving the public's welfare. I think we both realize the govern-

ment scandal that would be uncovered if the material that you have is actually true.” Again, no answer.

A month later I wrote again, explaining the urgency of the matter and stating that irregularities “would have a very important effect upon aviation safety, and delay can have a very adverse effect.” No answer. I then wrote to the office of the U.S. Attorney in Washington, addressing it to Alfred Hantman, Chief of the Criminal Division. He wrote back:

Please be advised that your letter of September 14, 1966, directed to the United States attorney in this jurisdiction, and relative to certain allegations of perjury committed by unidentified persons in connection with a Government safety hearing, has been referred to the Department of Justice for its consideration.

At that time I had not provided the Justice Department with any evidence. A valid investigation, if they did not already know of the crimes, required that I am contacted and a thorough examination made of the evidence in my possession, along with a detailed explanation of its significance.

I wrote again on October 9th, and then on October 30th, explaining to the Department of Justice the gravity of the matter, and offering to produce my supporting data. I described additional fatal crashes that occurred after I made my initial charges to the Justice Department, constituting greater proof of the consequences. Here I was, a government safety investigator, holding the responsibility to make such determinations, with evidence of a national crime defrauding the United States, and the Justice Department, responsible to investigate and prosecute the crimes, refused to look at my evidence. Getting no answers from the Department of Justice, I sent a certified letter to FBI Director J. Edgar Hoover, stating in part:

Possibly I should have made this request sooner [for an FBI investigation of my allegations] but I had expected other government agencies to act, who are now involved in the crime themselves. I also was not completely aware of the responsibilities specifically delegated to your bureau until analyzing the Government Organization Manual, Executive Order 10450 and other material.

I am requesting an investigation into the crimes of perjury, criminal misconduct, by government personnel, especially as it preceded the tragic and expected cremation of 43 passengers at Salt Lake City from ... forcibly continued unsafe and unlawful conditions. Unfortunately, we are beyond the point of euphemistic platitudes, and immediate corrective actions, not whitewash, is required. The affront upon the public's welfare cannot continue ... I really think that at least one government agency should finally respond to this serious condition and its responsibilities before the public is made aware of the crime. Naturally, I am the one person with the information of the crime. May I have an acknowledgement from your bureau of this letter and of its intentions, Mr. Hoover?

In the meantime, Hantman replied: "I feel certain that the Department of Justice will take whatever action may be necessary in connection with the information you have heretofore furnished." Five months later, the Justice Department still had not contacted me for the details of my serious charges. I wondered about the effectiveness of the Justice Department for such threats as posed by terrorists and other criminals.

"Why Were the Crimes Committed?"

FBI agent Don Sloatt made a brief visit to me at my Oklahoma City home. He explained that the purpose of his call was to make an initial contact to determine the general nature of my allegations. He stated that it wasn't an investigative or fact-finding visit. He didn't look at my evidence, or go into any specifics.

His visit was clearly to discourage me from pursuing the exposure activities. Sloatt stated that the FBI could not take action on government corruption unless they knew the reason for the crimes. "This is asinine," I retorted. "Giving the reason for the crime, much less proving it, would be virtually impossible. This requires looking into a person's inner thought processes." I added: "Your position is synonymous to a policeman standing indifferent as a crime is committed because he doesn't know the *reason* for the attack!"

Not one of the Federal criminal laws provide that criminal acts go unpunished because the *reason* for the crime is unknown. On the contrary, federal statutes and case law make it clear that the reason for the crimes being committed is immaterial. Sloatt then tried to justify FBI inactivity on the basis that the accident rate wasn't very high. I hardly think Sloatt was an expert or authority on air safety. I replied, "The facts speak otherwise. Besides, that has *nothing* to do with the prosecution of the criminal acts." If the number of holdups, or rapes, is not high in a particular community, that doesn't excuse the crimes that are committed.

Request for a Justice Department Investigation

Sloatt tried to discourage my exposure activities. But recognizing that I wasn't buying his position, he stated: "This appears to be a matter for our fraud division to investigate. I'll recommend that the Justice Department conduct further investigations."

Before leaving, Sloatt asked me to submit a letter outlining the general allegations in more detail, which I did. The silent treatment continued. I wrote directly to FBI Director J. Edgar Hoover, stating in part:

My previous letter of October 31st made reference to what I considered to be a serious crime within government that is ... creating aviation chaos with one example being the intimate association with the Salt Lake City crash of November 11, 1965. To this date I have not been contacted for the details and evidence that I possess except for a brief discussion with a local FBI agent who of course wasn't equipped for conducting the intensive investigation ... the public is getting the short end

of this failure to investigate.

Hoover never responded. In a later speech, Hoover later said: “The best way to solve the crime problem is by swift detection, prompt prosecution and sure punishment.”

Again, while still employed by the Federal Aviation Agency, I tried to obtain a response from Hoover, stating in my certified letter: “To this date the Federal Bureau of Investigation has never once contacted me for the specifics of the alleged crime that I brought to its attention, or looked over any of my myriad evidence, facts, and other material pertaining to my allegations.”

FBI Obstruction of Justice

Referring to the felonious FBI cover-up, I stated: “If the crime actually exists, and it certainly does, then we have the added problem of the felony of harboring the crime which would be attached to anyone knowing of it and refusing to bring it to immediate justice.” I was referring to Hoover’s cover-up. [Years later it would be revealed that Hoover was covering up for FBI special agents in Boston protecting criminals involved in systematic murders, including the murders of government informants revealed by FBI agents.]

I had been naive, thinking that all I really had to do was present evidence of the FAA corruption, the related deaths, and that the Justice Department would swing into action. What especially bothered me was that they knew the serious FAA corruption would continue if a full-blown exposure did not occur and that the slaughter in preventable air tragedies would also continue.

I seemingly ran out of Federal agencies to whom I could appeal. I also hadn’t done well with the legislative branch, but I kept trying. I contacted Representative Jerome Waldie and explained the problem to him. (I was formerly a resident of California before I moved to Colorado and then to Oklahoma, and on that basis sought Waldie’s help.) I described the FBI cover-up and requested that Waldie obtain an explanation from Hoover, and this was done

Hoover’s Confidential Reply

Hoover’s reply to Waldie’s letter asked that Waldie keep it confidential. Hoover stated that the FBI had contacted me and conducted an interview with me. Hoover wrote:

I have received your letter of February 10th, and copies of official communications written by Mr. Rodney F. Stich. However, I did not receive the letter sent to you by this individual. In response to your inquiry and for your confidential information, Mr. Stich has been interviewed by a representative of this Bureau. Mr. Stich has also corresponded with this Bureau, and based upon the data he has set forth there has been no violation of Federal law coming within the investigative jurisdiction of the FBI.

Criminal Cover-up by the Famed Head of the FBI

The FBI never asked for my evidence, and they never received any. The FBI received my serious allegations, and never pursued the matter any further. They stonewalled me. Hoover lied when he stated that the FBI contacted me, and looked at my evidence. Under these conditions, it is understandable that Hoover requested his letter to Waldie remain confidential. But by error or otherwise, Waldie sent me a copy.

Who's Lying—Hoover or Me?

I replied to Waldie's letter, describing the discrepancies in Hoover's letter, and asked that Waldie pursue the contradiction that had serious implications. Waldie replied:

Although I have read and re-read your letters of March 12th and March 14th, I still cannot overcome the hurdle of J. Edgar Hoover's letter to me of February 27th. The only way that I will feel free to precede on this matter is to assume that Mr. Hoover is misinforming me as to the fact that his agency has examined your material and has concluded that no violation of Federal law occurred. I am not willing to make that assumption. I am returning for your file, the information you have heretofore forwarded me and regret that I am not able to be of further

National issues were involved. Life and death issues were involved. If the FBI was lying, and sacrificing the lives that would be lost, the scandal was that much worse. Rather than let the matter drop, I replied and asked Waldie to obtain from Hoover the specific data to support his investigative claims. I asked:

1. The date that the FBI alleges to have contacted me and examined my material, from which a determination was made that no violations of Federal laws were involved. The mere coverage of the multitude of Federal criminal, safety and Civil Service laws, for which the FBI has responsibility, would take at least several hours if not longer. There are at least eight criminal laws, a multitude of Federal safety laws, and Civil Service Commission regulations included in this area of responsibility.

2. What material was examined? There are 3500 pages of hearing records, hundreds of pages of correspondence, some of which would imply fraud in statements to Congressmen. These specific areas would require considerable explanation to provide any investigator with an understanding of the allegations. To examine these, it would take at the very minimum, one day, and probably longer. I hardly feel that my memory is so bad that I recall none of these actions taking place.

Waldie surely recognized the seriousness of the implications. In an apologetic manner he asked Hoover for this information. Hoover refused to provide the requested data, stating:

As indicated in my letter to you of February 27th, information which Mr. Stich has supplied the Bureau, both through correspondence and personal interview, has been considered and indicates no violation of Fed-

eral law within the investigative jurisdiction of the FBI.

Waldie wrote back: "I would now suggest that you proceed through a civil court action." A civil action is not an investigation of hard-core government corruption; the matter was so sensitive no lawyer would handle it; the cost to conduct such litigation would be in the hundreds of thousands of dollars; the civil litigation would not have the benefit of subpoena power; and it isn't my function to exercise the responsibilities for which members of the U.S. Senate and House are paid and entrusted to perform.

The FBI and the Department of Justice routinely prosecute in criminal proceedings offenses that are a fraction of those described within these pages. Thousands of lives would be lost over the years if my charges were true.

In a newsletter to his constituencies Waldie later wrote:

It is readily apparent that there is an overwhelming lack of confidence in the integrity of the Legislative Branch. My concern with this ... stems from a conviction that each of the three Branches of Government are experiencing a similar decline in the confidence of the general public, and if this is so, the Nation is deeply threatened because self-government simply cannot function unless respect for and confidence in its basic institutions exist among the governed.

"The Part Played by the FBI"

In order to place into the records the discrepancy between what Hoover had stated to Waldie as the basis for denying my allegations, and what I recognized as the true facts, I wrote again to Hoover, stating:

The purpose of this letter is to place into a single communication certain important facts known to both of us. The purpose being to clarify the conflicting facts between what you reported to Congressman Waldie, and what we both know to be the truth ... [government fraud] intimately associated with the deaths of airline passengers by willful misconduct. If these allegations and facts are true, the part played by the FBI is tragically manifest.

Hoover never replied to this strong letter from a government air safety investigator. Simultaneously, Hoover repeatedly appealed to the public to show concern about crime, and to report any crimes to the proper security departments. I did both, and encountered the crime of obstruction of justice by the FBI and Department of Justice.

Learning that Representative Waldie was to be one of seven Congressmen named to a newly created House Committee to conduct an investigation of crime in the United States, I wrote:

I understand you are one of seven named to newly created House committee to conduct an investigation of crime in the United States. The resolution as I understand it authorizes this committee, including you of course, to conduct a full and complete investigation and study of all aspects of crime in the nation ... I suppose you and FBI Director Hoover

would be working together, as you did when I requested your help in exposing the serious aviation and government fraud associated with the Salt Lake City and other air disasters. It pains me that so many aid and abet the conspirators in this crime that has left such horrendous human suffering in its wake. It further pains me that those who give comfort and aid to the guilty, those in public positions of trust, continue their pious-appearing roles.

Waldie never answered.

The criminal acts during the FAA Administrative hearing in Denver were the legal responsibility of the U.S. Attorney in Denver to investigate and prosecute. Since my residence at that time was in Oklahoma City, I filed a complaint with the U.S. Attorney in Oklahoma in 1965. In this complaint, filed under the responsibilities of federal criminal statutes, including Title 18 U.S.C. § 4 requiring a citizen to report federal crimes to a federal tribunal, I identified myself as a federal air safety investigator. I briefly described the criminal acts I uncovered as part of my official duties, in which I was authorized to make such determinations. I associated the criminal acts with the Salt Lake City crash, and requested that I be contacted so that I could submit my evidence and provide more detailed information.

The U.S. Attorney responded: "The matter you complained of occurred in Denver, it seems unlikely that any action by this office would be appropriate. However, we are double checking our own judgment on this with our superiors." That was the end of that.

I then made a written complaint to the U.S. Attorney at Denver. I identified myself as a government investigator, described the administrative hearing that occurred in his area of jurisdiction, and described the specific criminal acts.

U.S. Attorney Lawrence Henry replied: "We cannot see that this office has any jurisdiction whatsoever in the matter, and accordingly, are taking no action."

The U.S. Attorney in Oklahoma City held that it was Denver's responsibility. Denver held they had no responsibility. The Department and the FBI stonewalled me. I started out with an air disaster scandal, and now I had other scandals to deal with. Angered, I wrote back:

Your letter almost takes on the guise of a ploy to sidetrack your important responsibilities to the public in this matter that is taking the lives of airline passengers ... I suggest you correlate your letters with Oklahoma City as the United States attorney [at Oklahoma City] stated it was in your area [of responsibility].

Duty to Investigate and Prosecute

Responsibility to act is shown in part by Public Law 89-554, which states:

Each United States attorney, within his district, shall [investigate and] prosecute for all offenses against the United States." Additional respon-

sibilities are stated, and here we have a conflict: "Defend for the Government, all civil actions, suits or proceeding in which the United States is concerned.

The U.S. Attorney, like the Attorney General, is a political appointee, and although responsible for enforcing federal law, he is part of a vast political machine that routinely misuses the powers of the federal government to persecute and cover up.

Grand Jury Appearance

Unable to proceed through the nation's top law enforcement agencies, I circumvented the Justice Department's stonewalling, and notified the foreman of the Federal grand jury at Denver that I wanted to provide testimony of federal crimes related to several recent airline crashes that I discovered while a federal agent. The jury foreman then notified U.S. Attorney Henry to have me appear, and this he did. When the FAA refused to give me time off to appear before the grand jury, I wired the jury foreman, explaining the problem, and requested that the grand jury subpoena me to appear. The grand jury issued the subpoena.

Before leaving for the Federal grand jury appearance at Denver, I contacted lawyer Clyde Watts in Oklahoma City for legal guidance. He and lawyer Percy Foreman had defended General Walker, whom the federal government had incarcerated in a mental institution at the time of the early civil rights movement, to silence him. Watts listened attentively, but offered no encouragement. Recognizing the odds and the stacked deck I faced, he described the political facts of life.

Watts felt it was virtually impossible for me to win with the awesome power of government against me. It surprised him that the government hadn't made trumped-up psychiatric charges against me and had me locked up, or in some manner gotten rid of me. The psychiatric charges *had* been made by Stacy, but had stopped there when the doctor refused to cooperate with the scheme.

Watts described the false arrest of General Walker by the government, the General's placement in the federal prison at Springfield, and the difficulty in getting him released. The scheme used by government is to charge a person with a crime and arrest him or her. Then charge the person with a mental disorder, claiming they cannot stand trial, and then keep the person incarcerated in the prison hospital indefinitely. (In 1991 the Justice Department used this tactic against me as the scandal expanded beyond comprehension.)

According to Watts, the office of Attorney General is a vast and powerful political machine. He explained that it was an easy matter for United Airlines to influence government officials to take action against me, by making political contributions, or outright bribes. I thought of Attorney General Robert Kennedy's benevolent actions for United Airlines as he had the government assume much of the financial responsibility in the United New York

City crash.

Watts gave me some tips for my grand jury presentation, assuming that the U.S. Attorney would thwart my presentation. This I interpreted as tampering with the jury. Watts apologized for not being able to help me, advising that he had to appear before the United States Supreme Court on Walker's behalf the following week.

Tampering with a Federal Grand Jury

I received a cold reception from the grand jury. These laypersons are often unsophisticated and unaware of the political role of the U.S. Attorney. They function as a jury only with the direction and guidance of the U.S. Attorney. In the complex matters I brought to their attention, they would not act unless advised to do so by the same U.S. Attorney who covered up for the multi-faceted corruption.

A *Wall Street Journal* article dated August 11, 1989 described this control by the U.S. Attorney over the average unsophisticated jury member: "Prosecutors can get grand juries to indict a ham sandwich, the old adage runs."

Although I was ready to present my charges and some of the supporting documents, the U.S. Attorney stopped me, demanding to know the specific Federal statutes that pertained to the various criminal acts that were violated. He wanted the title and section of the criminal code pertaining to fraud, perjury, conspiracy and subordination of perjury, among others.

Surely the U.S. Attorney knew these numbers from constantly working with the particular statutes. It was a delaying tactic, obstructing my testimony before this federal grand jury. I just happened to have the numbers, but when I presented them to the Lawyer, he showed no interest and didn't even write them down. The U.S. Attorney was obviously blocking my reporting of federal crimes, which is a crime by itself.⁴

The U.S. Attorney took the position that would be parallel to a police agency refusing to respond to a robbery call, on the basis the caller couldn't cite the statute that was violated.

I learned that the U.S. Attorney had arranged for the FAA's Executive Director, William Jennings, to appear before the grand jury the day before I arrived. Jennings was a key part of the criminal cover-up, and the Justice Department must have used him to counteract my subsequent testimony.

It became obvious that certain vocal grand jury members didn't want to hear my allegations, or even to look at any of my supporting evidence. It was as if they were shills, under the control of the U.S. Attorney. The hostility of both the U.S. Attorney and these key jury members reflected jury tampering and obstruction of justice. My testimony and evidence were obviously not wanted, and the proceedings took on the bizarre air of a free-for-all proceeding.

⁴ Title 18 U.S.C. § 2, 3, 1505, 1512, 1513.

Aggravated and disgusted at this spectacle, irritated that the U.S. Attorney would tamper with a grand jury hearing, I rose, closed my briefcase, and said:

I have evidence here of a major aviation and government crime that is being openly harbored and protected, a crime undertaken by government personnel in positions of trust, realizing that death would occur. Death did occur, at Salt Lake City, in a United Airlines crash. Today, a former airline captain living here in Denver, is the scapegoat to protect the guilty in government.

As I started to gather my mound of documents into my two briefcases, the jury disbanded. But a few came over to me as I was packing. "There must be something behind all this," one elderly woman said to me.

"I wouldn't be here if there wasn't," I replied.

Another jury member stated, "I admire you for trying; we need more like you."

Their statements did not reflect the jury's actions. But the jury acted primarily as advised and guided by the U.S. Attorney, who in turn acted upon the advice of the Department of Justice in Washington. There was no way I could succeed in this approach. I had to find still some other way to achieve an exposure.

In *The FBI Nobody Knows*, Fred J. Cook said of this feared government bureau: "An autocracy that was superior to and above the law it was supposed to serve; an autocracy so powerful, so unchallengeable, that it intimidated, if at times it did not actually terrify, even senators and congressmen."

Possibly this fear was one of the reasons many Congressmen shied away from this scandal. The FBI could destroy a political career by simply announcing that an investigation was occurring of a particular member of Congress. Worse, they could fabricate charges, and convert an otherwise legal and normal activity into a crime. Conspiracy and misprision of felonies are excellent examples of the tactics used to imprison thousands of American citizens.

Examples include numerous members of Congress, including Senator Robert Torricelli and Ohio Representative James Trafficant.

Crewmembers Knew of the Training Program Fraud

The night before my appearance in front of the Denver federal grand jury, I called a United Airlines captain and personal friend from my Denver motel. He and I had started up the Rocky Mountain Chapter of the American Theater Organ Society, composed of members who either owned one of the old theater pipe organs, or who had a fondness for them. I explained my grand jury appearance the following morning, and discussed the problems I found at United, making reference to the violation of training and qualification flights, the falsification of training records, and other problems. Possibly without thinking, he responded: "Oh, you mean the shortened training flights." His remarks added still more substance supporting the FAA report I

uncovered during the FAA hearing at Denver.

Hoffa Contact

Attorney General Robert Kennedy was trying to send Jimmy Hoffa to prison for jury tampering at this time (1966), and he asked the public for information that might help him. My battles with the Justice Department came to Hoffa's attention, and he sent an associate to my Oklahoma City home. It was ironic that the Justice Department sought to put Hoffa in prison for the crime of jury tampering that was less harmful to the public than the jury tampering by the U.S. Attorney in conspiracy with the Justice Department. The public fared far worse from the government corruption and jury tampering than it suffered under Hoffa's tampering.

Hoffa's fate could have changed greatly if his associate had stayed to discover what I was trying to do. But when he learned I was a government employee, he quickly left without hearing what I could have told him. At that time I welcomed help from any source to expose the tragedy-related crimes.

Seeking Legal Help Exposing Corruption

I needed legal help to fight this massive scandal, and I needed a lawyer with a good knowledge of aviation and criminal law, and who would spend months taking a matter of this complexity through the federal courts. But this was an almost impossible task. First, the cost would be terribly high. Second, finding an lawyer with these qualifications would be difficult. Third, any lawyer can be manipulated by the powerful legal and judicial fraternities to sabotage any such effort.

Some lawyers warned me that I would be seriously hurt if I continued with these exposure activities, and that if an exposure did occur, I would have powerful interests viciously attacking me. I encountered lawyers who admitted the seriousness of the matter, indicating they would look into it and possibly assist, and who shortly thereafter became unavailable for any conversation whatsoever. I felt the legal fraternity was under the influence of the Justice Department, a suspicion that was supported by later developments, which have yet to be described.

I contacted aviation lawyer Lee Kreindler, who was highly experienced in the aviation accident field. He had written technical books on aviation accident litigation, and was a recognized authority in the field.

Kreindler wrote:

Thank you for giving me the opportunity of reviewing these materials and, since I realize their importance to you, I am returning them herewith ... Since we do share ... a common interest in aviation safety and in view of your qualifications in this area, I would like to extend an invitation to you to visit our offices and talk further with us in this area should you ever have occasion to be in New York.

He refused to assist, and engaged in a cover-up of criminal offenses that constituted a crime under the federal crime reporting statute, Title 18 U.S.C.

§ 4. His aviation business did improve, however, with the subsequent air disasters, many of which would probably not have happened if he had used his credentials to report the crimes to proper government and media people.

Kreindler appeared on the TV show, *The Aviation Revolution* (1969), and discussed safety problems, stating airlines occasionally “sacrifice safety for economic considerations.” I wrote to Kreindler, making reference to the show: “I sometimes wonder what crashes and what deaths would not have occurred if you had given attention to the serious matters that I presented to you last winter.”

Profiting from Air Disasters That He Made Possible

Ironically, Kreindler and his law firm would profit over the years from airline crashes made possible by the corruption in then government’s aviation safety offices that he helped cover up. These included the aviation disasters occurring on September 11, 2001.

One of the lawyers I contacted had previously worked for the Department of Justice. When he first saw some of my data he acknowledged its seriousness, adding, “I’ve never heard of anything like this!” As he was then working on the Bobby Baker case and was going to Washington in a few days, he stated he would check with his friends at the Department of Justice and get back to me when he returned.

He never called, and my attempts to reach him were unsuccessful. However, when I called and told his secretary that I would pick up the data that I had left, he was immediately available to authorize its release. When I picked up the material, his associate came over to me, looked at me as if I were involved in a very serious but lost cause, and wished me “lots of luck.”

Many wished me luck, but none would help.

“I wish to warn you once again...”

A Denver lawyer with whom I had previous business dealings in the mid 1960s initially appeared very concerned, and indicated he might be able to help. This too changed, and he wrote: “I wish to warn you once again that you are biting off an awful big piece when you take on United Airlines and the people entrenched in the FAA. As you point out, this thing is getting bigger and bigger all the time ... There are many ramifications that might arise...”

Another of the nation’s leading aviation lawyers, Stuart M. Speiser, stated he might be able to help me. He wrote, “I certainly appreciate the gravity of the situation described in your letter.” In a subsequent letter he did not offer any help but stated he would “advise ... if there is anything further” he could do to assist me. On this letterhead I noted a change in the partnership; a name was added, Donald W. Madole, former Chief of the NTSB Hearing Section, to whom I had appealed for help. I concluded that was the end of that relationship, and I was right.

“The matter is so serious...”

I pressed Speiser for a reason why he could not represent me. Speiser

replied:

We found from looking over the material that you sent to us that the matter is so serious and complicated it would be physically impossible for us to do justice to your positions.

These words from one of the most knowledgeable aviation lawyers in our nation added further weight to the gravity of the air safety corruption. If this prestigious law firm had made reports of my serious charges to a federal court or other federal tribunal that was outside of the existing corruption, as they were required to do under federal law to avoid becoming implicated by silence/cover-up, the corrective actions would probably have occurred.

UAL and the FAA were not only *my* adversaries. They were the *adversaries* of the survivors and the decedents of those killed in the Salt Lake City crash. Criminal acts, a pattern of air safety corruption, capital crimes, were implicated. It was gross misconduct for the president of the State Bar Association to have done this. But the Bar Association as usual protected its own, and refused to take any disciplinary action. I then entered into a correspondence with the American Bar Association and its presidential assistant, James Spiro, stating:

Let me clarify the situation so that the urgency of the matter is clear to you. I had then, and I have now, factual and evidentiary material pertaining to criminal misconduct and fraud preceding the Salt Lake City disaster; obtained through my official position as government safety inspector assigned to United Airlines prior to that expected and forewarned air disaster.

In subsequent correspondence this lawyer made a suggestion that he knew was impractical:

It is assumed that you have been in touch with the lawyers for the plaintiffs in each of the cases which have been filed as a result of the ... United Airlines crash in Salt Lake City. May I suggest you also consider contacting our Standing Committee on Aeronautical Law so it may have the benefit of the special information you have about improper airline operations. The chairman of the committee is Mr. Sidney Goldstein ... Our wish is to be of as much help as our authority permits and we do hope you are convinced of our intentions in this regard.

Spiro again reminded me in another letter to write to Goldstein. So I did. Goldstein never answered. I advised Spiro of this and he replied:

As a believer in persistent pursuit of solutions to problems, I am confident that you will be successful if you persevere.

Lack of perseverance is something of which I could not be accused. Several lawyers for Salt Lake City crash victims eventually learned of my existence and that I could help their clients get more financial compensation due to the misconduct causing the crash. But they refused to contact me. This seemed strange. I had the smoking gun that would help their clients. The legal brotherhood continued to block every attempt to expose the corruption that

played a major role in several major air disasters.

Complicity in Cover-up By Utah State Bar Association

Using another approach, I sent a letter to the Utah State Bar Association, offering help to the plaintiffs in the Salt Lake City crash, and asked for the names of the plaintiff's lawyers. The letter was directed to President Ray Christenson and properly belonged in the files of that association when he received it. I did not receive a reply, and I sent a follow up letter. No response. Shortly thereafter, FAA legal counsel John Graziano, at Oklahoma City, whom I knew from earlier days, contacted me and asked if I had been in contact with the Utah State Bar Association. Since my exposure activities were never kept quiet from the FAA, I did not hesitate to answer yes, but his request raised questions.

I wrote to the President of the Utah Bar Association, demanding to know what had been done with my letters. At first, the Bar Association ignored the matter. But I finally forced an answer from them. The ethics committee wrote that Mr. Christenson was at the time and is now retained as legal counsel by United Airlines, and advised that he had received my letters and then sent one copy to United and one copy to the FAA.

I told Graziano in a friendly manner to find out for himself what I had written to the Utah State Bar Association. I did describe to Graziano the nature of the FAA corruption I encountered in Denver. He became quite concerned, apparently unaware of the serious criminal acts and cover-up by the FAA controlling hierarchy. He was astute in security-type activities, but naive about the misconduct within the FAA. Graziano assumed the FAA Administrator didn't know about the misconduct, and he asked me to prepare a letter for the FAA Administrator, describing what I had stated to him. I felt the last thing the FAA Administrator wanted was to be confronted with more evidence of the worsening scandal. I immediately agreed.

"This is serious!"

"That's a great idea, John!" I immediately went to work preparing a sixty-page document for transmittal to FAA Administrator Bozo McKee. After Graziano read the document he exclaimed, "This is serious!" adding, "You surely keep your evidence under double lock and key, and behind locked doors."

The report that I prepared was dynamite. It required that my testimony be taken, and that my hard evidence be received. Further, federal criminal law required that they report the criminal charges to a federal judge⁵ or other official who could be expected to further investigate and prosecute.

Graziano was a competent lawyer, and clearly recognized the significance of what I had reported. Several days later, as we were having lunch in the FAA cafeteria, Graziano said, "It's a lonely fight taking on the role of a crusader."

"Yes, John, I know, lonely and rough."

⁵ Title 18 U.S.C. § 4 (misprision of felony).

Graziano later headed the nation's Sky Marshall program dealing with hijackers. Oddly, the same corrupt culture that I was exposing would be responsible years later for the conditions that insured the success of 19 hijackers in a single morning, and years of deadly hijackings in between.

I waited for the FAA Administrator's reply to my report, and after a few months, when no reply had come, I submitted a request that I be advised "of the actions, or inactions, taken on my August 1 report."

The FAA replied: "We know of no entitlement you might have to a reply."

"You're going to get shot!"

Typical of the concern felt by some of my FAA friends was the statement by one FAA employee, "You're going to get shot! They're going to dynamite your house, or your car!"

Another thought that the gravity of the problem was such that a hired killer would not be beyond the acts of present-day government. Government involvement in the planned assassination of foreign leaders, CIA dirty tricks, don't leave much doubt that this was a definite possibility. It also doesn't say much for the federal government's air safety responsibilities.

I received phone calls and letters from friends, concerned over my safety, asking for instructions as to who to contact if something suddenly happened to me. But who could I refer them to? Certainly not the FBI or the Department of Justice. Over the years the obstruction of justice by the Justice Department personnel became even more obvious.

I wasn't oblivious to the possibility of physical danger. I took numerous precautions to protect myself, including keeping my not-too-docile Doberman Pincher, "Savage," close at hand. I remembered the unsolved murder of another government employee, Henry Marshall, who uncovered the key to the Billy Sol Estes scandal in Texas. This government investigator was murdered on a remote section of farmland near Franklin, Texas. The Billie Sol Estes scandal had not yet broken and Marshall had the incriminating evidence and determination to expose it, threatening many in politics, including President Lyndon Johnson. It wasn't until 1989 that the role played by former President Johnson in Marshall's death was revealed.

Constant Threat of Physical Harm

Every time I started the engine of my car I thought of how easy it would be for a stick of dynamite to eliminate the threat I represented to those involved in this scandal. Even today I wonder who may be lurking in the shadows, but I shrugged off these feelings. The danger was real, but it was carried out in another manner.

The important aspect of the warnings by other government employees and FAA inspectors was their *belief* that such things could happen in our government today. This would of course greatly affect their willingness or ability to function effectively in air safety.

Attitude of Fear by Federal Aviation Safety Inspectors

An example of how government inspectors are prevented from correcting air safety violations and safety problems was revealed during a telephone conversation between a senior FAA safety inspector from Los Angeles and myself. The inspector, Carl Whitman, discussed his knowledge of United Airlines' safety problems stating, "We had the problems in the [United Airlines] Boeing program, though not what it was in the DC-8." (The senior United Airlines pilots were on the DC-8 program and they possessed more clout than the junior pilots on other aircraft programs such as the Boeing 720.) Referring to the inability to correct the safety problems at powerful air carriers, Whitman continued: "We don't have any backing. They'd crucify us!"

Referring to the experiences of my predecessor on the United DC-8 program, Frank Harrell, who tried to correct the same problems I later encountered, Whitman stated:

Harrell got into the same deal you did ... he went to Washington [to report the air safety and criminal acts] and when the chips were down, he was by himself.

Whitman added that he and another FAA inspector, George Sheridan, attempted to dissuade Harrell from going to Washington, realizing the futility of attempting to buck well-entrenched pressure groups within the FAA. Whitman described the conversation that occurred in a Denver restaurant and bar, the Blue Onion, preceding Harrell's departure for Washington.

"Don't do it!"

"Let it die! We told him. Whatever you do, *don't do it*," Whitman said to me. "It will take an out-of-Agency investigation ... you don't have any backing."

I well knew this, having been through the mill myself. I encountered the problems Harrell encountered, and tried to correct them. I carried the fight longer, and lost more.

Referring again to Harrell, Whitman stated, "They made it very uncomfortable for Harrell and he had to leave." (Harrell was forcibly transferred to Puerto Rico. United Airlines officials later admitted to me that they told FAA management to get rid of Harold, and warned that I would suffer the same fate.)

"Like a pack of wolves..."

Referring to Hi Broiles, the former Principal Inspector responsible for the United Airlines certificate, Whitman stated, "Hi is sick of all these things." He continued: "We can't be professionals right now. You know, any time any of us questions industry, automatically they all come upon us like a pack of wolves, you know, when a wolf gets a wound. It's like a big game. It is a weird damn life. Just like the FAA Western Region, what backing do we get? None!"

Referring again to the reaction when inspectors attempt to function:

“That’s right, coercion, they’d crucify us!”

Whitman’s primary responsibilities were the training and check programs at American Airlines (who generally had a good safety attitude). Whitman was a good pilot and had an interest in promoting safety. Referring to the inability of FAA inspectors to obtain compliance with the FAA safety requirements, and the difficulty of obtaining enforcement, Whitman said: “As soon as you enforce them, it hits them in the pocket. They go to the top in Washington and put pressure upon us.”

“It would implicate a lot of people if this gets out.”

“Fellows admire you, they really do; we thank you for your fortitude. There are a lot of us that have bowed back, have avoided collisions with industry.” He went on to state “it would implicate a lot of people if this gets out.”

Carl Whitman and George Sheridan were two men I admired from the time I first joined the FAA. They were sincere, competent, dedicated to air safety, and had a good analysis of the problems. The FAA doesn’t have many like them. Whitman showed more courage than most inspectors.

George Sheridan had also been on the jets since they first entered commercial service. In a telephone conversation following the NTSB hearing on the Salt Lake City crash, and a year after the Denver grievance hearing, he stated his reactions to testimony given by United officials responsible for air safety: “If these are the people we have to work with at United, assign me to Edde Airlines!” This was a reference to a small charter operator whose air safety sophistication would expectedly be much less than with a large airline. Sheridan had taken the FAA assignment with United after I left the FAA, and discovered the same safety problems and FAA obstructions. Nothing had changed. It was too much for him, and he transferred back to Los Angeles.

I made the media aware of the serious corruption, from the mid-1960s to the present date. They knew of all aspects of this scandal. Never once did they print a single word about the government corruption. By their silence, they made possible many of the tragedies that followed.

Those Who Perished in Air Tragedies Arising From Corruption Were No Match for These Groups

Those who subsequently perished were no match for the holders of public trust. To this day, the public pays the price. Before Watergate, it would have been difficult to convince the average person in the street of the government corruption behind many of the nation’s air disasters. Even I had trouble believing what was unfolding before my eyes. Watergate was preceded by numerous scandals, and followed by many more, including the savings and loan, HUD, Defense Department, Abscam, and other scandals. There should be no excuse for the public’s failure to recognize the endemic corruption that exists in government.

Possibly in reaction to my reports of the FAA criminal activities to

Congress in 1964 and 1965, Congress passed legislation placing the FAA under the newly formed U.S. Department of Transportation.⁶ But this did not change the mentality of the bureaucracy. It served more as an excuse to imply corrective actions were taken, if the scandal ever erupted into the media.

History of Preventable Hijackings

Among the continuing aviation disasters that could have been easily prevented by FAA management, who had the authority and responsibility to order preventative measures, were aircraft hijackings throughout the world. From 1970 to 2001, there were over 800 hijackings worldwide, some of which ended with catastrophic and deadly consequences.

Between 1930 and 1958, in the United States, there averaged less than one hijacking a year. But this frequency greatly increased in the 1960s and in the early 1970s. In 1969 and 1970 there were 150 hijackings. The modern history of hijacking commenced in 1959 when Fidel Castro seized power in Cuba. Anti-Castro Cubans began seizing airliners to escape Cuba for the United States. The press lauded them at first as heroes, but when the shoe was on the other foot, and hijackings started in the other direction, the media was critical of hijackers.

In one incident a pro-Castro hijacker armed with a long knife seized a National Airlines Convair 440, and diverted the flight to Cuba. Many others followed. Three months later, on July 24, 1961, a hijacker diverted an Eastern Airlines Electra to Havana. Castro initially seized the aircraft and released the crew and passengers, but several weeks later he released the aircraft.

A hijacker boarded a Pacific Airlines DC-3 at Chico, California on July 31, 1961, shooting a loading agent. He then forced his way into the cockpit, where he shot the captain, permanently blinding him. Following this incident, ALPA pressured Congress to pass an air piracy act, providing for stiff penalties. The FAA issued a requirement that the door to the cockpit be locked, a common-sense action that should have been taken much earlier.

Opposing this and other measures, including the screening of passengers, was the Air Transport Association (ATA). The Air Line Pilot Association tried to get Congress to add an amendment to the Federal Aviation Act of 1958, requiring detection procedures to detect concealed weapons on boarding passengers. ATA opposed any kind of passenger screening or search. The public soon forgot the prior tragedies, and nothing meaningful was done.

Pacific Airlines experienced another hijacking (May 7, 1964) that was fatal for everyone on board. Flight 773, a Fairchild F-27, departed Reno, Nevada for San Francisco. As the aircraft was approaching the San Fran-

⁶ All functions, powers, and duties of the FAA were transferred to the Secretary of Transportation in the Department of Transportation by Public Law 89-670, October 15, 1966, 80 Statute 931 (also known as Title 49). The Bureau of Aviation Safety of the Civil Aeronautic Board were also transferred to the newly formed National Transportation Safety Board.

cisco area, a passenger, Francisco Gonzales, forced his way into the cockpit and shot both pilots, causing the plane to plunged into the ground at nearly 400 miles an hour, about a mile from where I lived in Danville, California.

Investigation revealed that the gunman had purchased life insurance before boarding the plane at Reno, had bragged for the past several days that he was going to kill himself, and his gun and spent bullets were found at the crash scene.

Infamous D.B. Cooper hijacked a Northwest Airlines Boeing 727, and upon landing demanded \$200,000 in cash. After the money was placed on the aircraft, the aircraft took off and at night over wooded and mountainous terrain, he opened the rear airstair door and parachuted out. He was never found. Years later hikers found some of the money along a mountain stream.

It is believed that the name, D.B. Cooper, was either fabricated or lifted from someone else's name.

The murder and wounding of airline pilots caused the pilots' union to apply pressure on Congress, which at first did not respond. But when the pilots threatened a work stoppage, Congress finally acted, passing the Anti-hijacking Act of 1974.

Other incidents occurred, including the hijacking of a Southern Airlines plane on March 18, 1970. A passenger forced his way onto the flight station of a DC-9 at gunpoint and forced the crew to fly eastward over the Atlantic Ocean, with the intent of forcing the aircraft to ditch into the ocean. Unable to reason with the gunman, the pilots attacked the passenger. During the process the gunman killed the copilot and shot the captain, who barely remained conscious until landing the DC-9 at Boston.

Practical gun detection equipment had been available since 1960, but the FAA refused to require its use. FAA had appointed a special group to study the x-raying of passengers and carry-on baggage prior to boarding the aircraft. The FAA did not act until pressure from the death of the Southern Airlines copilot forced the FAA to act.

X-ray screening became a reality and hijacking dramatically decreased. Senator Vance Hartke, a powerful force in Congress during the 1960s, repeatedly attacked the screening of passengers, citing civil liberty violations.

Media publicity and resulting public pressure forced the FAA to institute the sky marshal program that placed armed marshals on a small number of random flights.

In November 1972, three hijackers diverted a Southern Airlines DC-9 after it took off from Birmingham, Alabama, forcing the plane to land at Detroit, where they demanded \$10 million from city officials. While waiting for the money, the hijackers got drunk, and forced all male passengers to disrobe. They terrorized everyone on board. After obtaining the money, the hijackers then forced the crew to take off, flying to Canada and finally to Cuba.

The hijackers didn't like the appearance of the Cuban troops, and again

forced the aircraft to take off and land at Orlando, Florida, where FBI agents shot out the tires. In retaliation, the hijackers shot the copilot, and forced the captain to make a takeoff with flat tires. Somehow, despite the drag of the flat tires, the plane made it off the ground, trailing smoke from the burning tires. The DC-9 then landed for the second time back at Havana.

The regulations initiated in 1973 requiring screening for guns lowered the number of hijackings. In the five years preceding 1973, there were 133 hijacking attempts. In the following ten years, there were only 73. The numbers continually decreased, lowering to 50 by 1985. In one of the few subsequent hijackings, a hijacker took over a Northwest Airline 727 on January 20, 1983, but was shot and killed by an FBI agent.

A former mental patient boarded an American Airlines 727 at Los Angeles International Airport, on May 27, 1989, enroute to Miami, with a stop at Dallas-Fort Worth Airport. Although the security at Los Angeles International Airport was allegedly among the nation's best, this former mental patient slipped through security carrying a bulky starter pistol, two knives, and a pair of scissors, and was dressed in military combat fatigues.

Approaching Miami, the hijacker forced the plane to head for Havana. When the pilots pleaded with him that the plane was running out of fuel, he allowed them to land at Miami. After 90 minutes of negotiation with the FBI, the hijacker surrendered. Fortunately, this drama ended peacefully for all 157 people on board. Not all such hijackings end without loss of life.

American Airlines did not detect weapons in 24 security tests in 1988, the worst performance among the 26 carriers tested. An American Airlines spokesman stated afterwards, "We really have no reason to question the effectiveness of our security in Los Angeles."

The Overseas Picture was Different

Overseas, the Arab-Israeli conflict caused bombings and hijackings to increase. Hijackers took over an El Al airliner in August 1968 and forced the pilots to fly to Algeria. Terrorists caused the hijackings to become increasingly violent and deadly. In December 1968, two gunmen opened fire on an El Al airliner in Athens, Greece, killing one passenger and seriously wounding a cabin attendant. The two gunmen were captured and convicted, but released by the Greeks when terrorists threatened violence to Greece's airlines. A continuing series of terrorist incidents followed.

Hijacking Four Airliners Simultaneously

Israeli security grabbed two suspected Algerian terrorists off a British airliner making an enroute stop in Israel in August 1970. The seizure of the terrorists precipitated Arab retaliation and Arab terrorists hijacked four international flights simultaneously on September 6, 1970, including El Al, TWA, Pan Am, and Swissair. The El Al jet had an Israeli security guard on board, who shot it out with the hijackers, killing one, and seriously wounding a woman hijacker who had smuggled two grenades on board the aircraft in her brassiere. The plane and passengers were saved from destruction by

defective fuses in the grenades.

Terrorists seized an Alitalia Jetliner on September 25, 1982, during a flight from Algiers to Rome. Terrorists seized a Cyprus Airways jetliner on January 8, 1985, and held 12 hostages at Beirut Airport. In 1984, according to U.S. State Department records, there were over 700 terrorist incidents throughout the world, an increase of forty percent over 1983.

The Ordeal of TWA Flight 847

Pro-Iranian militants hijacked TWA Flight 847 on June 14, 1985, with 153 people on board. Three of the hijackers had arrived in Athens from Beirut the night before. They spent the night in the airport lounge, and prepared to board the TWA plane. Police detained one, but two others slipped through security. They carried two grenades and a pistol onto the plane wrapped in fiberglass insulation material and a nylon-traveling bag, which were not detected by security people.

The terrorists took over the jet after it picked up passengers in Beirut. They ordered the captain to fly to different destinations in Europe and the Middle East, including Beirut, where the control tower operator twice denied the plane permission to land. Authorities eventually relented, and agreed to refuel the aircraft in exchange for the release of 17 women and two children. The aircraft took off, and then returned, with only about one minute of fuel remaining. The ordeal lasted four days.

During this hijacking, the terrorists badly beat some of the passengers. They killed U.S. Navy diver Robert Stethem, and dumped his body out of the aircraft onto the ramp. Eventually one of the militants, Mohammed Ali Hamadei, was brought to trial in a West German court, and on May 16, 1989, he was sentenced to prison. The day before the sentence, terrorists kidnapped three West Germans in Lebanon, seeking to put pressure on the Frankfurt court. The terrorists demanded freedom for 17 Shiites imprisoned in Kuwait for bomb attacks, and the release of hundreds of Shiite guerrillas transferred south to Israeli prisons before Israel's withdrawal from southern Lebanon.

Terrorists seized a Kuwait Airways jet on April 5, 1988 as it was flying from Bangkok to Kuwait, and forced it to land at Cyprus. A week later the terrorists were still holding the plane and passengers hostage. Terrorists killed two of the passengers, and dumped them out of the aircraft at Cyprus. As the terrorists threw the bodies from the airplane, the airport was operating in a business-as-usual atmosphere. The tragedy unfolded within sight of crowds of vacationers. Tour groups went by the plane as the bodies lay on the ramp. A Scandinavia Airlines jet landed and discharged passengers, without noticing the hijacked jet, or the bodies lying on the pavement.

Hijackers took over an Indian Airlines 737 enroute to Lahore, Pakistan on July 5, 1985, which had earmarks of an earlier aircraft diversion from India to Pakistan on January 30, 1971. In the earlier hijacking the Pakistani government granted the hijackers asylum and treated them as heroes. This

time the hijackers were jailed. Hijackers took over an Egypt Air jet in 1985, which resulted in sixty deaths when Egyptian troops stormed the plane in Malta.

Horror on Pan Am Flight 73

Horror and death were the fate of many in the hijacking of Pan Am Flight 73, a Boeing 747. This tragedy occurred while the plane was on the ground at Karachi, boarding passengers bound for Frankfurt. As the passengers were boarding, a van pulled up and four men leaped out, and boarded the plane, spraying gunfire. They immediately shot one passenger and threw him out of the plane. The flight deck crew, hearing the commotion, locked the cockpit door and climbed out the pilot's windows to safety. The hijackers were stranded, and unable to go to their planned destination at Cyprus.

Angry, they set a deadline for a new flight crew to arrive. As it grew dark, the on-board fuel-driven electrical power unit ran out of oil, causing it to fail. This in turn caused the emergency lights to shift to battery power. The air conditioning unit stopped operating, resulting in stifling heat build-up in the cabin. Eventually, the batteries went dead, causing the lights to go out. When this happened, the hijackers panicked, and shot their high powered guns point-blank at the passengers, blowing some of them to pieces. The hijackers threw hand-grenades among the passengers, killing sixteen people and seriously wounding fifty others. It was a gruesome blood bath.

In the panic, hundreds of passengers leaped from the plane through the emergency exits. Outside, encountering Pakistani security forces, the passengers screamed for them to stop the killing going on inside. Instead, the Pakistani forces waited for ten to fifteen minutes, as the killings continued, before entering the plane.

In another Pan Am 747 hijacking, the terrorists forced the crew and passengers to fly to Cairo, where passengers evacuated by emergency chutes, and the terrorists blew up the plane in a spectacular explosion and fire. Hijackers forced two aircraft to an abandoned World War II airstrip in Jordan, forcing the occupants to stay in the aircraft for nearly two weeks, without air conditioning or sanitation facilities. The hijackers wanted the British to release a wounded woman hijacker, which the British refused to do. Another team of hijackers then seized a British airliner, and flew it to the Jordanian airfield. Through international pressures, and the subsequent release of the wounded female hijacker, the terrorists finally released their captives, followed by blowing up the plane. The hijacking was later fictionalized in the movie and novel *Black Sunday*. This bizarre series of hijackings was given the name "Black September."

Hijackers seized a Kuwaiti airliner on a flight from Kuwait to Pakistan, killing three passengers while on the ground at Tehran Airport. The terrorists dumped the victims from the plane as if they were sacks of potatoes.

Desperation and Anger Over Policies by U.S. Leaders

The increasing violence was motivated to a great extent by the arming and preferential treatment, and support for Israel's occupation of Arab land in 1967 after staging a Pearl Harbor type sneak attack on its neighbors. United States' support of Israel has made the Arabs desperate. On top of that we have the war on drugs and the powerful drug cartels. FBI spokesman Oliver Revell stated in an interview⁷ that U.S. security officials expect the Colombian drug cartels to launch terrorist attacks against Americans and American interests because of the drug wars. "I expect bombs," he said, adding, "They certainly have the capabilities to do these things."

Revell stated in testimony before the Senate Government Affairs Committee that terrorist attacks within the U.S. can't be ruled out, and would be extremely difficult to head off. He testified that U.S. borders are porous and the cartels have shown in the past that they can carry out killings within the U.S. The easiest and most dramatic targets are aircraft, and this is probably the most likely arena for retribution against American interests.

Greater Aviation Terrorism Ahead, said Senator Boren

Senator David Boren of Oklahoma, chairman of the Senate Intelligence Committee, said in an interview that "I think we're in for a long period of problems with the cartels, and potentially some terrorist retaliation." This would include hijackings, which I had warned the senators in one of my letters was one of many air tragedies that could be prevented if FAA managers would only respond to the reports given by its federal air safety inspectors.

Fired Airline Employee Murdering Pilots

A hijacking by a recently fired airline employee of Pacific Southwest Airline (PSA) resulted in the deaths of everyone on board. The hijacker had boarded the aircraft with a gun, evading security by use of his employee badge, and then after the aircraft was enroute from Los Angeles to Oakland, California, the hijacker entered the cockpit and shot both pilots. The aircraft then plunged to the ground near Salinas, California.

Deadly Hijacking of Egyptian Airlines Boeing 767

On November 23, 1996, shortly after Egyptian Airlines Flight 767 took off from Addis Ababa, Ethiopia, to Nairobi, three passengers rushed into the cockpit and ordered the pilots to fly to Australia. They would not listen to the pilot who told them the aircraft did not have enough fuel to go that distance. The plane then headed for the island of Mauritius in the Indian Ocean.

The hijackers were armed with an ax and a fire extinguisher. As the aircraft's fuel supply was nearly exhausted, the hijackers refused to heed the captain's warning. The captain pleaded with the hijackers to let him land on a small airstrip in Moroni, the capital of the Comoro Islands in the Indian Ocean. The hijackers refused.

Approaching the Comores Islands, the engines suddenly ran out of fuel. The captain attempted to ditch the aircraft in shallow waters 500 yards off-

⁷ *Wall Street Journal* September 21, 1989.

shore from a tourist resort at Le Galawa Beach, north of Moroni. As he flared the aircraft before impact, the left engine and wingtip hit the water, causing the aircraft to flip over and break apart. Tourists on the beach watched in horror. Many grabbed boats to rescue survivors. Two honeymooners with a video camera recorded the ditching of the aircraft. Of the 172 people on board, 127 died.

The plane's captain, Leul Abate, later stated that the hijackers said they wanted to "make history." Franklin Huddle, the U.S. consul general in Bombay, stated, "They were not high-tech hijackers. People on the aircraft were screaming; some were praying. I thought we were dead when we hit the water." The hotel that had been a pleasure destination for tourists used its conference room for a morgue.

Many Hijackings Occurred on Foreign Airlines

An FAA report showed that an average of 12 hijackings a year occurred in the 1990s, increasing to twenty in 2000, with half of them occurring in the Middle East. Obviously, U.S. government personnel responsible for air safety knew there was a serious and deadly problem. They also knew there were easy and inexpensive preventative measures that would block most hijackings.

One of the many hijackings occurred on Avianca Airlines on April 12, 1999, as five hijackers took over the aircraft. The Twin-engine Fokker 50 aircraft departed Pallo Negro Airport in Bucaramanga, Colombia, and shortly after takeoff five hijackers sitting in various parts of the aircraft took over the plane. The hijackers were dressed in business suits and one wore the collar of a Catholic priest.

Upon entering the cockpit, the pilots were ordered to land at a dirt airstrip near the town of Simiti in Colombia. All passengers were then herded into boats at the nearby Magdalena River and then dispersed in various remote locations. Nearly a year later, more than a dozen of the passengers were still held hostage.

Easy and Inexpensive Mandatory Preventative Measures Not Taken by FAA

While I was a federal air safety inspector, among the many reports and accident-preventative recommendations that I made, were recommendations that would have easily prevented most of fatal hijackings. The two preventative measures that would have been adequate in those days were (a) do not allow the cabin flight attendants to have keys to the cockpit doors, which can be easily taken from female flight attendants by a hijacker; and (b) the cockpit door is to remain locked throughout the flight.

These and many other safety reports were routinely ignored by FAA management, a condition that exists to this day. The deeply entrenched culture within the FAA operational ranks will not be corrected by high management platitudes, but by first exposing the problems and then placing dedicated and competent people in charge to insure that the arrogance and

malfeasance ceases.

Justice Department Personnel Embracing Terrorist Bombers

A Columbian Boeing 727 belonging to Avianca Airlines blew up shortly after takeoff from Bogotá on November 28, 1989, by a bomb left in the cabin by a passenger who left the aircraft before it taxied out. The people involved in this attack included drug dealers Pablo Escobar and Jimmy Ellard. As I describe in *Drugging America*, Justice Department personnel subsequently used Ellard as a key witness in prosecuting an undercover agent for U.S. Customs, Rodney Matthews. Ellard was portrayed to the jury as an honorable and honest witness, and provided money and other benefits for his testimony. Matthews, working as a contract confidential witness, was exposing drug smuggling activities of major drug smugglers.

U.S. Interfering with Investigation of Possible Terrorists Attack

An Arrow Air DC-8, carrying United States service men from the Middle East crashed during takeoff from Gander. The plane had stopped at Gander, Newfoundland, for fuel on December 12, 1985. That was Canada's worst aviation crash involving a U.S. airliner carrying military personnel. The DC-8 was barely airborne from Gander when it crashed to the ground within half a mile of the end of the runway, leaving a trail of debris. All 256 persons on board perished, including 248 soldiers from the U.S. Army's 101st Airborne Division.

The Canadian Aviation Safety Board investigated the crash. The Board sharply divided as to its cause. Five members blamed the crash on ice adhering to the wings. Four other members thought the crash was due to a bomb. Another Board member, Roger L. Lacroix, quit under protest, claiming that evidence was withheld from the crash investigation. At least five of them had the courage to disagree, rather than the NTSB cover-up as is routine, and which makes the American NTSB a contributing cause to subsequent crashes.

Those blaming the crash on the bomb cited evidence of a bomb blast, and several parallels between the Gander crash and the bombing of Pan American flight 103 at Lockerbie, Scotland, (which we have yet to describe). Herb Gray, the Liberal Party leader in the House of Commons at Ottawa, Ontario, claimed there was a cover-up.

Included in the evidence supporting the cover-up theory was a memo (February 24, 1986) written by Michael Mendez, Director of Maintenance for Arrow Air, to Betty Batchelor, wife of the airline's owner. In the memo Mendez described his arrival at Gander the day after the crash, and being denied admission to the crash site. The secrecy was allegedly requested by U.S. Army Major General John S. Crosby, who had arrived from Washington, D.C. with his staff. Later that day, Crosby, members of the Canadian Aviation Safety Board, the FBI, and the U.S. National Transportation Safety Board toured the accident site, and again refused Mendez access to the accident site.

Contrary to crash investigations, Major General Crosby wanted to immediately bulldoze over the crash site, even though an investigation had not been made, and evidence would be destroyed. Mendez described some strange events concerning the accident investigation, including pressure from the U.S. Army to immediately plow the wreckage under the ground.

Transport Canada's critique of both the majority and minority report on the accident stated that many factors were overlooked in both reports by the Canadian Aviation Safety Board. Canada's Transport Minister, Benoit Bouchard, requested former Canadian Supreme Court Justice, William Estey, to make an informal review of the accident investigation. (*Aviation Week & Space Technology*, July 31, 1989.)

Estey looked over the record and concluded, without calling any witnesses, that nothing was overlooked in the investigation. This contradicted the split opinion of the Canadian Aviation Safety Board (CASB) and Transport Canada's report. Estey's report stated:

The testimony and material gathered by the Board [Canadian Aviation Safety Board] does not show that ice contamination of the leading edge or upper surface of the wing was the cause of the accident. Furthermore, nothing in the material placed before the Board reveals the cause of the accident.

Without ordering further investigation, Estey then concluded that the crash-cause could not be determined.

The incomplete status of the record showed the need for taking testimony, which the judge refused to do. He simply refused to allow the investigation to proceed, despite the unusual issues raised that demanded an investigation. Parliament member, Don Boudria, responded to Estey's report, stating his party would ask for Senate hearing on the Gander crash when Parliament reconvened in the fall.

In the United States, two congressmen, Representative Robin Tallon of South Carolina, and Representative C.W. Young of Florida, requested an investigation to determine what the U.S. government knew about the Gander crash. Young asked the investigative staff of the House Appropriations subcommittee on defense to check government archives for any information about the Gander crash, including classified reports. Earlier, Young requested Secretary of State James Baker to request Canada to reopen the investigation into the crash. Baker refused to do so, claiming that U.S. government aviation authorities had no reason to doubt the Canadian investigation reports. Three and a half years after the Gander crash, in July 1989, Tallon requested Attorney General Richard Thornburgh to release the *censored* portion of the FBI report.

Not satisfied with the refusal to conduct an investigation, Representative Tallon told the House Judiciary Subcommittee on Crime (December 4, 1990) that federal agencies appear to be guilty of "ineptness or the best-contrived cover-up ever" in the Gander crash. Subcommittee chairman Wil-

liam Hughes stated: “Incredibly, no U.S. government agency, or at least none with official responsibility, demonstrated any determination to find out just what caused the crash. The National Transportation Safety Board, and other agencies of the U.S. government, chose to sit back and watch as the Canadian efforts became embroiled in controversy.”

After the crash had occurred, an anonymous caller said that Islamic Jihad, a pro-Iranian terrorist group, had put a bomb on the plane. Army Colonel Lewis Millett said, “When a terrorist organization took credit for this abomination, why was this claim not investigated, and a report made to the American people?”

Tallon and others suggested that the plane might have been blown up by terrorists in connection with the Iran-Contra affair. The Reagan administration authorized a shipment of Hawk missiles to Iran less than three weeks before the plane crashed. The missiles were not the kind the Iranians expected. In retaliation, terrorists might have planted an explosive device aboard the plane, said Dr. J.D. Phillips, a pathologist, whose only son was killed in the crash. The subject is certainly intriguing.

**Prophetic Forecast as it Relates to Problems Arising
From Corruption in Government’s Air Safety Positions**

During the 1966 FAA safety grievance hearing, I described the corruption and deaths that had already happened, and warned what would happen if a cover-up occurred. These warnings were prophetic statements of what would obviously follow. In the first printing of the *Unfriendly Skies*, in 1978, I made comments in the last chapter that time has proven correct. A few of the comments appearing in the 1980 second edition follows:

The scandal is now so serious, and involves so many, that correction can only come from outside of government. That means you, the unorganized citizen, must step in. This is highly unlikely. With the vast breakdown in the government and non-government checks and balances, no one within government can risk taking corrective actions or blowing the whistle. They would be destroyed, as they have done to me. It is virtually impossible to have the provisions of law respond in a situation of this magnitude. The Executive Branch of government is going to cover up so as to protect itself from very serious criminal charges. Congress is going to cover up to protect its criminal participation in all this. And the Judicial Branch, acting piously above the law, is going to go to any length to protect its own involvement in this protective scheme.

The most common bond linking so many together in this government and air safety scandal is the legal fraternity. No other force in our society today can so adversely affect our lives, can block our constitutional and statutory safeguards. They are the ones, who can openly prostitute the laws, knowing that they interpret the law, prosecute or not prosecute for such violations, and in their capacities as judges, punish or not punish for such violations. The lawyers control the courts; they control the

Department of Justice investigative and prosecuting functions. Lawyers occupy more Congressional seats than any other profession, and Congress controls the selection of federal judges from the legal fraternity.

These pages reveal a virtual “government Mafia” in which a massive conspiracy exists to protect the perpetrators of a vicious air safety hoax that considers lives expendable. It seeks to protect the perpetrators and those in all three branches of government guilty of criminal cover-up. Arrogant bureaucrats that are protected at a cost in human life, potentially yours

Watergate was child’s play, involving a foolish cover-up of two-bit bugging, and common political skullduggery. High government officials including the United States Attorney General received prison sentences for a relatively minor cover-up. They were prosecuted by the Department of Justice and Congress, and sentenced to prison by the federal courts. Many of these same individuals who appeared so pious and respectful of the law in judging and prosecuting the Watergate defendants actively participated in a criminal cover-up that would knowingly cause great loss of life

The consequences of the Watergate cover-up were minor. The consequences of this air safety cover-up were and still are horrendous. The scandal described with these pages exists at this very moment. The Paris DC-10 crash was an especially horrible consequence of long-standing FAA misconduct, but there will be more of the same as government corruption adversely affects air safety.

The FAA’s cover-up of this safety problem goes to the heart of the fact that it is presently unfit to manage the nation’s air safety activities. The question of willful misconduct as it pertains to crashes resulting from this cover-up also enters the picture. Some personnel in key positions should be charged with federal crimes that led to the deaths of innocent air travelers. But this won’t happen.

Respected business men are prosecuted by the Justice Department and have had their personal and business lives ruined, ending up in prison, for often unintentional violations of some obscure law, such as price fixing, when they did not even know such an act was occurring. Yet, the Justice Department engages in this criminal cover-up knowing that death is a resulting byproduct, showing its contempt for the lives of our citizens

It has been many years since those 1978 comments were made. What has happened since then? Those who engaged in the corruption, either directly or in the criminal duplicity of silence, are on a roll. The corruption continues, as does the related horror and deaths. The FAA and NTSB conduct continues as before. The NTSB continues to falsify official crash reports, partly to protect themselves. The Justice Department lawyers continue their cover-up and persecution to protect their earlier misconduct. The media continues

their cover-up. Senators and Representatives continue their duplicitous cover-up.

The gravity of the charges and exposures in the 1978 book was articulated by numerous book reviewers. A few samples: *American Library Association Booklist* stated, “*Unfriendly Skies* is a record of scandal, disaster, and heartbreak that demands an accounting from the highest levels of the industry and government.” *Professional Pilot* magazine wrote, “May make Watergate look like kid stuff.” *Manchester Guardian* publisher Ed Loeb wrote, “A fine book.” *Bookviews* stated, “He charges a cover-up of such proportions even the mass media don’t want to touch the story, and I must say, makes a good case.”

Book Review’s Jan Frazer said, “In this shocking book, Rodney Stich presents impressive evidence to show that a virtual government Mafia does indeed exist. Larry Rumley of *Seattle Times Magazine* wrote, “The *Unfriendly Skies* is a shocking report. The facts he cites are devastating, indicating dereliction of duty and responsibility by airlines and the federal authority supposedly checking on them.”

Many members of the U.S. Senate and House admitted the gravity of the allegations. Federal judges admitted the gravity of the charges. They then engaged in felony cover-up, knowingly sacrificing the lives that continued to be lost.

Starting in the 21st Century, the number of airline crashes greatly decreased, but not because the deep-seated problems within certain areas of the FAA had changed. They hadn’t changed. The changes that resulted in far fewer crashes include, for instance, aircraft systems are far more reliable and malfunction less often, and it was the incorrect handling of these system failures that was one of the major causes of airline crashes. Aircraft systems have been installed in aircraft that greatly decreases the chance of a midair collision, and also warns of flying into rising terrain. Air traffic controllers now monitor most airliner flights and warn pilots if they are flying too low for the existing obstacles. Jet aircraft do not require the immediate and correct reaction when an engine fails, as do propeller aircraft.

Although many things have changed to improve airline safety, the basic deep-seated problems within the FAA remained the same, with management blocking correction of safety problems and safety violations. Airliner safety is affected by these internal problems, and a classic example was the refusal by FAA management to order the known inexpensive preventative measures to block hijackings of airliners. Failures within the FAA in this one area would adversely affect the lives of countless numbers of people at a later date, and create national emergencies. Again, cover-ups prevented taking the necessary corrective actions.

Justice Department Misconduct Related to 1993 Bombing of WTC

The particular series of events described in this chapter played major roles in the bombing of the World Trade Center and subsequent terrorist activities, insuring their success. The ability of terrorists to bomb the World Trade Center in 1993 was made possible by the culture of corruption within the Justice Department—the nation’s top law enforcement authority.

Justice Department Culture Blocking Another Government Agent from Performing His Legal Duty

Former INS agent Joseph Occhipinti was a key figure in fighting drug traffickers and drug cartels. He spent over 20 years with the U.S. Immigration and Naturalization Service, primarily in drug-related investigations. During that time he earned over 70 commendations and awards, including three from the U.S. Attorney General. Because of his outstanding work, he was promoted to chief of the Anti-Smuggling unit for the New York City area, and in that position he gained considerable knowledge about the operation of Dominican crime groups operating in the northeastern section of the United States.

Testimonial to Corrupt Politicians, Criminals, and DOJ Personnel

As Occhipinti brought about the arrest of many politically connected criminal elements, politicians and Justice Department personnel blocked further investigations and prosecutions. In addition, and working in unison, all three groups retaliated against him and brought an end to his long and outstanding government career.

His family suffered severe hardships, and Occhipinti ended up in prison for allegedly violating the civil rights of drug traffickers—something that had never happened before. His plight is another endless testimonial to the deeply entrenched corruption in U.S. politics and the Department of Justice.

Project Intercept

One of several multi-agency task forces Occhipinti coordinated was the

1987 operation called Project Intercept, and included personnel from the Drug Enforcement Administration (DEA), Port Authority Police Department (PAPD), and the Immigration and Naturalization Service (INS). The purpose of bringing agents from the various agencies into one group was to coordinate their investigations, evidence, and prosecution of criminal activities.

That operation was credited with identifying how Dominican drug lords and other ethnic organized crime groups were involved in drug trafficking, money laundering, and alien smuggling activities at major New York airports. It had a high arrest and conviction rate for drug traffickers and was so successful that Project Intercept became the subject of congressional hearings.

It was so successful that—after the politically powerful Dominicans and drug traffickers complained—the INS District Director terminated it within a year of its startup. Occhipinti was then ordered to concentrate instead upon filing reports against employers who hired illegal aliens. This group did not have the political clout of the drug traffickers and the large Dominican population.

Project Resurrect

Starting in 1988, Occhipinti coordinated another multi-agency undercover operation called Project Resurrect, involving agents from the New York City district attorney's office, Postal Inspection Service, and the U.S. Department of State. This project resulted in the successful prosecution and conviction of over two dozen Dominican organized crime figures in the New York City area.

The project exposed the role of a group known as the Federation of Dominican Merchants and Industrialists of New York, otherwise known as the Federation. This group operated bodegas, money transfer businesses, travel agencies, boutiques, loan companies, and an assortment of other businesses. (Bodegas is the term used by people in the Spanish community for grocery stores.) Project Resurrect exposed the role and control by the Dominican Federation in drug trafficking, drug money laundering, and alien smuggling activities. One of the people arrested and convicted was a key member of the federation, Executive Board member Martha Lozano.

Discovering Theft Ring at JFK Airport

One of Occhipinti's investigations focused on a high-level smuggling operation at New York's John F. Kennedy Airport. Due to a shortage of government agents, the Immigration and Naturalization Service hired private agencies to do some of its routine tasks. Wells Fargo was one of the companies hired, being responsible for placing illegal aliens—caught by INS agents—on board aircraft to be sent back to their country of origin. The company engaged in a “shell game” that protected illegal immigrants from being deported.

Corrupt employees of Wells Fargo developed a profitable scheme. When an illegal alien was arrested, his or her relatives would be contacted, and for

a price, an impostor would replace the illegal alien. The impostor—who was legally in the United States—would be placed on board the aircraft and flown out of the United States. He or she would then fly back as a legal or documented alien. The illegal alien would meld into the community and most likely succeed in remaining in the United States.

Operation Red Eye

In 1989, Occhipinti was involved in another multi-agency task force called Operation Red Eye. It was composed of agents from the DEA, Port Authority, Amtrak Police Department, and INS, whose goal was to interdict at major New York City transportation centers illegal aliens smuggled into the United States via Mexico and the Canadian border.

The project was very successful in apprehending illegal alien drug couriers employed by the Dominican drug cartels and other ethnic crime groups. The operation was shut down when the U.S. Attorney's office in New York (SDNY) complained that the interdiction stops were based on racial profiling.

Of course, if Dominican crime groups were using Dominicans in large numbers to smuggle drugs into the United States, it would be somewhat ludicrous not to focus on Dominicans. That charge would be like complaining about focusing on Colombians coming out of high drug trafficking areas in Colombia when they constituted the primary people engaged in the illegal activities.

Over a period of time, Occhipinti felt that the U.S. Attorney's office was not cooperating with the multi-agency task force and instead, actually sabotaging their lawful operation. In this way, large quantities of drugs entered the United States with the help of Justice Department employees.

Investigating Drug-Related Murder Exposed Other Crimes

The murders (October 18, 1988) of two NYPD officers, Michael Buczek and Christopher Hoban, in the Washington Heights section of New York City caused the police department to ask for Occhipinti's assistance because of his expertise in Dominican organized crime activities. (Washington Heights had turned into a major Dominican neighborhood, where Dominican organized crime groups base many of their operations, and which has one of the highest homicide records. (When I was growing up many years ago on the New Jersey side of the Hudson River across from Washington Heights, it was considered a desirable middle-class neighborhood.)

As a result of this investigation, the murderer was reported to be Dominican drug lord Daniel Mirabeaux.

During this investigation, Occhipinti discovered a major Dominican drug operation controlled by Freddy Antonio Then, who established training camps in the Dominican Republic teaching people how to traffic in drugs. He reportedly smuggled these people illegally into the United States from Mexico. Then arranged for these smuggled aliens to be married to a U.S. citizen and thereby obtain permanent resident status with the arranged mar-

riage.

Occhipinti learned that Then was buying local grocery stores, bodegas, which were often used for various illegal activities, such as drug trafficking and drug money laundering. Occhipinti arrested Then several times on various charges, including illegal gun possession. Then's prominence in the Dominican population and as a key member of the Federation would shortly be used against Occhipinti.

Project Bodega

Another multi-agency task force, in which Occhipinti was involved, in 1989, was called Project Bodega, and composed of agents from the DEA, Customs service, FBI, New York Police Department, Manhattan district attorney's office, and INS. It investigated activities at the many bodegas in the New York City area where certain known criminal activities were prevalent.

Manhattan District Attorney Supported the Task Force

Because of its successful discovery of criminal activities, the Manhattan district attorney's office was so pleased with the group's work that it assigned several of its prosecutors, including John F. Kennedy, Jr., full time to prosecute the cases that were generated.

The task force discovered a widespread pattern of criminal activities involving Middle East and Dominican groups in the New York-New Jersey area, some of them associated with bodega grocery stores operated mostly by Dominicans, Cubans, and Middle East people. In the New York-New Jersey area, bodegas were often a front for unlawful activities. During consensual searches of bodegas, the task force discovered evidence of drug trafficking, drug money laundering, food stamp fraud, food coupon fraud, loan sharking, and smuggling of illegal aliens.

Involvement of CIA-Front Company: Sea Crest Trading Company

Investigators discovered that many bodega activities involved Sea Crest Trading Company, incorporated in Connecticut, with its main office in Greenwich, and another office in New York City. Closely tied in with Sea Crest was Capital National Bank in New York. Involved in the Sea Crest group were CIA operatives from the Cuban Bay of Pigs fiasco. Sea Crest started operations in 1984, and during the 1980s and 1990s was extensively used by the CIA in various activities.

Years earlier, several of my CIA sources, primarily Gunther Russbacher, described Sea Crest and Capital National Bank as CIA-front companies and recipients of DOJ protections. The president of Capital National Bank, Carlos Cordoba, a Cuban national, was convicted in 1992 of bank fraud. Despite the importance of the offense, he received only a token probation sentence—which would be routine if the bank was in fact a front for the CIA.

A confidential source in the New York Police Department (NYPD) Special Investigations Unit reportedly uncovered evidence of arson and other criminal activities by Sea Crest, and that Sea Crest had key political connec-

tions that were protecting it against prosecution. As with other city, state and federal agents, he was intimidated and harassed by higher-ups. During the investigation, he discovered a conflict of interest between lawyer Christopher Lynn, a member of the NYPD Civilian Complaint Review Board and his defense of those involved in Sea Crest's illicit activities. The confidential source reported the disappearance of critical evidence on Sea Crest's drug activities.

An affidavit, executed on March 1, 1994, by Domingo Antonio Lovera, described the growth of Sea Crest over the years in usurious loans, using Dominicans and Cubans to obtain and collect loans from bodega operators. Lovera described how Sea Crest used Capital National Bank to launder the money obtained from various illegal operations. Investigations showed that this CIA-front company made a practice of putting Dominicans into bodegas and then forcing them into various unlawful activities. Because of the high-interest and usurious loans (permitted where Sea Crest was incorporated Connecticut), and high monthly payments, bodega operators found they had to engage in criminal activities to keep from losing their businesses.

Sea Crest and Bodegas in Connecticut

In a two-part series (August 1998), the *Hartford Courant* described the activities of Sea Crest Trading Company, the Dominican-run bodegas, and various criminal activities. The article described drug dealers ducking into bodegas immediately after making drug sales and giving the cash to the bodega operators, and drugs being purchased from the operators. Quoting Hartford police Detective Robert Lawlor. "The bodegas provided a meeting place and the cover of a legitimate business. It hasn't reached the point here that it has in New York, but it's only a matter of time."

The newspaper made reference to a 1997 classified report by the U.S. Department of Justice on Dominican drug trafficking and said dealers "move proceeds by disguising them in the financial records of travel agencies, boutiques, grocery stores and other Dominican-run businesses." Despite the Justice Department's knowledge of Sea Crest's activities, the CIA-connected company appeared to have a get-out-of-jail card that kept them from being prosecuted.

Dominican Revolutionary Party (PRD)

According to an article in Puerto Rico's *El Vocero* newspaper, Dominican Revolutionary Party (PRD) members, including Simon Diaz and Pablo Espinal, contributed money to President Clinton's reelection campaign during a fund-raiser at Coogan's Irish Pub in New York's Washington Heights. The article stated that this drug-tainted money was linked to the Dominican Revolutionary party. Vice President Al Gore posed for pictures with Diaz and Espinal. The article identified Simon Diaz as vice president of a New York City chapter of the PRD and that he was currently under investigation by the Drug Enforcement Administration (DEA) and anti-narcotic agencies concerning PRD's "alleged nexus with international drug cartels."

Private Investigator Uncovers Similar Criminal Activities

A concurrent investigation by a private investigator uncovered considerable evidence of criminal activities at bodegas that the multi-agency task forces were discovering, especially as it related to food coupon fraud. Private investigator Ben Jacobsen, a retired New York detective, was working as chief investigator for the A.C. Nielson Corporation, which administered the food coupon program for many large companies selling to grocery stores. Corporations estimated that they were losing over \$200 million a year in fraudulent coupon redemptions.

Jacobsen's investigation uncovered canceled checks and other evidence showing Sea Crest Trading Company and one of its associate companies, Control Book Keeping, to be behind this practice.

The food coupon fraud worked like this: People involved in the fraud brought into a central location newspapers and magazines containing food coupons that were intended to be used to purchase a particular food item. The coupons were clipped, put into a barrel or some other device that dirtied them to look like Customers had handled them. The coupons were then distributed to different bodegas that then sent them to coupon redemption centers. When the checks were sent to the grocers for these coupons, the checks were either endorsed over to Sea Crest Trading Company or cashed, and the money sent to Sea Crest. Sea Crest reportedly was at the center of this scam.

Financing World Trade Center Bombing With Bodega Food Coupon Fraud and Drug Money

A New Jersey news service, Golden State News Service, distributed to newspapers in October 1995 the following in-depth interview with several key New York area law enforcement officers relating to the bombing of the World Trade Center:

The terrorist bombing of the World Trade Center was financed with drug and other racket money laundered and leveraged through small ethnic grocery stores. What's more, terrorists even now are siphoning off more such funds. The real leader in the World Trade Center bombing has been allowed to flee capture, and all this is happening under the apparent protection of the Center Intelligence Agency.

Occhipinti says he and Jacobson, acting independently of each other, have tried repeatedly to interest various federal state and even local law enforcement authorities to follow through on investigations of Sea Crest. "But always the investigations go nowhere." Lenny Lemmer, a detective sergeant with the New York City Police Department, said recently in a sworn statement that he has encountered similar dead-ends in probing Sea Crest and its alleged drug cartel connections.

Lemmer said he was called to meet several times with FBI agents and federal prosecutors, who tried to intimidate him into abandoning any leads he might uncover about Sea Crest or anything exculpatory about Occhipinti. Lemmer said he was aware of "concrete evidence"

about alleged Sea Crest money laundering activities in Bogota, Colombia, and conveyed this information to an FBI agent.

In a recent interview, Jacobson confirmed that proceeds from coupon fraud paid for the World Trade Center bombing, and that Sea Crest had received redemption checks signed over by Middle Eastern and Dominican grocers suspected of participating in such fraud. The conspiracy is so loose that money may be siphoned off to terrorists without all parties involved in the original loan-shark-coupon scams being aware of it, according to investigators.

FBI Cover-up

FBI Special Agent Lionel Baron of the FBI's New York City terrorist unit obtained from Ben Jacobsen the names of his informants with the expressed intention of infiltrating Sea Crest. Despite receiving considerable evidence showing the criminal activities did exist, Baron and the FBI never went forward with any prosecution.

Lying by FBI Agents

When New York Post reporter Al Guart requested access to Baron's investigative notes under the Freedom of Information Act, the FBI replied there were no notes and no investigation. This false statement by the FBI was made despite the fact that Baron had interviewed a number of witnesses, including Cesar Cabral, Hector Rodriguez, Alma Camarana, Peter Navaro, Luis Rodriguez, and Detective Raul Anglada, proving that an investigation had been made. Rodriguez had even given a sworn affidavit to the FBI relating to a usurious loan from Sea Crest. Guart discovered many of the alias corporations used by Sea Crest.

Investigation of Sea Crest Blocked at State and Federal Levels

Guart's continuing investigation into Sea Crest's activities, including interviews with law enforcement agents, confirmed to him that in every case, investigations and prosecutions were blocked by high-level state and federal personnel. This is further evidence of DOJ obstruction of justice when criminal activities involving the CIA or other covert agency, and covert illegal operation, are involved. In every one of my books, I give details of how state personnel, law enforcement and judicial, routinely cooperate with federal DOJ personnel to block investigations of highly sensitive, and usually corrupt, activities by federal agencies. And this includes state and local "law-enforcement" and judicial personnel in retaliating against anyone threatening to expose these activities.

Guart interviewed Bronx Borough President Fernando Ferrier regarding Sea Crest's operations in the Bronx with the intent of getting the Bronx district attorney to investigate the company. Ferrier denied knowing anything about Sea Crest, but said he would set up an appointment with the Bronx district attorney. When Guart conducted a Lexus check, he discovered a *New York Times* article (August 13, 1993) in which Ferrier assisted Sea Crest in procuring a special ordinance to rebuild their building that had mysteriously

burned in the Bronx. In the article, Ferier was quoted as referring to the president of Sea Crest, Mr. Berkovitz, as “my good friend Bernie.”

New York Post Cover-up of Covert Criminal Activities

Guart prepared four news articles on Sea Crest which were to be published, but weren't. His editor told Guart that they were afraid to publish the articles. Earlier, when the *New York Post* ran a series of articles, “The Framing of a Cop,” which made reference to bodegas and Sea Crest, the newspaper received bomb threats and threats from the Dominican Federation that they would boycott the New York Post in the Washington Heights section of New York.

A DEA report (October 16, 1992) provided by Occhipinti alleged that Sea Crest was reportedly responsible for over \$500 million in money laundering operations from the Washington Heights section of New York City.

The Federation

The multi-agency task force discovered that members of the Federation were frequently involved in criminal activities, that major drug groups were using the federation businesses as fronts, and that the Federation's influence extended into political offices, including New York City Mayor David Dinkins. The Federation started putting pressure on political figures, seeking to disband the task forces led by Occhipinti.

Customs Investigation Halted by CIA Pressure

A confidential source in the New York Police Department Intelligence Unit knew about the Dominican Federation's involvement in criminal activities following a prior joint investigation with U.S. Customs (Customs Case # NY 02AR8NY003). Targets in that investigation included Pedro Allegria and Federation Vice President Erasmo Taveras who had been indicted in 1989 and later convicted of a \$70 million money laundering and loan sharking scheme. According to the confidential source, the CIA ordered Customs to drop the pending indictments against several of the Dominican drug traffickers, who then continued to engage in money laundering activities—with the protection of the DOJ—despite evidence presented to the U.S. Attorney by Staten Island Borough President Guy Molinari in 1992.

Bergen County Investigation Halted

Under-sheriff Jay Albert of the Bergen County, New Jersey, Sheriff Department authorized a criminal investigation into Sea Crest and the Federation's infiltration into that county. The investigation was turned over to detectives Juan Lopez and Wayne Yahn, who gathered evidence substantiating the involvement of Sea Crest and the Federation. Their investigation was terminated on the basis of an alleged jurisdictional dispute with the Bergen County prosecutor's office.

Project Esquire: Investigating U.S. Attorney's Office

During the Project Bodega investigations the group discovered from a police informant, Alma Camerena, a former assistant U.S. Attorney and his law partner, were allegedly part of Then's drug cartel operations and also in-

volved in political corruption. According to Camerena, the former U.S. Attorney was attending sex and drug parties with his former colleagues in the U.S. Attorney's office and receiving favored treatment in criminal cases involving his clients. Occhipinti said, "I found the allegations to be credible for a variety of reasons."

Occhipinti reported these allegations to Assistant U.S. Attorney David Lawrence, who was the Deputy Chief of the Criminal Division, with whom Occhipinti had previously worked. Lawrence then arranged to debrief Camerena. After questioning Camerena, and determining that the charges were true, showing depravity in the U.S. Attorney's office, instead of addressing the matter, Project Esquire was terminated.

Search of Dominican Bodegas

Occhipinti's task force had multiple investigations going simultaneously. Focusing on the criminal activities in the bodegas, the task force sought additional court-admissible evidence by conducting consensual searches of several dozen bodegas in the Washington Heights section of New York during the last half of 1989 and early 1990. In conducting consensual searches, the owner or operator is asked to sign a consent form agreeing to have their properties searched. Otherwise, a search warrant must be obtained.

In one search of the Then's Brothers Grocery Store, the task force discovered \$131,000 in cash bundles destined for Sea Crest. This money was later judicially forfeited as drug proceeds by the U.S. District Court in Manhattan. In another bodega owned by Richard Knipping in the Bronx, the task force discovered hundreds of newly issued government food stamp books for which Knipping could provide no explanation. These seizures and related criminal charges started major retaliation efforts against Occhipinti by various members of the Federation, Dominican criminal cartels, the black Mayor, David Dinkins, and the U.S. Attorney's office in New York City.

Drug Traffickers and Immigrants Reacted with Demonstrations

The politically powerful Dominican drug traffickers, the Federation, and Mayor David Dinkins orchestrated demonstrations against Occhipinti in the drug-infested Washington Heights area of Manhattan. Rather than support the head of the multi-agency task force, Project Bodega was terminated, despite the heavy concentration of drug and other criminal activities discovered during the bodega searches. Drug trafficking then escalated.

Using Clinton's Tactics: Blame the Republicans

Mayor Dinkins issued a statement claiming the search of the bodegas was a "Republican Conspiracy" intended to sabotage the 1990 census and intimidate immigrant voters from going to the polls. Dinkins was referring to the large numbers of illegal aliens in the area, many of whom voted for him in the prior election that resulted in the slim majority that won him the election.

What Dinkins was probably afraid of was that the increased police ac-

tivities would keep illegal aliens from the voting booths where he had a large following in the Dominican community. Dominicans constitute a large voting block in the New York and other urban areas in the Northeast. Figures indicate there were over half a million Dominicans in New York City alone, and that they will outnumber all other Hispanic groups within a few years. Dinkins had been receiving large contributions from the Federation and the Dominican crime figures, being another reason for wanting to shut down the investigation of criminal activities involving mostly Dominicans.

Consensual Searches Violated Their Civil Rights?

The Federation, the immigrants, the drug traffickers, and Mayor Dinkins claimed that the searches violated the civil rights of the bodega operators, and focused their charges against Occhipinti, even though he was only one member of the task force. It was necessary to focus the attacks on one individual in order for the protest to succeed. The group pressured the U.S. Attorney to file criminal charges against Occhipinti for violating their civil rights. This had never been done before against a government agent on the basis of an alleged technical violation. The group charged Occhipinti with violating their civil rights on the basis of the consensual searches—despite the fact that the bodega operators had signed consent forms before the search.

Several members of the multi-agency task force told the U.S. Attorney that there were no violations of anyone's civil rights during the task force's search of the bodegas. IRS Special Agent Ronald Nowicki was present during the search of Knipping's bodega and stated there were no violations of search procedures. DEA agent John Dowd was also present during the search of Knipping's bodega and stated that the search was legal. But this wasn't what the DOJ prosecutors wanted to hear.

Reporting Threats Against Occhipinti to U.S. Attorney

Alma Camarena, the legal secretary in the law offices of former AUSA Jorge Guttlein, and Andres Aranda, overheard the lawyers discussing ways to eliminate the threat that Occhipinti posed to their Dominican and drug trafficking clients. Upon hearing these threats, Camarena went to the U.S. Attorney's office to report what she heard, and was interviewed by Assistant U.S. Attorney Jeh Johnson. "Mr. Aranda told Mr. Guttlein that he would like to have Mr. Occhipinti eliminated," Camarena said, adding that Guttlein didn't like that idea and said he would think up another plan.

After she gave this information to the U.S. Attorney's office, Johnson, or someone else in the U.S. Attorney's office, gave this confidential information, and the name of the confidential witness, to Camarena's boss who was the target of the charges!

U.S. Attorney Protecting Drug Cartels and Terrorists

Instead of protecting a respected government agent, the U.S. Attorney filed criminal charges against Occhipinti. These charges were based upon the perjured statements of the bodega operators—most of who were engag-

ing in criminal activities and who were continuing their unlawful activities—to justify obtaining an indictment against Occhipinti from a grand jury.

The indictment charged Occhipinti with failure to obtain written consent of the bodega operators before searching the premises. (He relied on their verbal consent.) Also, that he kept money seized by the task force group (During trial, the jury held him not guilty of that charge, and at a later date some of the bodega operators who made that charge admitted that they lied.)

This was the same U.S. Attorney's office that had been covering up for the criminal activities that Occhipinti and his task force had been exposing. It was the same office that had covered up for the CIA-Mafia drug trafficking reported by one of their own agents, Richard Taus, during this same time period, which is described in other pages of this book.

Peculiar Comparisons

Compare these civil rights "violations" with the common practice of DEA and ATF agents breaking down the doors to peoples' homes, throwing the residents to the floor, shoving loaded pistols in their faces, and occasionally shooting and killing innocent people. These agents have the full support of the Department of Justice and federal judges. There was a difference; Occhipinti was exposing powerful drug traffickers, who had connections with CIA operations, and who had political connections.

Usual Withholding of Exculpatory Evidence by DOJ Prosecutors

Transcripts of the grand jury proceedings showed DOJ witnesses lying when they testified they did not have prior criminal records. DOJ prosecutors withheld this perjury from the grand jury members and from the defense during the jury trial. Also withheld from the grand jury and trial jury was the fact that the task force had discovered contraband and illegal activity at each of the locations that they searched

Black Activist Federal Judge with Strong Ties to Democratic Mayor Dinkins and the Federation

Selected to be the judge for Occhipinti's trial was U.S. District Judge Constance Baker Motley, the first black woman appointed to the federal bench and who had a radical and biased reputation. Federal court procedures require assignment of judges to a particular criminal trial be done on a normal rotation process, and is normally done by the court clerk. Judge Motley was pre-selected instead of chosen at random. Occhipinti said U.S. Attorney Jeh Johnson's face reflected joy and he gave a "thumbs-up" sign when Judge Motley's name was announced as being the trial judge.

Motley had close political ties to black mayor of New York City, David Dinkins. She was a protégé of Raymond Jones, a powerful black leader of Tammany Hall who was also an associate of David Dinkins in the Harlem Carver Democratic Club.

A Mafia Don would Have Been Pleased with This Lineup

A *New American* article (February 21, 1994) stated that during Motley's Senate confirmation hearings, evidence was presented showing Motley to be

an ardent Young Communist League organizer who established student cells at New York University. The records showed that Constance Baker, her maiden name, was training for the Red Underground. Despite this record, Senator Edward Kennedy nominated Motley to become America's first black female federal judge, and other senators, wanting to get as many of the black votes as possible, quickly endorsed her.

The prosecutor, Jeh Johnson, was a former law clerk for the judge, and it was said that he was her "Godson." The article raised another problem that should have been the basis for changes in the trial setting:

There was bad blood between [Johnson] and Occhipinti as a result of the Project Esquire investigation of corruption within [Johnson's] office. Further, some of Johnson's associates alleged that he had boasted that an Occhipinti conviction would land him a high-paying private sector job—a prediction that has been fulfilled. Today, Johnson's office walls at the prestigious New York law firm of Paul, Weiss, Rifkin, Wharton and Garrison are adorned with artists' renderings of the Occhipinti trial, which Johnson regards as "trophies."

Record of Overturned Decisions

Judge Motley had more decisions overturned on appeal than any other judge in that circuit, indicating she was either legally ignorant, contemptuous of the law, or rendering decisions based on personal interests or money under the table.

Pre-Trial Problems for Occhipinti

Making matters worse for Occhipinti, his lawyer, Norman Mordkofsky, was suffering a nervous breakdown. The heavy media publicity and street demonstrations, and the loss of his legal practice, caused Occhipinti's trial lawyer to suffer severe stress before the trial. Occhipinti sought substitution of another legal counsel. Mordkofsky explained his serious problems to Judge Motley and filed a motion to be excused so that Occhipinti could obtain another lawyer. Judge Motley denied the request, calling the lawyer a liar. Occhipinti ended up with incompetent legal representation.

A week earlier, New York Supreme Court Judge Anthony Scarpino removed Mordkofsky from a murder case because of his bizarre behavior. The judge publicly admitted that there was no question that Mordkofsky was suffering some kind of psychological problem. After Occhipinti's trial, the lawyer was admitted to the hospital for psychiatric care.

In one letter to me, Occhipinti wrote:

During my trial, he talked about committing suicide on several occasions. Judge Motley demanded that he go to trial. On the trial records, Mordkofsky demonstrates before the jury bizarre behavior as well as his failure to call very much needed defense witnesses or go through the counts of the indictment. It was also determined that his breakdown was attributed to the termination of his law practice.

His two partners were criminal defense lawyers who represented

many Dominican organized crime figures I was investigating, including some of Freddy Then's drug associates. Clearly, I had won several crucial criminal cases which made Mordkofsky's two partners look bad. Another important fact I later learned that Mordkofsky's next-door neighbor was a lawyer who incorporated many of the Dominican Bodegas with suspected ties to the Federation and Sea Crest.

In fact, it was this very same lawyer who represented the Then Brothers grocery store on the \$131,000 forfeiture case. I truly believe that there was immense pressure on Mordkofsky, which resulted in his nervous breakdown. There are medical and hospitalization records to document this breakdown.

DOJ Prosecutor Threatening Witnesses

The Justice Department's prosecutor threatened witnesses who wanted to testify on Occhipinti's behalf—a common practice. Occhipinti explained:

The Manhattan district attorney's office, which provided the staff for the multi-agency task force, included three Assistant district attorneys and a team of investigators. They wanted to testify on my behalf. They knew the project was lawful and had proper predication. In fact, Ann Rudman, chief of the Asset Forfeiture Program, tried to convince INS not to close down the project.

Yet, these district attorney officials never came forward. According to Jacobson and others, the Manhattan district attorney's office was threatened by SDNY prosecutors that if they came to my aid, they might subject themselves to federal prosecution since they jointly worked on the task force with me.

Also, in the documented setup of another NYPD police officer, Louis Dellapizzi, on fabricated civil rights charges, Lawyer Andres Aranda was never indicted for the setup because of reported influence by SDNY prosecutors. If Aranda had been indicted, many suspect that as part of a plea-bargain deal, he would have confirmed my setup and exposed the official corruption at the US Lawyer's office.

Typical Judicial Chicanery

During the trial, Judge Motley refused to allow the defense to introduce information about the criminal background of the Dominicans witnesses who claimed Occhipinti violated their civil rights, despite the fact that this information was relevant to assess the witnesses' credibility. Motley made numerous rulings that kept any information about CIA and criminal activities from being heard by the jurors.

DOJ Withholding Exculpatory Evidence

Many of the bodega operators who filed civil rights complaints against Occhipinti were suspected of dealing in food coupon fraud or drug activities, and continued to be suspected of violations after the trial had ended. This information was known to the prosecutor who unlawfully withheld the information throughout the trial proceedings. Federal law requires that the

prosecutor provides the defense with all exculpatory evidence known to the prosecutor; this requirement is routinely violated by the Justice Department lawyers, who never suffer any retaliation for it.

Prosecutorial Deception

There were numerous prosecutorial errors before and during trial, all intended to insure that the jury decide Occhipinti guilty. To obtain the indictment from the federal grand jury, U.S. Attorney Johnson withheld exculpatory evidence and made inflammatory statements against Occhipinti. The prosecutor threatened and intimidated witnesses who would be testifying in Occhipinti's defense. One official with the NYPD admitted to Jacobsen that NYPD officers involved in Project Bodega were being threatened with indictment if they came to Occhipinti's defense.

Outraged Lawyer Files Court Affidavit

During the trial, lawyer Angel Nunez, who had been observing the proceedings, became outraged by the prosecutorial and judicial misconduct, submitted an affidavit into court records detailing the numerous trial irregularities. Nunez interviewed those who filed the complaint against Occhipinti, and in 55 undercover taped conversations they admitted the searches were legal in their estimation, contradicting their grand jury and trial testimony.

Nunez tried to submit an affidavit into the trial relating to these findings, showing a conspiracy against Occhipinti and the witnesses lying. Judge Motley refused to allow the affidavit admitted into the trial. When Nunez tried to admit the tapes and transcripts into the hearing, she again refused, compounding her refusal by seizing the tapes, thereby preventing them from being used elsewhere. When the judge heard that Occhipinti reported these irregularities to the media, she put a "gag order" on Occhipinti, preventing him from speaking out, surely an unconstitutional order.

Guilty, Said the Naive Jury

The jurors from the area that Occhipinti's group had targeted handed down a guilty verdict against Occhipinti on June 12, 1992, on the charge of conspiracy to violate the civil rights of the bodega operators.

First Law Enforcement Officer Sentenced

To Prison for *Alleged* Technical Error

Never before in American history had a federal law enforcement officer been criminally prosecuted in a case where there was no violence involved and where the officer had done a routine consensual search, and merely involved an "alleged" technical violation. Even if, for argument, Occhipinti, a key agent in U.S. Immigration and Naturalization Service, had actually violated some technical search procedure that would not subject the officer to prison. Instead, the evidence obtained in a faulty manner would be excluded and administrative action possibly taken against the officer. It had always been, and still is, government policy to conduct an administrative hearing, and certainly not file criminal charges. The FBI never conducted any hearing. The question is, why did the Department of Justice file the sham

charges?

Ending a Successful Drug-Fighting Career

Judge Motley sentenced Occhipinti to 37 months in a maximum-security prison where Occhipinti would be surrounded by convicted drug dealers that he helped put in prison. This same tactic was used to eliminate other witnesses against government corruption. Read on.

Justice Department Retaliating Against FBI Supervisor

FBI Special Agent in Charge (SAC) of the New York office, Jim Fox, had replied to media questions, stating the FBI had evidence showing Occhipinti was innocent of the charges and that the government was withholding the evidence. In retaliation, the FBI suspended him—two months prior to his planned retirement.

Occhipinti filed a motion for a new trial, based upon Fox's statements, but Judge Motley denied the motion. (Fox died of cancer in 1998.)

Fallout From Justice Department's Conduct

There were several expected consequences to the Justice Department's charges against Occhipinti:

- Government agents were put on notice not to go after politically connected criminal elements in the Dominican community.
- Caused other government agents to ignore politically connected criminal activities.
- Established an "acceptable" procedure for retaliating against government agents who threaten politically connected criminals.
- Emboldened larger and well-connected drug traffickers to continue or escalate their criminal activities, knowing they would be protected by DOJ personnel. Small-time drug traffickers, with no political or CIA connections, would receive DOJ attention.
- Made possible continued crimes, some of it violent, against Americans and against America.
- Protected Jersey City terrorists who received some of their funding from the drug activities that Occhipinti was targeting.

Another of Many DOJ Contributions to Increased Crime Activities

A 1993 report by the president of the New Jersey Police Benevolent Association said that in the year before Occhipinti's conviction the local Drug Enforcement Agency conducted 2,700 investigations, and that the year after Occhipinti's conviction, that number dropped to 500. The reason given was that agents feared being sent to prison for carrying out their drug investigations.

The president of the New York-New Jersey Port Authority Police Union said that their officers had ceased all consensual searches and drug interdiction activities in the ports of New York and New Jersey, out of fear of being charged with civil rights violations (of politically-connected criminal groups).

Sgt. Lenny Lemer of the NYPD-DEA drug task force gave testimony to

Congress revealing that during a 1992 criminal investigation they discovered evidence at Sea Crest of a conspiracy against Occhipinti. The U.S. Attorney's office in New York ordered Lemer to remain silent about this information, giving the sham excuse that there was an ongoing investigation. The Justice Department prosecutors chose to use the obviously biased statements from major drug traffickers over the statements of any of the government agents.

Appeal Process on Heels of Watts Riots and Local Demonstrations

With a new lawyer, Stephen Frankel, Occhipinti appealed his conviction. Oral arguments were scheduled (June 1992) at the Second Circuit Court of Appeals. The appeal was based on ineffective assistance of counsel, prosecutorial misconduct, and judicial errors. The appeal brief and appendix exceeded 750 pages.

Trying to intimidate the judges, the Dominican Federation staged a noisy demonstration in front of the courthouse. The noisy group carried signs warning of riots in Washington Heights if Occhipinti's trial decision was overturned, and then packed an overflowing courtroom where oral arguments were to be heard.

Normally, an appellate court takes weeks or even months before it issues a decision after an oral hearing, taking time to digest the written and oral arguments. In Occhipinti's case, the decision was rendered within one hour of the "hearing," apparently to prevent the near riots of Dominican immigrants, drug traffickers and bodega operators.

Risks in Prison

His appeal rejected, Occhipinti was ordered to turn himself in on June 12, 1992. The day before he was to turn himself in, Occhipinti appeared on a New York television show, the "Jackie Mason Show," explaining what really happened. Judge Motley retaliated, ordering the U.S. Marshal to immediately arrest Occhipinti. The marshal ignored her order and told Occhipinti to surrender the next morning. As is customary, Occhipinti was placed in leg irons and body chains and sent by prison plane to El Reno, Oklahoma. The greater distance from New York insured he would have difficulty getting publicity or using other legal remedies.

Recognized by Prisoners He Previously Arrested

As Occhipinti entered the general prison population at El Reno, Oklahoma, he was recognized by some of the prisoners from New York whose incarceration came about as a result of Occhipinti's task force. Fortunately, sympathetic prison guards, made aware of the risk, put Occhipinti into solitary confinement. While this protected him from physical harm, the isolation resulted in a breakdown. DOJ prison officials blocked every attempt by Occhipinti to be transferred closer to his family, realizing that he and his supporters would be working to bring about his release and publicize the misconduct by Justice Department prosecutors.

Many People Protested the Outrage and DOJ Protection of Politically Connected Criminals

Many courageous people expressed outrage at sentencing a key government drug agent to prison for having reported the criminal activities in the New York area. Staten Island Borough President, Guy V. Molinari heard about Occhipinti's plight, and even though Occhipinti was not one of his constituents, Molinari started an investigation, acquiring several affidavits from key people that proved Occhipinti's innocence.

FBI Trying to Set Up Borough President Molinari

Molinari's actions seeking to reveal the truth behind the DOJ's prosecution of Occhipinti started an all-too-common DOJ retaliation. Assistant U.S. Attorney Valerie Capone and FBI Special Agent Jarrett investigated Molinari's staff on the excuse the evidence the staff had uncovered relating to the drug cartel conspiracy was fabricated. Capone also threatened NYPD Detective Lemmer with potential prosecution for providing Molinari with exculpatory evidence relating to the Occhipinti setup and cover-up of criminal activities in the New York area.

The DOJ, through its FBI agents, then tried to entrap Molinari, using a woman wearing a wire-recorder seeking to trap him with false charges. They also charged Molinari with compensating a person for giving testimony. (More about this law and this practice in later pages.)

Media Reference to FBI Setup of Molinari

An article in the *New York Post* (April 26, 1995) made reference to the misuse of the FBI's powers against Molinari: "Guy Molinari Fumes: FBI tried to set me up." The article stated in part:

Staten Island Borough President Guy Molinari angrily charged yesterday that two FBI agents sought to entrap him in a criminal scheme with the help of a "wired" government informant. "It's outrageous," Molinari said. "If they will do this to me, an elected official, I hate to think what they might do to a member of the general public."

Molinari came under FBI scrutiny during his relentless efforts to prove the innocence of Joseph Occhipinti, the Immigration and Naturalization officer who was convicted and imprisoned on charges of conducting illegal searches of drug locations in upper Manhattan. Occhipinti, the most decorated officer in INS history, served seven months of a 37-month prison term before President Bush commuted the sentence, principally at Molinari's behest.

Molinari, who had never heard of Occhipinti, became involved only two days before the agent was sentenced. He was so appalled at what he saw at the sentencing that he and his staff launched an independent probe. Molinari concluded that Occhipinti had been framed and convicted on the perjured testimony of drug dealers. Molinari's efforts on behalf of the beleaguered agent—who is not even a constituent—are among his finest hours in a long career of public service. But those ef-

forts started his problem with the FBI.

“When a small team of FBI agents working out of Queens arrived at my office, it became clear to me that the focus of their investigation was not the evidence we had produced but the involvement of me and my office in the matter.” Molinari told me yesterday. *“Here was I, a law-abiding citizen, seeking to redress what I believed to be a miscarriage of justice, and finding that I had become the target of the FBI probe. They tried to get me to commit a crime. It’s outrageous*

Molinari’s evidence against the FBI includes a sworn affidavit from Alma Camarena, a former law clerk who first informed the government that Dominican drug lords were planning to frame Occhipinti. [With Justice Department assistance!]

In the affidavit, Camarena swears: “On or about January or February of 1993, I was contacted by [an FBI] agent to come to their office in Queens. I agreed. At that interview, they said that they wanted me to set up Mr. Molinari by my wearing a wire against him. I said, “Yes only because I was afraid.” The trap was to get Molinari to admit he offered FBI Agents Scheming For Tainted Testimony

Camarena said she overheard the agents planning the operation. “They were bragging how they would get a helicopter to circle Mr. Molinari’s office to overhear my conversation with him.” she swore. “They said when Mr. Molinari agreed to get me a job on the wire, they would arrest him.”

Camarena said she called Molinari, but “I never said what the FBI wanted me to say. The FBI agents appeared upset because I didn’t repeat everything they wanted.”

Molinari told the FBI’s Office of Professional Responsibility that the agents seemed more interested in investigating him than in the criminal conspiracy or the perjury against Occhipinti.

Drug Dealers, Immigrants, and DOJ Personnel

In Conspiracy Against Law Enforcement Officers

Molinari articulated this fact from looking at the Occhipinti case as he said:

The Occhipinti case is very significant. It is part of a new phenomenon in which law-enforcement officers are being convicted on the perjured testimony of drug dealers.

Complaining To FBI’s Lapdog Office of Professional Responsibility

Molinari complained to the FBI’s “lapdog” Office of Professional Responsibility (OPR) about the scheme to file false charges against him. Almost a year later, the FBI responded:

There is insufficient evidence to find that the allegations made by you and supported by Alma Camarena are substantiated. While it appears that on August 28, 1992, the agents discussed with Camarena the possibility of her wearing a wire in some type of cover action against you, and that she agreed to do so, the idea was not endorsed by the agents’

supervisor and was flatly rejected by Department of Justice lawyers.

President George Bush Pardons Occhipinti

After acquiring considerable evidence and affidavits clearly showing how drug traffickers and DOJ personnel set up Occhipinti, Molinari requested President George Bush to commute Occhipinti's sentence. Other concerned people also contacted Bush. On January 15, 1993, shortly before Bush left office, he signed a commutation for Occhipinti. However, he refused to give Occhipinti a full pardon, which left Occhipinti with a felony conviction. During the 1980s, Bush was heavily involved in CIA activities in which Sea Crest played an important role and he was also in the loop with the heavy drug trafficking associated with the Contra affair.

Continuing to Expose Criminal Activities Upon Release

After Occhipinti was released from prison, as a private citizen, he presented evidence concerning the many criminal activities to various law enforcement agencies that had jurisdiction and responsibilities in those areas. During a February 2, 1993 meeting in the office of the Bronx district attorney to discuss Sea Crest and Dominican crime activities, attended by district attorney personnel, Occhipinti described the evidence that the task force group had acquired. Before leaving, an unnamed investigator privately told Occhipinti that no investigation would be conducted because of the high political links to the CIA and Dominican organized crime operations.

Brooklyn District Attorney Drops Investigation

Brooklyn District Attorney Charles J. Hines had meetings with Occhipinti in 1993 concerning the evidence Occhipinti's group had acquired, which was in his jurisdiction and area of responsibility. Hines stated he would authorize an investigation into Sea Crest, but interest suddenly cooled and the investigation was dropped.

Bronx DA Halts Investigation

During a January 12, 1994, meeting with Assistant District Attorney Edward Friedenthal in the Bronx, Friedenthal told Occhipinti that an investigation would be conducted into Sea Crest, based upon information provided by Occhipinti's task force. An unnamed Bronx investigator from the district attorney's office told Occhipinti that no investigation would be conducted due to political concerns, alluding to the political connection between Mayor Dinkins and the Bronx district attorney. He was correct; no investigation was conducted.

New Jersey Investigation Halted

A conference took place on July 21, 1994 with Sgt. Jim Mulholland of the New Jersey Police intelligence unit, Occhipinti, and several high-ranking deputy Attorney Generals from New Jersey, which was arranged by former New Jersey Attorney General Robert Del Tufo. A week earlier, on July 13, 1994, Occhipinti and several New York City law enforcement agents testified before the New Jersey Senate about Dominican organized crime operations in New Jersey. New Jersey law enforcement personnel planned to act

upon the information, until Justice Department personnel contacted them.

Postal Service and ATF Cover-up

Federal agents from the U.S. Postal Inspection Service and the Alcohol Tobacco and Firearms Bureau interviewed Occhipinti in December 1994 concerning these criminal activities. According to a confidential source, Postal inspectors and the Organized Crime Strike Force for Newark, New Jersey, had indicated an interest in Sea Crest Trading Company, but the investigation was also stopped.

Congressman Traficant Seeking Congressional Hearing

Complaints of the criminal activities and government cover-ups were brought to Representative James Traficant's attention. He obtained a confidential June 1992 DEA report that corroborated reports of a special interest group protecting Sea Crest corrupt activities. The DEA report said that Sea Crest laundered over \$500 million dollars a year from Washington Heights. Traficant placed into the Congressional Record (September 27, 1996) affidavits and other evidence showing the existence of the CIA and Dominican drug offenses in the United States. He also referenced Justice Department's actions blocking the exposure of these activities. Traficant would later become targeted by Justice Department prosecutors and forced out of office by his imprisonment.

Dominican Diplomat Confirming Dominican Criminal Activities

Ramon Antonio Grullon, a former Dominican diplomat, prepared two affidavits on March 10, 1994 that were entered into the Congressional Record by Traficant. In the affidavits, Grullon said he had been recruited by Federation members Pedro Alegria and others to participate in a conspiracy against Occhipinti, and that the motive for these acts against Occhipinti was Occhipinti's investigation of Sea Crest and the Federation's bodegas. Grullon described the criminal activities of Sea Crest and the involvement of Richard Knipping and Jose Liberato in the illicit operations.

Drug Money to U.S. Politicians

Grullon also described being present when drug money was given to certain elected officials. Throughout these pages are reports of U.S. politicians from both political parties knowingly receiving drug money.

Congressional Resolution That Went Nowhere

A resolution was entered into the Congressional Record on April 28, 1993 by Representative Dick Zimmer seeking the appointment of a special or independent prosecutor to investigate the matters that Occhipinti discovered. The resolution stated in part:

Whereas, there is voluminous evidence that in 1991 and 1992 Mr. Occhipinti may have been the target of a well orchestrated conspiracy by Dominican drug dealers, leading to his prosecution on civil rights charges under 18 U.S.C. §§ 241 and 242; (1) This House memorializes the President and Congress of the United States to appoint a special or independent prosecutor to investigate the case of Mr. Joseph Occhipinti,

including an investigation of the alleged drug cartel conspiracy against Mr. Occhipinti, and, further, of the alleged Justice Department cover-up in the handling and prosecution of the Occhipinti case. The President is memorialized further to grant, if the investigation warrants, a full pardon so Mr. Occhipinti can clear his name.

This House further memorializes the President and Congress of the United States to seek a congressional investigation examining the extent of Dominican crime operations in the United States especially in New Jersey.

Congress Did Nothing to Offend the Dominican Constituency

Despite the gravity of the criminal activities in the New York area uncovered by the various law enforcement agencies, and despite the obstruction of justice activities by DOJ personnel, few in Congress wanted to investigate the problems. Some were covering up for the Justice Department and others were too scared and cowardly. There were many other links to the Occhipinti matter that would be revealed by any thorough investigation. An investigation would alienate a large political constituency in the Dominican groups.

A full investigation would reveal, for instance, the decades of CIA drug trafficking; drug money going to both political parties; the most recent examples of drug money going to the Democratic party and President Bill Clinton.

Seeking Congressional Relief for Occhipinti

Further information supporting Occhipinti's innocence and the DOJ-organized crime coalition against him was provided by an affidavit placed into the Congressional Record (E1734) on September 27, 1996, by William Acosta, which stated in part:

(2) I am former thirteen-year law enforcement official who successfully infiltrated the Medellin and Cali Colombian drug cartels. I am considered an expert on the Colombian and Dominican drug and money laundering operations in the New York City area.

[Political Corruption Involving John F. Kennedy Airport]

(3) In 1987, I was previously employed as an undercover operative for the United States Customs Service, wherein I was assigned to route out corruption at John F. Kennedy International Airport. In 1987, I was the principle undercover agent on "Operation Airport 88," which resulted in the prosecution and conviction of seventeen government officials for bribery corruption and related criminal charges. I was then promoted to Special Agent and reassigned to the Los Angeles District Office.

[Evidence of New York City Police Corruption]

(4) In 1990, I was appointed to the New York City Police Department as a Police officer. In view of my Colombian heritage and confidential sources close to the Colombian cartel, I was eventually assigned

to the Internal Affairs Unit. During my undercover activity, I generated evidence of police corruption for the Deputy Commissioner of Internal Affairs, which was later corroborated by the "Mollen Commission" hearings, which investigated police corruption.

[Drug Cartel Conspiracy Against Occhipinti]

(5) On January 14, 1992, Manuel De Dios, a close personal friend and world renown journalist executed the attached notarized affidavit, wherein, Mr. Dios corroborated the existence of a drug cartel conspiracy against Mr. Occhipinti. The orchestrators of the conspiracy were major Dominican organized crime figures connected with the "Dominican Federation" which is the front for the Dominican drug cartel. The Federation are the principle drug distributors in the United States for the Colombian cartel. Unfortunately, Mr. De Dios was assassinated before he could bring forward his sources who could prove the drug cartel conspiracy against Mr. Occhipinti. After Mr. De Dios' assassination, I too became fearful of my personal safety and never made public the evidence on the Occhipinti case.

[Corroborating the Federal Conspiracy]

(6) It should be noted that I personally assisted Mr. De Dios in this investigation of the Occhipinti case, which corroborated the Federation conspiracy. In fact, I personally accompanied Mr. De Dios to the Washington Heights area where we secretly taped recorded Federation members who confirmed the drug cartel conspiracy. Those tapes still exist and can exonerate Mr. Occhipinti. In essence, Mr. Occhipinti was set up because of his increased enforcement efforts on Project Bodega which was exposing and hurting the Dominican Federation's criminal operations in New York City, which included illegal wire transfers, drug distribution, gambling operations, food stamp fraud, food coupon fraud, among other organized crime activity.

[Criminals Protected by High-Level Government Officials]

(7) My investigation also determined that Mr. Occhipinti was exposing a major money laundering and loan sharking operation relating to the Federation, which was controlled by the Sea Crest Trading Company, of Greenwich, Connecticut. Sea Crest also maintains an office at 4750 Bronx River Parkway in the Bronx, New York.

Sea Crest was using the Capital National Bank in order to facilitate their money laundering operations. In 1993, Carlos Cordoba, the President of Capital National Bank was convicted in Federal Court at Brooklyn, New York for millions of dollars in money laundering and he received a token sentence of probation. My investigation confirmed that Sea Crest, as well as the Dominican Federation, are being politically protected by high-ranking public officials who have received illegal political contributions, which were drug proceeds. In addition, the operatives in Sea Crest were former CIA Cuban operatives who were involved

in the "Bay of Pigs." This is one of the reasons why the intelligence community has consistently protected and insulated Sea Crest and the Dominican Federation from criminal prosecution.

[Dominicans and Colombians Partners in Drug Activities]

(8) At present, there are nine major Colombian drug families, which control drug operations in the New York City area. These drug families often referred to as the "Nine Kings." The Dominican Federation are part of their drug trafficking and money laundering operations. I possess documentary evidence, as well as video surveillance tapes of their drug operations. In addition, the New York City Police has investigative files to corroborate this fact. I have also uncovered substantial evidence of political and police corruption, which has been intentionally ignored. In fact, it is my belief that former New York City Police Internal Affairs Commissioner Walter Mack, who I directly worked for, was intentionally fired because of his efforts to expose police corruption. I plan to make public this evidence to the United States Congress, as well as key members of the media in order to preserve this evidence in the event I am assassinated like Mr. De Dios.

[Common Obstruction of Justice by Justice Personnel]

(9) It should also be noted that criminal Investigators Benjamin Saurino and Ronald Gardello of the U.S. Attorney's Office in Manhattan similarly ignored the evidence I brought forward to them on the Nine Kings and Dominican Federation. These two investigators were credited for convicting Mr. Occhipinti and they made it clear to me they didn't want to hear the evidence I had on the Federation which could have exonerated Mr. Occhipinti. They were only interested in corruption cases I had brought to their office. In fact, I recall a conversation, wherein, Investigator Saurino asked me about my involvement with Manuel De Dios and if I knew anything about the Occhipinti case. He then stopped and referred to Occhipinti in a derogatory manner, by saying "He's no --- good." Realizing his bias and lack of interest in investigating the Federation and Nine Kings, I changed the subject of conversation.

[Rampant Corruption in New York Police Department]

(10) In April 1995, I resigned from the New York City Police Department Internal Affairs Unit after it became evident that my efforts to expose police corruption were being hampered. The same reason why I believe Commissioner Walter Mack was fired. It became evident to me that my life was in eminent danger and I could be easily set up on fabricated misconduct charges like Mr. Occhipinti. In fact, they brought departmental charges against me in 1995 and I won the case. The trial judge also admonished the department on the record for perjury. Often, I found myself isolated and in constant danger working alone in the worst neighborhoods of the city without a backup.

Today, I possess substantial evidence to prove that the NYC Police

Department media campaign to demonstrate that they could independently police themselves and route out corruption was simply a media ploy to avoid having an independent counsel to oversee their internal affairs unit. In reality, corruption is still rampant in the department and high-ranking police brass are intentionally terminating viable corruption investigations in order to avoid future scandals exposed by the Mollen Commission. I also possess a consensually monitored tape conversation, which implicates a high-ranking police official who received bribes from the Dominican Federation.

[Drug Cartels and U.S. Politicians]

(11) I am willing to testify before Congress as to the allegations set forth in this affidavit. In addition, I am willing to turn over to Borough President Molinari and Congressman Traficant the documentary evidence I possess on the Dominican Federation, the Nine Kings and the Occhipinti drug cartel conspiracy. There are other important pieces of information relating to drug cartel operations and political corruption that I have not made public in this affidavit in order to protect my sources as well as ongoing media investigations that I am involved with. In addition, I am willing to submit to a polygraph examination to prove the veracity of my allegations.

William Acosta

Veteran Police Officer who Knew the Ropes

Acosta, with over 12 years in law enforcement, had come to the United States from Colombia and became a police officer, working undercover with state and federal agencies in bringing about the arrest and conviction of numerous criminals. As a Colombian, he had a better understanding of the drug smugglers and their method of operation, and better able to infiltrate their ranks.

During this time he received numerous commendations and medals. His work gained him attention in articles appearing in the *New York Times*, the *New Yorker*, *Newsday*, *George Magazine*, and the *Village Voice*. ABC's television program, "*Nightline*," showed Acosta as "The Good Cop" on a segment, with one of the guests saying he took the oath of an officer "too literally." Unfortunately, except for pie-in-the-sky fantasizing, there is no place in the real world for anyone to expose high-level corruption in government.

As a result of carrying out his duties, Acosta suffered retaliation. He was threatened, he was shot at, and he was attacked, and financially ruined.

Another Witness Came Forward

In the same Congressional record, Manuel De Dios, former editor of *El Diario/La Prensa* and editor of a weekly newspaper known as *Canbyo*, gave an affidavit that was published several years later in the Congressional Re-

cord (September 27, 1996). The affidavit stated:

During the course of my work for Canbyo I understood to write an expose concerning criminal complaints brought against an Immigration and Naturalization Service Supervisory Special Agent named Joseph Occhipinti by various members of the Federation of Dominican Merchants and Industrialists of New York. During the course of my investigatory work in researching the article, I interviewed numerous individuals who are members of the Federation of Dominican Merchants and Industrialists of New York.

These individuals confided to me that Mr. Occhipinti had been set up by the Federation and that the complaints against him were fraudulent. These individuals have indicated to me that they are in fear of their safety and as a result would not go public with this information. I would be more than willing to share my information with any law enforcement agencies or Courts concerned with these matters and would cooperate fully in any further investigations.

Expose DOJ-Protected Corruption and Be Murdered

In an all-too-common scenario befalling people who expose DOJ corruption, De Dios paid the price. He was gunned down and killed on March 11, 1992. His death would not have happened but for the DOJ conspiracy of cover-ups and obstruction of justice, a common consequence of their misconduct.

John F. Kennedy, Jr.: Profile in Cowardice

An article in *The New American* had the title, "Profile In Cowardice." It described a prominent New York socialite who contacted Congressman James Traficant (December 2, 1993) and provided information on one of the DOJ's steps taken to frame Occhipinti. The witness was identified in the article as "A.R.," and identified as a friend of John F. Kennedy, Jr. That witness stated that during a June 11, 1991, conversation with Kennedy, and the night before Kennedy was to testify against Occhipinti, that Kennedy was concerned that he was being forced to testify for political reasons. He added that he was being used to prejudice the jury, and that he had never heard of the Occhipinti case. Occhipinti's defense team had the witness undergo a polygraph examination, which he passed for his truthfulness. The article stated in part:

He testified that Kennedy bemoaned the fact that the next day he would have to testify against an innocent man. According to J.R., Kennedy stated that he was being "forced" to testify for political reasons and that he was being "used" to prejudice the jury.

Several years later Kennedy died in a private plane crash that he was flying from New Jersey to Nantucket. Traficant became a target of Justice Department prosecutors and ended up in prison.

Dominican Republic Diplomat Supported Occhipinti

A *New American* article (February 21, 1994) described a witness, identi-

fied as “R.A.G.,” who held several diplomatic positions for the Dominican Republic, including that of Consul General and Ambassador to Jamaica, who gave two highly sensitive affidavits (August 19, 1993) that provided more details about the conspiracy against Occhipinti. One affidavit stated in part:

On or about the end of 1989, I was personally told by Dominican businessmen Jose Delio Marte, Silvio Sanchez, Pedro Allegría, and Ernesto Farbege that they needed my political assistance in eliminating former Immigration officer Joseph Occhipinti. They explained to me that Occhipinti was a threat to their illegal businesses, which included loan sharking, gambling, drug distribution, and the employment of illegal aliens.

In his second affidavit, he stated in part:

I have confirmed why government witness Jose Liberato, a complainant against Mr. Occhipinti at trial, had falsely testified against Mr. Occhipinti and participated in the conspiracy. Mr. Liberato, a bodega owner, is a major participant of Sea Crest Trading Company and its illegal activities.

In his affidavit he also named the person who delivered drug-related money from the Federation and Sea Crest to the Dinkins political campaign.

DOJ Witnesses Arrested Again

Most of the witnesses used by DOJ prosecutors against Occhipinti had criminal records. After the trial, they continued to engage in criminal activities and continued to be arrested. An example: *New York Daily News* headline (June 17, 1993) read:

Vice Cops Bag 3 in Bribes. Two of the people named were brothers, Jose and Joaquin Checo, who had filed charges against Occhipinti and had been arrested by the New York Police Department for gambling and bribery offenses at their bodega. In the same article, New York Police Department spokesman, Raymond O’Donnell, referred to the two brothers as members of a Dominican organized crime organization known as The Federation.

“We’re going to do to you like we did Occhipinti!”

The immigrants learn fast. As the brothers were being handcuffed, one of the police officers, Sgt. Frank Perez, heard an employee holler, “You can’t get away with this. We’re going to do to you like we did to Occhipinti!”

Occhipinti Describes What Happened

Occhipinti described during an October 11, 1997, telephone conversation the findings of his multi-agency task force while investigating criminal activities in New York while working with AUSA Louis Freeh:

Let me explain to you why things happened, in connection with my case, and why I think they prematurely suspended Jim Fox, the FBI Director. There is a company called Sea Crest Trading Company in Greenwich,

Connecticut. Now we know, and its been established that they've been the target of as many as ten federal and local investigations. And in each and every case, the investigations were ordered terminated by the Justice Department.

[CIA, Capitol National Bank, and Dominican Organized Crime]

The company was being run by certain Cubans who were involved in the Bay of Pigs. And they had, as part of their money laundering operations, they were dealing with Capitol National Bank in New York, being run by Carlos Cordoba, another CIA operative. I understand that, in Dominican organized crime, it's probably one of the most vicious ethnic crime groups in the United States.

[Sea Crest, Dominican Federation, and Organized Crime]

And what they do is, they basically intermingle and usually work hand in hand with the Cuban organized crime network, particularly in the gambling operations. So what happens, without realizing it, I stumbled into this Operation Bodega, never realizing that the Dominican bodegas that I was hurting was part of this Dominican Federation which is actually the front of an established Dominican cartel and that the fact that they were using in their money laundering operation, the Sea Crest Trading Company.

[Foremost Expert on Dominican Organized Crime]

I was the Chief of Immigration and Naturalization Service. I was working mostly drug cases, and I was probably the most expert on Dominican organized crime. Nevertheless, all in all, I thought that I was being set up simply because I was hurting Dominican organized crime and that I knew the federation was a very politically powerful organization. And I just believed the time that they went to Mayor David Dinkins, convinced him that I was a racist and that I was hurting their operations, and Dinkins, who attributed his win in the 1988 election due to the Dominican Federation which is a front, called for a federal civil rights investigation.

[Lawyer For Organized Crime Network Former AUSA]

Now what happened, I uncovered evidence into this cartel that I was investigating, that their chief legal counsel was a former Assistant United States attorney in the southern district of New York, and that according to my source who is a credible informant and who was willing to wear a wire, she alleged that this former Assistant U.S. Attorney was the legal counsel for the Dominican Federation.

And he said to me, this guy's name was David Lawrence, who was chief of the criminal division. David Lawrence said to me, 'I want to interview this woman.'" So I brought her in. Not only was she credible, she actually had documents in her possession that could put this guy, this former Assistant U.S. Attorney and his partner, away in jail for a variety of drug trafficking, money laundering violations.

[Prosecutor Leaking Evidence to Organized Crime]

What happened is, a week after I brought her in, her information was leaked to this former assistant for whom she worked in that law firm saying, "I know what you did; my people told me, and the U.S. Attorney is trying to set me up, and he said he put a contract on Camarena." It's clear I went to the U.S. Attorney with viable evidence and he refused to work on it.

What they actually told me was, "Leave the investigation alone; leave it alone." Now at the time I simply said, well, you know what it is; the U.S. Attorney is very much concerned about their prestige. What happened was, in the southern district a year earlier, FBI had arrested an assistant U.S. Attorney for drug possession, and his name was Pearlmutter.

[DOJ Blocking Exposure of Crime Activities in New York]

What I thought at the time was, well, they're blowing New York simply because they had a scandal two years earlier and they're trying to avoid a potential scandal, and they're only concerned about their image. But when David Lawrence told me to leave this investigation alone, I was angry. A New York City police officer was murdered and I'm on the trail of a major Dominican cartel. That's when I started my Operation Bodega, knowing that I wasn't going to get any support from the Justice Department.

[NYC Prosecutor Circumventing DOJ Obstruction of Justice]

So I went over to Morgenthau's office and he was convinced that Operation Bodega not only would net the cartel but expose the money laundering operations as well as the alleged corruption. He assigned three assistant district attorneys to my case and within a ten-month period we began to develop substantial evidence not only on the Dominican federation but Sea Crest Trading Company.

[Receiving Bribery Offers]

And I knew I was getting close to the operation because two, actually three bribery offers were made to me and immediately I went back to the FBI, the supervisor in the corruption unit. And I told him everything I uncovered on Sea Crest and on this former federal prosecutor. And he was convinced; he wanted to do an undercover investigation. He was so convinced that he actually assigned a case agent. And the goal was for me to accept bribes, set them up and take them down and squeeze them and find out who's corrupt.

What happened is, when we get to my meeting in the southern district of New York, which is the criminal division, I get told by them that the southern district would not go with the undercover operation. He said to me specifically, he said, "Something smells."

So I realized that several months before that they told me they didn't want to do Operation Esquire.

[Drug Cartels Demand Shutdown of Drug Investigating Unit]

I had worked previously in the corruption unit and I had some confidence in them, so when the Dominican Federation held their press conference on the steps of City Hall demanding that my operation be closed down and that I be investigated for federal civil rights investigation, at the time I didn't have knowledge of all the facts.

I just simply thought I was hurting a drug cartel; they needed to try to make it into a racial issue with politicians, with the Republican thing, and that's what happened. So at that the pieces to the puzzle weren't being put together. What happened was, they simply thought that I would be prosecuted and convicted and be taken away. And no one would even listen to me. But what would ultimately happen was that I was a credible person, and every time the media investigated my case, they found out that I was innocent and that I had been set up by drug lords.

[Drug Lords Controlling U.S. Attorney's Office]

And that the drug lords influenced the U.S. Attorney's office to selectively prosecute me. Now we know that because several PD undercover operations were done where they went actually into the same bodegas who testified I conducted unlawful searches and capture them on national TV involved in criminal activity. What happened was, I was in prison, and the pressure was so much on the White House that they had to do something. My case was getting a lot of notoriety.

I asked, "What charges did they make?"

They charged me for federal civil rights violations. The first officer in American history to be charged under the federal civil rights with illegal consent search. The claim was, yes his signature was on the consent, but they claimed they didn't sign the consent form until after the search. The first officer to be prosecuted; it's an administrative violation under the exclusionary rule. If a judge thought a search was illegal, they'd just throw the case out of court. I was the first one to ever be prosecuted.

The bottom line was, President George Bush, under intense pressure and because of his relationship with Staten Island president Molinari told him there was so much evidence for my innocence, he gave me clemency—he didn't give me a full pardon but he gave me clemency and got me out of jail.

What happened was, in January I get my retirement because I had 22 years in the government, and I'm a credible witness. Very credible, and what everyone basically puts it up to is, this is an illustration of how powerful the struggles are in our United States, and secondly how they're able to manipulate the civil rights to their advantage.

At that point I became not only hero to American law enforcement but even some of the civil rights groups have been convinced that my case was a clear case of how the drug cartel was using civil rights laws

to their advantage. Right now I have a lot of friends, a lot of credibility. What I thought I could put together was the following.

[Occhipinti Supported by FBI SAC Jim Fox]

I started to realize when witnesses came forward that Jim Fox was one of my biggest supporters. While I was in jail, Jim Fox publicly stated that there was evidence of my innocence despite the fact that the FBI was refusing to release the evidence. What we believe happened was the following:

We believe, while I was in jail, the Justice Department conducted an investigation. And they cut Jim Fox out of the loop for one reason or another. We believe Jim Fox realized that I was being framed and he asked one of the agents who conducted the investigation what happened. We believe when he saw what happened he publicly announced he was to retire in a couple of months.

[Motion for New Trial]

Now when these public statements were made, we made an application for a new trial based on newly discovered evidence from the drug cartel. We specifically made mention that Jim Fox made public statements, and I know that the U.S. Attorney was very upset with him. Cause they called him down and they asked him to give a deposition saying that his public statements were taken out of context. He refused to do it, and he was fired; he was terminated about three months before his retirement.

“What’s the status of that? Has he taken any legal action?”

Basically he left and became one of the heads of security for a major bank; he passed away about 3-4 months ago. Let me tell you what we uncovered. A major investigator for a clearing house that deals in food coupons; you know those coupons when you go shopping. He brought to my attention that terrorist groups were using coupons as a way to front international terrorism. He explained that it was a 200 million-dollar-a-year operation. And they were using bodega supermarkets. Seacrest Trade Company was to do the money laundering.

[Bodegas as Clearing House for Criminal Activities]

Most of your Middle East terrorist groups were using several ways to raise money for terrorism. One was food stamp fraud, the second was food coupons, and the third was pirating of films that was sold out of supermarket bodegas that was controlled by the Federation. And they were using the bodegas as a clearinghouse for Sea Crest Trading Company, which explains why I was getting them a little nervous. But he said to me, “Joe, you’re missing the picture here. The Dominicans are involved with the Cubans, but don’t you realize what really happened here?” And this is what he explained.

[Bodega Money to Terrorist Groups]

When Ben Jacobson began his investigation into the food stamp

fraud and coupon fraud, he was the chief investigator for E. C. Nielson Company that administers food stamps in the coupon program. In his investigation he said that what really was happening was that much of the coupon redemption would be concentrated at a little grocery store. And when he became suspicious that the monies were going to terrorist groups, he reported his findings to the FBI.

But what happened was, the President had given me clemency, and I knew that I had been set up. The evidence clearly showed it. We believed I had been set up solely by the Dominican drug lords and that I was easily prosecuted because I wasn't perceived as a team player because I was attempting to expose corruption. So what happened was, Ben Jacobson opened my eyes and he explained to me what happened. And he's a credible guy. Not only is Ben Jacobson a retired New York City detective; he's also a college professor that teaches at Rutgers University. He is also the chief investigator for E. C. Nielson Company. And this is what he proceeded to explain:

[IRS Retaliation]

Ever since he started his investigation at Sea Crest, he became the focus for retaliation by the IRS and others; he was basically told to leave the investigation alone. He couldn't understand why. What he was able to connect was that Sea Crest, based on documents he obtained; they're called UCC's; Universal Commercial Code. Let me explain; if I lend you a thousand dollars I fill out a promissory note that you registered with the county clerk on a form that's called the CC.

[Ties to Terrorism]

With this investigation he started to notice that many of the people who were tied into Sea Crest were from the Middle East, managing stores that he suspected, supermarkets, mini-markets, that he suspected had ties to terrorism. And he reported his findings to the FBI. He provided them evidence of the funding for terrorism. What happened was, the FBI, just like the other investigations by the IRS, were ordered by the Justice Department to terminate it. And this is why he believed that happened.

[Funding Middle East terrorists and Mujahedin]

They needed a way, a mechanism to launder the money. So it was decided that they would bring in the Mujahedin principals into the United States, set them up in mini-markets and supermarkets and utilize Sea Crest Trading Company as a way to funnel money to the Dominican Republic, and then back. And the money was earmarked for arms.

[Coalition of Sea Crest, CIA, and Terrorist Groups]

What happened, he thinks, is while the government may have had a legitimate reason for using Sea Crest Trading Company, which was being run by former CIA operatives, Cuban Nationals, they never realized that the terrorist groups were using the money. And when Ben Jacobson

provides them with that intelligence and they closed it down because they were told to, we believe, the bombing of the World Trade Center resulted.

[Trade Center Bombing Funded by DOJ-Protected Groups]

Now if you look at the convicted people on the World Trade Center Bombing, one fellow is Salan Abdel-Rahman. He owned a mini-market in Jersey City. If you pull the UCC [report], it comes back "Crest Trading Company." So what happened was, the Justice Department and the CIA were afraid that if this information was ever exposed, it would show that the FBI was alerted that these monies through the food and coupon fraud actually funded the bombing of the World Trade Center, and that the FBI failed to take any action.

There would be a major scandal. Now we believe this is one of the reasons why Jim Fox knew what was happening. He was the one who spearheaded the entire FBI investigation into the bombing of the World Trade Center. So listen to this very carefully.

[DOJ Shuts Down Congressional Investigation]

Congressman Traficant begins a series of inquiries into Sea Crest under the Freedom of Information Act, and almost immediately they close it down. They refuse to give any information, quoting national security. So what I think we have here, the real scandal is, the CIA realized the federal agency was being set up in order to protect their operation, they allowed me to go to jail.

[CIA Funding World Trade Center Terrorists]

But the real story was that the CIA used Sea Crest Trading in order to facilitate money for Mujahedin [terrorists] during which time it inadvertently got into the hands of suspected terrorists. They were alerted of that fact; they failed to take any action; the bombing occurred, and they've got to do damage control. They were afraid if the American public learned about this it would be a major scandal.

[Drug Cartels Funded Clinton's Election Campaign]

To further compound this now, what's been happening with the White House? We've now learned that the Dominican Federation is a front for cartels and Sea Crest Trading Company was behind many, many fund raisers for the Clinton-Gore campaign. Now this is published in the New American magazine. What I'm saying here is published also in the Congressional Record. I think this guy Richard Taus, and what he says, was accurate and what was happening in the New York FBI office.

[New York Post Protecting Terrorist Activities]

Now the guy who broke the story, the guy who came up with the evidence, is a reporter for the New York Post by the name of Al Guart. But the paper refused to print it; apparently the CIA must have a lot of influence in the media. The Post refused to allow him to break the story. There's another guy, Karl Ross.

He does investigative reports for some of the largest magazines and newspapers, and also the Washington Post. And they're refusing to allow him to break his story on Sea Crest. The point I'm trying to make here is, this is what was happening. This is what we could prove. That viable local and federal investigations into the Sea Crest Trading Company have been suspiciously terminated by the Justice Department. Why?

I just wanted to let you know that the Sea Crest Trading Company appears to have been a CIA operation; it was being run by the Cuban mob that was involved in the Bay of Pigs. We know their connection with the Colombian and Dominican cartels. But as I said, apparently that was used as a front to money launder the money for the Mujahedeen when, during that process, monies were actually diverted to actual terrorist groups and the FBI knew about it, was told not to do anything and then, when the bombing occurred, there was a big scandal there.

Occhipinti's Fate

And how did Occhipinti fare after his many years of dedicated government service? After 22 years of federal service, after receiving many awards, he was forced to retire on a disability pension. He suffered from post-stress trauma, hypertension, heart disease, gastrointestinal disorders, surely brought on or worsened by his years of fighting crime and government cover-ups. Occhipinti wrote:

I will always cherish my many law enforcement accomplishments and my efforts to protect our borders from drugs. Unfortunately, I realize now that my dedication to duty was in vain. I was very naive. I believed in the criminal justice system and the alleged war against drugs. I realize now that we have lost the war against drugs.

Moreover, how politically powerful foreign drug lords are in the United States. I was getting too close to the major players in the drug world and had to be eliminated. Fortunately, I wasn't murdered like journalist Manuel De Dios. Instead, the drug lords sent a more powerful threat to law enforcement; they can now manipulate and misuse to their advantage, important civil rights laws that can imprison and intimidate dedicated law enforcement officers.

At present, due to my landmark civil rights prosecution, which never involved police brutality, racial bias or corruption, drug interdiction in many jurisdictions has been terminated. The police assigned to drug interdiction often rely upon consent searches and will not subject themselves to possible imprisonment and loss of a career due to an allegation of an unlawful search and seizure. My only regret is that I took away precious time from my family and subjected my loved ones to tremendous hardships simply because I wanted to do my sworn duty.

Nostalgia Writing of Occhipinti's Tragic Downfall

It has been sad to write about what powerful and corrupt people have in-

flicted upon Occhipinti and his family. It reminded me of what I went through, first as a highly qualified FAA inspector assigned to the most senior program at United Airlines while it experienced a series of major air disasters, and then later what I experienced as I sought to expose other forms of government corruption. It is very probable that Occhipinti and I, and others like us, were fools, trying to protect a public who didn't care to get informed or show any responsibility.

During a discussion with Occhipinti in March 1999, he said that almost every reporter who exposed the DOJ corruption has had the IRS after him.

Radio and Television Appearances

Upon being released from prison, Occhipinti appeared as guest on several hundred radio and television shows, exposing the crime and drug cartels and their political influence. His grueling schedule caused him to collapse on board an airliner (November 21, 1993) followed by four days of hospitalization. Since 1978, I appeared as guest on over 3000 radio and television shows and it can be especially tiring, especially when on a tour and doing seven or more shows a day. Worse, discovering that no one does anything with the information. Like talking to sheep.

Protection of Ethnic Crime Groups

In one of his writings, Occhipinti explained some of the problems associated with the United States' attempts to fight powerful ethnic crime groups:

I have seen dozens of viable federal and local investigations into Dominican organized crime groups prematurely terminated by federal authorities. Why? In July 1997, the FBI published a confidential intelligence report on Dominican organized crime operations in the United States, which confirm what I have known for the past twenty years. There has been much speculation that many of these investigations were prematurely terminated due to possible national security reasons, or maybe, the principals were government informants that had to be protected.

It is important to note that the biggest crime threat facing the American public is the growth of international drug syndicates in the United States. Foreign drug lords and organized crime have adapted very well in setting up criminal operations in the United States for a variety of reasons. Foreign drug lords and ethnic organized crime groups have learned the essence of American politics and know how to manipulate the political and criminal justice systems.

[Dominican Cartels Principal Distributor of Colombian Drugs]

For instance, U.S. law enforcement sources have developed convincing evidence that the Dominican drug cartel is the principal distributor of narcotics in the United States on behalf of the Colombian drug cartel. In addition, they are credited for laundering billions of dollars in drug proceeds both here and abroad. Yet, we rarely see media re-

ports that publicize Dominican organized crime. Why?

[Dominican Drug Cartels Politically Powerful]

Many ask me why the Dominican cartel has become so politically powerful in the United States. I explain that they will often operate as a legitimate political action group, often making unlawful political contributions to elected officials and having become successful in conducting widespread election fraud. Clearly, the ability to deliver campaign contributions and needed votes to win an election can understandably influence most political candidates.

[Organized Ethnic Crime Groups]

Hopefully, you can better understand why foreign drug cartels have become politically powerful in the United States. It also explains that when ethnic organized crime groups become the targets of law enforcement scrutiny, they seek immediate political intervention in hopes of terminating a criminal investigation or inquiry. In many cases, elected officials are successful in influencing authorities to terminate a criminal investigation by often alleging officer misconduct, or that the investigation was racially motivated.

[Most Drug Crimes Committed by Ethnic Crime Groups]

In the United States, statistics will show that the majority of organized crime activity in the United States is being committed by organized ethnic crime groups. Yet, the Justice Department's "Organized Crime Strike Forces" continues to target and prosecute traditional Italian organized crime groups, which represent less than one percent of organized crime activity in the United States. Why? Is it because it has become "politically" incorrect to target these other ethnic crime groups? Or, are these foreign drug lords being protected by elected officials or the intelligence community?

Ethnic Groups Taking Over Drug and Other Criminal Activities

Partly because of naïveté, partly because of American's gullibility, partly because of Americans who are willing to sabotage America's interest for money from special groups, ethnic groups are taking over all types of criminal activities that make all of America suffer. Even the Japanese version of the U.S. Mafia: "yakuza." has taken advantage of America's love affair with drugs. Many Colombian and Mexican drug traffickers, and the yakuza, set up businesses along the Mexican-U.S. border after NAFTA came into being. Little is known in the United States about yakuza activities, or even its existence. Years ago, CIA agent Gunther Russbacher described his dealings in the Midwest with the yakuza, most of which I left out of my books for another day. It was reported to me that a company with packinghouses in Mexico along the U.S. border, Fruitiko, is associated with the Japanese yakuza.

CIA-DOJ Funding, Training, Arming, and Protecting Terrorists

Evidence not publicized by the Justice Department, Congress, or the

mainstream media shows a relationship between the World Trade Center bombing and the criminal activities government agents sought to report, which DOJ employees blocked. And these activities would again affect the World Trade Center on the fateful day of September 11, 2001.

Money to fund the terrorist bombing of the World Trade Center came from the very same criminal activities that Occhipinti and other government agents sought to halt: and DOJ employees protected! This conduct by the people and culture in the Department of Justice made possible the bombing of the Center, and these acts included the shutdown of various investigations, the sham charges against Occhipinti, the aiding and abetting of crime groups that I have documented in all of my books.

Financing World Trade Center Bombing With Bodega Food Coupon Fraud and Drug Money

A New Jersey news service, *Golden State News Service*, distributed to newspapers on October 1995 the following in-depth interview with several key New York area law enforcement officers relating to the bombing of the World Trade Center:

The terrorist bombing of the World Trade Center was financed with drug and other racket money laundered and leveraged through small ethnic grocery stores. What's more, terrorists even now are siphoning off more such funds. The real leader in the World Trade Center bombing has been allowed to flee capture, and all this is happening under the apparent protection of the Center Intelligence Agency...

According to Jacobson, it was the monies generated from the Sea Crest food coupon redemption fraud scheme that financed the bombing of the World Trade Center according to Jacobson, Sea Crest is suspected of being the source of a two hundred-million-dollar a year food coupon redemption scheme ... Jacobson alleges that Sea Crest has been protected by the Justice Department because of an alleged CIA operation that utilized that firm....

Occhipinti says he and Jacobson, acting independently of each other, have tried repeatedly to interest various federal state and even local law enforcement authorities to follow through on investigations of Sea Crest. "But always the investigations go nowhere." Lenny Lemmer, a detective sergeant with the New York City Police Department, said recently in a sworn statement that he has encountered similar dead-ends in probing Sea Crest and its alleged drug cartel connections...

Lemmer said he was called to meet several times with FBI agents and federal prosecutors, who tried to intimidate him into abandoning any leads he might uncover about Sea Crest or anything exculpatory about Occhipinti. Lemmer said he was aware of "concrete evidence" about alleged Sea Crest money laundering activities in Bogota, Colombia, and conveyed this information to an FBI agent.

In a recent interview, Jacobson confirmed that proceeds from cou-

pon fraud paid for the World Trade Center bombing, and that Sea Crest had received redemption checks signed over by Middle Eastern and Dominican grocers suspected of participating in such fraud. The conspiracy is so loose that money may be siphoned off to terrorists without all parties involved in the original loan-shark-coupon scams being aware of it, according to investigators.

History of Funding Terrorists and Paying the Price Afterwards

The United States funneled over three *billion* dollars to the Moujahedeen in the 1980s, and provided training in the use of weapons and terrorist activities. This was done despite the known hatred of the Moujahedeen for the United States due to its one-sided support for Israel. The knowledge that these acquired terrorist tactics and weapons would eventually be used against the United States was ignored.

CIA Fronts in the United States Funneled Money to Terrorists

Since 1990, my CIA sources explained how Sea Crest—a CIA front—laundered money to obtain military equipment and provide training for the Moujahedeen in Afghanistan during the 1980s. Occhipinti's task force discovered that the funding of terrorists existed in the 1990s, and that some of the money was going to terrorists in the United States.

A key figure in one of the terrorist groups was Sheik Omar Abdel-Rahman, who was convicted by a New York jury for his role in planning the bombing of the World Trade Center building. He was sentenced to life in prison and nine co-conspirators were sentenced to long prison terms.

CIA Granting Visa to Known Terrorist

Despite his known terrorist activities, including his involvement in the plot to assassinate Egypt's Anwar Sadat, a CIA agent in the U.S. Consulate office in Khartoum, Sudan, issued a one-year visa for Sheik Omar to enter the United States in May 1990. He arrived in New York in July, and a few months later the State Department revoked the visa, advising the U.S. Immigration and Naturalization Service (INS) of this fact. However, high-level pressure caused the INS to issue a green card to Sheik Omar several months later.

The people who funded Sheik Omar's entry into the United States included Mustafa Shalabi (Director of Alkifah, a support fund for Moujahedeen fighters based in Brooklyn); Muslim Brotherhood member and CIA asset from Afghanistan, Mahmud Abouhalima, and El Sayyid Nosair, an Egyptian. They had received training, funding, and arms from the CIA.

Besides receiving CIA training, Nosair and Abouhalima had been earlier trained by the terrorist, Abu Nidal. The U.S. Army in 1989 sent Sergeant Ali A. Mohammed to Jersey City to give training to recruits for the Moujahedeen. Among those receiving this training were Abouhalima and Nosair. Nosair, Abouhalima, and Omar were later convicted of waging terrorist warfare in the United States.

FBI Cover-up of Terrorist Activities

Nosair was suspected of the 1990 murder of Rabbi Meir Kahane, a Jewish militant in New York City. Following this murder, the FBI obtained a search warrant and seized terrorist material from his Jersey City apartment. Included in this material were bomb-making materials, a list of people marked for death, including Rabbi Kahane, bomb-making instructions, and pictures of targeted buildings, including the World Trade Center!

The FBI made no arrests, and withheld this information from New York City prosecutors seeking to arrest those responsible for Kahane's murder. This withholding of evidence played a key role in his December 20, 1991, acquittal.

DOJ Cover-up Helped Plan Airliner Bombings

Funding Nosair's defense were funds from criminal activities associated with Sea Crest Trading Company, the same CIA-related operation that funded the bomb components and their assembly. Many of these activities were under the supervision of Ramzi Yousef, an Afghan terrorist who came to the United States into Sheik Omar's group in 1992.

While working with explosives in his Manila apartment in 1994, a fire occurred, causing Yousef to flee before police arrived. After the police searched the apartment and examined his computer files they found plans to place bombs on eleven U.S. airliners departing Far East locations.

Although Yousef fled, police arrested his roommate, Abdul Hakim Murad, a pilot who had received his pilot training in the United States. Hakim provided further information on the plan to place bombs on U.S. airliners. If that plan had succeeded it could have killed several thousand air travelers. Hakim also revealed that al Qaeda cells planned to crash U.S. airliners into buildings in the nation's capital at Washington.

Yousef was convicted in late 1996 of involvement in the conspiracy to place bombs on U.S. aircraft in the Far East. New York judge William Schlesinger granted the terrorist's lawyer William Kunstler extraordinary latitude while hamstringing the prosecution.

World Trade Center Bombing Made Possible by DOJ Cover-ups

Without funding from Sea Crest Trading Company, and without Justice Department personnel blocking prosecution of Dominicans drug traffickers and Sea Crest, it is very probable there would not have been the money to fund the terrorists. The bomb blast killed six people, injured over a thousand others, and did over \$500 million in damage in the February 26, 1993, World Trade Center bombing.

The imprisonment of Sheik Omar, following the World Trade Center bombing, did not destroy the group's ability to conduct further terrorist acts in the United States. This became apparent on September 11, 2001.

“Dominican Drug Money May Have Helped Elect our President”

Reports indicated that U.S. and Dominican Republic politicians were receiving substantial money from Capital National Bank, Sea Crest Trading

Company, and the Dominican Federation. An in-depth *The New American* article (April 28, 1997) was titled: "Dominican drug money may have helped elect our President," and said in part:

A report from Puerto Rico suggests that the Clinton White House has accepted drug-tainted contributions linked to the Dominican Republic's radical Dominican Revolutionary Party (PRD). PRD members ... made campaign donations last September during a Democratic National Committee fund-raiser at Coogan's Irish Pub in Washington Heights [in New York City]. PRD members Simon Diaz and Pablo Espinal supported the campaign of U.S. President Clinton....

Both Diaz and Espinal reportedly posed for pictures with Vice President Al Gore, according to PRD leaders. Diaz is vice president of a New York City chapter of the PRD and president of a group of party-affiliated businesses. He is also currently under investigation by the Drug Enforcement Administration (DEA) and various other anti-narcotics agencies with regard to the PRD's "alleged nexus with international drug cartels" as El Vocero reported....

Furthermore, although U.S. federal officials were aware of the links between PRD and the drug cartels, "for reasons that remain unclear, these officials exerted pressure to derail active investigations in the matter."

Despite his known drug and crime connections, Jose Francisco Pena-Gomez, the PRD's leader and Dominican Republic presidential candidate was President Bill Clinton's choice in the Dominican elections held in 1994 and 1996. This recommendation followed the campaign contributions received by Clinton and Gore.

Luck of President Bill Clinton and Al Gore

On May 10, 1998, another potential witness and threat against President Bill Clinton and Vice President Al Gore died. Former Dominican Republic presidential candidate Jose Pena-Gomez was a potential threat to them because of the drug money Gomez and his drug-related groups gave to the Clinton-Gore campaign and because of the Clinton administration's protection of Dominican drug trafficking and other crimes. Pena-Gomez died from pulmonary edema.

Parallel Discoveries in Pennsylvania

Four agents from the Pennsylvania Bureau of Narcotics Investigation office (BNI) were experiencing similar problems with Dominican drug traffickers, high-level cover-ups, and retaliation. Agents John R. McLaughlin, Charles A. Micewski, Dennis J. McKeefery, and Edward Egges, were working as a team, discovered evidence of widespread criminal activities by the Dominican Revolutionary Party and Dominican crime figures. They also suffered retaliation that insured the continuation of the drugs and related crimes.

The BNI narcotic agents discovered that drug money was gathered and

distributed at fund raisers held in Pennsylvania and that various government agencies were actively aware of these facts. They also discovered drug money funneled to U.S. politicians and to the U.S.-backed candidate for the presidency of the Dominican Republic, Jose Francisco Pena Gomez, who was being supported by the Clinton Administration.

Ties to Colombian Drug Traffickers

McLaughlin described what he found about Colombian connections to Dominican drug traffickers:

While at an intelligence meeting, I received a document from Interpol that described an organization of Dominican drug traffickers with ties to the Cali cartel in Colombia dating back to at least 1991 and also documents hundreds of kilos of cocaine seized as well as approximately 100 people either arrested or having outstanding arrest warrants. This organization has ties to the Dominican Revolutionary Party headed by Jose Francisco Pena-Gomez who was being backed by the U.S. Department of State in the last election.

Pennsylvania Attorney General Protecting Drug Traffickers

On May 10, 1996, McLaughlin notified the Deputy Attorney General of a major heroin shipment due to arrive from New York and a large amount of drug-money being laundered. Harrisburg Attorney General's office refused to allow a bust to occur. The surveillance team was called off and the heroin sale occurred that evening at 7:45 p.m., with Dominicans taking back to New York over \$100,000. Shortly thereafter, over 116 overdoses from heroin were reported from using the heroin brand, "Dead Presidents." Numerous drug overdoses and deaths were reported from using another form of Dominican heroin called "Super Buck." BNI agents were ordered not to interfere with these sales that were occurring at various Philadelphia street corners.

Dropping Charges Against 85 Drug Traffickers

McLaughlin was told that from April 16 to November 19, 1996, the Philadelphia district attorney's office dismissed 85 defendants who were caught with \$879,000 worth of heroin, \$47,000 worth of crack, \$148,000 worth of cocaine, and large sums of money, vehicles and weapons.

In addition to protecting the major drug trafficking, this sent a message to other government agents that they should not investigate any of the Dominican drug traffickers, drug-money launderers, or drug-money-related political contributions.

Retaliatory Removal that Protected Drug Crimes

Shortly thereafter, on April 16, 1996, Arnold Gordon, First Deputy District attorney for Philadelphia, met with the Attorney General and charged that there was a problem with the BNI agents in the Philadelphia office. This was followed by a series of adverse actions against the four agents that halted their drug investigations into the politically connected drug traffickers.

The Pennsylvania Attorney General's office took McLaughlin off drug cases on the sham excuse that McLaughlin made a grammatical error on an affidavit. McLaughlin referred in an affidavit to "the" informant instead of "an" informant, an error that was meaningless in light of the details in the report, and could be made by anyone without any unfavorable results. It was clear; the Pennsylvania Attorney General's office was protecting drug traffickers from arrest by state police officers!

Another Example of Legal Fraternity Misconduct

On January 13, 1997, a confidential informant (CI 902-96) told BNI agents that a prominent defense lawyer, Guy Sciolla, was telling his Dominican clients to falsely report that BNI narcotic agents skimmed money from them when they were arrested. This was the same as one of the two charges Dominican drug traffickers made against Occhipinti. They must have learned from that to use the same tactic against other government agents. McLaughlin reported this to the district attorney's office. Again, the Pennsylvania prosecutor refused to act against the lawyer.

Fearing for the Life of an Informant

During a March 27, 1996 BNI meeting at Philadelphia headquarters attended by CIA Agent Dave Lawrence, McLaughlin and Regional Director John Sunderhauf, Lawrence wanted the name of one of BNI's key inside informants who was disclosing highly sensitive information about Dominican drug trafficking. Recognizing that the state Attorney General's office was blocking the investigation and prosecution of known drug traffickers, McLaughlin, fearing for the life of the informant, refused to reveal the informant's identity.

FBI Pressuring Informant to File False Affidavit

McLaughlin reported (July 8, 1997) that a Confidential Informant (Nr. 910-95) called BNI agents about FBI agents from the Federal Corruption Probe Task Force pressuring him to sign an affidavit containing derogatory statements about BNI agents that weren't true.

Retaliatory Reassignment

In May 1996, State Attorney General Tom Corbett announced that McLaughlin and the three other BNI agents working on Dominican-related cases would be reassigned and would not get their regular jobs back. Despite the agents' request for information as to what they had done wrong, no reason was given. They were reassigned and given menial and often degrading tasks.

I know the tactic; while I was with the FAA, reporting very serious air safety and criminal violations and a culture of corruption among its mid-management personnel, related to a series of fatal airline crashes, I was transferred to an undesirable assignment. My predecessor on that same problem, who reported similar air safety and criminal violations associated with crashes at United Airlines—one of which was the world's worst—was also transferred. His destination was Puerto Rico, a not very desirable location.

In both cases, United Airlines management personnel bragged that they were responsible for our transfers.

On June 3, 1996, the BNI agents were told that they could no longer get information from the New York DEA office, thereby depriving the BNI of important drug-related information. On July 18, 1996, the Pennsylvania district attorney's office advised the narcotic agents that the office would accept no more cases from them. On August 21, 1997, U.S. Customs agent John Malandros told McLaughlin that he was ordered to drop the investigation into the Revolutionary Dominican Party.

Media Aiding and Abetting Drug Traffickers and Cover-ups

Within a few days, the media started printing and airing a series of stories critical of the narcotic agents and protective of the drug traffickers and government retaliation and cover-ups. On April 23, 1996, Philadelphia's *Channel 3 News* did a lead story comparing the BNI agents to a group of Philadelphia police officers who created false crimes and wrongfully accused people in the 39th Precinct. That misleading television story was followed by others, including derogatory stories in the *Philadelphia Inquirer* and the *Philadelphia Daily News*.

For reasons unknown to the agents, Supervisor Lou Gentile in the Pennsylvania Attorney General's headquarters in Philadelphia, ordered the narcotic agents not to correct the false media stories. These media sources had enough access to insiders to know the true story. They chose to mouth the official government line. Former Attorney General Tom Corbett told agents to "take it on the chin," and that he wouldn't correct the false media stories.

ACLU Protecting the Criminals

ACLU lawyers stated that they intended to seek monetary damages for the Dominicans arrested by the BNI agents. State Senator Vince Fumo from Philadelphia, urged convicted Dominican drug dealer Felix Torres to seek vengeance against the BNI agents: "Sue them, bankrupt them, take their houses from them. That's the only time they're going to get the message."

Reporting the Problems to Senate Investigators

McLaughlin described these activities to investigators from the Senate Intelligence Committee, including chief counsel John Bellinger, Janice Kephart, and Al Cummings. He informed Randy Scheunemann on the staff of the National Security Advisor.

McLaughlin called Senator Arlen Specter's office on October 15, 1996 concerning the Dominican Republic drug trafficking and the Justice Department's protection of their drug activities. The Senate Select Committee on Intelligence asked McLaughlin to testify behind closed doors about the drug trafficking and other criminal activities, and the obstruction of justice at the state and federal levels.

Obstructing Congressional Investigation into Drug Trafficking

Seeking to prevent McLaughlin from testifying about the criminal activities and their cover-ups to Congress, the Pennsylvania Attorney Gen-

eral's office sent him a memo on November 7, 1966, barring him from testifying. The Attorney General also sent a fax to Senator Specter that McLaughlin was not to appear before the Senate Intelligence Committee. No reaction from Specter.

Threats if He Testified Before Congress

John Kelly, Regional Director for the Pennsylvania Attorney General office, threatened McLaughlin with termination if he testified before Congress. Under federal law, this threat was a criminal act. (Title 18 USC Section 1505, 1512, 1513 and the related obstruction of justice statutes)

McLaughlin *did testify* in executive session (secret from the public) to the U.S. Senate Select Committee on Intelligence on January 29, 1997. No action was taken, despite the serious implications of the testimony.

Congress took no actions when Occhipinti and his group described the serious problems, after testimony by the Pennsylvania agents, or the many other government insiders described within these pages and in my other books. Members of Congress had years earlier become implicated in the underlying crimes, including drug trafficking, by their repeated pattern of cover-ups.

Earlier Reports of Drug-Related Corruption In Pennsylvania Attorney General's Office

Corruption and obstruction of justice in Pennsylvania's top law enforcement agency existed for years. Reference is made to a friend of many years, Darlene Novinger, who is described elsewhere within these pages. She was an undercover operative working with several government agencies investigating drug-related crimes in the Pennsylvania Attorney General's office.

Filing a Civil Rights Complaint Against Government Officials and Drug Traffickers

In response to the obstruction of justice and retaliatory actions by Pennsylvania and federal officials, the four agents filed a lawsuit in late 1997 in the U.S. District Court for the Middle District of Pennsylvania under the Civil Rights Act and as a *Bivens* complaint. The complaints, filed by Pennsylvania lawyers Don Bailey from Harrisburg and Samuel Stretton from West Chester, charged the defendants with conduct that was criminal, subversive, and related to aiding and abetting the smuggling of drugs into the United States. The introductory statement in the Complaint stated in part:

This is a civil rights complaint brought to redress, inter alia, the deprivation of the plaintiffs' federally guaranteed interests in free speech and property. This is also a Bivens' complaint, the gravamen of which is that a Dominican drug organization, through the protection of certain persons in the State Department and the CIA, was effective in having the plaintiffs' law enforcement efforts stopped and their careers destroyed.

The plaintiffs began gathering evidence on the PRD, a Dominican political party supported by the United States, which indicated that ille-

gal drugs were being prolifically sold at will in the United States to our Black and Hispanic populations. This money was being put into American elections. Plaintiffs contend that they discovered a highly organized Dominican group organized as the Revolutionary Dominican Party (PRD), a political party seeking power in the Dominican Republic, that was, and is, protected and sanctioned, unlawfully, by agencies of the United States government, to include the CIA and the State Department, enabling the Dominicans to distribute illegal drugs at will to the Black and Hispanic populations of the Eastern Seaboard.

Plaintiffs also allege that in furtherance of the unlawful policy of protecting the large-scale distributors of illegal narcotics to largely captive center city populations, the defendants have utilized the offices of the United States attorney for the Eastern District of Pennsylvania, and the FBI, to pursue an oppressive threatening investigation of the plaintiffs in an effort to destroy their Credibility and silence them.

These tactics include the ferreting out of plaintiffs' information sources so that they may be silenced [killed] through the mechanism of a federal grand jury. They ask this Court to appoint, or urgently request, a special prosecutor, independent of the Justice Department and either political party, to investigate the cover-up they allege in order that they and some of their sources can be saved from more abuses ... ask this court to issue an order forcing federal authorities to protect Confidential Informant "P-Man," 902-96, who is now known to them, immediately.

General Allegations

In the Complaint, the four narcotic agents charged that the defendants in various combinations engaged in conspiracies to:

- Block government agents from halting the flow of illegal drugs into the United States.
- Allow the flow of illegally procured money from the sale and distribution of drugs in the United States into the political coffers of Francisco Pena Gomez of the PDR in the Dominican.
- Prevent disclosure and/or further discovery by the plaintiffs of the flow of illegally procured money from the sale and distribution of drugs by the PRD to black and Hispanic Americans.
- Discredit the plaintiffs in order to destroy their credibility and thus their ability to participate in the prosecution of drug traffickers.
- Protect the proceeds (money) of Dominican drug dealers and traffickers from exposure and prosecution.
- Protect the government conspirators, both named and unnamed, from criminal prosecution for their role in aiding and abetting the illegal sale and distribution of drugs in the United States.

“Dominicans Now Dominant in East Coast Drug Trade”

A mid-1998 *New York Times* article was titled, “Dominicans Now Dominant in East Coast Drug Trade.” Department of Justice personnel have played a major role in bringing this about.

Undercover Agent Speaks Out

On December 12, 1994, James Ridgeway de Szigethy executed an affidavit admitting that Sea Crest had been a CIA operation, a fact that he had learned from his activities as an informant for the Naval Intelligence Service, as well as from his CIA associates.

Szigethy also revealed that the assassination of Prince Chitresh “Teddy” Khedker in New York City was committed by CIA operative George Cobo. According to Szigethy, the prince was a CIA operative involved in the Sea Crest operation in Canada. He said that Cobo was a Cuban national trained by the CIA. Szigethy provided Congressman Traficant with other affidavits and documents regarding Sea Crest and the Occhipinti conspiracy. Szigethy was previously polygraphed with respect to another affidavit he executed and found to be truthful.

DOJ Drops Criminal Investigation of Drug Fighters

U.S. Attorney Michael R. Stiles issued a statement on February 18, 1999 announcing the closing of its investigation into suspected criminal activities against the four Pennsylvania narcotic agents! No mention of any investigation into the drug traffickers and the evidence accumulated against them.

Gravity of the Implications

The Occhipinti and McLaughlin cases provide prima facie evidence of widespread drug and other criminal activities involving a segment of the population largely composed of immigrants to the United States. Key people in this group have connections to the CIA. There were repeated cover-ups and obstruction of justice by almost every level of the state and federal criminal justice system, and a pattern of retaliation against those few government agents with the courage and integrity to carry out the responsibilities of their jobs.

Government Agents Form Group to Protect Against High-Level Retaliation and Right to Perform Their Legal Responsibilities

A group was formed to bring together government agents who suffered the type of retaliation suffered by Occhipinti, McLaughlin and others, called the National Police Defense Foundation, with its home office in Washington, D.C. The purpose of the association is to protect the rights of law-enforcement personnel and the public and to provide assistance, services, and counseling for law-enforcement personnel. Occhipinti is the executive director of the foundation. (National Police Defense Foundation, 1422 K Street NW, Washington, DC 20005.)

Catastrophic National Consequences

This attitude of New York politicians and Justice Department personnel protecting terrorists and their funding from drug activities, and retaliating

against government agents seeking to meet their responsibilities, would have catastrophic consequences and again involve the World Trade Center buildings.

**The Fallout from This Widespread Corruption
Would Be Catastrophic, Especially in Their Backyard**

The protection of the drug operations, part of which funded terrorist cells in New Jersey, were to be felt shortly with the bombing of the World Trade Center. But on September 11, 2001, the continued funding of terrorist cells through the protection of the drug operations and the prosecution of government agents played a role in the successful hijacking of four airliners by four groups of terrorists.

Their success would have been blocked if the corruption I discovered as a federal air safety inspector (and write about in *Unfriendly Skies*) did not exist; if the corruption in the Justice Department did not exist; if the felony cover-ups by members of Congress and many others did not exist; all of which I have documented for the past 40 years. Again and again the public—that never seems to respond to any of these revelations—pays the price. And they surely did on September 11!

Intelligence “Failures,” or Intelligence “Corruption”?

These documented activities that played a role in the funding of terrorists subsequently involved in the second attacks upon the World Trade Center clearly shows that where reference is made to “intelligence failures,” the reference should be to “intelligence corruption” by people holding key positions in government.

To ignore these matters would be to shown contempt for the lives lost and massive injuries at the World Trade Center in 1993 and those that would occur eight years later.

Partial Vindication for Two Pennsylvania Narcotic Agents

A jury in Wilkes-Barre, Pennsylvania awarded \$1.5 million to the two Pennsylvania narcotic agents, McLaughlin and Micewski. A newspaper article (February 13, 2003) stated:

Mr. McLaughlin and Mr. Micewski said they had uncovered a Dominican drug-trafficking ring in Philadelphia, New York and other Eastern cities that was funneling profits to the Dominican Revolutionary party, which they said was supported by the Central Intelligence Agency and the State Department. The agents said the federal government had allowed Mr. Pena Gomez to return to the Dominican Republic with \$500,000 in drug profits after a 1995 fund-raising trip to New York.

The agents said that shortly after they made their accusations the Philadelphia district attorney and United States attorney’s office began questioning their credibility and stopped prosecuting their drug cases. More than 125 cases were dismissed or dropped after prosecutors accused agents of fabricating evidence and lying in court.

The agents filed a civil rights lawsuit in 1997, saying they had “be-

come the targets of vicious unfounded attacks on their credibility and careers by the federal government,” with the “marionetted support” of Mr. Corbett and the Philadelphia district attorney’s office.

The lawsuit also said the Dominican Revolutionary Party “was, and is, protected and sanctioned, unlawfully, by agencies of the United States government, to include the C.I.A. and the State Department, enabling the Dominicans to distribute illegal drugs at will.”

Blowback Consequences on 9/11

September 11, 2001, started out as a beautiful day for 3,000 people who would shortly die under the most brutal conditions imaginable. For years the consequences of deep-seated misconduct in the FAA have been preventable airline crashes. On this day the consequences would exceed in horror each of the prior aviation tragedies for which warnings had been given by key federal aviation safety inspectors.

The worst terrorist attack upon America, and possibly anywhere in the world, occurred on that date. These recent events were made possible by the culture of misconduct, corruption, and criminal activities that I detailed and documented in each of my books, in letters, and in court filings. This corrupt culture, and its cover-up, caused the conditions to exist that enabled hijackers to seize four airliners on that fateful day.

The death toll during that two-hour period was greater than that which occurred at Pearl Harbor on December 7, 1941. Those events were followed by an endless series of economic and personal events felt by people throughout the United States, and destroyed many of the benefits that they previously enjoyed.

The Success of the Four Groups Was Insured By Documented Corruption in Government Offices

The September 11 events started with four groups of hijackers boarding four different airliners at approximately the same time and then after the aircraft were airborne, forcing their way into the cockpit. Their plans to take over the aircraft were encouraged by the absence of security measures that had been made obvious by forty years of successful hijackings, some of which ended fatally.

United Airlines Flight 175, a Boeing 767, left the gate at Boston's Logan Airport for Los Angeles at 7:58 a.m. American Airlines Flight 11, also a Boeing 767, left Boston at 08:00 a.m., heading for Los Angeles. Further south, American Airlines Flight 77, a Boeing 757, departed Washington's Dulles Airport for Los Angeles at 8:21 a.m. And a fourth aircraft, United

Airlines Flight 93, also a Boeing 757, departed Newark for San Francisco at 8:43 a.m. All four aircraft had nearly full fuel tanks.

During climb to cruising altitude, after the airliners had taken off for their west coast destinations, each of the four groups of hijackers sprang into action. Armed with knives and box cutters that they had on their person, or in carry-on baggage, or possibly placed on board the aircraft by ground service personnel, they attacked the cabin flight attendants to obtain the key to the cockpit door. (The FAA, in its distorted wisdom, allowed these items to be carried on board the aircraft, despite their lethal capabilities.)

They then forced their way into the cockpit where they are believed to have killed the pilots. The hijackers then took over control of the aircraft. Several of the hijackers had received sufficient pilot training in small aircraft in the United States. Several others also received training in airline-type simulators. This training was sufficient to fly airliners once they became airborne.

Flights Diverted from Their Westerly Direction

The hijackers diverted American Airlines Flight 11 from its westerly heading and headed straight for New York City. The air traffic controller working that aircraft saw the aircraft change course and the transponder's return disappear (due to the transponder being turned off in the aircraft). The controller's calls went unanswered.

Approaching New York City, Flight 11 headed toward the north tower of the World Trade Center. At 8:45 a.m., the large jet, loaded with fuel, crashed into the tower at over 400 miles per hour. A giant fireball erupted as the fuel ignited, sending black smoke hundreds of feet into the air. Parts of the plane shot out the opposite side of the building, causing thousands of papers to rain down upon the financial district in lower New York City. Bodies and parts of bodies plummeted upon horrified spectators.

The heat inside the north tower was so intense that many men and women jumped to certain death rather than die the slow painful death of being cremated alive.

As television cameras focused on the burning north tower of the World Trade Center, United Airlines Flight 175 appeared. At 9:03 a.m., it was filmed crashing into the south tower of the World Trade Center. Again, the high-speed impact caused a massive fireball to erupt, followed by plumes of flame and black smoke.

The intense heat from the burning fuel caused the metal framework of the south tower to soften and lose strength, causing one of the floors to collapse onto the lower floor at 10 a.m. This increased weight upon the floor below caused that floor to collapse. This sequence continued until the entire 105 floors had collapsed into a massive heap. The same sequence happened shortly thereafter to the north tower, which collapsed in spectacular fashion at 10:29 a.m.

Never in the world's history had such an event occurred, in addition to

being filmed as the events occurred. The entire series of events, except for the first aircraft crashing into the north tower, were filmed and seen worldwide.

Over 2,000 people inside the building, and others on the ground were crushed to death by the collapse of the World Trade Center.

More Tragedies Unfolding

The next catastrophic event occurred in the Washington area. Hijackers flew American Airlines Flight 77 toward Washington, D.C., crashing it into the Pentagon at 9:38 a.m. This crash killed 64 people on Flight 77 and 125 in the Pentagon.

The last of the four hijacked planes was United Airlines Flight 93. Because of a delayed departure, the scenario on Flight 93 was different. After the hijackers took over the aircraft, passengers and flight attendants used the aircraft's seat-back telephones and personal cell phones to advise people on the ground of the hijacking. They described the hijacking, that the hijackers had knives and box cutters, and that the hijackers had already killed a flight attendant. The callers on Flight 93 learned that two airliners had been crashed into the World Trade Center.

Facing a similar fate, several of the passengers decided to fight the hijackers, a decision relayed by cell phone from the aircraft. It is unknown just what happened next. But people on the ground in Pennsylvania saw United 93 flying erratically as it descended, and then going inverted and diving almost vertically into the ground at approximately 10:10 a.m. The aircraft almost totally disappeared below ground level, with the primary evidence of an aviation disaster being smoke pouring from the hole in the ground.

About half an hour before Flight 93 dug into the ground, and after two airliners crashed into the World Trade Center, the FAA issued orders barring all aircraft from taking off, and ordered those already in the air to immediately land.

Prior Major Airline Disaster in NYC with Butterfly-Effect Links to the Events of 9/11

The two jetliners that slammed into the World Trade Center in New York City had been preceded by another jetliner crash into that city many years earlier, with similar underlying safety problems. That earlier crash of a United Airliners DC-8 was the world's worst air disaster when it happened and it occurred on the program for which I had federal air safety responsibilities. All three crashes were made possible by the deep-seated problems within the government's aviation safety offices.

That earlier crash, occurring on December 16, 1960, was one of a series of air disasters that caused the federal government to give me the assignment to correct the problems. That was the assignment that propelled me to engage in 40 years of activist activities seeking to report and bring about changes. The refusal of many people to respond to these exposures made

possible the events of 9-11.

Promptly Identifying the Hijackers

By checking passenger records and other reports, the names used by the hijackers who boarded the hijacked planes were quickly determined. Most of the hijackers were citizens of Saudi Arabia who had been recruited by the al Qaeda terrorist group whose main training base was in Afghanistan .

Immediate Post-September 11 Effects on U.S. Aviation

The Bush administration ordered the immediate grounding of all aircraft throughout the United States. Several days later, the airlines were cleared to resume flying. General aviation aircraft were grounded for an extended period of time. The ban against flying was continued in effect much longer for crop dusters, the thinking being that terrorists might use these aircraft to spread biological weapons..

The restrictions on general aviation aircraft were lifted piece-meal. When the grounding restrictions were removed from most of the general aviation fleet, government officials still grounded most general aviation aircraft from landing or taking off from many airports located within 25 miles of a major city, thinking that this would prevent terrorists from crashing an airplane into a congested destination. This grounding of hundreds of aircraft at airports within the 25-mile radius made no sense since a terrorist could simply take off from an airport outside the 25-mile limit and fly into the restricted area before anyone could stop the aircraft.

Another restriction grounded all small aircraft at airports within ten miles of a nuclear facility. Helicopter operations were grounded, which prevented news organizations from reporting live-time news coverage. Another restriction was that student pilots could fly within the expanded Class B airspace but not licensed pilots or flight instructors.

These senseless restrictions showed the level of intelligence that would “protect” America from terrorists that had a somewhat higher level of intelligence. The only effect of the orders was to bar law-abiding pilots from flying and the orders inflicted severe economic damage upon aviation operators.

Greater Danger from Terrorist Attacks Ignored

Among the far easier high-profile target for a terrorist, rather than using a small general aviation aircraft, would be driving a car or truck loaded with explosives into the Holland or Lincoln tunnels connecting New York City to New Jersey, or onto bridges such as the George Washington or Golden Gate bridges.

If grounding the nation’s general aviation fleet made sense, the same thing should have been done to halt all movement of cars or trucks. That of course would be impractical and ridiculous, and in a way, the grounding of all general aviation was equally so.

Bizarre Way of Encouraging the Public to Fly

During a speech shortly after the September 11 attack, President George

Bush encouraged the public to go about their normal activities, including flying. During this speech he referred to several changes he was authorizing. One such change was Bush's authorization for military planes to shoot down airliners that would kill as many as 300 to 400 men, women, and children if someone on the ground thought the aircraft was hijacked and thought it might crash into a major building.

A hijacked aircraft does not mean that the hijackers intended to, or would succeed, in flying the aircraft into a high rise building killing, and could very possibly be either thwarted by people on the plane, or, there was never any intention to crash the aircraft. But shooting down the aircraft would *positively* kill hundreds. Incredibly, not a single protest was heard from the lapdog press, the sudden lapdog members of Congress, or even the public.

Another authorization to kill people in aircraft was to authorize the military to shoot down general aviation aircraft if the aircraft flew into any one of the hundreds of restricted airspaces throughout the United States, which frequently change and are unknown to many pilots.

One near shoot down occurred when Governor was flying into Washington National Airport, which was cleared by the FAA. However, the Transportation Security Agency was not aware of the clearance and government buildings were evacuated in the belief that another terrorist attack was in process.

Funding the "Impossible"

Bush stated he was ordering the funding of a system to convert the thousands of U.S. airliners so that by signal from the ground the aircraft controls would become totally ineffective, preventing the hijackers—or the pilots—from flying the aircraft into buildings. If some bureaucrat on the ground felt that the aircraft had been hijacked and would possibly be used as a flying bomb or missile, the pilot controls would be disabled and someone on the ground, hundreds or thousands of miles away, would control the aircraft.

The plan to reengineer airliners was mentally bankrupt and totally impractical. The massive and complex reengineering of these aircraft would be impractical, the cost prohibitive, and the massive engineering and conversion could not be accomplished before most of the aircraft were replaced with newer generation aircraft. Further, pilots would not want to lose control of the aircraft. Nor would safety considerations permit such a ridiculous scheme. That plan gave an insight into the president's intelligence.

Victim Compensation Fund

Following the September 11 attacks, Congress passed legislation known as the Victim Compensation Fund which gave relatives of the victims the choice of whether to accept compensation that was likely to average out as nearly two million dollars, or to take their chances on suing. If they sued, they lost their right to compensation under the fund.

Some refused to accept the government compensation, claiming that this route prevented discovery which could expose those people who was primarily the blame for the conditions that allowed hijackers to seize four airliners on 9/11. Whether this reason was true or not, the same people saying they wanted to learn the truth made no effort to look into my charges of corruption within the FAA as being primarily responsible for the conditions that encouraged and insured the success of the hijackers.

Suing the Wrong People

Lawyers for some 600 family members of September 11 victims filed a lawsuit against Saudi officials, banks and charities, and the government of Sudan, claiming that they financed Osama bin Laden's network and the attacks on New York and Washington. The lawsuit sought as much as \$1 trillion in damages, and charged the defendants with racketeering, wrongful death, negligence and conspiracy. The plaintiffs hoped to recover, in the event of a judgment, from Saudi assets in the U.S.

Over 80 defendants were named in the lawsuit, including seven banks, eight Islamic foundations and three Saudi princes. The 15-count lawsuit, modeled after an action filed against Libya to recover for the Pan Am flight 103 disaster, sought to cripple banks, charities and some members of the Saudi royal family as a deterrent to terrorist financing schemes. Several of the Saudi banks and Islamic charities named in the lawsuit vehemently denied any role in funding terrorism and called the case an attempt to extort Saudi wealth abroad.

Saudi Arabia was one of America's most important allies in the Middle East, and further alienating them in this manner caused even more hatred toward the United States.

Praising the Public and Handing Out Hero Labels

Damage control by U.S. leaders commenced by shifting the public's attention from those whose misconduct created the conditions insuring the success of the 9/11 hijackers. Bush quickly praised the American people, who knew virtually nothing about the behind-the-scene misconduct of government officials that played major roles in the successful hijackings. Bush and other members of his administration praised the praised those government personnel who did what they were paid to do, and applied the hero label to many people who didn't meet the definition of the word. These feel-good tactics worked, and virtually no one made reference to how such a great tragedy could occur when the preventative remedies were so obvious.

Keeping the FAA Administrator Out of Sight

After September 11, the FAA Administrator, Jane Garvey, was nowhere to be seen. Otherwise, people would be reminded that this sweet-looking politically correct government official didn't have the background in aviation needed for that position. If a competent FAA administrator had been in place before September 11, and the corrupt culture did not exist throughout the operational divisions of the FAA, preventative measures would probably

have been taken 40 years earlier on the recurring hijackings.

Preventing Hijackings Was So Simple, Inexpensive and Urgent

Hijackings, including fatal hijackings, occurred throughout the existence of the FAA, which came into being in 1958. Anyone with sufficient aviation expertise with a responsibility to act on safety problems would have known the correction actions needed. I recognized the problem and the solution while an airline pilot, and addressed the problem while I was a federal air safety inspector. I reported that the immediate corrective actions were to order the removal of cockpit door keys from the cabin flight attendant, keep the cockpit door locked during flight, stronger cockpit doors, elimination of the massive carry-on luggage, and barring passengers from carrying anything on board the aircraft that could be used as a weapon.

The removal of cockpit door keys from the flight attendants, which could have been put in place within 24 hours, by itself would have probably prevented the hijackers from seizing control of the four airliners on 9/11.

These simple and inexpensive preventative measures could have been ordered by the FAA administrator and put into place throughout the aviation fleet within 24 hours. Even if the FAA was 50 years late in these preventative measures, the numerous reports of planned airliner hijackings immediately preceding 9/11 could have shown a competent FAA administrator the need to order cockpit door keys removed from the cabin, which could have been done system wide with 24 hours notice.

No evidence that Cockpit Doors Were Broken to Gain Entry

There was no indication that the hijackers had to break down any of the cockpit doors, strongly indicating that they used the cockpit door keys taken from the flight attendants. If any of the hijackers had tried to break down the cockpit doors, an alert pilot could easily put the aircraft in an unusual attitude to hinder such activities, time enough to permit passengers to become involved in halting cockpit intrusion.

Why These and Other Required And

Authorized Safety Measures Were Not Taken

For years the FAA administrator's position has been a political position used for vote-generating power through placement of "politically correct" personnel. Many FAA and NTSB personnel have complained to me over the years of the adverse effects of management personnel in key safety positions that lacked the experience and competency to properly perform their jobs. The lack of these requisites on the part of FAA administrators (except the first few that held that position) caused politicians, members of Congress or the office of the president, to order safety actions to be taken. For instance, during the Clinton administration, Vice President Al Gore was head of a group studying and recommending aviation safety steps to be taken.

Destruction of Safety Reports and Fatal Air Disasters

Official reports of major air safety problems and air safety violations, prepared by federal air safety inspectors, were frequently destroyed by FAA

management. Federal aviation safety Inspectors were threatened if they made such reports or took corrective actions at politically powerful airlines. Inspectors were threatened with poor fitness reports, or transfer, if they didn't "get on the team" and act to maintain office tranquility by not reporting safety problems and safety violations. This type of misconduct is never reported as contributing to a particular aircraft accident and the associated deaths. I describe these problems in more detail in my *Unfriendly Skies*.

With the culture and rampant corruption inside the FAA, many safety problems that could have prevented dozens of aviation disasters were not addressed. No better example of this than the 50 years of hijackings those were easily preventable. The federal government's air safety responsibilities were prevented from being carried out by this culture. The same culture is found in many other government offices.

Greater Aviation Sophistication Required

As the overseas policies and activities of U.S. politicians increasingly outrage millions of people throughout the world, motivating people throughout the world to attack anything involving the United States and its people, aircraft security measures must be made more sophisticated than was necessary earlier. The great number of people hating America, and the unlimited targets that cannot all be protected, the future will surely get worse for Americans.

Threats to Aviation From Other Security Shortcomings

For a period of time, luck, or whatever, existed to prevent major terrorist acts against U.S. airliners. There were threats to aircraft other than hijackings, and these included explosive devices, surface-to-air missiles, and sabotage. Bombs can be easily placed on aircraft. They can be carried on board in the carry-on luggage, placed in checked baggage, or hidden anywhere on the aircraft by baggage loaders, service personnel, maintenance personnel.

Despite the threat, cargo was still allowed on board passenger aircraft without being checked for explosives. But even if they were checked, there is no 100 percent effective machine for detecting explosives. Further, explosives can be packed in such a way that they cannot be detected by the vapor detection machines.

Prior Knowledge of Most Aviation Safety Dangers

In almost every airline crash over the years, airline and FAA personnel knew prior to the crash of the safety problem and the means to prevent the crash. So it was with the simple means to prevent hijackings. An example of how the airline knew of one problem associated with hijackings was shown in a letter sent to me (August 22, 2002) by a former DC-8 flight instructor for United Airlines, Richard Pitt. He wrote:

During training the company told us about the cockpit door and how easy it was to break it down. The airlines knew about this back in 1977 and 1978, I know for a fact. Why? Because I remember the guy making a joke about what if some big drunk ever broke the door down and got

into the cockpit. If the world knew then how easy it was to get into an airliner's cockpit, we'd been in a lot more problems than we'd know what to do. So, to sum it up, Rodney, we were aware of weak doors years ago.

In referring to how pilots should communicate with ground personnel during hijackings, Pitt wrote that they were told to report “low pressure refueling” if the hijackers hadn’t harmed anyone. It appeared that they did intend harm they were to report the need for “high pressure refueling.”

Former Cabin-Disturbance Practice Had Dangers

A standard practice prior to September 11 when a cabin disturbance existed was for one of the pilots to go into the cabin to address a physical disturbance. The practice of having one of the pilots confront one or more passengers causing a disturbance was fraught with danger of the pilot being physically disabled. This should never have been allowed by the FAA, or at the very least, greatly discouraged.

The proper way to handle this problem was to have the cabin crew contain at least one male flight attendant. It would be his responsibility, and not the pilots, to handle unruly passengers. Having only female cabin attendants, who don’t have the strength of most males, is not an adequate defense against the increasing disturbances in the cabin with the advent airline travel by the masses.

Sky Marshals, Mixed Bag of Protection

The same politicians that decided pilots didn’t know how to protect the aircraft and rejected their demand for guns in the cockpit, heartily approved armed sky marshals on aircraft that could be expected to engage in a gunfight in the cabin. Sky marshals are a protection, but can be easily defeated by two or more hijackers located at different cabin locations. Further, a gunfight in the cabin could result in bullets hitting the pilots.

Amateurish Level of Safety Shown in Airport Security Conduct

The amateurish nature of airport security surfaced after September 11 as the politicians continued to control aviation security. Little old ladies, children, cripples, who were hardly any risk, were singled out for extensive inspections, which in some cases included partial disrobing, while young males more likely to engage in terrorist acts being ignored.

Putting the Same People in Charge Who made 9/11 Possible

President Bush put Norman Mineta as head of the United States Department of Transportation, the same person who, while a congressman from California and on aviation committees, repeatedly covered up for the documented corruption in the FAA that I frequently brought to his attention.

If he had acted then, many aviation tragedies could have been avoided, including the 3,000 deaths on September 11. U.S. Attorney Robert Mueller, who was selected to head the FBI, had received letters from me while he was in San Francisco, describing the corruption in the FAA and the intelligence agencies that I and a group of other government agents had discov-

ered. He never responded.

Paranoia and Hysteria Concerning Airport Security

After 9-11, federal directives affecting aviation safety were often amateurish with a combination of paranoia and hysteria. Entire airport terminals were often evacuated and aircraft ordered to return simply because a relatively minor oversight occurred. In light of the many far more serious security shortcomings, this reaction to a relatively minor oversight was ludicrous. There must be a level of common sense used, but this requires aviation expertise, and the politicians responsible for September 11 and responsible for post-September 11 aviation safety don't have the expertise upon which common sense is based.

Obvious security problems went unattended. For instance, cockpit doors were left open when passengers were boarding or deplaning the aircraft, providing a window of opportunity for terrorists to take over the aircraft with all types of subsequent wild cards that could subsequently follow.

Because the cockpit doors are occasionally opened during flight, sometimes for the pilots to use the toilets, one or more dedicated hijackers could still rush the open door and get into the cockpit, using a previously concealed plastic or cylindrical weapon firing bullets, or knives. To address this problem, additional protections are needed.

Short Selling of United and America Airlines Stock Suggesting Prior Knowledge of 9/11 Hijackings

Within a few days prior to the hijackings of American Airlines and United Airlines aircraft unprecedented "short-selling" of stocks in these two companies occurred. Millions of dollars of profit was made by the people making the transactions. No other stock had such short-selling activity during this same period. It was as if certain people who profited by the short selling knew that United Airlines and American Airlines would suffer catastrophic losses within a few days and that they stock would plunge in value.

Short Selling or Put Options, Betting That Stock Will Go Down

Short selling works by a person entering an agreement to sell a certain stock at some future date at the current market price, and the other party agrees to buy it at that price. The seller pays a price to the other party for this option. The seller is betting on the price of the stock going down, enabling him to buy the stock at the lower price and then immediately sell it at the higher agreed-upon price to the buyer. The buyer, who receives a price for the contract, bets on the stock not going down in price.

The profit for the seller is the difference between what the market price was at the time the contract was completed and the market price at the performance date, minus the amount that had to be paid by the person initiating the short selling.

If the person who initiates the short selling knew that United Airlines and American Airlines aircraft would be destroyed by hijackers, which would most likely cause the stock price to go down, the person doing the

short selling could purchase a short selling contract and profit when the market price for the stock goes down.

Call Option, Betting That the Stock Goes Up in Value

The opposite to a put-option, where the initiator bets on the stocks going down in price, is a call-option, where the initiator bets on the stock going up in price.

On any given day there are a certain number of short-selling or put-options. Within a few days of the September 11, 2001, events affecting United and American airlines, the number of short selling options—focusing on United and American Airlines, increased many times over. The most likely explanation for this would be that certain people *knew* what was about to occur and sought to profit by it. These could be either terrorist groups themselves, or people who were simply aware of the terrorist plans.

Numerous articles were written about this relationship. One was by the International Policy Institute for Counter Terrorism (September 21, 2001) titled, “Black Tuesday: The World’s Largest Insider Trading Scam?” According to a report in *FTW Publications* by Mike Ruppert:

Although uniformly ignored by the mainstream U.S. media, there is abundant and clear evidence that a number of transactions in financial markets indicated specific (criminal) foreknowledge of the September 11 attacks on the World Trade Center and the Pentagon.

In the case of at least one of these trades—which has left a \$2.5 million prize unclaimed—the firm used to place the “put options” on United Airlines stock was, until 1998, managed by the man who is now in the number three Executive Director position at the Central Intelligence Agency. Until 1997 A.B. “Buzzy” Krongard had been Chairman of the investment bank A.B. Brown. Krongard joined the CIA in 1998 as counsel to CIA Director George Tenet. He was promoted to CIA Executive Director by President Bush in March of this year.

It is well documented that the CIA has long monitored such trades, in real time, as potential warnings of terrorist attacks and other economic moves contrary to U.S. interests. A September 21 story by the Israeli Herzliyya International Policy Institute for Counter Terrorism, entitled “Black Tuesday: The World’s Largest Insider Trading Scam?” documented the following trades connected to the September 11 attacks.

That article gave examples, such as in the case of Morgan Stanley Dean Witter & Co., where an average of 27 put options occurred. However, in the three trading days before the September 11 events, there were 2,157. At Merrill Lynch & Co, which experienced an average of 252 contracts, the four trading days before 9/11 had 12,215 such options.

The Chicago Board Options Exchange saw similar disproportionate increases, with 4,744 put options on United Airlines for September 6 and 7 and for American Airlines, there were 4,516 put options placed on September 10. There was no news to support such unprecedented increases. There

were no other airlines experiencing these stock contracts in which people were betting that the shares of these two airlines would take a dramatic drop.

During this same period, there were virtually no call options, which are executed by people betting that the price of the stock will go up.

An article in the *New York Times* (May 25, 2002) was titled, “Stock Adviser Knew About 9/11 Attacks, U.S. Suggests,” and stated:

A San Diego stock adviser who is accused of bribing an F.B.I. agent to give him confidential government information may have had prior knowledge of the Sept. 11 attacks, a federal prosecutor said yesterday.

In court hearing in San Diego, Kenneth Breen, an assistant United States attorney, said the adviser, Amr Ibrahim Elgindy, tried to sell \$300,000 in stock on the afternoon of Sept. 10 and told his broker that the stock market would soon plunge. Mr. Elgindy and four other people, including one current and one former F.B.I. agent, were charged Wednesday with using confidential government information to manipulate stock prices and extort money from companies.

Mr. Elgindy and his partner, Derrick W. Cleveland, sold short the shares of companies that they learned were under investigation, according to the indictment. (Short sellers borrow shares and sell them, hoping to buy them back later at a lower price and pocket the difference.) Then Mr. Elgindy publicized the negative information on two Web sites he ran, hoping that the companies’ stock would fall, prosecutors say.

A *Wall Street Journal* article (August 22, 2001) addressed the relationship between short sellers and Justice Department prosecutors:

The case illuminates the dark side of the relationship between law enforcers and short sellers, investors who trade on intimations of corporate trouble. Short sellers borrow shares from a broker and immediately sell them in hopes the price will fall. If there is a drop, the short sellers can replace the shares with cheaper ones and keep the difference.

Standard Pattern of Disinformation, and the Public Bought It!

The Bush White House stated that nothing could have been done after being informed that terrorists planned to seize airliners. Once that was known, the date and place was not necessary for the FAA to issue orders that could have been implemented within 24 hours and which would surely have prevented the hijackers from seizing any of the four airliners. The two preventative measures were keeping keys to the flight station out of the cabin crew’s possession, and keeping the cockpit door locked.

Like a Tree Growing From an Acorn

No one seemed to recognize that from the internal FAA problems—and their cover-ups—that such catastrophic consequences could occur. Years of air disasters could have been prevented if people in and out of government had reacted to those inspectors who reported these serious problems. By failing to show even the most basic signs of courage and responsibility, the United States entered a phase after 9-11 that would have catastrophic conse-

quences. Like a huge tree growing from an acorn, massive national tragedies arose from the corruption that I and other insiders reported.

The Start of the Usual Cover-Ups: Intelligence Failure Gimmick

Because there was so much misconduct associated with the successful 9/11 hijackings, it was necessary for massive disinformation and cover-ups to occur. The hijackings of four airliners were obvious aviation safety matters for which people in the government's aviation safety offices had the authority and responsibility to order the known preventative measures.

Obviously, why these known preventative measures were not taken should have been the primary focus of attention. Instead, that area was completely ignored—and very probably, deliberately. The decision was made to limit the damage control “investigation” into alleged intelligence failure and failures to act on known intelligence. And even here, there was cover-up, as the corruption within the CIA and FBI which surely affected their performance was ignored. This area of corruption was also included in the information that I and other government agents had discovered, and which we tried to report to members of Congress and to federal judges under the federal crime reporting statute, Title 18 U.S.C. § 4.

Another Cover-Up Tactic:

Unpatriotic to Question America's Leaders

Another tactic used to prevent any meaningful investigation into the primary areas of blame for 9/11 was to call anyone calling for an investigation to be unpatriotic on the basis that the “nation was at war.”

Standard Corrective Action: Create Another Department

The standard corrective action, or public relation action, following exposure of misconduct in a government office, was to create another department, or rename the existing department. This was done with the Federal Aviation Agency after I exposed the corruption related to a series of fatal airline crashes. Congress created the Federal Aviation Administration: the same people and the same culture carried over.

Office of Homeland Security in White House

Shortly after September 11, President Bush established the Office Of Homeland Security and appointed as its director former Pennsylvania governor Tom Ridge. One of its goals was to make available to all police and intelligence agencies the information gathered by every other agency. This would allow agents from any of the dozens of government entities to access information on ongoing investigations in any of the other government entities.

Department of Homeland Security

In early 2002, President Bush advocated another bureaucracy to provide better defenses against terrorist acts. He submitted to Congress (June 18, 2002) draft legislation to bring all of the many government agencies into the new department that would be called the Department of Homeland Security, which was then passed into legislation.

Naïve Plan for Spreading Confidential Information

President Bush's plans for sharing information between agencies, available to tens of thousands of government agents, theoretically sounded plausible, but it had serious problems. Crime groups and terrorists have gained access to these computer systems, either directly or through any one of the thousands of government agents who have access to them. These are described in detail in *Defrauding America* and *Drugging America*.

Problems With Dozens of Agencies Placing Information In Database Accessible to All Other Government Personnel

During the past ten years over a dozen government agents were caught passing confidential information to unauthorized sources outside of government that they obtained from government databases. In 1996, FBI agent Earl Pitts was discovered providing information to the Russians, In 1996, Russian informants told Justice Department officials that an FBI agent had been selling U.S. secrets to the Soviet Union and its successor, the Russian federation, for the past twenty years. This information led to the arrest in 1996 of FBI counter intelligence agent Robert Hanssen, who had received over \$1.4 million in cash and gifts for selling out the United States.

Hanssen provided secret intelligence information to G.R.U, the Soviet military intelligence, since 1979. Investigation revealed that over 50 people providing confidential information to the FBI were exposed by Hanssen to the Russians. This breach of security severely compromised America's intelligence operations, and resulted in many informants being killed. Among those executed as a result of Hanssen's disclosure was Russian General Dmitri Polyakov of the G.R.U.

Hanssen first spied for the KGB and then for Russia's Foreign Intelligence Service. During this period Hanssen worked for the FBI and on assignment to the State Department, with access to documents about suspected intelligence agents posted in this country and Soviet and Russian agents working for the United States.

Hanssen obtained most of his information from the FBI's automated case support system (ACS), which could be accessed by any FBI agent, including office clerks.

Hanssen said (November 2000) of the FBI's internal security, "It was pathetic. It's criminal negligence. Any clerk in the bureau could come up with stuff on that system. It's criminal what's laid out." Hanssen admitted downloading from the FBI's computer system nearly 1,000 sheets of highly classified material

Hanssen admitted his disdain for U.S. leaders and their policies and conduct, stating: "The United States can be errantly likened to a powerfully built but retarded child, potentially dangerous, but young, immature and easily manipulated." Many insiders would have no trouble agreeing with that description.

It is estimated that Hanssen revealed to the Soviet Union and Russia

some of the most important U.S. secrets including those of the National Security Agency (NSA), the State Department security, the CIA, causing incalculable damage to national security.

Hanssen admitted receiving at least \$600,000 in cash and having \$800,000 deposited in a Moscow bank. Despite causing the execution of several Russian sources spying for the United States, he avoided the death sentence and the pension that he would have received upon retirement was allowed to go to his wife.

Typical Example of FBI Level of Intelligence

If it hadn't been for a source inside Russia offering to sell information to the United States about Hanssen, Hanssen's identity might still be a secret and he could have continued selling U.S. secrets. In my various books I've given other examples of the bungling by U.S. intelligence personnel.

When Hanssen sought to renew his spying for Russia in 1993 after the breakup of the Soviet Union, the Russians thought they were being set up and protested to the United States about an incident. They stated that a disaffected FBI agent had approached a Russian officer at his residence in Washington, offering to sell him classified information. That agent was Hanssen.

Hanssen's lavish life style was far out of reach of the FBI salary, but the FBI did not react to this clue. Even Hanssen's brother-in-law advised the FBI that Hanssen's financial situation and other characteristics strongly suggested he was receiving large sums of money from other sources. Nothing came of that warning.

Late Discovery of CIA Spy Aldrich Ames

From 1985 to 1994, until he was caught, CIA agent Aldrich Ames passed highly sensitive information to the Soviet Union and the Russians, including the names of Soviet and Warsaw Pact agents who had been recruited by the CIA and FBI. This information caused over a dozen of them to be subsequently executed. The damage caused by his spying was characterized as the most damaging in the nation's history.

Ames alerted Moscow that a U.S. state department employee, Felix Bloch, was being investigated, after which Moscow alerted Bloch to this fact. This prevented the United States from obtaining evidence on Bloch's prior activities while he was chargé d'affaires at the U.S. Embassy in Vienna. He was fired in 1990 on the grounds that he lied to investigators. The question remains, what other moles exist in the FBI and CIA, and other government entities.

Other Examples of Deep-Seated Corruption in FBI Offices

Numerous newspaper reports and court documents revealed the close relationship between FBI agents in the Boston office and the Winter Hill gang headed by Boston mob boss James J. "Whitey" Bulger and Steven Flemmi that continued for over 20 years. During this entire period FBI agents knew the gang was committing numerous murders, of which 19 were identified.

Bulger had been one of the top FBI's informants, being initially used for

providing information about a rival gang involving Italian mobsters. FBI agents provided Bulger advance information about informants—who were subsequently killed, about upcoming wiretaps, investigations and indictments, permitting Bulger to escape punishment. FBI agents withheld evidence from the U.S. attorney, Boston city police, and Massachusetts State Police, to protect Bulger and his gang.

The FBI's criminal cover-up of the murders and other crimes committed by the Boston FBI office caused the U.S. Attorney's office and the Massachusetts State Police to withhold any information from the agency.

Finally, in January 1995, the state police and the U.S. Attorney's office obtained sufficient evidence to indict Bulger and his top aid, "The Rifleman" Flemmi, with plans to arrest them in quick succession. However, FBI agent John Connolly warned Bulger, causing him to flee. Only Flemmi was arrested.

During a subsequent trial, Judge Mark Wolf issued findings of facts on September 15, 1999, showing that eighteen FBI supervisors and agents had committed illegal acts involving the handling of informants. The findings of facts stated in part:

The court concludes that in early January 1995, Connolly, who remained close to Flemmi and particularly, Bulger, had been monitoring the grand jury investigation in part through his contacts in the FBI, and was the source of the tip to Bulger.

The facts surfacing in this FBI corruption showed that the U.S. attorney didn't trust the Boston police or Massachusetts State police; the State police didn't trust the FBI or the Boston police; and that sharing information would be disastrous. But young President Bush, with no real world experience in these matters, was going to correct the intelligence problems that played a role in the September 11 terrorist attacks by forcing the placement of sensitive information from all intelligence and law enforcement agencies onto a computer system available to thousands of additional government personnel.

My CIA Sources Revealed FBI Corruption for Years

Information provided to me during the past fifteen years by many CIA and other covert government agent sources revealed years of FBI corruption, some of which is detailed in the latest editions of *Defrauding America* and *Drugging America*.

Commission Investigation and Recommendation

As a result of media publicity from the Hanssen case, a special seven-member investigative commission was formed in 2001, headed by former FBI and CIA director William Webster. During the investigation, they found that the New York FBI field office refused to put intelligence information into the FBI's ACS system because of knowledge that the information could be misused. The commission's final report (April 2002) described how an intern from the Massachusetts Institute of Technology was able to break into highly confidential FBI database files during an afternoon of effort.

Commission Recommendation Reversed Bush Recommendation

The commission's final report stated, "The bureau [FBI] should carefully consider adopting the system of compartmenting human sources information developed by the CIA." The panel's recommendation was critical of the FBI's decision after September 11 terrorist attacks to loosen restrictions on the sharing of classified information that was on FBI computers.

At about the same time, President Bush recommended consolidating the 15 intelligence agencies and making the classified information available to the tens of thousands of personnel throughout these offices.

In my book, *Drugging America*, I describe how classified information was made available to major drug cartels, resulting in confidential informants being murdered.

Intelligence Failures: Product of Deep-Seated Culture in US

Even though intelligence failures relating to 9/11 were strictly secondary to the area of primary blame for the success of the hijackers, they were not innocent failures. The failures were due to such factors as retaliating against government personnel who sought to report terrorist activities being ignored or covered up; related to a pattern of criminal activities against the government by government agents that compromised their primary responsibility of protecting U.S. interests.

Several Years of Advance Warning Using Airliners as Missiles

People in the intelligence agencies knew for years that terrorists were planning to hijack U.S. airliners and fly them into building. They knew how to prevent hijackers from seizing airliners if the hijackers managed to get on board the aircraft. The FBI knew of suspected Middle East terrorists taking pilot training in the United States, and even taking lessons in aircraft simulators to fly large airliners, with no interest in taking off and landing.

For several months there was considerable talk on the streets of the Middle East about terrorist planning to shortly hijack U.S. airliners. If the FAA was under competent leadership, orders could have been issued that within 24 hours would have put into place the two simple measures that I and other federal air safety inspectors had reported for years: remove cockpit door keys from the terrorists and never open the cockpit door in flight.

On August 17, 2001, the month before the September 11 hijackings, an alert flight instructor in Minneapolis reported his suspicions to the FBI about Zacarias Moussaoui, who wanted to take simulator training in a Boeing 767, but who had no interest in learning how to take it off or land. Moussaoui was believed to have been one of the September 11 hijackers.

French intelligence officials notified the United States that Moussaoui was on a 1999 watch list and known to be an extremist. After Zacarias was arrested on immigration charges, the Justice Department denied local FBI agents permission to examine his laptop computer.

Mohamed Atta, who is believed to be the terrorist who piloted the America Airlines plane into the World Trade Center, was a suspect impli-

cated in a 1986 bus bombing in Israel. He traveled in and out of the United States on an expired visa. Khalid Al Midhar, another of the September 11 hijackers, was on a CIA watch list in January 2001 after the United States determined that he played a role in the bombing of the USS Cole three months earlier. Another hijacker, Nawaf Alhazmi, was also being sought for questioning by the FBI. What a system!

Two of the hijackers who were taking pilot lessons in the United States abandoned their small plane on a taxiway of a busy airport. After the engine stopped, they simply walked away from the plane, blocking a major taxi way used by airliners. This conduct did not arouse any attention by the FAA or the FBI.

INS did not keep a list of those who traveled to the United States on a temporary visa, and did not know if they left the United States when the visa expired, or if they showed up at the school for training for which the visa was approved.

Manila Police Discovered Plans to Crash Airliners into Buildings

In Manila, in 1995, the Philippine government turned information over to the United States about plans to hijack airliners and fly them into prominent buildings. This information was discovered after a fire occurred in an apartment rented by suspected terrorist, Ramzi Yousef, who was suspected as one of the terrorists in the 1993 World Trade Center bombing.

Immediately after the bombing of the World Trade Center in 1993, Yousef fled the United States for Manila, where he planned to place liquid explosives on U.S. airliners that he felt would not be detected by airport metal detectors. While working with the liquid in his Manila apartment a fire erupted. Yousef fled before police arrived, but his partner, Abdul Hakim Murad, was caught. Between documents that were found in the apartment, files on Yousef's computer, and questioning of Yousef's partner, plans were discovered to hijack U.S. airliners and fly them into prominent buildings and to place bombs on 11 U.S. airliners departing Far East locations. Avelino Razon of the Philippine Police said that Yousef was a member of the Ramzi terrorist cell in the continental United States.

Based upon a photo on Yousef's abandoned computer, Malaysian police arrested Khan Amin Shah, who later admitted that he provided money and fake passports to Yousef and another accomplice, Abdul Hakim Murad.

Police reports and statements by Philippine police and intelligence personnel, showed that the pair were part of a plot to seize commercial airlines and fly them into buildings, as was subsequently done on September 11, 2001. One police report made in 1995 included the statement of an officer, "Murad's idea is that he will board any American commercial aircraft pretending to be an ordinary passenger, then he will hijack said aircraft, control its cockpit and dive it at the CIA headquarters. There will be no bomb or any explosive that he will use in its execution. It is a suicidal mission that he is very much willing to execute."

Filipino authorities told Associated Press reporters that they promptly shared the information with FBI agents in Manila. The chief of intelligence for the Philippine National Police told USA reporters, "They didn't appreciate the info coming from the Philippine police."

One of the Philippine police officers who oversaw Murad's interrogation, Rodolfo Mendoza, said, after September 11, "It's exactly as Murad said, 'I will hijack a commercial plane and crash it into a building.'"

Murad described to Philippine authorities how he and Yousef traveled throughout the United States and obtained flight training at different schools in New York, Texas, California and North Carolina. He named almost a dozen other Middle East men at these flight schools who were also getting pilot training, including people from the United Arab Emirates, Sudan, Saudi Arabia and Pakistan.

When asked by Philippine police, "You are willing to die for Allah or for Islamic?" Murad replied, "Yes. All my thinking was that I should fight the Americans."

Murad and Yousef eventually were convicted in the United States and sentenced to life in prison in a plot to blow up 11 U.S.-bound airliners flying out of Asia.

Actual Attempt to Crash an Airliner Into a Major Landmark

In 1996 hijackers belonging to an Algerian terrorist organization with connections to the Osama bin Laden al Qaeda group took over an Air France airliner on a flight from Algiers to Paris via Marseille. The hijackers took control of the aircraft after departing Algiers and upon landing at Marseille the hijackers demanded that three times the normal amount of fuel be placed on the aircraft over what was normal for that otherwise short flight.

Before the refueling was completed, security personnel stormed the aircraft and subdued the hijackers. It was learned that the hijackers planned to crash the aircraft into the Eiffel Tower.

In 2001, terrorists had planned to fly a plane loaded with bombs into the building where world leaders were meeting in Geneva. Extra security thwarted this plan.

FEMA Study Predicted Airliners Crashing Into Landmarks

Bradley Ayers, former CIA agent during the Cuban missile crisis, a former U.S. Army Ranger, and later part of a special section of the Federal Emergency Management Agency. (FEMA) Ayers wrote:

My task, together with a small, select group of highly qualified officers from other services and civilian experts from several key agencies of government, was to freely brainstorm and evaluate America's vulnerabilities to internal terrorist attack.

Ours was a very focused undertaking. We were directed to realistically create scenarios envisioning ways in which radical militants might strike within the United States employing only materials, equipment and devices that were readily available in the course and conduct of every-

day life in our country. We came up with a number of possible schemes by which someone bent on creating substantial havoc within the U.S. might exploit existing weaknesses in general and commercial (airline) security and flight operations.

Among the scenarios we developed was one that envisioned trained terrorist pilots using rented general aviation airplanes, or commandeering air cargo or airline aircraft and deliberately crashing them into political targets. Our list included the White House, the Pentagon, the Empire State Building, nuclear power plants, and weapons storage facilities. To us, the use of a fuel-laden plane, possibly with explosives aboard, as a guided missile was not only obvious but also feasible within minimum ingenuity on the part of the perpetrators.

We completed our work, formalized it and sent it on to FEMA headquarters. Later, while working with DEA and ATF, I learned that the study was circulated among a number of federal agencies and generally discounted as being “unthinkable” and too “far out” to be realistically considered.

We’ve had plenty of wakeup calls: hostage taking, hijackings, barracks, embassies and buildings bombed, subways poisoned, naval ships blown up. It was only a matter of time for the terrorists to put it all together on American soil.

In the books, *Defrauding America* and *Drugging America*, Ayers discovery of corruption in the CIA and Justice Department is detailed.

Focusing on Cockroaches Instead of Major Problems

A nation that allows a cockroach or some other insect or rodent to shut down multi-million-dollar construction projects, or causes people to go to prison if a dead frog results, is hardly competent to tackle or defend against down-to-earth adversaries. Americans allow obstructionists to block badly needed runways, such at San Francisco International, which creates safety hazards, on the fear that gravel that may take up 1/1000 of water area in the bay, or is hazardous to something or other.

American Culture of Cover-Ups, Denial, and Felonious

America has a deeply entrenched culture of cover-ups, denial, cowardice, and stupidity that has gotten far worse than existed at Pearl Harbor. September 11 was preceded by far more than the usual state of denial; it was preceded by documented corruption that did not exist in 1941.

I was in naval aviation a year prior to the December 7, 1941, bombing of Pearl Harbor, and the stupidity before my eyes in the face of imminent Japanese attacks was astounding, and more than just an intelligence failure. More people were killed on September 11 than at Pearl Harbor, and the blame, the criminal misconduct, making possible September 11 goes far beyond the Pearl Harbor tragedy.

Chaotic Handling of Informants

Among the problems in obtaining insider information from foreign

sources are the false promises by U.S. agents that are often never kept. Some examples. Boris Korczak, a KGB agent, who I had known for several years, operated a KGB front company in Copenhagen while he was a double agent for the CIA. His value ended abruptly when an intoxicated CIA case officer blew his cover at a Soviet Embassy reception (1979). This disclosure caused two assassination attempts to be made on Korczak, including one while grocery shopping in a Washington, D.C. suburb.

Three al Qaeda defectors provided testimony against four members of Osama bin Laden's 1998 bombings of embassy buildings in East Africa. The promises that were given to them were not kept. A crewmember on a Jordanian airliner that was hijacked by the Lebanese Amal Militia was promised protection and other benefits for testifying in 1998 against one of the hijackers, Fawaz Younis. The crewmember, Omer al-Ghadi, was promised a new identity, a job, and \$1 million for his testimony. "Ghadi later said, "I kept my word to testify, but the American government did not keep their word to me."

A key witness against a Palestinian terrorist in a trial involving the 1982 bombing of a Pan Am flight that departed Tokyo for Honolulu was another informant who was deceived. Adnan Awad was a key witness against one of the hijackers, Mohammed Rashid.

In the 1960s a senior KGB officer, Yuri Ivanovich Nosenko, defected to the United States and then was held in virtual isolation by the CIA at its training facility at Camp Peary in Virginia. Another KGB officer, Vitaly Yurchenko, who had directed spy operations against the United States, defected to the United States. But because of poor treatment he returned to the Soviet Union.

An article in the *San Francisco Daily Journal* (December 14, 2001) made reference to keeping Americans uninformed about misconduct in government offices:

President Bush invoked executive privilege for the first time Thursday to keep Congress from seeing documents of prosecutors' decision-making in cases ranging from a decades-old Boston murder to the Clinton-era fund-raising probe.

Did Israel Government Know of the Planned Hijackings?

During a televised interview, Brit Hume, the host, said: "Carl, what about this question of advanced knowledge of what was going to happen on 9-11? How clear are investigators that some Israeli agents may have known something?" Carl Cameron responded: "It's very explosive information, obviously, and there's a great deal of evidence that they say they have collected. A bigger question, they say, is how they could *not have known*?"

The transcript of the *Fox News Service* report of December 12, 2001, with host Brit Hume and Fox New correspondent Carl Cameron, stated in part:

Suspected Israeli Spies Held by U.S.

Some 60 Israelis, who federal investigators have said are part of a long-running effort to spy on American government officials, are among the hundreds of foreigners detained since the Sept. 11 terror attacks, Fox News has learned.

The Israelis, a handful of whom are described as active Israeli military or intelligence operatives, have been detained on immigration charges or under the new Patriot Anti-Terrorism Law. Federal investigators said some of them failed polygraph questions inquiring about alleged surveillance activities against and in the United States.

There is no indication the Israelis were involved in the Sept. 11 attacks, but investigators suspect that they may have gathered intelligence about the attacks in advance and not shared it.

A highly placed investigator told Fox News there are "tie-ins," but when asked for details flatly refused to describe them. "Evidence linking these Israelis to 9-11 is classified, I cannot tell you about evidence that has been gathered. It is classified information," the source said.

Fox News has learned that one group of Israelis spotted in North Carolina recently is suspected of keeping an apartment in California to spy on a group of Arabs who the U.S. authorities are investigating for links to terrorism.

Numerous classified documents obtained by Fox News indicate that even prior to Sept. 11, as many as 140 other Israelis had been detained or arrested in a secretive and sprawling investigation into suspected espionage by Israelis in the United States.

Investigators from numerous government agencies ... detail hundreds of incidents ... across the country that investigators say "may well be an organized intelligence-gathering activity."

Documents say they "targeted" and penetrated military bases, the Drug Enforcement Administration, the Federal Bureau of Investigations, dozens of government facilities and even secret offices and unlisted private homes of law enforcement and intelligence personnel.

A General Accounting Office investigation referred to Israel as Country A and said, "According to a U.S. Intelligence agency, the government of country A conducts the most aggressive espionage operation against the U.S. of an U.S. ally." A Defendant Intelligence report said Israel has a "voracious appetite for information. It aggressively collects military and industrial technology and the U.S. is a high priority target."

Trojan Horse Help for 9/11 Hijackers

The 9/11 hijackers had help from within government offices in the United States. Here are a few examples:

World Trade Center bombing in 1993. Justice Department prosecutors filed false criminal charges against the head of government multi-agency

drug task force that was discovering drug money sources of the Jersey City terrorists, thereby shutting down the operation, facilitating the bombing of the World Trade Center in 1993. This is described in earlier pages. Briefly, terrorist cells in New Jersey and New York received some of their funds from drug sales to Americans. Justice Department personnel blocked a multi-agency drug task force from acting against these drug traffickers.

As part of that strategy, Justice Department prosecutors filed sham criminal charges against the head of that multi-agency drug task force, Joseph Occhipinti, falsely charging him with violating the civil rights of one of the alleged drug traffickers. The following year, terrorists in New Jersey, who received part of their funding from these drug activities, bombed the World Trade Center in 1993, and initiated plans to place bombs on 11 U.S. airliners departing Far East locations.

Justice Department prosecutors and federal judges charging me with criminal contempt of court for attempting to report the criminal activities that I and a group of other former government agents sought to report under the mandatory requirements of the federal crime reporting statute.

Justice Department Embracing Terrorist

One example that I write about in *Defrauding America* shows how Justice Department personnel embraced, protected, and rewarded a drug smuggler who admitted playing a key role in the placement of a bomb on an Avianca Airline jet that exploded and killed over 100 people. Justice Department prosecutors used admitted drug trafficker, Jimmy Ellard, an associate of famed drug smuggler Pablo Escobar, as a government witness in the prosecution of a deep-cover contract agent, Rodney Matthews, carrying out assignments for U.S. Customs in San Antonio.

Justice Department prosecutors had Ellard sitting at the government's table during the trial against Matthews, represented him as an honorable and trustworthy witness, and then rewarded Ellard by releasing him from prison and drug charges, set him up with funds in the witness protection program, allowed Ellard to keep the millions that he had stashed away, so as to fraudulently imprison a courageous undercover agent who now has a life-in-prison sentence. Ellard went free.

But then what else can you expect from agents in the FBI division of the Justice Department who for years protected known murderers in the Boston area and who allowed an innocent man to go to prison for a murder that they knew their own protected sources had committed. (Details in *Defrauding America*.)

Futility and Retaliation of Exposing Corruption in Government

Tactics used to block efforts to expose corrupt government personnel take many forms and constitute standard practice. Take, for instance, the problems encountered by Jerry Van Hoorelbeke when he tried to expose corruption in the federal strike force in Los Angeles. He learned about these matters while he was involved in underworld activities.

Syndicated columnist Jack Anderson used Jerry Van's information in a series of articles exposing the involvement of law enforcement personnel in blocking prosecution of criminal activities. One of Anderson's articles (August 6, 1981) was titled "U.S. Investigates Its Own Troops In Crime War:"

Current and former members of the federal strike force in Los Angeles against organized crime are themselves under investigation by the Justice Department. They have been accused of delaying or failing to pursue grand jury action against underworld figures in California and Hawaii.

My associate Indy Badhwar has learned that the targets of the investigation are the current strike force chief, Jim Henderson, and his predecessor, Richard Crane, who is now in private law practice in Los Angeles. The investigation by the Justice Department's Office of Professional Responsibility was begun under pressure from Rep. Charles B. Rangel, chairman of the House Select Committee on Narcotics Abuse and Control.

Over the past year, a special investigator for the House committee has interviewed organized-crime figures and state and local law enforcers in California and elsewhere. His principal informant, however, has been Jerry Van, a self-described muscleman for California's top racketeers and arsonists.

Van, now serving a prison term on extortion and assault charges, has been cooperating with state and federal authorities since 1979. Information he has given investigators, as well as his testimony before grand juries and in criminal trials, has led to almost a dozen indictments and convictions for such crimes as murder, arson for profit, mail fraud and drug smuggling.

Federal and local lawmen describe Van as one of the most valuable and credible witnesses against organized crime figures in more than a decade. Because of threats on his life, he is in the witness protection program while in prison.

Another Jack Anderson article in the *Washington Post* was titled, "Government Put Informer In Jeopardy":

When Van started to "sing" to a congressional committee about alleged misconduct within the Justice Department, the feds put him in deadly jeopardy. He was abruptly withdrawn from the Justice Department's witness protection program and turned loose among the general prison population, where he could have been easy prey for the mobsters he had helped to send up.

As I reported yesterday, Van's charges against the federal organized-crime strike force in Los Angeles led Rangel to ask Smith to investigate allegations of official corruption and dereliction of duty relating to narcotics enforcement in the Southwest" Van feels that he was betrayed by authorities who didn't like his charges against their strike force col-

leagues. It took congressional pressure to get the Justice Department to investigate the charges after years of delay.

The House committee's special investigator told my associate Indy Badhwar that he believes that Van was given a bad deal. Van received a punitive prison sentence after promises were made to intercede for him in return for his cooperation. This is also the opinion of Assistant U.S. Attorney Paul Corradini, who acknowledged the valuable help Van provided in breaking up the biggest, best organized and most profitable arson ring in the country.

In January 1980, several federal agents testified in Van's behalf at his pre-sentence hearing. Dennis Schloss, a Justice Department special prosecutor, testified that Van had been cooperating in federal investigations of arson, mail fraud and white slavery. Van "gave full and complete information to the federal grand jury, Schloss told the judge, adding, "A very large percentage of that information has been corroborated by independent investigative means."

Although federal authorities used Van's information in selected criminal cases, they ignored his charges of corruption in government offices. This changed, at least partially, for cosmetic purposes, when the Jack Anderson articles appeared in national newspapers. Their appearance caused Congressman Charles Rangel, chairman of the Select Committee On Narcotics Abuse and Control, to write a letter to Attorney General William French Smith. Rangel wrote that Van provided information "concerning allegations of official corruption and dereliction of duty relating to narcotics enforcement in the southwest area of the United States."

Rangel added: "Mr. Van's allegations are directed specifically against the Los Angeles strike force, its former chief, Richard Crane, and its current leader, Jim Henderson. Crane's supervisor of the strike force in Los Angeles for 13 years, resigned his position and went into private practice. When Crane's clients have problems with the Los Angeles strike force [according to Van], they are rarely touched because the current chief, Jim Henderson, is a friend and former subordinate of Crane."

Rangel urged the Justice Department to "undertake a vigorous investigation" of the charges, as well as allegations involving Eddie Nash, a convicted felon who was Van's boss. Though the allegations were first made in 1979-80, there were no indictments in the Nash case until 1983. "Mr. Van surmised the indictments only occurred when the strike force realized the House select committee was looking into the matter. Michael E. Shaheen, head of the Office of Professional Responsibility, replied with the standard and meaningless "we have initiated an inquiry into Mr. Van's allegations."

Through the Freedom Of Information Act, Jerry Van was able to get a copy of another letter Rangel wrote (November 15, 1983) to U.S. Attorney General French Smith. The copy which Jerry Van received was heavily censored:

This Committee recently received information concerning allegations of official corruption and dereliction of duty related to Narcotics enforcement in the southwest area of the United States. This information was given to us by Jerry Vann, a California prisoner in the United States witness protection program.

After receiving these allegations, this Committee conducted a preliminary investigation to look into these allegations on behalf of the Select Committee, to determine if there was any substance to them. Mr. Vann's allegations are directed specifically against the Los Angeles Crime Strike Force, its [head, James Henderson] and its [former head, Dick Crane] ----- (6)(7)(C) [two lines blacked out in letter]. According to Mr. Vann, he is the ----- for the Alladin Hotel Casino and ----- the Barbary Casino. ----- clients are organized crime figures. When ----- clients have problems with the Los Angeles Strike Force, they are rarely touched because ----- friend and ----- --. In addition to these allegations, Mr. Vann described DEA "hand-to-hand" buys involving one ----- in a case as far back as 1979-1980, with no indictment until 1983. Mr. Vann surmised the indictments only occurred when the Strike Force realized the House Select Committee was looking into the matter.

I bring this matter to your attention and strongly urge you to undertake a vigorous investigation. While it is not my intention to interfere with or involve this Committee with investigation allegations of misconduct by Federal officials, I have every confidence that the Justice Department will obviate the need to do so.

Finally, shortly after Mr. Vann made these allegations, and the resulting inquiry on the part of this Committee, he was transferred from protective custody into the general prison population. While I do not want to draw conclusions from this act, it raises certain questions, particularly what conditions have changed that would diminish the need for Mr. Vann to be under witness protection.

I again urge you to inquire into this matter and share with me, to the extent possible, the results of your inquiry.

Sincerely,

*Charles B. Rangel
Chairman*

Van provided me with some of the deleted information: the former head of the strike force was Dick Crane and the subsequent head, James Henderson. Van wrote that they were "fixing organized crime cases for unsavory criminals who bought the federal government law enforcement badge and

used it as a credit card to purchase their way out of criminal indictments like drug smuggling, drug sales, murder, and finally, corruption.”

Van also wrote that after a year of doing nothing, “this matter was turned over to the notorious office of the OPR, who in turn quashed everything.” OPR is the office of professional responsibility, notorious for cover-ups of corruption in government.

Removed From Witness Protection Program After Exposing Strike Force Corruption

Jerry Van was in prison when he first became a witness for the government. His testimony resulted in the successful prosecution and imprisonment of many people. Because of his testimony he was segregated from the general prison population under the federal government’s witness protection program.

After Jerry Van started identifying corruption in the government’s task force itself, Justice Department personnel retaliated by removing him from protected custody and placing him into the general prison population. Simultaneously, they made known to the prison population that he was a government witness responsible for imprisonment of numerous inmates. Van explained this dangerous situation in one of his letters:

Because I exposed the Strike Force corruption I was taken off the program and cast in the middle of a prison compound where the feds put a snitch jacket on me, hoping someone would hurt me once the word spread. If it wasn’t for Rep. Charles Rangel’s quick response to the Attorney General, I could have very well been murdered and written off as just another prison murder that would have been written off as unrelated to Rangel’s inquiry into Los Angeles Strike Force corruption. Anyway, to make a long story short, the federal government lap-dog agency, “Office of Professional Responsibility,” cleared the Strike Force from any wrongdoing—which is not uncommon for that agency to clear their own.

Wall Street Journal Article Identified the Task Force Misconduct

A *Wall Street Journal* article (October 20, 1990) listed some of the same people that Gerry Van had identified with the Los Angeles strike force:

As a federal prosecutor in the U.S. Attorney’s office [In Los Angeles, Drew Pitt] immersed himself in the labyrinthine world of big-time securities fraud and the smooth-talking con men who populate it. He would rail against what he saw as legal loopholes that let crooks pick the public’s pockets.

Stock fraud, he once said, was like a “burning match”: The con men lit and passed around the overvalued shares until a victim gets burned.” Now, however, there are indications that in his journey through the world of swindlers, Mr. Pitt may have ended up in league with some of them. In July of last year, he was quietly suspended from his post as an assistant U.S. Attorney and put under investigation by a federal grand jury and the Justice Department’s internal-affairs office.

Discussions with dozens of other people and an examination of documents indicate that authorities are looking into whether Mr. Pitt abused his broad powers as a federal prosecutor to enrich himself or protect certain people who were helping him do investigations.

Stock-Promoter Network

The stakes go beyond the fate of a single prosecutor. There is growing evidence of widespread fraud in the sale of small-company stocks ranging from putting out false financial statements to bribing brokers to peddle shares to customers. At least four federal grand juries around the U.S. have been investigating this. In his work, Mr. Pitt was in a position to plug into the network of suspect stock deals, promoters, and brokers. The key question for the Justice Department is what role if any he took in that network beyond his authorized investigative one. In 1994, while still an active prosecutor, Mr. Pitt and his wife gained control of a publicly held company. Through it, Mr. Pitt did business with people he had been investigating, according to SEC filings by the company and people familiar with his work.

Former Mafia Member Helping Fight Terrorism

Through my contact with Jerry Van I became acquainted with another person who had been on both sides of the law but who worked with the government against foreign terrorists. This source also had a background in organized crime. However, he didn't hesitate to play a role in exposing activities of terrorist cells, including one of the key figures involved in the bombing of the World Trade Center in 1993, who planned to place explosives on 11 U.S. airliners departing Far East locations, was part of the Al Qaeda terrorist network, and knew of the planned hijackings that occurred on September 11, 2001.

That person was Gregory Scarpa, Jr., the son of Scarpa Sr., part of New York's Colombo Crime Family. Despite Scarpa's organized crime background, he unhesitatingly worked with government personnel to obtain information about terrorist activities from one of Osama bin Laden's commanders, Ramzi Yousef. If properly acted upon, it is very possible the information he acquired could have prevented a number of subsequent terrorist tragedies, including those of September 11, 2001.

Mastermind Behind 1993 Bombing of World Trade Center

As described in earlier pages, Ramzi Yousef is believed to be the mastermind behind the 1993 bombing of the World Trade Center and the planner for placing explosives on eleven U.S. airliners departing Far East locations. Yousef fled to Pakistani, where police arrested him in February 1995. He was extradited to the United States where he was held in the in the Manhattan Correctional Center (MCC) at 159 Park Row, New York, New York. Scarpa was also being held at the same location pending trial on organized crime activities.

Scarpa was in daily contact with Yousef and in order to obtain informa-

tion on planned terrorist activities befriended Yousef and implied that his group was also planning terrorist activities against the government. Over a period of many months Scarpa obtained valuable information from Yousef, which he then reported to FBI agents who routinely took his reports.

The FBI reports containing Scarpa's statements reveal that Yousef and his terrorists group were planning to hijack U.S. airliners (which did occur); to place a bomb at the Olympic activities in Atlanta, (which did occur), bombings in Africa (which did occur), and other terrorist activities. The reports that I obtained were dated from May 1996 through February 1997, and identified as file number 265A-NY-258172. Some excerpts follow:

Gregory Scarpa, Jr. was interviewed at Manhattan Correctional Center (MCC) at 159 Park Row, New York, New York. Scarpa was advised of the identity of the interviewing Agent and the nature of the interview. The terms of the interview related only to matters of terrorism and were defined at the beginning of the meeting. These terms were identical to the terms defined in the May 1, 1996 meeting held at the United States attorney office (USAO) Southern District of New York (SDNY). Scarpa then provided the following information [This introduction appeared in every report, along with the date the information was obtained, the date the information was dictated, and the date of the transcript]:

[FBI report of interview with Scarpa on May 6, 1996]

Scarpa transferred a hand-written note to SA ----- Scarpa advised that the note was a second written copy of a note delivered by Scarpa to Yousef. The note conveyed that Scarpa was getting a telephone number for a company called ROMA to give to Yousef for overseas calls. Scarpa also wrote that a fax number would be available to Yousef. The note also contained Yousef's response, which was obtained verbally and subsequently written down by Scarpa. Yousef responded asking for the telephone number and questioning how he could use the fax.

Scarpa stated that there were many kites between Yousef and Marzouk. However, Marzouk was moved from his cell. After moving Marzouk, there was much yelling in Arabic between Yousef and Murad

When questioned regarding the incident to take place within the next two to three weeks and the incident associated with the Olympics, Scarpa stated he believes these are two separate events and both will involve U.S. airliners. He believes that the first event may take place within the next week or two as approximately one week has already elapsed. Scarpa did not know through what channels Yousef will receive the information. An individual, possibly Bojenka, is coming from England to Atlanta to check security measures at the Olympics. This person may already be in the United States.

**[Note: TWA Flight 800 exploded on July 17, 1996,
And a bomb went off at the Olympics as stated.]**

Scarpa stated that he will receive the details on the planned events before they happen because Yousef wants Scarpa to “do something” to a U.S. government installation and wants the details prior to the event taking place. Scarpa expects to obtain the information regarding secreting bombs on airliners whether Yousef goes through with his plans or not. Scarpa stated that Yousef knows this information would be useful because Scarpa’s people only know how to “burn things” and “shoot people”. With this information they could eliminate witnesses.

Yousef originally was not going to give Scarpa the technique of secreting bombs if the plans were canceled, However, Yousef changed his mind when he received money into his commissary account, believing it to be from Scarpa. Scarpa also stated that Yousef has not been sending kites as much and has been more verbal because he became paranoid when the Captain came into Scarpa’s cell.

Scarpa received the current bomb information on a note from Yousef. The note was written in Yousef’s handwriting. Scarpa wrote down the information from the note and returned the original to Yousef. Scarpa gave his written information to Silverman.

Scarpa stated that Yousef is still trying to confirm AUSA [U.S. Attorney] Michael Garcia’s address. Yousef gave Scarpa the address, which Yousef believes is Garcia’s address. Scarpa gave Yousef Garcia’s business address. Yousef believes that Scarpa is currently working to obtain Garcia’s home address.

Scarpa believes that Yousef has the right address but has not conveyed this information to Yousef at this time. Yousef stated that there is time to find the information because they plan to “hurt” Garcia possibly during the second trial to occur in September, October, Or November to obtain a mistrial. Yousef’s people are to do the hit on Garcia while Scarpa’s people are to do the hit on SA David Williams. Yousef has not mentioned the hit on SA Williams recently because he felt better after getting the money.

Scarpa thought that Yousef was not using his paralegal anymore because he did not feel comfortable with this person. He though Yousef had stopped using this person when Yousef arrived at MCC. Scarpa did not know the identity of this person. Scarpa did not know how Yousef gets his information out of MCC. He thought information was possibly transmitted through Ismail/s unclean one time.

Scarpa could not provide further information pertaining to Yousef’s sister or brother-in-law.

Scarpa was then informed that the camera would be collected on May 6 or May 7, 1996.

[This was the camera provided to Scarpa by the government.]

[FBI report of interview with Scarpa on May 9, 1996.]

Scarpa transferred a handwritten note to Special Agent (SA)-----. Scarpa advised that the note was written by Scarpa and was documentation of events taking place on May 7, 1996 and May 8, 1996. Scarpa stated that Yousef returned from court on May 7, 1996, and was very upset. Yousef stated that Assistant United States Attorney (AUSA) Michael Garcia was smirking during court. Yousef stated that Garcia has lost his life for sure.

Yousef has been asking to use the phone. Scarpa stated that the guards have been turning him down. Yousef mentioned that he needs to make a phone call to overseas to find out about the airplane situation. Yousef stated that his people are waiting for advice, but he's concerned that they may go ahead with the plan even if he cannot contact them. Scarpa suggested to Yousef that he write a "cop-out" (a grievance) to Lieutenant Desman regarding use of the phone. Yousef stated if the Lieutenant does not resolve the problem he will have to take the issue to court.

[Iranian connection]

Yousef stated that he had to use the phone prior to 10:00 a.m. or after 9:30 p.m. because of the time difference in Iran.

Scarpa suggested that arrangements be made to give Yousef recreation or phone calls on Saturday and Sunday and/or give Yousef phone privileges up to 11:00 p.m. Scarpa suggested the possibility of giving Yousef recreation on the tier; however, the time difference may become an issue.

Scarpa received a handwritten note on May 8, 1996. Scarpa photographed the kite. The kite indicated that Murad is presently working with the prosecutors and the Federal Bureau of Investigation (FBI). However, Yousef indicated that this was a plan and Murad is not telling the prosecutors and the FBI the truth.

Scarpa stated that the information regarding the timing devices and explosives was received from Yousef. Scarpa rethought this issue and now is not sure if the kite was sent directly from Yousef or if the kite was sent from Murad through Yousef to Scarpa. [This related to plans for placing bombs on U.S. airliners.]

Scarpa stated that the incident to take place within a week or two will be an airline bombing while the Atlanta incident will be a facility.

[Several weeks later, both planned bombings that Scarpa reported did in fact take place.]

Scarpa was given the address of "Roma" by SA [REDACTED]. Scarpa stated that Yousef would like to use the fax. Scarpa was questioned by Yousef when Scarpa transferred the phone number to "Roma". Yousef questioned how Scarpa was able to receive the number when Scarpa does not have visits on that day. Scarpa stated that the number was

given to Silverman in a sealed envelope and Silverman delivered it to Scarpa.

[Roma was a telephone number and system used by the FBI to monitor phone conversations and given by the FBI to Scarpa to give to Yousef. Silverman was Scarpa's lawyer.]

[FBI Report of Interview With Scarpa on May 16, 1996]

Scarpa transferred three (3) handwritten notes to Special Agent (SA [REDACTED]). Scarpa advised that two of the notes were written by Scarpa, and one (1) note was written by Yousef. The first note was a handwritten note by Scarpa pertaining to the events taking place on the evening of May 13, 1996. Scarpa stated that Yousef was discussing Shah and how Shah got arrested. Yousef told Scarpa that Shah was arrested because a friend of Shah's gave him up to the Federal Bureau of Investigation (FBI).

Yousef stated that this same person is going to turn over more names soon. Yousef said he sent a coded message to Bojenga and informed Bojenga of this person living in Qatar.

[Qatar was where U.S. forces were later stationed.]

Yousef believes that this person will be killed soon. Yousef stated that this person was informing on Shah and that the FBI told him to find out Shah's location. This person pretended to be bringing money to Shah to give up his location. Yousef stated that this person was not recruited by the FBI at first, it was another intelligence agency. This person was recruited from a club in his country where he used to hang out. Yousef stated that once Bojenga gets this coded message, he is sure that this person will "lose his head."

Yousef suggested to Bojenga to kidnap and torture this person before killing him to find out the names and addresses of the people who recruited him so they can be killed also. Yousef also suggested attacking the U.S. Embassy in Qatar, or another one in another country if it is easier. Yousef said that this would be a way to punish the U.S. for participating in the arrest of Shah. Yousef said the person who gave up Shah was paid a lot of money and is living like a king.

Scarpa asked Yousef if he had received word regarding the airline situation. Yousef stated that Scarpa should know why Yousef has not. Scarpa interpreted this to mean Yousef has not been able to use the phone. Yousef stated that as soon as Yousef knows what is going on, Yousef will tell Scarpa. Yousef wants to know where, when, and how Scarpa is going to perform his terrorist act on a government installation. Scarpa told Yousef that things would be easier if Yousef would give Scarpa the method to get bombs thorough security. Yousef replied, "Soon."

[This was a plan by Scarpa to learn how the bombing would occur so that he could pass this information on to government personnel.]

The second note was a handwritten note by Scarpa pertaining to the events taking place on May 14, 1996. Scarpa stated that Yousef believes if he can "get rid" of a few witnesses on his case, he can easily win. Yousef is waiting for confirmation from his lawyer about a certain professor that Yousef knows. If this professor is going to be a witness, Yousef said he can easily be killed. Yousef heard about the witness in court the other day and said that the witness might be someone else. Yousef stated that his people are short on funds and they have to decide who they want to kill. Scarpa felt that Yousef was hinting about Scarpa killing SA Williams. Scarpa told Yousef that his people are working on killing Williams. Yousef said, "Good".

Yousef later told Scarpa that he was writing a kite to indicate what the people at "Roma" should say if the FBI or anyone else questions them. Scarpa advised the kite was handwritten by Yousef on May 14, 1996. Scarpa transferred the kite to SA [REDACTED]. Yousef wanted to thank "Roma" for giving him the number to call overseas. Yousef stated that he was not able to use the number yet because he could not get the time. Yousef stated that he appreciates the help in getting in touch with his parents and wants to pay it back when he can. Yousef wants Scarpa to explain Yousef's situation and the charges against him. Yousef does not want "Roma" to be considered a co-conspirator and to get hurt trying to help Yousef.

Scarpa stated that Lieutenant Desman told Yousef on May 15, 1996, that they are working on the phones to make it easier to call out. Yousef stated that he needs the phone for 9:30. Lieutenant Desman told Yousef to put it in writing. Scarpa advised that Yousef requested phone use on Tuesday, May 14, 1996 and Wednesday May 15, 1996, and that he wants to use the tier phone. Scarpa stated that there are now nine (9) people on the tier. Scarpa stated that everyone gets phone privileges during their recreation time, but Yousef does not get his recreation on the tier.

Scarpa stated that he thinks Yousef may have a feeling something is going to happen but does not have contact right now to know for sure.

Scarpa thinks that Yousef may think he will win his first trial so he is waiting until the second trial to "hurt" Assistant United States Attorney Michael Garcia.

[FBI report of interview with Scarpa on May 28, 1996]

Scarpa advised that the notes regarding bomb smuggling were copies from a note from Yousef. However, Scarpa attempts to detail all of his notes to exactly what is said or what has happened so there are no misunderstandings. Scarpa stated that at times Yousef holds notes up for Scarpa to read from his cell. Scarpa and Yousef can see each other through holes in the walls where beds were bolted. These beds have been removed and the holes were never fixed.

[Olympic Bombing]

Scarpa transferred a handwritten note to the interviewing Agent. Scarpa advised that the note was written by Scarpa and detailed the events of Thursday, May 23, 1996 and Friday, May 24, 1996. On Thursday, May 23rd, Scarpa asked Yousef if Yousef's friends in New York are the same people looking at the security at the Atlanta Games. Yousef told Scarpa that the people going to Atlanta are not the same.

The Atlanta people are coming from England and Yousef stated that this information was already given to Scarpa. Scarpa questions Yousef about the relationship between Yousef and the person who calls himself Bojenga (not the real Bojenga). Yousef did not seem to give Scarpa a straight answer. Yousef stated that he was doing legal work and would talk to Scarpa later at approximately 9:00 p.m. Yousef stated that he was going to pray, eat, and go to sleep.

[Hoax Bomb Threats]

On Friday, May 24, 1996, Scarpa advised that Yousef was upset that nothing has happened with SA Dave Williams. Scarpa advised Yousef that the person working on the Williams' contract was arrested on drug charges with some of the people who were supposed to do the hit. Scarpa asked Yousef if there was something else they could do for him. Yousef stated that he wants Scarpa's people to call in three bomb threats to United Airlines international flights on three separate occasions within one week. The purpose is to cause disturbance and fear among people flying airplanes and it would cause financial problems for the airline.

Yousef stated that he wants to know when the calls will be made because Yousef's people will do three additional threats after Scarpa does his three threats. Yousef wants the threats to be made a few hours after departure to cause the airline to turn around and land. Yousef wants the blame to be placed on a militia group on behalf of the Freeman for how the Federal Bureau of Investigation (FBI) is handling the situation. Scarpa said it would take a couple of weeks for the plan to go into effect. Yousef stated that if Scarpa's people fail at this to never speak with Yousef again.

Yousef also stated that the airline people should be contacted instead of the airline office because the airline people will react faster. Yousef also said that Scarpa's people should not leave fingerprints and make the bomb threats from a street phone. Yousef said he needs ten days to get a message to his people and another ten days to get the act done. Yousef stated that the people in Atlanta will do the threats. Yousef said they will do the threats three weeks from now. Yousef indicated that one of the two people in Atlanta speaks with an American accent and can give credit to the Freeman militia. Yousef advised that these two people are in Atlanta this week.

On Monday, May 27, 1996, Scarpa wrote down suggestions. Scarpa suggested to rotate cells next Friday (May 31st) and wrote the cell numbers suggested for each inmate. Scarpa wants to devise a plot against a government installation to tell Yousef about. Scarpa wants to buy time on the airline threats by having a new plan to tell Yousef.

Scarpa had no knowledge that Roma's phone number had been given to Murad or Ismail.

Scarpa had no further information regarding Garcia, the Olympics, the jurors or the witness.

Scarpa had not been asked by Yousef about the money. Scarpa was advised by the interviewing Agent of a plan if Yousef questions about the \$2,500.00. Scarpa was advised to tell Yousef that the delivery of the money looks too suspicious and that Scarpa has already provided an overseas line through ROMA which is costing a lot of money. A meeting was suggested between one of Yousef's people and one of Scarpa's people (FBI) on the outside.

Scarpa began to flip through his own paperwork, which included photocopies of his own notes. The interviewing Agent asked if she could see these documents. Scarpa gave additional documents to the interviewing Agent

[FBI report on interview with Scarpa on June 11, 1996]

Scarpa transferred a handwritten note to the interviewing Agent. Scarpa advised that the note was written by himself. The note relayed the following information:

On May 29, 1996, Scarpa was talking with Murad regarding the ongoing trial. Murad told Scarpa that Yousef believes that Scarpa can find out information on jurors. Scarpa questioned whether Yousef is trying for a mistrial.

[Predicting Explosion of TWA Flight 800]

Scarpa told Murad that an airplane explosion would be a "good thing to happen" especially if Yousef's people claim responsibility. Murad responded that it is going to happen and they are checking to see if Bojenga received the message.

[A month later, on July 17, 1996, TWA Flight 800 exploded, shortly after departing New York. The Olympics bombing also occurred.]

On June 3, 1996, Yousef repeated that he was upset with Scarpa for the money situation.

On June 5, 1996, Scarpa confronted Yousef about Murad and Ismail's use of the "Roma" phone. Scarpa also repeated that he is not going to send any money into a federal prison. Scarpa again suggested an outside meeting. Yousef asked Scarpa about the bomb threats. Scarpa responded that bomb threats would hurt his organization. Yousef again talked of money. Scarpa reminded Yousef that he has provided Yousef with overseas calls and money.

[Eyyad Ismail was the Jersey City resident who drove the truck containing explosives to the World Trade Center garage in 1993. Murad was a co-conspirator in that bombing.]

Scarpa advised that cells were rotated on Thursday evening June 5, 1996. Scarpa remained in the cell he was already in, in the corner of the left hand side when looking into the tier. Yousef was moved adjacent to Scarpa and Ismail was moved adjacent to Yousef. Murad was moved across from Scarpa into the last cell on the right hand side.

On June 6, 1996, Yousef confronted Scarpa saying that the way things have been going Yousef said he's beginning to "smell FBI". Yousef said he is always giving and gets nothing in return. Scarpa became very upset and threatened Yousef. Yousef told Scarpa that he was only making a comparison between the way the FBI handles things and the way Scarpa handles things. Yousef stated that if you are dealing with the FBI, you keep giving information and the FBI never does anything in return. Scarpa responded that the information that Yousef gave him was just given to his people and in time they will use it.

Yousef suggested to Scarpa that he send \$500 to Yousef into his commissary account and send the remaining \$2,000 to an address overseas. Scarpa told Yousef that he would have to check with his people. Scarpa then questioned Yousef again about Murad and Ismail using the "Roma" phone. Yousef said that his idea of having Murad and Ismail using the phone was to "mix messages in." Scarpa told Yousef if it's important, all three can use the phone.

[Roma Phone was a phone provided by the FBI.]

Scarpa wrote a few suggestions regarding the money. Scarpa asked whether he should tell Yousef no because his people do not want to get caught up into a conspiracy or give Yousef \$500.00 for commissary. Scarpa told Yousef he would get an answer by Monday or Tuesday of Next week, June 17 or June 18.

On June 10, 1996, Scarpa spoke with Ismail. Ismail stated that Yousef does not think Scarpa is as serious as he used to be. Ismail told Scarpa to hold on because Ismail said Yousef has plans that he has not discussed with Scarpa yet.

[Getting information on trial jurors.]

The information Scarpa received regarding the jurors was the number of children they each have, whether they are married or single, what religion they are, what type of work they do, and what county they live in. [What was the purpose of getting this information?]

Ismail mentioned to Scarpa the other day that they plan to kidnap a prosecutor, a judge, or a United States Ambassador and that they are planning on getting out of jail whether they win or lose. Scarpa stated that Yousef knows information about Drews, the Guard. Yousef knows that Drews rides a motorcycle to and from work. Scarpa does not know

whether Yousef overheard this information or if he receives information from the outside.

Scarpa advised that Yousef told him that Yousef either sent or received a coded message by phone. He felt that was done on May 16, 1996.

[FBI Report Of Conversation With Scarpa On July 1, 1996]

Scarpa transferred one (1) handwritten note to Special Agent (SA) [REDACTED]. Scarpa advised that the note was written by Scarpa and pertained to the events taking place on June 29 and June 30, 1996.

[Bombing of U.S. military barracks in Saudi Arabia]

Scarpa advised that on June 29th, he asked Yousef how he is sure that Bojinga actually did the bombing in Saudi Arabia. Yousef responded that he was sure because Yousef was originally sent on the mission to check out the security measures and that a tanker truck was discussed at that time.

[The Saudi Arabia bombing was the bombing of the Khobar Towers on June 25, 1996, in Dhahran, that killed 19 people and injured approximately 500 others.] Bojinga was the code name given by the Yousef group to the planned placement of explosives on 11 U.S. airliners departing Far East locations.]

Yousef expressed concern regarding bugs in the cell. Yousef said if the government hears him talk about the bombing they might introduce the information at his trial. Yousef stated that he is concerned that something is wrong because his fathers account number was never received and his paralegal has not received the \$500 that was sent out six weeks ago. Yousef indicated to Scarpa that Yousef knows more details about the bombing but is paranoid that the government is listening to him.

Scarpa advised that Yousef indicated that he would be able to identify the bombers when the composites drawings are completed and printed in the newspaper. Yousef did not want to talk too much in the cell because he feels that his present case is strong. Yousef was happy because a witness in his case said that the government told him to lie. Scarpa mentioned that the government asked the witness to indicate that a briefcase was found in a hall instead of where it was actually found. Scarpa also mentioned that items were taken which were not in the search warrant.

On the evening of June 30th, Yousef received a visit from his paralegal. When Yousef returned to his cell, he was yelling to Maraud in Arabic and sounded as if he were upset about something. Scarpa asked Yousef if everything was OK.

[FBI Report Of Interview With Scarpa On July 18, 1996]

Scarpa transferred two (2) handwritten notes to Special Agent (SA) [REDACTED]. Scarpa advised that one note was written by Yousef and one note was written by Scarpa. In the note written by Yousef to Scarpa

on July 6, 1996,

[Iranian Contacts]

Yousef advised Scarpa that he had spoken with his sister and she stated that she needs money because to visit him with her kids. She asked Scarpa for \$2,000. Yousef advised that he is waiting for his sister to send him her father's bank account number. Yousef advised that he was going to talk with her about the DHL situation but was told to get off the phone by the officer. Yousef stated that he did not have a chance to talk to his sister about sending letters through DHL. Yousef then told Scarpa that Iran does not have DHL service.

The note written by Scarpa pertained to the events taking place on July 6 and July 11, 1996. On July 6th, Scarpa was talking with Murad who stated that he feels that they will win the trial but either way they will be freed from jail. Murad asked Scarpa why his friends have not helped him escape from jail. Scarpa advised Murad that these tactics do not work in the United States. Murad responded that if the right person were kidnapped, a U.S. Ambassador or someone of that level, and demands were made, that the United States would meet their demands. Murad told Scarpa "just wait and see." Scarpa asked Murad to let him know when they make their plan.

On July 11th, Yousef advised Scarpa that when he speaks on the phone and needs to get a message out, he speaks in three languages. Yousef also advised that his friends are coming from Atlanta soon and that they have a plan. Yousef advised that he would let Scarpa know.

Scarpa advised the interviewing Agent of the desired cell locations for rotation. Scarpa advised that he was spent \$18 total for commissary for Yousef and will soon be buying flowers for Maqda for becoming an lawyer.

[Warning not to fly TWA on Morning of July 18, 1996]

Scarpa advised that Jerry Koupakis (spelled phonetically) told Scarpa that he told his father not to travel TWA or American Airlines on the morning of July 18th. Koupakis advised that Yousef had told him this information prior to July 18th. [Jerry Koupakis was a former U.S. Custom agent that went bad. TWA Flight 800 exploded on the evening of July 17, 1996.]

Yousef told Scarpa not to speak with Murad because he feels that the cells are bugged. Yousef told Scarpa that he was going to get out in a couple of days because he was "half way done with the window." According to Scarpa, Yousef stated this to see if the cells are bugged.

The following night, Raia came to the tier at 3:00 am and was seen by Ismail. Scarpa advised that Murad and Yousef have been conversing often in Arabic.

[FBI report of conversation with Scarpa on December 26, 1996.]

Starting with the FBI reports of interviews with Scarpa on Decem-

ber 26, 1996, the first paragraph identified Gregory Scarpa, Jr. as a "Confidential Source (CS)" and identified throughout the body of the report as "CS."

CS transferred three (3) pages of handwritten notes to the interviewing Agent. CS advised that the notes were self-written. The first two pages pertained to the events taking place on December 18, 1996. CS asked Yousef to reveal the address that the passports were to be sent. Yousef responded that he will not give out the address until he finds out whether CS' associates will send them or not. CS questioned Yousef whether the address is located in the United States. Yousef responded that the address is an Iranian address. CS asked whether Yousef was having the passports sent to his parents address. Yousef responded "No", and that a temporary address was set up in Iran for this purpose.

[It is interesting that Iran and Iranians were involved with these plans, which President Bush conveniently ignored as he focused his peculiar ire on Iraq, ignoring the role that Iranians played in the terrorist acts.]

CS questioned Yousef how he sends and receives his messages. Yousef responded that he will reveal his method in a few weeks. Yousef told CS that "You'll be real surprises" and "You'll be shocked". Yousef said for his own reasons he cannot tell his method yet.

[Encouraging Yousef to Reveal Terrorist Plans]

CS advised that, prior to meeting with the interviewing Agent on December 18, 1996, he had a conversation with Yousef regarding cooperating witnesses on the L-unit. Yousef was curious as to what kind of deals the Government makes with the witnesses. CS explained that it depends on the information obtained and how well the witness does at trial. CS told Yousef that he should make a deal with the Government. CS advised that Yousef should give up Bojinga or Bin Laden. Yousef responded that the Government would never go after Bin Laden because the Government knows that within one week of capturing Bin Laden twelve U.S. airplanes would be blown up.

CS advised that Yousef's locker is kept on L-unit away from Yousef's cell. This locker contains his cosmetics, which are not allowed in his cell in case he is capable of making a bomb from them. An item, which was not further identified, was discovered to be missing from the locker. CS advised the interviewing Agent that this item was placed, by Yousef, on the ledge of his cell and fell to the floor down the stairway to the floor of the unit below. Yousef advised a guard that the item had fallen and was told that the item would be retrieved. The item apparently was never retrieved and the item was detected missing.

[Insider Assistance]

A search was conducted of Yousef's cell. During the search, a thick, heavy, foot-long slab of glass was found hidden under Yousef's bed. As a

result of the find, Yousef received a shot. Yousef advised CS that he identified CS as a witness to the fact that the glass was in his cell prior to Yousef's occupancy. CS advised the interviewing Agent that the glass was not in the cell previously. CS questioned Yousef how he obtained the glass. Yousef smiled and stated that he received it from his connection. CS questions Yousef as to how he intended to use the glass. Yousef responded that he had some ideas but did not elaborate on the ideas. Yousef then stated, "Watch what I get the next time."

[Hostage Crisis in Peru]

The last note pertained to the events taking place on December 21, 1996. CS had heard a news radio report regarding the crisis in Peru and was relaying the news report to Yousef. CS told Yousef that the U.S. is agreeing to do all that they can so that none of the hostages get hurt. However, the U.S. Government hopes that the Peruvian Government does not give into the demands of the terrorists because it is U.S. policy to never give in to the demands of the terrorists, especially to release prisoners.

Yousef stated that the guerillas in Peru are too easily releasing hostages and showing the Government that they are weak. Yousef told CS about a hijacked plane in Pakistan. Yousef stated that the Government hesitated and did not immediately do as the hijackers wanted and the hijackers blew themselves and the plane up immediately. Yousef stated that this way is the way of himself and Bojinga.

[FBI Agent report of Jan. 15, 1997, conversation with Scarpa]

The first note was a kite written by Yousef and received by CS on Thursday, January 9th. Yousef told CS that "Flesiano & Maldando stopped taking the sleeping pills" which Yousef used to give to CS to give to them. Yousef revealed that he would give the pills to CS and the other inmates to put them to sleep so that they would not see his contact when he came to see Yousef. Since the Government found the glass in Yousef's cell, Yousef believes that the "Feds" started thinking that Yousef may have a contact within MCC who brought Yousef the glass.

Yousef believes that "Flesiano & Maldando" have been asked by the Government to watch Yousef to see who, if any, of the MCC staff comes to the L-unit that normally does not belong. Yousef stated that these two inmates stopped taking the sleeping pills and are up all night.

Yousef also has a strong feeling that "Flesiano" was put on the tier to watch Yousef because he was originally on another for months where he was safe. Yousef feels there was no reason to bring "Flesiano" to L-unit unless it was to spy on Yousef. Yousef has decided to poison "Flesiano." Yousef has decided to make some poisons and pass the food to the two inmates. Yousef stated that it will take approximately ten days to two weeks for the poison to kill the inmates.

[Terrorist's Radio Transmitter in Federal Prison?]

The second note pertained to the events taking place on Friday, January 10th and Sunday, January 12th. On the night of January 10th, CS advised that, while out on the tier, Yousef called him to his cell and showed him what appeared to be an electronic board. Yousef advised that he would talk to CS about the board "later".

Yousef was sleeping by the time CS returned to his cell. On the night of January 12th, Yousef revealed that the electronic board was his way of sending and receiving messages. Yousef informed CS that the board is equipped with a booster, F.M. mike, and other things he could not recall. Yousef advised that he has a "gas lighter" which he used for soldering. Yousef revealed that he has received his last message and "everything is a go." Yousef stated that he will not transmit another message until two months from now. The message will be sent to Yousef's people and will relay that he is "ready".

Yousef is in the process of breaking the transmitter down into components. Yousef will give the components to CS to divide between Murad, Shah, and Ismail. Yousef told CS to keep the gas lighter himself but not to get caught with it. Yousef wants the components back in two months to reassemble the transmitter and relay that he is ready. If Yousef's people do not receive a message from him, they will tell Bojinga that Yousef is not ready yet. Yousef told CS to tell Murad, Shah, and Ismail only to dispose of the components in an emergency. Yousef revealed that if the components are disposed of, he will have his contact bring the additional equipment he needs.

CS questioned Yousef about the identity of his contact. Yousef stated that he would not reveal who his contact is to anyone, including Murad, Shah, or Ismail. Yousef did indicate that he has not seen his contact in some time and hopes that everything is all right by him. Yousef then asked CS what radio station he was tuned to and showed CS how the system worked by transmitting Yousef's voice across CS's radio. Yousef stated that his messages were sent by a code similar to Morse code.

CS advised the interviewing Agent that he believes the person to whom Yousef transmits is in New York.

In addition, CS advised that John Napoli, one of the cooperators on the tier, was up until 2 a.m. speaking with Murad. CS believes that Napoli is forming a friendship with the terrorists. However, CS has also advised that Napoli is interested in working for the Government. Lastly, CS advised that Yousef knows the addresses of CS's mother and his daughter, Kori.

**[FBI agent report of Feb 7, 1997,
Information provided by Scarpa.]**

CS advised that at the end of the previous week, the guards on L-unit began to discuss moving Yousef, Murad, Shah, and Ismail, to the

secure cells recently constructed. These cells are known to have cameras in each room monitoring the inmates 24 hours each day. Last Sunday, February 2nd, the guards stated that they were getting the keys to the new cells and were saying their good-byes.

Upon hearing of the upcoming move, Yousef asked CS to get the pieces of the transmitter back to him. CS advised that the components included wires, a gas lighter, a little "mike" with wires, plastic and metal pieces, and a green circuit board approximately 2" x 2". CS was having difficulty retrieving the pieces as he was under constant surveillance by the guards. On Tuesday, February 4th, Yousef told CS, Murad, Shah, and Ismail to dispose of any other components they may still have. Yousef advised that he would get his message out another way.

[Using Walkman to Transmit to Yousef's Associates]

CS advised that he believes that Yousef was using his "walkman" as a transmitter. Yousef gave CS a "Cup o' Soup" container through a guard. Yousef told CS to open the bottom of the container. The container was found to have a false bottom and contained the gas lighter. Yousef had disguised the container to look like it had never been opened.

CS advised that he had received a kite from Yousef on Monday night, February 3rd. The kite was given to CS's lawyer, Larry Silverman. The kite contained information that Yousef had tested CS's loyalty throughout the year. Yousef stated that he had asked CS for money as a precaution, knowing that the Government would never supply money for this purpose.

CS advised that Yousef received a visit from the Iman last Tuesday, February 4, 1997.

[The government *did* supply money for this purpose: \$500 and \$2000; Inman was [The continuing page is not yet available.]

All Terrorists Found Guilty

As the trial ended in New York City, Yousef, Shah and Murad were found guilty in the 1993 bombing of the World Trade Center and sentenced to life in prison. The mastermind of the bombing, Ramzi Yousef, was sentenced to life in prison on May 16, 1998. Murad was sentenced to life in prison on May 16, 1998. All six of the terrorists charged with involvement in the 1993 trade center bombing had been brought to justice and sentenced, except for Abdul Rahman Yasin, who fled to Iraq, where he was then held in an Iraqi prison.

U.S. Leaders' Peculiar Response to Iraq's Offer

CBS aired a documentary on June 2, 2002, following an investigation that included interviewing Yasin in an Iraqi prison where Yasin had been incarcerated for the prior eight years, without charges. The show provided information about the pathetic state of sincerity by U.S. leaders. [After decades of lying by U.S. leaders, the word "sincerity" really has no place in describing their conduct!]

Providing Information on Corruption in High Government Places

In a letter received from Gregory Scarpa, Jr. (August 27, 2002), he added additional information to what Van had conveyed to me. Scarpa wrote:

My information will consist of how and when the FBI and high-ranking members of the Colombo Crime Family in New York worked together and eventually caused an internal war in the crime family. The member was my father Gregory Scarpa, Sr. and also myself, Gregory Scarpa, Jr. Because of numerous murders and then numerous indictments a big cover-up ensued.

This relationship headed by Supervisory Agent R. Lindley DeVecchio, Gregory Sr. and Gregory Jr. began approximately 1979. But Gregory Sr. was on both sides (FBI and Mobster) for three decades going back to 1963. Before DeVecchio the other head agent was Mr. Valhona.

My information consists of not only ignored day to day criminal activities, the FBI agents assisted in the Mafia killers' success. Much of this I have documentation which also includes giving Scarpa the names of other FBI snitches so Scarpa could put them in harms way while shielding his own illegal operations. Telling us where the FBI was placing wire taps so we can avoid them, handing over the addresses of Scarpa's enemies in the Colombo Crime Family war so that Sr. could track them down and kill them. Fabricating evidence against Vic Orena and other Scarpa adversaries so they would be sent to prison. Also, involvement with being a lookout while me, my father and others would burglarize banks while they were closed for the weekends. I have so much more information that goes way back to the 60s.

Interesting Contradictions in the Scarpa Crime Group

Not only did Scarpa, Jr. help in the fight against terrorists, but also in 1964, helped find the murderers of three civil rights workers killed in Mississippi in 1964. The FBI sought help from Gregory Scarpa, Sr., to find the murderers and reportedly provided him with a pistol to be used if needed.

The FBI reportedly gave the name of one of the local Ku Klux Klan members to Scarpa and gave him authority to do whatever was necessary to find the three missing civil rights workers. Scarpa, Sr., was rising in the Colombo crime family and was more than willing to carry out the FBI's attempt to find the murderers of the three civil rights activists.

According to one report, Scarpa and his girlfriend flew to Miami, registered at the Fontainebleau Hotel, and then were driven by FBI agents to the Mississippi town of Philadelphia.

FBI agents told Scarpa the Klan member most likely to cave in and disclose the fate of the three civil rights workers. That Klan member operated an appliance store. Scarpa placed a deposit on a television set with the Klan member and then said he would be back that evening with the balance. Upon his return that evening, Scarpa asked the Klan member to help carry

the television set to the car. As the Klan member bent over to put the television set in the car, Scarpa hit him in the back of the head with an iron pipe, shoved him into the trunk, and drove off to a remote location. Scarpa shoved a pistol into his mouth and told him to reveal where the civil rights workers were located or the trigger would be pulled. The Klan member then took Scarpa to the burial spot.

Seven men were subsequently indicted for the killings, including the deputy sheriff of the small town of Philadelphia, Mississippi. The discovery of the bodies then led to expansion of the Civil Rights Act.

Gregory Scarpa, Sr., died in June 1994 from the AIDS virus, which he had contracted during a transfusion with HIV tainted blood during an operation for ulcers in 1986. Scarpa filed a lawsuit against the Brooklyn hospital and doctor that were responsible and a financial settlement was reached in August 1992. It was reportedly \$200,000 to be paid by the hospital and \$100,000 by the surgeon; a paltry amount compared to the millions in judgments awarded on so-called sexual harassment slights.

Long Standing Practice of Using Organized Crime Groups

U.S. leaders, the FBI, presidents, have repeatedly used organized crime figures to carry out certain operations. The CIA turned to mobster John Roselli to attempt to kill Cuba's Fidel Castro; used Charles Luciano for help when U.S. troops invaded Italy; and worked with mob figures in the CIA's drug smuggling.

Long Line of Evidence of Criminality by FBI Personnel

I had repeatedly seen the felony cover-ups by FBI personnel, starting while I was a federal air safety agent. But this was nothing compared to the involvement by FBI personnel in murders. For years my CIA contacts described FBI involvement in assassinations, but I never repeated these charges as I felt the public would not believe it.

Deep cover agents Michael Riconosciuto and Gunther Russbacher were two of those who named the FBI agents and FBI informants who committed murders. However, with the publicity surrounding the FBI's long history of aiding and abetting murders perpetrated by Boston's Winter Hill gang, headed by James (Whitey) Bulger, that were publicized in the Boston papers and shown during a criminal trial against FBI agent John Connolly, credibility was given to my earlier sources. Connolly was sentenced in September 2002 to ten years in prison. Most of the nation's media gave the FBI's culture very little attention.

Same FBI Practice in New York City

Additional credibility to this FBI practice was given by Gregory Scarpa, Jr., who described the decades of FBI sanctioned murders starting with his father, Gregory Scarpa, Sr.

An FBI culture that aids and abets murders, that permits innocent people to go to prison, would certainly breed the standard culture of false charges, exaggerated charges, use of perjured testimony, and other crimes. In many

cases these crimes are far worse than those perpetrated by people in federal prison. A person can question whether the crimes by government personnel, who are in a position of trust, are worse crimes than those performed by non-government personnel who do not hold this position of trust in government.

FBI Protection of Drug Trafficking and Other Crimes

In my various books—and books written by other former government agents—the cover-up by FBI personnel of major crimes implicating government officials were covered up. These included, for instance, drug smuggling by the CIA, drug smuggling operations involved in the Contra operations, and many others.

Soft-Glove Criticism of the FBI

During the kid-glove investigation of events that made possible the success of the 9/11 hijackers, considerable media and congressional attention was paid to FBI agent Coleen Rowley who had written a letter to the joint congressional committee investigating the terrorist attacks complaining about her frustration and roadblocks within the FBI. Almost any competent government investigator in any government agency could report similar problems, which I certainly discovered. While giving the complaint of intangible frustrations considerable publicity, no publicity had been given to the years of insider complaints of hardcore corruption in the FBI, in the FAA, and other government offices. Giving these vague and relatively innocent matters attention probably is intended to show responsiveness by these checks and balances.

The same media personnel covered up over the years the retaliation of other government whistleblowers. My *Unfriendly Skies* book showed how the media covered up for my attempts to expose the corruption associated with major airline crashes, some of which occurred in my immediate area of federal aviation safety responsibilities.

FBI Director's Dark Past

Former FBI Special Agent Richard Taus described the role played by FBI Director Mueller in the Winter Hill organized crime activities in Boston, with FBI involvement in numerous murders and assassinations. Taus wrote (August 23, 2002):

Getting back to FBI Director Mueller. He's implicated in the Boston FBI cover-up and trial of former FBI agent John Connolly back in May-June 2002. [Is this the correct year?] Mueller was the acting US Lawyer in Boston when the FBI covered up for Mafia and other mobsters, most notably Whitey Bugler. Because of former acting US lawyer Mueller involvement, the Boston police department stated that the FBI has for more than 30 years protected the mobsters and stymied their (BPD) investigations. The Boston FBI case is similar to my case with the Supervising FBI SA R. Lindley DeVecchio who covered for Mafia Capo Gregory Scarpa.

I Also Discovered Mueller's Cover-Ups

Mueller also covered up for the criminal activities that I brought to the attention of FBI agents in the San Francisco office while Mueller was in charge of that office. Mueller also refused to respond to the certified letters that I sent to him in that San Francisco position, after he became director of the FBI prior to September 11, 2001, and the certified letters that I sent to him after the success of 19 hijackers on that date.

Mueller Cover-Up in BCCI Scandal

A *Wall Street Journal* editorial (May 31, 2002) stated of FBI Director Mueller:

Prior to his appointment [to FBI director], we raised questions about his handling of the BCCI scandal while he was head of the Criminal Division in the early 1990s. In [the New York U.S. Attorney's] attempts to prosecute the case, the Manhattan district attorney felt the same kind of frustration with main Justice that Agent Rowley now feels about FBI headquarters. His appointment, we wrote, put the Bureau "in the hands of someone who will turn over no rocks and rock no boats." [This is euphemism for cover-up.]

Kickback to Informant

During Mueller's tenure in the San Francisco U.S. Attorney's office it was revealed that a U.S. Customs agent took a \$4,000 kickback from an informant and that a prosecutor in the U.S. Attorney's office withheld this information from the defense. Despite this background of cover-ups, U.S. Attorney General Ashcroft was quoted in that same *Wall Street Journal* editorial:

Mr. Ashcroft this week praised him as a "battle-tested leader? And the "right man for the job." The director could relieve their embarrassment by completing this week's mea culpa with an honorable resignation.

Another FBI Cover-Up Related to Terrorism

While in prison on a sham sexual offense charge former FBI Special Agent Richard Taus was in contact with a Pakistani, Mian Farooq, who had an interesting background. He was a former Pakistani Air Force Captain flying the A-10 Warthog, a plane still used by the military. He was a former Pakistani Intelligence Officer and a former CIA contract agent.

Farooq had known the hijacker responsible for the entire operation on September 11, 2001; Mohamed Atta! Taus and the Pakistani, Farooq, were both in New York state prison at Dannemora; Farooq on a family abuse charge.

Within two hours of the televised events on September 11, 2001, before any of the hijackers were identified, the Pakistani told Taus that he knew who some of the terrorists were. Taus explained in letters to me:

Farooq said that in 1996 he met Mohamed Atta at JFK International Airport dressed in an airline captain's uniform. He knew Atta and asked him why he was so dressed and Atta replied that he owned a flight

school operation in Florida. His story about his acquaintance with Atta indicated he was very friendly with Atta. Repeatedly, prior to the 9-11 disaster, he often mentioned that we Americans do not know the depths of hatred and ill feelings toward us by Middle Easterners.

He was indeed expecting something to happen. Prior to 9-11, he approached me to contact trusted FBI agents to give his story, but it was not until the 9-11 tragedy that he finally spoke about some of his knowledge. He felt it could and should have been prevented, though he said there would be terrorist attacks.

In short, working for the CIA, he knew that attacks were being planned and he was stunned when 9-11 occurred, saying to me, that it was Mohamed Atta and his associates that did the awful deed.

I immediately notified prison officials as to the value of this information and they were cooperative. I said I would contact my law enforcement friends on the outside, since NYS DOCS was unsure about how to handle the information.

My friends, such as NYPD Captain Rudy Blaum, spoke directly to the FBI New York Field Office on everything and requested FBINYO to interview the Pakistani and me. It was not until after the first national alert of another pending attack [weeks later] that two "county-club" agents finally interviewed me. They were arrogant, uninterested and ill prepared for the interview. In fact, when they later interviewed the Pakistani, the Pakistani said they were incompetent! They knew nothing about terrorist or foreign counter-intelligence work!

[FBI Incompetence Halted Key Information on Terrorist Plans]

He then refused to give them any further information, especially after they tried to disparage me. (That I deeply resented since I served this nation in war and peace with honor and courage. I found the Pakistani to be more honorably and respectful of me than the incompetent FBI agents who knew of my military and FBI service!)

[CIA Handler Warned Him Not to Disclose Knowledge]

Later, within a week, probably in late September or early October 2001, the CIA agent that handles the Pakistani came here and warned him not to say anything to anyone. Again in confidence, he told me about their implied threats to him.

After the second national alert, probably in October or November 2001, the Pakistani again shared some information, asking me to see if the FBI would do anything. With no response from FBI Headquarters, the Pakistani decided to wait until something positive happened with his own criminal appeal. Finally, when FBI SA Rowley spoke out, the Pakistani asked me to arrange an interview with her. Again, I advised prison officials who let me proceed, mailing her information and phoning her. I explained to Rowley that she should call the Superintendent and fax them reasons why she wanted to interview the Pakistani, which was ex-

actly what I was told to do by prison officials here.

The Pakistani says he has not heard from Rowley. I feel the reason is that CIA is claiming a working relationship with him, whether former CIA agent or source, and thereby preventing the FBI from interviewing him, a sort of “gentlemen’s agreement” on using informants.

There is no doubt that his revelations would also confirm the information I had told the FBI about, as long ago as 1986(!), that the FBI was not paying any attention to their investigative duties and responsibilities. Herein is the FBI complacency, if not complicity in these terrible events. As I often said the FBI is deliberately ill equipped, under-trained, and disinterested in doing its most important investigations. Even FBI Director Mueller commented on the shambles of archaic and assorted computer equipment that the Bureau is still using.

From my experience, the FBI has been set up to be ineffective in doing its FCI and counter-terrorism tasks. And the FBI’s failure to address the information from the Pakistani and me, in a timely fashion and with proper resources (interviewers) proves this real conspiracy against all Americans who rely upon their law enforcement efforts. (I could easily get into the many other minor cases that the FBI pursues, but I will bite my tongue for now.

The United States government is more concerned about who gave the Iraqi the NBC (nuclear, biological and chemical) capacity. Isn’t it the same government that supplied both sides in the Iranian-Iraqi War with weapons! Now it is all coming back to haunt U.S. intelligence, just as CIA-trained Osama bin-Laden has done. When the U.S. government engages and works with criminals, psychopaths and evil men, we can expect the worse.

Blocking Report on Terrorist Activities from Atta’s Friend

Taus described how he had sent Rowley a 40-page report describing what the Pakistani was willing to tell her or any other FBI agent. She was complaining about the non-responsiveness of the FBI, and here she was non-responsive to some of the most valuable information about the 19 hijackers and their organization.

Taus wrote, “I believe he has been truthful and that he knows much more, but is fearful of CIA reprisals.”

Taus included details about what he had earlier discovered about terrorist activities while head of an FBI investigative group, about his discovery of the funding and arming of Iraq through the U.S. Department of Agriculture loan guarantee program, and the CIA-drug smuggling, among other corruption in key government offices.

Speculation as to Refusal to Obtain Terrorist Information

I can only speculate as to the reasons the FBI did not contact the Pakistani for his information. He was a key source, a friend of Atta, a former Pakistani pilot, an intelligence officer in Pakistan. A gold mine of informa-

tion like this is not turned down by any intelligence agent who seeks valuable and timely intelligence from an insider. Refusal to obtain the Pakistani's information could be due to (1) focusing attention on how the FBI silenced Taus when Taus was exposing CIA drug smuggling, (2) unlawful funding and arming of Iraq by the Regan-Bush administrations; (3) incompetence; or (4) some unknown factor tied in with corrupt covert activities of America's "leaders."

FBI Indifference to Information From Atta's Close Friend

Taus wrote in an earlier letter:

He and I, separately, have been interviewed by FBI agents from the Plattsburgh Resident Agency Office of the FBI. FBI SAs Steven Weisknopf and Thomas Longerhan were not interested in hearing our stories. They conducted the interviews only because there was another national alert and the FBI already had egg-on-its-face from the 9-11 WTC tragedy.

Farooq was also interviewed by a CIA agent here who, in the past, told him to "clam-up," otherwise the CIA would not help him with his appeal. I told him that if the CIA were going to do anything to help him, he would have already been out on bail. For whatever reason, the CIA let him go through the trial, although he possesses sensitive information on the terrorist investigations.

Finally, after the abortive interviews and lack of any relief for him from the CIA or anyone else, he said he would speak to FBI SA Coleen Rowley, and only her. [Rowley was the FBI whistleblower that was given widespread media attention for sending a letter to the media complaining about FBI inaction—something known for decades.]

I should also note that prison authorities have been very cooperative with me since this information affects Homeland Security.

One of Many Warnings of Expected Airliner Hijacking

Discovering that a group intended to hijack one or more airliners is dicey at best. If the group maintained strict secrecy, it would be improbable that their plans would be discovered. In the case of terrorists planning to hijack airliners and crash them into building, this information was repeatedly acquired from different sources.

"FBI Confirms It Issued Hijack Alert," was the heading on a *Wall Street Journal* article (June 7, 2004), which stated:

In response to a Wall Street Journal article Friday, FBI officials confirmed that in at least one alert, the bureau provided the Federal Aviation Administration and other agencies with a detailed summary of allegations made by would-be hijacker Niaz Khan, a Briton of Pakistani descent who had turned himself in to U.S. authorities. But the alert, which warned agencies to be on lookout for such a hijacking for the following weeks, expired and Mr. Khan, was soon returned to the United Kingdom, where he was released.

Disclosure of the FBI's alert lends additional credibility to the story Mr. Khan has told in recent weeks of his induction into a terrorist group and subsequent dealings with U.S. and British law enforcement.

Khan said in a recent interview that he was recruited by Islamic radicals in the U.K. and trained to hijack airplanes at a school in Pakistan before being sent to New York in early 2000 to await orders. After turning himself in to police, he was extensively debriefed by the FBI and passed two polygraph examinations. The bureau's concerns were great enough that it did issue one or two alerts, according to two FBI officials and others familiar with the matter. The warnings gave a detailed description of Mr. Khan's claims, they added.

Another Aviation Disaster in New York City Area

Two months after four groups of terrorists hijacked four airliners and crashed two of them into the World Trade Center, another aviation disaster occur in the same area. On September 11, 2001, an American Airlines Airbus 300-600, Flight 587, departed Kennedy Airport in New York for Santa Domingo Airports, crashing mysteriously shortly after takeoff.

As the aircraft climbed from John F. Kennedy airport, people on the ground saw an explosion and fire on the underneath side of the aircraft, which was quickly followed by parts falling off the aircraft, including first the vertical stabilizer and ruder and then one of the engines. It then plunged to the ground on the narrow strip of land known as Rockaway. The death toll was 251 passengers and 9 crewmembers plus five on the ground.

As with the downing of TWA Flight 800 just a few miles from this location, the NTSB ignored the many reports by such people as professional police and firemen, and sought to blame the crash on separation of the vertical stabilizer.

The same tactics of discrediting eyewitness reports commenced. It is true that there are often varying description of certain matters relating to aircraft in distress, but when almost all the witnesses, and particular professionals with experience in investigative work, report fires or explosions, relatively minor matters of divergent reports, such as what side of the aircraft, etc. does not take from the fact that a fire or explosion did in fact occur.

If a fire or explosion did occur prior to any parts ripping off the aircraft, it would raise serious concern about terrorist activity, being one or more explosive devices put on the aircraft.

The question as to why the NTSB might be covering up for a terrorist act could be several. (a) to prevent air travelers from panicking and avoiding flying, which would inflict devastating financial losses on airlines already on the brink of bankruptcy; (b) to prevent copy-cat repetitions; (c) to prevent the public from realizing the absence of adequate defenses.

Initial NTSB Statements

NTSB board officials suggested the cause of the crash might be due to

wake turbulence from an aircraft that departed earlier. But the light turbulence from such an encounter does not even register on the scale of the type of extreme turbulence that aircraft undergo from atmospheric disturbances such as in the vicinity of thunderstorms.

Then the board suggested that the composite vertical stabilizer may be faulty, but this does not address the numerous reports of professional witnesses concerning fire and explosions coming from the aircraft before the vertical stabilizer ripped from the aircraft.

The board suggested that maybe the pilots applied excessive rudder movement, implying that the aircraft was made of balsa wood and that the extremely minor pilot input to the rudder (improbable) caused the tail to rip loose.

Lying By Government Personnel Is Standard Policy

Further, it must be understood that government personnel will lie for various reasons. I have documented, starting while a federal air safety agent, lying and cover-ups by the political NTSB board members, some of which are described in earlier pages.

Here is the sequence of events as determined from eyewitness accounts, radar records, and aircraft recorders:

- Explosions and fire seen by numerous people on the bottom side of the aircraft.
- The vertical stabilizer and other segments of the aircraft first separated along the path of flight over Jamaica Bay. There is no source of energy at that location that could cause the vertical stabilizer to rip loose from the aircraft.
- As the aircraft is approaching the narrow strip of land at the far end of Jamaica Bay, one engine, separates from the aircraft. As the aircraft is diving toward the ground, another engine separates from the aircraft. An explosion is also heard and flames seen at the aircraft.

If Flight 587 was brought down by one or more explosive devices, they could have been planted in the baggage compartments, in luggage, in any of the many inspection plates throughout the aircraft, in the supplies loaded on the aircraft before departure. The possibility of a surface-to-air missile is remote since there were no reporting sightings of a missile trail.

Tom Lynch, a retired firefighter who saw the plane in flight, said, "I saw the plane. It had a small contained explosion in the fuselage. The explosion was probably the size of a small automobile. The tail was still on the plane at the time and it continued to fly towards Rockaway." Lynch provided a statement to the NTSB, but no attempt was made to interview him in person about what he saw.

Another politically correct chairperson for the NTSB, with no significant background in aviation safety matters, excused the refusal of the NTSB to make personal contacts with witnesses, stating, that their reports "differ dramatically in terms of what people say that they saw." She added, when

questioned by a Wave edition, "We have all of our facilities in Washington, and anybody who is interested can come there." It is not the responsibility of individual people to force the NTSB to receive evidence, but the responsibility of the NTSB.

Victor Trombettas, who saw Flight 587, started obtaining witness statements that he placed on an Internet site after he felt the NTSB was covering up for what actually happened. (www.usread.com). One witness, who Trombettas identified as Witness Alpha, was a former Special Forces member familiar with military weapons and a retired New York City police officer. Alpha spotted Flight 587 as it was climbing out of JFK Airport, and said the flight looked normal until suddenly a white and yellow explosive flash appeared in the fuselage behind the wing, which he described as an ordinance explosion. The flash was followed by a stream of smoke. That appears to be the stream of smoke that others had observed, including John Power and other witnesses before the plane oscillated violently before plunging to the ground. The events were sufficient revealing that Alpha was on his portable phone calling emergency services while Flight 587 was still airborne.

John Powers was walking his dog when he looked up at Flights 587, having a clear and unobstructed view of the flight path of the aircraft. He stated that he saw an "enormous flash or explosion ... near where the wing meets the fuselage." He explained that he noticed smoke coming from the right engine as soon as he noticed the plane. He stated he saw more of the right side of the plane, what looked to him like a fire or explosive-type flash on the wing near the fuselage. He said the plane rolled violently from side to side several times and then the vertical stabilizer ripped from the aircraft. He described this as noticing a "huge rectangular piece fly free" from the plane and begins a slow "float" down towards the water of Jamaica Bay. He was positive about the tail being intact during the initial rolls.

A construction worker who saw the aircraft in flight, Antonio Villela, said, "First I heard a big explosion. Then I saw flames come out from behind the plane."

Retired New York police department Lieutenant stated during an interview (January 19, 2002) that he saw two explosions. The first, a smaller one, was behind the wing near the fuselage. The second was much larger and engulfed much of the plane. He said the plane was intact at the time of the first explosion.

Firefighter Tom Lynch stated (January 19, 2002) that he saw two explosions, the first, a smaller one behind the wing near the fuselage and then a much larger second explosion.

Another witness, Kenny Good, observed the aircraft at a later stage than some of the other witnesses. He described that he had observed the aircraft the right engine rip loose, the vertical stabilizer, and the left engine, all before impact and not ejected after impact.

Despite these reports indicating an explosion, NTSB chairman Marion

Blakey ruled out any criminal or terrorists activity during her appearance on National Public Radio on January 8, 2002. It was as if the politically appointed NTSB board members were determined that the public not hear of any terrorist successes. This pattern was similar to what occurred with the downing of TWA Flight 800. It appears the NTSB was under pressure from higher government sources to rule out a terrorist act.

Some of the witnesses to the events occurring on Flight 587 were so concerned about the NTSB cover-up that they sent a letter to NTSB chairwoman, Marion Blakey demanding to have their statements taken. Blakey, a politically correct appointee, responded in a Mach 1, 2002, letter stating that during the public hearing they may be allowed to testify. Long before the hearing, the NTSB should have obtained all the evidence that they knew existed, including witness statements, to enable them to concentrate on the areas most likely to be the cause of the crash.

The facts strongly indicated that the tail separation was not the trigger even for the crash and merely one of the end-consequences of other events, contrary to the position taken by the NTSB board members.

NTSB cover-ups of sensitive matters relating to airline crashes is an old-hat scenario that I have watched for 40 years. I wrote letters to the NTSB while a federal air safety inspector accusing the government's accident investigation agency of cover-ups. I reported it as relating to the cover-up involved in the PSA San Diego crash. I even filed a federal lawsuit at San Francisco against the NTSB, addressing these federal offenses.⁸

Further Indication AAL 587 was Blown UP?

Al Qaeda provided a list to the Global Islamic Media Group (May 28, 2004), of terrorist acts for which it took responsibility. The group then posted the list its web site. Included in the list was American Airlines Flight 587, which crashed into the borough of Queens in New York City. Their claims provided additional support for the many witness reports stating they saw an explosion on Flight 587 before it crashed. Among the terrorist acts stated in the list provided by al Qaeda were the following:

- Bomb attack in Kuwait at Faylakah.
- Bomb attack in Yemen upon a French tanker.
- Bomb attack in Mombasa, Kenya.
- Bomb attack upon a Bali, Indonesia nightclub that killed over 200 people.
- Bomb attack upon the Jewish temple in Djerba, Tunisia, that killed almost two dozen Jews.
- Missile firing upon an El Al airliner in Kenya that failed to hit the aircraft.

⁸ *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.) (table), cert. denied, 459 U.S. 861 (1982) (addressed repeated criminal falsification of official airline accident reports, omitting highly sensitive air safety misconduct, making possible repeated crashes from the same sequestered problems).

- Bomb attack at the Marriott Hotel in Indonesia.
- Attack in the residential area of Riyadh in Saudi Arabia.
- Bomb attack against Jewish synagogues in Istanbul, Turkey.
- Bombing of American Airlines Flight 587.

Additional Support that Terrorists Brought Down Flight 587

Further information relating to the alleged bombing of Flight 587 came from the report of the Canadian Security Intelligence Service (CSIS), which was addressed in several foreign newspaper articles, including Canada's *National Post* (August 27, 2004). The *National Post* article carried the title, "Montreal man downed U.S. Plane, CSIS told." The article stated:

A captured al-Qaeda operative has told Canadian intelligence investigators that a Montreal man who trained in Afghanistan alongside the 9/11 hijackers was responsible for the crash of an American Airlines flight in New York three years ago.

Canadian Security Intelligence Service agents were told during five days of interviews with the source that Abderraouf Jdey, a Canadian citizen also known as Farouk the Tunisian, had downed the plane with explosives on Nov. 12, 2001.

The source claimed Jdey had used his Canadian passport to board Flight 587 and "conducted a suicide mission" with a small bomb similar to the one used by convicted shoe bomber Richard Reid, a "Top Secret" Canadian government report says.

Jdey, 39, came to Canada from Tunisia in 1991 and became a citizen in 1995. Shortly after getting his Canadian passport, he left for Afghanistan and trained with some of the Sept. 11 hijackers, according to the 9/11 commission in the United States.

He recorded a "martyrdom" video, but was dropped from the 9/11 mission after returning to Canada in the summer of 2001. The planner of the World Trade Center attack, Khalid Sheikh Mohammed, claims Jdey was recruited for a "second wave" of suicide attacks.

The information on Jdey's alleged role in the plane crash is contained in a memo on captured Canadian al-Qaeda operative Mohammed Mansour Jabarah. The Canadian government memo was written in May, 2002, and was based on information provided by a "source of unknown reliability."

Jabarah is a 22-year-old from St. Catharines who allegedly joined al-Qaeda and convinced Osama bin Laden to give him a terror assignment. He was tasked with overseeing a suicide-bombing operation in Southeast Asia, but was caught and has since pleaded guilty in the United States.

The report, which was sent to the Philippine National Police Intelligence directorate, recounts what Jabarah said he was told about the U.S. plane crash by Abu Abdelrahman, a Saudi al-Qaeda member who was working for Khalid Sheikh Mohammed.

"In discussions, Abu Abdelrahman mentioned AL QAIDA was responsi-

ble for the assassination of Massoud, the Northern Alliance leader,” the report says. “According to the source, Abu Abdelrahman added that the 12 November 2001 plane crash (American Airlines flight 587) in Queens, New York was not an accident as reported in the press but was actually an AL QAIDA operation.

“Abu Abdelrahman informed Jabarah that Farouk the Tunisian conducted a suicide mission on the aeroplane using a shoe bomb of the type used by Richard Reid ... ‘Farouk the Tunisian’ was identified from newspaper photographs as being identical to Abderraouf Jdey, a Canadian citizen who had resided in Montreal.”

Jabarah was initially suspect of the claim about Jdey, but he later believed it after he saw the same information on a “mujahedin Web site,” the report says.

Jdey allegedly used his Canadian passport in boarding Flight 587, but because Jdey used many aliases in the past, it wasn't known what name he might have used. Among his many aliases were Abd Al-Rauf Bin Al-Habib Bin Yousef Al-Jiddi, Aderraouf Dey, A Raouf Jdey, Abdal Ra'Of Bin Muhammed Bin Yousef Al-Jadi, Farouq Al-Tunisi, Abderraouf Ben Habib.

Suicide Bombings of U. S. Airliners were Easy to Carry Out

If the reports are correct that al Qaeda operative Jdey carried a bomb onto Flight 587, and caused the downing of the aircraft, it must be realized that at that time there was no detection devices or dog sniffers to determine if passengers had explosives as they boarded the aircraft. It was easy for a person to carry explosives, or wrap explosive around their bodies or in their clothes, and avoid detection by the machines that were designed to detect metal on passengers' bodies.

Unpublicized Series of Terrorist Attacks on U.S. Airliners?

If American Airlines Flight 587 was downed by a suicide bomber—a feat easily accomplished since there was no passenger screening for explosives at that time, it would be the sixth in a series of terrorist downing of U.S. airliners in the Eastern part of the United States.

Two months prior to that were the hijackings of four airliners—made possible by the corruption within the government's aviation safety offices that I had discovered and tried to expose—and prior to that was the downing of TWA Flight 800 with a missile.

The terrorist attacks on U.S. airliners on 9/11 couldn't be covered up, obviously. But the cover-up of the terrorist involvement in TWA Flight 800 and American Airlines Flight 587 was easier to accomplish.

It was difficult for the public to recognize that the political members of the National Transportation Safety Board would falsify and cover-up for the actual cause of the crash.

Even I, at one time, would have found that difficult to believe. However, after holding a key position in the government's aviation safety offices, it didn't take me long to discover that fact. The lawsuit I filed against the NTSB sought a court order forcing the NTSB to include material evidence

in its report of several aviation crashes. Shortly after I filed that action, assistant U.S. attorney George Stoll called me on the telephone and told me that he was recommending to his superiors in Washington that they support my action. Washington Justice Department ordered him to block my efforts.

It is hard for the average public to comprehend government officials lying and covering up, but I had the opportunity while holding a key government aviation safety position to see the cover-ups by the political NTSB board members, followed by other government officials and even federal judges.

Canada, Watch Out, You May be Next!

With so many al Qaeda terrorists being identified as Canadian citizens it is a wonder White House officials hadn't put Canada on a list of countries harboring terrorists! An article in *Newsweek* (August 9, 2004) described how the Bush White House considered attacking South America immediately after the 9/11 hijackings. The article stated:

Fighting Terror by Attacking ... South America?

Days after 9/11, a senior Pentagon official lamented the lack of good targets in Afghanistan and proposed instead U.S. military attacks in South America or Southeast Asia as "a surprise to the terrorists," according to a footnote in the recent 9/11 commission report. The unsigned top-secret memo, which the panel's report said appears to have been written by Defense Under Secretary Douglas Feith, is one of several Pentagon documents uncovered by the commission which advance unorthodox ideas for the war on terror. The memo suggested "hitting targets outside the Middle East in the initial offensive" or a "non Al Qaeda target like Iraq," the panel's report states. U.S. attacks in Latin America and Southeast Asia were portrayed as a way to catch the terrorists off guard when they were expecting an assault on Afghanistan.

The memo's content, Newsweek has learned, was in part the product of ideas from a two-man secret Pentagon intelligence unit appointed by Feith after 9/11: veteran defense analyst Michael Maloof and Mideast expert David Wurmser, now a top foreign-policy aide to Dick Cheney. Maloof and Wurmser saw links between international terror groups that the CIA and other intelligence agencies dismissed. They argued that an attack on terrorists in South America—for example, a remote region on the border of Paraguay, Argentina and Brazil where intelligence reports said Iranian-backed Hizbullah had a presence—would have ripple effects on other terrorist operations. The proposals were floated to top foreign-policy advisers.

One proposal got greater traction. The 9/11 commission says the idea of attacking Iraq also was pushed in a Sept. 17 memo by Deputy Secretary of Defense Paul Wolfowitz. Wolfowitz argued that the odds were "far more" than one in 10 that Saddam Hussein was behind the 9/11 attacks, citing in part theories by controversial academic Laurie

Myloie that Ramzi Yousef, mastermind of the 1993 World Trade Center bombing, was an Iraqi intelligence agent. (The commission's report found "no credible evidence" that Iraq was behind the 1993 attack—and no Iraqi involvement in 9/11. A Wolfowitz aide said the memo "did not talk about theories, but facts.") Still, critics say, the ideas put forward by Wolfowitz, Feith and others in the Pentagon set the stage for the war in Iraq.

Prior Knowledge of 9/11 Hijackings by Israel?

An article appeared in the Internet site, www.MiddleEast.org (September 10, 2004), referring to a four-part series Fox news broadcast describing spying operations by Israel on the United States, and information indicating that Israel had advance notice of the 9/11 attacks. The article on the Middle East.org website and the transcript of the broadcasts starting on November 16, 2003, follows. The article on the website stated:

The four-part series created quite a stir at first in Washington but then the story was spiked and in fact 'disappeared' from the FOX News website, not to be mentioned again. Suspicions at the time were that the Israelis, using their extensive list of allies, lobbyists, and major money and media agents-of-influence, had pulled out all stops and gotten the story quickly stopped in its tracks.

Now that there are more media groups involved, that FBI investigations have already been publicly exposed, that the American Israel Public Affairs Committee (AIPAC) itself is involved, and that the Jewish neocons are so fingered for having instigated the Iraqi War and the false 'intelligence' that led to it, the situation is much more complicated in Washington.

But AIPAC and Israel's many official and unofficial lobbyists are now mounting a major campaign to bring the FBI investigation to an end with only minor charges involving 'mishandling' of classified documents. The pressures on everyone in Washington are no doubt intense; especially in this election year. And so what happened in November 2002 should be especially instructive; and in view of the most recent charges and investigations should be resurrected:

Fox News Series On Israeli Spying In America

Fox News Special Report - Part One

BRIT HUME, HOST: It has been more than 16 years since a civilian working for the Navy was charged with passing secrets to Israel. Jonathan Pollard pled guilty to conspiracy to commit espionage and is serving a life sentence. At first, Israeli leaders claimed Pollard was part of a rogue operation, but later took responsibility for his work. Now Fox News has learned some U.S. investigators believe that there are Israelis again very much engaged in spying in and on the U.S., who may have

known things they didn't tell us before Sept. 11. *Fox News* correspondent Carl Cameron has details in the first of a four-part series.

(BEGIN VIDEOTAPE)

CARL CAMERON, FOX NEWS CORRESPONDENT: Since Sept. 11, more than 60 Israelis have been arrested or detained, either under the new patriot anti-terrorism law, or for immigration violations. A handful of active Israeli military were among those detained, according to investigators, who say some of the detainees also failed polygraph questions when asked about alleged surveillance activities against and in the United States.

There is no indication that the Israelis were involved in the 9/11 attacks, but investigators suspect that they Israelis may have gathered intelligence about the attacks in advance, and not shared it. A highly placed investigator said there are "tie-ins." But when asked for details, he flatly refused to describe them, saying, "evidence linking these Israelis to 9/11 is classified. I cannot tell you about evidence that has been gathered. It's classified information."

Fox News has learned that one group of Israelis, spotted in North Carolina recently, is suspected of keeping an apartment in California to spy on a group of Arabs who the United States is also investigating for links to terrorism. Numerous classified documents obtained by Fox News indicate that even prior to Sept. 11, as many as 140 other Israelis had been detained or arrested in a secretive and sprawling investigation into suspected espionage by Israelis in the United States.

Investigators from numerous government agencies are part of a working group that's been compiling evidence since the mid '90s. These documents detail hundreds of incidents in cities and towns across the country that investigators say, "may well be an organized intelligence gathering activity."

The first part of the investigation focuses on Israelis who say they are art students from the University of Jerusalem and Bazala Academy. They repeatedly made contact with U.S. government personnel, the report says, by saying they wanted to sell cheap art or handiwork.

Documents say they, "targeted and penetrated military bases." The DEA, FBI and dozens of government facilities, and even secret offices and unlisted private homes of law enforcement and intelligence personnel. The majority of those questioned, "stated they served in military intelligence, electronic surveillance intercept and or explosive ordinance units."

Another part of the investigation has resulted in the detention and arrests of dozens of Israelis at American mall kiosks, where they've been selling toys called Puzzle Car and Zoom Copter. Investigators suspect a front.

Shortly after the *New York Times* and *Washington Post* reported the Israeli detentions last months, the carts began vanishing. Zoom Copter's Web page says, "We are aware of the situation caused by thousands of mall carts being closed at the last minute. This in no way reflects the quality of the toy or its salability. The problem lies in the operators' business policies."

Why would Israelis spy in and on the U.S.? A general accounting office investigation referred to Israel as country A and said, "According to a U.S. intelligence agency, the government of country A conducts the most aggressive espionage operations against the U.S. of any U.S. ally."

A defense intelligence report said Israel has a voracious appetite for information and said, "The Israelis are motivated by strong survival instincts which dictate every possible facet of their political and economical policies. It aggressively collects military and industrial technology and the U.S. is a high priority target."

The document concludes: "Israel possesses the resources and technical capability to achieve its collection objectives."

(END VIDEO CLIP)

A spokesman for the Israeli embassy here in Washington issued a denial saying that any suggestion that Israelis are spying in or on the U.S. is "simply not true." There are other things to consider. And in the days ahead, we'll take a look at the U.S. phone system and law enforcement's methods for wiretaps. And an investigation that both have been compromised by our friends overseas.

HUME: Carl, what about this question of advanced knowledge of what was going to happen on 9/11? How clear are investigators that some Israeli agents may have known something?

CAMERON: It's very explosive information, obviously, and there's a great deal of evidence that they say they have collected - none of it necessarily conclusive. It's more when they put it all together. A bigger question, they say, is how could they not have know? Almost a direct quote.

HUME: Going into the fact that they were spying on some Arabs, right?

CAMERON: Correct.

HUME: All right, Carl, thanks very much.

Part 2

BRIT HUME, HOST: Last time we reported on the approximately 60 Israelis who had been detained in connection with the Sept. 11 terrorism investigation. Carl Cameron reported that U.S. investigators suspect that some of these Israelis were spying on Arabs in this country, and may have turned up information on the planned terrorist attacks back in September that was not passed on.

Tonight, in the second of four reports on spying by Israelis in the U.S., we learn about an Israeli-based private communications company, for whom a half-dozen of those 60 detained suspects worked. American investigators fear information generated by this firm may have fallen into the wrong hands and had the effect of impeding the Sept. 11 terror inquiry. Here's Carl Cameron's second report.

(BEGIN VIDEOTAPE)

CARL CAMERON, FOX NEWS CORRESPONDENT (voice-over): Fox News has learned that some American terrorist investigators fear certain suspects in the Sept. 11 attacks may have managed to stay ahead of them, by knowing who and when investigators are calling on the telephone. How?

By obtaining and analyzing data that's generated every time someone in the U.S. makes a call.

UNIDENTIFIED FEMALE: What city and state, please?

CAMERON: Here's how the system works. Most directory assistance calls, and virtually all call records and billing in the U.S. are done for the phone companies by Amdocs Ltd., an Israeli-based private telecommunications company. Amdocs has contracts with the 25 biggest phone companies in America, and more worldwide. The White House and other secure government phone lines are protected, but it is virtually impossible to make a call on normal phones without generating an Amdocs record of it.

In recent years, the FBI and other government agencies have investigated Amdocs more than once. The firm has repeatedly and adamantly denied any security breaches or wrongdoing. But sources tell *Fox News* that in 1999, the super secret national security agency, headquartered in northern Maryland, issued what's called a Top Secret sensitive compartmentalized information report, TS/SCI, warning that records of calls in the United States were getting into foreign hands - in Israel, in particular.

Investigators don't believe calls are being listened to, but the data about who is calling whom and when is plenty valuable in itself. An internal Amdocs memo to senior company executives suggests just how Amdocs generated call records could be used. "Widespread data mining techniques and algorithms combining both the properties of the customer (e.g., credit rating) and properties of the specific 'behavior.'" Specific behavior, such as who the customers are calling.

The Amdocs memo says the system should be used to prevent phone fraud. But U.S. counterintelligence analysts say it could also be used to spy through the phone system. *Fox News* has learned that the N.S.A has held numerous classified conferences to warn the F.B.I. and C.I.A. how Amdocs records could be used. At one NSA briefing, a dia-

gram by the Argon national lab was used to show that if the phone records are not secure, major security breaches are possible.

Another briefing document said, "It has become increasingly apparent that systems and networks are vulnerable. Such crimes always involve unauthorized persons, or persons who exceed their authorization...citing on exploitable vulnerabilities."

Those vulnerabilities are growing, because according to another briefing, the U.S. relies too much on foreign companies like Amdocs for high-tech equipment and software. "Many factors have led to increased dependence on code developed overseas.... We buy rather than train or develop solutions."

U.S. intelligence does not believe the Israeli government is involved in a misuse of information, and Amdocs insists that its data is secure. What U.S. government officials are worried about, however, is the possibility that Amdocs data could get into the wrong hands, particularly organized crime. And that would not be the first thing that such a thing has happened. *Fox News* has documents of a 1997 drug trafficking case in Los Angeles, in which telephone information, the type that Amdocs collects, was used to "completely compromise the communications of the FBI, the Secret Service, the DEO and the LAPD."

We'll have that and a lot more in the days ahead - Brit.

HUME: Carl, I want to take you back to your report last night on those 60 Israelis who were detained in the anti-terror investigation, and the suspicion that some investigators have that they may have picked up information on the 9/11 attacks ahead of time and not passed it on.

There was a report, you'll recall, that the Mossad, the Israeli intelligence agency, did indeed send representatives to the U.S. to warn, just before 9/11, that a major terrorist attack was imminent. How does that leave room for the lack of a warning?

CAMERON: I remember the report, Brit. We did it first internationally right here on your show on the 14th. What investigators are saying is that that warning from the Mossad was nonspecific and general, and they believe that it may have had something to do with the desire to protect what are called sources and methods in the intelligence community. The suspicion being, perhaps those sources and methods were taking place right here in the United States.

The question came up in select intelligence committee on Capitol Hill today. They intend to look into what we reported last night, and specifically that possibility - Brit.

HUME: So in other words, the problem wasn't lack of a warning, the problem was lack of useful details?

CAMERON: Quantity of information.

HUME: All right, Carl, thank you very much.

BRIT HUME, HOST: Last time we reported on an Israeli-based company called Amdocs Ltd. that generates the computerized records and billing data for nearly every phone call made in America. As Carl Cameron reported, U.S. investigators digging into the 9/11 terrorist attacks fear that suspects may have been tipped off to what they were doing by information leaking out of Amdocs. In tonight's report, we learn that the concern about phone security extends to another company, founded in Israel that provides the technology that the U.S. government uses for electronic eavesdropping. Here is Carl Cameron's third report.

(BEGIN VIDEOTAPE)

CARL CAMERON, FOX NEWS CORRESPONDENT (voice-over): The company is Comverse Infosys, a subsidiary of an Israeli-run private telecommunications firm, with offices throughout the U.S. It provides wiretapping equipment for law enforcement. Here's how wiretapping works in the U.S.

Every time you make a call, it passes through the nation's elaborate network of switchers and routers run by the phone companies. Custom computers and software, made by companies like Comverse, are tied into that network to intercept, record and store the wiretapped calls, and at the same time transmit them to investigators.

The manufacturers have continuing access to the computers so they can service them and keep them free of glitches. This process was authorized by the 1994 Communications Assistance for Law Enforcement Act, or CALEA. Senior government officials have now told Fox News that while CALEA made wiretapping easier, it has led to a system that is seriously vulnerable to compromise, and may have undermined the whole wiretapping system.

Indeed, Fox News has learned that Attorney General John Ashcroft and FBI Director Robert Mueller were both warned Oct. 18 in a hand-delivered letter from 15 local, state and federal law enforcement officials, who complained that "law enforcement's current electronic surveillance capabilities are less effective today than they were at the time CALEA was enacted."

Congress insists the equipment it installs is secure. But the complaint about this system is that the wiretap computer programs made by Comverse have, in effect, a back door through which wiretaps themselves can be intercepted by unauthorized parties.

Adding to the suspicions is the fact that in Israel, Comverse works closely with the Israeli government, and under special programs, gets reimbursed for up to 50 percent of its research and development costs by the Israeli Ministry of Industry and Trade. But investigators within the DEA, INS and FBI have all told *Fox News* that to pursue or even suggest Israeli spying through Comverse is considered career suicide.

And sources say that while various F.B.I. inquiries into Comverse have been conducted over the years, they've been halted before the actual equipment has ever been thoroughly tested for leaks. A 1999 F.C.C. document indicates several government agencies expressed deep concerns that too many unauthorized non-law enforcement personnel can access the wiretap system. And the FBI's own nondescript office in Chantilly, Virginia that actually oversees the CALEA wiretapping program, is among the most agitated about the threat.

But there is a bitter turf war internally at F.B.I. It is the FBI's office in Quantico, Virginia, that has jurisdiction over awarding contracts and buying intercept equipment. And for years, they've thrown much of the business to Comverse. A handful of former U.S. law enforcement officials involved in awarding Comverse government contracts over the years now work for the company.

Numerous sources say some of those individuals were asked to leave government service under what knowledgeable sources call "troublesome circumstances" that remain under administrative review within the Justice Department.

(END VIDEOTAPE)

And what troubles investigators most, particularly in New York, in the counter terrorism investigation of the World Trade Center attack, is that on a number of cases, suspects that they had sought to wiretap and survey immediately changed their telecommunications processes. They started acting much differently as soon as those supposedly secret wiretaps went into place - Brit.

HUME: Carl, is there any reason to suspect in this instance that the Israeli government is involved?

CAMERON: No, there's not. But there are growing instincts in an awful lot of law enforcement officials in a variety of agencies who suspect that it had begun compiling evidence, and a highly classified investigation into that possibility - Brit.

HUME: All right, Carl. Thanks very much.

Part 4

This week, senior correspondent Carl Cameron has reported on a longstanding government espionage investigation. Federal officials this year have arrested or detained nearly 200 Israeli citizens suspected of belonging to an "organized intelligence-gathering operation." The Bush administration has deported most of those arrested after Sept. 11, although some are in custody under the new anti-terrorism law.

Cameron also investigates the possibility that an Israeli firm generated billing data that could be used for intelligence purpose, and describes concerns that the federal government's own wiretapping system may be vulnerable. Tonight, in part four of the series, we'll learn about

the probable roots of the probe: a drug case that went bad four years ago in L.A.

(BEGIN VIDEOTAPE)

CARL CAMERON, FOX NEWS CORRESPONDENT (voice-over): Los Angeles, 1997, a major local, state and federal drug investigating sours. The suspects: Israeli organized crime with operations in New York, Miami, Las Vegas, Canada, Israel and Egypt. The allegations: cocaine and ecstasy trafficking, and sophisticated white-collar credit card and computer fraud.

The problem: according to classified law enforcement documents obtained by Fox News, the bad guys had the cops' beepers, cell phones, even home phones under surveillance. Some who did get caught admitted to having hundreds of numbers and using them to avoid arrest.

"This compromised law enforcement communications between LAPD detectives and other assigned law enforcement officers working various aspects of the case. The organization discovered communications between organized crime intelligence division detectives, the FBI and the Secret Service."

Shock spread from the DEA to the FBI in Washington, and then the CIA. An investigation of the problem, according to law enforcement documents, concluded, "The organization has apparent extensive access to database systems to identify pertinent personal and biographical information."

When investigators tried to find out where the information might have come from, they looked at Amdocs, a publicly traded firm based in Israel. Amdocs generates billing data for virtually every call in America, and they do credit checks. The company denies any leaks, but investigators still fear that the firm's data is getting into the wrong hands.

When investigators checked their own wiretapping system for leaks, they grew concerned about potential vulnerabilities in the computers that intercept, record and store the wiretapped calls. A main contractor is Comverse Infosys, which works closely with the Israeli government, and under a special grant program, is reimbursed for up to 50 percent of its research and development costs by Israel's Ministry of Industry and Trade.

Asked this week about another sprawling investigation and the detention of 60 Israeli since Sept. 11, the Bush administration treated the questions like hot potatoes.

ARI FLEISCHER, WHITE HOUSE PRESS SECRETARY: I would just refer you to the Department of Justice with that. I'm not familiar with the report.

COLIN POWELL, SECRETARY OF STATE: I'm aware that some Israeli citizens have been detained. With respect to why they're being detained and the other aspects of your question - whether it's because

they're in intelligence services, or what they were doing - I will defer to the Department of Justice and the FBI to answer that.

(END VIDEOTAPE)

CAMERON: Beyond the 60 apprehended or detained, and many deported since Sept. 11, another group of 140 Israeli individuals have been arrested and detained in this year in what government documents describe as "an organized intelligence gathering operation," designed to "penetrate government facilities." Most of those individuals said they had served in the Israeli military, which is compulsory there.

But they also had, most of them, intelligence expertise, and either worked for Amdocs or other companies in Israel that specialize in wire-tapping. Earlier this week, the Israeli embassy in Washington denied any spying against or in the United States - Tony.

SNOW: Carl, we've heard the comments from Ari Fleischer and Colin Powell. What are officials saying behind the scenes?

CAMERON: Well, there's real pandemonium described at the FBI, the DEA and the INS. A lot of these problems have been well known to some investigators, many of who have contributed to the reporting on this story. And what they say is happening is supervisors and management are now going back and collecting much of the information, because there's tremendous pressure from the top levels of all of those agencies to find out exactly what's going on.

At the DEA and the FBI already a variety of administration reviews are under way, in addition to the investigation of the phenomenon. They want to find out how it is all this has come out, as well as be very careful because of the explosive nature and very political ramifications of the story itself - Tony.

SNOW: All right, Carl, thanks.



Made possible by the documented, corrupt, actions of a large number of people, as detailed in this book and other books written by former government agent Rodney Stich.

Post 9/11 Cover-ups

The widespread nature of the misconduct that enabled hijackers to seize four airliners, with such catastrophic consequences, constituted a national scandal the likes of which had no precedence. Further cover-ups would continue the culture and the consequences. But to make these problems, affecting such a great numbers of public offices and powerful private institutions—the legal fraternity, much of the media—public confidence would surely be eroded. Whatever the reasons, the consequences of further cover-ups were again ignored and a pattern of cover-ups followed. This chapter addresses some of these cover-ups.

Duplicity of Many People Associated with 9/11 Events

Many people held the blame for the conditions that enabled terrorists to hijack four airliners. The primary blame was the culture and misconduct in the government's aviation safety offices, which included the FAA, the NTSB, and Department of Transportation. But there were others sharing blame.

Members of Congress had been given details of the corruption that I and a group of government insiders had discovered. They refused to conduct an investigation or to receive our evidence, despite the catastrophic consequences that would continue if our charges were correct. Not a single member of Congress requested the General Accountability Office to investigate my charges. The GAO is the investigative agency for Congress, and the agency that can initiate investigations on their own.

Despite the horrendous pain and suffering, and deaths, associated with these air disasters, not a single person in any of these government positions exercised their legal and moral responsibility to receive our evidence. It was as if they knew the truth of the charges and that the enormous scandal, and decided that the information should never be made known.

Duplicity of Justice Department Officials

The Justice Department personnel who I contacted, offering evidence of criminal activities affecting national security and associated with many

deaths, engaged in a constant pattern of cover-ups, thereby obstructing justice and enabling great harm upon national security.

The passive obstruction of justice eventually took an active form took a more active form when Justice Department prosecutors and federal judges charged me with criminal contempt of court for filing papers in federal courts seeking to report the federal crimes as part of the federal crime reporting statute.

Refusal to Respond Even After 3,000 Deaths

After September 11, 2001, members of Congress surely recognized the consequences of blocking me and my group of other former government agents from providing evidence of misconduct that enabled hijackers to seize four airliners. Despite knowing the catastrophic consequences of cover-ups, they continued to ignore my letters offering to provide evidence. Now, they had an interest in protecting their own complicity in the events of 9/11.

Casual Hearing by Members of Congress

Congress was finally forced to conduct hearings into the area of blame that enabled the hijackings of four airliners on 9/11. After months of delay, a cavalier joint congressional inquiry was held, purportedly to discover the areas of blame that allowed hijackers to seize four airliners on 9/11.

Congress followed with a shallow hearing that couldn't possibly meet the definition of an unbiased hearing or investigation, focusing solely on so-called "intelligence failures." That controlled hearing ignored investigating the government offices responsible for preventing hijackings, primarily the Federal Aviation Administration. But if they addressed that area, then the lid on a nasty can of worms would be lifted, and eventually members of Congress would be implicated through their cover-ups of serious and deadly misconduct in that area.

In the final report (December 10, 2002) issued by these members of Congress, the report stated:

[R]eview of the events surrounding September 11 has revealed a number of systemic weaknesses that hindered the Intelligence Community's counter terrorism efforts before September 11. If not addressed, these weaknesses will continue to undercut U.S. counter terrorist efforts. In order to minimize the possibility of attacks like September 11 in the future, effective solutions to those problems need to be developed and fully implemented as soon as possible.

Stonewalling by the Bush White House

Referring to the block by the Bush White House, one media article (January 26, 2003) stated that 9/11 panelist, Jim Roemer, complained that White House officials, including Donald Rumsfeld, Colin Powell, John Ashcroft, and Condoleezza Rice, refused to testify to the congressional panel. Another member of the congressional panel, Senator John Mc Cain, complained that the Bush administration "slow-walked and stonewalled" the

House-Senate inquiry. McCain said, "I don't see how you can have a thorough investigation without talking to the people who were in charge throughout the time period prior to 9/11."

"Undercutting the 9/11 Inquiry" was the heading of a *New York Times* editorial (March 31, 2003) that stated:

Reasonable people might wonder if the White House, having failed in its initial attempt to have Henry Kissinger steer the investigation, may be resorting to budgetary starvation as a tactic to hobble any politically fearless inquiry. The committee's mandate includes scrutiny of intelligence failures and other government areas.

As things now stand, \$3 million budgeted as start-up funding could run out this summer. An estimated \$14 million is needed for the task of finding out precisely how the attackers were able to pull off their plot in which nearly 3,000 people died. This seems a bargain given the importance of the mission. By comparison, the inquiry into the shuttle disaster's loss of seven lives may cost an estimated \$40 million, and the inquiry into the Whitewater controversy ate up more than \$30 million.

Rare Hint at Serious Problems and Cover-ups

A rare article questioning the absence of an investigation into why hijackers were able to seize four airliners appeared in the *New York Times* (September 11, 2001) by Jim Dwyer, with the headline, "A Calamity Unimaginable in Scope, and Unexamined in All Its Dimensions." The half-page article stated:

No inquiry remotely similar in scope, energy or transparency has examined the attacks of last Sept. 11, the devastating collapse of two of the world's tallest structures, the deaths at the Pentagon or on United Airlines Flight 93 in Pennsylvania. A handful of tightly focused reviews have taken place mostly in secret, conducted by private consultants, or by Congressional committees.

One year later, the public knows less about the circumstances of 2,801 deaths at the foot of Manhattan in broad daylight than people in 1912 knew within weeks about the Titanic, which sank in the middle of an ocean in the dead of night.

"You can hardly point to a cataclysmic event in our history, whether it was the sinking of the Titanic, the Pearl Harbor attack, the Kennedy assassination, when a blue-ribbon panel did not set out to establish the facts and, where appropriate, suggest reforms," Mr. Timoney said. "That has not happened here." [John F. Timoney, former senior police commander in New York and former police commissioner in Philadelphia.]

Why this national reluctance to face the country's bloodiest modern disaster in all its dimensions?

Experience had shown that it would do not good, but I sent a letter to Dwyer

explaining some of the reasons why there was no investigation, and the massive record of misconduct starting with government air safety officials, the massive cover-ups by people holding key positions in the three branches of government. No response.

Complicity of FBI and Other Justice Department Personnel

Starting while I was a federal aviation safety agent, and while acting as an independent counsel in the FAA, I made my charges of deadly federal criminal misconduct known to FBI agents and several U.S. attorneys, along with the head of the Department of Justice. I encountered the standard refusal to receive evidence that implicated federal personnel.

I encountered Justice Department block when I circumvented the block and appeared before a federal grand jury in Denver while I was a federal agent. I encountered their blocks when I filed federal actions under the federal crime reporting statute (18 U.S.C. § 4) seeking to report the Trojan-horse-like corruption in government offices. In 1986, Justice Department prosecutors charged me, a former federal agent and witness, with criminal contempt of court for attempting to report criminal activities, including those that created the conditions enabling terrorists to seize four airliners on 9/11.

I had notified FBI chief Robert Muller of the criminal activities while he was in the U.S. attorney's office in San Francisco, and then after he became head of the FBI, followed by the usual cover-up. The same notification was sent to U.S. Attorney General John Ashcroft and prior U.S. attorney Generals. They refused to receive the evidence that I and other former government agents sought to report related to other areas of corruption implicating government officials and other government personnel.

Justice Department personnel prosecuted the head of a multi-agency task force that focused on the drug operations of people in the New York-New Jersey areas, including the Jersey City terrorists who the following year bombed the World Trade Center in 1993. The prosecution of that agent halted the investigations and sent a message to other government agents not to proceed with the investigations. That obstruction of justice tactic enabled the Jersey City terrorists to proceed with the bombing of the World Trade Center a year later, in 1993.

This typical retaliation against government agents is endless, and includes the false imprisonment of another FBI agent, Richard Taus, one of my many sources. He was falsely charged to silence his exposure of CIA involvement with organized crime drug smuggling, illegal funding of Iraq during the 1980s, and other offenses.

The same culture was shown by the FBI's support for organized crime in the Boston area, with William Bulger and others, wherein FBI agents—with Washington approval—provided the names of government informants to organized crime figures, causing the informants to be murdered. I have acquired information from organized crime insiders that the same conditions

existed in the New York City area, showing the widespread culture in the FBI, which obviously is not compatible with protecting U.S. interests. Considerable other evidence is available to show the depravity of this culture. I offered this information to members of Congress and the Justice Department; none responded.

As I detailed in several of my books, some of the other areas in which Justice Department personnel obstructed justice, with serious and sometimes catastrophic consequences, included the following:

- Acting in a manner that enabled terrorist group to obtain possession of large numbers of surface to air missiles in 1995.
- Filing sham criminal charges against a highly respected Customs agent and head of a multi-agency drug task force that was targeting the money source for Jersey City terrorists, which caused the investigations to end. These terrorists subsequently exploded a bomb in the World Trade Center in 1993. Ramzi Yousef, for instance, escaped and planned to place bombs on 11 U.S. airliners departing Far East locations. He also had knowledge of the planned hijacking of U.S. airliners and ramming them into buildings.
- Filing criminal contempt of court charges me, a former federal air safety agent, for attempting to report corruption within the government's aviation safety offices, which was being reported under the mandatory requirements of the federal crime reporting statute, Title 18 U.S.C. § 4.
- Filing sham criminal charges against a former Mossad agent and head of an international investigative firm who filed a report describing the terrorists who actually placed the bomb on Pan Am Flight 103.
- Filing sham charges against a covert DIA agent who provided evidence showing a CIA-DEA drug pipeline that facilitated the placement of the bomb on Board Pan Am Flight 103 that exploded over Lockerbie.
- Filing sham criminal charges against a covert CIA agent who had provided testimony in a court proceeding about the U.S. personnel involved in paying bribes to Iranian terrorists involved in the scheme known as October Surprise.
- Filing sham criminal charges against a counter-terrorism expert, Keith Idema, who had discovered, while training Russian and Lithuanian government and military personnel, the theft of suitcase nuclear bombs and other nuclear material from Russian arsenals, and learned about FBI and CIA agents who were giving U.S. secrets to the Russians. The false charges blocked discovery of how the nuclear material was being stolen, blocked discovery of who had already received the suitcase nuclear bombs and nuclear material, and blocked discovery of the identities of the spies in the CIA and FBI.
- Filed sham criminal charges against a covert CIA agent for testifying about the U.S. personnel he saw in Europe who were involved with the scheme that bribed Iranian terrorists to delay the release of U.S. hos-

tages held in Iran, the intent being to alter the 1981 presidential elections. That operation was known as October Surprise, and is detailed in *Defrauding America*.

Complicity of Many Members of Congress

For several years prior to September 11, 2001, I repeatedly notified members of Congress (some by certified mail) of the serious corruption that I and other government agents had discovered in the government's aviation safety offices, within the Justice Department, and the Central Intelligence Agency. I repeatedly requested that they receive testimony and evidence from me and other former and present government agents. Our offers were repeatedly ignored.

The serious matters that I sought to report included, for instance, reports of (a) surface to air missiles being acquired by terrorists, made possible by actions of FBI and CIA personnel; (b) suitcase nuclear devices being smuggled from the former Soviet Union through Lithuania, and which will surely be used in American cities at some future date; (c) drug smuggling into the United States by people acting under cover of government positions and covert operations; (d) Soviet spies in the FBI and CIA offices, made known prior to their discovery; (e) retaliation against FBI agents seeking to report criminal activities of CIA personnel; and (f) other matters inflicting harm upon national interests.

Never Were my Charges Disputed

No one ever denied the validity of my charges. Nor would they be in a position to have done so. Initially, when the corruption was related primarily to the FAA, some members of Congress admitted the gravity of what I charged, but then refused to act on the excuse that these matters were not in their area of responsibilities. (Tell that to the families of the 9/11 victims!) The matters *were* in their areas of responsibilities. They also had the option of requesting the General Accountability Office, the congressional investigative body, to receive my evidence. They also had a responsibility under the federal crime reporting statute to receive my evidence of federal crimes.

The "Butterfly Effect"

Ironically, if *any* of the recipients of these charges had acted when this information was presented to them, it is very probable that the corruption within the government's aviation safety offices (and elsewhere) could have been halted and the conditions enabling hijackers to seize airliners for the past 50 years corrected. The present cover-up will have a similar "butterfly effect" upon the United States and its people.

Post 9/11 Reports and Cover-ups

I continued my practice of putting people on notice that had a duty to receive my evidence relating to matters inflicting great harm upon national interests. The cover-ups had been continuing for so many years, with such tragic consequences, involving so many people in key government positions, and the media, that the corruption was too extensive for anyone to finally expose any part of it. I wanted to at least make a record that they had been notified if, by some fluke, this information would leak out and be acted upon by people that could force the issues. The following is the letter that I sent to FBI director Robert Mueller, (minus the 14 footnotes that went with the original).

From the desk of Rodney Stich

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www.ombudsmen.org

October 18, 2001

Robert S. Mueller III, Director
Federal Bureau of Investigation
935 Pennsylvania Ave., SW

Washington, DC 20535-0001 Certified: 7000 1670 0012 2751 8636

Reference: Former federal air safety inspector report of documented corruption that insured the success of the September 11 hijackers and prior fatal hijackings

To Mr. Mueller:

Because the success of the September 11 terrorists and prior terrorist events have been made possible by documented corruption within the Federal Aviation Administration, and that this corruption and the related tragic consequences will continue if the usual cover-ups occur, I am putting you on notice of these matters. It is my evaluation, as a former federal agent for the Federal Aviation Administration, that these matters constitute federal crimes associated with the September 11 tragedies. The following matters are supported by substantial evidence.

My credibility arises from years of sophisticated military and airline piloting experience, starting in World War II, and more important, as a former federal air safety inspector holding air safety responsibilities for the most senior program at the world's largest airline. It was during this last period that I started documenting the corruption that played a key role in many fatal airline crashes, including hijackings.

Without these corrupt acts, the September 11 tragedies would not have occurred. Obviously, the people perpetrating the corrupt acts, and those covering up for the acts, share blame for what happened on that fateful day. Failure to identify these problems in a public forum will prevent bringing a halt to these matters and as usual bring about their continuation. The following are a few highlights of the corrupt practices that played a role in the 5,000 plus deaths of September 11:

Culpability Of FAA Personnel

Documented pattern of corruption within the Federal Aviation Administration that made possible the success of the September 11 terrorist hijackings (and many prior fatal hijackings). Evidence shows that the refusal to order corrective actions was a standard reaction to reports by federal air safety inspectors and that this non-feasance was part of a corrupt culture within the FAA. Included in this culture were such acts as FAA management:

(1) Blocking federal air safety inspectors from carrying out the investigative and corrective functions of the federal government

(2) Threats against federal air safety inspectors not to report serious air safety problems and violations.

(3) Destruction of official air safety reports.

(4) Threats and various forms of retaliation against inspectors who continue to act as required by federal law;

(5) Repeated refusal to order corrective actions when such air safety problems or air safety violations were involved in fatal airline crashes. Refusal to order changes that would prevent hijackers taking control of aircraft would be one of the results of this corrupt culture.

The evidence of this misconduct is found in:

- Sequestered FAA records showing major air safety problems and safety violations and the related fatal airline crashes.
- The records and transcripts of an FAA hearing held in Denver during which I acted as a independent prosecutor, providing evidence of deep-seated corruption in the FAA and specific crashes made possible by the corruption. Fatal airline crashes occurring during the Denver FAA hearing where I acted as an independent prosecutor. These airline crashes occurred in my area of federal air safety responsibilities and continued the series of crashes caused or permitted to occur by the exact same air safety violations and problems, and their cover-ups, that I reported into official records of the United States government.
- By federal lawsuits that I filed under authority of the federal crime reporting statute (Title 18 U.S.C. § 4) (requiring the reporting of criminal activities to a federal court or other federal officer), and Title 28 U.S.C. § 1361 (providing for a federal court order to force federal officials to perform their duty and halt their corrupt and criminal activities).
- As further detailed in the third edition of *Unfriendly Skies*. These tragedies include the *prior* airliner crash into New York City that was the world's worst at that time and which occurred in the program for which I had federal air safety responsibilities.
- By numerous prior fatal hijackings. Included in my many reports were reports relating to the hijacking dangers and recommendations to halt hijackers from commandeering the aircraft. These common-sense changes would have prevented many fatal hijackings, including those that occurred on September 11,

2001. The refusal to order the corrective actions was *not* a one-time event or from ignorance. Rather, from a documented pattern of corruption, malfeasance, nonfeasance, threats and harassment against federal air safety inspectors who attempted to comply with their federal air safety responsibilities.

Culpability Of Justice Department Personnel Relating To Air Tragedies

Documented cover-ups by Justice Department personnel that made possible the continuation of these air tragedies. My attempts, as a federal air safety inspector, to report these corrupt matters to various divisions of the U.S. Department of Justice, including the Federal Bureau of Investigation and several U.S. Attorney offices, were repeatedly blocked by Justice Department personnel. My initial complaints of criminal activities, made while I was a federal air safety inspector, related to a series of aviation disasters occurring in my area of federal air safety responsibilities. I filed these complaints with the Federal Bureau of Investigation, with various U.S. Attorney offices, and with the Justice Department in Washington.

Culpability of Federal Judges In FAA and Other Corruption

Repeated obstruction of justice by federal judges. Federal judges, primarily in the Ninth Circuit courts within California, blocked every attempt by me (and my group of other former federal agents) to report these and other criminal activities to a federal court under the federal crime reporting statute. These documented obstruction of justice acts by federal judges were criminal acts under Title 18 U.S.C. §§ 2, 3, and 4. During my initial judicial attempts, Justice Department lawyers filed papers to dismiss the lawsuits, despite admitting the gravity of the allegations during private conversations. Federal judges then refused to receive the evidence, which was then followed by several major air disasters due to the same internal FAA problems. The details of this scenario are found in the third edition of *Unfriendly Skies* and in a federal lawsuit filed in the U.S. district court at Reno, Nevada.

Expansion Of Corruption By Federal Judges

The judicial and Justice Department obstruction of justice continued for many years, making possible many tragedies—including the September 11 terrorism. These tragedies were associated with the same criminal activities that I and other former federal agents sought to report to a federal court under the federal crime reporting statute. As I continued to discover additional areas of criminal activities with the help of other government agents I continued seeking to report them to a federal court as clearly required by the federal crime reporting statute. (The pattern of cover-ups by Justice Department personnel prevented reporting them to that government agency.)

Again and again, federal judges refused to receive the information and evidence, in clear violation of their administrative duties under Title 18 U.S.C. § 4. As the reported criminal activities reached even higher into key government positions, federal judges issued unlawful and unconstitutional orders barring me, for the remainder of my life, from access to the federal courts! These orders obviously had a two-fold purpose: One was to block me and the other government agents from reporting the criminal activities. Two, the orders terminated for me all federal defenses against a bizarre scheme filed by a CIA-front San Francisco law firm to strip me of the \$10 million in real estate assets that funded my exposure activities. These matters are described in the third editions of *Unfriendly Skies* and *Defrauding America* and in a federal lawsuit.

Judicial and Justice Department Retaliation Against Former Federal Agent To Silence Him

Compounding obstruction of justice and massive civil rights violations. Federal judges and Justice Department personnel, from 1987 to 1995, then retaliated against me for filing papers in the federal courts that attempted to report the criminal activities and for exercising federal defenses against the civil rights violations that were part of the scheme to block these reports. These retaliatory acts were felonies, and helped continue the corrupt activities that insured the success of the September 11 hijackers. Justice Department prosecutors and federal judges denied me a jury trial, subjected me to a kangaroo court trial, and sentenced me to six months in federal prison. (I had recently undergone a six-bypass coronary-artery surgery, and was nearing 70 years of age when this happened.)

While in prison, federal judges forced me into Chapter 11 bankruptcy and then ordered all my assets, including my home and sole source of income, liquidated. These orders were issued while violating the legal and constitutional requirement of a notice of hearing, a hearing, and legally recognized cause for taking a person's life assets. These assets were then turned over to embezzler Charles Duck, later identified with committing the nation's worst trustee embezzlement. He had been protected by your San Francisco U.S. Attorney's office and then when the media forced your office to take action to halt further investigations into the corrupt Chapter 11 courts, a sweetheart plea bargain was made. I was subsequently converted from a multi-millionaire to a state of poverty, under the area of responsibility of your office, and with the obvious intent to halt my exposure of the criminal activities. But there is more!

FBI and CIA Made Possible Acquisition of Missiles by Afghan Terrorists

CIA and FBI personnel made surface-to-air missiles available to Afghan terrorists. The documented conduct of FBI and CIA personnel in 1995 made surface to air missiles available to Afghan terrorists cells, which presumably included the Osama bin Laden's al Qaeda group. These matters are described in an October 30, 1995, letter sent to every member of the House and Senate intelligence committees, warning them of the imminent transfer of these missiles and seeking their help in preventing the transfer. (www.defraudingamerica.com/missiles_specter_oct20.html) Not a single congressional recipient responded, making possible the transfer of missiles that will surely be used against U.S. commercial aircraft. Six months later, TWA Flight 800 was downed. This matter is further described in the third edition of the book, *Defrauding America* and in a July 30, 1996, letter to the FBI.

Justice Department Personnel Protecting Drug Money Source Of Terrorist Cells

Justice Department personnel protecting the funding source for World Trade Center terrorists. Justice Department personnel blocked a multi-agency drug task force that was targeting the drug money funding sources for terrorist cells in the New Jersey-New York areas. In addition, Justice Department prosecutors falsely charged the head of that multi-agency task force with criminal violation of the civil rights of one of the suspected drug traffickers as part of this obstruction of justice. These Justice Department activities continued the funding source for the terrorists who bombed the World Trade Center in 1995, who initiated plans to place bombs on 11 U.S. airliners leaving Far East locations, and presumably helped fund the September 11, 2001, hijackings. These matters are described in the book, *Drugging*

America.

Justice Department Cover-up of Actual Terrorists In Pan Am Flight 103

Justice Department personnel protecting the terrorists who bombed Pan Am Flight 103. Justice Department personnel covered up for the terrorists who actually placed the bomb on board Pan Am Flight 103, which shifted attention from the country harboring the terrorists. Justice Department personnel fraudulently filed criminal charges against two people who reported the truth (former Mossad agent and former undercover agent for the U.S. Department of Defense). These matters are described in the third edition of *Defrauding America*.

Consequences of These Criminal

And Civil Rights Violations Extended To September 11!

The September 11 tragedies are only the latest consequence of the documented corruption in government and its cover-up by government personnel. The guilty include personnel within the FAA, the NTSB, Department of Transportation, Justice Department, federal judges, and members of Congress. Their roles are spelled out in detail in the third editions of *Unfriendly Skies* and *Defrauding America*, and *Drugging America*.

Multiple Adversaries

The American people have been victimized by the people and the culture briefly described in this letter. Nothing said here is to detract from the enormous crimes of the terrorist groups. However, it must be realized that none of the deaths and related harms would have occurred without the documented corruption of people in key government positions in the three branches of government. They must be publicly identified and removed from office in order to mount an effective defense against more terrorist attacks. The people leading this nation in this time of great crisis include many of the same people whose culture of corruption and cover-ups insured the success of the terrorist groups. Tragedies caused or made possible by their previous acts will surely result in more of the same.

Sincerely,

Rodney Stich

cc:

- Letter (October 20, 1995) sent to every member of the house and senate intelligence committees seeking help in preventing surface-to-air missiles about to be acquired by Afghan terrorists.
(www.defraudingamerica.com/missiles_specter_oct20.html)
- Letter (July 30, 1996) sent to FBI agent making a record of threats for me to remain quiet about these matters.
(www.defraudingamerica.com/fbidaley_july30.html)
- Letter (October 2, 2001) sent to Attorney General Ashcroft listing some of these corrupt acts that enabled the success of the September 11 hijackers.
(www.defraudingamerica.com/ashcroft_letter_wtc.html)

Mueller's History of Cover-ups

Mueller was the U.S. Attorney in San Francisco where I reported to him in 1997 areas of documented criminal activities in the bankruptcy courts, in the federal courts, and the actions by federal judges blocking the reporting of criminal activities which they must receive under the mandatory requirements of the federal crime reporting statute, Title 18 U.S.C. § 4, and their misuse of the courts to retaliate against me. The federal crimes that I sought to report were those that affected the conditions that insured the success of the 19 hijackers on September 11, 2001. Mueller had a duty to intervene in these federal offenses. Instead, he covered up for them, which was a crime under the same crime reporting statute.

The criminal activities, and his cover-up of them, assisted in making possible the continuation of the great harm upon national interests, including national security. On the basis of his obstruction of justice in these matters, it is natural to assume that he would continue the cover-ups in the ultra political office of U.S. Attorney general. If he had acted, or any of the other people that I notified had acted, actions could have been started that most probably would have prevented the successful terrorist acts on September 11, and very possibly have discouraged terrorists from plans for more attacks upon U.S. interests.

Other Areas of Cover-up by Mueller

Mueller was involved in the prosecutions related to the bombing of Pan Am flight 103 and surely knew of the false charges against the Libyans and knew the Syrian terrorists who actually placed the bomb on Pan Am under an Iranian contract in retaliation for U.S. forces shooting down an Iranian airliner that killed 290 people.

He was in the U.S. Attorney's office during the massive bankruptcy court corruption involving Justice Department trustees, judge-appointed trustees, and federal judges, and which continues to this date. These matters are detailed in the third and later editions of *Defrauding America* and *Unfriendly Skies*.

He was acting U.S. Attorney in Boston during the time that the Boston FBI office was protecting organized crime figures and murderers in the Winter Hill gang. He came to the U.S. Attorney's office in San Francisco in 1976 after leaving his lawyer role at the San Francisco law firm of Pillsbury Madison and Sutro, which is believed to have close ties to the CIA.

He was in the U.S. Attorney's office responsible for prosecuting people involved in the BCCI bank scandal that was more of a cover-up than prosecution. Charles Schumer, a U.S. representative from New York at that time, made a report claiming Justice Department personnel were refusing to pursue the case. Schumer stated "There is possibly a cover-up or conspiracy," saying the failure to pursue the criminal activities was because there were too many prominent politicians that had connections to BCCI.

The Manhattan District attorney, Robert Morgenthau, who conducted

his own investigation of BCCI, accused the Justice Department of failing to pursue the case and refusing to share material evidence to prosecute the guilty. BCCI was one of the world's largest banking scandals that caused people throughout the world to lose their life's savings. This is detailed in *Defrauding America*.

The death of 3,000 people made possible by the corruption that I had repeatedly reported provided the opportunity to put other people in government positions that had the responsibility to again act, on notice. A few of these letters are shown here.

Making Record of U.S. Attorney General Cover-up

Fully aware that none of those people whose prior cover-ups would now receive my evidence, I nevertheless wrote letters, some of them certified mailings, to make a record that they had been informed of my charges and my willingness to testify and provide supporting documentation. I sent several letters to Attorney General John Ashcroft prior to the events of 9/11 and letters thereafter. In response to a form letter I received from the attorney general's office I sent the following letter, solely to make a record, realizing that nothing would cause Ashcroft to allow my information to be made public.

From the desk of Rodney Stich

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Author of *Defrauding America*, *Drugging America*, *Unfriendly Skies*

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International Society of Air Safety Investigators Lawyers Pilots Bar Association

Former FAA air safety investigator Former airline captain and Navy pilot

www.defraudingamerica.com www.unfriendlyskies.com

www.druggingamerica.com www.ombudsmen.org

October 2, 2001

John Ashcroft

U.S. Attorney General

U.S. Department of Justice

950 Pennsylvania Avenue, N.W.

Washington, DC 20530 Certified mail: 7000 1670 0012 2751 8650

Reference: Response to your request for information related to September 11, 2001 terrorist activities

To Mr. Ashcroft:

As a former federal air safety inspector-investigator¹ for the Federal Aviation Administration and a confidant to many present and former federal agents, I have acquired a great amount of knowledge and evidence relating to the September 11

deadly hijackings and related matters. For the purpose of this letter, reference is to the terrorist threat and how a culture within certain federal agencies aided and abetted and insured the success of the hijackers on September 11, 2001, and future terrorist attacks.

For credibility, I am a former federal inspector-investigator for the Federal Aviation Administration; a former airline pilot with significant piloting experience in the Middle East, carrying Muslim and Arab passengers to Mecca and Medina from various parts of the Middle East; years of contacts with federal agents who conveyed considerable information to me—including agents of the FBI, DEA, Customs, and CIA, including former heads of secret CIA airlines and CIA financial operations who had information relating to terrorists.

The success of the hijackers on September 11th, and many prior fatal hijackings, would not have occurred if the corruption that I documented did not exist. These conditions still exist and will undoubtedly play a key role in future terrorist attacks and other adverse actions against the people of the United States. This letter provides highlights of this misconduct and makes a record that you and your office have been informed of these matters.

In an attempt to reveal these matters to the public and to circumvent the history of cover-ups by Justice Department personnel, I authored several books seeking to inform the public of these matters, including the matters that insured the success of the September 11, 2001, hijackers. These books include the third editions of *Unfriendly Skies* and *Defrauding America* and the first edition of *Drugging America*. The following information highlights several of these matters that I and my group of present and former federal agents discovered and documented.

History of Corruption In FAA That Insured the Success Of the Hijackers

While I was an FAA air safety inspector-investigator, holding federal air safety responsibilities for the most senior program at United Airlines, during a period of numerous airline crashes, I documented a pattern of misfeasance, malfeasance, non-feasance, and corruption within the Federal Aviation Administration.

Among the areas of FAA misconduct were pressure and threats against federal air safety inspectors not to report or act upon major air safety and even criminal activities, despite the repeated occurrence of fatal airline crashes due to these problems; refusal to act upon reports requiring changes to prevent hijackings that I and other federal air safety inspectors made, and many other areas of major air safety violations for which the FAA had a legal duty to take corrective action. Compounding this misconduct, inspectors making these reports were harassed and threatened, their official reports destroyed, and their lives and careers adversely affected.

This is the deadly culture that resulted in many fatal airline crashes, including the prior airline crash into New York City, by United Airlines, that was the world's worst air disaster at that time. The cover-up of the corruption within the FAA made possible the continuation of the federal offenses and the associated fatalities. The September 11, 2001, tragedies with over 3,000 deaths were simply another consequence of the internal FAA problems and the cover-up of these problems by Justice Department personnel.

I documented these FAA offenses while I was an FAA inspector, and proved their relationship to several specific airline crashes, which included the earlier United Airlines crash into New York City. The hard-core corrupt and criminal misconduct within the FAA, going into the FAA administrator's office, can be associ-

ated with years of specific airline crashes, and constitutes substantial evidence showing how it insured the success of the September 11, 2001, air tragedies. Throughout this period of fraud-related air tragedies, Justice Department personnel repeatedly blocked efforts to expose these serious federal offenses, thereby aiding and abetting the FAA misconduct, which in turn insured the success of the hijacking terrorists. The available evidence supports this relationship. And now, the same Justice Department is covering up for the wrongdoings that in this latest instance took the lives of 6,000 people!

Highlights of FAA Corruption Making Possible Major Air Disasters

In my role as a federal air safety inspector, assisted by many years of experience as an airline captain, navy flight instructor, and navy patrol plane commander in World War II, I made numerous reports and the required corrective actions addressing air safety and criminal violations affecting air safety. Many of these reports required prompt corrective actions for which the FAA had responsibility to act. In almost every case, the reports that I and other inspectors made were ignored, despite the pattern of resulting fatal airline crashes.

Nonfeasance Compounded by Tragedy-Related Criminal Misconduct

The reaction to these official reports included (1) warnings not to submit such reports as the office would look bad when airline accidents resulted from the problems; (2) felony destruction of the official reports which were often followed by resulting fatal airline crashes; (3) threats, harassment, and retaliatory actions against federal air safety inspectors when the officially required reports continued to be made.

One of my recommendations related to hijackings and how to prevent them. I had recommended installing heavier cockpit doors and removing cockpit door keys from the flight attendants, which would prevent many of the fatal hijackings that subsequently occurred, including the September 11, 2001, hijackings

If these simple measures had been adopted, as common sense dictated, and as FAA responsibility required, many fatal hijackings would have been prevented, including the 6,000 deaths on September 11, 2001, and the enormous financial and personal ramifications of the United States in a war mode would not have occurred.

Refusal to act on this obvious safety problem did not fall into the category of corruption as in many other air safety problems, but it was associated with the felonious pattern of destroying inspectors' reports, pressuring and threatening inspectors not to report safety problems, retaliating against inspectors for making such reports or taking required corrective actions.

This corrupt culture in the FAA subverted the legal and moral responsibilities of the United States government to act on safety problems and safety violations discovered by highly trained and highly experienced federal air safety inspectors. Compounding this corrupt culture among many FAA management personnel was the documented cover-up by personnel in the U.S. Department of Justice, within the NTSB, by members of Congress, and others.

Exercising Federal Remedies to Report Corruption in A Federal Agency

As a federal air safety inspector and investigator who discovered these major federal offenses and the tragic consequences as a part of my official duties, I exercised several remedies seeking to bring a halt to the corruption and related airline crashes. If the widespread obstruction of justice and cover-up had not occurred, the September 11, 2001, tragedies would not have occurred. The evidence of these matters is found in government records, in judicial records, and communication with

government and non-government checks and balances, none of whom want this information made available to the public.

The actions I took, which started initially in addressing the corruption blocking the federal government from meeting its air safety responsibilities, included the following:

- I acted as an independent prosecutor, conducting a four-month-long FAA hearing during which I obtained testimony and considerable evidence showing this culture of malfeasance, misfeasance, nonfeasance, corruption, and during the hearing, perjury and subornation of perjury. Two fatal crashes occurred in my area of responsibilities during that hearing that were caused by the very same air safety problems and criminal activities that I documented. Transcripts and documentation is available to show this relationship.
- I reported these federal offenses to the National Transportation Safety Board (Bureau of air safety in the CAB at that time), to the FBI, to several U.S. Attorneys, and then to the Department of Justice in Washington. Possibly because of the gravity of the criminal activities and the direct relationship to many fatal airline crashes, the response was a cover-up and obstruction of justice.
- This response made possible the continuation of the air safety and criminal violations, and as expected, a continuation of the resulting crashes and deaths. (These matters are detailed and documented in the third edition of *Unfriendly Skies*.)
- Seeking to circumvent the obstruction of justice, I appeared before a federal grand jury in Denver. Although individual jurors admitted the gravity of what I was stating, the blockage by the U.S. Attorney kept the jury from taking any action.
- As a federal agent, I filed formal complaints with FBI director J. Edgar Hoover, and encountered a pattern of cover-ups and false statements.
- I reported these matters to members of Congress who had a duty to act. I received numerous sympathetic letters, but all of them refused to act. This is called misprision of felonies, which had dire consequences for the public.
- Refusing to be a part of the criminal activities in the FAA, I resigned from the FAA. As the air disasters continued to occur from the FAA culture, I exercised other federal remedies. I filed the first of several lawsuits² in Ninth Circuit federal courts seeking to report the criminal activities to a federal judge under the federal crime reporting statute³ and under a citizen's right⁴ to seek a court order forcing federal officials to perform their legal duties and to halt their unlawful conduct. District and appellate judges admitted the gravity of the allegations made in the lawsuit, but after U.S. Attorneys filed motions to block the lawsuits, they were dismissed. These dismissals were followed by even worse air disasters due to the same FAA culture.
- Seeking to circumvent the massive cover-ups and obstruction of justice, I used my considerable assets⁵ to make the public aware of this pattern of corruption by people in key government positions. I authored and published the first edition of *Unfriendly Skies*, (which is now in its third edition). I also started appearing as a guest and expert on hundreds of radio and television shows. These activities were funded by my real estate investments and threatened to expose people in key positions in the three branches of the federal government.

Discovering Other Areas of Corruption in Government

As my books and radio and television appearances became known, other government agents provided me information and documentation on still other areas of corruption⁶ in government that could be expected on the basis of the corruption that I discovered as a federal inspector.

The gravity of the additional information and documentation caused me to again exercise the responsibilities under the federal crime reporting statute (Title 18 U.S.C. § 4) to report these matters to federal judges, who had the mandatory responsibility to receive the information and evidence. Their reaction would eventually insure the success of the September 11, 2001, hijackers:

- Federal judges repeatedly refused to receive the data and evidence that I and my group of other former and present federal agents sought to report. These federal offenses included the documented corruption in the FAA and by people in other key government positions. These corrupt and criminal activities and the standard obstruction of justice offenses are described in three books: *Unfriendly Skies*, *Defrauding America*, and *Drugging America*.
- Federal judges issued unlawful and unconstitutional orders barring me, for the remainder of my life, from access to the district and appellate courts. These orders (1) blocked the reporting of these criminal activities, and (2) blocked me from defending against judicial acts that corruptly seized the \$10 million in real estate that funded my exposure of the criminal and corrupt activities. (Further information about the actions taken to block my exposure of the criminal activities and the involvement of federal judges can be found in a pending federal lawsuit at the Internet site: www.defraudingamerica.com/lawsuit_reno.html.)
- When I discovered other criminal activities from government agents⁷ and sought to report these matters, as required under the federal crime reporting statute, Justice Department prosecutors and federal judges charged me with criminal contempt of court (on the basis that I had been barred for the remainder of my life from federal court access). From 1986 to 1995, these two groups had me charged me with criminal contempt of court for attempting to report these criminal activities. This retaliation, for reporting matters that made the World Trade Center 1993 bombing and September 11, 2001, hijackings possible reflects the role of Justice Department personnel and federal judges in the corruption that made possible the death of 3,000 people on September 11, and made possible other crimes against the American people by persons acting under cover of government positions.

Justice Department Corruption Aided Funding of Terrorist Cells

Justice Department misconduct aided and abetted various terrorist cells located in the New Jersey and New York areas which were later implicated in the 1993 World Trade Center bombing and the September 11, 2001, hijackings. Details of these activities, as provided to me by government agents, are found in the book I wrote, *Drugging America*. The book describes how Justice Department personnel blocked federal agents from arresting people whose drug activities funded terrorist cells, some of which subsequently bombed the World Trade Center in 1993 and the cells who planned to place bombs on 11 U.S. airliners departing from Far East locations.

Evidence indicates that some of these same terrorist cells, protected by Justice Department personnel, were responsible for the September 11, 2001, hijackings. Further aid to the hijackers was the corrupt culture in the FAA that had been covered-up by Justice Department personnel for decades, as proven by my letters and judicial records.

In addition to blocking the drug-related funding of the terrorists, Justice Department personnel falsely charged, prosecuted, and brought about the imprisonment of the head of a federal drug task force who was targeting the drug activities that funded the terrorist cells. My attempt to report these activities under the federal crime reporting statute was blocked by federal judges and Justice Department personnel, who then retaliated against me for seeking to make these reports. (Details in my various books, and: www.defraudingamerica.com; www.unfriendlysies.com; and www.druggingamerica.com.)

FBI-CIA Personnel Making SAM Missiles Available to Afghan Terrorists

Another of the many areas of misconduct involving Justice Department personnel—which provided further aid to the terrorist groups—occurred in 1995. General Rashid Dostum, head of one of the groups constituting the Afghanistan Northern Alliance, who was fighting Osama bin Laden and fighting to keep the Taliban from taking control of Afghanistan, offered to provide the United States with several dozen surface-to-air missiles and possibly as many as 100. Negotiations arising out of this offer occurred in Los Angeles and involved CIA and FBI personnel, and a friend of mine who was at one time the titular head of a secret CIA financial operation based in Hawaii. It was also known that Afghan terrorists were bidding on these missiles, which could be expected to be used against U.S. airliners.

These contacts with a key fighting group in northern Afghanistan provided the United States an excellent opportunity to obtain their cooperation to fight the Afghan terrorists, including Osama bin Laden, and prevent the Taliban group from taking control of Afghanistan.

FBI and CIA personnel involved in the Los Angeles negotiations refused to accept the surface-to-air missiles and refused to cooperate with General Dostum. This CIA and FBI conduct caused my CIA source great concern for subsequent missile attacks upon U.S. airliners from surface to air missiles that would be obtained by Afghan terrorists, including the Osama bin Laden al Qaida group. My source then provided me with information and documentation concerning the negotiations, which I then used as the basis for a three-page letter sent to every member of the House and Senate intelligence committees. In this October 20, 1995, letter I urged the recipients to immediately contact me and my CIA source to prevent the surface to air missiles getting into the hands of the Afghan terrorists. That letter was sent about six months before the downing of TWA Flight 800. Not a single recipient responded, despite my background as a federal agent and my source's CIA background and part of the negotiations occurring in Los Angeles.

If that cooperation with General Dostum had not been refused, it is very possible that coordinated actions could have been taken against Osama bin Laden's al Qaida group and the Taliban. It is also probable that missile attacks upon U.S. airliners by Afghan and other terrorist groups that have yet to occur could have been prevented. It is also probable that a missile brought down TWA Flight 800, despite the standard cover-up by the NTSB political board members and the Justice Department and CIA.

Covering Up for Terrorists Who Planted the Bomb on Pan Am Flight 103

Another terrorist tragedy involving misconduct and cover-up. As detailed in the third edition of *Defrauding America*, Justice Department personnel covered up and protected the Syria-based terrorists who placed the bomb on board Pan Am Flight 103. This cover-up was motivated by two factors: (1) Syria's cooperation was

needed for the Gulf War; (2) the logistics for placing the bomb on Pan Am Flight 103 was facilitated by the CIA-DEA drug smuggling operation conducted out of the DEA office in Nicosia, using Pan Am aircraft departing Frankfurt for the United States (Detroit).

Much of the details and support for these matters are found in (1) FAA records, primarily of the hearing held in Denver where I acted as an independent prosecutor; (2) federal lawsuits filed in U.S. district courts; (3) letters sent to various divisions of the Department of Justice (including the July 30, 1996, letter sent to the FBI which is on the Internet site at

http://www.defraudingamerica.com/fbidaley_jul30.html).

That letter makes addresses one of many examples of FBI cover-ups that I first encountered as a federal air safety inspector, the cover-ups of which made possible subsequent air disasters. That letter relates to the acquisition of surface-to-air missiles by Afghan and other terrorist groups, the refusal to cooperate with the Afghan group fighting Osama bin Laden's terrorist group, fighting the Taliban group, and the FBI's threat against me, warning me to remain quiet about the information I had.

What is stated in this letter is only a small part of the documented corruption involving people in key government positions whose conduct had inflicted, or permitted to be inflicted, great harm upon Americans.

Withholding this information from the public keeps the same culture, the same people, the same adversaries, in the decision-making process as the United States seeks to prevent more terrorist activities! Withholding this information protects those whose corrupt acts played a key role in the 6,000 recent deaths and the incalculable financial and other harm inflicted upon the United States. The people perpetrating these acts that insured the success of the hijackers are also adversaries to America and its people. Protecting them subverts the process necessary by America to defend against the terrorist threat. Based upon the 40 years of documented Justice Department misconduct, the same cover-up can be expected to continue, which will insure further harm to the American people.

Sincerely,

Rodney Stich

ENDNOTES

1. Former federal air safety inspector who held federal air safety responsibilities for the most senior program at United Airlines; a former airline pilot with considerable international experience, including flying in the Middle East, flying Moslem pilgrims to Mecca, living with Arab and Moslem personnel; former Navy patrol plane commander in World War II, confidant to many insiders including former agents of the FBI, DEA, Customs, CIA, including former heads of secret CIA airlines and secret CIA financial operations, and author of several books, including three editions of *Unfriendly Skies* and *Defrauding America*, and one edition of *Drugging America* (with expanded editions pending).

2. *Stich v. United States*, et al., 554 F.2d 1070 (9th Cir.) (table), cert. denied, 434 U.S. 920 (1977)(addressed hard-core air safety misconduct, violations of federal air

safety laws, threats against government inspectors not to report safety violations and misconduct); *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.)(table), cert. denied, 459 U.S. 861 (1982))(addressed repeated criminal falsification of official airline accident reports, omitting highly sensitive air safety misconduct, making possible repeated crashes from the same sequestered problems); Amicus curiae brief filed on July 17, 1975, in the Paris DC-10 multi-district litigation, *Flanagan v. McDonnell Douglas Corporation and United States of America*, Civil Action 74-808-PH, MDL 172, Central District California.)(addressing the long standing FAA misconduct, of which the cover-up of the DC-10 cargo door problem was one of repeated instances of tragedy related misconduct); *U.S. v. Department of Justice*, District of Columbia, Nos. 86-2523, 87-2214, and other actions filed by Stich seeking to expose and correct the powerful and covert air disaster misconduct.

3. Title 18 U.S.C. § 4. Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

4. Title 28 U.S.C. § 1361. Action to compel an officer of the United States to perform his duty. The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff..

5. At that time my real estate holdings exceeded \$10 million in value, most of which was equity.

6. Years of drug smuggling into the United States by the CIA (and during the 1980s, Oliver North and the National Security Council, U.S. military), pattern of corruption in Ninth Circuit bankruptcy courts, and a series of other corrupt activities implicating people in key federal positions, as described in *Defrauding America*, *Drugging America*, and *Unfriendly Skies*.

7. These federal agents were from the FBI, DEA, Customs, CIA, including former heads of secret CIA airlines and secret CIA financial operations.

Ashcroft never responded to that letter, or the prior letter.

Mineta's History of Cover-ups

When Norman Mineta was a congressman from California on the aviation committee, with oversight responsibilities for the Federal Aviation Administration, I wrote to him several times about the deep-seated FAA misconduct and how that misconduct had resulted in a series of preventable air disasters and would continue to do so until a major investigation was conducted using former FAA insiders willing to talk. The crashes that I brought to his attention included the years of fatal hijackings for which federal air safety inspectors had reported preventative actions that were never taken.

Now that President Bush named him Secretary of the U.S. Department of Transportation with aviation safety responsibilities, I again wrote to him, and again he never answered my letters. This gives some idea of the bankrupt status of the many government divisions now responsible for the nation's aviation safety and national security. The May 25, 2002, letter to Mi-

neta follows:

From the desk of Rodney Stich

P.O. Box 5, Alamo, CA 94507; phone: 925-944-1930; FAX 925-295-1203

Author of *Defrauding America*, *Drugging America*, and *Unfriendly Skies*

Member

Association Former Intelligence Officers Association of National Security Alumni

Former FAA air safety investigator

Former airline captain and Navy pilot

www.defraudingamerica.com

www.unfriendlyskies.com

www.druggingamerica.com

www.ombudsmen.org

May 25, 2002

Norman Mineta, Secretary

U.S. Department Of Transportation

400 7th St, SW

Washington, DC 20590

Ref: Insider comments on conditions insuring the success of the 9/11 hijackers, 40 years of prior fatal hijackings, and other areas of expected successful terrorism

To Mr. Mineta:

In light of your years of cover-ups concerning the matters in the Federal Aviation Administration that constitute the secondary blame for the success of the four groups of hijackers on September 9, 2001, this letter is merely to make a record for others to see concerning the role that you played in the 3,000 deaths on 9/11 and the deaths that will surely follow the continuing cover-ups.

Several times, while you were a member of Congress, I described to you're the documented misconduct and corruption within the FAA responsible for years of air disasters, including years of fatal hijackings. Never once did your respond as you covered up for these tragedy-related federal offenses. The following contain some of the details of what I brought to your attention and which by being covered up insured the success of the 9/11 hijackers:

- As a former key federal air safety inspector, I repeatedly offered to provide evidence of gross incompetence, dereliction of duty, and corruption within the Federal Aviation Administration that played key roles in many air disasters, including aircraft hijackings, etc. This misconduct—and its cover-up, was the most important cause for the 3,000 deaths on September 11 after that of the hijackers themselves and those who funded their crimes.
- I offered to provide you and other members of the Senate (and House) intelligence committees with evidence supporting the detailed information about surface to air missiles about to be transferred to terrorist groups in 1995—about six months before a SAM missile brought down TWA Flight 800. Not a single one of you even responded to the three-page detailed letter written by a key federal air safety inspector and with the input from a former head of a secret CIA financial operation.
- I repeatedly described to you misconduct in the FBI and other government of-

lices that was subverting national security. Never was the information provided by me and several dozen other government agents received.

Because of the heavy involvement, duplicity or worse, by you and other members of the Senate and House, the public will never learn about the felony cover-ups that in one day alone—and these are only the most visible—made possible 3,000 deaths and massive collateral damage. Now I will go into more detail.

Unusual Background for Determining Corruption Relating to Success of Terrorists

Here is my credibility and my ability to make these statements. When I was a federal air safety inspector, I was requested by the government to take over and correct the program that was causing the worse series of air disasters in the nation's history. Prior to that time, I was an international airline pilot and during World War II I was the youngest Navy patrol plane commander during that war. I wrote books on the deadly politics of air safety, and I have acquired over the years several dozen sources in the FBI, DEA, Customs, and CIA, providing me with still other information relating to misconduct adversely affecting national security. I write about these matters in my books, *Unfriendly Skies*, *Defrauding America*, and *Drugging America*. I have appeared as guest and expert on over 3,000 radio and television shows since 1978.

Having said that, the following are highlights of the documented misconduct that insured the success of the 9/11 terrorist hijackers, 40 years of prior hijackings, and which will play key roles in future successful terrorist attacks:

- The documented hardcore misconduct within the FAA that had more to do with the success of the September 11 hijackers than any other intelligence shortcoming. To understand this area, you must have my documented evidence of deep-seated corruption within the FAA. I acted as an independent prosecutor in the FAA to bring into a four-month-long trial further evidence of this history of tragedy-related misconduct. I have the transcript and other records to show this culture, which is partly described in the third edition of *Unfriendly Skies*.
- The incompetent FAA administrator has said that the vague knowledge of impending terrorist attacks was not ample for the FAA to have taken actions to prevent the 9/11 hijackings. That is not so. The vague reports were sufficient to have ordered preventative measures that within 24 hours could have prevented the success of the four groups of terrorist hijackers.
- Pattern of hardcore documented corruption by the FBI that repeatedly aided and abetted terrorists, including for instance:
 - FBI filing false charges against a highly respected counter-terrorist expert who discovered suitcase nuclear devices and other nuclear material being smuggled from Russia through Lithuania and sold to Middle East terrorists. This typical Justice Department retaliation destroyed the opportunity to discover how the nuclear devices were being stolen and destroyed the opportunity to discover what terrorist groups had already acquired them and where they might be located. Remember this when the suitcase nuclear bomb or bombs devastate U.S. cities!
 - FBI filing false charges against the respected head of a government multi-agency drug task force that halted the group acting on the source of funds for the Jersey City terrorists who subsequently bombed the World Trade Center in 1993. If this group had not been halted, it is probable that the 1993 bombing of

the World Trade Center could have been blocked and the activities of the group that eventually hijacked the four airliners could have been halted.

- FBI and CIA conduct during 1995, in Los Angeles, refusing to accept three dozen Stinger missiles from Afghan General Dostum, which was then followed by transfer of an unknown quantity of these missiles to Middle East terrorists. TWA Flight 800 was shot down by a missile from an unknown source about six months later. These missiles may yet shoot down U.S. airliners. Warning letters to prevent the transfer of these missiles were sent to 25 members of the House and Senate intelligence committees and each of them covered up for the FBI and CIA questionable conduct.
- Involvement of federal judges in a scheme blocking the reporting of criminal activities that aided and abetted the terrorists. A 20-year documented period of FBI and federal judges blocking former government agents from reporting corruption in government that insured the success of the 9/11 terrorists and other tragedies affecting the American people. I tried to report the corruption within the FAA and the FBI to a federal court under the federal crime reporting statute, Title 18 U.S.C. § 4.¹ These reports must be received by federal judges as part of their administrative (not judicial decision making) duties. Instead of receiving these reports, federal judges acted in unison with a CIA-front law firm and Justice Department prosecutors, misusing the federal courts to halt the reporting of criminal activities affected national security that I and several dozen other government agents sought to report. The \$10 million in assets that funded my exposure activities were corruptly taken from me, orders were rendered permanently barring me access to the federal courts, I was charged with criminal contempt of court for seeking to make these reports, and much more. All of these documented acts were part of the pre-September 11 corruption that insured the success of the terrorists and will insure the success of future terrorism—further insured by the cover-up of this information.
- Many other forms of FBI misconduct that for many people constitutes a greater threat to them than the terrorists.
- Many warning letters sent to members of Congress, the FBI, and the White House, prior to September 11.
- March 1, 2001, letter to President Bush going into details of criminal activities in government “adversely affecting the internal security of the United States.” An April 9, 2001, certified letter to President Bush described the corruption within the FAA that was related to a series of airline crashes, including hijackings, the FBI misconduct that allowed “dozens of SAM missiles to be acquired by terrorist groups.”
- Why the prior tragedy-related endemic cover-ups made the 3,000 deaths possible and the expected continued cover-ups will continue the effect upon the people of the United States.
- The role of certain print and broadcast media in covering up for these crimes and many others, and how such cover-ups made the 3,000 deaths possible.
- And much more of the same that is not addressed in this letter, in the books, or the Internet sites.

More information can be found in the books I wrote and at various Internet sites, including www.unfriendlyskies.com and www.defraudingamerica.com.

There is much more to the corruption in our own government offices that con-

tinues to subvert national security. The continued self-serving cover-ups will insure the continuation and worsening harm upon the United States and its people. Continue your felony cover-ups and take credit for worse yet to come.

Sincerely,

Rodney Stich

ENDNOTES

1. Title 18 U.S.C. § 4. Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

Letter to Senator Dianne Feinstein:

From the desk of Rodney Stich

P.O. Box 5, Alamo, CA 94507; phone: 925-944-1930; FAX 925-295-1203

Author of Defrauding America, Drugging America, and Unfriendly Skies

Member

Association Former Intelligence Officers Association of National Security Alumni

International Society of Air Safety Investigators Lawyers Pilots Bar Association (LPBA)

Former FAA air safety investigator

Former airline captain and Navy pilot

www.defraudingamerica.com www.unfriendlyskies.com www.druggingamerica.com

www.ombudsmen.org

May 5, 2002

Senator Dianne Feinstein

Senate Hart Office Building

Washington, DC 20510 Certified: 7001 2510 0009 4181 9109

Ref: Matters adversely affecting national security in your area of responsibilities.

To Senator Feinstein:

The purpose of this letter is to put you on record, as I have done in the past, of criminal and subversive activities, as discovered by me and other former and present government agents. This letter particularly focuses on document corrupt and criminal activities in Ninth Circuit courts that have repeatedly blocked us from reporting these crimes to a federal court as required to be reported by the federal

crime reporting statute, Title 18 U.S.C. § 4.¹

Among the consequences of this judicial obstruction of justice was the continuation of deep-seated corruption within the Federal aviation Administration that had as one of its many collateral effects the refusal to order preventative measures reported by inspectors that would have prevented the 3,000 deaths occurring on September 11, 2001, and forty years of prior fatal hijackings.

Let me describe my government background and credibility before I proceed further.

- I am a former federal air safety inspector who was given the assignment to correct the most crash-plagued airline program that ever existed in the United States. This experience permitted me to discover the corrupt conditions that made possible many airline crashes, and which played a role in the success of the September 11 hijackers.
- Prior to my activities as an FAA inspector I was an international airline captain and prior to that I was a Navy patrol plane commander in World War II.
- I have written numerous highly detailed books on the subject of corruption in the three branches of government and have appeared as guest and expert on over 3,000 radio and television shows since 1978.
- I have become a confidant to several dozen other government agents² who have disclosed to me over the years considerable data and evidence of corruption in other areas of government. I have documented the relationship between these criminal activities—and their cover-ups—and the tragedies inflicted upon the American people.

The criminal activities³ that we insiders discovered include numerous areas affecting major national interests. But this letter focuses primarily on the criminal cover-ups in Ninth Circuit courts that have blocked reporting these crimes and played a key role in their continuation, the obstruction of justice, and the consequences, including those occurring on September 11, 2001. This judicial is partly described in the books, *Unfriendly Skies*, *Defrauding America*, and *Drugging America*, and on various Internet sites, including: www.defraudingamerica.com, and in the following sample highlights:

- Pattern of blocking the reporting of criminal activities by Ninth Circuit federal judges, refusing to receive from former and present government agents, reports of federal crimes to a federal court as required by the federal crime reporting statute.
- Compounding the felony obstruction of justice with unlawful and unconstitutional injunctions permanently terminating my legal and constitutional rights to the federal district and appellate courts. These unlawful injunctive orders have permanently terminated the legal rights, legal protections, and legal defenses guaranteed by the laws and constitution of the United States.
- Charging me with criminal contempt of court when I sought to report these crimes to a federal court under the federal crime reporting statute. When I attempted to report these criminal activities—including the ones that played a key role in the September 11 terrorism, federal judges charged me with criminal contempt of court, denied me a jury trial, and sentenced me to six months in federal prison. It is a federal crime to harm a former federal agent or witness for seeking to report federal crimes. I was 69 at that time and had recently undergone open-heart surgery for six coronary bypasses.

- While I was in prison on the sham criminal contempt of court charge, a federal judge signed orders seizing my \$10 million in assets—that funded my exposure activities, violating the legal and constitutional right to a hearing, notice of hearing, and legal cause. These due process violations were then followed by orders barring me from filing objections to the seizure and liquidation of these assets. When I did file an objection, the objection was unfiled and I was charged with criminal contempt of court for exercising the legal and constitutional right to defend against the taking of my home and my life assets. To insure the “success” in blocking my exposure activities, I was converted from a multi-millionaire to a state of poverty, and stripped of my sole means of income. At the age of 79, the misuse of the courts against me continues, apparently until I die.
- Evidence of the willingness to destroy the rule of law, when it is in the interest of felony cover-ups of major crimes against the United States, is seen by the sequence of orders by Ninth circuit district and appellate judges permanently terminating my legal rights, legal protections, and legal defenses, through orders permanently barring me from filing papers in the district courts and barring me from filing appeal briefs. These civil rights violations are only the start of a long list that shows Ninth Circuit judges involved in major crimes against the United States. If they will do this to one person for 20 years, they will obviously do this to others who threaten to expose these subversive activities.
- These are only a fragment of the gross criminal obstruction of justice activities that meets the legal definition for a court system to be a legally recognized racketeering enterprise.

Further Details of Misconduct At Internet Locations and In Books

- www.defraudingamerica.com (Details a broad pattern of crimes against the United States and their cover-ups, as discovered by a group of government agents.)
- www.unfriendlyskies.com (Details how deeply entrenched corruption within the FAA caused the conditions to exist that insured the success of the September 11 hijackers, many prior hijackings, and many prior preventable air disasters).
- Placing the name, “Rodney Stich” in a google search engine. (www.google.com) for over 3,000 links to various segments of the corruption and its felony cover-ups by people in key positions in the three branches of the federal government.
- Third edition of *Defrauding America*, which contains details and documentation of criminal and subversive activities against the United States which I and my group of other former and present government agents had discovered.
- Third edition of *Unfriendly Skies*, which contains details and documentation of corruption within the government air safety agencies and the felony cover-ups by virtually every government check and balance, and particularly Ninth Circuit district and appellate judges.
- *Drugging America*, which details and documents the arrogant and corrupt war on drugs, the drug smuggling and cover up of these crimes by people in government, while they simultaneously inflict great harm upon the American people on the pretense of fighting drugs.

- Draconian Adverse Effects Of the Corruption, Its Judicial Cover-ups, and the Cover-ups By People Made Aware Of These Trojan Horse-Like Crimes Against America
- Numerous prior air disasters and deaths, including 40 years of fatal hijackings, and the 3,000 deaths on September 11, 2001.
- Continuation of the crashes and deaths, and successful terrorist acts on aviation due to the deeply embedded corruption in government.
- Continuation of terrorism in other areas that is made possible by the widespread corruption discovered by government insiders made possible by pattern of cover-ups.
- Continuation of tragedies upon the American people and fraud upon the United States from the many other areas of corruption involving government personnel, including the effects of drug smuggling by people in the CIA and other government entities.
- Continuation of the bankruptcy corruption in Ninth Circuit courts that impoverishes great numbers of people every year.
- Continuation of great harm upon government institutions and especially the federal courts.

For your information, I have records of years of total cover-ups by members of Congress of criminal and subversive activities, and the consequences of such crimes and the cover-ups. Sooner or later a sizeable segment of the public may get wise and have the courage to act on this information. Is your reaction now, after 3,000 deaths, going to be a continuation of prior cover-ups? And these deaths are only a fraction of the consequential harm inflicted upon the people.

Finally, this letter, which is on a heavily trafficked Internet site, makes you aware of these crimes, and is a request to provide me with relief against the criminal misuse of the federal courts in your area of immediate responsibility. It is a disgrace when a private citizen, my age, has to endure this David versus Goliath battle seeking to protect U.S. interests, while you and other “leaders” engage in cowardly and felonious cover-ups!

Sincerely,

Rodney Stich

ENDNOTES

1, Title 18 U.S.C. § 4. Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

2. These agents are from the FBI, DEA, Customs, Secret Service, INS, and the CIA, including former heads of secret CIA airlines and CIA financial operations, that participated in drug smuggling and various forms of financial fraud.

3. Criminal activities discovered by government insiders include corruption within the FAA and NTSB, drug smuggling by elements of the CIA and other gov-

ernment personnel, massive fraud in the Ninth Circuit bankruptcy courts, financial fraud involving the CIA, and a string of other corrupt activities against the United States by government insiders, and the felony cover-up of these federal crimes by other government personnel.

I notified President Bush of the ongoing problems, including a certified letter dated May 17, 2002.

From the desk of Rodney Stich

P.O. Box 5, Alamo, CA 94507; phone: 925-944-1930; FAX 925-295-1203

Author of *Defrauding America, Drugging America, & Unfriendly Skies*

Member

Association Former Intelligence Officers Association of National Security Alumni

International Society of Air Safety Investigators Lawyers Pilots Bar Association (LPBA)

Former FAA air safety investigator Former airline captain and Navy pilot

www.defraudingamerica.com www.unfriendlyskies.com www.druggingamerica.com

www.ombudsmen.org

May 17, 2002

President George Bush

The White House

1600 Pennsylvania Avenue,

Washington, DC 20500 Certified: 7001 2510 0009 4181 7570

Ref: Pre-September 11 and Post-September 11 notice to you of corruption that insured the success of the September 11 terrorist groups and will insure the success of future terrorists.

To President Bush:

On March 1, 2001, and again on April 7, 2001, I sent to you letters reporting the corruption in government offices that were inflicting great harm upon national interests, including national security. If you or a member of your staff had shown any interest in the strong statements made in those letters it is highly probable that action could have been taken to have blocked four groups of hijackers from seizing four airliners. My background certainly provided the basis for checking further with me.

I am a former federal air safety inspector who was assigned the responsibility to correct the conditions resulting in the worst series of fatal airline crashes in the nation's history. Prior to that I was an international airline captain, and during World War II, a Navy patrol plane commander. (George Bush senior and I received our Navy wings at the same time; he in Corpus Christi and me in Pensacola.) While I was a federal air safety inspector I discovered and documented evidence of this corruption related to a series of airline crashes, one of which was the world's worst at that time, a DC-8 that crashed into Brooklyn, about one mile from where the World Trade Center was later built.

Corruption-Related Deaths In My Area Of Air Safety Responsibilities

I acted as an independent prosecutor while employed by the FAA, and during a four-month hearing I brought testimony and additional evidence into the record to

show the relationship between several major air disasters¹ and the deep-seated misconduct at all levels of the federal air safety agency.

I have written books² to inform the public of serious misconduct in government that caused or made possible numerous airline crashes. As I received information and documentation on other areas of corrupt and criminal activities from an increasing number of former and present government agents,³ I wrote books about these matters also, which also adversely affect national security.

After the terrorists, FAA Corruption Was Second in Line For the 3,000 Deaths

The September 11 deaths were simply *another* déjà vu of the consequences from the reported and documented corruption in the FAA, following forty years of prior fatal hijackings and other aviation tragedies that would not have happened if the government's air safety responsibilities had not been blocked by misconduct within the FAA. Much of the corruption is highlighted in my third edition of *Unfriendly Skies*, which I wrote in an attempt to circumvent the endemic cover-ups and to inform and motivate the public concerning these matters. This is the same misconduct that insured the success of the 9/11 terrorists and will continue to subvert the government's air safety responsibilities. However, the corruption that I documented in other areas of government also play major roles in success of terrorism.

Third In Line

Third in line to the cause for the 3,000 deaths are those in government who misused government offices continuously for 20 years to halt my exposure activities. Included in this group would be Justice Department personnel and federal judges. The details are in the third editions of *Unfriendly Skies* and *Defrauding America*, and at www.defraudingamerica.com/legal_index.html and other Internet sites. Because of this corruption, there will be more successful terrorist attacks on the United States.

Corrupt Government Personnel Have Inflicted More Harm Upon Americans Than Terrorists

Unfortunately the actual state of corruption in the three branches of government does not support your infamous statement, "terrorists hate us because we are so good." The truth is, corruption in government has become endemic, and has inflicted more harm upon the American people than have the terrorists.

Besides what I endured for trying to carry out my air safety responsibilities, look at a few other examples that continue to insure the success of terrorism:

- Justice Department personnel retaliating against the head of a multi-agency drug task force targeting the drug funding operations of Jersey City terrorists. By falsely charging the head of the multi-agency drug task force with criminally violating the civil rights of a suspected drug trafficker, the entire operation was shut down. The following year, in 1993, Jersey City terrorists, who received funds from the drug operation, bombed the World Trade Center.
- Justice Department personnel retaliating against a counter terrorism expert who discovered suitcase nuclear bombs being smuggled from Russia through Lithuania and sold to terrorists in the Middle East. The retaliation blocked discovery of how the nuclear devices were being removed from Russian arsenals, prevented discovery of the terrorist groups that had already received the suitcase nuclear devices, and prevented measures to halt the transfer of nuclear devices and nuclear material to terrorist groups.
- Justice Department and CIA personnel who refused in 1995 to accept the offer of three dozen to 100 Stinger missiles that were offered by Afghani General

Rashid Dostum. These negotiations were occurring in Los Angeles, and included a friend and former head of a secret CIA operation based in Honolulu. The refusal of these surface-to-air missiles resulted in Middle East terrorists acquiring an unknown quantity of them to use against U.S. aircraft. My letters to members of Congress concerning this matter can be found at the following Internet site:

www.defraudingamerica.com/missiles_specter_oct20.doc (or html).

- Justice Department retaliation against a contract agent for the Defense Intelligence Agency when he prepared a declaration describing what he discovered about a CIA-DEA drug operation using Pan Am aircraft out of Frankfurt, Germany, that facilitated the placement of the bomb on Board Pan Am Flight 103.
- Justice Department retaliation against a former Mossad operative, who operated an international security company, and who prepared a report on how the bomb was placed on Pan Am Flight 103.
- Justice Department retaliation against a covert CIA operative who testified in federal court about the personnel involved in the operation known as October Surprise—which involved U.S. personnel paying bribes to Iranian terrorists to delay the release of the 52 American hostages held in Iran.
- Justice Department retaliation against me to halt my exposure of criminal activities that were inflicting great harm upon national interests, including national security.

Information Before September 11 Was Ample To Order Overnight Protection Against Successful Takeover Of Aircraft By Hijackers

You and your spokespersons state that the information was too vague prior to September 11 to have taken preventative actions. That is not correct; it may have been too vague for some of the incompetents in key government positions, but it was not too vague for competent people to have taken quick corrective actions to prevent hijackers from taking control of an aircraft.

The information that I have acquired, initially as a federal air safety inspector and then over the years from my dozens of government agents, would have been a major block to the success of terrorist acts against the United States and its people. Large numbers of people in government misused their government positions to silence me and my government sources. To really this obstruction of justice through misuse of the FBI and the federal courts, have someone examine the Internet site: www.defraudingamerica.com.

Additional Comments On Deep-Seated Corruption Within the FAA

The deep-seated misconduct within the FAA, which continues to this day, included:

- Warnings to federal air safety inspectors not to make reports of air safety problems and air safety violations
- Destruction of reports of major air safety problems, including hijackings.
- Retaliation against inspectors who continued to make reports.
- Retaliation against inspectors who exercised their responsibilities to take corrective actions.
- Massive fraud during a four-month-long hearing during which I acted as independent prosecutor, and much more.
- Felony cover-ups of the internal FAA corruption by the NTSB board members,

which I documented while a federal air safety inspector, and is described in my books.

- Cover-ups by the FBI and U.S. Attorneys, when I brought these criminal activities to their attention while I was a federal air safety inspector.
- FAA harassment against the two federal air safety inspectors who had earlier reported the criminal activities at United Airlines that resulted in a continuing series of fatal airline crashes, one of which was the world's worst at that time.
- Justice Department prosecutors blocking my presentation of FAA corruption to a federal grand jury in Denver, which I was a federal air safety inspector.
- Justice Department preventing my presenting information and documentation to a federal court under the federal crime reporting statute (Title 18 U.S.C. § 4).

I made reports years ago on how the fatal hijackings could be easily and inexpensively prevented, but the internal FAA problems prevented these preventative measures from being taken that could have prevented years of fatal hijackings. The collateral effects of the corruption and other problem areas caused the safety problems to continue, along with the deadly consequences.

Other Areas Of Misconduct Insuring the Success Of Past and Future Terrorism

The following misconduct continues to aid and abet the success of terrorists, and is based upon information I personally discovered or evidence provided to me by my many government sources:

- Justice Department personnel retaliating against the head of a multi-agency drug task force targeting the drug funding operations of Jersey City terrorists. By falsely charging the head of the multi-agency drug task force with criminally violating the civil rights of a suspected drug trafficker, the entire operation was shut down. The following year, in 1993, Jersey City terrorists, who received funds from the drug operation, bombed the World Trade Center.
- Justice Department personnel retaliating against a counter terrorist expert who discovered suitcase nuclear bombs being smuggled from Russia through Lithuania and sold to terrorists in the Middle East. The retaliation blocked discovery of how the nuclear devices were being removed from Russian arsenals, prevented discovery of the terrorist groups that had already received the suitcase nuclear devices, and prevented measures to halt the transfer of nuclear devices and nuclear material to terrorist groups.
- Justice Department and CIA personnel who refused in 1995 to accept the offer of three dozen to 100 Stinger missiles that were offered by Afghani General Rashid Dostum. These negotiations were occurring in Los Angeles, and included a friend and former head of a secret CIA operation based in Honolulu. The refusal of these surface-to-air missiles resulted in Middle East terrorists acquiring an unknown quantity of them to use against U.S. aircraft. My letters to members of Congress concerning this matter can be found at the following Internet site: www.defraudingamerica.com/missiles_specter_oct20.doc.
- Justice Department retaliation against a contract agent for the Defense Intelligence Agency when he prepared a declaration describing what he discovered about a CIA-DEA drug operation using Pan Am aircraft out of Frankfurt, Germany, that facilitated the placement of the bomb on Board Pan Am Flight 103.
- Justice Department retaliation against a former Mossad operator, who operated an international security company, and who prepared a report on how the bomb

was placed on Pan Am Flight 103.

- Justice Department retaliation against a covert CIA operative who testified in federal court about the personnel involved in the operation known as October Surprise—which involved U.S. personnel paying bribes to Iranian terrorists to delay the release of the 52 American hostages held in Iran.
- Justice Department retaliation against me to halt my exposure of criminal activities that were inflicting great harm upon national interests, including national security.

Obstruction of Justice by Justice Department and Federal Judges

The federal crime reporting statute, Title 18 U.S.C. § 4⁴ requires that anyone knowing of a federal crime must promptly report it to a federal judge, or other federal officer. If they fail to do so, they become guilty of misprision of felony. I exercised this requirement to report the criminal activities adversely affecting national security to a federal judge, who must receive this evidence as part of his or her administrative duties.

My first attempts⁵ in the late 1970s and early 1980s were to report the crash-related FAA corruption and then to report felony cover-ups by the NTSB board members. Federal judges refused to receive the information after Justice Department personnel filed motions to block the reports. This Justice Department and judicial obstruction of justice resulted in a continuation of the corruption within the FAA, which, as expected, was followed by more fatal air disasters caused or made possible by the deep-seated culture within the FAA.

Commencing in 1986, as an increasing number of other former and present government agents provided me inside information and documentation on other areas of criminal and even subversive activities⁶ I again sought to report these criminal activities to a federal judge. Again, federal judges, assisted by Justice Department prosecutors, blocked these reports and then criminally enlarged upon their obstruction of justice:

- Federal judges issued unlawful and unconstitutional orders permanently barring me from access to the federal courts, which exist to this day. This is an unheard of violation of due process.
- When I discovered other criminal activities inflicting even greater harm to national security, I again sought to report these activities and present evidence to a federal court at San Francisco and Sacramento, California.
- Again, federal judges refused to receive the evidence. With the assistance of Justice Department prosecutors, they charged me with criminal contempt of court, seeking support in the orders permanently terminating my legal and constitutional right to federal court access. Federal judges denied me a jury trial, held that I was guilty of criminal contempt of court, and at the age of 69, shortly after I had open-heart surgery, federal judges and Justice Department personnel sent me to federal prison for six months, where I spent eight weeks in solitary confinement.
- Simultaneously, federal judges issued orders seizing and liquidating my home, my sole source of income, and property worth over \$10 million. These orders were rendered without the legal and constitutional due process right of a hearing, notice of hearing, and legally required cause. And then other orders were rendered barring me from filing objections to the seizure and liquidation of my life assets. When I did exercise my legal and constitutional right to object, the

filing was unfiled, and I was again charged with criminal contempt of court. I was denied a jury trial, denied my own funds to hire legal counsel, denied legal counsel, held guilty, and sentenced to federal prison.

Obstruction Of Justice Aiding and Abetting Terrorism and Other Crimes

The criminal activities that I and my group of other government agents had discovered were expanded by the felony cover-ups of everyone who was made aware of these crimes. I had reported the deep-seated corruption within the FAA years ago, which were repeatedly followed by cover-ups. Other examples: I sent warning letters to every member of the House and Senate intelligence committees about six months before the downing of TWA Flight 800, warning of surface-to-air missile attacks on commercial aircraft. These letters were based upon information and documentation received from one of my CIA sources. Despite the urgent need to contact me and my CIA source to halt the acquisition of these surface-to-air missiles, not a single congressional recipient responded. Several months later, a surface to air missile brought down TWA Flight 800, which was followed by continuation of NTSB cover-ups that I had documented while a federal air safety inspector and as described in *Unfriendly Skies*.

Warning letters were sent to members of Congress offering to provide testimony and evidence from me and my government sources about CIA drug smuggling into the United States. These sources included government insiders who either flew the drugs, or discovered the drug trafficking as part of their official duties. Not a single response, despite the enormous effect upon national security and the lives and the deaths resulting from these criminal activities.

Conditions Insuring the Success Of the September 11 Hijackers Are Deeply Embedded In the Corrupt Culture Within Government

Obviously, the continuation of these corrupt activities and endemic cover-ups played a key role in the success of the September 11 terrorist attacks and will play a key role in the success of future terrorist attacks—plus continue the tragedies arising from the other corruption that I sought to report. I have ample documentation to support what is stated in this letter.

- The expected continuation of the prior cover-up will insure the continuation of the corruption and the tragedies, just as happened following the years of prior déjà vu warnings that I provided to members of Congress and to federal judges. This letter can be found at various Internet sites, including www.defraudingamerica.com.
- Many more people in key government positions are criminally implicated in these matters, being one reason why no government check and balance will address the crimes against the United States.
- There is much more to this pattern of deep-seated misconduct within government offices that played key roles in the success of the September 11 terrorists. Further information can be found in the books that I have written; at the Internet sites; at the 3000 locations listed by putting “Rodney Stich” in a google search engine, and by contacting me.

This letter can be found on various Internet sites.

Sincerely,

Rodney Stich

ENDNOTES

1. One of these was the world's worst air disaster at that time, occurring in my area of federal air safety responsibilities, which occurred as a United Airlines DC-8 crashed into Brooklyn, about one mile from where the World Trade Center was later built. Major corruption was responsible for that crash, and similar FAA corruption was responsible for the conditions that insured the success of the 9/11 terrorist hijackers.

2. Latest books are the third editions of *Unfriendly Skies* and *Defrauding America* and the first edition of *Drugging America*, with updates coming shortly.

3. Agents providing evidence were from the FBI, DEA, Customs, Secret Service and CIA.

4. Title 18 U.S.C. § 4. Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

5. *Stich v. United States, et al.*, 554 F.2d 1070 (9th Cir.) (table), *cert. denied*, 434 U.S. 920 (1977)(addressed hard-core air safety misconduct, violations of federal air safety laws, threats against government inspectors not to report safety violations and misconduct); *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.)(table), *cert. denied*, 459 U.S. 861 (1982))(addressed repeated criminal falsification of official airline accident reports, omitting highly sensitive air safety misconduct, making possible repeated crashes from the same sequestered problems); Amicus curiae brief filed on July 17, 1975, in the Paris DC-10 multi-district litigation, *Flanagan v. McDonnell Douglas Corporation and United States of America*, Civil Action 74-808-PH, MDL 172, Central District California.)(addressing the long standing FAA misconduct, of which the cover-up of the DC-10 cargo door problem was one of repeated instances of tragedy related misconduct); U.S. v. Department of Justice, District of Columbia, Nos. 86-2523, 87-2214, and other actions filed by Stich seeking to expose and correct the powerful and covert air disaster misconduct.

6. Many of these criminal activities are detailed in the books, *Unfriendly Skies*, *Defrauding America*, and *Drugging America*, and include such crimes as October Surprise; massive drug smuggling by the CIA and other government entities; judicial corruption in the bankruptcy courts and the involvement of the CIA; financial fraud by the CIA in banks, savings and loans, and other financial institutions; and the felony cover-up of these crimes.

No response.

Continuing to Put Supreme Court Justices on Notice

After the tragedies of September 11, made possible by, among many others, the corruption in the federal courts and the involvement of Supreme Court justices, I kept the Supreme Court justices aware of these matters.

They knew for years the deadly consequences of the misconduct and their cover-ups relating to the crimes, but after September 11, they could see the consequences were, as expected, of greater intensity. My January 2, 2002, letter was addressed to Justice Rehnquist but sent to each of the Supreme Court justices:

From the desk of Rodney Stich

P.O. Box 5, Alamo, CA 94507; phone: 925-944-1930; FAX 925-295-1203

Current books: *Defrauding America*; *Drugging America*, *Unfriendly Skies*

Member

Association Former Intelligence Officers

Association of National Security Alumni

Society of Air Safety Investigators

Lawyers Pilots Bar Association (LPBA)

Former FAA air safety investigator

Former airline captain and Navy pilot

www.defraudingamerica.com www.unfriendlyskies.com www.druggingamerica.com

January 2, 2002

William Rehnquist, Chief Justice

U.S. Supreme Court

1 First St, NE

Washington, DC 20543 Certified: 7099 3400 0010 8179 3262

Ref: Making a record of judicial misconduct related to September 11, 2001, terrorists attacks

To Justice Rehnquist:

The purpose of this letter is to make *another* record referring to the documented judicial misconduct that blocked the reporting of corrupt and criminal activities that insured the success of the four groups of terrorist hijackers on September 11, 2001.

Ever since I was a federal air safety inspector, I sought to report to federal courts the felonies that played key roles in a long series of fatal airline crashes. These reports were required to be made to a federal judge by the federal crime reporting statute, Title 18 U.S.C. § 4, and federal judges had a mandatory requirement under their administrative duties to receive such reports and related evidence.

Credibility and background: I am a former federal air safety inspector with a vast aviation background starting as a Navy pilot in World War II and airline captain for many years. I held federal responsibility for the most senior program at the world's largest airline while a continuing series of major air disasters occurred in my area of immediate air safety responsibilities.

During my federal air safety duties I discovered and documented corruption that played key roles in a series of fatal air disasters, one of which was an airliner crash into New York City that was the worlds worst at that time. The next aviation disaster affecting New York City, made possible by the same deeply engrained culture within the FAA, occurred on September 11, 2001. The continuing cover-up will continue the federal offenses and the consequences. A few highlights follow:

Endemic Crash-Related Corruption Within the FAA

A series of fatal airline crashes due to hard-core corruption¹ within the FAA.

The nature of these corrupt and criminal activities, which I have documented, was accompanied by a refusal to allow federal air safety inspectors to carry out their federal air safety responsibilities, and the refusal to order the simple corrective measures that would have prevented hijackers from taking control of the aircraft. The refusal to take these legally required corrective actions was a normal corollary to the hard-core corrupt and criminal activities that I documented.

Felony Cover-ups by NTSB

NTSB board members repeatedly covered up for the FAA misconduct when I and other federal inspectors reported these matters. These cover-ups by the politically appointed, board members were followed by falsification of official NTSB accident reports (due to omitting these facts which then changed the actual air safety problems and criminal violations related to the crashes).

Felony Cover-ups by Justice Department Lawyers

Lawyers in the various divisions of the U.S. Department of Justice continually covered up for these federal crimes, knowing that crashes and deaths would follow.

Felony Cover-ups by Members Of Congress

Felony cover-ups by members of Congress that had oversight responsibilities and responsibilities under federal criminal statutes. Records exist of the years of cover-ups by each of these members of Congress and other government personnel.

Felony Cover-ups by Large Numbers of Federal Judges

The widespread cover-ups and obstruction of justice caused me to exercise the responsibilities under the federal crime reporting statutes² to report the serious offenses to a federal court. Also, the rights provided by another seeking a judicial order forcing federal officials to perform a legal duty and halt their unlawful conduct.

Another requirement existed under Title 28 U.S.C. § 1361³ to provide a court forum to determine if a court order was required to order federal officials to comply with the law and to halt illegal conduct. I filed these actions⁴ against the FAA and NTSB in the 1980s.

Federal judges blocked every attempt to report these federal crimes, despite the mandatory requirement to receive such information and evidence. These judicial obstruction of justice acts were followed by a series of especially brutal air disasters that could have been prevented if the cover-up had not occurred. The judicial involvement now required continuation of the judicial obstruction of justice.

Obstructing Justice Relating to Other Criminal Activities

As I attempted to circumvent the endemic corruption and its cover-up by government checks and balances, and as my efforts became known, other government agents⁵ provided me with information and hard evidence revealing the existence of other criminal activities gravely affecting the security of the United States and the lives of its people. These criminal activities included, for instance:

- Drug smuggling into the United States by people acting under cover of their government positions. These were subversive and treasonous activities.
- Widespread corruption in the federal bankruptcy courts, especially the Ninth Circuit, involving federal judges, trustees, lawyers and law firms. I personally documented this corruption that continues to impoverish thousands of people.
- Other criminal activities described in federal filings in various U.S. district courts, including San Francisco and Sacramento.

Reporting Additional Criminal Activities Again Blocked by Federal Judges

Starting in 1986, I again attempted to report to a federal court these criminal activities, along with those directly involving aviation safety. I filed papers in the U.S. district courts at San Francisco and Sacramento seeking to report these matters. Federal judges⁶ again blocked the reporting of these criminal activities, which I brought to the attention of each of the Supreme Court Justices.

**Compounding Obstruction of Justice With Criminal Acts
Against Former Federal Agent and Witness**

Federal judges compounded their obstruction of justice by issuing unlawful and unconstitutional orders barring me, for the remainder of my life, from filing any papers in the federal courts. These orders still exist, and have blocked me and my many government sources from reporting the criminal activities that continue to subvert the security of the United States.

**Feloniously Misusing Federal Courts to Inflict Great Harm
Upon Former Federal Agent and Witness As Part of Cover-ups**

As I continued to discover and obtain supporting evidence of additional criminal activities. I exercised my responsibilities under the federal crime reporting statute to report these matters and provide evidence to a federal court. Federal judges and Justice Department prosecutors, the same group that had for years blocked the reporting of these crimes, retaliated by charging me with criminal contempt of court (on the basis that federal judges had permanently barred me from federal courts). Justice Anthony Kennedy was directly implicated in these acts while a judge in the Ninth Circuit court of appeals. Retaliating against a former federal agent and witness constitutes a federal crime⁷

Six Months in Prison for Attempting to Report Criminal Activities

Federal judges denied me a jury trial, and sentenced me to six months in federal prison. I appealed this sentence to the Ninth Circuit court of appeals and filed petitions for writ of certiorari with the U.S. Supreme Court. Each of the Justices upheld the *felony retaliation*, the *felony obstruction of justice*, and corrupt misuse of the federal courts. The six months in prison included eight weeks in solitary confinement. (I was nearing 70 years of age at that time and had recently undergone a six-bypass open-heart surgery.)

While in prison, federal judges unlawfully, unconstitutionally, and corruptly seized my \$10 million in real estate assets (that funded my exposure of these criminal activities) and liquidated everything I owned, including my home and my sole source of income. In this way my attempts to report the wide pattern of criminal activities and criminal cover-ups could be expected to cease.

Supreme Court Justices Aware of These Judicial Crimes

As shown in the federal filings made known to the Supreme Court, I notified the Justices of the U.S. Supreme Court of these crimes, the tragic consequences, and of worse yet to occur—which did occur on September 11, and which will continue to occur, made possible by the cover-ups, including the obstruction of justice by Supreme Court Justices.

Supreme Court Justices had a legal and moral responsibility to intervene. The legal responsibilities arise under the federal crime reporting statutes (including the responsibility to receive information and evidence of the criminal activities), and the Justices' supervisory responsibilities over the federal judges who not only obstructed justice, but feloniously retaliated against me for attempting to make such reports.

Instead of exercising this responsibility, Supreme Court Justices covered up,

which allowed an escalation of the criminal activities, an escalation of the tragedies, and adverse effect upon national security. As expected, great tragedies followed, including the success of the four groups of terrorists on September 11. There will be more as federal judges and others must now continue their cover-ups to protect themselves against their prior criminal misconduct.

Consequences of Judicial Obstruction of Justice and Retaliation

Among the many implications of these documented judicial acts are included the following:

- Insured the continuation of the deep-seated corruption in the Federal Aviation Administration and its oversight entities, and insured the continuation of the related tragedies, including the September 11, 2001, terrorist acts.
- Insured the continuation of drug smuggling into the United States by people holding government positions, aided and abetted by people in government checks and balance positions. This in turn insured the continuation of the murders, civil right violations, asset seizures, and other crimes generated by the drug smuggling. From 1986 through 1995, I was continually charged with criminal contempt of court for my exercise of responsibility to report criminal activities and for exercising rights and defenses guaranteed by the laws and Constitution of the United States.
- Insured the continuation of the judicial corruption in the bankruptcy courts.
- Insured the success of judicial destruction of civil and constitutional rights, which accompanied the judicial acts to block my reporting of the criminal activities.

Continuing Judicial Obstruction of Justice and Civil Rights Violations

The latest attempt to report these criminal activities and to halt the judicially inflicted civil rights violations upon me was my filing of a federal action in the U.S. district court at Reno, Nevada. Again, federal judges, including Ninth Circuit judges, blocked my reporting of criminal activities (including those that insured the success of the September 11 hijackers), and blocked my remedies against those who inflicted such great harm upon me.

Details of these criminal activities, including the specific obstruction of justice and retaliation by federal judges that I encountered the past 20 years, can be found in this lawsuit, in the books, *Unfriendly Skies*, *Defrauding America*, and *Drugging America*, and on the following Internet sites: www.unfriendlyskies.com and www.defraudingamerica.com.

The evidence that is available reveals an advanced form of criminality in government, including the federal courts, up to and including the justices of the Supreme court. Fortunately for the guilty, the broadcast and print media have been implicated through cover-ups.

Since your prior involvement in these federal offenses has caused and enabled to be inflicted such enormous harm upon the United States it will be necessary, as before, for you and the other justices to continue the cover-ups, with increasing harm to the United States. The only defense available to this misconduct and this harm is for a few members of the public to finally show some semblance of outrage and civic responsibility. Unfortunately for the country, this display of courage is highly questionable.

Sincerely,

Rodney Stich

Copies to: Justices Stephen Breyer; Ruth Ginsburg; Anthony Kennedy; Sandra Day O'Connor; Antonin Scalia; David Souter; John Stevens; Clarence Thomas.

ENDNOTES

1. The documented FAA corruption included threats against federal air safety inspectors not to report major air safety problems and violations, criminal falsification of forged air safety documents, retaliation against inspectors for continuing to make such reports or for attempting to take legally authorized and legally required corrective actions, perjury and fraud at FAA air safety hearings that were directly related to several immediate air disasters.

2. Title 18 U.S.C. § 4. Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

3. Title 28 U.S.C. § 1361. Action to compel an officer of the United States to perform his duty. The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.

4. *Stich v. United States*, et al., 554 F.2d 1070 (9th Cir.) (table), cert. denied, 434 U.S. 920 (1977)(addressed hard-core air safety misconduct, violations of federal air safety laws, threats against government inspectors not to report safety violations and misconduct); *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.)(table), cert. denied, 459 U.S. 861 (1982)(addressed repeated criminal falsification of official airline accident reports, omitting highly sensitive air safety misconduct, making possible repeated crashes from the same sequestered problems); Amicus curiae brief filed on July 17, 1975, in the Paris DC-10 multi-district litigation, *Flanagan v. McDonnell Douglas Corporation and United States of America*, Civil Action 74-808-PH, MDL 172, Central District California.(addressing the long standing FAA misconduct, of which the cover-up of the DC-10 cargo door problem was one of repeated instances of tragedy related misconduct); U.S. v. Department of Justice, District of Columbia, Nos. 86-2523, 87-2214, and other actions filed by Stich seeking to expose and correct the powerful and covert air disaster misconduct.

5. Several dozen former and present government agents provided me with information and documentation on criminal activities involving federal personnel. These agents included those from the FBI, DEA, Customs, CIA, including former heads of secret CIA airlines and CIA financial operations, who reported various forms of criminal activities against the United States.

6. Federal judges obstructing justice including Marilyn Patel, Milton Schwartz, Samuel Conti, David Levi, and others.

7. Title 18 U.S.C. §§ 35, 111, 153, 241, 242, 245(b)(1)(B), 246, 371, 1341, 1343, 1503, 1505, 1512, 1513(b), 1515(a).

8. Rodney Stich as plaintiff, civil action Nr. CV-N-00-0151-ECR-PHA

No response.

Years of Cover-ups by ACLU

For years, starting while I was a federal air safety inspector uncovering massive corruption in government related to a series of airline crashes, I contacted the ACLU for help. I contacted them when I discovered and documented, and was a victim, of massive civil and constitutional violations that were intimately intertwined with the judicial efforts to block my reporting of major criminal activities affecting national issues. Never once did they offer to help either me, or the subversion of the courts and the laws and Constitution of the United States. It had to be clear to them that these wrongful acts were resulting in deaths, in false arrests, and were undermining the security of the United States. One of my letters to the New York office of the ACLU follows:

From the desk of Rodney Stich

P.O. Box 5, Alamo, CA 94507; phone: 925-944-1930; FAX 925-295-1203

Defrauding America, Drugging America, Unfriendly Skies

Member

Association Former Intelligence Officers

Association of National Security Alumni

International Society of Air Safety Investigators

Lawyers Pilots Bar Association (LPBA)

Former FAA air safety investigator

Former airline captain and Navy pilot

www.defraudingamerica.com www.unfriendlyskies.com www.druggingamerica.com

May 25, 2002

Donna Lieberman, Director,
American Civil Liberties Union
125 Broad Street, 17th Floor
New York, NY 10004-2400

Ref: Making another record of ACLU's role in covering up for criminal and subversive crimes that insured the success of the September 11, 2001, terrorist hijackers, and those terrorist acts yet to occur

To Ms. Lieberman:

The purpose of this letter is to make a record, which will be on the Internet, of how the ACLU has repeatedly, for years, covered up for massive criminal and subversive activities, including the combination of unprecedented civil and constitutional violations to obstruct justice.

I first started reporting these matters to the ACLU while I held a major air safety position with the FAA responsible for correcting the conditions resulting in the worst series of air disasters in U.S. history. In my earlier letters to the ACLU I brought out the massive civil and constitutional violations being inflicted upon me as part of a scheme to block the exposure of criminal and subversive activities that I and my group of other former and present government agents had discovered, and which were continuing to result in great harm upon national interests and the lives, and deaths, of many people.

I brought to the ACLU's attention the subversive actions by California and federal judges, working with a CIA-front law firm—an active member of the ACLU—and other judicial acts subverting the courts and the laws and Constitution of the United States. I described to the ACLU the documented pattern of unlawful and unconstitutional orders permanently barring me from federal (and California) courts, which terminated for me, for the remainder of my life, the legal rights, legal protections, and legal defenses that are guaranteed to everyone else, even terrorists and murders. I showed how these record setting violations of substantive and procedural due process were combined to obstruct government agents from reporting criminal and subversive activities that continued to inflict great harm upon national security and upon the lives and the deaths of many victims.

Obviously, we had an ongoing documented scheme that not only subverted national security, but also subverted the courts and the laws and Constitution of the United States. And this was done with the aid and comfort of the ACLU. Arguably, the ACLU could be sued for aiding and abetting the criminal and subversive acts that insured the success of the September 11 hijackers and the terrorism that has yet to occur. For the record of those who are viewing this letter on the Internet, I provide a few highlights:

First, I am a former federal investigator, who, with a group of several dozen present and former government agents and deep-cover operatives, has sought to report high-level corruption in government. In an attempt to circumvent the cover-ups of these matters, I published several highly detailed and documented books in an attempt to inform the public of these matters, and also to motivate groups, such as the ACLU, to exercise their moral and legal responsibilities.

The pattern of judicial violations of civil rights described in part in this letter are well documented in court records. Although these gregarious civil liberty violations were directed at me, the important issue is that the courts were made into a corrupt vehicle to carry them out, and that the same can be done to anyone. The pattern of civil rights violations started out with a sham lawsuit filed against me. This lawsuit was filed after my exposure of high-level government corruption escalated. To carry out the lawsuit, civil right protections had to be violated, and these violations escalated to an unprecedented number and level in the courts.

A few of the serious civil rights violations involving the misuse of judicial positions and the courts are listed here:

- Judicial orders barring me for the remainder of my life from federal court access, and the federal protections specific for the wrongful acts inflicted upon me. (These are obviously unlawful and unconstitutional orders, intended to block my legal defenses.)
- Judicial orders barring me from reporting federal crimes that I sought to report under the clearly worded crime reporting statute, Title 18 U.S.C. Section 4. (These orders obstructed justice and violated various federal criminal statutes, as they obstructed justice.)
- Federal judges charging me with criminal contempt of court after I exercised federal remedies under the Civil Rights Act and declaratory judgment statutes (which I combined with a Title 18 U.S.C. Section 4 reporting of criminal activities). (This pattern of retaliation constitutes criminal acts under Title 18 U.S.C. Section 241 and Sections 1505, 1512, and 1513.)
- Sentenced to six months in prison, at the age of 66, denied a jury trial, in re-

taliation for exercising the rights to procedural due process for massive civil and constitutional violations and for reporting criminal and subversive activities that continued to inflict great harm upon the United States and its people—the latest occurring on September 11.

- Forced to seek relief in Chapter 11 court from the civil rights violations, compounded by the judicial revocation of major civil and constitutional protections, and further compounded by the threat of prison if I exercised these “protected” civil rights.
- Chapter 11 judge then signed two orders seizing my assets, carrying out the original intent of stripping me of the assets that funded my exposure activities. The orders seizing my life’s assets violated the statutory and constitutional requirements for a noticed hearing, the requirement of a hearing, the requirement for legally recognized cause. Further, they were signed after the judge had signed an order refusing to accept jurisdiction, which had never been rescinded. The orders were therefore signed without personal and without subject matter jurisdiction, making them void orders.
- An order was then signed barring me from objecting to the seizure and liquidation of my assets. When I filed objections, I was then charged with criminal contempt of court. I was denied an lawyer, I was denied the right to testify in my own defense, and then held guilty by Oakland Chapter 11 judge Edward Jellen, and sentenced to federal prison. That sentence was never carried out, as Chapter 11 judges had no authority to sentence anyone to prison on contempt of court charges.
- Corruptly seeking to support orders permanently terminating my civil and constitutional rights to defend by reversing the legal definition of frivolous and calling my exercise of procedural due process against the record-setting violations of state and federal laws and constitutional protections to be frivolous defenses.
- The series of criminal contempt-of-court charges were in continuous effect from 1987 to 1995.

Civil Rights Violations Combined with Obstruction of Justice

These judicial attacks repeatedly violated fundamental and important constitutional protections. These attacks followed my attempts to expose high-level corruption that I discovered while a federal investigator for the Federal Aviation Administration. Briefly, the San Francisco law firm filed the lawsuit that was barred by blocks of California and federal statutes, related decisional law, rules of court, and fundamental rights and protections in the Constitution. California judges repeatedly violated these protections in law, and then compounded these violations by violating procedural remedies. Every appeal to higher courts in California was ineffective. Only California Supreme Court justice Stanley Mosk supported my objections to the violations being perpetrated.

I then exercised federal remedies under the Civil Rights Act for the documented civil rights violations and under the declaratory judgment statutes to have a federal judge declare my personal and property rights legally established in seven judgments. Again, federal judges refused to act despite their responsibility to do so.

The ACLU claims that its goals are to protect civil rights. In this convoluted series of continuous judicially perpetrated violations of civil liberties, a pattern is revealed that is far more serious than any case the ACLU has taken in the past. The

pattern shows the willingness of judges to convert their positions and the courts into a corrupt arm of government. Making matters even worse, the civil rights violations were closely tied in with obstruction of justice for criminal activities.

Although a federal lawsuit would be relatively straight forward, there is much more to all this. I have written books exposing much of the criminal activities and judicial corruption (Third editions of *Defrauding America* and *Unfriendly Skies*, and first edition of *Drugging America*.) I also have web sites that make reference to some of these matters.

The specific civil rights violations, and the underlying judicial mentality that willingly repeated them, can be addressed in a single lawsuit that must be filed by March 25, 2000. It was on approximately March 25, 1999, that Judge Jellen held the final hearing on the Chapter 11 cases, and the one-year statute of limitations started to run on a federal lawsuit under the Civil Rights Act, Bivens, and civil RICO. That Chapter 11 case is tied in with the 17-year continuous and inter-related pattern of civil rights violations and judicial fraud and provides the vehicle for addressing the entire sordid matter. This is an unprecedented opportunity to get to the heart of some of the worst cases of civil rights violations.

Harm Upon America and Americans Will Continue and Escalate

I wrote to the ACLU several years ago stating, “Your group is sufficiently sophisticated to know that failure to provide assistance will make possible the continuation of the pattern of corruption in the courts and other government entities, and that the harm upon the people will continue and even escalate, as I have documented during the past 40 years.” Now that 3,000 people have died, made possible by the Trojan horse corruption in government, and the courts, in only one day’s events, the ACLU now has an even greater self-serving interests in continuing to cover up for the crimes against the United States and its people.

The ACLU continued cover-up of these major crimes against the United States will continue the tragic consequences, of which September 11 is only one of an endless number of tragedies suffered by the American people from the corruption and its cover-ups that insures the success of repeated terrorist acts, some of which will undoubtedly be worse than September 11.

Sincerely,

Rodney Stich

From the desk of Rodney Stich

P.O. Box 5, Alamo, CA 94507; phone: 925-944-1930; FAX 925-295-1203

Author of *Defrauding America*, *Drugging America*, *Unfriendly Skies*, *Terrorism Against America*, *Lawyers and Judges—American Trojan Horses*

Member

Association Former Intelligence Officers

Association of National Security Alumni

International Society of Air Safety Investigators

Lawyers Pilots Bar Association

Former FAA air safety investigator

Former airline captain and Navy pilot

E-mail: stich@defraudingamerica.com Google.com search engine: “Rodney Stich”

February 6, 2003

Justice William Rehnquist

U.S. Supreme Court

1 First Street, NE

Washington, DC 20532 Certified mailing: 7002 0860 0003 9592 6368

Ref: Making *another* record of federal judges blocking reports of criminal activities discovered by former government agents, including primary blame for success of 19 hijackers on September 11, 2001.¹

To William Rehnquist:

The purpose of this letter is to *again* make a *record* of the continuing documented criminal acts taken by federal judges that are blocking the reports of criminal activities. In this manner they are committing felonies through violation of the federal crime reporting statute, Title 18 U.S.C. § 4,² and those arising under their obstruction of justice that violate additional federal statutes.³ In addition, their continuing retaliation against a former federal aviation safety agent and witness, as they seek to silence him, violates additional federal criminal statutes.⁴ All of these documented serious offenses have been occurring in plain sight of the supervisory responsibilities of the Justices of the United States Supreme Court, who also have vicarious liability for these wrongful acts.

Criminal Activities With Close Links To Events Of September 11, 2001

These charges against federal judges affect national security. The misconduct described in this letter has played key roles in numerous national tragedies, including those of September 11, 2001. These are serious charges, made by a former federal aviation safety agent with impeccable credentials and credibility,⁵ which cannot be simply ignored.

Initial Discovery Of Criminal Activities In Aviation Safety Offices

My initial discovery of deep-seated corruption in government aviation safety offices occurred after I was given the assignment to correct the conditions causing the worst series of aviation disasters in the nation's history.⁶ The arrogance and deep-seated corruption associated with the deadly consequences caused me to act as an independent prosecutor within the FAA. During this six-month period I brought into a hearing record thousands of pages of sworn testimony and additional government documents showing the relationship between the corrupt activities and the resulting airline crashes and deaths.

Primary Reason Why Unprecedented Absence Of Public Investigation Of 9/11

My investigative work shows that this culture of corruption continues to this date, continues to periodically surface in certain preventable aviation crashes, and definitely has primary blame for the success of 19 hijackers on September 11, 2001. Forty years of prior fatal hijackings and inspector reports urging the simple preventative measures were repeatedly blocked because of major internal problems within the FAA.

Initial Attempts To Report Criminal Affecting Aviation Safety

The continuation of airline crashes⁷ from known safety problems and safety violations caused me to take various steps to bring a halt to these serious problems. I left government service, refusing to work under these corrupt conditions, and filed the first of several federal lawsuits⁸ in the late 1970s and early 1980s, seeking to report the corrupt and criminal activities that had been responsible for many of the airline crashes occurring in my direct and indirect areas of responsibilities. The authority for these lawsuits were the federal crime reporting statute, Title 18 U.S.C. § 4, and the statute permitting any citizen to seek a court order requiring government officials to perform a mandatory duty and to halt unlawful conduct, Title 28 U.S.C. § 1361.⁹

These included: (a) cover-up of major air safety violations and criminal acts involving major air disasters at a politically powerful airline; (b) repeated refusal to take legally required corrective actions when reported by the professional federal air safety inspectors; (c) felony destruction of inspector reports revealing major air safety problems, air safety violations, and criminal falsification of records, while the same problems were resulting in a 20-year-long period of air disasters; (d) threats to inspectors not to file reports of these problems; (e) retaliation against federal air safety inspectors when they continued to file reports of major safety problems and violations, perpetrated while the same problems were resulting in a series of fatal airline crashes; (f) and conspiracy to commit these offenses.

Start Of Federal Judges Blocking Reports Of Criminal Activities

Initially, federal district and appellate judges admitted the gravity of my charges. But they refused to receive the evidence on the argument that (a) these were matters for Congress, and (b) I had no standing to bring these matters to the federal courts.¹⁰ The federal crime reporting statute and the right of any citizen to force federal officials to perform a mandatory duty contradicted those holdings. The crashes and the deaths from these problems continued, as expected.

Circumventing the Obstruction Of Justice

By Federal Judges and Prosecutors

Seeking to circumvent this additional level of cover-up, I authored and published the first in a series of books¹¹ seeking to inform the public of these serious matters. The first book was the first of multiple editions of *Unfriendly Skies*. I started appearing as guest and expert on radio and television shows¹² seeking to inform and motivate the public to show some signs of citizen responsibility relating to these matters. The specific crashes made possible by this misconduct are detailed in my book, *Unfriendly Skies*, with the latest fourth edition including the misconduct that made possible the events of September 11, 2001.

Other Government Agents Provided Evidence Of Far Worse Criminality

The publicity arising from my several thousand radio and television appearances and authoring of books¹³ provided publicity causing, over a period of fifteen years, several dozen other former and present government agents¹⁴ to contact me with information and documentation on the criminal activities that they discovered in government offices. These included, as examples:

- Drug smuggling operations involving federal officials and other federal personnel in covert operations. Details and documentation of these matters are found in the books, *Defrauding America* and *Drugging America*, and includes hundreds of pages of supporting evidence and statements from those who flew the drugs, affidavits, government documents, that clearly show the Trojan horse

subversion of the United States and its people. These were clearly subversive activities.

- Misconduct adversely affecting national security matters. Evidence that I have acquired over the years from government insiders reveals government officials blocking the reports of surface-to-air missile sales, suitcase nuclear bomb sales, reports of moles in the FBI and CIA, and many other matters relating to national security. Some of these matters are destined to inflict catastrophic harm upon the United States—just as corruption and its cover-up made possible the 3,000 deaths on September 11, 2001.
- Widespread corruption in the bankruptcy courts. This heavily documented corruption involving federal judges, federal trustees, lawyers, corruptly strips people of their assets after the people exercise the statutory protections of Chapter 11. The bankruptcy courts have also been made into a racketeering enterprise, also defrauding the United States.
- Secretly funding key politicians through covert CIA operations. I have acquired information from former CIA insiders, including heads of secret CIA proprietaries, of the CIA secretly funding bank accounts for several well-known politicians. The details, including the names of several well-known politicians, are in the various books, especially *Defrauding America*.
- Many other corrupt activities, including the massive drug smuggling in the Contra affair, the bribing of Iranian terrorists to delay the release of American hostages, CIA involvement in looting the savings and loans, and much more.

Again Blocked From Reporting These Criminal Activities

As I continued discovering evidence of major criminal activities, I again commenced, in 1986, exercising the mandatory responsibilities to report these federal crimes to a federal judge as required by 18 U.S.C. § 4. The clear wording of that statute places a mandatory responsibility upon any federal judge (or other federal officer such as a member of Congress) to receive information and evidence offered. This is part of a judge's *administrative* duties.

In every instance, federal district and appellate judges, and even the justices of the U.S. Supreme Court, blocked the reports being made. These documented obstruction of justice acts protected those who were guilty of great crimes against the United States.

Expanding on Efforts To Circumvent Massive Cover-ups Throughout Government

In an attempt to circumvent the widespread cover-ups and inform the public of these various forms of serious criminal activities, I used the vast amount of insider evidence to publish multiple editions of the following books: *Unfriendly Skies*, *Defrauding America*, *Drugging America*, *Terrorism Against America*, *Lawyers and Judges—American Trojan Horses*, and *Disavow*.

Federal Judges Combined Obstruction Of Justice With Felony Retaliation Against Me

Commencing in 1986, as I and my group of other former and present government agents attempted to report the escalating series of criminal activities, federal judges blocked the reports by immediately dismissing the federal filings. Several district and appellate court judges¹⁵ then sought to prevent me from even *attempting* to report the criminal and subversive activities by issuing unlawful and unconstitutional orders permanently barring me access to federal district and appellate courts.

These acts blocking the reporting of criminal activities in government offices, and the complicity of cover-ups, were followed by other federal crimes.¹⁶

Starting in 1987, federal judges court¹⁷ and Justice Department prosecutors started retaliation¹⁸ against me and took parallel actions¹⁹ misusing federal courts to halt my exposure activities, which were funded by my \$10 million in real estate assets. They charged me with criminal contempt of court in retaliation for seeking to report the criminal activities through federal filings under the federal crime reporting statute and the right of any citizen to seek relief from these offenses.

Felony Retaliation Against Former Federal Agent and Witness

After CIA and other government agents provided me with details of other criminal activities, including drug smuggling, I again sought to carry out my responsibilities under 18 U.S.C. § 4. I filed papers in federal courts to report these matters. Instead of receiving the reports, federal judges and Justice Department prosecutors charged me with criminal contempt of court. They sought to support these charges by stating that for the remainder of my life I have been barred from filing any papers in the district of appellate courts, and therefore I was guilty of criminal contempt of court (for exercising legal and constitutional due process rights and reporting criminal activities in which they had become implicated).

It is a crime to retaliate against anyone seeking to report a federal crime, and even worse when the retaliation is against a former federal agent and witness seeking to report criminal activities that have left a trail of deaths and great harm to national security issues.

These obviously unlawful and unconstitutional orders would halt me and my group from reporting criminal activities and block me from exercising federal defenses²⁰ against the simultaneous sham lawsuits²¹ filed by CIA-front law firms seeking to terminate my financial ability to continue these exposure efforts. In this way they blocked me from reporting the misconduct in government offices that was the primary blame for the success of 19 hijackers on September 11, 2001.

Sampling Of Recent Lawsuits With Major Links

To Events of September 11, 2001

Recent lawsuits, in which I sought to report the criminal activities, including those enabling 19 hijackers to seize four airliners, are listed in reverse order:

- Post 9/11 lawsuit²² filed in the U.S. district court, Washington, D.C., seeking to report criminal activities²³ that I and other government agents discovered. In clear violation of the federal crime reporting statute (and due process filing rights), U.S. District Judge Henry Kennedy unlawfully dismissed the action shortly after it was filed. Kennedy sought to support his dismissal (and refusal to receive evidence relating to the events of September 11, 2001), by citing a 1991 order by Judge Stanley Sporkin that permanently barred me from filing any papers in federal courts. That unlawful and unconstitutional order effectively blocked the reporting of criminal activities that I and my group sought to report in 1991.
- District of Columbia appellate judges²⁴ enlarged on these criminal and civil rights violations. Following Kennedy's dismissal of the action seeking to report the criminal activities, I filed a timely notice of appeal²⁵ and prepared to file an appeal brief. The issues raised on appeal would include (a) the mandatory requirements of Judge Kennedy to receive the reports of criminal activities as part of his administrative duties; (b) the many legal and constitutional due process rights to federal court access (c) the criminal act of blocking the report-

ing of criminal and subversive activities; (d) the right to argue the illegal, unconstitutional, and void nature of Judge Sporkin's 1991 order, and Judge Kennedy's upholding of the order and other due process violations.

- District of Columbia appellate judges Ginsburg, Sentelle and Randolph issued an order (January 16, 2003) dismissing the appeal before the appeal brief could be filed. They claimed that the 1991 order by former U.S. district judge (and former CIA legal counsel) Stanley Sporkin terminated my right to federal court access, even though this right is guaranteed to all citizens by the laws and Constitution of the United States. (Even murderers and terrorists have this right, but not any government agents reporting major criminal activities implicating people holding key government positions!)
- I then filed a petition for rehearing en banc with the U.S. court of appeals, which was stamped "received" on January 27, 2003. Because of the gravity of the judicial corruption and its effect upon national security, including the events of September 11, 2001, and the widespread cover-ups elsewhere, it is expected that the District of Columbia appellate judges will continue the criminal cover-up and termination of due process rights guaranteed by the laws and Constitution of the United States.

Concurrent Judicial Cover-up By Judges In New York City Federal Courts

- Post 9/11 lawsuit submitted to the U.S. district court, New York City. On August 8, 2002, I submitted for filing a comparable lawsuit to the U.S. district court for the Southern District of New York in New York City. This court would be especially appropriate to receive the information because of the huge death toll on September 11, 2001, from events that were made possible by obvious failures in the government's aviation safety offices. Further, a prior catastrophic aviation disaster into New York City years earlier, the world's worst at that time, was one of the airline crashes that caused the FAA to give me the assignment to correct the conditions resulting in the worst series of aviation disasters in the nation's history. The same corruption that I discovered and documented played key roles in both air disasters. Unless exposed, these deep-seated conditions would continue to allow major aviation disasters to occur, as on 9/11.
- To this date, letters sent to Chief Judge Michael Murasey and clerks James Parkison and Michael McMahon demanding that my papers be filed have failed to bring this about. Instead, the only responses during the past seven months were that the filing is "undergoing judicial review." Federal law requires immediate filing of complaints when the papers meet certain minimum requirements and the filing fees are paid. This is clear obstruction of justice showing contempt for the 3,000 victims killed nearby on September 11, 2001.
- Pre 9/11 lawsuit filed in Reno, Nevada,²⁶ seeking to report criminal activities, some of which subsequently made possible the success of 19 hijackers on September 11, 2001. That lawsuit stated and sought to provide data and evidence relating to ongoing corruption that I and a group of other former and present government agents sought to report to a federal court. Some of these areas of corruption made possible the events of September 11, which very possibly could have been prevented if the judicial cover-ups had not existed. That lawsuit also sought to defend against the sham legal efforts used to halt my exposure activities for which federal remedies for these federal causes of actions ex-

isted.²⁷ U.S. district judge Edward C. Reed blocked the reporting of these criminal activities, unlawfully dismissed the lawsuit, and then ordered me to pay several thousand dollars in sanctions for attempting to report the criminal activities and for attempting to defend against record-setting violations of federally protected rights.

- Ninth Circuit Court of Appeals continued the multiple federal crimes. After Reed dismissed the filing, I filed a timely notice of appeal, paid the filing fees, and prepared to submit appeal briefs. Ninth Circuit judges Browning, Kleinfeld, and Gould, refused to receive the appeal briefs on the claim that in 1991 district judge Samuel Conti has issued an order barring me from filing any papers in the appeal court. It was Ninth Circuit district and appellate judges that initiated the obstruction of justice tactics in the late 1970s and early 1980s, which made possible many fatal airline disasters arising from the corruption that I documented as a federal aviation safety agent.

Complicity of Members of Congress

Heavily implicated in these criminal activities through cover-ups were many members of Congress. Starting while I was a key federal aviation safety agent, I repeatedly advised them of the criminal activities in government offices, the resulting consequences, and reminded them of their responsibilities as members of Congress and under various criminal statutes. Initially, some sympathized and admitted the gravity of what I had discovered, but refused to receive the information,²⁸ refused to conduct any hearings, and covered up for the corruption that has greatly escalated over the years.

Lawsuits Against Members of Congress to Document Their Cover-ups

In 1990 I filed two federal lawsuits²⁹ against several members of Congress,³⁰ charging them with cover-ups and obstruction of justice relating to the corrupt and criminal activities that I and several dozen other former government agents had discovered and brought to their attention. The primary purpose of the lawsuit was to make a judicial record of the charges and their response. In their response, they admitted knowing of my charges of criminal and subversive activities. They admitted they did nothing in reaction to my charges. They claimed they were absolutely immune from the consequences of their acts, which included misprision of felonies, criminal cover-ups, and obstruction of justice.

Years of Cover-ups by Justice Department Personnel

Repeatedly implicated were Justice Department personnel whose 40 years of cover-ups, started while I was a federal agent, and then expanded into misusing Justice Department offices to retaliate against me for seeking to report the criminal and subversive activities, including those that resulted in 3,000 deaths on September 11.

Probable Reason for the Unprecedented

Absence of Open Investigation Into 9/11

The criminal involvement of so many people in key government offices explains the probable reason for the unprecedented refusal to conduct a public investigation into the deaths of 3,000 people on September 11, 2001.

Those Who Cover Up Or Do Nothing Become Complicit

In the Crimes and Consequences

The gravity of these charges, and the close relationship between the documented facts and the many resulting tragedies does not permit anyone receiving this letter, or knowing of its contents, doing nothing, or engaging in the usual cover-up. The pathetic failure of people in the past to act on these matters has permitted the

events of September 11 to occur, and the many other national and personal tragedies.

This letter is sent to the justices of the U.S. Supreme Court and to those listed below. The Supreme Court justices are so pathetically implicated that they will do nothing but expand on the cover-ups. But for the others, you are on notice of these charges. Most of the judicial corruption can be easily corroborated. The initial investigation should be on that aspect of this national scandal and how these judicial crimes covered up for the other areas of corruption that played a primary role enabling 19 hijackers to seize four airliners.

This is no time for phony cover-up patriotism. Time is long overdue for courage, idealism, and true patriotism. I am now 80 years old, and have fought a David versus Goliath battle for 40 years with evidence of hardcore corruption inflicting great harm upon America and its people. It is now time for others to show some courage and patriotism. I and my group have accumulated ample evidence to prove the peril facing the United States from thugs in key government positions.

Everyone who receives this letter who does nothing, or engages in more cover-ups, becomes complicit with the guilty and shares in the responsibility for future consequences. They also show contempt for the 3,000 victims of September 11, 2001, whose fate was made possible by the underlying corruption that we documented and the criminal cover-ups, criminal obstruction of justice, and criminal retaliation by large numbers of federal judges.

Sincerely,

Rodney Stich

cc:

- Supreme Court Justices William Rehnquist, Stephen Breyer, Ruth Ginsburg, Anthony Kennedy, Sandra Day O'Connor, Antonin Scalia, David Souter, John Stevens, Clarence Thomas.
- Senators Charles Grassley, Patrick Leahy, Diane Feinstein, Barbara Boxer, John McCain, Joseph Lieberman, Rodham Clinton, Charles Schumer, Bob Graham, Richard Shelby, Bob Graham, Tom Daschle, Kay Bailey Hutchinson.
- Representatives Porter Gross, Jerrold Nadler, Thomas Delay, John Mica, Thomas Delay, Martin Frost, Richard Armeay, Dennis Hastert.
- Norman Mineta, Department of Transportation; Tom Ridge, Homeland Security Department; Dick Chaney, Vice President.
- District Attorney New York Robert Morgenthau; Desiree Thompson, White House assistant to President George Bush.
- Publishers, New York Times (Arthur Sulzberger), Christian Science Monitor (Paul Van Slambrouch); Publisher Wall Street Journal (Karen House); Publisher Christian Science Monitor.
- Law firms with aviation lawsuits: Speiser and Krause (140 East 45, 34th Floor, NY 10017-3144); Kreindler & Kreindler (100 Park Ave., New York, NY); Ronald Motley (POB 1792, Mt. Pleasant, SC 29465), Baum, Hedlund (12100 Wilshire Blvd, # 950, Los Angeles, CA); ACLU Executive Director Dorothy Ehrlick; ACLU Executive Director Ira Glasser, Executive Director, 125 Broad Street, 18th Floor, New York, NY 10004-2400.

ENDNOTES

1. The corruption enabling 19 hijackers to seize four airliners on September 11, 2001, existed in several sources, but primarily within the government's aviation safety offices.
2. Title 18 U.S.C. § 4. Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.
3. Title 18 U.S.C. § 2. Principals. (a) Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal. (b) Whoever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal.

Title 18 U.S.C. § 3. Accessory after the fact. Whoever, knowing that an offense against the United States had been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact.

Title 18 U.S.C. § 1512. Tampering with a witness, victim, or an informant—
 (b) Whoever knowingly uses intimidation or physical force, or threatens another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to —(1) influence, delay or prevent the testimony of any person in an official proceeding: shall be fined ... or imprisoned ... or both. [1988 amended reading]

4. Title 18 U.S.C. § 1513. Retaliating against a witness, victim, or an informant. (a) Whoever knowingly engages in any conduct and thereby causes bodily injury to another person or damages the tangible property of another person, or threatens to do so, with intent to retaliate against any person for—(1) the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding; or (2) any information relating to the commission or possible commission of a Federal offense.
5. I was a Navy patrol plane commander and pilot instructor in World War II. I was an airline captain for many years after that war. I joined the FAA as a federal aviation safety agent and was eventually given the assignment to correct the conditions causing the worst series of aviation disasters in the nation's history. The deep-seated corruption that I discovered in the FAA caused me to act as an independent prosecutor for six months, during which I forced into the hearing records the testimony of many people and added considerably more documentation. I began obtaining evidence of cover-ups by NTSB board members, which continued the corruption and made possible continuation of the fraud-related air disasters. Since about 1985, other former and present government agents started providing me information and evidence of corruption and criminal activities in other government offices that were inflicting great harm upon national security. As a private citizen I had acquired over \$10 million in real estate, which I then used to fund my attempts to expose the criminal and

subversive activities that I and a group of other former government agents had discovered.

6. These details are found in my book, *Unfriendly Skies*.
7. I detail and document these fraud-related airline crashes in the book, *Unfriendly Skies*.
8. *Stich v. United States*, et al., 554 F.2d 1070 (9th Cir.) (table), cert. denied, 434 U.S. 920 (1977)(addressed hard-core air safety misconduct, violations of federal air safety laws, threats against government inspectors not to report safety violations and misconduct); *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.)(table), cert. denied, 459 U.S. 861 (1982))(addressed repeated criminal falsification of official airline accident reports, omitting highly sensitive air safety misconduct, making possible repeated crashes from the same sequestered problems); Amicus curiae brief filed on July 17, 1975, in the Paris DC-10 multi-district litigation, *Flanagan v. McDonnell Douglas Corporation and United States of America*, Civil Action 74-808-PH, MDL 172, Central District California.(addressing the long standing FAA misconduct, of which the cover-up of the DC-10 cargo door problem was one of repeated instances of tragedy related misconduct); *U.S. v. Department of Justice, District of Columbia*, Nos. 86-2523, 87-2214, and other actions filed by Stich seeking to expose and correct the powerful and covert air disaster misconduct.
9. Title 28 U.S.C. § 1361. Action to compel an officer of the United States to perform his duty. The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.
10. This secondary argument was raised by Justice Department lawyers who repeatedly sought to prevent me from reporting these and even more serious criminal activities.
11. The purpose of the books was to circumvent the vast cover-ups and inform the public of the crimes perpetrated against them by people in government offices. Authoring and publishing these books were a non-profit operation funded by my \$10 million in real estate assets.
12. Over 3,000 appearances on radio and television shows since 1978.
13. The purpose of the books was to circumvent the vast cover-ups and inform the public of the crimes perpetrated against them by people in government offices. Authoring and publishing these books were a non-profit operation funded by my \$10 million in real estate assets.
14. Government agents providing me with insider information and documentation during the past fifteen years include agents of the FBI, CIA, DEA, ONI, Customs, Secret Service, INS, and others, including state law enforcement personnel, former drug smugglers and former Mafia figures.
15. Federal judges issuing injunctions permanently terminating my rights to federal court access including Samuel Conti, Stanley Sporokin (former CIA legal counsel), Milton Schwartz, Marilyn Patel, and others.

Title 18 U.S.C. § 35. A party who conveys false information, knowing it to be false, knowing an attempt or alleged attempt being made that would be a crime under Chapter 97 or 111, which pertain to aircraft and motor vehicles. [This violation especially applies to the documented false information made by FAA personnel during an FAA hearing conducted by Rodney Stich.]

Title 18 U.S.C. § 111. Assaulting, resisting, or impeding certain officers or employees. (a) In general.—Whoever— (1) forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 114 of this title [federal agent] while engaged in or on account of the performance of official duties; or (2) forcibly assaults or intimidates any person who formerly served as a person designated in section 1114 on account of the performance of official duties during such person's term of service, shall, where the acts in violation of this section constitute only simply assault, be fined under this title or imprisoned not more than one year, or both, and in all other cases, be fined under this title or imprisoned not more than three years, or both.

Title 18 U.S.C. § 1114. Protection of officers and employees of the United States.

Title 18 U.S.C. § 153. Embezzlement by trustee or officer. Whoever knowingly and fraudulently appropriates to his own use, embezzles, spends, or transfers any property or secretes or destroys any document belonging to the estate of a debtor which came into his charge as trustee ... shall be fined ... or imprisoned ... or both. [This statute applies to the trustees who liquidated Stich's assets on the basis of the void orders issued by federal judges Robert Jones and Edward Jellen.]

Title 18 U.S.C. § 241. Conspiracy against rights of citizens. If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; ... They shall be fined ... or imprisoned ... or both;

Title 18 U.S.C. § 242. Deprivation of rights under color of law. Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person ... to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishment, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; (check if this has been applied against a group, such as whistleblowers).

Title 18 U.S.C. § 245. Federally protected activities. ((b) Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with— (1) Any person because he is or has been, or in order to intimidate such person or any other person or any class of persons [whistleblower, witness, informant] from—(B) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States;

Title 18 U.S.C. § 371. Conspiracy to commit offense or to defraud United States. If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof, in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined ... or imprisoned ... [The United States was defrauded by the actions of the judges, including blocking the reporting of criminal activities; retaliating against a former federal agent and witness for attempting to report criminal acts; subverting the laws and constitution of the United States through corrupt misuse of federal courts and judicial posi-

tions.]

16. Title 18 U.S.C. 1346. Definition of “scheme or artifice to defraud” For the purpose of this chapter, the term “scheme or artifice to defraud” includes a scheme or artifice to deprive another of the intangible right of honest services.
17. Federal judges involved in these charges include Milton Schwartz, Raul Ramirez, Marilyn Patel, David Levi, John Moulds (magistrate), and included Judge.
18. The judicial criminal retaliation took several forms: (1) repeatedly, from 1986 through 1995, federal judges and Justice Department prosecutors charged me with criminal contempt of court for exercising the responsibility to report hard-core criminal activities to a federal judge. One of these federal prosecutions was in the U.S. district court at Sacramento, California, action number CR S-87-124 JFM and were the direct result of filing papers seeking to report these crimes.
19. In addition to charging me with criminal contempt of court for reporting criminal and subversive activities in key government offices and covert government activities, the CIA-front law firm of Friedman, Sloan and Ross (San Francisco) filed a sham lawsuit against me targeting the \$10 million in assets that funded my exposure activities. Federal judges then violated every relevant defense that I had, protecting the CIA-front law firm and the scheme. Eventually, my assets were seized and liquidated, orders rendered barring me from objecting, and when I did file objections, Oakland federal judge Edward Jellen charged me with criminal contempt of court and sentenced me to federal prison. (There is much more to all this.)
20. Federal defenses against the massive numbers of violations of federally protected rights included the Civil Rights Act, Biven, civil RICO, Declaratory Judge Act, Title 28 U.S.C. §§ 2201, 2201, FTCA, and others. Every defense was denied to me by federal judges who were concurrently blocking my reports of the criminal activities. The latest such scheme is in the U.S. district court at Reno, Nevada (# CV-N-02-0039-LRH).
21. Parallel legal efforts, which involved federal judges, included seizing the \$10 million of my life assets that funded my exposure activities. These orders violated the legal and constitutional requirement of a hearing, notice of hearing, or legally recognized cause. Then, orders were rendered barring me from filing objections. When I did file objections, federal judge Edward Jellen charged me with criminal contempt of court. Another legal tactic was a sham lawsuit filed by the CIA-front law firm of Friedman, Sloan and Ross (San Francisco) which violated dozens of state and federal laws, followed by repeated violation of every federal defense. These multiple legal tactics acted to block the reporting of criminal and subversive activities that had a deadly effect for many, and an awesome effect upon major national interests.
22. U.S. District Court, District of Columbia, 02cv01172, filed June 12, 2002.
23. Among the deeply entrenched documented criminal activities within the FAA were (a) cover-up of major air safety violations and criminal acts involving major air disasters at a politically powerful airline; (b) repeated refusal to take legally required corrective actions when reported by the professional federal air safety inspectors; (c) felony destruction of inspector reports revealing major air safety problems, air safety violations, and criminal falsification of records, while the same problems were resulting in a 20-year-long period of air disas-

- ters; (d) threats to inspectors not to file reports of these problems; (e) retaliation against federal air safety inspectors when they continued to file reports of major safety problems and violations, perpetrated while the same problems were resulting in a series of fatal airline crashes. And much more.
24. District of Columbia appellate judges blocking the reports were Chief judge Ginsburg, Sentelle, and Randolph.
 25. District of Columbia appeal number 02-5240.
 26. Reno lawsuit filed in 2000.
 27. Federal remedies available for the multiple violations of federally protected rights included the Civil Rights Act, Declaratory Judgment Act, Bivens, Civil RICO, FTCA, among others.
 28. Members of Congress meet the definition under of "officer" under 18 U.S.C. § 4 for responsibility to receive information of federal crimes.
 29. Lawsuit against members of Congress, U.S. district court, Washington, DC, # 89-0170 SS. Placed under seal by U.S. district judge Stanley Sporkin, former CIA legal counsel.
 30. Defendant members of Congress listed as defendants included Senators Edward Kennedy, Ernest Hollings, Albert Gore, Pete Wilson, Strom Thurmond; representatives Joseph Biden, Jack Brooks, John Conyers, Harley Staggers and Henry Gonzalez. Another similar lawsuit was filed under No. 89-85 and named among others, Representative Norman Mineta, who was appointed to head the Department to Transportation after his prior cover-up made possible the conditions enabling 19 hijackers to seize four airliners on September 11, 2001.

These are just samples of the letters I sent seeking to provide insider information on matters that, if only a fraction were true, were extremely serious and would continue in effect the conditions responsible for 9/11. No meaningful response was ever received, continuing what I encountered for the past 30 years trying to provide evidence of hard-core corruption in government offices affecting various major national interests.

Example of Media Hypocrisy

In response to the September 11 terrorist attacks, a *Wall Street Journal* article (January 9, 2002) by its publisher, Peter R. Kann, covering half the page and labeled, Letter From the Publisher, stated:

This progress report carries forward a custom begun 25 years ago. It reflects our belief that publishing a newspaper is a public trust for which we are accountable first of all to you our readers. ... that quality, above all, is what the Journal prides itself on providing to its readers. It's a quality that has never been more essential than in these months of cascading news events. ... the response to these challenges has left me as proud of this publication, and as optimistic about its prospects, as I have ever been in the 20 years I have been responsible for it.

This hypocrisy fails to mention that I had been making the *Wall Street Journal* aware for the past 40 years of the corruption that I and other government agents had discovered.

The vast amount of documented corruption, the recorded and docu-

mented pattern of cover-ups throughout government and the media, and the legal fraternity, constitutes an ugly indictment of the United States today. That realization does not fit in with the need of the guilty to cover up for the many people whose misconduct ensured the success of the 19 hijackers on September 11.

9/11 Litigation by Survivors and Family

Compensation was available to the injured and representatives of those who died on 9/11 by an act of congress called the Air Transportation Safety and System Stabilization Act of 2001, referred to as the Victims Compensation Fund. A Special Master, established by the act, would receive and determine claims and amount of compensation.

That legislation also provided that lawsuits filed seeking “damages arising out of the hijacking and subsequent crashes must bring their suits in the United States District Court for the Southern District of New York.”

Under the Victims Compensation Fund the claimants would not have to prove fault or show a duty by anyone to pay. The non-economic damages were limited to \$250,000, and punitive damages not available.

The alternative was by the traditional lawsuit manner in which allegations are made and adjudicated. Lawsuits had been filed against United and American Airlines, airport security companies, airport operators, Boeing Aircraft Company, and the owners and operators of the World Trade Center.

The injured and next-of-kin therefore had two choices for compensation: accept a guaranteed payout from the 9/11 fund or file a lawsuit and take chances in court. By accepting compensation from the fund and not following the lawsuit route, chances of discovering the areas of primary blame for 9/11 is lost.

The various complaints filed in the district courts were consolidated into five master complaints, divided into one for each of the four crashes and one for the property damage plaintiffs. Among the many defendants were Boeing Aircraft Company for failing to produce aircraft with doors sufficiently heavy to prevent being destroyed by hijackers. On this theory, the airlines that purchased the aircraft with the known lightweight doors were also complicit, as they knew, as I knew, they could be eventually forced open by powerful hijackers. Of course, it is probable that the matter of door-strength did not enter into the 9/11 hijackings since the hijackers knew the female flight attendants had keys to the cockpit doors and these were easily taken.

Included in the causes of action against the owners and operators of the World Trade Center were allegations that the building’s design and evacuation provisions were inadequate. The owners of the WTC were the Port Authority of New York and New Jersey, and the operator, Larry Silverstein’s WTC Properties.

All other known high-rise building had supporting columns throughout the interior of the buildings, but the World Trade Center building had no internal support, relying upon each floor being supported only at the prime-

ters where they were fastened to the outer walls.

The fasteners connected each floor to the outer walls were sufficient to hold that particular floor, if they were not weakened by fire or some other force. In addition, if one particular floor lost its outer support and crashed into the next lower floor, the fastenings on that lower floor would not be strong enough to hold two floors, and then collapse. This sequence of events resulted in the unprecedented collapse of the World Trade Center buildings.

Most of the cases were assigned to U.S. district judge Alvin Hellerstein. He was one of the federal judges to whom I sent letters reporting how Chief Judge Michael Mukasey was blocking the filing of the lawsuit that I had submitted to the court in an attempt to report the criminal activities that I discovered that played a role in the events of 9/11.

Motions were filed in the lawsuit (21 MC 100 (AKH)) known as “In Re World Trade Center Disaster Site Litigation,” by the defendants, to have the “complaints dismissed “because no duty to the plaintiffs existed and because the defendants could not reasonably have anticipated that terrorists would hijack several jumbo jet airplanes and crash them, killing passengers, crew, thousands on the ground, and themselves.”

Defendants Claimed They Had no Responsibility

Many of the defendants named in 9/11 lawsuits filed motions arguing they owed a duty to the passengers and crew but did not owe any duty to people on the ground. Judge Hellerstein, in whose court the motions were heard, held:

The injured party must show that a defendant owed not merely a general duty to society but a specific duty to the particular claimant, for “without a duty running directly to the injured person there can be no liability in damages, however careless the conduct or foreseeable the harm.” Lauer v. City of New York, 733 N.E.2d 184, 187 (N.Y. 2000). Courts traditionally “fix the duty point by balancing factors, including the reasonable expectations of parties and society generally, the proliferation of claims, the likelihood of unlimited or insurer-like liability, disproportionate risk and reparation allocation, and public policies affecting the expansion or limitation of new channels of liability.” Palka, 634 N.E. 2d at 193.

I simply hold that the Aviation Defendants, and plaintiffs and society generally, could reasonably have expected that the screening methods at Logan, Newark, and Dulles airports were for the protection of people on the ground as well as for those on board the airplanes that the terrorists hijacked.

In order to be considered foreseeable, the precise manner in which the harm was inflicted need not be perfectly predicted. As DiPonzio v. Riordan explained: “Where an individual breaches a legal duty and thereby causes an occurrence that is within the class of foreseeable hazards that the duty exists to prevent, the individual may be held liable,

even though the harm may have been brought about in an unexpected way.”

In Sept. 11 litigation, Judge Hellerstein held (September 9, 2003) that the defendants named in the various lawsuits owed a duty to the victims and that the plaintiffs should have the right to attempt proving that the defendants “failed to exercise reasonable care to provide a safe environment for the occupants [of the World Trade Center] and invitees with respect to reasonably foreseeable risks.”

Judge Hellerstein wrote:

Plaintiffs alleged that the WTC Defendants’ negligence was a substantial cause of their injuries, because adequate fireproofing and evacuation would have enabled many more escapes. According to plaintiffs, the terrorist acts did not merely operate upon the defendants’ negligence; rather, the failure to provide certain safeguards caused the entrapment of many more people and the loss of many more lives. Large-scale fire was precisely the risk against which the WTC Defendants had a duty to guard and which they should have reasonably foreseen.

I also decline at this stage to find that the acts of the terrorists qualify as an ‘extraordinary’ intervening cause. While the specific acts of terrorists were certainly horrific, I cannot find that the WTC Defendants should be excused of all liability as a matter of policy and law on the record before me. I hold in this opinion that each of these defendants owed duties to the plaintiffs who sued them.

Hellerstein ruled that liability for injuries arising from terrorist attacks could arise from separate causes such as acts of negligence by the owners and operators of buildings. Liability also arose, Hellerstein ruled, “especially given allegations regarding their knowledge of the possibility of terrorist acts, large-scale fires, and even airplane crashes,” all of which were known threats. He held that insurance coverage may arise either from the terrorist acts or from the negligence of the defendants.

He ruled that case law has held that an insurance policy may obligate an insurer to defend and indemnify against lawsuits from people injured in a terrorist attack even if terrorist attacks were excluded in the coverage. When two causes are responsible for losses the insurer can be liable to defend and indemnify the insured as long as one of the causes might be covered under law.

His ruling stated that “the hijacking of commercial jets was the kind of foreseeable risk” that the defendants should have guarded against.

Judge Held that Airlines Not Involved in 9/11 Held Liable

Hellerstein held that airlines that provided initial passage of passengers that were later transferred to United and American were also liable. This ruling brought an additional dozen airlines into the litigation as defendants since they had initially boarded the passengers who were later transferred to United and America Airlines.

9/11 Widow Files Suit Against Bush Under Racketeering Statute

One lawsuit, filed by Ellen Mariani (November 26, 2003) who lost her husband on Flight 175, filed a 62-page RICO⁹ action against President George Bush, Vice-President Dick Cheney, and other White House officials.

Paradoxes in the Filing of Lawsuits

I found interesting the filing of many of the 9/11 lawsuits by lawyers and law firms who I had years earlier made aware of the serious problems in the government's aviation safety offices, some of whom admitted the gravity of my charges, but covered up for the deadly problems. Now, after 9/11, as in prior aviation disasters that would not have happened if they had exercised even the most elementary responsibilities to expose the criminal misconduct that I had brought to their attention, they claimed in their lawsuits that others were negligent in the aviation tragedies on September 11.

Lawsuits were of course filed against many defendants. The lawsuits against United Airlines were based upon negligence of the airline. There were several points that were not known that provided even more basis for the lawsuits against that airline.

One, United Airlines personnel knew that hijackers could break down the cockpit door. Richard Pitts, a former United Airlines DC-8 instructor, told me about a chuckle made by one of United Airlines officials during a meeting, admitting that a hijacker could break down the cockpit door and gain entry into the cockpit. This conversation would show what was obvious, that the danger was known and nothing was done about it. I discovered this as standard practice when I had the safety assignment for United Airlines.

United Airlines Had a More Sinister Butterfly Effect Blame

The misconduct of certain personnel at United Airlines had a more sinister blame for the conditions that enabled terrorists to seize four airliners on 9/11, something that would be understood only by someone with insider knowledge and who recognized what is known as the Butter Fly Effect.

To understand this relationship it is first necessary to recognize the role played by certain key people in the government's aviation safety offices that created the conditions that encouraged and enabled terrorists to seize four airliners on 9/11. Quickly:

- Deep-seated misconduct created the conditions that blocked the federal government from ordering many known preventative measures that could have prevent numerous airline disasters to occur, including the many years of airliner hijackings.
- Pressure from United Airlines personnel, while I and other federal safety agents were assigned federal aviation safety responsibilities for that airline known preventative measures

The People with Primary Blame Escaped the Consequences

None of the lawsuits listed as defendants the people in the government's

⁹ RICO. Racketeer Influenced and Corrupt Organizations Act.

aviation safety offices who engaged in corrupt and criminal activities, and those who covered up for these crimes. None listed federal judges who blocked reporting of the federal crimes that created the conditions blocking the preventative measures that would have halted the hijackings.

Nothing Argument Too Ridiculous for Lawyers

The law firm of Kreindler and Kreindler filed a multi-billion dollar lawsuit in the U.S. district court at New York City on September 4, 2002, against Iraq, claiming, "Iraqi officials were aware of plans to attack American landmarks." There was no evidence that this existed. And even if it was true, a foreign country isn't obligated to report to another country rumors or facts that it learns. Israel officials would be more likely to have known of suspected attacks both from its own intelligence sources and from the vast amount of information provided to U.S. intelligence personnel that were ignored.

There was some irony in the lawsuits filed by the Kreindler lawyers and law firm. Starting while I was a federal aviation safety agent, I several times wrote to Lee Kreindler, the senior partner with Kreindler and Kreindler, advising of the corruption and even criminal misconduct within the government's aviation safety offices. In one letter Lee Kreindler wrote and admitted the gravity of my charges and then did nothing. Kreindler, in my opinion, by his conduct of silence, was one of many that made possible the events of September 11 for which he was now suing Iraq.

I sent letters to almost all of the lead attorneys handling 9/11 litigation, which contained some information as shown in the following letter to Kreindler:

From the desk of Rodney Stich

P.O. Box 5, Alamo, CA 94507; phone: 925-944-1930; FAX 925-295-1203

Author of *Defrauding America*, *Drugging America*, *Unfriendly Skies*, *Terrorism Against America*
Member

Association Former Intelligence Officers (AFIO)

Association of National Security Alumni

International Society of Air Safety Investigators

Lawyers Pilots Bar Association (LPBA)

Former FAA air safety investigator

Former airline captain and Navy pilot

E-mail: stich@defraudingamerica.com Google.com search engine: "Rodney Stich"

Web sites: www.defraudingamerica.com www.unfriendlyskies.com www.druggingamerica.com

www.ombudsmen.org

November 23, 2002

Lee Kreindler

Kreindler and Kreindler

100 Park Avenue

New York, NY 10017-5590

Hello Mr. Kreindler:

Your lawsuit on behalf of victims of the September 11, 2001, hijackers caught my attention, causing me to send you a few comments. Some of these comments are obvious, but others aren't, and these matters constitute, in my opinion as a former

government aviation safety agent, the primary blame for the success of the 19 hijackers on September 11, 2001.

Possibly you remember me. I am the FAA inspector on who's program occurred a series of fatal airline crashes due to the chronic deep-seated culture of corruption, incompetence, and other problems within the FAA. I brought a number of matters to your attention, looking for assistance in forcing government officials to perform their legal duties to receive the evidence and take corrective actions. These are the same problems that continued to result in preventable airline crashes—including hijackings—and which enabled 19 hijackers to seize four airliners on September 11, 2001. The following are a few highlights that should play a major role in addressing the primary blame for the success of 19 hijackers and 3,000 deaths:

- Very briefly, my background: I am a former federal air safety inspector¹ who was given the assignment to correct the conditions causing the worst series of airline crashes in the nation's history. That is where I first discovered the deep-seated corruption, incompetence, and other deep-seated problems in the FAA (and NTSB) related to a series of fatal airline crashes.
- In seeking to circumvent these problems and the endemic cover-ups, I engaged in a number of creative efforts, including:
 - I acted as an independent prosecutor for about six months. I conducted a hearing during which I obtained the testimony of FAA management personnel and highly revealing government documents in addition to what I had already acquired. The hearing officer, a member of the FAA administrator's staff, covered up for the evidence, which continued the deep-seated culture within the FAA. During the hearing, three additional major crashes occurred in my immediate area of responsibilities that were caused by the very same safety problems and safety violations that I had repeatedly reported and were being blocked from being corrected.
 - I brought the charges of corruption and related crashes to the attention of the board members of the NTSB. They engaged in cover-ups, which continued the deep-seated problems and the subsequent related crashes. The NTSB then falsified a number of subsequent accident reports to cover up for the misconduct that made the crashes possible and the complicity of NTSB board members.
 - I sent letters to members of congress who sympathized, but then falsely claimed these matters were not in their area of responsibilities.
 - I filed lawsuits in the U.S. district courts² at San Francisco against the FAA and NTSB, under the federal crime reporting statute (18 U.S.C. § 4) and pursuant to 28 U.S.C. § 1361. Several of the district and appellate judges admitted the seriousness of the charges but claimed these matters were the responsibilities of Congress. In response to motions by the U.S. attorney, my attempts to report the criminal activities were blocked.
 - Years later, after I sought to report criminal activities in other areas, based upon information acquired from my dozens of government sources,³ orders were rendered barring me for the remainder of my life from federal courts. These orders blocked the reporting of criminal activities related to corruption in the aviation areas and in other areas of government, some of which were associated with terrorist activities.

I documented that practice of FAA management warning inspectors not to make reports of unsafe or illegal practices, destruction of official reports that identify these problems, retaliation against inspectors who continue to make such required reports or who take corrective actions as required to be taken by government directives.

Consider the following:

- Hijackers have been seizing airliners for the past 40 years.
- FAA inspectors, including me, had reported the simple and inexpensive preventative measures.
- FAA management had the responsibility to order these preventative measures and didn't do so.
- FAA officially reported corruption blocked the federal government from carrying out its air safety responsibilities, and then other federal officials covered up for the corruption.

Additional people complicit in covering up for the corruption making possible the success of 19 hijackers:

- Justice Department prosecutors, whose felony cover-ups included the corruption in the government's air safety offices (and other areas in which I obtained considerable data and evidence from the many government agents who have gravitated to me when they hear me on radio and TV and from my books exposing corruption and those covering up for it).
- Members of Congress, who initially responded to my charges with sympathy and then falsely claimed they had not responsibility. Tell that to the survivors of those jumping to their deaths from the World Trade Center.
- Federal judges, who repeatedly blocked me from providing information and evidence of criminal activities in the federal aviation safety offices and elsewhere. I sought to report the criminal activities under the federal crime reporting statute, which federal judges must receive as part of their administrative duties under Title 18 U.S.C. § 4.⁴
- Federal judges issuing unlawful and unconstitutional orders permanently barring me access to the district or appellate courts after I sought to report the criminal activities.
- Ironically, the corruption at United Airlines played a key role in the misconduct within the FAA that resulted in numerous airline crashes, and which, if it has not existed, could have eliminated the misconduct within the FAA that was partly bred by United Airlines pressure.
- Lawyers who knew of these problems and who covered up.
- More details at www.defraudingamerica and www.unfriendlyskies.com.

I often wondered how many crashes, and deaths, could have been prevented if you have exercised moral and legal responsibility to assist in addressing these matters. Some might argue that your cover-up of these matters had more to do with the continuation of conditions within the FAA that were primarily responsible for the success of 19 hijackers than many of the defendants you named in lawsuits. Likewise, I wonder how many more air disasters will follow the continuation of the cover-ups.

Sincerely,

Rodney Stich

Further related information at the following Internet sites:

www.defraudingamerica.com

www.druggingamerica.com

www.unfriendlyskies.com

ENDNOTES

1. Also a former Navy Patrol Plane Commander in World War II; international air-line captain for many years, activist against corruption in government, starting with the government aviation safety offices, the author of numerous books, and guest and expert on over 3,000 radio and television shows since 1978.

2. *Stich v. United States, et al.*, 554 F.2d 1070 (9th Cir.) (table), *cert. denied*, 434 U.S. 920 (1977)(addressed hard-core air safety misconduct, violations of federal air safety laws, threats against government inspectors not to report safety violations and misconduct); *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.)(table), *cert. denied*, 459 U.S. 861 (1982))(addressed repeated criminal falsification of official airline accident reports, omitting highly sensitive air safety misconduct, making possible repeated crashes from the same sequestered problems); Amicus curiae brief filed on July 17, 1975, in the Paris DC-10 multi-district litigation, *Flanagan v. McDonnell Douglas Corporation and United States of America*, Civil Action 74-808-PH, MDL 172, Central District California.(addressing the long standing FAA misconduct, of which the cover-up of the DC-10 cargo door problem was one of repeated instances of tragedy related misconduct); U.S. v. Department of Justice, District of Columbia, Nos. 86-2523, 87-2214, and other actions filed by Stich seeking to expose and correct the powerful and covert air disaster misconduct.

3. Agents of the CIA, ONI, FBI, DEA, Customs, and others.

4. Title 18 U.S.C. § 4. Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

Surprise: non responded.

Notifying Lawyers with 9/11 Lawsuits

I sent them a copy of my February 6, 2003, letter to the Justices of the U.S. Supreme Court to several of the law firms that had lawsuits filed related to 9/11. In various letters sent to law firms representing 9/11 victims That February 6th letter highlighted the corruption and criminal activities that played key roles in the conditions enabling 19 hijackers to seize four airliners on September 11, 2001.

If the lawyers had used this information they could have provided their clients with not only the means to expose the arrogance and corruption that caused them to lose love ones but also provide for more adequate compensa-

tion. Further, the lawyers—if they had not covered up—would have provided the United States and its citizens with information needed to halt the defrauding of the nation and the people.

Mary Schiavo, formerly with the Department of Transportation, was one of the lawyers filing 9/11 lawsuits alleging negligence. I had also sent her letters while she held responsibility in the government, describing the corruption and offered evidence. She never responded.

Another Investigative Body: 9/11 Commission

Publicized protests from the families of the 9/11 victims forced members of Congress to pass legislation for a bipartisan commission to investigate why hijackers were able to seize four airliners. The legislation was enacted despite President Bush's opposition. The same protests forced Bush to sign the legislation, which was called The National Commission on Terrorist Attacks Upon the United States. The commission was created in late 2002 and was required to complete its work in 18 months, terminating on May 27, 2004.

The initial chairman selected by President George Bush (November 27, 2002) was Henry Kissinger. In contradiction to his past and future stonewalling, President Bush stated (November 27, 2004), "His investigation (Kissinger) should carefully examine all the evidence and follow all the facts, wherever they lead. We must uncover every detail and learn every lesson of September the 11th." Bush then continued his stonewalling.

Kissinger's background created such a protest that he resigned. Part of the opposition to Kissinger was due to his involvement in toppling of foreign governments such as the 1973 coup in Chile that topple Salvador Allende in the Socialist government and his role in the invasion of Vietnam. It was felt that he would shape his opinion so as to be politically astute.

Former New Jersey Republican governor Thomas H. Kean was then chosen as chairman and former member of Congress, Lee H. Hamilton, was chosen co-chairman of the Commission. The commission was composed of five Republican and five Democratic appointees. Their first meeting occurred January 27, 2002.

Bush Administration Continued to Block 9/11 Investigation

The Bush administration initially opposed any investigation into determining why 19 hijackers were able to seize four airliners, the worst human disaster in U.S. history. It then repeatedly refused to cooperate with the commission.

Bush's Secrecy to Prevent Public From Learning of Corruption In Government

"Bush Orders a 3-Year Delay In Opening Secret Documents" was the heading on a *New York Times* editorial (March 26, 2003) that stated:

Add one more item to the list of things the Bush administration has been quietly doing on the home front while the nation is preoccupied with

Iraq. This week President Bush signed an executive order that makes it easier for government agencies, including the white House, to keep documents classified and out of public view.

The order does a number of things at once. It delays by three years the release of declassified government documents dating from 1978 or earlier. It treats all material sent to American officials from foreign government—no matter how routine—as subject to classification. It expands the ability of the Central Intelligence Agency to shield documents from declassification. And for the first time, it gives the vice president the power to classify information. Taken individually, each of these actions might raise eyebrows for anyone who values open government. Taken together, they are reminders that this White House is obsessed with secrecy.

Among the evidence that would be withheld would be evidence of President Bush I' funding and arming of Iraq's war machine, the drug smuggling into the United States by people in government positions and secret government operations, including during the first President Bush's involvement with the Contra operations.

“White House Hurdles Delay 9/11 Commission Investigation”

The heading on a *Wall Street Journal* article (September 8, 2003) stated “*White House Hurdles Delay 9/11 Commission Investigation.*”

For the past seven months, the National Commission on Terrorist Attacks Upon the United States, otherwise known as the 9/11 Commission, has been looking into the events leading up to the 2001 attacks. But so far the probers have made little progress. The commission is embroiled in tense negotiations over the level of access it will have to White House documents and the federal personnel it wants to interview.

That means that the commission may not be able to complete an exhaustive investigation before its deadline next May, according to some of its 10 commissioners and others familiar with its work. From the commission's inception, commissioners and others say, the White House has put obstacles in its way.

In an earlier *New York Times* article (July 8, 2003), the matter of White House intimidation was addressed:

The panel said the failure of the Bush administration to allow officials to be interviewed without the presence of government colleagues could impede its investigation, with the commission's chairman suggesting today that the situation amount to “intimidation” of the witnesses.

President Bush's Attempts to Block 9/11 Investigation

President Bush sought to prevent an independent commission investigation into the worst terrorist disaster the United States had ever experienced. After the 9/11 commission came about—partly by pressure from family members of those who perished on 9/11—he then ordered important documents withheld from the commission.

Referring to the Bush administration's obstacle to a commission to investigate why the 9/11 hijackings occurred, a *Washington Post* article by Dana Milbank (September 19, 2002) stated:

Lawmakers from both parties yesterday protested the Bush administration's lack of cooperation in the congressional inquiry into Sept. 11 intelligence failures and threatened to renew efforts to establish an independent commission.

The White House reacted to the complaints from members of the House and Senate intelligence committees by softening its objection to an independent commission. But the president's spokesman said such an independent probe should be "separate and apart from intelligence," a concession unlikely to satisfy lawmakers because it does not address the heart of their objections.

On the day a joint House and Senate intelligence committee released a staff report on the Sept. 11 failures and began to hold hearings, those involved in the congressional investigation said they had been thwarted by the administration's reluctance to share information about what the White House knew before last year's terrorist attacks.

"Are we getting the cooperation we need? Absolutely not," Sen. Richard C. Shelby (Ala.), the ranking Republican on the Senate Intelligence committee, said in a joint appearance with Chairman Bob Graham (D-Fla.) on NBC's "Today" show.

Graham added: "What we're trying to do is to get people who had hands on these issues. . . . And what we're being told is, no, they don't want to make those kind of witnesses available."

Both Graham and Shelby yesterday endorsed the idea of independent panels. In his remarks at the start of the hearings, Shelby warned that "there may come a day very soon when it will become apparent that ours must be only a prelude to further inquiries."

Eleanor Hill, the joint committee's staff director, said in her 30-page statement to the committee that CIA Director George J. Tenet would not declassify "any references to the intelligence community providing information to the president or the White House." Hill also said Tenet would not declassify the identity of or information about a key al Qaeda leader involved in the attacks.

"According to [Tenet], the president's knowledge of intelligence information relevant to this inquiry remains classified even when the substance of that intelligence information has been declassified," Hill testified. She added that "the American public has a compelling interest in this information and that public disclosure would not harm national security."

In a press briefing yesterday morning, White House press secretary Ari Fleischer said that after Congress finishes the current investigation, "we'll take a look at talking to Congress about whether or not there is

anything additional that goes to the broader areas if necessary.” But Fleischer added that such a probe would be “a discussion about broader issues related to 9/11 separate and apart from intelligence.”

The White House had previously opposed any independent effort to examine events that led to Sept. 11, arguing that such a probe could increase leaks and compromise intelligence. The FBI is investigating the intelligence committees after administration complaints about leaks to the news media, but the committees say the leaks generally come from the administration.

On Tuesday, Senate Governmental Affairs committee Chairman Joseph I. Lieberman (D-Conn.) said he has growing support for his effort to create an independent commission. Lieberman, who has been working on the proposal with Sen. John McCain (R-Ariz.), said he may attach legislation creating a commission to a bill creating the new Department of Homeland Security. “I have had very encouraging conversations with Senators Graham and Shelby . . . who first were a bit skeptical about this idea early on in the year,” Lieberman said. “I think now they’re both ready to support it.”

Shelby acknowledged that the congressional probe would be incomplete. “I’m afraid if we try to publish at the end of this session a definitive paper on what we found, that there will be some things that we don’t know because we hadn’t had time to probe them and we have not had enough cooperation,” he said.

Bush Administration Blocking Rally by 9/11 Survivors

Families of 9/11 victims had planned a rally on March 12, 2004, in Westbury, Long Island, having received permission from the Nassau County Police Department. Suddenly, they were barred from reaching the site by the same police department on orders from the U.S. Secret Service. Numerous media services had planned to attend, including international services such as Reuters, Fuji TV, Nippon Television, and local media, including Journal News and Newsday.

Several Notices to 9/11 Commission

After the 9/11 commission started its investigation I offered several times to provide information and evidence showing the areas of primary blame for the success of the hijackers on 9/11, making reference to former my unusual position as a government aviation safety agent who was given the responsibilities to correct the conditions responsible for the worst series of airline crashes in the nation’s history. Also, that I acted as an independent prosecutor during this time and had considerable hard evidence showing the deep-seated corruption within the government’s aviation safety offices that created the conditions enabling hijackers to seize the airliners on that fateful day. No response.

Being unable to get a response from my letters to the commission or to its Chairman, Kean, I prepared a statement of intended testimony and sent it

by certified mail, which should have resulted in being called to testify, and at the very least, to be made a part of the record.

**Prepared Statement of Former Federal Aviation Safety Agent
Rodney Stich To
The National Commission on Terrorist Attacks Upon the United States**

Date: July 19, 2003

I, Rodney F. Stich, declare:

I am making the following statements for inclusion into the hearing record of this commission that has the responsibility to determine where the blame existed that enabled 19 hijackers to seize four airliners on September 11, 2001. Because of my prior experiences, some occurring while I was a federal aviation safety agent in an unusual position, I have considerable insider information that is not otherwise available to this or any other investigative body that reveals where the primary blame existed that resulted in 3,000 people being killed on that day.

My Background, Credibility, and Ability to Discover These Matters

- I am a former federal aviation safety agent with an unusual background and considered a top aviation safety expert with over 60 years of sophisticated aviation experience, starting in 1941.
 - During World War II, I was a Navy patrol plane commander flying and teaching in multi-engine aircraft.
 - After the war, I was an international airline captain for many years.
 - I later became an air safety inspector-investigator for the Federal Aviation Administration (FAA). During my official duties for the federal government I was given the assignment to correct the conditions responsible for the worst series of aviation disasters in the nation's history. This is where, as a federal inspector-investigator, I initially discovered and documented the deep-seated culture and corruption within the government aviation safety offices that was responsible for decades of preventable airline crashes. One of those crashes was the world's worst at that time, occurring in Brooklyn, New York. The same deep-seated misconduct that made *that* New York City disaster and many others possible is the same deep-seated misconduct that created the conditions that enabled 19 hijackers to seize four airliners on September 11, 2001.
 - I have written numerous highly detailed and documented books addressing these problems that made the events of 9-11 possible, including multiple E-book and print-book editions of *Unfriendly Skies*. The primary purpose of these books was to inform the public of these serious matters in an attempt to circumvent the vast cover-ups of what is probably the world's worst aviation scandal.
 - I have appeared as guest and expert on over 3,000 radio and television shows since 1978, seeking to inform the public of matters gravely affecting aviation safety.
 - Over the years I have become a confidant to dozens of present and former government agents who have provided me with information and evidence

concerning corruption in key government offices that continue to subvert the national security of the United States.

- Based upon the misconduct that I discovered in my official government air safety position, and the cover-up of such misconduct, I exercised certain legal procedures during which I acted the role of an independent prosecutor. During the subsequent six-month hearing a 4000-page hearing record was developed which provided additional evidence supporting my official charges that deep-seated corruption in key segments of the FAA was responsible for a series of specific airline disasters. Although airline crashes are far less frequent today, these conditions exist, and as shown on September 11, 2001, the consequences can be catastrophic.
- Based upon my many years of experience as a government and private investigator, and expert in many areas affecting aviation, it is my firm conviction that the *primary blame* for the success of the 19 hijackers on 9-11 was the hardcore misconduct of certain people in government aviation safety offices. Secondary blame was the people, in and out of government, who engaged in cover-ups, obstruction of justice, and even retaliation to silence my attempts to expose these matters.
- Among the areas of misconduct resulting in many prior aviation disasters that I documented are the following:
 - Refusal of FAA management personnel in certain segments of the FAA to take authorized and required actions on major aviation safety problems, aviation safety violations, and even criminal violations, some of which occurred in my immediate area of government responsibilities.
 - Pattern of deliberate actions by FAA management that blocked federal safety agents from carrying out their aviation safety duties.
 - Pressure and threats against federal aviation safety agents by FAA management, in retaliation for the agents reporting major safety problems and violations.
 - Repeated removal, and destruction, by FAA management of official records relating to major safety problems and safety violations. This practice continued despite the continuation of fatal crashes arising from the same problems and misconduct.
 - Retaliation and threats by FAA management against federal aviation safety agents who initiate authorized and required actions on aviation safety problems that they encounter.
 - A corrupt culture that prevented the federal government from performing its federal aviation safety responsibilities.
 - Among the many uncorrected aviation safety problems that I and other federal aviation safety agents discovered, reported, and tried to correct, and which were blocked by FAA management, were the following:
 - *Airline training and competency check programs* at certain airlines that were a farce, which allowed untrained and unsafe crewmembers to continue in airline operations. These programs did not meet the intent or the specifics of federal aviation safety directives.
 - *Falsified records* to falsely indicate federally required pilot and flight engineer training and competency checks had been performed, when in fact

they were not performed. These matters were known to FAA management, who retaliated against inspectors who made the reports.

- *Falsified records* indicating that federally required maintenance practices had been accomplished, when in fact they were not accomplished. Several major aviation disasters resulted from this practice.
- *Dangerous piloting techniques, such as high sink rate approaches.* One example of the deadly consequences: One captain, who I reported having a high sink rate approach, and who was denied corrective training, a few months later crashed at Salt Lake City due to this very same problem. Forty three people were cremated alive.
- *Dangerous flight engineer problems* at a major and politically powerful airline. One example of the deadly consequences also existed in that Salt Lake City crash. The flight engineer failed to shut off the fuel shutoff valves and fuel pumps after the initial crash, causing heavy quantities of fuel to be discharged from a broken fuel line, resulting in a major fire. (Compounded by the dangerous piloting practice of that pilot, and at that airline, plus the refusal of that airline to provide the legally required emergency evacuation training, which was covered up by falsifying government required records.)
- *Dangerous practice of pilots descending too low* during visual and instrument conditions. Two consequences of this known and unaddressed problem, as examples, were the aircraft that crashed into Lake Michigan and the airliner that crashed during an approach to the Cincinnati Airport.
- *Airline refusing to provide government-required pilot training and then falsifying government required records* to conceal this practice. The results were poorly trained and qualified pilots at a major airline and numerous crashes attributed to this misconduct.
- *Hundreds of airliner hijackings that were easily and inexpensively preventable.* I and other inspectors reported the urgency of inexpensive and easily accomplished preventative measures that FAA management was authorized and required to be done. FAA management refused to order the measures that would have halted the deadly practice of airline hijackings that have occurred for the past 40 years throughout the world. The continuation of this refusal to act and retaliation against inspectors making reports of the necessity for these corrective actions made possible the success of 19 hijackers on September 11, 2001.
- Many other problems, which I detail in my various government and non-government writings and reports. Deep-seated corruption was primarily responsible for these problems within the government's aviation safety offices, followed by incompetence and politically correct placement of unqualified and inexperienced people in key management positions.

Indifference, Cover-Ups, Complicity, Throughout Government Offices

- Being blocked from carrying out the aviation safety duties, and the close proximity of the crashes and deaths to the misconduct that I discovered, caused me to notify others of these federal crimes. I notified the administrator of the Federal Aviation Administration; the political appointees to the National Transportation Safety Board (and its CAB Bureau of Aviation Safety predecessor); various offices of the U.S. Department of Justice; members of Congress; and law-

yers at prominent aviation litigation law firms. Some admitted the gravity of my charges, and then either refused to act or passive or actively covered up for the deadly practices.

Acting As Independent Prosecutor to Force Corrective Actions

As an aviation safety agent and while the crashes due to these problems were occurring every few months, I exercised remedies in law that permitted me to act as an independent prosecutor for approximately six months. During this time I conducted a hearing during which I subpoenaed FAA personnel and obtained testimony and evidence that further proved my charges that deep-seated corruption and other misconduct within the FAA was responsible for certain specific aviation disasters—including hijackings. The evidence was covered up by the FAA Administrator's hearing officer and FAA legal counsel, causing the deep-seated corruption to continue, along with the many airline disasters that followed.

Complicity of National Transportation Safety Board Political Appointees

- I and other federal aviation safety agents repeatedly reported these problems to various members of the National Transportation Safety Board. They had the moral and legal responsibilities to immediately investigate our charges. Instead, they covered up, thereby becoming complicit in the crashes and deaths resulting from the problems that they cover-up enabled to continue. This complicity required that they omit any reference to the FAA misconduct, omit reference to their own involvement, and cover up for the crash-causing conditions associated with these deaths.

Cover-Ups by Others

- I made numerous reports of the misconduct to members of Congress. They also had a moral and legal duty to receive evidence of my charges. Initially, some members of Congress admitted the gravity of what I charged, but then raised various excuses. One such excuse was that these matters were not in their area of responsibilities. (Tell that to the families of the 3,000 dead on 9-11!) The matters *were* in their areas of responsibilities. They also had the option of requesting the General Accounting Office (GAO), the congressional investigative body, to receive my evidence. They also had a responsibility under the federal crime reporting statute to receive my evidence. (Title 18 U.S.C. § 4.)
- Some of the recipients of my charges were major partners in aviation litigation law firms, including some who *now* represent families of the 3,000 killed on 9-11. Some wrote, admitting the gravity of my charges, but none would help in getting this information known. Ironically, if they had acted when this information was presented to them, it is very probable that the corruption within the government's aviation safety offices could have been halted and the conditions enabling hijackers to seize airliners could have been corrected. Similar statements can be made for many others who knew of these charges and who either did nothing, or who actively assisted the cover-ups.
- Refusing to work in such a corrupt environment, I left the FAA. The cover-ups caused the deep-seated corruption within the FAA to continue and, as expected, the crashes and hijackings made possible by this corrupt culture. Reports from FAA inspectors still within the FAA confirmed to me that no meaningful changes had occurred. Realizing I had a responsibility, and evidence of the corruption, I took other steps seeking to expose these matters, including the following:

Using Judicial Process To Circumvent the Cover-Ups

- The continuing airline disasters caused me to use my assets¹ to fund various efforts to circumvent the cover-ups and force correction of the worsening corruption that I and other government agents discovered. The cover-ups by members of Congress and Justice Department personnel caused me to exercise remedies provided by criminal and other federal statutes; Titles 18 U.S.C. § 4 and 28 U.S.C. § 1361.
- The federal crime reporting statute requires anyone knowing of a federal crime to report it to a federal judge or other federal officer (such as members of Congress). That statute plainly states this responsibility:
 Title 18 U.S.C. § 4. Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

I had attempted to use that statute with members of Congress and Justice Department lawyers, but they refused to respond.

- Title 28 U.S.C. § 1361 gives any citizen the right to seek a court order requiring a federal official to perform his legal duty (in this instance, his aviation safety duties) and to halt his or her unlawful conduct.
 Title 28 U.S.C. § 1361. Action to compel an officer of the United States to perform his duty. The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.
- I filed the first of several federal filings² the late 1970s and early 1980s, seeking to report the criminal activities related to a series of aviation disasters to a federal judge. Also, to obtain an order requiring certain federal officials to perform their aviation safety duties and to halt their unlawful conduct. Initially, federal district and appellate judges admitted the seriousness of my charges but then, upon motion by Justice Department lawyers, the judges dismissed the filings before I could provide evidence. These dismissals, by obstructing justice, caused the corruption and related crashes to continue.³
- In the case of a multi-district litigation in Los Angeles involving the crash of a DC-10, the chief plaintiff counsel approved my filing of the amicus brief, which was required by rules of court.
- No one ever denied the validity of my charges. Nor would they be in a position to have enabled them to do so.

Discovering Other Areas of Corruption Harming National Security

- Dozens of other government agents contacted me over a period of many years with information and documentation on areas of corruption⁴ in government offices that they had discovered. (I detail some of these areas in subsequent books, including the E-book and print-book formats of *Defrauding America*, *Drugging America*, and *Terrorism Against America*. The sole purpose for writing these books has been to circumvent the cover-ups and inform the public of these matters, with the hope that there would be sufficient outrage to force corrective actions.

- In 1986, based upon the additional information on federal crimes implicating people in key government positions that I discovered, both from my personal investigative work and from my large numbers of former and present government agents, I again exercised my responsibilities to report the federal crimes under the federal crime reporting statute. Again and again, federal judges and Justice Department lawyers blocked me and my sources from providing evidence of these criminal, and even subversive, activities.
- Federal judges used various tactics to block the reporting of these criminal activities. In addition to blocking the reports being made under the federal criminal statutes (18 U.S.C. § 4), federal judges⁵ started issuing unlawful and unconstitutional orders permanently barring me access to the federal district and appellate courts. These orders continue in effect to this day, barring me from either reporting the criminal activities or in defending against the numerous attacks that have been made to halt my exposure activities.

Judicial Retaliation for Reporting Criminal and Subversive Activities

- As my discovery of other areas of criminal activities continued, I again exercised my responsibilities under the federal criminal statutes to report the criminal activities to a federal judge. Federal judges then expanded on their prior tactics. They charged me with criminal contempt of court for filing papers in the federal courts seeking to report these crimes (and for exercising federal defenses against record-setting violations of federally protected rights that were part of the legal tactics used to halt my exposure activities).
- Ironically, at the age of 70, a multi-millionaire, using my assets to halt these deadly crimes, I was suddenly sentenced to six months in federal prison for my public-spirited activities. While in prison, unlawful and unconstitutional orders were rendered by federal judges seizing and liquidating the \$10 million in assets that funded my attempts to expose and correct these criminal activities in which they were implicated. These retaliatory acts were criminal offenses⁷ by federal judges and Justice Department lawyers. There is some irony in the fact that a former federal agent who sought to report and halt the conditions that enabled the horrible deaths of 3,000 people on 9-11 would suffer such grave retaliation for his attempts to prevent such ongoing tragedies.

Last Judicial Obstruction-of-Justice *Prior* to September 11, 2001

In my last attempt prior to 9-11 to report these criminal activities, I filed a lawsuit¹⁰ in the U.S. district court at Reno, Nevada. Several issues were raised in that lawsuit, including (a) the attempt to report the criminal activities; (b) the attempt to have ruled unconstitutional the orders permanently depriving me the right to access the courts and the termination of my civil and constitutional rights and protections that were taken by the series of injunctive orders; and (c) the attempt to have ruled invalid the judicial seizure and liquidation of the \$10 million in assets that funded my exposure of the criminal activities.

As in the past, the federal judge⁸ acting on that legal filing blocked the reporting of the criminal activities and blocked my other causes of actions. In addition to refusing to receive the reports of the criminal activities, the federal judge ordered that I pay a large fine for daring to file the action and for daring to report the conditions that enabled 9-11 to occur.

I then filed an appeal with the Ninth Circuit court of appeals—where the

¹⁰ Reno, Nevada filing, Nr. CV-N-00-0152-ECR-PHA. March 24, 2000.

obstruction of justice had commenced in the late 1970s and continues to this day. The appellate judges⁹ ruled that the prior injunctions permanently barred me from the due process and equal protection right to file papers in the district and appellate courts, including the right to file appeals. That ruling was *made after the 3,000 deaths occurred on 9-11*.

Complicity of Many Members of Congress

- For several years prior to September 11, 2002, I repeatedly notified (in writing, some by certified mail) many members of congress of the serious corruption that I and other government agents had discovered, some of which related to major national security matters. These serious matters that we sought to report included, for instance, reports of (a) surface to air missiles being acquired by terrorists, made possible by actions of FBI and CIA personnel; (b) suitcase nuclear devices being smuggled from the former Soviet Union through Lithuania; (c) retaliation against FBI agents seeking to report criminal activities of CIA personnel; (d) drug smuggling by people acting under cover of government positions and covert operations; (e) Soviet spies in the FBI and CIA offices; and (f) many other matters inflicting great harm upon national interests.

Post 9-11 Judicial Obstruction of Justice

Judicial Cover-Ups in Southern District of New York

In accordance with required filing procedures and payment of fees, I submitted to the U.S. district court for the Southern District of New York (August 8, 2002) a filing under the federal crime reporting statute, seeking to report the criminal activities that I charged caused the conditions to exist that enabled 19 hijackers to seize four airliners on 9-11. By law, those papers *must be filed*. Further, the federal crime reporting statute and the gravity of the charges by government insiders, plus the events of 9-11, demanded that the federal judges promptly receive the evidence. In addition, federal law requires that the charges stated in federal filings be accepted as true¹⁰ at that stage of the pleadings. But if that were done, the pattern of judicial obstruction of justice would be exposed.

In violation of federal law relating to due process and equal protection right to file papers in federal court, it is now eleven months later and the papers have *not* been filed. Nor have the papers and the filing fees been returned. This refusal to file (a) violates federal rules for filing such papers; (b) blocks the reporting of criminal activities to a federal judge as specifically provided by the federal crime reporting statute; (c) prevents corrective actions to be taken—the same misconduct that made the events of 9-11 possible; (d) prevents the relatives of the 3,000 victims to have the guilty punished for their wrongful conduct and prevents them from discovering the primary defendants responsible for their grief; (e) continues in effect the years of corruption, the cover-ups, and the consequences that will surely result in further tragedies just as the prior cover-ups made the 3,000 deaths on 9-11 possible.

Judicial Cover-Ups in District of Columbia

Another attempt to report these matters was made where one of the 9-11 tragedies occurred, to the U.S. district court, District of Columbia. This filing occurred on June 12, 2002.¹¹ U.S. District Judge Henry H. Kennedy, Jr., promptly dismissed the filing without prior notice, in clear violation of federal due process and the mandatory requirements of the federal crime reporting stat-

ute. Kennedy sought to support the dismissal—and the cover-up—on the basis that former CIA legal counsel and federal judge Stanley Sporkin issued an order in 1991 permanently barring me from filing any papers in the federal courts. That 1991 order was made in a filing where I sought to report the criminal activities that I and my group of other former government agents had discovered. Not only did Sporkin block the reporting of criminal activities (some of which involved the CIA in which he had been legal counsel), but also misused the judicial position and the courts to permanently terminate the legal rights, protections and defenses that are “guaranteed” by the laws and Constitution of the United States. His actions in preventing exposure of misconduct in government obviously enabled the deaths of 3,000 people to occur on 9-11, just as of the prior judges played key roles.

I then filed a notice of appeal and paid the filing fees with the District of Columbia court of appeals. The court of appeal judges¹² dismissed the appeal on January 16, 2003, holding that I have been barred for life from filing papers in district and appellate courts as guaranteed to other people, including murderers.

I then filed a motion for an en banc hearing. Without any hearing, this motion was denied by order dated March 26, 2003,¹³ upholding Sporkin’s order permanently depriving me the due process right to federal courts—and upholding the judicial practice of obstruction of justice and violating the federal crime reporting statute.

Complicity in These Events by Justices of the U.S. Supreme Court

- From the late 1970s to the present date, the Justices of the U.S. Supreme Court have aided and abetted these criminal acts of judges over whom they have supervisory responsibilities. They had been repeatedly advised by me, through legal filings and certified letters, of the crimes and the consequences. They also had a duty under the federal crime reporting statute to receive the evidence of federal crimes, as provided by the federal crime reporting statute. Justices have supervisory responsibilities over the conduct of lower federal judges. The only partially favorable response was a letter from Justice Bryon White, and that was a form of apology for not being able to help.

Included in Issues Needing To Be Addressed Relating to 9-11

- Included in the issues that must be addressed to determine the people sharing in the blame for the conditions enabling 19 hijackers to kill 3,000 people on September 11, 2001, are the following:
 - Understand where the primary blame lies for the success of 19 hijackers on September 11, 2001. The blame for the conditions that enabled 19 hijackers to seize four airliners on 9-11 rests primarily with people in the government’s aviation safety offices who had the authority, responsibility, and knowledge of this ongoing aircraft hijacking problem. Ignoring hundreds of prior hijackings is far more than a problem of stupidity on the part of government aviation safety personnel.
 - The present tactic of placing the blame on a more innocent intelligence failure is either a deliberate diversionary tactic plus ignorance in some quarters. Relying solely on being told that a criminal event was to take place obviously cannot supersede the need to take known and required preventative measures for continuing hijackings that had been occurring for the prior 40 years.

Blowback, 9/11, and Cover-ups

- Determine from government insiders who had reported the problems and have evidence of these reports the arrogance and corruption within the government's aviation safety offices responsible for thousands of deaths over the years. I have the documents to prove this deep-seated problem, including the 4000-page hearing transcript from the FAA hearing at which I acted as an independent prosecutor.
- Examine the relationship of the corruption to specific airline crashes—including years of airline hijackings, and many that occurred in my immediate area of government aviation safety responsibilities.
- Receive my testimony and documents that prove a pattern of obstruction of justice and felony retaliation against a former federal agent and witness, perpetrated by federal judges and Justice Department lawyers, that played key roles in the 3,000 deaths on September 11, and key roles in other tragedies, some ongoing.
- Obtain testimony from some of my sources (former and present government agents), concerning the corruption in government offices in the aviation and in other areas. This evidence will show the cancerous spread of corruption in government, made possible by the cowardly or profitable cover-ups.

For years I have been warning in writings that covering up for the corruption by people in key government positions would surely worsen the conditions and the deadly consequences. The scenario occurred time and time again, and no better example could exist than what occurred on September 11. There is no way that this level of corruption can be corrected without the public being told of these matters. Tragically, the cover-ups made possible the expansion of the corruption in government, involving so many different people, that it is now almost impossible to eradicate. The public will continue to pay the consequences, as in the past.

Summary

- Hundreds of airliner hijackings have occurred during the 40 years prior to the successful hijackings of four airlines by 19 hijackers on September 11.
- FAA safety inspectors, including myself, had reported the urgent need for the FAA to order the simple and inexpensive preventative measures that would have prevented most of the hijackings and related deaths (and other preventable aviation disasters arising from known unsafe or illegal practices).
- FAA management personnel had the authority and responsibility to order these preventative measures.
- FAA management engaged in a pattern of arrogance and corruption, knowingly causing the deaths of many people over the years.
- Evidence of these criminal activities is found in official government documents, some of which are in my possession; in the 4000-page hearing transcript where I acted as an independent prosecutor while an FAA inspector; in other records that I possess; in my testimony, and testimony of other former federal agents. My evidence, and that of the dozens of former government agents and other insiders to whom I have become a confidant, would reveal other areas of corruption in government offices that continues to inflict great harm upon important national interests, including national security, and the harm inflicted upon innocent people.

- Federal judges and Justice Department prosecutors engaged in a documented series of criminal activities to block my reporting of these matters, with awe-some consequences for the United States and its people.
- If the matters detailed in this statement are not fully exposed the same deadly consequences affecting aviation will continue as they have from when I first made similar warnings into official government records.

Executed this 19th day of July 2003.

Rodney F. Stich
Fax: 925-295-1203
POB 5, Alamo, CA 94507

Sent by certified mail: 7002 0860 0003 9592 6412

Further related information at the following Internet sites:

www.defraudingamerica.com

www.druggingamerica.com

www.unfriendlyskies.com

ENDNOTES

1. After leaving the FAA I concentrated on real estate investments, and I used the equity in these investments to fund the expensive efforts to expose these serious matters.

2 *Stich v. United States, et al.*, 554 F.2d 1070 (9th Cir.) (table), *cert. denied*, 434 U.S. 920 (1977)(addressed hard-core air safety misconduct, violations of federal air safety laws, threats against government inspectors not to report safety violations and misconduct); *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.)(table), *cert. denied*, 459 U.S. 861 (1982))(addressed repeated criminal falsification of official airline accident reports, omitting highly sensitive air safety misconduct, making possible repeated crashes from the same sequestered problems); Amicus curiae brief filed on July 17, 1975, in the Paris DC-10 multi-district litigation, *Flanagan v. McDonnell Douglas Corporation and United States of America*, Civil Action 74-808-PH, MDL 172, Central District California.(addressing the long standing FAA misconduct, of which the cover-up of the DC-10 cargo door problem was one of repeated instances of tragedy related misconduct); *U.S. v. Department of Justice*, District of Columbia, Nos. 86-2523, 87-2214, and other actions filed by Stich seeking to expose and correct the powerful and covert air disaster misconduct.

3 The frequency of airline crashes today are far less frequent than when I was given the assignment to correct the problems. However, this reduction in the number of crashes is more due to on-ground and in-aircraft safeguards. The basic problems in the most critical area of the government's aviation safety offices still exists, being why the obvious, simple, and inexpensive preventative measures were not taken as required by law.

4 Among the dozens of courageous present and former government agents who contacted me during the past 18 years have been agents of the FBI, CIA, DEA, Customs, INS and other federal and state agencies. The information and documentation that they have provided me shows that the *secondary* blame for the success of the 19 hijackers was far more than an intelligence failure in certain government agencies. Rather, a level of corruption that remains unaddressed and which will remain until there is a full-blown investigation (which will never occur). However, the information I acquired shows a degree of criminality and subversive misconduct implicating people in key government positions.

5 Among many federal judges participating in the series of orders obstructing the report-

ing of these crimes were Marilyn Patel, Milton Schwartz, Levi, Stanley Sporkin,

6 Inflicting harm against former federal agents and witnesses are felonies under Title 18 U.S.C. §1510. (a) Whoever willfully endeavors by means of bribery, misrepresentation, intimidation, or force or threats thereof to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a criminal investigator; or Whoever injures any person in his person or property on account of giving by such person or by any other person of any such information to any criminal investigator—Shall be fined not more than \$5,000 or imprisoned not more than five years, or both.”

18 U.S.C. § 1512. Tampering with a witness, victim, or an informant.

(b) Whoever knowingly uses intimidation or physical force, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to—

(3) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense ... shall be fined under this title or imprisoned not more than ten years, or both.

(c) Whoever intentionally harasses another person and thereby hinders, delays, prevents, or dissuades any person from—(2) reporting to a law enforcement officer or judge of the United States the commission or possible commission of a Federal offense

18 U.S.C. § 1513. Retaliating against a witness, victim, or an informant.

(b) Whoever knowingly engages in any conduct and thereby causes bodily injury to another person or damages the tangible property of another person, or threatens to do so, with intent to retaliate against any person for —

(2) any information relating to the commission or possible commission of a Federal offense ...

7 Reno, Nevada filing, Nr. CV-N-00-0152-ECR-PHA. March 24, 2000.

8 U.S. District Judge Howard C. Reed, Jr.

9 Ninth Circuit appellate judges James R. Browning, Andrew Kleinfeld, Ronald Gould. Order dated April 12, 2002.

10 Federal courts must accept as true the allegations in the complaint and supporting affidavits as true. (See, e.g., *Gardener v. Toilet Goods Assn.*, 387 U.S. 167, 172 (1967). If plaintiff's allegations state a claim for which federal courts can grant relief, the court must accept jurisdiction. The United States Supreme Court stated in *Dennis v. Sparks*, 449 U.S. 24 (1980). Also, FRCivP 8(d) states: “Effect of Failure to Deny. Averments in a pleading to which a responsive pleading is required, are admitted when not denied in the responsive pleading.”

11 U.S. district court, District of Columbia, Nr. 02cv01172, filed June 12, 2002.

12 District of Columbia appellate judges Douglas Ginsburg, David Sentelle, and A. Raymond Randolph.

13 Denial for en banc hearing was made by judges Douglas Ginsburg, Harry Edwards, David Sentelle, Karen Henderson, Harry Randolph, Judith Rogers, David Tatel, and Merrick Garland.

There was no response, despite the fact that if any of my allegations were true, including those about prior aviation disasters arising from the corruption within the government's aviation safety offices, the commission members would be complicit in subsequent disasters made possible by their cover-ups.

Cover-ups in 9/11 Commission Report

The 9/11-commission report was issued in July 2004, and followed the usual pattern of diverting attention from hardcore misconduct involving

government officials. The report identified many intelligence failures, failures to act on known intelligence, an overall systemic failure and culture, and even failure of members of Congress to act. But, it did not address the corrupt and criminal activities that I had documented as a key government insider, the criminal cover-ups, the criminal retaliation against former government agents who sought to report the criminal activities that made it possible for the hijackers to seize four airliners on 9/11.

If any one of the many corrupt or criminal activities had not occurred while these problems were being reported, 9/11 would not have happened. By covering up for these deep-seated problems, the problems will continue, along with the consequences.

Brief Reference to Congress's Oversight Failures

The 9/11-commission report pleased many members of Congress since it dealt with intangibles. The summary of its contents was to blame institutional errors rather than individual misconduct. However, by way of "failures" rather than wrongful acts, the commission report blamed members of Congress for failure to provide greater oversight of the intelligence agencies.

My experiences were that many members of Congress were criminally implicated through cover-ups as numerous government agents, including myself, had either testified to or sent letters to members of Congress describing corrupt and criminal activities in government offices. I even filed a lawsuit against members of Congress charging them with criminal obstruction of justice. Their response did not deny that they were made aware of these serious charges; their response was that they were immune from the consequences of their actions.

Response to 9/11 Commission Cover-Up of Primary Blame

The 9/11-commission report was extensively focused on intelligence failures, failures to act on known intelligence, and a general systemic breakdown. The commission members covered up for the hardcore criminal misconduct that were the primary areas of blame for the conditions that allowed hijackers to seize four airliners. By covering up, the many years of tragedies related to the misconduct, and the cover-ups, would continue. No amount of renaming of government agencies, or forming new agencies, would correct these conditions. I sent a final letter to the 9/11 commission on April 12, 2004:

The National Commission on Terrorist Attacks Upon the United States

Date: April 12, 2004

I, Rodney F. Stich, declare:

This April 12, 2004, declaration is sent to Thomas H. Kean, Chairman of the National Commission on Terrorist Attacks Upon the United States, by certified mail.¹ The purpose of this declaration is to place *another* declaration into the commission records from a former government agent concerning the documented mis-

conduct in government offices that played key roles enabling terrorists to seize four airliners on September 11, 2001.

The members of this commission are circumventing the primary areas of blame for the events of 9/11. This standard tactic of controlled investigations has repeatedly prevented exposure and correction of serious corruption in government offices, enabling the continuation of catastrophic effect upon the United States. The members of this commission are intent at showing “mistakes” were made that led to 3,000 people being killed rather than reveal the criminal actions that made 9/11 possible.

The basis for the statements in this declaration is based upon my many years of experience as a government agent and subsequent investigations, which included the input from large numbers of other present and former government agents.²

During my activities as a federal aviation safety agent I had been given the assignment to correct the conditions causing the worst series of airline crashes in the nation’s history. In this assignment I acted as an independent counsel, conducting hearings and receiving evidence, which *proved* the existence of deep-seated corruption within the government’s aviation safety offices related to a series of fatal airline crashes.

The standard cover-up of corrupt and criminal misconduct following that proceeding caused and enabled numerous catastrophic blowback consequences. These included years of preventable aviation tragedies—of which the hijackings of four airliners on September 11, 2001, were only the most recent and prominent consequences.

This declaration highlights the *primary causes* for the success of the hijackers on 9/11, including the:

- Culture and deep-seated misconduct within the government’s aviation safety offices that blocked the federal government from performing its aviation safety responsibilities.
- Cover-ups and obstruction of justice relating to these federal offenses.
- Intelligence failures exacerbated by the deep-seated corruption that subverted the function of government agencies, and especially in the U.S. Department of Justice and the Central Intelligence Agency.

Failure of key people in government to act on intelligence.

Four Areas of Primary and Secondary Blame For Events of September 11, 2001

The *primary blame* for the success of the hijackers on 9/11 was the misconduct of people in certain government aviation safety offices that created the conditions enabling hijackers to seize four airliners and hijackings of the prior 50 years, all of which were easily preventable. The deep-seated corruption within the FAA were addressed in a 4000-page FAA hearing record during which I acted as an independent counsel.

The tragedy-related corruption was charged in various judicial filings during which I sought to report the federal crimes to a federal judges under the mandatory requirements of the federal crime reporting statute, Title 18 U.S.C. § 4. I sought to report these matters to members of Congress, all of whom refused to receive evidence and for various reasons engaged in cover-up.

Secondary primary blame for the events of 9/11 were the cover-ups and obstruction of justice that blocked present and former government agents—including

me—from reporting these federal offenses. The most heavily documented evidence of the felony cover-ups and obstruction of justice were the actions by federal judges and Justice Department lawyers to lawsuits that I filled under the federal crime reporting statute seeking to report these matters. Their obstruction of justice were federal crimes per se.

Subordinate and contributing blame for the events of 9/11 were so-called “intelligence failures” by people in Justice Department offices and the CIA. These “failures” were undoubtedly influenced by the widespread corruption in these two government offices.

Contributing subordinate blame arises from the failures of politicians and members of Congress to act when insiders provide information of corruption in government offices.

Another contributing subordinate blame arises from the “controlled investigations” that covered up and obstructed justice in prior areas of misconduct involving politicians and government officials.

Much of this information is detailed in my various informational books and in charges made in my various filings in the federal courts

Further Details Supporting These Charges

Corrupt Culture in Certain Government Aviation Safety Offices

The misconduct in certain government aviation safety offices that repeatedly blocked the federal government from meeting its aviation safety responsibilities is reflected in the following conditions that I and other government agents discovered, that are stated here as examples:

- Refusal of FAA management personnel in certain segments of the FAA to take, and to block, authorized and required actions on known and reported major aviation safety problems, safety violations. Some of these actions were criminal violations that resulted in great aviation tragedies.
- Included in the types of obstructionist actions by FAA management, that blocked federal safety agents from carrying out their aviation safety duties, were the following:
 - Pressure, threats, and retaliation against federal aviation safety agents for attempting to report and correct major safety problems.
 - Removal and destruction of official records reporting safety problems, safety violations, and criminal violations.
 - Placement of unqualified people in key positions for political gains, including the office of FAA administrator, and who are not capable of recognizing threats needing corrective actions, and are not capable of controlling rogue elements within the agency. A typical example of this was the failure of the politically correct FAA administrator and other FAA personnel to order the simple and inexpensive preventative measures to block hijackers from taking control of an airliner. There were numerous reports, shortly prior to 9/11, by the White House, the FAA, the Department of Transportation, the Justice Department, and the CIA, of planned hijackings, for which every one of the people in control of these offices could have ordered the simple preventative measures³ that would have prevented terrorists from taking control of the four airliners.
- Examples of how the government’s aviation safety responsibilities were sabotaged by people in the government’s aviation safety offices, that I and other

federal aviation safety agents discovered, reported, and tried to correct, included the following:

- *Airline training and competency check programs* at certain airlines that were a farce, which allowed untrained and unsafe crewmembers to continue in airline operations. These programs did not meet the intent or the specifics of federal aviation safety directives. This documented misconduct was especially prominent at United Airlines, which had some intriguing blowback and “butterfly effects” related to September 11, 2001.
- *Falsified records* at certain politically powerful airlines, to falsely indicate federally required pilot and flight engineer training and competency checks had been performed, when in fact they were not performed.
- *Falsified records* indicating that federally required maintenance practices had been accomplished, when in fact they were not accomplished.
- *Dangerous piloting techniques, such as high sink rate approaches*, that went uncorrected. One example of the deadly consequences was a pilot that I reported having a high sink rate approach. Despite my report of his dangerous piloting technique and the federal directives requiring that he receive corrective training, FAA management refused to require it. Several months later, due to this dangerous condition, the plane crashed at Salt Lake City, causing forty-three people were cremated alive. I was removed from my duties for six weeks when I reported this common problem of other senior pilots at United Airlines.
- *Dangerous flight engineer problems* at a politically powerful airline that was involved in several accidents and near accidents.
- *Dangerous practice of pilots descending too low* during visual and instrument conditions, which I reported. Two consequences of this known and unaddressed problem were airliners that crashed into Lake Michigan and during an approach to the Cincinnati Airport.
- *Airline refusing to provide government-required pilot training and then falsifying government required records* to conceal this practice. The results were poorly trained and qualified pilots at a major airline and numerous crashes attributed to this misconduct.
- *Refusal to require backup flight instruments at a major airliner*, that resulted in numerous near-crashes and in one crash that caused over 100 deaths before changes were finally ordered.
- *Airline hijackings that were easily and inexpensively preventable*. I and other inspectors reported the urgency of inexpensive and easily accomplished preventative measures that FAA management was authorized and required to order be taken. FAA management refused to order the measures that would have halted the deadly practice of airline hijackings that have occurred for the past 40 years throughout the world. The continuation of this refusal to act and retaliation against inspectors making reports of the necessity for these corrective actions made possible the success of 19 hijackers on September 11, 2001.
- *Many other problems*, which I repeatedly reported, and detail in my various government and non-government writings and reports, and in informational books that I have written.

Complicity of Political NTSB Board Members

I and other federal aviation safety agents reported the serious internal FAA problems, including criminal acts related to several prior airline crashes, to various members of the National Transportation Safety Board (and its CAB Bureau of Aviation Safety predecessor). Instead of responding as required by law, they covered up for the federal offenses, which enabled the preventable crashes to continue. In response to the resulting crashes, they falsified their official accident reports by omitting material facts that absolved them of blame and covering up for the misconduct in the FAA. The deadly problems continue to this day—and were primarily responsible for the conditions enabling terrorists to hijack four airliners on 9/11.

Complicity of FBI and Other Justice Department Personnel

Starting while I was a federal aviation safety agent, and while acting as an independent counsel, I made my charges of deadly federal criminal misconduct related to several prior airline crashes known to FBI agents and several U.S. attorneys, along with the head of the Department of Justice. I encountered the standard refusal to receive evidence that implicated federal personnel.

I encountered Justice Department block when I circumvented the block and appeared before a federal grand jury in Denver while I was a federal agent. I encountered their blocks when I filed federal actions under the federal crime reporting statute seeking to report the Trojan-horse-like corruption in government offices. In 1986, Justice Department prosecutors charged me, a former federal agent and witness, with criminal contempt of court for attempting to report criminal activities, including those that created the conditions enabling terrorists to seize four airliners on 9/11.

I had notified FBI chief Robert Muller of the criminal activities while he was in the U.S. attorney's office in San Francisco and then after he became head of the FBI, followed by the usual cover-up. The same notification was sent to U.S. Attorney John Ashcroft and prior U.S. attorneys. They refused to receive the evidence that I and other former government agents sought to report related to other areas of corruption implicating government officials and other government personnel.

Justice Department personnel prosecuted the head of a multi-agency task force⁴ that focused on the drug operations of people in the New York-New Jersey areas, including the Jersey City terrorists who the following year bombed the World Trade Center in 1993. The prosecution of that agent halted the investigations and sent a message to other government agents not to proceed with the investigations. That obstruction of justice tactic enabled the Jersey City terrorists to proceed with the bombing of the World Trade Center a year later, in 1993.

This typical retaliation against government agents is endless, and includes the false imprisonment of another FBI agent, one of my many sources. He was falsely charged to silence his exposure of CIA involvement with organized crime drug smuggling, illegal funding of Iraq during the 1980s, and other offenses.

The same culture was shown by the FBI's support for organized crime in the Boston area, with William Bulger and others, wherein FBI agents—with Washington approval—provided the names of government informants to organized crime figures, causing the informants to be murdered. I have acquired information from organized crime insiders that the same conditions existed in the New York City area, showing the widespread culture in the FBI, which obviously is not compatible with protecting U.S. interests. Considerable other evidence is available to show the

depravity of this culture. I offered this information to members of Congress and the Justice Department; none responded.

Complicity of Many Members of Congress

For several years prior to September 11, 2001, I repeatedly notified members of Congress (some by certified mail) of the serious corruption that I and other government agents had discovered in the government's aviation safety offices and within the Justice Department and the Central Intelligence Agency. I repeatedly requested that they receive testimony and evidence from me and other former and present government agents. Our offers were repeatedly ignored. It is this group in Congress that shares peripheral blame for the events of 9/11.

The serious matters that I sought to report included, for instance, reports of (a) surface to air missiles being acquired by terrorists, made possible by actions of FBI and CIA personnel; (b) suitcase nuclear devices being smuggled from the former Soviet Union through Lithuania, and which will surely be used in American cities at some future date; (c) drug smuggling into the United States by people acting under cover of government positions and covert operations; (d) Soviet spies in the FBI and CIA offices, made known prior to their discovery; (e) retaliation against FBI agents seeking to report criminal activities of CIA personnel; and (f) other matters inflicting harm upon national interests.

No one ever denied the validity of my charges. Nor would they be in a position to have done so. Initially, when the corruption was related primarily to the FAA, some members of Congress admitted the gravity of what I charged. Some refused to act on the excuse that these matters were not in their area of responsibilities. (Tell that to the families of the 3,000 dead on 9/11!) The matters *were* in their areas of responsibilities. They also had the option of requesting the General Accounting Office (GAO), the congressional investigative body, to receive my evidence. They also had a responsibility under the federal crime reporting statute to receive my evidence of federal crimes.

The "Butterfly Effect"

Ironically, if any of the recipients of these charges had acted when this information was presented to them, it is very probable that the corruption within the government's aviation safety offices (and elsewhere) could have been halted and the conditions enabling hijackers to seize airliners for the past 50 years corrected. It is the "butterfly effect" of these covered up areas of misconduct that continue to undermine the United States in many areas, including protection against terrorist attacks.

Initial Actions to Report Corruption in FAA:

Acting As Independent Prosecutor

My initial attempts to report and force correction of the misconduct resulting in a series of preventable airline crashes⁵ occurred while I was an aviation safety agent. I exercised remedies in law that permitted me to act as an independent counsel. For six months I conducted hearings, obtained testimony and documents, and in a 4000-page hearing record proved the existence of deep-seated corruption within the FAA (and at United Airlines) related to a continuing series of fatal airline crashes.

Possibly because of the gravity of the scandal and the many related deaths, the FAA Administrator's office and FAA lawyers covered up the evidence.

The continued cover-up of these corrupt activities caused me to resign from the FAA in a letter refusing to work under such corrupt conditions. The deep-seated culture and resulting airline tragedies increased in severity thereafter. I then supported myself by investing in real estate, an endeavor that eventually increased my assets to \$10 million, and would fund subsequent activities to expose the corruption in government offices.

Using Federal Criminal Statutes and the Judicial Process

The continuing preventable airline disasters caused me to use two federal statutes to circumvent the cover-ups: Titles 18 U.S.C. § 4 and 28 U.S.C. § 1361:

Title 18 U.S.C. § 4. Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

Title 28 U.S.C. § 1361 gives any citizen the right to seek a court order requiring a federal official to perform his legal duty (in this instance, his aviation safety duties) and to halt his or her unlawful conduct.

Title 28 U.S.C. § 1361. Action to compel an officer of the United States to perform his duty. The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.

The first of several federal filings⁶ occurred in the late 1970s and early 1980s. Federal district and appellate judges admitted the seriousness of my charges, but upon motion by Justice Department lawyers, the judges dismissed the filings before I could provide evidence. These dismissals, by obstructing justice, caused the corruption and related crashes to continue.⁷ In the case of a multi-district litigation in Los Angeles involving the crash of a DC-10 associated with FAA misconduct, the chief plaintiff counsel approved my filing of the amicus brief.

Circumventing the Cover-ups Through Publicity

Seeking to circumvent the vast cover-ups, I sought to provide information to the public and generate outrage and responsible reaction. I published the first of several editions of *Unfriendly Skies* in 1978, and started appearing as guest and expert on the first of over 3,000 radio and television shows. As a result of these activities, many other government agents⁸ contacted me over a period of years, providing me information and documentation on areas of corruption⁹ in government offices that they had discovered. I detail some of these areas of corruption in subsequent print and e-books.¹⁰

Continuation of Earlier Judicial Obstruction of Justice

In 1986, based upon the additional information of corruption in government offices that I and other former and present government agents had discovered, I again exercised my responsibilities to report the federal crimes under the federal crime reporting statute. Federal judges repeatedly refused to receive the information that they were required to receive as part of their administrative duties under the clear wording of Title 18 U.S.C. § 4. Justice Department lawyers blocked every effort to make these reports.

Federal judges¹¹ combined their obstruction of justice with terminating my civil rights. They started issuing unlawful and unconstitutional orders permanently barring me access to the federal district and appellate courts. These orders continue in

force at this time and are being repeatedly enforced by federal judges, especially in the Ninth Circuit and Washington, D.C. district and appellate courts.

**Felony Retaliation for Reporting
Criminal and Subversive Activities**

As information and evidence of additional criminal activities continued to be discovered, I again exercised my responsibilities under the federal criminal statutes to report the criminal activities to a federal judge. Federal judges and Justice Department prosecutors then expanded their deadly obstruction of justice tactics by charging me with criminal contempt of court for filing papers in the federal courts. They charged that the prior judicial orders permanently barred me from filing any papers in the federal courts and my attempt to report the federal crimes were therefore criminal contempt of court. From 1986 to 1995, I was constantly under either literal house arrest or *imprisoned* for attempting to report criminal activities under 18 U.S.C. § 4.

Ironically, at the age of 67, a multi-millionaire, using my assets to halt these deadly activities, federal judges and Justice Department prosecutors prosecuted me, and sentenced me to federal prison for six months, which included two months in solitary confinement. While in prison, federal judges issued unlawful and unconstitutional orders seizing and liquidating the \$10 million in assets that funded my exposure activities. These retaliatory acts were criminal offenses.¹² When I filed objections to the seizure and liquidation, federal judge Edward Jellen charged me with criminal contempt of court, and again sentenced me to federal prison.

There is some irony in the fact that a former federal agent, who sought to report and halt the conditions that enabled the deaths of 3,000 people on 9/11, would suffer such massive personal and financial retaliation.

Latest Obstruction-of-Justice--Prior to September 11, 2001—by Federal Judges

My last attempt, prior to 9/11, to report the corrupt activities was a lawsuit¹³ filed in the U.S. district court at Reno, Nevada. Several issues were raised in that lawsuit, all of which were associated with the judicial actions to block my reports. They included (a) the attempt to report the criminal activities under 18 U.S.C. § 4; (b) the attempt to have ruled unconstitutional the orders permanently depriving me the right to access the courts and the termination of my civil and constitutional rights; and (c) the attempt to have ruled invalid the judicial seizure and liquidation of the \$10 million in assets that funded my exposure of the criminal activities, and peripheral defenses.

Continuing the judicial obstruction of justice, the federal judge¹⁴ acting on that legal filing, blocked the reporting of the criminal activities, and blocked my other causes of actions related to the obstruction of justice.

I then filed an appeal with the Ninth Circuit court of appeals—where the obstruction of justice had commenced in the late 1970s and continues to this day. Ninth Circuit appellate judges¹⁵ ruled that the prior injunctions permanently barred me from filing papers in the district and appellate courts, including the mandatory requirements to report federal crimes to a federal judge, the right to defend myself, including the right to file appeals. That ruling was *made after the 3,000 deaths occurred on 9-11*.

Continuing Post 9/11 Judicial Obstruction of Justice

I submitted to the U.S. district court for the Southern District of New York, on

August 8, 2002, a filing¹⁶ under the federal crime reporting statute, seeking to report the criminal activities that I charged constituted the primary blame for the conditions to exist that enabled hijackers to seize four airliners on 9/11. By law, those papers *must be filed* upon receipt if they are in proper order and the filing fee paid, which did exist.

The federal crime reporting statute and the gravity of the charges by a former government agent and witness demanded that federal judges promptly receive the information. Federal law even requires that the charges stated in federal filings be accepted as true¹⁷ at that stage of the pleadings.

In violation of federal criminal and civil due process law, the papers were blocked from being filed. Not until I wrote letters to the Justices of the U.S. Supreme Court complaining about the matter that the complaint was finally filed: 13 months after being received.

Dismissing the Complaint Simultaneous With Its Delayed Filing

Compounding these irregularities, Chief Judge Mukasey simultaneously filed a five-page sua sponte dismissal order—that required weeks to prepare—with the delayed filing of the papers seeking to report the corruption related to the events of 9/11. His dismissal order addressed (and misstated) charges stated in the Complaint that had not yet been made a part of the judicial record because of the 13-month delay in filing!

The refusal to file the papers (a) violated federal rules for filing such papers; (b) blocked the reporting of criminal activities to a federal judge that had already played a key role in the terrorist hijackings of 9/11; (c) delayed and prevented corrective actions to be taken, enabling a continuation of the prior catastrophic consequences; (d) obstructed justice; (e) prevented the relatives of the 3,000 victims of 9/11 to have the guilty punished for their wrongful conduct and prevented them from discovering the primary blame responsible for their grief; (f) continued in effect the years of corruption, the cover-ups, the obstruction of justice, and the consequences that will surely result in further tragedies as the history of such activities plainly reveals.

Irregularities by Justice Department Personnel In the Court of Appeals

Following Judge Mukasey's highly irregular dismissal order, I filed a timely notice of appeal, and in accordance with the briefing schedule, filed the appellant brief by the January 12, 2004, briefing date. The brief to be prepared by the U.S. attorney, and due to be filed by February 12, 2004, was never filed. I then filed a declaration of filing irregularities and a motion to order that the U.S. attorney file the brief and for sanctions.

The failure of the U.S. attorney to file the brief was “understandable.” After charging Martha Stewart with obstruction of justice and conspiracy, he had to continue the pattern of obstruction of justice and conspiracy that are documented in judicial records—and that made the events of 9/11 possible, or address the corruption and the cover-ups that would open a literal can of worms, the gravity of which is unparalleled in the nation's history.

Judicial Cover-ups in District of Columbia: It Never Ends

An earlier post-9/11 attempt to report the corruption related to the events of 9/11 was made in the U.S. district court, District of Columbia, where another 9/11 tragedy occurred. U.S. District Judge Henry H. Kennedy, Jr., dismissed the June 12, 2002,¹⁸ filing almost as soon as it was filed, continuing to violate federal criminal

and due process law.

Judge Kennedy sought to support the dismissal—and the cover-up—on the argument that former CIA legal counsel and federal judge Stanley Sporkin issued an order in 1991 permanently barring me from filing any papers in the federal courts. That 1991 order was made in a filing where I sought to report the criminal activities that I and my group of other former government agents had discovered—including those that made 9/11 possible.

I filed a notice of appeal and paid the filing fees with the District of Columbia court of appeals. Court of appeal judges¹⁹ dismissed the appeal on January 16, 2003, holding that I had been permanently barred from filing papers in district and appellate courts, rights which are guaranteed to other people, including murderers. In effect, they approved the obstruction of justice and termination of all due process defenses guaranteed by the laws and Constitution of the United States.

I then filed a motion for an en banc hearing, which was denied by order dated March 26, 2003.²⁰ The judges of this powerful Washington Court of Appeals upheld Sporkin's order permanently depriving me the due process right to federal courts, the right of federal judges to obstruct justice, and to be protected against the consequences of their criminal acts.

Complicity by Justices of the U.S. Supreme Court

From the late 1970s to the present date, the Justices of the U.S. Supreme Court had been repeatedly advised through legal filings and certified letters of the crimes, the national security consequences, and the felony misconduct of judges over whom they had supervisory responsibilities. They also had a duty under the federal crime reporting statute to receive the evidence of federal crimes that I reported to them.

The only partially favorable response was an October 28, 1991, letter from Justice Bryon White, which was a form of apology for not being able to help. He wrote, "As a single Justice I can be of no help to you. I am returning the petition."

My Background, Experience, and Credibility for Making These Statements

I held a key air safety position in the Federal Aviation Administration (FAA).²¹ I had been given the assignment to correct the conditions responsible for the worst series of airline crashes in the nation's history. During this assignment I discovered and documented corrupt and criminal activities that caused and enabled a number of airline disasters to occur. These discoveries—and the standard cover-ups in government—caused me to exercise the law in a manner that enabled me to act as an independent counsel, the purpose of which was to create a government record showing the relationship between the misconduct and a series of fatal airline crashes. I had been a Navy Patrol Plane Commander in World War II; I had been an international airline captain for many years, including considerable experience in the Middle East. I was a focal point for other government agents and insiders to provide me with insider information and documentation on matters that continue to inflict great harm upon the United States, its people, and national security. My credentials are very unusual. I had been a guest and expert on over 3,000 radio and television shows since 1978. I have nothing to gain, and everything to lose—much of which has already occurred—for trying to do my duty as a citizen and former federal agent.

Responsibility of Every Member of 9/11 Commission

Rather than continue the standard practice of cover-ups through “controlled investigations,” this commission must address the deep-seated uncorrected problems that created the conditions enabling terrorists to seize four airliners on September 11, 2001. This includes:

- Understand that the successful hijackings of four airliners by terrorists on September 11, 2001, were primarily aviation disasters for which the primary blame was with people in the government’s aviation safety offices; that the preventative measures were known for many years; that people in the government’s aviation safety offices had the authority and responsibility to order the simple and inexpensive preventative measures; that they refused to perform this mandatory duty and obstructed others who sought to carry out the government’s aviation safety responsibilities.
- Obtain testimony and evidence from myself and some of the many other former government agents that have provided information and evidence to me of criminal and even subversive activities.
- Understand that so-called “intelligence failures” include corruption in certain government offices.
- Understand that the refusal to act on known threats is the same deep-seated culture that I discovered while I was in the Navy a year prior to Pearl Harbor, and is caused by many factors, including cover-ups and refusal to face facts.
- Address the documented hardcore corruption by a large number of federal judges and those who aided and abetted them, in blocking the reports of criminal activities that relate not only to the events of 9-11 but to other activities inflicting great harm upon national security. Prima facie evidence of these judicial crimes is in judicial records. If the matters detailed in this statement are not fully exposed the same deadly consequences affecting major national interests, including national security, will continue as they have for so many years.

Deadly Consequences if Obstruction of Justice Continues

It is my belief that this commission is engaging in a cover-up, seeking to place the blame for the events of 9/11 on the more innocent “intelligence failures” and failure to act, rather than the hardcore criminal and subversive activities of key government personnel. By this conduct the members of this commission have an equal, and in some cases a more prominent role, in the continuation of corrupt and criminal activities, and that they will share blame for continuation of the catastrophic consequences.

Were it not for the complicity of much of the media and the self-serving cover-up of much of Congress, the members of this commission would be at risk of exposure.

Executed this 12th day of April 2004.

Rodney F. Stich
Fax: 925-295-1203
POB 5, Alamo, CA 94507

2 The agents and other insiders who provided me information and documentation on corrupt personnel and activities in government offices include those from the FBI, CIA, Customs, FAA, Secret Service, DEA, and former drug traffickers and organized crime figures.

3 The simple and easily accomplished preventative measures that would have been put into place within 24 hours, and which would have halted the 9/11 hijackings were (a) removal of the cockpit door keys from the cabin flight attendants—which enabled the terrorists to enter the cockpit; and (b) orders to cockpit flight personnel to keep the cockpit doors locked whenever passengers are on board.

4 Justice Department prosecutors charged the head of a multi-agency drug task force with criminally violating the civil rights of one of the suspected drug traffickers, which then halted the investigations into the drug-related money operations of the Jersey City terrorists, and sent the message to other government agents to ignore the threat; the drug smuggling of CIA personnel; the unlawful arming of Iraq during the 1980s; and many other offenses that contributed to great harm upon national interests.

5 In those earlier days airline crashes were occurring every few months.

6 *Stich v. United States, et al.*, 554 F.2d 1070 (9th Cir.) (table), *cert. denied*, 434 U.S. 920 (1977)(addressed hard-core air safety misconduct, violations of federal air safety laws, threats against government inspectors not to report safety violations and misconduct); *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.)(table), *cert. denied*, 459 U.S. 861 (1982))(addressed repeated criminal falsification of official airline accident reports, omitting highly sensitive air safety misconduct, making possible repeated crashes from the same sequestered problems); Amicus curiae brief filed on July 17, 1975, in the Paris DC-10 multi-district litigation, *Flanagan v. McDonnell Douglas Corporation and United States of America*, Civil Action 74-808-PH, MDL 172, Central District California.)(addressing the long standing FAA misconduct, of which the cover-up of the DC-10 cargo door problem was one of repeated instances of tragedy related misconduct); *U.S. v. Department of Justice*, District of Columbia, Nos. 86-2523, 87-2214, and other actions filed by Stich seeking to expose and correct the powerful and covert air disaster misconduct.

7 The frequency of airline crashes today are far less frequent than when I was given the assignment to correct the problems. However, this reduction in the number of crashes is due more to on-ground and in-aircraft safeguards. The basic problems in the most critical area of the government's aviation safety offices still exists, being why the obvious, simple, and inexpensive preventative measures were not taken as required by law.

8 These included agents from the U.S. Department of Justice, including the FBI; Central Intelligence Agency, Drug Enforcement Agency, Federal Aviation Administration, and other federal and state agencies.

9 Among the dozens of courageous present and former government agents who contacted me during the past 18 years have been agents of the FBI, CIA, DEA, Customs, INS and other federal and state agencies. The information and documentation that they have provided me shows that the *secondary* blame for the success of the 19 hijackers was far more than an intelligence failure in certain government agencies. Rather, a level of corruption that remains unaddressed and which will remain until there is a full-blown investigation (which will never occur). However, the information I acquired shows a degree of criminality and subversive misconduct im-

plicating people in key government positions.

10 I also wrote numerous not-for-profit informational books and appeared as guest and expert on over 3,000 radio and television shows since 1978. The books include one or more editions of *Unfriendly Skies*; *Defrauding America*; *Drugging America*; *Blowback, 9/11, Lies, and Cover-ups*; *Terrorism Against America*.

11 Among many federal judges participating in the series of orders obstructing the reporting of these crimes were Marilyn Patel, Milton Schwartz, Levi, Stanley Sporkin,

12 Inflicting harm against former federal agents and witnesses are felonies under Title 18 U.S.C. §1510. (a) Whoever willfully endeavors by means of bribery, misrepresentation, intimidation, or force or threats thereof to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a criminal investigator; or Whoever injures any person in his person or property on account of giving by such person or by any other person of any such information to any criminal investigator—Shall be fined not more than \$5,000 or imprisoned not more than five years, or both.”

18 U.S.C. § 1512. Tampering with a witness, victim, or an informant.

(b) Whoever knowingly uses intimidation or physical force, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to—

(3) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense ... shall be fined under this title or imprisoned not more than ten years, or both.

(c) Whoever intentionally harasses another person and thereby hinders, delays, prevents, or dissuades any person from—(2) reporting to a law enforcement officer or judge of the United States the commission or possible commission of a Federal offense

18 U.S.C. § 1513. Retaliating against a witness, victim, or an informant.

(b) Whoever knowingly engages in any conduct and thereby causes bodily injury to another person or damages the tangible property of another person, or threatens to do so, with intent to retaliate against any person for – (2) any information relating to the commission or possible commission of a Federal offense.

13 Reno, Nevada, Nr. CV-N-00-0152-ECR-PHA. March 24, 2000.

14 U.S. District Judge Howard C. Reed, Jr.

15 Ninth Circuit appellate judges James R. Browning, Andrew Kleinfeld, Ronald Gould. Order dated April 12, 2002.

16 U.S. district court, # 03 CV 7405

17 Federal courts must accept as true the allegations in the complaint and supporting affidavits as true. (See, e.g., *Gardener v. Toilet Goods Assn.*, 387 U.S. 167, 172 (1967). If plaintiff's allegations state a claim for which federal courts can grant relief, the court must accept jurisdiction. The United States Supreme Court stated in *Dennis v. Sparks*, 449 U.S. 24 (1980). Also, FRCivP 8(d) states: “Effect of Failure to Deny. Averments in a pleading to which a responsive pleading is required, are admitted when not denied in the responsive pleading.”

18 U.S. district court, District of Columbia, Nr. 02cv01172, filed June 12, 2002.

19 District of Columbia appellate judges Douglas Ginsburg, David Sentelle, and A. Raymond Randolph.

20 Denial for en banc hearing was made by judges Douglas Ginsburg, Harry Edwards, David Sentelle, Karen Henderson, Harry Randolph, Judith Rogers, David Tatel, and Merrick Garland.

21 Prior to my experience in the government's aviation safety offices, I had been a Navy patrol plane commander during World War II, and an international airline captain.

Conspiracy Theorists Interfering with the Truth

Compounding the problem of getting the truth about 9/11 known to the people were the conspiracy theorists with their wild statements that were contradicted by the facts, by reports of professionals, and by common sense. These theorists with their wild charges were usually people with no competency or experience in the aviation area.

I sometimes wondered if they were paid by covert personnel in government to divert attention away from former government agents seeking to report criminal activities in government offices and covert government operations.

In the Soviet downing of the Korean Airlines 747 in 1983 off Sakhalin Island with an air-to-air missile, the theorists were claiming that the aircraft had not been shot down, that the plane landed safely, and the people were still alive. The fact that international aviation groups recovered wreckage, and that the Soviets admitted shooting down the aircraft, didn't matter to them.

In the crash carrying Ron Brown, the conspiracy people were claiming that Ron Brown had been shot before the plane crashed; that the surviving flight attendant was murdered; and that the radio beacon on which the aircraft was homing had been physically moved, causing the plane to crash. And with the hijackings of four airliners on 9/11, the conspiracy people really outdid themselves with ridiculous charges. These includes charges that:

- United Airlines Flight 175, a Boeing 767, hit the south tower of the World Trade Center with a missile or bomb hanging from underneath the aircraft.
- One of the planes that crashed into one of the World Trade Center buildings was not an airliner, but a military tanker filled with fuel.
- The clouds of debris shooting out of the WTC were due to explosives planted in the World Trade Center and not possible from a mere collapse of the floors.
- Expulsion of debris from the collapsing World Trade Center buildings indicated an explosion at these floor levels.
- The absence of melted steel showed that the fire did not cause the WTC buildings to collapse, further evidence of explosives.
- The collapse of WTC building 7 was a controlled demolition.
- Seismic tracings indicate bomb explosions that brought down the World Trade Center buildings.
- The lobbies of both towers were damaged before the towers collapsed. And there was no way the impact of the jet caused such damage 80 stories below.
- The main World Trade Center buildings were caused to collapse by explosives placed throughout the building at the ground level.
- The damage to the Pentagon was not caused by a plane, but rather, a missile.
- The width of the damage in the Pentagon was less than the wings of a Boeing 767.
- There were no Muslims on board the aircraft, and some of the people identified as terrorists are still living.

- A missile from an Air Force jet shot down United Airlines Flight 93 over Pennsylvania.
- No fighter jets were scrambled from any of the air force bases, being ordered to stand down on 9/11.
- It had been standard procedures for decades to intercept aircraft that are off-course and do not respond to communications from air traffic controllers.

Conspiracy theorists statements: There were no windows on the side of the plane that was supposedly United Flight 175, indicating that it was a military tanker aircraft.

This statement could have been made by dozens of people who simply did not see the aircraft well enough. One theorist site claimed that a Fox employee, Marc Birnbach, stated he did not see any windows on the plane that crashed into the South Tower. That caused conspiracy theorists to conclude that it was a military tanker aircraft. But Birnbach later stated that he was in Brooklyn, over two miles from the World Trade Center, and that he had only briefly seen the plane fly by his location.

An on-site investigation by structural engineer W. Gene Corley and his team from Construction Technology Laboratories, based in Skokie, Illinois, photographed aircraft debris that was part of United Airlines Flight 175. Corley stated the wreckage was “from the United Airlines plane that hit Tower 2.” The team tracked the trajectory of fragments from United 175 that crashed through Tower 2, which included parts of an engine and landing gear, tearing through the north side of the South Tower.

The National Institute of Standards and Technology (NIST), a branch of the U.S. Department of Commerce, investigated the WTC scene. They stated that burning fuel poured into the elevator shafts and was distributed throughout the building, including the lobbies. Some elevators containing people slammed down to ground level, and as the elevator doors automatically opened, flames and debris erupted into the lobby area.

An example of how burning fuel goes far beyond its source; a former Navy pilot friend of mine crashed his Beech Baron into the top of a shopping mall in Concord, California, some years ago. Although the plane was at ground level, the burning fuel penetrated two floors below, severely burning several people.

The fact that the plane and its passengers never surfaced anywhere else should have made obvious the fact that the plane did crash into the World Trade Center. The theorists never addressed this obvious fact, which, if they had, would settle the matter right there.

Conspiracy theorists: Explosives brought down the WTC buildings

The conspiracy theorists claimed that the World Trade Center buildings were caused to collapse by explosives. They don't recognize that collapsing floors in the World Trade Center buildings caused the air and debris between the floors to be violently expelled outward.

The theory of explosives at various locations around the perimeter of the building and at the floors that were impacted by the jets. They overlooked the fact that no one saw the explosives being placed in position or in the time between the placement and the jets ramming into the buildings. They

ignored the fact that someone had to stand by to detonate the explosives, who had to know that airliners would be hijacked at that time and place, and the planes would crash into those specific floors at that specific time and place.

The bomb theorists ignored the fact that the World Trade Center buildings did not *start* to collapse at ground level. Instead, the two main towers started to collapse from where the jets had impacted, and then started pancaking down as each collapsing floor placed a greater load on the lower floor than the lower floor could hold.

The unusual design of the World Trade Center buildings made the collapse possible. Instead of having supporting columns throughout the buildings, as every other high rise had, the primary support for each of the floors was attachments to the outer walls and columns. The heat from the burning jet fuel and interior building contents caused the steel supports to weaken, causing the floor to collapse. When it did, it exerted a force on the lower floor that was higher than the steel supports could handle, causing that floor to collapse. This pancaking continued until the entire building collapsed.

Conspiracy theorists: Building 7 in the World Trade Center complex was caused to collapse by explosives

Experts in the field of accident investigations explained the collapse of Building 7 in this manner:

Building 7 suffered structural damage on one side from the debris cascading out from the collapse of the other Trade Center buildings. This damage caused fires to occur in Building 7, which raged for hours. It is believed that the fires were further fueled by the oil storage tanks at various floors used to power backup generators. These fuel tanks were automatically kept full by fuel pressure lines coming from main fuel storage tanks below ground level.

Although the initial FEMA report stated there was relatively light damage to WTC 7, subsequent in-depth investigation by NIST showed that the south side of the building was compromised by falling debris. An NIST investigator stated: "On about a third of the face to the center and to the bottom, approximately ten stories, about 25 percent of the depth of the building was scooped out." NIST discovered damage to other areas, including the southwest corner and to upper stories.

NIST felt that this structural damage, along with the intense fire, resulted in the progressive collapse. NIST also pointed to the unusual design, similar to the unusual design of the two WTC towers that resulted in a building collapse that probably would not have occurred if the standard design had not been ignored (a building that contains supporting columns throughout, rather than relying upon outer walls supporting each floor through metal supports).

Conspiracy Theorists: Absence of melted steel in the buildings eliminated the possibility that the building collapsed because of the fire and heat

Steel does not have to melt to lose its strength. The heat from diesel fuel is reported to reach 800 to 1500 degrees Fahrenheit, which is sufficient to cause steel to lose much of its strength. Further, the diesel fuel started the initial fire, which fed other material in the buildings. Jet fuel burns at be-

tween 800 to 1500 degrees Fahrenheit, while steel melts at 2750 degrees Fahrenheit. Steel loses about 50 percent of its strength at 1100 degrees Fahrenheit, which is within the range of burning jet fuel. Jet fuel was the source of the fire, which then ignited material in the WTC towers, causing the temperature to rise even more. At 1800 degrees, steel loses about 90 percent of its strength.

Conspiracy theorists: One of the planes that crashed into one of the World Trade Center building was not an airliner, but a military tanker filled with fuel

The missing plane and passengers, the video shots of the airliner, makes this argument ludicrous. This theory was based upon a report by a FOX TV reporter on the ground who initially said he didn't see any windows in the aircraft that passed overhead. The same statement could probably be made by hundreds of people who saw any of the three airliners passing overhead.

Conspiracy theorists: A pod on the bottom of United Airlines Flight 175 that hit the South Tower had a bomb or a missile attached

Some theorists claimed that one of the planes that struck the World Trade Center buildings had a missile pod underneath the fuselage or the wings.

That charge ignored several important points. It would take considerable time to fasten the missile pod to the aircraft. The missile pod would be visible to the pilots before getting on the aircraft. The missile pod would be visible to the people who serviced the aircraft. The missile pod would be visible to pilots in other aircraft that were taxiing out for takeoff, or while it was on the ramp being loaded. The missile pod would be visible to control tower personnel. None saw any such pod, missile, or bomb.

Conspiracy theorists: Seismic tracings indicated bomb explosions brought down the World Trade Center buildings

The seismographs from the observatory in Palisades, a part of Columbia University's Lamont-Doherty Earth Observatory, New York, about 20 miles north of the World Trade Center, recorded the spikes. Seismologists at the observatory, Won-Young Kim and Arthur Lerner-Lam, stated, "There is no scientific basis for the conclusion that explosions brought down the towers." They added, "That representation of our work [by conspirators] is categorically incorrect and not in context."

The report released by the observatory showed the initial impact produced by the planes crashing into the towers, and then a *gradual* rise in the seismic waves as the buildings started to crash to the ground, and not an *immediate* spike as would be seen if there was an explosion at ground level causing the towers to collapse. The seismic waves started small and as the buildings collapsed, they escalated, rather than an initial sharp rise as would occur from an explosion.

Conspiracy theorists: The Pentagon Was Not Struck by a Plane, But by a Missile

One conspiracy charge was that the Pentagon was not struck by an airliner, but by a missile. They claimed that the width of the Pentagon damage did not match the width of the wingspan of American Airlines Flight 77, a Boeing 757 with a wingspan of 125 feet.

Again, the theorists failed to explain where the aircraft and its occupants were. Equally important, parts of the aircraft were on the ground in front of the Pentagon, and pictures have shown the parts to be there. One of the first people at the scene was structural engineer Allyn E. Kilsheimer Chief Operation Officer of KCE Structural Engineers of Washington, D.C. He stated that he picked up parts of the aircraft on the lawn and found one of the aircraft recorders. He stated, "I held parts of uniforms from crew members in my hands, including body parts." He also stated seeing marks from one of the wings on the heavy reinforced concrete walls that did not collapse from the impact.

The aircraft engines were found inside the Pentagon, along with one of the aircraft recorders. The NTSB has one of the recorders, as one of the employees have told me, and it was damaged to such an extent that it was unreadable.

A plane diving into a building can very easily create a relatively narrow hole if it were to dive into the building in a steep bank. Even though a Boeing 757 has a wingspan of about 125 feet, if it was at a steep bank and diving into the building, the width of the damage would be considerably less than the width of the wings.

Further, aircraft accident investigators have learned long ago that the rapid speed of an airliner upon impact with a solid object results in certain patterns. One wing of the plane that hit the Pentagon is reported to have hit the ground before hitting the building, causing it to break away. The other wing broke off upon hitting the heavy reinforced concrete outer wall.

The reports show that the width of the damage to the outer wall, known as Ring E, was 75 feet wide, according to ASCE Pentagon Building Performance Report. The hole in an inside concrete wall, called Ring C, was 12 feet wide, and was believed by professional investigators to be caused by one of the aircraft's landing gears.

Forensic experts, professionals in airline crashes, stated that the high speed upon impact causes sudden pulverization of an aircraft and leaves an imprint other than what one would expect. For instance, when Value Jet crashed into the Everglades, going almost straight down, there was virtually no indication that there was a plane there.

Conspiracy theorists: United Airlines Flight 93 That Crashed in Pennsylvania, Allegedly shot Down With Heat-Seeking Missile

Conspiracy theorists argue that a White Jet was seen in the area where United Flight 93 crashed, that it was a Air Force or U.S. Customs jet, and that it had a missile that shot down the United flight.

There was only one jet in the area and that was a Falcon 20 business jet operated by VF Corporation of Greensboro, North Carolina, a company that makes and markets apparel, such as Wrangler Jeans. That plane was asked by air traffic controllers to look over the area from where United Flight 93 had disappeared from the radar screen. When it descended and looked over the site, they reported smoke coming from a hole in the ground.

Conspiracy theorists: There were no Muslims on board the aircraft, and some of the people identified as terrorists are still living

Airport video cameras showed Muslims passing through airport security in Boston. Although there is some controversy about certain of the named

Muslims being still alive, it is possible that there was an identity theft, or that there was more than one person with a similar name; as in the United States, with Smith, or Jones, or some other common name.

Conspiracy theorists: No fighter jets were sent aloft to intercept the airliners as they were ordered to stand down.

Reports from several government sources state that aircraft *were* dispatched. Two F-15s were scrambled from Otis Air Force Base, in Falmouth, Massachusetts, by NEADS, within minutes of being informed by Boston Air Traffic Control Center. Three F-16s were scrambled from Langley Air National Guard based in Hampton, Virginia. None of these planes reached the hijacked aircraft.

There could have been delays before the aircraft transponders had been shut off in several of the aircraft, making the plane's positions unavailable to the air traffic controllers at their regular screens. Also, the events of 9/11 had never confronted air traffic controllers before.

Further, intercepts by NORAD were intended primarily for aircraft penetrating the Air Defense Identification Zones (ADIZ), which is a line outside U.S. borders. They were not intended to intercept aircraft in the United States that were off-course or not in communication with air traffic controllers. The only intercept of a non-military aircraft occurred when air traffic controllers failed to receive any radio communications from the Lear-jet carrying golfer Payne Stewart (October 1999) that went far off course and continued to climb to its maximum altitude before running out of fuel and crashing. Air traffic controllers asked the military to check on the aircraft.

Conspiracy theorists: the terrorists were incapable of flying sophisticated airliners.

A number of the terrorists that hijacked the four airliners had pilot experience and pilot licenses. Once a commercial airliner is in the air, anyone with limited piloting experience can fly and maneuver the aircraft, without knowing the sophisticated systems, operating procedures, and emergency procedures.

People Standing on Their Seats for Better Viewing

In March 2005 I was a speaker at a rally in the Los Angeles area where some of the speakers were conspiracy theorists and some were promoting causes that I thought ridiculous. However, I agreed to be a speaker in the belief that I could make some of them aware of the corruption that I and a group of other former government agents had discovered.

One woman, a popular talk show host, showed a film of the United 767 flying into one of the World Trade Center towers and in an excited voice exclaimed that the jet was carrying a pod with a bomb or missile attached. As she excitedly described this scenario, hundreds of people jumped onto their chairs to get a better view. Afterwards she was given an award for her heroic exposure of what surely would be a revelation—if what she said was not so ridiculous.

Obstruction of Justice by Federal Judges

Years earlier when I faced a block from Justice Department personnel and members of Congress, I attempted to use another legal means to report evidence of the deadly activities into a government record that would force attention to these matters. Two federal statutes make this possible. One, the federal crime reporting statute, Title 18 U.S.C. § 4, makes it a crime if anyone who knows of a federal crime does not promptly report it to a federal judge or other federal official. The statute reads:

Title 18 U.S.C. § 4. Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

That statute also requires a federal judge to receive the information about a federal crime offered by anyone, as part of the judge's mandatory administrative duties.

Another statute that requires a federal judge to address the issues is Title 28 U.S.C. § 1361, which permits any citizen the right to seek a court order requiring a federal official to comply with the law and to halt unlawful conduct:

Title 28 U.S.C. § 1361. Action to compel an officer of the United States to perform his duty. The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.

I first attempted to report the federal crimes that I discovered as a federal aviation safety agent by filing papers¹¹ in the federal courts at San Francisco

¹¹ *Stich v. United States, et al.*, 554 F.2d 1070 (9th Cir.) (table), cert. denied, 434 U.S.

and Los Angeles. Initially, the district and appellate judges acknowledged the seriousness of the charges in the Complaint, but after Justice Department lawyers filed motions to dismiss and prevent me from reporting these matters, federal judges dismissed the action, claiming I lacked standing to report the criminal activities—the ones that were resulting in a series of continuing fatal airline crashes!

This obstruction of justice tactics made possible the continuation of the conditions that were then involved in even worse aviation disasters. After I published books showing this relationship and naming some of the federal judges, there was a strong self-interest in preventing these matters from being exposed.

Some years later, starting in 1986, as my activist activities became widely known, they caused other government agents to start providing me information and evidence of criminal activities in other government offices and covert government operations. Attempts to report these matters to Justice Department personnel and members of Congress encountered the same cover-ups as I initially encountered while a federal agent. I then again sought to report these criminal activities to a federal judge under the mandatory requirements of the federal crime reporting statute. .

These areas of other criminal activities, described in my various books, included, for instance, CIA drug smuggling, the October Surprise operation, massive corruption in the federal bankruptcy courts, corruption in the FBI, CIA involvement in the savings and loan and other financial frauds; illegal funding and arming of Iraq during the 1980s, among other areas of corrupt and criminal activities.

The first of these later attempts to report the criminal activities to a federal judge through legal filings occurred in the U.S. district court at Sacramento, California, and was assigned to U.S. District Judge Milton Schwartz. During the first hearing, Schwartz acknowledged the seriousness of my allegations and suggested I obtain legal counsel to present the matter.

That was impractical. In most cases lawyers do not want to antagonize their peers in government. The cost of legal representation would be a problem. And I didn't need a lawyer to present the information and evidence that I had accumulated. Further, a lawyer would be an impediment in trying to

920 (1977)(addressed hard-core air safety misconduct, violations of federal air safety laws, threats against government inspectors not to report safety violations and misconduct); *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.)(table), cert. denied, 459 U.S. 861 (1982))(addressed repeated criminal falsification of official airline accident reports, omitting highly sensitive air safety misconduct, making possible repeated crashes from the same sequestered problems); Amicus curiae brief filed on July 17, 1975, in the Paris DC-10 multi-district litigation, *Flanagan v. McDonnell Douglas Corporation and United States of America*, Civil Action 74-808-PH, MDL 172, Central District California.(addressing the long standing FAA misconduct, of which the cover-up of the DC-10 cargo door problem was one of repeated instances of tragedy related misconduct); U.S. v. Department of Justice, District of Columbia, Nos. 86-2523, 87-2214, and other actions filed by Stich seeking to expose and correct the powerful and covert air disaster misconduct.

report and expose corruption in powerful government offices.

A week after that hearing, without the legally required notice and a hearing, Schwartz dismissed my action and issued an unlawful and unconstitutional order terminating my right to file any papers in federal courts.

As I later discovered information about other areas of conduct constituting federal crimes in government offices I again sought to report these matters to a federal judge. In response, U.S. Attorney David Levy, Sacramento, and Judge Schwartz, charged me with criminal contempt of court for having violated the obviously unlawful order terminating my right to file papers in federal court, or to bar me from reporting criminal activities.

I was being charged with criminal contempt of court for attempting to report criminal activities, some of which were continuing to result in aviation disasters, and others that were inflicting great harm upon major national interests, including national security.

Federal judges denied me a jury trial and sentenced me to six months in federal prison. While in prison, federal judges rendered orders seizing and liquidating the \$10 million in assets that funded my exposure activities. These orders were rendered without the legal and constitutional requirement of a hearing, notice of hearing, and legally required cause. In addition, another order was rendered barring me from filing any objections to the seizure. And when I did exercise the legal and constitutional right to file an objection, the objection was unfiled and I was again charged with criminal contempt of court.

Last Attempt Before Pre-9-11 to Report Corruption in Aviation And Intelligence Offices That Enabled Events of 9/11 to Occur

Shortly before the hijackings of four airliners on 9/11, I again sought to report the criminal activities, which included those in the government's aviation safety offices that I had initially discovered and documented as a government agent.

Because I was barred from filing any papers in the federal district courts in California, I filed that action¹² in Reno, Nevada. It was assigned to Judge Edward C. Reed, Jr. Again, that federal judge blocked me from reporting the criminal activities, some of which would be responsible for the conditions that enabled four groups of hijackers to seize four airliners on 9/11.

That lawsuit also sought relief from massive civil rights violations that were part of the scheme to halt my exposure activities. That scheme consisted of a sham lawsuit filed by the CIA-front law firm of Friedman, Sloan and Ross in San Francisco. That and related lawsuits violated large numbers of state and federal laws for which multiple federal remedies existed. For the CIA-front to succeed, California and federal judges repeated violated the protections in law. Every time I exercised defenses specifically provided by law California and federal judges, seemingly acting in concert, called the fil-

¹² U.S. district court, Reno, CV-N-00-152-ECR (PHA)

ings frivolous—thereby reversing the legal and common sense definition of the term. I faced a series of Kangaroo Courts.

During this attempt to report the serious misconduct in the government's aviation safety offices, the events of 9/11 occurred. I then filed a declaration in that lawsuit (January 22, 2004) reporting in greater detail the misconduct that created the conditions enabling four groups of terrorists to hijack four airliners on the fateful day.

Despite the gravity of my charges and the horrendous national consequences if even a few of them were true, Judge Reed refused to receive details and evidence. Instead, he dismissed the filing and ordered me to pay financial sanctions for filing the action.

I filed a notice of appeal, and paid the filing fee, but was blocked from filing appeal briefs by Ninth Circuit Court of Appeal judges James R. Browning, Andrew J. Kleinfeld, and Ronald M. Gould. They held that I was permanently barred from filing papers in the federal courts by an earlier order in 1991 by San Francisco federal district judge Marilyn Patel. Ironically, Judge Browning was involved in one of the first attempts to report the criminal activities in the government's aviation safety offices that I filed shortly after leaving the FAA and while major preventable airline crashes were occurring. He surely would not want me to proceed.

First Post 9/11 Attempt in Federal Courts at Washington, D.C.

My first attempt after 9/11 to report the criminal activities, with emphasis on misconduct constituting the *primary blame* for the conditions that enabled terrorists to hijack four airliners, was with a federal court filing in the U.S. district court in Washington, D.C.

I felt that the judge would be required to receive the information since it was at Washington, D.C. that one of the hijacked planes crashed into the Pentagon. Further, media sources routinely look at papers filed in the federal courts, and surely, I thought, they would give publicity to such a filing made by a former federal aviation safety agent.

At first, the court refused to file the Complaint, writing on the returned complaint that by judicial order of September 21, 1991, the judge permanently barred me from filing any papers in the federal courts. I then sent letters to the Supreme Court justices advising them of the latest attempt by federal judges blocking me from reporting criminal activities and exercising due process remedies. The complaint was then filed¹³ on June 12, 2002, and assigned to district judge Henry H. Kennedy, Jr.

Continuation of Judicial Obstruction of Justice

Kennedy promptly dismissed the filing without notice, thereby violating numerous due process rights and also the requirement to receive evidence of alleged criminal activities. I then filed a notice of appeal and filed an appel-

¹³ U.S. district court, District of Columbia, 1:02CV01172.

late brief¹⁴ on December 9, 2002. But appellate judges Douglas H. Ginsburg, David B. Sentelle, and R. Raymond Randolph, refused to act on the brief, dismissing the appeal without any hearing. They sought to support blocking the reports of criminal activities and the denial of federal remedies on the basis of a prior unlawful and unconstitutional order issued twelve years earlier, in 1991, by judge Stanley Sporkin. That order was issued by Sporkin as he dismissed a prior lawsuit seeking to report the criminal activities that I and a group of other government agents had discovered.

That unlawful and unconstitutional order by Sporkin, a former CIA legal counsel—that blocked the reporting of criminal activities—was upheld by en banc by the other appellate judges. Considering that the District of Columbia appellate judges are the most powerful appellate in the United States, below the U.S. Supreme Court, this didn't say much for the status of integrity and honesty in the federal courts.

Documented Evidence of Criminal Acts by Federal Judges

It is a criminal offense for anyone, including federal judges, to block the reporting of a federal crime, and the offense is not predicated on whether the reports of criminal activities are true or not. Since the series of judges blocking me from making these reports is well documented in court records, it requires only an honestly functioning Justice Department to prosecute these judges and bringing about their removal and incarceration. But since Justice Department personnel were repeatedly implicated, this will never happen.

If the reports of corruption in the government's aviation safety offices, and in the intelligence community, had not been blocked by Sporkin and the appellate judges in 1991, or any of the other judges, it is probable that the conditions enabling four groups of hijackers to seize four airliners would have been addressed, as well as conditions causing great harm upon national security and the lives of people in other areas.

Filing Papers in Federal Courts at 9/11 Disaster Site

Most of the lawsuits filed by families of the 9/11 victims were filed in the U.S. district courts within blocks of where the World Trade Center tragedies occurred. And that is where I filed papers seeking to report misconduct that played key roles in the catastrophic events.

I submitted a lawsuit for filing on August 8, 2002, which by law must be filed the same day it is received, since the papers were in order and the filing fees paid. Among the federal claims raised in the lawsuit were those violations of federally protected rights that were part of parallel efforts to block me from reporting the criminal activities.

Federal Judge Blocked the Filing for 13 Months

In clear violation of federal filing requirements, and the criminal statute requiring federal judges to receive information and evidence of federal crimes, the filing was blocked for 13 months. It was finally filed¹⁵ on Sep-

¹⁴ District of Columbia Appeal, No. 02-5240.

¹⁵ U.S. district court, New York City, No. 03 CV 7405.

tember 22, 2003, after I sent letters to each of the justices of the U.S. Supreme Court complaining of the latest misconduct by federal judges over whom they had supervisory responsibilities.

Simultaneous with the long-delayed filing, U.S. district judge Michael B. Mukasey entered a five-page order dismissing it. That sua sponte dismissal, without notice and right to be heard, violated criminal and civil statutes and constitutional provisions. The dismissal prevented attention being focused on the areas of primary blame for the successful hijackings of four aircraft, and would continue the long pattern of catastrophic consequences.

In response to the sua sponte dismissal, I filed a notice of appeal, in accordance with law. That appeal put the judges in the federal appellate court at New York City on record of being informed about the serious charges. In response to the notice of appeal, a scheduling order was issued requiring me and the U.S. attorney to file respective briefs.

Blocking the Filing of Explosive Brief

I submitted the Appellant brief on January 5, 2004, which was received by the court on January 7, 2004. As in the federal district court, it's filing was unlawfully blocked. It wasn't until nearly a month later that it was filed, and only after I again wrote letters complaining of the latest filing irregularity.

Justice Department Lawyers Failed to File Their Brief

The scheduling order required the U.S. attorney to file their brief by February 12, 2004. If it had been filed, the Justice Department lawyers would have to either continue the history of blocking reports of the corrupt and criminal acts that former federal agents sought to report and which enabled 9/11 to occur, or admit the existence of the criminal activities and cover-ups. After a delay of almost two months, I filed a motion for an order to require the U.S. attorney to file their brief, and for sanctions. The U.S. attorney then filed its brief. I followed with a Reply Brief. After receiving our briefs, the court scheduled oral argument to occur on August 24, 2004.

Oral Argument in Court of Appeals, New York City,

I appeared and presented oral argument before the three appellate panel judges, Jose A. Cabranes; Chester J. Straub, and Richard C. Wesley. In New York City, oral argument before the court of appeals are very formal, more so than on the West Coast. I noticed that with the lawyers presenting oral argument before I appeared, that the judges rarely looked at the speaker. In my case, I noticed that all three judges constantly had their eye on me, causing me to wonder why. The following was my oral argument:

Good morning, I am the appellant in this appeal, appearing in pro se, and my name is Rodney Stich. In the ten minutes allotted, Appellant will attempt to show the close relationship between the latest due process and civil violations with the continuing attempts to block Appellant, a former federal agent, from reporting criminal activities that he and a group of other former government agents discovered. These reports

were being made under the mandatory requirements of the federal crime reporting statute, Title 18 USC Section 4. Appellant first discovered certain of these federal crimes after he was given the assignment to correct the conditions responsible for the worst series of airline crashes in the nation's history.

Among the multiple federal causes of actions stated in Appellant's complaint, and the issues brought to this court, are the following:

- Under the federal crime reporting statute, Appellant has attempted to report to a federal judge the criminal activities against the United States, under the mandatory requirements of the federal crime reporting statute, Title 18 USC Section 4. Every attempt to report these deadly activities had been blocked, and the latest block was done in the lower court.
- Two of the federal causes of actions arise under the Supreme Court's void judgment doctrine.
- Federal judges have issued a series of unlawful and unconstitutional orders forever barring Appellant from filing any papers in the federal district and appellate courts.
- The effect and intent of these orders were to block Appellant from reporting the criminal activities to a federal court, and to block Appellant from exercising the federal defenses needed to halt the ongoing massive violations of state and federal laws that were part of the legal schemes to halt his exposure activities.
- These orders violate the due process and equal protection guarantees of the Constitution, and deprive Appellant the defenses guaranteed by the laws and Constitution of the United States. At this time, anyone can perpetrate any violation upon Appellant through sham legal actions and Appellant cannot exercise the defenses in the laws and Constitution of the United States.

After the first of these unlawful orders were rendered in the Ninth Circuit courts, Appellant discovered additional criminal activities. As required by the federal crime reporting statute, and granted by federal rights, Appellant sought to report these criminal activities, and also exercised federal defenses seeking to halt the great and irreparable personal and financial harm he was suffering from the violations of federally protected rights.

A U.S. attorney and federal judges then retaliated against Appellant for attempting to report these criminal activities and for exercising defenses guaranteed to all citizens by the laws and Constitution of the United States. Appellant was denied a jury trial and sentenced to six months in federal prison.

While in prison, federal judges rendered unlawful and unconstitutional orders seizing and liquidating Appellant's \$10 million in assets that Appellant foolishly used to fund his exposure activities.

These orders were combined with an order barring Appellant from filing any objections. When Appellant exercised his legal and constitutional right to object to the seizure of his life assets, a federal judge charged him with criminal contempt of court for having exercised that legal and constitutional right, denied him a jury trial, and sentenced him again to federal prison.

Several tactics were used to block appellant from reporting the criminal activities, and to block Appellant from exercising federal defenses.

Every action was dismissed at the pleading stage, often sua sponte dismissals, and always during the initial filing stages.

Seeking to justify the dismissals, the standard practice was to reverse the legal and common sense definition of frivolous and call Appellant's filings frivolous. Exercising federal remedies for the most outrageous, and record-setting violations of state and federal laws, a frivolous label was promptly placed.

A classic example. In a lawsuit filed by a CIA-front law firm, the violations of state and federal laws that barred the action included (a) over 36 California and federal statutes; (b) over a dozen rules of court; (c) several landmark Supreme Court decisions; (d) major constitutional protections, for which federal defenses existed for any one of these violations under the Civil Rights Act and the Declaratory Judgment Act. Appellant was suffering great and irreparable financial and personal harm from the violations. Despite all this, federal judges repeatedly placed a frivolous label on Appellant's exercise of federal defenses.

Federal judges blocked every due process protection, barring appellant from having the federal claims adjudicated on their merits. Instead, every action was given a frivolous label and dismissed.

Judge Mukasey enlarged upon this tactic, falsely stating in his sua sponte dismissal order that each of the claims had been adjudicated on the merits; that they were found to be without merit; that Appellant was a vexatious litigant filing frivolous actions.

Included in the relief sought from this appellate court are the following:

- *Order that permits appellant and his group of other former government agents to provide information, testimony, and evidence, of the criminal activities that they discovered during their official duties.*
- *An Order holding the series of permanent injunctions unlawful, unconstitutional, and void, returning to Appellant the same due process and equal protection rights guaranteed to everyone else.*
- *Order holding that the unlawful and unconstitutional orders seizing and liquidating appellant's life assets are void, and that the title and possession of the properties be returned to the status that they were*

in when they were ordered seized.

Simply returning this case to the lower courts would be the equivalent of continuing the same tactics. The only remedy Appellant knows is for this court to provide an adequate federal court forum for Appellant and several other former government agents to provide information, testimony and evidence.

Since the massive due process and civil violations were an integral part of the felony obstruction of justice actions, this court should adjudicate on the merits the causes of actions under the Civil Rights Act, Bivens, RICO, Declaratory Judgment Act, and Federal Tort Claims Act.

In closing, appellant makes the following statement to show how this misconduct appellant had caused, and enabled to be inflicted, catastrophic harm upon the United States, with heavy loss of life. The blowback is only one day's consequences, and in only one of the areas affected by the corruption that Appellant and other government agents sought to report, were the conditions that enabled terrorists to seize hijack four airliners on 9/11:

The hijackings of four airliners on 9/11 were primarily aviation disasters. The need and the means to prevent airliner hijackings have been known for years. The authority and responsibility to order these preventive measures existed throughout this period by people in certain government aviation safety offices.

Deep-seated corruption and criminal misconduct existed in certain areas of the government's aviation safety offices that prevented the government from carrying out its federal aviation safety responsibilities. That includes blocking the known preventative measures against airliner hijackings.

The areas of primary blame enabling terrorists to hijack four airliners on 9/11 were with the people in the government's aviation safety offices engaged in the corruption and criminal activities; those people, some of whom are referred to in Appellant's present and prior complaints, blocked Appellant from reporting the criminal activities. The people who retaliated against Appellant for attempting to report the criminal activities; Those involved in the legal actions that were dual efforts to halt Appellant's exposure activities; Those who knew of the criminal activities, or knew of the obstruction of justice and failed to halt these obstruction of justice activities.

Responsibilities of Federal Appellate Judges

The law clearly states that appellate judges must examine the Complaint filed in the district court de novo (from the beginning), and must accept the allegations stated in the complaint as true for opposing dismissal. If a single federal cause of action is stated in the complaint, the dismissal by the lower court judge must be reversed.

Tactics by Appellate Judges Were Different Than Expected

It took the Appellate panel only two days to issue an order upholding the district court's blocking of reports of criminal activities, and the related procedural and substantive violations related to my claims arising out of the legal actions seeking to halt my exposure activities.

I did not expect the three appellate court judges to be so brazen in continuing the felony obstruction of justice and the violations of so many due process violations that openly violated large numbers of federal statutes, case law, and constitutional protections. I anticipated that the court of appeal judges would send the case back to the district court, where various legal tactics would continue to block the reporting of the criminal activities and the parallel violations of massive numbers of state and federal laws and constitutional protections.

Petition for Rehearing En Banc

I then submitted for filing on September 7, 2004, a petition for rehearing en banc to the court of appeals in New York City. Such a petition requires that every judge in the Second Circuit Court of Appeals receive a copy of the petition for rehearing and enter a decision as to whether they will hear the case.

The Entire Second Circuit Court of Appeals Became Complicit

The entire judicial staff of the Second Circuit Court of Appeals then refused to grant a rehearing, thereby approving the obstruction of justice and serious judicial misconduct. They added their names to the long list of federal judges complicit in some of the worst tragedies affecting the United States, and becoming complicit in subsequent tragedies arising from the misconduct.

Included in the consequences of judicial cover-ups and obstruction of justice include (a) preventable aviation disasters, such as the latest airliner hijackings occurring on 9/11; (b) continuation of corruption in the FBI and the CIA; (c) continuation of misconduct in the three branches of government that continue to inflict great harm upon the American public and the United States itself.

Further information about these lawsuits can be found at the following Internet site: www.defraudingamerica.com/911_lawsuit_information.html.

Bombing Its Afghan “Freedom Fighters”

Included in the long list of nations adversely affected by the covert actions of the CIA was Afghanistan. In the 1970s, defying the advice of people in the know, U.S. leaders provided training, money, and sophisticated weapons to rebels in Afghanistan who opposed the modernization actions of the new ruler.

US Slaughter of Innocents, Including Children and Infants

Following the hijackings of four airliners on 9/11, the Bush administration commenced carpet-bombing of Afghanistan, killing hundreds, if not thousands, of innocent Afghan civilians. One example; A wedding party in Afghanistan was attacked with heavy loss of life. (May 19, 2004). Iraqis stated that the United States strafed civilians at a wedding party, killing over 40. A *New York Times* article described the slaughter:

Associated Press Television News broadcast footage, said to be taken at the scene, showing a truck heaped with bloody bodies, many of them wrapped in blankets. Several of the bodies shown in the footage appeared to be those of children.

Al Arabiya, a television network based in Dubai, quoted witnesses as saying that American planes had bombed a wedding party in Makr al-Deeb, a village near the Syrian border. The footage included pictures of shrouded bodies and scenes of men digging graves.

On the broadcast, an unidentified man told Al Arabiya, “The American planes dropped more than 100 bombs on us. They destroyed the whole village. We didn’t fire any bullets.”

The associated Press quoted Lt. Col. Ziyad al-Jbouri, the deputy police chief of Ramadi, as saying that between 42 and 45 people had died, including 15 children and 10 women.

The associated Press also quoted Dr. Salah al-Ani, a hospital worker in Ramadi, as saying 45 people were dead. Ramadi is the capital of the province of Al Anbar, which includes the area around Qusaiba.

Catastrophic Consequences from Covert US Actions

This U.S. intervention destabilized and threatened the government, causing it to request the Soviet Union to send troops to defend against the rebels. In response, the United States greatly increased the funding, arming, and training of the rebels. The United States called these Islamic warriors “freedom fighters.” These “freedom fighters” included Osama bin Laden and the group later called al-Qaeda.

Deadly Blowback Consequences

The last major conflict in the cold war between the Soviet Union and the United States occurred in Afghanistan. The outcome, or blowback effect of that conflict would spread militant Islamism throughout the Middle East and elsewhere. The conflict involved the direct involvement of the Russians and the covert and indirect involvement of the United States, using Muslim mercenaries, terrorists, and saboteurs.

The blowback from that confrontation included the devastation of Afghanistan, severe economic consequences for the Soviet Union, and explosive growth of terrorist activities in the Middle East.

Afghanistan was a monarchy under King Zahir Shah from 1933. The prime minister was a member of the Shah’s family, Prince Muhammad Daoud Khan. Afghanistan, under these leaders, had close ties to the Soviet Union. The Soviet Union trained the Afghan army and air force. Afghanistan had first requested the United States to provide this help, but when the U.S. refused, the request was made to the Soviets, who accommodated the Afghans. The Soviets built highways and other projects, and helped the country to flourish, including providing greater freedom to the people, especially women.

Fearing the Soviets were gaining a foothold in the region, the CIA and White House politicians started funding and arming Islamic rebels and terrorists who sought to overthrow the progressive secular government.

King Zahir Shah had brought about a constitution in 1964 that installed numerous social reforms, greater rights for women, and a parliamentary democracy, along with multiple political parties. These progressive reforms alienated the strict fundamentalist Muslim parties, which resulted in attacks upon the central government and its progressive agenda.

Complicated by a famine and drought that caused the starvation of many Afghans, a military coup occurred in 1973 while the King was traveling out of the country. The coup proclaimed a Republic that ended the monarchy, and installed as foreign minister Muhammad Daoud, who had previously functioned as foreign minister from 1953 to 1963.

Another military coup occurred in 1978, which resulted in Daoud being killed. That coup resulted in the People’s Democratic Party of Afghanistan (PDPA) coming into power, which the United States felt to be Communist. The president was Nur Muhammad Taraki, who named Hafizullah Amin to

be on his staff. (Some Middle East authorities felt that Amin was a CIA asset, and a member of the Pathans nationalist.)

It is believed that fundamentalist Shi'ite Muslims in Iran and Pakistan assisted the CIA funding and arming of rebels undermining the Afghan government. In response to this threat, Taraki, in early 1979, urged Moscow to send in troops to help defend certain military installations and the Baghram Airport against the rebellion by the fundamentalist Muslims, which the Soviets did in December 1979.

White House Order Destabilizing Afghanistan

During this same period, in mid-1979, National Security Advisor Zbigniew Brzezinski urged Carter to order covert aid to the rebels, which had already been done clandestinely by the CIA. Eventually, in 1989, the Soviets were forced to withdraw their troops. Some years later,¹⁶ Brzezinski stated during an interview with a French interviewer that:

The secret reality is that on July 3, 1979, President Carter signed the first directive for clandestine aid to the enemies of the pro-Soviet regime in Kabul. On that day, I wrote a note to the President in which I explained to him that in my opinion, this aid would result in military intervention by the Soviets. We didn't push the Russians to intervene, but we consciously increased the probability that they would do so. The secret operation was an excellent idea. Its effect was to draw the Russians into the Afghan trap. You want me to regret that?

Brzezinski stated that when the Soviets went into Afghanistan he had written to President Carter that "now we can give the USSR its own Vietnam war." The consequences were the destruction of Afghanistan and the development of a vast terrorist network that grew into massive international terrorist organizations that are considered the greatest threat to the United States. An excellent textbook example of "blowback," or the "butterfly syndrome."

The United States was already the enemy of the Shi'ite Muslims in Iran when it embarked on funding, training, and arming Muslims known to have a hatred for the United States, which included Osama bin Laden. The CIA and White House politicians funded, trained, and armed Muslim terrorists. As one CIA operative said, "We took the means to wage war, put them in the hands of people who could do so, for purposes for which we agreed."

When Brzezinski was asked¹⁷ whether he regretted arming the Muslim groups that fueled the growth of Muslim terrorists, he responded: "Which was more important in world history? The Taliban or the fall of the Soviet empire? A few over-excited Islamists or the liberation of Central Europe and the end of the Cold War?"

¹⁶ *Unholy Wars*, John K. Cooley.

¹⁷ Interview with reporter Vincent Javert detailed in the French *Le Nouvel Observateur* issue, January 15-21, 1998.

The over-excited Islamists developed into the greatest threat to the United States and the stability of the Middle East.

Warlords Took Over After the Soviets and U.S. Left

These were then used to attack the government, and later, used to attack each other. In 1989, the Soviets pulled out of Afghanistan, and were quickly followed by the United States. Warlords took over from the Taliban throughout the country, and after bringing down the government, the warlords fought among themselves, creating more devastation throughout the country. The country was now in shambles, and massive quantities of weapons were left behind. The production of heroin then replaced the former orchards and crops that had been destroyed during the cold war operations.

Finally, with the help of Pakistan—and the United States—a group known as the Taliban took over in 1996.

Afghanistan, Once a Land of Orchards, Became a Wasteland

At one time, before the United States sent in CIA operatives to destabilize the Afghan government—which caused the government to ask for Soviet military defenses—Afghanistan exported large quantities of fruit and vegetables. The years of fighting that started with the CIA's subversion of the Afghan government caused destruction of these orchards, to be replaced with drugs and as an offshoot, providing a heaven for groups such as al Qaeda. Stripped of its orchards, Afghanistan then became a primary source of opium for the world, especially Europe. This halted in 1996 after the Taliban took control of the country and banned growing poppies from which opium was prepared.

U.S. Embracing the Taliban

Ironically, after the Taliban took control of Afghanistan in 1996, many Taliban leaders were courted by the United States. Key Taliban officials traveled to Washington, and Houston where they were entertained by oil company executives, including Unocal. Washington politicians said nothing about the harsh treatment of Afghans by the Taliban. Unocal offered to pay the Taliban for permission to build an oil and gas pipeline through Afghanistan from former Soviet Union countries (Central Asia).

Training “Freedom Fighters”—or—“Terrorists”

An article in the Scotland *Sunday Mail* (September 16, 2001) described how the “freedom fighters” were trained in Great Britain with U.S. funds:

The fanatical guerrillas protecting Osama bin Laden were secretly trained in remote hills in Scotland. The Muhahedin fighters were excellent soldiers committed to their cause. The main thing they lacked was tactical knowledge and battle planning, so we worked constantly on that. They were taught how to attack airfields. The main achievement was to turn them from a disorganized mob into a fighting unit.

The officers went on to command senior positions in the Taliban regime, helping shelter bin Laden, the prime suspect for last week's terrorist atrocities in the US. Warlords were trained by crack British

troops in some of Scotland’s most rugged and remote mountain ranges. The secret initiative came as Britain and the US secretly supported Afghan guerrillas in their war with the Soviet Union. Much of bin Laden’s wealth came from CIA cash aimed at winning the war and installing a sympathetic government in Afghanistan.

The year after training in Scotland, the Mujahedin—using sophisticated weaponry secretly bankrolled by the CIA—killed 2343 Soviet troops. Locally led bands of the religious warriors waged jihad—or holy war—against the invaders. The balance of power in Afghanistan decisively turned towards the Mujahedin to the delight of then US President, Ronald Reagan. Today, President Bush is weighing up the cost of taking on the SAS-trained killers.

White House Reaction to 9/11 Hijackings

The Bush administration reacted to the 9/11 hijackings demanding that the Taliban government expel al Qaeda and Osama bin Laden, who had been allowed to stay in remote areas of the country. The Taliban government refused, demanding evidence that Osama bin Laden and Al Qaeda were associated with the 9/11 hijackings, which the United States could not produce at that time.

Bombing their “Freedom Fighters”

The Bush administration then ordered massive bombing of Afghanistan. High-flying bombers dropped huge bombs that knowingly killed hundreds of innocent people living in primitive conditions. The United States used huge bombs that literally met the definition of weapons of mass destruction, rather than the World War I weapons that were given the WMD label by the Bush administration. The use of multi-ton bombs and cluster bombs knowingly killed many innocent people who had never engaged in any hostile acts against the United States, including children and babies.

The massive bombings of Afghanistan, one of the poorest nations on earth, required the United States to bomb mud hovels, which periodically killed wedding parties, children, and refugees. Lacking any meaningful targets, U.S. military pilots were forced to bomb mud shacks, killing entire families. In response to the killing of thousands of innocent people, President Bush and Secretary of Defense Donald Rumsfeld responded, “War is not pretty.”

Virtually none of the people involved with the 9/11 and other terrorist attacks upon U.S. interests were killed. In addition to destitute Afghans being killed were Taliban government personnel who had allowed Osama bin Laden to conduct primitive training—as did Pakistan and several other countries. These men, women, and children, who were barely surviving, after years of war, suffered further from the blowback of the original CIA-subversion of the Afghan government.

Blowback Effects Included Massive Opium Production

Opium production in Afghanistan started after the CIA-initiated wars caused destruction of the orchards and farmland that were at one time abundant. As an airline captain in the early 1950s flying in that area, I was able to see the peaceful use of Afghan land. After the Taliban took over in 1996, opium production plummeted due to the ban on such production. But after the United States bombed the Taliban government out of existence, opium production resumed and Afghanistan became a leading source of opium.

While dropping bombs on Afghanistan after 9/11, the Bush White House promised Afghans freedom and democracy, knowing that the tribal and warlord culture prevented these changes being implemented.

British Media View of U.S. Actions in Afghanistan

War on Terror: the Other Victims

An article in the London *Mirror* (October 28, 2001) stated:

WAR ON TERROR: THE OTHER VICTIMS: The irresponsibility of this conflict is breathtaking. It is not about terrorism. As Blair and Bush stoop to the level of the criminal outrage in New York, British forces are little more than mercenaries for the hidden agenda of U.S. imperial ambitions

In the 1980s, defying the advice of people in the know, the U.S. leaders provided training, money, and sophisticated weapons to people in Afghanistan that had a known hatred for the United States. This was part of the paranoia about the Soviet Union, upon the form of government that some people wanted, communism, to fight the Soviet Union. This U.S. intervention destroyed the fabric of Afghanistan, led to massive destabilization, and when the Soviets pulled out of Afghanistan in 1989, the United States also left. The country was now in shambles thanks to the U.S. intervention, and left behind were massive quantities of weapons, including surface-to-air missiles, and a people who knew virtually nothing other than to kill. Eventually they became the al-Qaida and the extension of terrorist attack, for which the United States trained them.

As predicted, and as occurred in Afghanistan when the Afghanistan leader requested the Soviet Union to send troops to fight the U.S. supported rebels, people flocked into Iraq for the sole purpose of killing Americans.

Repeatedly Trapped Into Corners

In October 2002, the United States started bombing Afghanistan, killing thousands of innocent Afghans. The targets were al Qaeda personnel who were believed responsible for the September 11, 2001, attacks on the World Trade Center and the Pentagon.

Bush's Bankrupt Actions in Afghanistan

After the catastrophic attacks of September 11, blamed on the al Qaeda group training in Afghanistan, the smart move would have been to first provide the Afghan government, the Taliban, with evidence that

the 9-11 attack was by the al Qaeda group in remote areas of the country. Then, if they were not given up to the United States, than insert a military force in that country seeking the terrorist group.

Instead, the United States carpet-bombed the country, knowingly killing hundreds of innocent men, women, and children. By invading Iraq, diverting attention and rebuilding from Afghanistan, Afghanistan is once again the world's leading supplier of opium and heroin, the warlords are taking control, and the Taliban reemerged. At the end of 2003, Afghanistan was a shambles and returning to the pre-September 11 state.

U.S. Inability to Penetrate Middle East Terrorist Groups

An article in London's *Mirror* (October 29, 2001) by its chief foreign correspondent John Pilger, appearing after the United States started bombing Afghanistan, stated:

The war against terrorism is a fraud. After three weeks' bombing not a single terrorist implicated in the attacks on America has been caught or killed in Afghanistan. Instead one of the poorest most stricken nations has been terrorised by the most powerful to the point where American pilots have run out of dubious "military" targets and are now destroying mud houses, hospitals, Red Cross warehouse, and lorries carrying refugees. Unlike the relentless pictures from New York we are seeing almost nothing of this. Tony Blair has yet to tell us what the violent death of children, seven in one family, has to do with Osama bin Laden.

And why are cluster bombs being used? The British public should know about these bombs, which the RAF also uses. They spray hundreds of bomblets that have only one purpose; to kill and maim people. Those that do not explode lie on the ground like landmines waiting for people to step on them. If ever a weapon was designed specifically for acts of terrorism this is it.

I have seen the victims of American cluster weapons in other countries such as the Laotian toddler who picked one up and had her right leg and face blown off. Be assured this is now happening in Afghanistan in your name.

None of those directly involved in the September 11 atrocity was Afghani. Most were Saudis who apparently did their planning and training in Germany and the United States. The camps which the Taliban allowed bin Laden to use were emptied weeks ago. Moreover the Taliban itself is a creation of the Americans and the British. In the 1980s the tribal army that produced them was funded by the CIA and trained by the SAS to fight the Russians.

The hypocrisy does not stop there. When the Taliban took Kabul in 1996 Washington said nothing. Why? Because Taliban leaders were soon on their way to Houston Texas to be entertained by executives of the oil company Unocal.

With secret US government approval the company offered them a generous cut of the profits of the oil and gas pumped through a pipeline that the Americans wanted to build from Soviet central Asia through Afghanistan.

A US diplomat said: "The Taliban will probably develop like the Saudis did." He explained that Afghanistan would become an American oil colony there would be huge profits for the West, no democracy and the legal persecution of women. "We can live with that " he said.

Although the deal fell through, it remains an urgent priority of the administration of George W. Bush, which is steeped in the oil industry. Bush's concealed agenda is to exploit the oil and gas reserves in the Caspian basin the greatest source of untapped fossil fuel on earth and enough according to one estimate to meet America's voracious energy needs for a generation. Only if the pipeline runs through Afghanistan can the Americans hope to control it.

So not surprisingly US Secretary of State Colin Powell is now referring to "moderate" Taliban who will join an American-sponsored "loose federation" to run Afghanistan. The "war on terrorism" is a cover for this: a means of achieving American strategic aims that lie behind the flag-waving facade of great power.

The Royal Marines who will do the real dirty work will be little more than mercenaries for Washington's imperial ambitions not to mention the extraordinary pretensions of Blair himself. Having made Britain a target for terrorism with his bellicose "shoulder to shoulder" with Bush nonsense he is now prepared to send troops to a battlefield where the goals are so uncertain that even the Chief of the Defence Staff says the conflict "could last 50 years". The irresponsibility of this is breathtaking; the pressure on Pakistan alone could ignite an unprecedented crisis across the Indian sub-continent. Having reported many wars I am always struck by the absurdity of effete politicians eager to wave farewell to young soldiers but who themselves would not say boo to a Taliban goose.

In the days of gunboats our imperial leaders covered their violence in the "morality" of their actions. Blair is no different. Like them his selective moralizing omits the most basic truth. Nothing justified the killing of innocent people in America on September 11 and nothing justifies the killing of innocent people anywhere else.

By killing innocents in Afghanistan Blair and Bush stoop to the level of the criminal outrage in New York. Once you cluster bomb, "mistakes" and "blunders" are a pretence. Murder is murder regardless of whether you crash a plane into a building or order and collude with it from the Oval Office and Downing Street.

If Blair was really opposed to all forms of terrorism he would get Britain out of the arms trade. On the day of the twin towers attack an

"arms fair" selling weapons of terror (like cluster bombs and missiles) to assorted tyrants and human rights abusers opened in London's Docklands with the full backing of the Blair government. Britain's biggest arms customer is the medieval Saudi regime, which beheads heretics and spawned the religious fanaticism of the Taliban.

If he really wanted to demonstrate "the moral fibre of Britain" Blair would do everything in his power to lift the threat of violence in those parts of the world where there is great and justifiable grievance and anger. He would do more than make gestures; he would demand that Israel ends its illegal occupation of Palestine and withdraw to its borders prior to the 1967 war as ordered by the Security Council of which Britain is a permanent member.

He would call for an end to the genocidal blockade which the UN - in reality America and Britain - has imposed on the suffering people of Iraq for more than a decade causing the deaths of half a million children under the age of five.

That's more deaths of infants every month than the number killed in the World Trade Center.

There are signs that Washington is about to extend its current "war" to Iraq; yet unknown to most of us almost every day, RAF and American aircraft already bomb Iraq. There are no headlines. There is nothing on the TV news. This terror is the longest-running Anglo-American bombing campaign since World War Two.

The Wall Street Journal reported that the US and Britain faced a "dilemma" in Iraq because "few targets remain". "We're down to the last outhouse" said a US official. That was two years ago and they're still bombing. The cost to the British taxpayer? £800million so far.

According to an internal UN report covering a five-month period, 41 per cent of the casualties are civilians. In northern Iraq I met a woman whose husband and four children were among the deaths listed in the report. He was a shepherd who was tending his sheep with his elderly father and his children when two planes attacked them each making a sweep. It was an open valley; there were no military targets nearby.

"I want to see the pilot who did this." said the widow at the grave-side of her entire family. For them there was no service in St Paul's Cathedral with the Queen in attendance; no rock concert with Paul McCartney.

Middle East Expert Describes the Terrorists as a CIA Creation

In one of many articles on the Middle East written by Doctor Zayar of Quetta, Pakistan, entitled, "Afghanistan, bin Laden and the hypocrisy of American imperialism," he describes the history of Afghanistan and the role played by the United States in subverting the government, that brought the Taliban into power: In his September 26, 2001, article he wrote, in part:

The Stalinist regime installed by left wing army officers in 1978 carried out a series of reforms, including land reform and progressive measures in relation to women and education, in an attempt to drag Afghanistan into the 20th century. This was a mortal threat, not only to the interests of the Afghan landowners, usurers and mullahs, but to the reactionary monarchy of Saudi Arabia and other neighboring states. For this reason, and for its proximity to Moscow (which had, in fact, played no role in the 1978 revolution), US imperialism was implacably opposed to the new regime in Kabul, which, albeit in a distorted way, stood for revolution. That is why US imperialism deliberately armed, financed and incited a coalition of the most barbarous reaction against the Afghan revolution.

The CIA and its allies mobilised vast amounts of money and weapons to back the Afghan counter-revolution. In the Middle East, the Muslim brotherhood, the Saudi-based World Muslim League, together with Saudi Intelligence Chief, Prince Turki al Faisal, combined to raise huge amounts of funds for the jihad. They become central to the recruitment and training of mujahedin from across the Muslim world. The ISI and Jamat-e-Islami of Pakistan set up reception committees to welcome those desperate middle class layers of the youth who had volunteered for the Jihad.

The ISI—under the guidance of their master the CIA—had long wanted prince Turki al Faisal, the head of Saudi Intelligence, to lead the Saudi part of the operation in order to demonstrate to the counter-revolutionaries (the “mujahedin”) the commitment of the Saudi royal family to Islam and Jihad, against the “atheistic communist” Kabul regime.

The Taliban were the creation of Pakistan military and intelligence establishment, with the active support of the CIA. None of this would have been possible without the most active participation of Islamabad—and Washington. It is estimated that the Taliban has received about ten billion dollars from America, which continued to finance them until quite recently.

Until 1997, the Americans were silent spectators on human rights issue in Afghanistan. American imperialism was apparently deaf and blind at the time when Taliban was slaughtering women and children in Mazar-e-Sharif, and when they carried out massive ethnic cleansing in Bamyán. When the Taliban began their horrific repression against women in Kabul, Herat and Kandahar, when they closed schools, hospitals, prohibited music and games, American imperialism not only remained silent but continued to support the Kabul regime.

From the very beginning America supported the Taliban, in pursuit of their own naked self interest. As usual, business interests were involved. US big business is very interested in building a gas and oil pipe-

line from the Central Asian states through Afghanistan. This conditioned America's attitude to the Taliban regime. UNOCAL, the giant American multinational, arrived at a pact with the Taliban. When the Taliban failed to capture the whole of Afghanistan—specifically the northern region—and failed to defeat the Northern Alliance, the pipeline project went deeper and deeper into crisis. "Deaf and blind" American imperialism suddenly became aware of the repression against the masses.

In order to show their "solidarity" with the oppressed and malnourished Afghan masses, Washington launched a brutal air strike, launching its cruise missiles against Afghanistan and using its tool the "United Nations" to impose sanctions on the country. These sanctions have no effect on the Taliban but hit the poorest sections of the population, who are struggling just to stay alive. These attacks and sanctions have merely served to strengthen the Taliban, just like the infamous blockage of Iraq, which has caused the deaths of over one million Iraqis, and which has completely failed to overthrow Saddam Hussein.

Osama bin Laden

Osama bin Laden played a key role in the war on the Islamic counter-revolutionaries against the Stalinist regime in Kabul, and he received the enthusiastic support of America's CIA. The ex-CIA director William Casey commented on this support for bin Laden in his writings. But many a dog has turned around and bitten his master. After the Soviet Union withdrew from Afghanistan, bin Laden turned his attention to America instead, organizing the bombing of US embassies in East Africa.

Overnight the CIA's heroic and courageous "freedom fighter" in Afghanistan suddenly became the "enemy of civilization." What has happened between these formerly close allies, and what sort of differences have emerged between them? When he was involved in overthrowing the pro-Moscow regime of Afghanistan bin Laden was the pampered favorite of the American ruling class and the trusty confidant of the Saudi royal family. Now all of a sudden he has become a criminal and biggest terrorist in the world! It is a fact that he is a criminal and a reactionary terrorist. But this is not a recent development: it was the case from the very beginning when he launched his murderous war against the worker and peasant masses of Afghanistan—with the full support of America.

What enraged the Americans was the fact that, after the end of the cold war, these counter-revolutionaries gangsters and bandits had slipped out of their control. It was not that fundamentalism had changed. It was the same rabid dog as before—but it had slipped the leash! The differences with the Americans came to the surface in 1991, when US imperialism attacked Iraq and some of these Islamic funda-

mentalists, particularly bin Laden's Al-Qaeda organization, opposed the presence of American troops in Saudi Arabia. The same fundamentalist fanatics who fought against the Soviet troops as "foreigners in a Muslim country" (Afghanistan), now turned against the USA, using the same logic.

The presence of American troops on Arabian soil accelerated the polarization among the fundamentalists. The mercenary leaderships of the fundamentalist groups, controlled by the CIA, were passive on the question of the presence of American troops, and thus rapidly lost the support of their rank and file. As a result, more extreme fundamentalist tendencies emerged which escaped from the control of the Americans and their lackey states in the Muslim world.

Washington had sown the winds and reaped a whirlwind. Using the funds and weapons given to them by the Americans and Saudis, the more wealthy and better organized fundamentalist militant groups like Al Qaeda set up base camps in various Islamic countries such as Algeria, Sudan, Egypt, Iraq, Syria, Turkey, Tajikistan and Kashmir. On 23rd February 1998, at a meeting in the Khost camp (built by the CIA) the International Islamic Front issued a manifesto, announcing a Jihad (holy war) against the USA. The declaration stated that for more than seven years the USA had been occupying the land of Islam in the Arabian Peninsula. The meeting issued a fatwa (sacred decree), which stated that to kill Americans was the duty of all Moslems. The bombing of US embassies in Africa was part of the Jihad launched by the above-mentioned forces

The Counter-terrorist Myth

A July/August 2001 article in *The Atlantic* by former CIA operative Reuel Marc Gerecht explained why Osama bin Laden had little to fear from American intelligence:

The United States has spent billions of dollars on counter-terrorism since the U.S. embassy bombings in Tanzania and Kenya, in August of 1998. Tens of millions have been spent on covert operations specifically targeting Osama bin Laden and his terrorist organization, al-Qa'ida. Senior U.S. officials boldly claim-even after the suicide attack last October on the USS Cole, in the port of Aden, that the Central Intelligence Agency and the Federal Bureau of Investigation are clandestinely "picking apart" bin Ladin's organization "limb by limb."

But having worked for the CIA for nearly nine years on Middle Eastern matters (I left the Directorate of Operations because of frustration with the Agency's many problems), I would argue that America's counter-terrorism program in the Middle East and its environs is a myth.

Peshawar, the capital of Pakistan's Northwest Frontier, is on the cultural periphery of the Middle East. It is just down the Grand Trunk Road from the legendary Khyber Pass, the gateway to Afghanistan. Pe-

shawar is where bin Ladin cut his teeth in the Islamic jihad, when, in the mid-1980s, he became the financier and logistics man for the Maktab al-Khidamat, The Office of Services, an overt organization trying to recruit and aid Muslim, chiefly Arab, volunteers for the war against the Soviets in Afghanistan.

The friendships and associations made in The Office of Services gave birth to the clandestine al-Qa'ida, The Base, whose explicit aim is to wage a jihad against the West, especially the United States. According to Afghan contacts and Pakistani officials, bin Ladin's men regularly move through Peshawar and use it as a hub for phone, fax, and modem communication with the outside world. Members of the embassy-bombing teams in Africa probably planned to flee back to Pakistan.

Once there they would likely have made their way into bin Ladin's open arms through al-Qa'ida's numerous friends in Peshawar. Every tribe and region of Afghanistan is represented in this city, which is dominated by the Pathans, the pre-eminent tribe in the Northwest Frontier and southern Afghanistan. Peshawar is also a power base of the Taliban, Afghanistan's fundamentalist rulers.

Knowing the city's ins and outs would be indispensable to any U.S. effort to capture or kill bin Ladin and his closest associates. Intelligence collection on al-Qa'ida can't be of much real value unless the agent network covers Peshawar.

During a recent visit, at sunset, when the city's cloistered alleys go black except for an occasional flashing neon sign, I would walk through Afghan neighborhoods. Even in the darkness I had a case officer's worst sensation-eyes following me everywhere. To escape the crowds I would pop into carpet, copper, and jewelry shops and every cybercafé I could find. These were poorly lit one- or two-room walk-ups where young men surfed Western porn. No matter where I went, the feeling never left me. I couldn't see how the CIA as it is today had any chance of running a successful counter-terrorist operation against bin Ladin in Peshawar, the Dodge City of Central Asia.

Westerners cannot visit the cinder-block, mud-brick side of the Muslim world-whence bin Ladin's foot soldiers mostly come-without announcing who they are. No case officer stationed in Pakistan can penetrate either the Afghan communities in Peshawar or the Northwest Frontier's numerous religious schools, which feed manpower and ideas to bin Ladin and the Taliban, and seriously expect to gather useful information about radical Islamic terrorism-let alone recruit foreign agents.

Even a Muslim CIA officer with native-language abilities (and the Agency, according to several active-duty case officers, has very few operatives from Middle Eastern backgrounds) could do little more in this environment than a blond, blue-eyed all-American. Case officers cannot

long escape the embassies and consulates in which they serve. A U.S. official overseas, photographed and registered with the local intelligence and security services, can't travel much, particularly in a police-rich country like Pakistan, without the "host" services' knowing about it. An officer who tries to go native, pretending to be a true-believing radical Muslim searching for brothers in the cause, will make a fool of himself quickly.

In Pakistan, where the government's Inter-Services Intelligence Agency and the ruling army are competent and tough, the CIA can do little if these institutions are against it. And they are against it. Where the Taliban and Usama bin Ladin are concerned, and the United States aren't allies. Relations between the two countries have been poor for years, owing to American opposition to Pakistan's successful nuclear-weapons program and, more recently, Islamabad's backing of Muslim Kashmiri separatists. Bin Ladin's presence in Afghanistan as a "guest" of the Pakistani-backed Taliban has injected even more distrust and suspicion into the relationship.

In other words, American intelligence has not gained and will not gain Pakistan's assistance in its pursuit of bin Ladin. The only effective way to run offensive counter terrorist operations against Islamic radicals in more or less hostile territory is with "non-official-cover" officers-operatives who are in no way openly attached to the U.S. government. Imagine James Bond minus the gadgets, the women, the Walther PPK, and the Aston Martin. But as of late 1999 no program to insert NOCs into an Islamic fundamentalist organization abroad had been implemented, according to one such officer who has served in the Middle East. "NOCs haven't really changed at all since the Cold War," he told me recently.

"We're still a group of fake businessmen who live in big houses overseas. We don't go to mosques and pray." A former senior Near East Division operative says, "The CIA probably doesn't have a single truly qualified Arabic-speaking officer of Middle Eastern background who can play a believable Muslim fundamentalist who would volunteer to spend years of his life with shitty food and no women in the mountains of Afghanistan. For Christ's sake, most case officers live in the suburbs of Virginia. We don't do that kind of thing."

A younger case officer boils the problem down even further: "Operations that include diarrhea as a way of life don't happen." Behind-the-lines counter terrorism operations are just too dangerous for CIA officers to participate in directly. When I was in the Directorate of Operations, the Agency would deploy a small army of officers for a meeting with a possibly dangerous foreigner if he couldn't be met in the safety of a U.S. embassy or consulate. Officers still in the clandestine service say that the Agency's risk-averse, bureaucratic nature-which mirrors, of

course, the growing physical risk-aversion of American society-has only gotten worse.

A few miles from Peshawar's central bazaar, near the old Cantonment, where redcoats once drilled and where the U.S. consulate can be found, is the American Club, a traditional hangout for international-aid workers, diplomats, journalists, and spooks. Worn-out Western travelers often stop here on the way from Afghanistan to decompress; one can buy a drink, watch videos, and order a steak. Security warnings from the American embassy are posted on the club's hallway bulletin board.

The bulletins I saw last December advised U.S. officials and their families to stay away from crowds, mosques, and anyplace else devout Pakistanis and Afghans might gather.

The U.S. embassy in Islamabad, a fortress surrounded by road-blocks, Pakistani soldiers, and walls topped with security cameras and razor wire, strongly recommended a low profile-essentially life within the Westernized, high-walled Cantonment area or other spots where diplomats are unlikely to bump into fundamentalists.

Such warnings accurately reflect the mentality inside both the Department of State and the CIA. Individual officers may venture out, but their curiosity isn't encouraged or rewarded. Unless one of bin Ladin's foot soldiers walks through the door of a U.S. consulate or embassy, the odds that a CIA counter terrorist officer will ever see one are extremely poor.

*The Directorate of Operations' history of success has done little to prepare the CIA for its confrontation with radical Islamic terrorism. Perhaps the DO's most memorable victory was against militant Palestinian groups in the 1970s and 1980s. The CIA could find common ground with Palestinian militants, who often drink, womanize, and spend time in nice hotels in pleasant, comfortable countries. Still, its "penetrations" of the PLO-delightfully and kindly rendered in David Ignatius's novel *Agents of Innocence* (1987)-were essentially emissaries from Yasser Arafat to the U.S. government.*

Difficulties with fundamentalism and mud-brick neighborhoods aside, the CIA has stubbornly refused to develop cadres of operatives specializing in one or two countries. Throughout the Soviet-Afghan war (1979-1989) the DO never developed a team of Afghan experts. The first case officer in Afghanistan to have some proficiency in an Afghan language didn't arrive until 1987, just a year and a half before the war's end.

Robert Baer, one of the most talented Middle East case officers of the past twenty years (and the only operative in the 1980s to collect consistently first-rate intelligence on the Lebanese Hizbollah and the Palestinian Islamic Jihad), suggested to headquarters in the early 1990s

that the CIA might want to collect intelligence on Afghanistan from the neighboring Central Asian republics of the former Soviet Union.

Headquarters' reply: Too dangerous, and why bother? The Cold War there was over with the Soviet withdrawal in 1989. Afghanistan was too far away, internecine warfare was seen as endemic, and radical Islam was an abstract idea. Afghanistan has since become the brain center and training ground for Islamic terrorism against the United States, yet the CIA's clandestine service still usually keeps officers on the Afghan account no more than two or three years.

Until October of 1999 no CIA official visited Ahmad Shah Mas'ud in Afghanistan. Mas'ud is the ruler of northeastern Afghanistan and the leader of the only force still fighting the Taliban. He was the most accomplished commander of the anti-Soviet mujahideen guerrillas; his army now daily confronts Arab military units that are under the banner of bin Ladin, yet no CIA case officer has yet debriefed Mas'ud's soldiers on the front lines or the Pakistani, Afghan, Chinese-Turkoman, and Arab holy warriors they've captured.

The CIA's Counter-terrorism Center, which now has hundreds of employees from numerous government agencies, was the creation of Duane "Dewey" Clarridge, an extraordinarily energetic bureaucrat-spook.

In less than a year in the mid-1980s Clarridge converted a three-man operation confined to one room with one TV set broadcasting CNN into a staff that rivaled the clandestine service's Near East Division for primacy in counter-terrorist operations. Yet, the Counter-terrorism Center didn't alter the CIA's methods overseas at all. "We didn't really think about the details of operations-how we would penetrate this or that group," a former senior counter-terrorist official says. "Victory for us meant that we stopped [Thomas] Twetten [the chief of the clandestine service's Near East Division] from walking all over us." In my years inside the CIA, I never once heard case officers overseas or back at headquarters discuss the ABCs of a recruitment operation against any Middle Eastern target that took a case officer far off the diplomatic and business-conference circuits. Long-term seeding operations simply didn't occur.

George Tenet, who became the director of the CIA in 1997, has repeatedly described America's counter-terrorist program as "robust" and in most cases successful at keeping bin Ladin's terrorists "off-balance" and anxious about their own security. The Clinton Administration's senior director for counter-terrorism on the National Security Council, Richard Clarke, who has continued as the counter-terrorist czar in the Bush Administration, is sure that bin Ladin and his men stay awake at night "around the campfire" in Afghanistan, "worried stiff about who we're going to get next."

If we are going to defeat Usama bin Ladin, we need to openly side with Ahmad Shah Mas'ud, who still has a decent chance of fracturing the tribal coalition behind Taliban power. That, more effectively than any clandestine counter-terrorist program in the Middle East, might eventually force al-Qa'ida's leader to flee Afghanistan, where U.S. and allied intelligence and military forces cannot reach him. Until then, I don't think Usama bin Ladin and his allies will be losing much sleep around the campfire.

Unexplained Meeting Between CIA and Osama bin Laden

Several articles appeared in European and Middle East newspapers describing a meeting between Osama bin Laden and CIA operatives for which I have no explanation. In the Byzantine world of covert activities, there could be any number of reasons for the meeting while the United States was publicly stating its attempt to capture him. One article in French's *Le Figaro* newspaper (October 31, 2001), translated into English, stated:

Dubai, one of the seven emirates of the Federation of the United Arab Emirates, North-East of Abi-Dhabi, with a population of 350,000, was the backdrop of a secret meeting between Osama bin Laden and the local CIA agent in July. A partner of the administration of the American Hospital in Dubai claims that public enemy number one stayed at this hospital between the 4th and 14th of July [2001].

Having taken off from the Quetta airport in Pakistan, bin Laden was transferred to the hospital upon his arrival at Dubai airport. He was accompanied by his personal physician and faithful lieutenant, who could be Ayman al-Zawahari—but on this sources are not entirely certain, four bodyguards, as well as a male Algerian nurse, and admitted to the American Hospital, a glass and marble building situated between the Al-Garhoud and Al-Maktoum bridges.

Each floor of the hospital has two “VIP” suites and fifteen rooms. The Saudi billionaire was admitted to the well-respected urology department run by Terry Callaway, gallstone and infertility specialist. Dr. Callaway declined to respond to our questions despite several phone calls.

As early as March, 2000, Asia Week, published in Hong Kong, expressed concern for bin Laden's health, describing a serious medical problem that could put his life in danger because of “a kidney infection that is propagating itself to the liver and requires specialized treatment.” According to authorized sources, bin Laden had mobile dialysis equipment shipped to his hideout in Kandahar in the first part of 2000. According to our sources, bin Laden's “travels for health reasons” have taken place before. Between 1996 and 1998, bin Laden made several trips to Dubai on business.

While he was hospitalized, bin Laden received visits from many members of his family as well as prominent Saudis and Emirates. Dur-

ing the hospital stay, the local CIA agent, known to many in Dubai, was seen taking the main elevator of the hospital to go to bin Laden's hospital room.

A few days later, the CIA man bragged to a few friends about having visited bin Laden. Authorized sources say that on July 15th, the day after bin Laden returned to Quetta, the CIA agent was called back to headquarters.

In late July, Emirates customs agents arrested Franco-Algerian activist Djamel Beghal at the Dubai airport. In early August, French and American authorities were advised of the arrest. Interrogated by local authorities in Abu Dhabi, Beghal stated that he was called to Afghanistan in late 2000 by Abou Zoubeida, a military leader of bin Laden's organization, Al Qaeda. Beghal's mission: bomb the US embassy on Gabriel avenue, near the Place de la Concorde, upon his return to France.

According to Arab diplomatic sources as well as French intelligence, very specific information was transmitted to the CIA with respect to terrorist attacks against American interests around the world, including on US soil. A DST report, dated 7 September, enumerates all the intelligence, and specifies that the order to attack was to come from Afghanistan.

In August, at the US Embassy in Paris, an emergency meeting was called between the DGSE (French foreign intelligence service) and senior US intelligence officials. The Americans were extremely worried, and requested very specific information from the French and Algerian activists, without advising their counterparts about the reasons for their requests. To the question, "What do you fear in the coming day?" the Americans kept a difficult-to-fathom silence.

Contacts between the CIA and bin Laden began in 1979 when, as a representative of his family's business, bin Laden began recruiting volunteers for the Afghan resistance against the Red Army. FBI investigators examining the embassy bombing sites in Nairobi and Dar es Salaam discovered that evidence led to military explosives from the US Army, and that these explosives had been delivered three years earlier to Afghan Arabs, the infamous international volunteer brigades involved side by side with bin Laden during the Afghan war against the Red Army.

In pursuit of its investigations, the FBI discovered "financing agreements" that the CIA had been developing with its "Arab friends" for years. The Dubai meeting is then within the logic of "a certain American policy."

Other newspaper articles made reference to the same events. An article in the British *Guardian* (November 1, 2001) added, "The disclosures are known to come from French intelligence.... Intelligence sources say that an-

other CIA agent was also present; and that Bin Laden was also visited by Prince Turki al Faisal, then head of Saudi intelligence, who had long had links with the Taliban, and Bin Laden. Soon afterwards Turki resigned.”

Asia World also printed the story (October 31, 2001), referring to his kidney condition:

Osama bin Laden underwent treatment in July at the American Hospital in Dubai where he met a US Central Intelligence Agency (CIA) official, French daily Le Figaro and Radio France International reported. Bin Laden has been sought by the United States for terrorism since the bombings of the US embassies in Kenya and Tanzania in 1998. But his CIA links go back before that to the fight against Soviet forces in Afghanistan.

Several sources had reported that bin Laden had a serious kidney infection. He had a mobile dialysis machine sent to his Kandahar hide-out in Afghanistan in the first half of 2000, according to “authoritative sources” quoted by Le Figaro and RFI.

A *United Press International* article (October 31, 2001) referred to the incident:

A CIA agent allegedly met with suspected terrorist mastermind Osama bin Laden in July, while the Saudi underwent treatment for kidney problems at an American hospital in Dubai, France’s Le Figaro newspaper reported Wednesday. Le Figaro cited a “professional partner” linked to the hospital’s management as its source.

The alleged American spy was called back to the CIA’s McLean, VA., headquarters July 15—a day after bin Laden checked out, Le Figaro reported, citing “authorized sources.”

Why bin Laden would have met with a CIA officer—or vice versa—is unclear. Even before the Sept. 11 attacks on the United States, the Saudi millionaire figured among America’s top terrorist suspects, blamed for several earlier plots against U.S. targets, including the 1993 World Trade Center bombing.

But the French newspaper asserted CIA-bin Laden links stretched back years, and appeared to suggest bin Laden gave the agency information regarding future terrorist strikes. “The Dubai meeting is therefore a logical follow to a “certain American policy,” the newspaper said.

In particular, the newspaper noted that just two weeks after bin Laden checked out of the Dubai hospital, United Arab Emirates security agents arrested the alleged mastermind of a plot to blow up the American Embassy in Paris. The suspect, a French-Algerian named Djamel Beghal, earlier confessed to receiving his orders from bin Laden, according to French news media citing his written confession.

U.S. Funding Iraq's Arms Buildup

This section focuses on how the Reagan-Bush administrations' secret funding and arming of Iraq's military might made possible its invasion of Kuwait, and then being labeled a threat to the United States. If it weren't for the covert misconduct by these politicians and those who aided and abetted the scheme—including those who covered up for it—Iraq would never have achieved the military giant that it became, and there would be no need—or excuse—to invade Iraq in 2003.

During the war between Iran and Iraq that continued from 1980 to 1988, White House politicians secretly funded and armed both sides, but primarily Iraq. Starting in 1982, the Reagan-Bush administrations engaged in numerous unlawful and covert activities that knowingly built up Iraq's war machine, far beyond what was necessary for defensive purposes. They did this at a time when Iraq's leader, Saddam Hussein, was known to have hostile interest in neighboring countries.

The Reagan-Bush team provided training to Iraq's military, provided intelligence information, and shared other military secrets. These efforts enabled the Iraqi military to learn secrets of U.S. military and intelligence operations that undermined America's military defenses. The weapons that were unlawfully and corruptly provided to Iraq would later be called "weapons of mass destruction" by U.S. leaders as the blowback and reaction to it threatened the United States.

Violating the Arms Export Control Act

The Reagan-Bush White administrations were violating the Arms Export Control Act, the violation of which put other people in prison, including Ed Wilson.

U.S. Providing Iraq With Deadly Cluster Bombs

One of many weapons developed by the United States, and made available to Iraq, was the cluster bomb that would kill or maim everyone within an area the size of a dozen football fields. These cluster bombs consisted of a single unit packed with hundreds of small bombs, about a foot long. When

the main container explodes above the ground, it throws out hundreds of small explosive devices over a wide area, killing or maiming anyone within their reach.

The cluster bombs, designed by the United States, were produced for the U.S. military by the Marquardt Armament Company in California and called Rockeye cluster bombs.

Circumventing U.S. Prohibiting to Exporting Arms

The Arms Export Control Act barred the United States from shipping these lethal weapons to Iraq. The Reagan-Bush administrations sought to circumvent this act by using cutouts or front companies. With the help of the Reagan-Bush team, a small munitions plant in Chile, operated by Carlos Cardoen, was provided with plans, specifications, machine tools, chemicals, and other help.

The Reagan-Bush administrations arranged for two weapon manufacturing plants in New Orleans and Los Angeles to be sold and shipped to Chile. To circumvent—and violate—U.S. laws preventing the transfer of equipment designed for military use, the like-new machinery was reclassified as scrap metal.

Former CIA asset Robert Johnson would later acknowledge that the technology for Cardoen's manufacture of the cluster bombs had been supplied by the United States, including technical specifications and manufacturing equipment. CIA agent Robert Gates also assisted in getting technology to Cardoen for increasing the killing success of the cluster bombs.

The United States provided Cardoen with tons of metal zirconium that was a key ingredient in the construction of the cluster bombs. The zirconium increased the incendiary effect, thereby increasing the viciousness of the wounds inflicted upon the bomb's victims. The zirconium was shipped to Cardoen on the pretense of it being used in mining activities rather than weapon production.

After production started, the Cardoen plant in Chile was visited by U.S. representatives from the U.S. consulate in Santiago, the CIA, and other U.S. government personnel. There was no secret to the production of this weapon and its shipment to Iraq.

Assisting with the cluster bombs that were sent to Iraq was another company working closely with the CIA; International Signal Company (ISC), of Lancaster, Pennsylvania. As is common in undercover operations or front companies, ICS was comprised of numerous former military and intelligence personnel. ICS purchased Marquardt Armament Company in California that produced the Rockeye cluster bombs for the U.S. military. A key official in ICS was a CIA asset, Guerin.

Reagan-Bush Team Supplying Iraq's Chemical Weapons Program

The Reagan-Bush administrations secretly provided material to Iraq for its chemical weapon arsenal. Two people closely related to the production of chemical weapons going to Iraq provided me considerable evidence of these

activities. Both of them had warned federal agencies of the problem and then experienced Justice Department retaliation to silence them.

Louis Champon owned and operated Champon Flavors, a Florida company making flavoring, including bitter almond oil, a cherry flavoring, made from fruit pits. Champon had developed a technique for extracting a cyanide by-product out of the fruit pits, and this fact became known to Iraq and Libya.

Champon was approached by a Dr. Ihsan Barbouti and his son, Haidar Barbouti, in February 1988, with a proposal to form a joint venture for the purpose of extracting the cyanide by-product. They stated that a company in Europe would use the cyanide for industrial purposes.

Unknown to Champon at the time, Barbouti's had ties to the Central Intelligence Agency and were procuring agents for military supplies destined for Iraq and Libya. They had frequent business dealings with Iran-Contra figure and CIA asset Richard Secord.

Champon entered the partnership with Barbouti, forming a new company called Product Ingredient Technology (PIT). The Barbouti side of the partnership brought in the CIA-related Wackenhut Corporation to provide security at the plant.

Champon later discovered that his partner was shipping the cyanide to a CIA-affiliated weapon manufacturer in Chile, Cardeon Industries, and that the cyanide was used to manufacture weapon-grade cyanide. Champon reported these facts to a State Department official, a Mr. Cabelly, on December 20, 1988. Nothing happened.

The following January, Champon saw press reports stating that Dr. Barbouti was the designer and builder of a Libyan chemical weapons plant located near Rabta, Libya. This article caused Champon to again call the State Department (February 1989). Again, no reaction.

In July 1990, shortly before Iraq invaded Kuwait, Mr. Pucillico of the State Department called Champon, advising him to contact U.S. Customs' agent Earl Miller in Miami, who put Champon in touch with Customs agents Jack Bigler and Martin Schramm in Houston. They advised Champon not to divulge the information to anyone, that the matter was highly political, and that there would be no investigation or prosecution of the matter.

Champon disclosed his information to investigative reporters for the *Dallas Morning News* and *NBC*. The story was then aired nationally by *NBC*. Officials at U.S. Customs, Internal Revenue Service, and the U.S. Department of Justice, then took action that caused Champon to lose his business. Shortly thereafter Champon received death threats if he did not remain quiet.

A year after Champon provided me with this information, another insider contacted me, Peter Kawaja, with similar information. He had operated a security company called International Security Group, ISG, and a computer database company that became involved with U.S. intelligence agen-

cies and the plant making the cyanide. His computer company was asked to install a computer-based system for Product Ingredient Technology (PIT), and became prime security for Ihsan Barbouti International (IBI), including providing bodyguards.

Kawaja was asked to install a hydrogen cyanide detection system at IBI. During these activities, Kawaja made recordings of telephone conversations and data transmissions. The information disclosed, among other things, letters of credit between the government's loan guarantee program, CCC, and the funding provided by the Atlanta branch of the Italian bank known as BNL. The letters of credit related to the shipment of weapon-grade cyanide to Iraq. Kawaja reported these matters to the FBI and Customs with no response.

Standard Reaction to Exposing U.S. Corruption

The shipments and funding continued. Kawaja's wife, Eileen, suddenly died under mysterious circumstances. Kawaja received death threats over the phone. The local police started harassing him. The IRS harassed him with what Kawaja claims were unfounded liens and levies, followed by CalFed Bank foreclosing on his business. He was discovering the vast powers that can be applied by federal, state, and local authorities against any member of the public seeking to expose corruption in government.

The plant producing the weapon-grade cyanide was eventually shut down, and a company called Century Arms International occupied the building. Kawaja said as late as 1995 he saw missiles and bombs in the building, suggesting another covert operation.

Iraq's Use of Gas Approved by U.S. Leaders

In widely publicized reports, Iraq's Saddam Hussein ordered the use of poison gas against Iranians during the 1980-1988 war and against militant Kurds in the northern part of Iraq. Despite this information, U.S. officials continued to assist and protect those who provided chemical weapons to Iraq.

Gassing With U.S. Supplied Chemical Weapons

Strong evidence exists that Iraq used chemical and biological agents against U.S. and other troops in the Persian Gulf War, and that U.S. intelligence agencies supplied these weapons to Iraq through a layer of intermediaries. Cardoen Industries in Chile was one of the CIA's suppliers.

Under-secretary of Defense for personnel and readiness, Edwin Dorn, stated that the Pentagon had concluded that Iraq did not use chemical or biological weapons during the war. To say otherwise could have precipitated an investigation that threatened to expose the major role played by U.S. intelligence agencies in the arming of Iraq, including the sale of chemical and biological weapons.

During a limited congressional investigation, Michigan Senator Donald Riegle said that exposure to chemical and biological agents were widespread during the Persian Gulf War. In response to the denials by government offi-

cials, Riegel stated, "I've seen our government lie to us before in other war situations. This is not going to be an issue that gets swept under the rug." But it was swept under the rug, as Riegel surely knew it would be.

The U.S. military-industrial group profited from the military buildup of Iraq, which cost the American taxpayers huge amounts after it became necessary to invade that country in 1990. Further, the Gulf War Syndrome could very possibly be linked to the chemical grade cyanide produced in the United States.

Kissinger's Role in The Gulf War

A *Spotlight* article (November 9, 1992) stated that as early as 1984 Kissinger Associates were involved in arranging some of the loans from the Banca Nazionale del Lavoro (BNL) to the Iraqi government to finance its arms acquisitions from a little-known subsidiary of Fiat corporation. Referring to a confidential report prepared for the Economic Planning Group of the European Community by the Centre Des Etudes Transatlantiques (CETRA), *Spotlight* reported that the deal set up by Kissinger Associates involved the secret sale of five million land mines and other war material.

BNL was used for this transaction, funneling over one billion dollars through a small BNL branch in Brescia. At the same time the U.S. taxpayers were saddled with billions of dollars in debt to finance arm sales to both sides in the Iran-Iraqi war. Profiting from these secret deals were U.S. and foreign arms manufacturers, the arms merchants, Israel, and those in the United States who aided and abetted the activities.

Brent Scowcroft and Lawrence Eagleburger were employed by Kissinger Associates. Scowcroft would become President Bush's National Security Adviser and Eagleburger acting Secretary of State.

The *Spotlight* article stated: "CETRA's data prove the scheme for financing and supplying Iraq's military purchases was set up by Kissinger Associates long before BNL's Atlanta branch became involved." The article continued: "[It is] time we forgot those scapegoats in Atlanta [and] focus on the real culprit: Kissinger Associates."

Referring to Charles Barletta, a former Justice Department investigator, *Spotlight* wrote:

Barletta added that federal probes had collected dozens of such incriminating case histories about the Kissinger firm. But Henry Kissinger seems to possess a special kind of immunity. I'm not sure how he does it, but Kissinger wields as much power over the Washington national security bureaucracy now as in the days when he was the Nixon administration's foreign policy czar. He gets the payoff; others get the blame. Kissinger will remain unscathed until Congress finds the courage to convene a full-dress investigation of this Teflon power broker.

Assisting Iraq to Build Missiles

Information would surface showing the U.S. government personnel secretly provided help for Iraq to build the Condor II missile, which was capa-

ble of carrying a nuclear warhead. Reports were being made by people in U.S. Customs, in September 1989 that BNL loans were funding Iraq's acquisition of nuclear missile technology for Iraq's Condor II project.

Assisting Iraq's Nuclear Program Development

Iraq's work on nuclear weapons was well known to U.S. leaders and its many intelligence agencies throughout the 1980s. Despite the deadly potential of this assistance, the U.S. continued to assist Iraq's buildup of chemical, biological, nuclear, and chemical weapons.

An April 1989 report by Bryan Siebert to Admiral Watkins stated, "Recent evidence indicates that Iraq has a major effort under way to produce nuclear weapons." Shortly thereafter, Iraq fired a intermediate-range ballistic missile, capable of carrying a nuclear warhead.

Helping to build the plants for production of chemical, biological, and nuclear weapons was the Bechtel Corporation of California, including one plant that produced ethylene Oxide, an ingredient for the manufacture of mustard gas, as used in World War I. Involved in these efforts were such Bechtel management people who also periodically held key positions in the U.S. government, including Casper Weinberger and George Shulz.

Standard Pattern of Falsified End-User Certificates

Phony end-user certificates were used to make a phony record that the military equipment the United States knew were going to Iraq would be shown as going elsewhere, or that the military equipment was mislabeled as some form of civilian equipment.

Familiar Figures From the Past Were Implicated

Involved in these activities were some who had been implicated in other unlawful activities such as October Surprise and Iran-Contra. Promoting the funding of Iraq's war machine were President Ronald Reagan; Vice-President and then President George Bush; National Security Adviser Richard Allen; National Security advisor James Baker; former California judge William Clark; deputy national security advisor Robert C. "Bud" McFarlane; Middle East envoy Donald Rumsfeld; Donald Gregg; Robert Gates; Richard Allen; and Howard Teicher,

Funding Buildup of Iraq's War Machine

The increasing buildup of Iraq's war machine required an ever-growing need for money that exceeded Iraq's ability to pay. Without funding from outside Iraq, Iraq's war machine buildup could not have occurred.

The Reagan-Bush administrations initially provided funds for Iraq's war machine through the government's Export-Import Bank, Eximbank. American taxpayers were guaranteeing that companies supplying Iraq with war material—later called weapons of mass destruction—would be paid if Iraq did not pay. As expected, U.S. taxpayers became saddled with billions of debt from the original loans and subsequent interest payments.

State Department Involvement

The U.S. State Department pressured the Export-Import Bank, Eximbank, to guarantee loans for Iraq to purchase items from U.S. companies. Eximbank balked because Iraq was a bad credit risk. President Reagan's Secretary of State, George Shultz, pressured Eximbank to make the loans despite the fact that they were to be used to build up Iraq's acquisition of military, nuclear, chemical, and biological weapons. Numerous other U.S. agencies opposed the loan guarantees, including the Treasury Department and the Federal Reserve Board. Eventually, with White House pressure, loan guarantees were approved by Eximbank and funded by Morgan Guaranty Bank.

Removing Iraq From List Of Nations Harboring Terrorists

Providing government-guaranteed loans to Iraq required removing Iraq from the list of nations harboring terrorists. President Reagan did this even though Iraq, along with Syria and Iran, among other nations, still harbored or supported terrorist groups. In Iraq's case, this included the brutal Abu Nidal group.

Massive Military Buildup Required Other Loan Sources

Iraq's huge military buildup required a great increase in money sources. After Eximbank refused to provide additional funding, the Regan-Bush team circumvented this problem by using the loan guarantee program set up by the U.S. Department of Agriculture to assist the sale of U.S. farm goods to foreign buyers. This program was run by the Commodity Credit Corporation (CCC). Huge loan amounts were guaranteed for Iraq by the United States to allegedly purchase U.S. farm products. By the end of 1983, over a half billion dollars of loans to Iraq were guaranteed by the United States, and this would eventually exceed two billion dollars.

U.S. Guaranteed Funds Used for Military Buildup

Iraq wanted military equipment far more than it needed farm produce. By tactics easily understood, the loans guaranteed by the United States for the purchase of farm produce were used to purchase chemical, biological, nuclear, and conventional weapons. One tactic was for the sellers of U.S. farm produce to price their products two or three times the going rates, and then kickback the excess to Iraq. These kickback funds were then used for purchasing war material. Another tactic was to trade the farm produce for war material.

All of these tactics were widely known in the banking, shipping, and weapons industries. They were certainly known to U.S. intelligence agencies, such as the CIA, DIA, NSA, and DIA, which had thousands of agents and all types of electronic monitoring methods. Monitoring these financial transactions was the National Security Agency (NSA) with its advanced electronic surveillance. They could break into codes used by the banking industry to discover what was really happening with the loans for Iraq.

Morgan Guaranty Bank Funding Iraq's War Machine

The loans that were initially funded by Morgan Guaranty Trust in New York would be expanded in 1984 by the small Georgia branch of the Italian

bank, Banca Nazionale del Lavoro (BNL). Eventually, over two billion dollars of U.S. guaranteed loans were made by this small Atlanta bank, which was managed by a young employee named Christopher Drogoul. BNL's Rome office had been guaranteeing loans for Iraq prior to the involvement of its Atlanta office.

The scheme required secret telexes, separate sets of books, phony taxes, and other devices to escape detection by bank examiners. Bank employees knew the fraudulent program as Perugia, the name of an Italian candy factory.

Britain was also involved in the diversion of funds that made it possible for Iraq to invade Kuwait. Matrix Churchill, a machine tool company in England, purchased by Iraq, secretly and unlawfully supplied military equipment to Iraq during this period. As usual, it appeared that the only people in the western hemisphere who didn't know about the scam were the American people, made possible by U.S. media cover-up and the public's deliberate blindness.

U.S. Leaders Contempt for U.S. Navy Personnel Killed by Iraq

In May 1987 Iraq military attacked the U.S. navy ship, U.S.S. Stark, killing three dozen U.S. navy personnel. As with Israel's attack upon the U.S. Liberty, U.S. leaders excused the attack as an error. When political considerations by U.S. leaders are involved, U.S. military personnel are expendable. This was repeatedly proven by the willingness to sacrifice the lives of thousands of U.S. military personnel in Korea, Vietnam, Israel's attack upon the U.S.S. Liberty, and then the U.S.S. Stark.

Outrage Over Illegal Funding Escalated

In 1989 the illegal funding of Iraq's war machine was becoming more widely known, threatening the administration with a major scandal. Bush, now president, and his staff, were fully aware of Iraq's fraudulent misuse of the U.S. loan program, the buildup of his chemical, biological, nuclear, and conventional weapon programs.

War With Iran Ended, 1980: No Need For Iraq Military Buildup

The war between Iraq and Iran had ended in 1988, eliminating the need for further buildup of Iraq's war machine. However, President Bush continued to push for further U.S. loan guarantees to Iraq, and continuation of the clandestine furnishing of chemical, biological, nuclear, and other weapons.

The pathological determination to go to war did have a "redeeming" value: it took attention away from the growing crescendo of people exposing the role of government officials in drug smuggling, starting with the Iran-Contra operations.

A Few Courageous Government Agents Broke Ranks

Foreign Service officer Frank Lemay prepared a report that exposed many of the irregularities involving the U.S. funding and arming of Iraq, which top U.S. officials sought to cover up. As routine as the sun rises in the morning, Lemay's career took a turn for the worse.

CIA Reports What It Knew For Years: A CYA Report

A CIA reports presented to the White House and State Department was titled, "Iraq-Italy: Repercussions of the BNL-Atlanta Scandal," the acquisition of chemical, biological and nuclear weapons by Iraq was against described.

Bush's Violation of Congressional Restrictions

Congress had imposed a restriction against further funding for Iraq. But despite the overwhelming evidence of Iraq's warlike intentions, President Bush signed a January 17, 1990, waiver ignoring that restriction. Despite all this alarming information, President Bush signed a secret order known as National Security Directive 26 that continued helping the buildup of Iraq's war machine that far exceeded its defensive needs. Iraq's war with Iran had ended the year earlier, in 1988, and Bush was inexplicably determined to go ahead with further funding of Iraq's burgeoning war machine.

"Iraq Has Set a High Standard on Issues of Integrity."

In one letter to Iraq foreign minister Tariq Aziz on October 21, 1989, James Baker, writing for President Bush, wrote: "The government of Iraq has set a high standard on issues of integrity of public officials and corruption."

Baker pressured U.S. agencies, including the Federal Reserve, Treasury Department, Agriculture Department, and State Department, to approve further loan guarantees to Iraq of \$1 billion. The loans would be through the same CCC program that they knew had been misused to build up Iraq's chemical, biological and nuclear weapons programs.

Bunker and Herd Mentality

The usual bunker and herd mentality existed as the key players holding controlling government positions kept the lid on the scandal. False testimony, misleading testimony, altered or withheld records, retaliation against those who testified truthfully, were standard cover-up tactic. In addition, the sham excuse of national security, executive privilege, and political motivation, were cited by the White House team. The consequences of the misconduct and the cover-up would come back to haunt American interests a decade later.

Massive Cover-Ups

Federal Reserve Chairman Allan Greenspan, most of the lapdog media, and others, kept the lid on the scandal. When asked, Greenspan said he knew of no links between the BNL scandal and Iraq, a statement that was contradicted by the vast amount of information known to the Federal Reserve. Defense Secretary Dick Cheney covered up for the illegal arming of Iraq that made possible Iraq's invasion of Kuwait.

On the Eve of War, More Weapons Help From U.S. Leaders

In November 1989, White House officials guaranteed the payment of loans made by banks to Iraq for the purchase of U.S. farm products under a program run by the U.S. Agriculture Department's Commodity Credit Cor-

poration (CCC). The approval of these loans occurred after the Bush White House knew of the misuse of prior loans to build up Iraq's military machine.

Expected Consequences: War Made Possible by U.S. Leaders

Burdened with huge debt and lack of funds for its purchasers, Iraq's Saddam Hussein made demands upon Kuwait, claiming that Kuwait was really a part of Iraq and that Kuwait's oil wells were taking oil from under Iraq. In July 1990, U.S. intelligence observed a massive buildup of Iraq military along the Iraq-Kuwaiti border, signaling an impending invasion of Kuwait. Instead of sending a strongly worded warning to Saddam Hussein, Bush's weak message to Iraq stated, "Let me reassure you that my administration continues to desire better relations with Iraq."

Further support for Iraq's invasion of Kuwait came from U.S. ambassador to Iraq, April Glaspie, as she assured Saddam Hussein that the United States had no interest in its controversy with Kuwait.

Invading Iraq With Weapons Made Possible by the Reagan and Bush Administrations and Their Accomplices

As expected, Iraq's war machine that was made possible by the Reagan-Bush administration invaded Kuwait on August 2, 1990. This was followed by United Nations sanctions against Iraq, prohibiting any military supplies to be sent. But this restriction was quickly violated by Jordan and the President Bush. The long-known practice of military equipment to Jordan being diverted to Iraq from the Gulf of Aqaba, continued. President Bush's State Department approved the shipment to Jordan of military equipment between August and October 1990. These shipments included parts for missiles, helicopters, and other military uses.

In lockstep with the United States, Britain continued sending large quantities of ammunition to Jordan weeks after Iraq's invasion of Kuwait, knowing that the ammunition would probably be transported to Iraq.

Exception to Lapdog Media Cover-Ups

A William Safire syndicated article appearing in the *New York Time* (October 12, 1992) titled "Crimes of Iraqgate," addressed a minute segment of the multi-faceted scandal: "Never in the History of the Republic ... has the nation's chief law enforcement officer been in such flagrant and sustained violation of the law."

A Few Spoke Out

One of President George Bush's White House staff who was more honest, Alexander Haig, was reported to have said, after the fact, that the White House policy brought "Saddam Hussein to the belief that he would not be challenged in Kuwait. The consequences were a Gulf war and the outcome that the threat of Saddam is still here."

Maverick Congressman Exposing One Segment of Scandals

While other members of Congress engaged in the usual cover-up of this scandal, Congressman Henry Gonzalez of Texas, chairman of the House Banking Committee, started conducting an investigation into BNL's activi-

ties in 1990. He had to surmount the cover-up by other members of Congress, the CIA, Justice Department personnel, and the White House. BNL first attracted his attention when he learned that the small Atlanta branch of BNL had made over \$5 billion in loans to Iraq.

Executive Privilege and National Security Argument To Cover for Corruption in Key Government Offices

Gonzalez's requests for documents from the White House were repeatedly ignored. Acting for the Bush White House, Rostow refused to provide requested documents, using the timeworn excuse of national security and executive privilege.

One could possibly argue that revealing the misconduct of White House or other government officials would compromise national security. Another excuse used was executive branch privilege to cover up for corrupt conduct by the group in power.

Gonzalez requested documents from the Justice Department. At first, Justice Department officials denied having such reports. Gonzalez, who had been exposing the BNL corruption for months on C-SPAN, submitted a CIA document to the court showing that Italian officials in Rome had knowledge of the multi-billion-dollar transactions and fraud.

Several days later, CIA officials sent a letter to Justice Department prosecutors omitting the fact that the CIA had evidence that Rome officials were cognizant of the scheme. CIA officials then accused Justice Department officials of trying to get the CIA to provide U.S. prosecutors and the court with misleading information to support the imprisonment of the young BNL bank manager. As Congressman Gonzalez released more documents, it became obvious that the CIA possessed numerous documents showing that BNL officials in Rome knew of the loans and the diversion of the funds from farm products to military supplies. Further, that the CIA deliberately withheld this evidence from the court.

It also turned out that federal officials had altered a list of high technology items that were sent to Congress to obtain approval for the shipment to Iraq. The evidence indicated that high federal officials knew about the fraud being perpetrated by BNL and Iraq against the United States and had not only deliberately covered up for it, but also enlarged upon it. Evidence indicated that President Bush was determined to arm Iraq for attack upon its neighbors.

Among the documents that surfaced was one written by Secretary of State James Baker, warning the White House that Iraq was secretly using technology provided by the United States to build up its chemical, nuclear, biological and ballistic missile capabilities.

Congressional Hearings

During Congressional testimony before the House Banking Committee on November 10, 1993, Christopher Drogoul was brought from federal prison to testify about the BNL scandal. He testified that he tried to report

the criminal activities involving Iraq, his bank, and U.S. officials, but that the U.S. Attorney's office in Atlanta repeatedly barred him from telling the truth. They wanted to protect the U.S. officials, Italian officials, and Iraqi officials, and to blame him for making loans totaling about five-and-a-half billion dollars that were beyond his ability to make.

Drogoul testified, and the facts indicated, that he was merely a pawn in the scheme involving the United States, Iraq, Italy, Britain, and Germany to secretly arm Iraq. Not only did this conspiracy result in thousands of needless deaths, but the American public must pay this amount and the interest that will surely triple the original figure before the money is repaid somewhere in the twentieth-first century.

Regardless of his innocence, the federal judge sentenced Drogoul to federal prison in 1994, on the basis that his superiors did not know his small branch was dispensing five billion dollars, and that the United States government did not know of the scheme.

Covering Up for U.S. Britain and Italy Complicity

Congressional hearings, hearings in Britain, and defense lawyers, uncovered large amounts of evidence showing that the Reagan-Bush administration, and Britain's Margaret Thatcher, were fully aware of the funding and arming of Iraq with chemical, biological, nuclear, and conventional weapons, and were now circling the wagons to protect each other. Similar to how government personnel in the United States engage in herd-like mentality to block an investigation of any one of them.

Justice Versus CIA Versus FBI

Foreign media exposure of the BNL scandal forced Justice Department officials to engage in tactics to protect officials in the United States and Italy, fraudulently charging Drogoul with defrauding the Italian bank.

Robert Gates, Director of the CIA, and other government officials, told the House Banking Committee that the CIA knew nothing about the huge loans to Iraq. Congressman Henry Gonzalez, Chairman of that committee, produced evidence showing they were lying.

The scenario leading to the rift between Attorney General William Barr and his Justice Department gang, the CIA, and FBI Director William Sessions, followed this schedule:

- CIA officials submitted a document to an Atlanta district court that contained misleading information, conveying false information covering up the real facts. The document was intended to deceive,¹⁸ to deny that the CIA had knowledge of the BNL fraudulent loans for several years. The CIA would have been highly incompetent if, with all its agents worldwide, it did not know of the fraud that required participation of many people.

¹⁸ Submitting documents knowingly stating wrong facts and wrong conclusions, or withholding facts that would show a different conclusion, is a crime under federal law.

- Senator David Boren, suddenly showing an unusual display of duty, substantiated the fact that the document contained false information. In response to this public rebuke, the CIA drafted a memorandum to correct the falsified document. Justice Department lawyers objected to the CIA correcting the original report, as the Department of Justice would then have to explain its own deception.
- The CIA then acquiesced to the Justice Department's demands to continue the cover-up. But the next day, the CIA prepared a document for Justice Department officials to sign that would protect the CIA's lying. Justice Department officials refused to sign this document, as it would further show that they lied.
- CIA officials then testified in a closed-door Senate Intelligence Committee hearing, describing what happened. The CIA lawyers placed the blame for their cover-up on pressures from Justice Department officials.

“Never in the History of the Republic”

New York Times syndicated columnist William Safire stated (October 12, 1992), “Never in the history of the Republic...has the nation's chief law enforcement officer been in such flagrant and sustained violation of the law.” Safire stated in a mild way what was normal conduct in the Justice Department, which I continuously observed for the past 30 years.

Another Congressional “Investigation”

Congressman Sam Gejdenson also conducted a low-key investigation. Several witnesses testified that they had repeatedly warned the White House of the huge military buildup by Iraq, and its funding by the Reagan and Bush administrations.

Chairman of the Senate Select Committee on Intelligence, David Boren, conducted a partial investigation that, as usual, diverted attention from the heavy corruption involving government officials. The system protects itself.

Learning Consequences of Protecting U.S. Interests

One of several key witnesses was State Department employee Dennis Kloske. He testified to warning numerous Bush administration people of these problems, including Robert Gates who had chaired the National Security Council, and Robert Kimmitt, the undersecretary of State. After giving this testimony to Congress, President Bush ordered Sununu to have Kloske fired (for revealing the truth).

Chairman Gejdenson reacted to Kloske's firing: “Firing a government official because he was willing to tell the truth to congress is an outrage and represents a bastardization of the way our government is suppose to work.” But these crocodile tears did nothing to help Kloske

Defaulting on U.S. Guaranteed Loans

Iraq's August 2, 1990, invasion of Kuwait caused it to default on its loans to the BNL bank. The loans guaranteed by the U.S. taxpayers to the

participating banks then became due. Making matters worse, Iraq had part ownership interest in some of these banks and stood to gain not only from receipt of the initial \$5 billion, but also gain when the United States paid the various banks that loaned the money guaranteed by the U.S. Again, the U.S. taxpayers are stuck with the tab for the bills that have yet to be paid. In effect, they paid for their ignorance or determined blindness to these crimes by their leaders.

Sham Prosecution of Innocents to Divert Attention From Players in Key Government Positions

The Miami U.S. Attorney's office filed criminal charges against Carlos Cardoen in 1992, charging that Cardoen violated the law against exporting cluster bombs and other weapons to Iraq. A trial on these charges would reveal devastating violations of law by the Reagan and Bush administrations. In 1992, it was learned that President Bush was to appoint Cardoen's lawyer, Roberto Martinez, to be U.S. Attorney in Miami. This was an obvious attempt to control the prosecution and trial so as to protect the White House and those involved in the felony complicity.

Cardoen's next lawyer, Robert Simels, filed papers arguing that government personnel know of, approved, and even solicited the conduct for which they were now charging him. Cardoen's lawyers produced writings, pictures of him with U.S. government personnel at his weapons plant in Chile, all of which proved that Cardoen was acting with the approval, knowledge, and direction of U.S. government personnel.

The American public wouldn't know the difference.

Prosecution of Matrix Churchill

Matrix Churchill was charged with criminal violations by the Miami U.S. Attorney's office in Miami for sending weapons to Iraq. The Bush administration appointed Matrix Churchill's Atlanta lawyer, Joe Whitley, to the position of U.S. Attorney. This contradiction was "resolved" by Martinez dropping his client and thereby claiming there was no conflict of interest.

Controlling the System

Robert Barr, U.S. Attorney in Atlanta, was a former CIA employee working with CIA director George Bush. This relationship didn't exactly make for any great support for Barr's assistant, McKenzie, in her investigation of matters that would reflect badly upon President Bush. The office was also investigating the Iraq front company responsible for coordinating many of the arms shipments to Iraq.

When Barr left, President Bush quickly appointed Joe Whitley to replace him. An excellent choice to halt the investigation into BNL!

Whitley has been a lawyer with the Atlanta law firm that was representing Iraq's front company, Matrix Churchill, which had been involved in many of the arms shipments. Going from a protector of Matrix Churchill into a position that could block an investigation of the company would be the way the system works!

BNL Employees Reported BNL Involvement to U.S. Attorney

In 1989, two BNL employees reported the BNL irregularities to the local U.S. Attorney in Atlanta, causing the U.S. Attorney to raid BNL's Atlanta office and seize incriminating documents. The U.S. Attorney discovered that bank officials in BNL's home office in Italy knew of the scheme, directed it, and ordered the local bank manager in Atlanta to carry it out. But Justice Department officials in Washington did not want Italian officials blamed, which would implicate U.S. officials.

The U.S. Attorney discovered the diversion of farm produce, the overpricing and kickbacks, and the purchase of Iraq's chemical, biological and nuclear weapon programs with U.S. guaranteed loans. McKenzie's investigation was repeatedly stymied by Justice Department personnel in Washington and by the White House.

The evidence showed that this had become a scandal far beyond the actions by a young and relatively inexperienced manager of a small Atlanta branch bank. The scandal involved the Reagan and Bush administrations, the Italian government that owned BNL, the funding and providing of war-making weapons to Saddam Hussein to engage in more military actions against its neighbors.

Justice Fraudulently Charging Drogoul to Protect White House

To divert attention elsewhere, Justice Department prosecutors charged the young Atlanta bank manager, Christopher P. Drogoul, with defrauding his bank by disbursing the \$5 billion in loan proceeds without home office knowledge and approval. The Justice Department's indictment was based upon charges that the bank manager acted alone, disbursing \$5 billion in funds without the knowledge and approval of BNL's home office in Italy, and therefore committed fraud.

If the home office had known and approved of the scheme, the bank manager and employees could not be charged with defrauding the bank. Further, if home office officials were aware of the scheme, it would have serious political implications in Italy. Additionally, if BNL officials in Rome knew of the fraud associated with disbursing the funds guaranteed by the U.S. taxpayers, the liability of U.S. taxpayers to pay the billions of dollars that were fraudulently diverted would not exist. For the U.S. taxpayers to be liable, the young manager of this small branch bank had to be solely responsible and knowledgeable of this gigantic fraud.

In separate indictments, the prosecutor charged five BNL employees with conspiracy to commit the crimes charged against Drogoul,

Lawyer Pleasing Justice Department Prosecutors

Following a standard pattern, Drogoul's court-appointed lawyer, seeking to protect the Justice Department and other federal officials, urged him to plead guilty. Drogoul wanted to go to trial to clear his name. By pleading guilty, he faced twenty years in prison. The court-appointed lawyer had assured Drogoul that if he pled guilty he would receive a suspended sentence.

A week before trial, on September 2, 1993, Drogoul reluctantly pleaded guilty to something that he had not done. The guilty plea avoided the trial that would have exposed much of the U.S. misconduct and that of Italian bank officials.

Often, the person's lawyer, wishing to maintain good relations with the Justice Department and the judges, will pressure their client to plead guilty—even if innocent.

Obtaining Replacement Legal Counsel

Fearing a long prison term instead of the suspended sentence promised to him by his lawyer and the federal prosecutor, Drogoul obtained other legal counsel to vacate his earlier plea agreement. The new lawyer, Bobby Lee Cook, moved to have Drogoul's guilty plea rescinded on the basis that the BNL bank manager acted in the multi-billion-dollar scheme with the knowledge and approval of his superiors in Italy. Judge Shoob granted the motion and rescinded the guilty plea, over the protests of Justice Department prosecutors.

Cook demanded documents from the CIA and Justice Department that would show federal agencies had prior knowledge of the fraudulent BNL activities, and knew that high Italian officials in Rome had approved the activities that were apparently sanctioned by the Bush Administration.

Also charged by the prosecutor were five BNL employees, who were being prosecuted in a separate case before Judge Shoob.

Unprecedented Judicial Integrity

After analyzing the evidence presented during trial, and after the jury returned a guilty verdict for all five defendants, U.S. district judge Marvin Shoob, in a reaction that will probably never in the 21st century be even seen again, was determined that the defendants were falsely charged and convicted, and he sought to establish a record to justify his decision barring their incarceration.

During an August 23, 1993, sentencing hearing for five BNL employees, Judge Shoob stated he would not sentence any of them to prison because the Justice Department's contention that they defrauded the parent bank in Rome was too incredible.

He added that they were merely "pawns and bit players in a far more wide-ranging conspiracy." Shoob said there were too many circumstances that made it implausible that the conspiracy was a small one involving only the Atlanta bankers, adding: "Smoke is coming out of every window. I have to conclude the building is on fire." Judge Shoob added:

Based on the information that I have seen and that has been revealed, that kind of conclusion could only come about in never-never land.

Congressman Gonzalez had argued for an independent prosecutor to investigate the BNL affair. As in the Inslaw and BCCI case, the Attorney General appointed one of its own to investigate itself, former U.S. District Judge Frederick B. Lacey, to conduct a Justice Department in-

vestigation. Judge Shoob said of the Lacey report: "If Judge Lacey had investigated the Teapot Dome scandal," referring to the 1922 scandal which almost caused removal of President Warren G. Harding, "he would have given out a medal instead of a jail sentence."

Justice Department officials didn't care for this type of honesty and lack of control over the judge, and moved to disqualify him from presiding over the trial for BNL bank manager Drogoul, which was set to start on September 8, 1993. Another judge was then selected to conduct the trial. Before the case was removed to another judge,

Judge Shoob wrote a memorandum for inclusion in the trial of the five BNL employees to support his decision eliminating any prison time:

ORDER

This manner is before the Court on the motions of each of the defendants for a downward departure from the sentencing guidelines. Earlier the Court considered and ruled on the various objections to the presentence reports and determined the appropriate offense level for each defendant. Because of the absence of any prior criminal record, each defendant is in Criminal History Category I.

On August 19, 1993, the government in a sentencing memorandum advised the Court that it will move for a downward departure pursuant to § 5K1.1 of the Sentencing Guidelines for defendants Von Wedel, New, and DeCarolis, and reserved the decision whether to make a similar motion on behalf of defendants Fiebelkorn and Barden. The government also advised the Court that it does not oppose a downward departure for defendant Barden based on her extraordinary family situation.

While the government's new position makes this Court's task of imposing a fair and appropriate sentence far less burdensome, the extent of any downward departure is governed by considerations which go beyond defendants' cooperation or individual family circumstances.

The Court has reviewed considerable material, including National Security Agency reports; CIA documents prepared by the Directorate of Information and the Directorate of Operations; the book of 29, which includes 29 documents from these agencies determined by the government to be discoverable by defense; the so-called black book, which consists of a series of State Department memoranda, National Security Council reports and memoranda, and Defense Intelligence Agency confidential and unclassified cables and information (the black book was not furnished to defense counsel as the information is substantially a duplicate of that furnished in the form of summaries and the book of 29); the several reports of the Italian Senate Commission involving this matter; the diary of P. Di Vito, an official at BNL; the CIA report of the investigation of its handling of BNL-related matters; the Senate Select Committee on Intelligence staff report on the involvement

of United States intelligence agencies in the BNL affair; the summaries of classified information prepared by the government and furnished to defense counsel;¹⁹ the testimony during the three-week sentencing hearing of defendant Christopher Drogoul; and the various exhibits introduced during that proceeding.

The preponderance of the evidence well supports this Court's conclusion that BNL-Rome was not a victim in this case. The evidence of CIA knowledge of the activities of BNL-Rome and BNL-Atlanta prior to the August 1989 raid of BNL-Atlanta is less persuasive but clearly troublesome. Either the CIA knew of the activities or the CIA failed to detect a five-year international deception and large-scale illegal financing of arms for Iraq through a small branch bank in Atlanta, Georgia. That determination is not necessary or appropriate for this Court. The Court does conclude that this is an appropriate case for a downward departure as to each defendant and will grant defendants' motion in part and will also grant the government's motion for a downward departure for substantial assistance and will consider defendant Barden's extraordinary family situation.

Background

This case arises out of a loan scheme stretching across continents and cultures, involving weapons merchants and multi-national banks, and implicating governments. In February 1991, Christopher Drogoul, the branch manager of BNL-Atlanta and the alleged mastermind of the scheme, was named, along with an Iraqi bank, some foreign nationals, and several of the above-named defendants, in a 347-count indictment. The indictment centered on charges that Mr. Drogoul, the branch manager, defrauded BNL over the course of several years by engineering billions of dollars in unauthorized loans to Iraq and other nations. A number of these loans were backed by the U.S. Department of Agriculture's Commodity Credit Corporation ("CCC").

Since the raid on BNL's Atlanta office in 1989, the scandal has sparked investigations across the Western world. Several committees of the United States Congress opened investigations into this matter, commissions of the Italian Parliament have explored the scandal, and aspects of this case were raised at a trial in England.

In September 1992, this Court presided over Mr. Drogoul's three-week sentencing hearing, which followed his guilty plea to sixty counts of the indictment. The Court heard detailed testimony on the loan scheme, international money markets, and the organization of BNL. The hearing ended during Mr. Drogoul's testimony when the Government announced that it did not oppose Drogoul's motion to withdraw his plead. The Court granted Drogoul's motion and later granted the Government's motion that the Court

¹⁹ These summaries represent information from the NSA and CIA documents that the Court determined to be discoverable by the defense.

recuse itself. Mr. Drogoul is scheduled to go to trial before the Honorable G. Ernest Tidwell on September 18, 1993. These defendants, each of whom has pleaded guilty, have been awaiting a resolution of their involvement since the summer of 1989, four years.

Evidence and Standard

While the information and evidence reviewed by the Court are of uneven reliability and occasionally recount the hearsay statements of unknown informants, the Court has sifted through the information to make reliability findings and has considered only that information which it has found to contain "sufficient indicia of reliability to support its probable accuracy." U.S.S.G. § 6A1.3(a). In sentencing, the Court is permitted to rely on information that would not be admissible under the rules of evidence in a trial. "Reliable hearsay evidence may be considered. Out-of-court declarations by an unidentified informant may be considered 'where there is good cause for the nondisclosure of his identity and there is sufficient corroboration by other means.'" Id. Policy Statement (quoting United States v. Fatico, 579 F.2d 707, 713 (2d Cir. 1978)).

The Court also notes that while no single piece of information or evidence standing on its own would support the Court's conclusions, when taken as a whole, even in light of the Government's conflicting information and argument, the information more than adequately and credibly supports the Court's conclusion that the defendant employees of BNL-Atlanta with their personal agendas and paltry rewards were pawns or bit players in a far larger and wider-ranging sophisticated conspiracy that involved BNL-Rome and possibly large American and foreign corporations, and the governments of the United States, England, Italy, and Iraq.

It would be the height of hypocrisy to sentence these defendants as if this were a simple case of wrongdoing by a branch bank's employees, the sort of fraud contemplated by the sentencing guidelines. The Court's conclusions are supported by the following credible evidence.²⁰

Evidence Supporting Court's Conclusion That BNL Was Aware Of the Activities Of the Atlanta Branch

1. BNL's relationship with Iraq.

- *BNL is one of the largest banks in Italy, and the bank has a longstanding relationship with Iraq.*

²⁰ At request of the Government agencies that produced this information, the Court, for security reasons, has not identified the specific document and source of the information from which it has drawn the facts set out below. The Court will provide the appropriate authority under seal at the request of the parties.

Also, defendant Von Wedel filed motion under the Classified Information Procedures Act ("CIPA") § 6(e)(2)(B) requesting a finding against the Government as to the truth of certain information in the classified materials because the Government has refused to produce the name of the sources. For the purposes of the downward departure, the Court is finding that this information is credible and accordingly denies as moot defendant Von Wedel's motion.

- *In the early 1980s, BNL financed a number of Italian exports to Iraq, and Iraq helped BNL during a liquidity crisis in the 1970's.*
- *In late 1987, BNL-Rome helped finance a transaction for construction of a sewage plant in Iraq.*
- *BNL was well known, as were many Italian institutions, for its political spoils system. Members of the Italian parliament believed that U.S., Italian, and Iraqi officials received kickbacks from these deals. At the bank, commissions sometimes amounted to five percent of any deal. Other sources said that BNL officials received eight percent kickbacks.*
 2. *BNL continued to do business with Iraq after the Iraqis were implicated in the scandal.*
- *BNL-Rome honored several letters of credit issued by the Atlanta branch to companies for carbide cutting tools (often used in the manufacture of weapons), and BNL-Rome participated in the financing of an Iraqi petrochemical plant.*
- *It remained Iraq's correspondent bank for Italy.*
- *Intelligence sources stated that the BNL-Atlanta loan scheme was only a continuation of this long-term relationship.*
 3. *Evidence of BNL's knowledge*
- *A branch of BNL in Udine, Italy referred an Italian steel company to BNL-Atlanta for financing of an Iraqi project. An official from the Rome office of BNL had personally handled the matter, advising the company to use BNL-Atlanta, because that branch handled the bank's Iraqi business.*
- *In 1989, General Motors sought financing for an automobile deal with Iraq from BNL in Rome and Toronto. BNL-Atlanta extended credit for \$154 million to finance the transaction. The financed automobiles were sold at almost double the unit price. No explanation is available as to the \$75 million overcharge or who benefited from it.*
- *In January 1990, a CIA employee concluded, based on general intelligence reports and publicly available material, that managers at BNL-Rome were involved in the scandal.*
- *A source from the legal department at the bank is quoted as saying that the transactions from BNL-Atlanta were authorized and directed by the Italian government and under instructions to make it appear that the transactions were controlled exclusively by BNL-Atlanta.*
- *Others speculated that the loans could not have been made without the tacit approval of the BNL Rome office, and Western bankers assumed that BNL's headquarters knew of the loan scheme under way in Atlanta.²¹*

²¹ A U.S. intelligence source found that this information confirmed press reports about BNL knowledge of the scandal.

- *The BNL affair was considered by some sources to be part of an acknowledged cooperative strategy to support Iraq to ensure its victory in the Iran-Iraq war.*
- *Italian treasury secretary Carli reported to the Italian Senate Commission that three BNL-Rome employees may have known about the unauthorized lending in Atlanta. He also said that the information of BNL-Atlanta activities should not have slipped through the bank's controls.*
- *Senior BNL officials were indicted and later convicted for their involvement in arms sales to Iran.*
- *The Italian embassy in Iraq was under suspicion of complicity in the BNL matter. The military attaché committed suicide shortly after the raid, and he was rumored to be related to the scandal.*
- *An Italian parliamentary commission member stated that the investigation showed that Drogoul was "no lone wolf."*
- *The former head of BNL's North American operations, Dr. Luigi Sardelli, provided credible testimony that senior officials in Rome approved or had knowledge of Mr. Drogoul's activities.*
- *Sardelli's letter criticizing defendant's activities was never delivered by the auditor to officials in Rome.*
- *Instead of auditing or investigation BNL-Atlanta, BNL-Rome officials elected to investigate Dr. Sardelli, who appears to this Court to be the only "straight shooter" in the organization.*
- *BNL-Rome was an extremely political organization, operating more as an agency of the Italian government than as a bank.*
- *Dr. Sardelli voiced his frustration with BNL-Rome in testifying that the BNL-Rome officials sent to the United States to investigate the Atlanta branch after the raid were the officials who should have been investigated.*
- *Co-defendant Paul Von Wedel and Jean Ivey, a BNL-Atlanta employee who was granted immunity, testified at Drogoul's hearing that they believed that officials in Rome were aware of BNL-Atlanta's involvement with Iraq, testimony the Court found credible. Mr. Von Wedel also testified that Mr. Drogoul had regular access to Dr. Giacomo Pedde, the director general of BNL, that Mr. Drogoul met with Mr. Monaco, a senior BNL official, in Baghdad, and that Mr. Florio, another senior BNL official, orally approved early CCC loans to Iraq.*
- *Senior officials in Rome signed onto some of the loans made by BNL-Atlanta to Iraq, at the request of the Iraqis.*
- *From early in the investigation, BNL's lawyers and Italian officials urged that the case be raised to a political level.*

Connections with the weapons network

Matrix-Churchill, an Iraqi front company and a major component of the arms procurement network, was a major participant in the BNL-Atlanta

scheme. The CIA became aware that Matrix-Churchill was an Iraqi front company in 1987. No CIA reports indicated a relationship with BNL-Atlanta. Later, in a criminal proceeding in Great Britain, it was confirmed that two employees of Matrix-Churchill, one of whom was a director, Paul Henderson, were sources for British intelligence. The charges against the two men were dropped.

BNL-Atlanta was reported to have provided financing for major parts of the Iraqi procurement network, involving such companies as Space Research Corporation, Lear Fan, the Italian Endeco Barazuol, and Matrix-Churchill. BNL-Atlanta was reported to have helped finance large parts of the Condor II missile program, a joint program of Iraq, Egypt, and Argentina.

Awareness of U.S. Intelligence community

The CIA had non-public information from various sources²² about BNL and BNL-Atlanta lending activities, though not information that they were unauthorized.

Miscellaneous Government Information

In the fall of 1989, shortly after the raid on BNL-Atlanta, there were a number of contacts between the prosecutors in the case and the federal agencies involved in the decision to approve new agricultural loan guarantees for Iraq. The Atlanta prosecutors met directly with representatives of the Agriculture Department. There were at least two telephone calls from a junior lawyer in the White House counsel's office to the chief prosecutor in this case; the calls sought information concerning the case in connection with the decision to approve loan guarantees.

In the spring of 1990, the prosecutors and investigators were invited to Washington on at least one occasion to discuss the case with National Security Council staff members and other administration officials concerned about the approval of a second tranche of loan guarantees. Later, in September 1990, the chief prosecutor and chief investigator on the case were part of a Justice Department delegation which met with the Italian ambassador to the United States, who argued that BNL was the victim of a "terrible fraud."

During a November 1989 meeting of the National Advisory Deputies Committee, certain officials reported that Iraq had not been implicated and that the scandal appeared to involve internal BNL matters. Some high-level members of the Executive Branch wanted to continue the CCC program with Iraq, arguing it was essential to the U.S. relationship with Iraq.

- Following the execution of the search warrant and the implication of the Iraqis, the United States government, particularly its foreign policy branches, continued to push for granting agricultural credits to Iraq.

²² At the request of the Government intelligence agencies, the Court does not identify these sources.

- *A generally reliable source believed that BNL-Atlanta could not have operated without the knowledge and acquiescence of the Federal Reserve Board, the Department of Agriculture, and the Commodity Credit Corporation.*
- *After 1985, the Exim bank maintained a rotating, short-term \$200,000,000 facility for Iraq; it was the only listed country receiving Exim coverage. In January 1990, President Bush signed a waiver of sanctions to permit the Exim program for Iraq to continue through 1990. The United States also determined to release \$500 million in CCC guarantees with the possibility that another \$500 million would be released later.*
- *A U.S. Government memorandum prepared for the Executive Branch urged continued approval of the CCC program for Iraq, but acknowledged the improbability that Iraqi bank officials were unaware of kick-backs, deeply discounted interest rates, and other gross irregularities in the program. The U.S. Government was also aware that there were allegations of double and triple overpricing of some commodities, diversion and transshipment of commodities, and that CCC financing has been used for goods that did not originate in the United States.*

Di Vito Diary

Attorney General Richard Thornburgh met with the Italian ambassador at a White House dinner. The ambassador pushed the idea that BNL was a victim and said incriminating BNL would be seen as an insult to Italy.

Overruns by BNL-Atlanta from 1986 were signaled to the North American office of BNL by the foreign credit office of the bank.

A number of new transactions, after the raid, between BNL-Rome and Iraq totaled more than \$228,000,000 as outlined in the July 31, 1990, confirmations.

Specific Findings

These factual findings support the Court's downward departure for the following reasons:

One, the Court finds that there is substantially reliable evidence that the alleged victim in this case, BNL-Rome, encouraged defendants to act as they did and superiors at the bank were in fact complicit in the scheme. The defendants saw their superior, Mr. Drogoul, rewarded for his acts, and could reasonably conclude that the bank approved of their acts or was deliberately ignored of their activities.

Section 5K2.10 of the Sentencing Guidelines provides:

If the victim's wrongful conduct contributed significantly to provoking the offense behavior, the Court may reduce the sentence below the guideline range to reflect the nature and circumstances of the offense.

U.S.S.G. § 5K2.10. Downward departures relying on this section usually involve cases of a physical assault and policy statement provides that the section is usually not "relevant in the context of non-violent offenses." Id.

Neither the guideline nor the commentary, however, prohibits the section's application to a fraud case, and the fraud guideline clearly contemplates that the victim of the fraud was not complicit with the alleged fraud. See § 2F1.1.

The court has considered the Government's argument that § 5K2.11 applies only to victim conduct that provoked a defendant's offenses. The Court finds, however, that it is within this Court's discretion to consider the victim's conduct throughout the course of this scheme in departing downward, and the Court concludes that this conduct permitted and encouraged the scheme. This conduct does not fit neatly in the category set out in § 5K2.11, but clearly this was not a pattern of conduct considered by the Commission in formulating the guidelines.

The evidence of BNL officials' knowledge of these loans and of the loans' role in international finance suggests that these defendants were merely functionaries in a scheme that benefited the management of BNL, and furthered the foreign policy of the United States and Italy. CCC loans to Iraq continued to be approved at the highest levels of the United States Government long after the scheme was uncovered, and BNL-Rome continued to do business with the Iraqis and other entities who had participated in the scheme "to defraud" the bank. The Di Vito diary lists in detail a total of \$228 million in new loans by BNL-Rome to Iraq following a July 26, 1990 conversation. (Di Vito Diary, July 31, 1990.)

Two, departure is proper because the offense level is exaggerated by the dollar value involved in the scheme. There is little evidence that defendants' activities were the factual or proximate cause of the loss.²³ As recounted above, defendants' roles were a minuscule part of the offense, and the offense level "bears little relation to" defendants' role in the offense. United States v. Restrepo. 936 F.2d 661 (2d Cir. 1991). Indeed, it is difficult to pinpoint the cause of the "loss" in this action.

Until the Gulf War intervened, Iraq had continued to make payments on many of the loans extended. On other loans, however, Iraq had defaulted. The amount of loss caused by these defendants then, "is complicated by considerations of multiple causation." United States v. Gregorio, 956 F.2d 341 (1st Cir. 1992)(permitting a downward departure for "multiple causation"); United States v. Schneider, 930 F.2d 555 (7th Cir. 1991); United States v. Kopp, 951 F.2d 521 (3d Cir. 1991).

More important, the role of these defendants was trivial in relation to the scope of this scheme. Also, as recounted above, the victims' conduct likely led to an increase in the amount loaned and the amount lost. This combination of causes takes the defendants outside the "heartland" of the

²³ The Court notes that several of the defendants objected to the amount of the loss as stated in presentence reports. Others, inexplicably, did not.

fraud guideline and makes these cases appropriate for a downward departure.

Finally, the Court concludes that a downward departure is appropriate because there is simply no way the Sentencing Commission could have considered the vast range of conduct that is relevant to this case, dwarfing these individuals' involvement. Neither this Court nor the public is likely to know the underlying motivations and purposes of the scheme that touched the branch bank, but it is clear that this case and all its permutations are unlike any set of facts covered by the mathematical formulas of the sentencing guidelines. Accordingly, a downward departure in this case is appropriate.

The Court grants the motions for downward departure.

It is so ordered this 23d day of august, 1993.

Marvin H. Shoob, Senior Judge
United States District Court
Northern District of Georgia

Court Hearing for Drogoul

Not satisfied with Drogoul's decision to plead guilty, thereby protecting the kingpins in the scandal, Judge Shoob asked Drogoul to explain at the sentencing hearing, following Drogoul's plea agreement, what had actually happened. Shoob had determined from the papers filed by Justice Department prosecutors and Drogoul's lawyer that Drogoul was being made the scapegoat for the crimes of BNL home office and of the White House, and said so in open court.

During one hearing, Shoob said:

I think the government entered into an effort early to support Iraq as a matter of national policy. They used the CIA and Italy to effectuate that purpose. Many of the things that were done were in violation of acts of Congress and U.S. arms export laws. They were aware of the law, and they skirted it. It was an effort to arm Iraq, and then, when things got out of hand, they didn't want that information to come out.

"Only in Never-Never Land"

The prosecutor sought to deny that BNL's home office was implicated, to which Shoob responded: "Only in never-never land would a combination of circumstances such as I have seen indicate that all this happened by chance."

Changing the Outcome of the Teapot Dome Scandal

In response to a Justice Department prosecutor quoting the decision by a White House cover-up judge, Frederick Lacey, that the BNL home office was not involved, Shoob stated, "If Judge Lacey had investigated the Teapot Dome scandal he would have awarded medals rather than jail terms."

During the hearing in the Justice Department's prosecution of Drogoul's²⁴ Judge Shoob issued an order dated October 5, 1992, that revealed much of the scandal:

This case involves billions of dollars raised and loaned in international finance. It involves allegations of an international bank fraud that may have helped pay for Iraq's military build-up. But the more important issue before this Court involves a man's liberty and serious questions about the integrity of our justice system and the almost unreviewable powers of prosecutorial discretion. The Court's judgment and decisions throughout the hearings and motions before it have been guided by its belief that there is a moral component to the Court's involvement in this case, the responsibility to do the right thing.

From the evidence presented during the hearing, this Court has reach and voiced certain preliminary conclusions and concerns about this case and the Government's conduct in investigating and prosecuting defendant that may, from the prosecution's viewpoint, interfere with this Court's ability to hear evidence with an open and impartial mind.

This court will set forth some of the tentative conclusions it has reached in hearing this matter and its reasoning in arriving at those conclusions. Set forth below are the bases for the granting of the motions to withdraw the plea and to recuse:

A. The knowledge of officials at BNL Rome

The Court concludes that officials at BNL-Rome were aware of and approved Mr. Drogoul's activities. At the very least, BNL-Rome chose to ignore what were obvious signs of Mr. Drogoul's extraordinary relationship with Iraq and his unusual lending practices. In support of this conclusion, the Court notes:

*Classified reports from the CIA conclude, in part, that a number of high-level BNL-Rome officials supported Mr. Drogoul's activities.*²⁵

- *A senior BNL official, Mr. Monaco, referred an Italian company seeking financing for a major construction project in Iraq to BNL-Atlanta.*
- *The former head of BNL's North American operations, Dr. Luigi Sardelli, provided credible testimony showing that senior officials in Rome approved or had knowledge of Mr. Drogoul's activities.*
- *Sardelli's letter criticizing defendant's activities was never delivered by the auditor to officials in Rome.*
- *Instead of auditing or investigating BNL-Atlanta, BNL-Rome officials elected to investigate Dr. Sardelli who appears to be the only "straight shooter" in the organization.*

²⁴ Criminal action # 1:91-CR 078-MHS

²⁵ The Court will not reveal the contents of these documents because they remain classified. However, as the Court will discuss below, the Court is unable to see how they relate to national security and why they should remain secret from the defense counsel and the public.

- *BNL-Rome was an extremely political organization operating more as an agency of the Italian government than as a bank.*
- *Dr. Sardelli voiced his frustration with BNL-Rome in testifying that the BNL-Rome officials sent to the United States to investigate the Atlanta branch after the raid were the officials who should have been investigated.*
- *Dr. Sardelli testified that he believes officials at BNL-Rome knew of Mr. Drogoul's activities.*
- *There is evidence that documents may have been shredded by BNL officials shortly after the raid and that some files and documents are missing.*
- *BNL branches in Germany, England, and Canada were aware of BNL-Atlanta's substantial financing of Iraqi purchases and projects.*
- *The Government's witnesses from Morgan Guaranty and the Bank of New York and confidential CIA reports concluded that it was well-known in international banking circles that BNL-Atlanta provided substantial financing for Iraq's purchase of agricultural, Military and non-military products.*
- *The Italian parliament's extensive report on the "BNL scandal" concludes that Mr. Drogoul was not a "lone wolf" and that BNL-Rome's failure to adequately supervise the Atlanta branch permitted the continued illegal activity.*
- *Mr. Drogoul's co-defendant Paul Von Wedel and Jean Ivey, a BNL-Atlanta employee who was granted immunity, testified that they believed that officials in Rome were aware of BNL-Atlanta's involvement with Iraq, testimony the Court found credible. Mr. Von Wedel also testified that Mr. Drogoul had regular access to Dr. Giacomo Pedde, the director general of BNL, that Mr. Drogoul met with Mr. Monaco, a senior BNL official, in Baghdad, and that Mr. Florio, another senior BNL official, verbally approved early CCC loans to Iraq.*
- *Mr. Drogoul's first lawyer, Theodore Lackland, testified credibly that several individuals involved with the allegedly fraudulent transactions told him that officials in Rome were aware of the transaction and in fact had in their possession one of the allegedly fraudulent loan agreements (MTL-4).*
- *As the "victim" in this matter, BNL-Rome may be able to recover \$1-2 billion in unpaid CCC-backed loans to the Iraqis.*
- *When notified of the August 4, 1990, raid, Mr. Drogoul returned immediately to the United States, leaving his family in France. He met with BNL officials in New York, was furnished an lawyer who was to be paid by the bank, and continued as manager of the Atlanta branch for a week.*

- *Mr. Drogoul's chief mentor at BNL in 1986-87 retired from BNL in 1987 and became a consultant at Entrade, a defendant in this case and a participant in the scheme.*

B. The Investigation and Prosecution of Mr. Drogoul

The Court has also come to a number of preliminary conclusions about the Government's investigation of this case. Primarily, the Court concludes that prosecutors failed to investigate seriously whether BNL-Rome knew of defendant Drogoul's activities. This failure, coupled with or provoked by the involvement of other departments of the United States Government, indicates an effort to absolve BNL-Rome of complicity in the Atlanta branch loans to Iraq. The Court Notes:

1) High-level officials in the Justice Department and the State Department met with the Italian ambassador to discuss the case. They appeared to help steer this case and gave support to BNL-Rome's position that it was a victim in this matter, assuring the ambassador that there "would be no surprises" for the Italians.

2) The Justice Department cancelled investigators' necessary trip to Italy and Turkey, where they intended to interview bank officials and others with knowledge of the transactions and scheme.

3) The Italian ambassador met with then-Attorney General Richard Thornburgh in Spring 1990 and told him that incriminating BNL-Rome in these transactions would be tantamount to "a slap in the face" of the Italians and would not be understood by the government of Italy.

4) The local prosecutor in this matter received one or more highly unusual and inappropriate telephone calls from the White House Office of Legal Counsel about this case, indicating the potential embarrassment level of the case.

5) The draft indictment was delayed by the Justice Department from early 1990 until the end of the Gulf War, February 1991, almost one year. Also, the plea bargain in which Mr. Drogoul agreed to plead guilty to only 60 counts rather than 347 and initiated by an assistant prosecutor when the chief prosecutor was out of the city effectively silenced Mr. Drogoul who had announced his intention to make a full disclosure at the plea hearing.

6) The Government failed to produce and, apparently, made no effort to bring in any knowledgeable bank officials from Rome, including Pedde, Guadagnini, Monaco, Florio, for the sentencing hearing.

7) The Government failed to interview Wafai Dajani, despite evidence of his substantial involvement with the scheme, when he was in Atlanta and had agreed to meet with the prosecution. Mr. Dajani, who has ties to the King of Jordan, was not indicted.

8) Investigators were blocked by the Department of Agriculture from interviewing Iraqi officials who were in the United States negotiating CCC guaranties and later were prohibited from traveling to Iraq to interview potential co-conspirators and witnesses.

9) *In early 1990, Atlanta prosecutors met with BNL-Rome lawyers, discussing the bank's position as a victim.*

10) *The American Ambassador to Italy notified the Secretary of State, Justice Department and others in the Fall 1989 that BNL's management was worried about the prosecution of the case and wanted it raised "to a political level" and to achieve "damage control."*

11) *Matrix Churchill, an Iraqi front company that was a clearinghouse for weapons procurement, was not indicted, although one of its officers was.*

12) *The Government has provided no credible explanation for its failure to indict Wafai Dajani, matrix Churchill, Enka, and the Central Bank of Iraq.*

C. Intelligence agencies

The Court also tentatively concluded during the course of the hearings that it is likely that the United States intelligence agencies were aware of BNL-Atlanta's relationship with Iraq. For example:

1) *The Central Intelligence Agency did not respond to repeated requests from the Court concerning CIA knowledge of and involvement in the activities of the Atlanta branch. The agency's earlier response to the carefully crafted September 1, 1992, request from the Acting United States Lawyer was evasive and concerned only knowledge of and involvement in unauthorized funding. The CIA continues to be uncooperative in attempts to discover information about its knowledge of or involvement in the funding of Iraq by BNL-Atlanta.*

2) *The raw intelligence reports indicate an awareness of extensive funding of Iraq by BNL-Atlanta.*

3) *There was no explanation as to the intelligence community's awareness or lack of BNL-Atlanta's role in funding the Iraqi military build-up despite extensive cable traffic between Baghdad and Atlanta and several trips to Baghdad by Drogoul, including one to an Iraqi military fair attended by U.S. officials, such as the U.S. Ambassador.*

D. Classified Information

The court is also concerned that the local prosecutors lacked access to classified information, which may have provided evidence on important elements of this case. The September 17, 1992, letter from the CIA to the local prosecutors shows that the CIA was not forthcoming with information it may have about the transactions at issue in this case, the one area of classified information made available to the court supports Mr. Drogoul's contention that his superiors approved of his activities. While the court is well aware that there may be classified information in support of the Government's theory of this case, the Court is concerned that the prosecutors may have been blocked by agencies with political agendas from developing a full picture of this affair. This is particularly troubling in light of the fact that this information no longer seems relevant to national security and that, even if it is, there are procedures through which the CIA, and other agencies, can

make classified information available without revealing sources and methods.

IV. Conclusion

There are grave questions as to how the prosecutors made their decisions in this case, both as to the nature of the charges and whom to prosecute. It is apparent that decisions were made at the top levels of the United States Justice Department, State Department, Agriculture Department and within the intelligence community to shape this case and that information may have been withheld from local prosecutors seeking to investigate the case or used to steer the prosecution. Furthermore, the Attorney General's exceptional refusal to grant the Congressional request for an independent counsel in itself raises concerns for the Court about the Government's impartiality in handling this case.

Accordingly, this Court again strongly recommends that an independent prosecutor be named to investigate this matter. The Court also recommends that the trial of Mr. Drogoul and the sentencing of the other defendants in this case be postponed to enable the United States Government to employ its full resources to obtain all the facts rather than to continue with the prosecution's acceptance of BNL-Rome's version that BNL is a victim to avoid embarrassing a foreign government or to contain criticism of a failed foreign policy. The naming of an independent prosecutor in this matter would be an appropriate response to the 1990 Federal Reserve memorandum, commenting that the Iraqis are willing to sacrifice one individual to the vagaries of the United States criminal justice system.

The Court GRANTS defendant's motion to withdraw his plea of guilty and GRANTS the Government's motion to recuse.

IT IS SO ORDERED, this 5th day of October, 1992.

Marvin H. Shoob, Senior Judge
United States District Court
Northern District Of Georgia

The Replacement Judge Was a "Team Member"

The new judge, Ernest Tidwell, was more amenable to the Justice Department cover-up. Drogoul's lawyer, Robert Simels of New York, stated that the judge issued two rulings refusing to allow the bank manager to give evidence showing that President George Bush and White House officials acted to carry out the fraud. He said that the judge blocked him from introducing evidence concerning the role of U.S. intelligence agencies in making the sham loans to Iraq, and the Italian government's efforts and pressures upon the Bush Administration to avoid indicting BNL. Judge Tidwell stated that this evidence was not related to the charges against Drogoul. That was not so.

This judicial strategy is repeatedly used against CIA personnel who for various reasons are charged with criminal offenses for carrying out their orders. The compromised judge renders orders barring the defendant from showing his CIA employment and that he was carrying out orders. They are barred from introducing CIA documents and barred from having CIA personnel appear. It happened to almost every CIA operative named in these pages.

Clinton's PR Rhetoric

While on the campaign trail, Clinton stated he would recommend the appointment of an independent prosecutor to investigate U.S. involvement in the BNL fraud. But upon assuming the presidency, and through Attorney General Janet Reno, who appeared to be more of a figurehead for the Justice Department, the position was changed. The Clinton Administration, including the Attorney General, argued that there was no U.S. involvement in the BNL corruption and that the BNL headquarters in Italy and the Italian government were not involved. Attorney General Janet Reno and President Bill Clinton were lying.

Cover-Up Costing Americans Billions

Attorney General Janet Reno refused to appoint a special counsel to investigate the BNL scandal and in February 1995 agreed that U.S. taxpayers had to pay BNL the loan guarantees that made possible the arming of Iraq. She was stating in effect that the manager of a small BNL bank branch in Atlanta approved \$5 billion in loans without the knowledge of bank officials in Italy. This was of course ridiculous.

Italian Exposure of U.S. Culpability

A 340-page report by an Italian parliamentary commission²⁶ said that the illicit loans to Iraq from BNL were part of a U.S. policy to channel military aid to Iraq, under the direction of President George Bush. The report stated in part:

That the political direction of the whole operation was always firmly based in Washington is evident. Personalities in the Italian government and of BNL were aware of what was happening, or had received authoritative advice not to look too closely at the Atlanta branch operations....It is now evident...that the affair constituted an American political scandal.

Killing Hundreds of Innocent Afghans

Afghanistan was once a land rich with orchards—until the CIA started subverting the Afghan government, arming and funding rebels so as to bring down the government that had ties to the Soviet Union. Prior to the CIA's subversive activities Afghanistan exported large quantities of fruit and vegetables. I had flown in the area during 1953 and 1954 and saw a land that in places was beautiful and productive.

²⁶ *Wall Street Journal*, January 27, 1994.

Afghanistan—From Orchards To Drugs

The years of fighting that started with the CIA's subversion of the Afghan government caused destruction of these orchards. They were then replaced with growing poppies, the source for opium, becoming one of the world's primary suppliers for these drugs. This practice primarily halted in 1996 when the Taliban took over. The Taliban barred the growing of drugs.

Several years prior to the events of September 11, 2001, the al Qaeda group operated in remote Afghan areas.

The al Qaeda group consisted of many members the United States funded, trained, and armed to do terrorist work—and called them freedom fighters. This term was replaced with “terrorist” when the United States became the target of this group.

After the events of September 11, 2001 the Bush II White House engaged in massive bombing of Afghanistan to destroy the al Qaeda organization, using literally weapons of mass destruction.

These weapons of mass destruction included the deadly cluster bombs intended to kill and maim people over a wide area. Bombs weighting into the thousands of pounds were dropped from aircraft flying at extremely high altitudes, exploding into mud shacks, religious groups, wedding parties, Red Cross buildings, and similar structures.

This type of weapons of mass destruction knowingly killed many innocent people who had never engaged in any hostile acts against the United States, including children and babies. A few low-level members of the al Qaeda group were believed to have been killed during these military operations, but none of the terrorists implicated in the 9-11 attacks on America had killed.

Massive continuous bombings of Afghanistan, one of the poorest nations on earth, required the United States to bomb mud hovels—which routinely included blowing apart people attending wedding parties, children, and refugees. But as Bush and Rumsfeld said, “War is not pretty.”

The use of cluster bombs could be called an excellent terrorist weapon, blowing people apart, ripping off arms and legs, faces, and incinerating innocent victims.

After Encouraging the Subversion of Afghanistan,**The United States Entertained Taliban Leaders in Texas**

After the Taliban took control of Afghanistan in 1996, many Taliban leaders traveled to Washington, and to Houston where they were entertained by oil company executives, including Unocal. Washington politicians said nothing, despite the harsh treatment of the people by the Taliban.

Unocal offered to pay the Taliban money for permission to build an oil and gas pipeline through Afghanistan from former Soviet Union countries (central Asia).

Primary Causes for Hatred Against US

Middle East experts, and especially those who have lived in the Middle East for years and have direct contact with the people, including heads of state and journalists, have repeatedly stated that the primary reason for terrorist attacks upon the United States is the funding, arming, and one-sided support for Israel. They have stated over and over again that the hatred is fueled by Israel's occupation of the seized territory, the furnishing of military weapons to Israel that are used against defenseless Palestinians, and the brutal treatment of the people in the occupied land.

Jordan's King Abdullah II, speaking before the Commonwealth Club in San Francisco (April 16, 2004) said that the Israeli-Palestinian conflict generates the greatest reason for terrorism:

At the end of the day, you're [United States] being held responsible. I am very, very frightened by that perception. I can't impress it enough on this audience that the core instability of the Middle East, the core problem in everybody's hearts, is the Israeli-Palestinian problem. It's not rocket science. We know what needs to be done.

He called on Israel to halt its occupation of the West Bank and the Gaza strip, as the United Nations had repeatedly stated and as Israel had repeatedly rejected. He also stated that the twin images of Israelis battling Palestinians, and American troops occupying Iraq, generated more hatred toward the United States than the world had ever seen.

Blowback Consequences for U.S. Furnishing Funds and War Weapons to Use Against Unarmed People in the Occupied Land

The blowback consequence for the United States furnishing Israel with massive war machines that would knowingly be used against the people of Palestine, has bred increasing terrorist actions against Americans.

Ironically, this deadly one-sided support for a policy that had killed thousands of innocent people has been done while Israel has inflicted great harm upon the United States.

Palestine under Attack

“Palestine under attack” was the title on an article in the *Palestine Monitor*, stating:

International humanitarian agencies have characterized the situation across the West Bank as a humanitarian catastrophe. Visiting Jenin refugee camp, where rescue workers are still pulling out survivors and combing the rubble to retrieve bodies, UN special envoy Terje Roed-Larsen described the devastation as “horrific beyond belief.” While the US remains silent about Israel’s massive violation of fundamental human rights and humanitarian norms, including war crimes, the EU has at least called upon Israel to accept a UN probe into the atrocities at the camp or face “colossal damage” to its reputation.

No one knows yet what the price tag will be for repairing the catastrophic damage inflicted by Israel since the end of March 2002. International aid agencies, donors and Palestinians are still unable to access many areas to carry out an accurate damage assessment. World Bank officials, however, estimate that total damage assessment to Palestinian infrastructure will more than double to US \$600 million. It is impossible to put a price tag on the loss of life, estimated at well over 400 persons, trauma and long-term psychological damage caused by the brutal military assault.

Routine Torture of Palestinians by Israel

An Israeli human rights group²⁷ charged their government with routinely torturing Palestinian political prisoners, reporting, “Violence and ill-treatment have become an expected part of interrogations.” The report stated that at least 5,000 of the 25,000 Palestinian prisoners jailed in the previous year had been tortured, while Palestinians reported that the percentage was much higher. An April 3, 1993, *New York Times* article was entitled, “Israeli Study Finds Torture Common.”

Israel’s Massive Repeated Violations of UN Resolutions

Between 1972 and 2002, for instance, the United Nations issued over 70 resolutions against Israel. Over three dozen United Nations Security Council resolutions were put up for vote against Israel, which would authorize military action, and every one was vetoed by the United States, and usually with participation of the United Kingdom.

There are types of Security Council resolutions in the United Nations, and fall under Chapter Six and Chapter Seven. Chapter Six resolutions are not binding and deal with the peaceful settlement of disputes.

Chapter Seven resolutions, authorizing warlike actions, can be defeated if any of the original seven signatories to the UN charter object. The United States, often accompanied by the United Kingdom, had rejected each of the several dozen Chapter Seven resolutions condemning Israel.

²⁷ Betselem, the Israeli Center of Human Rights in the Occupied Territories.

Some examples of UN Chapter Seven security council resolutions against Israel include such matters as demanding that Israel halt settlement activities in the occupied land; holding Israel occupation of Palestine to be invalid and in violation of Security Council resolutions.

U.S. Politicians' Support for Occupying Country: Israel

Israel had received billions of dollars a year in grants, loans, economic aid, and war equipment, making possible the continued occupation and brutal treatment of the Palestinians.

This financial largess had continued even as Israel inflicted great harm upon the United States. For years I have written in *Drugging America* and *Defrauding America* the details of these harmful activities. For instance:

- Israel's Mossad involvement in smuggling drugs into the United States during the Iran Contra affair.
- Israel's attack upon the U.S.S. Liberty that killed many U.S. sailors.
- Israel's spying upon the United States, as in the Pollard affair.
- Israel's attack on any U.S. politician who dared to address these matters or criticize Israel in other ways.

An article in the *San Francisco Chronicle* (March 27, 2002) referred to the fear of U.S. politicians from the powerful Jewish influence in the United States:

Sharon's hard line was an unprecedented slap at the Bush administration, ... U.S. officials' response was merely to turn the other cheek, indicating they are unwilling to criticize Sharon. If Sharon can get away with so publicly defying the United States, which gives Israel \$2.8 billion per year in military and economic aid, then Arab cooperation with the war on terrorism may weaken, and the Arab world's opposition to any future U.S. attack on Iraq will harden.

Israel has used military jets to fire missiles and drop bombs into heavily occupied areas in the West Bank, killing many innocent people. They have used military weapons, furnished by the United States, to kill thousands of Palestinians. In one such example, on July 22, 2002, an Israel jet fighter fired a missile into a highly concentrated civilian area during the night, killing a Hamas leader, his wife and family, and 13 other children. Israel, and many "news" reporters in the United States (including Dennis Ross), supported the slaughter.

Israel's Brutal Occupation Treatment in Occupied Land

"Israel gets OK to ruin houses. Court allows action in time of war without warning," was the headline on a *New York Times* article (August 7, 2002), and stated:

Saying Israel was in the middle of a war [military occupation of the West Bank], the [Israel] Supreme Court gave the army approval to destroy without notice the homes of 43 families related to suicide bombers.

Israel Massacre at Jenin

Israel's killing in Jenin, West Bank, was televised by CNN. As a re-

sult, three Israeli cable companies cancelled their CNN links. (Wall Street Journal, August 5, 2002). Egyptian president Hosni Mubarak called the killings, despicable crimes." The news reports by CNN, BBC, and other media called the Israeli attacks as war crimes. President Bush and much of the U.S. media supported the attacks.

Israel had been receiving nearly \$3 billion dollars per year in military and economic aid, which continued even after Israel used its U.S. funded military to kill ... sailors on the U.S.S. Liberty, and caused conditions to exist by their occupation of the West Bank and the Gaza strip that played a key role in the hatred of the United States by Middle East people, and brought about the terrorism crisis.

During the 1948 war in which Israel fought to acquire the land as the state of Israel, over 750,000 Palestinians fled or were forced out of their homes in what is now Jerusalem. Then in 1967, Israel invaded the West Bank in what was Jordan and have occupied the land ever since as an occupying army and built Jewish settlements in the occupied territory.

Decades of Brutal Occupation with no End in Sight

The western end of Jordan, now home of the Palestinians, had been invaded and occupied by Israel since 1967. Palestinians have been thrown from their homes and put into refugee camps. They have had their land and homes taken from them by Israel. They are humiliated by the occupying Israel military, and routinely murdered by ramming huge bulldozers into residences. They have seen Israel settlements built on their land. They have been brutalized and killed by the Israeli invaders. Lacking military weapons to fight back against the U.S. provided warplanes, war missiles, and other war equipment, they had to resort, in desperation, to suicide bombings as a last resort.

For over 30 years the Palestinians have lived under Israel's brutal occupation. Israel has repeatedly defied UN resolutions to withdraw from their occupation. Israel has built settlements in the occupied land, obviously with no intention of leaving. The 1967 invasion by Israel seized the West Bank, including the old city of Jerusalem, the Gaza strip, and the Golan Heights.

Israel has destroyed Palestinian homes, thrown out Palestinians and put Jewish settlers in them. Israel has used massive military equipment, tanks, jets, and missiles, against the desperate Palestinians limited primarily to throwing stones.

The United States provides no arms to the Palestinians, while arming the Israel invaders, and then threatens any country trying to provide help to the Palestinians, calling them terrorists or terrorist states.

Israel's Human Shield Policy

An *Associated Press* report (August 16, 2002) described Israel's use of human shields by military personnel in the occupied territory:

The Israeli soldiers strapped a bulletproof vest on a Palestinian teenager and ordered him to approach a house where a Hamas militant was hiding, with instructions to bring out everyone insider. As he neared the house in the West Bank village of Tubas on Wednesday night, a 19-year-old Nidal Daraghmeh, was shot in the back of the head and killed, though it's not clear who pulled the trigger. Troops then flattened the house with bulldozers, killing the Hamas militant.

The operation outraged Palestinians and sparked a sharp debate in Israel over a tactic the army has used for years. The army calls it the "neighbor procedure." Critics say the army is using Palestinians as "human shields." Palestinians say the practice has been used more frequently during the past 2 months of fighting. Soldiers have in some instances forced Palestinian civilians to enter homes believed to be booby-trapped, Palestinians say.

Continuation of Israeli Brutality on Defenseless Palestinians

Typical of the slaughter of Palestinians, including children, was the firing of rockets by Israeli troops against Palestinian marchers in Rafah, in Gaza, who were protesting the occupation. The *New York Times* shows a front-page picture of a father holding his dead child, murdered by the Israeli troops.

Israel's Weapons of Mass Destruction: Nuclear Missile Buildup

Numerous reports and media articles over the years have described Israel buildup of nuclear missiles. Israel has never denied having nuclear missiles, and has refused to allow inspection of its nuclear facilities. The United States had turned a blind eye to Israel's nuclear missile arsenal—and to Israel's invasion and occupation of what was originally Jordan—while simultaneously barring other nations from acquiring the same weapons.

The production of these missiles were made possible by the billions of dollars of funding by the United States and technical assistance—plus the stealing of U.S. secrets by Israel.

Nuclear Missiles and Submarines in Mini State

Israel, the size of New Jersey, added nuclear carrying submarines to its arsenal of weapons of mass destruction. One of many reports of Israel's nuclear missiles was a report by MER (July 1, 2004) showing Israel's intent to place missiles on submarines:

Latest reports are that Israel will soon begin deploying the latest design conventional (diesel) submarines armed with nuclear cruise missiles. Israel is acquiring at least three new subs for its nuclear missiles from Germany. The Germans are said to be subsidizing the design and building of the subs, paying more than 50% of the costs in what amounts to ongoing German reparations.

The new subs are expected to be armed with a new version of Israel's Jericho missile which has a range throughout the Middle East (es-

timated at 3000 miles) and can carry Israel's latest hydrogen and neutron bomb warheads.

Israel is now thought to have as many as 400 nuclear warheads with a total of approximately 50 megatons. And Israel is also thought to have been working closely for some years in secret with the Indian military, both on the development of India's nuclear arsenal and also on possible plans to attack any Islamic country attempting to build a nuclear arsenal, with Pakistan and Iran heading the list.

There are also substantial rumors that with great secrecy Saudi Arabia is also now attempting to arm itself with nuclear weapons, hoping to accomplish such a fait accompli before it becomes generally known.

Killing People who Disagree with Israeli Policies

Israel's Mossad has a long reputation of killing people in foreign countries whose lawful conduct displeases Israel. Some of these killings have been reported by former Mossad officers, including Ari Ben-Menashe and Victor Ostrovsky in their books.

Gerald Bull, a Canadian scientist who developed the Super Gun used by Iraq, was killed by the Mossad at his Brussels apartment in March 1990.²⁸ Israeli assassination squads killed Bull to halt his development of the weapon project. Israeli agents murdered nineteen people within several weeks in 1990, including eight German scientists hired by a company in Miami, who were traveling back and forth to Iraq. They included a German scientist, Hans Mayers, in a car "accident" in Munich; four Iraqi businessmen, and two Pakistani scientists in Britain.

A television production aired on June 17, 1993, focused on the many killings by the Mossad, including the botched 1974 killing in Lillehammer, Norway of the wrong person by Mossad operative Michael (Freddy) Harari. A Mossad Kidon assassination team headed by Harari killed a Moroccan waiter who they thought was their intended victim, Ali Hassan Salameh. Instead, the victim was a plain waiter with a wife and two children. Israel agreed in January 1996 to pay compensation to the widow and daughter of \$283,000, and \$118,000 to the son. A panel of Norwegian judges convicted five Israelis of the murder, concluding that the assassination was run by Israel's intelligence agency, the Mossad.

One of their favorite assassination stunts was to put a pressure sensitive plastic-explosive bomb in the victim's bed. When the intended victim lay on the bed the bomb went off. Another tactic was to place plastic explosives in a telephone handset and when the person answered, and the caller identified him as the intended victim, the bomb would be set off by a signal carried over the telephone wire. Although the plastic explosive was small in size, it

²⁸ *Profits of War*, Ari Ben-Menashe; *By Way of Deception*, Victor Ostrovsky and Claire Hoy; *The Other Side of Deception*, Victor Ostrovsky.

usually caused fatal injuries.

Victor Ostrovsky detailed the specifics of several of the killings by Israeli agents. He wrote that the Israeli assassination department inside the Mossad was a small unit called “*Kidon*,” and was divided into three teams consisting of approximately twelve men each.

Ostrovsky told of the shooting down of a Boeing 727 operated by Libyan Arab Airlines by two Israeli jets, killing over a hundred people. He told how two Israel agents killed Arab scientist Yahia El Meshad by slipping into his apartment with a passkey and then cutting his throat while he slept. He also told how the Mossad killed a PLO official in Paris who was preparing to meet with the French Secret Service.

Another article in a December 14, 1992, publication carried a story about Israeli assassination squads operating in foreign countries under the title, “Foreign Killers Run Loose in U.S.” The article related how Israeli-trained assassins, funded by U.S. taxpayers, are entering the United States, often with the help of the CIA, leaving a trail of unsolved and unreported killings. The report explained how the United States was funding Mossad’s criminal operations in Third World countries.

Former Mossad agent Ben-Menashe’s book described the Mossad’s hiring of Arabs who unknowingly carried out terrorist attacks against Americans, inflaming the American public against the Arabs. He also tells how Mossad agents paid Palestinians to seize the Mediterranean cruise ship *Achille Lauro* in 1985, which ended in the killing of one of the passengers. Ironically, the passenger was Jewish.

Ari Ben-Menashe wrote in his book *Profits of War* that the attack upon the cruise ship was financed by Israel, and its intent was “to show what a deadly, cutthroat bunch the Palestinians were.” The American public was told that the attack upon the *Achille Lauro* was a Palestinian operation, when in fact it was engineered and financed by Israel.

Israel’s Admission of Worldwide Assassinations

A *London Observer* article carried in the *San Francisco Examiner* on November 24, 1993, was headlined, “Israeli official admits unleashing assassins.” The article described the practice of Israel’s military-security establishments carrying out assassinations on a global basis, many of them specifically authorized by Israel’s prime ministers, including Golda Meir. The article admitted the mistaken assassination of a waiter in the Norwegian town of Lillehammer, thinking the victim was a member of the PLO, Ali Hasan Salameh. Israeli officials admitted the disclosures by retired Major General Aharon Yariv on state-controlled Israeli Television, arguing that the information should have remained secret.

Spreading Oppression

An article in the now-defunct magazine, *Spotlight*, quoting Lagerkrantz, stated:

Since Congress has decided to grant the most aid to governments who

agree to let Israel train and equip their security troops, it has been precisely those African nations where the Mossad has been most active—Sudan, Zaire, Somalia, Liberia—that have suffered the worst outbreaks of famine, violence and disorder.

The article stated that covert activities carried out by the Mossad had brought “nothing but oppression, cruelty, bloodshed, corruption and ultimately turmoil” to the backward regions where it operated. (The same, of course, applies to the covert actions of U.S. Intelligence Agencies.)

Murdering U.S. Navy Personnel

Israelis didn’t limit their assassinations to Arabs. Israeli forces deliberately machine-gunned and bombed a virtually unarmed U.S. Navy communication ship, the *U.S.S. Liberty*, off the coast of Lebanon. (June 8, 1967) The *Liberty* carried clear markings indicating it to be an American ship, and Israel knew that. As the Israeli aircraft approached the *Liberty*, the fighter pilots radioed and protested to their base, “It’s an American ship!” Tel Aviv disregarded the pilot’s protests and ordered the fighters to attack. The brutal and bloody assault continued for almost half an hour, during which time missiles, napalm, and torpedoes were used to kill thirty-four U.S. Navy men and injuring 171 others.

The U.S. sailors had intercepted Israeli radio communications relating to a planned attack on Syria that occurred the following day, and Israel felt the Americans would expose the sneak attack.

Navy ships and aircraft that started to go to the defense of the *Liberty* were called back, probably due to orders from the White House.

Damage Control to Protect Israel

For damage control, to prevent the American public from learning the truth, the powerful U.S.-funded Israel lobby in the United States sprang into action with disinformation to the media and pressure on members of Congress. The American public never learned the truth. Even White House officials acted to protect Israel, publicly accepting Israel’s apology that the attack was an accident. The American service men were expendable, as they were in Vietnam and other CIA operations.

Israel asserted that they thought the *Liberty* was another ship, the *El Quseir*. But that Egyptian supply ship was in Alexandria, a fact known to Israel. The ugly truth of the deliberate killing of U.S. military personnel by Israel was shown through radio messages intercepted by the American embassy in Beirut, which were slowly and belatedly leaking out. In 1991, former U.S. Ambassador, Dwight Porter, revealed the radio communications intercepted by his office in Lebanon on that fateful day in 1967, revealing that Israeli commanders knew the ship was an American ship and that they knew they were killing American sailors.

Porter’s revelations were supported by Seth Mintz,²⁹ a Major in Israel’s

²⁹ Residing in Houlton, Maine. He was a U.S. citizen who went to Israel in 1962, joining

IDF,³⁰ who was present in IDF headquarters for several hours before starting the attack on the U.S. communication ship. Shortly after Mintz made these statements he was threatened by Mossad agents, causing him to recant his earlier statements. In a dispatch in *Ha'aretz* on November 7, 1991, Mintz expressed "grave anxiety over the media interest in him" relating to the *Liberty* affair. He told *Ha'aretz*, "Everyone is after me now, and that is what I'm afraid of. I don't need the Mossad³¹ and Shin Bet³² knocking on my door." His knowledge of Mossad's assassination squads and their practice of assassinations, certainly justified his anxiety.

The orders to attack the U.S. Navy communication ship came from a high Israeli official, reportedly General Yitzhak Rabin, who later became Israel's Laborite Prime Minister. President George Bush's White House staff tried to portray Israel's Rabin as a peacemaker, despite his long history of terrorist activities.

In 1996, a person intending to fund a TV documentary on the Israeli attack upon the *Liberty* was killed. The media ignored the June 7, 1997 memorial services held by the surviving *Liberty* crewmen.

Stealing U.S. Military Secrets

Numerous articles have been written about U.S. secret weapon technology sent to Israel that had been stolen and sold to foreign countries, violating agreements with the United States. In *Dangerous Liaison-The Inside Story of the U.S.-Israeli Covert Relationship*, authors Andrew and Leslie Cockburn wrote about the symbiotic relationship between the United States and Israeli intelligence networks, the stealing of nuclear fuel by Israel from the Nuclear Materials and Equipment Corporation plant at Apollo, Pennsylvania in 1968; Israeli and CIA involvement with the Medellin drug cartel and Guatemalan death squads, and other treasonous activities.

Reports in the March 15, 1992, *New York Times* and *Wall Street Journal* related the pattern of illegal sales by Israel of U.S. weapon technology. The articles revealed that Israel did this by either installing the U.S. components in an Israeli weapon system or disassembling the weapon to discover how it worked and then constructing its own, selling the secret technology to foreign countries, who may be hostile to the U.S. interests.

Israel received Patriot missiles worth hundreds of millions of dollars from the United States and instead of keeping the technology secret, sold the missiles with Patriot technology to other countries, including China, in clear violation of U.S. law. A State Department report³³ accused Israel of engaging for nearly ten years in a systematic pattern of reselling cutting-edge U.S. military technology to Third World countries, some of who were adversaries

the Israeli Army in 1965, and assigned to the IDF war room during the Six-Day War.

³⁰ Israel Defense Forces.

³¹ Mossad is the Israeli highly secret intelligence service and a worldwide network of agents, much of it funded by the United States.

³² Shin Bet acts in a similar manner as the Mossad, performing for the military.

³³ *New York Times*, April 4, 1992.

of the United States.

The report told how Washington officials protected this unlawful transfer of U.S. technology by ordering U.S. investigators in Israel not to check on the destination of U.S. technology sent to Israel, as is required of all other countries. Israel, using money supplied by U.S. taxpayers, retains powerful Washington law firms and bribes U.S. officials and politicians to carry out its dirty work against the United States.

Dotan Affair

Another example of Israeli attacks upon U.S. interests was the Dotan affair, in which U.S. corporations paid bribes to Israeli officials, the bribes coming from money paid by the U.S. government. Over \$11 million in bribe money was diverted from the General Electric Company through a small New Jersey front company to European bank accounts controlled by Israel Brigadier General Rami Dotan, who was convicted by an Israeli military court of theft and fraud. The case involved bribery, money laundering, and violations of the Foreign Corrupt Practices Act, insider trading, and espionage.

A General Electric official, Herbert Steindler, was considered a partner in the illicit schemes. Both General Electric and Pratt and Whitney knew the United States was being defrauded but it was profitable for them to remain quiet, to become co-conspirators. Falsified bills of lading and shipment of fictitious equipment were all part of the scheme that was paid by U.S. taxpayers. Shell companies were used for facilitating the payoffs.

General Electric agreed to pay \$69 million in fines, penalties and damages, and pleaded guilty to defrauding the United States in the sale of military equipment to Israel. Israeli officials impeded the investigation by U.S. officials, despite the fact that U.S. funds were involved.

The Israeli government claimed itself innocent in the Dotan matter. But the facts speak otherwise. Naturally.

Much of the diverted money came from U.S. foreign aid programs destined for Israel. This money-diversion had been known to be standard and unlawful practice for years to members of Congress, its investigative arm, the General Accounting Office, and White House officials.

Congressman and House Energy and Commerce Committee Chairman John Dingell stated that Congress has been reluctant to embarrass Israel politically. This attitude exists because of past retaliatory measures inflicted upon members of Congress by the Israeli lobby when Israel's activities were questioned.

Pollard Affair

Israeli agents paid a U.S. Navy intelligence analyst, Jonathan Jay Pollard, to steal military secrets, using a Washington apartment owned by lawyer Harold Katz. The seriousness of the spying operation was reflected by the life sentence given to Pollard (June 4, 1986) by Chief District Judge Aubrey Robinson in Washington. Israel's Zionist lobby in the United States

protected Israel from the serious repercussions that should have occurred.

Israel repeatedly requested of U.S. presidents that Pollard be released, but the massive protests by U.S. intelligence personnel and the great harm caused by Pollard's spying blocked his release.

Israel's Involvement in October Surprise

In my book, *Defrauding America*, I go into great detail about the October Surprise operation and Israel's involvement in it. That secret operation delayed the release of American hostages held by Iran until after the election between the sitting President Jimmy Carter and the Republican candidate Ronald Reagan. It was felt that if the hostages were released prior to the election that Carter might be reelected. In exchange for delaying the release of the hostages, considerable money and military equipment were given and sold to Iran.

Former Mossad agent Ben-Menashe described Israel's involvement in the October Surprise operation, which conformed to statements made to me by several CIA people with whom I had been in frequent contact for several years, including Russbacher and Riconosciuto. Israeli agents were at the Madrid, Barcelona, and Paris meetings, as related to me by Russbacher and Ari Ben-Menashe. Israel knew the October Surprise operation was an act of treason, and they aided and abetted in this operation.

CIA in Collaboration with Israel's Mossad

Several of my CIA sources, some of whom were pilots with me in the Middle East, gave me details of the role played by the Mossad in drug trafficking into the United States. These people described their direct contacts with the Mossad, relating to the drug trafficking from South and Central America into the United States. They told how Mossad agents, including Michael Harari and David Kimche, for instance, were present at many of the drug transshipment points and especially in Panama. They also told me about the joint shipment of CIA and Mossad drugs in CIA and DEA aircraft.

Israel obviously knew that operations against the United States, such as October Surprise and drug smuggling, were harming and defrauding the United States. It was profitable for Israel, and also enabled Israel to blackmail officials in the government of the United States, including Presidents Ronald Reagan and then George Bush.

Enormous Power of the Israel Lobby

Israel interests in the United States, including the Anti-Defamation League, whose parent is B'nai B'rith, exert considerable influence over politicians and the White House. Through its powerful Zionist group Israel can fund campaigns to defeat politicians not adhering to Zionist wishes; and fund these activities from U.S. grants and loans!

ADL blocks any exposure of wrongful activities by Israel and its Mossad. It spends huge sums of money to oppose members of Congress whose interests are not aligned with Israel. Much or all of this money comes from the U.S. taxpayers who provide loans or grants that are not repaid. One tac-

tic used to silence those who report or criticize the Mossad or Israel's conduct is to label them an anti-Semite. It is risky business for a public official to defend U.S. interests when it means confrontation with the Zionists. The vast control by Israel over the U.S. media makes certain that the American people hear Israel's version.

ADL has been able to defuse any attention focused upon unlawful activities of people connected with Israel or the Mossad. The ADL lauded a major Jewish crime figure, Morris Barney Dalitz of Las Vegas, who regularly donated heavily to the ADL. Dalitz was called, Chairman of the Board, to such crime figures as Meyer Lansky and Benjamin "Bugsy" Siegel. Lansky and Siegel were members of the original "Murder Incorporated," also known as the Meyer and Bugsy Gang. JDL³⁴ chairman Irv Rubin was accused in 1992 of plotting a murder-for-hire operation.

In the book, *American Jewish Organizations and Israel*, author Lee O'Brien describes the Anti-Defamation League of B'nai B'rith (ADL):

In later years, ADL has turned to...aggressive measures....outright surveillance of individuals and groups, the results of which are fed into both the Israeli intelligence-gathering apparatus, via their consulates and embassy, and American domestic intelligence, via the FBI. Top ADL officials have admitted the use of clandestine surveillance techniques.

The Anti-Defamation League of B'nai B'rith has been functioning as the action arm of Israel's Mossad in the United States. In 1993, an ADL spy scandal erupted in San Francisco, after which it was learned that the ADL had been acting as proxy for the Mossad. The scandal surfaced after it was discovered that San Francisco police inspector Tom Gerard³⁵ was stealing police intelligence files and selling them to the ADL.

It was learned during the investigation that Roy Bullock was an ADL operative spying on numerous individuals and groups in the United States. According to an April 9, 1993, *Los Angeles Times* article the ADL disguised payments made to Bullock by funneling the money through Beverly Hills lawyer Bruce Hochman, who in turn paid Bullock. Hochman was a prominent ADL figure, and a member of a panel appointed by Governor Pete Wilson to recommend the names of lawyers for federal judgeships. This helps explain the inordinately high percentage of Jewish federal judges.

During a three-hour press interview in the Philippines, Gerard revealed that he was a former CIA operative and had evidence that the CIA trained, supported, and encouraged death squads operating in El Salvador, Honduras and Guatemala during the 1980s. The sheer brutality of the carnage was too much for him, and he left the CIA in 1985. "This was not good guys versus bad guys," Gerard said. "This was evil, evil; this was something the devil himself was involved in. And I wanted no part of it."

³⁴ JDL, Jewish Defense League, is a group founded in the late 1960s to fight those opposed to Israel.

³⁵ *San Francisco Chronicle*, May 8, 1993.

Gerard told how the CIA supported the death squads that tortured and murdered thousands of people in Central America, including political opponents, union members, peasants, and clergy throughout Central America. Gerard said that the San Francisco police and the FBI have joined forces to discredit him.

“Civil Rights” in Israel

Many civil rights are largely ignored in Israel. Only those with Jewish mothers have full stature in Israel, a form of apartheid. Christians and Moslem Palestinians are deprived of their basic human rights in Israel. The Israeli government regulates and controls almost every facet of personal and business endeavors. The United States has subsidized this socialism and apartheid and Israel’s apologists have referred to Israel as a democracy!

In late 1992, Israeli officials deported 415 Palestinians from their homes, forcing them into the mountains during brutal winter storms, and then barred the Red Cross from delivering relief supplies to them. The people departed included doctors, accountants, lawyers, lecturers, and engineers. Some were elderly, and some had heart problems or were crippled.

American Taxpayers Fund These Activities

Israel depends upon the largesse of the U.S. politicians through pressure from the powerful Israel lobby, Zionist groups, and lobbyists, to fund the many diversified activities, including their assassination teams. Billions of dollars in loans have been given to Israel that will never be repaid, the cost of which must be borne by the American taxpayer, plus the interest on the money. In 1991, Israel literally demanded of President Bush that the U.S. guarantee \$10 billion in loans to build housing for Jews in land taken from Jordan.

Despite the enormous amount of gifts to Israel, their appreciation was reflected in the 1991 statement by Israel’s Prime Minister Yitzhak Rabin as he attempted to lay a guilt trip on the United States, claiming it had an obligation to help settle Soviet Jews in Israel through the guarantee of the \$10 billion loan.

In 1991, the United States taxpayers paid over \$4.3 billion in aid to Israel. Israel then invested these funds in U.S. savings bonds for which the United States paid Israel over \$34 million in interest (on the money that the United States gave to Israel in the first place).

From 1974 to 1989, Israel received \$16.4 billion in loans that would never be repaid. The loans were secretly converted to grants, which did not have to be repaid. The reason the White House officials referred to the money transfer as loans in the first place was to avoid U.S. oversight, which is required only on money grants. By this time the money had already been used, and there was no control over how it was used.

Israel Citizens Have Similar Problems With Corrupt Government and Intelligence Agencies

Government officials in control of Israel’s foreign relations, and its in-

telligence agency, the Mossad, have engaged in a pattern of criminal acts inflicting great harm upon American citizens, including those of Jewish faith. This indictment of those operating under the flag of Israel does not indict the average citizen of Israel any more than the criminal activities by U.S. officials indict the average American.

Israel's Intelligence-Espionage Agency

Former Mossad officer, Colonel Victor Ostrovsky, was concerned about the conduct of a controlling faction in Israel's Mossad, including the Kidon assassination squads in friendly countries, undermining foreign governments, its drug trafficking, and exposed these practices in his books.³⁶

Ostrovsky described how the U.S. invasion of Panama dried up much of the Mossad's funds derived from shipping drugs into the United States. He described the thousands of Jewish assets in various countries, including the United States, who secretly feed information to the Mossad that is often harmful to the host country. Ostrovsky left the Mossad in the late 1980s, but retained secret contacts with high-level Mossad officials. In this way he kept aware of Mossad activities.

Withholding Knowledge of Terrorist Attacks from U.S.

Ostrovsky describes how the Mossad plans events so that the blame will be on another party, to accomplish what Israel, or the Mossad, wants to achieve. He describes how the Mossad knew about the impending bombing of the Marine barracks in Beirut that killed nearly 300 American soldiers, and kept this information from the Americans so as to continue the hostilities between the Americans and factions in the Middle East.

He described how the Mossad made possible³⁷ the explosion in a West Berlin night club³⁸ that killed one US serviceman and wounded several others, and which President Ronald Reagan used as an excuse to bomb Libya,³⁹ killing many women and children. The Mossad called this plan, resulting in bombing Libya, Operation Trojan. France recognized the Mossad's role in Operation Trojan, and refused to allow U.S. aircraft to fly from France to bomb Libya, forcing some U.S. aircraft to fly from England and refuel in the air.

This bombing caused hostage takers in Lebanon to break off negotiations with the Americans and the British concerning the release of hostages. Instead, only French hostages were released, because of the nonparticipation of France in the bombing of Libya.

Mossad's Assassination of World-Famous Figure

Ostrovsky writes in *The Other Side of Deception* how and why a Kidon team killed long-time Mossad asset and British citizen Robert Maxwell. The

³⁶ By Way of Deception; The Other Side of Deception; Lion of Judah.

³⁷ The Mossad funded several terrorist organizations in Europe, and monitored their telephone and radio communications.

³⁸ La Belle discotheque.

³⁹ U.S. aircraft bombed Libya on April 14, 1986.

Mossad's code name for Maxwell was the "Little Czech." Maxwell had threatened to expose the Mossad's attempts to halt the democratization of the Soviet Union. Israel and the Mossad felt that removal of the Soviet threat would lessen Israel's strategic value to the United States, resulting in a major reduction in financial aid and military equipment. Maxwell had financially funded many prior Mossad activities, and was now in need of immediate financial help himself. Maxwell reportedly warned that if Israel did not provide this help, he would publicize Israel's attempt to prevent the end of the Cold War.

In preparing to assassinate Maxwell, the Mossad, reportedly, instructed Maxwell to meet them in Los Cristos on the island of Grand Canary, and to get there via his yacht. A Kidon team was then dispatched by boat, and during the evening of November 4, 1991, while Maxwell was on his boat, the Kidon team climbed on board and killed him, throwing his body into the ocean. Maxwell was buried on the Mount of Olives in Jerusalem, while Israel's Prime Minister Yitzhak Shamir eulogized the man that Israel's Mossad had reportedly killed.

Mossad's Killing of an American Family in California

Ian Stuart Spiro's wife and three small daughters were killed in their San Diego home by large-caliber bullets into their heads. (November 7, 1992) Spiro, a Mossad asset,⁴⁰ was found dead in a car parked in the desert, having died from ingesting cyanide. Spiro had connections to the CIA, British MI6, and Mossad. He had been involved in various CIA operations, including October Surprise, the Reagan-Bush Iran-Contra affair, and the Lebanese hostage crisis. He was helping CIA asset Michael Riconosciuto collect documents to present to a federal grand jury conducting hearings into the Inslaw matter⁴¹ when he was killed.

Before his death, Ian Spiro told friends that he was receiving phone threats from the CIA or Defense Intelligence Agency (DIA).

Spiro had worked with Oliver North in the arms-for-hostages schemes. My initial reports linked the deaths with Israel's Rafi Eitan. The maid who worked part-time for the Spiro family had identified Rafi Eitan from pictures, as having been to the Spiro home several days before the Spiro murders. This doesn't prove that Eitan committed the murders, but he is known in the intelligence community as an assassin.

One of my deep-cover sources, Ron Veatch, told me that Spiro was planning to duplicate a nationwide 900-sexually-orientated business, New Media Telecommunications (located in La Jolla, California), which was run by Jonathan Wise, whose father, John Wise, was a CIA asset. Spiro had become very concerned about the harm being inflicted worldwide by the U.S.,

⁴⁰ A sayan, or sayanim, is a Jewish asset in a foreign country, obtaining information for Israel and the Mossad. A spy would be another name for a sayan.

⁴¹ The Inslaw matter is described in Defrauding America, and involved the theft by Justice Department officials of the Promis software .

British, and Israel intelligence agencies, and began exposing some of their worse secrets.

Another one of my sources, Gunther Russbacher, said that his intelligence agency contacts revealed that the Spiro murders were carried out by Israel's Mossad and Britain's M-5 intelligence agencies.

Russbacher had told me in the past that one of the methods the CIA uses to blackmail people, including politicians, was through the promotion of the 900-sexual numbers and pedophile activities. When I quizzed Russbacher about this information he said that New Media Telecommunications was a CIA operation and that John Wise had been a CIA asset for many years. This discovery added additional support indicating intelligence agency involvement in the death of the Spiro family.

I received a letter on October 20, 1993, from Ron Veatch who had been in contact with Spiro, stating:

I had spoken to Ian Spiro a few days prior to his murder. Ian was working for a CIA cover and he became aware that Jonathan Wise, who was president of the Communications 900-type business, was also CIA/NSA federal front. He begged me for help.

Jonathan called me the next day after the murders and missing of Ian, and tried to draw me into their scheme. Ian gave me some CIA/FBI top-secret papers to hold, and he was murdered by CIA/FBI-directed Mossad.

Another Related Death

A business associate of Ian Spiro, Robert Corson, was found dead in an El Paso motel room⁴² a day before Gail Spiro and her three children were found. Corson reportedly worked for the CIA in drug and arms trafficking. One of my sources, Basil Abbott, described Corson's role with him in CIA and DEA drug trafficking. Corson had also been involved in the looting of savings and loans, another CIA-related activity. Another person killed shortly thereafter was Nassen Beydoun, who had worked with Spiro, and Oliver North.

A possible witness who could identify the killers was found dead shortly after the Spiro family was killed. Jose Aguilar, a tree trimmer who worked at the Spiro property, was killed in Valley Center, California, by a bullet in the head (November 14, 1992) Aguilar reportedly identified a picture of Mossad agent Rafi Eitan⁴³ as a visitor to Spiro's home shortly before the Spiro family was found dead.

Another death related to Spiro and his activities was Howard Cerney, a lawyer from New York City, who represented Ian Spiro on some of Spiro's legal matters. He was found dead in July 1993.

⁴² November 4, 1992.

⁴³ Rafi Eitan was a member of the Mossad's LAKAM, a unit of the Mossad operating in the United States, gathering information about U.S. activities, and a unit directly under Israel's prime minister.

Ostrovsky published his book, *The Other Side of Deception*, stating that the Spiro family was killed by a Mossad Kidon team. Ostrovsky described how he was reminded of their deaths by his high-level Mossad contact that he identifies only as Ephraim. Ephraim and other contacts informed Ostrovsky that Spiro was a sayan who had years of contacts with Israel's Mossad. Apparently Ian Spiro had received a large sum of money from the Mossad with which to obtain the release of an Israeli airman, Ron Arad, from Spiro's Lebanese contacts.

After his Lebanese contacts discovered Spiro's links to the Iran-Contra affair, they refused to deal with him. The Mossad wanted their money back, and Spiro claimed that he had given the money to the Lebanese. When the Mossad's Kidon team arrived at Spiro's home in the San Diego area (November 7, 1992) and could not get the money returned, the mother and three young girls were shot. Spiro was then taken into the desert, where he was fed poison, causing his death.

As frequently happens, to cover up for CIA-related activities, the FBI pressured the media to report that Spiro had killed his family and then committed suicide. And as often happens, the local police cooperated. The conduct and final report of the Spiro deaths by the San Diego sheriff's department indicated a cover-up, as happened with many other deaths where intelligence agencies are involved. Lawyers Dexter Jacobson and Paul Wilcher, described in *Defrauding America*, were two examples.

Incredibly, these revelations by a high-level Mossad officer went unknown to most of the American public, partly due to the massive media cover-up. Further, the CIA, the Mossad, and British intelligence, are allies, and these intelligence agencies appear to have a greater loyalty to each other, rather than to their respective countries.

While protesting and bombing Arab and other countries for building nuclear power plants and weapons, U.S. leaders aided Israel to obtain the nuclear weapons denied to its neighbors. U.S. leaders did nothing to motivate Israel to vacate the seizure of the West Bank and the Gaza strip that was seized from Jordan in 1967, despite U.N. resolutions calling for such removal.

Israel built settlements in these seized areas and demolished Arab homes, using U.S. supplied weapons to kill Arabs. Feeling helpless, Arabs resorted in desperation to suicide bombing attacks. In the process, Muslims throughout the world grew to hate the United States and Americans.

Despite the dire consequences for the United States, U.S. leaders continue their policies that are inflaming a major segment of the world's population against Americans.

Rejection of Israel Money Request may Have Cost Him Reelection

President Bush strongly protested the continued building of Israeli settlements in the occupied territory and stated he would veto any legislation providing Israel grants or loans. This infuriated Israel, and it is very possible

that this alienation cost Bush his reelection.

A *Newsweek* article (September 23, 1991) may have identified a primary reason why President George Bush did not win reelection in 1991 after he angered the powerful Israel lobby:

Bush vs the Israel Lobby. *Why the president dared to break a political taboo. George Bush was furious. Bush wanted Congress to delay approval of \$10 billion in loan guarantees [to Israel]. ... He told a news conference he would veto any early action on the loan guarantee. Depicting himself as "one lonely little guy down here," he complained bitterly about the "powerful political forces" against him. [Israel lobby]*

Publicly attacking Israel's American friends is risky political business. But Bush comes from an East Coast foreign-policy establishment whose members have often felt that U.S. interests in the Middle East were being sacrificed to domestic politics. He also resents suggestions that people who disagree with Israel are somehow guilty of anti-Semitism.

Bush is particularly angered by Israel's insistence on building new settlements on the West Bank, according to senior aides. The president believes he has a historic opening to make peace in the region. But he's afraid that the Arabs will not negotiate seriously as long as Israel is appropriating Palestinian homelands. His display of anger last week was a signal to Sharmir to curb his territorial ambitions.

Bush is calculating that the American people share his frustration with Israel. "In the past," says a senior administration aide, "the Israeli lobby could always argue that the Arabs would run them into the sea. With a peace conference in the offing, that argument no longer works." By saying aloud what other presidents merely thought, Bush may have fundamentally changed the course of U.S.-Israeli relations. [And doomed his reelection!]

Astronomical Cost to the American People for Arming and Aiding and Abetting Israel's Occupation

The deadly one-sided support for Israel by U.S. politicians has been far more costly to the American people than most of them realize. The financial cost being paid by American taxpayers for supporting Israel has been stated as over one trillion dollars.

But that is only part of the picture. The hatred for Americans generated by the support of the brutal occupation of Palestine continues to generate an explosive increase worldwide in people who want to kill Americans. The events of 9/11 are only one day's consequences, and there will be many more.

A *Christian Science Monitor* article (December 9, 2004) by economist David Francis stated:

Since 1973, Israel has cost the United States about \$1.6 trillion. Mr. Stauffer has tallied the total cost to the US of its backing of Israel in its

drawn-out, violent dispute with the Palestinians. So far, the bill adds up to more than twice the cost of the Vietnam War. And now Israel wants more.

[Another huge cost is] the higher cost of oil and other economic damage to the US after the Israel-Arab wars. In 1973, for instance, Arab nations attacked Israel in an attempt to win back territories Israel had conquered in the 1967 war. President Nixon resupplied Israel with US arms, triggering the Arab oil embargo against the US.

The shortfall in oil deliveries kicked off a deep recession. The US lost \$240 billion (in 2001 dollars) of output as a result, Stauffer calculates. And a boost in oil prices cost another \$450 billion.

In another article (October 10, 2001) by Charley Reese in *The Palestine Monitor*, the article, titled "Israel Is a Very Costly Ally," stated:

There are several reasons why all Americans should be interested in this issue. First, it is embarrassing that the government of the world's so-called last remaining superpower plays the role of the tail that is wagged by Israel, a nation about the size of New Jersey. Israel's influence in both the executive and legislative branches of the U.S. government is so pervasive that Israeli politicians openly boast about it. A few years ago when Egypt threatened not to renew the Nuclear Non-Proliferation Treaty unless Israel signed it, the Israelis told the Egyptians that if they didn't shut up about the issue, their American aid would be cut off. This is a foreign country telling another foreign country that it, not the United States, has the final say over American aid.

The only nuclear power in the Middle East is Israel. The only country in the Middle East that refuses to sign the Nuclear Non-Proliferation Treaty is Israel. The only country in the Middle East that refuses to allow international inspection of its nuclear facilities is Israel. Yet, all we hear from Washington politicians is criticism of Iraqi leader Saddam Hussein's weapons of mass destruction. What weapons? He didn't use any in the Gulf War. Why is there never any criticism of Israel's weapons of mass destructions, which actually exists?

And now we are getting down to the areas where the Middle East actually affects Americans. Israel, armed to the teeth thanks to American taxpayers, continues to occupy Palestinian, Syrian and Lebanese lands. It, and it alone, is a threat to peace in that region, and regional war would inevitably affect America's real interests.

Israel is the most expensive ally in the history of the human race. Depending on whose numbers you use, American aid to Israel has totaled \$81 billion to \$90 billion. There are so many monetary favors tucked away in the Defense Department budget that an accurate number is hard to come by. The \$81 billion figure is the U.S. government's.

There is nothing in the Constitution that authorizes Congress to tax the labor of the American people and hand over the proceeds to a for-

eign government, any foreign government, much less one that has blown up our diplomatic facilities in Egypt and attacked one of our Navy ships in international waters. An ally like that ought to come a heck of a lot cheaper than Israel.

Finally, our support of Israel's aggression and cruel treatment of the Palestinians is alienating not only the Arab world but the entire Muslim world. This hatred will eventually be expressed in the form of terrorism directed at Americans and at American interests. Terrorism is the poor man's way of waging war.

America's blind support of Israel's gross violations of human rights and international law will not only cost billions of tax dollars but eventually American lives as well. No lobby for any foreign country should be allowed to jeopardize American interests and American lives just to serve the selfish interests of a foreign power. America's government has only one justification for existence, to protect the lives and interests of Americans. It's time to start asking Americans, including our elected officials: Which country are you loyal to?

Another article by the Arms Trade Resources Center⁴⁴ (May 6, 2002) described the ramifications of U.S. arms sales-gifts to Israel:

U.S. press coverage of Israeli attacks on the Palestinian Authority and Palestinian towns on the West Bank often treat the U.S. government as either an innocent bystander or an honest broker in the current conflict, often without giving a full sense of the importance of the United States role as a supplier of arms, aid, and military technology to Israel. In its role as Israel's primary arms supplier, the United States could exert significant potential leverage over Israeli behavior in the conflict, if it chooses to do so.

Since 1976, Israel had been the largest annual recipient of U.S. foreign assistance. According to a November 2001 Congressional Research Service report, Israel: U.S. Foreign Assistance, U.S. aid to Israel in the last half century has totaled a whopping \$81.3 billion.

Israel is one of the United States's largest arms importers. In the last decade, the United States has sold Israel \$7.2 billion in weaponry and military equipment. Israel is so devoted to U.S. military hardware that it has the world's largest fleet of F-16s outside the U.S., currently possessing more than 200 jets. Another 102 F-16s are on order from Lockheed Martin.

U.S. Department of Defense statement on Israel, in Joint Report to Congress, January 3, 2001.

The scale of Israeli attacks on Palestinian towns and refugee camps in the West Bank has been "disproportionate and often reckless," according to a recent Amnesty International report. Amnesty estimates that in the six

⁴⁴ Arms Trade Resource Center (ATRC) 66 Fifth Ave. 9th Fl, New York, NY

weeks from March 1, through mid-April, more than 600 Palestinians have been killed and over 3,000 wounded by Israeli soldiers.

The use of U.S. weapons in the conflict between Israel and the Palestinian authority appears to be a clear violation of the U.S. Arms Export Control Act prohibiting U. S. weapons from being used for non-defensive purposes. The State Department's *Country Reports on Human Rights Practices 2001*, released in March 2002, stated that the IDF employed "excessive use of force" against the Palestinians, noting their use of live ammunition, even when not in imminent danger.

UN Secretary General Kofi Annan expressed his concern with the use of U.S. weapons by the IDF, saying:

I feel obliged to call your attention to disturbing patterns in the treatment of civilians and humanitarian relief workers by the Israeli Defense Forces. Judging from the means and methods employed by the IDF—F-16 fighter-bombers, helicopter and naval gunships, missiles and bombs of heavy tonnage—the fighting has come to resemble all-out conventional warfare.

In the process, hundreds of innocent noncombatant civilians—men, women, and children—have been injured or killed, and many buildings and homes have been damaged or destroyed. Tanks have been deployed in densely populated refugee camps and in towns and villages; and heavy explosives have been dropped mere meters from schools where thousands of children were in attendance.

Instances of the IDF's Use of U.S. Weapons against Civilians

Jenin, New York Times, April 18, 2002. "The decaying body of Mr. Khurj's sister appears to be one of the clearest examples to date of a civilian having been killed in an Apache helicopter missile attack. Near the hole in the wall was a pool of dried blood. Mr. Khurj said the missile struck in the middle of the night on the third day of the attack. It killed his sister instantly."

Bethlehem, *Washington Post*, March 8, 2002. *"The Israeli military almost immediately launched more missiles and opened fire with gunboats at official Palestinian buildings in the Gaza Strip, where there were heavy casualties. Israel also sent dozens of tanks and armored personal carriers into Bethlehem, two adjacent Palestinian refugee camps and a pair of neighboring West Bank towns, bringing full-scale military action to the suburbs of Jerusalem.*

U.S. Leaders' Middle East Policies and Terrorism

Years earlier I resided in various Middle East locations while spending several months each year in 1953 and 1954 flying Muslim pilgrims to Mecca and Medina from such places as Jerusalem, Beirut, Baghdad, Tehran, and Abadan. I visited Palestinian refugee camps and saw the misery that Israel inflicted upon those poor people. In those days, the Arabs were friendly to Americans.

At One Time Relative Peace Prevailed in the Middle East

Among the Middle East countries that I resided while an airline captain flying Muslim pilgrims to the holy cities of Mecca and Medina were Jerusalem and Ramallah, Jordan. This was during a two-year period prior to Israel's invasion and occupation of the West Bank.

At that time, most of the Arabs and Persians with whom I was in contact liked Americans, and America. But White House politicians—beholden to powerful Israel interests in the United States—changed that attitude.

That attitude started to change with the U.S. coup in Iran in 1953 and by Israel's invasion of the West Bank. Ironically, I was in Iran the morning the coup occurred, but had no knowledge that it was brought about by covert White House and CIA actions.

International Court of Justice Ruled Against Israel

The International Court of Justice ruled (July 9, 2004) that the concrete fence being built by Israel on occupied land violated international law. The ruling also held that Israel must pay reparations to Palestinians who were harmed by the barrier, in addition to returning the land taken by the building of the wall. The court's decision urged the UN Security Council to force Israel to remove the 450-mile barrier. Thirteen of the fifteen-member judicial panel approved the order. The court order stated:

Israel is under an obligation to terminate its breaches of international law; it is under an obligation to cease forthwith the works of construction of the wall being built in the Occupied Palestinian Territory, including in and around East Jerusalem, to dismantle forthwith the structure therein situated. The fence cannot be justified by military exigencies or by the requirements of national security or public order. The construction of the wall and its associate regime creates a "fait accompli" on the ground that could well become permanent, in which case, and notwithstanding the formal characterization by Israel, it would be tantamount to de facto annexation.

Israel rejected the ruling, just as it had rejected dozens of earlier UN resolutions. Israel held that if there were no terror there would be no wall. But if Israel was not an invader, killing Palestinians, destroying their homes, and if Israel vacated the occupied land, the primary basis for the hostile acts would be gone, as repeatedly stated by Middle East experts.

In 1984 the Sandinista government sued the United States in the world court, claiming the CIA had mined Nicaraguan harbors. The world court ruled the United States was guilty of violating international law and ordered that it halt destabilizing the country. The United States continued to fund, train, and arm rebels seeking to overthrow the government, resulting in thousands of deaths.

US Repeatedly Blocking UN Peace-Keeping Actions

The United States had repeatedly blocked the United Nations Security Council from acting on attempts to correct conditions that adversely affect

peace.

The General Assembly of the United Nations voted to require Israel to comply with the ruling by the International Court of Justice, which required Israel to remove the wall that it built in the occupied West Bank that it had seized in 1967 from Jordan.

The court requested the United Nations to override the usual U.S. veto in the UN Security Council when matters relating to Israel arose.

The UN General Assembly had issued dozens of resolutions condemning Israel, but these are not binding. To be binding, the UN Security Council must issue the resolutions, and any one of the eight permanent members may veto any such action. The United States had repeatedly vetoed any Security Council action directed at Israel.

In 2004, the United States had vetoed over 35 Security Council resolutions directed toward Israel, and primarily its brutal occupation of the occupied land.

The International Court of Justice held that it had jurisdiction over the Israel matter because the United States had repeatedly blocked the UN Security Council from acting on matters constituting threats to international peace. It was the position of the court that the UN General Assembly had the power to act when the actions of the Security Council was blocked by abusive vetoes by one of the permanent members, being the United States.

The court held that “the United Nations, and especially the General Assembly and the Security Council, should consider what further action is required to bring to an end the illegal situation resulting from the construction of the wall [on the occupied territory].”

The court held that it was OK to build a wall on its own territory, but not on the occupied land of another country.

UN Resolution Demanding Israel Tear Down Wall

The UN General Assembly approved a resolution (July 20, 2004) that Israel tear down the wall and pay compensation to Palestinians adversely affected by the wall, carrying out the order by the International Court of Justice.

As in dozens of prior UN resolutions directed at Israel, that resolution was ignored. Israel’s UN Ambassador Dan Gillerman responded that the resolution was “one-sided and counterproductive.

An *Associated Press* article, titled, “Barrier grows despite ruling, U.N. resolution,” stated:

The General Assembly’s 150-6 vote, with 10 abstentions, reflected widespread international opposition to the 425-mile-long barrier Israel says is needed to protect its citizens from suicide bombings. About 100 miles of the barrier already have been built.

Palestinians contend the barrier is a land grab meant to deprive them of a state in the West Bank and Gaza Strip. In some areas where the barrier already has been built, Palestinians have been cut off from

their schools and farms as well as other towns and villages.

The U.N resolution, like the world court's advisory opinion, is not legally binding. But both have symbol value as international statements of support for the barrier's destruction.

"It's an advisory opinion, that's true, but the court identified the legal obligations of Israel, the occupying power, as well as the legal obligations on member states as a whole," Palestinian U.N. observer Nasser Al-Kidwa said.

Israel's Supreme Court, in a ruling meant to apply to the entire structure, said the barrier violated international law and human rights in areas where it cuts Palestinians off from their lands, schools and other towns.

The high court ruling has forced the government to reroute nearly the entire unbuilt portion of the barrier. Most of the structure would be moved closer to the so-called Green Line, the unofficial frontier before Israel captured the West Bank and Gaza in the 1967 Middle East war, officials said.

The opposition to this resolution by U.S. politicians was that the matter should be resolved by political negotiations. This was a sham, as Israel had occupied the Palestinian areas for over 40 years, since 1967, and engaged in actions such as building Jewish settlements in the occupied land that showed it had no intention of ever abandoning the seized territory. Once the occupied territory was vacated, the primary cause for the so-called terrorist attacks would be gone.

Terrorist is the title given by the United States to the various groups in the Middle East seeking to force Israel to abandon the occupied territory. They would be called "freedom fighters" by the United States if Israel were not the aggressor.

U.S. politicians' professed concern for terrorist attacks repeatedly cover up for this primary reason for the hatred and terrorist attacks against American interests. By this cover up they become complicit in the deadly consequences.

Politicians' Role in Generating Terrorist Attacks

U.S. politicians, in order to get the political donations from powerful Israel groups—and to avoid being targeted for defeat—have acted to provide Israel with war weapons to use against the Palestinians. In this way they provided the material for expanding hatred against the United States. And this has brought the United States into a situation that will result in worsening attacks upon the United States.

Another Reason for Attacks Upon the United States

Prior to the US invasion of Iraq, Osama bin Laden had frequently stated the reason for attacks upon the United States was the deadly support given to Israel, and for the US military presence in Saudi Arabia. But he wasn't alone. Numerous other Muslim groups declared jihad against the United

States and Americans for the same reasons.

Muslims throughout the Middle East resent having American troops occupying their land, just as Americans would object to having another country, Mexico for instance, having its troops stationed in the United States.

Juvenile Thinking of Juvenile President

After President Bush II invaded Iraq, Osama bin Laden was given a prize that he would have otherwise been difficult to achieve: explosive growth in the numbers of Muslims throughout the world seeking to kill Americans and inflict harm upon American interests.

Juvenile Reasons Given by President Bush for 9/11 Hijackings

Shortly after the 9/11 hijackings President Bush stated that the reasons the terrorists hate America was because “we are so good.” He stated that the terrorists hate the United States because of its freedoms and its values.

No Protection Against Thousands of Determined Terrorists

There is no way that the United States can be fully protected against the worldwide army of people willing to die to kill Americans and inflict harm upon America. Since America’s politicians refuse to withdraw the aid from Israel that permits it to continue the occupation, and since these same politicians refuse to withdraw from placing its troops in foreign countries, some of which have been in place for over 50 years, continued terrorist attacks can be expected.

Blowback from Earlier Covert Activities

Involvement by U.S. leaders in foreign activities have a 50-year history of harmful blowback consequences. All of my books detail various examples of these matters. A few examples are given here as they relate to the events of 9/11, Afghanistan, Iraq, terrorism, and world hatred for America. Let's look at how the U.S. covert involvement in Afghanistan ballooned into terrible consequences.

Blowback in Iran

One of the first Middle East countries that came to hate America was Iran. The United States secretly undermined the Iranian government in the early 1950s, bringing about the 1953 revolution that removed Mossadegh and placed the Shah in control.

I remember the morning very well; I was in Iran when the CIA-directed subversion happened. I and a few other pilots and airline personnel were staying in a n Abadan hotel, and while sitting in the lobby I noticed a great amount of excitement at the front desk. Hotel personnel were listening to the radio and occasionally removing the picture of Mossadegh that hung on the wall behind the check-in counter and replacing it with the picture of the Shah. This exchange happened several times. As we viewed the increasing tension, we were approached by a Dutch national who was in charge of security. He said we should leave immediately and provided us with a machine-gun escort to our plane. It took us about ten minutes to pack!

Hatred for America, Seizure of Hostages, and National Dilemma

In addition to hatred for America, this CIA-directed subversive activity later resulted in the seizure of 52 hostages in Teheran from the American embassy. The American hostages were held for 444 days, and resulted in the operation called October Surprise, which subverted the presidential elections in the United States. I detail this operation in *Defrauding America*, based upon the statements made to me by CIA people who were part of the operation.

Basically, October Surprise was a scheme involving the CIA and people from both political parties who pay money and provided millions of dollars

of military equipment to Iran to delay the release of the hostages until after the presidential elections between President Jimmy Carter and presidential candidate Ronald Reagan and his running mate, the senior George Bush.

The reason for subverting the political process in the United States was that it was felt that if the hostages were released prior to the elections, President Carter would probably win. By bribing the Iranians with money and military equipment it was felt that the Iranians would delay releasing the American hostages. Key Iranian personnel were given money, military weapons, and promised considerably more weapons, for delaying the release of the hostages. These weapons were later used against Iraq, and included chemical weapons. Iranian troops were gassing Iraqi troops and Iraqi troops were gassing Iranian troops.

Years later, young President Bush called Iran a member of the axis of evil. But possibly he had that label in reverse, as the United States had destabilized and invaded more countries than any other country in modern times, a record that he would enlarge upon.

Afghanistan Tragedies: Blowback from Earlier Covert Activities

America's so-called war on terrorism was the blowback from earlier actions of the CIA and U.S. politicians. Former CIA asset Gunther Russbacher had given me insider information on covert activities in which he was a part under CIA orders several years prior to Soviet Union troops appearing on the scene. Russbacher was later in Afghanistan with Dan Rather during part of the time Rather was in the Khyber Pass area.

Russbacher described how the CIA sent agents into Afghanistan to destabilize the Afghan government because it had ties to the nearby Soviet Union. Russbacher described how these CIA-funded attacks upon the Afghanistan government destabilized the country and interfered with the new leader's attempts to modernize the country, bring the country into the 20th Century. The new leader was promoting land reform, greater rights for women and other groups, which were opposed by large landowners and religious groups, none of whom wanted modern western style freedoms.

Dual Purpose of Destabilizing Afghanistan

There was a dual purpose in destabilizing Afghanistan. One was the off-the-shelf covert activities against a country with leanings toward the Soviet Union, a nearby neighbor. Another reason was to control Afghanistan so as to permit an oil and gas pipeline to be built and gain control of Middle East oil countries.

Central Asia, including Afghanistan, is landlocked, and the most preferred way to get these resources available to U.S. corporations was to build pipelines through Afghanistan to the Red Sea. With a government in Afghanistan having friendly ties to the Soviet Union, there would be less opportunities for western oil giants to acquire such rights, or so the reasoning went.

Afghan Government Invited Soviet Troops to Defend the Country Against CIA-Backed Rebels

Russbacher described how the covert CIA funding of terrorist activities caused the Afghan government to request the Soviet Union to send troops into Afghanistan to defend the government. In this way, U.S. policies caused the Soviet Union to enter Afghanistan.

President Jimmy Carter responded by signing an executive order providing additional support for the rebels opposing the Afghan government and now the Soviets. The United States flew thousands of fighters to Great Britain and the United States, where they were taught to kill, sabotage, and fight.

Admitting the Covert Activities

Carter's national security advisor at that time, Zbigniew Brzezinski, later commented—before the blowback consequences for the United States: “We didn't push the Russians to intervene, but we consciously increased the probability that they would do so. This secret operation was an excellent idea. Its effect was to draw the Soviets into the Afghan trap.” Brzezinski wrote to Carter, “Now we can give the USSR its own Vietnam War.”

The simplistic thinking happened time and time again, again in the overhyped threat of communism. In Korea, 38,000 U.S. servicemen were sacrificed on this mentality; in Vietnam, 58,000; and who knows how many

After the Soviets pulled out from Afghanistan, the rebels, now more heavily armed than before, eventually brought down the Afghan government. Years of fighting then erupted between various factions, until the Taliban, a product of Pakistan, took over. With the Taliban's takeover, basic civil liberties were destroyed, women were excluded from most social activities, and women were publicly executed. The Taliban welcomed Osama bin Laden and his followers, who were also trained and armed by the United States.

The United States continued to provide financial support to the Taliban on the thinking by U.S. leaders that they would be receptive to U.S. interests. The reverse became true, primarily because of the U.S. one-sided promotion of Israel to the financial and deadly detriment of many Muslims in the area.

Reconfirming What Russbacher Said Years Earlier

When Russbacher described his Afghanistan experiences years earlier I paid less attention to some of the details. But after the United States carpet-bombed much of Afghan, I asked Russbacher, who was then living in France, certain questions about how the decades of hostilities in Afghan started. I seem to recall that he had stated to me over ten years earlier that the CIA had been destabilizing the Communist-backed government in Afghanistan, which then forced the Afghan government to ask the Soviet Union to send in troops.

Russbacher confirmed that that he and other CIA agents were in Af-

ghanistan encouraging, funding, arming, rebels to fight the government that was forming ties with the nearby Soviet Union. These CIA-funded subversive actions were destabilizing the government, and it then that the government asked the Soviet Union for military help. Some portions of the September 16, 2002, conversation are shown here:

- RS: Was the CIA furnishing funds, arms, and training to people in Afghanistan seeking to overthrow the king of Afghanistan?
- GR: Yes they were. The guy that was running the operation, as far as arms shipments and things like that, was Stan Barker (sp).
- RS: He was CIA, I presume.
- GR: No, he was DIA. [Defense Intelligence Agency]
- RS: Do you know how long this was going on before the Soviet military went into Afghanistan?
- GR: About 36 months.
- RS: Apparently the CIA was unhappy about the King having ties to the Soviet Union?
- GR: Precisely. They were backing one or two factions trying to take over the country.

“Freedom fighters and Terrorists—the same People

After the Soviets were forced to leave Afghanistan because of the heavy personnel losses due to the CIA’s arming of rebels, these same rebels then directed their weapons and terrorism against the United States—as earlier forewarned by many people. The United States had called these people “freedom fighters,” that is, until they turned their fighting against the United States. Then these same people were called “terrorists.” Their hatred for America was fueled initially by the one-sided and deadly support for Israel, and then expanded when the United States placed large numbers of U.S. service people in Saudi Arabia.

If U.S. leaders were not so naive they might have listened to those who warned the United States that it was training, arming, funding, fanatical militants who would soon turn their guns and talents against the United States.

“Butterfly Effect” Lasted for Decades

These early seemingly unrelated covert activities by the CIA and U.S. politicians led to thousands of deaths in Afghanistan before and during the time that the Soviets responded for help; and the thousands of deaths that followed the Soviet departure that resulted from infighting among Afghan warlords.

Carpet Bombing and Killing Innocent Peasants

After 9/11, the carpet-bombing of Afghanistan by U.S. bombers flying at high altitude knowingly killed thousands of innocent peasants in one of the poorest nations on earth. Virtually none of the terrorists involved in terrorist actions against the United States were killed. Babies and children in

their mud houses were killed or maimed. None of them had anything to do with Osama bin Laden. The camps used by bin Laden had been abandoned earlier and had relocated to other countries, including Yeman, Somalia, and elsewhere.

Iraq, Much Murkier, and Worse, Blowback Consequences

The blowback from CIA and White House covert activities in Iraq is more convoluted than in Afghanistan. During the 1980s, the United States was funding, arming, providing intelligence, to Iraq in its war against Iran. This was done while the United States was secretly furnishing military weapons to Iran to use against Iraq. (How else can you keep destabilizing the region!)

There is certainly irony in White House politicians charging Iraq with having weapons of mass destruction when many of these weapons were provided to Iraq by the United States and through secret funding of Iraq's military buildup. The funding came from the U.S. Department of Agriculture loan guarantee program, which was intended for farm produce but diverted to the purchase of military equipment. These diversions were known for years by the Reagan-Bush White House and most of those people who would later be part of the second President Bush team.

The United States provided military training, military equipment, and satellite information to Iraq during Iraq's war with Iran, and silently condoned the use of chemical weapons by Iraq and Iran, without raising any meaningful protests.

The United States, through the CIA, arranged for Iraqi to get deadly cluster bombs that kill virtually anyone within a several baseball field size area. The machinery for many of the cluster bombs, and the plans that the United States used for its manufacturer of these deadly weapons came from the United States. The plans were given to the small munitions maker in Chile, Cardoen Industries, with the knowledge that the cluster bombs would be sold to Iraq. Let's look at some of the details.

During the war between Iran and Iraq that continued from 1980 to 1988, the United States funded and armed Iraq—while secretly arming Iran. (How else can you keep the wars going!) Starting in 1982, the Reagan-Bush administrations engaged in numerous unlawful and covert activities that knowingly built up Iraq's war machine, far beyond what was necessary for defensive purposes. The Reagan-Bush team provided training to Iraq's military, provided intelligence information, and shared other military secrets.

These efforts enabled the Iraqi military to learn secrets of U.S. military and intelligence operations. The United States would later call Iraq's weapons—which the United States provided through various means—"weapons of mass destruction." Actually, they were mostly World War II type weapons and could be considered "pea-shooters" in comparison with weapons possessed by the United States that more accurately met the definition of weapons of mass destruction.

In the process of providing Iraq with these weapons the Reagan-Bush administrations violated the Arms Export Control Act.

U.S. Condemning What it Earlier Condoned

The second President Bush condemned Iraq's invasion of Kuwait a decade earlier, although Iraq's invasion of Kuwait was tacitly approved by the White House through the U.S. Ambassador, April Glaspie. During a meeting with Iraq's Saddam Hussein, U.S. counsel April Glaspie assured the Iraqi leader that the United States had no interest in Iraq's dispute with Kuwait, implying that the United States had no objection to Iraq invading Kuwait.

Deadly Cluster Bombs

One of many weapons developed by the United States and made available to Iraq was the deadly cluster bomb that kills or maims everyone within an area the size of a dozen football fields. These cluster bombs consisted of a single unit packed with hundreds of small bombs, about a foot long. When the main container explodes above the ground, it throws out hundreds of small explosive devices over a wide area, killing or maiming anyone within their reach.

The cluster bombs, designed by the United States, were produced for the U.S. military by the Marquardt Armament Company in California, and given the name Rockeye cluster bombs.

Circumventing U.S. Prohibition to Exporting Arms

The Arms Export Control Act barred the United States from shipping these lethal weapons to Iraq. The Reagan-Bush administrations circumvented the law by using cutouts or front companies. With the help of the Reagan-Bush team, a small munitions plant in Chile, operated by Carlos Cardoen, was provided with plans, specifications, machine tools, chemicals, and other help.

Ironically, while White House politicians were violating this act, Justice Department prosecutors charged former CIA operative Edwin Wilson with violating the act when he obtained and sold explosives to Libya, which he did under covert instructions from the CIA. Wilson spent 20 years in prison until, in an unusual twist, Wilson's conviction was vacated in 2004 by federal district judge Lynn N. Hughes in Houston.

Hughes stated in a scathing condemnation of Justice Department prosecutors that Wilson's ability to defend himself had been blocked by "a dishonest agency memorandum issued from a bunker" at the CIA's Langley, Virginia headquarters.

The Reagan-Bush administrations arranged for the machinery from two weapon manufacturing plants in New Orleans and Los Angeles to be sold and shipped to Cardeon. To circumvent, and violate, U.S. laws preventing the transfer of equipment designed for military use, the like-new machinery was reclassified as scrap metal. This was the same tactic used in numerous prior shipments, including the shipment of military equipment to Iran as part

of the October Surprise scheme.

Former CIA asset Robert Johnson would later acknowledge that the technology for Cardoen's manufacture of the cluster bombs had been supplied by the United States, including technical specifications and manufacturing equipment. CIA agent Robert Gates also assisted in getting technology to Cardoen for more effective production of the cluster bombs.

The United States provided Cardoen with tons of metal zirconium that was a key ingredient in the construction of the cluster bombs. The zirconium increased the incendiary effect, thereby increasing the viciousness of the wounds inflicted upon the bomb's victims. The zirconium was shipped to Cardoen on the pretense of it being used in mining activities rather than weapon production.

After production started, the Cardoen plant in Chile was visited by U.S. representatives from the U.S. consulate in Santiago, the CIA, and other U.S. government personnel. There was no secret to the production of this weapon and its shipment to Iraq .

Assisting with the cluster bombs that were sent to Iraq was another company working closely with the CIA; International Signal Company (ISC), of Lancaster, Pennsylvania. As is common in undercover operations or front companies, ICS was comprised of numerous former military and intelligence personnel. ICS purchased Marquardt Armament Company in California that produced the Rockeye cluster bombs for the U.S. military. A key official in ICS was a CIA asset whose last name was Guerin.

Reagan-Bush Team and Iraq's Chemical Weapons Program

The Reagan-Bush administrations secretly provided material to Iraq for its chemical weapon arsenal. Two people closely related to the production of chemical weapons going to Iraq provided me considerable evidence of these activities. Both of them had warned federal agencies of the illegal activities—and then experienced retaliation from Justice Department prosecutors.

Louis Champon owned and operated Champon Flavors, a Florida company making flavoring, including bitter almond oil, a cherry flavoring, made from fruit pits. Champon had developed a technique for extracting a cyanide by-product out of the fruit pits, and this fact became known to Iraq and Libya.

Champon was approached by a Dr. Ihsan Barbouti and his son, Haidar Barbouti, in February 1988, with a proposal to form a joint venture for the purpose of extracting the cyanide by-product. They stated that a company in Europe would use the cyanide for industrial purposes.

Unknown to Champon at the time, Barbouti had ties to the Central Intelligence Agency and was a procuring agent for military supplies destined for Iraq and Libya. Barbouti had frequent business dealings with Iran-Contra figure and CIA asset Richard Secord.

Champon entered the partnership with Barbouti, forming a new company called Product Ingredient Technology (PIT). The Barbouti side of the

partnership brought in the CIA-related Wackenhut Corporation to provide security at the plant. Champon later discovered that his partner was shipping the cyanide to a CIA-affiliated weapon manufacturer in Chile, Cardeon Industries, and that the cyanide was used to manufacture weapon-grade cyanide. Champon reported these facts to a State Department official, a Mr. Cabelly, on December 20, 1988. Nothing happened.

The following January, Champon saw press reports stating that Dr. Barbouti was the designer and builder of a Libyan chemical weapons plant located near Rabta, Libya. This article caused Champon to again call the State Department (February 1989). But in July 1990, shortly before Iraq invaded Kuwait, Mr. Pucillico of the State Department called Champon, advising him to contact U.S. Customs agent Earl Miller in Miami, who put Champon in touch with Customs agents Jack Bigler and Martin Schramm in Houston. They advised Champon not to divulge the information to anyone, that the matter was highly political, and that there would be no investigation or prosecution of the matter.

Champon disclosed his information to investigative reporters for the *Dallas Morning News* and *NBC*. The story was then aired nationally by *NBC*. Officials at U.S. Customs, Internal Revenue Service, and the U.S. Department of Justice, then took action that caused Champon to lose his business. Shortly thereafter Champon received death threats if he did not remain quiet.

A year after Champon provided me with this information, another insider contacted me, Peter Kawaja, with similar information. He had operated a security company called International Security Group, ISG, and a computer database company that became involved with U.S. intelligence agencies and the plant making the cyanide. His computer company was asked to install a computer-based system for Product Ingredient Technology (PIT), and became prime security for Ihsan Barbouti International (IBI), including providing bodyguards.

Kawaja was asked to install a hydrogen cyanide detection system at IBI. During these activities, Kawaja made recordings of telephone conversations and data transmissions. The information disclosed, among other things, letters of credit between the government's loan guarantee program, CCC, and the funding provided by the Atlanta branch of the Italian bank known as BNL. The letters of credit related to the shipment of weapon-grade cyanide to Iraq. Kawaja reported these matters to the FBI and Customs with no response.

Standard Reaction to Exposing Corrupt Government Officials

The only reaction was to the person reporting criminal activities of key government officials. Kawaja's wife, Eileen, suddenly died under mysterious circumstances; Kawaja received death threats over the phone; the local police started harassing him; and the IRS harassed him with what Kawaja claims were unfounded liens and levies, followed by CalFed Bank foreclos-

ing on his business.

Kawaja was discovering the vast powers that can be applied by federal, state, and local authorities against anyone who seeks to expose corruption in government offices.

However, the plant producing the weapon-grade cyanide was eventually shut down, and a company called Century Arms International occupied the building. Kawaja said as late as 1995 he saw missiles and bombs in the building, suggesting another covert operation.

Iraq's Use of Gas Approved by U.S. Leaders

In widely publicized reports, Iraq's Saddam Hussein ordered the use of poison gas against Iranians during the 1980-1988 war and against militant Kurds in the northern part of Iraq. Despite this information, U.S. officials continued to assist and protect those who provided chemical weapons to Iraq.

U.S. Provided Chemical Weapons Against U.S. Soldiers

Some evidence exists that Iraq planned to use chemical and biological agents against U.S. and other troops in the Persian Gulf War, and that U.S. intelligence agencies supplied these weapons to Iraq through a layer of intermediaries. Cardoen Industries in Chile was one of the CIA's suppliers.

Under-secretary of Defense for personnel and readiness, Edwin Dorn, stated that the Pentagon had concluded that Iraq did not use chemical or biological weapons during the war. To say otherwise could have precipitated an investigation that threatened to expose the major role played by U.S. intelligence agencies in the arming of Iraq, including the sale of chemical and biological weapons.

During a limited congressional investigation, Senator Donald Riegle said that exposure to chemical and biological agents were widespread during the Persian Gulf War. In response to the denials by government officials, Riegel stated, "I've seen our government lie to us before in other war situations. This is not going to be an issue that gets swept under the rug." But it was swept under the rug, as Riegel surely knew it would be.

The U.S. military-industrial group profited from the military buildup of Iraq, which cost the American taxpayers huge amounts after it became necessary to invade that country in 1990. Further, the Gulf War Syndrome could very possibly be linked to the chemical grade cyanide produced in the United States.

Assisting Iraq to Build Missiles and Nuclear Weapons

Information surfaced showing U.S. government personnel secretly provided help for Iraq to build the Condor II missile, which was capable of carrying a nuclear warhead. People in U.S. Customs were making reports, in September 1989 that BNL loans were funding Iraq's acquisition of nuclear missile technology for Iraq's Condor II project.

Iraq's work on nuclear weapons was known to U.S. leaders and its many intelligence agencies throughout the 1980s. An April 1989 report by Bryan

Siebert to Admiral Watkins stated, “Recent evidence indicates that Iraq has a major effort under way to produce nuclear weapons.” Shortly thereafter, Iraq fired an intermediate-range ballistic missile, capable of carrying a nuclear warhead.

Helping to build the plants for production of chemical, biological, and nuclear weapons was the Bechtel Corporation of California, including one plant that produced ethylene oxide, an ingredient for the manufacture of mustard gas, which was used in World War I. Involved in these efforts were such Bechtel management people who also periodically held key positions in the U.S. government, including Casper Weinberger and George Shulz.

Familiar Figures From the Past Were Implicated

Involved in these activities were some who had been implicated in other unlawful activities such as October Surprise and Iran-Contra. Promoting the funding of Iraq’s war machine were President Ronald Reagan; Vice-President and then President George Bush; National Security Adviser Richard Allen; National Security advisor James Baker; former California judge William Clark; deputy national security advisor Robert C. “Bud” McFarlane; Middle East envoy Donald Rumsfeld; Donald Gregg; Robert Gates; Richard Allen; and Howard Teicher.

Funding Buildup of Iraq’s War Machine

The increasing buildup of Iraq’s war machine required an ever-growing need for money that exceeded Iraq’s ability to pay. Without funding from outside Iraq, Iraq’s war machine buildup could not have occurred. The Reagan-Bush administrations initially provided funds for Iraq’s war machine through the government’s export-import Bank, Eximbank. American taxpayers were guaranteeing that companies supplying Iraq with war material—later called weapons of mass destruction—would be paid if Iraq did not pay. As expected, U.S. taxpayers became saddled with billions of debt from the original loans and subsequent interest payments.

State Department Involvement

The U.S. State Department pressured Eximbank to guarantee loans for Iraq to purchase items from U.S. companies. Eximbank balked because Iraq was a bad credit risk. President Reagan’s Secretary of State, George Shulz, pressured Eximbank to make the loans despite the fact that they were to be used to build up Iraq’s acquisition of military, nuclear, chemical, and biological weapons.

Numerous other U.S. agencies opposed the loan guarantees, including the Treasury Department and the Federal Reserve Board. Eventually, with White House pressure, loan guarantees were approved by Eximbank and funded by Morgan Guaranty Bank.

Removing Iraq from List of Nations Harboring Terrorists

Providing government-guaranteed loans to Iraq required removing Iraq from the list of nations harboring terrorists. President Reagan did this even though Iraq, along with Syria and Iran, among other nations, still harbored

or supported terrorist groups. In Iraq's case, this included the brutal Abu Nidal group.

Help with Funding War Machine from Other Loan Sources

Iraq's huge military buildup required a great increase in money sources. After Eximbank refused to provide additional funding, the Regan-Bush team circumvented this problem by using the loan guarantee program set up by the U.S. Department of Agriculture to assist the sale of U.S. farm goods to foreign buyers. This program was run by the Commodity Credit Corporation (CCC). Large loan amounts were guaranteed for Iraq by the United States to allegedly purchase U.S. farm products. By the end of 1983, over a half billion dollars of loans to Iraq were guaranteed by the United States, and this would eventually exceed two billion dollars.

Funds intended under the agriculture program to purchase farm produce were then used to purchase of military equipment. The sellers of U.S. farm produce were told to price their products two or three times the going rates, and then kickback the excess to Iraq. These kickback funds were then used for purchasing war material. Another tactic was to trade the farm produce for war material.

All of these tactics were widely known in the banking, shipping, and weapons industries. They were certainly known to U.S. intelligence agencies, such as the CIA, DIA, NSA, and DIA, which had thousands of agents and all types of electronic monitoring methods. Monitoring these financial transactions was the National Security Agency (NSA) with its advanced electronic surveillance. They could break into codes used by the banking industry to discover what was really happening with the loans for Iraq.

Morgan Guaranty Bank Funding Iraq's War Machine

The loans that were initially funded by Morgan Guaranty Trust in New York would be expanded in 1984 by the small Georgia branch of the Italian bank, Banca Nazionale del Lavoro (BNL). Eventually, over two billion dollars of U.S. guaranteed loans were made by this small Atlanta bank, which was managed by a young employee named Christopher Drogoul. BNL's Rome office had been guaranteeing loans for Iraq prior to the involvement of its Atlanta office.

The scheme required secret telexes, separate sets of books, phony taxes, and other devices to escape detection by bank examiners. Bank employees knew the fraudulent program as Perugina, the name of an Italian candy factory.

Britain was also involved in the diversion of funds that made it possible for Iraq to invade Kuwait. Matrix Churchill, a machine tool company in England, purchased by Iraq, secretly and unlawfully supplied military equipment to Iraq during this period. As usual, it appeared that the only people in the western hemisphere who didn't know about the scam were the American people, made possible by U.S. media cover-up and the public's deliberate blindness.

U.S. Leaders Contempt for U.S. Navy Personnel Killed by Iraq

In May 1987, Iraq military attacked the U.S. navy ship, U.S.S. Stark, killing three dozen U.S. navy personnel. As with Israel's attack upon the U.S. Liberty, U.S. leaders excused the attack as an error. When political considerations by U.S. leaders are involved, U.S. military personnel are expendable. This was repeatedly proven by the willingness to sacrifice the lives of thousands of U.S. military personnel in Korea, Vietnam, Israel's attack upon the U.S.S. Liberty, and then the U.S.S. Stark.

Outrage Over Illegal Funding Escalated

In 1989, the illegal funding of Iraq's war machine was becoming more widely known, thereby threatening Bush, who was now President, with a major scandal. Bush was fully aware of Iraq's fraudulent misuse of the U.S. loan program, the buildup of his chemical, biological, nuclear, and conventional weapon programs, which enabled Iraq to wage two wars: the war upon Iraq and the war upon Kuwait.

Continuing to Built Up Iraq's War Machine After War With Iran Ended

The war between Iraq and Iran had ended in 1988, eliminating the need for further buildup of Iraq's war machine. However, President Bush continued to push for further U.S. loan guarantees to Iraq, and continuation of the clandestine furnishing of chemical, biological, nuclear, and other weapons.

A Few Courageous Government Agents Broke Ranks

Foreign Service officer Frank Lemay prepared a report that exposed many of the irregularities involving the U.S. funding and arming of Iraq, which top U.S. officials sought to cover up. As routine as the sun rises in the morning, Lemay's career took a turn for the worse.

CIA Reports What it Knew for Years: A CYA Report

A CIA report presented to the White House and State Department was titled, "Iraq-Italy: Repercussions of the BNL-Atlanta Scandal," the acquisition of chemical, biological and nuclear weapons by Iraq was again described.

Bush's Violation of Congressional Restrictions

Congress had imposed a restriction against further funding for Iraq. But despite the overwhelming evidence of Iraq's warlike intentions, President Bush signed a January 17, 1990, waiver ignoring that restriction. Despite all this alarming information, President Bush signed a secret order known as National Security Directive 26 that continued helping the buildup of Iraq's war machine that far exceeded its defensive needs. Iraq's war with Iran had ended the year earlier, in 1988, and Bush was inexplicably determined to go ahead with further funding of Iraq's burgeoning war machine.

"Iraq Has Set a High Standard on Issues of Integrity."

In one letter to Iraq foreign minister Tariq Aziz on October 21, 1989, James Baker, writing for President Bush, wrote: "The government of Iraq has set a high standard on issues of integrity of public officials and corrup-

tion.”

Baker pressured U.S. agencies, including the Federal Reserve, Treasury Department, Agriculture Department, and State Department, to approve further loan guarantees to Iraq of \$1 billion. The loans would be through the same CCC program that they knew had been misused to build up Iraq’s chemical, biological and nuclear weapons programs.

Bunker and Herd Mentality

The usual bunker and herd mentality existed as the key players holding key government positions kept the lid on the scandal, as did most of the media. False testimony, misleading testimony, altered or withheld records, retaliation against those who testified truthfully, were standard cover-up tactics. In addition, the sham excuse of national security, executive privilege, and political motivation, were cited by the White House team. The consequences of the misconduct and the cover-up would come back to haunt American interests a decade later.

Massive Cover-ups

Federal Reserve Chairman Allan Greenspan, and most of the lapdog media, kept the lid on the scandal. When asked, Greenspan said he knew of no links between the BNL scandal and Iraq, a statement that was contradicted by the vast amount of information known to the Federal Reserve. Defense Secretary Dick Cheney covered up for the illegal arming of Iraq that made possible Iraq’s invasion of Kuwait .

On the Eve of Invading Kuwait, More Help

In November 1989, White House officials guaranteed the payment of loans made by banks to Iraq for the purchase of military equipment through the sham loans guaranteed under the U.S. Agriculture Department’s Commodity Credit Corporation (CCC). The approval of these loans occurred after the Bush White House knew of the misuse of prior loans to build up Iraq’s military machine.

Kissinger’s Role in the Gulf War

A *Spotlight* article (November 9, 1992) stated that as early as 1984 Kissinger Associates was involved in arranging some of the loans from the Banca Nazionale del Lavoro (BNL) to the Iraqi government. These funds were used to finance its arms acquisitions from a little-known subsidiary of Fiat Corporation. Referring to a confidential report prepared for the Economic Planning Group of the European Community by the Centre Des Etudes Transatlantiques (CETRA), *Spotlight* reported that the deal set up by Kissinger Associates involved the secret sale of five million land mines and other war material. The *Spotlight* article stated:

CETRA’s data prove the scheme for financing and supplying Iraq’s military purchases was set up by Kissinger Associates long before BNL’s Atlanta branch became involved.” The article continued: “[It is] time we forgot those scapegoats in Atlanta [and] focus on the real culprit: Kissinger Associates.

Referring to Charles Barletta, a former Justice Department investigator, the article stated:

Barletta added that federal probers had collected dozens of such incriminating case histories about the Kissinger firm. But Henry Kissinger seems to possess a special kind of immunity. I'm not sure how he does it, but Kissinger wields as much power over the Washington national security bureaucracy now as in the days when he was the Nixon administration's foreign policy czar. He gets the payoff; others get the blame. Kissinger will remain unscathed until Congress finds the courage to convene a full-dress investigation of this Teflon power broker.

Brent Scowcroft and Lawrence Eagleburger were employed by Kissinger Associates. Scowcroft would become President Bush's (I) National Security Adviser and Eagleburger acting Secretary of State.

BNL was used for this transaction, funneling over one billion dollars through a small BNL branch in Brescia. At the same time the U.S. taxpayers were saddled with billions of dollars in debt to finance arm sales to both sides in the Iran-Iraqi war. Profiting from these secret deals were U.S. and foreign arms manufacturers, the arms merchants, Israel, and those in the United States who aided and abetted the activities.

Invasion of Kuwait Made Possible by U.S. Politicians

Burdened with huge debt and lack of funds for its purchasers, Iraq's Saddam Hussein made demands upon Kuwait, claiming that Kuwait was really a part of Iraq and that Kuwait's oil wells were taking oil from under Iraq. In July 1990, U.S. intelligence observed a massive buildup of Iraq military along the Iraq-Kuwaiti border, signaling an impending invasion of Kuwait. Instead of sending a strongly worded warning to Saddam Hussein, Bush's weak message to Iraq stated, "Let me reassure you that my administration continues to desire better relations with Iraq."

Further support for Iraq's invasion of Kuwait came from U.S. ambassador to Iraq, April Glaspie, as she assured Saddam Hussein that the United States had no interest in its controversy with Kuwait.

As expected, Iraq's war machine—which was made possible by the Reagan-Bush administration, invaded Kuwait on August 2, 1990. This was followed by United Nations sanctions against Iraq, prohibiting any military supplies to be sent. But this restriction was quickly violated by Jordan and President Bush.

The long-known practice of military equipment to Jordan being diverted to Iraq from the Gulf of Aqaba, continued. President Bush's State Department approved the shipment to Jordan of military equipment between August and October 1990. These shipments included parts for missiles, helicopters, and other military uses. In lockstep with the United States, Britain continued sending large quantities of ammunition to Jordan weeks after Iraq's invasion of Kuwait, knowing that the ammunition would probably be transported to Iraq.

A Few Spoke Out

One of President George Bush's White House staff, who was more honest [in this instance], Alexander Haig, was reported to have said, after the fact, that the White House policy brought "Saddam Hussein to the belief that he would not be challenged in Kuwait. The consequences were a Gulf war and the outcome that the threat of Saddam is still here."

Maverick Congressman Exposing one Segment of Scandals

While other members of Congress engaged in the usual cover-up of this scandal, Congressman Henry Gonzalez of Texas, chairman of the House Banking Committee, started conducting an investigation into BNL's activities in 1990. He had to surmount the cover-up by other members of Congress, the CIA, Justice Department personnel, and the White House. BNL first attracted his attention when he learned that the small Atlanta branch of BNL had made over \$5 billion in loans to Iraq .

Gonzalez's requests for documents from the White House were repeatedly ignored. Acting for the Bush White House, Rostow refused to provide requested documents, using the timeworn excuse of national security and executive privilege.

One could possibly argue that revealing the misconduct of White House or other government officials would compromise national security. Another excuse used was executive branch privilege to cover up for corrupt conduct by the group in power.

Gonzalez requested documents from the Justice Department. At first, Justice Department officials denied having such reports. Gonzalez, who had been exposing the BNL corruption for months on C-SPAN, submitted a CIA document to the court showing that Italian officials in Rome had knowledge of the multi-billion-dollar transactions and fraud.

Several days later, CIA officials sent a letter to Justice Department prosecutors omitting the fact that the CIA had evidence that Rome officials were cognizant of the scheme. CIA officials then accused Justice Department officials of trying to get the CIA to provide U.S. prosecutors and the court with misleading information to support the imprisonment of the young BNL bank manager.

As Congressman Gonzalez released more documents, it became obvious that the CIA possessed numerous documents showing that BNL officials in Rome knew of the loans and the diversion of the funds from farm products to military supplies. Further, that the CIA deliberately withheld this evidence from the court.

It also turned out that federal officials had altered a list of high technology items that were sent to Congress to obtain approval for the shipment to Iraq. The evidence indicated that high federal officials knew about the fraud being perpetrated by BNL and Iraq against the United States and had not only deliberately covered up for it, but also enlarged upon it. Evidence indicated that President Bush was determined to arm Iraq for attack upon its

neighbors.

Among the documents that surfaced was one written by Secretary of State James Baker, warning the White House that Iraq was secretly using technology provided by the United States to build up its chemical, nuclear, biological and ballistic missile capabilities.

Congressional Hearings

During Congressional testimony before the House Banking Committee on November 10, 1993, Christopher Drogoul was brought from federal prison to testify about the BNL scandal. He testified that he tried to report the criminal activities involving Iraq, his bank, and U.S. officials, but that the U.S. Attorney's office in Atlanta repeatedly barred him from telling the truth. They wanted to protect the U.S. officials, Italian officials, and Iraqi officials, and to blame him for making loans totaling about five-and-a-half billion dollars that were beyond his ability to make.

Drogoul testified, and the facts indicated, that he was merely a pawn in the scheme involving the United States, Iraq, Italy, Britain, and Germany to secretly arm Iraq. Not only did this conspiracy result in thousands of needless deaths, but the American public must pay this amount and the interest that will surely triple the original figure before the money is repaid somewhere in the twentieth-first century.

Regardless of his innocence, the federal judge sentenced Drogoul to federal prison in 1994, on the basis that his superiors did not know his small branch was dispensing five billion dollars, and that the United States government did not know of the scheme.

Covering Up for U.S. Britain and Italy Complicity

Congressional hearings, hearings in Britain, and defense lawyers, uncovered large amounts of evidence showing that the Reagan-Bush administration, and Britain's Margaret Thatcher, were fully aware of the fraudulent funding and arming of Iraq with chemical, biological, nuclear, and conventional weapons, and were now circling the wagons to protect each other. Similar to how government personnel in the United States engage in herd-like mentality to block an investigation of any one of them.

Justice Versus CIA Versus FBI

Foreign media exposure of the BNL scandal forced Justice Department officials to engage in tactics to protect officials in the United States and Italy, fraudulently charging Drogoul with defrauding the Italian bank.

Robert Gates, Director of the CIA, and other government officials, told the House Banking Committee that the CIA knew nothing about the huge loans to Iraq. Congressman Henry Gonzalez, Chairman of that committee, produced evidence showing they were lying.

The scenario leading to the rift between Attorney General William Barr and his Justice Department staff, the CIA, and FBI Director William Sessions, followed this schedule:

- CIA officials submitted a document to an Atlanta district court that con-

tained misleading information, conveying false information covering up the real facts. The document was intended to deceive,⁴⁵ to deny that the CIA had knowledge of the BNL fraudulent loans for several years. The CIA would have been highly incompetent if, with all its agents worldwide, it did not know of the fraud that required participation of many people.

- Senator David Boren, suddenly showing an unusual display of duty, substantiated the fact that the document contained false information. In response to this public rebuke, the CIA drafted a memorandum to correct the falsified document. Justice Department lawyers objected to the CIA correcting the original report, as the Department of Justice would then have to explain its own deception.
- The CIA then acquiesced to the Justice Department's demands to continue the cover-up. But the next day, the CIA prepared a document for Justice Department officials to sign that would protect the CIA's lying. Justice Department officials refused to sign this document, as it would further show that they lied.
- CIA officials then testified in a closed-door Senate Intelligence Committee hearing, describing what happened. The CIA lawyers placed the blame for their cover-up on pressures from Justice Department officials.

“Never in the History of the Republic”

New York Times syndicated columnist William Safire wrote (October 12, 1992), “Never in the history of the Republic...has the nation's chief law enforcement officer been in such flagrant and sustained violation of the law.” Safire stated in a mild way what was normal conduct in the Justice Department, which I continuously observed for the past 30 years.

Another Congressional “Investigation”

Congressman Sam Gejdenson also conducted a low-key investigation. Several witnesses testified that they had repeatedly warned the White House of the huge military buildup by Iraq, and its funding by the Reagan and Bush administrations.

Chairman of the Senate Select Committee on Intelligence, David Boren, conducted a partial investigation that, as usual, diverted attention from the heavy corruption.

Whistleblower Learning Consequences of Protecting U.S. Interests

One of several key witnesses was State Department employee Dennis Kloske. He testified to warning numerous Bush administration people of these problems, including Robert Gates who had chaired the National Security Council, and Robert Kimmitt, the undersecretary of State. After giving this testimony to Congress, President Bush ordered Sununu to have Kloske fired (for revealing the truth).

Chairman Gejdenson reacted to Kloske's firing: “Firing a government

⁴⁵ Submitting documents knowingly stating wrong facts and wrong conclusions, or withholding facts that would show a different conclusion, is a crime under federal law.

official because he was willing to tell the truth to congress is an outrage and represents a bastardization of the way our government is supposed to work.” But these crocodile tears did nothing to help Kloske

Defaulting on U.S. Guaranteed Loans

Iraq’s August 2, 1990, invasion of Kuwait caused it to default on its loans to the BNL bank. The loans guaranteed by the U.S. taxpayers to the participating banks then became due. Making matters worse, Iraq had part ownership interest in some of these banks and stood to gain not only from receipt of the initial \$5 billion, but also gain when the United States paid the various banks that loaned the money guaranteed by the U.S. Again, the U.S. taxpayers are stuck with the tab for the bills that have yet to be paid. In effect, they paid for their ignorance or determined blindness to these crimes by their leaders.

Sham Prosecution of Innocents to Divert Attention From Players in Key Government Positions

The Miami U.S. Attorney’s office filed criminal charges against Carlos Cardoen in 1992, charging that Cardoen violated the law against exporting cluster bombs and other weapons to Iraq. A trial on these charges would reveal devastating violations of law by the Reagan and Bush administrations. In 1992, it was learned that President Bush was to appoint Cardoen’s lawyer, Roberto Martinez, to be U.S. Attorney in Miami. This was an obvious attempt to control the prosecution and trial so as to protect the White House and those involved in the felony complicity.

Cardoen’s next lawyer, Robert Simels, filed papers arguing that government personnel know of, approved, and even solicited the conduct for which they were now charging him. Cardoen’s lawyers produced writings, pictures of him with U.S. government personnel at his weapons plant in Chile, all of which proved that Cardoen was acting with the approval, knowledge, and direction of U.S. government personnel. The American public wouldn’t know the difference. What a system!

Prosecution of Matrix Churchill

Matrix Churchill was charged with criminal violations by the Miami U.S. Attorney’s office in Miami for sending weapons to Iraq. The Bush administration appointed Matrix Churchill’s Atlanta lawyer, Joe Whitley, to the position of U.S. Attorney. This contradiction was “resolved” by Martinez dropping his client and thereby claiming there was no conflict of interest.

Controlling the System

Robert Barr, U.S. Attorney in Atlanta, was a former CIA employee working with CIA director George Bush. This relationship didn’t exactly make for any great support for Barr’s assistant, McKenzie, in her investigation of matters that would reflect badly upon President Bush. The office was also investigating the Iraq front company responsible for coordinating many of the arms shipments to Iraq.

When Barr left, President Bush quickly appointed Joe Whitley to re-

place him, and who would be in a position to halt the investigation into BNL. Whitley has been a lawyer with the Atlanta law firm that was representing Iraq's front company, Matrix Churchill, which had been involved in many of the arms shipments. Going from a protector of Matrix Churchill into a position that could block an investigation of the company would be the way the system works!

BNL Employees Reported BNL Involvement to U.S. Attorney

In 1989, two BNL employees reported the BNL irregularities to the local U.S. Attorney in Atlanta, causing the U.S. Attorney to raid BNL's Atlanta office and seize incriminating documents. The U.S. Attorney discovered that bank officials in BNL's home office in Italy knew of the scheme, directed it, and ordered the local bank manager in Atlanta to carry it out. But Justice Department officials in Washington did not want Italian officials blamed, which would implicate U.S. officials.

The U.S. Attorney discovered the diversion of farm produce, the overpricing and kickbacks, and the purchase of Iraq's chemical, biological and nuclear weapon programs with U.S. guaranteed loans. McKenzie's investigation was repeatedly stymied by Justice Department personnel in Washington and by the White House.

The evidence showed that this had become a scandal far beyond the actions by a young and relatively inexperienced manager of a small Atlanta branch bank. The scandal involved the Reagan and Bush administrations, the Italian government that owned BNL, the funding and providing of war-making weapons to Saddam Hussein to engage in more military actions against its neighbors.

Retaliation: Justice Fraudulently Charging Drogoul

Diverting attention elsewhere, Justice Department prosecutors charged the young Atlanta bank manager, Christopher P. Drogoul, with defrauding his bank by disbursing the \$5 billion in loan proceeds without home office knowledge and approval. The Justice Department's indictment was based upon charges that the bank manager acted alone, disbursing \$5 billion in funds without the knowledge and approval of BNL's home office in Italy, and therefore committed fraud.

If the home office had known and approved of the scheme, the bank manager and employees could not be charged with defrauding the bank. Further, if home office officials were aware of the scheme, it would have serious political implications in Italy. Additionally, if BNL officials in Rome knew of the fraud associated with disbursing the funds guaranteed by the U.S. taxpayers, the liability of U.S. taxpayers to pay the billions of dollars that were fraudulently diverted would not exist. For the U.S. taxpayers to be liable, the young manager of this small branch bank had to be solely responsible and knowledgeable of this gigantic fraud. In separate indictments, the prosecutor charged five BNL employees with conspiracy to commit the crimes charged against Drogoul,

Lawyer Pleasing Justice Department Prosecutors

Following a standard pattern, Drogoul's court-appointed lawyer, seeking to protect the Justice Department and other federal officials, urged him to plead guilty. Drogoul wanted to go to trial to clear his name. By pleading guilty, he faced twenty years in prison. The court-appointed lawyer had assured Drogoul that if he pled guilty he would receive a suspended sentence.

A week before trial, on September 2, 1993, Drogoul reluctantly pleaded guilty to something that he had not done. The guilty plea avoided the trial that would have exposed much of the U.S. misconduct and that of Italian bank officials. Often, a defense lawyer, wishing to maintain good relations with Justice Department lawyers and judges, will pressure their client to plead guilty—even if innocent.

Obtaining Replacement Legal Counsel

Fearing a long prison term instead of the suspended sentence promised to him by his lawyer and the federal prosecutor, Drogoul obtained other legal counsel to vacate his earlier plea agreement. The new lawyer, Bobby Lee Cook, moved to have Drogoul's guilty plea rescinded on the basis that the BNL bank manager acted in the multi-billion-dollar scheme with the knowledge and approval of his superiors in Italy. Judge Marvin Shoob granted the motion and rescinded the guilty plea, over the protests of Justice Department prosecutors.

Cook demanded documents from the CIA and Justice Department that would show federal agencies had prior knowledge of the fraudulent BNL activities, and knew that high Italian officials in Rome had approved the activities that were apparently sanctioned by the Bush Administration. Also charged by the prosecutor were five BNL employees, who were being prosecuted in a separate case before Judge Shoob.

Unprecedented Judicial Integrity

After analyzing the evidence presented during trial, and after the jury returned a guilty verdict for all five defendants, U.S. district judge Marvin Shoob, in a reaction that will probably never in the 21st century be even seen again, was determined that the defendants were falsely charged and convicted, and he sought to establish a record to justify his decision barring their incarceration.

During an August 23, 1993, sentencing hearing for five BNL employees, Judge Shoob stated he would not sentence any of them to prison because the Justice Department's contention that they defrauded the parent bank in Rome was too incredible.

He added that they were merely "pawns and bit players in a far more wide-ranging conspiracy." Shoob said there were too many circumstances that made it implausible that the conspiracy was a small one involving only the Atlanta bankers, adding: "Smoke is coming out of every window. I have to conclude the building is on fire." Judge Shoob added:

Based on the information that I have seen and that has been revealed,

that kind of conclusion could only come about in never-never land.

Congressman Gonzalez had argued for an independent prosecutor to investigate the BNL affair. As in the Inslaw and BCCI case, the Attorney General appointed one of its own to investigate itself, former U.S. District Judge Frederick B. Lacey, to conduct a Justice Department investigation. Judge Shoob said of the Lacey report: "If Judge Lacey had investigated the Teapot Dome scandal," referring to the 1922 scandal which almost caused removal of President Warren G. Harding, "he would have given out a medal instead of a jail sentence."

Justice Department lawyers didn't care for this type of judicial honesty and lack of control over the judge, and moved to disqualify him from presiding over the trial for BNL bank manager Drogoul, which was set to start on September 8, 1993. Another judge was then selected to conduct the trial.

Before the case was removed to another judge, Judge Shoob wrote a memorandum for inclusion in the trial of the five BNL employees to support his decision eliminating any prison time:

ORDER

This manner is before the Court on the motions of each of the defendants for a downward departure from the sentencing guidelines. Earlier the Court considered and ruled on the various objections to the presentence reports and determined the appropriate offense level for each defendant. Because of the absence of any prior criminal record, each defendant is in Criminal History Category I.

On August 19, 1993, the government in a sentencing memorandum advised the Court that it will move for a downward departure pursuant to § 5K1.1 of the Sentencing Guidelines for defendants Von Wedel, New, and DeCarolis, and reserved the decision whether to make a similar motion on behalf of defendants Fiebelkorn and Barden. The government also advised the Court that it does not oppose a downward departure for defendant Barden based on her extraordinary family situation.

While the government's new position makes this Court's task of imposing a fair and appropriate sentence far less burdensome, the extent of any downward departure is governed by considerations which go beyond defendants' cooperation or individual family circumstances.

The Court has reviewed considerable material, including National Security Agency reports; CIA documents prepared by the Directorate of Information and the Directorate of Operations; the book of 29, which includes 29 documents from these agencies determined by the government to be discoverable by defense;

the so-called black book, which consists of a series of State Department memoranda, National Security Council reports and memoranda, and Defense Intelligence Agency confidential and unclassified cables and information (the black book was not furnished to defense counsel as

the information is substantially a duplicate of that furnished in the form of summaries and the book of 29); the several reports of the Italian Senate Commission involving this matter;

the diary of P. Di Vito, an official at BNL; the CIA report of the investigation of its handling of BNL-related matters; the Senate Select Committee on Intelligence staff report on the involvement of United States intelligence agencies in the BNL affair; the summaries of classified information prepared by the government and furnished to defense counsel;⁴⁶ the testimony during the three-week sentencing hearing of defendant Christopher Drogoul; and the various exhibits introduced during that proceeding.

The preponderance of the evidence well supports this Court's conclusion that BNL-Rome was not a victim in this case. The evidence of CIA knowledge of the activities of BNL-Rome and BNL-Atlanta prior to the August 1989 raid of BNL-Atlanta is less persuasive but clearly troublesome. Either the CIA knew of the activities or the CIA failed to detect a five-year international deception and large-scale illegal financing of arms for Iraq through a small branch bank in Atlanta, Georgia. That determination is not necessary or appropriate for this Court. The Court does conclude that this is an appropriate case for a downward departure as to each defendant and will grant defendants' motion in part and will also grant the government's motion for a downward departure for substantial assistance and will consider defendant Barden's extraordinary family situation.

Background

This case arises out of a loan scheme stretching across continents and cultures, involving weapons merchants and multi-national banks, and implicating governments. In February 1991, Christopher Drogoul, the branch manager of BNL-Atlanta and the alleged mastermind of the scheme, was named, along with an Iraqi bank, some foreign nationals, and several of the above-named defendants, in a 347-count indictment. The indictment centered on charges that Mr. Drogoul, the branch manager, defrauded BNL over the course of several years by engineering billions of dollars in unauthorized loans to Iraq and other nations. A number of these loans were backed by the U.S. Department of Agriculture's Commodity Credit Corporation ("CCC").

Since the raid on BNL's Atlanta office in 1989, the scandal has sparked investigations across the Western world. Several committees of the United States Congress opened investigations into this matter; commissions of the Italian Parliament have explored the scandal, and aspects of this case were raised at a trial in England.

⁴⁶ These summaries represent information from the NSA and CIA documents that the Court determined to be discoverable by the defense.

In September 1992, this Court presided over Mr. Drogoul's three-week sentencing hearing, which followed his guilty plea to sixty counts of the indictment. The Court heard detailed testimony on the loan scheme, international money markets, and the organization of BNL .

The hearing ended during Mr. Drogoul's testimony when the Government announced that it did not oppose Drogoul's motion to withdraw his plead. The Court granted Drogoul's motion and later granted the Government's motion that the Court recuse itself. Mr. Drogoul is scheduled to go to trial before the Honorable G. Ernest Tidwell on September 18, 1993. These defendants, each of whom has pleaded guilty, have been awaiting a resolution of their involvement since the summer of 1989, four years.

Evidence and Standard

While the information and evidence reviewed by the Court are of uneven reliability and occasionally recount the hearsay statements of unknown informants, the Court has sifted through the information to make reliability findings and has considered only that information which it has found to contain "sufficient indicia of reliability to support its probable accuracy." U.S.S.G. § 6A1.3(a).

*In sentencing, the Court is permitted to rely on information that would not be admissible under the rules of evidence in a trial. "Reliable hearsay evidence may be considered. Out-of-court declarations by an unidentified informant may be considered 'where there is good cause for the nondisclosure of his identity and there is sufficient corroboration by other means.'" Id. Policy Statement (quoting *United States v. Fatico*, 579 F.2d 707, 713 (2d Cir. 1978)).*

The Court also notes that while no single piece of information or evidence standing on its own would support the Court's conclusions, when taken as a whole, even in light of the Government's conflicting information and argument, the information more than adequately and credibly supports the Court's conclusion that the defendant employees of BNL-Atlanta with their personal agendas and paltry rewards were pawns or bit players in a far larger and wider-ranging sophisticated conspiracy that involved BNL-Rome and possibly large American and foreign corporations, and the governments of the United States, England, Italy, and Iraq .

It would be the height of hypocrisy to sentence these defendants as if this were a simple case of wrongdoing by a branch bank's employees, the sort of fraud contemplated by the sentencing guidelines. The Court's conclusions are supported by the following credible evidence.⁴⁷

⁴⁷ At request of the Government agencies that produced this information, the Court, for security reasons, has not identified the specific document and source of the information from which it has drawn the facts set out below. The Court will provide the appropriate authority under seal at the request of the parties.

Also, defendant Von Wedel filed motion under the Classified Information Procedures

**Evidence Supporting Court's Conclusion That
BNL Was Aware Of the Activities Of the Atlanta Branch**

- *BNL's relationship with Iraq .*
- *BNL is one of the largest banks in Italy, and the bank has a longstanding relationship with Iraq .*
- *In the early 1980s, BNL financed a number of Italian exports to Iraq, and Iraq helped BNL during a liquidity crisis in the 1970's.*
- *In late 1987, BNL-Rome helped finance a transaction for construction of a sewage plant in Iraq.*
- *BNL was well known, as were many Italian institutions, for its political spoils system. Members of the Italian parliament believed that U.S., Italian, and Iraqi officials received kickbacks from these deals. At the bank, commissions sometimes amounted to five percent of any deal. Other sources said that BNL officials received eight percent kickbacks.*
- *BNL continued to do business with Iraq after the Iraqis were implicated in the scandal.*
- *BNL-Rome honored several letters of credit issued by the Atlanta branch to companies for carbide cutting tools (often used in the manufacture of weapons), and BNL-Rome participated in the financing of an Iraqi petrochemical plant.*
- *It remained Iraq's correspondent bank for Italy.*
- *Intelligence sources stated that the BNL-Atlanta loan scheme was only a continuation of this long-term relationship.*

Evidence of BNL's knowledge

- *A branch of BNL in Udine, Italy referred an Italian steel company to BNL-Atlanta for financing of an Iraqi project. An official from the Rome office of BNL had personally handled the matter, advising the company to use BNL-Atlanta, because that branch handled the bank's Iraqi business.*
- *In 1989, General Motors sought financing for an automobile deal with Iraq from BNL in Rome and Toronto. BNL-Atlanta extended credit for \$154 million to finance the transaction. The financed automobiles were sold at almost double the unit price. No explanation is available as to the \$75 million overcharge or who benefited from it.*
- *In January 1990, a CIA employee concluded, based on general intelligence reports and publicly available material, that managers at BNL-Rome were involved in the scandal.*
- *A source from the legal department at the bank is quoted as saying that*

Act ("CIPA") § 6(e)(2)(B) requesting a finding against the Government as to the truth of certain information in the classified materials because the Government has refused to produce the name of the sources. For the purposes of the downward departure, the Court is finding that this information is credible and accordingly denies as moot defendant Von Wedel's motion.

the transactions from BNL-Atlanta were authorized and directed by the Italian government and under instructions to make it appear that the transactions were controlled exclusively by BNL-Atlanta.

- *Others speculated that the loans could not have been made without the tacit approval of the BNL Rome office, and Western bankers assumed that BNL's headquarters knew of the loan scheme under way in Atlanta.⁴⁸*
- *The BNL affair was considered by some sources to be part of an acknowledged cooperative strategy to support Iraq to ensure its victory in the Iran-Iraq war.*
- *Italian treasury secretary Carli reported to the Italian Senate Commission that three BNL-Rome employees may have known about the unauthorized lending in Atlanta. He also said that the information of BNL-Atlanta activities should not have slipped through the bank's controls.*
- *Senior BNL officials were indicted and later convicted for their involvement in arms sales to Iran..*
- *The Italian embassy in Iraq was under suspicion of complicity in the BNL matter. The military attaché committed suicide shortly after the raid, and he was rumored to be related to the scandal.*
- *An Italian parliamentary commission member stated that the investigation showed that Drogoul was "no lone wolf."*
- *The former head of BNL's North American operations, Dr. Luigi Sardelli, provided credible testimony that senior officials in Rome approved or had knowledge of Mr. Drogoul's activities.*
- *Sardelli's letter criticizing defendant's activities was never delivered by the auditor to officials in Rome.*
- *Instead of auditing or investigation BNL-Atlanta, BNL-Rome officials elected to investigate Dr. Sardelli, who appears to this Court to be the only "straight shooter" in the organization.*
- *BNL-Rome was an extremely political organization, operating more as an agency of the Italian government than as a bank.*
- *Dr. Sardelli voiced his frustration with BNL-Rome in testifying that the BNL-Rome officials sent to the United States to investigate the Atlanta branch after the raid were the officials who should have been investigated.*
- *Co-defendant Paul Von Wedel and Jean Ivey, a BNL-Atlanta employee who was granted immunity, testified at Drogoul's hearing that they believed that officials in Rome were aware of BNL-Atlanta's involvement with Iraq, testimony the Court found creditable. Mr. Von Wedel also testified that Mr. Drogoul had regular access to Dr. Giacomo Pedde, the*

⁴⁸ A U.S. intelligence source found that this information confirmed press reports about BNL knowledge of the scandal.

director general of BNL, that Mr. Drogoul met with Mr. Monaco, a senior BNL official, in Baghdad, and that Mr. Florio, another senior BNL official, orally approved early CCC loans to Iraq.

- *Senior officials in Rome signed onto some of the loans made by BNL-Atlanta to Iraq, at the request of the Iraqis.*
- *From early in the investigation, BNL's lawyers and Italian officials urged that the case be raised to a political level.*

Connections with the weapons network

Matrix-Churchill, an Iraqi front company and a major component of the arms procurement network, was a major participant in the BNL-Atlanta scheme. The CIA became aware that Matrix-Churchill was an Iraqi front company in 1987. No CIA reports indicated a relationship with BNL-Atlanta. Later, in a criminal proceeding in Great Britain, it was confirmed that two employees of Matrix-Churchill, one of whom was a director, Paul Henderson, were sources for British intelligence. The charges against the two men were dropped.

BNL-Atlanta was reported to have provided financing for major parts of the Iraqi procurement network, involving such companies as Space Research Corporation, Lear Fan, the Italian Endeco Barazuol, and Matrix-Churchill. BNL-Atlanta was reported to have helped finance large parts of the Condor II missile program, a joint program of Iraq, Egypt, and Argentina.

Awareness of U.S. Intelligence community

The CIA had non-public information from various sources⁴⁹ about BNL and BNL-Atlanta lending activities, though not information that they were unauthorized.

Miscellaneous Government Information

In the fall of 1989, shortly after the raid on BNL-Atlanta, there were a number of contacts between the prosecutors in the case and the federal agencies involved in the decision to approve new agricultural loan guarantees for Iraq. The Atlanta prosecutors met directly with representatives of the Agriculture Department. There were at least two telephone calls from a junior lawyer in the White House counsel's office to the chief prosecutor in this case; the calls sought information concerning the case in connection with the decision to approve loan guarantees.

In the spring of 1990, the prosecutors and investigators were invited to Washington on at least one occasion to discuss the case with National Security Council staff members and other administration officials concerned about the approval of a second tranche of loan guarantees.

Later, in September 1990, the chief prosecutor and chief investigator on the case were part of a Justice Department delegation which met

⁴⁹ At the request of the Government intelligence agencies, the Court does not identify these sources.

with the Italian ambassador to the United States, who argued that BNL was the victim of a “terrible fraud.”

During a November 1989 meeting of the National Advisory Deputies Committee, certain officials reported that Iraq had not been implicated and that the scandal appeared to involve internal BNL matters. Some high-level members of the Executive Branch wanted to continue the CCC program with Iraq, arguing it was essential to the U.S. relationship with Iraq.

- *Following the execution of the search warrant and the implication of the Iraqis, the United States government, particularly its foreign policy branches, continued to push for granting agricultural credits to Iraq.*
- *A generally reliable source believed that BNL-Atlanta could not have operated without the knowledge and acquiescence of the Federal Reserve Board, the Department of Agriculture, and the Commodity Credit Corporation.*
- *After 1985, the Exim bank maintained a rotating, short-term \$200,000,000 facility for Iraq; it was the only listed country receiving Exim coverage. In January 1990, President Bush signed a waiver of sanctions to permit the Exim program for Iraq to continue through 1990. The United States also determined to release \$500 million in CCC guarantees with the possibility that another \$500 million would be released later.*
- *A U.S. Government memorandum prepared for the Executive Branch urged continued approval of the CCC program for Iraq, but acknowledged the improbability that Iraqi bank officials were unaware of kick-backs, deeply discounted interest rates, and other gross irregularities in the program. The U.S. Government was also aware that there were allegations of double and triple overpricing of some commodities, diversion and transshipment of commodities, and that CCC financing has been used for goods that did not originate in the United States.*

Di Vito Diary

Attorney General Richard Thornburgh met with the Italian ambassador at a White House dinner. The ambassador pushed the idea that BNL was a victim and said incriminating BNL would be seen as an insult to Italy.

Overruns by BNL-Atlanta from 1986 were signaled to the North American office of BNL by the foreign credit office of the bank.

A number of new transactions, after the raid, between BNL-Rome and Iraq totaled more than \$228,000,000 as outlined in the July 31, 1990, confirmations.

Specific Findings

These factual findings support the Court's downward departure for the following reasons:

One, the Court finds that there is substantially reliable evidence that

the alleged victim in this case, BNL-Rome, encouraged defendants to act as they did and superiors at the bank were in fact complicit in the scheme. The defendants saw their superior, Mr. Drogoul, rewarded for his acts, and could reasonably conclude that the bank approved of their acts or was deliberately ignored of their activities.

Section 5K2.10 of the Sentencing Guidelines provides:

If the victim's wrongful conduct contributed significantly to provoking the offense behavior, the Court may reduce the sentence below the guideline range to reflect the nature and circumstances of the offense.

U.S.S.G. § 5K2.10. Downward departures relying on this section usually involve cases of a physical assault and policy statement provides that the section is usually not "relevant in the context of non-violent offenses." Id. Neither the guideline nor the commentary, however, prohibits the section's application to a fraud case, and the fraud guideline clearly contemplates that the victim of the fraud was not complicit with the alleged fraud. See § 2F1.1.

The court has considered the Government's argument that § 5K2.11 applies only to victim conduct that provoked a defendant's offenses. The Court finds, however, that it is within this Court's discretion to consider the victim's conduct throughout the course of this scheme in departing downward, and the Court concludes that this conduct permitted and encouraged the scheme. This conduct does not fit neatly in the category set out in § 5K2.11, but clearly this was not a pattern of conduct considered by the Commission in formulating the guidelines.

The evidence of BNL officials' knowledge of these loans and of the loans' role in international finance suggests that these defendants were merely functionaries in a scheme that benefited the management of BNL, and furthered the foreign policy of the United States and Italy. CCC loans to Iraq continued to be approved at the highest levels of the United States Government long after the scheme was uncovered, and BNL-Rome continued to do business with the Iraqis and other entities who had participated in the scheme "to defraud" the bank. The Di Vito diary lists in detail a total of \$228 million in new loans by BNL-Rome to Iraq following a July 26, 1990 conversation. (Di Vito Diary, July 31, 1990.)

Two, departure is proper because the offense level is exaggerated by the dollar value involved in the scheme. There is little evidence that defendants' activities were the factual or proximate cause of the loss.⁵⁰ As recounted above, defendants' roles were a minuscule part of the offense, and the offense level "bears little relation to" defendants' role in the offense. United States v. Restrepo. 936 F.2d 661 (2d Cir. 1991). Indeed, it

⁵⁰ The Court notes that several of the defendants objected to the amount of the loss as stated in presentence reports. Others, inexplicably, did not.

is difficult to pinpoint the cause of the “loss” in this action.

Until the Gulf War intervened, Iraq had continued to make payments on many of the loans extended. On other loans, however, Iraq had defaulted. The amount of loss caused by these defendants then, “is complicated by considerations of multiple causation.” United States v. Gregorio, 956 F.2d 341 (1st Cir. 1992)(permitting a downward departure for “multiple causation”); United States v. Schneider, 930 F.2d 555 (7th Cir. 1991); United States v. Kopp, 951 F.2d 521 (3d Cir. 1991).

More important, the role of these defendants was trivial in relation to the scope of this scheme. Also, as recounted above, the victims’ conduct likely led to an increase in the amount loaned and the amount lost. This combination of causes takes the defendants outside the “heartland” of the fraud guideline and makes these cases appropriate for a downward departure.

Finally, the Court concludes that a downward departure is appropriate because there is simply no way the Sentencing Commission could have considered the vast range of conduct that is relevant to this case, dwarfing these individuals’ involvement. Neither this Court nor the public is likely to know the underlying motivations and purposes of the scheme that touched the branch bank, but it is clear that this case and all its permutations are unlike any set of facts covered by the mathematical formulas of the sentencing guidelines. Accordingly, a downward departure in this case is appropriate.

The Court grants the motions for downward departure.

It is so ordered this 23d day of august, 1993.

Marvin H. Shoob, Senior Judge
United States District Court
Northern District of Georgia

Court Hearing for Drogoul

Not satisfied with Drogoul’s decision to plead guilty, thereby protecting the kingpins in the scandal, Judge Shoob asked Drogoul to explain at the sentencing hearing, following Drogoul’s plea agreement, what had actually happened. Shoob had determined from the papers filed by Justice Department prosecutors and Drogoul’s lawyer that Drogoul was being made the scapegoat for the crimes of BNL home office and of the White House, and said so in open court. During one hearing, Shoob said:

I think the government entered into an effort early to support Iraq as a matter of national policy. They used the CIA and Italy to effectuate that purpose. Many of the things that were done were in violation of acts of Congress and U.S. arms export laws. They were aware of the law, and they skirted it. It was an effort to arm Iraq, and then, when things got out of hand, they didn’t want that information to come out.

“Only In Never-Never Land”

The prosecutor sought to deny that BNL’s home office was implicated, to which Shoob responded: “Only in never-never land would a combination of circumstances such as I have seen indicate that all this happened by chance.”

During the hearing in the Justice Department’s prosecution of Drogoul’s⁵¹ Judge Shoob issued an order dated October 5, 1992, that revealed much of the scandal:

This case involves billions of dollars raised and loaned in international finance. It involves allegations of an international bank fraud that may have helped pay for Iraq’s military build-up. But the more important issue before this Court involves a man’s liberty and serious questions about the integrity of our justice system and the almost unreviewable powers of prosecutorial discretion. The Court’s judgment and decisions throughout the hearings and motions before it have been guided by its belief that there is a moral component to the Court’s involvement in this case, the responsibility to do the right thing.

From the evidence presented during the hearing, this Court has reach and voiced certain preliminary conclusions and concerns about this case and the Government’s conduct in investigating and prosecuting defendant that may, from the prosecution’s viewpoint, interfere with this Court’s ability to her evidence with an open and impartial mind.

This court will set forth some of the tentative conclusions it has reached in hearing this matter and its reasoning in arriving at those conclusions. Set forth below are the bases for the granting of the motions to withdraw the plea and to recuse:

The knowledge of officials at BNL Rome

The Court concludes that officials at BNL-Rome were aware of and approved Mr. Drogoul’s activities. At the very least, BNL-Rome chose to ignore what were obvious signs of Mr. Drogoul’s extraordinary relationship with Iraq and his unusual lending practices. In support of this conclusion, the Court notes:

Classified reports from the CIA conclude, in part, that a number of high-level BNL-Rome officials supported Mr. Drogoul’s activities.⁵²

- *A senior BNL official, Mr. Monaco, referred an Italian company seeking financing for a major construction project in Iraq to BNL-Atlanta.*
- *The former head of BNL’s North American operations, Dr. Luigi Sardelli, provided credible testimony showing that senior officials in Rome approved or had knowledge of Mr. Drogoul’s activities.*

⁵¹ Criminal action # 1:91-CR 078-MHS

⁵² The Court will not reveal the contents of these documents because they remain classified. However, as the Court will discuss below, the Court is unable to see how they relate to national security and why they should remain secret from the defense counsel and the public.

- *Sardelli's letter criticizing defendant's activities was never delivered by the auditor to officials in Rome.*
- *Instead of auditing or investigating BNL-Atlanta, BNL-Rome officials elected to investigate Dr. Sardelli who appears to be the only "straight shooter" in the organization.*
- *BNL-Rome was an extremely political organization operating more as an agency of the Italian government than as a bank.*
- *Dr. Sardelli voiced his frustration with BNL-Rome in testifying that the BNL-Rome officials sent to the United States to investigate the Atlanta branch after the raid were the officials who should have been investigated.*
- *Dr. Sardelli testified that he believes officials at BNL-Rome knew of Mr. Drogoul's activities.*
- *There is evidence that documents may have been shredded by BNL officials shortly after the raid and that some files and documents are missing.*
- *BNL branches in Germany, England, and Canada were aware of BNL-Atlanta's substantial financing of Iraqi purchases and projects.*
- *The Government's witnesses from Morgan Guaranty and the Bank of New York and confidential CIA reports concluded that it was well-known in international banking circles that BNL-Atlanta provided substantial financing for Iraq's purchase of agricultural, Military and non-military products.*
- *The Italian parliament's extensive report on the "BNL scandal" concludes that Mr. Drogoul was not a "lone wolf" and that BNL-Rome's failure to adequately supervise the Atlanta branch permitted the continued illegal activity.*
- *Mr. Drogoul's co-defendant Paul Von Wedel and Jean Ivey, a BNL-Atlanta employee who was granted immunity, testified that they believed that officials in Rome were aware of BNL-Atlanta's involvement with Iraq, testimony the Court found credible. Mr. Von Wedel also testified that Mr. Drogoul had regular access to Dr. Giacomo Pedde, the director general of BNL, that Mr. Drogoul met with Mr. Monaco, a senior BNL official, in Baghdad, and that Mr. Florio, another senior BNL official, verbally approved early CCC loans to Iraq.*
- *Mr. Drogoul's first lawyer, Theodore Lackland, testified credibly that several individuals involved with the allegedly fraudulent transactions told him that officials in Rome were aware of the transaction and in fact had in their possession one of the allegedly fraudulent loan agreements (MTL-4).*
- *As the "victim" in this matter, BNL-Rome may be able to recover \$1-2 billion in unpaid CCC-backed loans to the Iraqis.*
- *When notified of the August 4, 1990, raid, Mr. Drogoul returned imme-*

diately to the United States, leaving his family in France. He met with BNL officials in New York, was furnished a lawyer who was to be paid by the bank, and continued as manager of the Atlanta branch for a week.

- *Mr. Drogoul's chief mentor at BNL in 1986-87 retired from BNL in 1987 and became a consultant at Entrade, a defendant in this case and a participant in the scheme.*

The Investigation and Prosecution of Mr. Drogoul

The Court has also come to a number of preliminary conclusions about the Government's investigation of this case. Primarily, the Court concludes that prosecutors failed to investigate seriously whether BNL - Rome knew of defendant Drogoul's activities. This failure, coupled with or provoked by the involvement of other departments of the United States Government, indicates an effort to absolve BNL-Rome of complicity in the Atlanta branch loans to Iraq. The Court Notes:

- *High-level officials in the Justice Department and the State Department met with the Italian ambassador to discuss the case. They appeared to help steer this case and gave support to BNL-Rome's position that it was a victim in this matter; assuring the ambassador that there "would be no surprises" for the Italians.*
- *The Justice Department cancelled investigators' necessary trip to Italy and Turkey, where they intended to interview bank officials and others with knowledge of the transactions and scheme.*
- *The Italian ambassador met with then-Attorney General Richard Thornburgh in Spring 1990 and told him that incriminating BNL-Rome in these transactions would be tantamount to "a slap in the face" of the Italians and would not be understood by the government of Italy.*
- *The local prosecutor in this matter received one or more highly unusual and inappropriate telephone calls from the White House Office of Legal Counsel about this case, indicating the potential embarrassment level of the case.*
- *The draft indictment was delayed by the Justice Department from early 1990 until the end of the Gulf War, February 1991, almost one year. Also, the plea bargain in which Mr. Drogoul agreed to plead guilty to only 60 counts rather than 347 and initiated by an assistant prosecutor when the chief prosecutor was out of the city effectively silenced Mr. Drogoul who had announced his intention to make a full disclosure at the plea hearing.*
- *The Government failed to produce and, apparently, made no effort to bring in any knowledgeable bank officials from Rome, including Pedde, Guadagnini, Monaco, Florio, for the sentencing hearing.*
- *The Government failed to interview Wafai Dajani, despite evidence of his substantial involvement with the scheme, when he was in Atlanta and*

had agreed to meet with the prosecution. Mr. Dajani, who has ties to the King of Jordan, was not indicted.

- *Investigators were blocked by the Department of Agriculture from interviewing Iraqi officials who were in the United States negotiating CCC guaranties and later were prohibited from traveling to Iraq to interview potential co-conspirators and witnesses.*
- *In early 1990, Atlanta prosecutors met with BNL-Rome lawyers, discussing the bank's position as a victim.*
- *The American Ambassador to Italy notified the Secretary of State, Justice Department and others in the Fall 1989 that BNL's management was worried about the prosecution of the case and wanted it raised "to a political level" and to achieve "damage control."*
- *Matrix Churchill, an Iraqi front company that was a clearinghouse for weapons procurement, was not indicted, although one of its officers was.*
- *The Government has provided no credible explanation for its failure to indict Wafai Dajani, matrix Churchill, Enka, and the Central Bank of Iraq .*
- ***Intelligence agencies***
- *The Court also tentatively concluded during the course of the hearings that it is likely that the United States intelligence agencies were aware of BNL-Atlanta's relationship with Iraq. For example:*
 - *The Central Intelligence Agency did not respond to repeated requests from the Court concerning CIA knowledge of and involvement in the activities of the Atlanta branch. The agency's earlier response to the carefully crafted September 1, 1992, request from the Acting United States attorney was evasive and concerned only knowledge of and involvement in unauthorized funding. The CIA continues to be uncooperative in attempts to discover information about its knowledge of or involvement in the funding of Iraq by BNL-Atlanta.*
 - *The raw intelligence reports indicate an awareness of extensive funding of Iraq by BNL-Atlanta.*
 - *There was no explanation as to the intelligence community's awareness or lack of BNL-Atlanta's role in funding the Iraqi military build-up despite extensive cable traffic between Baghdad and Atlanta and several trips to Baghdad by Drogoul, including one to an Iraqi military fair attended by U.S. officials, such as the U.S. Ambassador.*

E. Classified Information

The court is also concerned that the local prosecutors lacked access to classified information, which may have provided evidence on important elements of this case. The September 17, 1992, letter from the CIA to the local prosecutors shows that the CIA was not forthcoming with information it may have about the transactions at issue in this case, the one area of classified information made available to the court supports Mr. Drogoul's contention that his superiors approved of his activities.

While the court is well aware that there may be classified information in support of the Government's theory of this case, the Court is concerned that the prosecutors may have been blocked by agencies with political agendas from developing a full picture of this affair. This is particularly troubling in light of the fact that this information no longer seems relevant to national security and that, even if it is, there are procedures through which the CIA, and other agencies, can make classified information available without revealing sources and methods.

IV. Conclusion

There are grave questions as to how the prosecutors made their decisions in this case, both as to the nature of the charges and whom to prosecute. It is apparent that decisions were made at the top levels of the United States Justice Department, State Department, Agriculture Department and within the intelligence community to shape this case and that information may have been withheld from local prosecutors seeking to investigate the case or used to steer the prosecution.

Furthermore, the Attorney General's exceptional refusal to grant the Congressional request for an independent counsel in itself raises concerns for the Court about the Government's impartiality in handling this case.

Accordingly, this Court again strongly recommends that an independent prosecutor be named to investigate this matter. The Court also recommends that the trial of Mr. Drogoul and the sentencing of the other defendants in this case be postponed to enable the United States Government to employ its full resources to obtain all the facts rather than to continue with the prosecution's acceptance of BNL-Rome's version that BNL is a victim to avoid embarrassing a foreign government or to contain criticism of a failed foreign policy. The naming of an independent prosecutor in this matter would be an appropriate response to the 1990 Federal Reserve memorandum, commenting that the Iraqis are willing to sacrifice one individual to the vagaries of the United States criminal justice system.

The Court GRANTS defendant's motion to withdraw his plea of guilty and GRANTS the Government's motion to recuse.

IT IS SO ORDERED, this 5th day of October 1992.

Marvin H. Shoob, Senior Judge
United States District Court
Northern District Of Georgia

Replacement Judge Was a "Team Member"

The new judge, Ernest Tidwell, was more amenable to the Justice Department cover-up. Drogoul's lawyer, Robert Simels of New York, stated that the judge issued two rulings refusing to allow the bank manager to give

evidence showing that President George Bush and White House officials acted to carry out the fraud. He said that the judge blocked him from introducing evidence concerning the role of U.S. intelligence agencies in making the sham loans to Iraq, and the Italian government's efforts and pressures upon the Bush Administration to avoid indicting BNL. Judge Tidwell stated that this evidence was not related to the charges against Drogoul. That was not so.

This judicial strategy is repeatedly used against CIA personnel who for various reasons are charged with criminal offenses for carrying out their orders. The compromised judge renders orders barring the defendant from showing his CIA employment and that he was carrying out orders. They are barred from introducing CIA documents and barred from having CIA personnel appear. It happened to almost every CIA operative named in these pages.

Clinton's Rhetoric

While on the campaign trail, Clinton stated he would recommend the appointment of an independent prosecutor to investigate U.S. involvement in the BNL fraud. But upon assuming the presidency, and through Attorney General Janet Reno, who appeared to be more of a figurehead for the Justice Department, the position was changed. The Clinton Administration, including the Attorney General, argued that there was no U.S. involvement in the BNL corruption and that the BNL headquarters in Italy and the Italian government were not involved. Attorney General Janet Reno and President Bill Clinton were lying.

Cover-up Costing Americans Billions

Attorney General Janet Reno refused to appoint a special counsel to investigate the BNL scandal and in February 1995 agreed that U.S. taxpayers had to pay BNL the loan guarantees that made possible the arming of Iraq. She was stating in effect that the manager of a small BNL bank branch in Atlanta approved \$5 billion in loans without the knowledge of bank officials in Italy. This was of course ridiculous.

Italian Exposure of U.S. Culpability

A 340-page report by an Italian parliamentary commission⁵³ said that the illicit loans to Iraq from BNL were part of a U.S. policy to channel military aid to Iraq, under the direction of President George Bush. The report stated in part:

That the political direction of the whole operation was always firmly based in Washington is evident. Personalities in the Italian government and of BNL were aware of what was happening, or had received authoritative advice not to look too closely at the Atlanta branch operations....It is now evident...that the affair constituted an American political scandal.

⁵³ Wall Street Journal January 27, 1994.

In 2004, when the invasion of Iraq was not proceeding as planned, small pockets of U.S. media started reporting how it was the White House politicians during the 1980s that funded, armed, and encouraged Iraq's military actions. The second President Bush invaded Iraq on March 20, 2003, on the pretense that Iraq had weapons of mass destruction. Besides not having any such weapons, Bush conveniently ignored the fact that first President George Bush was part of the White House administration that secretly and illegally provided Iraq with the funds to wage war; that various weapons were provided to Iraq by and with the assistance of the United States, that it provided Iraq with intelligence, and provided tacit approval to invade Kuwait through Ambassador April Glaspie.

Heavily involved with these matters was Donald H. Rumsfeld, who first met with Saddam Hussein in December 1983, and approved the use of chemical weapons by Iraq and Iran.

A *Washington Post* article (June 12, 2003) made reference to the arming of Iraq by White House politicians:

Among the people instrumental in tilting U.S. policy toward Baghdad during the 1980-88 Iran-Iraq war was Donald H. Rumsfeld, now Defense secretary, whose December 1983 meeting with Hussein as a special presidential envoy paved the way for normalization of U.S.-Iraqi relations. Declassified documents show that Rumsfeld traveled to Baghdad at a time when Iraq was using chemical weapons on an "almost daily" basis in defiance of international convention.

The story of U.S. involvement with Saddam Hussein in the years before his 1990 attack upon Kuwait—which included large-scale intelligence sharing, supply of cluster bombs through a Chilean front company, and facilitating Iraq's acquisition chemical and biological precursors—is a topical example of the underside of U.S. foreign policy. It is a world in which deals can be struck with dictators, human rights violations sometimes overlooked, and accommodations made with arms proliferators, all on the principle that the "enemy of my enemy is my friend."

Reagan-Bush White House Responsible for Iraq's War Machine

A *San Francisco Chronicle* article (March 2, 2003) referred to how the United States made Iraq's weapon cache possible, with the heading, "U.S. is Saddam's armory." The article stated:

Iraq's Weapons Declaration underscores a tragic irony: The United States, the world's leading arms supplier, is taking the world to war to stop arms proliferation in the very country to which it shipped chemicals, biological seed stock and weapons for more than 10 years.

According to [Iraq's] December declaration [to the United Nations], treated with much derision from the Bush administration, U.S. and Western companies played a key role in building Hussein's war machine. The 1,200-page document contains a list of Western corpora-

tions and countries—as well as individuals—that exported chemical and biological materials to Iraq in the past two decades.

Embarrassed, no doubt, by revelations of their own complicity in Mideast arms proliferation, the U.S.-led Security Council censored the entire dossier, deleting more than 100 names of companies and groups that profited from Iraq's crimes and aggression. The censorship came too late, however. The long list—including names of large U.S. corporations—Dupont, Hewlett-Packard, and Honeywell—was leaked to a German Daily, *Die Tageszeitung*. Despite the Security Council cover-up, the truth came out.

Alcolac International, a Maryland company, is identified as transporting thiodiglycol, a mustard gas precursor, to Iraq. A Tennessee manufacturer contributed large amounts of chemical used to make sarin, a nerve gas implicated in Gulf War diseases.

Phyllis Bennis, author of *“Before and After,”* notes that “the highest quality seed-stock for anthrax germs (along with those of botulism, *E.coli*, and a host of other deadly diseases) were shipped to Iraq by U.S. companies, legally, under an official U.S. Department of Commerce license throughout the 1980s” A Senate Banking subcommittee report in 1994 confirmed that shipments of biological germ stock continued well into 1989.

According to Judith Miller in *“Germs: Biological Weapons and America's Secret War,”* Iraq purchased its seed stock—its “starter germs”—from “The American Type Culture Collection,” a supply company in a Washington, D.C. suburb

We tend to forget that the Reagan-Bush administration maintained cordial relations with Hussein in the '80s, promoting Iraq' eight-year war against Iran. Twenty-four U.S. firms exported arms and materials to Baghdad. As assistant Secretary of Defense Richard Armitage testified in 1987: “We cannot stand to see Iraq defeated.” The CIA, State Department, the central military command directing Middle East operations, were all aware of Iraq's biological-weapons efforts. Nevertheless, Iraq's applications were seldom denied.

The infamous massacre at Halabja—the gassing of the Kurds—took place in March 1988. Six months later, on Sept. 19, a Maryland company sent 11 strains of germs—four types of anthrax—to Iraq, including a microbe strain called 11966, developed for germ warfare at Fort Detrick in the 1950s.

The vast, lucrative arms trade in the Middle East created the groundwork for Hussein's aggression in Kuwait. Without high-tech weapons from the West, Iraq's wars against Iran and Kuwait would never have taken place.

The inspection process is spawning a host of questions about U.S. policy. Why weren't U.S. and European scientists, who invented and

produced lethal material for Saddam Hussein, subject to interrogations like their counterparts in Iraq? Are U.S. companies sending their deadly material to other dictators? Why are there no congressional hearings on the U.S. role in arms proliferation? And how many senators (like the voice of Connecticut's arms industry, Sen. Joe Lieberman) are taking contributions from the world's arms dealers?

The United States exports more weapons than all other countries combined, and Hussein is only one of many human rights abusers who purchased the means of terror from the West.

From 1983-88, Siad Barre, the mad dictator of Somalia, received from the United States 155 howitzers, 20-mm Vulcan air defense guns, light artillery pieces, mortars, anti-tank rocket launchers, a mass of firearms and ammunition.

Iraq's Poison Weapons Came from the United States

“The Means to make the poisons came from the west,” stated an article in the *New York Times* (April 13, 2003). In earlier pages I detailed how the Reagan-Bush administration provided Iraq the funds, assistance, and arms to build up the war machine that Bush junior later said made Iraq a danger to the United States.

Comparison of threats to Other Countries between Iraq and United States

- U.S. undermined foreign governments continuously since 1947 when the CIA came into being.
- Undermined the government of Iran, which resulted in the revolution of 1953, which occurred while I was in Iran.
- Undermined and funded and armed an army to overthrow the government of Nicaragua.
- Repeatedly attempted to assassinate Fidel Castro, even using organized crime groups to carry out the murder. Castro never threatened the United States.
- U.S. funded, armed, and initiated an invasion of Cuba.

Media Complicity

Most of the broadcast and print media personnel protected President Bush and his team by covering up for the repeated lying prior to the invasion of Iraq, during the invasion, and following the catastrophic consequences of the invasion. It then became necessary for everyone complicit in the cover-ups to prevent the truth from being known to the general public.

During the frequent appearances of White House officials on television, media personnel continued to protect the Bush cabinet—and themselves—by refusing to ask probing questions, or challenging the repetition of the statements that were long disproven. For the media personnel to now address the absence of any banned weapons—that they all along knew did not exist—they would alert the people to their role in one of the most deadly frauds perpetrated upon the American people since Vietnam.

No questions were asked about the lies relating to such matters as the chemical factories, the raw uranium from Niger, the balsa-wood primitive aircraft that constituted a threat to the United States, the absence of any prohibited weapons, the aircraft capable of reaching the United States with weapons of mass destruction.

Often, the questioning by media sources was preceded by congratulatory comments, such as by Fox's personnel. For instance, Chris Wallace, when interviewing Powell, preceded the question with, "Mr. Secretary, I know that you were reporting the best intelligence that you had from not only the U.S. intelligence community, but the whole world. But when David Kay came back that month or so ago and reported that they had found not stockpiles at all, on a personal level, how did you feel?"

A wandering, vague, or totally non-responsive answer was often given when a question concerning the obvious false statements made prior to the invasion of Iraq. If such questions were asked, it would be difficult to get

government politicians to appear on the shows, giving competitive shows a listener advantage.

Incalculable Damage to the Republic if the Public Knew

The editorial in the magazine, *Extra*, (October 2003), the magazine for *FAIR*, the Media Watch Group, had the title, “The Fragile Republic,” and may have addressed what I had felt for many years as the scandals that I documented were constantly being covered up.

Eventually, the scandals, the cover-ups, and the consequences, reached such a state that I felt no one and no group in or out of government would expose it because of several factors. One, there were so many people from so many key government and non-government entities criminally implicated that the consequences of exposure were too grave. Another factor that I thought was that the republic itself would be damaged too much, with the concurrent financial damages in much of the nation, for anyone to allow these matters to be exposed. The *Extra* editorial stated:

The paternalistic attitude can be seen in coverage of the famous “16 words” from Bush’s State of the Union speech. Why the focus on this one phrase—asserting that Iraq had tried to obtain uranium from Africa—among all the other false claims that were used to justify an unprovoked invasion of Iraq?

Part of the media’s reluctance to fully debunk all of the Bush team’s propaganda—the aluminum tubes, the nonexistent Al Qaeda links and so on—is simply self-protection. If the media were to acknowledge how thoroughly the war rationale was based on lies, it would reflect very poorly on our leading news organs, which overwhelmingly swallowed the lies with gusto.

But from establishment media’s point of view, more is at stake than just their own reputations. During any political scandal, there is concern that the issues be kept sufficiently narrow so as to avoid calling the government structure as a whole into question. It’s permissible to call for an admission that mistakes were made, and perhaps for rogue underlings to be sacrificed—but in the end, one must always be able to draw the moral that the system works.

[Referring to the Iran/Contra Scandal] I couldn’t help but notice the many ties between the secret army that the U.S. had created and the cocaine trade—ties that the most prominent papers did their best to ignore or dismiss. I asked a New York Times reporter why he had avoided interviewing sources who had made credible charges about CIA connections to the drug trade, and his answer (In These Times, 8/5/87) was shocking in its honesty: “This story can shatter a republic.”

Media and Politician Spin—Or Damn Lies

The polite word used for lying by media figures or politicians is “spin.” With the continued dumbing down of the people, the spin is worsening and in many cases insulting to the intelligence of even today’s population. Ques-

tions presented to politicians on radio and television shows are usually side-stepped, or a totally non-responsive answer given, or outright lies.

Sometimes there is an element of truth in the response—to give it the appearance of accuracy—and then followed with spin, or more accurately, lies, to present a totally false response. Never have the lies, blatant lies, been as bad as with the George Bush presidency and addressing the war plans upon Iraq. These lies required massive collusion of the broadcast and print media and a public embarrassingly ignorant on not only widely known facts but in basic intelligence.

Spin was used to justify the military invasion of Iraq and the killing of thousands of Iraqis. It was used to cover up the blame that enabled hijackers to seize four airliners on September 11. Lawyers use it all the time and the more preposterous, the greater the apparent naiveté of the media and the public. Possibly this is one reason why the media uses politicians rather than experts to explain aviation disasters or other matters that have links to misconduct in government.

Spin reverses the truth. It covers up for misconduct in government. Spin is lying, and sometimes, as with the “justification” for going to war with Iraq, it is deadly, the consequences of which the American public will suffer for years to come. It has a deadly impact in other areas also.

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Media Personnel as Shills For Corrupt Politicians

Many media personnel have become shills for corrupt politicians and government officials, willingly subjecting aiding and abetting the lies and the cover-ups, to the detriment of the country and the people, and becoming complicit in the catastrophic consequences.

Definition of Spin and Dumbing Down of the Public

Spin is the subject of derision or chuckles by those who recognize it, and accepted as truth by the mostly unsophisticated public. But it is lying, and it has deadly consequences, as with the spin given to justify the unprecedented military attack upon the people of Iraq. Spin reverses the truth. Spin is sometimes more innocent and does not harm anyone and is not a crime. In today’s level of comprehension by the public, the politician with the best spin and presentation can gain control of the most powerful office in the world. It covers up for misconduct in government. Spin is lying, and sometimes, as with the “justification” for going to war with Iraq, it is deadly, the consequences of which the American public will suffer for years to come. It has a deadly impact in other areas also.

Some of the worst and most obvious spinners were President George Bush II, National Security Advisor Condoleezza Rice, Secretary of Defense Donald Rumsfeld, and Secretary of State Colin Powell, followed closely by

most members of Congress.

In the media, the record goes to such personnel as Rush Limbaugh, Bill Riley, and most of the Fox Channel spin masters. Their lying covered up for conduct that ended up deadly for many people, and undermined the security of the United States.

Many reporters or television commentators spin the spinners. They put a good spin on the lies of politicians that they support. Never in the nation's history has the comments by Mark Twain been more prominent: "There are three kinds of lies: lies; damned lies; and statistics."

CBS Spin

CBS' Internet site carried the headline, "Bush Knew Iraq Info Was False," but then quickly changed it from the explosive lying significance to read, "Bush Knew Iraq Info Was Dubious."

In the book, *Bias*, former CBS insider, Bernard Goldberg, reveals how the media distorts the news. Goldberg described how reporters routinely regurgitated the propaganda of pressure groups and government agencies to the detriment of honest reporting, and how fairness, balance, and integrity have disappeared from network television. Goldberg was in high CBS offices for three decades and had received seven Emmy awards and had been featured in TV Guide. Goldberg wrote:

If learning anything after all these years after all these years as a network newsman, I know this much: never-never! underestimate how low news executives, and TV people in general, will go in the pursuit of higher ratings. If CBS, ABC, and NBC news could frighten main street America, they would.

Spinning the Spinners

Many reporters or television commentators spin the spinners. They put good spin on the lies of politicians that they support. In today's level of comprehension by the public, the politician with the best spin and presentation can gain control of the most powerful office in the world.

Bait and Switch, another Media Tactic Using Labels

That Reverse the Facts Stated in the Text

An announcement on Houston's *KPFT News* described manipulating the facts:

A recent CBS story—attributed to the U.S. Central Command—raises important questions about the role of media and journalism in general. Specifically: CBS carried the headline: "Civilians Turning on Saddam!" It is significant that this headline seemed to have come at the end of several days in which an overwhelming number of stories would have led dispassionate observers to the opposite conclusion: that instead of rallying to the American "liberators," the Iraqi people were instead stiffening their resistance, even as revulsion throughout the Middle East seemed to rise with each new story involving the deaths of Iraqi civilians, rifts between Rumsfeld and the Pentagon brass and British sol-

diers refusing to carry out orders certain to result in civilian deaths.

Wall Street Journal Editorial Reversing the Facts

A Wall Street Journal editorial (January 9, 2002) by publisher Peter R. Kann, covering half the page, stated the very opposite of what I had observed for many years:

This progress report carries forward a custom begun 25 years ago. It reflects our belief that publishing a newspaper is a public trust for which we are accountable first of all to you our readers. ... that quality, above all, is what the Journal prides itself on providing to its readers. It's a quality that has never been more essential than in these months of cascading news events. ... the response to these challenges has left me as proud of this publication, and as optimistic about its prospects, as I have ever been in the 20 years I have been responsible for it.

This hypocrisy fails to mention that I had been making the *Wall Street Journal* aware for the past 30 years of the corruption that I and other government agents had discovered. I had even filed a lawsuit against the Wall Street Journal in 1990 on the basis of its cover-up of criminal activities implicating government officials.

Frank Admission of Media News Alterations

Christiane Amanpour, one of CNN's top war correspondents at the time, stated during CNBC's *Topic A With Tina Brown*:

I think the press was muzzled, and I think the press self-muzzled. I'm sorry to say, but certainly television and, perhaps, to a certain extent, my station was intimidated by the administration and its foot soldiers at Fox News. And it did, in fact, put a climate of fear and self-censorship, in my view, in terms of the kind of broadcast work we did.

Asked if there were any stories during the US invasion of Iraq that she couldn't report, Amanpour responded:

It's not a question of couldn't do it, it's a question of tone. It's a question of being rigorous. It's really a question of really asking the questions. All of the entire body politic in my view, whether it's the administration, the intelligence, the journalists, whoever, did not ask enough questions, for instance, about weapons of mass destruction. I mean, it looks like this was disinformation at the highest levels.

Fox "News" Channel's Double Standards

Fox News Network sued author Al Franken, claiming that he satirized the Fox News Channel in his book, *Lies, and the Lying Liars Who Tell Them: A Fair and Balanced Look at the Right*. In the lawsuit Fox claimed that they trademarked the phrase, "Fair and Balanced," which they claimed described their news coverage, and that Franken's use of that phrase tarnished Fox's claim. In the lawsuit Fox claimed:

Franken is neither a journalist nor a television news personality. He is not a well-respected voice in American politics; rather, he appears to be shrill and unstable. His views lack any serious depth or insight.

Instead of using facts, the Fox complaint accused Franken of being “either intoxicated or deranged” at a press correspondents’ dinner occurring several months earlier.

One trait that most of Fox News commentators could never claim, and especially Bill O’Reilly, is fair and balanced. Their cover-ups of the facts as they sought to protect the lying by President Bush and his cabinet required an audience totally without knowledge of the facts that disproved each of the false statements repeatedly uttered by the Bush administration. I often wondered how the public could be so ignorant of the facts known worldwide and accessible on the Internet. I was appalled at the bald-faced lying by most of the Fox television personnel.

Refusing to Ask Direct Questions or Challenge Known Lying

During the frequent appearances of White House officials on television, media personnel continued to protect Bush by refusing to ask the probing questions about the false statements that were made to justify invading a country that had not engaged in any threat to the United States or its neighbors. No questions were made of the claims that had inflicted such great harm upon the people of Iraq, that destabilized the Middle East, that generated worldwide hatred for America, that had so brutally brought about the deaths of so many people. But to do so would have raised the question of why these same media people had aided and abetted the fraud upon the American people that now was resulting in such calamitous reactions.

No questions were asked about the lies relating to such matters as the chemical factories, the uranium from Niger, the primitive aircraft that allegedly constituted a threat to the United States, the absence of any prohibited weapons, absence of the repeatedly claimed weapons of mass destruction, the aluminum tubes, and other claims.

Often, the questioning by media sources was preceded by congratulatory comments, such as by Fox’s personnel. For instance, Chris Wallace, when interviewing Powell, preceded the question with, “Mr. Secretary, I know that you were reporting the best intelligence that you had from not only the U.S. intelligence community, but the whole world. But when David Kay came back that month or so ago and reported that they had found not stockpiles at all, on a personal level, how did you feel?”

Public Relation Firms and the CIA

The CIA uses public relations firms to perform domestic activities that the CIA is barred by law from doing. Washington-based Hill & Knowlton, for instance, acted as a conduit for propaganda news releases to the media. The firm had numerous CIA and other intelligence agency personnel on its board of directors. Robert Gray, who created and operated Hill and Knowlton since 1961 had numerous contacts with the CIA and other intelligence groups and with such CIA personnel as William Casey, Edwin Wilson, Oliver North, and Robert Owen. Gray also formed his own company with CIA contacts and was on the Board of Directors of several covert CIA

companies that fronted for Task Force 157, an Office of Naval Intelligence operation.

Covert Action, in its Spring 1993 issue, told how U.S. intelligence agencies use public relation firms, journalists, and authors to print what they want the American public to hear. The article reported, "In a typical issue of the *Wall Street Journal*, more than half the news stories were based solely on [government-provided] press releases." The article continued: "Reporters were paid by the CIA, sometimes without their media employer's knowledge, to get the material in print or on the air." They reported that news organizations ordered their writers to repeat what was fed to them by the CIA.

A former CIA employee, Robert T. Crowley, whose job was to act as liaison with corporations, admitted that public relations firms are continuously used by the CIA "to put out press releases and make media contacts." The CIA's use of U.S. media has been well detailed in publications related to the intelligence agencies. Much of what is stated as "news" by the media is really press releases from CIA-connected public relation firms. Author Susan Trento wrote:

*Reporters were paid by the CIA, sometimes without their media employers' knowledge. Reporters were paid by the CIA, sometimes without their media employers' knowledge, to get the material in print or on the air. But other news organizations ordered their employees to cooperate with the CIA, including the San Diego-based Copley News Service. But Copley was not alone, and the CIA had "tamed" reporters and editors in scores of newspaper and broadcast outlets across the country. To avoid direct relationships with the media, the CIA recruited individuals in public relations firms like H&K to act as middlemen for what the CIA wanted to distribute.*⁵⁴

The spring 1993 issue of *Covert Action* described the misleading news given to the American public:

In a typical issue of the Wall Street Journal, more than half the news stories were based solely on press releases [from government personnel]. Hill and Knowlton...were perfect "cover" for the ever-expanding CIA. The CIA...used its H&K connections to put out press releases and make media contacts to further its positions. H&K employees at the small Washington office and elsewhere, distributed this material through CIA assets working in the United States news media. Since the CIA is prohibited from disseminating propaganda inside the U.S., this type of "blow-back"—which former CIA officer John Stockwell and other researchers have often traced to the Agency—is illegal. While the use of U.S. media by the CIA has a long and well-documented history, the covert involvement of PR firms may be news to many.

Who Rules America?

Covert Action described how reporters depend upon the close intelli-

⁵⁴ Interview with John Stockwell, *Propaganda Review*, No. 6, Winter 1990, p. 14.

gence community for much of their “news,” and how the media protects these sources. An article written by the research staff of *National Vanguard Books* described the slanted news by the press and entertainment media: *Who Rules America?*

Their power...reaches into every home in America, and it works its will during nearly every waking hour. It is the power which shapes and molds the mind of virtually every citizen, young or old, rich or poor, simple or sophisticated. The mass media form for us our image of the world and then tell us what to think about that image. Essentially everything we know—or think we know—about events outside our own neighborhood or circle of acquaintances comes to us via our daily newspaper, our weekly news magazine, our radio, or our television.

Employing carefully developed psychological techniques, they guide our thought and opinion...Most Americans fail to realize that they are being manipulated. Even the citizen who complains about “managed news” falls into the trap of thinking that because he is presented with an apparent spectrum of opinion he can escape the thought controllers’ influence by believing the editor or commentator of his choice. Every point on the permissible spectrum of public opinion is acceptable to the media master, and no impermissible fact or viewpoint is allowed any exposure at all, if they can prevent it.

Media Circus

In the book, *Media Circus*, written by *Washington Post* media critic, the author ridicules the lack of investigative reporting, absence of penetrating insight, or newsworthy news that exists in America’s newspapers:

The nation’s watchdogs have become lap-dogs, and groveling spineless mutts at that. And nobody, the American public especially, appears to give a thinker’s damn.

Media Admission of Being CIA Fronts

It is well known in the intelligence community that the intelligence community has many media personnel and corporations on their payroll, insuring that the public is denied knowledge of the true facts and the long list of costly corrupt activities described in these pages. Many articles have been written about this fact of life. For instance, the *Washington Post* (February 16, 1996) described the CIA’s use of American journalists and news organizations during “the past 19 years,” and even using them as cutouts or fronts for CIA activities.

Using Covert Media Sources Continues as CIA Policy

The article made reference to earlier discoveries “that the CIA had clandestine agents posing as American journalists for decades.” Executive editor of the *Washington Post*, Leonard Downie, Jr., stated, “It’s disturbing to hear that the CIA has either used the cover of legitimate journalistic organizations without their knowledge, or somebody working for them has been recruited by the CIA.” CIA spokesman Mark Mansfield said the use of the media is permitted by a regulation “waived by the agency’s director...and

permitted by a regulation “waived by the agency’s director...and has been and continues to be the CIA’s policy.”

Over 800 News and Public Information Sources and Individuals

A December 1977 article in the *New York Times* reported that in the mid 1960s the CIA “owned, subsidized or otherwise influenced...more than 800 news and public information organizations and individuals.”

Americans Suffered Greatly for Media Cover-ups

Americans have paid a terrible price for disinformation, corruption, and determined ignorance of the decades of corruption by government personnel and in covert government operations.

The drug smuggling into United States by people in government positions, October Surprise, looting of the savings and loans, corruption in the federal courts, and especially the bankruptcy courts, and the many other areas I detail and document in my various books. The conditions that enabled 9/11 to occur could not have existed within cover-ups by media personnel. The lies that got the United States embroiled in the war against Iraq and the massive blowbacks from that which will last for decades, would not have occurred if media personnel had not aided and abetted the corrupt activities that have today escalated as never before.

A year after the invasion of Baghdad had been completed, President Bush, Secretary of Defense Donald Rumsfeld, National Security Advisor Condoleezza Rice, and Secretary of State Colin Powell, still argued that there must be weapons of mass destruction yet to be found. They had plenty of skills in the media supporting that line, including Russ Limbaugh Bill O’Reilly and others.

Not much larger than the state of California, years of intensive UN investigations that even went into people’s bedrooms, and now a year after over a hundred thousand American troops went throughout Afghanistan, the White House still thinks there must be weapons of mass destruction yet to be found.

When this line became even more ludicrous than before the invasion, Bush started using the line that the world is better off without Saddam Hussein, and then repeated his usual freedom, liberties, democracy line.

Also sprinkled in with the now-monotonous freedom, liberties, and democracy was the line that there was less terrorism following the invasion of Iraq. Of course, the fact that his conduct bred an unprecedented increase in those with a hatred for the United States and Americans in general, didn’t seem to register with him.

Pathetic Response From Large Sections of Americans

Other problems compounded the White House lying. The sheer number of media personnel who had access to the truth, and who either refused to provide the public with this information, or who actually lied as they parroted the lying from the White House politicians, is another problem subverting national interests.

Another problem was the massive support by the public for the lying coming from the White House politicians, much of it along party lines. Public ignorance by this large a percentage of the public is partly caused by the media cover-up and disinformation, but many of the people supporting the White House politicians lies and deadly conduct knew better. This reflects a grave problem when people will support subverting national interests to support a politician in the same party or for some other reason.

Majority of Public Supported the Lying and Conduct

Despite all the information showing these conditions to exist, most of the American public supported the perpetrators. A few voiced disapproval, but only when the going got ugly for them.

Filing Complaint Against Fox “News”

Two groups filed a complaint with the Federal Trade Commission (July 19, 2004) charging Fox News Channel with deceptive advertising. The basis was the slogan “fair and balanced” on the basis that it is deceptive in that Fox New Channell was more involved in propaganda to protect the Bush administration. The complaint was filed by Common Cause, a political watchdog group, and MoveOn.Org. An other complaint was filed by the Independent Media Institute. The complaint stated:

MoveOn.org.Inc. and Common Cause hereby petition the commission to initiate a Complaint ... for deceptive practices in the advertising and marketing of cable television programming. Specifically, Fox News has advertised and promoted the Fox News Channel (“FNC” using the slogan and mark “Fair and Balance,” but FNC’s news and commentary programming is not remotely “fair” or “balanced.” To the contrary, that programming is deliberately and consistently distorted and twisted to promote the Republican Party of the U.S. and an extreme rights-wing viewpoint.

The Commission should institute an enforcement proceeding against Fox News; order Fox News to cease and desist from using the slogan and mark “Fair and Balanced;” and take such other action as may be appropriate to remedy the injury to consumers from Fox News’ deceptive practices.

SUMMARY

By the network’s own account, Fox News has consistently and regularly used the phrase “Fair and Balances” to promote FNC’s television programming. Fox News has, in fact, registered as a trademark the phrase “Fair and Balanced” for television news and for certain classes of merchandise.

By any objective measure, FNC’s programming is not “Fair and Balanced.” To the contrary, recent research and studies of the network’s programming demonstrate that:

- *Network management instructs line producers and correspondents to structure their coverage of events in a way that specifically promotes the positions of the Bush Administration and the Republican Party.*
- *The network's coverage of current events is grossly distorted and biased. For example, a recent survey showed that much higher percentages of viewers whose main source of news is FNC have misperceptions about indisputable facts about the war, than do viewers of other news outlets.*
- *The network makes no effort whatsoever to achieve any semblance of balance on its many interview shows.*
- *For example, a study of the interview show "Special Report with Brit Hume" for the last six months of 2003 concluded that conservative guests outnumbered progressive guests five to one; and a similar study of the program in 2002 concluded that conservative guests outnumbered progressive ones, 14 to one.*

The FTC's policy is to find advertising to be deceptive, within the meaning of section 5 of the Act, if a claim was made; the claim was likely to mislead a reasonable consumer; and the claim was material. In the case of FNC, a viewer of television news who does not strongly identify with either political party or any particular ideology, or who is seeking balanced, neutral, objective news coverage, might well be induced to view FNC by reason of the claim that its coverage is "Fair and Balanced." There can be no doubt that such a consumer would be seriously misled, in that FNC's coverage is grossly distorted, unfair and unbalanced.

MoveOn co-founder Wes Boyd said: "It's no longer about the search for the truth. Fox has taken up a truly partisan role."

The Fox News Channel was started by Roger Ailes, a Republican political consultant, in 1996, and staffed it with such spin masters as Bill O'Reilly and Sean Hannity.

Communists had Pravda, Republicans have Fox

"The Communists had *Pravda*; Republicans have *Fox*," was the half-page title in the *New York Times* (July 20, 2004). The informational ad was placed by MoveOn.Org, and described the slanted stories covering up for the lies by the Bush administration. It stated:

Fox News calls itself "fair and balanced." But in the words of our greatest living newsman, Walter Cronkite, Fox has always intended to be "beyond conservative, a far-right wing organization." All the Fox news programs get daily marching orders from the top, specifying the day's stories and slant. Says Cronkite: "I've never heard of any network, or any other legitimate news organization doing that."

Bad news from Iraq is minimized, while the patriotism of war opponents is questioned. This conservative ideology is effectively being packaged in Fox's "high-tech tabloid" style, where commentators and

reporters are interchangeable, sarcasm and hyperbole commonplace, and fear mongering is the order of the day.

We're petitioning the Federal Trade Commission this week, to deny Fox permission to use the slogan "fair and balanced." Ultimately, Fox doesn't really do the news; they are state of the art mass propagandists. It's a simple question of false advertising.

The Party Line

Recent excerpts from the daily instructions given to Fox News reporters and producers by senior management:

"The so-called 9/11 commission has been meeting. Do not turn this into Watergate."

"Today is likely to be the apex of the so-called 9/11 commission hearings. Remember that while there are obvious political implications for Bush, the commission is looking at eight ears of the Clinton Administration versus eight months for Bush."

"Do not fall into the easy trap of mourning the loss of U.S. lives in Iraq and asking out loud why we are there." (4/4/04)

Let's refer to the US marines we see in the foreground as 'sharpshooters,' not 'snipers,' which carries a negative connotation." (4-28-04)

"The president and VP are MEETING with the 9/11 commission. They are NOT testifying..." (4/29/04)

New York Times Apologizing for Supporting Lies

An apology editorial appeared in the *New York Times* (July 16, 2004), apologizing for its prior publishing of information supporting President Bush's charges related to Iraq. The editorial, titled "A Pause for Hindsight," stated:

Over the last few months, this page has repeatedly demanded that President Bush acknowledge the mistakes his administration made when it came to the war in Iraq, particularly its role in misleading the America people about Saddam Hussein's weapons of mass destruction and links with Al Qaeda. If we want Mr. Bush to be candid about his mistakes, we should be equally open about our own. [This candid was associated with several highly publicized fabricated stories by Times reporters, and the appointment of an ombudsmen.]

During the run-up to the war, The Times ran dozens of editorials on Iraq, and our insistence that any invasion be backed by "broad international support" became a kind of mantra.

We agreed with the president on one critical point: that Saddam Hussein was concealing a large weapons program that could pose a threat to the United States or its allies. We repeatedly urged the United Nations Security Council to join with Mr. Bush and force Iraq to disarm.

As we've noted in several editorials since the fall of Baghdad, we were wrong about the weapons. And we should have been more aggressive in

helping our readers understand that there was always a possibility that no large stockpile existed.

At the time, we believed that Saddam Hussein was hiding large quantities of chemical and biological weapons because we assumed that he would have behaved differently if he wasn't. It there were no weapons, we thought, Iraq would surely have cooperated fully with weapons inspectors to avoid the pain of years under an international embargo and, in the end, a war that it was certain to lose.

That was a reasonable theory. But it was only a theory. American intelligence had not received any on-the-ground report from Iraq since the Clinton administration resorted to punitive air strikes in 1998 and the U.N. weapons inspectors were withdrawn. The weapons inspectors who returned in 2002 found Iraq's records far from transparent, and their job was never made easy. But they did not find any evidence of new weapons programs or stocks of prohibited old ones. When American intelligence agencies began providing them tips on where to look, they came up empty.

We're not blaming ourselves for failing to understand the thought process of an unpredictable dictator. Even if we had been aware before the war of the total bankruptcy of the American intelligence estimates on Iraq, we could not have argued with any certainty that there were no chemical or biological weapons.

But we do fault ourselves for failing to deconstruct the W.M.D. issue with the kind of thoroughness we directed at the question of an Iraq-Al Qaeda link. We did not listen carefully to the people who disagreed with us. Our certainty flowed from the fact that such an overwhelming majority of government officials, past and present, top intelligence officials and other experts were sure that the weapons were there. We had a groupthink of our own.

Saddam Hussein was indisputably a violent and vicious tyrant, but an unprovoked attack that antagonize the Muslim world and fractured the international community of peaceful nations was not the solution. There were, and are, equally brutal and potentially more dangerous dictators in power elsewhere. Saddam Hussein and his rotting army were not a threat even to the region, never mind to the United States.

Many politicians who voted to authorize the war still refuse to admit that they made a mistake. But they did. And even though this page came down against the invasion, we regret now that we didn't do more to challenge the president's assumptions.

Journalists Covering their Backs

After almost every lie given by the Bush administration for invading Iraq were further show to be lies, journalists were scrambling for cover. Most continued to parrot the lies despite the overwhelming proof disproving them. Some used the argument that the invasion of Iraq was justified to get rid of Saddam Hussein. Using this argument, dozens of other countries

should also be invaded, killing thousands of their citizens, to rid the country of a leader that is considered oppressive—some of whom were put in power with covert U.S. assistance.

Almost Total Blanket of Support by Republican Politicians

Aiding and abetting the deception foisted upon the American people by the Bush administration were almost all of the republican politicians. Despite knowing of the serial lying and catastrophic consequences, their interest was more in protecting the guilty—and their own political position—than in protecting the United States.

Gloomy Outlook for Uninformed Americans

The corruption within government offices in the United States constitutes a greater threat and source of actual harm than any foreign terrorists for many people. In addition, compounding this threat and source of harm, the conduct by these same people has caused people throughout the world to hate Americans. In this way, U.S. leaders constitute a double threat to the average American.

The protections guaranteed by the laws and Constitution are being systematically destroyed while corruption in government offices is expanding. Boldfaced lies from politicians and high management in government are routine, and being accepted as truth by most of the gullible public.

What had been unthinkable in the past has become reality. Our form of government, and what were formerly constitutional rights, are being reconstructed. The protections the public *thinks* to exist in our form of government are being prostituted by those paid and entrusted to uphold these protections.

Expanding Practice of Lying and Corruption in Government

In my many years of being an insider and close to insiders in government, I've seen the escalating lying and corruption. I first saw the corruption in government and at United Airlines when I was given the assignment to correct the conditions resulting in the worst series of airline crashes in the nation's history. Since then, with the help of dozens of other government agents and insiders, I've been able to detail and document these matters in the books written for the sole purpose of informing the public of the Trojan horse corruption that is spreading throughout government.

People say it is Impossible to Arouse the American Public

Many people have said that the public is too unsophisticated, too indolent, too engrossed in trivial matters, to exert any interest in corrupt government officials and politicians. Those who say the public will never respond may be right. By 2004, I had appeared as guest and expert on over 3000 radio and television shows, describing the corruption and great harm

that I discovered as a key federal aviation safety agent. Callers expressed concern, and then did nothing. Either the public can't understand, or they don't care.

Lack of Public Outrage and 9/11

One area where public apathy played a role in the events of 9/11, was its indifference to the deadly corruption in the government's aviation safety offices. I had appeared on thousands of radio and television shows revealing details of this corruption and how the misconduct made possible a series of fatal airline crashes. I wrote several editions of *Unfriendly Skies* that sold many thousands of books and had excellent and alarming book reviews. These matters detailed and documented the corruption and the deadly consequences. But the public didn't react. It is probable that some of the people who perished on 9/11 from the hijackings of four airliners had heard my charges in the past and did nothing to help correct the conditions.

If more of the public had reacted to the information I was making available, it is possible that the corruption that created the conditions allowing hijackers to seize four airliners on 9/11 could have been corrected.

But even after 9/11, the same indifference exists to these charges, which will surely continue the decades of cover-up consequences.

In fraud-related airline crashes, even the next-of-kin showed no reaction to my charges, rushing instead to law firms, seeking money for the death of a loved one. In this way the people in government most responsible for the death of a loved one could continue their corrupt activities, and the conditions that would result in prior crashes and deaths continued.

The same can be said of the harm resulting in other areas affected by corrupt government personnel. Many people have been sent to prison on drug charges that were sham charges, or perjured testimony brought about by government prosecutors, or drug smuggling involving government agents. My books, and those of other former government agents, have shown the drug smuggling involvement by government agents and even officials in the White House while White House politicians were subverting the government of Nicaragua.

If more of the public assisted in getting this information known, and showing some degree of outrage, many people would not have had their lives destroyed by going to prison. Many have life in prison sentences.

Price Paid for Cover-ups and Apathy

Cover-ups have come with a heavy price. The guilty continue their corrupt and criminal activities; they remain in government offices and often upgrade their position. The tragedies continue, which in the aviation arena are deadly events—such as the 9/11 hijackings and many other aviation events.

Most Irresponsible Training-Wheel President Ever

The public supported the planned impeachment of President Richard Nixon, who then resigned after he tried to cover up for a two-bit political

burglary in which he had no prior knowledge. No one was greatly harmed. But the same public remained very protective of the serial lying by President Bush following his invasion of Iraq based upon flat-out statements that were known to be untrue when uttered and further proven to be false years afterwards. Thousands died from the serial lying by the president of the United States, but large segments of the public still supported—aided and betted—the president. None called for his impeachment.

Washington Post personnel, the primary catalyst for the impeachment of President Nixon, were silent about the lying by President Bush, and for other crimes involvement government personnel, such as the CIA involvement in drugs.

Actions Leading to Catastrophic Nuclear War

Every day that President Bush remained in office continued the threat of further trigger-happy actions that could result in Armageddon for the United States. Nothing appeared to have been learned from the invasion of Iraq, the meddling in the affairs of other countries, or subverting foreign governments. In what will probably start the next war, a nuclear war, will be the continued arming of Taiwan, knowing that war with China would eventually occur.

In July 2004, the United States sent a fleet of naval vessels not seen since World War II into the waters near China and Taiwan, as President Bush's show of force to the Chinese and warning of what may occur if China takes action to bring its former province into mainland China.

National Security Advisor Condoleezza Rice rejected the objections from China of U.S. arming of Taiwan. "Rice Refuses Beijing on Taiwan Weapons," was the headline on *Washington Post* article. (July 9, 2004), stating:

U.S. national security adviser Condoleezza Rice met top Chinese leaders on Thursday and rebuffed their demands for an end to U.S. arms sales to Taiwan. In recent months U.S. officials have expressed concern about rising tensions across the Taiwan Strait and the risk of U.S. forces being dragged into a conflict there. On Thursday, she met with Jiang Zemin, China's military chief and former president, and Foreign Minister Li Zhaoxing, and is scheduled to see President Hu Jintao and another senior foreign policy official, Tang Jiaxuan, on Friday.

Electing Charisma Over Intelligence and Experience

In July 2004 presidential candidate John Kerry selected Senator John Edwards to be his running mate as vice president, causing wild euphoria among the Democrats. Edwards had charisma, but was inexperienced and acted accordingly. He had served only one term in Congress and his reelection was in doubt. Kerry and Edwards were filmed constantly pawing over each other, embracing like a couple of school kids who had just seen their ball team win a game. Despite these serious shortcomings, a majority of the public endorsed the selection.

No thought was given to the possibility that much of the United States was already in a world conflict as a result of young inexperienced George Bush's invasion of Iraq and that the dangers facing the United States were now much greater, and that a seasoned head of state was urgently needed.

With the increasing terrorist threat that came about from the conduct and policies in the Middle East by U.S. politicians, the support for the continued occupation of Palestine by Israel, and the impending conflict with China, no thought was given to the life-and-death need to have experienced and statesman-like leaders in the White House.

Same Culture That Enabled Pearl Harbor to occur Enabled 9/11

The success of the Japanese's sneak attack upon Pearl Harbor resulted from the same culture that enabled 9/11 to occur. I had been in the navy a year when the Japanese attacked Pearl Harbor on December 7, 1941, and could see the lackadaisical war preparations that existed.

The same failure continued thereafter, making possible the events of 9/11. However, the culture of never addressing problems that existed prior to Pearl Harbor was compounded on 9/11 by hardcore corruption in government offices, as I describe within these pages

On the Sunday morning of the Pearl Harbor attack, radar personnel on Oahu spotted hundreds of aircraft approaching Oahu from the Northwest. These reports of hundreds of aircraft were ignored on the basis that a few airplanes were due to arrive from the U.S. mainland—arriving from the opposite direction. The aircraft coming from California would be coming from the east, not the northwest. In addition, a Japanese miniature sub was sunk at the entrance to Pearl Harbor several hours before the attack. Nothing alerted the defenders. In addition, aircraft were parked in a row, making it easy for one enemy airplane to wipe out several squadrons of aircraft.

The hijackings of 9/11 were preceded by fifty years of airliner hijackings, for which federal aviation personnel had the authority and the responsibility to order the known preventative actions. I repeatedly reported the corruption in the government's aviation safety offices that was associated with aviation disasters, the blocks to ordering correction of serious safety problems, and the attacks upon inspectors who sought to perform their federal aviation safety functions.

I and other government agents repeatedly reported these corrupt activities, without any action taken. Terrorists planning to hijack airliners and fly them into buildings were known for several years prior to 9/11, and still, nothing was done.

Public's Absence of Knowledge or Curiosity on Worldly Matters

When it came to history and international events, or the wrongdoings of White House politicians and the CIA, the American public was utterly lacking in knowledge or curiosity. They knew, or cared nothing, about the blowback effect of earlier meddling into the affairs of Middle East countries.

Serial Lying by President Bush Known before Invasion

The evidence showing the serial lying by President Bush and his team was easily found on the Internet and in foreign media long before Bush authorized invading Iraq. By putting into search engines certain common key words, hundreds of sites showed up that included reports and evidence contradicting the Bush allegations.

U.S. journalists knew about this information long before President Bush ordered the invasion of Iraq. They remained quiet, or supported the lying, making possible the catastrophic consequences that followed, and making themselves complicit in the fraud upon the American people. The same can be said for many members of Congress, and especially the Republican members putting support for the president above support for the nation.

Polling the Uninformed and Naïve Public for Approval

What appeared to have started during the Clinton Administration rapidly expanded during the Bush Administration, as misconduct was rationalized by taking public polls and publishing the results to show that most of the public supported the president's conduct. But the majority of the public was so pathetically uninformed about what went on behind the scenes in government that they were incapable of giving an intelligent opinion. Part of the reason for being uninformed was the cover-ups and disinformation by most of the broadcast and print media personnel.

View of American Public to European Audience

An article by syndicated columnist David Brooks (June 26, 2004) listed some of the statements made by Michael Moore, the producer of *Fahrenheit 9/11*, to European audiences. Brooks' article stated:

During an interview with the British paper, The Mirror, that Moore unfurled what is perhaps the central insight of his oeuvre, that Americans are kind of crappy.

They are possibly the dumbest people on the planet ... in thrall to conniving, thieving smug [pieces of the human anatomy],” Moore intoned. “We Americans suffer from an enforced ignorance. We don't know about anything that's happening outside our country. Our stupidity is embarrassing.”

Moore has been kind enough to crisscross the continent, speaking to packed lecture halls, explicating the general vapidness and crassness of his countrymen. “That's why we're smiling all the time,” he told a rapturous throng in Munich. “You can see us coming down the street. You know, “Hey! Hi! How's it going? We've got that big [expletive] grin on our face all the time because our brains aren't loaded down.”

Before a delighted Cambridge crowd, Moore reflected on the tragedy of human existence: “You've stuck with being connected to this country of mine, which is known for bringing sadness and misery to places around the globe.”

In the days after Sept. 11, while others were disoriented, Moore was able to see clearly: “We, the United States of America, are culpable in committing so many acts of terror and bloodshed that we had better get a clue about the culture of violence in which we have been active participants.”

He writes about those who are killing Americans in Iraq: “The Iraqis who have risen up against the occupation are not ‘insurgents’ or ‘terrorists’ or ‘The Enemy.’ They are the revolution, the Minutemen, and their numbers will grow, and they will win. Until then, few social observers had made the connection between Abu Musab al-Zarqawi and Paul Revere.

Brooks article was probably meant to chastise Moore, but many knowledgeable and thinking people will see an element of truth in what he said, especially about the ignorance of the American people concerning the conduct of their own politicians and government’s covert activities.

Great Harm Inflicted by Widespread Culture

Details and evidence relating to the worldwide harm inflicted in and out of the United States by America’s politicians can be found in my books, including *Unfriendly Skies*, *Defrauding America*, *Drugging America*, and *Terrorism Against America*. The following is a partial list of the harm:

- Vietnam, where the public swallowed the line by U.S. politicians that the form of government in Vietnam was unacceptable and that the United States had to invade Vietnam to prevent other nations from adopting a similar form of government. The American public was falsely told that Vietnam attacked a U.S. Navy ship in the Gulf of Tonkin and that constituted the basis to invade the country. The strongest nation on earth then directed its war machine upon impoverished men, women and children, killing over a million in the process. Over 58,000 American servicemen were killed, and thousands more crippled, maimed, and dismembered.
 - The Phoenix program that killed over 40,000 Vietnamese, not counting those killed in combat.
 - Numerous instances of U.S. service people machine-gunning and killing groups of women and children huddled together in fear.
 - The killing, the napalming, the blowing apart, of tens of thousands of Vietnamese, including the Mai Lai-type killing of women and children huddled together in fear.
- *Korea*, pretty much the same scenario, with the killing of tens of thousands of Korean men, women and children, and the deaths of 38,000 U.S. personnel with thousands more maimed.
- Subverting governments throughout the world, resulting in millions of deaths.

Harm within the United States from U.S. Politicians

- Fifty years of CIA drug smuggling into the United States, creating a crisis that included killings, imprisoning large numbers of America's men and women, often on perjured testimony provided by government agents and government paid informants.
- The financial destruction of millions of people through asset forfeitures, despite the fact that the people were never charged with any offenses, or the people were found innocent, or that the seizure and forfeiture were greatly in excess of the nature of the alleged violation.
- The military-like invasion of homes, often of innocent people, or people who committed some minor violation of the law, and the deaths of those whose homes were invaded.
- The looting of savings and loans by covert CIA operators and other crooks. These financial losses have yet to be paid by the American taxpayers. These and other fraud-related financial losses could very possibly precipitate a 1930-like depression at some future date.
- The paramilitary assault upon the men, women and children at Waco, bringing about their death by being cremated alive.
- The paramilitary assault upon the impoverished family at Ruby Ridge, in which a young boy was murdered by a bullet in his back and a mother holding her child had her head blown apart by a government sniper.
- The draconian prison sentences and forfeitures of people who committed non-violent offenses such as having a small quantity of drugs. Making this even more bizarre are the facts that the members of Congress who legislated these long sentences had committed far more serious crimes through their cover-ups, and the Justice Department prosecutors who prosecuted them had for years engaged in cover-ups of the criminal and subversive acts of the CIA and other government personnel.
- Looting the assets of thousands of people every year who innocently exercise the statutory protections of Chapter 11, only to fall victim to the judicial corruption in Chapter 11 courts.
- Corruption within the government aviation safety offices that played key roles in many specific airline crashes, and which caused the conditions to exist that enabled hijackers to seize four airliners on 9/11.
- Approval of lewd behavior in the White House, using the highest government office in the land to engage in illicit sex during the John F. Kennedy and William Clinton presidency.
- Operation Ringwind, the Washington-ordered killing of American service men in Indochina on the assumption that the POWs were defectors.
- Justice Department prosecutors filing false charges and causing the imprisonment of thousands of men and women.
- Outrageous prison sentences legislated by members of Congress for minor offenses. This legislation has brought about the world's largest percentage of people to be incarcerated (in the land of the free!).

- Paramilitary forces breaking down doors in the middle of the night and terrorizing families, and sometimes killing the occupants, often on the fraudulent claim of government informants.
- Widespread fraud in the federal bankruptcy courts in which corrupt judges and other government personnel corruptly seize and liquidate the assets of people who naively exercise the statutory protections of Chapter 11.
- Corrupt state and federal judges preying upon people expecting justice in the courts.
- Congressional legislation that:
 - Mandates draconian prison sentences causing tens of thousands of men and women to be sent to prison for years, or life, including young girls and mothers, for minor offenses.
 - Authorize property seizures from people who are never charged, or who are judged innocent after trial, or the taking of valuable property far exceeding the nature of the offense.
 - Relate to conspiracies, sending tens of thousands of men and women to prison on drug offenses who have either no connection to drugs, or a tenuous connection.
 - Mandate long prison sentences for minor offenses, or conduct that was constitutionally permitted prior to the legislation passed by members of Congress.
- Evidence of massive corruption involving Wall Street firms, including banks, stock brokers, stock analysts, insurance companies, auditing firms, including WorldCom, Arthur Anderson, along with Enron and others.
- Decades of pedophile activities by hundreds of priests in the Catholic Church, which were finally exposed after decades of cover-ups.
- And other areas of corruption.

America's Pontius Pilates

With similarities to Pontius Pilate and the crucifixion of Jesus Christ, most Americans wash their hands of the tragic consequences by remaining ignorant of these matters. Or worse, who continue to support those in government responsible for these offenses.

They consider themselves righteous as they aid and abet these crimes. They go to church, they pray, they give money to the church and to charities, while supporting the people and the conduct that gives credence to the Ugly American title.

Tactics Used to Counteract the Few Protesters

One of the tactics used against those very few who attempt to report the corruption, and which was repeatedly used following President Bush's invasion of Iraq, was to call their efforts "unpatriotic" when the nation was at war.

Intelligent Protesters Needed

America needs intelligent protesters to focus on the hardcore corruption that exists in government. Often, when protests do occur, they protest such safe matters as the building of homes and other developments that threaten any one of the billions of insect species throughout the world; or protest wages being paid in foreign countries, despite the fact that the people receiving such wages are very pleased to have the employment. They protest things of which they lack experience and knowledge.

Protesting Trivia or What They Don't Understand

A *Boston Globe* article (September 28, 2002) showed young people with no experience or expertise in the matters protesting. The article was titled, "Protesters vs. Global Banking," stated:

Washington. Activists opposed to the corporate model for globalization demonstrated in the streets here Friday to protest the start of annual World Bank and International Monetary Fund meetings. The activists were protesting the policies of the World Bank and IMF, which they argue harm developing countries. "We're hoping to make a very loud and boisterous resounding cry that will be heard across the country and around the world, a cry that undemocratic, accountable institutions have taken control of our lives," said David Levy of Newton, Mass., an organizer with the Mobilization for Global justice, a group that helped coordinate the weekend's activities. "We have to wrest that power from the hands of corporate lobbyists who fill the halls of the World Bank, IMF and Congress as well," he said.

"People are against the IMF and World Bank and capitalist policies without any protections for labor and the environment," said Gregg Mosson, a Washington write holding a sign for passing motorists that said, "No More Capitalist Wars."

Irresponsibility of Juvenile Protesters

On November 24, 2002, hundreds of students at Ohio State University rioted, overturning and torching dozens of cars, breaking large numbers of windows, and looting. Strangely, virtually no newspaper carried this story of the decay in American society at the college level.

Bizarre Puppet-Like Behavior by Members of Congress

Probably the most bizarre example of puppet-like behavior that I have ever witnessed occurred during the televised speech by President Bush to a joint session of the House and Senate shortly after 9/11. Dozens of times these members of Congress jumped to their feet with applause, after almost every sentence or half sentence prepared by the president's speech writers and uttered by the president. Making this reaction even more bizarre, almost every statement of fact uttered by the president had been shown to be false.

Don't Take It Anymore!

What America needed were more people like those in the fictional story, *Network*, who wouldn't take it any longer. Here are a few of the steps that

can be taken to at least start the process:

- First, become familiar with the facts in this and related books written by me and by other former government insiders. You have to know the facts in order to fight the corruption.
- Help publicize the contents of this and related books. Stay away from conspiracy or far out books and topics.
- Call radio shows and describe the facts stated in these books and encourage people to read them.
- Spread the word on the Internet.
- Donate funds to charitable groups, some of which are IRS tax 501 (C) (3) non-profit corporations. I started Ombudsmen To Promote Integrity In Government to focus on informing the public of government misconduct. www.ombudsmen.org.
- Send certified letters to your U.S. Senators and Representatives, demanding that they immediately investigate these matters. Expect to be stonewalled.
- If it is within your style, appear in front of federal buildings, especially federal courts, with placards making reference to various matters brought up in the various books.
- If you know of criminal acts by government personnel, and if it is within your capability, report it in writing through a legal filing under Title 18 U.S.C. § 4. This statute requires any person knowing of federal crimes must report them to a federal court, or other government official. Make formal reports, sent by certified mail, with copies to the newspapers and radio and TV stations, reporting the crimes stated within these pages.

A few References to Famous Sayings:

- “All that is necessary for the forces of evil to triumph is that enough good men do nothing.”
- “It does not require a majority to prevail, but rather an irate, tireless minority keen to set brush fires in people’s minds.” Samuel Adams.
- “We are apt to shut our eyes against a painful truth. For my part, I am willing to know the whole truth; to know the worst; and to provide for it.” Patrick Henry

"I am only one, but I am one. I cannot do everything, but I can do something. And because I cannot do everything, I will not refuse to do the something that I can do. What I can do, I should do. And what I should do, by the grace of God, I will do." Edward Everett Hale.

The manner in which you and the public react to these exposures will determine the fate of many people. The public has it within their power to destroy the cancerous government corruption described within these pages, and which have destructive influences throughout our society. Remember, what happened to the people shown in these pages, and what has yet to happen to others, could happen to you, or your loved ones.

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