

**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 lawyers 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 in 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 offenses⁶ 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 lawsuit⁷ 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 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 statute. 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.
 - 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 awesome 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.

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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 reporting 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, FRCP 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.