

From the desk of Rodney Stich

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Senator Tom Coburn (and copy to each member of the Senate Judiciary)

United States Senate

Washington, DC 20510 Fax 202-224-6008

Ref: Two Issues: (a) Request that you release the hold you put on whistleblower bill, and (b) the data on history of prior retaliation against whistle-blowers exposing high-level corruption, and harmful effect on national security.

Senator Coburn,

This letter relates to the hold you placed on the whistleblower bill that has blocked that important legislation from going forward. This letter provides details on some of the prior consequences resulting from lack of whistleblower protection, and provides insight into the harm made possible by it. This letter makes brief reference to some of the former government agents who suffered retaliation after exposing corruption.

The following are a few of the many examples that I have discovered and wrote about in my various books:

- Richard Taus, highly decorated Vietnam helicopter pilot and war hero, a Lt. Col. in the Army, and a veteran FBI Special Agent. During his official duties as an FBI Special Agent in the New York office, he reported the secret funding and arming of Iraq during the 1980s that involved a covert CIA operation; and the questionable conduct of his supervisory special agent, Lindley DeVecchio (who in 2006 has been charged with four murders while secretly working with a Colombo Mafia boss, Gregory Scarpa, Sr.) When Taus' superior told him to remain quiet about these matters, he foolishly reported the crimes against the United States to members of Congress, who, as I discovered over a 40-year span, covered up for this corruption in the FBI. False charges were then made against Taus to immediately silence him. He is in now prison at Dannemora, New York, with a 20 to 50 year sentence, where he will probably die.
 - o Ironically, in 2002, four years *before* that FBI Supervisory Agent was charged with murders, I learned from the son of that Mafia boss about the murders. I tried to report these crimes to members of Congress and encountered the standard obstruction of justice cover-up. I wrote a book describing these matters, which is called *FBI, CIA, the Mob, and Treachery*.
 - o The retaliation against Taus—and the cover-ups by members of Congress—kept the information about FBI agents involved in murders, the FBI culture, and information about the secret funding and arming of Iraq, from being known. The consequences are obvious.
- John Carman, former agent of U.S. Customs, who, along with other Customs agents such as Darlene Fitzgerald and others, reported the block by high Customs personnel to inspecting suspected large drug shipments into the United States using railway cars and other vehicles. Refusing to work under such corrupt conditions, Carman left government service and put up a web site exposing the corruption: www.customscorruption.com. To halt such exposure activities, Department of Justice prosecutors recently filed sham charges against Carman, who is now incarcerated at San Diego and denied bail (to keep him from further revealing the corruption). While Congress debates the matter of border security, it simultaneously covers up for an equally serious problem that undermines security measures. Many other examples of retaliation against government agents that enable great harm to be inflicted

upon national interests are found at www.defraudingamerica.com/fallen_heroes.html, and in the various books that I have written, including *Defrauding America* and *Drugging America*.

Before I end this letter, a brief oversight of how the absence of whistleblower protection directly affected me, and the lives, and deaths, of many people in a series of airline disasters. In the 1960s, after having been a Navy patrol plane commander in World War II and an international airline captain for many years, I became an inspector-investigator for the Federal Aviation Administration (FAA). During the period from about 1955 to 1978 there were many airline disasters, some occurring every few months.¹

During this string of airline disasters, I was asked to take an assignment to correct the conditions responsible for the worst series of airline disasters in the nation's history. It was in this position that I discovered arrogance and corruption that repeatedly blocked federal air safety inspectors from performing their duties and blocked the implementation of measures to prevent airline disasters.² I repeatedly reported massive violations of major safety requirements along with existing major safety problems. My reports of these matters, and recommendations that would have halted the continuing airline disasters were criticized, official reports destroyed, and various retaliatory actions were taken to halt my reporting of the problems.

Due to the widespread cover-ups at higher levels, I exercised the law in such a manner that I acted similar to an independent prosecutor. I conducted several weeks of hearings that provided additional documentation and testimony supporting my charges that several major airline disasters were caused and enabled to occur by the arrogance and corruption in the FAA. During these hearings, three additional major airline disasters occurred, each one due to the very same safety problems and safety violations that I had repeatedly reported in writing, for which I was subjected to repeated retaliatory actions.

In protest, I left government service. The corruption and related crashes continued. Repeated letters to members of Congress to provide evidence were refused. Concerned about the continuing crashes and deaths, I used my considerable real estate assets to fund activities to circumvent these obstruction of justice responses. These efforts included publishing the first of many books in 1978, and appearing on hundreds of radio and television shows (which number over 3,000 at this time).

As a result of this publicity, other former and present government agents provided me with information and documentation on corruption in other areas of government that they had discovered as part of their official duties. I made many members of Congress aware of these activities that not only resulted in many deaths, but considerable harm in other areas, including national security. Again, members of Congress covered-up, enabling various forms of corruption and national harm to continue, including the hijackings of 9/11. Details and documentation are in the books, *Blowback, 911, and Cover-Ups*; and *Unfriendly Skies: 20th & 21st Centuries*.

Seeking to circumvent the cover-ups, I started filing lawsuits to *report the criminal activities*. The *responsibility* for doing this was the federal crime reporting statute, Title 18 U.S. C. § 4.³ That statute requires anyone knowing of a federal crime to report it to a federal judge or other federal officer. Since members of Congress refused to receive the information, and since DOJ officials were involved, I used the specific provisions of that statute to report the federal crimes to a federal judge. The thinking was that this would become a public record and *force* members of Congress to finally conduct hearings on the matters that they had been covering up for many years. Under that statute, a federal judge has a mandatory duty as part of the judge's *administrative* (not judicial) duties to *receive* the information.

¹ Fifteen years after I first discovered these problems, the frequency of airline disasters greatly reduced, but elements of the problems continued, and these elements created the conditions enabling four groups of terrorists to hijack four airliners on September 11, 2001.

² For various reasons the number of airline disasters today are greatly decreased. But the culture continues in certain key areas, and this culture periodically results in a preventable airline disaster. As with the 9/11 hijackings.

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.

Another statute supporting the filings was Title 28 U.S.C. § 1361,⁴ which permits anyone to file a federal action seeking a court order requiring a federal official to perform a mandatory duty and to halt unlawful (or criminal) conduct. Named as guilty parties were the FAA and the political NTSB board.

Initially, during oral argument, district and appellate judges admitted the gravity of the charges. But in response to motions by U.S. attorneys seeking to block the reports by dismissing the actions, the judges held in one case that this was a matter for Congress to investigate (I was seeking to *report*, not to have the judges investigate); and in another case that I did not have standing to report the crimes. (Tell that to the victims of the fraud-related airline disasters, the victims of other corruption, or the people jumping out of the World Trade Center on 9/11!) These judicial dismissals continued the corrupt activities, the resulting airline disasters, and the corruption in areas affecting other matters of national security.

My attempts to report these crimes against the United States using the federal crime reporting statute, caused the following actions to be taken:

- Federal judges repeatedly blocked every action, often dismissing them without any hearing. These dismissals violated numerous statutes, case laws, and constitutional protections, and criminal statutes that required them to receive the information of a federal crime. These obstruction of justice crimes resulted in a continuing series of tragic consequences.
- Then, to permanently halt my attempts to report these criminal activities, federal judges rendered unlawful and unconstitutional orders permanently barring me from filing any papers in any federal district or appellate court. These unconstitutional orders not only blocked me and my group of other former government agents from reporting the criminal activities, but also prevented me from exercising federal defenses against parallel legal actions being taken by lawyers to halt my exposure actions.
- As other areas of corrupt activities affecting national security were made known to me by other government insiders, I again sought to report the matters to federal judges under Title 18 U.S.C. § 4. The details of these corrupt actions are shown in the books, *Defrauding America* and *Drugging America*.
- In response, U.S. Attorney David Levi in Sacramento, with the cooperation of several judges, charged me with criminal contempt of court (for having sought to report the criminal activities that they barred me from doing by the prior unlawful and unconstitutional orders). I was denied a jury trial and sentenced to six months in federal prison. The details of these corrupt actions were made known several times to every Justice of the U.S. Supreme Court, including Anthony Kennedy while he was still a court of appeals judge in the Ninth Circuit at San Francisco. As the DOJ is doing now with former Customs agent John Carman, the U.S. attorney argued to deny me bail prior to trial and pending appeal, claiming I was a flight risk (to keep me from making known the criminal actions taken to silence me). I was 67 at that time.
- While in prison, federal judges rendered unlawful and unconstitutional orders, seizing and liquidating the \$10 million in real estate assets that funded my exposure activities. Under Supreme Court decisions, these orders violating due process, and all orders based on them, are forever void. But Supreme Court Justices denied relief, despite knowing the corrupt misuse of the federal courts, knowing of crimes against the United States, and the major constitutional violations. When I filed objections to the seizure and liquidation of my life assets, a federal judge charged me with criminal contempt of court for exercising that due process right.

Despite the threat of again being charged with criminal contempt of court, and motivated by the extreme harm being done to major national interests, I filed a federal action at Reno, Nevada, shortly before the 9/11 hijacking. I sought to report the corruption in the government's aviation safety offices that would shortly

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.

enabled four groups of terrorists to hijack the four airliners; and sought to report the corruption in the FBI and CIA that would later play a role in their refusal to act on the hijacking scheme despite the considerable amount of warnings.

After 9/11, my attempt to again report these matters to a federal judge in the courts at New York City was again blocked, which protected the corrupt activities of the prior federal judges.

This widespread corrupt culture still exists, and the guilty have never been punished, with many of them still in government positions. Obviously, there is an urgent need for whistleblower protection, and worded so that corrupt federal judges cannot subvert the intent and the specifics of the law. Another obvious point is that the culture of cover-ups by members of Congress, that I have documented over 40 years, be addressed. Ordinary citizens are sentenced to long prison sentences when they know of a federal crime and don't report. It. But members of Congress, with an even greater responsibility, have repeatedly covered up, thereby obstructing justice, with deadly consequences for the United States and many of its people.

With the expected continued cover-ups by the recipients of this letter, all of these conditions will surely continue. "Fortunately," the guilty are protected by media people and the history of public naiveté, indifference, denial, and cowardice.

Copies of this letter will be put on the Internet, in the event that someday, some small group of people will finally response to the mutating and Trojan-horse-like corruption that continues to inflict such great harm upon the people and the country.

Sincerely,

Rodney Stich

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