

I was also unavoidably detained for Roll Call No. 211, the Woolsey of California Amendment to H.R. 4664, Investing in America's Future Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 212, H.R. 4664, Investing in America's Future Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 213, on the Motion to Adjourn. Had I been present I would have voted no.

I was also unavoidably detained for Roll Call No. 214, to Table the Appeal of the Ruling of the Chair. Had I been present I would have voted yea.

#### A PROCLAMATION HONORING RICHARD SCHOLL

#### HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2002*

Mr. NEY. Mr. Speaker, whereas, Richard Scholl has reached the safety milestone of One Million Miles driven without a preventable accident; and

Whereas, Richard Scholl has been awarded the rank of "Individual Million Mile Safe Driver", a rank of accomplishment reached by only a few professional drivers; and

Whereas, Richard Scholl must be commended for his service to the community, providing safe transportation on our nation's highways;

Therefore, I join with the residents of the entire 18th Congressional District in recognizing Richard Scholl as a recipient of the Individual Million Mile Safe Driver award.

#### TRAFICANT TRIAL: A RAILROAD OF JUSTICE

#### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2002*

Mr. TRAFICANT. Mr. Speaker, the government presented a ten-count indictment against me on May 4, 2001. And, convicted me on those ten counts, Thursday, April 11, 2002.

Count Three—John J. Cafaro (The great anomaly—double jeopardy, perjury.)

This count surrounds a now bankrupt firm known as U.S. Aerospace Group Inc. of Manassas, VA. Like Lorena Bobbitt, they couldn't keep track of their appendages; in this case their corporate structure.

The owner of the company was John J. Cafaro. The president was his 21-year-old daughter, Capri. The COO was Richard Detore, who was later succeeded by Al Lange. The company was going bankrupt, but owned patent rights to an aviation safety device second to none, the laser flight navigation system. I arranged to have this laser system demonstrated for Aviation Subcommittee Chairman Jimmy Duncan of Tennessee and FAA Administrator Jane Garvey. Both were impressed. Ultimately there was \$4 million appropriated for military testing and use of this system—MEANPALS.

This count was supposed to be a quid pro quo like the others. Truth of the matter is the

only agreement I made with USAG was that (1) the manufacturing of any product would be in my district and (2) eventually the entire corporate headquarters and all umbrellas would be relocated to my district for the procurement of jobs for my constituents. In this venue, I might add, high-tech jobs.

J.J. Cafaro perjured himself in my trial to avoid charges of his previous perjured testimony in the RICO trial of former Mahoning County Sheriff, Phil Chance. In fact under cross-examination by myself, Mr. Cafaro admitted to "lying but not perjuring" himself, which is evidenced in the transcript.

Be advised that the testimony in the Chance trial dealt with an alibi, wherein Mr. Cafaro claimed to have given money to former Sheriff Chance, instead of mob-boss Lenny Strollo. Lenny Strollo later admitted that he had given the money to Chance. The same prosecutors in my trial called J.J. Cafaro in the Chance trial a "liar" and Cafaro admitted to that in his testimony. Mr. Cafaro perjured himself at my trial and paid for the perjured testimony of Al Lange, by providing for Al Lange's attorney's fees. In addition, I have come to find out that as an additional inducement for his testimony, Al Lange, who has been diagnosed with cancer, is being maintained by Mr. Cafaro's insurance, although the company has since gone bankrupt and Mr. Lange is no longer employed by Mr. Cafaro.

This whole quid pro quo also involves my boat. I had it for sale and was visited by J.J. Cafaro in my D.C. office one afternoon, where he handed me a book containing an evident bookmark. When I opened the book I found that it was a bank draft for \$26,000 to buy my boat. Mr. Cafaro was so thrilled that his company, which was on the brink of bankruptcy, was given life through my efforts by obtaining \$4 million for MEANPALS.

I refused the money that Mr. Cafaro offered me and informed him that one of his employees, Al Lange, had a sincere interest in purchasing the boat and claimed he had bonus money coming from the company and that Mr. Lange would "repair the boat and use it for water navigation purposes." J.J. Cafaro and Al Lange testified that the whole thing was a boat scheme to reward me for my appropriation of the \$4 million. The problem is that they cannot overcome their lies with the following facts:

1. Al Lange had a professional boat survey done on the boat that showed that the value of the boat to be greater (without repairs) than I had been asking.

2. Richard Detore, then COO of USAG, was a witness to the boat transactions and said he "would not lie" even after tremendous pressure by the government to do so.

This information is evidence in a taped conversation I had with Mr. Detore on August 1, 2001. It states in pertinent part:

RD: What kind of witness does Cafaro really make when the reality comes out that the guy's lying . . .

JT: Well he's going to have Al Lange to make him look like he's telling the truth, but they can't handle the fact that you are so upright and upstanding a man of integrity, and it's going to blow their case; do you understand?

RD: Yeah, they tried to tear me apart, IRS. They tried saying that I committed fraud in order to obtain my house, which is nonsense because the bank told them I qualified for the house before I even moved. I was all prequalified. They tried to tell me that I was

trying to support my wife's lavish lifestyle. They had no idea that my wife has worked 20 years, worked her way through college and that her family is very financially well off; and we have never sought money from anybody. And when I moved from New Jersey, I was carefully, carefully debt free and had no obligations to anybody; and the thing about having to commit fraud with a bank in order to obtain a mortgage is pure nonsense. That's where they've gone. They've gone after me in every way, shape and form.

JT: And Cafaro lied to you from day one, didn't he?

RD: Yes, he did.

JT: And everything he said was a lie?

RD: And I have numerous witnesses where he lied to them.

\* \* \* \* \*

RD: Like I said, I can only tell the truth. I fear for my children's lives. I'm scared to death.

JT: You're going to be subpoenaed by me.

RD: Do it through the attorney.

JT: I will.

RD: The threats and intimidation; I'm willing to go to the media. I'm willing to go anywhere, you know.

JT: File your lawsuit and go to the media and say their zeal to get Traficant, they wanted me to lie. That's the bottom line; and they pressured me to lie and made it known very clearly from what you told me that if I lie, all my problems would go away.

RD: I didn't lie. They wanted me to. I refused. I just said keep calm. I've discussed with my wife. I discussed it with other associates. They said that I was (UNINTELLIGIBLE) with the IRS. I basically couldn't even speak and my family members sat there with me, and they said, Rick, we know you; you won't lie; you don't lie; don't lie. Don't be coerced into lying. I said they're telling me they're going to ruin my life if I don't.

I'm basically at my breaking point. I'm mentally running, I mean to tell you the truth; I'm ready to just go ahead and blow my head off. It is so bad, if it wasn't for my kids and the strain it would have on my kids, I'd be gone.

4. Mr. Detore, because he would not lie, was charged with a superceding indictment with me.

This information is evidenced in Mr. Detore's sworn declaration in his Motion to Dismiss filed with the court. It states in pertinent part:

"30. Mr. Morford attempted to pressure me [Detore] to change my statement that I knew of no acts of corruption involving Congressman Traficant, J.J. Cafaro, and USAG."

5. Mr. Cafaro and Mr. Lange both testified that they bought me a welder and a generator, which is another lie, since I would have no use for these items having already owned a welder and generator. The welder and generator were given to me at my D.C. office to deliver to Brian Kidwell, a constituent of mine, who had stated to me and the officials at USAG, once he saw the first completed trailer, that he could "build the trailers needed for the company at a great savings." He further stated that "you [USAG]" provide me with a welder for aluminum work and a quality generator and I'll save "you up to 40% on trailer costs."

Mr. Kidwell testified under oath that the generator perished in a fire and affirms that he has reported this information to his insurance company.

The welder was photographed and scheduled for delivery to the U.S. District court in Cleveland so it could be shown to the jury that it was unused. The welder was picked up at Mr. Kidwell's residence in Vienna, Ohio under extremely suspicious and threatening circumstances. The following affidavit by Mr. Kidwell describes the events:

AFFIDAVIT OF BRIAN KIDWELL

SATURDAY, APRIL 2, 2002

I hereby swear that the following accounts of events that occurred concerning an unused welder delivered to me from USAG by James A. Traficant, Jr. are true and accurate.

On Friday afternoon, March 22, 2002, at approximately 3:30-4:30 p.m. a dark blue Ford pick-up truck of a newer model pulled into my driveway at 1861 Youngstown-Kingsville Road, Vienna, Ohio.

There were three big white men in the truck.

They backed the truck up to the building where the USAG welder was stored and being prepared to be shipped to Cleveland as evidence in the Traficant Trial.

They proceeded to take the unused USAG welder out of the eastern garage door that the welder had been stored in. The door measured ten feet in height and nine feet in width.

They then loaded, by hand, lifting the welder onto the bed of the blue Ford pick-up truck. I did not help load the welder. It was my impression that it was a half-ton pick-up truck, single cab.

In addition, they had also taken all equipment pertaining to the welder and also my personal used yellow acetylene tank that was stored on the back of the unused welder.

They then asked me, after they loaded the unused welder, the equipment associated with it, and my used acetylene tank, if that "blue pick-up truck that just pulled out" belonged to my son.

I said, "yes."

I then told them that the welder was to be delivered to Cleveland.

They said, "This welder is not going to Cleveland."

Then they said, "if you are asked, you did not see this welder going out of here."

They proceeded to place a restraining nylon tie down strap over the welder to secure it to the truck bed. The restraining tie down nylon strap was my property and has not been returned.

I became very nervous and afraid when I realized that these men were not sent by Congressman Traficant for the purpose of having the welder delivered to the Cleveland Court.

I further became concerned and afraid for my three children since evidently, they knew my one son at least by asking about his blue Chevrolet pick-up truck, which had just left.

When I testified in Cleveland at the Traficant Trial, Monday, March 25, 2002, I was afraid to mention to Congressman Traficant what had occurred and led the Congressman to believe that the welder would be delivered to Cleveland for inspection.

I did this for the safety and concern of my three children.

The three men never identified themselves and by their behavior and intimidation I did not attempt to stop them.

After considering all possible circumstances, I decided to avoid everybody until the trial was over, since photographs had been taken of the machine extensively by Dominic Marchese, photographs that I had truthfully identified for the Court on March 25, 2002.

My attempts to avoid any contact were interrupted by the unexpected visit of Congressman James A. Traficant, Jr. and Dominic Marchese on Saturday morning approximately 5:50 a.m. on April 6, 2002.

I then admitted what had occurred on listed above and asked Congressman Traficant to protect my family in any way he could so that I would not get into trouble for failing to report this. It was never my intention to break any laws, my concerns were for my

children, especially Gary, whom the three men had alluded to as having owned a blue pick-up truck.

I never saw any identification. I never asked if they represented any company not the government, I just followed their instructions to "stay out of this."

The above is a true and accurate statement.

Sworn before a notary on April 6, 2002.

Since this ordeal, Brian Kidwell has been notified that there have been visits to his employer concerning activities at his workplace and now suspects that the government is behind this because of Mr. Kidwell's belief that the government illegally tampered with evidence by picking up the welder.

Another element in this count was that J.J. Cafaro alleged that he gave me \$13,000 in cash while sitting in a car after a meeting outside of a building at Youngstown State University. Again, Mr. Cafaro perjured himself.

Former clerk to Chief Justice Thomas Lambros, Attorney Percy Squire, was asked by me to be a character witness. When Atty. Squire arrived for his court appearance, he said.

"Why do you want me as a character witness, I know first hand that Bucci and Cafaro are lying."

Cafaro maintained that after a lengthy meeting at YSU that we (Cafaro and myself) "waited until everyone left" got into his car and "drove around the block" when he gave me \$13,000 cash.

Atty. Squire testified that he was serving as an official advisor of a community group at the meeting and walked out with me and saw me immediately get into a green truck and the driver of the truck drove off. Brian Kidwell, who testified that he picked me up directly after the meeting, owned the truck.

I presented two witnesses to impeach the testimony of J.J. Cafaro, who the prosecutors had called a "liar" in a formed RICO trial and now suborns Cafaro's perjury and permits a conspiracy to continue between Cafaro and Al Lange to help them to gain a conviction against me.

Because of his participation in my conviction, I imagine that Mr. Cafaro's fate will probably resemble that of Anthony Bucci, who made three federal plea agreements and is working on his fourth, which has rewarded him with 6 weeks home detention and 2 years of probation for his crimes against the government.

Since the trial I have also learned that J.J. Cafaro wanted Al Lange to sign a demand note for money extended relative to my boat. I've also learned that Mr. Cafaro continues to pay for Mr. Lange's hospitalization to this date and continues to even though the USAG Company has since dissolved and Mr. Lange is not an employee of Mr. Cafaro's.

The question is . . . was Mr. Lange represented by his own attorney, or was he really represented by Mr. Cafaro's attorney? What is even more unusual is that Mr. Cafaro was the government's least credible witness, as evidenced by statements by the jurors, yet they threw out overt acts associated with other witnesses and left all the Cafaro garbage in.

Again, no physical evidence, no wiretaps, no tapes, no hidden microphones and no fingerprints on more than 1000 documents. How is it possible to reach a conclusion beyond a reasonable doubt with only circumstantial evidence and the testimony of felons, in a RICO case?

And next, as promised . . . Pinocchio, At-torney at Law.

TRIBUTE TO MASTER CHIEF ELECTRONICS TECHNICIAN (SUBMARINES) CURTIS DEAN HAGGARD, U.S. NAVY

HON. JO ANN DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 2002

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I rise today to honor Master Chief Electronics Technician (Submarines) Curtis Dean Haggard, United States Navy. Master Chief Haggard will retire on Friday, 14 June 2002 after 24 years of faithful service to our Nation.

Master Chief Haggard enlisted in the United States Navy in Las Vegas, Nevada and reported to Basic Training in San Diego, California in 1978. Upon completion of Electronics Technician "A" School at Great Lakes, Illinois he returned to San Diego for a six-month tour as a radar technician aboard the destroyer USS *John R. Craig* (DD 885). He next reported to Naval Nuclear Power School in Orlando, Florida and then to the Naval Nuclear Propulsion Training Unit in Idaho Falls, Idaho.

In 1980 Master Chief Haggard arrived at Pearl Harbor, Hawaii for duty in Reactor Controls Division aboard USS *Tautog* (SSN 639). He completed deployments to the Western Pacific, Eastern Pacific, and Indian Oceans and to the North Pole. He qualified Engineering Watch Supervisor, Engineering Duty Petty Officer and Reactor Operator. In 1983, instructor duty followed at the *Trident* Prototype in Ballston Spa, New York where he qualified Engineering Officer of the Watch and Engineering Duty Officer, was certified as a Master Training Specialist and advanced to Chief Petty Officer.

Mr. Speaker, he next reported as one of the highly selective initial manning crew of the Pre-Commissioning Unit *Pennsylvania* at the Electric Boat Shipyard in Groton, Connecticut in 1987. After placing USS *Pennsylvania* (SSBN 735) into commission in 1989 in New London, Connecticut, he arrived with the Blue Crew in Kings Bay, Georgia and completed a five-year tour in *Pennsylvania*, including three Strategic Deterrent Patrols. He next reported to Trident Training Facility in Kings Bay, where he qualified Command Duty Officer and served as the Reactor Controls Division Officer in the Engineering Training Department and the Electronics Technician Maintenance School Supervisor.

In August 1995 Master Chief Haggard reported to USS *Hyman G. Rickover* (SSN 709) in Norfolk, Virginia as the Engineering Department Master Chief. During this tour *Rickover* completed two Operational Reactor Safeguards Examinations, two Tactical Readiness Evaluations and an extended deployment to the North Atlantic. In May 1997 he reported to the Deputy Chief of Naval Operations for Manpower and Policy in the Navy Bureau of Personnel in Washington, DC, as Quality Control Advisor for nuclear enlisted personnel.

Mr. Speaker, Master Chief Haggard is a graduate of the University of the State of New York in Albany, New York with a Bachelor of Science degree in Psychology. He earned a Master of Public Administration degree from