

## 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 former 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, Attorney 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 abroad 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

the Valdosta State University in Valdosta, Georgia where he was the 1993 Graduate Student of the Year. He also graduated with Military Honors from the Navy Senior Enlisted Academy in Newport, Rhode Island in 1995.

Mr. Speaker, Master Chief Haggard's contributions have had a direct and lasting impact on the overall readiness and effectiveness of Naval Nuclear Propulsion Program personnel. He is an individual of uncommon character and his professionalism will be sincerely missed. I am proud, Mr. Speaker, to thank him for his honorable service in the United States Navy, and to wish him "fair winds and following seas" as he closes his distinguished military career.

**NATIONAL CHAMPIONS HAMMOND  
ROBOTICS TEAM**

**HON. PETER J. VISCLOSEKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 2002

Mr. VISCLOSEKY. Mr. Speaker, it is with great pride and enthusiasm that I congratulate the national champion Hammond Robotics Team. the team, which comprises students from all racial, cultural, and economic walks of life, finished in first place for the second consecutive year at the US FIRST national competition in Orlando, FL.

The members of the national champion Hammond Robotics Team are: Amanda Aldridge, Jasmine Barnett, Justin Clark, David Clinton, Ryan Gawron, Mike Goril, Ethan Grove, Eugene Hanas, Elyse Holguin, Khamicia Jarrett, Kristyn Kapetanovic, Kevin Kolodziej, Omar Martin, Sarah Michna, Luis Moreno, Amanda Morrison, Julia Novak, Shane Ostapchuk, Michael Phillips, Christina Polka, and Michael Smith.

US FIRST is an organization dedicated to motivating America's youth about science, technology, and engineering through hands-on methods. The program involves a unique blend of problem solving and competition that prepares students for real world situations. During the competition, teams face off against each other and are given a limited amount of time to devise both an offensive and defensive strategy for accomplishing a specific task. Team Hammond conquered the challenge. While nearly 1,000 teams nationwide were involved in the US FIRST competition, Team Hammond came out on top.

Although Team Hammond has enjoyed a high level of success through the years, the team's triumphs have not come without adversity. Though many of the teams at the National Competition enjoyed significant corporate financial underwriting, Team Hammond had to work extremely hard to secure funding for both the regional and national competition. Through numerous fundraising efforts and private sponsorships, Team Hammond took the necessary initiative and was able to secure the necessary funding for its worthy program.

However, perhaps the most applaudable aspect of Team Hammond's success is the various backgrounds from which the team members come. The team is comprised of students from all four of Hammond's high schools and reflects the diversity on which northwest Indiana prides itself. This diversity is, for the Hammond Robotics Program, the rule rather than the exception and it should be commended.

Mr. Speaker, it is with great pride that I congratulate Team Hammond for its second consecutive year as national champions and third national championship overall at the US FIRST national competition. The young men and women of the team worked hard towards a goal and their efforts paid off. I hope that the rest of my colleagues will join with me in applauding Team Hammond's commendable effort.

**IT'S TIME**

**HON. KEN LUCAS**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 2002

Mr. LUCAS of Kentucky. Mr. Speaker, I rise today to speak to my colleagues about prescription drugs and Medicare. Specifically, I feel it is an outrage that our senior citizens are being forced to drive to Canada to get prescription drugs at reasonable prices, or even worse having to choose between buying food or medication.

This has gone on for far too long. As a couple in Maysville, KY, avowed, "It is past time! And way overdue! Older people need help, perhaps not all of us, but many of us do." This is just one of the many comments that I received in the mail from Kentucky seniors. However, as I read their comments, I realize these are not just the voices of Kentucky's senior citizens, they are the voices of America's senior citizens. These senior citizens are veterans, they are mothers and fathers, they are grandparents, and they are men and women that have worked their entire life to make America a better place.

As representatives of the American people, we must work together to pass a meaningful drug benefit for our senior citizens. We need a bipartisan prescription drug plan that helps seniors afford the drugs their doctors are telling them they need. This is not a political issue. This is a quality of life issue. We need to get this done and get this done now. I would like to share with you some of the stories from Kentucky's senior citizens. However, when you listen to these stories from across the Fourth District of Kentucky, remember they are representative of the problems seniors are facing all across America.

From Crittenden, KY, "It is getting so bad we are thinking about driving to Canada to stock up on our prescriptions." From Rush, KY, "Seniors have worked all their lives and now can't enjoy pleasures because medicine is too high." From Pleasureville, KY, "When is it going to end? Something surely needs to be done, people like myself are not going to be able to make it. Sometimes, I wonder do I pay my bills or buy my medicine." From Dry Ridge, KY, "We are both 68 years old. My husband's prescription drug bills were about \$600 a month after heart surgery. So we started getting prescription drugs from Canada. My cholesterol medicine is \$80 a month from Wal-Mart. From Canada it is \$31 a month and is exactly the same prescription drug." From Ashland, KY, "I am 90 years old and it is a choice between food and Medicine." From Williamstown, KY, "We need the medicine but we need to eat too. Sometimes we do not know which comes first. We need help with our prescription drugs."

Mr. Speaker, it's time for us all to work together to enact a meaningful Medicare prescription drug benefit.

**HONORING STANLEY ZIMMERMAN**

**HON. ADAM B. SCHIFF**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 2002

Mr. SCHIFF. Mr. Speaker, I rise today to honor Stanley Zimmerman on the occasion of his 70th birthday and the Preview of the Automobile Driving Museum. For over 30 years, Stanley Zimmerman has been collecting, restoring, and showing classic automobiles, amassing nearly 40 cars. This life long passion will culminate with the opening of the Automobile Driving Museum in the fall of 2002.

Stanley's passion for automotive restoration began in the 1970s when he purchased a 1936 Packard Convertible Sedan which he painstakingly restored over the ensuing 28 years to award-winning, 100 point perfection. Since that time, his collection has expanded to include: Packards, Studebakers, Lincolns, Fords, Cadillacs, Chryslers, and a Stutz. Due to its uniqueness of variety and perfection, Stanley's collection has been shown around the country, winning awards and inspiring fellow collectors.

Over the last 30 years, Stanley Zimmerman's passion has contributed to the preservation of the history of automobile production in America as well as the histories of the famous Americans who drove them. His collection contains such historically significant automobiles as a 1955 Packard Caribbean, a car first purchased by Howard Hughes for his wife, Jean Peters, and a 1936 seven-passenger Packard Phantom, purportedly a gift from President Roosevelt to Joseph Stalin.

As a member of the Classic Car Club, The Packard Automobile Classics Club, the Antique Studebaker Club, the Lincoln Owners Club, the Walter P. Chrysler Club and the Earl C. Anthony Packard Club, Stanley has gained priceless knowledge about each of the cars he has restored and has thus been able to pass on this knowledge to countless other classic car owners and members of our national community. With his years of experience as his guide, Stanley will open the Automobile Driving Museum, the only car museum in the United States which allows visitors to ride in the classic cars on display.

I ask all Members to join me in congratulating Stanley Zimmerman for his devotion to the history and restoration of classic automobiles and in wishing him good fortune upon the opening of the Automobile Driving Museum.

**IN RECOGNITION OF PASTOR  
FATHER PHILLIP G. RACCO**

**HON. STEPHANIE TUBBS JONES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 2002

Mrs. JONES of Ohio. Mr. Speaker, I rise today to recognize Phillip G. Racco, Pastor of Holy Rosary Church in Cleveland, OH. On