

(A) 8 individuals with no personal or business financial interest in the airline or aerospace industry to represent the traveling public. Of these, 1 shall be a nationally recognized expert in finance, 1 in corporate management and 1 in human resources management.

(B) 4 individuals from the airline industry. Of these, 1 shall be from a major national air carrier, and 1 from an unaffiliated regional air carrier, 1 from a cargo air carrier.

(C) 3 individuals representing labor and professional associations. Of these, 1 shall be from National Air Traffic Controllers Association;

(D) 2 individuals representing airports and airport authorities. Of these, 1 shall be representative of a large hub airport.

(E) 1 individual representing the aerospace and aircraft manufacturers industries.

(F) 1 individual from the Department of Defense.

(G) 2 individuals from the Department of Transportation. Of these, 1 shall be from the Office of the Secretary of Transportation.

(2) TERMS.—Each member shall be appointed for a term of 18 months.

(d) FIRST MEETING.—The Commission may conduct its first meeting as soon as a majority of the members of the Commission are appointed.

(e) HEARINGS AND CONSULTATION.—

(1) HEARINGS.—The Commission shall take such testimony and solicit and receive such comments from the public and other interested parties as it considers appropriate, shall conduct at least 2 public hearings after affording adequate notice to the public thereof, and may conduct such additional hearings as may be necessary.

(2) CONSULTATION.—The Commission shall consult on a regular and frequent basis with the Secretary of Transportation, the Secretary of Defense, the Committee on Commerce, Science, and Transportation, the Committee on Appropriations and the Committee on Finance of the Senate, and the Committee on Transportation and Infrastructure, the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives.

(3) FACA NOT TO APPLY.—The Commission shall not be considered an advisory committee for purposes of the Federal Advisory Committee Act (5 U.S.C. App.).

(f) ACCESS TO DOCUMENTS AND STAFF.—The Federal Aviation Administration may give the Commission appropriate access to relevant documents and personnel and shall make available, consistent with the authority to withhold commercial and other proprietary information under section 552 of title 5, United States Code (commonly known as the "Freedom of Information Act"), cost data associated with the acquisition and operation of air traffic service systems. Any member of the Commission who receives commercial or other proprietary data from the Federal Aviation Administration shall be subject to the provisions of section 1905 of title 18, United States Code, pertaining to unauthorized disclosure of such information.

(g) TRAVEL AND PER DIEM.—Each member of the Commission shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from such member's usual place of residence, in accordance with section 5703 of title 5, United States Code.

(h) DETAIL OF PERSONNEL FROM THE FEDERAL AVIATION ADMINISTRATION.—The Administrator of the Federal Aviation Administration shall make available to the Commission such staff, administrative services,

and other personnel assistance as may reasonably be required to enable the Commission to carry out its responsibilities under this section.

SEC. 3. REPORT OF THE COMMISSION.

(a) REPORT TO CONGRESS.—Not later than 30 days after receiving the final report of the Commission and in no event more than 1 year after the date of the enactment of this Act, the Secretary of Transportation, after consulting the Secretary of Defense, shall transmit a report to the Committees on Commerce, Science, and Transportation, Appropriations, and Finance of the Senate and the Committees on Transportation and Infrastructure, Appropriations, and Ways and Means of the House of Representatives.

(b) CONTENTS.—The Secretary shall include in the report to Congress under subsection (a) a final report of findings and recommendations of the Commission under section 2(b), including any necessary changes to current law to carry out these recommendations in the form of proposed legislation.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

A TRIBUTE TO KIM CHI TRIEU

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 5, 2000

Ms. LOFGREN. Mr. Speaker, I rise to recognize the achievements of Kim Chi Trieu, Program Manager for the Social Services Agency of Santa Clara County. Ms. Trieu is retiring after 16 years of dedicated service to the people of Santa Clara County.

Kim Chi Trieu arrived in the United States in 1983 as a Vietnamese refugee with two of her young children and \$5 in her pocket. Within two weeks, she had found work at Catholic Charities as a job developer. In 1984, Ms. Trieu began her work with the Social Services Agency as a worker with the Targeted Assistance Unit. She helped to establish and put into operation the Central Intake Unit, which was the gateway for newly arrived refugees.

Kim Chi Trieu was promoted to Supervisor of the Refugee Unit in 1985. Her tireless work on behalf of the refugee community earned her the admiration and gratitude of Santa Clara County's many refugee populations: Vietnamese, Hmong, Mien, Cambodian and later, Ethiopian, Somali, Polish, Russian, Bosnian, Serbian, Iranian, and Afghan. In a short time, Ms. Trieu was asked to assume responsibility for the Santa Clara County Greater Avenues for Independence (GAIN) Planning Unit.

With her belief in community partnership, Kim Chi Trieu invited participation from impacted communities in the ever-changing Refugee Services Delivery System. Universally respected as a tactful mediator, she was skilled at working cooperatively with other social service programs and government agencies to ensure all her clients received the benefits to which they were entitled.

In 1996, Kim Chi Trieu expanded her role to assist in the development of the county's Temporary Aid to Needy Families (TANF) program, which has been cited by the Urban Institute as

one of the top 10 performing programs in the Nation.

Kim Chi Trieu has been a role model and a leader in her community and in county government. She has been the anchor to freedom for her family, working two jobs to help resettle two dozen family members including her parents. She has not only lived the American dream herself—she has provided countless refugee families with the opportunity to achieve that dream.

I wish to thank Kim Chi Trieu for her compassionate and dedicated service to the County and wish her the best in her future endeavors. Her integrity, compassion, and strength will be sorely missed, but our lives are the richer for having known her.

AN AFFIDAVIT BY MICHAEL
TERLECKY

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 5, 2000

Mr. TRAFICANT. Mr. Speaker, today, I am submitting an affidavit by Michael Terlecky of Mahoning County for the RECORD. The affidavit, signed and sworn on the fourth of December, 2000, alleges, Federal Bureau of Investigation knowledge and participation in illegal gambling activities and other mob related activities.

Terlecky, as a Mahoning County Deputy Sheriff, worked exclusively with the Youngstown Police Department Special Investigations Unit (SIU) to raid and eliminate illegal gambling rings in the Mahoning Valley. He was removed from active duty in 1988 because of a physical disability.

The affidavit alleges gross misconduct on the part of FBI agents Robert Kroner and Larry Lynch. He points to the pressure that was placed upon any law enforcement officer who challenged the illegal activities of James Prato and Joey Naples. Prato and Naples, both local Mafia bosses, ran illegal gambling operations in Youngstown. Rival factions were hit hard by raids while the Prato/Naples operations were left alone. Terlecky alleges Agents Kroner and Lynch attempted to control his gambling raids so that there would be no interference with the Prato/Naples operations.

As the affidavit illustrates, Terlecky was manipulated and neutralized by the local FBI agents' efforts to protect the FBI's participation in illegal activities. Michael Terlecky was dangerous to the local FBI. He was also an unlucky man for having stumbled upon the connections of the Prato/Naples faction and the FBI. For this, he was later indicted and convicted for taking a bribe from another mob boss. Lenine Strollo.

In that trial, Terlecky's attorney was Stewart Mandel. Mandel was a former U.S. attorney within the Justice Department. Following the trial, Mandel became a business partner of mob boss Lenine Strollo for a company in Conneaut, OH. Think about it. Whose interest was Mandel representing, Michael Terlecky or his business partner and mob boss Lenine Strollo?

In subsequent hearings, Lenine Strollo admitted that he never paid Michael Terlecky

bribe money. Furthermore, Mandel was indicted and convicted of income tax violations associated with Strollo.

It is clear that Michael Terlecky was innocent of the charges against him and that even his attorney had a conflicting interest in helping him. He was thrown to the wolves while the real perpetrators went unpunished. I will continue to investigate the FBI's knowledge of illegal mob related activities, including the activities of Agents Kroner and Lynch. Also, I have submitted a request to the President for a full pardon of Mr. Terlecky's conviction. His name deserves to be exonerated.

The Terlecky affidavit is being submitted today to the CONGRESSIONAL RECORD as supporting documentation for my bill H.R. 4105, "The Fair Justice Act." This bill would create an agency to oversee the U.S. Department of Justice and prosecute those involved in any wrongdoing. Today, when something is amiss in the Justice Department, it investigates itself, much like the fox guarding the henhouse. An independent oversight agency would eliminate the conflict of interest that exists today when wrongdoing occurs in the Justice Department.

STATE OF OHIO, COUNTY OF MAHONING:
AFFIDAVIT OF MICHAEL S. TERLECKY

After having been duly sworn in accordance with law, I, Michael S. Terlecky, hereby depose and say:

SUMMARY

The statements made in this affidavit can be summarized as follows:

During a span of time before March 21, 1998 while I was an active Mahoning County deputy sheriff I obtained actual knowledge that certain Federal Bureau of Investigation agents illegally obtained, controlled, suppressed, manipulated, falsified and tainted evidence. Under the law they abused their authority within the United States Department of Justice when they concealed the illegal activities of organized crime, their motive being, unjust and unlawful enrichment.

These same agents, by means of the abuse of their Federal power, controlled and manipulated local police agencies to do their bidding. That bidding being, the elimination of any illegal competitive opposition for the gangsters with whom they had aligned themselves with.

These same Federal Bureau of Investigation agents, with deliberate indifference, risked the lives of officers of the law while they themselves were breaking the law. These same agents, with deliberate indifference of the trust, allowed me, an officer of the law to be falsely imprisoned so that I could not timely reveal the truth.

1. I am more than eighteen years of age and a resident of Mahoning County, Ohio.

2. I became a Mahoning County, Ohio deputy sheriff in 1977.

3. While I was on active duty as a Mahoning County Deputy Sheriff I exclusively worked with the Youngstown, Ohio Police Department's special investigations unit. One of my main duties was to investigate and arrest people for illegal gambling activity.

4. Because of a physical disability I was taken off active duty as a deputy sheriff on March 21, 1988.

TRAFICANT TAPES

5. During the trial *United States of America vs. James A. Traficant, Jr.* That took place during 1983 the United States Assistant Attorney submitted into evidence audio tape

recordings. These audio tape recordings contained the voice of James A. Traficant, Jr. and the voices of Charlie and Orlie Carrabbia. These audio tape recordings were submitted into evidence in support of an attempt to have James A. Traficant, Jr. convicted and sent to prison. These audio tape recordings became known as the "Traficant tapes".

6. In the immediate above mentioned trial, Federal Bureau of Investigation Special Agent (FBI SA) Robert Kroner gave testimony as a prosecution witness. FBI SA Robert Kroner testified under oath that the "Traficant tapes" were found in a bread box in Joe Derose's apartment in Pittsburgh, Pennsylvania. I have personal knowledge that FBI SA Robert Kroner lied about the "Traficant tapes" being found in a bread box in Joe Derose's apartment in Pittsburgh, Pennsylvania.

7. The so called "Traficant tapes" were found by Mahoning County, Ohio Deputy Sheriff Frank Tomaino and me in Joe Derose's apartment in Canfield, Ohio during a multiple shooting investigation by Frank Tomaino, Joseph Rinko and me.

8. What took place just before the "Traficant tapes" were found was as follows: Mahoning County Deputy Sheriffs Joe Rinko, Frank Tomaino and I were present the night just after Joe Derose and a woman were found shot in Joe Derose's apartment in Canfield, Ohio. After we removed weapons from the apartment we wrongly continued to search the apartment. We had plenty of time to get a search warrant. As I was searching the apartment without a search warrant I found a locked closet. I wanted to know what was inside the closet so I used my American Express credit card to "jimmy" the lock. After entering the closet I found audio cassette tapes in plastic containers that were labeled Jim Traficant. At the time I did not know the significance of these cassette tapes, nor did I know Jim Traficant. The Federal Bureau of Investigation then took over the case.

9. I believe that the reason why FBI SA Robert Kroner lied about finding the "Traficant tapes" in Joe Derose's Pittsburgh, Pennsylvania apartment is because he didn't know who listened to the audio tapes after I found them in the presence of Frank Tomaino. Additionally, the audio tapes were found without obtaining a search warrant. I do not feel that I broke any laws in the way I found the audio tapes. However, I feel that I was ethically wrong. The shootings took place in a parking lot outside Joe Derose's apartment on Indian Run Road, Canfield, Ohio which was video camera recorded from a telephone pole. The video camera was put there by the FBI. The FBI said the video camera was not working because it was struck by lightning. To prove the video camera was not working they presented a repair receipt for the video camera.

ROBERT KRONER'S OBSTRUCTION OF JUSTICE

10. I had a reliable informant for months. He called me on the telephone one night to inform me that someone in Struthers, Mahoning County, Ohio who wanted to pay me a large amount of money if I would not include certain places in my raid on illegal gambling facilities. My informant asked me to meet with him in a donut shop on Youngstown-Poland Road.

11. Because this informant told me months before that he was an informant for FBI SA Robert Kroner, I didn't trust him. Therefore, before I met with this informant I telephoned the Youngstown, Ohio Police Department's special investigations unit (SIU). I

spoke with Officer Robin Lees requesting that I be "wired" when I met and spoke with this informant at the donut shop. I felt that I could be "set-up". Officer Robin Lees agreed to me being "wired" and said he would help me.

12. While I met with my informant Officer Robin Lees, another officer named Guzzy and four other officers were parked in a van across the street tape recording everything my informant told me over a 30 to 40 minute period of time. The main topic of what my informant told me was the setting of a meeting with individuals in Struthers, Ohio who wanted to give me money so they could relax on weekends knowing that I wouldn't be around with my gambling raiding team arresting people for illegal gambling. My raiding team had recently raided over 12 establishments. Because Charlie Carabbia was now missing, Joey Naples, along with the Pittsburgh, Pennsylvania organized crime family controlled Struthers, Ohio with only few negotiated exceptions.

13. Immediately after my meeting with my informant Robin Lees gave me the audio tape recording of my informant and my meeting. Because it was late in the day and because I never had a key to the evidence locker at the Mahoning County Sheriff Department the S.I.U. put the audio tape recording in their evidence locker for me so that I could use it as evidence later.

14. Sometime between the night the audio tape recording was placed in the S.I.U. evidence locker and the next day, Robin Lees contacted FBI SA Robert Kroner and informed him about my meeting with my informant, the audio tape recording and the plans of the investigation which included the "payoff" meeting in Struthers, Ohio by members of the Pittsburgh, Pennsylvania Mafia family.

15. Shortly after, my informant telephoned me. In an irate tone of voice he told me he was angry with me because I wore a "wire" during our conversation at the donut shop. He also informed me that FBI SA Robert Kroner telephoned him to tell him that he had the audio tapes and that if he helped me in any way that he would be indicted.

16. After the above mentioned telephone conversation with my informant I went to the Mahoning County, Ohio Prosecutor's Office and met with Assistant Prosecuting Attorney Bailey. I gave him the facts in support of FBI SA Robert Kroner's obstruction of justice. Assistant Prosecutor Bailey began creating an arrest warrant for me but stopped when I informed him that Robert Kroner was an FBI Agent. Assistant Prosecutor Bailey invited me to present my evidence to a grand jury. I declined because if I received a "no bill" my life and the lives of my family would be in danger.

17. I then went to the Youngstown Police Department's Internal Affairs Office where I filed a complaint against Officer Robin Lees because he gave the audio tape recording to FBI SA Robert Kroner, which put my life in danger. Internal Affairs Officer Lewis refused to help me. However, FBI SA Robert Kroner returned the audio tape recording to Officer Robin Lees who in turn attempted to give it back to me. I refused to accept the audio tape recording because of the break in the chain of custody of evidence and because of the potential altering of evidence. Officer Lenny Skelinski got the audio tape recording, along with a copy of a receipt signed by Officer Robin Lees. Officer Lenny Skelinski put the audio tape recording in the Mahoning County Sheriff Department's evidence locker and logged it in as evidence.

FBI SA Robert Kroner wanted me neutralized.

18. I then contacted the Office of Professional Responsibility in Washington, DC, and informed them of FBI SA Robert Kroner's illegal actions, those being the obstruction of justice.

19. Based on my personal experience, the hereinabove written and information given to me by Youngstown, Ohio Police Department's SIU Officer Joe Krupa, who was a senior member of the SIU, who I trusted that the Youngstown Police Department did not conduct gambling raids or sports betting raids, I concluded that FBI SA Robert Kroner and FBI SA Larry Lynch, through the Youngstown Police Department, other sources and its special investigations unit attempted to control my gambling raids so that I could only arrest the opposition for who the FBI had allied with their ally being Joey Naples. SIU officer Joe Krupa, in my opinion, was an honest police officer who went "by the book" which compelled me to help him.

20. I assert that FBI SA Robert Kroner telephone conversation with my informant during which he informed by informant that I was wearing a "wire" at the donut shop could have gotten me killed. I further assert that FBI SA Robert Kroner abused his Federal power to serve his personal interest. On or about March 21, 1988, close to midnight, I was shot at, at point blank range by a person with a 12-gauge shotgun while I was in my unmarked official vehicle. The shot barely missed me. The headrest directly to the right of my head was severely damaged from the shotgun blast. After this incident I was diagnosed as having chronic stress disorder. I was not permitted to return to work. One month later I was indicted for violation of Federal Rico statutes. The person who shot at me with a 12-gauge shotgun was never identified or found. I realized at this point that I was "over my head" with no one to help me. I could not seek help from the FBI because certain FBI agents could not be trusted. I do not have total mistrust of the FBI. I only mistrust certain local FBI special agents who I believe are under the control of organized crime.

THE LOUNGE INCIDENT

21. During the 1980's a restaurant known as the Gatsby Lounge in Austintown, Mahoning County, Ohio was frequented by a higher class of drug dealers. A person who went to the Gatsby Lounge fell under my narcotics surveillance. This person talked to Chief Frank Carbon who in turn talked to me. Chief Frank Carbon informed me that the person who I had under surveillance at the Gatsby Lounge wanted to pay me 2,000 per month to "back off" his establishment (a Lebanese restaurant and known drug house in Austintown Township which I closed down one week earlier). If \$2,000 was not enough I was to let him know. I suspected that the person who I first saw at the Gatsby Lounge was dealing drugs because of the amount of the attempted "payoff" and surveillance of this person being seen with known drug dealers.

22. Having been informed of the attempted "pay off" I informed Mahoning County, Ohio Sheriff Nemeth of the attempted "payoff" who told me to give the information to the FBI. I had reservations about giving the information to the FBI. After some delay I gave the information about the attempted "payoff" to FBI SA's Friedman and Plunkett. Both agents told me not to do anything because they already had an FBI agent from the Pittsburgh, Pennsylvania office

working undercover at the Lebanese drug house. I didn't believe what FBI SA's Friedman and Plunkett told me because FBI agents do not tell other FBI agents what operations they are working on. Therefore, the immediate question in my mind was. Why would they tell me about a current operation? I wanted away from these FBI agents without them knowing I wanted away from them.

23. During the same conversation with FBI SA's Friedman and Plunkett, Plunkett again lied to me when he told me that he did not know an informant by the name of Bobby Armstrong I knew he knew about Bobby Armstrong because of a conversation I had with him five (5) years ago about Bobby Armstrong. I then asked myself what am I doing with these people? Something is wrong here!

FBI CONTROLLED SIU

24. SIU Officer Joe Krupa secretly asked me to submit for approval of a search warrant to be served on the Diamond Tavern in Campbell, Mahoning County, Ohio which at the time was the illegal numbers hub for the whole organization. I received approval for the search warrant. I personally invited Special Agent Don Harris of the Internal Revenue Service to accompany us on this raid. I did this to Protect Officer Krupa and me from future retaliation because this was a Joey Naples' stronghold.

25. I took Internal Revenue Agent Don Harris with me to the Diamond Tavern along with approximately 15 officers from Youngstown Police Department's SIU and Mahoning County Sheriff's Department, Lowendowsky who used a camera to film the serving of the search warrant and any arrests. FBI SA Robert Kroner later told me that the only reason I "hit" the place was to increase my monthly "package." Robert Kroner should have known better than to make an allegation like that because if I was going to put pressure on a place like the Diamond Tavern why would I bring an IRS agent with me? How could I possibly fix something where the IRS was included? Indirectly, I found that FBI SA Robert Kroner knew this was a Joey Naples operation and was upset with me for raiding the Diamond Tavern.

26. Youngstown Police Department Officer Joe Krupa, a member of the SIU informed me that SIU was working with FBI SA Robert Kroner and FBI SA Larry Lynch. SIU officer gave me the illegal gambling targets to raid. It was quite apparent that the targets I was given by SIU to raid were limited to people and establishments involved in illegal numbers gaming and small football pools. The SIU did not raid illegal sport betting operations nor did they ask for my assistance in raiding large illegal sport betting operations. The main target of the Youngstown Police Department SIU and FBI was the illegal numbers operation of Michael "Syrah" Serrecchio, a one time Joey Naples rival. I continued to arrest people for sports betting. What appeared strange was the Youngstown Police Department's SIU would be involved in every raid except the raids conducted in their own city. FBI SA Robert Kroner controlled and suppressed information, manipulated both the SIU and me to conduct only certain gambling arrest raids, none of which were directed at Joey Naples' illegal gambling enterprise. At the time it was common knowledge that Lenny Strollo and Joey Naples were growing apart because Lenny Strollo was against narcotics while Joey Naples was involved in narcotics. It should also be noted that at this time Randall Wellington was also chief of police of

Youngtown, Ohio, and a personal friend of FBI SA Robert Kroner.

INDICTED & CONVICTED

27. I was indicted and convicted for taking a bribe from Lenny Strollo. I never took a bribe from Lenny Strollo or anyone else. This fact was revealed during a subsequent and related plea bargain hearing in which Lenny Strollo under oath testified that he never paid me a bribe. I also learned after my conviction that my attorney Stewart Mandel was associated with Lenny Strollo. My attorney, Stewart Mandel, might have acted for the benefit of others to help them so that I could not timely reveal the hereinabove written, the truth. Stewart Mandel was later indicted and convicted of income tax violations in connection with Lenny Strollo. I still believe Stewart Mandel is a good attorney who I consider a friend.

28. James A. Traficant, Jr., and I were never political allies. However, I have always respected him, therefore, I give my permission to him to use this affidavit in any way that he deems appropriate.

SPINDLETOP OIL FIELD AND LUCAS GUSHER

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 5, 2000

Mr. LAMPSON. Mr. Speaker, today I rise to recognize the Texas State Spindletop 2001 Commission's celebration of the Centennial of the discovery of the Spindletop Oil Field and the Lucas Gusher. On January 10, 2001, at 10:32 am, a permanent reproduction of the Lucas Gusher will blow, and the excitement of that moment will be reenacted.

The Lucas Gusher, located just south of Beaumont, Texas, marked the beginning of the Petroleum Age. On January 10, 1901, a team of investors and drillers led by Captain Anthony F. Lucas discovered the greatest oil well ever seen. The area upon which the gusher was discovered, Spindletop Hill, was to produce more oil per day than the annual production of oil in the entire United States.

The discovery of oil at Spindletop drastically changed the country's economy. Within days thousands of speculators, sightseers and fortune seekers swarmed into the small town as news of the discovery spread. By 1902, hundreds of active wells were operating. The vast quantities of oil found at Spindletop first made possible the use of oil as an inexpensive, lightweight and efficient fuel to propel the world into the twentieth century.

On January 10, 2001, I will be present at the Spindletop celebration, and be presenting a copy of this CONGRESSIONAL RECORD statement. Celebrating and honoring the beginning of a new age for the world is altogether fitting and appropriate and deserves the House of Representative's recognition.