

# CLASS-ACTION WHISTLEBLOWER COMPLAINT

## COMPLAINT:

I, Anthony J. Windisch, seek accountability from Congress by filing a Class-Action Whistleblower Complaint on behalf of myself, and all federal Whistleblowers, against Nancy Pelosi, Speaker of the United States House of Representatives, and all other members of the House of Representatives.

1. Anthony J. Windisch has complained about Financial Mismanagement, Computer Mismanagement and Poor Computer Security at the U.S. Department of Agriculture.
2. The General Accountability Office (GAO) has:
  - a. Investigated and confirmed the Windisch complaints.
  - b. Informed Windisch and Congress that Financial Mismanagement, Computer Mismanagement and Poor Computer Security exists throughout the federal government.
3. **CONGRESS HAS NOT SHOWN ACCOUNTABILITY FOR FINANCIAL MISMANAGEMENT, COMPUTER MISMANAGEMENT AND POOR COMPUTER SECURITY WHICH HAS CAUSED A NATIONAL SECURITY CRISIS.**

## PROBLEM:

Beginning with the 1980 Paperwork Reduction Act, the federal government continues with the **MISMANAGEMENT OF MAINFRAME COMPUTERS**, which has cost taxpayers **MORE THAN A TRILLION DOLLARS**. Mismanagement of Mainframe Computers has caused **FINANCIAL MISMANAGEMENT, POOR COMPUTER SECURITY** and continues to waste **MORE THAN FIFTY BILLION DOLLARS EACH YEAR**.

## PREFACE:

The General Accountability Office (GAO) continues reporting to Congress about computer mismanagement, financial mismanagement, poor computer security, waste and fraud. But, contrary to what most people believe, GAO has no authority to correct the problems that it reports. In addition, federal employees who blow the whistle on waste or fraud risk losing their jobs. And potential Whistleblowers are eliminated by giving their jobs to private contractors.

## BACKGROUND:

Anthony J. Windisch is a certified computing professional (CCP), who documented his working for the federal government in his book titled, "GOVERNMENT COMPUTERS ADD TO WASTE - MASS CONSPIRACY TO DEFRAUD." His story is summarized in the attached article, "Government Computers Add to Waste."

Beginning in 1982, Anthony Windisch worked at the U.S. Department of Agriculture (USDA). He soon learned that the Systems Accountants, who were responsible for implementing 'state of the art' computer systems, did not understand the basic concepts of computer DATABASE design.

USDA converted a Burroughs computer tape operating system into an IBM computer disc operating system, using] IBM's Integrated Database Management System (IDMS).

With the new IBM computer operating system, because of an INCORRECT DATABASE DESIGN, the first night's processing of more than 100,000 daily FARM LOAN transactions ran for hours and hours, and was finally canceled because of computer DEVICE CONTENTION.

DEVICE CONTENTION occurred because of an INCORRECT DATABASE DESIGN. As a result, during the updating of LOAN transaction records onto four separate computer disk files, there was a constant random switching between the four computer Disk pack storage units, while updating only a few transactions at a time onto each computer Disk pack.

A CORRECT DATABASE DESIGN would allow continuous updating of loan transactions onto the first computer Disk storage file, then onto a second Disk storage file, then onto a third Disk storage file, and then onto a fourth Disk storage file.

Instead of correcting the INCORRECT DATABASE DESIGN, computer programmers decided to modify the Job Control Language (JCL). The original JCL was: 1. Sort the update records into logical report sequence. 2. Update the computer LOAN file in logical report sequence. 3. Print the update register report in logical report sequence.

A new JCL computer procedure was created: 1. Calculate and enter computer file location onto each LOAN transaction record. 2. Sort records into computer file location sequence. 3. Update the LOAN computer file in file location sequence. 4. Sort updated records into logical report sequence. 5. Print the update register report in logical report sequence.

After changing the job processing sequence for updating the computer LOAN file, the computer programmers realized that the LOAN "CONTROL TOTAL" amount records had been eliminated. And computer programmers decided that keeping a "CONTROL TOTAL" amount record was not necessary to meet their control requirements.

A few days later, the Assistant Administrator, Larry Miller, called an impromptu meeting with the computer programmers. He was disappointed with the poor use of the new Culprit "Report Writer." He said, "Congress was promised that 'upon request,' farm LOAN reports would be produced within hours by using the new "Report Writer."

Windisch pointed out, "The new "Report Writer" cannot be used on the LOAN computer Disk file because of "DEVICE CONTENTION." And Miller replied, "My supervisors have not made me aware of any problems. I will meet with you later."

After several meetings with Larry Miller, Windisch heard that Mr. Miller was fired, and there were no more meetings.

Years later, after the Loan Servicing Offices installed computers for on-line updating of the National mainframe computer LOAN file, Windisch wrote computer programs to provide on-line transaction history for viewing at the Servicing Offices. But a "Next-day Transaction Register," which was required for update verification, could not be produced because of "DEVICE CONTENTION."

Without "Next-day Transaction Register" verification, GAO reported, "...(USDA) manages its loan portfolio manually by using color-coded index cards despite spending \$200 million on computer systems to perform this task..."

Without maintaining a "CONTROL TOTAL" amount on the computer LOAN file, it was impossible to perform an agency DAILY AUDIT REQUIREMENT, and the balancing of the daily updating and TOTALS of the computer LOAN file to the TOTALS on the General Ledger computer file WAS DISCONTINUED. Agency auditors were unaware that this AUDIT REQUIREMENT HAD BEEN DISCONTINUED.

**TRY BALANCING YOUR CHECK BOOK WITHOUT KEEPING A "CONTROL TOTAL" AMOUNT FOR COMPARISON TO YOUR BANK STATEMENT AMOUNT.**

Later, Windisch was assigned to rewrite the computer programs that produce Month End Loan reports. He complained to his supervisor, Pat Sinner, that the computer LOAN file did not include a "CONTROL TOTAL" amount on the computer LOAN file, and that without a "CONTROL TOTAL" amount for comparison, there was no way to verify that the TOTAL AMOUNT of loans on the new LOAN reports were correct.

Windisch was instructed to do the job without using a "CONTROL TOTAL" amount. And while rewriting the loan report, Windisch discovered that three delinquent loans were being underreported by \$10 million each. The new Month End Loan reports showed delinquent loans to be \$30 million higher. But there was no way to prove that the new Monthend Loan reports are correct.

Windisch wrote to Agriculture Secretary Mike Espy, who asked the Inspector General's office to investigate. There was one meeting with Windisch, two of his consultants and several agency auditors. Soon after the one meeting, there were rumors that Mike Espy had taken gratuities from Tyson Foods, and Mike Espy resigned. And there were no more meetings with Windisch.

During a 1987 National Suggestion Campaign, Windisch filed an Employee Suggestion to "REORGANIZE COMPUTER MANAGEMENT" whereby computer professionals would be hired to design and implement 'state of the art' computer systems. The suggestion was not investigated and was rejected.

**From Federal Computer Week on September 4, 1989, "After two failed attempts at modernizing its computer systems, the Farmers Home Administration (FmHA) still lacks the skilled technical staff and sufficient economic analysis standards it needs for a third try, according to a General Accounting Office (GAO) report on the program..."**

GAO also criticized FmHA officials at USDA for their reluctance to hire a certified computer Database Administrator. Without hiring an IDMS Database Administrator, it is impossible to effectively use the Cullinet Integrated Database Management System (IDMS) to design 'state of the art' computer systems.

After 1987, computer and financial mismanagement at USDA AND THROUGHOUT THE FEDERAL GOVERNMENT became more evident. And in 1991, Windisch filed a federal Whistleblower Complaint, which was not investigated and was rejected.

**MAINFRAME COMPUTERS ARE REPLACED WITH (OPEN) DATABASE  
COMPUTER SYSTEMS THAT PROVIDE POOR COMPUTER SECURITY**

During 1984, Windisch was assigned to review deliverables for Accounting Program Delivery System (APDS) which was designed by Price Waterhouse for use on the Mainframe Computer. The APDS system had 19 subsystems and 40 volumes of documentation. Windisch was asked and gave his approval for government acceptance of the APDS system design package. The APDS system failed to be implemented because the Systems Accountants did not understand the design criteria.

After GAO wrongly accused Price Waterhouse for failing to complete the computer system design, Price Waterhouse closed their St. Louis government contracting office.

In 1990, Supervisor Patrick Sinner sent Windisch to a seminar where the Oracle Computer System was demonstrated. Windisch performed an independent feasibility study, which showed that IT WAS IMPOSSIBLE TO USE THE ORACLE COMPUTER SYSTEM AND PROVIDE "**USER REQUIREMENT SPECIFICATIONS**" such as "**COMPUTER SECURITY**" AND "**FINANCIAL CONTROLS**", which was documented in the Accounting Program Delivery System (APDS).

Proposed online updating of the Oracle computer files would:

1. Eliminate the financial controls of nightly batch updating by the National Finance Office in St. Louis.
2. NOT eliminate the theft of loan payments and fraud such as erroneous 1% interest rates.
3. Eliminate use of the central Deposit Fund System which assures that each deposited loan payment is applied to correct loan account.

Windisch also pointed out that the Oracle "OPEN" database system provides "**POOR COMPUTER SECURITY**", and when connected with the mainframe computer, invites potential "hackers" to invade the mainframe computer.

Congressman Richard A. Gephardt prompted a meeting for Windisch with Assistant Administrator Edward Ates to review complaints about the Oracle database system. After the meeting with Windisch, when Edward Ates questioned his boss Mark Boster about the Oracle computer system and "**POOR COMPUTER SECURITY**," Mark Boster fired Edward Ates.

In 1991, a story in GOVERNMENT COMPUTER NEWS questioned the motivation and integrity of the National Security Agency. "**Sharing Secrets** - Vendors of data base management systems are concerned about the way a data base security standard is being developed. The National Security Agency's National Computer Security Center (NCSC) has been working on its Trusted Database Interpretation for more than a year with the help of Oracle Corp., but the contract to help develop a draft standard was made public only recently.

The shroud of secrecy surrounding the data base standard naturally has fueled vendors' suspicions that Oracle has been unduly favored. The vendors have objected to the technological approach the draft standard adopts and to the competitive edge they believe Oracle has secured.

It is unclear how NCSC arrived at the decision to pick Oracle, though it has been suggested that Oracle submitted an unsolicited proposal. It also is unclear to whom the draft was sent for comment..."

GAO investigated Windisch's Complaint and sent report GAO/IMTEC-92-9 to the House Agriculture Committee, "ADP MODERNIZATION - Half-Billion Dollar FmHA Effort Lacks Adequate Planning and Oversight." This report shows the need to "Reorganize Computer Management," whereby computer professionals would be hired to design and implement 'state of the art' computer systems. This **GAO report also warned about "POOR COMPUTER SECURITY"**, "...While it is true that the government's open systems standards facilitate porting of software and interconnecting systems, they do not address design, procedural, or architectural incompatibility within an agency's application software or information systems..."

At GAO's suggestion, Windisch sent his "Critical Report" to the House Agriculture Committee, but Windisch was not allowed to testify.

In 1992, Leon Snead, Inspector General, USDA, wrote to Windisch and explained that POOR COMPUTER SECURITY was a government-wide problem. In 1987, Leon Snead participated in a President's Council on Integrity and Efficiency (PCIE).

Based on audits by the 10 agency inspector generals, the Council concluded, "...all of the agency computer systems reviewed had serious operating-system and software control deficiencies..." And "hackers" can "...access, modify and/or destroy an agency's computer data, programs and other resources without leaving an audit trail..."

Windisch tried to explain, that after **"ALL PHYSICAL CONTROL DEFICIENCIES"** discovered by PCIE are corrected, the use of an Oracle database system with its porting of computer software programs allows anyone to **"HACK"** into its interconnecting systems. But Leon Snead would not meet with Windisch.

In 1994, a federal "COMPUTER CHAOS" report, verified that Computer Mismanagement is a government-wide problem. This report cited Agriculture's wasteful Oracle Computer Project, "...after spending over \$500 million modernizing its financial management systems, the effort was stopped before completion after management found out it did not really know what it was getting from its investment and the systems would not provide for effective oversight and fraud detection."

To answer Windisch's questions about Financial Mismanagement, GAO sent him report GAO/OCG-93-4TR titled, "FINANCIAL MANAGEMENT ISSUES...The Director of OMB (Office of Management and Budget) described the federal financial management system as "essentially a primitive cash budgeting system - without satisfactory controls or audits; without accruals; without balance sheets; without a clear picture of assets, liabilities, returns on investment, or risks."..."

"...Not only does the government do an abysmal job of rudimentary bookkeeping, but it is also far from having the modern financial systems one would expect of a superpower. At present, the federal government runs the world's largest financial operation without reliable information needed for making informed decisions. It annually spends about \$1.5 trillion - almost a quarter of the country's gross national product - using unreliable systems and ineffective controls. And manages hundreds of programs, many of them individually larger than our nation's biggest publicly owned corporations, without adequate knowledge of their financial condition and the results they achieve..."

"...A growing consensus on the seriousness of the problems outlined above culminated in enactment of the Chief Financial Officers (CFO) Act in November 1990. This landmark law... represents the most far-reaching financial legislation in 40 years and provides an excellent blueprint for reform..."

Windisch questioned GAO's recommendation on "Financial Management Issues," "...The government could also benefit from more cross-servicing, in which one agency provides financial services to another agency. Today, for instance, the Department of Agriculture provides payroll services to about 40 other agencies..." Windisch complained that this combining of financial computer processing for different agencies at one agency was contrary to the intent of the 1990 Chief Financial Officer (CFO) Act.

**The GAO reply, "Unfortunately, we do not have many people in GAO who know a lot about computers."**

Anthony Windisch wrote to President Bill Clinton in March, 1993, "...I claim that with **INADEQUATE CONTROLS, IMPOSSIBLE AUDITS AND CHAOTIC ACCOUNTING, NOBODY KNOWS THE TRUE FINANCIAL CONDITION OF OUR COUNTRY. IF FOREIGN COUNTRIES ARE NOW CAUTIOUS ABOUT INVESTING IN OUR NATIONAL DEBT, WHAT WILL MY STORY DO TO THEIR CONFIDENCE?...**" Instead of investigating the Windisch concerns about the commingling of agency funds, the U.S. Treasury Department formed the Financial Management Service (FMS).

**On April 26, 1996, Windisch wrote to Presidential Advisor Leon Panetta, "PLEASE PERSUADE PRESIDENT CLINTON TO INVESTIGATE MY WHISTLE BLOWER COMPLAINT IN ORDER TO ADDRESS AND CORRECT A SERIOUS FINANCIAL MANAGEMENT CRISIS..."** Windisch received a reply from the U.S. Office of Special Counsel, **"This will acknowledge receipt of the above-referenced Complaint... (OSC File No. Ma-96-2193)."** Then **Presidential Advisor Leon Panetta resigned and Windisch's request for reconsideration of his Complaint was denied.**

On June 1, 2000, Jack L. Brock, (GAO) Director, Government wide and Defense Information Systems, wrote, "Dear Mr. Windisch...Thank you for your recent letter regarding computer security. The need to strengthen computer security in both government and the private sector has been recognized I am enclosing a copy of my recent testimony before the U.S. Senate..."

**Senate report GAO/T-AIMD-00-181, WARNING ABOUT "POOR COMPUTER SECURITY"** IN THE GOVERNMENT, "...As noted in previous testimonies and reports, almost every federal agency has poor computer security. Federal agencies are not only at risk from computer virus attacks, but are also at serious risk of having their key systems and information assets compromised or damaged from both computer hackers, as well as unauthorized insiders...the potential for more catastrophic damage is significant...hostile nations or terrorists could use cyber-based tools and techniques to disrupt military operations, communications networks, and other information systems or networks..."

**"POOR COMPUTER SECURITY"** IN THE PRIVATE SECTOR, "...the worm/virus affected large corporations, such as AT&T, TWA, and Ford Motor Company; media outlets, such as the Washington Post, Dow Jones, ABC News; state governments; school systems; and credit unions, among many others...Internationally, the virus affected businesses, organizations, and governments, including the International Monetary Fund, the British Parliament, Belgium's banking system, and companies in the Baltics, Denmark, Italy, Germany, Norway, the Netherlands, Sweden, and Switzerland..."

In 1995 it was reported, "During the Persian Gulf War a group of Dutch computer hackers offered Iraq their services to help snarl the Pentagon's electronic communications network. For mysterious reasons, Saddam Hussein turned them down. But a future foe might not, and could, thereby, gain success in penetrating America's military communications."

Windisch was further alarmed when he read about terrorist Ziyad Sadaqa. "Authorities traced the satellite phone to Sadaqa, who had moved to Florida that year to take a job with Oracle, a computer software company..." The Oracle computer company would be a good place to learn "how to hack" into the federal computer files.



In 2002, Windisch wrote to President George W. Bush, and to Richard Clarke, Special Advisor for Cyberspace Security. "Iraq war planning must include the following strategic facts." The U.S. General Accounting Office (GAO) reported "...almost every federal agency has poor computer security...the potential for more catastrophic damage is significant...hostile nations or terrorists could use cyber-based tools and techniques to disrupt military operations, communication networks, and other information systems or networks..."

Richard Clarke was fired, and the Windisch concerns about a "NATIONAL SECURITY CRISIS" were not answered.

In 2002, Windisch wrote to Mr. Brock at GAO expressing serious concern about wide-spreading **"POOR COMPUTER SECURITY"** IN THE PRIVATE SECTOR. Windisch pointed out that federal inaction about the misuse of the Oracle computer system and **"POOR COMPUTER SECURITY"** IN THE GOVERNMENT, has given automatic approval to the Oracle Corp. implementation of a series of Financial Management Systems for use in THE PRIVATE SECTOR.

Shortly thereafter, Jack L. Brock, Director Government wide and Defense Information Systems, was reassigned to be Director, Acquisition and Sourcing Management.

November 1993, GAO/GGD-94-21 "WHISTLEBLOWER PROTECTION - Reasons for Whistleblower Complainants' Dissatisfaction Need To Be Explored." GAO surveyed 945 employees who sought protection from OSC (from 1989-1993) under the provisions of the 1989 Whistleblower Act, and received responses from 662.

**"The results of our survey of those individuals (Windisch included) who sought whistleblower protection from OSC showed general dissatisfaction with OSC and agency performance..."**

- About 81 percent of respondents gave OSC a generally low to very low rating for overall effectiveness...
- About 78 percent of respondents did not believe that OSC investigators obtained all of the information needed to investigate their claims.
- About 83 percent of respondents said they received a generally unfavorable to very unfavorable resolution of their complaints from OSC...
- About 88 percent of the respondents said that reprisals had actually taken place...

While working at USDA, Windisch who is a certified computing professional (CCP), submitted a "REQUEST FOR CERTIFICATION OF BASIC ELIGIBILITY REQUIREMENTS FOR GS-510 ACCOUNTING SERIES GRADE-12 SYSTEMS ACCOUNTANT" with the responsibility for implementing 'state of the art' computer systems.

The "REQUEST" documented Windisch's 20 plus years of computer education and work experience, including being Manager of Computer Financial Systems at Wagner Electric Co.

On January 23, 1984, the Personnel Department replied "...Two supervisory accountants reviewed the information you provided...and determined that your'...background is insufficient to qualify (you) for the accounting series'."

In addition, after Windisch was bypassed for job promotions to Computer Programmer Analyst - Team Leader more than twenty times, the AFGE Union filed an Age Discrimination Complaint. And on February 1, 1988, Windisch wrote to the Assistant Administrator, Finance Office, USDA.

"...I am horrified by the harassment and new discrimination evidenced in your two documents of Jan. 14 and Jan. 22, 1988.

...In the first instance you "offer" to rob me of my individual rights to retirement options which I have earned! Are not mine and others' rights protected by the federal law?

Then in the second instance, rather than reconciling my registered complaints as they effect my employment position, you simply demand a forced resignation...eliminating my employment position!

Your repeated demands make me fearful that you intend to terminate my employment one way or another, with or without settlement of this matter! These instances of new progressive harassment highlight the on-going age discrimination!

You concluded each correspondence with the assurance "it is further understood and agreed that the complainant is to be free of any reprisal in connection with the subject matter."

Congressman Richard A. Gephardt wrote to Windisch, "This will acknowledge receipt of your recent letter regarding your whistleblower complaint from many years ago. As you know, you contacted the appropriate agencies and committees regarding this matter some time ago. There is no action I can take to investigate or assist you with this issue. Since you are dissatisfied with the Office of the Special Counsel's handling of this matter, I can only reiterate that you seek legal counsel for advice regarding any recourse that might be available."

After receiving the Gephardt rejection letter, Congressman James Talent offered to investigate Windisch's Complaint. A short time later Talent's office informed Windisch that Talent would not investigate the Complaint because of an unwritten rule of legislative courtesy where "A congressman may not investigate a Complaint outside their own jurisdiction."

In 2000, Windisch ran for congress on the Reform Party ticket. He participated in the Palm Beach Reform Party National Convention, but the news media seemed to ignore him and would not publish his issues.

In 1997, as the Senate and House Banking committees were working on a new Banking Reform bill, Federal Reserve Chairman Alan Greenspan warned about the commingling of federally insured bank deposits with Wall Street trading. "...the lines between banks, financial institutions and commercial firms are rapidly blurring, boosting the need for regulatory oversight...it's pretty apparent that the dividing line which segregates commerce and finance and finance and banking will continuously erode as the (computer) technology increases..."

Windisch wrote to President Bill Clinton, and the Treasury Department replied on August 24, 1998. "Dear Mr. Windisch... Thank you for the letter and accompanying information you sent to President Clinton concerning the banking reform bill, government financial management, and recent financial institution mergers..."

"Your letter (and accompanying information) also raises concerns that many consumers have with recent mergers in the financial services industry. Because of your interest in this subject, I am enclosing recent Treasury Department testimony on issues raised by large-scale financial institution mergers..."

Treasury report RR-2405 to the House Banking and Financial Services Committee, on page 5, "Some have raised concerns that larger and larger mergers may create institutions that would be considered "too big to fail" if they were threatened with insolvency, increasing pressure on the government to protect uninsured depositors and other creditors from loss in order to avoid systemic risk."

"...Systemic risk refers to the possibility of a sudden, usually unexpected event disrupting the financial markets quickly enough and on a large enough scale to cause significant harm to the real economy..."

"...Cascades. Systemic risk may arise from the business that banks and other financial institutions conduct with each other, e.g. small banks typically hold deposits in larger banks. The failure of a large bank or other financial firm could trigger in domino-like fashion the failures of other firms to which it owes money. The fear of a cascade of losses was a major reason why the Government extended protection to all depositors of the failed Continental Illinois Bank in 1984..."

As a result of Banking Reform, Citigroup Inc. became the world's largest financial-services company. It was reported that Citigroup "...was embroiled in a series of scrapes that hurt its reputation...is selling off some operations, such as asset-management and life-insurance units...It lost its private-banking license in Japan...faced probes of an aggressive bond-trading strategy in London...drew flack over its role in financing fraud-ridden companies including Enron Corp., Worldcom Inc., Adelphia Communications and Parmalat... faced billions of dollars in fines and settlements...etc..."

In 2003, Windisch again requested help from the Office of Special Counsel (OSC) regarding his Complaint about Federal Computer Mismanagement, Financial Mismanagement, and Poor Computer security.

Windisch received several pamphlets from the OSC. A general pamphlet describes, "THE ROLE OF THE U.S. OFFICE OF SPECIAL COUNSEL... Protecting Federal Whistleblowers Investigating and Prosecuting Prohibited Personnel Practices...The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency..."

A second pamphlet, Form OSC-12 (2/02), explains, "...OSC does **NOT** have authority to investigate the disclosures that it receives. The law provides the OSC will (a) refer protected disclosures that establish a substantial likelihood of wrongdoing to the appropriate agency head, and (b) require the agency head to conduct an investigation, and submit a written report on the findings of the investigation to the Special Counsel." (emphasis of **NOT** is in the original text)

Pamphlet OSC-11 (2-02) explains, "OSC has no jurisdiction over employees of: the Central Intelligence Agency; the National Security Agency; the General Accounting (Accountability) Office; the Federal Bureau of Investigation; the Federal Aviation Administration; the U.S. Postal Service; other intelligence agencies excluded from coverage by the President;..."

In 2005, Windisch wrote a series of letters to the U.S. Justice Department requesting an investigation "of my Complaint about Computer Mismanagement and Financial Mismanagement which has caused a NATIONAL SECURITY CRISIS..." All requests for an investigation by the Justice Department were denied.

On the other hand, a ST. LOUIS POST-DISPATCH, PARADE article on September 9, 2001 titled "She Seeks Justice" describes how the Justice Department has spent \$31 million dollars defending Computer Mismanagement and Financial Mismanagement at the U.S. Interior Department.

During this Blackfeet Indians class-action litigation, "...The presiding federal district judge, Royce Lamberth, twice ordered Interior and Treasury to produce documents involving the Individual Indian Money trust fund. Despite promises to do so, a special investigator appointed by Judge Lamberth discovered that during the course of the proceedings, Interior had in fact been destroying documents. What's more, Treasury officials had shredded 162 cartons of ledgers listing transactions and disbursements plus records of uncashed checks - some 100 years old - that never reached their intended Indian recipients..."

Later it was reported, "...In an extraordinary step approved by a federal judge (Lamberth), a computer expert hacked his way into a government-run Denver-based financial system this summer, created a false account and later altered yet another account. All this happened without the hacker being detected..." Review Jim Lehrer NEWS HOUR video.

**THIS INTERIOR DEPARTMENT STORY IS CLEARLY HORRIFYING PROOF OF WHAT IS HAPPENING THROUGHOUT THE FEDERAL GOVERNMENT.**

On November 2, 2005, Windisch wrote to "The Honorable John Warner, Chairman, Committee on Armed Services... Dear Chairman,

## **RE: NATIONAL SECURITY CRISIS**

Please read my attached three page story showing how and why we have a National Security Crisis.

**WHAT WILL YOUR ARMED SERVICES COMMITTEE DO TO ADDRESS THIS NATIONAL SECURITY CRISIS?..."**

Senator Warner answered Windisch on November 21, 2005. "Dear Mr. Windisch: Thank you for contacting me regarding your request for assistance...Senatorial courtesy, a longstanding tradition in the United States Senate, dictates that a Senator be given the opportunity to assist the constituents they were elected to represent. Therefore, as a matter of courtesy, I am forwarding your correspondence to the Honorable Christopher Bond who represents the State of Missouri so that he can follow up with your case..."

On the other hand, when Windisch has written on his own to Senator Bond and other representatives, he was told that his representatives can make sure that his request for assistance is sent to the appropriate committee, but they had no control over how the committee (such as the Warner Armed Services committee) handles his request.

Meanwhile, there are continuing problems at USDA. January 2004, GAO-04-154, "INFORMATION SECURITY - Further Efforts Needed to Address Serious Weaknesses at USDA...Significant, pervasive information security control weaknesses exist..."

**AND ALTHOUGH "...Significant, pervasive information security control weaknesses exist...", USDA IS CLOSING 800 OF ITS 2400 SERVICING OFFICES BECAUSE OF THE VOLUME OF INFORMATION THAT IS AVAILABLE FROM "OPEN" ORACLE COMPUTER SYSTEMS.**

And government wide COMPUTER MISMANAGEMENT continues. Report GAO-04-615, "DOD BUSINESS SYSTEMS MODERNIZATION - Billions Continue to be invested with Inadequate Management oversight and Accountability...The Defense Department's Information Technology (IT) management blunders have also adversely affected U.S. military units and service members, including those fighting in Iraq and Afghanistan."

August 2006, report GAO-06-659, "INFORMATION SECURITY - Federal Reserve Needs to Address Treasury Auction Systems" The General Accountability Office (GAO) concludes, "...In general, the FRBs (Federal Reserve Banks) had implemented effective information system controls over the mainframe (computer) applications...On the distributed-based systems and supporting network environment used for Treasury auctions, however, they had not fully implemented information system controls to protect the confidentiality, integrity, and availability of sensitive and financial information..."

The FRBs misuse of "OPEN" computer database systems for its distributed-based systems shows how there is continuing "POOR COMPUTER SECURITY" throughout the federal government.

Report GAO-002-317, "FINANCIAL MANAGEMENT SERVICE - Significant Weaknesses in Computer Controls Continue... The pervasiveness of the computer control weaknesses - both old and new - at FMS (Financial Management Service) and its contractor data centers place billions of dollars of payments and collections at risk of loss or fraud..."

**AGAIN**, this GAO report warns about the increasing problems of **"POOR COMPUTER SECURITY,"** "...The severity of these risks magnifies as FMS expands its networked environment through the migration of its financial applications from mainframes to client-server environments..."

**IN GAO-002-317, IN UNSEEMLY JEST, GAO REPORTS THAT THE TREASURY DEPARTMENT'S FINANCIAL MANAGEMENT SERVICE IS "...the government's financial manager, central disburser, and collections agency as well as its accountant and reporter of financial information..."**

**ANTHONY WINDISCH COMPLAINS THAT THE UNITED STATES TREASURY DEPARTMENT OPERATES ITS FINANCIAL MANAGEMENT SERVICE (FMS) ILLEGALLY AND CONTRARY TO THE 1990 CHIEF FINANCIAL OFFICER (CFO) ACT. BECAUSE THE CFO ACT DICTATES THAT THE CHIEF FINANCIAL OFFICER FROM EACH AGENCY MUST BE HELD ACCOUNTABLE FOR ALL FINANCIAL REPORTING ABOUT THEIR AGENCY.**

All Americans must read the attached article, "Government loses track of its money." This is a story about the General Accountability Office (GAO) audit of Federal Consolidated Financial Statements, which the GAO declared to be an **"UNMITIGATED DISASTER."** (emphasis added)

Congress has shown "NO ACCOUNTABILITY" for this DISASTROUS AUDIT, while THE U. S. TREASURY DEPARTMENT AND ITS FINANCIAL MANAGEMENT SERVICE (FMS) CONTINUE TO OPERATE A FINANCIAL MANAGEMENT SYSTEM THAT IS "...essentially a primitive cash budgeting system - without satisfactory controls or audits; without accruals; without balance sheets; without a clear picture of assets, liabilities, returns on investments, or risks"

In addition, CONGRESS HAS SHOWN "NO ACCOUNTABILITY" FOR CONTINUING GAO REPORTS CONCERNING COMPUTER MISMANAGEMENT AND POOR COMPUTER SECURITY, WHICH HAS CAUSED A **"NATIONAL SECURITY CRISIS."**

# **CONGRESS MUST BE HELD ACCOUNTABLE** **FOR OUR NATIONAL SECURITY CRISIS**

- A. CONGRESS MUST ADDRESS OUR "NATIONAL SECURITY CRISIS" BY CORRECTING "POOR COMPUTER SECURITY." AND IN CONJUNCTION, MUST "REORGANIZE COMPUTER MANAGEMENT," WHEREBY CERTIFIED COMPUTER PROFESSIONALS ARE HIRED TO DESIGN AND IMPLEMENT 'STATE OF THE ART' COMPUTER SYSTEMS,
- B. CONGRESS MUST OUTLAW THE TREASURY DEPARTMENT'S FMS, AND ITS "...primitive cash budgeting system..."
- C. CONGRESS MUST REINFORCE THE "CHIEF FINANCIAL OFFICER ACT," AND GIVE A TRUTHFUL FINANCIAL ACCOUNTING TO THE AMERICAN PEOPLE.
- D. CONGRESS MUST REWRITE THE "WHISTLEBLOWER PROTECTION ACT" (WPA), WHEREBY WPA'S "OFFICE OF SPECIAL COUNSEL" (OSC) BECOMES A DEPARTMENT WITHIN THE GENERAL ACCOUNTABILITY OFFICE (GAO), AND GIVES GAO THE AUTHORITY AND RESPONSIBILITY TO:
  - 1. PROSECUTE WRONGDOERS, AND
  - 2. OFFER SOLUTIONS FOR REPORTED PROBLEMS OF WASTE AND FRAUD.

Windisch claims that MISMANAGEMENT OF MAINFRAME COMPUTERS, FINANCIAL MISMANAGEMENT AND POOR COMPUTER SECURITY continues to WASTE MORE THAN FIFTY BILLION DOLLARS EACH YEAR.

Windisch seeks an award for his Employee Suggestion to "REORGANIZE COMPUTER MANAGEMENT" of 5 percent times \$50 billion in savings equal to \$2.5 billion.

Award will be distributed as follows:

- 1. Sixty percent to 1,000 federal whistleblowers surveyed for report GAO/GGD-94-21, and others named by Windisch.
- 2. Twenty percent to attorneys who work based on contingency.
- 3. Twenty percent to Anthony Windisch, his consultants and constituents.

Respectfully,

Anthony J. Windisch, CCP