

# National News

## Electric utilities attack deregulation push

A coalition of 40 investor-owned electric utilities, under the umbrella of the Electric Reliability Coalition, have begun an advertising campaign to warn the public of the Bush administration proposal to destroy the industry through deregulation.

"The same lures of financial schemes for easy profits and alleged lower costs that led to the deregulatory disasters of the 1980s—S&Ls, airlines, and telephones—are back again," one ad reads. "Now they're tempting some in Congress and the administration to experiment with America's electric utilities—who for generations have provided the most reliable and lowest cost power in the world."

The 40 utilities service more than 75 million people. They estimate that deregulation "will open the gates to heaping an estimated \$100 billion in highly leveraged debt onto the U.S. economy for projects that aren't needed." Dereg would allow any group that can talk venture capitalists into funding a project, to borrow money without any legal obligation to ever provide reliable power. The ad concludes, "If it ain't broke, don't break it."

## Ridenhour says U.S. liable for war crimes

Will the "highway from Kuwait City" come to have the same meaning as "My Lai," asks Ron Ridenhour, in a commentary in the March 16 *Houston Post*. Ridenhour served in the U.S. military in Vietnam and was later a reporter there. His 1969 letter of complaint led to the official investigation of the My Lai massacre.

Ridenhour details the decapitation and systematic destruction of every vehicle in the seven-mile Iraqi column that was fleeing Kuwait City on Feb. 26. "It was, without question, a breathtaking slaughter. The killing of that caravan was universally hailed in the American press as an extraordinary

military victory. Was it?" asks Ridenhour.

"Maybe the President is right. Maybe we should have war-crimes trials. . . . If we do that, then why shouldn't what happened to the people trapped in the middle of that column—and the people who killed them—also come under that tribunal's jurisdiction? . . . It is not a happy question, especially for a press gallery so desperately leading the escape from the so-called Vietnam Syndrome."

Ridenhour asks readers to consider why it was necessary to kill the people trapped in the caravan, who were without an escape route. Weren't they effectively prisoners at some point? he asks.

"I hate to be the grinch, but I want to see, Live at Five, the on-board videos the aircraft cameras took of their handiwork on the highway from Kuwait City. . . . I want to see how the slaughter of the caravan was substantively different from that at My Lai where people were lined up and shot."

## Scalia decision would expand death penalty

A recent decision by Supreme Court Justice Antonin Scalia, which defense specialists say will make it much more difficult to find volunteer lawyers to serve inmates on death row, has set the stage for the Bush administration's efforts to expand the use of the death penalty.

Newly assigned by Chief Justice William Rehnquist as the administrative justice for the U.S. 5th Circuit Court of Appeals, Scalia overturned past practice and ruled that lack of a lawyer would no longer be "good cause" for an extension of time in which to file a petition for a writ of *certiorari* in capital cases.

Scalia's ruling came in response to petitions for extension of time filed by the Texas Resource Center in Austin, a federally and privately funded group that recruits lawyers to handle death-row appeals. He said that none of the requests would meet the test of "good cause shown" for granting an extension, and said withdrawal of counsel does not automatically justify an extension of time. Scalia's decision is final, and cannot

be appealed.

In one of the cases, Scalia noted that an extension would go beyond the execution date, which would be "either futile or will disrupt the state's orderly administration of justice."

## Texas bill would curb grand jury abuse

Legislation aimed at reining in the use of grand juries for fishing expeditions has been introduced into the Texas House of Representatives by Rep. Senfronia Thompson, (D-Houston). The bill would allow grand jury witnesses to be accompanied by their lawyer.

Austin District Attorney Ronnie Earle attacked the bill as an "outrage," calling it a "drug trafficker, organized criminal, corrupt politician amnesty act, and it is a slap in the face to every prosecutor and other law officer in Texas."

Thompson responded to Earle on the House floor, saying, "I'm demanding that Ronnie Earle not just apologize to the Honorable Senfronia Thompson but to every honorable member of this body for the outrageous conduct and sleazy tactics that he has employed." She said Earle's comments were meant to intimidate members from supporting her bill, and called upon House members to show "that you will not be bullied by Ronnie Earle and his McCarthy-like tactics."

Her attack on Earle provoked a standing ovation from House members. Earle brought evidence to a grand jury in January which led to a two-count misdemeanor indictment of House Speaker Gib Lewis. He is continuing to go after Lewis and others in the House leadership.

## Exxon to pay fines for Valdez oil spill

In a precedent-setting agreement, Exxon Corp. and Exxon Shipping Co. agreed in mid-March to settle all federal and state civil claims resulting from the Exxon Valdez oil

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spill on March 24, 1989, and will pay \$900 million in damages. Attorney General Richard Thornburgh announced that Exxon had also agreed to plead guilty to federal environmental criminal charges and to pay a criminal fine of \$100 million.

This is the largest environmental criminal penalty in history, and sets a precedent for environmental criminal prosecutions in any type of accident. Exxon, which had agreed to pay \$1 billion in fines a long time ago, had fought the criminal charges for that reason. Exxon also pled guilty to a violation of the Migratory Bird Treaty Act, which is the first time a corporation has been convicted of violating an international environmental treaty. Exxon still has to contend with several other lawsuits, including one from an environmental coalition led by the National Wildlife Federation which is seeking \$1 billion in damages to be given by Exxon to the environmental groups so they can allegedly fix Alaska.

Although Exxon may be able to pay such fines, most middle-sized and smaller businesses would be bankrupted.

Ironically, scientists have now established that significantly greater damage was caused by the efforts to restore the damage from the spill than from the spill itself, and that, as has been seen in oil spills, within 5-10 years, there is no trace of damage.

### Last case dropped against PANIC workers

The Office of Los Angeles District Attorney Ira Reiner announced March 15 that it is dropping charges against Bruce Kilber, the last remaining defendant in the indictments concocted by his office and that of California Attorney General John Van de Kamp over three years ago against supporters of Lyndon LaRouche.

Kilber was charged in January 1988 with illegally registering to vote. Charges against Andrea Diano-Smith, who had been indicted along with Kilber, were dropped two years ago after it was learned that a key piece of evidence had been manufactured by the family of her husband, Lewis du Pont Smith. The prosecutions were the product

of a combined "Get LaRouche" task force and Hollywood-gay lobby effort against Proposition 64, the anti-AIDS ballot initiative placed on the November 1986 California ballot by associates of LaRouche. Both Reiner and Van de Kamp were prominent and outspoken opponents of Prop. 64, and are closely tied to the circles of California's Hollywood-gay lobby which are controlled by the Anti-Defamation League.

The dismissal of charges came as the defense was ready to document that Reiner's office never prosecuted in instances of similar allegations, and that it had sat on charges made against his political allies.

### Judge blocks 'Get LaRouche' document grab

Fairfax County Circuit Court Judge Thomas Fortkort granted a temporary restraining order (TRO) March 12 requested by four entities affiliated with the LaRouche political movement. The request, barring the execution of a search warrant for production of bank records until a motion to quash is heard, was identical to one denied earlier by Alexandria Circuit Court Judge Richard Kent, and is a blow to the "Get LaRouche" task force's harassment of the LaRouche movement. The search warrant was quashed in Fairfax on March 20.

Fortkort found that a reasonable basis to believe that the warrant was improper and illegal existed, thus requiring the protection the entities had asked for. Showing a considerably greater concern for constitutional questions, Fortkort enjoined both Signet Bank and Loudoun County Sheriff's Lt. Donald Moore (or any other law enforcement agent) from executing the warrant, until all arguments on its legality are heard.

The Fairfax County and Alexandria Circuit warrants were based on an affidavit from a Minnesota Attorney General's investigator that was also used to get a seizure order for bank accounts in Philadelphia. That order was subsequently vacated by a Minnesota judge, based on material omissions in the affidavit, particularly that the facts involved in a supposed "swindle" were the subject of a civil settlement.

● **J. BUSH AND CO.**, the firm of Jonathon Bush, President Bush's brother, agreed to pay \$4,000 to settle charges that it operated in Connecticut without properly registering, the March 11 *Wall Street Journal* reported.

● **STUDENTS** at Hampton University in Virginia are objecting to President Bush speaking at their commencement ceremony, the March 17 *Washington Post* reported. The students say that Bush is antagonistic to minorities.

● **'ONE OF THE** most expensive and pervasive public relation campaigns ever launched by a foreign country in the United States," is how the March 17 *Washington Post* defines the continuing campaign begun by the Kuwait ruling family during the Gulf crisis to draw Americans into supporting the war.

● **KUWAIT** "exaggerated" Iraqi atrocities for propaganda purposes, reported ABC News on March 15. The director of the Maternity Hospital told ABC that infants allegedly ripped from incubators by Iraqi soldiers had actually died when the neonate staff fled. The incubators were hidden by a thoughtful orderly.

● **PUBLIC HOSPITALS** in Houston may turn away all but the most seriously injured emergency room patients during periods of extreme overcrowding, the *Houston Chronicle* reported March 15. "It's something we might have to do when things get out of control," said Dr. Phillip Dellinger, director of emergency medicine at Ben Taub Hospital.

● **FEDERAL** prosecutors have failed to get any convictions on 238 fraud charges brought against 12 Chicago Mercantile Exchange yen traders. The government had alleged that the traders had conspired to defraud customers, but had failed to produce any victims that had suffered losses as a result of the alleged fraud.