

McDade-Murtha Debate Sought an End to DOJ, FBI Tyranny

On Aug. 5, 1998, more than a decade after American political leader Lyndon H. LaRouche, Jr. and several associates were framed up and became political prisoners, sentenced to draconian sentences of up to 77 years in prison, an extraordinary, long-overdue debate on the abuses by the U.S. Department of Justice took place on the floor of the U.S. House of Representatives.

The debate was over a “Citizens Protection Amendment” to the House Appropriations Bill of 1998. The legislation was the most open and important step the U.S. Congress had taken in decades to curb the abuses of the Department of Justice (DOJ) and FBI—including abuses of withholding evidence that recently came to light in the Timothy McVeigh case.

The 1998 amendment had been drawn from the “Citizens Protection Act,” introduced earlier that year by Reps. Joe McDade (R-Pa.) and John Murtha (D-Pa.), and which, with more than 200 co-sponsors, had garnered widespread bipartisan support. However, with heated opposition from the Department of Justice, and from the Conservative Revolutionaries in Congress, such as Asa Hutchinson (R-Ark.)—a former Federal prosecutor, who was one of the House “managers,” who ran the impeachment of President Bill Clinton—the

amendment failed to pass the Senate.

Many of the co-sponsors of that Citizens Protection Act, such as Rep. Sheila Jackson Lee (D-Tex.), wanted full hearings into DOJ misconduct. Today, three years after these debates, no such hearings have taken place, and the abuses again stand exposed. With the recent changing of hands in the U.S. Senate to the control of the Democratic Party, there is again an opportunity to hold those hearings, and rein in the Justice Department and the FBI.

The following are excerpts from the debate:

Rep. Sheila Jackson-Lee (D-Tex.)

“Why are we arguing against prosecutors being subject to the same state laws and rules, and local court rules, and state bar rules of ethics of any other series of lawyers? Why are we suggesting to our constituents that there is something wrong with requiring prosecutors, Federal prosecutors, to not seek an indictment against you with no probable cause, to fail to promptly release information that may exonerate you, to attempt to alter or mis-state evidence, to attempt to influence or color a witness’s testimony, to act to frustrate or impede a defendant’s right to discovery. Yes, the scale of justice is balanced and blind, and that is what we are speaking of, to be able to equalize you in a court of law against a Federal prosecutor. . . .

“Let me thank the prosecutors for going into the deep South in the 1960s and raising up issues of civil rights that other local attorneys could not raise up. Let me thank them. The Department of Justice did an amazing job in dealing with those issues. So, we realize the uniqueness of the Federal prosecutor system. But, does that mean that we throw people to the trash heap of life? Do you lose all of your rights because



Left to right: Rep. John Murtha (D-Pa.) and Rep. Joe McDade (R-Pa.), co-sponsors of the 1998 Citizens Protection Act, during House debate on their amendment.

'Operation ABSCAM' May Still Be Operational

The same apparatus of corrupt permanent bureaucrats which, in the Department of Justice's (DOJ) Criminal Division back during the Jimmy Carter Administration (1977-81), launched a series of frame-up "sting operations" against a targeted group of U.S. Representatives and one U.S. Senator, is still operating today. Almost all of the Congressional targets were Democrats, with close ties to the labor movement. The program, "Operation ABSCAM," involved the deployment of FBI special agents, posing as Arab sheikhs, seeking favors from elected officials, in return for cash bribes. The FBI allied with a group of hardened career criminals, who provided the Bureau sting agents with "expertise," in return for a license to commit crime, and receive large piles of taxpayers' money for their "services."

There are now indications that the FBI and DOJ may be once again running an ABSCAM-type filthy operation against targeted Congressional Democrats.

- On May 4, 2001, a Federal grand jury in Cleveland handed down a ten-count, 130-page indictment against Rep. Jim Traficant (D-Ohio), charging him with bribery,

tax evasion, racketeering, conspiracy, and obstruction of justice. The DOJ has been gunning for Traficant for years, particularly after he beat the government's Racketeering Influenced and Corrupt Organizations (RICO) prosecution against him, arguing the case *pro se*, and then parlaying it into a political career that included nine terms in the House of Representatives. Last year, Traficant appeared on ABC News' "Nightline" broadcast, and accused top officials of the local FBI office of having ties to organized crime and colluding with mobsters in several murders. In the same interview, Traficant mocked J. Edgar Hoover for wearing a dress.

- Federal officials have been conducting a year-long grand jury probe of Sen. Robert Torricelli (D-N.J.), on a similar array of flimsy charges of campaign finance corruption. Like Traficant, Torricelli has also refused to roll over in the face of the DOJ and FBI operations. In early June, Torricelli wrote to Attorney General John Ashcroft, demanding the appointment of an independent counsel to conduct the investigation. Torricelli charged that, with the Democratic Party holding a one-vote majority in the Senate, which would be erased were Torricelli to be forced to resign, Ashcroft and the Bush Justice Department would be irreparably politically tainted, and unable to conduct a fair probe. Ashcroft has not yet responded to Torricelli's letter.—*Jeffrey Steinberg*

you go into a Federal courtroom and a prosecutor says, 'I have all of the rights'? . . . We are doing nothing here that is against the boundaries of respect for our Federal system.

"Let me say, as a member, again, of the Committee on the Judiciary, yes, I think our job might have been better if we had had hearings. In fact, I do not think we are finished. I think we must proceed and investigate even more whether there are abuses across the country. But today we are where we are. We have an opportunity not to attack, but to make better. This underlying amendment . . . will protect you the citizen against the kinds of abuses which we face every day. . . ."

Rep. Peter King (R-N.Y.)

"I rise today in strong opposition to the Hutchinson amendment and in strong support of the Citizens Protection Act of my good friend, the gentleman from Pennsylvania [Mr. McDade].

"I think it is time to put a human face on the abuses that are carried out by prosecutors in this country, prosecutors who consistently violate the rights of innocent human beings, innocent citizens and their families, friends, and relatives. . . . I would like to refer to a predecessor that I had here in the

Congress, Angelo Roncallo. . . . And what went on in his case has happened in so many other cases over the years.

"He was a man who was brought in by the United States Attorney and told he had to deliver a political leader. When he refused to do that, he was called before the grand jury. His family was harassed. He was indicted. His friends were indicted. Everything was leaked to the newspapers. This man's career was destroyed. He was defeated here in the United States Congress.

"Finally his case went to trial. The jury was out 30 minutes and he was acquitted. It came out during that case that all throughout, from day one, the prosecutors had evidence that would have completely exonerated this defendant. They knew it from day one. Throughout the trial, they had U.S. Marshals stand around the U.S. Attorney's office because they had convinced the judge that this Congressman, Angelo Roncallo, was somehow going to have them killed during the trial. . . .

"When the trial was over the judge said it was a disgrace. He referred it to the Justice Department to have it investigated. What was done? Nothing. That is what always happens. Nothing.

"I think it is important for all of us in this Chamber, those of us who are self-righteous, those of us who say it could



Rep. Maxine Waters: "The fact of the matter is that we have violations of the Constitution being perpetrated on us by those who work in the Justice Department."

never happen to us, let you be the target of an unscrupulous prosecutor, and you will see how fast you will change your tune when you see your wife harassed, and your children. And I can go on and on. . . .

"The fact is, no prosecutor in this country is the United States of America. The United States of America is the people. We represent the people. It is time for us to stand up and say, 'No,' to these prosecutors, no matter where they are coming from.

"Prosecutors are out of control. They are ruining the civil liberties of people in this country. I am a Republican. I cannot understand how Members in my party who say they support individual rights could ever allow a prosecutor to trample upon the rights of innocent people, the abuses that they are guilty of. . . .

"I do not know how the gentleman from Pennsylvania [Mr. McDade] went through what he went through over the years and stood tall and survived it. He is a man of courage. He is a man who had the guts to stand up. But you think of the average citizen in your hometown, if they went after him, would he have that same guts? Would he have that stamina? Would his family be able to resist it?

"I again urge and implore all of my colleagues to defeat the Hutchinson amendment, stand with the gentleman from Pennsylvania [Mr. McDade], stand with the Constitution and

say no to this untrammelled abuse of power by the prosecutors and our Justice Department today."

Rep. John Murtha (D-Pa.)

"I just want the Members of this House to know that I sat beside [Mr. Joe McDade], a Member of Congress for eight years, while he was investigated for six years; the most insidious tactics that could possibly have been used against him.

"The appeals process, which is supposed to make sure that the Federal prosecutors do not get out of control, the Federal appeal process ruled two to one. He went two years under indictment. The Federal jury, which came from an area that said 70% of the politicians are crooks, ruled in three hours. He was acquitted.

"In the indictment they said campaign contributions are bribes. The rules of the House are clear about the legality of campaign contributions, that honorariums are legal gratuities. That is what they charged him with. . . .

"Now, this is a Member of Congress who was able to raise \$1 million to defend himself. The ordinary citizen, the ordinary person, cannot raise \$1 million. The ordinary citizen cannot even raise money to defend himself. The public at one time used to think that a person was innocent until [proven] guilty. Now they get the impression, because of the leaks, the unethical leaks that come from the prosecutor, that the individual is guilty. . . .

"We call this the Citizens Protection Act because we feel so strongly that the gentleman from Pennsylvania [Mr. McDade] is just an example. What he did for the House of Representatives is absolutely essential to our independence. But what we are trying to do for the ordinary citizen is absolutely important to their individual protection. We believe we need an independent body to watch over them, to give them some sort of controls so that they do not go off without control and then be promoted, as somebody was after Waco, and the terrible, terrible injustice they did to the individual in Atlanta with the leaks that came out of the Justice Department.

"So, I feel very strongly that we have to get some kind of control. The legislation that we drew [up] we hoped would come through the authorizing committee. We could not work it out at this late date.

"I just hope that the Members, and we have almost 200 co-sponsors of this legislation—we have said to the Justice Department, if you have individual situations that you would like us to look at, we would be glad to look at that. They have not come back with anything. They just want to take this out. They want no kind of controls from the outside. . . ."

Rep. Maxine Waters (D-Calif.)

"This is not about partisan politics at this moment. This is about the Constitution of the United States of America, and whether or not citizens are going to have basic protections that we thought were guaranteed to us by the Constitution.

“So, whether we are talking about the special prosecutor, or whether we are talking about the underlying legislation, what we are talking about is individuals who have run wild, who are trampling on our rights, who have gone absolutely too far. It does not matter whether they are from the right or they are from the left, or where they live in this country, what color they are.

“The fact of the matter is that we have violations of the Constitution being perpetrated on us by those who work in the Justice Department, and it is off the scale when we look at this special prosecutor. He has gone too far. This should be ruled in order.”

DOJ Crimes Aired at 1995 Independent Hearings

Two days of public hearings were convened, on Aug. 31 and Sept. 1, 1995 in Vienna, Virginia, to investigate allegations of gross misconduct by the U.S. Department of Justice (DOJ).

The independent hearings, which were facilitated by the Schiller Institute, were prompted by the refusal, in Summer 1995, of the House Judiciary Committee probe into the incident at Waco, Texas, to actually hear evidence of rampant corruption by the DOJ permanent bureaucracy. The House hearings were hijacked by a group of Republican Congressmen whose objective was to pillory President Bill Clinton, and the result was a massive cover-up of the DOJ corruption that the Congress had promised to investigate.

The independent panel, which declared that it would investigate what the House subcommittees refused to hear, included former U.S. Rep. James Mann (D-S.C.), who, while in Congress, served as a prominent member of the House Judiciary Committee; South Carolina State Sens. Robert Ford and Maggie Wallace Glover; Alabama State House of Representatives Reps. William Clark and John Hilliard; Reps. Toby Fitch and Howard Hunter of the North Carolina House of Representatives; Rep. Ulysses Jones, Jr. of the Tennessee House of Representatives; Rep. Percy Watson of the Mississippi House of Representatives; Attorney JL Chestnut, one of the foremost civil rights lawyers in America today; and Msgr. Elias El Hayek, Chor Bishop of the Maronite Church and professor of law.

The testimony concentrated on the cases that the Congress refused to touch, including the unprecedented abuses in the prosecution of Lyndon H. LaRouche, Jr. and his associates, the political targetting of African-American elected officials under the DOJ’s racist pogrom called “Operation Fruehmenschen” (the German word for “primitive man”), and

the gross abuses in the DOJ Office of Special Investigation’s “Nazi-hunter” prosecution of retired Cleveland auto worker John Demjanjuk.

At the conclusion of the hearings, the panel declared it impossible to summarize such results in a short concluding statement. Subsequently, hundreds of thousands of copies of hearing excerpts in the form of videotapes and transcripts were produced by the Schiller Institute, for circulation throughout the United States, to create the conditions for curbing the DOJ/FBI tyranny. (Copies are available from the Schiller Institute, P.O. Box 20244, Washington, D.C. 20041-0244.)

We excerpt some of the testimony delivered at these extraordinary hearings here:

Ramsey Clark

Mr. Clark is a former U.S. Attorney General, who represented Lyndon H. LaRouche, Jr. in his appeal, and who had, in 1990, presented the human rights abuses against LaRouche and his associates at the Organization for Security and Cooperation in Europe summit in Copenhagen:

“I’ll start and end with the case of Lyndon LaRouche and his co-defendants, not because it’s the alpha and omega—although it’s about as close as a case gets to the potential perfidy of justice—but because it shows how bad it can be, and yet, it has, as so very, very few of these cases ever do, a positive side that we have to consider.

“I came into the case after the trial. As a person who lives in the country and pays attention to these things, I followed it carefully. I knew something about the ways of the judicial district in which the case was filed and the meaning of filing a case there. To call it the ‘rocket docket’ is a disservice, unless you identify the rocket, because if there’s a rocket in present use that would be similar, it would be the so-called depleted uranium-tipped missile, the silver bullet used in Iraq.

“In other words, it’s a lethal rocket. It’s not a rocket that sought truth or intended justice. . . .

“But, in what was a complex and pervasive utilization of law enforcement, prosecution, media, and non-governmental organizations focussed on destroying an enemy, this case must be number one. There are some, where the government itself may have done more and more wrongfully over a period of time; but the very networking and combination of Federal, state, and local agencies, of Executive and even some Legislative and Judicial branches, of major media and minor local media, and of influential lobbyist types, the ADL [Anti-Defamation League of B’nai B’rith] preeminently; this case takes the prize.

“The purpose can only be seen as destroying—it’s more than a political movement, it’s more than a political figure; it *is* those two. But it’s a fertile engine of ideas, a common purpose of thinking and studying and analyzing to solve problems, regardless of the impact on the status quo, or on vested