

FEC finds ADL, AJC broke law vs. LaRouche

The Federal Election Commission (FEC) on Feb. 15 made it a part of public record that one year ago, on Feb. 6, 1990, the FEC had found “probable cause” to believe that the Anti-Defamation League of B'nai B'rith (ADL), its national director Abraham Foxman, and the American Jewish Committee (AJC) had violated the law. The FEC took five years to decide that the ADL had illegally spread slanderous reports against presidential candidate Lyndon LaRouche, instigating the charge that he was a “political extremist” after two of his associates won Democratic Party primary victories in Illinois in March 1986.

The FEC suppressed its decision for many months, despite the fact that the decision proved the defense arguments of LaRouche and his associates in various criminal and civil trials, that the ADL is an illegal, central component of the multi-jurisdictional “Get LaRouche” task force.

Complaint filed in 1986

The FEC's rulings came in response to a complaint which LaRouche's co-defendant and fellow political prisoner Edward Spannaus had filed nearly five years ago, on April 14, 1986. One year ago the FEC made its ruling, and then engaged in a negotiation process mandated by FEC procedure with the ADL and AJC for several months. Then, the FEC sat on its decision—since at least May of 1990.

The FEC specifically ruled that the ADL illegally spent \$17,000 to produce and distribute 6,624 copies of the 54-page report which initiated the widespread characterization of LaRouche as a “political extremist.” Additionally, the FEC found that the ADL illegally published a fundraising solicitation negatively discussing the candidacies of LaRouche and his supporters. The illegal ADL report focused at length on the entire LaRouche association from its formation, including a targeting for defeat of LaRouche Democratic candidates on the general election ballot in Illinois, California, Pennsylvania, Ohio, New Hampshire, New Jersey, and New York. As well, the report also targeted for defeat other unnamed LaRouche candidates around the country.

The ADL and AJC expenditures were illegal because, election law states, “It is unlawful for any . . . corporation . . . to make a contribution or expenditure in connection with any election” which involves selection of federal candidates.

The ADL fundraising letter asserted that the ADL would be “working around the clock and across the country contending with political cultist Lyndon LaRouche, who's all too adept at using—and misusing—the democratic process.”

The letter noted the ADL's “massive campaign to counter and expose LaRouche and his fanatic followers” and solicited contributions.

Furthermore, the FEC ruled that there was “probable cause” to believe that the American Jewish Committee and its director Jonathan Levine had violated the law when it published 1,500 copies of its own study on the effect of presidential candidate LaRouche and his followers on the 1986 Illinois primary election.

Revoke ADL tax-exempt status

The FEC finding that the ADL and its chairman made these forbidden campaign contributions also implicitly calls into question the ADL's tax-exempt status. Tax-exempt organizations are prohibited from using their charitable funds for any political purpose. IRS code specifically states as to organizations accorded tax-exempt status under 501(c)(3), that their activities may not include “participat(ion) in, or interven(ing) in (including the publishing or distribution of statements), any political campaign on behalf of any candidate for public office.” At the time that Spannaus, who was treasurer of LaRouche's presidential campaign committee, filed the complaint with the FEC in 1986, he also filed a complaint with the IRS, which regulates tax-exempt organizations. The IRS, however, turned a blind eye.

The FEC rulings completely confirm the charges by LaRouche and his associates of the ADL's role in generating the widespread media slander that LaRouche was a “political extremist,” as well as the ADL's complete interface with the bad faith prosecutions and government actions against the LaRouche movement.

Despite these findings, the FEC decision goes through the most tortured and hypocritical illogic in order not to prosecute the ADL for its violations, because of the “relatively sympathetic posture” of the ADL and the “relatively low dollar amount at issue.” Therefore, one year ago, in a decision it kept secret from the public until today, the FEC decided to “take no further action” against the ADL, AJC, and their directors.

“The finding that the ADL had illegally spent \$17,000 is only the tip of the iceberg of their vast anti-LaRouche expenditures,” commented Warren A.J. Hamerman on behalf of the Constitutional Defense Fund. He concluded, “If the FEC actually investigated the ADL's budget, instead of taking it at its word, it would find illegal expenditures for all kinds of overt and covert actions. While the facts compelled the FEC to find ‘probable cause’ of illegal conduct by the ADL and AJC, it took them five years to do so and make it public. That time-frame, together with their decision not to take further action, exposes their collaboration in the ‘Get LaRouche’ efforts.”

Attorneys for LaRouche's campaign committee are evaluating whether to seek judicial review of the FEC's decision to drop the matter.