

Treasury lying in Secret Service case?

On April 2, Federal District Judge James Cacheris refused to overrule the decision by Treasury Secretary Donald Regan denying Secret Service protection to Democratic presidential candidate Lyndon H. LaRouche. The judge denied a motion by LaRouche's attorneys for the issuance of a preliminary injunction directing that Secret Service protection be provided for LaRouche.

Cacheris refused to override Regan's decision, saying that there had been a "rational basis" for the decision: Regan had relied upon a 5-0 determination by the Congressional Advisory Committee that LaRouche was not a "major" candidate. In questions to the Treasury during pre-trial discovery by LaRouche's attorneys, Treasury officials stonewalled, denying all outside influence on the decision regarding LaRouche, even though this was one of the hottest issues in Washington over the past two months.

Discovery in the lawsuit was initially limited to Assistant Secretary John M. Walker, Jr., who answered written interrogatories on behalf of Regan. Walker denied that Regan had had any meetings or discussions whatsoever concerning the LaRouche matter except two meetings with Walker himself. Walker denied any discussions or inquiries from Henry Kissinger, NBC-TV, the Anti-Defamation League (ADL) of B'Nai B'Rith, or from anyone at all.

Yet it had been reliably reported to LaRouche's aides that the ADL had mobilized thousands of calls into the White House and Treasury demanding that protection be denied to LaRouche. It was also reported that Henry Kissinger had intervened, directly and through current Secretary of State George Shultz, to prevent protection from being granted to his arch-enemy LaRouche.

Was Secretary Regan living in a plastic bubble during the months of February and March?

Walker also denied that any investigation of the "threat level" to LaRouche had ever been conducted—despite the fact that LaRouche security personnel had repeatedly provided information on threats to LaRouche from Soviet and Libyan sources among others, and despite reports that the FBI had provided a "threat analysis" to the Secret Service concerning LaRouche. That fraudulent analysis argued that LaRouche was seeking Secret Service protection only for the prestige involved, and that any alleged threat was grossly

exaggerated. The FBI ignored the vehement attacks on LaRouche in official Libyan and Soviet publications, not the first time that the FBI has provided cover for KGB operations.

In a deposition taken March 29, Walker testified that Regan had deferred completely to the Advisory Committee on the question of who was a "major candidate." The committee had voted that LaRouche was not a "major candidate," he said, hence Secretary Regan deferred to its "political judgment." Asked if the secretary might override the committee's decision, Walker stated that it would not "be appropriate" for the secretary "to depart from the views of the Advisory Committee."

During the hearing held April 2, attorneys for LaRouche argued that Walker's testimony suggested that a gross violation of the constitutional separation of powers had occurred. Under this doctrine, executive-branch powers such as law enforcement cannot be delegated to the legislative branch—exactly what Regan has done by deferring to the Advisory Committee. In 1976, the U.S. Supreme Court invalidated the mode of operation of the Federal Election Commission because it was composed of both executive appointees and congressional representatives.

LaRouche Campaign treasurer Edward Spannaus showed that Regan had bypassed the official Advisory Committee guidelines in granting protection to the eight "early primary" candidates. The 1984 guidelines define "major" candidate as a candidate who has announced for office, who has qualified for federal matching funds, and who has raised \$1.5 million in contributions.

Four of those who received protection in early January—Hart, Hollings, McGovern, and Jackson—had not raised the \$1.5 million required at the point when they were given Secret Service protection. McGovern had only raised \$217,000 by the end of December; Jackson was given protection within days of his announcement, before raising any money to speak of. Neither McGovern nor Jackson had qualified for federal matching funds.

Spannaus reported to the court that LaRouche has raised \$1.2 million, over \$1 million of that in direct contributions. LaRouche has also been found eligible for federal matching funds, and raised more money during January 1984 than any other candidate except Walter Mondale.

Thus, by any objective standard, LaRouche is much more "major" a candidate than either Jackson or McGovern were when they were granted Secret Service protection.

LaRouche security director Jeffrey Steinberg testified on the level of threats against candidate LaRouche, and told the court that the lack of Secret Service protection was making it virtually impossible for LaRouche to campaign in Pennsylvania and other states in the same way as his opponents, who have Secret Service protection.

LaRouche's attorneys announced that they will continue with discovery in the case, focusing on taking testimony from the members of the Advisory Committee.