

When will Congress finally take action?

What follows is a timeline of the various filings and interventions on behalf of Lyndon LaRouche, which have attempted to induce the U.S. Congress to exercise its oversight responsibility, and investigate allegations of misconduct by the U.S. Department of Justice.

Jan. 27, 1989: Lyndon LaRouche is sentenced to 15 years in Federal prison and is immediately incarcerated.

June 1990: After the Supreme Court denies LaRouche's petition for *certiorari*, associates of LaRouche initiate their first request that the House and Senate Judiciary Committees launch a probe of Department of Justice misconduct in obtaining the convictions of LaRouche and his co-defendants.

Feb. 7, 1992: UN Special Rapporteur Angelo Vidal D'Almeida Ribeiro asks the Bush administration and the U.S. Congress to respond to charges that LaRouche's human rights had been violated. "According to information received, U.S. citizen Lyndon LaRouche is reported to have been subjected to harassment, investigation, prosecution, and incarceration solely because of his beliefs."

Feb. 19, 1992: The *Congressional Monitor* reports that the Bush administration is stonewalling on the UN request and failed to inform the relevant Congressional committees that the request had been made.

February 1992: Seven Ibero-American congressmen become the first of scores of delegations of international parliamentarians, and U.S. elected officials, to travel to Washington, D.C. seeking a Congressional probe of the circumstances surrounding the LaRouche cases.

March 1992: The first of a series of appeals, addressed to the House and Senate Judiciary Committees, signed by elected officials from seven continents, asks for Congressional oversight hearings into allegations of misconduct by the Department of Justice in the LaRouche case. The appeal also appears as an ad in the *Washington Post* and the *Washington Times*.

January 1993: With the inauguration of President Clinton, Congress takes preliminary steps to probe the LaRouche case. Rep. Jack Brooks (D-Tex.), then chairman of the House Judiciary Committee, assigns the House Judiciary Subcommittee on Constitutional Rights, chaired by Rep. Don Edwards (D-Calif.), to open an inquiry.

March 1993: Upon the advice of members of Congress, who say the LaRouche case is "too much of a political hot potato" to probe by itself, associates of LaRouche broaden

their request for Congressional oversight hearings to include other cases indicating a pattern of DOJ misconduct, including political and racial targeting. The request now asks for a probe of possible misconduct in the LaRouche cases, the harassment of black elected officials, and the Office of Special Investigations (OSI) cases, particularly that of John Demjanjuk.

March 1993: On request, Chairman Brooks transfers responsibility for the inquiry from Representative Edwards's subcommittee to that of Rep. William Hughes (D-N.J.), after LaRouche associates complain that Edwards, a former FBI agent, cannot conduct an impartial review.

May 11, 1993: LaRouche spokeswoman Debra Hanania-Freeman testifies before the House Appropriations subcommittee on Commerce, Justice, State and Judiciary. After providing the members with extensive documentation of "prosecutorial misconduct, including illegal acts" by members of the DOJ involved in the LaRouche case, she requests that the committee withhold any funding for the DOJ "until such time as oversight hearings into this misconduct can be convened."

Spring 1993: Then-chair of the Congressional Black Caucus, Rep. Kweisi Mfume (D-Md.), asks Rep. Alcee Hastings (D-Fla.) to coordinate an investigation into the allegations of DOJ misconduct.

July 20, 1993: At the request of Congress, LaRouche attorneys Odin Anderson and Ramsey Clark write the first of several letters to Attorney General Janet Reno, requesting a review of government fraud and prosecutorial misconduct in the LaRouche case.

September 1993: Anderson and Clark meet with Hayden Gregory, chief counsel to the House Judiciary subcommittee on Judicial Administration, in preparation for oversight hearings.

Sept. 1-3, 1994: An independent committee of prominent international jurists reviews six volumes of new evidence, most of it composed of government documents obtained under the Freedom of Information Act. Concluding that "there has been a gross, even conspiratorial, misuse of prosecutorial and investigative powers by officials and agents of the U.S. government . . . to secure criminal convictions of Lyndon LaRouche and his associates to destroy their political movement," they file a formal request for a Congressional investigation.

Summer 1995: House Judiciary Committee probe of the incident at Waco, Texas, is supposed to hear evidence of DOJ corruption, including the LaRouche case. Hearings are hijacked by a group of Republican congressmen, whose objective is to pillory President Clinton.

Aug. 31-Sept 1, 1995: Public hearings are convened by a group of prominent current and former elected officials to investigate allegations of gross misconduct by the DOJ. The panel, chaired by former U.S. Rep. James Mann (D-S.C.) and civil rights attorney JL Chestnut of Selma, Alabama, agrees to investigate what the House subcommittees refused to hear.

They take testimony on the harassment of African-American elected officials, the OSI cases, and the LaRouche cases. At the close of proceedings, they draft an appeal to Congress. Transcripts of the proceedings are delivered to every member of the House and Senate.

Dec. 18, 1995: The National Black Caucus of State Legislators, the nation's largest organization of African-American elected officials, makes public their adoption of Resolution 20, "A Call for Congressional Hearings to Investigate Misconduct by the U.S. Department of Justice." The resolution endorses the call of the Mann-Chestnut Commission and demands that both the House and the Senate exercise their oversight responsibility by conducting investigative hearings. They urge the Congressional Black Caucus to demand such action.

April 30, 1997: The Mann-Chestnut Commission appeals to the Senate Judiciary Committee oversight hearing on the DOJ, citing the fact that almost two full years have passed since their original request, and document that, in those two years, "a series of startling new revelations in those cases" reviewed has come to light.

April 1, 1998: Testimony submitted to House Appropriations subcommittee on Commerce, Justice, State, and the Judiciary, as attached.

Bill to curb DOJ abuse introduced in Congress

by Suzanne Rose

Apart from a single commentary in the March 26 *Washington Times* by syndicated columnist Paul Craig Roberts, the major American media have imposed a blackout on the introduction of H.R. 3396, "The Citizens Protection Act of 1998," a bill by U.S. Reps. Joe McDade (R-Pa.) and John Murtha (D-Pa.), introduced in response to growing public outrage at the abuses of the Department of Justice's career prosecutors. In his column, Roberts concluded that "there is no more important business before Congress than passage of the McDade-Murtha Citizens Protection Act." And, he may be right.

At the time that the bill was introduced into Congress on March 5, Representative McDade noted, "There are Justice Department employees who engage in questionable conduct without penalty and without oversight, using the full weight and power of the U.S. government. A win-at-all-costs attitude blinds them into suppressing exculpatory evidence, falsifying evidence, misleading grand juries and other misconduct, which most of the time goes unpunished."

As *EIR* goes to press, at least 50 members of Congress

have signed on as co-sponsors of the bill. The group of sponsors is bipartisan, represents virtually every faction within the Democratic and Republican parties, and is a clear indicator that the moment is ripe for the tyranny of Federal prosecutors—including those working under the even more draconian authorities of the Independent Counsel Act—to be brought to an end.

Independent oversight, at last

The legislation sponsored by Representative McDade seeks to ensure that the rules of ethics and standards of conduct applied to all other attorneys, also be applied to government attorneys. The bill establishes standards of conduct for Department of Justice employees, defines punishable conduct and penalties, and creates an independent review board to monitor compliance with the standards. The board, the "Misconduct Review Board," would have the power to investigate allegations of abuse, issue subpoenas, and impose punishment. The meetings of the board are to be conducted in public. A person who believes that a DOJ employee has engaged in misconduct can submit a written complaint to the Attorney General. After the Attorney General has disposed of the matter by conducting an investigation and imposing a penalty where appropriate, or, if the Attorney General has not investigated and imposed a penalty, the person can resubmit his complaint to the board if he or she is not satisfied. The board would then conduct an independent review and investigation, and by a vote of a majority of its members, could impose a penalty.

Among punishable conduct would be: leaking or otherwise improperly disseminating information to any person during an investigation, seeking an indictment of a person without probable cause, failure to release information that would exonerate a person under indictment, intentionally or knowingly misstating evidence, intentionally or knowingly altering evidence, attempting to influence or color a witness's testimony, and acting to frustrate or impede a defendant's right to discovery. The penalties for such abuses would range from probation, demotion, dismissal, referral of ethical charges to the bar, and loss of pension, to referral of the allegations to a grand jury for possible criminal prosecution.

To buttress his bill, McDade asked the Congressional Research Service to compile a list of Federal cases in which prosecutorial misconduct has occurred. On the day he introduced his bill, he cited several hundred cases which had been provided to him, and he entered them into the *Congressional Record* under various categories of misconduct, including: "selective prosecution" (prosecution based on race, religion, gender, national origin, or exercise of first amendment rights), "vindictive prosecution" (prosecuting someone twice for the same offense, or without probable cause, or based on other violations of a defendant's rights), "abuse of the grand jury process" (actions which improperly influence or mislead the grand jury, leaking to the press, improper use of grand jury