

# Congress told: Hold hearings on DOJ abuses

by Debra Hanania-Freeman

Shortly before Congress adjourned for Memorial Day, a high-powered delegation, representing the broad coalition of forces demanding the clean-up of the Department of Justice, steamrolled its way through meetings with at least 60 Congressional offices. The delegation, sponsored by the Schiller Institute, included: James Mann (D-S.C.), a former member of Congress, and the co-chairman of the Independent Commission to Investigate Department of Justice Misconduct; JL Chestnut of Selma, Alabama, the noted civil rights attorney who served as co-chairman of the Independent Commission; State Rep. Harold James (D-Phila.), chairman of the Pennsylvania Legislative Black Caucus; State Rep. Ben Swann (D), chairman of the Massachusetts Legislative Black Caucus; Pennsylvania State Rep. Tom Armstrong (R); Alabama State Rep. John Hilliard, who also served on the Independent Commission; Louisiana State Rep. Charles Hudson (D); Connecticut State Rep. John Martinez (D); Arkansas State Rep. Ben McGee (D); former South Carolina Sen. Theo Mitchell (D), a national leader in the fight against the FBI's targeting of African-American elected and public officials; and former Virginia State Rep. Dr. William Ferguson Reid, who was the first African-American to have been elected to that body since Reconstruction.

They arrived in Washington in the middle of a highly charged environment, dominated by pronouncements by House Speaker Newt Gingrich of impeachment proceedings against President Clinton during the month of July, and by the growing hysteria around "Chinagate."

The bipartisan delegation delivered the same message to every office: They insisted that, in the midst of a global financial crisis, the permanent prosecutorial bureaucracy inside the DOJ, which has, for years, operated out of control as a "political hit squad" against elected officials, civil rights leaders, and political activists, had to be cleaned out.

Concretely, they urged those members of Congress who have not yet signed on as co-sponsors of H.R. 3396, the Citizens Protection Act of 1998, known as the McDade-Murtha bill, to quickly do so; and they told those who are already sponsors, that they must act to ensure broad, public hearings on the bill, prominently featuring testimony on the LaRouche case and the "Operation Fruehmenschen" cases, if the Congress is to be effective in getting to the heart of DOJ corruption and misconduct.

Former Congressman Mann and attorney Chestnut were eloquent in describing the shocking and systemic abuse they

uncovered when, in 1995, their Independent Commission held public hearings to take testimony that Congress was too afraid to hear. They summarized the evidence they had gathered concerning the judicial railroad of Lyndon LaRouche and his political movement, and the racist "Operation Fruehmenschen" prosecutions of hundreds of African-American officials, as well as the famous OSI cases, particularly the Demjanjuk case. Other members of the delegation, many of whom have themselves been victims of Operation Fruehmenschen, recounted their own experiences, and the experiences of others with whom they have served.

Mann, in particular, stressed that although the McDade-Murtha bill represents Congress's most direct assault on the DOJ permanent prosecutorial bureaucracy, still, without sufficiently in-depth hearings, the bill, even if passed, would be largely ineffective.

## Gingrich throws up roadblocks

The potential significance of such hearings has not gone unnoticed by allies of the DOJ's permanent bureaucracy, including Newt Gingrich. Given the fact that the bill enjoys bipartisan support, with close to 150 co-sponsors, it will be difficult to block hearings.

One possible tactic, anticipated by Reps. Joseph McDade (R-Pa.) and John Murtha (D-Pa.), would be to refer the bill to committee for hearings (Gingrich has, indeed, referred it to the Judiciary Committee), and then to stall hearings, in expectation that the legislative calendar would kill the bill by default. Another alternative would be to allow hearings, but limit testimony to create the appearance that the undeniable pattern of prosecutorial abuse is attributable to a few overzealous individuals, rather than a conscious policy, orchestrated by a politically motivated permanent bureaucracy.

Representative McDade, who authored the legislation, is determined to see to it that comprehensive hearings occur. He is currently working to reach the threshold number of 218 co-sponsors—a majority in the House—which would give him power to personally determine the bill's fate. Most often, when legislation is co-signed by a majority, its principal sponsors choose to by-pass committee hearings, and bring the legislation directly to the floor for a vote. In this case, however, McDade has repeatedly stated that his objective is to force hearings.

The delegation persuaded a number of members to agree to co-sign the legislation during their visit. They left Washington committed to use the Memorial Day recess, when most Congressmen go to their home districts, to find additional co-signers, and to achieve their objective: public hearings, prominently featuring testimony on the LaRouche and Operation Fruehmenschen cases, among others, leading to the dismantling of this virtual political death squad. As the group mapped out their strategy, one of them remarked, "I wonder if McDade realized, when he introduced this bill, that the survival of this nation might rest on how it would be handled?"