

# National News

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## Virginia court upholds Ascher conviction

A three-judge panel of the Virginia Court of Appeals upheld the conviction on concocted "securities fraud" charges of Rochelle Ascher, an associate of Lyndon LaRouche, on Aug. 13. Ascher's attorney is moving for a re-hearing before the full Court of Appeals. Ascher is free on bond pending appeal, but the Commonwealth is attempting to revoke her bond.

Judge Sam Coleman, who wrote the opinion, argues that even though there was massive pre-trial publicity, trial Judge Carleton Penn did not err in refusing to move the case out of Loudoun County where LaRouche has lived since 1983.

He also writes that since all the jurors said they could disregard pre-trial publicity, there was no reason to disqualify them.

Coleman writes that Ascher was not entitled to a jury instruction which allowed the jury to decide whether the loans were securities.

The court also ruled that it was not prejudicial hearsay to admit an inflammatory letter from a dead man or to allow incompetent witnesses to testify.

A fuller report will appear in *EIR* next week.

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## 'Mars Observer' mission in jeopardy

The Mars Observer mission of the National Aeronautics and Space Administration (NASA) may be delayed or even canceled. The mission is crucial, preparatory to the undertaking of a manned mission to Mars.

The House Appropriations Subcommittee on Defense has cut \$400 million from the \$1.2 billion request for the Air Force's Titan program, which is scheduled to launch the unmanned probe in 1992. The spacecraft is on schedule, but the Air Force must modify the Cape Canaveral Air Station launch pad before the spacecraft can be launched, which would not be done on time if funding is cut.

Due to the relative positions of the Earth

and Mars, if the Mars Observer is delayed past its scheduled October 1992 launch, it will have to be put into storage for nearly two years before it could be sent on its way. NASA estimates it will cost about \$200 million to store the spacecraft, and is not optimistic that there will be enough money in the NASA budget to do that.

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## Wisconsin to penalize poor for births

Wisconsin Gov. Tommy G. Thompson has revived an anti-birth experiment eliminated by the legislature in July. Using a veto power unique to that state, the governor restored a welfare program which would monetarily reward teenagers for marrying, while cutting off authorized benefits to welfare recipients who have children.

Thompson, reportedly a close ally of George Bush, changed wording enacted by the legislature in the state's management of federally funded aid to dependent children. The federal government must still give a waiver to Wisconsin to begin the experiment in 1992.

Critics charge that the experiment will cause an increase in abortions. Governor Thompson has also sponsored a "workfare" program under which Wisconsin residents receive sub-standard wages because they are in welfare programs.

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## Apartheid schooling coming to the U.S.?

Many schools, including the Detroit Board of Education in a decision in February, are implementing a policy which separates black male students from the general school population. The program calls for minority schools, so-called "academies," which are geared toward "steering boys from a self-destructive path that leads from drugs to prison or early death." The program has been challenged in the courts by the American Civil Liberties Union, National Organization of Women, and the Education Fund, the Aug. 7 *Washington Times* reported.

The concept of separate male schools,

i.e., open to all males technically but targeting only blacks and Hispanics, has been sold as a solution to the desperate situation most urban school systems find themselves in. While the concept proved too unpopular to implement in New York City, Detroit, along with Milwaukee, Baltimore, Washington, D.C., San Diego, and Chicago, either have considered or are in various stages of implementing either separate schools or classes.

The curriculum planned for these schools would be Afro-centric "to improve the self-esteem of black students," and would stress discipline and civic responsibility. Milwaukee plans to open two "Afro-American immersion schools" this fall at the elementary and middle levels. Chicago established a "pull-out program" to pull students out of their classroom in one school last year for students in grades four through eight. Three Baltimore elementary schools established separate classes for black males within the schools.

Civil rights leaders and traditional educators are opposing the creation of these programs, charging that they undermine desegregation and are educationally unsound.

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## Du Pont Smith seeks probe of judiciary

Lewis du Pont Smith, an heir to the Du Pont industrial fortune, called Aug. 7 for an investigation of the entire Chester County, Pennsylvania bench. Smith issued his call after Judge Anthony Appel of Lancaster County, recused himself the same day from Smith's ongoing battle to regain control of his personal fortune. Appel was the fifth judge to resign from the Smith case.

Smith was declared incompetent by Judge Lawrence Wood in 1985 after Smith helped fund the publication of the book *Dope, Inc.*, which had been commissioned by Lyndon LaRouche. Wood, who was recently promoted to President Judge of Chester County, recused himself from Smith's hearings last fall following charges of corruption made by Smith during a bid for U.S. Congress.

Since Wood's recusal, Smith's case has been bounced from Chester County to Delaware County, back to Chester County, then

handed off to Appel of Lancaster County. Appel recused himself after acknowledging that he erred in procedure in July when he arbitrarily tried to halve Smith's living allowance to cover his legal bills.

Smith stated, "I believe it speaks volumes about my case when no judge seems capable or competent to hear my case in a fair and honest manner. It's obvious that these men are impaled on the horns of a dilemma. If they follow the law they would have to declare me competent, but if they do they run the risk of incurring the wrath of my family and that of the powerful Thornburgh Justice Department task force that unlawfully jailed LaRouche.

"My lawyers and I were shocked by Judge Appel's initial decision to cut my living allowance and then even more astounded today when he not only reversed that ruling but resigned from the case. These continuing illogical vacillations . . . lead one to believe that extreme pressure is being applied, and while some men break, others simply bend.

"If these judges are afraid to dispense justice in my case, then how can the average citizen whose case receives far less notoriety than mine, hope to be treated fairly? This merry-go-round of corruption demands an immediate investigation."

## Allegations of Quayle drug use suppressed

A federal prisoner who alleges that he sold marijuana to J. Danforth Quayle in his college days, will be allowed a hearing on his complaint that prison officials conspired to suppress those allegations on the eve of the 1988 election.

U.S. District Judge Harold H. Greene ruled Aug. 6 that Brett C. Kimberlin, currently serving time in Tennessee on charges of drug smuggling and using explosives, had leveled accusations in a lawsuit against federal prison officials that were "tangible [and] detailed" enough to justify a trial.

Kimberlin says that U.S. Bureau of Prisons Director J. Michael Quinlan had put him in solitary confinement just days before the 1988 presidential election after officials learned he was about to tell the news media of Quayle's drug use. Kimberlin had given

an interview on his charges to NBC on Nov. 4, 1988, and was put in solitary confinement before he could address a news conference by telephone later that day.

He was moved in and out of solitary confinement until after the election, and was unable to tell his story to another conference of journalists assembled in Washington on Nov. 7, 1988, according to his complaint.

## Bush, Gorbachov agree to joint space missions

President Bush and Soviet President Mikhail Gorbachov signed a new space agreement during their recent summit in Moscow which will lead to joint manned missions, *Aviation Week* has reported. The Soviets were reportedly unhappy with the limited scope of the agreement, the Aug. 8 *Space News* reported.

The agreement calls for the flight of an astronaut on the Mir space station, which the U.S. is anxious to do to gather long-duration space biomedical data. In return, a cosmonaut would get a trip on the Space Shuttle when the Spacelab laboratory is taken up inside the orbiter payload bay. There is a life sciences mission scheduled in Spacelab in 1993, which, according to *Aviation Week*, would be the most likely mission.

Soviet representatives were apparently pushing for more cooperation, including the purchase by the U.S. of a variety of Soviet space hardware in order to help the country's hard currency problems, and the go-ahead for certain commercial technology arrangements. The U.S. was not willing, however, to overturn trade restrictions which protect against technology transfer.

Suggestions were also made by the Soviets that an in-orbit rendezvous between the Shuttle and Mir be conducted to demonstrate the possibility of space rescue, but the U.S. didn't accept them.

The Soviets were invited to join the Mission to Planet Earth program, in which the space segment will consist of the launching of remote sensing spacecraft. Another element of the agreement is annual high-level space consultations between the two countries.

## Briefly

● **PRISONERS** of Chicago's Metropolitan Correctional Center will be informed that the prison dentist there from 1982 until recently, had AIDS. A U.S. District Court judge rejected arguments by the American Civil Liberties Union that disclosure would violate the dentist's right to privacy and subject him to reprisals by prisoners.

● **HOUSE MAJORITY** leader Rep. Richard Gephardt (D-Mo.) is facing a challenge from Leif Johnson, an associate of political prisoner Lyndon LaRouche. "Throw away the New Age, we're going back to civilization," Johnson said in announcing. "We are going back to scientific and technological progress . . . [and] to an anti-usury monetary system."

● **UTILITY** officials of the Navajo Generating Station in Arizona have given in to the Environmental Protection Agency and announced plans to spend \$1.8 billion to install pollution control equipment by 1997 to reduce haze in the Grand Canyon. Scores of scientific studies show, however, that the wind pattern blows emissions in the opposite direction.

● **THE PEOPLE** for the Ethical Treatment of Animals (PETA) compare meatpackers to satanic mass murderer Jeffrey L. Dahmer, recently arrested in Wisconsin, in an ad running in the *Des Moines Register*. The meat industry has denounced the tactic as an obscenity.

● **MIAMI** was the most violent city in the U.S. in 1990, with 4,353 reported acts of violence for every 100,000 people, according to new FBI statistics. A record 732 of every 100,000 Americans were affected by murder, rape, robbery, and aggravated assault. The 1989 figure was 664 per 100,000.

● **THE HEMLOCK** Society's suicide manual, *Final Exit*, has moved to number one on the hardcover "advice" category of the *New York Times'* latest bestseller list.