

Secret operation vs. Clinton is run by Olson-Starr salon

by Edward Spannaus

Dramatic new information developed by *EIR* on the role of Washington lawyer Theodore B. Olson as the power behind independent counsel Kenneth Starr, suggests that President Clinton is the target of an illegal, rogue intelligence operation being carried out under the putative authority of the 1981 Presidential Executive Order 12333.

There are close parallels between the operation being run against Clinton, and that carried out against Lyndon LaRouche by some of the same circles, in the 1980s. The railroad against LaRouche was conducted as a covert foreign intelligence operation under the provisions of E.O. 12333—which permitted the “privatization” of intelligence operations. Key to the ensuing prosecution and judicial frame-up of LaRouche was a “softening up” process of defamation conducted through news media assets of George Bush’s “secret government.”

This propaganda campaign was coordinated through a series of secret “Get LaRouche” meetings at the New York apartment of Wall Street spook/financier John Train—in what has become known as the “Train salon”—which included representatives of government intelligence and law enforcement agencies, plus news media representatives, including the *Wall Street Journal*. The “Train salon” was a project of the “Public Diplomacy” effort run out of the National Security Council, under the direction of George Bush’s national security adviser Donald Gregg, and Gregg’s associate, longtime CIA propaganda specialist Walter Raymond. According to evidence obtained by the Congressional committees investigating Iran-Contra, the initial financing for the Public Diplomacy program came from two intelligence-linked sources: Richard Mellon Scaife’s foundations, and the Smith-Richardson Foundation.

As we shall see, the same sort of “public-private” opera-

tion is now being conducted against President Clinton, by circles around Theodore Olson.

In the LaRouche case, the “foreign counterintelligence” hook for the investigation was the allegation—circulated by Henry Kissinger and circles in the FBI—that LaRouche was a Soviet agent of influence, or a Soviet disinformation agent. It is likely that, in the case of Clinton, the pretext is the charge, circulating widely among circles within the FBI and private right-wing networks, that Clinton is guilty of treason for allowing secret intelligence to flow to China, in exchange for campaign contributions.

The Olson salon

The “Get Clinton” salon meets regularly at the home of former Justice Department official Olson, a longtime close friend and associate of Kenneth Starr, and of Olson’s wife Barbara, chief counsel for Rep. Dan Burton’s House Government Reform and Oversight Committee. Burton’s committee has been noisily conducting investigations of the “Chinagate” allegations around Democratic Party campaign fundraising, and of other alleged Clinton administration transgressions.

The gatherings include: Whitewater prosecutor Kenneth Starr, Federal appeals court judge Laurence Silberman, former judge Robert Bork, Supreme Court associate justice Clarence Thomas, *Wall Street Journal* editor Robert Bartley, *American Spectator* editor Emmett Tyrrell, and many others.

A glimpse into the Olson salon can be found in the July 1997 *Esquire* magazine, in an article by David Brock, titled “Confessions of a Right-Wing Hit Man.” Brock was the author of the Scaife-financed “Troopergate” article in the January 1994 *American Spectator*—on whose board Ted Olson sits. Brock described how he had been a guest at the wedding of Ted and Barbara Olson in the summer of 1996, where “the

entire anti-Clinton establishment” was on hand, including Starr, former Bush White House Counsel C. Boyden Gray, and the *Wall Street Journal’s* Bartley. Brock says that Barbara Olson then dis-invited him from another party at her home a few weeks later — after word had leaked out that Brock’s new book, *The Seduction of Hillary Clinton*, was too sympathetic to the First Lady.

The collaboration between Olson and Starr goes back over 20 years, when they were both partners in the Los Angeles-based law firm Gibson Dunn and Crutcher; both men came to the Justice Department in 1981, when Gibson senior partner William French Smith was named U.S. Attorney General at the beginning of the Reagan administration. Olson is now back at the Washington office of the Gibson firm; Starr has gone on to the Chicago-based law firm Kirkland and Ellis.

Olson — to put it bluntly — runs Kenneth Starr. He is the one with the “overview,” and is said to be the direct link between Starr and the Justice Department permanent bureaucracy around Jack Keeney and Mark Richard. Olson played the central role in putting together Starr’s staff, and is responsible for the collection of career Justice Department prosecutors who have been recruited to Starr’s operation. Since Starr himself is not a prosecutor, and has never tried a criminal case in his life, he is totally dependent on the thugs whom Olson is responsible for bringing on board.

In our last issue, we described some of Starr’s prosecutors. Some of them are especially notorious for targetting black and Hispanic elected officials. For example, Hickman Ewing, from Memphis, Tennessee, conducted a long — but ultimately unsuccessful — vendetta against Rep. Harold Ford, and was also involved in the cover-up of the assassination of Martin Luther King, Jr. Sol Wisenberg and Ray Jahn, from San Antonio, Texas (Starr’s hometown), targetted mayor and later Clinton cabinet official Henry Cisneros, plus Rep. Albert Bustamante, and Rep. Craig Washington. Starr’s deputy Jackie Bennett, from Justice Department headquarters, also went out to San Antonio to help in the Bustamante case. Starr’s office includes longtime Federal prosecutors from Mississippi, Florida, Virginia, and Los Angeles.

Olson is also the link between Starr and Paula Jones’s attorneys. Olson and Robert Bork played judges in a “moot court” practice session with Jones’s lawyers before they argued the *Jones v. Clinton* case at the U.S. Supreme Court. The practice session was held at the Army-Navy Club in Washington.

There is also a tie-in to Linda Tripp, who, as we detailed in the Feb. 27 *EIR*, met with Paula Jones’s lawyers on the evening of Jan. 16, right before they took President Clinton’s deposition. Tripp briefed Jones’s lawyers on her conversations with Monica Lewinsky, which were electronically monitored by the FBI under the direction of Starr’s office. Tripp’s lawyer James Moody, who says that he was hired to put Tripp in contact with Starr, is in the orbit of the right-wing “public interest law firms” tied to Olson and Starr, and which are funded by

Scaife. Moody has done legal work for both the Landmark Legal Foundation and for the Washington Legal Foundation — previously known as the Capital Legal Foundation.

The legal network

Olson and Starr are both part of a tight network of lawyers who work in “conservative” legal foundations and other organizations. They both sit on the Legal Advisory Councils of two such groups: the National Legal Center for the Public Interest and the Washington Legal Foundation — both of which are bankrolled by Mellon Scaife.

The **National Legal Center for the Public Interest** (NLCPI) is the umbrella group for a nationwide network of “public interest” law firms. In addition to Starr and Olson, its Legal Advisory Council includes George Bush’s former Attorney Generals Willim Barr and Richard Thornburgh, plus Robert Bork, former Federal prosecutor Joseph diGenova (who has been prominent recently in publicly defending Starr), and Eugene Meyer, the executive director of the Federalist Society. NLCPI’s Board of Directors includes former FBI Director William Webster and Dr. David Davenport (president of Starr’s next planned stop, Pepperdine University).

Up until recently, Ted and Barbara Olson and Starr were members of the Legal Policy Advisory Board of the **Washington Legal Foundation** (WLF). This board also counts among its members: Prof. John Norton Moore (a fervent hater of LaRouche and one of the authors of E.O. 12333); former Virginia Governor George Allen; former DOJ official and later Massachusetts Governor William Weld, who orchestrated the frame-up of LaRouche in 1984-88, first from Boston, and then as head of the Justice Department’s Criminal Division; and Joseph diGenova. WLF’s National Board of Advisors includes Senators Jesse Helms, Fred Thompson, and Orrin Hatch, and Reps. Dan Burton, Bob Barr, Robert Livingston, Chris Cox, Henry Hyde — and indeed, much of the Congressional Republican leadership.

Olson is also on the legal advisory committee of an offshoot of the WLF called the **Center for Individual Rights**, whose major funders are the intelligence agency-linked “four sisters”: the Smith-Richardson, Carthage (Scaife), Lynde and Harry Bradley, and John M. Olin Foundations.

Additionally, Starr and Olson are activists in the **Federalist Society**, an organization of “conservative” lawyers and businessmen which especially targets law students for recruitment; Starr’s and Olson’s law firms are significant financial supporters of the society, along with the John M. Olin Foundation and others. The Federalist Society was founded in 1982 under the guidance of now-Supreme Court associate justice Antonin Scalia. Olson chairs the Washington, D.C. chapter; Starr has been a regular speaker at Federalist Society events, and is closely associated with appeals court judge David Sentelle in that organization. It was Sentelle who headed the three-judge panel which fired the first Whitewater independent counsel and replaced him with Starr in August 1994.

The national co-chairmen of the Federalist Society are Bork (a regular at the Olson Salon) and Sen. Orrin Hatch, chairman of the Senate Judiciary Committee. Also on the Board of Trustees are former White House Counsel C. Boyden Gray, former Attorney General Edwin Meese (who presided over the secretive Council for National Policy for four years), and CNP members Holland Coors and Donald Hodel (now also head of the Christian Coalition).

Get LaRouche, Get Clinton

LaRouche recently concluded that the operation being run against Clinton is the same one that was used against him. "This is a group of people who meet weekly, or approximately weekly, in a 'Get Clinton' operation, who are evidently steering and coordinating the attack on the President, and running Kenneth Starr's operation as a subsidiary operation," LaRouche said in a March 4 radio interview with "EIR Talks." "This is being run as a foreign intelligence operation, in style, under Executive Order 12333, a foreign intelligence operation targetting our own President! That's what the facts show is a pattern. In other words, you can't do what's being done, legally, except in this quasi-legal covert operations provision of Executive Order 12333 and other things, and the guy who wrote that thing, or drafted it, is a part of the same ambience that's running this style of operation."

LaRouche said that whether it's being run formally under E.O. 12333 or not, "is not crucial, because it's a 12333-style operation. . . . If it is legal, or quasi-legal, it is run under that Executive Order, which is a foreign intelligence operation *against our President, directed, overall, from London!*"

"Now, this is pretty close to high treason," LaRouche declared.

Noting that Olson is also running the operation in the Paula Jones case, LaRouche said that this means that Starr's Office of Independent Counsel is "being run under the management of an extra-governmental agency, operating in a mode which corresponds only to a secret foreign intelligence operation, under provisions of 12333. And these are the guys who managed, with Olson's help, managed the appeal to the Supreme Court from the Paula Jones lawyers, to go ahead with this case against the President, while he's sitting in office."

Adding into this mix another British asset, "a crazy man, but with more money than is good for his mental health—Richard Mellon Scaife," and then, "the usual CIA-type foundations, which were used against me," such as the Smith Richardson Foundation, the Bradley and Olin Foundations, he said. LaRouche then summed it up: "These are all the same groups I was up against, in the 1980s, the same groups that framed me up, and pulled all these phony charges against me. And, the same crowd is going after the President."

The Chinagate connection

As noted above, the "predicate," in legal terms, for the 12333 operation against LaRouche was a phony allegation

that LaRouche had some sort of Soviet connection; this allegation was circulated through certain factions of the U.S. intelligence community, and into the Reagan-Bush National Security Council, particularly among the above-mentioned Walter Raymond, and Roy Godson—an NSC consultant who personally participated in the Train salon meetings. In fact, one participant in the Train meetings reported that Train himself insisted that LaRouche and his organization be characterized as "KGB."

In the case of the current operation being run against President Clinton, the corresponding allegation would likely be that Clinton allowed Chinese espionage to go on in his administration, in return for campaign contributions. Such charges—and worse—are being widely circulated in sections of the FBI and DOJ, and in private circles which overlap the Olson-Starr network.

Who is Theodore Olson?

Theodore B. Olson is the key link between independent counsel Kenneth Starr, and a circle of right-wing present and former Justice Department lawyers and legal activists. He is reported to have played the central role in recruiting career prosecutors to Starr's staff—which is now composed of about 18 lawyers.

Upon receiving his law degree in 1965 from the University of California at Berkeley, he immediately joined the Los Angeles law firm of Gibson, Dunn & Crutcher. Olson came to the Justice Department with his law partners William French Smith and Kenneth Starr in 1981, and has stayed in Washington ever since, as head of the Gibson firm's Washington office.

Olson represented Ronald Reagan during the investigation of the Iran-Contra affair in dealings with independent counsel Lawrence Walsh, and he successfully opposed subpoenas for Reagan to testify at the Iran-Contra trials of Oliver North and John Poindexter.

Olson is an activist in the network of right-wing "public interest" law firms funded by Richard Mellon Scaife, the Smith-Richardson Foundation, etc. He is also a leading member of the Federalist Society, the "conservative" alternative to the American Bar Association, in which Starr is also active.

Some of those whom Olson has represented include:

- convicted Israeli spy Jonathan Pollard, during Pollard's appeal of his 1987 conviction;
- students challenging affirmative action in Texas law schools, in a suit sponsored by Center for Individual Rights;

This reporter had occasion to sit in on a briefing given about a year ago, by a private investigator who is working with Rep. Dan Burton's congressional committee investigating "China-gate"—the committee for which Theodore Olson's wife Barbara also works. A few weeks prior to that meeting, the investigator, Neal Hogan, charged on NET Television that Clinton is responsible for treason in his administration. "Let's be honest," Hogan said. "Charlie Trie and John Huang have committed treason. And they are responsible to the President. Therefore, the President is responsible for this treason."

"The evidence is there!" Hogan proclaimed. "We've got the evidence just in the DNC financing reports. . . . We know that John Huang attended 39 security briefings. We know that John Huang was given a security classification even before he became a government employee. We know that Charlie Trie was given a security clearance and allowed to wander

around the White House at will despite the fact that he's still a Chinese national, has a home in Beijing, and a restaurant in Beijing." Hogan, a CNP member, is also the head of the Washington, D.C. chapter of the Christian Coalition. In addition to working for Congressional Republicans, Hogan also works closely with a group of renegade FBI agents; Hogan has described himself as a friend of former FBI agent Gary Aldrich (who is also a friend of Linda Tripp), and Hogan said that he and his wife have been among the recipients of leaks from FBI agents and Justice Department officials which began immediately after the November 1996 elections. Hogan stated that the allegations being passed around within U.S. law enforcement agencies are that Clinton has put the lives of longtime U.S. intelligence agents in danger because of leaks of sensitive intelligence information through John Huang and other Chinese agents.

- Virginia Military Institute, defending its all-male enrollment policy;
- former State Department official Steven Berry, after Berry was accused of leaking information from Bill Clinton's passport file to Republicans before the 1992 elections;
- the *American Spectator* magazine; and
- David Hale, Starr's key witness in Little Rock, in connection with a subpoena to Hale from the Senate Whitewater Committee in 1995.

The 'independent counsel network'

That Olson should be running Starr's pursuit of President Clinton is no accident. Olson is an important figure in the "institutional" independent counsel network, according to a former Justice Department prosecutor. Having had the independent counsel law used against himself—in an investigation triggered by Democrats in Congress—Olson no doubt believes that now, it is "payback" time.

In 1986, an independent counsel was appointed to investigate Olson, after a report by the House Judiciary Committee, chaired by Peter Rodino (D-N.J.), found that Olson had given "false and misleading testimony" to Congress concerning the Reagan administration's withholding of Environmental Protection Agency (EPA) documents involving the "Superfund" program. Olson declared, at the time, that the independent counsel statute "can work in unpleasant and unfair ways."

Olson challenged the constitutionality of the independent counsel statute, in the well-known case *Olson v. Morrison*. Olson's lawyer Thomas Martin told the Court of Appeals: "No less than any monarch, this independent counsel is able to act without any accountability to the people." His lawyer argued that the independent counsel

law imposes "a dual standard of justice. It picks out a group of people and says, 'For you, different justice.'"

The appellate panel, headed by Lawrence Silberman, ruled the statute unconstitutional on Jan. 22, 1988. Morrison appealed to the Supreme Court, which upheld the statute on June 29, 1988. The sole dissenter was Antonin Scalia, who took the unusual step of reading his dissent aloud from the bench.

On Aug. 26, 1988, independent counsel Alexis Morrison announced that she would not bring criminal charges against Olson. After Morrison released her report on March 20, 1989, Olson complained that the investigation was "an extremely difficult burden to undergo, particularly for such a long time. The cost of that emotionally, financially and psychologically is enormous."

Last summer, Olson was a participant on a panel on "The Independent Counsel Process," at the Judicial Conference of the Fourth Circuit U.S. Court of Appeals, in Homestead, Virginia. In his remarks, Olson was highly critical of the independent counsel statute, quoting extensively from Scalia's 1988 dissenting opinion in *Morrison v. Olson*.

In that dissent, Scalia had declared, as quoted by Olson: "I fear the Court has permanently encumbered the Republic with an institution that will do it great harm."

Another Scalia quotation used by Olson was the following: "How frightening it must be to have your own independent counsel and staff appointed, with nothing else to do but to investigate you until investigation is no longer worthwhile."

Knowing what we now know about Olson's role in steering Starr's witch-hunt against President Clinton and the President's associates, that statement sounds more like a boast than a complaint.—*Edward Spannaus*