

Bipartisan demand grows for curb on DOJ abuses

by Debra Hanania-Freeman

At press time, 125 members of the 105th Congress, representing a broad cross-section of both parties, had signed on as co-sponsors of the Citizens Protection Act of 1998, H.R. 3396. The bill, which was first introduced on March 5 by Rep. Joseph McDade (R-Pa.) and Rep. John Murtha (D-Pa.), seeks to ensure that the standard American Bar Association rules of ethics and standards of conduct that are applied to all practicing attorneys in the United States, also be applied to attorneys working under the auspices of the Department of Justice (DOJ). In addition, the bill also defines punishable conduct and penalties, and creates an independent review board to monitor compliance with those standards.

The bipartisan support for the legislation, which crosses over virtually every faction in both parties, is unprecedented in the highly partisan environment that has characterized the Gingrich era, and is a clear measure of the growing popular outrage at what Americans view as a reign of terror by the DOJ. The bill represents Congress's most direct frontal assault on an out-of-control permanent prosecutorial bureaucracy inside the DOJ, which has operated with impunity, framing up elected officials, as well as civil rights and political leaders. Assuming the House follows normal procedures, and allows a full public hearing on the bill, it could mean the end of what Lyndon LaRouche described as the "political assassination bureau operating inside our Justice Department," which has been documented as being responsible for the judicial railroad of LaRouche and his associates, and for the prosecution of hundreds of African-American elected officials under the auspices of the FBI's "Operation Fruehmenschien."

One of the bill's initial co-sponsors, Representative McDade, was himself a victim of prosecutorial abuse at the hands of this apparatus. McDade and fellow Pennsylvanian John Murtha, the bill's other principal sponsor, held the top seats on the House Appropriations Defense Subcommittee, and always worked well with members of both parties to "bring

home the bacon." McDade's problems began in December 1988, when the *Wall Street Journal* launched a scurrilous attack on McDade, in which the *Journal* accused him of accepting illegal campaign contributions from a defense contractor. The Department of Justice used the article as the basis to open what became a four-year investigation. In May 1992, McDade was indicted on charges of accepting bribes and illegal gratuities. McDade accused the prosecutor, a protégé of Sen. Arlen Specter (R-Pa.), of being politically biased; he attacked the Racketeering Influenced and Corrupt Organizations (RICO) law under which he was indicted, and he reimbursed donors for any expenditures that could be even remotely considered questionable.

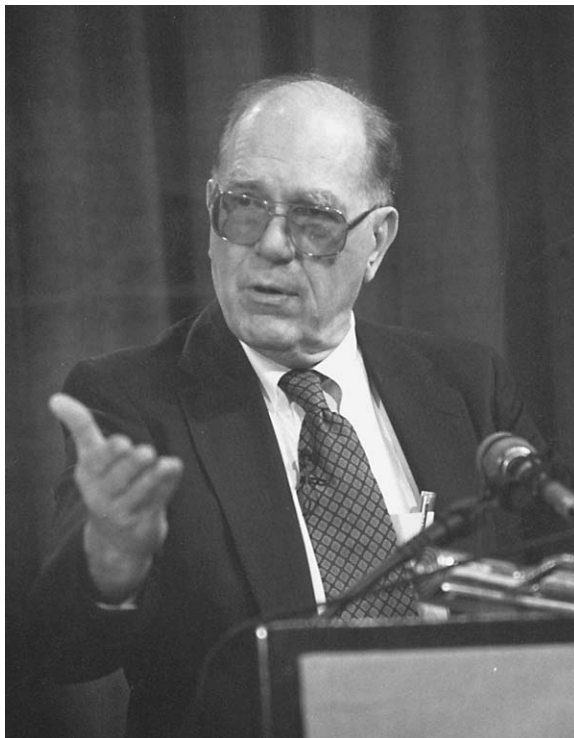
House Republicans (unlike the Democrats) had no rule forcing McDade to step down from his ranking position on Appropriations or its Defense Subcommittee after his indictment. But, after the 1994 "Conservative Revolution," House Speaker Newt Gingrich (R-Ga.) and his hooligans moved to change the party's rules so that McDade could not become chairman of the Appropriations Committee, arguably the most powerful seat in the House outside of the Speaker's post. Instead, the chairmanship went to Bob Livingston of Louisiana, whose politics and temperament were far more acceptable to the Gingrich crowd. McDade was eventually cleared of all charges, but was permanently deprived of the post.

McDade, currently in his 18th term, is retiring at the end of the session, and has made clear that he considers passage of H.R. 3396 to be his final "mission." He has also made clear that his motive is not to vindicate himself; he has already cleared his good name. But, his staff says he is driven to guarantee that what happened to him, never happens to anyone else.

The fight for hearings

As members from both parties stampede to sign on as co-sponsors, Gingrich is scrambling to try to keep a lid on the

Clockwise from left: Lyndon LaRouche, Jr. and his attorneys, former U.S. Attorney General Ramsey Clark and Odin Anderson. If the McDade-Murtha bill is enacted by Congress, it will be virtually impossible to prevent testimony on the LaRouche case, the most outrageous of all the recent political railroad trials conducted by the Department of Justice.



explosive potential of public hearings on the legislation. The bill specifies as criminally punishable misconduct: selective prosecution, vindictive prosecution, abuse of the grand jury process (actions which improperly influence or mislead the grand jury, leaking to the press, improper use of grand jury materials), interference with the attorney-client relationship, prosecutorial conflict of interest, inflammatory remarks at trial, improper characterization of defense witnesses or evidence, and reliance on perjury or deception at trial. The list reads like the table of contents of the well-documented abuses committed by the "Get LaRouche" task force which railroaded Lyndon LaRouche to prison. As such, it will be virtually impossible to exclude LaRouche's attorneys, Odin Anderson and former U.S. Attorney General Ramsey Clark, from testifying, if such hearings occur, thereby finally winning LaRouche's long-overdue exoneration.

Adding to Gingrich's nightmares, if the legislation is enacted, it is quite conceivable that long-standing members of the Department of Justice hit squad, including John Keeney, Mark Richard, Kenneth Starr, and Hickman Ewing, could face criminal prosecution.

But, as increasing numbers of Congressmen get the message that their constituents want to see the criminal conduct of the Department of Justice, the Internal Revenue Service, and other parts of the vast Federal prosecutorial machinery brought to a halt, the momentum will be hard to stop.

Another complaint against the IRS

In related developments, Rep. Harold Ford, Jr. (D-Tenn.), whose father was a well-known victim of Operation Frueh-

menschen, has initiated a General Accounting Office complaint against the IRS. In a letter to the GAO Comptroller General, Ford and Rep. Henry Waxman (D-Calif.) have requested an investigation into allegations that the IRS disproportionately audits and prosecutes taxpayers from the South, particularly Tennessee.

The two have also sent a letter, dated May 5, to Attorney General Janet Reno, requesting that Reno investigate the allegations. (These charges originally came to light during Congressional hearings on the IRS, when a study by the Transactional Records Access Clearinghouse was entered into evidence.) The letter cites testimony concerning the targetting of former White House Chief of Staff and former Sen. Howard Baker (R-Tenn.), as lending credence to charges that the power of the IRS remains unchecked. Ford and Waxman assert that the findings from the hearings, and the cited study, warrant an investigation into IRS practices by the Justice Department.

On May 4, Sen. Dale Bumpers (D-Ark.) introduced the Grand Jury Due Process Act, designed to curb abuse of the Grand Jury, and on May 12, State Rep. Harold James (D-Phila.), who chairs the Pennsylvania Legislative Black Caucus, told a Philadelphia press conference that, in the first week of June, he will introduce a bill in the Pennsylvania State Legislature, modeled on the Federal McDade-Murtha legislation. It is expected that similar legislation will be introduced in state legislatures across the nation. James, a former Philadelphia police officer and a leader of the National Black Caucus of State Legislators, has campaigned nationally to expose and shut down Operation Fruehmenschen, and has also been an outspoken advocate of exoneration for Lyndon LaRouche.