

Judge Walls said that the government had made no effort to produce witnesses, either in public or *in camera*, to support its allegations, and that the FBI's unclassified summaries of evidence were "unreliable," forcing Kaireldeen to fight "anonymous slurs of unseen and unsworn informers." Kaireldeen, on the other hand, had presented documentation and more than a dozen witnesses to counter the FBI charges, including proving that he did not live where the secret evidence said he did, when he supposedly met with one of the World Trade Center bombers, and that he had not had the telephone conversations claimed by the FBI.

"I couldn't believe that such allegations were being pointed at me," Kaireldeen said in a press conference the day after his release. "Such a use of secret evidence really astonished me."

"We need to be skeptical of government claims of national security," said Prof. David Cole of Georgetown University law school, who has been active on behalf of Kaireldeen and others jailed on the basis of secret evidence.

On Oct. 28, a group of Congressmen, Muslim activists, and others, at a press conference in the Capitol Building, called on Congress to pass the "Secret Evidence Repeal Act of 1999," which would end the use of secret evidence in immigration cases. Reps. David Bonior (D-Mich.) and Tom Campbell (R-Calif.) said that they now have more than 50 co-sponsors for the repeal measure.

The alliance that has come together around the repeal bill is an unusual one, ranging from civil libertarians and Muslim activists, to conservative Republicans such as Rep. Bob Barr (R-Ga.).

According to Aly R. Abuzaakouk, director of the American Muslim Council, there are still almost two dozen persons detained under the secret-evidence provisions, almost all of whom are Arab or Muslim. "Hany Kaireldeen's release will be a hollow victory unless we permanently discard this law," Abuzaakouk said, referring to these provisions in the two 1996 acts.

Also on Oct. 28, the same day as the press conference, journalists Intisar Pierce and Nina Ogden interviewed W. Mahdi Bray, outreach director of the All Dulles Area Muslim Society center in Northern Virginia, and executive director of the National Islamic Prison Foundation-Muslim Action Center. In the interview, which appears in the Nov. 22 *New Federalist*, Bray described how the secret-evidence laws work, that the person who is subject to deportation "does not have a right to face his accuser, nor has [he] a right to view the evidence that has been given against him."

Bray said that this "draconian legislation" is being used to stifle speech and for intimidation. "It's almost like the old red scare, where you take a few, and you 'use them as examples,' and then you hold them up to all the rest as an example, if you don't want to have any problems with dissent. And it's to intimidate people, to frighten people, to make people less prone to be active."

## 'National security' used vs. Constitution

by Jeffrey Steinberg

In 1984, following the U.S. Department of Justice's (DOJ) launching of a bogus Federal grand jury probe into the LaRouche political movement, this author had the opportunity to interview a former senior DOJ official who was intimately familiar with the department's repertoire of prosecutorial dirty tricks. The individual, who shall remain anonymous, provided a "hypothetical road map" of how the government would pursue its "Get LaRouche" vendetta.

His forecast proved to be 100% accurate. In a profile headlined "FBI's 'Clean' Team Follows 'Dirty' Work of Intelligence—Units Pool Facts on Sensitive Foreign Cases but Work Apart," in the Aug. 16, 1999 *Washington Post*, staff writer Roberto Suro revealed that the *modus operandi* described by my DOJ source 15 years earlier, is now the standard procedure employed by the DOJ and the FBI in almost all of their so-called national security and anti-terrorism cases. Suro wrote:

"In FBI slang they are known as 'dirty teams' and 'clean teams,' or as 'dark' and 'light' agents, or even more cryptically as 'fives' and 'sixes.' The two groups are deployed together when terrorists strike or when top-secret information has gone astray, and they often spend months, even years, working in tandem. Yet they rarely talk to each other.

"As the FBI becomes more and more involved in overseas investigations of terrorist threats, using two distinct teams of agents kept apart by an imaginary wall has become a key to separating criminal cases that can be prosecuted in open court from intelligence secrets that must be protected forever."

While Suro's story focussed on how the FBI has learned to skirt the Constitution in its pursuit of genuine terrorists and subversives, such as the World Trade Center and Kenya and Tanzania embassy bombers, the fact is that corrupt elements inside the DOJ permanent bureaucracy and the Bureau have for decades been using bogus claims of "national security" to stomp on the constitutional rights of American citizens, as well as foreign nationals. The LaRouche case represents one of the gravest abuses of that process.

### The LaRouche case

In 1984, the former senior DOJ official, whose portfolio focussed on domestic security issues, may not have been aware, at the time of our interview, that for two years, Henry A. Kissinger had been lobbying FBI Director William Webster to shut down the LaRouche movement, and that senior

FBI official Oliver “Buck” Revell, the Bureau’s man on the George Bush/Oliver North Iran-Contra “Secret Team,” had been assigned to instruct Kissinger’s lawyers on how to trigger such an illegal probe. But, what the source revealed would later be corroborated through Freedom of Information Act disclosures of the secret correspondence between Kissinger and the FBI.

The source warned: The DOJ and the FBI would launch a national security investigation against LaRouche, based on “secret” allegations that LaRouche was engaged in terrorism or espionage on behalf of hostile foreign powers. The provisions of Executive Order 12333 and other guidelines gave law enforcement and intelligence agencies broad powers to conduct “pro-active” operations against legitimate national security targets. However, the FBI routinely abused those guidelines, by conducting bogus national security investigations, to obtain secret data on targeted individuals and groups, to be used in frame-up prosecutions.

The source explained that the secret national security program would either come up with genuine evidence of criminal conduct, or, in the absence of any proof of criminal wrongdoing, *would manufacture it*.

That “evidence” would then be shopped into the DOJ Criminal Division and the FBI, via a source ostensibly unattached to the national security operation, complaining about a “garden variety” criminal violation. Thus, the Justice Department could claim to be launching a criminal probe, in response to an unsolicited complaint.

The source emphasized that the success of the *modus operandi* depended on keeping the very existence of the illegal national security operation secret, and often involved *in camera* pleadings before judges about “grave national security concerns.”

Suro’s report in the *Washington Post* confirmed that precisely such a dual-track strategy has been at the heart of DOJ-FBI operations for some time. Victoria Toensing, a Reagan-Bush DOJ official who played a direct role in the “Get LaRouche” task force, told the *Post*, “Gathering intelligence and investigating a criminal case can be just two different ways of going at a similar task, but they each have their own rules, and information that fits in one may not fit into the other.”

Suro explained: “When a case crosses the boundaries between national security and criminal investigation, the FBI sets up one team—the dirty or dark team—drawn from the National Security Division, known bureaucratically as ‘division five,’ to handle the intelligence. Another team—the clean or light team—taken from the FBI’s Criminal Division, or ‘division six,’ builds the case that will be presented in court. . . .

“Between the two teams stands an FBI attorney with specialized training who determines what information can be passed from the national security side to the criminal side . . . so that it protects the source but still points the criminal agents in the right direction.”

# Has Buchanan followed Gore over the edge?

by Michele Steinberg

If you thought Jesse Ventura, Donald Trump, and H. Ross Perot were only slightly less strange than the witches trio in Macbeth, now hear this: gay liberation Marxist Lenora Fulani and Reform Party Presidential pre-candidate Pat Buchanan held a joint press conference at the National Press Club in Washington on Nov. 11, to announce Fulani’s endorsement of Buchanan.

Some Washington pundits think Buchanan was trying to compete with “alpha male” wannabe Al Gore, who gained about two weeks of media headlines and the spotlight on national television when it was revealed that he was paying one Naomi Wolf, a feminist writer who advises young girls on how to be in touch with their “shadow slut,” \$15,000 a month for advice on how to attract the women’s vote.

Fulani is now co-chairman of the Buchanan campaign, along with Bay Buchanan, sister of the candidate, and Pat Choate, who was Perot’s running mate in 1996. The Reform Party, which may have a primary race involving Trump and Perot, needs Buchanan to revive voter support. The Reform Party took a dive, from 19% of the vote in 1992, to 8.5% of the vote in 1996.

Looking behind the rhetoric of Fulani—who said that her participation is to “integrate that Peasant Army of his. . . . We’re going to bring black folks and Latino folks and gay folks and liberal folks” into the campaign because “this coalition is open to all”—one sees that the move is nothing but a marriage of convenience, and the dowry is approximately \$12.5 million in Federal election funds for the Reform Party.

## A strange endorsement

According to the *New York Times* magazine of Oct. 24, Fulani and her real political soul-mate, perverse cult leader Dr. Fred Newman, *don’t want Buchanan to win*.

Fulani told the *Times* magazine that they just want Buchanan to get 10-15% of the vote, which Newman said, “keeps the dollars coming in, and it keeps us as America’s major minor party.” That’s because the Reform Party gets Federal money only if attracts at least 5% of the vote. When the *Times* asked, What if Buchanan wins the White House? Newman said, “Then, we’re all in trouble.”

Buchanan and Fulani appeared on the Fox-TV Sunday morning talk program (broadcast in the Washington, D.C. area) shortly thereafter, and showed just how pathetic their