

# EIR Special Report

## The Williams case and the Constitution

by Jeffrey Steinberg, Counterintelligence Editor

Some time after Oct. 7, the U.S. Senate will be asked to vote on an Expulsion Resolution against Sen. Harrison Williams, Democrat of New Jersey. On Aug. 24, the Senate Ethics Committee voted unanimously to recommend expulsion of Senator Williams on the basis of his conviction in "Abscam," the Justice Department's two-year witch-hunt against organized labor and its allies in Congress.

If the Senate votes the necessary two-thirds margin in favor of expulsion, that body will effectively cease to exist as an instrument of the constitutional system.

### What the FBI knew

The facts in the Williams Abscam case, bolstered by the recent release of three suppressed Federal Bureau of Investigation documents, show unequivocally that Senator Williams was innocent of any wrongdoing whatsoever.

Despite virtual admissions from high-ranking officials of the Justice Department that the government did not have a case against Williams, the Senate Ethics Committee rubberstamped the ruling of a "rogue elephant" federal court judge, George C. Pratt, whose actions in the Williams frameup represent legitimate grounds for censure.

On Aug. 18, 1981, syndicated columnist Jack Anderson published the first of three articles detailing the fact that Judge Pratt had withheld three FBI documents from Williams's attorneys throughout the Williams Abscam trial, a trial that ended on May 1 with the jury convicting the senator on all counts of the indictment.

*Neither defense attorney George Koelzer nor any member of the jury was informed of the documents' existence.*

The three FBI documents, dated Nov. 27, 1979, Jan. 8, 1980, and April 25, 1980 demonstrated that the FBI and the Justice Department's Organized Crime Strike Force (OCSF), after months of investigation, had failed to establish any grounds for indicting Senator Williams. Confronted with that failed entrapment effort, the government deployed its stable of Federal



*Transit workers in New York City's 200,000-strong Sept. 7 Labor Day parade: Abscam-Brilab is directed against their congressional allies.*

Witness Protection Program convicts-for-hire, led by lifetime con man Mel Weinberg, in one final entrapment effort. When Senator Williams adamantly refused to accept any illegal money from the pushy FBI "sting" agents, the Strike Force indicted him anyway—on charges that he had agreed to solicit government contracts for a titanium mine.

The documents showed a clear pattern of entrapment on the part of Brooklyn, New York Strike Force head Thomas Puccio, FBI Assistant Director in Charge Francis M. Mullen, Jr., and other top officials of the Carter administration Justice Department.

Pratt's behavior throughout the trial—capped by his now-exposed withholding of crucial evidence against the government—was the determining factor in the jury's decision. Throughout its 28 hours of deliberation, the Brooklyn jury sent out repeated requests for clarification on the criterion for evaluating the FBI-Strike Force entrapment of Senator Williams and his codefendant, New Jersey businessman Alexander Feinberg. Pratt refused to provide any answers, reserving his own right to rule on the entrapment question, despite the fact that it constituted one of the foundations of the Williams defense.

Pratt's withholding of the three exculpatory internal documents of the Federal Bureau of Investigation from the hands of the defense constitutes a violation of the judicial procedure known as the "Brady Rule" after an early 1970s case, *Brady v. Maryland*. The "Brady Rule" established that it was the obligation of the prosecution to provide defense counsel with all documents relating to the case—even documents that undercut the prose-

cution's case. In this coverup effort, Pratt was in league with the government's attorney Thomas Puccio and his FBI-Strike Force accomplices.

### **Unethical behavior**

Throughout the Williams trial, which lasted four and a half weeks during March and April of this year, the Senate Ethics Committee had two investigators in court, Donald Sanders and Paul Colborn. According to eyewitness accounts, Sanders arrived in court every day in the company of prosecutor Puccio and retired at the close of court to the Brooklyn headquarters of the FBI. It was Sanders's and Colborn's report that constituted one of the major factors leading to the Senate Ethics Committee recommendation for expulsion.

Who is Donald G. Sanders? Did he represent an impartial observer upholding the independence of the U.S. Senate from the judiciary and the executive branch?

After serving for 10 years (1959-69) as a special agent and supervisor with the FBI, Sanders became Chief Counsel to the House Internal Security Committee (HISC), where he worked with two leading operatives of the notorious Heritage Foundation and Anti-Defamation League of B'nai B'rith, respectively, John Rees and Herbert Rommerstein.

From the House Internal Security Committee, Sanders went to the Senate Select Committee on Presidential Campaign Activity—the Watergate Select Committee—where he held the post of Deputy Minority Counsel. The Watergate Committee launched the frontal attack against the American constituency system that blo-

somed into a "Frankenstein monster" with the Justice Department's later Abscam and Brilab abuses of power—abuses of power that have sent tens of thousands of America's finest politicians, labor leaders, and local business executives to prison, bankruptcy court, and worse.

Sanders's next assignment was to the Senate Select Committee on Intelligence, the Church Committee, which played a prominent role in dismantling the foreign intelligence capabilities of the United States. After serving as the general counsel to that committee, Sanders joined the investigative staff of the Senate Ethics Committee in April 1979—at precisely the point that the Abscam operation was being activated against a hit list of prolabor congressmen.

Within the Senate Ethics Committee itself, the apparently decisive vote for expulsion was issued by Sen. Howell Heflin of Alabama. A Southern "reform Democrat," Heflin served for years as the Chief Justice of the Alabama State Supreme Court. He won a place on the Anglo-American Exchange Program, an unobvious effort to coopt U.S. judiciary officials into the services of British intelligence.

With such nominally impeccable judicial credentials, Heflin's decision to bolt from fellow Democrats Thomas Eagleton of Missouri, and David Pryor of Arkansas

swung the Committee, which included Republicans Malcolm Wallop (Wyoming), Jesse Helms (North Carolina) and Mack Mattingly (Georgia), and forced a unanimous vote for expulsion.

## The Heritage Foundation

Throughout the Williams travesty of justice, the hand of the Heritage Foundation, the semi-official branch of British intelligence infiltrated into the Reagan administration and the Congress, has been a dominant factor.

- Judge Pratt was appointed to the federal bench under the aegis of U.S. Sen. James Buckley (R-N.Y.), the British Tory-in-Wall Street clothing who is presently one of the leading representatives of the Heritage Foundation brand of British Fabian policies in the Reagan administration.

- Several weeks ago, before Judge Pratt's procedural ruling and before the Senate Ethics vote on expulsion, Sen. Roger Jepsen (R-Iowa) issued a mass fundraising letter on behalf of Jeffrey Bell, a New Jersey Republican who is the Heritage Foundation's choice for U.S. Senate—replacing Harrison Williams. Bell was weaned as a staff writer for the Buckley family's *National Review* and has acknowledged that one of his closest political advisers is Heritage Foundation director Edwin Fuel-

## From the senator's legislative record

The highlights of Sen. Harrison Williams's legislative undertakings over the past two decades have shown the senator's ongoing concern with the conditions of the nation's workforce, from working conditions to health care, housing, education, and care for the elderly. Sen. Williams has for a long time seen the ease or difficulty in obtaining low- and middle-income housing as a central parameter of the health of the nation's economy and its workforce. As chairman of numerous Senate committees, Senator Williams has initiated or cosponsored the following legislation:

- **Labor conditions:** As chairman of the Committee on Labor and Human Resources, he backed strengthening the Longshoremen and Harbor Workers Compensation Act and the minimum wage, and initiated the Pregnancy Disability Act which treats pregnancy as a disability for insurance purposes. He has consistently fought to protect the Railroad Retirement Fund

from bankruptcy in order to ensure recipients their pensions. To protect newly unionizing workers from company stonewalling, he has attempted to expedite the certification of unions as bargaining agents, pointing out that the National Labor Relations Act has not been updated in 20 years.

- **Senior citizens:** Williams was chairman of the Special Senate Committee on Aging from 1969 to 1970, which had responsibility for identifying the major problems of the nation's elderly. At that time, he discovered, one-quarter of the senior citizen population was living below the poverty level. Williams has sponsored every major increase in Social Security since 1965, and began the effort to raise elderly income and provide housing.

- **Education:** As chairman of the Labor and Human Resources Committee, he took responsibility for nearly every federal education bill introduced from 1971 to 1980, including federal aid to ensure handicapped children equivalent education and federal loan programs to students in higher education.

- **Mass transit:** According to a top aide, "The whole federal commitment to mass transit is his," which he launched in the sixties with the first federal program to assist mass transportation. Since that

ner. Jepsen is himself a leading Heritage protégé.

The Heritage Foundation has been out front in its war against American trade unions and the urban constituency machines built around labor. In this effort, the Heritage networks found a close ally in the Carter administration Justice Department and in the radical union busting networks associated with the Democratic Socialist Organizing Committee, the official U.S. branch of the Socialist International.

### The Senate at stake

If two-thirds of the U.S. Senate votes in support of Harrison Williams's expulsion, then that institution will have completed the process of capitulation that began with the Watergate travesty and extended through the Senate's failure to investigate the criminal activities of the FBI and Justice Department in the Abscam and Brilab operations.

To the extent that Senator Williams—an innocent man and leading public figure—is sold out by his colleagues on the basis of cowardice or petty partisan opportunism, then the credibility of the Senate is destroyed and the U.S. Congress is transformed into an assembly line of framed-up felons. Under such circumstances, the U.S. Constitution would be no more than an artifact.

time, the program has grown to nationwide proportions.

- **On substance abuse:** Williams cosponsored legislation to create a National Institute on Alcoholism to promote medical approaches to the problem with Sen. Howard Hughes and in 1970 helped pass the Drug Abuse Prevention and Control Act.

- **High interest rates:** Williams believes that Volcker's policies have damaged every aspect of American life, and condemns the Reagan administration for taking no action to seek alternatives to an obviously bankrupt policy. As part of the senator's actions to reverse the effects of the Volcker measures, he has written emergency standby legislation, commonly referred to as the "Ginnie Mae Standby," that would infuse mortgage funds for homeowners and to create construction employment. Williams sees success in relieving the damage to the housing industry as a parameter turning around the economic collapse as a whole.

- **Housing:** In addition to his "Ginnie Mae Standby" legislation, Williams would favor any lending institution that would return to mortgage lending, thereby encouraging homeownership, and would seek incentives to permit such a return to occur.



Thomas Puccio

## The FBI documents exculpate Williams

by Mary Jane Freeman

A series of FBI internal documents released in August 1981, demonstrate the innocence of Sen. Harrison Williams.

These internal documents were the results of the FBI's review of the first series of Abscam videotapes, shown both in the courtroom and broadcast by NBC, in which Senator Williams persistently and repeatedly refused to promise the Justice Department Abscam "sheikh" that he would provide government contracts, leaving the entrappers with no case.

Following the taped sessions between the "sheikh" and Williams, in which the senator judiciously committed himself to nothing more than to "look into" the proposed business ventures, the FBI crime strike task force met and frantically planned one further attempt at securing indictable evidence against Williams. It was out of that first meeting that the Nov. 27, 1979 document was generated, proposing one last "contact" with Williams to obtain indictable evidence. In short, as of Nov. 27, the FBI was convinced that Williams was innocent.

In the last "contact" between the FBI sheikh and Williams, directed from behind the door by DOJ prosecutor Thomas Puccio, Williams is shown on the videotape, again committed to do no more than to "look into" a new proposal, this time to secure special immigration for the "sheikh." At one point, the frustrated Abscam agent left the room to confer with Puccio on how to consummate the bribery of the intractable Williams.