

jects of Abscam investigations were of the 'Hello,' 'How are you' nature.

Facts: "A review of the existing tape recordings reveals substantial portions of un-recorded conversations as well as references to countless un-recorded and otherwise undocumented meetings between Weinberg and the various subjects. Plaza and Weir were advised by [Justice Department attorneys] Weingarten and Holder that telephone toll analysis revealed that there were more than eighty (80) un-recorded conversations between Weinberg and Errichetti alone."

Plaza lists five cases of false testimony on the part of FBI Special Agent John Good, including the following:

Good's Testimony—Pages 865 through 869: "Melvin Weinberg was carefully monitored during the investigation and the FBI maintained a careful chain of custody of the tapes produced by Melvin Weinberg."

Facts: "In May 1980, several months after the Abscam investigation had gone public, it was still not known which conversations and meetings of Weinberg had been taped. . . . Many months later Messrs. Weingarten and Holder were still uncovering evidence of untaped and undocumented Weinberg meetings and conversations."

As for Melvin Weinberg himself, Plaza has this to say:

"The limited purpose of this outline does not permit me to list all of Mr. Weinberg's false statements."

Yet on March 4, 1980, the FBI Director vouched for Melvin Weinberg and the entire stable of Federal Witness Protection Program criminal informants, in testimony before the House Judiciary Committee:

"Those of us who live in a world of decency . . . sometimes find it hard to assume that anyone who engages in crime can tell the truth. But when he is telling the information to someone whom he thinks is in league with him, that is sometimes the way by which we get our very best information consistently, in all types. . . .

"We have some of the most important ones now that are going through the process, organized crime figures dealing with our undercover agents, and telling us things are that are true and turn out to be true."

As the summary evidence presented here and the pages of documentation in the *Congressional Record* show, the FBI Director would have more accurately stated: "things that are false and which we make to be true." That is the police-state method—protected by the U.S. controlled media—which is at the core of Abscam, from the initiation of "investigation" to the presentation of charges in the court, to the due process hearings, to the Senate Ethics Committee. This is the police-state method employed by the international dope machine against the citizenry of the United States, which must and will be stopped.

Who upheld the Constitution

Sen. Inouye:

'Trial a farce'



Excerpts follow from the statement by Daniel Inouye, Democrat of Hawaii, on the Senate floor March 10: Senator Inouye's opening statement to the Senate on March 3 in defense of Senator Williams was excerpted in the last issue of Executive Intelligence Review.

I know that all of us have read recent editorials and we have heard from our constituents that Pete Williams was convicted of crimes and, therefore, expulsion is the only possible remedy.

The Ethics Committee has said that the Senate should proceed independently of these convictions, and I agree. The convictions in Brooklyn are a house of cards that could collapse at any moment.

If the Senate's action is based on the trial court, and the trial court verdict is overturned, there will be nothing left but perhaps a Senate that looks foolish because we were in a rush to thrust an embarrassment from our midst. I believe that all of us who have spoken thus far would agree with at least this one proposition. It is the task of the Senate to judge our colleague solely on the evidence before us. And the Senate cannot and should not rest its decision on an initial judgment of a court in what will undoubtedly be a long and complex judicial process.

Mr. President, I know that such a view of this case will not win us any friends; I know that this view will be misunderstood by many of our constituents. But I believe that such a view will serve this body as an institution by

maintaining the independence of our judgment of a colleague's behavior. It has been said many times that the Constitution commits that power into our hands and that we must not—we must not—delegate it to the judicial branch. . . .

In all of the previous cases where we had expelled a Senator, the evidence has been unequivocal. That such a measure of proof was used seems only fitting when the Senate is considering this extraordinary act of expulsion.

In the Bright and Blount cases the evidence was in the form of letters, and in all of the other cases it was a conduct of engaging in a rebellion. Whether this was by writing or by conduct, the actions which were judged were unequivocal.

The case of Senator Harrison Arlington Williams, Jr. is based on a much different foundation. This case is based almost entirely on the interpretation which we placed on conversations, interpretations. It is, therefore, much more difficult to state unequivocally what took place in these conversations. . . .

If we must interpret, if we must guess at, the meaning of words, phrases, and whole conversations, if the evidence is equivocal, then I say we should not employ the remedy of expulsion. The sanction of expulsion is too final to be used on equivocal evidence, and the case before us rests on an equivocal foundation.

Just recall yesterday, the confusion in the questions and the answers, the unanswered questions; add to this the un subpoenaed and now unavailable witnesses. How can we, under these circumstances, impose the most severe sanction, the sanction of finality?

The Constitution has been quoted many times. We know what the qualifications [for being a U.S. Senator] are: 30 years of age, 9 years a citizen, and a resident of the state he or she represents.

But now it appears that we may have added a fourth requirement. Now we may also be subject to a pass-fail test on our probity and our sense of ethics. This test is to be initiated by, and under the sole control of, the executive branch. I am certain that the Founding Fathers would surely not have countenanced such a malicious device. The integrity of the Senate is challenged by this investigation, and the Constitution compels us to reject its advance. . . .

The press has been reporting this sad episode since early February 1980, and has, within the past week, been quite explicit in its editorials and feature articles. . . . They have been telling us where our duty lies. . . . Each of us must decide the case of Pete Williams alone; without regard to the pain and suffering that we may have suffered, or the embarrassment we may have experienced; without regard to the pressures from the press; and without regard to the pressures of political expediency. We are the guardians of this institution, which was created by the Constitution.

Sen. Cranston:

'Abscam a threat'



From the statement by Sen. Alan Cranston, Democrat of California, on the Senate floor, March 4:

Next week, I will propose a substitute amendment to the pending measure that would censure, rather than expel, Senator Williams for behavior bringing the Senate into disrepute.

Second, I will be introducing next week, with the co-sponsorship of the Majority Whip [Ted Stevens (R-Alaska)], an original Senate resolution to provide for full Senate investigation of executive branch misconduct regarding the Abscam undercover operation and other activities targeted against members of the Congress. The investigation would be designed to determine the extent to which these activities constitute a danger to the separation of powers and the system of checks and balances inherent to our Constitution and to produce recommendations regarding what protections may be necessary to preserve the independence and integrity of the Congress. . . .

To rely on the jury verdict in this case, obtained as it was—I will undertake to show—by a marauding executive branch thoughtless of constitutional separation of powers between the great executive and legislative branches of the federal government, is to abrogate to the executive our responsibility under Article 1, Section 5, Clause 2, of the Constitution to decide the qualifications of our members and punish those who go astray. We should not, in the name of self-discipline, in effect permit the executive branch to decide who may sit in Congress.

Moreover, I am sure all Senators share my deep concern about an undercover operation directed against the Senate by executive branch prosecutors who unblinkingly asserted in an Oct. 2, 1981, government brief on this matter that “undercover operatives do not need probable cause, or even reasonable suspicion to commence an investigation.”

Mind you, the so-called “undercover operative” in question here is not the clean-cut, high-minded agent of “This is Your FBI” fame. Not at all. The operative here is one of the sleaziest crooks and con artists ever caught and convicted of a federal felony: He was then turned loose, with the blessing and protection of the govern-

ment, to pursue and trap members of the Congress at a time when the government had no basis to suspect them of criminal wrongdoing or propensities. . . .

Such an operation when directed against the coequal legislative branch of government by the executive branch poses a very real threat to the separation of powers and checks and balances that the Constitution establishes to protect our system of government and the freedom of all Americans. . . .

It takes little imagination in light of the events of the last decade or so to conjure up a scenario whereby an executive branch, believing the tactics employed in Abscam were appropriate or least to be tolerated, might target a member of Congress because of the member's anti-administration views and actions. Toleration by us of the government's actions under the previous administration in this case would, in my view, invite its repetition under circumstances that could produce a disastrous blow to our constitutional form of government. . . ."

Sen. Melcher:

'Look at economy'



From the statement of Sen. John Melcher, Democrat of Montana, on the Senate floor, March 10:

I firmly believe that there is desperate need for the Senate to be addressing the problems of the economy. We slip every day deeper into a recession that threatens to engulf more jobs, make more families poor or destitute, cause farm, ranch, and small business foreclosures, and bankrupt large businesses and institutions and decimate many of our basic industries.

All of this year so far the Senate, I will remind my colleagues, has spent practically all of its time debating whether or not to televise ourselves, and the rest of the time, other than that, dealing with a filibuster on bus-

ing. . . . I am not yet ready to vote for expulsion because I am not sure of all the facts. I am not sure of the credibility of the evidence that has been presented because I am not sure of the credibility of those who gathered the evidence to present to the prosecutors, and eventually, the same evidence that went to the Ethics Committee. I am not sure that all of the evidence has been presented by the Justice Department. . . .

No independent review of the facts has been conducted. The Ethics Committee report is a simple recitation of Prosecutor Puccio's case, plus testimony submitted by Senator Williams and other witnesses. Basically, it is a case regarding Senator Williams which was presented by Mr. Puccio, which was conducted almost a year ago. . . .

There are continually flaws in the committee arguments that keep unfolding, and that really have concerned me as to the conclusiveness of the evidence presented. . . .

The greater matter before us, the second matter, is the method used by the Justice Department to gather evidence and the presentation of that evidence by the Justice Department, and the withholding of evidence by the Justice Department, or the prosecutor, or the judge to convince a jury that Senator Williams should be convicted. The FBI scam used taxpayers' money—none of which Williams accepted. Justice Department methods in obtaining evidence, in my judgment, violated the law. . . . That is, the Justice Department conspired to violate the law, that evidence was withheld by either the Justice Department or the judge, contrary to law, and that the depth of this quagmire of Justice Department illegal activities has not yet been gauged.

We have been told by the Ethics Committee that consideration by the Senate of Justice Department irregularities is for another time. It is my belief that that is an equal problem we face today with the Williams expulsion—and we cannot conclude the consideration of that problem until we consider the intertwining of Justice Department falseness and deliberate misleading of the public, the jury, and indeed, the Senate itself. . . . We cannot say—as does the committee in the reports and arguments made here on the floor—that this Senate debate is totally independent of anything that occurred outside and then turn around and make the trial, the trial judge, and the prosecutor the basis for the expulsion of Williams. I ask, can we investigate Abscam—that includes the trial judge, the FBI, and the prosecutor—while at the same time using the very scenario created by the Abscam team and the events that followed as a justification for expelling Williams? . . .

There is a scene from history I want to call your attention to;
Seasons.

Like the attorney general, renowned lawyer and king's legal adviser Thomas More refused Henry VIII's demands for a legal pronouncement on one of the King's marriages. Thomas More's legal opinion on that was very important to Henry VIII.

His refusal—More's refusal—set Henry against his former friend and one of his leading counselors.

Henry plotted. He sent a secret agent to More's household to seek evidence to discredit More. He seeks employment—gets none at all.

But More's daughter Alice, cries;
"He is a spy. Arrest him. Father, that man is bad."
More replied: "There is no law against that."
More's son-in-law Roper interjects: "There is. God's law."

More replied: "Then God can arrest him."
More adds at this point in soliloquy that he is not God and would never attempt to dispense God's law. The play then continues:

More: "But in the thickets of [human] law, oh there I am a forester. I doubt if there's a man alive who could follow me there."

Alice (Exasperated, pointing after the spy): "While you talk, he's gone."

More: "And go he should if he was the devil himself, until he broke the law."

Roper: "So now you'd give the devil benefit of law."

More: "Yes, what would you do? Cut a great road through the law to get after the devil?"

Roper: "I'd cut down every law in England to do that."

More (roused and excited): "Oh? And when the last law was down, and the devil turned around on you—where would you hide, Roper, the laws all being flat? This country's planted thick with laws—man's laws, not God's—and if you cut them down d'you really think you could stand upright in the winds that would blow then? Yes, I'd give the devil benefit of law, for my own safety's sake."

Sir Thomas More—in my church we call him Saint Thomas More—had no love for the devil.

He had love for the law and love for principle—for justice.

For our country's sake we should not allow all the laws to be cut down by the Justice Department—to set aside, bent—to gain what they have contrived to be seeking justice.

They have sought too hard, they have disregarded the law we have imposed here in the legislative branch to protect us all as citizens.

They have gone too far.

I do not believe there has been an adequate defense of the Justice Department action here in bending the law, in shoving it aside, to say that it is a process that sometimes you need to do to enforce the law.

If they succeed in this striking down or bending of the law, I believe it is a question of safety's sake and like More I ask "Can citizens stand upright in the winds that blow then?"

The Senators who wanted expulsion

Sen. Heflin:

'Stings are proper'



From the March 3 statement to the Senate by Ethics Committee Vice-Chairman Howell Heflin, Democrat of Alabama, on the committee's findings in the case of Senator Williams:

No sooner had the jurors in Brooklyn returned home from court on May 1 last year, having duly rendered their verdict, than telegrams and letters began to pour into the office of the Ethics Committee urging that we immediately and forthwith expel Senator Williams. In language sometimes cynical and emotional, often sober and reflective, many of my constituents in Alabama and countless citizens throughout the land advocated action so swift that it would have been summary. In all candor, who can argue that the reputation of the Senate is enhanced by the presence among its numbers of a person who has been convicted of a crime? . . .

We cannot wait until all appeals are exhausted. To do so would delay our decision possibly for years. The Constitution does not require it, and the American people will not stand for it. . . .

Assume for a moment that the government's conduct in Abscam was reprehensive; let us assume it. The committee steadfastly maintained that government conduct has absolutely no bearing on the conduct of Senator Williams as a keeper of the public trust unless it can be demonstrated that his will was overborne. . . . It should be perfectly clear that Senator Williams was not targeted

by the FBI, the Department of Justice, or the Carter White House. . . .

Having examined the evidence, it is clear that Senator Williams has violated his public trust; that he breached his sacred covenant with the people of New Jersey. . . . Entrapment could never be a defense to allegations of misconduct when the standard for judgment is a higher one than that which obtains in the criminal process. . . .

Assume coaching, even assume entrapment. If a member of this body really knows right from wrong . . . then that member would not hesitate . . . to get up and walk, walk away from the sleazy characters, walk away from the talk about sheiks and deals . . . walk away from talk about Government contracts. . . .

By the rule of fundamental fairness under the watchful eye of a concerned public and a vigorous free press, we have an obligation to see that an ultimate judgment be made, and that it be fair, impartial, and just. The Constitution requires we do no more. The American people expect we do no less.

From Senator Heflin's March 8 statement rebutting Senator Williams's defense:

Certainly in regard to the separation of powers we should have a law, and this is something we can look into, that if a decision is made to target a member of Congress that that decision should be made at the highest echelons of the Department of Justice and the Federal Bureau of Investigation.

We think that the sting operations can be effective in bringing people who have been committing crimes to a stage of where they can be convicted, and sting operations have been effectively used by the FBI and by police departments in various places. . . . I do not feel that because a person is a member of Congress that that gives him immunity from a sting operation.

From Senator Heflin's March 9 rebuttal:

The Ethics Committee had done an independent investigation. It was limited because we could not interview up until the trial evidence was made available, or may have been made available a few months in advance of the actual trial, I believe, but they did have an independent investigation, and after this was over then, of course, the new set of lawyers, being a third group of lawyers who were involved, wanted to reopen the case. The committee had already made its report.

The majority leader and the minority leader, the leadership in the Senate, asked the Ethics Committee to act as an investigative arm for them and we made our recommendations, in effect saying that we did not feel any new evidence was presented or if it was new evidence that it could not have been presented at the trial. . . .

Sen. Wallop:

'No FBI misdeed'



From the March 8 statement by Senate Ethics Committee Chairman Malcolm Wallop, Republican of Wyoming, rebutting Senator Williams's defense:

First is that the issue before us is the conduct of Senator Williams and not that of law enforcement authorities in the Abscam cases, and if the latter is to be considered, it should be done at a later time when these law enforcement authorities are given the same opportunities to present their side of the various allegations made against them. . . .

The only issue before us today, and throughout this proceeding, is the conduct of Senator Williams. . . .

Senator Inouye has stated that Senator Williams, too, was improperly targeted and the Justice Department's investigation was based on charges against Senator Williams which were initially fabricated by Mel Weinberg. This statement is simply not borne out by the record in this case. In fact, there is no evidence that the FBI sought out Senator Williams. . . . The government's investigation of Senator Williams, far from being part of an orchestrated attack on the legislative branch, was the natural outgrowth of Senator Williams' January 1979 meeting with Mayor Errichetti in Camden, New Jersey. . . .

Sen. Bradley:

'Follow Wallop'



From the statement by William Bradley, Democrat of New Jersey, on the Senate floor March 10:

To protect that faith [which people extend to political institutions] the Senate has created an Ethics Committee

and has vested that committee with guardian responsibility for the standards of the Senate. A Senator should reject a recommendation of the Ethics Committee only if that recommendation seems very substantially unsupported by the evidence before the committee and very clearly inconsistent with the standards of the committee and the Senate. Nothing in this case, I am sad to say, suggests such exceptions to me. I will vote for expulsion.

Sen. Eagleton:

'Expel Williams'



From the statement by Thomas Eagleton, Democrat of Missouri, to the Senate March 9:

I am the showcase liberal on the Ethics Committee. . . . In my view, Senator Williams was a knowing participant in this sleazy enterprise. He was not dragooned or blugeoned into it. . . . Mel Weinberg is a demonstrated crook and a liar—truly a reprehensible person. But, as a former prosecutor and State attorney general, I realize that in certain areas of criminal law enforcement, you must sometimes deal with reprehensible people to make a case. . . .

Senator Williams has not had the good grace and good judgment to withdraw from this body. We should not perpetrate our own disgrace by asking him to stay. . . .

Sen. Moynihan:

'I did right'



From the statement by Daniel Patrick Moynihan, Democrat of New York, on the Senate floor March 4:

It seems to me an elemental duty to Senator Williams to report to the Senate that I have the transcripts of two meetings involving Mr. Melvin Weinberg, Mr. William

Rosenberg, Mr. Bruce Brady, a special agent of the FBI, and also Mr. Tony DeVito, a special agent of the FBI. . . .

In this transcript, Mr. Rosenberg, who was a convicted felon, who has subsequently been found guilty in one of the Abscam cases, represented himself as having been in contact with Senator Javits, with me, with Congressman Lent of New York. . . . he also represented himself as being in contact with the late Senator Robert Kerr of Oklahoma.

He was instructed by Weinberg and DeVito to offer money and bring in a person. . . .

It could be pointed out that Mr. Charles B. Renfrew, the Deputy Attorney General on Jan. 27, 1981, wrote to me and wrote to Senator Javits that Mr. Rosenberg had confessed to lying with respect to the representations he had made. . . .

Sen. Pryor:

'FBI not on trial'



From the statement by David Pryor, Democrat of Arkansas, and member of the Senate Ethics Committee, on the Senate floor March 10:

I would like to compliment Senator Heflin and Senator Wallop for an outstanding, unselfish, patriotic job. . . . Due process in the Ethics Committee was granted to Senator Williams. It is my opinion that if the strict definition of due process were not granted to Senator Williams in the trials and in the proceedings before it got to the Ethics Committee—maybe it did not, under the strict interpretation of the law—if it did not meet that test, it certainly would have been a callous disregard for the rights of a human being. . . .

[But] the Federal Bureau of Investigation is not on trial. As I balance the interests, the equities, and look at what I have to do, I think at this point that the only thing we can do is vote to expel our friend Senator Williams from the Senate.

Senator Edward Kennedy, Democrat of Massachusetts, took no part in the Senate debate. The Senate's Republican Party leadership made no substantial contribution to the debate.

Senators challenge Ethics Committee

On March 9, Senators Joseph Biden (D.-Del.), Ted Stevens (R-Alaska), and Patrick Leahy (D.-Vt.) challenged the Senate Ethics Committee definition of conflict of interests, as applied in their consideration of the Harrison Williams case. Exerpts from the exchange between Senator Leahy and Ethics Committee Chairman Malcolm Wallop follow.

Senator Leahy: On the specific question of promising to use your office to get something of value for another, let me pose a hypothetical: Suppose someone comes to you from your state, the mayor of a community in your state, and says they need funds to finish a sewer project in that community, otherwise they are going to have to raise taxes in their community. Let us say, to even stretch it a little further, that you own property within that community. The mayor comes to you and the senator responds: . . . This is your lucky day, because I know all of these people right up to the top, and they need me. They need me badly. I will get you that sewer grant, or whatever."

And let us push it even further. Let us say, indeed, whoever is involved with issuing those grants downtown in the bureaucracy actually comes before [your] committee on whatever subject, and on the way out the Senator says: "By the way, I know you have got X amount of discretionary money. Smalltown, U.S.A. needs some money. Send them some money." Is that a violation?

Senator Wallop: Yes, I think it would be a violation, if it could ever be proved that the Senator traded on his influence in return not for his constituents but for his support and a wide realization that he had held those two things together.

Senator Leahy: That is not my hypothetical.

Senator Wallop: Well, it sounds like your hypothetical to me.

Senator Leahy: No. The hypothetical is stated exactly as it was. He said just those things: "I am a powerful important Senator because I am chairman of this sub-

committee or whatever and as a result I can make calls on behalf of the Smalltown, U.S.A. and indeed I will, and there it is." And, indeed, he makes the phone calls and either because of that or maybe purely coincidentally the assistant deputy director of sewer grants uses some of that discretionary funds and the money actually shows up there.

Has he violated his office?

Senator Wallop: Senator, my guess is probably that he has not, unless he also shares in the \$100 million loan to the sewer company that is building it, which is what is at issue here.

Senator Leahy: Let us say he has an interest in a sewer company but is also interested that he does not want his taxes to go up.

Senator Wallop: I think that any time in the world a Senator ties his public service to some personal function, he is on the thinnest of ground with the Ethics Committee, whether or not it could be proved. . . .

Senator Leahy: If future Senators were actually to fall to the temptation while campaigning in their own state to say "Because of me you have this Veterans' Hospital" or "Because of me you have this dam" or "Because of me you have this park," or "Because of me you have this federal building," or "Because of me you have this seaport," or whatever, that they are—

Senator Wallop: Senator, the difference is unbelievable in what we are talking about here in the case of Senator Williams, who traded on his office for personal profit. . . . What we ought to be looking at is what is at issue here in front of us.

Senator McClure: I understand the question that was asked by the Senator from Delaware. . . . But the hypothetical situation the Senator has outlined seems to me to be in the ordinary course of the business we are doing here. . . .

Senator Leahy: But that does not seem to be the answer I get from the distinguished Chairman.

Senator Wallop: Perhaps I do not understand the Senator's question. I have tried to. . . . Perhaps he could restate it.

Senator Leahy: The concern I had . . . was the emphasis you were putting on bragging about your ability to use your office. And I questioned whether at least the temptation might not be there to Senators, on occasion, to brag, back within their own states, of their importance or their influence or whatever. And I am asking the Chairman to what extent—and the reason I posed my hypothetical—is to what extent that creates an unethical situation, because if it does, we may be here for the next couple years trying 99 more people.

Sen. Williams:

'Abscam threatens the sovereignty of the legislative branch'

From the statement of Sen. Harrison Williams to the Senate, March 4:

Mr. President, today, as I stand before you and my colleagues, I know that I am completely innocent of all crime and impropriety and, therefore, totally confident that I will be fully exonerated in the appeals process.

We all have an important responsibility to deliberate on the most fundamental questions relating to the sovereign integrity of the U.S. Senate as an independent institution of Government.

This is the first time I am to be judged by my peers on the totality of the Abscam net that was so crudely wrapped around me. In Brooklyn, New York where my law case was tried, the jury was specifically denied the right to consider government misconduct. The Ethics Committee prohibited any consideration of the gross misconduct of operators from the Department of Justice and the FBI.

If the Abscam operation is to be understood in its totality, not only my conduct but the Government's conduct must be considered, I submit to you, by the full Senate, so that justice might be realized.

These elements of the Department of Justice and the FBI, which sought to instigate and foster criminal activity where none existed, must bear responsibility for their part in this sordid affair. It is this Government misconduct, the illegal, unconstitutional, and ethically repugnant methods of those involved within the FBI and the Justice Department who sought to implicate me in their criminal scheme that must be examined.

And it is in light of this executive culpability that we must consider the entire operation before we can consider the preposterous recommendation that I be expelled from this body—an action last taken in our history against those who committed treason during the Civil War.

No citizen should be made to be answerable, either by judicial or moral standards, for what it appears he or she may have done. Each citizen, however, must be held responsible, and in every respect, for what he or she has done. So it must be with a U.S. Senator.

I have not committed a crime nor have I acted

improperly. It is this misconception which has been

created by the techniques of this operation and by the media, which I must dispel.

So I rely upon you, my colleagues, to conduct a reasoned, thorough investigation of the reprehensible activities of the executive branch of government during its Abscam operation. I rely upon you to perform the historic function for which this great body exists, to guide our nation on the course of justice.

The constitutional barrier that separates the executive and legislative branches has been shattered by this at-

Cranston calls for a probe into Abscam

On Thursday March 11, following the resignation of Senator Williams, Sen. Alan Cranston, Democrat of California, motivated his soon-to-be-submitted Senate resolution for an investigation of government misconduct in Abscam. Excerpts from his statement follow:

The Senate has come face to face with the enormity of misconduct and impropriety by the Department of Justice and the FBI in the entire Abscam operation. . . . It is now incumbent on the Senate to proceed with a full Senate investigation as is provided for in the resolution I and others will introduce shortly. . . . I am confident that the Senate will adopt such a resolution swiftly and that Senator Williams'

tempt to create crime. It is the first time in the history of our country that this has happened.

It has happened to me. It can happen again. My fight, until most recently, has been a lonely fight, but in conscience I had no choice. If this tactic goes unchallenged, tomorrow, tomorrow, tomorrow, it could become an Executive method to control and intimidate this sovereign branch of government. . . .

I, along with all American citizens, first heard of the previously secret Abscam operation two years ago. As I looked out of my house and saw a barricade of media who had received leaks from the Department of Justice before I, myself, was accused of any crime, I knew that the first principle of American justice was being turned on its head. That first principle of justice is that a man is innocent until proven guilty. I knew when I looked out into that sea of media, innocent though I was of any crime, that I would have to battle to prove my innocence. I knew that the fantasy that had been developed over the prior 13 months was an attempt to get me to appear to be doing something criminal.

The abuses of certain members of the government during the investigation and since it was first revealed to

me have been extensive. Government agents, a hired criminal, and co-opted individuals forged a letter on my Senate stationery. They committed major perjury, obstruction of justice, and other crimes. They took bribes and gift favors from the convicted felon Mel Weinberg, who brazenly attempted, at taxpayers' expense, to bring about my demise. They considered drugging me. . . .

The essence of FBI and Justice Department wrongdoing is the machinations of Mel Weinberg, the hired criminal, and the errant government operatives. Even further goes the web of government misconduct against the Constitution and . . . the U.S. Senate. . . .

I therefore appear before you not merely in my self-interest but to insure that we together preserve the integrity of the U.S. Senate as an institution and the very democratic principles which are our heritage. No forum is more suited to this task than the Senate of the United States. No forum is more able. No forum is more proper. I just feel that because of the profundity of one question—the question of separation of powers and the methods used by the executive branch—our Founding Fathers would have us here this day doing what we are doing. . . .

lonely fight against overwhelming odds, over these six days, will have been the reason a full investigation will be undertaken. . . .

If there were ever any doubts that Abscam went wrong, and how badly it went wrong, they were removed by yesterday's revelations . . . that the attempt to bribe our colleague Senator Larry Pressler was done on the spur of the moment with the express approval of the Director of the FBI William H. Webster. . . . As the Senator from Hawaii said about the matter: "Shame, shame, shame." This shocking disclosure alone fully justifies the investigation we are calling for.

My questions about the government performance include:

The extent to which the Justice Department itself was being deluded . . . by Mel Weinberg, the con man who was masterminding the entire undercover operations, and the extent to which adverse statements by others about Senator Williams and other government targets may have been manufactured by Weinberg and relied on by the government.

The extent to which the U.S. government was itself compromised by Weinberg.

The extent to which there were gaps in tape transcriptions, what might be found when the gaps are

filled in, if possible, and what can be learned of untaped and undocumented conversations.

The extent to which allegations of misconduct were and were not fully investigated by the Justice Department.

The extent to which there was a failure of supervision over Weinberg with respect to his taping activities and his other activities.

The extent to which Weinberg was led to believe that any of his compensation depended upon convictions.

The extent to which there was any effort to cover up improper or illegal government activities in connection with Abscam.

The extent to which other Senators and Members of Congress were targets of Abscam. . . .

The extent to which the full scope of executive-branch misconduct . . . may have compromised the investigation and prosecution of Senator Williams and other Abscam defendants.

The extent to which executive-branch misconduct that is found to have occurred was approved by or known to the top officials of the Justice Department and the FBI. . . .

The resolution directs that a final report be submitted to the Senate not later than July 1, 1983. . . .