

# National News

## Gov't misconduct hearing ends in LaRouche case

Hearings on government misconduct concluded on May 12, about one week after the *U.S.A. v. The LaRouche Campaign* trial ended in a mistrial. After he receives final briefs on June 20, Judge Robert Keeton will rule on what sanctions should be applied against the federal government for its pattern of withholding exculpatory evidence from the defense.

Judge Keeton set a schedule of hearings, which concluded with a potential retrial date of Oct. 3.

Observers believe that the trial schedule is totally unrealistic, however, since by the deadline of July 15, the defense will file a series of motions to dismiss the case, including one on the grounds of double jeopardy. The defense has argued that retrial would be double jeopardy, because it was government misconduct which was responsible for the extension of the trial and led to the mistrial.

Defense attorneys told Judge Keeton May 12 that, should their double-jeopardy motion be denied, they would immediately appeal the decision. Such an interlocutory appeal could take months, and would have to be resolved before the retrial began.

Assistant U.S. Attorney John Markham also announced that the government will separate the credit-card-fraud portion of the case from the obstruction-of-justice part of the case. A motion to this effect by the defense was rejected by both the prosecution and Judge Keeton over a year ago. At this point, however, Markham is desperate to find one part of the case which he might be able to successfully bring to completion.

During the last week of the misconduct hearings, defense attorneys questioned both AUSA Mark Rasch and FBI Special Agent Richard Egan on their roles in the withholding of exculpatory evidence. Both did their best to put the onus on AUSA Markham, who is already showing strain under the pressure.

## North refuses to turn over notes

Lt. Col. Oliver North, after eluding a "monumental effort" to serve him with a subpoena for 10 days, sent his lawyer to the Senate Foreign Relations Committee to invoke his Fifth Amendment rights against self-incrimination, as his reason for refusing to turn over 3,000 pages of notes he compiled while running Iran-Contra operations.

Committee chairman John Kerry (D-Mass.) contends that the notes are government property because they were compiled while North worked for the National Security Council. Kerry wants access to the notes without any deletions. He believes they contain evidence of drug-running operations by the Contras.

Senator Kerry called it "unheard of . . . and inappropriate" that North's lawyer, Brendan Sullivan, who does not have "any security clearance whatsoever," should be "the custodian of documents that have been walked out of the work place of the most highly sensitive agency that we have."

Although it remains to be proven under strict rules of evidence, much testimony already heard by congressional panels leave little doubt that North and his Contra operatives were involved in drug-running into the United States, in connection with Colombia's Medellín Cartel of cocaine traffickers.

## Pentagon: We're falling far behind in SDI

In its required annual report on the Strategic Defense Initiative, the Pentagon said that 3% annual increases in funding for SDI research will not be enough to "keep pace" with the Russians in that area, and that to fall further behind in research would be a mistake militarily, the *Washington Times*

reported May 10.

"The resulting asymmetry between Soviet and U.S. forces [caused by the Soviets' gradually improving ability to destroy U.S. forces with a surprise attack] has led to a destabilizing situation, one that must be redressed," the report stated.

If Congress continues to cut deeply into SDI funding, said the Pentagon, "the United States will not only waste its greatest leverage—the innovation possible in a free society—but it can expect to do no more than react to Soviet initiatives in strategic defense.

"We are faced with either delaying the time when a decision on whether to deploy defenses could be made, or eliminating some technology efforts, thereby reducing the number of defense options that can support a decision," said the report.

"While the Congress has increased funding every year, the difference between what the administration has requested and what the Congress has appropriated is so large that it has had a substantial and increasingly detrimental impact on the program," said the Defense Department.

## Movement for lower tuning grows

Top vocal artists and teachers from New York City and California have endorsed the Schiller Institute's "Italian initiative" to lower the orchestral tuning pitch to C = 256 cycles (A = 432) from the current practice of A = 440 and up.

The Schiller Institute held a conference in Milan in April which drew up a petition demanding the lower tuning, signed by Renata Tebaldi and many other international musical celebrities (see *EIR*, Vol. 15, No. 17, April 22, 1988).

Signed endorsements have now been received at the Schiller Institute's Washington office from Metropolitan Opera stars mezzo-soprano Diane Kesling and tenor Nico Castel, bel canto voice teacher Ellen Repp,

## Briefly

● **ED KING**, former governor of Massachusetts, is shadowing the current governor, Michael Dukakis, on the campaign trail, and asking him the embarrassing question: "Where has \$3 billion gone?" That's the overrun in the Massachusetts budget under Dukakis's management, even after accounting for inflation.

● **NEW JERSEY** State Health Commissioner Dr. Molly Joel Coye told the State Assembly Appropriations Committee May 7 that more state funds must be concentrated on stopping the spread of AIDS. Coye presented statistics that surprised some committee members, estimating that some 100,000 New Jersey residents are infected with the AIDS virus.

● **PAT BUCHANAN**, in a May 9 *Washington Times* column, stated, "We are living through an undeclared constitutional crisis; it is the consequence of a 20-year siege by Congress against the presidency of the United States." Typically, former White House communications chief Buchanan blames the problem on the amorphous "left."

● **HOUSTON** not only leads the nation in bank failures and vacant office space, it is second in the number of roaches and third in the number of fleas, according to a survey by the manufacturer of Black Flag pesticides. Top roach cities were Miami, Houston, Tampa, San Antonio, and Dallas/Fort Worth. The top flea cities were San Antonio, Tampa, Houston, Oklahoma City, and Dallas/Fort Worth.

● **RACINE, WISCONSIN** is the site of a closed-door conference in mid-May, sponsored by the Ditchley Foundation and the Chicago Council on Foreign Relations. Its purpose is to shape the foreign policy of whoever becomes the next President. Candidates' representatives will be there to hear from "experts" such as Robert Hunter of Georgetown's Center for Strategic and International Studies.

vocal coach Dr. Frances Holden, head of the Santa Barbara, California Lotte Lehmann Foundation, and lieder pianist Bodil Frolund of New York.

Kesling, wife of Metropolitan opera principal cellist Jascha Silberstein, who signed the petition a week earlier, was "delighted" with the initiative and said that she plans to raise it at the next meeting of the U.S. musicians union, AGMA.

Castel serves as language and diction coach for the Metropolitan Opera's young artist program and the Wolf Trap summer opera program near Washington, D.C. Miss Repp sang throughout Europe, including under Wilhelm Furtwängler and Leopold Stokowski, and now teaches voice at the Manhattan School of Music.

Proponents of the lower tuning argue that not only does it destroy voices forced to sing at A=440 and often higher, but that the change in register shifts imposed denies the intent of the classical composers and, literally, destroys their music.

### D'Amato admits helping Wedtech

Calling his intervention in favor of the indicted defense contractor, Wedtech Corp., "a mission of mercy," Sen. Alfonse D'Amato (R-N.Y.) testified at the racketeering trial of Rep. Mario Biaggi (D-N.Y.) that he came to the company's aid at Biaggi's request, but not as a political favor.

He described his assistance to Wedtech as "not any more and not any less than we've done for hundreds and hundreds" of other companies. D'Amato admitted that a Democratic group organized by a former Biaggi aide was "instrumental" in his 1980 victory, and called Biaggi's decision not to endorse his Democratic opponent, Elizabeth Holtzman, "complimentary" to him.

But he insisted that his contacts with Biaggi were "always above board" and there was "not a scintilla of impropriety."

In another Wedtech-related develop-

ment, investigators have learned that the now-defunct Garcia Ordnance Corp. of Houston, Texas, was identified in memos from Bob Wallach to Attorney General Ed Meese, as early as May 1981, as the main competitor to Wedtech. Top officials of that company were sued by the Justice Department, the *Washington Post* reported May 7. They were charged with using political influence to obtain engine parts contracts from the Army.

U.S. District Court Judge Ricardo Hinojosa dismissed charges against two defendants, for lack of evidence against one, and for lack of basis to include the other in the case. A jury acquitted five others on March 2, 1987. One person was convicted of making false statements.

Justice Department sources told the *Post* that prosecutor Harry Lee Hall was forced to resign in April, partly because of the Garcia Ordnance case.

Attorney General Meese denied any knowledge of Garcia Ordnance. His spokesman, Patrick Korten said May 6 that Meese did not read the cited memos from Wallach.

### Reynolds calls report on Meese 'sleaze'

"If you want to point to sleaze in this town, I'd put that at the top," said Attorney General Ed Meese's top defender in the Justice Department, William Bradford Reynolds, of the report issued May 4 by the Senate Governmental Affairs subcommittee on oversight of government management.

Speaking on CBS's "Face the Nation" May 8, Reynolds said, "If this is the best case that one comes up with against this attorney general for ethical conduct, I would have to say that this man is as clean as he can possibly be in every respect."

Reynolds, who heads up the civil rights division of the Department of Justice, claimed that morale at that agency is high despite the investigations into Meese's conduct and personal finances.