

America, we have a problem

The FBI sting at NASA was more of the Justice Department's "wrong stuff." A commentary by a group of former senior NASA officials and contractors.

In 1995, the movie *Apollo 13* was a huge box office success, confirming what all Americans and most citizens of planet Earth (that own a TV set) already knew: that Houston's world-class, dedicated, manned-space community workers represent one of the few remaining inspirational segments of American society. These are not your typical government bureaucrats. They are honorable people with an almost religious zeal about their dedication to manned space exploration. Unfortunately, these very qualities recently made them prime targets of Washington's "America Last" advocates, the mindless federal police bureaucrats at the Department of Justice (DOJ) who seem bent on destroying every technological institution and profession in the United States, by phony incrimination and media assassination.

The now-famous report from Commander Jim Lovell, "Houston, we have a problem," was the heroic understatement that signalled a major crisis for Apollo 13. That crisis paled, however, in comparison to the unjustified KGB-style assault to which Houston's manned space community has been subjected, for the past four years, at the hands of the increasingly anti-American elements in the U.S. Justice Department. This department has a long history of behaving more like an American version of the Gestapo, than the champion of justice in a free society.

In 1991, a large group of FBI and NASA inspector general agents under DOJ leadership, donned their "Darth Vader" masks and went undercover at Houston's Johnson Space Center to root out alleged "extraterrestrial" lawbreakers based on what would prove to be false accusations of widespread corruption and numerous fraud, waste, and abuse (FWA) complaints. The FWA system is a government "snitch service" implemented by the Congress to root out fraud, waste, and abuse by anyone who benefits from a government program. In each agency, the system employs scores of pseudo-agents who dutifully track down these anonymous rumors, gossip, and complaints of alleged wrongdoing.

This Stalinist-type internal spy system generates its own serious abuses, serving as a vehicle for disgruntled people

to lie, backstab, and destroy the reputations of their bosses, competitors, and enemies, with anonymous unsubstantiated complaints. Nationwide, over 99% of all such complaints prove to be totally baseless, and the Congress knows this. However, it's been useful for congressmen to trumpet to their constituents that they are tough on crime, and that they are taking action to root out FWA and corruption in government programs.

In February 1994, Houston's U.S. Attorney, Gaynelle G. Jones, heralded to the world, that her department's undercover sleuths had succeeded in discovering "widespread corruption" in NASA's manned space community. She proudly displayed the trophies of this clandestine effort; 13 hapless NASA and contractor workers who had been reportedly caught doing "dirty deeds," by the diligent men and women of her department and the FBI. The media feeding frenzy which followed, somehow failed to correlate the claims made at this press conference with an NBC "Dateline" exposé aired only two months earlier.

The Department of Justice exposed

This December 1993 exposé provided a glimpse of the despicable misbehavior and extreme lengths to which these agents had gone, in what the Feds had proudly code-named "Operation Lightning Strike," a sting operation approved at "the highest levels" of the U.S. government, according to the March 1995 issue of the Johnson Space Center paper *The Roundup*. This NBC exposé virtually indicted the FBI agent-in-charge for excessive and outrageous misconduct during his persistent and totally unjustified targeting and entrapment attempts on an innocent American astronaut, David Wolf.

Wolf was a young medical doctor who had recently risked his own health in space medical experiments to advance U.S. knowledge of space effects on humans. He had never been in trouble in his life, and obviously had no predisposition to commit a crime. Yet he became an FBI target. No one asked why he and others of his colleagues were being targeted by the FBI in the first place.

From December 1993 until February 1994, following the

NBC exposé, the Department of Justice launched a feverish effort to sanitize and cover up what we now know was a widespread campaign of violations of civil rights by a team of out-of-control federal agents spanning four years, from 1991-95. This team illegally targeted and harassed approximately 80 innocent space program workers. Following the NBC-TV program, Abran Martinez, the Assistant U.S. Attorney who served as the legal counsel to the operation, made damage control trips to Washington, D.C., to assure his masters at the DOJ Criminal Division, as well as numerous alarmed congressmen on NASA oversight committees, that the Houston DOJ office had actually uncovered serious widespread corruption in the Houston space community, and had really performed a valuable public service to the nation.

No less a veteran NASA supporter than Rep. James Sensenbrenner (R-Wisc.), had appeared on the NBC "Date-line" show, apparently convinced that there must be serious corruption caused by those perennial villains, "the good ole boys and gals" at the space center. Other congressmen tried to distance themselves from what appeared to be yet another FBI debacle. Rep. John Conyers (D-Mich.), then chairman of the House Government Operations subcommittee, who had persistently criticized NASA for waste and inefficiency, now did an about-face and referred to "Lightning Strike" as un-American and the kind of criminal justice we don't need! This is interesting, because Conyers and Rep. Jack Brooks (D-Tex.), both powerful members of the Judiciary Committee (which oversees the DOJ), had reportedly given their prior approval to the operation. The Johnson Space Center was in Jack Brooks's district.

The prosecutors' next move was to negotiate a "one-time good deal" with the Martin Marietta Corp., to allow the payment of a \$1 million civil settlement to cover the government's mounting investigative costs (reported at \$2-4 million), presumably to avoid prosecution for allegations of criminal misconduct by the company's Houston operations division.

This "admission" sealed the fate of two lower-level Martin Marietta employees, who had not yet even entered a plea in the case! Because the \$1 million settlement was not a fine, it was probably paid by the U.S. taxpayers, since it could be charged off as an overhead expense to the government, thereby costing Martin nothing!

During this frantic two-month interval, Hal Francis, the FBI agent in charge of "Lightning Strike," abruptly left the bureau, in mid-career, for unexplained reasons. This, at the very peak of his meteoric rise to fame, after having played such a successful role in penetrating and laying waste to the Houston space community's reputation, which he continues to describe as riddled with corruption.

Later in 1994, the NASA inspector general, William Colvin, was also forced to leave his lucrative government position, after severe criticism of his personal investigative behav-

ior and misconduct was revealed in a GAO report requested by ex-astronaut Sen. John Glenn (D-Ohio). Colvin, who co-directed the sting operation with the FBI, had testified before Congress in late 1993, that his department had opened 450 cases of fraud, waste, and abuse at NASA. These cases have never materialized! Colvin has also been accused of controlling which people would be "investigated" (entrapped) and which would not. The U.S. Attorneys and agents who had earlier told the 13 low-level NASA victims that they were not the real targets, and that they were really after crooked senior NASA government managers, then changed their tactics, stopped all investigations of government people, and concentrated on the lower level, mostly contractor workers they had entrapped.

Using a "carrot and stick" technique of coercion and simultaneous offers of lenient plea bargains, the prosecutors forced involuntary guilty pleas from 12 of those charged, as a result of psychological coercion and intimidation, including threats of long prison sentences and economic ruin, if they did not cooperate. These coerced plea bargains proved nothing about the guilt or innocence of any of these people, none of whom had any known predisposition to commit crimes before they met the unscrupulous professional liar Hal Francis, now an ex-FBI agent and self-serving ABC-TV media personality.

It is significant that not one of the cases prosecuted by the U.S. Attorney was for prior criminal or unethical behavior. In other words, each of these cases was manufactured by the ex-FBI agent Francis, as part of an elaborate entrapment "daisy chain" conspiracy, in which each person entrapped was forced to entrap another person in order to get himself out of trouble!

Steve McVicker, a reporter for the *Houston Press*, has referred to this as a new government benefit, "the opportunity to commit a crime." It was not even that fair. A study of court documents reveals a pattern of dirty tricks by Francis, usually coming after he had made several legitimate payments to a victim, thus making the victim liable to multiple charges. This was coupled with gratuitous incriminating comments made by Francis himself on body wiretap devices.

The only holdout to this conspiracy was young Dale Brown, who had little to lose by fighting, as he had already lost his home, his wife, his unborn child, his business, and his health, due to the government's terrorist tactics. The stress that the 37-year-old Brown was put through, had resulted in open heart and intestinal surgery. Brown also claims that there were several attempts on his life, which he attributes to the Houston FBI agents about whom he had gathered proof of serious professional misconduct.

In September 1995, in the only case to reach trial, the government failed to convince a jury to convict Brown and, at the direction of the judge, who stated that "clearly entrapment was the issue to be raised," the government finally threw in the towel, and decided not to pursue Brown further. This

victory was due to the aggressive defense by Houston attorney Dick Deguerin. The Feds undoubtedly dropped the case to prevent open court disclosure of extensive unfavorable evidence about the sting, which had been suppressed during the trial and which was damaging to the government's position in the other 12 cases.

Another consideration was the anticipated "meteor shower" of civil rights violations suits expected in 1996. Two suits have already been filed against the Justice Department, each for \$4 million, by James Robertson, a partner in J.M. Beggs and Associates, and John Crenshaw, a senior leader of industry contractors in Texas, and a \$100 million suit by Dale Brown's attorneys is expected this month. "Lightning Strike" is a disgusting story of government abuse of police power which contains the same ingredients present in many other outrages by the DOJ Criminal Division over the past 20 years. "Lightning Strike" resembled Waco, Ruby Ridge, Lost Trust, Ill Wind, Abscam, Brilab, the LaRouche case, and too many others in its corrosive effects on the U.S. Bill of Rights.

Target: manned space program

In "Lightning Strike":

1. A federal government police agency was conducting an unjustified undercover sting operation.
2. Deliberate, outrageous, and excessive entrapment methods were used without regard to guilt or innocence or predisposition of those targeted.
3. A DOJ prosecutor violated American Bar Association Standards of Behavior by serving as the day-to-day legal counsel to the FBI during the investigative phase, thereby acquiring a personal interest in the case, in conflict with the prosecutors' role to "seek justice and not convictions."
4. FBI agents trained in subtle and sophisticated coercive persuasion (CP) techniques applied these Chinese communist psychological warfare methods on American citizens with impunity, to deny them their civil rights to due process, in contempt of the *Miranda* decision of the U.S. Supreme Court.
5. The DOJ prosecutors withheld important exculpatory material and committed fraud upon the courts, by prosecuting some individuals who they knew had actually never committed a crime.
6. The DOJ Criminal Justice bureaucracy conspired to withhold from the defendants and the courts, evidence of "prosecutorial and investigative misconduct" which it has in its possession, as a result of its own internal investigations of the violations committed during these cases. These violations undoubtedly led to Mr. Francis's decision to leave the Bureau.

In December 1995, the last defendant of "Lightning Strike," Neal Jackson, who has been charged with the exact same crimes that the jury would not find Mr. Brown guilty of, requested the right to withdraw his guilty plea and fight to clear his name. The DOJ, fearing a second court loss, is battling fiercely to prevent Jackson's case from going to trial.

An Appeals Court may have to decide the outcome, but to Houstonians, "Lightning Strike" has become synonymous with government-sponsored terrorism.

In March 1995, the government finally officially admitted that there was no widespread corruption at the Johnson Space Center. In 1995, the government also admitted to costs to the taxpayer for this operation of up to \$6 million, but experienced observers estimate that \$10-15 million has been wasted thus far.

It is clear that the Johnson Space Center was singled out for this purge, since it could not have had any more FWA reports per capita than any of the other eight major NASA centers. Veteran NASA watchers again point to their Washington enemies, who have been at work for decades, attempting to ground the Shuttle, then stop the space station, and, ultimately, the entire manned space program.

One retired NASA executive believes that "Lightning Strike" was originally hatched in 1991 by Vice President Dan Quayle's National Space Council, in retaliation for the active opposition of the Johnson Space Center community and its industry clients to the Bush-Quayle Lunar-Mars initiative, which would have essentially substituted a new, ill-conceived, program start for former President Reagan's Space Station Freedom Program, which by 1991, had already been in development for over seven years. This latest of many Lunar-Mars initiatives was conceived only as a Bush-Quayle space legacy for the 1992 Presidential race.

The retired executive reports that in October 1992, at a NASA alumni banquet in Houston, he was personally told by Mark Albrecht, executive secretary of the White House National Space Council, that the Johnson Space Center would soon be taken down hard to teach them a lesson for opposing the White House! The Space Council's inner group, which included Albrecht and George Abbey, a longtime NASA figure who had been assigned to the Space Council, had already played a pivotal role in the ouster of Abbey's old friend, Admiral Dick Truly, as the NASA Administrator, when he had failed to give this White House-sponsored Lunar-Mars initiative budget priority ahead of the ongoing space station program—a move that would have caused chaos in the entire manned program. George Abbey was moved from Washington to Houston in the wake of the decapitation of virtually the entire Johnson Space Center senior staff, following the publicity created by the "Lightning Strike" operation, and is now the director of the center.

'Lightning Strike' unravels

This is not the first time that politicians of both parties have resorted to the Criminal Division of the DOJ to settle political scores. In 1985, James Beggs was forced to step down as NASA Administrator after a phony criminal indictment was filed against Beggs following Beggs's persuasion of President Reagan to support and authorize the Space Station

Freedom Program in 1984. The heads of the Department of Defense and the CIA were among the cabinet members who had strongly opposed the space station, and many believe that Beggs, a moderate Republican, had to be gotten out of the way. Not surprisingly, the charges against Beggs came from the DOD.

After he had suffered financial ruin, these phony charges against Beggs were dropped in 1987 because he was no longer a threat. Admiral Truly at least was given a "kinder and gentler" boot from office. Beggs became a target again during "Lightning Strike," as the DOJ attempted to get even.

The beleaguered Johnson Space Center inspector general, Doug Smith, now claims that the "Lightning Strike" sting was to "serve as a deterrent to crime." Thus, in two years, we have gone from claims of widespread corruption involving 35 to 80 people, to 13 bizarre manufactured entrapments, to a deterrent to crime! This, at the cost of destroying the reputation of a noble American program and community, and the waste of \$10-15 million in precious U.S. taxpayer funds. That's fraud, waste, and abuse, and should be investigated by the Congress!

The Feds had no excuse for what they did in Houston. There were no child molesters, white separatists, Colombian drug dealers, mafia dons, or other villains. Just unsubstantiated gossip and rumors about fraud, waste, and abuse—the new "politically correct" white collar crimes! In 1994, space community workers voted overwhelmingly to remove their congressman, Jack Brooks (D-Tex.), who, as the dean of the Texas delegation, had been one of the most powerful members in Congress. Republican Steve Stockman replaced Brooks in 1994, promising to obtain a congressional investigation of "Lightning Strike." There is little chance of that,

and these voters are now openly criticizing Representative Stockman and planning to punish him in 1996 for failing to take the promised action.

There is still time for Congress to act. They can force the DOJ to do what is unthinkable for bureaucrats: admit that "Lightning Strike," like the case against John Demjanjuk (who was almost sent to be hanged although the DOJ knew he was innocent), was a travesty of justice. Like the Apollo 13 crew, the NASA 13 are lost in space; they should be rescued and brought home. An investigation of the political reasons for this incident is urgently needed.

From all evidence gathered thus far, it is now certain that "Lightning Strike" was authorized during the Bush administration. Eighteen months later, by approximately November 1992, the FBI agent-in-charge, who had found little or no corruption at the Johnson Space Center, resorted to the more aggressive plan, which required entrapments. The Clinton administration appointees were convinced by the permanent staff in the Criminal Division to continue the operation, apparently fueled by minority contractor complaints to congressmen such as Conyers. The net result was another DOJ debacle and criminal misuse of the nation's law enforcement system.

U.S. government in crisis

The United States government is facing a serious credibility crisis. Of all of its major institutions, none are more suspect than the Congress and the federal criminal justice bureaucracies, which can now boast five-and-a-half-million Americans either in prison or on supervision. The crime business has become a growth industry, partially fueled by manufactured crimes. While the lawyers argue over obscure technicalities, the DOJ and the courts are systematically allowing the destruction of the most fundamental features of the Bill of Rights.

We are seeing a vision of the future anarchy which will result when enough of the citizenry lose faith in their system of justice. As we approach the third millennium, the United States Congress has begun to talk about the dismantling of the increasingly intrusive and repressive federal government bureaucracies which are out of touch with most Americans. We profess to be a democratic republic and China calls itself a "people's republic." The question is: Are we becoming more repressive than the Chinese, while pretending that we are influencing them toward democratic behavior?

Time is growing short. Will the "new men and women" in Congress have the wisdom to reform all parts of the U.S. bureaucracy, or just those defended by the other political party? The Republicans, traditionally the strongest law-and-order advocates, should act to rein in and reform the DOJ and the federal police bureaucracies, by reducing their power to commit civil rights violations against U.S. citizens.

Many Americans considered the Waco and Ruby Ridge incidents to be watershed events. They watched in dismay during the staged congressional hearings, as some Republicans deferred to Janet Reno and Louis Freeh as if they were national heroes.

The voters are watching and waiting to see if anyone is punished for the calculated execution of 80 people, including 25 children at Waco, and Mrs. Weaver and her son at Ruby Ridge. They are judging whether the incumbent politicians have the stomach to challenge the entrenched powerful elements in federal police bureaucracies. Their patience is limited, and they could throw their support to a third party that promises to make good on campaign rhetoric to eliminate rogue agencies such as the Bureau of Alcohol, Tobacco, and Firearms, and to reduce and reform repressive agencies such as the DOJ and the FBI.

To permit the Department of Justice, the FBI, et al., to continue to manufacture crimes by conducting thousands of these "moral lesson" undercover stings in America is wrong and must be stopped.

America, we have a problem. Call your senators and congressmen. Tell them you want an end to such police state methods in this country. If Congress fails to take action, the next century could well bring another civil war. This time, the nation may not survive.