

the assault on the Davidian compound using CS gas. When Reno first rejected the FBI plan, Richard's comment was: "The FBI will not be pleased." Under increased pressure, Reno finally accepted the FBI plan, and it was Mark Richard who handed Reno the documentation prepared by the FBI justifying the planned attack.

It is therefore with utter duplicity that McCollum attacked Reno—and only Reno—for approving the FBI plan. McCollum stated that "every one" of the reasons cited for ending the standoff "lacked merit." These reasons—which were the reasons cooked up and argued by Mark Richard and the FBI—included arguments that the negotiations had reached an impasse, that there was a threat of a Davidian breakout, that the the FBI Hostage Rescue Team needed rest and retraining, that conditions inside the compound had deteriorated. As to the allegations of physical and sexual abuse of minors (the argument that ultimately swayed Reno), McCollum said that this had occurred, but "there was no basis to conclude that minors were being subjected to any greater risk of physical or sexual abuse during the standoff, than prior to February 28th."

### Will lying agents be prosecuted?

At the July 11 press conference, Zeliff stated: "Although probable cause likely existed to suspect [Branch Davidian leader David] Koresh of crimes, the ATF agents responsible for preparing the affidavits knew or should have known that many of the statements they were making were false."

Zeliff then declared: "If the false statements in the affidavits filed in support of the search-and-arrest warrants were made with the knowledge of their falsity, criminal charges should be brought against the people making those statements. The affidavit in support of the warrants contained numerous errors. If their sworn statement was made with knowledge of the falsity of these statements, criminal charges should be brought against the person or persons involved who swore out the affidavits."

This conclusion is also set forth in the written summary presented by Zeliff and McCollum.

This presents an interesting question for the Judiciary Committee. Were this standard to be adopted and generally applied, then the authors of the affidavits used to justify a much larger raid—the 400-agent raid directed against Lyndon LaRouche and associates in Leesburg, Virginia in October 1986—would be sitting in jail. There exists overwhelming evidence, on the court record, that the "LaRouche" search warrant affidavits, signed by FBI special agent Richard Egan, and by Virginia State Police special agent C.D. Bryant, were riddled with deliberate lies and falsehoods. How consistent are Representative McCollum and his colleagues on the Judiciary Committee prepared to be?

### Not the final report

Neither subcommittee which was involved in the hearings had yet seen the so-called "findings and recommendations"



*Mark Richard, a top Justice Department career bureaucrat who played the critical role in the Waco massacre—but whose role is ignored by the GOP "findings."*

presented publicly by Zeliff and McCollum. McCollum said that after the report is assembled, it will be reviewed by the members of the House Judiciary Committee's Subcommittee on Crime, and that members could submit additional views or dissenting views, and the report will then be published. Zeliff said that there would be a vote in the subcommittee of the Government Reform and Oversight Committee on July 18, then the report would go to the full committee; the final report will be issued in August.

## Two cases show real corruption of DOJ

by Jeffrey Steinberg

If Congressmen William Zeliff (R-N.H.) and Bill McCollum (R-Fla.) are serious about their July 11 grandstand attack against Attorney General Janet Reno, and their call for prosecution of Department of Justice (DOJ) officials who issue false sworn statements, then they will immediately convene hearings to study the corruption, abuse of prosecution, and fraud upon the court, committed by the most senior, career Justice Department prosecutors, in the case of John Demjanjuk, a naturalized American citizen who was knowingly, falsely accused by the Office of Special Investigations (OSI) of being a Nazi war criminal. And then, they will launch a long overdue probe into the circumstances of the assassination of Tscherim Soobzokov in 1985 by Jewish Defense League

(JDL) terrorists. Soobzokov was also accused by *New York Times* poison-pen and longtime LaRouche-slanderer Howard Blum, of being a wartime Nazi. When he successfully sued the *Times* and Blum, and won a multimillion-dollar settlement, Soobzokov was murdered by the JDL.

These two cases—along with the judicial railroading of Lyndon LaRouche—are the yardstick, by which all other instances of systemic Justice Department corruption must be measured. To talk about Department of Justice corruption at Waco, and to even demand criminal prosecution of the relevant Justice Department officials, without taking up the Demjanjuk, Soobzokov, and LaRouche cases, is the height of hypocrisy and cover-up.

### Demjanjuk's 16-year ordeal

Based on KGB-fabricated “evidence,” first published in a Ukrainian Communist Party newspaper, the U.S. Immigration and Naturalization Service launched a probe, in 1978, of a Ukrainian-American retired auto worker from Cleveland, John Demjanjuk. Over the course of 16 years, Demjanjuk was deliberately falsely accused of being the Treblinka, Poland concentration camp mass murderer, known as “Ivan the Terrible.” In the 1980s, Demjanjuk was prosecuted by the Justice Department’s OSI, was denaturalized, and deported to Israel, where he was tried and convicted of genocide.

All the while that the DOJ was prosecuting the Demjanjuk case, and throughout the duration of his capital offense trial in Israel, top officials of the DOJ, beginning with Deputy Assistant Attorney General Mark Richard, and leading into a gaggle of Anti-Defamation League (ADL) zealots inside the OSI, were in possession of reams of evidence proving that Demjanjuk was innocent.

That evidence was withheld from defense attorneys, in both the United States and Israel; and, were it not for the unflinching efforts of members of Demjanjuk’s family, and others, including Lyndon LaRouche, Pat Buchanan, and Rep. Jim Traficant (D-Ohio), Demjanjuk would have almost certainly been executed. Long after Demjanjuk’s extradition to Israel, and even after an Israeli court convicted him of crimes against humanity and sentenced him to be hanged, Demjanjuk’s supporters were able to uncover some of the buried evidence. An Israeli Supreme Court panel eventually overturned his conviction; and, back in the United States, on June 5, 1992, the Sixth Circuit Court of Appeals, in Cincinnati, angered at the Justice Department’s refusal to respond to inquiries about the apparent withholding of evidence, took the extraordinary step of initiating a review of the entire case. Ultimately, as some of the buried evidence was uncovered, the Sixth Circuit appointed Judge Thomas Wiseman as a Special Master, assigned to probe whether the Justice Department conduct had constituted fraud upon the court. In September 1994, the Sixth Circuit ruled that the DOJ had, indeed, committed fraud, and, based on the Justice Department’s action, overturned the entire Demjanjuk proceeding. On Oct. 3, 1994,

the U.S. Supreme Court rejected a Justice Department appeal of the Sixth Circuit’s ruling.

Despite all of this, Attorney General Reno, at the urging of Mark Richard and other Criminal Division bureaucrats, is, to this day, pursuing a new denaturalization case against Demjanjuk. Is this not a case of a continuing criminal enterprise—by the DOJ?

### The Soobzokov case

Tscherim Soobzokov did not fare so well. Demjanjuk is alive today, reunited with family and friends; and, in the eyes of all but the most hateful ADL-types within, and outside, the Justice Department, he is vindicated. But Soobzokov, a Circassian-American, was, like Demjanjuk, initially targeted by the KGB. Communist Party U.S.A. propagandist Charles Allen named Soobzokov as a Nazi war criminal, in a series of tracts he penned, beginning in the 1973, based on “data” provided by East Germany’s most notorious state security service (“Stasi”) propagandist, Julius Mader. The list containing Soobzokov’s name was passed on to Rep. Elizabeth Holtzman (D-N.Y.) and Secretary of State Henry Kissinger, who were working together to launch a special Justice Department unit devoted exclusively to hunting wartime Nazis—in partnership with both Soviet and Israeli intelligence agencies.

In March 1977, the Allen-Mader phony documentation appeared in the bookstores as *Wanted: In Search of Nazis in America*, by Howard Blum, published by the *New York Times*. The book helped fuel the creation of the OSI two years later.

Soobzokov sued the *Times* and Blum for the slanders. In 1985, after Soobzokov’s attorneys obtained a court order to travel to the Soviet Union to deposition officials who could prove that the Blum information was knowingly phony, the *Times* agreed to a very lucrative out-of-court settlement, in which Soobzokov was, reportedly, to receive over \$1 million, and public vindication.

All of that was short-circuited on Aug. 15, 1985, when a pipe bomb, planted on Soobzokov’s Paterson, New Jersey front porch, blew up and killed him. At the time of his murder, Soobzokov was still under fire from the OSI, which, despite the outcome of the *Times* libel case, was still out to denaturalize and deport him. He had just won an important court victory against the OSI.

The day before Soobzokov’s assassination, a JDL splinter-group, headed by Mordechai Levy, had demonstrated in front of Soobzokov’s house, branding him a “Nazi.”

Every step along the way, in both the Demjanjuk and Soobzokov cases, Deputy Assistant Attorney General Mark Richard, a longtime “friend” of the ADL, was in the know. As the highest ranking career Justice official, in charge of all international cases in the Criminal Division, Richard was at the top of the chain of command. He knew or should have known that his department was hiding evidence of both men’s innocence. In the case of Soobzokov, and, nearly, in the case of Demjanjuk, that means murder.