

## Court action on Demjanjuk begs DOJ housecleaning

by Jeffrey Steinberg

The jig is just about up for the Department of Justice Office of Special Investigations (OSI), the so-called Nazi-hunting unit that now stands exposed for its role in the attempted "legal" execution of John Demjanjuk. On July 29, the Israeli Supreme Court made its long-overdue ruling that Demjanjuk, a Ukrainian-born naturalized American citizen and retired auto worker from Cleveland, was innocent of the war-crime charges for which he was sentenced to death by a lower Israeli court in 1988. With hours of the ruling, OSI chief Neal Sher held a bloodcurdling press conference in which he brushed aside the Israeli court decision as a "technical ruling" and vowed to prevent Demjanjuk from ever returning to America.

According to sources close to the Clinton administration, Sher gave that press conference without getting clearance from Attorney General Janet Reno, an action for which he could be fired.

Sher's outburst, which was echoed over the following 72 hours by spokesmen for the Anti-Defamation League of B'nai B'rith (ADL), became even more embarrassing for the Clinton administration when, on Aug. 4, the U. S. Sixth Circuit Court of Appeals in Cincinnati announced that it would be drafting a writ of *habeas corpus* demanding that Demjanjuk be freed by the Israeli government and returned to the United States.

The Sixth Circuit action came at the close of a hearing on a motion by Demjanjuk's attorney that he be allowed to return temporarily to the United States while the court reviews his petition to have his citizenship restored on the basis of the outrageous misconduct by OSI prosecutors during the course of his denaturalization and deportation proceedings. Speaking for the three-judge appellate panel, Chief Judge Gilbert Merritt spoke forcefully about Demjanjuk's right to be freed

by Israeli authorities, who were still holding him as of Aug. 6, pending a decision on whether to charge him with other war crimes.

Justice Merritt stated: "Our previous order in this case was expressly subject to the understanding that Demjanjuk was to be tried only for the charges in the warrant against him and under which he was extradited, that is, charges based upon the allegation that he was 'Ivan the Terrible of Treblinka.'" International law, he said, "forbids him from being tried on any other charges."

But international law apparently means nothing to the OSI prosecutors or to ADL National Director Abe Foxman, who fulminated at the Sixth Circuit: "I am flabbergasted by the court's ruling," Foxman told Reuters on Aug. 5. "There's no doubt he served in Nazi concentration and death camps. . . . Therefore, Demjanjuk should not be allowed into the United States."

### Foxman lies and KGB forgeries

Foxman is lying. The critical piece of evidence placing John Demjanjuk at any Nazi camps, other than a POW camp for Soviet soldiers captured on the Eastern Front during World War II, is an identification card from the training camp at Trawniki, Poland for SS guards.

According to a recent issue of the German news weekly *Der Spiegel*, that Trawniki card was proven to be a KGB-manufactured forgery by German police officials prior to Demjanjuk's trial in Israel. According to a former senior German federal police (BKA) official, Louis-Ferdinand Werner, the ID card contained a doctored photo of Demjanjuk, the SS insignia was handwritten, the card bore no date, and there were several glaring grammatical errors. Demjanjuk's signature, while authentic, had been lifted from another

document and copied onto the card. Werner told *Spiegel* that when he informed Israeli officials that the card was a fraud, they replied, "How are we going to tell that to our people back home?"

The U.S. and Israeli prosecutors' continuing use of the discredited Trawniki document underscores the extremes to which these officials are willing to go to cover up their crimes. From the very beginning of the U.S. government's "Nazi-hunting" program, which was launched in the early 1970s as part of Henry Kissinger's protocols with the Soviet regime, U.S. Immigration and Justice Department officials blindly accepted KGB-manufactured evidence and regularly introduced it as evidence in U.S. court proceedings. When Israeli prosecutors concluded that the case against John Demjanjuk was weak, it was communist fellow-traveler Armand Hammer who procured the forged SS ID card from Soviet authorities and flew it to Israel on his private corporate jet.

### **A pattern of government crimes**

Since the late 1970s, when the Department of Justice OSI unit was set up by an act of Congress sponsored by Rep. Elizabeth Holtzman (D-N.Y.), a command structure with strong ties to the ADL and to the ADL's friends in the KGB and the Israeli Mossad has been directing the Nazi-stalking effort. Mark Richard, the highest-ranking career bureaucrat in the Department of Justice, has been the foreign government liaison and a staunch defender of OSI operations. Prior to the collapse of the Soviet Union, he traveled frequently to Moscow and worked closely with the Soviet Procurator General's office in establishing a pipeline of "evidence" for use in the OSI cases. Miraculously, when the Soviet regime collapsed and the KGB files were opened, 15,000 pages of documents were discovered showing that Soviet officials knew all along the real identity of "Ivan the Terrible of Treblinka" and had withheld that information from U.S. and Israeli prosecutors.

The crimes of Department of Justice officials in the Demjanjuk case are now being carefully reviewed by the Sixth Circuit. However, the latest Demjanjuk developments come in a broader context. On a number of different fronts, Justice Department officials are being exposed for a wide range of crimes:

- The recent jury acquittal of survivalist Randy Weaver on charges that he murdered a U.S. Marshal has caused a firestorm of protest over federal government "death squad" activities. Weaver's wife and teenage son were killed by FBI, Treasury Department Bureau of Alcohol, Tobacco and Firearms (ATF), and U.S. Marshal sharpshooters, who stormed Weaver's mountain home in Idaho after he refused to become an informant for federal drug agents.

- A similar assault on the Branch Davidian religious group in Waco, Texas resulted in over 80 deaths. Attorney General Reno is still overseeing a review of that tragedy, which began when ATF agents last February opened fire on

the group's headquarters. Initial claims by federal agents that the Branch Davidians fired the first shots were later proven false, when local sheriff's "911" phone tapes, which were released to ABC's Nightline, proved that the federal agents had launched the unprovoked assault. As in the earlier Weaver shootout, federal agencies were contaminated by false and inflammatory reports of violence, child abuse, and other criminal behavior by "experts" from the ADL and the ADL-linked Cult Awareness Network (CAN). Both the ADL and CAN are now themselves under federal investigation and/or indictment for crimes ranging from theft of classified government files to interstate kidnapping.

- Attorney General Reno is also reviewing the Inslaw affair, another Department of Justice scandal inherited from the Reagan and Bush years, in which Justice Department officials are accused of stealing hundreds of millions of dollars worth of computer software and conspiring to bankrupt the manufacturer as a means of covering up the crime. In June, a Bush Justice Department-commissioned study of the Inslaw affair was presented to Attorney General Reno by retired federal Judge Nicholas Bua. On Aug. 3, the *Washington Times* reported that another retired federal judge, George Bason, who had presided over an earlier Inslaw bankruptcy case, had written to Attorney General Reno harshly attacking the Bua report as a complete whitewash. Inslaw's attorney, former Attorney General Elliot Richardson, has submitted a point-by-point refutation of the Bua report, which is also under review by the Attorney General.

- Amid growing international calls for President Clinton to take up the case of Lyndon LaRouche, significant new evidence continues to surface of corruption by officials of the Federal Election Commission (FEC), the Internal Revenue Service (IRS), and other agencies involved in the railroading of LaRouche and a number of his political associates. One of the more memorable features of the travesty against LaRouche was the 400-man federal, state, county paramilitary raid on LaRouche's residence and offices in October 1986. The raid occurred on the eve of the Reykjavik summit between Presidents Ronald Reagan and Mikhail Gorbachov, and shortly after Soviet officials demanded LaRouche's elimination as a "good faith" measure. The same Department of Justice chain of command behind the OSI was at the center of the U.S.-Soviet "Get LaRouche" deal.

With these other cases as a backdrop, the Clinton administration will be making at least one crucial decision in the immediate days ahead: whether or not to bend to ADL pressure and fight the Sixth Circuit's *habeas corpus* ruling in the Demjanjuk case. A growing number of Americans are waking up to the terrible corruption that has festered inside the Justice Department bureaucracy over the past decade and more. The Demjanjuk case provides a ready opportunity for the Clinton team to fulfill one of its campaign promises—to clean up the corruption in the federal government. There may be no better place to start than with the OSI.