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(formerly UPDATE) 35¢

Committee for the Suit Against Government Misconduct

CLARK DEMANDS HEARING ON FBI ATTACKS

On February 13, 1981, oral arguments were heard by Judge Morris E. Lasker on three motions pending in CLARK v. USA and BIBERMAN v. FBI, our FOIA suit. Originally, Judge Lasker wanted this to be done in his chambers, but, as a number of our supporters were present, it was held in open court.

The three motions were a summary judgment motion and a motion for interim attorneys' fees in BIBERMAN; and a motion to halt FBI harassment of the plaintiffs in CLARK. The latter is critical in that it is about continuing COINTELPRO operations designed to intimidate us from fighting for this suit and from engaging in our political work.

We presented affidavits regarding visits to plaintiffs by the FBI, including an attempt to take legal papers from a messenger who had just left one of the plaintiffs at her job, and other forms of harassment. Judge Lasker was forced to grant an evidentiary hearing, where testimony will be given and evidence of current FBI activities presented.

This hearing is significant because it is an opportunity to expose the continuation of COINTELPRO, which the government fights consistently to conceal. Since COINTELPRO is by nature a covert program, and since the government has refused to turn over to us most of the files containing evidence of their criminal activity, hearings such as this one provide a rare public forum to expose FBI crimes and to question FBI agents about what they did and whose orders they were following when they did it.

The other motions are in our companion FOIA suit. We filed this suit when we were unable to obtain anything through the administrative process. The government then provided us with 4,000 pages of heavily excised documents. We moved to have Judge Lasker rule on the legality of the government's use of exemptions to deny

us evidence of their illegal acts, and order the government to turn over all files on us. We are entitled to much more than we've been given to date.

Judge Lasker stated that it was not proper for the government to withhold evidence of illegal acts. He further stated that he will

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REMEMBER MALCOLM X



May 19, 1925-
February 21, 1965

Editorial: Who Are the Real Hostages ?

The return of 52 U.S. government employees, state department representatives, military personnel, intelligence agents, and others who have been held as spies by Iranian students for over a year came right on the heels of Reagan's inauguration. It has been cause for the highest level of racist, war-mongering attacks on the Iranian people and national liberation struggles around the world. Their return is being utilized to stage massive white supremacist mobilizations, calling for the consolidation of all "loyal Americans" in the defense of the American empire against Third World people everywhere. The government and media have lionized the "hostages," projecting them as new American heroes who braved their way through terror and attack. Grizzly headlines tell of the "torture" that the hostages were subjected to, yet no evidence of physical harm has emerged and in fact all of the hostages returned healthy and unharmed. Certainly there can be no comparison between being confined to a chair for a full day, and the CIA sponsored and trained torture squads of Chile and Uruguay, to name just a few.

It is conveniently never mentioned that the 52 could have come home months ago had the U.S. government been willing to accept the just demand of the Iranian people: the return of the Shah to face the justice of the Iranian people for the crimes he committed against them, including the murder, torture and imprisonment of tens of thousands.

If there is to be any outpouring of protest against the taking of hostages, then let us name the real hostages: the political prisoners and Prisoners of War, held hostage by the U.S. government because they are fighters for human rights and liberation of their people. We are talking about POWs incarcerated not for one year, but for

five and ten years and more; like Henry Sha Sha Brown, Sundiata Acoli, Herman Bell, Noah Washington, Geronimo Pratt, Dhoruba Moore, all imprisoned because they are freedom fighters of the Black liberation struggle. Each of them remains in prison, despite thousands of pages of FBI files and testimony and other evidence, proving that they are in jail as a result of illegal COINTELPRO activities.

The U.S. media railed against the possibility of the 52 Americans being put on trial in Iran, claiming it was not Iran's right to try them. Yet where is the outcry against the illegal trials of the 11 Puerto Rican freedom fighters, tried in absentia because of their refusal to recognize the jurisdiction of U.S. courts over them as Puerto Rican independence fighters? The 11 claim their international rights under the U.N. charter to be treated as Prisoners of War in the war for independence being waged against the U.S. by the Puerto Rican people. And where are the cries of "justice! justice!" for the Pontiac brothers who have been subjected to a brutal reign of terror and torture in the Pontiac prison since their participation in a massive prison rebellion demanding basic human rights?

While the 52 Americans were held in safety and cared for by the Iranian students, POWs here are held in the most intolerable conditions. Geronimo Pratt was held in solitary confinement for 7 years; Assata Shakur spent much of her 6 years in isolation in men's prisons; many Black Liberation Army prisoners have been forced into Behavior Modification programs and maximum security camps, like H-Block in Marion Federal Prison. America's crimes against its POWs include not only physical torture and attack, but outright murder.

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Who We Are

The Committee for the Suit Against Government Misconduct works under the leadership of the National Task Force for COINTELPRO Litigation and Research as part of the growing movement against government counterintelligence. Members of the Committee are plaintiffs in Clark v. USA, a major civil law suit against the FBI, Justice Department, Richard Nixon, John Mitchell and others. The plaintiffs have been named as targets of illegal activities for which ex-FBI officials have been convicted on criminal charges.

CAMPUS MOVEMENT UNDER COINTELPRO ATTACK

Throughout the 1960's and 70s, campuses across the U.S. were rocked with rebellion. At institutions as disparate as San Francisco State College and Cornell, Black students were demanding Black and African studies programs and open admissions policies; they fought for universities that would meet the needs of the urban communities in which they were situated. Massive protests closed down campus after campus as white students supported the struggles waged by Third World students and joined forces in demanding an end to U.S. imperialist aggression in Vietnam. ROTC was kicked off nearly every campus across the country, while CIA and government recruiters were never allowed to open shop. The militant, anti-imperialist student movement led in the forging of one of the most significant mass movements of recent history--the millions of people who participated in the anti-Vietnam war movement. Imperialism was in crisis--facing defeat in Indochina and heightening contradictions at home. And, as in Vietnam, the U.S. launched a massive covert counter-insurgency war program to defeat and destroy anti-imperialist struggles inside the U.S.--the Black Liberation Struggle, the Puerto Rican Independence movement, the anti-imperialist women's movement, the anti-war movement. The attacks on the student movement were multileveled: from covert attempts to destroy organizations and discredit leaders through the use of informants, provocateurs and phoney letters and publications, to outright attacks that led to expulsions, beatings and murders of student leaders. One example that has been exposed is an FBI attempt to discredit a SNCC member in Mississippi and to sow divisions and mistrust between him and SNCC and the Black Panther Party on the one hand, and the Republic of New Afrika on the other. In April of 1969, the FBI authorized sending him a letter ostensibly from a Black student organization which said: "The deplorable activities and conduct of you and your Black Panther brothers at the recently completed weekend have shocked the _____ College community into realizing the basic errors in the intimidation methods and nihilistic doctrines which you promote..."

Your conduct and demeanor is representative of traits and habits we in our quest are trying to rise above...Accordingly, it has been determined by representative elements of the _____ College student body that you are directed to remain away from this campus until such time as your conduct and general demeanor reach the desired level. This directive also applies to your bringing any of your unruly and undisciplined associates to the campus..." The letter ended with a threat to call the police. This and other COINTELPRO actions on the part of the FBI forced revolutionary Black leaders to leave Mississippi. This incident is only one among many that have come to light, and among hundreds and thousands which remain buried under FBI/government cover-up conspiracies.

At the same time, the growing women's movement was consciously attacked, with anti-imperialist women's centers systematically closed down and others brought under state control and domination.

Now, as then, we must build an anti-imperialist student movement that fights to win the hearts and minds of America's youth, challenging the forces of white supremacy and reaction that are attempting to tighten control of campuses and make them into training grounds for imperialism's troops. For the first time in many years, ROTC not only exists at hundreds of colleges, but ROTC courses are once again being granted academic standing and credit. The CIA is openly recruiting for counter-intelligence agents and mercenaries. Klan attacks are on the rise. And the gains won by Third World students are being steadily and systematically torn away--no affirmative action, no open admissions, no Black or Third World studies programs. At the same time, at urban campuses like New York's City College in Harlem, urban removal programs are being implemented to produce protected white enclaves in the middle of Black communities, and then force the transition of those communities themselves. At CCNY, they have instituted Operation Snowflake. This administration-sponsored program is geared to "whiten-up"

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The Case of David Truong: U.S. Continues War Against Vietnam

Recently, new FBI/CIA documents have been revealed which may lay the basis for opening a new trial for David Truong, a Vietnamese patriot living in the U.S. who is facing 15 years in prison as the result of a counter-intelligence operation engineered by the FBI and the CIA. Truong was convicted in 1978 of heading a "Vietnamese spy ring" which supposedly passed documents vital to the "national defense" to the government of socialist Vietnam. The prosecution of David Truong is an attack on Vietnam, the nation which defeated the full military might of the U.S. through the waging of people's war. It is an attack on all national liberation struggles confronting U.S. imperialism. This frame-up opened up a new COINTELPRO strategy for the 1980's -- wholesale attacks on anti-imperialist movements in the name of fighting spies and terrorists and protecting the "national defense." With Reagan's election and a national call to "fight terrorism," this strategy will undoubtedly be heightened.

When he was arrested, David Truong was working at the Vietnam Reconciliation Center in Washington, D.C. He had come to the U.S. as a student in 1965, and had soon become a fighter for his nation's self-determination. On January 31, 1978, after months of secret wiretaps, black bag jobs, microphone and closed circuit television surveillance personally authorized by Jimmy Carter, Truong was arrested and charged with conspiracy, espionage, theft of government property and failure to register as an agent of a foreign power. The government accused Truong of receiving stolen documents from Ronald Humphrey, a U.S. Information Agency officer; and passing them on to Mrs. Dung Krall, a Vietnamese woman married to a Naval Intelligence officer, for delivery to the Vietnamese Embassy in Paris. Mrs. Krall was also a CIA informant, and Truong's conviction rests on her testimony. In fact, Truong had been sending newspaper clippings, news service reports and unclassified diplomatic cables to the Association of Vietnamese Patriots in Paris for use in their newspaper. Truong was "guilty" only of being a patriot and supporting the Vietnamese revolution.

A CIA report prepared for the prosecution stated that Vietnam "must still be considered an enemy state," which exposes the government's principal goal in framing David Truong: to attack free and socialist Vietnam. Specifically, they aimed to block pressure from within this country and internationally for the normal-

ization of relations and the granting of reconstruction aid. The indictment at first included Vietnam's Ambassador to the U.N., Dinh Ba Thi, as an unindicted co-conspirator. His name was later dropped, but not before he had been expelled from the United States. As Muntu Matsimela, Chairman of the National Black Human Rights Coalition, pointed out in his speech at the CSAGM's November 7 forum on COINTELPRO 1980: Blueprint for Fascism, the attack on David Truong was a U.S. "attempt to snatch some measure of victory from the jaws of defeat" at the hands of the Vietnamese people.

The strategy used by the government in Truong's trial included the admission into evidence of "secret documents" which the defense team could not even see; the prosecution even made "secret motions!" They defined the "national defense" and the content of "collaboration with a foreign power" as they saw fit. These are the same tactics that were developed further in the trial of Mark Felt and Edward S. Miller for directing COINTELPRO attacks against Clark plaintiffs and others. In fact, the prosecutor in Truong's case was Frank Dunham, Mark Felt's lawyer. As Assistant U.S. Attorney, Dunham had argued to Truong's jury that failure to convict would "bring Russian tanks rolling down Pennsylvania Avenue." The government's strategy was effective: after the trial, one juror stated that the jury had agreed with the government that "almost anything could be related (to national defense) if you tried hard enough to relate it."

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The hysterical "spy trial" atmosphere which the government created, in part with articles fed by the FBI to "sympathetic" journalists, and through their accusations in the course of the trial, produced a conviction. Truong was sentenced to 15 years in jail. On July 17, 1980, the Fourth Circuit Court of Appeals upheld his conviction.

Their decision extended even further the

government's power to use break-ins, wiretaps, microphone and television surveillance without court approval, based in the intelligence agencies' own assessments of what constitutes a threat to "national security" and in Presidential authorization. It established as well, for the first time in the history of u.s. law, that the fruits of illegal, unauthorized searches and seizures are admissible as evidence in criminal trials.

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UNCOVER THE COVER-UP

Despite the "criminal prosecutions" of W. Mark Felt and Edward S. Miller, and countless grand jury and Congressional investigations, the truth about the full scope and continuing nature of COINTELPRO is still covered up -- and the conspiracy continues.

At the heart of all the law suits and organizing against government counter-intelligence is the struggle for information. Full exposure of COINTELPRO crimes and conspiracies is critical for winning the freedom of prisoners of war and political prisoners, for redressing the targets of illegal government activities, and for exposing that the u.s. government has, and continues, to wage war against struggles for national liberation and for human rights here and around the world.

For years, Richard Dhoruba Moore, a Black prisoner of war, has fought to obtain the thousands of pages of files documenting the massive attacks waged against the Black liberation movement, and in particular, against the Black Panther Party. Geronimo Pratt has spent ten years in prison on a frame-up murder charge orchestrated by the FBI and California authorities. Geronimo has waged a consistent struggle to obtain the files which will prove conclusively that he was being "surveilled" by the FBI 250 miles away from the murder for which he was convicted.

In Clark v. U.S.A., the heart of the litigation is discovery -- the legal mechanisms to obtain information. We are committed to the victory of Clark and to uncovering the truth about COINTELPRO. The government has attempted to portray COINTELPRO as the excesses of a few bad agents and as past history. They have tried to convince us that it was only a few burglaries of white people's homes, wiretaps and mail openings.

The period of time that the Clark plaintiffs were admittedly targets of the FBI was

a time of heightened attacks against the Black movement. In its hunt for the Black Liberation Army, the FBI and local police murdered Tyman Myers, Ronald Carter, Woody Green and others. Assata Shakur, Dhoruba Moore, Sundiata Acoli, Henry Shasha Brown and others were hunted and imprisoned.

It was during this period that Clark plaintiffs were active in support of the Black liberation movement and of the targets of the FBI frame-ups and murders. Yet, in all the "investigations" of COINTELPRO, in the entire trial of Felt and Miller, and in the files we have thus far received, there is virtually no mention of these heinous crimes committed against Black and other Third World liberation movements.

J. Wallace LaPrade, former head of the New York FBI Office, fired from the FBI for lying to a grand jury and a Clark defendant, defended his counterintelligence activities by claiming that he was concerned with catching Black "terrorists" and "cop killers" under orders from President Nixon.

It is these issues which are critical to the victories we seek in Clark.

The coming period will be key in enabling us to carry out these goals. With the election of Ronald Reagan, we have seen the real move to consolidate the intelligence apparatus and to legalize the very acts which are the heart of counterintelligence: burglaries, wiretaps and wholesale attacks on revolutionary and progressive movements and people. The Freedom of Information Act is threatened with repeal and the victories in exposing COINTELPRO are being attacked.

The fight for discovery is an important path of resistance -- to expose all levels of illegal government activities; to hold particular agents and institutions accountable; and to prove that those very same activities that they have admitted to in the past are still going on today.

After five months of jury selection in the trial of 10 of the 16 Pontiac Brothers, a jury of 12 jurors has been chosen. Six alternate jurors now remain to be chosen before the Pontiac trial, the largest murder trial in recent u.s. history, will begin in Chicago. The 16 Pontiac Brothers face the electric chair on charges stemming from the July 22, 1978 Pontiac Prison Rebellion. During the Rebellion, over 1100 prisoners fought for their human rights, and against the genocidal conditions in Pontiac Prison -- overcrowding, unsanitary health conditions and food, the stripping of visiting and all other rights, and widespread white supremacist attacks by guards on the prisoners. During the Rebellion, three white guards were killed, and over \$4 million damage was done to the prison complex. Now, two years later, 16 Black men -- the Pontiac Brothers -- face 15 counts each of murder -- over 240 murder charges -- for the death of the three guards.

What has unfolded in the Pontiac courtroom since pre-trial hearings began last April is a clear indication of what the 1980's increasingly mean for Black and other Third World people in the u.s. -- heightened genocidal and racist attacks, based on the consolidation of white supremacist forces in this country. Through the consolidation of these forces -- from the movement to reinstitute the death penalty, to the prison administration, the mass media, the court system, and the Klan itself organizing among guards in the Illinois prisons -- the state has built an atmosphere of racist lies and fears to push forward this railroad. The Pontiac trial has increasingly gained national attention, as the courtroom itself has become a battleground between the forces of white supremacy and the forces of the Black liberation struggle. The state employs a multi-levelled counterinsurgency strategy, using basic judicial government misconduct in order to convict the Pontiac Brothers and suppress the growing struggles for human rights.

In the five months of pre-trial hearings, virtually every one of the almost 400 defense motions was flatly denied by Judge Miller, specially selected by the Illinois Supreme Court to be the hanging judge in this case. These motions included an argument to dismiss the charges based on the fact that the u.s. government holds no legal jurisdiction over the Pontiac Brothers, who are not u.s. citizens, but rather New Afrikans struggling against the oppression of the u.s. imperialist system. Other

arguments demanded dismissal of the charges based on the gross government misconduct clearly exposed in the pre-trial hearings themselves. This included the state's admitted use of bribery (up to \$100,000), threats, intimidation, physical reprisal, and granting of parole, in order to gather "evidence" for the indictments. In addition, it was exposed that although eye-witnesses have attested to the participation of white prisoners in the Rebellion, not one piece of evidence, or a single charge, was brought against any white prisoner.

Just weeks before the trial, the state severed the cases of these 16 Pontiac Brothers in an attempt to divide the Brothers and weaken the impact of a fully collective defense. As a final move before the jury selection process was to begin, the judge ruled that jurors in the case must be "death qualified" in order to serve on the jury. This means that if a potential juror admits to having any moral, religious or social questions about the use of the death penalty, they would be automatically disqualified from serving on the jury. This outrageous move helped to insure that jurors would come from the base of the movement to reinstitute the death penalty,



a key part of the white supremacist "law and order" movement towards fascism in this country.

Since the jury selection process began on September 15, the state has carried out a COINTELPRO-type strategy to turn public opinion against the Pontiac Brothers. Gang hysteria has been generated through the media in coordination with the state's prosecution of the Brothers, asserting that the Rebellion was an outgrowth of "gang activity" in the prisons. Numerous potential jurors, of the almost 1,000 that have been questioned, have been dismissed after being forced to admit that they felt their own lives were at stake for fear of gang reprisals, and that they would have to choose between their own personal safety and the carrying out of justice in this case. In response to this blatant racism, without which the state would not be able to carry forward this railroad, the Pontiac Defense Team has consistently called for the declaration of a mistrial. Each time, they have been flatly turned down by the judge, who has instead held defense attorneys in contempt of court because of the struggle they are waging, along with the Pontiac Brothers, to challenge the state's strategy, and demand that the

Pontiac Brothers be freed!

But the state cannot hide the fact that this is one of the most significant political trials in u.s. history, and that it is based on the genocide fo Black people in the prisons and on the streets. If the Pontiac Brothers are convicted and electrocuted, the door will be opened onto the rising fascism of the 1980's, when the lynching of Black and other Third World people in struggle for their human rights will be fully legalized. As Chokwe Lumumba, member of the Pontiac Defense Team and Midwest Regional Vice President of the Provisional Government of the Republic of New Afrika has said:

"The Pontiac case is merely a camouflage for genocide. It's a master strategy, in the courtroom, because it's the type of strategy where right wing, white terror takes the line of least resistance . . . The Pontiac case is what is needed to legalize the terror that now exists in Chicago and throughout the u.s., because those who are attacked are prisoners, Black men . . . If these 16 Black men can be marched to the electric chair, then it will be just a matter of time before they can begin to march others of us to the same chair. The Pontiac case is in the scheme of right wing, racist terror which is sweeping the u.s. right now. And we must fight it!"

This fight means supporting the Pontiac Brothers, and demanding their freedom, and taking on the challenge to expose the white supremacist movement to lynch them. Several demonstrations, led by forces in Chicago's Black community, have been held since the Rebellion. The trial is now set to begin in March; we encourage people to go to court in Chicago, at the Cook County Criminal Courts Building, 26th and California, in Judge Miller's courtroom. For more information, and to give contributions to the Defense, contact the John Brown Anti-Klan Committee, P.O. Box 7239, Chicago, Illinois 60680.



**Put the
STATE
on trial!**

TAKE A STAND AGAINST THE KLAN

This article was written by the John Brown Anti-Klan Committee and is reprinted here by permission from the New Afrikan.

On January 20th, 1981, nearly 500 people from across the country rallied at the Justice Department in Washington, D.C. as part of a national day of action to TAKE A STAND AGAINST THE KLAN. The rally and the Teach-In that followed were sponsored by the John Brown Anti-Klan Committee (JBAKC), a national organization dedicated to the destruction of the Ku Klux Klan and all forms of organized white supremacy.

Heightened racist attacks, such as those in Atlanta, where a virtual war is being waged against Black children, and through the children, against the Black nation, police murders of Black and other Third World people in every urban center in the country and the attempt to legalize lynching through the mass execution of 16 Black men, the Pontiac Brothers, are the order of the day. It is this reality that led JBAKC to organize a national day of action against the Klan and racist terror in D.C. on January 20th--Reagan's Inauguration Day. That mobilization was an important step forward in building a movement among white people that is capable of confronting and participating in the total defeat of organized white supremacy. We called on people to take a stand in practice--and in public--against the Klan and other organized white supremacist forces, including the U.S. government, and some 500 people responded.

The Teach-In that followed the Rally offered a unique and challenging opportunity for us to directly engage in struggle with leading forces in the world-wide fight to defeat white supremacy and U.S.-led imperialism. While different speakers discussed the particularities of their day-to-day struggles--from Mrs. Camille Ward Bell, who represented the Committee to STOP Children's Murder in Atlanta (and the mother of one of the children murdered), to Said Hamad of the Palestine Liberation Organization, to Serge Mukendi of the Congolese National Liberation Front (FLNC)--all the speakers targeted the fight against white supremacy and for the right of Black and other Third World peoples to self-determination as fundamental to defeating racist terror and winning human rights.

Skip Robinson, of the United League of Northern Mississippi, Muntu Matsimela of the National Black Human Rights Coalition, Jimmy

Garrett and Loretta Ross of the Yulanda Ward Memorial Fund and Ahmed Obafemi, East Coast Vice President of the Provisional Government of the Republic of New Afrika all spoke to increasingly brutal attacks against Black people, and their revolutionary leadership in particular, by the forces of organized white supremacy, led by the U.S. government, through its continuing COINTELPRO program. The right of Black people to defend themselves by any means necessary from white supremacist terror was and is a central issue confronting all people who want to see the total defeat of the Klan.

Natalee Rosenstein, National Coordinator of the John Brown Anti-Klan Committee, discussed the lessons we had learned from being engaged in the struggle, under the leadership of the Black Liberation movement. In particular, she pinpointed a number of very basic political issues that had emerged in the course of our organizing for the demonstration. The question of "violence" or more appropriately, who sets the terms for the fight against the Klan, was one that came up frequently among white people. While some oppose the violence of the Klan, they deny anti-klan forces the right to fight. Others have said that self-defense is fine, but an offensive political/military strategy to defeat and destroy the Klan and the system of white supremacy is not. We learned that we have to fight for the understanding that protracted people's war is the only strategy that has proven capable of defeating imperialism and white supremacy, that War in Amerika is the strategy for all white people who want to participate in the defeat of the Klan.

The two other key struggles are about the necessity to fight Zionism and support the Palestinian nation's right to self-determination, as central to fighting world-wide white supremacy, and building a

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read some of the files to determine whether the exemptions are being used according to the FOIA.

One example of the government's outrageous abuse of the exemptions is their use of the 'national security' exemption. Even though none of the investigations of us are characterized as national security or other than 'internal' and 'domestic,' the FBI claims that much of the information is protected by national security considerations. This is precisely the argument made by both the prosecution and the defense at the Felt/Miller trial -- an argument which was explicitly rejected by the jury that convicted Felt and Miller.

The final argument was on the issue of interim counsel fees in an FOIA action. In a previous ruling, Judge Lasker found that it was proper to award such fees, but that we had not shown that we would be unable to continue our suit without the money. The government is vigorously opposing an awarding of fees to us.

This litigation is very costly. The government is representing a number of the defendants, including Richard Nixon and John Mitchell. We recently learned that it is also paying the legal fees of John Kearney, who was indicted for illegal acts done by Squad 47 of the FBI New York Office, and J.W. La Prade, former head of that office, who was forced to resign after he said publically that illegal acts were still being committed.

The government understands that denying us the funds we need to fight this suit means that it becomes harder for us to pursue it. They have made a major fight over what is a small amount of money in comparison to what they have expended both on COINTELPRO and on this lawsuit. We are committed to pursuing this litigation. We continue to rely upon the help of our supporters, whose contributions enable us to continue our exposure of COINTELPRO activities.

We will be calling on our supporters to come to court for the evidentiary hearing. If you would like us to let you know when it is scheduled, call us and leave your phone number, or send it to us. We urge everyone to come to the hearing, to participate in exposing COINTELPRO.

At the point that David Truong went to trial, the mass anti-war movement had been demobilized by its own refusal to recognize the leadership of the Vietnamese in the struggle to defeat u.s. imperialism and to establish a free and socialist Vietnam. That meant that the movement couldn't fight the ongoing counterinsurgency attacks being carried out against Vietnam, and in specific, against David Truong.

One lesson we must learn is that the only effective response to counterinsurgency warfare is an escalation of anti-imperialist struggle, under the leadership of the national liberation struggles within the u.s. and around the world, and the building of a movement to expose the real criminals and defeat COINTELPRO.

David Truong is continuing the struggle to overturn his conviction and expose the government's attacks. The recent uncovering of new documents demands an escalation of our efforts to expose the COINTELPRO attack and in so doing, to fight against the current "anti-terrorism" strategy being implemented by the Reagan administration.

The attack on David Truong exposed the nature of COINTELPRO now and in the years to come. Alexander Haig's recent statement that "international terrorism" constitutes the greatest threat to human rights is another indication that we will increasingly see national liberation freedom fighters, and their supporters, labeled as "spies," "terrorists" and "traitors." The most current example is the conviction of 10 of the Eleven Puerto Rican Prisoners of War on the clearly political charges of "seditious conspiracy" -- conspiracy to overthrow the government of the u.s.

* * * *
For more information, write to the
Vietnam Trial Support Committee, 1322
18th Street N.W., Washington, D.C. 20036.



UPDATES

Convicted Criminals Felt & Miller Receive Slap on Wrists

On December 15, 1980, convicted COINTELPRO criminals W. Mark Felt and William S. Miller were sentenced by Judge William Bryant. Their "punishment": fines of \$5000 and \$3500 respectively. The sentences were handed down shortly after the government dropped all charges against their former boss, L. Patrick Gray, for "lack of evidence" or "national security considerations." One of Felt and Miller's cronies remarked that the \$8500 would be raised before they left the courthouse!

This sentence is an outrage, and further evidence that the government is much more interested in covering up the facts about COINTELPRO than in bringing the many COINTELPRO criminals to justice. It is appalling enough to those active in the movement against COINTELPRO that the investigation of a program including murder, imprisonments and the disruption of lives and political organizations could result in only one trial; letting these two former high government officials off with such a minimal fine is tantamount to approval of what they did.

The sentence is a direct attack on the efforts of the Black liberation struggle and other forces, including Clark v. USA to expose COINTELPRO and free imprisoned freedom fighters. While these criminals get minor fines, freedom fighters spend years and years behind bars. As the continued freedom of Assata Shakur makes clear--the people will redress these outrages.

Felt and Miller have indicated that they will be seeking a pardon from Reagan. We have no doubt that he will be more than happy to grant it as he moves to make legal the acts for which Felt and Miller were convicted.

Amiri Baraka Fights Police Frame Up

On February 2, 1981, Black revolutionary playwright Amiri Baraka appeared in New York City Criminal Court for a hearing on his motion to reduce his 90 day jail sentence. Baraka was convicted of resisting arrest after he and his wife were accosted by police and he then refused to allow the police to interfere with his family.

This sentence is an outrage, but it is not at all surprising when understood as part of the heightening attacks against the Black liberation movement in the U.S. Baraka has never previously been arrested, and jail time will mean loss of his teaching position and of a grant which would enable him to write for a year.

The courtroom was so crowded with his supporters that Judge Bernard Freed was forced to move the hearing to a larger room. It was revealed that the two policemen who arrested Baraka are now suing him for \$50,000 for defamation of character! Arguments on the motion were delayed until February 23 to give the Judge time to study the papers. He will hear arguments on that date, and indicated that he would consider ruling then unless the issues were so complicated as to require a written opinion.

We urge everyone to come to court on the 23rd to support Baraka and demand that he not be sent to jail.

INTERNATIONAL WOMEN'S DAY, MARCH 8th, CELEBRATION OF WOMEN FREEDOM FIGHTERS

University of the Streets, 7:00 p.m.
East 7th St. & Ave. A, New York City

Speakers from:

El Salvador
Southern Africa
Palestine
May 19 Communist Organization
Tape from Assata Shakur

Sponsored by:

Women's Committee Against Genocide and
May 19 Communist Organization

Yulanda Ward Memorial Fund Harassed in Gov't Cover-up

11

On January 14, four leaders of the Yulanda Ward Memorial Fund -- James Garrett, Nkenge Toure, Hope Young and Loretta Ross -- were subpoenaed to a grand jury that was supposedly investigating Yulanda Ward's death. Grand jury subpoenas of political leaders and activists have been a consistent form of political attack by the state. This grand jury is no different.

Yulanda Ward was assassinated in Washington DC on November 2, 1980 (See Tip of the Iceberg, December). Immediately following this brutal attack, the Yulanda Ward Memorial Fund was formed to investigate and expose her assassination. While the state proceeded to cover up the assassination, portraying it as a "street crime," the Memorial Fund held a series of press conferences and organized to expose that Yulanda's killing was a COINTELPRO war action and act of terrorism against the Black Liberation movement.

The state's attacks on the Memorial Fund have included multiple break-ins carried out on the home of one member of the Memorial Fund and on the DC Area Rape Crisis Center (where members of the Memorial Fund work, and in which Yulanda was also active).

The grand jury subpoenas are meant to destroy the Yulanda Ward Memorial Fund by tying up the leadership in legal proceedings and with the threat of being jailed for refusing to comply; to prevent the exposure of the state's assassination of Yulanda Ward, by demanding that all findings of the independent investigation

be turned over to the grand jury; and to use the grand jury to investigate the Memorial Fund itself -- to attack leading Black activists in the DC area. The first subpoena was answerable on January 19 -- the day before the Memorial Fund was to address a national teach-in, 'Take A Stand Against the Klan.'

Members of the Memorial Fund did speak at the teach-in, informing hundreds of anti-imperialists about Yulanda's assassination. The Memorial Fund has continued to fight the subpoenas both legally and politically. A key part of this is a struggle to bring people to court. For information or to make contributions, write to:

Yulanda Ward Memorial Fund
c/o D.C. Rape Crisis Center
P.O. Box 21005
Washington, D.C. 20009

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Cont'd from p. 8

serious anti-Klan movement here; and the need to defeat individualism and the resistance that we as white people have to working collectively and building organization. We have to forge ourselves into an organized, disciplined movement with a leadership accountable to the forces leading the fight against the Klan.

der, such as the 1979 assassination of Puerto Rican POW Angel Rodriguez Cristobal in the Tallahassee Federal Prison. Let us protest against death threats, such as those aimed against Native American POW Leonard Peltier, who escaped from prison for a short time after receiving threats on his life by the prison authorities.

These are the real hostages whose freedom we must all demand and fight for. The government and media pageantry around these 52 Americans is being used as a major force to mobilize for white supremacy. People must challenge and fight against it. The "anti-terrorist" propaganda and organizing is part of an overall attack on the Black community in general and on freedom fighters in particular. We must fight to free the real hostages: POWs held hostage by U.S. imperialism.

CAMPUS MOVEMENT UNDER ATTACK (continued from p. 3)

City College--surrounding buildings are being torn down or gutted and replaced by renovated, middle-income housing; streets are being cordoned off and people will need pass cards to walk through the campus; and, simultaneously, Black and Third World studies programs are being done away with. All told, this produces a city school with a white student body, fortified in the middle of a Black community, not allowing community residents any access to the campus. The significance of Operation Snowflake must also be seen in light of the fact that CCNY has been one of the main institutions that Black people in New York City have most recently been able to attend. The hard-fought victories of the 60s winning open admissions are being entirely wiped out in the 80s.

In staunch support of this program have been the Zionist forces on campus--led by the JDL and the Hillel House--who have actively opposed Black students' demands, supported administration programs, and have brought speakers like Meir Kahane to campus in their effort to consolidate the forces of white supremacy and reaction. And while funds are overall being cutback from scholarships and progressive students groups, thousands and thousands of dollars are being pumped into Zionist organizations.

That overt consolidation goes hand-in-hand with heightening white supremacist terror attacks against Black students at college after college. During this academic year threatening letters and phone calls have been made to leading Black students and faculty at Harvard and Wesleyan; physical attacks on Black students and the defacing of property belonging to Black student organizations at Kent State and Cornell. The November, 1980 COINTELPRO assassination of Washington, D.C. student leader Yulanda Ward escalates that state strategy further. Some of these attacks are openly claimed by the Klan, other are not. But the message is the same.

This frontal attack has an impact on white students as well. The building of a massive, anti-imperialist student movement must be based upon active, militant support for the demands of Black and other Third World students and must fight in solidarity with national liberation worldwide. The state is clearly aware of the leading role played by Black students in the 60s, and is now attempting to implement a strategy to destroy that leadership and nullify our ability to rebuild a student movement.

There are currently political movements developing on campuses--the anti-draft and anti-nuclear movements, and, in some places, a divestiture movement to get university money out of supporting the racist South African regime. But on what terms are these movement being built? What do they challenge? Who is the enemy? We know that for them to be effective movements, they must challenge the white supremacist forces on their own campuses. An anti-draft or anti-nuke movement that doesn't take on U.S. imperialism and white supremacy as the enemy will continue to condone racist violence like the Klan cross-burnings or continue to allow the CIA to recruit for mercenaries. A women's movement that does not support struggles for national liberation against imperialism as the only strategy to win our own liberation will end up allying with imperialism in defense of the empire.

We must re-seize the campuses as bases for anti-imperialist activity.

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