

1 Q. Didn't you have phones in the office?

2 A. Well, yes, of course.

3 Q. Did you ever have any discussions with anybody as to why
4 they went to a phone not in the office to call Mr. Frankhauser?

5 A. Well, the reason was well known to all of us. We never
6 needed to discuss it. It was assumed that because the
7 organization was so tremendously important and because
8 Mr. LaRouche was so tremendously important that all of our
9 phones were tapped by hostile and sinister agencies; and
10 therefore, to avoid the interception of our intelligence
11 communications, we had to use clean phone lines. So the
12 procedure was that he would call on a public telephone, leave
13 the public telephone number with the Officer of the Day and the
14 Security staff Steering Committee member would call him back,
15 thus eliminating or minimizing the possibility for tapped
16 telephone.

17 Q. Now, you mentioned that when Mr. Frankhauser would call, he
18 would identify himself in a particular way.

19 A. That's right.

20 Q. How do you know that this person was Mr. Frankhauser if he
21 didn't say, "I'm Mr. Frankhauser"?

22 A. Well, we all knew that his code name was Mr. Clay. At some
23 point, I don't really remember precisely when or by whom, I was
24 told when I joined the Security staff, "Mr. Clay" means Roy
25 Frankhauser. And then, of course, in my case since I had met

1 Mr. Frankhauser previously, I could recognize his voice most
2 often.

3 Q. Did you ever refer to Mr. Frankhauser as "Mr. Frankhauser"?

4 A. Oh, never on a telephone and certainly never in a situation
5 where he might be -- there might be any monitoring of the
6 conversation.

7 Q. Did you ever refer to Mr. Frankhauser at any time as
8 anything other than "Clay"?

9 A. Well, there are various other names used for Mr. Frankhauser
10 in the staff.

11 Q. What were those?

12 A. Well, Mr. Frankhauser and his then colleague, Mr. Lee Fick,
13 were referred to as Frick and Frack.

14 Q. Which was which?

15 A. I -- I never really made a particularly careful effort to
16 determine which was which, but I believe Mr. Frankhauser was
17 Mr. Frack and Mr. Frick was Mr. Fick. That makes most sense to
18 me. If somebody has another solution to offer, I won't quarrel
19 with them.

20 (Laughter)

21 A. We refer to him as Roy. We refer to generically his
22 communications as information from down the way. Sometimes we
23 refer to his information as information from the cookie farm. I
24 can't explain why. And other similar rubrics.

25 Q. All right. Did you ever have any discussions with anybody

1 about what was meant by "down the way"?

2 A. Yes.

3 Q. With whom?

4 A. With members of the Steering Committee and other members of
5 the Security staff.

6 Q. Did you ever use the term "down the way"?

7 A. Certainly.

8 Q. How often?

9 A. Well, I frequently wrote it in my notebook because we
10 frequently got reports described as coming from down the way,
11 and sometimes in describing these I would say, you know, here we
12 have this report from down the way that says, you know, the
13 Israeli government is trying to assassinate Lyn or whatever it
14 might be. So I don't know how often I used it, but I used it on
15 a regular basis.

16 Q. Did you use it to refer to a particular person giving you
17 information?

18 A. Well, to be precise, it referred to information coming from
19 a presumed source through a particular person.

20 Q. Who is the particular person that it came through?

21 A. The particular person was Roy Frankhauser.

22 Q. And who was the source that he was getting this information
23 from?

24 A. The source was believed to be the intelligence community at
25 large and the CIA in specific.

1 MR. WALKER: Objection, your Honor to the answer.

2 "Believed to be" is a fairly vague --

3 THE COURT: I sustain the objection and strike that
4 portion of the answer. You may inquire further.

5 BY MR. MARKHAM:

6 Q. Who did you believe -- you personally believe the source was
7 from whom Mr. Frankhauser was getting this information?

8 A. Well, I didn't -- personally, I was somewhat more skeptical
9 than others. I didn't know for sure from whom it was coming. I
10 believed it to be from the intelligence community, linked
11 persons who were involved in -- who were maybe among those
12 persons who had been fired from the CIA during the Stansfield
13 Turner purge of 1977 and thereafter. That's more or less who I
14 believed it was; in other words, former CIA operatives and
15 operatives from similar agencies who continued to have an
16 interest in intelligence jockeying.

17 Q. Now --

18 THE COURT: Mr. Markham, we need to break soon. Is
19 this an appropriate place?

20 MR. MARKHAM: Yes.

21 THE COURT: All right. We'll take a 20-minute recess,
22 members of the jury. You may go to the jury room.

23 (The jury left the courtroom at 11:20 a.m.)

24 THE COURT: We'll be in recess.

25 (Morning recess)

1 (Court reconvened at 11:44 a.m.)

2 (SIDE BAR CONFERENCE....

3 MR. MARKHAM: I wish to clear this with your Honor
4 before the jury comes in. It is my intention, unless directed
5 otherwise, to elicit from this witness the stated belief as
6 expressed to him by Steinberg, Goldstein and the others their
7 belief as to Mr. Frankhauser's sources of information. And I
8 believe the testimony will be that they believed that his source
9 was the intelligence community and the CIA.

10 THE COURT: In other words, this witness's answers as
11 to what they stated to him to be their beliefs.

12 MR. MARKHAM: Their beliefs. 803(3).

13 THE COURT: All right. Do you have any objection to
14 that?

15 MR. WALKER: I'm not sure I have an objection, but may
16 I look at 803(3), your Honor?

17 (Pause)

18 MR. WALKER: Well, your Honor, I'm not going to --
19 there may be an objection -- in fact, I think there is, but I'm
20 not going to make it. I'm not going to.

21 THE COURT: All right. The jury may be brought in.

22 MR. WALKER: Your Honor, are we going until 1:00 or
23 1:15 today?

24 THE COURT: Well, 1:15 is what I had planned.

25 MR. WALKER: All right. I just wanted to know.

1 THE COURT: Actually, I'm going to be 15 minutes late
2 for a meeting in order to do that; so if you both wanted to quit
3 at 1:00, I'd probably allow it today so I could make a meeting.

4 MR. WALKER: Sure.

5 THE COURT: Would you rather stop at 1:00?

6 MR. MARKHAM: Done, your Honor. Yes, we would.

7 THE COURT: All right. We'll stop at 1:00 today.

8 (The jury returned to the courtroom at 11:47 a.m.)

9 THE COURT: You may proceed, Mr. Markham.

10 MR. MARKHAM: Thank you.

11 BY MR. MARKHAM:

12 Q. Mr. Tate, you're still under oath.

13 A. Yes.

14 Q. You understand that?

15 A. I understand.

16 Q. Okay. Now, from the time you got on the Security staff in
17 1981 until you left in 1984, how frequently was it that
18 Mr. Frankhauser would call in, in the way you described before
19 the break?

20 MR. WALKER: If your Honor please, that's asked and
21 answered.

22 THE COURT: I believe that's so.

23 MR. MARKHAM: All right.

24 BY MR. MARKHAM:

25 Q. Was there ever a time during this period that he did not

1 call in on a regular basis?

2 A. Well, there was no -- since I was not always in the office
3 and was not always the recipient of those calls, I'd have to say
4 that there was no gap of more than several days between my
5 hearing about his reports so that --

6 Q. All right. Now, you were in the New York office
7 headquarters for, I think you said, something like -- how many
8 days during 1984?

9 A. Well, however many days -- I haven't counted. It must be
10 150 or something. Whatever days there are that I was not on
11 security duty in Leesburg I was in the office in New York from
12 January through August of 1984.

13 Q. Approximately how many days was that?

14 A. 150.

15 Q. And during those 150 days that you were in the Security
16 office, how frequently were you the duty officer on the Security
17 staff?

18 A. A good proportion of that time, maybe half of that time,
19 75 days.

20 Q. And of those 75 days, on how many of those days do you
21 recall, approximately, getting a telephone call from
22 Mr. Frankhauser?

23 A. I'd say 50 or 60.

24 Q. 50 or 60 days out of 75?

25 A. Out of 75.

1 Q. And in addition to incoming calls -- well, were all the
2 incoming calls as you described before with the code words and
3 the going to the telephone?

4 A. The only exception was the occasional circumstance when Jeff
5 Steinberg or Paul Goldstein or another member of the Security
6 staff Steering Committee didn't get back to Mr. Frankhauser in a
7 timely fashion, and then there would be another more urgent call
8 basically along the same lines --

9 Q. All right.

10 A. -- in which maybe he would say something like, "I have been
11 waiting out here for X minutes and it's raining" or whatever.

12 Q. Who would say that?

13 A. Mr. Frankhauser would motivate the need that he be called
14 promptly.

15 Q. All right. And were there ever occasions when you observed
16 anyone on the Security staff to place telephone calls to
17 Mr. Frankhauser that were not in response to his incoming calls?

18 A. On one or two occasions -- well, more than one or two.
19 Maybe half a dozen occasions I would hear such phone calls, yes.

20 Q. And did you ever hear reports of information that
21 Mr. Frankhauser had conveyed to the Security staff?

22 A. Yes.

23 Q. How frequently did you hear those reports?

24 A. Virtually every day.

25 Q. And who did you hear those reports from?

1 A. It would be whichever member of the Security staff had
2 responsibility for -- whichever member of the Steering Committee
3 had responsibility for briefing the Security staff on that day.
4 So that it would be usually Jeff Steinberg, Michele Steinberg,
5 Paul Goldstein or Robert Greenberg.

6 Q. All right. And what types of things would -- well, describe
7 some of the things that Jeff Steinberg reported to you that he
8 had received from Mr. Frankhauser.

9 A. Well, he would say that -- again, he would characterize
10 Mr. Frankhauser by one or another of the names which I mentioned
11 previously, so that he would say something like, "Roy tells us
12 that down the way is afraid of terrorist attacks of the U.S.
13 Army bases in the Middle East," something like that.

14 Q. And again, how often do you recall Jeff Steinberg giving you
15 reports relating to what Roy had told him?

16 A. Again, how often had I seen Jeff Steinberg -- I'm sorry.
17 Would you repeat the question?

18 Q. Yes. How often did this type of report occur?

19 A. On a daily basis.

20 Q. And how about with Michele Steinberg relating to you what
21 Mr. Frankhauser said?

22 A. Well, again, it would be one of those persons, one of those
23 four persons on the Steering Committee who would invariably be
24 the bearer of these tidings, this report from Mr. Frankhauser.
25 Most commonly it would be Jeff Steinberg, but also it might be

1 Robert Greenberg or Michele Steinberg or Paul Goldstein who
2 would have taken the report and would relay it to the Security
3 staff.

4 Q. And when was this that these reports from Mr. Frankhauser
5 were relayed to the staff by Jeff, Paul and Michele and Robert?

6 A. Usually in whatever meeting of the Security staff took place
7 after that report. In other words, if the call came in, in the
8 morning and we had an afternoon meeting, we would hear about it
9 in the afternoon meeting. If it didn't come in until the
10 evening, we would hear about it at the end-of-the-day meeting or
11 at the first meeting next morning. So we were told within hours
12 usually of receipt of the report.

13 Q. Did you ever have any discussions with Jeffrey Steinberg in
14 which he expressed his belief as to the truth of the reports he
15 was receiving from Mr. Frankhauser?

16 A. Yes.

17 Q. How frequently did you have discussions with Mr. Steinberg
18 in which he expressed his belief?

19 A. Well, there would be some degree of evaluation accompanying
20 the report that we received, so that there would be some attempt
21 made to sort out what was more and less reliable in the report.

22 So I guess the best answer to that is that on almost every
23 occasion there were some opinions expressed as to the
24 reliability and importance and completeness of the report
25 received from Mr. Frankhauser.

1 Q. Did you ever have such discussions with Michele Steinberg?

2 A. Yes.

3 Q. With Robert Greenberg?

4 A. Yes.

5 Q. With Paul Goldstein?

6 A. Yes. And again, chiefly under those circumstances. The
7 report would be read. There would be some discussion of its
8 significance and implications. And there would be some
9 evaluation as to its, you know, factual content, truth and
10 completeness.

11 Q. Did you ever have any discussions with Jeffrey Steinberg
12 about his, Mr. Steinberg's, belief as to where Mr. Frankhauser
13 was getting the information that he was reporting?

14 A. Yes.

15 Q. How often did you discuss with Mr. Steinberg his belief as
16 to where Mr. Frankhauser was getting his information?

17 A. Only once or twice. I think in the nature of his belief it
18 was only necessary to communicate that idea once or twice.

19 Q. Well, what did he communicate to you?

20 A. He believed that this information came from the Central
21 Intelligence Agency.

22 Q. "He" meaning who?

23 A. Mr. Steinberg believed that the information he was receiving
24 from Mr. Frankhauser had its origin in the Central Intelligence
25 Agency.

1 Q. And did he express that to you on more than one occasion?

2 A. Well, as I say, he mentioned this expressly only once or
3 twice. It was in -- the Security staff regarded this as a deep
4 dark secret and, therefore, it was not something which was to be
5 bandied about. But the issue of the origin of these reports
6 repeatedly came up as they were given.

7 In other words, as I mentioned before, Mr. Frankhauser
8 sometimes reported on what he described as his own
9 investigations. He would go to a meeting, make a phone call or
10 do one of those kind of things, and he would pass on the
11 information to the organization. But he also would -- or at
12 least it was communicated to me through these reports that he
13 would characterize certain bodies of information as coming from
14 variously Mr. Ed, down the way or the cookie farm.

15 Q. All right.

16 A. That is -- all right.

17 Q. Let me get all three of those. Mr. Ed?

18 A. Mr. Ed.

19 Q. Down the way?

20 A. Down the way.

21 Q. And the cookie farm?

22 A. The cookie farm.

23 Q. Now, any other labels?

24 A. Those are the ones that come to mind at the moment.

25 Q. Did you ever have any discussion with --

1 A. Excuse me. Sometimes Mr. Steinberg and Mr. Goldstein in
2 particular would characterize reports as coming from the agency,
3 meaning the Central Intelligence Agency.

4 Q. Now, did anybody ever express a belief to you as to who
5 Mr. Ed was?

6 A. Yes.

7 Q. Who?

8 A. Pardon me. Expressed the belief, or who he was?

9 Q. I'm sorry. Who expressed that belief to you?

10 A. Well, on one particular occasion Nancy Spannaus expressed a
11 belief as to who Mr. Ed was.

12 Q. Who is Nancy Spannaus?

13 A. Nancy Spannaus is a member of the National Executive
14 Committee of the Labor Committees and she is the director of its
15 publications. She is sort of the chief editor of all of its
16 various publications that I have named, and she is one of
17 Mr. Larouche's most trusted advisers.

18 Q. Did she ever express -- well, who did she believe Mr. Ed was
19 -- let me rephrase that the right way.

20 Did she ever tell you who she believed Mr. Ed was?

21 A. Yes.

22 Q. Who did she say to you that she believed Mr. Ed was?

23 A. She said -- and just to clarify, because the question asks
24 about belief. She said that it was not her opinion but that it
25 was a fact that Mr. Ed was Ed Knocke.

1 Q. Did she say this to you in anyone else's presence?

2 A. Yes.

3 Q. Whose?

4 A. Well, it was a meeting of the editorial staff of the
5 organization. I don't remember who else was there at the time.
6 This was not a Security staff meeting. It was a more general
7 organizational meeting. And the decision had been made for
8 whatever reason to bring the membership, you know, a little
9 further on this deep dark secret by revealing at least to some
10 persons who Mr. Ed was supposed to be.

11 Mr. Ed, I don't -- just for people's information if
12 they don't know, Ed Knocke is the former deputy director of the
13 CIA for -- I believe for Plans, and I believe he was one of
14 those persons who left the agency following the Stansfield
15 Turner cleanup or whatever -- whatever it was in 1977.

16 Q. Did you ever hear Jeffrey Steinberg refer to
17 Mr. Frankhauser's source as Mr. Ed?

18 A. Yes.

19 Q. How about Michele Steinberg?

20 A. Yes.

21 Q. How about Robert Greenberg?

22 A. Yes.

23 Q. Paul Goldstein?

24 A. Yes.

25 Q. Now, did you have a belief as to who Mr. Ed was?

1 A. Well, I was not certain about this identification and I
2 discovered at a later point through overhearing conversation
3 between Mr. Steinberg and Mr. Greenberg that they weren't too
4 sure, either. And at that point I realized that nobody knew and
5 this was a figment of somebody's imagination. I have had
6 various beliefs as to who it might be or whether it's a
7 particular individual or an entity or collection of people. I
8 could summarize those, if you want. I did not necessarily
9 believe even when I was a member of the Security staff that
10 because Jeff Steinberg believed something that this was a good
11 reason for me to believe it.

12 Q. All right. Well, did there ever come a time when
13 Mr. Steinberg expressed a belief to you that Mr. Frankhauser had
14 no source from the intelligence community?

15 A. Oh, absolutely no. I mean, no, of course not. He was the,
16 you know, principal doorway until sometime in late 1983 through
17 which the organization believed it was receiving, you know,
18 crucially important intelligence communications from U.S.
19 intelligence agencies and most especially from the Central
20 Intelligence Agency.

21 Q. Who was this doorway?

22 A. This doorway was Mr. Frankhauser. He was the source for
23 this information.

24 Q. And did anything happen to that belief as it was expressed
25 to you in 1984 while you were in the organization?

1 A. When you say happen to the belief, I'm sorry, I --

2 Q. Yes. Did anybody ever express a contrary view in 1984?

3 A. About Mr. Frankhauser's role as providing information from
4 the CIA?

5 Q. Yes.

6 A. Oh, no. No one ever expressed any contrary belief, no.

7 Q. So as of the time you left the organization, August whenever
8 it was, 1984, what was the most recent view expressed to you by
9 Jeff Steinberg about where Mr. Frankhauser was getting this
10 information?

11 A. Oh, well, as of that time Mr. Steinberg continued to express
12 his belief that Mr. Frankhauser was giving information and even
13 directives to the organization from the CIA and also taking some
14 of the organization's, you know, intelligence information and
15 feeding it back.

16 Q. And what was the most recent expression of belief of Michele
17 Steinberg before you left -- as of the time you left the
18 organization?

19 A. Well, it would be the same.

20 Q. How about Paul Goldstein?

21 A. Again, the same.

22 Q. How about Robert Greenberg?

23 A. Again, Robert Greenberg believed Mr. Frankhauser to have
24 this function.

25 Q. Now, what was the most frequent occurrence when -- well,

1 strike that.

2 Who was it that the notebooks were used to brief most
3 frequently?

4 A. Mr. LaRouche, Lyndon LaRouche.

5 Q. And how frequently during the day would Jeff Steinberg on
6 average use his notebooks to brief Mr. LaRouche?

7 A. Daily. Let me -- actually, let me, if I may, withdraw that.

8 I would say that they were probably used about equally
9 to brief other members of the staff and Mr. LaRouche. It's a
10 very close one-to-one correspondence, but probably most by
11 slight plurality Mr. LaRouche.

12 Q. Well, in terms of the one individual person that the
13 notebooks were used to brief more frequently than others, was
14 there an individual person?

15 A. Yes.

16 Q. Who was that?

17 A. That person was Lyndon LaRouche.

18 Q. And when they weren't using the notebooks to brief Lyndon
19 LaRouche, who were they using the notebooks to brief?

20 A. Well, most commonly the Security staff as a whole or the
21 members of the Security staff, occasionally a member of the
22 National Executive Committee.

23 Q. You said before you looked inside the notebooks of
24 Mr. Steinberg.

25 A. Yes, that's right.

1 Q. And Michele Steinberg?

2 A. That's right.

3 Q. Paul Goldstein?

4 A. Well, less often but, yes, I saw that he was taking notes.

5 Q. Robert Greenberg?

6 A. And Robert Greenberg, yes.

7 Q. And let's switch -- well, do you know a man by the name of
8 Mr. Ed Spannaus?

9 A. Yes, I do.

10 Q. Was he ever a Labor Committee member?

11 A. Yes, he was.

12 Q. And what was his function?

13 A. Well, he has had many functions during his experience in the
14 Labor Committee. I think at the time -- if you're asking about
15 the time that I left the organization, he was a member of the
16 National Executive Committee and he had various responsibilities
17 for coordinating the move to Leesburg, Virginia, and he was
18 responsible for the organization of his legal staff. And that
19 basically, I think, characterizes his various responsibility at
20 the time that I left.

21 Q. All right. And did you ever observe Mr. Spannaus to use
22 notebooks?

23 A. Yes.

24 Q. And how often did you observe him to do this?

25 A. Well, I didn't observe Ed Spannaus as often as other

1 persons. I was -- after all, I was on the Security staff and
2 worked with people on the Security staff on a daily basis. I
3 worked with Ed Spannaus much less frequently. But there again,
4 for the most part when he was receiving information of any
5 substance, he would write it down in a notebook in my presence.

6 Q. All right. Now, you saw him more or less than you saw the
7 people on the Security staff?

8 A. Considerably less.

9 Q. All right. On the times that you did see him, did he have a
10 notebook with him on more or less occasions?

11 A. More often than not.

12 Q. How many times was it that -- well, how frequently was it
13 when you saw him receiving a briefing from anybody that he was
14 writing in his notebook?

15 A. Hard to say. My recollection is that he was -- he was less
16 I guess I can now use the word punctilious about notebook
17 entries than other -- than the people on the Security staff, but
18 I'd say half to three-quarters of the time he would make a note
19 of his conversations in my presence. He also had his notebook
20 at hand and made entries in it and, I suspect, somewhat more
21 carefully when he was at meetings of the National Executive
22 Committee. And I did indeed observe him doing that --

23 Q. All right.

24 A. -- on some occasions.

25 Q. Did you ever see Mr. Spannaus in conversation with

1 Mr. LaRouche?

2 A. Yes.

3 Q. Did you ever see Mr. Spannaus in conversation with
4 Mr. LaRouche when Mr. Spannaus was giving Mr. LaRouche a
5 briefing?

6 A. Yes.

7 Q. On those occasions did you ever observe him to use a
8 notebook?

9 A. Yes.

10 Q. How frequently on those occasions?

11 A. On some of the occasions he used his notebook as his source,
12 you know -- however, I think he was a bit more likely to -- I
13 don't want to characterize it as likely. I think he followed
14 his notebook -- my physical evidence is, of course, he wasn't
15 looking at it as closely as, let's say, members of the Security
16 staff when they were briefing LaRouche because they tended to
17 read it more or less or summarize more or less directly what was
18 in the notebooks. Spannaus was not describing intelligence,
19 world events or those kind of things so much. He was describing
20 and discussing ongoing security, legal and organizational
21 questions, so that it was less an issue of communicating facts.
22 So that there was less of a need for a, you know, memoir to, you
23 know, bone up on those facts. However, he did have the
24 notebook. He referred to the notebook in the course of these
25 briefings. And when he was told to do something most

1 importantly he wrote it down in his notebook.

2 Q. Was it his regular practice at or near the time he got
3 instructions from Mr. LaRouche to write those instructions down?

4 A. Well, I don't know what instructions may have flown from
5 Mr. LaRouche directly to him on that question. I do know that
6 all --

7 Q. I'm not asking that question.

8 A. Okay. I'm sorry.

9 Q. I'm not asking if you ever heard Mr. LaRouche instruct him
10 about writing.

11 A. Okay. I'm sorry.

12 Q. Did you ever hear Mr. LaRouche give Mr. Spannaus
13 instructions on any subject?

14 A. Yes.

15 Q. How frequently did you hear Mr. LaRouche give Mr. Spannaus
16 instructions on any subject?

17 A. Three or four times.

18 Q. All right. Did you ever observe an occasion on which
19 Mr. LaRouche gave Mr. Spannaus instructions that Mr. Spannaus
20 did not write those down?

21 A. I did observe occasions when he didn't write them down, yes.
22 I also observed occasions when he did.

23 Q. All right. And how many times did you see him write down
24 instructions from Mr. LaRouche?

25 A. I recall -- well, I'm speaking now of three or four

1 occasions. I recall one clearly comes to mind when he was
2 writing, and another clearly comes to mind when he was so aghast
3 I don't think he would have been able to write anything. And
4 there are two others which I don't know.

5 Q. When was the one when -- what was the one where you were so
6 aghast --

7 A. That he was so aghast.

8 Q. -- when he was so aghast that he couldn't write it down?

9 A. It was when Mr. LaRouche informed him that if the FEC
10 investigation of Deborah Freeman began to pose serious
11 consequences to the organization, she would be cut loose. And
12 Ed was very surprised to hear that, and so was I. I think I was
13 less surprised than Ed was.

14 Q. What did Mr. Spannaus say on that occasion?

15 A. He said, "We can't do that to Debby."

16 Q. And what did Mr. LaRouche respond?

17 A. He said, "I didn't order this. If Debby Freeman did
18 anything wrong, it didn't come from me."

19 MR. WALKER: Excuse me, your Honor. It wasn't clear
20 about who said if it --

21 THE COURT: The answer may be read back if you wish it.

22 MR. WALKER: Maybe it could be clarified by
23 Mr. Markham's question.

24 BY MR. MARKHAM:

25 Q. Who were you just quoting?

1 A. All right --

2 Q. Why don't you just tell -- if you could, describe the event.

3 A. All right. I'll describe that once again. This was in
4 response to the question about when he was so aghast that he
5 didn't write anything down or at least he didn't write anything
6 down during the period of time in which I was in the room. Let
7 me be more precise.

8 He was describing a situation in Baltimore, Maryland in
9 which an investigation was underway of a woman named Deborah
10 Freeman, who was a National Committee member of this
11 organization. The FEC investigation I think alleged or
12 revealed, I'm not sure if it's the correct word, possible -- I'm
13 being vague because I don't know the real legal standing of this
14 case -- possible wrongdoing on the part of Mrs. Freeman in the
15 context of political campaign involving the Federal Elections
16 Commission. And this was a discussion between Mr. Spannaus and
17 Mr. LaRouche concerning what was to be done in this case.

18 Mr. LaRouche's response to Mr. Spannaus' summary of the
19 situation was that if Debby Freeman had been found to have done
20 anything wrong, she would be cut loose. Ed Spannaus was aghast,
21 clearly, to hear this. He said, "We can't do this to Debby."

22 And LaRouche's response was, "If she did anything
23 wrong, it didn't come from me. I didn't authorize it."

24 Q. Did Mr. Spannaus have any further response?

25 A. Not for several seconds.

1 Q. Well, but what did he say?

2 A. I don't know. I -- he had nothing to say for himself for
3 several seconds. He was -- he looked to be at a loss. He
4 didn't know how to respond. And I finished my business in their
5 immediate vicinity during this interchange and I left the room.

6 Q. All right. Now, going back to the other expressions or the
7 other stated beliefs or references to where Mr. Frankhauser's
8 information came from. You discussed Mr. Ed, correct?

9 A. Mm-hm.

10 Q. You also said that people expressed the belief or the
11 Security staff expressed the belief that it came from down the
12 way, the cookie farm and the agency, correct?

13 A. That's correct.

14 Q. Now, did anybody ever express a belief to you as to what
15 "down the way" was?

16 A. Yes.

17 MR. WALKER: Objection. Asked and answered, your
18 Honor.

19 THE COURT: I think that's been answered.

20 MR. MARKHAM: Your Honor, I -- well, if I may, I
21 believe he answered who Mr. Ed -- they believed Mr. Ed was.

22 THE COURT: No. Quite a bit earlier in the testimony.

23 MR. MARKHAM: Oh. All right. Then I'll go on to the
24 next one, see if that's been asked and answered.

25 BY MR. MARKHAM:

1 Q. Did anybody ever express a belief to you as to what the
2 cookie farm was?

3 A. Yes.

4 Q. Who?

5 A. Oh, the cookie farm was --

6 Q. No. Who?

7 A. Oh. Who?

8 Q. Who expressed the belief?

9 A. You know, everyone on the Security staff expressed this
10 belief at one time or another. The members of the Steering
11 Committee were the first to use this expression and to explain
12 its general significance and their -- well, their explanation
13 I'm not going to --

14 Q. Did Jeff Steinberg ever tell you what he believed the cookie
15 farm was?

16 A. He used the expression very frequently that there was no
17 doubt from the context in which he used it in anybody's mind
18 what he meant.

19 Q. What did he mean?

20 A. He meant the Central Intelligence Agency.

21 Q. Did anybody ever express to you a belief -- well, how about
22 Paul Goldstein, Michele Steinberg and Robert Greenberg
23 expressing a belief as to what the cookie farm was?

24 A. All three of those persons used that expression in a context
25 which could only mean and did very expressly mean that they were

1 talking about the CIA.

2 Q. And again, these were times where they were expressing their
3 belief as to where Mr. Frankhauser was getting his information?

4 A. That's correct.

5 Q. And how about the agency?

6 A. The agency was a word used more gingerly because it is more
7 immediately associated -- more immediately possible to associate
8 the word -- the agency with the Central Intelligence Agency.

9 But that word was also used very often, and it clearly meant the
10 agency, the Central Intelligence Agency.

11 Q. Did you use that word less frequently than the other words?
12 Did you personally use it less frequently?

13 A. Yes.

14 Q. What was your reason for using "the agency" less frequently
15 than "cookie farm" or "down the way" or "Mr. Ed"?

16 A. I personally doubted very much that this had anything to do
17 with the Central Intelligence Agency per se, but I wasn't
18 certain.

19 Q. Did you ever express your belief to Jeff Steinberg that you
20 had these doubts?

21 A. No.

22 Q. Did you ever express this belief to Paul Goldstein that you
23 had these doubts?

24 A. Oh, no.

25 Q. Why "no" to Jeff Steinberg, "oh, no" to Paul Goldstein?

1 A. Well, one just simply does not express doubt to these
2 people. They don't understand doubt. It's not a category that
3 exists for them. They simply believe whatever they're told by
4 their authorities. So you just don't -- unless you want to get
5 in a lot of trouble, you don't say "I don't believe that" in
6 that organization to those people.

7 Q. Now, did you ever hear Lyndon LaRouche express a belief as
8 to the sources of information being conveyed by Mr. Frankhauser?

9 A. Yes.

10 Q. How frequently did you hear that belief expressed by
11 Mr. LaRouche?

12 A. Perhaps half a dozen times in casual conversation and once
13 very directly in the context of a discussion -- perhaps not
14 during a discussion with but in the context of a discussion with
15 Mr. Frankhauser.

16 Q. And can you tell us when the first such time that you
17 remember Mr. LaRouche expressing such a belief, when that
18 conversation took place?

19 A. I don't remember the first.

20 Q. When is the first one that you remember?

21 A. Well, the one that I remember most clearly is probably
22 actually the last one. I don't mean to be coy. It's just that
23 Mr. LaRouche often alluded to his belief that he was
24 communicating through Mr. Frankhauser with the intelligence
25 community and, specifically, with the CIA and to Mr. Ed. Maybe

1 the most concrete early recollection that I have of his --

2 Q. Now, "his," who?

3 A. I'm sorry.

4 -- Mr. Larouche's acting on the basis of this belief
5 was that he received from me one morning a transmission to
6 Wiesbaden, West Germany characterized as an E to L memo. These
7 memos -- E to L means -- again, I apologize for the alphabet
8 soup. "E to L" means Mr. Ed to Lyndon LaRouche. And this memo
9 purportedly came from Mr. Ed to Mr. LaRouche, and it posed a
10 series of questions and some information and so forth and so on.

11 Q. Did anybody ever express the belief as to who had given this
12 memo from E to L?

13 A. Well, E to L memos were known to come from Mr. Frankhauser.
14 I don't think anybody specifically told me that this particular
15 memo came from Mr. Frankhauser, but that's where E to L memos
16 came from. It's like where reports of what down the way said
17 came from. That was the generic name for communications from
18 Frankhauser going back to this particular source.

19 Q. All right. Now, did you ever overhear any discussion where
20 Mr. LaRouche expressed a belief as to what Mr. Frankhauser's
21 source was?

22 A. Yes. In the context of the last conversation of which I am
23 personally aware between Mr. Frankhauser and Mr. LaRouche,
24 Mr. LaRouche expressed fervently his belief that Mr. Frankhauser
25 had not done enough to get the agency to pressure the White

1 House to provide him with Secret Service protection for the 1984
2 presidential election, and he expressed his misgivings about the
3 situation in the strongest possible language to Mr. Frankhauser
4 on the phone in my presence and in, you know, a half hour to an
5 hour fulmination on the subject after his conversation with
6 Mr. Frankhauser.

7 Q. And during that fulmination -- by "fulmination," what do you
8 mean?

9 A. Well, he used, you know -- Mr. LaRouche's vocabulary is rich
10 in epithets and words connoting various acts of violence. He
11 basically said that -- I don't know. He -- he said that if --
12 I'll say expressly what he said to Mr. Frankhauser on the phone.
13 He said if Mr. Frankhauser didn't kill two FBI agents, he was a
14 sodomist.

15 And Mr. Frankhauser quickly said, "You must mean that
16 as some kind of a joke, don't you? Remember this is a tapped
17 telephone line."

18 And Mr. LaRouche said, "I don't mean any jokes,
19 Frankhauser. You're..." this, that and the other thing. And he
20 started raving and ranting about the need to obtain Secret
21 Service protection and how Mr. Frankhauser had not used his
22 contacts with sufficient verve to secure the Secret Service
23 protection.

24 Q. Were you listening in on both ends of the conversation?

25 A. It was on the speakerphone.

1 Q. And you recognized the voice of Mr. Frankhauser?

2 A. Yes.

3 Q. Okay. Apart from this one occasion, did you ever hear

4 Mr. LaRouche express his belief that Mr. Frankhauser had sources
5 at the CIA or at any other intelligence agency?

6 A. Well, again in the same way he commonly used the expressions
7 the cookie farm, the farm, down the way. And early on, as I
8 indicated, he received memos from E to L and gave back to me
9 among other people memos from L to E for transmission to New
10 York to be given to Mr. Frankhauser to go to Mr. Ed. So, you
11 know, yes, he did.

12 Q. Now --

13 MR. MARKHAM: May I approach the witness, your Honor?

14 THE COURT: You may.

15 (Defense counsel examining item)

16 MR. MARKHAM: In speaking to counsel, your Honor, I'm
17 going to have him look at some notebooks. I will not be
18 offering these into evidence at this time.

19 THE COURT: All right.

20 BY MR. MARKHAM:

21 Q. Showing you what is marked as Government's Exhibit 58 for
22 identification, I put this book in front of you and ask you if
23 you have ever seen books like Government's 58 for identification
24 before.

25 A. Yes.

1 Q. How frequently have you seen books like Government's 58?

2 A. Well, I saw such books virtually every day that I was in the
3 national office in the Security office.

4 Q. Where specifically did you see that -- well, how many such
5 books did you see in that particular form with that type of hard
6 cover?

7 A. About 20.

8 Q. All right. And 20 times or 20 books?

9 A. No, 20 -- I'm sorry, 20 books.

10 Q. All right. And whose were they?

11 A. They were Jeffrey Steinberg's.

12 Q. And is it correct that those were the books that
13 Mr. Steinberg used to take his briefings in?

14 A. Yes.

15 Q. Is it correct that it was part of his regular practice to
16 obtain briefings from Mr. Frankhauser?

17 A. Yes.

18 Q. Is it correct that it was part --

19 MR. WALKER: If your Honor please, I guess I think I'm
20 going to have to object to this.

21 THE COURT: To the leading form of the question?

22 MR. WALKER: Yes, your Honor.

23 MR. MARKHAM: They're foundational.

24 THE COURT: I sustain the objection to the leading form
25 of the question.

1 MR. MARKHAM: Your Honor -- well, all right.

2 BY MR. MARKHAM:

3 Q. Would you describe the frequency with which Jeffrey
4 Steinberg would write into those books when he was taking a
5 briefing from Mr. Frankhauser?

6 A. Well, he was continually making entries in these books at
7 any time he was talking to Mr. Frankhauser or other sources or
8 consultants or for the most part when making undercover phone
9 calls, he would make an entry in this book.

10 Q. Specifically directing your attention to his conversations
11 with Mr. Frankhauser, how frequently was it when he was
12 receiving a briefing from Mr. Frankhauser did he write in the
13 notebook?

14 A. He would always write in the notebook when he was taking a
15 briefing from Mr. Frankhauser.

16 Q. When would he write in the notebook in relation to when he
17 got the briefing?

18 A. Usually at the same time.

19 Q. And when it was not usual, how long after the event of the
20 briefing was it that he wrote it down?

21 A. Well, I really don't know of any other -- any occasions
22 concretely when he did not take down such a briefing
23 immediately, so I can't answer.

24 MR. MARKHAM: Excuse me one second, your Honor.

25 (Pause)

1 Q. Could you, please, open Government's Exhibit 58.

2 Without specifying any of the content, do you recognize
3 the handwriting?

4 A. Yes.

5 Q. How many times before have you seen the handwriting which is
6 in Government's 58?

7 A. Well, very hard to say. I would have to say that I've seen
8 it scores of times casually. That is, while sitting in a
9 meeting when we were all making entries in notebooks, I could
10 see Mr. Steinberg's handwriting. I also saw it a number of more
11 specific occasions when I had to write an article or a press
12 release on the basis of entries in the notebook and. Also, of
13 course, on other occasions I saw Mr. Steinberg's handwriting in
14 the form of notes, other things that I might be handed. So I
15 have to say a total perhaps 20 times or more.

16 Q. All right. And do you recognize that handwriting in there
17 as belonging to one particular person?

18 A. Yes.

19 Q. Who?

20 A. This is Mr. Steinberg's handwriting.

21 Q. And what's the number of that exhibit again, for the record?
22 Would you, please, read it into the record?

23 A. This is -- do I call it Government Exhibit 58? It's No. 58.

24 Q. Sounds good.

25 A. Okay.

1 Q. I just wanted that for the record.

2 MR. MARKHAM: May I approach the witness again, your
3 Honor?

4 THE COURT: You may.

5 Q. Putting in front of you now eight separate notebooks which
6 are, for identification again --

7 A. Mm-hm.

8 Q. -- Government's 42, 43, 44, 45, 46, 47, 48 and 49.

9 A. Mm-hm.

10 Q. Have you ever seen notebooks like those before?

11 A. Yes.

12 Q. Would you compare them for the record, just for the record,
13 with the notebook that you have identified as being in the
14 handwriting of Mr. Steinberg?

15 A. Well, that's a -- they have different kinds of binding.
16 That's a ledger book with -- I'm not sure of the exact printing
17 term. It's something like a perfect binding. You know, it's
18 bound like a leather-bound book. These are all spiral-bound
19 notebooks. That, of course, is much larger. These are -- are
20 smaller.

21 Q. Can I ask you to look inside each of these notebooks and
22 answer yes or no whether you recognize the handwriting of the
23 author.

24 A. Yes.

25 Q. You just looked in one. Well, just take the one. Take the

1 exhibits. Do them one at a time, if you would.

2 What's the number that you have in front of you?

3 A. 42.

4 Q. Have you looked inside Notebook 42?

5 A. Yes.

6 Q. Do you recognize the handwriting?

7 A. Yes.

8 Q. How many times have you seen that handwriting before today?

9 A. Uhm --

10 Q. Not that notebook but how many times have you seen the

11 handwriting of the type which is in that notebook?

12 A. Right. I'd say a dozen times or so.

13 Q. All right. And where did you see that handwriting?

14 A. Well, in various formats, either in -- you know, again,
15 casually sitting around in the Security office in a circle
16 making entries in the notebooks, overseeing, you know, the
17 notebook -- looking -- overseeing the notebook, seeing the
18 handwriting, seeing short notes written, seeing lists of things
19 to do written, those kinds of -- in one case being given a
20 little letter, rather unattractive little letter. Under these
21 circumstances I've seen this handwriting at least a dozen times.

22 Q. Whose handwriting is in that notebook?

23 A. This is Michele Steinberg's handwriting.

24 Q. Can you take a look at the next notebook. What's the
25 number, for the record?

1 A. 43.

2 Q. Do you recognize the handwriting in that notebook?

3 (Witness examining item)

4 A. I believe it's Michele Steinberg's, but it's not always as
5 neat. But I believe it's Michele's.

6 Q. All right. Can you take a look at the next notebook,
7 please. What number is it?

8 A. I'm sorry. The next notebook?

9 Q. Yes.

10 A. No. 44.

11 Q. Would you open that and look at the handwriting.

12 Do you recognize that handwriting?

13 A. Yes. This is Michele's handwriting.

14 Q. Okay. Could you take a look at the next notebook, please.
15 What's the number?

16 A. 45.

17 Q. Do you recognize the handwriting in that notebook?

18 A. Yes. This is Michele's handwriting.

19 Q. Can you take a look in notebook marked Government's 46.

20 A. 46 is the next item. Well, there seems to be another hand
21 on the first page, but the -- yes, the subsequent pages are
22 Michele Steinberg's handwriting.

23 Q. All right. Now, before you turn that over, could you
24 identify the page number in Government's 46 for identification
25 which you believe to contain handwriting which is not Michele

1 Steinberg's?

2 A. Well, I didn't -- I can't really say that it's not Michele
3 Steinberg's handwriting. On page 1 there is a scrawl. It's not
4 identifiable to me as her handwriting.

5 Q. And apart from that one scrawl on that one page, page 1,
6 does the notebook appear to contain her handwriting?

7 A. The pages that I looked at are her handwriting as best I
8 remember it.

9 Q. And could you take a look at Government's Exhibit 47? Do
10 you know whose handwriting is in there?

11 A. Yes. This is Michele Steinberg's handwriting.

12 Q. Could you take a look at Government's Exhibit 48?

13 A. Again, this is Michele Steinberg's.

14 Q. And last, Government's Exhibit 49.

15 A. It's Michele Steinberg's handwriting. There are a couple
16 entries that are a little sloppy and I can't quite identify
17 them, but the bulk of the text that I see on these first few
18 pages is Michele Steinberg's handwriting.

19 Q. Approximately how often did you observe Michele Steinberg
20 receiving a briefing from Mr. Frankhauser?

21 A. Well, hard to say. She was one of the four persons, as I
22 indicated, to receive such briefings. She did so less often
23 than Jeff Steinberg. I'd have to -- to the best of my
24 recollection, I'd say about once a week it would fall to her to
25 receive the briefing.

1 Q. On the occasions when you observed Michele Steinberg
2 receiving a briefing from Mr. Frankhauser, how often was it --

3 MR. WALKER: If your Honor please, the question is
4 somewhat vague in the sense of observing. Does that mean she
5 saw Mr. Frankhauser giving information to Michele Steinberg or
6 heard something over the telephone? I just --

7 THE COURT: Are you talking about the last question or
8 the current question?

9 MR. WALKER: I think probably the matter came up in the
10 last question, but I think the current question is the same, if
11 I heard it properly.

12 THE COURT: Well, all right.

13 MR. MARKHAM: I'll start over.

14 MR. WALKER: Maybe clarify -- the word "observe" is a
15 little --

16 THE COURT: All right.

17 BY MR. MARKHAM:

18 Q. Did you ever observe Michele Steinberg receiving a briefing
19 from Mr. Frankhauser?

20 (The witness gave no response.)

21 Q. By phone or otherwise.

22 MR. WALKER: That's my problem, your Honor.

23 THE COURT: Well, all right. You may answer the
24 question.

25 A. Well, I'm not certain that I saw her receiving such a

1 briefing.

2 Q. You mean -- what do you mean, you're not certain?

3 A. Well, I mean to say that -- I mean, she would report that
4 she had spoken to Mr. Frankhauser and he had said such-and-such.
5 But I can't recall a specific occasion when I know for a fact
6 that when I was looking in that room, it was where they were
7 working, she was on the phone and it was Mr. Frankhauser at the
8 other end. I can make, you know -- in the way that I can say
9 that I know that this is the case in one or two of the others.

10 Q. When you did observe Michele Steinberg on the phone
11 receiving briefings, how frequently did that occur, regardless
12 of whether it was Mr. Frankhauser at the other end or not?

13 A. Well, she would receive briefings of one sort or another on
14 a daily basis.

15 Q. When you observed her on the phone receiving these
16 briefings, regardless of who they were from, what did you
17 observe her doing while she was receiving the briefings?

18 A. She was writing in her notebook.

19 Q. How frequently was it when she was receiving these briefings
20 from whomever was it that she was writing in her notebooks about
21 the briefings?

22 A. Well, clearly she was writing -- well, I suppose it's
23 possible in some cases that she was writing about something
24 entirely different. However, in the case of these particular
25 consultations with intelligence sources, she would have a phone

1 conversation, make the entry in a notebook and then brief the
2 staff on the substance of the conversation and, therefore, you
3 know she was writing about the conversations she was having.

4 Q. When you observed Michele Steinberg to be receiving a
5 briefing by telephone, what was she doing while she was
6 receiving the briefing?

7 A. She was writing down -- she was writing in a notebook.

8 Q. And when she was receiving a briefing, was she writing in a
9 notebook right then and there or did she do it later?

10 A. She did it as the conversation was proceeding right then and
11 there.

12 MR. MARKHAM: May I approach the witness?

13 THE COURT: You may.

14 Q. Let me put in front of you Exhibits -- let me get them in
15 the right order -- 50, 51, 52 and 53. Just for the record,
16 would you describe what I have put in front of you.

17 A. These are spiral-bound notebooks nine and a half by six
18 inches. They are similar in general form to the notebooks which
19 Michele Steinberg wrote in as I just said.

20 Q. Besides Michele Steinberg, did anybody else on the Security
21 staff use notebooks like the ones you have in front of you on
22 the Security staff?

23 A. Yes.

24 Q. Who?

25 A. Well, I can't say that I have a distinct recollection of who

1 used notebooks of a distinctive kind aside from Jeff Steinberg.
2 I think there was a little more hit or miss what kind of
3 notebook people had. I remember that Robert Greenberg had in
4 his desk in the New York City national office a store of
5 notebooks very much like this in general shape or let's say that
6 I remember that they were spiral bound. I remember they were
7 this size and that they were spiral bound, but I don't remember
8 if they were this thickness or this many pages, et cetera.

9 Q. All right. Now, how many times have you seen Robert
10 Greenberg's handwriting?

11 A. I would guess about, you know, 20 times the way I have --
12 and I'd have to say with respect to that, that sometimes it was
13 in the form of looking directly at his notebook entries to get
14 information. At other times it was, you know, in the casual
15 manner I described, sitting next to him in a briefing and seeing
16 his handwriting. Sometimes he would give people such as myself
17 lists of names of people to call or lists of things to do or
18 whatever. So I'd say I saw his handwriting about 20 times.

19 Q. All right. Now, can I ask you to identify the first of the
20 notebooks that's in front of you by number.

21 A. This is No. 50.

22 Q. And can you open, please, Government's 50 for identification
23 and look at the handwriting inside.

24 A. This is --

25 Q. Do you recognize it?

1 A. Yes. This is Robert Greenberg's.

2 Q. And can I ask you to look at the next one.

3 A. It's the same handwriting. It's Robert Greenberg's
4 handwriting.

5 MR. MARKHAM: I'm sorry. Excuse me. I was --

6 (Government counsel conferring)

7 Q. Could you identify the number, please?

8 A. This is No. 51.

9 Q. Okay. And can I ask you to open No. 51 and tell me whether
10 you recognize the handwriting.

11 A. Excuse me. 51 is the one I was just speaking about. I'll
12 just confirm that.

13 Yes, this is No. 51, and this is Robert Greenberg's
14 handwriting.

15 Q. No. 52. I'll catch up with you. I'm sorry. Can you look
16 at 52.

17 A. Okay. Yes, this is also Bob Greenberg's handwriting.

18 Q. All right. How about 53?

19 A. All right. Same handwriting. This is Robert Greenberg's
20 handwriting.

21 Q. Now, how often did you observe Robert Greenberg accepting
22 briefings from sources?

23 A. Bob Greenberg was a member of the Security staff Steering
24 Committee, talked to sources on a daily basis and was briefed by
25 them on a daily basis. So I observed him doing so any time I

1 was in the office with him.

2 Q. And when he was receiving briefings from sources, what did
3 you observe him to be doing?

4 A. He wrote down the briefings in his notebook.

5 Q. Okay. When did he do that in relation to the conversation
6 that --

7 A. Well, the conversation was ongoing.

8 MR. MARKHAM: May I approach the witness, your Honor?

9 THE COURT: You may.

10 Q. I'm now going to give you Government's Exhibits for
11 identification 54, 55, 56 and 57 and ask you if you can take a
12 look at each one of those, starting with 54, and look inside and
13 just answer yes or no whether or not you can identify the
14 handwriting.

15 A. This looks to me like Ed Spannaus' handwriting.

16 Q. How often before today have you seen Ed Spannaus'
17 handwriting?

18 A. Not as often as the others. Three to half a dozen times,
19 usually during a period when I was working with Ed Spannaus and
20 the legal staff. On the basis of that I'd have to say that this
21 is his handwriting.

22 Q. Are you more or less certain about this than about the
23 others?

24 A. Less certain about it. I have to be. I just did not see it
25 as often. Less certain about this than those.

1 Q. And take a look at the next notebook and tell me whose
2 handwriting you believe it is and how certain.

3 A. It's the same handwriting as this previous book, and I
4 believe this is Ed Spannaus' handwriting.

5 Q. Could you do the next one by number -- well, could you do
6 that one by number?

7 A. This one was No. 55. The next is No. 56 which I am now
8 looking at. And again, same handwriting. This is, to the best
9 of my recollection, Ed Spannaus' handwriting.

10 The next is No. 57, and it's Ed Spannaus' handwriting.

11 Q. All right. But once again, you're not as certain about that
12 as you were about the others?

13 A. Speaking only to handwriting, I'd have to say not certain.

14 Q. All right. Now, let me -- I have one more. Let me show you
15 what's marked as Government's Exhibit 59, which is another
16 document. Do you recognize that handwriting?

17 A. Well, again, speaking as to handwriting, I have to say no.

18 Q. All right.

19 A. I mean, I could make an awful good guess, but as to
20 handwriting, I don't --

21 Q. All right.

22 A. I can't say.

23 Q. Understand, I don't want you to guess.

24 A. I know. I just -- no, I can't say on the basis of
25 handwriting per se that I know who this is.

1 Q. Can you tell us the number of that document whose
2 handwriting you cannot identify by handwriting?

3 A. No. 59.

4 Q. All right. While you were working on the Security staff was
5 there anybody who used notebooks of the type which is in front
6 of you?

7 A. Yes.

8 MR. WALKER: Excuse me, your Honor. Meaning pads of
9 paper?

10 MR. MARKHAM: I was going to get to that.

11 MR. WALKER: Oh. It's not -- I don't believe it's a
12 notebook.

13 THE COURT: All right. I sustain the objection to the
14 form of the question for lack of specificity.

15 BY MR. MARKHAM:

16 Q. Would you describe the type of document which is in front of
17 you?

18 A. It's a yellow legal pad.

19 Q. All right.

20 (Off the record)

21 Q. Was there anybody on the Security staff that used yellow
22 legal pads like the kind you have in front of you?

23 A. Yes.

24 Q. Was there one or more than one?

25 A. More than one person used such pads.

1 Q. Who used such pads such as the one you have in front of you?

2 A. Well, there are several persons who used such pads. Paul
3 Goldstein was one such person. Scott Thompson used such pads.
4 I used such pads. Other members of the Security staff now and
5 again if they didn't have their notebook or whatever would use
6 such pads.

7 Q. Okay.

8 A. I don't say that those are the only three, but it's those
9 three plus others used such pads now and again.

10 Q. Now, you mentioned earlier this morning, Mr. Tate, that one
11 of the functions of the Security staff was being Lyn's eyes and
12 ears, correct?

13 A. That's correct.

14 Q. And basically you described how that was accomplished,
15 correct?

16 A. Yes.

17 Q. And you also indicated that the Security staff had as its
18 function internal monitoring.

19 A. That's correct.

20 Q. Will you tell the jury what it was that you did while you
21 were on the Security staff as internal monitoring?

22 A. Well, by this I refer to the Security staff's responsibility
23 to ensure that the membership of the organization was loyal,
24 that persons who disagreed with Mr. LaRouche on anything
25 received the appropriate, I think in their minds, therapy and

1 that the supporters who came around the organization -- that is,
2 people who were going to give contributions or buy or be
3 solicited in the manner described earlier -- were not trying to
4 probe the organization on behalf of some investigation or some
5 other bunch of people who were against the organization. So by
6 "internal monitoring" I mean those things.

7 It also was the responsibility of the Security staff to
8 pass on a list of authorized members. They were not the persons
9 who normally decided who was a member of the organization but it
10 was they who were supposed to rule on whether or not members
11 would be admitted to the organization's national conference
12 internal session. What I mean is we would go over the list of
13 members and say, "Is everybody on this list? How can we be
14 assured of their loyalty?" et cetera.

15 Q. Now, did part of the internal monitoring function as you
16 have described it require you to know the whereabouts of the
17 Labor Committee members within the organization?

18 A. In a general way, yes.

19 Q. And did you know the names of the people, say, in the
20 various regions who were running the regions?

21 A. People who were running the regions, sure.

22 Q. In 1984 did you know who was running the Boston local?

23 A. Yes.

24 Q. Who?

25 A. Well, that's a somewhat complicated question because the

1 person who was running it on the scene was a person named
2 Michael Gelber. Now, Mr. Gelber --

3 Q. Did he have a title?

4 A. Yes. He was a member of the Steering Committee for Boston.
5 Maybe he was even the head of it. Of that I'm not absolutely
6 certain. But he was the person who was responsible for Boston
7 organizing. However, he had one problem in that he was not a
8 member of the National Committee. This is one of the bodies
9 that I described earlier.

10 Q. Why was that a problem?

11 A. Well, because the way the organization is structured a
12 National Committee member has responsibility for all the
13 organization's activities. There's, you know, at least one
14 national security member supposedly responsible for any sector
15 or most sectors of the organization's functioning --

16 Q. You just said "one national security member."

17 A. I'm sorry.

18 -- National Committee member responsible for every
19 sector's functioning. And every region also is supposed to have
20 a National Committee member responsible for that region's
21 ongoing activities.

22 Q. What region was Mr. Gelber's local in?

23 A. The Boston local was part of the New York/New Jersey region.

24 Q. Who was the regional National Committee member in charge of
25 the New York region?

1 A. Well, there were two at that time, Dennis Speed and Phil
2 Rubenstein.

3 Q. And who was it that Mr. Gelber reported to?

4 A. Between the two? Well, he would report to -- well, I don't
5 want to make this too complicated. He would report to one or
6 another of them. To which, I don't know.

7 Q. Now, do you know of anybody else who was in the Boston local
8 during the 1984 campaign, by name?

9 A. Yes.

10 Q. Who?

11 A. Well, there was a Michael Billington was either in the local
12 -- I'm not -- you know, again I'm trying to be very precise.
13 Because Boston was a satellite of the New York/New Jersey
14 region, people who really lived in New York or usually worked in
15 New York were sometimes sent to Boston. But the people who
16 seemed to come up most often in terms of Boston were Billington
17 -- Michael Billington, excuse me; a fellow named Chuck Parks, a
18 Rick Sanders. And I believe Michael Gelber also is married. I
19 don't remember the name of his wife. She was also in the Boston
20 area. I believe there was a Richard Black, come to think of it,
21 was in the Boston area as I recall; his wife, Marnie Black.

22 I don't know if that's an exhaustive list, but those
23 are the ones who I recall.

24 Q. Have you ever seen Mike Gelber before?

25 A. Yes.

1 Q. Have you ever seen Charles Park before?

2 A. Well, I can't imagine that I haven't, but I don't recall
3 ever having done so.

4 Q. Have you ever seen Rick Sanders before?

5 A. Yes.

6 MR. MARKHAM: May I approach the witness, your Honor?

7 THE COURT: You may.

8 Q. Let me put three photographs in front of you, to come back
9 to the beginning, marked Government's 1, 2 and 3, and ask you if
10 -- and the numbers are on the back. If you could look at the
11 numbers and then tell me whether or not you can identify the
12 individuals depicted in the three photographs.

13 A. Well, Document No. 3 is Sanders.

14 Q. Could you give us his full name, please?

15 A. I don't -- I think it's Rick Sanders. I don't know if
16 that's "Richard" or whatever. "Rick," I guess, is the
17 nickname. I don't know his full name. Rick Sanders.

18 This is No. 1. It's Michael Gelber.

19 I have an awfully good idea who this is, but I can't
20 say that -- I remember seeing this person. I can't really
21 attach this face to a name.

22 Q. Which number is that?

23 A. This is No. 2.

24 Q. So you identify Photograph No. 1 as who?

25 A. No. 1 is -- this one is Exhibit No. 1. This is Michael

1 Gelber.

2 MR. MARKHAM: Your Honor, may that be received as
3 Government's 1 in evidence?

4 MR. WALKER: No objection, your Honor.

5 THE COURT: Received in evidence.

6 (Government's Exhibit No. 1 received in evidence)

7 Q. No. 2 you can't make, correct?

8 A. That's correct.

9 Q. How about No. 3?

10 A. No. 3 is Rick Sanders.

11 MR. MARKHAM: All right. May I offer Government's 3 in
12 evidence at this time as having been identified?

13 MR. WALKER: No objection, your Honor.

14 THE COURT: Received in evidence.

15 (Government's Exhibit No. 3 received in evidence)

16 BY MR. MARKHAM:

17 Q. Did the organization have a -- well, you have mentioned
18 several publications that the organization has had, correct?

19 A. That's correct.

20 Q. Can you give us a list of those publications?

21 A. Sure. New Solidarity, Campaigner, Fusion, Executive
22 Intelligence Review, Investigative Leads. There were a number
23 of publications which were suspended, one called War on Drugs.
24 Those are the main ones that come to mind. There were other
25 occasional publications also, publications of books and special

1 pamphlets and so forth.

2 Q. All right. Now, you told us earlier, I believe, what Fusion
3 -- well, what is Fusion Magazine?

4 A. Fusion Magazine was the publication of the Fusion Energy
5 Foundation, which was basically the organization -- the Labor
6 Committee's scientific front group. It advocated things like
7 nuclear energy and stuff like that, and it was sort of under the
8 auspices of this institution that the organization approached
9 scientists and so on in an earlier period.

10 It's as the Fusion Energy Foundation that the
11 organization usually has its presence at airports and stuff. In
12 other words, people from the organization will go to airport
13 management and say, "We're the Fusion Energy Foundation and we
14 want to be here pursuing our First Amendment rights to
15 distribute literature about fusion energy," and then they will
16 go do whatever they want, anyway. But that's the Fusion Energy
17 Foundation.

18 Q. All right. Briefly tell us what the Campaigner magazine is.

19 A. Campaigner is -- gee, I don't even know if it exists
20 anymore. It is a -- the term of art for this in the left used
21 to be the theoretical journal. In other words, this was where
22 you published the heavy, serious intellectual articles about
23 things as opposed to the popular mass circulating article. And
24 that's what it began as, and it continued to sort of publish
25 these theoretical cultural articles.

1 Q. And briefly again, Executive Intelligence Review?

2 A. Well, Executive Intelligence Review was a weekly
3 intelligence summary, if that term can be applied to its
4 contents, which covered world and domestic affairs, you know,
5 reported in exquisite detail on the innumerable conspiracies
6 that Mr. LaRouche was victimized with in his mind and things of
7 that nature.

8 It was a weekly publication. It was sold at something
9 like \$500 or more per annum. It was really for quite some time
10 the bread and butter of the organization. It was something that
11 was targeted very often for corporate sales, and this was sort
12 of a vehicle through which people could make contributions to
13 the organization as a subscription.

14 Executive Intelligence Review was a publication which
15 in I guess a period roughly 1981 to '84 was the most important
16 publication in terms of how many people worked on it, how much
17 attention was focused on it and so on.

18 Q. Last, New Solidarity.

19 A. New Solidarity -- gee, I don't know if it still exists. It
20 was originally a weekly and then a biweekly publication which
21 was in newspaper format. It had sort of a more popularized
22 approach, I guess is one way of describing it. It had articles
23 -- the same kinds of things generally as the Executive
24 Intelligence Review but designed for mass circulation. You
25 could get a subscription for, I don't know, \$25 or whatever as

1 opposed to the \$400 or \$500 price tag for EIR.

2 Q. How many New Solidarity's have you seen in your life?

3 A. In my life? Do you mean individual issues, or do you mean
4 in aggregate?

5 Q. No. I mean how many individual issues?

6 A. Okay. Let's see. Well, let's say about 600.

7 Q. Let me show you what is marked as Government's 4 for
8 identification, having first shown it to Mr. Walker.

9 Have you ever seen this publication before?

10 A. Yes.

11 Q. What is it?

12 A. This is New Solidarity.

13 Q. And is that Government's 4 for identification in the format
14 of the hundreds that you have seen previously?

15 A. Well, there was a change in format. Originally the
16 publication was a tabloid, and then at a certain point, I forget
17 the precise year, it adopted this bigger format. I don't know
18 what the, you know, printing industry name for this kind of
19 thing is. But in other words, when I first saw it, it was like
20 this; and then later it was printed like this (indicating). So
21 as the format for the past several years at least, this has been
22 the format of the publication.

23 Q. All right. And you recognize that as being a New Solidarity
24 published by the Labor Committees?

25 A. Yes.

1 MR. MARKHAM: I would offer that as Government's 4 in
2 evidence.

3 MR. WALKER: No objection, your Honor.

4 THE COURT: Received in evidence.

5 (Government's Exhibit 4 received in evidence)

6 THE COURT: And are you ready to break at this point?

7 MR. MARKHAM: I'm ready to break -- almost -- well, I'm
8 ready -- yes, I'm ready to break. I think it's almost time to
9 break because I think I'm through.

10 THE COURT: Well, I'll give you an additional minute or
11 two to be sure that you have completed your direct examination.
12 Is that what you're saying?

13 MR. MARKHAM: Is your Honor worried that I might think
14 of something overnight?

15 (Laughter)

16 MR. MARKHAM: No. If I could have maybe -- I may take
17 several minutes tomorrow morning, your Honor, but that would be
18 the most.

19 THE COURT: All right.

20 All right. Members of the jury, we'll break 15 minutes
21 early today, and I am about to excuse you for the day. I do
22 have one matter to inquire about before I excuse you.

23 It has been called to my attention that there has been
24 some publicity about the case, and so I want to ask again if any
25 of you has seen or heard anything about this case, news reports

I N D E X

<u>Witnesses</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>
<u>CHARLES TATE, resumed</u> (By Mr. Markham)	3			

E X H I B I T S

<u>Number</u>	<u>For ID</u>	<u>In Evidence</u>
Govt. 1		122
Govt. 2		122
Govt. 4		126

1 UNITED STATES OF AMERICA)
2 DISTRICT OF MASSACHUSETTS) ss.
3 CITY OF BOSTON)
4
5

6 I, Linda M. MacDonald, Official Reporter, do hereby
7 certify that at the time and place aforesaid I reported
8 stenographically the proceedings had in UNITED STATES OF AMERICA
9 versus ROY FRANKHAUSER, CR 86-323-K, and that the foregoing
10 record is a true and accurate transcript of the proceedings
11 taken therein, to the best of my knowledge, information and
12 ability.

13 IN WITNESS WHEREOF, I have hereunto set my hand this
14 5th day of November, 1987.
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21

22 Linda M. MacDonald
23 Registered Professional Reporter
24 Official Federal Reporter
25