

Clemency



U.S. Department of Justice

Office of Legislative Affairs

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Office of the Assistant Attorney General

Washington, D.C. 20530

September 13, 1999

The Honorable Paul D. Coverdell  
Chairman  
Subcommittee on Western Hemisphere,  
Peace Corps, Narcotics & Terrorism  
Committee on Foreign Relations  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

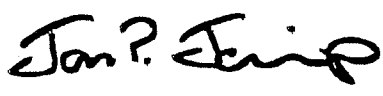
This responds to your invitations, dated September 7 and September 9, 1999, to representatives of the Department of Justice (including the Federal Bureau of Investigation) to testify at your hearing on September 14, 1999, regarding anti-terrorism policies and the President's recent clemency decision. Although the Department appreciates your invitation to testify on these important matters, we have regretfully concluded that we are not in a position to provide testimony at this time.

As your letter to Director Freeh indicates, the hearing will "focus on the President's [clemency] decision." As you know, under the Constitution the authority to grant clemency rests solely with the President. U.S. Const., Art. II, § 2, cl. 1. See United States v. Klein, 80 U.S. (13 Wall.) 128, 147 (1871) ("To the executive alone is intrusted the power of pardon"); see also Public Citizen v. Department of Justice, 491 U.S. 440, 485 (1989) (Kennedy, J., concurring) (reaffirming that the pardon power is "commit[ted] . . . to the exclusive control of the President"). We wish, of course, to provide Congress with information to satisfy its oversight needs to the fullest extent possible. In light of the important constitutional and institutional interests implicated by your invitation for testimony and the fact that the hearing may in significant part address the exercise of an exclusive presidential prerogative, we are carefully reviewing this matter and consulting with the White House regarding how most appropriately to proceed.

Until this important issue has been resolved, we are unable to provide the Department (including FBI) witnesses with the guidance they need regarding the areas, if any, with respect to which their testimony would be inappropriate. Accordingly, we cannot authorize their appearance at tomorrow's hearing. We understand the need to resolve the issue promptly and we are endeavoring to do so.

Please do not hesitate to contact me if you would like to discuss this matter.

Sincerely,



Jon P. Jennings  
Acting Assistant Attorney General

cc: The Honorable Christopher J. Dodd  
Ranking Minority Member

In New York, Clinton's FALN Clemency Offer Under FireNote-you first read of this bribery by Clinton for the Puerto Rican vote in New York for Hillary, on August 13th, 12 days ago, on the McCord News Magazine, www.McCordPubl.com. So far as known we were the first media in the U.S. to publish the story of Clinton's offer of a pardon, executive clemency, for the Puerto Rican terrorists. We published the story the day after Clinton made the offer of a pardon to them. We ran the story again this past Sunday, August 22nd. When you want to get the real news of significance first, try us.

Bribery is an impeachable offense under the Constitution for a President or his civil officers. Read today's McCord Online News Magazine story on this impeachable act at www.McCordPubl.com -Jim McCord 25 Aug 99

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In New York, Clinton's FALN Clemency Offer Under Fire  
By Lynne Duke

Wednesday, August 25, 1999; Page A04

Clemencies for votes? Crudely put, that's what a New York City cop has accused President Clinton of doing: offering clemency to some jailed Puerto Rican rebels in exchange for Hispanic votes for his wife's Senate bid.

Richard Pastorella, an officer who was blinded in a 1982 Puerto Rican terrorist bomb explosion in New York City, made the allegation Monday. He accused Clinton of "really, truly pandering to the Hispanic community."

He made the allegation with the city's police commissioner, Howard Safir, at his side. Safir, for his part, said the city's mayor, Rudolph W. Giuliani, supported the police position. Giuliani, fund-raising in Rochester, weighed in later, calling Clinton's clemency offer a "mistake." Giuliani is the likely Republican Senate opponent of Hillary Rodham Clinton.

The White House denies any relation between her Senate bid and the offer of clemency, which was made Aug. 12.

The 16 convicted rebels were part of the Armed Forces of National Liberation (FALN, in Spanish), which exploded numerous bombs in the 1970s and early 1980s for the cause of Puerto Rican independence. Those offered clemency were not involved in attacks that resulted in fatalities or injuries. Rather, they had been sentenced for seditious conspiracy and weapons possession. Human rights activists and religious figures have lobbied for years for their release, saying the sentences of 15 to 90 years were too harsh. Victims of FALN bombings have lobbied against release.

The clemency offer from Clinton, the subject of long negotiations, is conditional: they must sign statements renouncing violence and pledging to abide

by all conditions of parole. That has left some Latinos with "a degree of disappointment" that the 18 are not being pardoned, said Juan Figueroa, president of the Institute for Puerto Rican Policy.

But the 18 have not accepted the terms of clemency so far. They reviewed Clinton's offer with their lawyers Monday, White House spokesman Joe Lockhart said yesterday, and White House officials "expect to hear from them quite soon."

#### Sen. Bennett Apologizes to Utah NAACP

Ten days after the fact, Sen. Robert F. Bennett (R-Utah) apologized for his comment that the only thing that could keep Texas Gov. George W. Bush from the GOP nomination was a deadly accident or a salacious scandal, like "some woman comes forward, let's say some black woman comes forward with an illegitimate child that he fathered within the last 18 months."

The Utah NAACP did not take kindly to the remark and demanded an apology. On Monday, the organization got just that after meeting with the senator for an hour. Bennett said he was sorry in the meeting and later repeated the apology before reporters. "When I make a mistake, it's a beaut," Bennett said. "There's no question this was a mistake. I had no intention of offending anyone." NAACP leaders said they accepted his apology.

Bennett made the Bush comments during a meeting with the editorial board of the Ogden Standard-Examiner. Shortly afterward, Bennett issued a statement in which he did not apologize, but suggested that he "certainly regrets" the comments. Jeanetta Williams, president of the NAACP's Salt Lake City branch, said that it was wrong for Bennett to single out black women and pushed for a further apology.

Bennett said he had been thinking about the movie "Primary Colors," which includes a fictional account of a president who has an affair with a young black woman who becomes pregnant.

#### Bradley Takes Race Message to Harlem

Former New Jersey senator Bill Bradley has made racial unity a centerpiece of his campaign for the Democratic presidential nomination, and Monday night he took that message to Harlem.

Racial unity, he told a crowd of 500 people gathered by Al Sharpton's National Action Network, "is not for me a political position. It's who I am. It's what I believe, it's what I care most about, it's one of the main motivations for me to get into politics in the first place."

Last week in an interview in Iowa, Bradley said race was one of four or five major themes that he'll carry into his battle against Vice President Gore. In Harlem, Bradley said that as president he would work on lifting children out of poverty, pushing for more gun control, raising the minimum wage and banning racial profiling.

For that, he got several rounds of applause and a standing ovation at the end of his speech. In one rough patch during the two-hour forum, which included former mayor Edward I. Koch, Bradley drew boos when he said he was not prepared to support reparations for blacks for slavery.

In an interview yesterday, Sharpton said Bradley said all the right things. He said he particularly liked Bradley's assertion that as president he would be the boss, and those in his administration wanting to please the boss better demonstrate how they plan to promote diversity and inclusiveness.

"I thought he seemed very comfortable, and I thought it went very well," Sharpton said. "He's the first presidential candidate we've had. We've had a lot of state candidates, and he did better than most of them did."

Sharpton said the organization would make an endorsement after giving Gore an opportunity to speak--that invitation was extended yesterday.

#### McCain Supports California Reform Initiative

Republican presidential candidate John McCain, a leading advocate of campaign finance reform, yesterday threw his support behind a California ballot initiative that would sharply limit campaign contributions to candidates there.

Sponsors of the initiative--Republican businessman Ron Unz and campaign

finance reform advocate Tony Miller, a Democrat--hope to qualify the measure for the March 2000 ballot. McCain endorsed the proposed initiative even though GOP leaders in California have criticized it. If approved by voters, the measure would restrict individual contributions to statewide candidates to \$5,000 (and \$3,000 for other candidates) and limit fund-raising to prescribed periods.

Staff writers Terry M. Neal and Dan Balz contributed to this report.

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# Clinton's Clemency For Terrorists Is Unpardonable

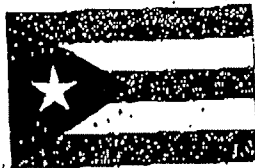
By JOSEPH CONNOR  
And THOMAS CONNOR

It was a beautiful winter day, Friday, Jan. 24, 1975, when our family was shattered by the bombing of Fraunces Tavern in New York. Our father, Frank Connor, was brutally murdered in the attack, an attack for which the Puerto Rican terrorist group known as the Armed Forces for National Liberation, or FALN, claimed responsibility. Our mother had spent much of the day preparing a special meal to celebrate our recent ninth and 11th birthdays. We never ate that meal. Shortly after coming home from school, we learned that our father had been with clients at Fraunces for lunch that day. After an agonizing vigil, his colleagues at Morgan Guaranty delivered the final, devastating news to our mother, our grandmother and us.

Our father was 33 when he was killed. The only child of an elevator operator and a cleaning lady, he was born and raised in a working-class section of Manhattan, attended City College and worked his way from the ground floor up to a successful career in business. His 95-year-old mother, like the rest of our family, has never recovered from his death. Although our mother has remarried and we now have families of our own, not a day passes without our feeling the void left in our lives.

And now, President Clinton has offered clemency to 16 incarcerated members of the FALN with terms of up to 70 years still to serve. The president calls them "non-violent." True, none of those being offered pardons were convicted of planting the Fraunces Tavern bomb, or for that matter of any murder. But they were the core members of an organization responsible for more than 100 bombings across the U.S. during the 1970s and 1980s that killed six and injured many more.

There was no non-violent "wing" to the organization, which after all is called the Armed Forces of National Liberation. To this day, no member has ever expressed remorse for the group's murder spree. When seven FALN members were caught in 1981, they threatened the life of the arresting police officer, and during their trials they attempted to intimidate judges and prosecutors. Following the last of the 16 arrests, the terror campaign ceased, suggesting their involvement in the bombings.



Amazingly, these are the same people the president has offered clemency, despite the unanimous opposition of the Federal Bureau of Investigation, the Bureau of Prisons, and the U.S. Attorney's Office. In fact, Bureau of Prisons officials concluded that, if released, the FALN members might resume their terrorist careers.

We are, therefore, led inescapably to conclude that the president's gesture was made in an attempt to sway New York's Hispanic voters with an eye to his wife's Senate campaign. Thus far, our requests for a detailed explanation of the prisoners' release have been ignored by both the White House and one of our senators, Robert Torricelli (D., N.J.), who encouraged the first lady to seek the Senate seat.

There are many ironies to this story. One is that these "freedom fighters" are out of touch with the people of Puerto Rico, who have voted overwhelmingly to reject independence in every plebiscite ever held. Most recently, a mere 2.5% of Puerto Ricans supported outright separation from the U.S. Another is that our father grew up in the same neighborhood, was faithful to the same religion and went to the same college as several of the convicted terrorists. Yet he, as the supposed representative of "colonial oppression," was the target of their bomb. Finally, we are sure our father, like most Americans, would have supported self-determination for the residents of Puerto Rico if they desired it.

It is our hope and belief that all New Yorkers will see through this craven political act and send a message to the first family that their votes cannot be bought through the release of those with our father's blood on their hands.

Joseph Connor and Thomas Connor are Wall Street bankers and sons of Frank Connor, an FALN victim.

TO: Tom Connor  
412-5662  
412 1741



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August 13, 1999

Review & Outlook

## Pardon Their Politics

*(See also Corrections and Amplifications item below.)*

We've been trying to figure why the President would pardon 16 Puerto Rican terrorists.

Our thoughts turned to the annual Puerto Rican Day parade in New York. We'll bet Hillary Clinton knows all about this event. The annual parade is one of New York City's signature events, up there with Macy's big balloons and the St. Patrick's Day blowout. If you're a New York pol, you've gotta be there. This year's march drew three million people and virtually every politician the city has on offer. If you're a bystander, "Viva Puerto Rico!" sounds just as good whether it's coming from a Republican or a Democrat.

Mrs. Clinton, of course, hopes one day to take her place in the parade alongside New York's other pols as La Senadora de Nueva York. Which, we'd say, explains in a nutshell why her husband has just granted clemency to these 16 Puerto Rican terrorists, against the advice of the Justice Department, the FBI and the U.S. Attorney's Office that prosecuted the terrorists back in the early 1980s. All these law-enforcement agencies were consulted several years about the wisdom of releasing these 16 people; all advised against it.

Among the terrorists on Mr. Clinton's clemency list is one Victor Gerena, whose name also appears on another list; that of the FBI's Ten Most Wanted. He was the inside man at the Wells Fargo Bank in Hartford, Conn., where the Puerto Rican "freedom fighters" stole \$7.5 million in an armed robbery in 1983. At the time, it was one of the largest robberies in U.S. history. An FBI man lost an eye pursuing the criminals. Mr. Gerena subsequently fled to Cuba, the country, it emerged at trial, that was sponsoring the activities of the radical Puerto Rican separatists. Now he is free to return to the U.S.

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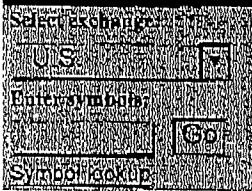
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Deputy White House Chief of Staff Maria Echaveste is quoted in yesterday's papers as saying that those offered clemency "never killed anyone." This is preposterous. No one died in the Wells Fargo heist but innocent people lost their lives in more than 100 attacks carried out by the same terrorist group on U.S. facilities. Even if these 16 terrorists didn't murder anyone directly, they were part of a conspiracy to kill, a conspiracy that was to be extended by the funds stolen from the bank in Connecticut.

Mr. Clinton's power to grant clemency to whomever he chooses is undisputed. The pardon power vested in him by Article Two of the Constitution is absolute. All he has to do is order the commutation of a sentence, the remission of a fine, or a full pardon.

But there is a regular process at the Justice Department, which is managed by the Office of the Pardon Attorney. Applicants fill out lengthy forms, submit character references, and are checked out by the FBI. Very, very few of the petitions received every year are acted upon.

To understand how rare it is for a President to commute a sentence or offer remission of a fine, as Mr. Clinton did for the 16 Puerto Rican terrorists this week, consider the numbers supplied by the Office of the Pardon Attorney. From the time he took office in January 1993 until April 2, the date the Office prepared its last report, Mr. Clinton had received 3,042 petitions for clemency. Until Wednesday, he had granted a total of three.

Over the years, the 16 terrorists have won the sympathy of several human-rights groups, which have lobbied for their release, arguing that their sentences are disproportionate to their crimes. New York Reps. Nydia Velazquez and Jose Serrano, both born in Puerto Rico, support their release. If there is some sympathy for them in New York City's large Puerto Rican community it stems from a sense of mercy, not out of any support for their deeds. The independence movement in Puerto Rico condemns violence in the strongest terms.

But Mr. Clinton's grant of clemency is properly seen as a raw political move to enhance the prospects of his wife against Rudy Giuliani. To win, all agree, she needs a big Hispanic turnout, and to get that she needs the support of their leadership. The mayor won 43% of the Hispanic vote in the last election and remains popular in that community for his success in reducing crime. But this President has politicized or abused about every other prerogative of his office; why not the pardon power?

### Corrections and Amplifications:

VICTOR GERENA was not one of the Puerto Rican terrorists whose sentences were commuted by President Clinton. That information was misstated in Friday's editorial page. Mr. Gerena is one of the FBI's 10 most wanted fugitives.

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August 23, 1999

## Clemency Opens Old Scars for Sons of Bombing Victim

By NEIL MacFARQUHAR

**A**lthough the bomb planted by Puerto Rican terrorists in a Wall Street restaurant exploded 24 years ago, the sons of a banker slain in the blast have etched the details in their memories with a clarity that mirrors the crisp winter sunshine that day.

They remember returning from school for lunch to their suburban New Jersey home and hearing on the kitchen radio about an explosion in far-off Manhattan.

They remember watching their mother lay out the long, flat strips of pasta for a lasagna dinner, a favorite meal both boys requested to mark their recent birthdays. And they remember being called in early from their games to find a knot of men in dark suits who told them there would be no need to race to the train in the late afternoon. Their father, Frank T. Connor, would not come home again.

"I hung on to the memories of my childhood, more than other kids, I think, because that is all I had of him," said Joseph Connor, who was 9 then and is now 33, the same age as his father on the day he died.

President Clinton announced on Aug. 11 a conditional offer of commutation for 16 members of the group that claimed responsibility for the attack at the restaurant, Fraunces Tavern, which killed 4 and injured more than 60 people. Now Joseph and his older brother, Thomas, 35, veer between outrage and gloom when they say no one will ever be held accountable for their father's death.

Although the group claimed responsibility for the attack, no individual ever did, and no one was ever charged in connection with the bombing. None of those being offered clemency were convicted of shedding blood.

The brothers believe that the President is pandering to Hispanic voters in New York to help his wife's likely Senate candidacy. "My feeling about the clemency is that it is something that is completely politically motivated," Thomas Connor said. "It's to help Hillary get

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the Puerto Rican vote. There is no other possibility. To say these people are nonviolent is ridiculous."

The Clinton Administration has rarely granted clemency. Of 3,042 applications filed since 1993 seeking a commuted sentence, President Clinton had granted just 3, according to the Office of the Pardon Attorney at the Justice Department.

"I knew that no one had ever been tried for my father's death," Joseph Connor said. "But it made me feel good that members of this organization had been put away for a long time. To have them be released tears open the whole wound again. I mean, why release terrorists? Why?"

The group that claimed responsibility for the bombing, the Armed Forces of National Liberation -- known more commonly by its Spanish initials, F.A.L.N. -- sought immediate independence for Puerto Rico. Between 1974 and 1983, law enforcement officials attributed at least 130 bombings to the group and designated it a terrorist organization.

Most of the 16 were convicted of crimes like seditious conspiracy, possession of an unregistered firearm or interstate transportation of a stolen vehicle. Some were sentenced to more than 50 years in jail, sentences the President deemed out of proportion with the crimes, Administration officials said. Most have already served 19 years.

The leader of the F.A.L.N., William Morales, who is suspected of being one of the main people behind the Fraunces Tavern bombing, escaped from a prison ward in Bellevue Hospital in 1979 and now lives in Cuba.

Asked about the Fraunces Tavern attack by a reporter from The Cleveland Plain Dealer in 1993, Morales said it was a response to an attack on a group of nationalists in Puerto Rico that had been coordinated by the Central Intelligence Agency. The F.A.L.N. said the same thing in a note left at the bombing, the bloodiest attack for which they claimed responsibility.

"It may sound heartless to say it that way, but it is hard to fight a war without bystanders getting injured," he said during the interview.

In offering the commutation, Clinton required that each person first renounce the use of violence and agree to comply with normal parole requirements. Those conditions were protested by the politicians and organizations who have lobbied for the releases for years.

Nydia M. Velázquez, a Democratic Congresswoman from New York, for example, said the releases should be unconditional. "The political nature of the charges gave way to disproportionate and unjust sentences -- placing conditions on them now is a continuation of the injustices that began almost two decades ago," she said.

But the Connor brothers consider renouncing violence to be a minimum requirement before members of the group they hold

responsible for their father's death go free.

The commutations were extended after a high-profile campaign that included appeals from former President Jimmy Carter and John Cardinal O'Connor, but there is no organized group of F.A.L.N. victims, the Connor brothers said, and no prominent advocates for their side. They say that other people who were wounded in the group's attacks, including three former New York City police officers whose injuries range from blindness to lost limbs, are also outraged about freedom for the convicted.

"They have never apologized for what they have done, they have never renounced violence," Thomas Connor said. "They got extremely long sentences because of the violence of their organization, for which they took credit."

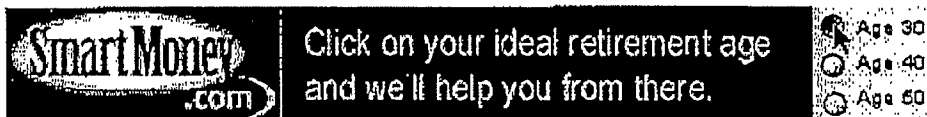
The Connors said that they have no opinion on the issue of Puerto Rican independence, and that they think the people of the island should be allowed to vote to determine their own future. They believe their father would have felt the same way. (Puerto Ricans have consistently voted against independence.)

To an extent, the sons' lives mirror their father's. Both have young families and live in the suburbs. They live near their mother, who remarried about five years after the bombing. Both sons are also New York bankers. Both are wary of drawing attention to themselves; they do not want their pictures taken or any details of their family lives printed.

The father was an assistant vice president of Morgan Guaranty Trust when he died.

"When I wrestled in high school, other kids had their dads there, I never did," Joseph Connor said. "He missed so many life events -- my graduation from college, my wedding, the birth of my kids."

"Not a day goes by that I don't think about him," he said.

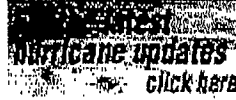
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NEWS

TERRORISTS' VICTIMS SPOIL CLINTON'S PLAN

By DEBORAH ORIN

The Clinton White House forgot one key thing - the FALN bombers had real victims who still suffer horribly.

When those victims decided to speak out and fight back, it suddenly got very hard to claim that members of the Puerto Rican bombing group were freedom fighters who deserved a get-out-of-jail card.

Very hard when you looked at the fingerless right hand of New York City Detective Richard Pastorella, maimed and blinded in both eyes as he tried to defuse an FALN bomb on New Year's Eve 1982.

Very hard when Joe Connor, his voice shaking, said his dad was blown up on his ninth birthday - and he hates to think his dad's life counts for nothing because Bill Clinton wants to put his wife in the Senate.

Once the victims spoke out, a storm escalated as mainstream Democrat after Democrat - Sen. Daniel P. Moynihan, former Mayor Ed Koch - blasted the idea.

Sure, the White House denied Clinton was trying to boost his wife politically with Puerto Ricans, but the victims said he was - so did Koch - and there wasn't anything else to explain his surprise move.

Every police group in sight begged him not to. He'd only given three other clemencies out of 3,042, but now he wanted to give 16 at once - even though the FALNers hadn't even asked for it as the rules require.

For three weeks Hillary Clinton supported her husband's plan to free terrorists, but because the victims chose to fight back, it began



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turning into a disaster for her Senate bid - and she flip-flopped and blasted it.

The voter math shows why.

Puerto Ricans account for just 5 to 7 percent of the vote in New York State, and she could have expected to get almost all of that vote in any case.

But Jews and ethnic Catholics are a majority of the state's vote, and clemency for terrorists doesn't play well with them.

Jews account for 12 percent of the vote and tend to be very concerned about terrorism - no wonder the Anti-Defamation League came out against Clinton's clemency plan.

Catholics account for 42 to 44 percent of the state vote and Rep. Peter King (R-L.I.) last week pointed out that picking the FALN over the police plays very badly with swing ethnic Catholics or Reagan Democrats.

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Monday August 30 9:36 AM ET

## Jailed FALN Members Discussed Return To Violence

**Full Coverage**  
Puerto Rico News

NEW YORK (Reuters) - Some imprisoned members of a militant Puerto Rican nationalist group discussed returning to violent ways if they go free under a plan by President Clinton to have their sentences commuted, a magazine report said Monday.

Secret audiotapes made by the Bureau of Prisons recorded at least some of the prisoners saying that "as soon as they get out of there, they were going to return to violence," Newsweek quoted a law-enforcement official as saying in its issue dated Sept. 6.

It said that as a result of the tapes the Bureau of Prisons -- which rarely participates in pardon and clemency debates -- strongly recommended against leniency for the 16 members of the Armed Forces of National Liberation (FALN), which authorities said made 130 bomb attacks on political and military targets in the United States between 1974 and 1983.

The New York Times reported Friday that Clinton bypassed objections of the FBI, the Bureau of Prisons and several U.S. attorneys general when he offered to reduce sentences of the 16 imprisoned members, convicted on charges of conspiracy, possession of unregistered firearms, and other crimes not directly linked to deaths or injuries.

They received sentences of 35 to 90 years in prison, and most have served nearly 20 years.

Sunday, House of Representatives Majority Leader Dick Armey said on "NBC's Meet the Press" that Congress may investigate why Clinton made the offer and also may consider a resolution of disapproval for Clinton's decision.

Some Republicans have branded the move as a ploy to court support among Puerto Ricans for Hillary Rodham Clinton's possible bid to become a U.S. senator from New York.

But Sen. Charles Schumer, a New York Democrat appearing on the same program, said it was premature to judge the president's decision without reviewing the reports of the FBI, the Bureau of Prisons and other agencies.

He also said he doubted Clinton made the clemency offer to help his wife's political aspirations because the Puerto Rican community complained the clemency did not go far enough.

### Earlier Stories

- [Congress May Probe Clinton Clemency For P.Ricans](#) (August 30)

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Monday August 30 3:02 AM ET

## Congress May Probe Clinton Clemency For P.Ricans

Full Coverage  
Puerto Rico News

WASHINGTON (Reuters) - Congress may investigate why President Clinton offered to commute the sentences of 16 members of a militant Puerto Rican nationalist group over objections from the FBI and other law enforcement agencies, a top House

Republican said Sunday.

House of Representatives Majority Leader Dick Armey said Congress also may consider a resolution of disapproval for Clinton's decision, which some Republicans branded as a ploy to court support among Puerto Ricans for Hillary Rodham Clinton's possible bid to become a U.S. senator from New York.

"It's a peculiar position for the president to take in opposition to the people that have the knowledge, the information, and the authority to make the recommendation. And obviously we will have some members of Congress that will want to look to that," the Texas congressman said on NBC's "Meet the Press."

The New York Times reported Friday that Clinton bypassed objections of the FBI, the Bureau of Prisons and several U.S. attorneys general when he offered to reduce sentences of 16 members of the Armed Forces of National Liberation (FALN).

The Puerto Rican independence group made 130 bomb attacks on political and military targets in the United States between 1974 and 1983, authorities said.

The 16 FALN members were convicted on charges of conspiracy, possession of unregistered firearms, and other crimes not directly linked to deaths or injuries. They received sentences of 35 to 90 years in prison, and most have served nearly 20 years.

On Aug. 12, Clinton offered to release 11 FALN members from prison if they agreed to renounce violence, reduce the sentences of two other members of the FALN, and to eliminate fines on three more.

A number of human rights advocates had lobbied to get the prison terms and fines reduced. But the FBI argued against showing leniency to members of a group that had claimed responsibility for terrorist acts while the United States tried to fight terrorism around the world.

Armey said the clemency decision continued Clinton's pattern of putting "his own and his party's politics ahead of the nation's policies. And it's been a terribly wasted presidency, quite frankly."

But Sen. Charles Schumer, a New York Democrat appearing on the same program, said it was premature to judge the president's decision without reviewing the reports of the FBI, the Bureau of Prisons and other agencies.

He also said he doubted Clinton made the clemency offer to help his wife's political aspirations because the Puerto Rican community complained the clemency did not go far enough.



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September 7, 1999

## LETTERS TO THE EDITOR *When Politics Is Murder*



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I was moved by the Aug. 30 editorial-page piece "Clinton's Clemency for Terrorists Is Unpardonable" by Joseph and Thomas Connor, the sons of a victim murdered by FALN members in New York in 1975. In their piece, they correctly noted that the successful clemency petition of the convicted FALN members in Chicago was opposed by, among others, the U.S. Attorney's Office. I should know. I was one of the federal prosecutors in Chicago who spent years prosecuting the FALN terrorists, and I co-authored the U.S. Attorney's response strongly opposing the clemency petition more than four years ago.

As one of the FALN prosecutors, I know too much. I know the chilling evidence that convicted the petitioners--the violence and the vehemence with which they conspired to wage war on all of us. I know, too, the commitment and sacrifice that it took the FBI and the U.S. Attorney's Office to convict these terrorists in three separate prosecutions.

In the first prosecution, some of the petitioners were captured in the back of a van loaded with weapons to be used to commit armed robberies to fund the FALN operations. In the second prosecution, three of the petitioners were caught on videotape in safehouses making bombs that they planned to plant at military installations. Through determination and luck, the FBI was able to obtain search warrants allowing them to surreptitiously disarm those bombs at night. In the third prosecution, the imprisoned leader of the FALN (whose sentence President Clinton has drastically reduced) led a conspiracy of cooperating radical groups to obtain C-4 explosives to be used to free him from Leavenworth Penitentiary and to wage war on the American people. Most of the petitioners were convicted of seditious conspiracy, a prosecution reserved for the most serious conspiracies, that of opposing by force the authority of the United States.

Yet the president has seen fit to reward these conspirators simply because they were unsuccessful in their murderous attempts. When news of the conditional clemency petition broke, the White House spun the tale that Mr. Clinton was freeing only those who had harmed no one. A few dedicated

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federal agents are the only people who stood in their way. The conspirators made every effort to murder and to maim. It is no small irony that they should be freed under the guise of humanitarianism.

Since the grant of the clemency petition, we have been subjected to the spectacle of convicted terrorists objecting to the conditions precedent to their release. Contrast those protestations with the poignant message of the Connors, whose lives were forever diminished by the political murder of their father. There is little anyone can say to give solace, but I would like the Connor family to know that there were those who cared about the victims and fought for them, who believed these crimes were the precursors to heightened domestic terrorism and who tried very hard to protect the American people. I would like the Connor family to know that the American justice system did not fail them, the president did.

*Deborah A. Devaney  
Former Assistant U.S. Attorney  
Chicago*

#### Burning Issue

I am always intrigued by the use of the phrase that was in a Letter to the Editor on Aug. 27: "Where there is smoke there is fire"--as if this clinches an argument. As a combustion engineer who has been burning things, from natural gas to tear gas, for the past 50 years, I can guarantee that you get *zero* smoke when you are burning properly and *maximum* smoke when you are trying to light something that won't burn.

*Robert H. Essenhigh  
E.G. Bailey Professor of Energy Conversion  
Ohio State University  
Columbus, Ohio*

#### A Social Philosophy Doomed to Failure

In response to Robert Royal's Sept. 2 editorial-page commentary "Liberation Theology Lives--to Latin America's Detriment":

Catholic social thought has always been the joining of legitimate suspicions about capitalism with economic ignorance and medieval/aristocratic nostalgia. In seeking a third way between socialism and capitalism it found only fascism and anti-Semitism. There is no third way because there is no alternative between slavery and freedom. Where Marxism has declined everywhere, it thrives on university campuses and among Catholic social thinkers. Social Catholicism talks constantly about an "option for the poor," which seems to be nothing more than an approval of class warfare.

It is time for the Catholic Church to admit it was as wrong about capitalism as it had been about Galileo. Catholic social thought is nothing more than a fraud and a delusion.

*Norman Ravitch  
History Department  
University of California*