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What Are Some Things Ombudsman Could Do?

BY CLAYTON FRITCHEY

When Sen. Claiborne Pell (D-R.I.) and Rep. Henry Reuss (D-Wis.) introduced companion bills to create an American "ombudsman," they were not joking; and several recent events have generated fresh support for their legislation.

In fact, a number of senators and congressmen have been intrigued right along by the possibilities of adapting this Swedish concept to American needs, just as Denmark and several other nations have.

The whole idea got a lift last month when Sweden's ombudsman, Alfred Bexelius, made a personal appearance before a Senate committee, and explained to a fascinated audience his role as a kind of national Mr. Fix It, who goes to bat for the ordinary citizen against the tyranny of bureaucracy and other official abuses of power.

When anyone feels he is getting a raw deal from, say, an administrative agency, Bexelius said, the ombudsman checks it out, with powers to obtain all government documents, and to recommend changes in procedures or the law. He can even publicly reprimand officials.

"Very often agencies don't give reasons for their decisions, and frequently the citizens don't understand them," he said. But when a legitimate issue is raised, "neither the government nor parliament can stop the ombudsman from investigating."

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Although the Bexelius testimony sparked great interest on the "Hill," it did raise the question of whether a Mr. Fix It is really needed in the United States. For instance, are there any abuses for which adequate relief has not already been provided in America?

The Pell-Reuss bills might very well not have been heard of again, except for a turn of events which has suddenly focused interest on several cases that have shocked the public sense of justice and fair play.

In one case, the CIA ordered a paid secret agent (Juri Raus) to spread the word that an Estonian emigre (Eric Heine) was a Communist spy. When Heine filed a slander suit against Raus, the latter did not deny making the charge or even try to defend its veracity. The CIA simply intervened and claimed for Raus the privilege of remaining silent since he was an employee of the intelligence agency.

As matters stand now, it appears that Heine may be helpless to clear his name. But, does legal precedent or plain decency give any government official the right to destroy deliberately another man's reputation without any risk to himself or his agency? It couldn't happen in Sweden because the ombudsman has the power to get the truth even from the intelligence forces.

And now, too, we have the case of the young FBI clerk, Thomas Carter, who was summarily fired for letting "a girlfriend of long standing" stay overnight in an apartment occupied by Carter and three other FBI men. The latter occupied one bedroom, while Carter and his girl, who had come from Texas to Washington for a visit, occupied the other.

Under the FBI code the roommates were apparently obliged to squeal on their friend. They didn't, but still another FBI employee living in the same building did. The roommates were then put on probation for not squealing, and later resigned.

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All this would certainly raise some interesting questions for an ombudsman. Does the FBI require vows of chastity from all unmarried employees? If not, which or what sex can an FBI man safely favor? The FBI would not tolerate a male liaison, and now it has put thumbs down on girls, too.

And while the ombudsman was at it he might also try to find out why the FBI turnover of personnel in Washington is so much higher than in the government as a whole, 34% compared with 19.

The ombudsman is also badly needed to help Bert Adams, who has spent 27 years trying to get the U.S. government to pay him for stealing his invention of a new battery. During World War II, Adams offered his battery to the army. The experts said it wouldn't work, but secretly the government had it copied and ordered at least a million of them made.

Looking back, wouldn't it have been fine to have had an ombudsman to deal with Joe McCarthy? And looking at the present, maybe there should be an ombudsman to deal with the draft inequities, with the State Department's snooping on U.S. citizens travelling abroad, and with all the snooping going on officially and unofficially.