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# Governmental Affairs

NEW YORK TIMES  
22 February 1974

## Excerpts From Impeachment Study by House Aides

WASHINGTON, Feb. 21—  
The following are excerpts of a memorandum prepared for the House Judiciary Committee by the impeachment inquiry staff lawyers on conduct for which a president might be impeached:

### Introduction

This memorandum offers no fixed standards for determining whether grounds for impeachment exist. The framers did not write a fixed standard. Instead, they adopted from English history a standard sufficiently general and flexible to meet future circumstances and events, the nature and character of which they could not foresee.

### The Historical Origins of the

### Impeachment Process.

The Constitution provides that the President "shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors." The framers could have written simply "or other crimes" . . . as indeed they did in the provision for extradition of criminal offenders from one state to another.

They did not do that. If they had meant simply to denote seriousness, they could have done so directly. They did not do that either. They adopted instead a unique phrase used for centuries in English parliamentary impeachments, for the meaning of which one must look to history.

Two points emerge from the 400 years of English parliamentary experience with the phrase "high crimes and misdemeanors."

First, the particular allegations of misconduct alleged damage to the state in such forms as misapplication of funds, abuse of official power, neglect of duty, encroachment on Parliament's prerogatives, corruption, and betrayal of trust.

Second, the phrase "high crimes and misdemeanors" was confined to parliamentary impeachments; it had no roots in the ordinary criminal law, and the particular allegations of misconduct under that heading were not necessarily limited to common law or statutory derelictions or crimes.

The debates on impeachment at the Constitutional Convention in Philadelphia focus principally on its applicability to the President. The framers sought to create a responsible though strong executive; they hoped, in the words of Elbridge

Massachusetts, that "the maxim would never be adopted here that the chief magistrate could do no wrong."

Impeachment was to be one of the central elements of executive responsibility in the framework of the new government as they conceived it.

The constitutional grounds for impeachment of the President received little direct attention in the convention, the phrase "other high crimes and misdemeanors" was ultimately added to "treason" and "bribery" with virtually no debate. There is evidence, however, that the framers were aware of the technical meaning the phrase had acquired in English impeachments.

The convention had earlier demonstrated its familiarity with the term "high misdemeanor." A draft constitution had used "high misdemeanor" in its provision for the extradition of offenders from one state to another. The convention, apparently unanimously, struck "high misdemeanor" and inserted "other crime" . . . "in order to comprehend all proper cases; it being doubtful whether 'high misdemeanor' had not a technical meaning too limited."

The "technical meaning" referred to is the parliamentary use of the term high misdemeanor. Blackstone's "Commentaries on the Laws of England"—a work cited by delegates in other portions of the convention's deliberations and which Madison later described (in the Virginia ratifying convention) as "a book which is in every man's hand"—included "high misdemeanors" as one term for positive offenses "against the king and government."

The "first and principal" high misdemeanor, according to Blackstone, was "maladministration of such high officers, as are in public trust and employment." . . . "usually punished by the method of parliamentary impeachment."

### Ground for Impeachment

An extensive discussion of the scope of the impeachment power occurred in the House of Representatives in the first session of the First Congress.

The House was debating the power of the President to remove the head of an executive department appointed by him with the advice and consent of the Senate, an issue on which it ultimately adopted the position, urged primarily by James Madison, that the Constitution vested the power exclusively in the President.

The discussion in the House lends support to the view that the framers intended the impeachment power to reach failure of the President to dis-

his office.

From the comments of the framers and their contemporaries, the remarks of the delegates to the state ratifying conventions, and the removal power debate in the First Congress, it is apparent that the scope of impeachment was not viewed narrowly. It was intended to provide a check on the President through impeachment, but not to make him dependent on the unbridled will of the Congress.

### The American Impeachment Cases

Thirteen officers have been impeached by the House since 1787: one President, one Cabinet officer, one United States Senator, and 10 Federal Judges.

Each of the 13 American impeachments involved charges of misconduct incompatible with the official position of the officeholder. This conduct falls into three broad categories: (1) Exceeding the constitutional bounds of the powers of the office in derogation of the powers of another branch of government; (2) behaving in a manner grossly incompatible with the proper function and purpose of the office; and (3) employing the power of the office for an improper purpose or for personal gain.

Past impeachments are not precedents to be read with an eye for an article of impeachment identical to allegations that may be currently under consideration. The American impeachment cases demonstrate a common theme useful in determining whether grounds for impeachment exist—that the grounds are derived from understanding the nature, functions and duties of the office.

### The Criminality Issue

The phrase "high crimes and misdemeanors" may connote "criminality" to some. This likely is the predicate for some of the contentions that only an indictable crime can constitute impeachable conduct. Other advocates of an indictable-offense requirement would establish a criminal standard of impeachable conduct because that standard is definite, can be known in advance and reflects a contemporary legal view of what conduct should be punished.

A requirement of criminality would require resort to familiar criminal laws and concepts to serve as standards in the impeachment process. Furthermore, this would pose problems concerning the applicability of standards of proof and the like pertaining to the trial of crimes.

The American experience with impeachment reflects

the principle that impeachable conduct need not be criminal. Of the 13 impeachments voted by the House since 1789, at least 10 involved one or more allegations that did not charge a violation of criminal law.

Impeachment and the criminal law serve fundamentally different purposes. Impeachment is the first step in a remedial process—removal from office and possible disqualification from holding future office. The purpose of impeachment is not personal punishment; its function is primarily to maintain constitutional government.

Furthermore, the Constitution itself provides that impeachment is no substitute for the ordinary process of criminal law since it specifies that impeachment does not immunize the officer from criminal liability for his wrongdoing.

To confine impeachable conduct to indictable offenses may well be to set a standard so restrictive as not to reach conduct that might adversely affect the system of government. Some of the most grievous offenses against our constitutional form of government may not entail violations of the criminal law.

### Conclusion

Impeachment is a constitutional remedy addressed to serious offenses against the system of government. The purpose of impeachment under the Constitution is indicated by the limited scope of the remedy (removal from office and possible disqualification from future office) and by the stated grounds for impeachment (treason, bribery and other high crimes and misdemeanors).

It is not controlling whether treason and bribery are criminal. More important, they are constitutional wrongs that subvert the structure of government, or undermine the integrity of office and even the Constitution itself, and thus are "high offenses in the sense that word was used in English impeachments.

The content of the phrase "high crimes and misdemeanors" for the framers is to be related to what the framers knew, on the whole, about the English practice—the broad sweep of English constitutional history and the vital role impeachment had played in the limitation of royal prerogative and the control of abuses of ministerial and judicial power.

The framers understood quite clearly that the constitutional system they were creating must include some ultimate check on the conduct of the executive, particularly as they came to

reject the suggested plural executive. While insistent that balance between the executive and legislative branches be maintained so that the executive would not become the creature of the legislature, dismissible at its will, the framers also recognized that some means would be needed to deal with excesses by the executive.

While it may be argued that some articles of impeachment have charged conduct that constituted crime and thus that criminality is an essential ingredient, or that some have charged conduct that was not criminal and thus that criminality is not essential, the fact remains that in the English practice and in several of the American impeachments the criminality issue was not raised at all.

The emphasis has been on the significant effects of the conduct—undermining the integrity of office, disregard of constitutional duties and oath of office, abrogation of power, abuse of the govern-

mental process, adverse impact on the system of government. Clearly, these effects can be brought about in ways not anticipated by the criminal law.

Criminal standards and criminal courts were established to control individual conduct. Impeachment was evolved by Parliament to cope with both the inadequacy of criminal standards and the impotence of courts to deal with the conduct of great public figures.

It is useful to note three major Presidential duties of broad scope that are explicitly recited in the Constitution: "to take care that the laws be faithfully executed," to "faithfully execute the office of President of the United States" and to "preserve, protect, and defend the Constitution of the United States" to the best of his ability.

The first is directly imposed by the Constitution; the second and third are included in the constitutionally prescribed oath that the

President is required to take before he enters upon the execution of his office and are, therefore, also expressly imposed by the Constitution.

The duty to take care is affirmative. So is the duty faithfully to execute the office. A President must carry out the obligations of his office diligently and in good faith. The elective character and political role of a President make it difficult to define faithful exercise of his powers in the abstract.

A President must make policy and exercise discretion. This discretion necessarily is broad, especially in emergency situations, but the constitutional duties of a President impose limitations on its exercise.

The "take care" duty emphasizes the responsibility of a President for the over-all conduct of the executive branch, which the Constitution vests in him alone. He must take care that the executive is so organized and operated that this duty is performed.

The duty of a President to "preserve, protect, and defend the Constitution" to the best of his ability includes the duty not to abuse his powers or transgress their limits—not to violate the rights of citizens, such as those guaranteed by the Bill of Rights, and not to act in derogation of powers vested elsewhere by the Constitution.

Not all Presidential misconduct is sufficient to constitute grounds for impeachment. There is a further requirement—substantiality. In deciding whether this further requirement has been met, the facts must be considered as a whole in the context of the office, not in terms of separate or isolated events.

Because impeachment of a President is a grave step for the nation, it is to be predicated only upon conduct seriously incompatible with either the constitutional form and principles of our government or the proper performance of constitutional duties of the Presidential office.

THE NEW YORK TIMES, FRIDAY, MARCH 1, 1974

## Summary by the White House

WASHINGTON, Feb. 28—  
Special to The New York Times

Following is a summary of an analysis of the constitutional standards for impeachment prepared by attorneys for President Nixon and submitted to members of the House Judiciary Committee's impeachment inquiry staff.

The English impeachment precedents represent the context in which the framers drafted the constitutional impeachment provision. In understanding this context and what it implies two things should be remembered.

First, the framers rejected the English system of government that existed in 1776; namely, absolute parliamentary supremacy. Instead, they opted for limited government, with a finely devised system of separated powers in different branches.

Second, throughout the history of English impeachment practice, (beginning in 1376 and ending in 1805) there were two distinct types of impeachment in England. One type represented a well-established criminal process for reaching great offenses committed against the government by men of high station—who today would occupy a high government office. The other type of impeachments used this well-established criminal process in the 17th and early 18th century for the political purpose of achieving the absolute political supremacy of Parliament over the executive.

It is clear from the context of the constitutional commi-

ment to due process that the framers rejected the political impeachments. They included in the impeachment provisions the very safeguards that had not been present in the English practice. They narrowly defined the grounds for impeachment, required various procedural safeguards and eliminated for nonlegal processes like bills of attainder and address that had worked hand-in-hand with the English political impeachments.

The language of the impeachment clause is derived directly from the English impeachments. "High crimes and misdemeanors" was the standard phrase used by those impeachments from 1376 onward. To the framers it had a unitary meaning, like "bread-and-butter issues" has today. It meant such criminal conduct as justified the removal of an officeholder from office.

In light of English and American history and usage from the time of Blackston onward, there is no evidence to attribute anything but a criminal meaning to the unitary phrase "other high crimes and misdemeanors."

### The Constitutional Convention

The only debate at the Constitutional Convention that is relevant to the impeachment clause is that which occurred subsequent to agreement by the framers on a concept of the Presidency. Before Sept. 8, 1787, the debates were general and did not focus on a conclusive plan for the Chief Executive. If, as Hamilton suggested, the executive were to serve during good behavior a very different

standard for removal would be more feasible than for a President elected for a four-year term.

The Sept. 8 impeachment debate, the only one based on a clear concept of the actual Presidency, emphatically rejected "maladministration" as a standard for impeachment. Madison and Morris vigorously noted the defects of "maladministration" as an impeachment standard. Maladministration would set a vague standard and would put the President's tenure at the pleasure of the Senate. Moreover, it could be limited by the daily check of Congress, and the adoption of a four-year term.

Colonel Madison then withdrew the term "maladministration" and substituted the current phrase in response to the criticisms of Madison and Morris. The debates clearly indicate a purely criminal meaning for "other high crimes and misdemeanors."

### The Legal Meaning of the Impeachment Provision

The words "treason, bribery, or other high crimes and misdemeanors," construed either in light of present-day usage or as understood by the framers in the late 18th century, mean what they clearly connote—criminal offenses. Not only do the words inherently require a criminal offense, but one of a very serious nature committed in one's governmental capacity.

This criminality requirement is reinforced by judicial construction and statutory penalty provisions. It is further evidenced by the criminal context of the language used in the other constitu-

tional provisions concerning impeachment, such as Art. III, Sec. 2, Cl. 3, which provides in part, "the trial of all crimes, except in cases of impeachment, shall be by jury."

### The American Impeachment Precedents

A careful examination of the American impeachment precedents reveals that the United States House of Representatives has supported different standards for the impeachment of judges and a President since 1804. This is consistent with judicial construction of the Constitution as defined by the United States Supreme Court, and the clear language of the Constitution which recognizes a distinction between a President who may be removed from office by various methods and a judge who may be removed only by impeachment.

In the case of a judge, the "good behavior" clause [Article III, Section 1] and the removal provision [Article II, Section 4] must be construed together, otherwise the "good behavior" clause is a nullity. Thus, consistent with House Precedent, a judge holds office for a life tenure may be impeached for less than an indictable offense. Even here, however, senatorial precedents have demonstrated a reluctance to convict a judge in the absence of criminal conduct, thus leaving the standard for judicial impeachment less than conclusive.

The use of a predetermined criminal standard for the impeachment of a President is also supported by history, logic, legal precedent and a sound and sensible public policy which demands stability in our form of government. Moreover, the constitu-

tional proscription against ex post facto laws, the requirement of due process, and the separation of powers inherent in the very structure of our Constitution preclude the use of any standard other than "criminal" for the removal of a president by impeachment.

In the 187-year history of our nation, only one House of Representatives has ever impeached a President. A review of the impeachment trial of President Andrew Johnson, in 1868, indicates that the predicate for such action was a bitter political struggle between the executive and legislative branches of government.

The first attempt to impeach President Johnson

failed because "no specific crime was alleged to have been committed." The Senate's refusal to convict Johnson after his impeachment by the house, has, of course, become legendary.

His acquittal strongly indicates that the Senate has refused to adopt a broad view of "other high crimes and misdemeanors" as a basis for impeaching a President. This conclusion is further substantiated by the virtual lack of factual issues in the proceeding.

The most salient lesson to be learned from the widely criticized Johnson trial is that impeachment of a President should be resorted to only for cases of the gravest kind—the commission of a

crime named in the Constitution or a criminal offense against the laws of the United States.

### Conclusion

The English precedents clearly demonstrate the criminal nature and origin of the impeachment process. The framers adopted the general criminal meaning and language of those impeachments, while rejecting the 17th century aberration where impeachment was used as a weapon by Parliament to gain absolute political supremacy at the expense of the rule of law.

In light of legislative and judicial usage, American case law, and established rules of constitutional and

statutory construction, the term "other high crimes and misdemeanors" can only have a purely "criminal" meaning. Finally, in our review of the American impeachment precedents, we have shown that while judges may be impeached for something less than indictable offenses—even here the standard is less than conclusive—all evidence points to the fact that a President may not.

Thus the evidence is conclusive on all points; a President may only be impeached for indictable crimes. That is the lesson of history, logic, and experience on the phrase "treason, bribery and other high crimes and misdemeanors."

TIME, MARCH 11, 1974

## Seven Charged, a Report and a Briefcase

*[They] unlawfully, willfully and knowingly did combine, conspire, confederate and agree together and with each other, to commit offenses against the United States . . . [They] would corruptly influence, obstruct and impede . . . the due administration of justice . . . and by deceit, craft, trickery and dishonest means, defraud the United States.*

With those words, a federal grand jury composed of 23 American citizens last week presented a grave and most exceptional charge: a criminal conspiracy existed "up to and including" the present at the highest levels of Richard Nixon's Administration. The accused include four of the President's most intimate and influential former official and political associates. And by clear implication in the language of the indictment, the jurors disclosed their belief that the President has lied about at least one potentially criminal act of his own in the still-spreading scandal.

Nor was that all. Going beyond the indictment, which was carefully framed with the aid of Special Prosecutor Leon Jaworski and his staff, the Watergate grand jury took on its own initiative a step that portends serious consequences for the President. In a hushed and tense Washington courtroom, Jury Foreman Vladimir Pregelj delivered a sealed report to Federal Judge John Sirica. The judge solemnly opened the envelope, quickly scanned a covering letter, then resealed it. Without a word on when—or if—the contents would be made public, Sirica ordered the envelope locked in a courthouse safe.

There was little doubt that the report contains the grand jury's critical assessment of Nixon's role in the conspiracy to conceal the origins of the wiretapping and burglary of Democratic headquarters in June 1972. The report may also spell out the grand jury's reasons, presumably on constitutional grounds, for not now indicting the President.

In making that decision, the grand jury, perhaps with some reluctance, was undoubtedly following Jaworski's own instincts. Since there is no precedent for indicting a sitting President, Jaworski feared that

Nixon might touch off a long and nationally divisive series of court battles ending in a Supreme Court decision in favor of the President. Such a prospect is particularly unnecessary when there is an impeachment inquiry under way in the House, where the Judiciary Committee is ready and eager to secure all evidence either implicating or exonerating the President of wrongdoing.

Undoubtedly at the grand jury's direction, members of Jaworski's staff also gave to Sirica a locked and bulging briefcase. It is believed to contain transcripts of White House tape recordings, documents and other evidence that was gathered painstakingly—and often despite dogged resistance from Nixon—by Jaworski and his fired predecessor, Archibald Cox. The evidence almost certainly is meant to support any charges made in the report against Nixon. The briefcase is also expected to reach the House impeachment investigators if that should be the course Sirica elects.

Sirica has several options in handling the sealed report and the apparently explosive evidence now in his possession. He can order it promptly dispatched to the House Judiciary Committee—a move seen as most probable. He can await a request for it from that committee or hold a hearing of all interested parties, including Jaworski and the White House, on what to do with it. He could simply make it public—or have it locked up indefinitely. Whatever his course, it is likely to become known this week.

The long-awaited, judiciously worded indictment sketched, in devastating detail, the cover-up plot that was hatched in the White House and in the Committee for the Re-Election of the President. The cover-up began almost the moment that five lowly burglars were arrested in the Watergate complex on June 17, 1972. The indictment attacks nearly all of the previous Watergate defenses put up by the men closest to Nixon. According to the grand jury,

these aides tried to use the FBI and CIA to conceal the Watergate crime, not to protect national security. They arranged for payments of large amounts of cash to the arrested burglars, not for legitimate legal expenses but to keep them quiet. They extended offers of leniency and Executive clemency to the arrested men—inducements only a President has the power to fulfill. They destroyed evidence.

Seven of the President's former associates were indicted, and four of them were accused of lying a total of eleven times to grand juries, the Senate Watergate committee or the FBI. These are the men on whose testimony the President's own profession of innocence has heavily relied. Significantly, no perjury charge was made against John Dean, Nixon's former counsel and the one self-confessed member of the conspiracy who has directly accused the President of being an active participant in the cover-up scheme. The grand jury has heard some of the tapes of conversations between Dean and Nixon—and apparently is convinced that Dean's version of those disputed talks is the correct one.

Last week's indictment of the seven men brought the number of former Nixon agents charged or convicted in the scandal to 25 (see box page 20). Individual guilt or innocence is yet to be established through trials in many of these cases. But no equivalent litany of official accusation has ever before been directed on such a scale against the associates of any U.S. President. The scandals of Ulysses S. Grant and Warren G. Harding were far less pervasive.

### The Indicted Seven

Because the positions of most of the men charged last week had been so high on President Nixon's once powerful inner team, their indictment, though long expected, was still shocking. That staff, once widely viewed as aloof and arrogant but sure-footed and efficient, has, of course, been progressively tarnished ever since Watergate broke wide open nearly a year ago. Now an appalling number of its members are desperately fighting to stay out of prison. Last week's seven accused conspirators were:

JOHN MITCHELL, 60. Once the Assistant Attorney General and a high priest of law-and-

order, the former Attorney General and head of Nixon's re-election committee was undoubtedly Nixon's closest political confidant. The two men had known each other intimately ever since Mitchell, a seemingly imperturbable municipal-bond specialist, and Nixon were partners in a New York City law firm. In the Administration, Mitchell was an eager but unsuccessful prosecutor of anti-war extremists (the Chicago Seven, the Harrisburg Seven, Daniel Ellsberg). Mitchell's most celebrated comment on the Nixon Administration was his ironically prophetic "Watch what we do, not what we say." Now he stands indicted on charges of conspiracy, obstruction of justice, and four counts of making false statements to the FBI, the Senate Watergate committee or the grand jury. Last week Mitchell also went on trial in a New York federal court on six counts of perjury. He and former Commerce Secretary Maurice Stans are accused of attempting to intervene with the Securities and Exchange Commission to help fugitive financier Robert Vesco evade a massive fraud investigation in return for a secret \$200,000 contribution to Nixon's 1972 campaign.

**H.R. HALDEMAN, 47.** As Nixon's stern chief of staff, the former California advertising executive once noted on a memo returned to a White House aide: "I'll approve of whatever will work and am concerned with results—not methods." The most formidable guardian of Nixon's Oval Office, Haldeman curtly and coldly ran a staff that protected the President against unwanted intrusions and unappreciated advice. Haldeman is charged with conspiracy, obstruction of justice, and three counts of perjury in his public testimony before Senator Sam Ervin's select Senate committee.

**JOHN D. EHRLICHMAN, 48.** Formerly Nixon's chief adviser on domestic affairs, the outgoing and often witty Ehrlichman has acidly termed Congressmen "a bunch of clowns" and argued that a President has the right to simply "set aside" anything Congress did that was "not in the public interest." A Seattle attorney who specialized in municipal and land-use law, he is charged with conspiracy, obstruction of justice, and three counts of lying to the grand jury and the FBI.

**CHARLES W. COLSON, 42.** A tough and wily political infighter, Colson was Nixon's special counsel, concentrating on soliciting labor support and punishing the President's political enemies. Colson's footprints kept appearing at the fringes of the Watergate scandal, although he insisted loudly that he would never be indicted—and for many months investigators seemed persuaded. Yet Colson, who once declared that "I would do anything that Richard Nixon asks me to do," and now professes to have "found God" in a religious conversion, was indicted for conspiracy and obstruction of justice.

**ROBERT C. MARDIAN, 50.** A wealthy Phoenix lawyer-contractor and a Western coordinator of Barry Goldwater's 1964 presidential campaign, Mardian was one of the architects of Nixon's Southern strategy on school integration while general counsel for the Department of Health, Education and Welfare. Rigidly conservative, Mardian later showed much anti-radical fervor but little savvy as chief of the Justice Department's Internal Security Division. Dis-

appointed when he did not earn a higher position in the Nixon Administration, he said with foresight about the Nixon camp: "When things are going great they ignore me, but when things get screwed up, they lean on me." He was indicted for conspiracy.

**GORDON C. STRACHAN, 30.** A former junior member of the Nixon-Mitchell law firm in New York, Strachan was Haldeman's chief aide in the White House. He later became general counsel of the U.S. Information Agency as part of a White House effort to exert greater control over the federal bureaucracy by transferring White House men to key department and agency posts. It was Strachan who startled the Ervin committee by advising young people who were considering government work: "Stay away." He is charged with conspiracy, obstruction of justice, and one count of lying to a grand jury.

**KENNETH W. PARKINSON, 46.** A Washington attorney specializing in personal injury insurance cases, Parkinson was untouched by Watergate until the Nixon committee hired him to defend itself against a civil suit filed by the Democratic National Committee because of the wiretapping-burglary. Once a law clerk in the same Washington district court in which he is now indicted, he is charged with conspiracy.

The new Watergate Seven face maximum sentences of five years in prison for each count of conspiracy, obstruction of justice and making a false statement to the FBI or a grand jury. If there are convictions on all counts, the consecutive sentences could total as much as 30 years for Mitchell and 25 each for Haldeman and Ehrlichman. Judge Sirica ordered that all seven men appear before him this Saturday to be arraigned and to plead to the charges. Trials normally are scheduled to begin within 60 days after indictment, although delays can be sought by either defenders or prosecutors. Though defense attorneys may object, the prosecution hopes to try the seven together. Sirica assigned himself to preside over the case.

The most intriguing detail in the indictment was one of the counts against Haldeman. In his televised testimony before the Ervin committee last July 30 and 31, Haldeman told of listening to a tape of a conversation among Nixon, John Dean and, for a time, himself that had taken place on March 21, 1973. The indictment contends that Haldeman committed perjury when he related his version of what the tape records. Since the jurors have heard the tape, the conclusion is inescapable that it does not confirm Haldeman's testimony.

The details of this charge also strongly support Dean's televised testimony about this conversation—and impugn Nixon's public statements about the talk. To a surprising degree, Haldeman's testimony had verified Dean's recollection of the conversation, although Dean had thought that parts of it had occurred earlier, on March 13.

Haldeman agreed that Dean told the President that E. Howard Hunt, one of the arrested Watergate burglars, was demanding \$120,000 in cash, "or else he would tell about the seamy things he had done for Ehrlichman," presumably as one of the White House squad of secret investigators, "the plumbers." According to Haldeman, Nixon asked how much money would have to be raised

over the years to meet such demands, and Dean replied, "probably a million dollars—but the problem is that it is hard to raise."

The President replied, according to Haldeman, "There is no problem in raising a million dollars, we can do that." Up to this critical point, Haldeman and Dean were still in agreement. Then, Haldeman testified, Nixon added five crucial words: "But it would be wrong." Those five words, claims the indictment, as Haldeman "then and there well knew, were false." They, of course, change Nixon's position completely. Instead of agreeing to pay Hunt hush money, as Dean charged, the President was portrayed by Haldeman as ruling such a move out of consideration. Another Haldeman claim that the grand jury apparently did not accept was that throughout this exchange Nixon "led Dean on ... obviously trying to smoke out what was really going on."

If the grand jury is right, Nixon has repeatedly lied about never having acquiesced in any cash payments by his associates to any of the original Watergate defendants. Nixon issued a long Watergate paper last May 22, claiming that "I did not know, until the time of my own investigation, of any efforts to provide the Watergate defendants with funds" and "I took no part in, nor was I aware of, any efforts that might have been made to cover up Watergate." Asked during an Aug. 22 press conference about Haldeman's version before the Senate committee of the \$1 million discussion, Nixon replied: "His statement is accurate." Nixon said he had, in fact, told Dean: "John, it is wrong. It won't work."

Woven through the grand jury's various allegations against the newly indicted men was evidence that a large payment was, in fact, made to Hunt a few hours after this crucial conversation of Dean, Haldeman and Nixon. It would have been foolhardy, indeed, for Nixon's aides to carry out such payoffs if the President had flatly banned them as wrong. According to the indictment, after the end of this White House meeting, Haldeman called John Mitchell. Mitchell minutes later "had a telephone conversation with Fred C. LaRue (a Mitchell deputy), during which Mitchell authorized LaRue to make a payment of \$75,000 to and for the benefit of E. Howard Hunt Jr." LaRue, who has pleaded guilty to conspiring to obstruct justice, according to the indictment gave the \$75,000 to Hunt's attorney, William O. Bittman, that very evening, March 21. Next day, contends the indictment, Mitchell told Ehrlichman that Hunt "was not a problem any longer."

The charges against Haldeman raise an obvious question: Why would he risk perjury by testifying publicly that the tape contained those five words of Nixon's if, indeed, it did not? One answer may lie in the fact that Haldeman was testifying only a couple of weeks after the existence of the secret Nixon taping system had been revealed to the Ervin committee. Nixon later fought vainly on two court levels to withhold his tapes from Archibald Cox, then the Watergate special prosecutor. He yielded seven of them, including the one of the March 21 meeting, only after the public uproar that followed his firing of Cox, who was seeking the tapes and other White House evidence. At the time he was before the Ervin committee, Hal-

deman may have felt certain that the tapes would never have to be given to the prosecutors or the committee.

Throughout, the 50-page indictment handed up by the grand jury carefully refrains from citing any acts of the President. It sometimes even fails to note that a meeting singled out as an overt conspiratorial act was attended by Nixon and was held in his office, although his presence there is public knowledge. This is presumably part of the strategy of keeping the grand jury's report on Nixon thoroughly separate from the indictments, on the theory that Nixon's guilt or innocence ought constitutionally to be only the province of the House impeachment committee headed by New Jersey Democratic Congressman Peter Rodino.

The indictment spares no harsh words in describing the cover-up conspiracy involving the seven indicted Nixon associates "and others known and unknown." The aim of the conspiracy, the indictment claims, was to conceal the identity of the persons responsible for the Watergate wiretapping, as well as "other illegal and improper activities." Toward that end, the seven tried to prevent officials of the CIA, FBI and Department of Justice from transacting "their official business honestly and impartially, free from corruption, fraud, improper and undue influence, dishonesty, unlawful impairment and obstruction."

No fewer than 45 conspiratorial acts were cited in concise paragraphs that undoubtedly will be buttressed by extensive evidence, and sharply assailed by defense lawyers, in future trials. Those curt recitations of specific acts for the first time detailed the chronology of an increasingly desperate effort to keep the lid on the scandal. Free of all the testimonial contradictions and denials that have so confused the complex affair, the indictment included these overt acts:

**June 17, 1972.** On the night of the ill-starred Watergate break-in, John Mitchell and a group of Nixon campaign officials were attending political meetings in Beverly Hills. After news of the burglars' capture reached him, Mitchell told Mardian to ask G. Gordon Liddy, the counsel to Nixon's re-election finance committee and one of the originators of the political-espionage plan, to seek the help of Attorney General Richard Kleindienst in Washington to get the arrested men out of jail. (Kleindienst has testified that Liddy accosted him at Washington's Burning Tree golf club and sought such help, but that he sharply rebuffed the plea.)

**June 18.** Haldeman's aide Gordon Strachan destroyed documents on Haldeman's orders. (Strachan has admitted doing so, claiming that the papers included reports he had prepared for Haldeman about Liddy's intelligence-gathering plan before the men were arrested. Federal investigators believe that transcripts of the illegally intercepted Democratic conversations were also destroyed.)

**June 19.** Ehrlichman met with Dean at the White House and directed him to relay word via Liddy that E. Howard Hunt should leave the country. (Hunt had been a member of the White House plumbers and was later convicted of the Watergate wiretapping. Dean testified that he carried out Ehrlichman's instructions, then convinced

Ehrlichman that it was a mistake and asked Liddy to rescind the order to Hunt.)

**June 19.** Charles Colson and Ehrlichman met with Dean at the White House, and Ehrlichman directed Dean to open Hunt's safe in the Executive Office Building and take the contents (which included various secret documents and electronic equipment). Dean has testified that he did so.

**June 19.** Mardian and Mitchell met with Jeb Stuart Magruder, deputy to Mitchell on Nixon's re-election committee, in Mitchell's Washington apartment. Mitchell suggested that Magruder destroy his files on the Watergate wiretapping plan, code-named Gemstone. (Mitchell said, according to LaRue, who has pleaded guilty to conspiracy to obstruct justice, "that it might be a good idea if Mr. Magruder had a fire.")

**June 20.** Liddy met with LaRue and Mardian at LaRue's Washington apartment. Liddy told the other two that certain "commitments" had been made to himself and others who had carried out the Watergate break-in. (Apparently the commitments were from Hunt to the others that if anything went wrong with the operation his White House friends would assist them and their families.)

**June 24.** Mitchell and Mardian met with Dean at Nixon re-election committee headquarters in Washington. Mitchell and Mardian suggested that Dean ask the CIA to provide secret funds for Hunt, Liddy and the five burglars who had been arrested in the break-in.

**June 26.** Ehrlichman met with Dean at the White House and approved a suggestion that Dean ask General Vernon A. Walters, deputy director of the CIA, whether the CIA could use covert funds to pay salaries and bail for the arrested men. (Both Dean and Walters have testified that Dean did so.)

**July 7.** Anthony Ulasewicz, a former New York City policeman recruited to help distribute payments secretly to the break-in defendants, delivered approximately \$25,000 in cash to William O. Bittman in Washington. Bittman was Hunt's attorney.

**Mid-July.** Mitchell and Kenneth Parkinson met with Dean at Nixon committee headquarters. Mitchell asked Dean to get FBI reports on the Watergate investigation for Parkinson and others. (Lawyer Parkinson was defending the Nixon re-election committee against a Democratic Party civil suit, and these reports could have been useful for this non-Governmental purpose.)

**July 17.** Ulasewicz delivered approximately \$40,000 in cash to Howard Hunt's wife Dorothy at Washington National Airport. (She later died in a crash of a commercial plane, carrying \$10,000 in cash at the time.)

**July 21.** Mardian met with Dean at the White House and examined FBI reports of its Watergate investigation. (Mardian, then a member of the Nixon committee staff, had no official right to see such documents.)

**July 26.** Ehrlichman met with Herbert Kalmbach, the President's personal lawyer, at the White House. He told Kalmbach to raise funds for the persons who had committed the break-in and that the fund raising and the payments should be kept secret. (This tends to back up Kalmbach's Senate testimony in which he related: "I said, 'John, I am

absolutely necessary, John, that you tell me, first, that John Dean has the authority to direct me in this assignment, that it is a proper assignment, and that I am to go forward on it.' He said, 'Herb, John Dean does have the authority. It is proper and you are to go forward.'")

**Aug. 29.** Colson had a conversation with Dean in which Dean advised him not to send a memorandum to the authorities who were investigating the break-in. (The Colson memo reported that he had been interviewed by Justice Department investigators. But, the memo noted, they had failed to ask him about a meeting that he had held before the break-in with Liddy and Hunt. At that meeting the pair asked Colson for help in getting approval for their political intelligence-gathering plans. Investigators believe that by showing the memo to Dean, Colson made a clever attempt to protect himself and entrap Dean in the conspiracy. If asked later why he did not volunteer information about his meeting with Liddy and Hunt, Colson would be able to cite Dean's orders to squelch the memo.)

**Nov. 13.** Hunt had a telephone conversation with Colson in which they discussed the need to make additional payments to the defendants.

**Mid-November.** Colson met with Dean at the White House and gave Dean a tape recording of a telephone conversation between Colson and Hunt. (This call has been described by Hunt as a direct appeal for more financial help.)

**Nov. 15.** Dean played this Colson-Hunt recording for Ehrlichman and Haldeman at Camp David.

**Nov. 15.** Dean played the same recording for Mitchell in New York City.

**Early December.** Haldeman had a phone talk with Dean in which Haldeman approved the use of part of a fund of approximately \$350,000, then under Haldeman's control, for the defendants.

**Early December.** Strachan met with LaRue at LaRue's apartment in Washington and delivered approximately \$50,000 in cash to him.

**Early December.** LaRue arranged for the delivery of about \$40,000 in cash to Bittman, Hunt's attorney.

**Jan. 3, 1973.** Colson met with Ehrlichman and Dean at the White House and discussed the need to assure Hunt how long he would have to spend in jail if he were convicted. (This was the indictment's oblique way of saying that the talk centered on getting Executive clemency for Hunt. Dean testified that Colson told him that just after the meeting he had asked Nixon about clemency. On the next day, according to Dean, Ehrlichman gave Colson assurance that clemency could be promised to Hunt.)

**Early January.** Haldeman had a conversation with Dean in which Haldeman approved the use of the balance of his \$350,000 cash fund for additional payments to the defendants.

**Early January.** Strachan met again with LaRue at LaRue's apartment and gave him about \$300,000 in cash.

**March 21.** LaRue arranged to deliver about \$75,000 in cash to Bittman.

**March 22.** Ehrlichman had a conversation with Egil Krogh Jr., one of the White House plumbers, now imprisoned for his role in the burglary of Daniel Ellsberg's psychiatrist. Ehrlichman assured Krogh that Hunt would not reveal certain matters. (One matter presumably was the burglary of the psy-

chiatrist's office. This statement in the indictment seems to signal that Krogh will be a witness against Ehrlichman.)

The multiple accusations of lying to official investigative bodies is described in even fuller detail in the indictment, though the evidence leading the grand jury to believe that the statements were false is tantalizingly omitted. Several allegations of falsehood are charged even when a defendant testified that he could not recall an alleged act. Such accusations are difficult to sustain without documentary evidence or corroboration by several witnesses, and they are certain to be vigorously attacked by defense attorneys.

John Mitchell was accused of lying as early as June 1972, when he told the original Watergate grand jury that he had known nothing about any scheme to spy illegally on Democratic candidates or the Democratic Party. At that time he also denied knowing anything about Liddy's political intelligence proposals, though he later publicly admitted attending three meetings at which Liddy's plans had been presented to him. The indictment claims that Mitchell also lied to the grand jury in denying that LaRue had ever told him that Liddy had confessed his role in the break-in.

The nation's former chief law enforcement official was charged, too, with lying to Senator Sam Ervin's Watergate committee in his public testimony last July. The indictment contends that he falsely denied having even heard about the existence of the Gemstone wiretap transcripts when it was suggested on June 19, 1972, that they be destroyed. He said, moreover, that "to the best of my recollection" the destruction of documents was not even discussed at a meeting he attended on that date—a statement that the indictment also charges was false. Another part of the indictment charges that it was Mitchell who suggested the destruction.

Haldeman, too, is accused of perjury in his Senate testimony. He denied having been aware that money formerly under his control and later paid to the Watergate defendants was meant as blackmail or hush money. He testified that at the key March 21 meeting attended by Dean (and Nixon, though the indictment does not say so), he did not believe that Dean had made any reference to Jeb Magruder's having committed perjury. Both statements, the indictment says, were untrue.

Ehrlichman's untruthfulness surfaced, according to the indictment, before both the grand jury and FBI agents. The indictment cited Ehrlichman's claim to FBI agents last July 21 that he knew nothing about the Watergate break-in beyond what he had read in newspapers. Also noted were a series of answers that he gave the grand jury last May, in which he could not recall when he first learned that Liddy might have been involved in the break-in. The questions seemed to show that investigators have proof that Dean had told Ehrlichman of Liddy's involvement shortly after the Watergate arrests. Ehrlichman was also accused of lying in his conversation with Kalmbach about raising money for the defendants. He spoke falsely, claims the indictment, when he said he could not recall giving Kalmbach approval to use money for that purpose.

The clearest indication of how active the grand jury was in the questioning of witnesses came in the charge that Gordon Strachan had responded falsely in a grand-jury appearance in June of 1972. He was pressed closely by Foreman Pregelj and an unnamed juror about his admitted delivery of the \$350,000 in cash to LaRue. Strachan contended that he gave the money, which had been controlled by Haldeman, to LaRue only for him to return it to the Nixon reelection committee. But jurors wanted to know why he carried it in a briefcase at night to the apartment of LaRue instead of taking it to committee headquarters near the White House in the daytime.

The indictment contends that statements by Strachan that he did not recall who told him to give the money to LaRue were false. The implication was that the grand jury believes that Strachan was protecting someone—probably Haldeman—who knew that the money was to be sent to LaRue for payoffs to the burglars. The grand jury presumably has evidence of who that unnamed person was.

Despite the mass of detail, the handing up of the indictment and the sealed grand jury report took only twelve quick minutes in Judge Sirica's courtroom. When it was over, most of the defendants either refused comment or expressed their certainty that they will be cleared of all wrongdoing when all the evidence merges in the impending trial battles among high-powered attorneys.

The most likely defense tactics apparently will be to seek a change of venue from Washington, where the Watergate controversy is the hottest, and try to have the defendants' cases split off into separate trials. A mass trial affords prosecutors greater opportunity to introduce more evidence affecting each defendant. But the main strategy may be to try to discredit the accusing witnesses, many of whom have admitted their own criminal roles. The defense attorneys may ask: How can anyone believe convicted felons who are making charges against others so that they can get away with the lightest sentences themselves?

President Nixon issued only a statement through his press office: "The President has always maintained that the judicial system is the proper forum for the resolution to the questions concerning Watergate. The indictment indicates that the judicial process is finally moving toward the resolution of the matter. The President is confident that all Americans will join him in recognizing that all those indicted are innocent unless proof of guilt is established in the courts."

That reminder was proper and essential. But the notion that Watergate can only be resolved in the courts is not entirely accurate. While the judicial role is still vital in determining the innocence and guilt of former high officials, the resolution of Nixon's own Watergate fate rests with the Congress.

The grand jury's difficulty in dealing with the President was clearly demonstrated last week when Nixon, in his first press conference since November, revealed that the Watergate jury had sent him a request asking that he appear before it to answer questions. He said he had "respectfully declined" on constitutional grounds. Nixon said that he had offered to answer written ques-

tions from Jaworski or to talk with the prosecutor personally, but "he indicated that he did not want to proceed in that way." That would seem to represent a sound legal judgment on Jaworski's part, since such unsworn informal contacts would have no standing in court and would probably only serve to complicate the situation.

The briefcase handed to Judge Sirica by Jaworski's staff attorneys may well contain evidence that could render irrelevant the continuing controversy over whether a President can only be impeached if found guilty of criminal conduct. House Democratic Leader Tip O'Neill said as much last week at a seminar with students at Harvard. "I have absolutely no doubt in my mind that Jaworski could have indicted the President of the U.S.," O'Neill said. "But he didn't try and I'm glad he didn't, because I'd hate to see the President of the U.S. indicted." The evidence that Jaworski has, O'Neill declared, apparently indicating he has some knowledge of it, "is extremely damaging. Rather than see the evidence made public, I think the President will resign."

At his press conference, Nixon appeared more relaxed, subdued and conciliatory than he has in a long time. For the most part, he fielded reporters' questions in an assured and forthright manner. He gave not the slightest hint that he either feared that any such fatal revelation might be imminent or that he would ever quit under any circumstances.

Even if his continuance in office meant resounding defeat for his party in the coming congressional elections, he indicated, he would not resign. Once again confusing his personal fate with that of the institution of the presidency, Nixon declared: "I want my party to succeed, but more important, I want the presidency to survive." And, Nixon added, "I do not expect to be impeached." Later in the week he told a gathering of cheering young Republicans, "You learn from your defeats, and then you go on to fight again—never quit, never quit."

That could be bluster before the fall, or it could represent Nixon's sincere belief in his innocence of impeachable "high crimes and misdemeanors." Depending on what may be in that briefcase, his survival strategy has some practical chance of success. His lawyers are advancing the narrowest possible grounds for impeachment, limited to indictable crimes of "a very serious nature committed in one's governmental capacity."

Nixon's narrow view of the permissible impeachment grounds might permit his attorneys to stall. They could argue that most requests for evidence from the Rodino committee were irrelevant to impeachment. The Supreme Court might have to decide these battles. The basic Nixon strategy still seems to be to hold out and play for some unexpected break.

There are few in sight. Indeed, many more troubles still loom for the increasingly isolated President. He as much as admitted at his press conference that his income tax deduction of \$482,000 for the

donation of his public papers was at least technically illegal—because the paper work was not completed before the law allowing such deductions expired—and he hinted that he would have to pay a large sum in back taxes. His own tax accountant, Arthur Blech, was quoted last week as saying that he objected to some of Nixon's 1970 and 1971 deductions but had been prevented, apparently by White House aides, from telling the President of his misgivings before returns were filed.

While pushing the cover-up prosecution, Jaworski's busy staff also netted another top Nixon associate in a somewhat peripheral phase of the Watergate scandal—but one that also has serious implications for Nixon. Kalmbach, the President's personal lawyer, pleaded guilty to two charges: 1) violating the Federal Corrupt Practices Act by helping create and run a secret committee in 1970 for which he collected nearly \$4 million for congressional candidates but had no treasurer or chairman and failed to file reports as required by law; 2) soliciting and accepting a \$100,000 political contribution in 1970 from J. Fife Symington Jr., Ambassador to Trinidad and Tobago, in return for a pledge—which Kalmbach testified that he cleared with an unnamed White House aide—that Symington would get a higher-ranking ambassadorial post in Europe.

The operation of the secret committee was a felony charge. The Jaworski staff told Judge Sirica that three other unnamed former White House aides helped Kalmbach run the committee. They, too, will presumably be charged at some later date. It seems highly unlikely that such a large fund would have been gathered without the President's knowledge. The deal with the ambassador was only a misdemeanor, and Symington never got a European job; but it would have taken presidential concurrence even to make such an offer, if it was made in, so to speak, good faith. Why the Kalmbach pledge was not ful-

filled was not revealed—and Kalmbach cannot testify about his conversations with Nixon unless the President waives their attorney-client privilege.

Kalmbach pleaded to the relatively light charges in return for his full cooperation in the expected trials of other defendants. One of the Nixon campaign's chief fund raisers, he has publicly admitted soliciting some \$190,000 that was passed covertly to the original Watergate defendants, the five burglars and their two team leaders, Liddy and Hunt, while they were in prison or awaiting trial. Kalmbach claimed that Ehrlichman personally assured him that the payments were proper and that he should carry out John Dean's instructions to make them, and he apparently will so testify if Ehrlichman goes on trial. Judge Sirica postponed sentencing Kalmbach—apparently until after he makes good on his promise to cooperate with Prosecutor Jaworski.

Not even the work of the original Watergate grand jury is complete. Sirica ordered the understandably weary jurors to be prepared to return within two weeks. One pending bit of unfinished business could be serious indeed for Nixon. The FBI and Jaworski's staff have been investigating the 18½-minute erasure on one presidential tape recording, as well as the claimed nonexistence of two other tapes and unexplained gaps in several more.

Two other grand juries have yet to report on such Watergate-related situations as the clandestine operations of the White House plumbers, the President's dealings with ITT and milk producers, and possible campaign-funding violations by Nixon's political money-men. Any of these juries could produce more indictments that would give new impetus to the impeachment sentiment in Congress. Indictments may be handed up this week in the plumbers' case. Said one Republican member of the House Judiciary Committee, "Impeachment is most likely to come in the area

of obstruction of justice—the tape erasures, the possibility that the President offered money to people to keep quiet or to commit perjury, the possibility that he authorized bribes in exchange for campaign contributions."

Once, the President's lawyers had claimed that John Dean, acting as the mastermind of a cunning scheme to conceal his own guilt, had duped all of those powerful aides above him. In its indictments the grand jury has exploded that story, which always had defied logic, and a good many other stories as well. The result inevitably is to narrow the circle of evidence around the President. To a large extent a presumption of Nixon innocence must rest on the vision of an exceptionally loyal and subservient White House staff successfully deceiving one of the most self-protective and political,ly sensitive Presidents

How much narrower the circle has been drawn by the grand jury remained locked at week's end in Judge Sirica's courthouse safe: a letter in a manila envelope and a bulging briefcase. Together, those two ordinary artifacts of everyday life could contain enough critical mass to produce the largest bombshell yet in Watergate's long, concussive series. Richard Nixon may manage to survive whatever conclusions and evidence they lay out; perhaps their contents are not charges of sufficient clarity or magnitude to persuade either Congress or the American people that impeachment is justified. But they surely, at least until answered, pose the greatest threat yet to Nixon's survival. For they are the work not of his traditional enemies, of a hostile press, of partisans attempting to overthrow his mandate, or any of the groups that the President has at various times accused of magnifying and distorting Watergate for their own vindictive ends. They are the considered judgment of 23 ordinary Americans who, if having examined the evidence and found cause for the probable guilt of Richard Nixon, may be very hard to answer.

NEW YORK TIMES

27 February 1974

## Letter Explaining Nixon Refusal to Appear at Hearing

Special to The New York Times

WASHINGTON, Feb. 26—Following is the text of a letter from James D. St. Clair, special counsel for the President, to Chief Judge Harold H. Greene of the Superior Court of the District of Columbia regarding President Nixon's refusal to appear at a hearing to determine whether he must testify at the California trial of John D. Ehrlichman:

I have been directed by the President to respond to your order of Feb. 16, 1974, setting a date for a hearing to determine whether the President of the United States must appear in person to testify as a witness in a California state court in compliance with a subpoena. I have advised the President to follow the precedents established by his predecessors and therefore, he must, and does, respectfully decline to appear at the hearing and as a witness in the California state court. I shall outline my reasons for doing so.

In 1807, President Thomas

Jefferson was faced with a similar situation, a subpoena issued by Chief Justice John Marshall requiring his personal appearance in a Federal Court in Richmond, Va., to testify at the trial of Aaron Bure. President Jefferson returned the subpoena with a letter asserting that because he did "not believe that the district courts have a power of commanding the executive government to abandon superior duties and attend on them, at whatever distance, I am unwilling, by any notice of the subpoena, to set a precedent which might sanction a proceeding so preposterous." President Jefferson also aptly stated on a later occasion that if a President were obliged to honor every subpoena at the risk of imprisonment for disobedience, the courts could breach the separation of powers and "keep him constantly trudging from North to South and East to West, and with necessity, from his constitutional duties."

The request, in this instance coming from a state court raises, in addition, a serious constitutional question regarding the authority of a state judiciary to infringe upon the effective operation of the office of the President of the United States. The traditional principle of intergovernmental immunity has never been breached by a state court asserting a purported power sufficient to overcome the constitutional responsibility vested in the Chief Executive of the United States to perform his official duties. Nevertheless, the language of Article VI of the United States Constitution is unmistakably clear: "The constitution of the laws of the United States . . . shall be the supreme law of the land; and the judges in every state shall be bound thereby; any thing in the Constitution or laws of any state to the contrary notwithstanding."

In light of the compelling necessity for Presidential immunity from judicial inter-

ference with the executive function which is deeply rooted in the law and history of this nation, and consistent with the constitutional obligations mandated by Article II of the United States Constitution, the reasons for his declination to appear are manifest. As Chief Executive of the United States of America, a President must be concerned on a daily basis with significant national and international issues which affect the public interests of all Americans. To accede to the compulsory process of a state court would not only unduly interfere with the grave responsibility of a President to make the decisions which affect the continued security of the nation but would open the door for unfettered and wholesale imposition upon the office of the President by the courts in each of the 50 states. The effect would be crippling and would threaten the very essence of the office of the Presidency and, in turn, the nation.



WASHINGTON POST  
1 March 1974

# Four CIA Officials Defend Censorship Of Marchetti Book

By Laurence Stern  
Washington Post Staff Writer

In a closed federal court room guarded by U.S. marshals, four deputy directors of the Central Intelligence Agency yesterday defended national security censorship of a book by two former intelligence officials.

U.S. District Court Judge Albert V. Bryan Jr. cleared the Alexandria courtroom for their testimony which touched on 162 deletions ordered by the CIA on grounds that the material divulges highly sensitive intelligence secrets.

Attorneys for the authors, former CIA analyst Victor L. Marchetti and former State Department intelligence officer John D. Marks, are challenging the classification procedures of the CIA on grounds that the censorship action was improper and capricious.

Marchetti and Marks are suing the respective heads of their former agencies, CIA Director William E. Colby and Secretary of State Henry A. Kissinger, to restore all deletions from their manuscript, "The CIA and the Cult of Intelligence," scheduled for publication this spring by Alfred A. Knopf Jr.

Colby has said that the court test is crucial to his statutory role as a protector of national security sources and secrets. Should the CIA lose the case, Colby has ordered legislation drafted for submission to Congress which would impose new criminal penalties on former CIA employees who divulge what the government deems to be classified material.

Attorneys for the two authors contend that the issues in the battle of the book touch on the First Amendment questions that were raised in the Pentagon Papers case. In the current trial, however, the issue at hand is the validity of the security standards applied by the CIA to the Marchetti-Marks manuscript.

It was to defend its position on this point that the government marshaled the rare gathering outside of headquarters of top intelligence officials in the Alexandria court room: CIA Deputy Directors William Nelson for operations, Carl Duckett for science and technology, Edward Proctor for intelligence and Harold L.

Brownman for management and services.

The thrust of their combined testimony, it was understood, was that each decided on the basis of his particular expertise that portions of the manuscript violated security classifications.

This was the procedure that was described as "capricious" by attorneys for the two authors, who requested that the documents and classification standards be produced to justify the deletions.

CIA Director Colby is expected to testify, also in camera, at today's session. To rebut CIA testimony, the two authors offered the testimony—also behind closed doors—of former National Security Council staffer Morton Halperin, who was an expert witness in the Pentagon Papers case.

The case, which is expected to be argued for a week, is an outgrowth of the government's first effort to impose pre-publication restraint in the courts on national security grounds. In the Pentagon papers case, which the government lost, the Justice Department went to court after publication of the Vietnam study had begun in The New York Times, The Washington Post and other newspapers.

In arguing for the book's publisher, Knopf, New York attorney Floyd Abrams said a question in the case is "whether Knopf's right to publish can properly be deemed less extensive than was that of The New York Times in the Pentagon papers case."

The government won the first round in the battle of the book in 1972 when Judge Bryan enjoined Marchetti from publishing classified material gathered during his 14 years of CIA employment without prior agency clearance.

When the manuscript was completed last fall Marchetti and Marks submitted it, under the terms of the injunction, for CIA review.

Initially the CIA ordered more than 300 deletions. After negotiation the number was reduced to 225. By yesterday the government was seeking to strike 162 passages.

Should the government prevail on the remaining points, Knopf reportedly intends to publish the manuscript with the deleted passages marked "Deleted."

LOS ANGELES TIMES  
14 FEB 1974

# CIA Papers Case: Ex-Agents Battle Agency Censors

BY RUBY ABRAMSON  
Times Staff Writer

WASHINGTON—Victor Marchetti vividly remembers the day he cut the umbilical cord and, after 14 years, left the insulated life of a bureaucrat in the Central Intelligence Agency.

"I had the feeling I had to get out," he said, "out of the agency, out of intelligence, out of the government."

He told CIA Director Richard M. Helms that he had decided to try his hand at writing, "Maybe even some fiction."

And, as he recalls it more than four years later, Helms said, "Fine, Victor, go on and get it out of your system and then come on home."

At that time, in 1969, Marchetti was yet to meet John D. Marks, a young foreign service officer serving as executive assistant to the State Department's top intelligence official.

Marks had come home from a tour in Vietnam disillusioned with the war. When American troops were sent into Cambodia in 1970, his estrangement from U.S. foreign policy was completed, and he abandoned a promising foreign service career.

"I waited until I found another job," he said this week, "but in retrospect I wish I had walked out that first day after Cambodia."

There was one thing in common between Marchetti, a poor boy from the Pennsylvania coal country, and Marks, a distinctly upper middle class son of an insurance company executive: they had been in positions where they could see some of the United States' most sensitive secrets.

Their effort to publish an inside description of the country's subterranean intelligence establishment has landed them in a bizarre and potentially far-reaching court fight with the government.

Marchetti and Marks maintain that the government is destroying their First Amendment rights by blocking publication of their book and by subjecting their manuscript to massive censorship. In their view, the fight is a close parallel to the Pentagon Papers case where the government sought unsuccessfully to stop newspapers from publishing a secret history of the Vietnam war.

But the CIA and the State Department, going to unprecedented lengths to keep the book from being

published in its original form, insist there is only one thing at stake: the right to enforce the secrecy oaths Marchetti and Marks signed upon entering the intelligence business.

The Supreme Court refused to review the matter after an appeals court upheld an injunction against the authors. But now another test is coming on a countersuit filed by them.

Not much is known about the real substance of the case for it has been fought through secret affidavits and documents submitted to a federal judge in Alexandria, Va.

The last round in the battle will begin in the next few weeks in the closed chambers of U.S. Dist. Judge Albert V. Bryan Jr. There Marchetti and Marks will challenge every one of nearly 200 items censored from the manuscript by CIA and State Department officials.

At the moment, they find themselves authors of a book officially classified "Top Secret — Sensitive." Apparently, its message is that the CIA's undercover operations are bumbling, expensive, provocative and unnecessary.

An affidavit by William E. Colby, the new CIA director, says publication of the uncensored book will "cause serious harm to the national defense interests of the United States and will seriously disrupt the conduct of the country's foreign relations."

The government even is appealing a lower court order which would clear Morton Halperin, a former National Security Council official, to read the complete manuscript so he can be an expert witness for Marchetti and Marks in the trial.

But the authors claim that so many censors have read the book that the banned material is beginning to leak into the press.

The Justice Department, suggesting Marchetti and Marks are letting out the secrets themselves, has suggested there are grounds for contempt.

Just when Victor Marchetti got onto a collision course with the agency where he served and prospered is debatable.

Some of his critics maintain he quit a malcontented man, that he, the poor boy who had not gone to the right Ivy League school, had come to resent the pin-striped Eastern intellectual establishment

men who entered the intelligence business in droves during the cold war days. Though he had risen rapidly, some believe he had become angry because he thought he deserved better.

**Incomplete as received.**

to come through in his conversation, now that the long fight over the book has embittered him against the CIA as an institution.

His case, he says now, is one of "selective prosecution." "If you are big enough and powerful enough and influential enough, you're at liberty to write anything or say anything. I was a middle level man. I didn't go to the right schools. My father was a plumber. I was gettable. They felt they had to make an example of somebody, and I happened to be the guy who came down the street at the wrong time."

In any case, Marchetti, in his last years with the CIA, served in jobs that gave him an unusual perspective on its secret activities.

He was special assistant to the director of plans, programs, and budgets, then executive assistant to the executive director, and finally executive assistant to the assistant director.

By estimates of well-informed sources, there are 10 people or less who have a comprehensive view of CIA's covert operations.

Victor Marchetti did not have it all, but he knew more about CIA than the vast majority of its employees.

"I wouldn't say I knew more about the CIA than Richard Helms," he told a reporter, "but I knew more about certain aspects of it than Helms did."

After he left the agency, Marchetti retired at the age of 39 to his home in suburban Oakton, Va., and wrote a novel called, "The Rope Dancer," a tale about an official of the "National Intelligence Agency" who sold national secrets to the Soviet Union.

Not surprisingly, word of the novel got back to CIA headquarters, and the agency asked to have a look.

Marchetti accommodated, and while he watched the Baltimore Orioles and the Pittsburgh Pirates

play the World Series of 1971, a security officer sat with him and read the manuscript.

No objection was raised, but later Marchetti

**Incomplete as received**

too close to the bone, that it made him a marked man.

"When I finished the novel," he said, "I knew I would never go back to CIA."

Buoyed by its publication, Marchetti then wrote a lengthy magazine article on the agency and outlined the book, "The Cult of Intelligence."

The magazine piece was never published, but it found its way to CIA headquarters, too.

Then came a call from Adm. Rufus Taylor, who had been Marchetti's last boss. The admiral wanted to have a talk at a motel near Washington.

"He laid it on the line," Marchetti said. "He said the people at CIA were worried about me and what I was doing. He asked me to make him a promise, to let them review the book. I promised that I would, and that I wouldn't go on the lecture circuit, or write any other articles."

"He said he would get former senior officers to review the manuscript and advise me as friends, and then we could negotiate things."

"We left it like that and parted as good friends."

"But a week later, the door bell rang, and there were Marshal Dillon and Chester with a restraining order."

The order required him to submit any manuscript, fact or fiction, to CIA for clearance.

He has been in court ever since.

Shaken by the court order, he had trouble getting the new book on paper.

John Marks, by then working for Sen. Clifford P. Case (R-N.J.), quit his job and joined Marchetti as a coauthor.

By the end of last August, they had finished the 314-page book and delivered it to the CIA. The manuscript, 339 items had been deleted.

Next time they saw the laborious negotiations since then have reduced the number of censored

items to a little less than 200.

The CIA has "given back" information about its budget: since Sen. William Proxmire (D-Wis.) made the same revelations in a speech on the floor of the Senate.

It withdrew its censorship of a description of CIA involvement in the downfall of the Indonesian government in 1968 because that had already been in another book.

It allowed the book to say that "Air America," an airline in Southeast Asia, is supported by CIA since that had been an open secret for years.

A little help came from an unexpected source last fall when the special Senate committee to study questions related to confidential government documents unwittingly let the name of the National Reconnaissance Office get into official print.

The existence, the name, and even the initials of the organization had been top secret, and Marchetti and Marks had talked of its role in managing reconnaissance efforts carried out by U.S. spy satellites and planes.

More than 30 items concerning the office, believed to have a budget of about \$1.5 billion a year, were censored from the book. But after the name of the office slipped into an official congressional publication, the government agreed to withdraw the deletions.

The bitterness that already had developed around the case was increased by other things: a press report that intelligence gathering U.S. submarines go into Soviet waters to monitor the movements of Soviet subs, a magazine article said to cover material censored from the book, and an appearance by Marchetti and Marks on a Canadian television program discussing intelligence activities.

Marchetti and Marks deny that they have leaked anything from the censored parts of the book, but they will go into court arguing that none of the remaining items are legally classified, and if they are, they have already been put into the public domain.

Incomplete as received,

much of the material cov-

ers developments since Marchetti resigned from the CIA.

Given the seriousness the government ascribes to the censored parts of the book, the CIA and State Department could have used criminal sanctions to proceed against the two authors.

But government sources say this is inadequate since criminal proceedings would have come after publication of the material.

Government attorneys see far-reaching implications from the case because they view it as a demonstration of the validity of secrecy agreements signed by employees with access to secret material.

Marchetti acknowledges there are others who have been in the CIA, who are closely watching to see whether he survives.

"A lot of people who spend their lives in a se-

cret business like this feel compelled to write about it to justify themselves," he said. "And the agency keeps a lot of them around writing secret histories. That way they get it out of their systems and still it stays under control."

Marchetti said there was a time even after he finished "The Rope Dancer" when he had second thoughts about going back to the CIA, when he might have been willing to compromise on the book.

But no more. "There's nothing I would like better than for them to come around looking for a deal."

After beginning somewhere along the line to disagree with what he saw inside the CIA, he has become more and more rigid in his views.

The CIA is basically a clandestine agency, he says, and in the age of spy satellites, it need not be. "I think it ought to be broken up; I think it ought to be under stronger con-

trol." Marchetti insists that the book would not endanger any U.S. agents or covert operations still under way.

On that point, he and Marks are irreconcilably at odds with the CIA and the State Department.

A CIA official familiar with the original manuscript maintains that all of the items still deleted are classified and pertain to very sensitive matters.

While its publication might not cause grave and imminent danger to the country, he said, it would create serious problems in a number of foreign countries, for CIA sources, for foreign leaders and for other intelligence agencies.

"What is involved here," he said, "is a former employe of this agency, who ... entered into a contract under solemn oath that he would not reveal classified information. It is this contract that we are attempting to enforce."

The New York Times Book Review/February 17, 1974

## In Cold Print: Marchetti et Al.

By VICTOR S. NAVASKY

Phyllis Chesler, feminist psychologist, went to court and forced Avon Books to stop distributing a defective edition of her "Women and Madness" and in the process won some language from Judge Arnold Fein which suggests that while it is not yet established law the author has a "moral right" to protect the integrity of her work, courts are willing to explore the idea.

Bill Safire and William Morrow & Co. are in arbitration over just what constitutes an "acceptable" manuscript on Richard Nixon. Morrow says that Safire hasn't written a publishable book; but Safire, who contends that the post-Watergate manuscript delivered was the pre-Watergate manuscript promised (i.e., a "balanced" view of the President), says that Morrow doesn't want to pay him the \$250,000 it promised him in return, only because Nixon's fortunes have faltered.

The literary community has always been a litigious lot (Maurice Zolotow crying heist over Mailer's "Marilyn," Groucho Marx having second thoughts about his thoughts in "Marx Bros. Scrap Book"), but these days more than ever the courts seem to be a court of less than last resort. Which is not, to my way of thinking, a healthy development in the arts, but at least it's within the family and occasionally it helps to keep the

publishers and perhaps even an author or two, honest. The time to worry is when it gets beyond the family—when the Government gets into the act. And that's what has happened in the unprecedented case of Victor Marchetti, the C.I.A. alumnus who has been enjoined from disclosing any information about the C.I.A. without the Agency's prior consent, which means that if he hadn't submitted the manuscript for his forthcoming book, "The CIA and the Cult of Secrecy," to the Agency, he could have been imprisoned for contempt of court.

A good deal has been written about the Constitutional implications of the case, which on its face seems to involve the sort of censorship the First Amendment is supposed to prohibit, but the role of the publishing community has more or less been taken for granted. Since all publishers—not to mention the American people's right to know—are the potential victims of the Marchetti ruling (if it is allowed to stand), and since the last people who tried this sort of thing, Beacon Press, publishers of the Gravel edition of the Pentagon Papers, ended up on the brink of bankruptcy with legal bills in excess of \$50,000, it seems worth taking note of how and why Marchetti's publisher, Alfred A. Knopf, got into the business of resisting the Government. (Incidentally, copies of the four-volume Gravel edition of the Pentagon Papers may be ordered from Beacon Press at 25

Beacon St., Boston, Mass. 02108; cloth \$42, paper \$20.)

First, Marchetti himself. Motives are complex—part resentment of the Old Boy network that runs the Agency, part disillusion with its "value free" moral context, part disbelief in the Agency's modus operandi, part whistle blower's impulse to alert the public to the Agency's crimes and follies, part a writer's instinctive desire to tell his tale, part disappointment that his novel about the C.I.A., "The Rope Dancers," although it infuriated the Director, did not reach a wider audience. But when he joined the Agency in 1955 and when he resigned in 1969, Marchetti had signed secrecy agreements which on paper obliged him to clear with the C.I.A. anything he wrote about it.

So aside from the obvious risks inherent in spook-exposure, by deciding to tell his story Marchetti was conceivably subjecting himself to harassment under the espionage laws. In fact, he says, the agreements he signed were of little concern because as an employe of the Agency he had been aware of countless examples of official and unofficial violations of it; he had also been assured that its purpose was psychological since it couldn't be enforced in a court of law, and in any event it seemed of dubious constitutionality. Nevertheless, the first requirement for a test case of this sort is an author willing to put his time and perhaps his liberty on the line, and that is what Marchetti, and eventually John Marks, a former State Department employe in intelligence who became co-author, did.

Next, there was the role of the literary agent. Not all agents want to or can be trusted to handle politically controversial material. In early March, 1972, Marchetti, who was working on a piece for Esquire was introduced to David Obst, a Washington-based agent who numbers among his clients such troublemakers as Dan Ellsberg, Britt Hume, Bob Woodward and Carl Bernstein. Obst, who wears a MacDonal's sport jacket and specializes in fast deals, flashy advances, trendy topics and radical politics, read Marchetti's draft, said forget Esquire (which was dissatisfied with the piece in its current form anyway), come up with an outline and this will be a terrific book.

In late March, Obst held an auction which means that he contacted six publishers—Grossett & Dunlap (publishers of "The Rope Dancers"), Holt, Rinehart & Winston, Simon & Schuster, Doubleday, Viking and Knopf—visited five of them on a Monday with copies of the outline

and a revised draft of the Esquire material; they also met Marchetti. They had until Friday to submit a bid.

An auction is generally regarded as bad for author-publisher relations, since it can break up happy publishing marriages, but it is frequently good for husband-wife relations, since it can shore up poverty-stricken domestic circumstances. In the Marchetti case it turned out to yield a \$40,000 advance (\$10,000 on signing, the rest contingent on what was delivered) and simultaneously to reveal a weak security link in the publishing community. One of the six publishers leaked the Marchetti proposal to the C.I.A., and a few weeks later the Government was in court, moving to enjoin Marchetti from showing anything to his publisher without clearing it with the C.I.A. first.

And then there is the role of the publisher. By Friday Knopf came in with a \$40,000 bid, and Obst and Marchetti decided to go with Knopf, even though they had prospects of more money elsewhere, because they thought that Dan Okrent, then at Knopf and now with Grossman Publishers (although he continues to work on the manuscript) would be the right editor for the book, and also because they thought in the event of trouble it would be important to have a respectable publisher, and Knopf was as respectable as any.

No purpose is served by going over the complex legal history of Marchetti's case here. It is well-covered, for those who are interested, in Taylor Branch's informative account in the January Harper's. What's important, though, is that when Marchetti needed a lawyer, his agent thought to alert the A.C.L.U., whose attorneys Mel Wulf and John Shattuck have guided the case through the courts and without whom the book might have died; when Marchetti was low in spirit, his editor — although by order of the court he was not permitted to see the manuscript (nor would the C.I.A. clear another Knopf editor who had formerly served with the agency) — would journey down to Washington to bolster his spirits. When he was low on funds, Knopf advanced monies not yet due. When he was low on organizational capability and his friend John Marks from State, volunteered to help in a way that his editor was not permitted to, Knopf publisher Anthony Schulte journeyed down to Washington, spoke with Marks and Marchetti and authorized Marks's participation.

And when, in the late summer of 1973, Marchetti and Marks turned in to the C.I.A. a 517-page manuscript, the C.I.A. sent it back with instructions to delete 339 passages. (They

later agreed to restore 114 of these when it was pointed out that the material was either not classified, had already entered the public domain or was learned by Marchetti or Marks outside of their Government employment.) At this point, Robert Bernstein, president of Random House, of whose publishing complex Knopf is a part, announced that (a) they would publish the book regardless, even if it meant publishing with white spaces where the censors had done their snipping, and (b) that Random House itself would now file suit in Federal court to stop the Government from interfering with the publication of the book.

Before Random House acted, they consulted their attorneys on how much the litigation might cost (Floyd Abrams, the Cahill, Gordon partner who worked with Prof. Alex Bickel on the Pentagon Papers case would handle it) and were told it could be over \$50,000, and informed their own parent corporation, R.C.A., of the situation. Since R.C.A. has many defense contracts with the Government, for a few days rumors spread that it might stand in the way of Random House's legal participation in the suit, although when I asked Marchetti about that he said, "Ask me what the C.I.A.'s doing in Russia and I'll tell you what I think. But something like that, don't ask!" Apparently a delay came about because Chairman of the Board Sarnoff, who traditionally keeps hands off on these matters, had asked to be kept informed, and he was traveling in Europe at the time. Anyway, after a meeting of all the principals, at which A.C.L.U. Director Aryeh Neier made a stirring statement for the benefit of Random House executives about the important principles at stake, Robert Bernstein, who has appeared on countless platforms with Neier on behalf of First Amendment causes and presumably needs no instruction on these matters, called the A.C.L.U. and told them to count Random House in.

Unless it is postponed, the trial should be under way by the time this issue of the Book Review goes to press. Either way — with or without deletions — the book is scheduled for May publication. And as Knopf's legal expenses pass the \$25,000 mark, C.I.A.-stimulated free publicity for "The CIA and the Cult of Secrecy" by Victor Marchetti and John Marks, cannot be far behind. At prevailing advertising space rates, the Taylor Branch Harper's piece is, by my calculations, worth \$27,280, and, in case anyone should ask, the space consumed by this report would cost about \$4,000. ■

WASHINGTON STAR  
3 MAR 1974

# CIA on the Loose In Friendly Countries

By John M. Taylor

Perhaps it is no more than coincidence that Thailand was the setting for the CIA's most recent debacle — the fabrication of a letter last December in which a Thai insurgent leader purported to offer the government a cease-fire in return for a degree of regional autonomy. Because the letter in question was dispatched by registered mail, it was easily traced back to the CIA officer who had sent it.

The CIA letter represented a type of crude deception which might have been attempted anywhere, but somehow the Thai locale seems appropriate. For Thailand is typical of a handful of countries around the world in which the CIA has operated much like a sovereign state. In "friendly" host countries such as Thailand, the agency is able to achieve a freedom of operation to which it could not aspire in a neutral or hostile environment.

What was to have been accomplished by this bogus letter, which eventually found its way to the prime minister of Thailand? The presumed rationale is that receipt of such a presumptuous offer from an insurgent leader would awaken the Thais to the insurgent threat along their borders. No matter that this was a domestic problem, one with which the government had been coping more or less adequately for some 15 years. No matter that, since October, Thailand had operated under a government highly sensitive to anything smacking of interference in its internal affairs.

**BUT SENSITIVITY** to changes in political climate never has been a hallmark of CIA operations. Much as soliders are accused of preparing for the last war, so do intelligence organizations such as CIA seemingly dwell in the political milieu of yesteryear. The agency's vintage years were the 1950s and 1960s, when containment of communism was a byword and, in budgetary terms, CIA was one of the sacred cows of official Washington. Its recruiters operated on virtually every campus in the nation, and this writer was among those who succumbed to the lure of romance plus public service.

In its operations abroad, the agency's representatives often ride roughshod over the resident American ambassador, who is nominally the ranking U.S. official in his country of residence. One may ask why the ambassador, from his position of supposed authority, cannot prevent such abuses as the CIA letter. After all, his primacy within the overseas mission has been underscored by a succession of White House directives dating from the Kennedy administration.

**THE FACT IS THAT AN** ambassador — be he a career official or a political appointee — faces real handicaps in his role as mission chief. If he is a political appointee, he will

probably have little or no experience in the bureaucratic infighting required to make one's views prevail in Washington. He will find that both the CIA and Defense components of his mission have independent reporting channels. And whether he is a political or a career appointee, the ambassador can rarely count upon the hard-nosed backing in Washington that his colleagues enjoy. The State Department has long been a patsy in the Washington power structure, and an ambassador's "support" at home sometimes consists of two or three senior Foreign Service Officers who aspire to his job.

In his country of residence, an ambassador enjoys certain distinct perks (perquisites). He rides around town with a flag on his fender and is a member of the best clubs. But more often than not, by the time he arrives his CIA counterpart has been in residence for several years. The CIA man perhaps has helped quash legal proceedings when the prime minister's son was in that traffic accident at Harvard, and flew in duty-free champagne when the interior minister's daughter finally got married. When Washington finally approved those helicopters which the defense attache had been working on for a year, it was the CIA man who modestly advised a few key officials that he was hoping for some good news on those choppers.

**ABOUT THE TIME** that the ambassador begins to wonder about who is running the mission his wife comes down with acute appendicitis. There are no commercial flights that day, but the CIA man waves his wand and a plane materializes out of thin air. It doesn't seem to have any of the usual markings, but at the airport no questions are asked.

It is in this context that one should view Ambassador William Kintner's problems in Bangkok. As diplomatic incidents go, the affair of the CIA letter is the type of brouhaha that will blow over in time; already references to it are buried in the inside pages of our papers. But some nagging questions linger. Does anyone really believe that the spurious letter was the brainchild of a junior officer who dispatched it without the knowledge of his superiors? Those to whom this sounds plausible should have no trouble at all with Rose Mary Wood's story about that tape recorder.

The New York Times recently editorialized that "the senior members of Congress have . . . failed to exercise any real independent scrutiny of the CIA." The lesson of the CIA letter is that control of the agency in the field is no more effective than that which is nominally exercised in Washington.

*In addition to the background to which he alludes in this article, John M. Taylor is a former Foreign Service officer who writes frequently on historical, international and current affairs topics.*

MANCHESTER GUARDIAN  
1 March 1974

# CIA in cloak and ball-point work

From MARTIN SCHRAM  
Washington, February 28

The United States Central Intelligence Agency has about 200 agents planted in American companies overseas and engaged in covert activities, it has been learned.

They are assigned to these posts with the full knowledge and permission of the companies involved. The CIA reimburses the companies for the agents' salaries and administrative expenses.

The practice is useful to the CIA, which is known to feel that it is often not enough to have agents stationed abroad merely under the cover of other US Government titles. It is also of benefit to the companies involved, since they receive some feedback of information the agent gathers abroad about latest developments and trends.

The names of all of the companies and geographic areas involved could not be learned. However, it has been confirmed that two CIA agents were working abroad under the cover of Robert R. Mullen and company — the public relations firm that also employed the former CIA man, Howard Hunt, at the time he went to work at the White House and helped to plan the Watergate burglary.

It has been confirmed by the Mullen firm that its one-man offices in Amsterdam and in Singapore were staffed by CIA agents. Both offices were closed after the firm was thrust into the public spotlight after Hunt's arrest in the Watergate case. Mullen's Singapore office was closed in September, 1972, and the Amsterdam one in June 1973.

## Inquiry

Senator Frank Church, chairman of the Senate foreign relations subcommittee on multinational corporations, after being informed of the practice, said: "The subcommittee will make an immediate inquiry into this with the CIA."

It has long been believed that the CIA had close ties with US companies abroad, but the involvement has never before been confirmed to this extent. The CIA's relationships fall into three categories.

1. It maintains a domestic collection division in many cities with offices listed in telephone books under the name of the CIA. When the agency learns that an individual has some information concerning a foreign country it often asks the person if he or she will be willing to come in and pass

EDITOR &amp; PUBLISHER

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# Shop Talk at Thirty

By Robert U. Brown

## Criticism from within

along the information.

2. The CIA has a kind of operational collaboration, involving people who work for US companies but occasionally talk with CIA officials, to exchange information on a cooperative basis (this is the kind of cooperative relationship that also exists between a number of regular working journalists and the CIA).

3. A couple of hundred CIA agents live abroad and work under cover on the payrolls of US companies while engaged in intelligence gathering (some journalists have also been in this category, although the CIA position is that it is stopping the practice of having journalists on its payroll).

That the Mullen agency served as a cover for two CIA agents abroad was first reported by a Columbia Broadcasting System correspondent, Dan Rather, and has been confirmed in detail by Newsday.

Years ago the CIA initially approached Mullen (now chairman of the board), saying that it had an emergency and wanted to station an agent in Europe under the guise of the public relations agency. It said it hoped to keep the arrangement going indefinitely.

The agency, in what it considered a patriotic move, agreed to help out and have the agent work in a one-man office. It contends it also had a legitimate need for a public relations office in Europe. For years the firm has done public relations for the Mormon Church and thus handled a European tour by the Mormon Tabernacle Choir.

In 1970, the CIA contacted the Mullen firm with another emergency — this time in Singapore. The firm acknowledged it had no legitimate need for a Singapore operation, but it nevertheless agreed and opened a one-man office there. The CIA reimbursed the firm for all administrative expenses, including the agent's "company" car. — Newsday.

Whoever said newspapers and newspapermen don't criticize themselves or each other? Nothing impedes a newsman or an editor from criticizing his peers and we have reported many such instances. Every public figure knows that all he has to do to get his name in print is to take a round house swing at "the press" for its alleged sins.

Two instances of in-house criticism come to hand this week.

Early in December the *Washington Star-News* reported the CIA employed more than 36 American newsmen as full or part-time operatives. CIA Director William Colby acknowledged the facts and said he would remove from the payroll five of the agents with full time staff positions on American newspapers. No names were revealed and it was said the others are free-lancers, stringers, etc. None of the newsmen are regular staffers for U.S. newspapers, it was added.

This situation was deplored by the press at large and the newspapers with overseas staffs said they were taking steps to see that their men were not involved.

On February 3 the *Denver Post* carried an article by staff member Glenn Troelstrup who said "the journalist-undercover community tieup is old, it is more widespread than has been publicly acknowledged, and when revealed it is usually swept under the rug by the media." Troelstrup, who spent 14 years abroad as a correspondent for print and broadcast media, wrote:

"Journalists have been quoted recently by the *Washington Star-News* and other media as 'quietly suspecting' or being 'aware' of colleagues on the CIA payroll. No other agencies have been mentioned.

"Much of that is understatement, or balderdash.

"Any overseas correspondent worthy of the name—and many domestic journalists—can name names, times and places. Sometimes they do, cautiously, and in private. Often the names involved would take the fingers of both hands to total.

"It would require several more hands to total the non-journalists working full or parttime as informational vacuum sweepers for the CIA and similar agencies.

"Such things are rarely made public by a profession priding itself on exposures. When some of it is, there's ridiculous defensive posturing by news executives who know better.

"Why? The practice is too self-serving for the parties concerned.

"Also, some who would be expected to clean up the situation are themselves 'involved.'

Troelstrup added: "To hold that journalist-undercover relationships are clean when no money changes hands, as is sometimes implied, is to be ludicrous. And naïve. All favors are remembered. All favors must eventually be repaid."

A footnote disclaimer to the article said his views "are at odds with the views of many other newspapermen, including editors of the Post." Another article on the subject by Loomer, a former

White House correspondent and now a professor of public affairs reporting at Ohio State University, dealt with the original report of CIA-newsmen involvement and concluded:

"American newsmen must not be compromised in the same manner that so many—too many—officials, bureaucrats and military men have been corrupted in recent years. The public and Congress should demand that the CIA break all contractual relationships with bona fide newsmen. Beyond that, publishers maintaining foreign bureaus should seek out and discipline any employees with dual relationships.

"Anything less makes the news business the handmaiden of the government and that cannot be tolerated. Otherwise, the free flow of news from overseas—so important to public awareness—will be seriously jeopardized."

We agree with Loomer: Whether the situation is as bad as Troelstrup contends or not it should be cleaned up.

Another article of self-criticism has been written by M. Stanton Evans, columnist for *North American Newspaper Alliance*. He is also editor of the *Indianapolis News*. He believes that newsmen's obsession with Watergate has distorted their news coverage." He's not the first one to say it.

His piece was based on "three personal experiences with the Washington press corps suggesting Watergate and its effect on President Nixon's fortunes have been converted from a journalistic assignment into a species of obsessions. The result is a tendency to crowd all other issues from the national proscenium and to warp political debate accordingly."

In mid-January Evans participated in a "Meet the Press" program featuring Barry Goldwater. "A heavy concentration of questions" on Watergate was expected, Evans wrote, but "as the program rolled on it became apparent the other panelists were interested in the whole Watergate and nothing but the Watergate, to the absolute exclusion of anything else." He didn't keep count but said "I suppose a total of 14 or 15 questions were asked, including follow-ups. Of these, the only questions which were not about Watergate were those I raised myself concerning the energy crisis and the condition of our national defenses." Subsequent press coverage played up the Watergate questions and answers and ignored other matters, he said.

Two weeks later he attended a gathering of conservatives in Washington and was interviewed at a press conference. "Again, the Watergate questions flowed, with particular emphasis on whether Nixon should resign or be impeached. I answered these queries as best I could and observed that conservative disagreements with Nixon centered chiefly on matters other than Watergate, such as detente with communist China, trade with the Soviets, wage-price controls and so forth.

"In the course of this discussion, a rather peculiar pattern developed in the activities of a network tv reporter and his conversation was on Watergate, impeachment, or resig-

CHRISTIAN SCIENCE MONITOR  
5 March 1974

## Secrecy redefined 'New' CIA— with Colby's brand on it

By Benjamin Welles  
Special to  
The Christian Science Monitor

Washington

After seven months in office the soft-spoken William Egan "Bill" Colby has begun to leave his stamp as director of the Central Intelligence Agency.

First, Mr. Colby — the only career intelligence man to reach the top except for Richard M. Helms — has done much to restore the loyalty and morale of the CIA's 15,000 employees.

This development is in sharp contrast to the image of his predecessor, James R. Schlesinger, who humiliated some subordinates and fired dozens of others, and whose departure to become secretary of defense led, as one source put it, to "dancing in the halls from joy."

Mr. Colby's principal change so far has been to restructure sharply the 24-year-old system of spotting and analyzing potential threats to U.S. safety and bringing these to the President's attention.

### Prestigious board

Ever since the 1950 Korean war this has been done by the CIA's Board of National Estimates: a prestigious — if shadowy — group of about 12 experienced intelligence veterans, ambassadors, admirals, generals, scientists, and executives.

The board, backed by an expert staff, has been producing yearly up to 60 "national intelligence estimates" ranging from the massive annual studies of Soviet strength and probable intentions on which the Pentagon budget and the U.S. strategic posture are based down to analyses of what might happen in so small — but important — a country in terms of U.S. interests as Panama.

But the board has tended in recent years to turn out increasingly massive studies that often obscure sharp differences between rival intelligence agencies and portray instead a bland "lowest common denominator" of agreement.

During the first Nixon administration these wordy "NIEs" often irritated Henry A. Kissinger; a busy man who wants facts, not fudge. ("Tell me the truth," he once insisted, "if there are differences between different intelligence agencies I want to know it.")

Mr. Colby has begun recasting the

system. He has scrapped the Board of National Estimates and its backup staff. In their place he has begun naming key aides as "national intelligence officers" for specific top-priority topics. He tends to think of them as "Mr. Russia," "Mr. Salt talks," "Mr. Middle East," etc.

Mr. Colby's innovation has been criticized. Veterans warn that whereas the Board of National Estimates was like a court, uninfluenced by policies of the administration in power, concerned solely with objective analysis — the new "one man" system may make it easier for the White House to pressure Mr. Colby and his NIOs to tailor their findings to the administration's policies.

Mr. Colby defends the new system as faster and more accurate. The strings, of course, all now run into his own hands — rather than, as before, into a group of prestigious, elderly but often balky, experts.

More important in Mr. Colby's view, the new system of individual NIOs considers the key factor of how to collect needed intelligence — whether by spies, by orbiting satellites, or by electronic bases around the world — plus relative costs.

Rising costs form a pressing part of Mr. Colby's preoccupations. He gives no details, but outside experts say the U.S. intelligence community has been held to about \$3.5 billion a year for several years; with the CIA spending \$600 million of that yearly. The Defense Department alone spends more than \$2 billion yearly on intelligence — without which the United States could scarcely enter serious disarmament negotiations with the Russians.

Yet with prices inexorably rising Mr. Colby has been faced with the rueful choices of (A) keeping all programs and personnel going and asking Congress yearly for more money; (B) keeping all programs but cutting into research and development; or (C) trimming less-essential programs.

Realizing the widespread mistrust of the CIA, Mr. Colby has started eliminating time-encrusted shibboleths of secrecy. There are three types of "secrets" in his view:

- "Bad secrets or government misbehavior which enterprising journalists expose for the public good.

- There are secrets which need no longer be secret: CIA involvement in analysis of world events or in science, research, and technology.

- Finally there are "good" secrets — matters which should be protected — such as the identity of a key informant in a hostile government.

Mr. Colby is said to feel strongly that if everything CIA does is covered by a blanket of secrecy, "good" secrets risk being exposed because the cloak of security must cover so much.

nation, the camera would roll. When the discussion began to wander away from Watergate to national defense, or busing, or anything of the sort, the signal would be given for the camera to be turned off."

The following day Evans participated in a panel discussion with another columnist and a moderator. He reported the views of the other columnist and the moderator—that Nixon should step down—received the play in the *Washington Post* the next morning and his own views—that Watergate-impeach-resign had become a fixation and that other issues urgently needed talking about—were treated with "admirable brevity" in paragraph 12.

It is our feeling that the debate within the newspaper business as to whether Watergate has been over-played is going to be accentuated in the months ahead. It is almost axiomatic that the longer the controversy the wider the divergence of opinion about the need for a conclusion.

BALTIMORE SUN

27 FEB 1974

## E. A. Rose, served with CIA

Washington (Special). — A memorial service for Edward Andrews Rose, who formerly worked for the Central Intelligence Agency, will be held at 11 A.M. Friday at Christ Church, at 620 G street, in Georgetown.

Mr. Rose, who was 73 and lived at 1632 32nd street, died last Friday of heart failure at his home.

Born in Denver, he was taken to England at an early age, and educated at Eton. He received his bachelor's degree from Harvard College, in 1924. Following his graduation he studied drawing and sculpture in Paris.

In 1940, Mr. Rose enlisted in the Canadian Black Watch. He later was commissioned in the United States Army, attaining the rank of major. After the war he joined the CIA, where he served in Washington for 18 years, retiring in 1964.

Mr. Rose was a member of the Chevy Chase Club, the City Tavern, the Harvard Club of New York, and the Cercle Inter-Allie of Paris. He was also the treasurer of the Georgetown Citizens Association.

Mr. Rose married the former Elizabeth Hill Hartley, a Baltimore native, in 1951.

Besides his wife, he is survived by a son, Edward A. Rose, Jr., and two grandchildren, all of Washington.

**GENERAL**

CHRISTIAN SCIENCE MONITOR

13 FEB 1974

**How to protect VIP planes  
from terrorist 'rockets'**

By Dana Adams Schmidt  
Staff correspondent of  
The Christian Science Monitor.

Washington

Federal aviation officials have suggested a plan to protect VIP airplane passengers such as Secretary of State Henry A. Kissinger from terrorist attack by heat-seeking rockets.

The Federal Aviation Agency (FAA) has passed along information obtained from the Central Intelligence Agency indicating that operations by Palestinian terrorists have been planned in the United States.

The FAA scheme would install aboard airliners special observers to watch through a wide-angle periscope for terrorist heat-seeking rockets — and who could fire flares to divert the rockets.

It has been suggested such operations presumably would be directed against Secretary of State Kissinger, architect of Arab-Israeli negotiations which some Palestinians adamantly oppose.

**Information reported**

It is reported the CIA had information indicating the terrorists were hoping to carry out in the United States an attack using Soviet-made SAM-7 "Strella" hand-held missile launchers. Reported plans for use of these missiles were foiled recently by extensive British military pre-

cautions around Heathrow Airport and by the Belgian Army around Brussels airport. The precautions were taken at the time Dr. Kissinger was using the airports.

The CIA information and the FAA caution to international airports and airlines have been disclosed by Rep. John M. Murphy (D) of New York in a report to the chairman of the House Commerce Committee, Rep. Harley O. Staggers (D) of West Virginia.

Mr. Murphy at the same time proposed a bill that would create a federal airport police capable of effecting around American airports the kind of security taken by the British and the Belgian Armies. At present, airport security in the United States is in the hands of local police authorities.

**Problem of approval**

State Department officials, concerned with the security of Dr. Kissinger and other American officials, believe the suspicion with which many Americans regard the idea of any kind of federal police would make it difficult to get congressional approval for a federal airport-security organization.

So far, the kind of precautions taken in the United States has prevented the Palestinian terrorists from hijacking aircraft.

The Federal Bureau of Investigation did, however, discover

three vehicles loaded with explosives in New York during a recent visit by Premier Golda Meir of Israel. The assassination of an Israeli military attache in Washington also remains unsolved.

In a letter to Chairman Staggers of the Commerce Committee, Mr. Murphy said he had been "briefed by special agents of the FAA who informed me that intelligence they have received indicates that terrorists in the United States have plans to park an automobile at the end of a runway of a major U.S. airport and fire one of these rockets right up the tailpipe of a 747 as it takes off."

**Diplomatic pouches used?**

He said the agents told him that the Strella launchers and missiles had been assembled by Palestinian terrorists in Belgium and it is suspected that they had been sent there in Libyan diplomatic pouches.

The FAA communication to airports and airlines explained that the Strella weapon the terrorists are believed to be using has a maximum effective range of 2.5 nautical miles and a maximum altitude of 10,000 feet. Because the missile is of the heat-seeking variety, an aircraft taking off and climbing would be especially vulnerable.

In addition to installing observers with periscopes and flares it suggested that high-risk aircraft use alternate runways, airfields, or landing and takeoff patterns and try to make approaches and takeoffs as short and steep as possible.

CHRISTIAN SCIENCE MONITOR

21 February 1974

**U.S. faces danger of upsurge in hard-drug use****Turkish farmers again to grow opium**

By John K. Cooley  
Staff correspondent of  
The Christian Science Monitor

Beirut

Next May, when the white and purple-blue opium poppies begin sprouting in Turkey's fields, the hard-drug problem in the United States and other Western countries could face serious aggravation.

Turkish Prime Minister Bulent Ecevit's new government has officially notified the United States that Turkey will resume legal cultivation of the opium poppy, banned in 1971 under U.S. pressure.

U.S. officials estimate that about 80 percent of all the heroin consumed in

reaching the United States has its origin in Turkish opium.

Following the Turkish announcement last Thursday, aides of U.S. Ambassador in Ankara William MacComber began a "review" of the opium situation with Mr. Ecevit's government. Turkish newspapers reported — and Turkish officials denied — that the United States would offer Turkey about \$40 million additional to the \$35.7 million special aid granted in 1971 if it will maintain the ban.

**Intended as farm aid**

The original \$35.7 million was intended to help Turkish farmers con-

wheat, barley, and sugar beets, among other crops.

Turkish farmers complained last year that this aid had not been reaching them. A report of the Turkish Union of Agricultural Chambers, Turkey's leading farm organization, last year claimed a loss of about \$8 million in one year by farmers who had given up poppy cultivation.

New agricultural and industrial projects for the Afyon region of southwestern Anatolia, where most of the opium poppies are grown, had not been carried out by a special U.S.-Turkish committee set up for the purpose, the report said.

All three major Turkish political parties promised before the October,



1973, Turkish elections that they would lift the opium ban, which affects about 100,000 farming families.

Many of these farmers had buried their stocks of raw opium and hidden their poppyseeds from government inspectors.

After formation of Turkey's new coalition government last month, the two main partners, Mr. Ecevit's Republican People's Party and the National Salvation Party, signed a policy agreement. On opium production it says: "Ways will be sought to satisfy human considerations on the one hand and to end the damage suffered by the producers on the other."

The 1971 ban slowed but did not halt illicit opium traffic. U.S. and local narcotics control officials say quantities of raw opium are regularly smuggled to Syria and Lebanon. Here it is refined into morphine base which is smuggled to Marseilles and other European points for conversion to heroin.

**Retail value: \$113 million**

NEW YORK TIMES  
22 February 1974

## U.S. WARNS TURKS OVER POPPY FARMING

WASHINGTON, Feb. 21 (AP)—The State Department has instructed the United States Ambassador to Turkey to tell Premier Bulent Ecevit that lifting a law that bans cultivation of opium would have disastrous consequences on the fight against drug addiction department officials said.

The officials said that Ambassador William B. Macomber Jr. was scheduled to meet with Mr. Ecevit.

Foreign Minister Turan Gunes told Mr. Macomber last week that the new Turkish Government wanted a review of the 1971 agreement with the United States. It permitted Nihat Erim, then Premier to ban the growing of poppy by June, 1972. In exchange, the United States paid \$35.7-million to Turkey.

The new Turkish Government's move was no surprise because Mr. Ecevit's Republican Peoples party opposed the ban in the election campaign, the officials said.

Before the ban, 100,000 Turkish farmers grew opium. United States experts said that 80 per cent of the heroin smuggled into the United States came from poppies grown in Turkish Anatolia.

Last August, Turkish police, acting on an anonymous tip, seized a truckload of over two tons of raw opium, the biggest narcotics haul of all time, hidden under fruit.

Refined, this would have produced about 474 pounds of heroin worth about \$113 million on the streets of New York, Boston, or Chicago. Turkish police said the opium had been buried underground for at least five years near Gaziantep, a smuggling center near the Turkish-Syrian border.

Turkey helped to write and then signed the United Nations single convention on narcotic drugs in 1956. This authorized Turkey and six other countries to grow the opium poppy legally for export intended for medical derivatives like morphine. A UN narcotics board each year sets the worldwide quotas for the legal trade.

Between 1959 and 1972, when the ban took effect, Turkey reduced from 21 to 9 the provinces where the opium poppy may be grown. If Turkey's ban is lifted, Turkish farmers will, as before, sell their legal quotas to the

government.

Despite the government stand on the opium issue, Turkish courts have shown great severity in sentencing American and other foreign drug offenders caught smuggling or "pushing" drugs from the outside world inside Turkey.

Last Dec. 28, for example, a criminal court in Antakya commuted to life imprisonment capital sentences it passed on three Americans: Joanne Marie McDaniel of Coos Bay, Oregon; Catherine Zenz of Lancaster, Wisc.; and Robert Hubbard, a native of Washington state.

Consular authorities and attorneys for these and around 60 other foreign drug offenders imprisoned in Turkey are hopeful that a national amnesty for this year's 50th anniversary of the Turkish Republic will reduce sentences and release many prisoners. Under terms of the prospective amnesty reported in Ankara, those serving life sentences would have their time cut to 24 years.

WASHINGTON POST  
19 February 1974

Victor Zorza

## 'Inner Struggles'

The Kremlin is worried by the conflict between Henry Kissinger and James Schlesinger reported from Washington. Pravda discerns an "intense struggle" over the future of detente. Moscow Radio finds in Kissinger's speeches signs of "the hidden struggle behind the scenes."

Secretary of State Kissinger, it reports, says that "we should not play with the danger of nuclear war" and make a domestic debate out of it. His hidden meaning, it concludes, is "quite obvious." His warning, it says, is addressed to those Washington "elements" which demand more money for arms and obstruct the negotiations with Moscow on SALT.

Moscow papers report that Secretary of Defense Schlesinger had made the "toughest remarks" heard in Washington since the 1972 summit and SALT agreement, thus embarrassing "even some high-ranking figures." Guess who.

The Kremlin wonders where Mr. Nixon stands between Kissinger and Schlesinger. To judge from the Soviet press, Moscow's "Amerika-watchers" have turned Kremlinology inside out to practice an even darker art, Washingtonology.

They read The Washington Post, by all accounts, the way some of us read Pravda. So they would have noted,

first, the column by Tom Braden announcing that Kissinger and Schlesinger were on a collision course. Next, they would have read a column by Stephen Resenfeld concluding from this that "a journalist friend" of Kissinger's had made it known that Kissinger feels himself threatened by Schlesinger.

They would gather from this that Kissinger, by leaking the story, is telling Schlesinger that if he wants a fight, he can have one. Digging deeper for evidence, they would find in The Washington Post a finely wrought, brilliantly argued essay by Thomas Hughes, former director of intelligence and research in the State Department, who concluded that Kissinger had become de facto President of the United States for Foreign Policy.

Kissinger's heated rejection a few days later of any such notion would only have confirmed their suspicions, as denials usually do. It had lately been reported that Schlesinger had not seen Mr. Nixon alone since he became Secretary of Defense in the summer and that he was running the Defense Department very much in his own way. And here was Kissinger, letting everybody know that he was seeing the President every morning for at least half an hour, but usually much longer, and insisting that great departments of government must not be "the personal fiefdoms of individual man." Was he talking about himself or about Schlesinger?

Nothing could illustrate the pitfalls of Kremlinology . . . or Washingtonology—more graphically than the conclusions drawn on the basis of such scattered quotations. In Moscow the only source material for political analysis is the press, and the only possible method is reading between its lines. In Washington the flood of words,

written and spoken, is so vast that few analysts can find the time to study it. They have to rely on the musings of high officials who are only too often willing to unburden themselves for publication—but off the record.

In Washington, the study of documents must be combined with the less formal flow of information to yield insights about the way in which high policy emerges from a struggle of personalities, factions and bureaucracies. While Kissinger was preoccupied with the Mideast, Schlesinger staked a claim for a "much larger strategic force structure" to go with the re-targeting of missiles against a greatly increased number of Soviet targets.

But Kissinger made a barbed remark, on his return from the Mideast, which implied that strategic policy was

made in the National Security Council where he, Kissinger, was the President's representative. Schlesinger now explains that his re-targeting doctrine requires no additional forces.

This much may be read, as in Moscow, between the lines. But it must be read in conjunction with the fact that Kissinger has caused a presidential "decision memorandum" to be issued to the bureaucracy announcing approval of the re-targeting doctrine—but only under the existing missile force structure. As for the new missiles demanded by Schlesinger, Kissinger has arranged for a "nissim"—White House jargon for a national security study memorandum—which calls for an inter-agency study of the weapons requirements asserted by Schlesinger.

The Pentagon sees it as a mean, underhand trick, designed to dilute its previously unquestioned authority in weapons procurement. The "nissim" will allow other parts of the bureaucracy, which oppose some of the Pentagon's demands, to press their objections. Kissinger, the Pentagon suspects, will then use his position as coordinator to juggle the evidence in support of his own views—and against those of Schlesinger.

These may seem to be only the sordid details of an internal conflict among power-hungry politicians and bureaucrats, but, as a further article will argue, the Kremlin's belief that the outcome of this struggle will determine the future of detente is not far off the mark.

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CHRISTIAN SCIENCE MONITOR  
6 March 1974

# Schlesinger's choice: cold war or detente?

Defense Secretary's report to Congress stresses improved missiles as 'counterforce' to Soviet Union, new stage in politics of deterrence

By Dana Adams Schmidt  
Staff correspondent of  
The Christian Science Monitor

Washington

"Where there is no vision, the people perish." (Prov. 29:18)

Secretary of Defense James R. Schlesinger, who used this biblical quotation to lead off his 237-page military posture report to the United States Congress, obviously has no doubts that he possesses the vision that will save the people.

Early this week he shared it with the members of the Senate Armed Services Committee and left some wondering whether his vision is the same as that of his Harvard classmate, Secretary of State Henry A. Kissinger.

While the two men's objectives may be the same the Secretary of Defense's words and arguments were more hawkish than would be expected from the Secretary of State.

Mr. Schlesinger seemed inspired more by John Foster Dulles, or possibly Rudyard Kipling, in the following passage:

"The United States today, as opposed to the period before 1945, bears the principal burden of maintaining the worldwide military equilibrium which is the foundation for the security and the survival of the free world. This is not a role we have welcomed; it is a role that historical necessity has thrust upon us. The burden of responsibility has fallen on the United States, and there is nobody else to pick up the torch if the United States fails to carry it."

## Inferior Navy?

Seemingly more attuned to cold war arguments than to detente, Mr. Schlesinger deplored what he termed the inadequacy of various U.S. weapons, the growing inferiority of the U.S. Navy and the effrontery of the Soviet Union during the Middle East war. But what concerned him most, as it has ever since he replaced Elliot L. Richardson in this office more than a year ago, was nuclear defense policy.

Mr. Schlesinger has become the philosopher of "counterforce," which he regards as a new stage in the politics of deterrence.

"Although several targeting options have been a part of U.S. strategic doctrine for quite some time," he said, "the concept that has dominated our rhetoric for most of the era since World War II has been massive retaliation against cities, or what is called assured destruction.

"As I hardly need emphasize, there is a certain terrifying elegance in the simplicity of the concept. For all that it postulates, in effect, is that deterrence will be adequately [indeed amply] served if at all times we possess the second-strike capability to destroy some percentage of the population and industry of a potential enemy."

He recalled that during the 1960's "We tended to talk in terms of assured destruction of between a fifth and a third of the population and between half and three-quarters of the industrial capacity." In 1974, he added, "even after a more brilliantly executed and devastating attack than we believe our potential adversaries could deliver," the U.S. could probably kill more than 80 percent of the

Soviet population and destroy more than 75 percent of Soviet industry.

But supposing — and this is the new argument — the Russians did not strike at our cities, but instead aimed their missiles at military airfields and missile-launching sites.

"A development of more recent years," said the Secretary of Defense, "is the accelerated improvement of Soviet missile technology. The Soviet Union now has the capability in its missile forces to undertake selective attacks against targets other than our cities."

## Vigorous program

How should the U.S. then respond?

Mr. Schlesinger wants to improve U.S. missiles in accuracy and limitation of blast so that American policy can be flexible.

But there is another aspect of Soviet nuclear policy that concerns the Secretary. "In recent years, the U.S.S.R. has been pursuing a vigorous strategic R&D program. This we had expected. But its breadth, depth, and momentum as now revealed comes as something of a surprise to us."

This program might give the Russians a one-sided advantage in strategic missile warheads, which "is impermissible from our point of view."

This, he explains, is what SALT II is all about. The U.S., having proposed in its 1975 budget some research programs for weapons that would equal or surpass those of the Russians, is offering "to reduce the present balance in such a way that strategic equivalence can be achieved at the lowest cost and least destabilizing level of forces."

# Eastern Europe

WASHINGTON POST  
7 March 1974

Rowland Evans and Robert Novak

## Voice of America

### Speechless on

### 'Gulag Archipelago'

The Voice of America (VOA), this nation's overseas propaganda arm, has been strangely mute about Alexander Solzhenitsyn's monumental "Gulag Archipelago" despite pointed pleas from the U.S. embassy in Moscow to pass the dramatic word in detail to the Russian people.

When excerpts of the great author's work first appeared in Western newspapers last December, the embassy cabled the U.S. Information Agency (USIA) commending VOA's first handling of what was becoming a big international story. But the diplomatic cable also strongly pressed USIA, which runs VOA, to be sure and get into "the substance" of Gulag—that is, to beam great gobbs of it into the heart of Russia.

Yet, the USIA high command is so timid about seeming to undercut President Nixon's detente with Moscow that that telegram was never even answered.

Just how much of this policy has been dictated to USIA director James Keogh by the White House or the State Department is not known. Keogh told us VOA policy is made by him and his top aides in conformity with U.S. policy.

Whatever the answer, USIA's refusal to exploit Gulag is infuriating not only anti-Soviet hardliners but other politicians fearful that President Nixon's weakness at home may lead him into unwarranted concessions abroad in his search for foreign successes.

Thus, the policy of playing down news that might affront the White House was applied to Gulag. Actually, according to middle-level USIA officials, former chief Nixon speechwriter Keogh began subtly toning down VOA's coverage of the Watergate scandal when he took over USIA from Frank Shakespeare in early 1973 at the recommendation of then White House staff chief H. R. Haldeman.

But political reaction to Keogh's muted coverage of Gulag far transcends criticism of his kid-glove treatment of Watergate. Powerful politicians of both parties are quietly campaigning to force Keogh to tell millions of radio listeners in the Soviet Union far more about Solzhenitsyn's bitter outcry against the Stalin era.

The first congressional target was not USIA's treatment of Gulag but its apparent playing down in broadcasts to the Soviet Union of news about Soviet dissidents. In a January speech, Sen. Henry M. Jackson questioned whether USIA was trying "to accommodate the Soviet demand that we refrain from broadcasting about what Soviet authorities consider to be matters of an internal nature."

That elicited an overnight response from Eugene P. Kopp, Keogh's deputy director. Kopp wrote Jackson that the new regime at USIA was trying to "reach a wider Soviet audience with more news and information about the United States." In short, spare newsless Russians the harsher facts of Soviet life and give them goodies about America.

In line with this new policy of what middle-level USIA officials call the Keogh-Kopp clique, the USIA flatly

WASHINGTON POST  
19 February 1974  
USIA Reaction

James Keogh, director of the United States Information Agency, criticized an Associated Press story saying that "the Voice of America curtailed its coverage of Soviet affairs to protect detente" since the Soviets stopped jamming VOA last September.

Keogh called the story "an irresponsible distortion."

The USIA director did not deny the authenticity of the figures cited in the AP story, based on a U.S. government computer survey, but he said they had been subjected to "misinterpretation."

"There has been no change in VOA policy regarding broadcasts to the Soviet Union since the jamming was stopped," Keogh said. "There have been no 'deals'—clandestine or otherwise—between the Soviet and American governments."

ruled out proposals from both Congress and VOA itself that excerpts of Gulag be read over VOA. Instead, coverage of the shocking study of the Stalin era was limited to a rehash of stories, editorials and commentaries taken from the U.S. media.

In the past, VOA seldom if ever broadcast to Communist nations lengthy excerpts of published material. But Gulag is unique: the most powerful expose ever published of life under Stalin. That's why the Russian service of the British Broadcasting Corp. (BBC) has been reading lengthy excerpts from Gulag. Similarly, the German overseas radio, Deutsche Welle, has given its Soviet audience a regular dose of long quotations.

In public, Keogh says Soviet officials are complaining about present VOA coverage of the Russian dissident movement but boasts "we are holding to it." In private, he tells associates inside USIA that one reason for playing down Gulag is fear of renewed Soviet jamming of VOA, which stopped last fall as a Soviet concession to detente. However, neither the German nor the British excerpts have been jammed.

Keogh, biographer and longtime idolater of Richard M. Nixon, takes the public position that USIA is committed "to support, not oppose, U.S. foreign policies." Responding last week to his critics, he said: "The principal goal of American foreign policy is to affect the foreign policies of other nations toward negotiations and away from confrontation, not to transform the domestic structures of these societies."

That is a shocking admission that VOA is being switched from no-holds-barred news into a policy arm of the U.S. Such a switch could destroy its credibility and lose its audience.

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Washington Post  
18 Feb. 1974

### VOA Cut Coverage Of Soviet, Study Finds

MOSCOW, Feb. 17 (AP)—A U.S. government computer study tends to confirm allegations by Russian dissidents that the Voice of America curtailed its coverage of Soviet affairs to protect detente.

A recent survey of VOA programming released by American officials here shows that the official U.S. radio station significantly decreased news of Soviet affairs immediately after the Kremlin stopped jamming VOA transmissions last September.

According to the survey figures, total VOA coverage of the Soviet Union was down 67 per cent in a 13-day post jamming period, compared to a 13-day period before the jamming halt.

The U.S. officials said the diminished Soviet coverage was explained by a lack of dissident news and a paucity of U.S. news comments and re-

NEW YORK TIMES  
18 February 1974

# Solzhenitsyn Without Tears

By William Safire

ESSAY

ports on Soviet affairs. However, a survey of major Western news organizations with offices in Moscow revealed no substantial changes in the amount of political news reported during the two VOA-selected periods.

Many dissidents believe the changes in programming reflect a clandestine Moscow-Washington deal. VOA officials in Washington and the U.S. embassy here strongly deny any such agreement.

## Jackson Criticizes

### U.S. Silence on Exile

Sen. Henry Jackson (D-Wash.) yesterday charged the Nixon administration with "deplorable" silence in the wake of Alexander Solzhenitsyn's expulsion from the Soviet Union.

In a statement issued here Jackson said, "At a time when men and women throughout the free world—ordinary citizens, government officials and even heads of state—have voiced their revulsion at the mistreatment and brutal expulsion of this great and brave man, I cannot allow the silence of the President to be understood as representing the sentiments of the American people. It does not."

Jackson said the President's silence and the "waffling" by Secretary of State Henry A. Kissinger served as "a clear indication that the administration has narrowed its conception of detente to exclude issues of human rights."

WASHINGTON—I am the first on my block to feel misgivings about Alexander Solzhenitsyn.

When Westerners of all persuasions outdo each other to embrace one man as their champion, a suspicion arises that the focus of all this adulation might be too true to be good.

(Note to copy editor: Do not change "Alexander" to "Aleksandr." Just because the Russians do not have an "x" in their alphabet is no reason for us to transliterate their "ks," and an objection to senseless transliteration is what this essay is about.)

Liberals love Mr. Solzhenitsyn for the enemies he has made in the Soviet Union, for his genuine courage in challenging the status quo in that totalitarian state and for proving that there really is a force of "world opinion" able to modify Soviet tactics in dealing with a leading dissident.

Conservatives love him not only for asserting the rights of the individual against government repression, but for reminding Americans that "godless Communism" is alive and well in Moscow, and for helping hardliners to show that Soviet talk of détente is merely a ploy in a long-term strategy that seeks to enslave the rest of the world.

Writers love him as the prime example of the journalist engagé, the dreamer of dreams about whom the phrase "movers and shakers" was originally applied, the novelist-cum-historian who helps to shape the consequences of the events he writes about.

Mr. Solzhenitsyn even has a friend in the Oval Office of the White House; despite his roiling of the international cultural waters, at a critical moment the outspoken Russian condemned the atrocities of the North Vietnamese in Hue, a comment appreciated by an Administration under attack for the atrocities at My Lai.

With all that going for him, no wonder Mr. Solzhenitsyn has achieved the status of "most favored novelist." His willingness to suffer martyrdom, his skill at publicizing his own plight (as well as that of others who might not want such publicity), his status

as Nobel laureate and his ability to express what has been happening in the Soviet Union firsthand, from the inside—all that has added up to the Schweitzerization of Solzhenitsyn, the creation of an unassailable hero.

Now that he is out of the Soviet Union, however, his martyrdom shrewdly denied, cracks will appear in the pedestal we have built for him.

Politicians who praise him now for his opposition to oppression may discover, to their dismay, that their chosen symbol does not share their admiration for democratic principles. I suspect we err in assuming that a religious technocrat's vision of representative government will be like our own; the adversary of our adversary is not always our ally.

Then the flip-flopping will begin: His literary works will be judged on merits other than the circumstances in which they were written and he may be re-evaluated more as a Mailer with a cause than a Dostoyevsky with an understanding of character.

Then some against-the-grain philologists may report him to be crabbiest, more messianic and less beatific than is customarily associated with sainthood, and today's intellectual inspiration may become tomorrow's former hero, the old champ who turns into a bore.

At least, that is what the Soviets hope will happen. We are playing right into their hands with a suspension of our critical faculties (Solzhenitsyn's Nobel Prize message was not in the same league with William Faulkner's); with a worshipful media buildup (the newsmagazines this week are sure to pile on the idolatry); and with the use of a hot new celebrity for our own purposes (watch the way Solzhenitsyn-mentioning will spice up conversations and articles on other subjects).

While on the inside as a dissident writer, Alexander Solzhenitsyn was a test for Soviet authoritarianism; on the outside as a literary superstar, he tests the unsentimentality of our judgment and the consistency of our conscience.

## Soviet traders tackle U.S. public opinion

By Charlotte Salkowski  
Staff correspondent of  
The Christian Science Monitor

Washington

The Russians face a tough image problem with U.S. public opinion — made all the tougher after the expulsion of Alexander Solzhenitsyn.

But they and the Nixon administration are determined to plug away at improving Soviet-American relations and to keep detente on course. This week a group of high-powered Soviet officials are in town promoting trade and economic cooperation.

The Nixon administration, for its part, has begun a low-key effort to urge legislators not to link its trade bill with the issue of Soviet emigration. The House already has done this, and the Senate, which begins hearings on the bill next week, promises to be even more militant.

The occasion for the Soviet visit is the first meeting this week of the board of the U.S.-U.S.S.R. Trade and Economic Council, which was set up at the summit meeting last year. Attending are Soviet Foreign Trade Minister Nikolai S. Patolichev and some 20 other officials and, on the American side, top executives of such leading U.S. firms as Pepsico, Bank of America, Occidental Petroleum, and General Motors.

President Nixon was scheduled to hold a dinner for the delegations at the White House Tuesday, and a group of Russians were to have breakfast with members of the Senate Finance Committee this morning.

After the council meeting in Washington, the Americans are to travel with their Soviet counterparts to their home cities for sight-seeing and visits with local American businessmen.

All this is designed to win friends and influence people on behalf of more business.

Trade between the United States and the Soviet Union has been growing steadily, reaching a high of \$1.4 billion last year, with American grain sales accounting for about 80 percent of American exports. This year the figure is expected to be slightly lower because Soviet purchases of grain will be down.

Currently the amount of Export-Import Bank credits authorized or pending for deals with the Soviet Union totals more than \$485 million, according to Commerce officials.

If the Congress attaches the Jackson-Vanik amendment to the Nixon trade bill, however, the outlook for continuing and bigger deals will be dimmed. The House version of the bill bars both tariff concessions and credits to the Soviet Union unless it allows its citizens to emigrate freely. The Senate is expected to oppose trade benefits for the Russians even

## Solzhenitsyn and Detente

George F. Will

### 'Sand in the Gears Of the Machine'

Comparisons between famous faces often reveal more than words can about the history of nations.

Compare a portrait of Jefferson—untroubled, rational, confidently in possession of "self-evident truths"—and a photograph of Lincoln, etched with ambiguity. You see the difference between the innocent Republic and the torn Union.

The face of Thomas Mann—wise and ironic—was a vivid contrast to the obsessed mask of Adolph Hitler from whom Mann had to flee.

The face of Lenin was the strangely featureless, hard-eyed face of the ideologue, the archetype for our century's men of action. Compare it to the face of the man who has confounded Lenin's heirs, the magnificent, sad, wise but unweary face of Alexander Solzhenitsyn.

When Thomas Mann, the greatest novelist of his time, stepped off the ship into exile, he was a vivid symbol of the German national culture that the Nazi had to destroy. When Alexander Solzhenitsyn, the greatest novelist since Mann, arrived in Germany a few days ago, he was a perfect symbol of the rich Russian culture that is the enduring threat to the Soviet government.

The Soviet regime, today as always, like Hermann Goering reaches for a revolver when it hears the word culture. It is the nature of totalitarian regimes to wage unremitting war against the cultural heritage of the nations they capture.

All such regimes assume that human beings are infinitely malleable. The regimes seek to impose total control over the citizens in order to mold the "new Aryan race" or the "new Soviet man." And a nation's culture—the values and visions of the enduring society—is an obstacle.

Thus it is wildly exhilarating to see a solitary representative of Russian culture—a man of words surrounded by men of vicious actions—serving as sand in the gears of the totalitarian machine.

Solzhenitsyn is guilty of what the Soviet regime accused him of, but not in the sense that Leonid Brezhnev and his associates meant the accusation.

more strongly.

State Department and Commerce officials are hopeful, however, that some compromise can be worked out even though they expect a pitched battle right down to the line.

In preparation for that fight the Commerce Department has prepared a briefing booklet and administration officials are quietly meeting with key figures on the Hill.

Although the American half of the U.S.-U.S.S.R. trade council is strictly a private operation, Treasury Secretary George P. Shultz extended the

They accused him of "actions incompatible with being a Soviet citizen." As a carrier of Russian culture, Solzhenitsyn is a carrier of an anti-Soviet disease, and the crude men in the Kremlin are not too dim to understand that.

Simply by embodying the tradition of European humanism, Solzhenitsyn is subversive of a regime that depends for its long-term survival on the achievement of its long-term goal—the eradication of all ideas not licensed by the state.

The most appalling aspect of the Solzhenitsyn drama is not the behavior of the Soviet leadership, which has been about what you would expect from dumb and frightened bullies. But what excuse is there for the behavior of the United States government?

It is pathetically obvious that Secretary of State Henry Kissinger is not very interested in Solzhenitsyn's plight. Like Brezhnev, Kissinger's strongest feeling is a morose longing for Solzhenitsyn to just go away. After all, Solzhenitsyn is a living reproach to the Soviet regime.

Kissinger believes that a revived anti-Communist impulse in America would be fatal to detente, as he envisions it. And he is right. Detente, as he envisions it, assumes that the Soviet regime is mellowing and that detente will make it mellow further.

The keynote of this detente is trade, with the U.S. using cheap, long-term loans to subsidize the Soviet economy. Kissinger's only hope had been to sneak this subsidy program past the American people when they were asleep. But now they are gloriously awake, aroused by the Solzhenitsyn drama. Anti-communism is becoming respectable again. For the time-being, Kissinger's plan for detente is dead.

Unfortunately, time may be on Kissinger's side. There are not enough Solzhenitsyns to keep the western public galvanized. Were he not a vivid symbol to the outside world, he would have perished quietly like the millions of faceless victims still being fed into the maw of the Soviet terror system.

Because Solzhenitsyn is famous, Mr. Brezhnev deemed it prudent to deport him rather than shoot him. But the gnawing question remains: What can free nations do for the anonymous millions in the Soviet Union who have no hold on the sympathy of the Western public?

That question is not of much interest to the current administration's architects of detente. But if the continuing drama of the Soviet dissidents can hold the attention of the American people, perhaps the next administration will be different.

government's official courtesy to the group by meeting with Mr. Patolichev and expressing the President's continued interest in trade with the Soviet Union.

Meanwhile, Mr. Nixon, at his press conference this week, reaffirmed the American commitment to the policy of detente with Moscow. Asked his reaction to the exile of Mr. Solzhenitsyn, the President said he admires a man who has won a Nobel Prize for literature and who has

WASHINGTON POST  
22 February 1974

Stephen S. Rosenfeld

# Human Values and Foreign Policy

Solzhenitsyn's expulsion has brought to a head the diplomatically, politically and intellectually difficult issue of what role the promotion of moral or human values in the Soviet Union ought to play in the foreign policy of the United States.

For while many Americans expressed their shock and outrage, President Nixon passed up making any statement of his own, and Secretary of State Kissinger went on record only in response to reporters' questions. Avoiding any specific comment on the writer, Kissinger said: "The only problem that we have seen here is the extent to which our human, moral and critical concern for Mr. Solzhenitsyn and people of similar convictions should affect the day-to-day conduct of our foreign policy." The danger of nuclear war makes detente unavoidable, he declared.

Sen. Henry Jackson (D-Wash.), whose intellectual vigor and presidential candidacy have made him Mr. Nixon's chief interlocutor in foreign policy, fired back at "the President's silence and the Secretary's waffling." Claiming that "the administration has narrowed its conception of detente to exclude issues of human rights," he said Kissinger had "posed a false choice between avoiding nuclear war and keeping faith with traditional values of human decency and individual liberty."

In fact, the Nixon administration has cultivated a style of rhetorical non-intervention in Soviet internal affairs. The ritual annual appeals for "self-determination" for the Baltic states, for instance, disappeared in 1973. The administration has urged and practiced "quiet diplomacy" to help Soviet Jews emigrate. Its response to Solzhenitsyn was calculated and characteristic.

One administration rationale for this discreet approach is that—at least in respect to Soviet Jews, a special group with a powerful political ally in the American Jewish community—it has worked: some 80,000 Russian Jews have left since 1970. Actually, this flow has not been for Nixon an explicit goal of detente, but a byproduct of detente—a boon which Moscow has given Nixon to disarm Jackson, so that Nixon in turn can deliver trade and credits to Moscow. This makes Nixon and Jackson partners of sorts, a connection which Jackson—because he provides the muscle—is a lot readier to acknowledge than Nixon.

But should progress on human rights become, as Jackson insists, an explicit objective of detente? The administration warns that to go down that path is to risk undermining the basis for Soviet-American political cooperation. And in a broad sense, its fears are legitimate. It is indisputable, as Jackson himself concedes, that there is a limit to the amount of American intervention that Soviet-American diplomacy can bear. In this instance, the Russians probably believe they did Nixon a favor by just expelling Solzhenitsyn, rather than trying and imprisoning him. Were Nixon to react stiffly, they could well feel their "good faith" had been abused.

The trouble is that a sequence taken and justified in a certain official Soviet-American context looks very different in the light of American public opinion and American politics. Many Americans had hoped that "detente" would produce more Soviet political cooperation and more internal Soviet mellowing than have been evident so far. If those Americans had set their hopes too high, then their disappoint-

ment and wariness now are nonetheless very real.

This is why Jackson's full-throated protest on Solzhenitsyn suited the current mood so much better than the Nixon-Kissinger cough. Indeed, a strong case can be made that the Kremlin would have put down an uncluttered administration protest to the exigencies of American politics, and that such a statement would have given the administration more political running room for its substantive dealings with Moscow. As it is, Jackson now has a campaign issue. Support for detente is not so broad and assured as to relieve the President of concern for this admittedly nice political calculus.

What neither the Nixons nor Jacksons among us can know, of course, is what if anything will bring about meaningful change inside Russia. Plucking a relatively few Jews out of the country is simple next to the problem of making the society the emigrants leave behind more open, more humane and more like our own. This is a very fundamental problem which goes beyond the matter of whether we should or should not give voice to our inner feelings when the Russian government messes up its citizens' lives.

Russians themselves have been arguing for centuries, usually in despair, over whether and how their country can be peaceably changed. The argument has been recreated recently in its classic terms by Solzhenitsyn, who believes in head-on confrontation with the Kremlin, and the Medvedev brothers, who, being no less brave than Solzhenitsyn, hold that those who would change Russia must proceed in a way that will gain some support from the top. The question does not lend itself to a neat answer and I think we have all got to go at it with care.

shown "such great courage."

But, he indicated, it would not help him or thousands like him to turn back to confrontation with the Soviet Union. The United States, he said, would continue to negotiate with the Russians, "recognizing that they don't like our system or approve of it, and I don't like their system or approve of it."

# Western Europe

KANSAS CITY TIMES, 31 January 1974

## Sweden's Secret Spy Organization

By George Varcoe  
A Special Correspondent  
Stockholm—Sweden's Secret Service is no longer secret. Three men have been sentenced to one year in prison for espionage resulting in the revelation of officials secrets damaging the nation's security.

Two of them are journalists working for the leftist magazine, *Folket i Bild-Kulturfront*. The third is their informant.

What the magazine did was publish an expose revealing the existence of an official Swedish spy center directly under the prime minister, foreign minister and defense minister, operating both within and outside Sweden.

All of Sweden is now talking about the Information Bureau, which is the code name for the top-secret espionage center. Details of its activities have been spread over the newspapers, magazines, radio and television as a matter of national interest. *Kulturfront* alleges a whole catalogue of spying operations: Recruiting spies for assignments in Sweden and abroad, industrial espionage in Russia, co-operation with the Central Intelligence Agency, the British MI-6, Israel's Shin Beth, West Germany's BND, as well as French, Norwegian and Danish intelligence. Naturally the Swedish government has been cagey about confirming or denying any specific allegations.

Item: A lieutenant-colonel in the Polish intelligence, whose secretary was his mistress, was said to have been contacted by

the Information Bureau as a possible defector. The CIA, it is claimed, was prepared to chip in with \$1,000 to buy him.

Item: The Swedish espionage and the CIA together are said to have bought an informer in an Eastern European country. Collaboration with M-16, Britain's counter-espionage service, led to a break-in at the South African legation in Stockholm. The Information Bureau is alleged to have provided the Englishmen with a key.

Item: The captain of a Swedish merchant vessel told *Kulturfront* that he spied on harbor facilities in Arab countries and photographed warships in the Mediterranean for the Information Bureau.

Item: *Kulturfront* alleges that the East Economic Bureau, ostensibly a business contact service for Swedish companies trading in Eastern Europe, is actually a center for industrial espionage, mainly in Russia.

Item: The Information Bureau is alleged to have paid agents for descriptions of strategic industries in Russia and inside information on Soviet communications and transportation systems.

Item: The magazine claims that the Information Bureau has been especially active in Finland. This is a very touchy subject, since Finland is a member of the Nordic community. Secret Swedish radio transmitters are said to have been buried at hidden spots in Finland.

Item: *Kulturfront* claims that

the Information Bureau has broken the codes of Japan, Czechoslovakia, China, Iran, Turkey, Zaire and Brazil. This has been possible, the magazine says, because the Swedish military listens in to coded radio messages from foreign embassies in Stockholm.

Perhaps the biggest scoop of all is the revelation that such a thing as the Information Bureau exists. Previously Swedes knew of the security police, who captured the occasional spy in Sweden, but the government has always denied spying in other countries. *Kulturfront* revealed the names of 20 full-time employees at the Information Bureau. These men have now gone. The commander-in-chief of the Swedish armed forces, General Stig Synnergren, says that these people were placed in personal danger through the magazine's revelations. The publicity also must have made them useless for further secret activities, so now they have been pensioned off or transferred to other civil service jobs. New men, whose identities are still secret, have taken over.

Recently Swedish security police entered the offices of *Kulturfront*, searched the premises and removed pictures and papers. They claim to have found a sketch of an office that belonged to the Information Bureau's secret operations. There have also been unconfirmed rumors that they found in the home of one of the reporters

electronics equipment for wiretapping and transmitting.

The reporters, Jan Guillou and Peter Bratt, who spied on the spies, now stand convicted by a Stockholm court, together with Hakan Isaksson, their informant, who is a former member of the espionage center. The reporters have claimed that their action is similar to that of U.S. journalists in the Pentagon Papers case, and that they had both a right and a duty to present the facts to the public.

At one point the public prosecutor implied that Scandinavia's largest newspaper, *Expressen*, showed contempt for Swedish law by publishing a summary of what *Kulturfront* had already revealed. The assertion was that official secrets should not be published by one paper even after another had already revealed them.

The Stockholm court agreed that the aim of the two journalists was to draw public attention to the secret intelligence service. It also agreed that any attempt by the journalists to aid and abet a foreign power had not been proved. Nevertheless, the court said, they must have known that their actions would be useful to foreign powers anyway.

Now that the three men have been sentenced to prison, Swedes are still asking: Were the reporters committing a crime in exposing official secrets, or were they exercising the freedom of the press to reveal how taxpayers' money is being used?

WASHINGTON POST

Wednesday, Feb. 20, 1974

## U.S. Sued On Spying In Germany

By Timothy S. Robinson  
Washington Post Staff Writer

A group of American citizens who have lived in West Berlin in recent years charged the U.S. Army with spying on their activities in Europe.

The allegations were made in a suit filed in U.S. District Court here by 16 civilians, a former GI, the Lawyers Military Defense Committee (a civilian group that represents GIs overseas) and the Berlin Democratic Club, which backed the presidential candi-

dacy of Sen. George McGovern (D-S.D.).

According to the suit, the Army conducted a massive intelligence operation on the civilians in Germany.

Included in this intelligence-gathering activity were illegal wiretaps, infiltration of the organizations, the keeping of secret files, "blacklisting" of the group's members and the opening of private mail, the suit claims.

Filed with the suit were several documents which the plaintiffs identified as copies of confidential reports on their activities that were compiled and read by military personnel.

They also filed affidavits of a former military intelligence officer who said he was ordered to destroy documents relating to the alleged illegal surveillance, and who also pro-

vided copies of some of those documents to the press.

Among persons overheard on the wiretaps, according to the suit, were journalists and attorneys. Among the 17 individual plaintiffs are free-lance writers, a correspondent for Liberation News Service, two attorneys and two ministers.

Named as defendants are Secretary of Defense James R. Schlesinger, Secretary of the Army Howard H. Callaway and several military intelligence officers.

The alleged illegal wiretaps were "conducted for the express purpose of determining the political views, associations and activities of the plaintiffs . . . and . . . of intercepting communications between and among attorneys and their clients," the suit says.

The Berlin Democratic Club

claimed that its private meetings were infiltrated by intelligence officers in an attempt to ascertain who belonged to the organization.

It also charged the Army with opening its mail and obtaining a copy of a petition calling for the impeachment of President Nixon that had been signed by more than 323 Americans living in Berlin.

The petition was photographed, and the names of persons who had signed it were placed in a military intelligence file on "dissident persons," the suit charges.

The Army maintains a file on the club "which characterizes it as a 'leftist' and 'subversive' organization linked to the Democratic National Party," the suit adds.

## Near East

THE NEW YORK TIMES, WEDNESDAY, MARCH 8, 1974

## Moynihan Is Attacked in India Press

NEW YORK TIMES  
7 March 1974U.S. AIDE IN INDIA  
CRITICIZED AGAINMoynihan's Remarks About  
Base Cause Stir—Dispute  
Is the 2d in 2 DaysBy BERNARD WEINRAUB  
Special to The New York Times

NEW DELHI, March 6—Private comments by Ambassador Daniel P. Moynihan about United States plans to establish a naval and air base in the Indian Ocean erupted today into a controversy that annoyed and embarrassed the American Embassy here.

It was the second day in a row that United States-Indian relations were a focus of attention here. Yesterday The National Herald, a newspaper closely linked to the ruling Congress party and Prime Minister Indira Gandhi, rebuked Mr. Moynihan for his efforts to heal United States relations with India. The newspaper accused him of speaking in "platitudes" about closer links when, it said, the Nixon Administration actually wanted to dominate India.

Today India's Foreign Minister, Swaran Singh, reacted acidly to Mr. Moynihan's comments, made privately to a group of Indian journalists, about United States efforts to expand its small naval station on Diego Garcia, a British-owned island south of India.

The new Diego Garcia base will represent the first permanent United States presence in the Indian Ocean. It was planned because of the expected increase of Soviet naval power and activities in the area once the Suez Canal is reopened.

According to Indian newspaper accounts, Mr. Moynihan said that United States interests in Diego Garcia were "more important" than those of India.

Associates of Mr. Moynihan said that he had made the remarks to Indian journalists on Monday at Madras in southern India "on background"—or not for personal attribution. Hours after the private talk, Mr. Moynihan's comments were transmitted over local news wires. Today the United States Ambassador was described as furious about this breach of journalists' ethics.

Mr. Moynihan reportedly said that India's displeasure at the United States move in the Indian Ocean was a normal, sensible and tolerable response of one government to another.

"We do not expect to agree

By BERNARD WEINRAUB  
Special to The New York Times

NEW DELHI, March 5—The United States Ambassador, Daniel P. Moynihan, was sharply attacked today by an Indian newspaper closely linked to the ruling Congress party and Prime Minister Indira Gandhi.

The newspaper, the National Herald, in an anonymous, prominently displayed article, rebuked Mr. Moynihan as well as the United States for efforts to strengthen the fragile ties between Washington and New Delhi. The article said that Mr. Moynihan spoke in "platitudes" about closer links when, according to the newspaper, the Nixon Administration wanted to dominate India's foreign and domestic policies.

It said that the United States had clashed with India every time India "tried to assert her right as a sovereign state."

**Attack Follows Aid Discussions**  
It was the first time that Mr. Moynihan has been so broadly attacked in the non-Communist press, here. The attack was more notable coming from a newspaper so closely tied to the Congress party.

Moreover, the attack came after senior officials in the Indian Government have met privately with Mr. Moynihan and other American officials in recent weeks to discuss possible assistance for India, a nation

that may be forced to spend anywhere from 50 per cent to 80 per cent of export earnings on oil bills, compared with 20 per cent last year.

Officials at the American Embassy were disturbed and perplexed by the article, but there was no official comment. There has been some feeling, however, among Indians as well as Americans, that the militant left in the Congress party has grown restive and angry about Government efforts to improve relations with the United States. The article, some Indian observers said, may be an effort to assert the power of the left here and weaken efforts to bring about closer Indian-American ties.

In the aftermath of the recent elections in the states of Uttar Pradesh and Orissa—with the Congress party heavily dependent upon Communist support—the article was further viewed as a possible effort by the militant left to exert leverage in the ruling party.

Editors of the newspaper, which was founded in 1938 by Mrs. Gandhi's father, Jawaharlal Nehru, declined to name the author of the article, titled "Indo-U.S. Relations: The Search for a New Basis." The article bore the signature "Darshnik," which means observer.

Mr. Moynihan was especially criticized for a speech in New Delhi on Jan. 17 at the Indian

Council of World Affairs. It was one of the few times that the 43-year-old Harvard academician had publicly discussed the scope and changing role of Indian-American relations.

**The Old Cliche Is Noted**

He emphasized that the relationship was "one of equals" and that there was "no significant conflict of interests," especially since India and the United States were the two largest democracies in the world.

Today's article said: "One fails to understand why the United States took such a long time to come to the conclusion that relations with India should be based on equality. It appears the direct result of India's determined stand on the major foreign policy issues confronting the subcontinent."

It added that Mr. Moynihan's efforts to improve Indian-American economic relations "were more likely to turn into a large-scale influx of private capital" because Indian labor was "temptingly cheap."

The newspaper added: "As for India's commonness with U.S.A. on the basis of the two being the largest democracies, it is an old cliché. The United States Ambassador is justified in going somewhat out of the way in cultivating Indian sentiment, but none can be taken in by platitudes."

on everything either country does," he was quoted as having said.

He reportedly said that the island was 1,000 miles from India and that there was nothing of "fundamental concern" for India there.

"Why call it the Indian Ocean?" he was reported to have said. "One may call it the Madagascar Sea."

Today Foreign Minister Singh said in Parliament: "Who is he to change the name based on the geographical situation. It is no gift of the United States or the Ambassador."

Mr. Singh added that Mr. Moynihan's argument was "untenable."

The Foreign Minister made his comments after a Communist member of Parliament, Bhogendra Jha, demanded that

Mr. Moynihan's statements be declared hostile and that the Ambassador leave India.

Mr. Singh, who has had numerous private talks with Mr. Moynihan in the last year, said that India was a free society and that United States officials could express their views here just as Indians could express theirs in the United States.

**Washington's Reaction**

Special to The New York Times

WASHINGTON, March 6—When asked about the reports from New Delhi, the State Department spokesman, William S. Vest, declined to comment directly on the criticism of Ambassador Moynihan. But he added, "I have worked with and known Ambassador Moynihan for some time and have full confidence in him."



# Africa

CHRISTIAN SCIENCE MONITOR

7 March 1974

## U.S. relief efforts assailed

### AID disputes Carnegie report criticizing assistance to drought area of West Africa

By Charlotte Saikowski

Staff correspondent of The Christian Science Monitor

Washington

As the sun-scorched Sahel again struggles to cope with drought and famine, the Nixon administration has been stung by strong criticism of its relief efforts.

American aid officials express dismay and disappointment in the wake of a study that sweepingly accuses the United States and the United Nations of neglect, inertia, and bureaucratic failures that contributed to the loss of more than 100,000 lives in West Africa last year. The study was prepared by the Carnegie Endowment for International Peace.

"We feel we accomplished a major goal in preventing mass starvation," comments an official of the Agency for International Development (AID) ardently. "The estimates were that anywhere from 6 million to 10 million people were facing death."

"Constructive criticism could have been useful and helpful," says another AID official. "But the report is often inaccurate and simplistic in its proposal of how to deal with the problem."

The concern is that the study will now divert the attention of the administration and the Congress from the main problem because time will have to be spent answering charges.

Even as the study is debated, attention is again focused on the chronically parched region known as Sahel and UN officials and private relief organizations are calling for world help. A six-year scarcity of rain has depleted food stocks and once more threatens starvation of thousands of the 25 million people inhabiting the six-nation region, as well as widespread loss of cattle.

Disaster relief is the priority concern of world donors. The UN estimates that at least 550,000 tons of food grains will be needed through September, 1974.

According to AID officials, the U.S. already has committed 250,000 tons of food, most of which will be delivered this spring. Donations from other nations, they add, should be sufficient to meet the "minimum essential need."

"The problem now," says an official, "is transportation — getting the food there on time. We're not on top of the emergency yet, but we're at least two months earlier than last year."

Under strong pressure from black and church communities, Congress has appropriated \$25 million for emergency relief and has appropriated, but not authorized, another \$50 million for a recovery program.

Entitled "Disaster in the Desert," the Carnegie study is based on interviews with American and UN officials, academic experts, private relief agencies and journalists.

Among other criticisms, it says that neither AID nor the Food and Agricultural Organization (FAO) had contingency plans ready, despite evidence of impending disaster since 1968; that nomadic peoples were discriminated against; that children perished because of lack of a measles immunization campaign.

It also charges that American shipments sometimes consisted of coarse sorghum, which was indigestible and only fit for "cattle feed." AID officials counter that all the food grain provided is sorghum, which in this country is used largely as animal feed but is one of the two major crops grown in West Africa.

Occasional bad reaction to the grain occurred, say the officials, in nomad camps where inadequate milk supplies forced higher sorghum consumption.

The figure of 100,000 losses also is disputed. Officials say it is a maximum extrapolation of statistical figures based on a small sampling made by Atlanta's Center for Disease Control.

AID acknowledges that the Sahel relief effort has not been a "model operation." But the agency denies that the problems involved constituted "an administrative and bureaucratic disaster," as is alleged, or that Washington has not responded with humanitarian concern to Sahel's plight.

The 66-page report calls for a new system of international relief to tackle the complex and continuing problem of drought in the sub-Saharan region. This, says AID, seems to deal simplistically with the problem, which involves the varied interests of many governments, relief organizations, and bilateral donors.

NEW YORK TIMES

3 March 1974

## The Triumph of Money and Power

By Roger Morris

WASHINGTON—The United States Government secretly decided last month to resume aid to the small Central African country of Burundi despite official intelligence confirming that ethnic genocide by the Burundian regime continued to take "thousands" in 1973.

Authorized by President Nixon on Jan. 29, the "normalization" is reportedly designed to "increase U.S. influence over the final disposition" of \$14 billion in nickel just discovered in Burundi.

Burundi policy, seemingly a trivial development, as an interesting glimpse into the unequal struggle in United States diplomacy of bureaucracy and corporate influence against human rights.

Frightened by an attempted coup d'etat in 1972, the ruling Tutsi minority began the systematic killing of the Hutu ethnic group, which made up 85 per cent of the country's 3.5 million people but had been denied economic or political power for centuries. The slaughter reached a thousand a day in the summer of 1972. Perhaps 10,000 were slain in 1973. At present count, over 200,000 Hutus are dead and 100,

During the 1972 killings, the State Department suspended a \$100,000 aid fund and cultural exchanges. But the United States continued to buy Burundi's coffee, accounting for 65 per cent of the export earnings of the Tutsi regime. Washington never spoke out to describe or condemn the genocide—"frustrated," as one official complained, "by the absence of a suitable opportunity."

In October, 1972, the United States told Burundi privately that Burundi could not expect "normal official relations" until a "genuine national reconciliation" took place; this meant a continued suspension of aid and ex-

tions" has since been reaffirmed publicly.

Meanwhile, United States Intelligence reports are said to have described how Hutus have recently been removed from border areas and herded into the center of Burundi. The United States Embassy, officials say, reported recently that "anti-Hutu radicals" have strengthened their position in the Tutsi regime.

Though Belgium stopped military aid, arms are said to be flowing from Egypt, Algeria, China, North Korea and Libya, with military training by the Soviet Union and Greece. International efforts to stop the violence in Burundi, mainly by the Organization of African Unity, have "continued to founder," say officials.

The 1973 killings were in reprisal for four futile incursions by rebel Hutu refugees from March to December, 1973. Officials say that the United States Embassy had reported those killings as "authorized, condoned or participated in" by the Tutsi regime. "Several thousand Hutus were killed," an official source said.

Yet the United States will now renew the \$100,000 aid, give \$52,500 for three Burundian-run maternity clinics, and reinstitute cultural exchanges.

Official sources say that a Jan. 11 policy paper rationalizes the aid as giving "increased credibility" to pro-Western moderates in Burundi, but the paper is also said to conclude that progress toward "racial stabilization" is "virtually impossible," with the regime continuing "to use brutal force" to maintain itself.

The policy change seems better explained by economics. A United Nations survey discovered last summer in Burundi a nickel deposit valued at up to \$14 billion. The United States has secure nickel supplies from Canada for

defense purposes, and reduced its stockpiling of the nickel in 1971, but nickel has lucrative commercial uses.

So the discovery sent agents of such corporations as Kennecott, Bethlehem Steel and American Metal Climax, scurrying to Central Africa.

Corporate pressure to change United States policy in Burundi has been "steady but subtle," says one source. Companies are not in a "good competitive position due to present policy," an official memo is said to conclude.

"Improving relations has been a major point of interest," said a diplomat, "whenever the companies talk to us, and that's all the time."

In any case, the policy paper reportedly argues that the new aid will "increase United States influence" over the nickel, while cool relations offer only "some possibility" of United States exploitation.

There is also apparently a strong bureaucratic factor in the policy change. The new aid is "both useful and necessary," officials quote the policy paper as saying, "because it is difficult over time to maintain a large diplomatic establishment in Burundi without any apparent substantive *raison d'être*, in the midst of an autistic and suspicious society."

United States officials see the population-control impact of the maternity clinics "as a model of what can be done in overpopulated predominantly Catholic countries." But other sources say that birth control in Burundi would be directed by the Catholic Tutsis against the predominantly Protestant Hutus. No one has apparently questioned the propriety of United States funding for population-control measures by a regime that has pursued a deliberate policy of ethnic killing.

All this, said one diplomat, is "a bad case of *déjà vu*." The same arguments and proposals were made, minus nickel, in 1973. "The killing has definitely stopped," officials quoted a State De-

partment memo dated April 23, 1973, as saying. But within a month, "thousands" of Hutus were being killed.

But a State Department memorandum is said to have assured President Nixon in mid-January that the Tutsi regime "has refrained from taking reprisals" against Hutus, and that "normalization" would "provide opportunities for American corporations."

The National Security Council reportedly sent back the President's approval on Jan. 29 to "begin the normalization" with a "modest allocation" of money "predicated on continued evidence that Burundi is following a national policy of respect for human rights."

The Jan. 11 policy paper reportedly dismisses the human rights issue and American public concern as a "continuing complication" for United States diplomats. "The United States," it concludes, "has proved its point (i.e. its repugnance toward what has happened in Burundi) for both domestic and Burundian consumption."

The new Burundi policy obviously raises questions about bureaucratic and economic influences on diplomacy that go far beyond that tiny country and the thus far meager United States interests there. But it seems clear that as long as officials regard human rights as a "point" to be "proved" for "consumption," we are probably condemned to continue foreign policies without respect, particularly among the young, at home and abroad—with consequences much more serious than the dubious actions unfolding as a new policy is carried out by an obscure United States Embassy in Central Africa.

Roger Morris, who directs humanitarian policy studies for the Carnegie Endowment for International Peace, wrote this article in a private capacity. He was a staff member of the National Security Council under Henry A. Kissinger.

BALTIMORE SUN  
27 February 1974

## Ethiopia trading monitor for medic

By TOM HORTON  
*Sun Staff Correspondent*

Washington — Project Hope, familiar worldwide through its white hospital ship, is opening a large land-based operation in the Ethiopian highlands on the site of a top-security United States communications station.

The concurrent closeout of the nearly 700-man contingent at Kagnaw Station, the U.S. Navy's facility atop a 7,800-foot plateau in the northern city of Asmara, brings to a close the presence of the American military on the African continent, except for small scatterings of embassy guards and advisory teams.

For nearly three decades, the United States maintained Kagnaw Station both as a link in the military's worldwide communications network and as a prime "listening post," employing as many as 50 Army linguists in clandestinely monitoring the communications of nations throughout the Red Sea basin and much of

Africa.

All the military is scheduled to depart Kagnaw by June 30, a Department of Defense spokesman confirmed. Project Hope already is moving in, according to its director and founder, Dr. William B. Walsh, and expects to reach full operation by July or August.

About 100 physicians, dentists and health workers will use both a well equipped, 50-bed American hospital on the base and a sprawling, 750-bed Ethiopian facility in downtown Asmara as the nucleus of a long-range program in health care and training.

By the fourth year of Hope's initial 10-year commitment to Ethiopia, Dr. Walsh said, plans call for establishing the second medical school in the vast (nearly half a million square miles) East African kingdom. The only one now is in the capital, Addis Ababa, 600 miles distant.

For the Christian kingdom of Ethiopia, bordered on three

Sea province of Eritrea, which apparently came about through the suggestions of the Defense Department, will provide some sorely needed relief for Emperor Haile Selassie in his efforts to hold together a deteriorating political situation there.

The reluctant decision of the United States in recent months to close the expensive and increasingly obsolete facilities at Kagnaw will mean the loss of about \$5 million to the local economy and the disappearance of good jobs for nearly 2,000 people in a country where the average per capita income is below \$50 a year.

Since September, rebels of the Arab-backed Eritrean Liberation Front (ELF) have grown strong and brazen enough to enter downtown Asmara, a city of about 150,000 people, clashing with government troops twice and inflicting several casualties.

sides by Arab states (Sudan on the north and west, Somalia in the south), the maintenance of Eritrea, which also affords the only access to Red Sea shipping, is vital.

The storm warnings in Eritrea, said Dr. Walsh, are not considered a problem by Project Hope.

"We've been through half a dozen actual revolts in as many countries where we have smaller land operations, and we don't anticipate even that here [Asmara]," he said.

For Project Hope, the land-based venture in Ethiopia appears to be what the organization, which is financed by private charity, will be directing more of its \$11 million annual budget toward.

As for the work of Kagnaw station only a small, National Security Agency-sponsored satellite tracking station will continue to operate, manned by about 100 civilians.

# Far East

Sunday, Feb. 24, 1974 THE WASHINGTON POST

## Paying Cambodia's

### Corruption Issue Snarls U.S. Aid for Refugee Housing

## Middlemen

By Philip A. McCombs  
Washington Post Foreign Service  
KOMPONG SOM, Cambodia—World Vision, a private relief agency, has built 100 refugee houses in the hills above this seaport town and plans more. Cost so far: \$138 per house.

Another agency, Catholic Relief Services, contracted to build similar houses at a similar cost, CRS officials were shocked when the price tag for the first 50 houses came in recently at \$224 each.

The difference seems to be that World Vision had a man on the spot who supervised construction and paid money directly to the refugees for building the houses and for cutting wood in the forest.

CRS, which likes to do things the same way, did not have the manpower available in this instance, so it paid a local Cambodian official, who paid local Cambodian businessmen, who paid the refugees.

Result: a pleasantly rustic two-room, bark hooch on stilts that costs 50 per cent more than its almost exact twin a short distance away.

Local officials and businessmen allegedly have been offering \$3 to World Vision's man on the spot for each housing contract he funnels their way, World Vision director Carl Harris said.

The man, a Cambodian, declined to cooperate, said Harris who asked that the man's name not be used. The man feared for his life, Harris said.

"They're not going to get \$224," said the Rev. Robert L. Charlebois, Southeast Asia director for Catholic

#### Relief Services.

"Generally we don't pay anything to government officials because we don't trust them," Fr. Charlebois said. But in the case of Kompong Som, CRS simply had no man to spare.

"Let's be frank," Fr. Charlebois said. "The governor of (another province) came to see us the other day asking for money. No way."

"Every time you use a [private Cambodian] contractor, you get screwed in spades," Fr. Charlebois said.

There are 8,000 refugee families here, 110 miles southwest of Phnom Penh, and the 500 refugee houses already built row on row make some areas nearby look like a vast Levittown in Prince George's County.

Most refugees earn a living by manufacturing charcoal in homemade ovens, and the hills are full of smoke.

There is no hint that any CRS or World Vision employee has taken bribes here. Local officials and businessmen are admitting nothing. Vision and other private agencies are building thousands of refugee houses throughout Cambodia as the refugee population swells into the tens of thousands in the fourth year of the war.

These private volunteer agencies, or "volags" as they are known, are an important supplement to the American government mission in Cambodia, which Congress has limited to 200 official Americans.

Harris, Fr. Charlebois and others are not included in the 200 limit. They are building the houses mostly

with United States aid money. CRS has received \$1.3 million and World Vision \$525,000 in the past two years.

The corruption issue also is important because the United States embassy in Phnom Penh is planning in the next year to turn over most refugee resettlement funds to a huge new, semi-autonomous and completely Cambodian bureaucracy.

Plans for this are incomplete and have the strong backing of American officials. The notion of Cambodians helping Cambodians with United States money seems to fit nicely under the post-Vietnam rubric of limited American involvement.

Fr. Charlebois and Harris, whose agencies stand to lose at least some United States funding under the new plan, see the proposed bureaucracy as a potential den of political intrigue and corruption.

"With all due respect," Fr. Charlebois said, "if this foundation is autonomous and non-political it will be a miracle."

"We're struggling with U.S. AID [Agency for International Development] now because we think we can do it better," Harris said. He said he agreed with Fr. Charlebois about the dangers of giving any money to any Cambodian official or private Cambodian contractor.

Fr. Charlebois said CRS would demand receipts from officials here to justify the \$224 per house price tag, but several Americans noted privately that receipts can be written in any amount and generally are considered worthless in this disorganized economy.

The only safe approach is

direct control through trusted employees, and Fr. Charlebois said CRS uses this approach everywhere but in Kompong Som.

The agencies have their own auditors. But CRS auditor Ken Joyce, here only a few months, said books were not kept accurately enough before he came and that he cannot reconstruct an accurate financial picture of the cost of some housing built by the agency.

World Vision has similar problems in figuring the cost of the housing construction.

The auditing problem is compounded by a currency devaluation of 45 per cent since last September.

American embassy officials in Phnom Penh claim that official audits are made as usual despite the 200-person official limitation.

But some Americans noted privately that helping Cambodians fight the war takes priority over all else and that there are certainly more urgent matters than auditing books.

American embassy economic official Donnelly A. Sohlin reportedly was furious with World Vision's Harris for disclosing to a reporter the alleged bribe attempts and furious with World Vision's man in Kompong Som for discussing the matter.

"Sohlin told me I should remind my man which side his bread is buttered on," Harris said.

Harris added that he did not know what Sohlin meant by the remark.

Sohlin declined to discuss for the record the refugee housing issue.

NEW YORK TIMES  
18 February 1974

**U.S. SAID TO CHIDE  
CAMBODIA AIRMEN**  
Americans Reported Urging  
Better Protection Against  
Phnom Penh Shelling

By SYDNEY H. SCHANBERG  
Special to The New York Times  
PHNOM PENH, Cambodia, Feb. 17—American officials here have been pressing the Cambodian military to provide more aerial protection for Phnom Penh to prevent the kind of artillery attacks that the Communist-led insurgents have been inflicting on the civilian population, according to authoritative military sources

here. The sources said that the United States Embassy became vociferous on the subject after the artillery bombardment last Monday, which killed nearly 200 persons and wounded about 200. It was the highest toll of civilians in this war, now nearly four years old.

As a result of the American initiative, the Cambodian Air Force began increasing its air-

cover and surveillance flights the very next day over the areas south of the city from which the insurgents are firing their captured, American-made 105-mm. howitzers.

It's not yet clear whether the increased surveillance is having any deterrent effect, since the insurgents' artillery fired into Phnom Penh again yesterday, killing 8 and wounding about

50.

There are also reports that the Americans have increased their own photographic reconnaissance flights around Phnom Penh, which are flown from bases in Thailand, but the embassy has declined to comment.

Ever since the American bombing here was halted last August through an act of Congress, the American planes in Thailand have been restricted to such noncombat activities as bringing in supplies and making reconnaissance flights in unarmed jets.

The reconnaissance missions are usually flown by F-4 Phantoms converted for photography work. The intelligence thus gathered is passed on to the Cambodian military.

But beyond saying that these flights are "in cooperation with the Cambodian Government and within the terms of the applicable public laws, the United States does, from time to time, conduct unarmed reconnaissance over Cambodia," the American embassy has refused

NEW YORK TIMES

20 February 1974

## Illegal Cambodian Arms Trade With Rebels Seen

By SYDNEY H. SCHANBERG  
Special to The New York Times

**PHNOM PENH, Cambodia, Feb. 19**—Even while insurgents' shelling continues to claim lives here by the hundreds, informed foreign and local sources report persistent illegal trade between Government officials and the pro-Communists, including sales of arms, food and other goods.

Foreign military analysts say, for example, that there is ample evidence showing that at least some of the artillery shells that have fallen on Phnom Penh recently, killing and wounding nearly 1,000 people, reached the insurgents through corrupt officials.

A month and a half ago, according to Western sources, three army trucks carrying about 700 shells for 105-mm howitzers mysteriously disappeared and two weeks ago two more truckloads vanished.

"Rice, gas, ammunition and many other things are supplied to the other side," a former government minister said. "Everyone knows that."

### For Captured Guns

The artillery shells are needed by the Cambodian insurgents for the American-supplied howitzers they have captured from Government forces. They have also captured some shells, but are apparently trying to increase their stocks by buying more from corrupt civilian or military officials.

No one really tries to deny the existence of corruption anymore, not the Americans, whose increasing amounts of aid have fueled it, and not even the Government of President Lon Nol.

Recently, in responding to what were considered "tenden-

to give any details.

American dissatisfaction with the performance of the small Cambodian Air Force has grown with the stepping-up of the rebels' terror-shelling of Phnom Penh, which began with 122-mm. rockets and recently switched to the more deadly artillery fire. Nearly 1,000 people, almost all of them civilians, have been killed or wounded in this campaign, whose apparent aim is to panic and demoralize the population and force a collapse of the Government of President Lon Nol.

The Americans, according to sources close to the situation, feel that the United States—supplied Cambodian Air Force has not been vigorous enough in trying to discover and destroy the rocket and artillery sites.

Though embassy officials will not express these views publicly they have made their annoyance known privately—and have presumably made their feelings known to Cambodian officials at the highest levels.

Monday night after the shell-

ings, Thomas O. Enders, the acting ambassador, was said to have told associates angrily that the pilots of the Cambodian observation planes were flying too high—at 4,000 feet or higher—to be able to spot anything like a rocket site or artillery emplacement.

The Cambodian military has contended—and the Americans have repeated these assertions—that its planes have knocked out one or two of the artillery pieces, but no photographic or other evidence has been provided.

Though the Cambodians have had more planes in the air since the Americans began forcing the issue and have presumably been doing a somewhat better job, it would be impossible for this limited, unsophisticated air force to provide the kind of round-the-clock cover and surveillance that would be ideal.

The Cambodians have fewer than 100 military planes and about the same number of pilots, which means there are

no backup crews to keep planes in the air when pilots simply become worn out.

Moreover, military observers here estimate that the air force sometimes operates at only 40 or 50 per cent of capacity because of the advanced age of some of the aircraft and lack of qualified mechanics.

The mainstay of the air force, all of whose planes have been provided by the Americans, is the little T-28, World War II, single-engine fighter-bomber, of which the Cambodians have about 30. They also have some transports converted into gunships, some helicopter-gunships and some single-engine observation planes.

Some foreign military experts here point out that while the air force has not been doing an adequate job, neither has the infantry. As one of these men remarked, "If the ground troops would push the insurgents a few miles farther back, their rockets and artillery would be out of range of the city, and the problem would be solved."

entious" articles in a Swiss newspaper, the Government did not rebut the allegation of corruption but simply said of the writer, "He forgets to point out that this traffic, like corruption in general, had been bequeathed to us by the former regime" of Prince Norodom Sihanouk.

Diplomats with long service here agree that the Government of Prince Sihanouk, who was ousted in 1970, was heavy with corruption. But they also note that there is a big difference between Prince Sihanouk's corruption in peacetime, when life was easy in Cambodia, and the present corruption, when millions are suffering and some are being killed by arms sold to the enemy.

While generals in Phnom Penh ride to and from their luxury villas in chauffeured luxury cars, hungry refugees burdened with prices that have risen 1,000 per cent or more since the war began in 1970 pedal bicycle rickshaws around the capital to earn a meager dollar a day.

The United States Embassy has tried to tighten its control over the American aid flowing into the country, which will total over \$600-million this year, but every time the Americans seem to have contained one problem, another replaces it.

At one point in 1972, American aid money was paying the salaries of as many as 100,000 nonexistent Cambodian

soldiers—"phantoms" added to the payrolls by unscrupulous unit commanders who then pocketed the pay. This graft amounted to \$2-million or more a month.

The Americans have since been able to reduce the number of "phantoms" drastically, but army commanders have quickly found other ways to fatten themselves. One division commander is reportedly still collecting the salaries of 2,000 or more missing soldiers, most of whom are weary AWOL's who have gone home without permission, simply by not reporting them missing.

Some commanders, according to reliable sources, personally collect the death benefits of soldiers killed in the fighting. This money—one year's salary—is meant for the family of the dead soldier. But the commander produces fake relatives, paying them a small amount while keeping the bulk of the money for himself.

Other officers deal in uniforms—selling them on the black market instead of distributing them to their troops.

Civilian officials frequently appropriate food and other supplies earmarked for refugees. In addition, medicine, food, clothing and arms all find their way into enemy hands through corrupt civilian and military officials.

Some corruption involves the selling of military goods on the international market. Under

American pressure, the Government last December uncovered a scandal involving the illegal sale and export of \$3-million worth of American-made brass shell casings to which the United States retained title. A general, two province chiefs, nine soldiers of lower rank and 11 civilians were arrested. The papers for the export of the shell casings were said to have been signed by officials at the highest levels of the ruling group.

Many independent observers believe that although corruption is still pervasive throughout the Government, the total amount of dollars being skimmed off American aid has possibly been reduced somewhat in the last year or so by more stringent American controls.

Corruption, however, is still the reason why the American Embassy channels its refugee funds through international relief organizations, such as CARE and the Catholic Relief service, instead of through Cambodian ministries.

It is also one of the major complaints of the students, professors and intellectuals who have been growing increasingly restive and dissatisfied with the government.

"Corruption is everywhere," said one university student the other day. "It is the big thing."

BALTIMORE SUN  
6 March 1974

# U.S. paying twice for rice to needy Cambodians

By ARNOLD R. ISAACS  
Sun Staff Correspondent

Phnom Penh, Cambodia—The United States is paying twice for substantial quantities of rice being distributed to needy refugees in Cambodia.

American embassy officers explain the double-payments as part of the incredibly complex aid bookkeeping system, and they point out that if the relief effort were not financed that way American aid would have to be funneled through some other channel to help meet the Cambodian government's deficit. Thus, they say, the system does not represent any additional cost to the U.S. taxpayer.

However, it does mean that the private relief agencies administering the refuge program—CARE, Catholic Relief Services, World Vision and the International Red Cross—are being used, like the regular U.S. aid program, as a conduit for funds going to the Cambodian government that ultimately can be used for military purposes.

## How system operates

The double payments occur when the rice used for refugee relief is American rice shipped to Cambodia under the "food for peace" program. This is now the main source of government rice stocks, with imports running at a rate of nearly a quarter-million tons a year and representing an American expenditure of approximately \$158 million for fiscal 1974.

"Food for Peace" rice is purchased at market prices by the U.S. government in the U.S. or elsewhere abroad. The Cambodian government "pays" for it with local currency, 80 per cent of which is then returned to be used by the government, though under U.S. supervision.

The voluntary agencies, using other such "counterpart funds" generated by U.S. aid, then purchase the rice back from the Cambodian government at a subsidized price of about \$148 a ton—currently less than half the world price.

Thus, in effect the U.S. is buying it twice, once abroad

on the world market for dollars and again in Cambodia for counterpart Cambodian riels;

No estimate is available for the quantity of rice that is handled in this fashion. The food distribution programs are just getting under way, under a recently expanded American effort to go beyond token relief programs. In addition, the private agencies are purchasing from government stocks and in those transactions there is no record whether the rice is American or local.

However, the amounts are substantial, and becoming larger. The relief agencies are given a monthly allocation by the Cambodian rice board. This month, Catholic Relief Services is applying for nearly 900 tons.

The price the voluntary agencies pay—the government is the same that Cambodian citizens pay for government-subsidized rice. The free market price is two to three times as high.

The agencies hand out the rice free to refugees; the Cambodian government, though it has sometimes supplied food in emergencies, has no continuing relief program.

The U.S., which went through

four years of heavy military involvement in Cambodia while spending only small amounts for refugee relief—\$1.3 million—is planning to spend up to \$4 million plus about \$10 million in counterpart riels this year, according to ranking embassy officials.

## 2 million uprooted

Though statistics are hazy, the government estimates more than 2 million Cambodians have been uprooted in four years of war—nearly one-third of the entire population. With war-caused shortages and inflation that nearly tripled the cost of living in 1973 alone, according to the official index, many of the refugees are now in desperate condition.

Refugees in two camps near Kompong Speu, 30 miles west of the capital, said last week that for months they have been eating only twice a day and that there is not enough for the children, many of whom are sick.

The voluntary agencies have shouldered the task of expanding relief efforts because, in the opinion of U.S. officials, the Cambodian government is too inefficient and too corrupt to do so itself.

CHRISTIAN SCIENCE MONITOR  
20 February 1974

## Korea and the tiger's back

By Sugwon Kang

If there is one place in the world where anticommunism requires no apology, it is South Korea. But, in the absence of a positive political vision, it is now being used there as the rationale for an authoritarian state, where virtually anything is justified in the name of anticommunism and "national security."

Anyone who is presumptuous enough to disagree with the South Korean leadership is accused of "endangering national security," if not condemned out of hand as a Communist agent.

On Jan. 8 President Park decreed that anyone criticizing the present Constitution or advocating its revision would be arrested, court-martialed and imprisoned for up to 15 years; and that includes anyone who complains about the decree itself. Since that day several people have been arrested, tried, convicted, and sentenced. Many more arrests are expected in coming weeks.

The current wave of anti-government protests began in early October last year as the university students demanded withdrawal of Korean CIA agents from their cam-

puses and protested the abduction last August from Japan of the Korean opposition leader, Kim Dae Jung.

As the protests mounted Mr. Park struck a conciliatory note in early December by replacing the head of the KCILA. This had the effect of temporarily taking the steam out of the student demonstrations, as the universities were about to close for a long winter vacation.

But Mr. Park's conciliatory gesture had no effect on the determination of a group of civic and religious leaders to carry on their own peaceful protests. Their objective was to gather one million signatures to petition the President to restore the old Constitution which he scrapped under martial law in the fall of 1972. The campaign was kept scrupulously civil and legal. But the steady growth of this grass-roots movement appears to have alarmed the iron-willed President, for the Jan. 8 proclamation dwarfs all the other repressive laws he had decreed over the years in the name of national security.

There is a touch of Greek tragedy in all this. Mr. Park's every move appears to cast him in the role of a man determined to see through the

drama to the end, whatever that might be. To the Korean people Mr. Park's actions bring back the haunting memory of another leader, Dr. Syngman Rhee, who, in efforts to perpetuate himself in power, resorted to broken promises and constitutional manipulations. (Student demonstrations against election frauds forced Dr. Rhee to resign in 1960).

When Mr. Park usurped power in 1961, in a military coup, the people were at first apprehensive about their new leader behind the dark glasses. But their doubts did not linger long: within two years, seeing his patriotism and profound dedication to his work, the people gave him a mandate to rule. When he stood for re-election in 1967, he pleaded that one more term in office was essential for the successful completion of his reforms, and the voters renewed his mandate.

In 1969, two years before his second term was to have expired, Mr. Park proposed a constitutional amendment permitting him a third term and he found the majority of the voters gullible enough to let him have it. From that point, like the man on a tiger's back, he appeared powerless to get off and change course.

The new term was to have expired in 1975, but Mr. Park had other things in mind. In October, 1972, he declared martial law, dissolved the

National Assembly and suspended the Constitution. All this in the absence of any sign of domestic or foreign threat to the nation. Shortly thereafter, he proposed a new Constitution. In a national referendum held in November, while the country was still in a state of military siege, this document was "overwhelmingly" approved.

On Dec. 23 that year Mr. Park was officially re-elected President — without debate — by the newly created electoral college, the "National Conference for Unification."

Among the plentiful powers Presi-

dent Park enjoys under the new Constitution is the power to dissolve the National Assembly and the power to nominate one-third of its 219 members.

This Constitution was hailed by his supporters as an embodiment of the principle of "separation of powers" with "checks and balances." It was christened the "Korean style of democracy."

With his Jan. 8 decree President Park has closed all channels of rational communication and dialogue between himself and his critics. Those

who had hoped to reach some sort of a constitutional accommodation with him now find themselves forced into the chilling realization that the man on the tiger's back may never again be able to touch the ground, unless he receives some positive assistance from his countrymen. Some such change would be a welcome relief in this Year of the Tiger.

*Sugwon Kang is associate professor of political science at Hartwick College, Oneonta, New York.*

NEW YORK TIMES  
25 February 1974

## Vast Aid From U.S. Backs Saigon in Continuing War

By DAVID K. SHIPLER  
Special to The New York Times

SAIGON, South Vietnam, Feb. 16—Ray Harris of Ponca City, Okla., has come back to Vietnam. This time he is not behind the machine gun of an Army helicopter but behind a workbench at the Bien Hoa air base, sitting next to South Vietnamese Air Force men and repairing jet fighter engines.

Mr. Harris is a civilian now, safer and better paid. But his changed role in the continuing Vietnam war has scarcely diminished his importance, for as a 27-year-old jet-engine mechanic he remains as vital to the South Vietnamese military as he was in 1966 as a 19-year-old helicopter gunner.

He is among 2,800 American civilians without whose skills South Vietnam's most sophisticated weapons would fall into disrepair. Employed by private companies under contract to the United States Defense Department, these men constitute one facet of a vast program of American military aid that continues to set the course of the war more than a year after the signing of the Paris peace agreements and the final withdrawal of American troops.

Whether the United States is breaking the letter of the agreements could probably be argued either way. But certainly the aid directly supports South Vietnamese violations and so breaks the spirit of the accords.

The United States, far from phasing out its military involvement in South Vietnam, has descended from a peak of warfare to a high plateau of substantial support, dispatching not only huge quantities of weapons and ammunition but also large numbers of American citizens who have become integral parts of the

Vietnamese supply, transport and intelligence systems.

These include not just the Vietnam-based mechanics and technicians but also the Pentagon-based generals who tour airfields to ascertain the needs of the South Vietnamese Air Force, the "liaison men" who reportedly give military advice from time to time, the civilian Defense Department employees who make two-to-three-week visits to provide highly specialized technical help, and the Central Intelligence Agency officials who continue to advise South Vietnam's national police on intelligence matters.

The total budgeted cost of military aid to South Vietnam is \$813-million in this fiscal year, and the Pentagon has asked Congress for \$1.45-billion next year, with most of the increase probably going for ammunition, which the South Vietnamese forces have expended at a high rate.

### True Cost Even Higher

The true costs of the military support probably rise considerably above the official figures. Some of the aid, for example, comes in through economic programs that dump millions in cash into the Saigon Government's defense budget. And other costs—salaries of Pentagon technicians who make special visits, for example—are hidden in the vast budgets of the United States Air Force, Army and Navy and are not labeled "Vietnam."

These valuable military goods and services have a sharp political impact. They are indispensable to the South Vietnamese Government's policy of resistance to any accommodation with the Communists. Militarily, the extensive aid has enabled President Nguyen Van Thieu to take the offensive at times, launching intensive attacks with artillery and jet fighters against Vietcong-held territory.

financed military shield has provided Mr. Thieu with the muscle to forestall a political settlement. He has rejected the Paris agreements' provision for general elections, in which the Communists would be given access to the press, permission to run candidates and freedom to rally support openly and without interference from the police.

### Vietcong Maintain Pressure

Mr. Thieu has offered elections, but without the freedoms. The Vietcong, refusing to participate unless the freedoms are guaranteed, have maintained military pressure throughout the country, mostly with artillery and rocket attacks on Government outposts and, from time to time, with devastating ground assaults against Government-held positions.

United States intelligence officials contend that continuing American aerial reconnaissance, as well as prisoner interrogation and radio monitoring, shows that the North Vietnamese have sent thousands of troops and hundreds of tanks and artillery pieces south in violation of the Paris agreements. They have also refurbished a dozen captured airfields and built a large network of roads that threatened to cut South Vietnam in two.

Yet in battle the Communists appear more frugal with ammunition than the Government troops, who have been seen recently by Western correspondents spraying artillery across wide areas under Vietcong control as if there was no end to the supply of shells. This difference has bolstered the view of some diplomats that China and the Soviet Union, unwilling to support an all-out offensive now, have placed limits on the rate of resupply to Hanoi.

Amid the political stalemate then, the inconclusive war continues.

### Keeping Jets in the Air

Ray Harris is at his workbench in the huge engine shop at the Bien Hoa air base just north of Saigon. He works for General Electric, which manufactures the jet engine that drives the Northrop F-5 fighter, the mainstay of Saigon's air force.

He hunches over a circular fuser assembly, the last part of the engine before the after-

ibly cracked, and Mr. Harris is using a machine about the size of a dentist's drill to grind down the metal so the crack can be welded.

There are Americans everywhere in the shop, which is devoted to repairing and overhauling fighter and helicopter engines. There is virtually no workroom or machine or assembly line where Americans are anything less than essential parts of the process. Although a few are training Vietnamese to take over the work eventually, most are simply doing the work, especially the highly technical jobs, themselves.

The line where rebuilt jet engines are finally assembled, for example, looks more like a factory somewhere in the United States than a shop belonging to the Vietnamese Air Force. Eight or 10 Americans work on several engines, and not a Vietnamese is in sight.

There are 25 Vietnamese assigned here, a technician says with a shrug, but he adds, "I never see them."

### Output Is Kept High

Ken Martin of G.E. is crouching with another American beside a jet engine that he has just assembled himself in four 12-hour days. Without the American technicians, he says, the shop could produce no more than 40 per cent of what it does. Another American, asked what would happen if he and his colleagues pulled out, replied, "This would turn into a big Honda repair shop."

As self-serving and exaggerated as these assessments seem, they underscore the long-term military role that American civilians will have to play if the South Vietnamese are to have continued use of their complex weapons.

Without long training, mechanics in any modern air force probably could not match the skills of the American technicians, most of whom are not young Vietnam war veterans like Mr. Harris but seasoned experts who have been building and rebuilding engines for years on bases here and in the United States.

"Most of our people—this is the only work they've ever done," said Glenn Miller, the 47-year-old G.E. supervisor at the shop. Mr. Miller has 22 years' experience with the company, all on jet engines.

His men are so vital that they—and those working on helicopters for Lycoming Aircraft—were all placed on 12-hour shifts last month during the week before Tet, the Lunar New Year holiday. Their objective was to get as many aircraft flying as possible. Mr. Miller explained, to be ready for any Communist offensive.

**\$1,000 in a Long Week**

Mr. Miller figures that with overtime and other bonuses, some of the men made \$1,000 apiece that week.

High pay is cited by many of the civilians as the main reason for their choice of Vietnam as a place of work. After a year on the job G.E. employees get double their base salaries, bringing the average pay to \$20,000 or more, plus \$16 a day for food and lodging—an annual total in excess of \$25,000.

Since living costs are low by American standards, and since the employee does not have to pay any Federal income tax on \$20,000 a year if they are off American soil for at least 18 months, many say they save a good deal of money. Some add that the money has become a silent source of resentment among the Vietnamese Air Force men, who earn only \$10 to \$35 a month.

This, plus profound weariness, has made many Vietnamese men difficult to teach, the contractors say. "They are only kids; all of them—they don't want to be in the military to begin with," said Elmer Adams, a former United States Air Force man who works for Lycoming supervising helicopter repairs.

"It's a lack of desire," said a technician for Cessna Aircraft working at the Da Nang air base. "They've been under so much pressure for so long they just want peace. They're peace-minded."

**Criticism of Americans**

It was said sympathetically, and the Cessna man went on: "All they know is that Americans came over here and tore up their country, uprooted their villages and now they're looking for food."

Gilbert Walker, another technician, who asked that his company not be identified, observed: "The people I talk to in town care very little about the form of government they have. I guess I don't feel much difference. I don't feel too much admiration for the present Government."

In that case, he was asked, why is he helping the South Vietnamese carry on the war? "I work for my company and I try to keep the aircraft flying," he replied. "I'm working on helicopters, that's all I know. Sometimes I sit back and think, What's it all for, what's the good of it all? It seems like an exercise in futility, what I'm doing."

Futile or not, the Americans' work has carried some of them to positions of considerable authority in the South Vietnamese military supply system. The South Vietnamese still call many of them "co- van," which means "advisers,"

and the American office at the Da Nang base has a big sign over the door that reads, "Co Van."

The Americans often come to identify closely with their jobs, perhaps taking more responsibility than their contracts call for. In a revealing slip of the tongue, Mr. Adams of Lycoming looked around the Bien Hoa engine shop and remarked, "We're in the process—they're in the process, rather—of reorganizing the shop."

**Many Still on Payroll**

The fact is that supply and transportation have remained an American operation. "We Vietnamized the fighting, but we never Vietnamized logistics," said a Defense Department official based in Saigon.

That is reportedly the principal reason the United States Defense Attaché's Office—originally scheduled to be dismantled early this year—still contains about 1,150 people, of whom 50 are military men, according to official figures.

In addition, the reduction in the number of Americans working for private defense contractors has halted, allowing the figure to level off at approximately 2,800, down 2,200 since July, according to a spokesman for the Defense Attaché's office.

The logistics effort—provision of maintenance, ammunition, weapons, trucks, fuel, electronics parts and the like—is now the basis for the Americans' most pervasive and intimate contacts with the South Vietnamese military. Depending on how such terms as "military" and "advisers" are defined, there is evidence that the contacts occasionally cross into areas of relationship prohibited by the Paris agreements.

"The United States will not continue its military involvement or intervene in the internal affairs of South Vietnam," Article 4 of the cease-fire agreement declares.

**Total Withdrawal**

Article 5 says: "Within 60 days of the signing of this agreement, there will be a total withdrawal from South Vietnam of troops, military advisers and military personnel, including technical military personnel and military personnel associated with the pacification program, armaments, munitions and war material of the United States and those of the other foreign countries mentioned in Article 3(a). Advisers from the above-mentioned countries to all paramilitary organizations and the police force will also be withdrawn within the same period of time."

According to both American and South Vietnamese officials, the American civilians—both employees of private companies and those of the Defense Department—who help with supply activities not only see that the South Vietnamese get the equipment and ammunition they ask for but also advise them on what to ask for.

Some of these activities came to light as a result of the capture by the Chinese last month

of a former United States Army Special Forces captain, Gerald E. Kosh, who was aboard a South Vietnamese naval vessel during a two-day battle with Chinese forces in the Paracel Islands, in the South China Sea.

Mr. Kosh, who was taken prisoner and later released, was described by a spokesman for the United States Embassy as a "liaison officer" with the South Vietnamese military whose job was to observe the efficiency of various army, navy and air force units and report to the Pentagon.

American officials steadfastly refused to provide further details of Mr. Kosh's job. They would not say exactly what he was supposed to observe or whether his reports were ultimately shared with the South Vietnamese. They did say that there were 12 such liaison men based in various parts of Vietnam.

**Extent of Role Unclear**

What is not clear is whether they confine their observations to such matters as the condition of equipment and the rate of ammunition expenditure, or whether they evaluate military tactics and strategies and go so far as to suggest alternatives.

What is fairly certain is that their reports end up in the hands of the South Vietnamese, perhaps providing indirect advice of one sort or another.

A South Vietnamese officer in a position to know said recently that normal procedure called for an American and a South Vietnamese to make an inspection or auditing tour of a military unit together. Then they write up their reports, sometimes separately, sometimes together. The reports, he said, are forwarded up the chain of command in the United States Defense Attaché's Office, which then relays copies of them to Lieut. Gen. Dong Van Khuyen, head of the Logistic Command for the South Vietnamese Joint General Staff.

More direct, overt advice is sometimes given by zealous Americans who are still stationed in every province. An embassy official reported recently that an American based in one province boasted to him about a successful military operation: "I told them to clear the Communists out of there."

Actually, South Vietnamese military men do not seem anxious for such guidance, noting with some pain that their country has suffered for years under American advice. What they want from the United States is military aid.

**Six Generals Pay a Visit**

Clearly, the Pentagon continues to attach high priority to the success of the South Vietnamese military. Last fall a group of six Air Force generals based in the Pentagon visited the Da Nang air base to find out what equipment and aid were needed, according to the base commander, Lieut. Col. Nguyen Tan Dinh. He said they were scheduled to come again this month.

A few weeks ago two civilian employees of the Air Force,

one based in Hawaii and the other in Texas—were flown to Vietnam for a short stay so they could give advice on the repair and upkeep of plants that manufacture oxygen for jet fighters. One said he had been in and out of Vietnam frequently on similar missions since 1964, the other since 1968.

Although the Paris agreements explicitly rule out advisers to the police force, the South Vietnamese National Police continue to receive regular advice from Americans.

In a recent conversation with this correspondent, two high-ranking officers said they and their staffs met frequently with the Saigon station chief of the C.I.A. and his staff. Sometimes, they said, the C.I.A. chief asks the police to gather intelligence for him, and often they meet to help each other analyze the data collected.

A police official confirmed that in some provinces "American liaison men" who work with the police remain on the job. "There are still some, but not so many," he said.

**Episode in Police Station**

Local policemen still refer to "American police advisers," according to James M. Markham, Saigon bureau chief of The New York Times, who was detained by the police late in January after a visit to a Vietcong-held area.

Mr. Markham said that in both Qui Nhon, where he was held overnight, and Phan Thiet, where he was detained briefly while being transferred to Saigon, policemen, talking among themselves, referred to "police adviser." In Phan Thiet, he reported, a policeman was overheard saying, "Let's get the American police adviser over here."

In the last six weeks The New York Times has made repeated attempts to interview officials in the United States Agency for International Development who are responsible for American aid to the police. Although the officials appeared ready to discuss the subject, they were ordered by the United States Ambassador, Graham A. Martin, to say nothing.

In the absence of official United States figures, the best source for information was from Senator Edward M. Kennedy, who calculated that as of last June 30 the Agency for International Development and the Defense Department has spent \$131.7-million over the years for police and prisons in South Vietnam. Despite a Congressional ban on such assistance enacted last December, such support has continued, according to American officials, but they say that no decision has yet been made on how to phase out the programs.

Section 112 of the new foreign aid bill reads: "None of the funds appropriated or made available pursuant to this act and no local currencies generated as a result of assistance furnished under this act may be used for the support of police or prison construction and administration within South

Vietnam, for training, including computer training, of South Vietnamese with respect to police, criminal or prison matters, or for computers, or computer parts for use for South Vietnam with respect to police, criminal or prison matters."

#### Training in Washington

South Vietnamese policemen are reportedly still being trained at the International Police Academy in Washington, and technical contracts with private companies that provide computer services and communication equipment have not been terminated.

Senator Kennedy reported that the Nixon Administration had requested \$369,000 for the current fiscal year for police computer training, \$256,000 for direct training of policemen, \$1.5-million for police communications and \$8.8-million for police equipment, presumably weapons and ammunition, from the Defense Department.

Although these figures are not normally included in the totals for military aid, the police here have military functions, and engage in infiltration, arrest, interrogation and torture of Communists and political dissidents.

This activity violates the cease-fire agreement, which

states in Article 11: "Immediately after the cease-fire, the two South Vietnamese parties will . . . prohibit all acts of reprisal and discrimination against individuals or organizations that have collaborated with one side or the other, insure . . . freedom of organization, freedom of political activities, freedom of belief."

#### Interviews Are Refused

Not only has Ambassador Martin ordered American officials to remain silent on the subjects of military and police aid; both he and the Defense

Attaché, Maj. Gen. John E. Murray, refused requests by The New York Times for interviews. Furthermore, the embassy told at least two private companies — Lear - Siegler, which employs a large force of aircraft mechanics here, and Computer Science Corporation, which works on military and police computer systems — to say nothing publicly about their work, according to company executives.

The official nervousness is attributed by an embassy employe to the Nixon Administration's apprehension about the inclination of Congress to cut aid to South Vietnam. The Ambassador has reportedly told several non-Government visi-

tors recently that South Vietnam is in a crucial period and that he sees his role as unyielding support to build up and preserve a non-Communist regime.

He is reported to have pressed Washington to provide new weapons for Saigon to counteract the infiltration of troops, tanks and artillery from North Vietnam since the cease-fire. For example, plans have been made for the delivery of F-5E fighter planes to replace the slower, less maneuverable and less heavily armed F-5's, many of which were rushed to South Vietnam in the weeks before the cease-fire.

#### Violation Is Charged

Privately, officers in the International Commission of Control and Supervision scoff at the American contention that supply of the planes does not violate the Paris agreements, which permit only one-for-one replacement of weapons "of the same characteristics and properties." A high-ranking official of one of the non-Communist delegations, asked recently if he thought the United States was faithfully observing the one-for-one rule, replied, "Of course not."

There is nothing the commission can do about it without

permission from both the South Vietnamese Government and the Vietcong to investigate, and permission is unlikely to be forthcoming from the Saigon side. Similarly, the commission has been unable to audit other incoming weapons and ammunition for both sides. During the first year after the cease-fire, the United States provided South Vietnam with \$5.4-million worth of ammunition a week, apparently unaccompanied by pressure to restrain military activities.

Several weeks ago Elbridge Durbrow, who was Ambassador to South Vietnam from 1957 to 1961, came to Saigon and met with Ambassador Martin and General Murray. Mr. Durbrow, who denounced the Paris agreements and who declares, "I am a domino-theory man," was asked by newsmen whether the American officials had indicated that they were trying to keep South Vietnam from violating the cease-fire.

"Not from anybody did we hear that," he replied. Then, referring to General Murray, he said: "He's not that kind of man at all—just the opposite. If you are not going to defend yourself you might as well give up and let Hanoi take over."

NEW YORK TIMES

18 February 1974

WILLIAM F. BUCKLEY JR.

## Owen Lattimore: A Double Agent?

The People's Republic of China has done something that gravely imperils the cause of detente. It has uncovered Prof. Owen Lattimore. It has been said of him that he is a "reactionary historian" and — "an international spy."

Many years ago Sen. Joseph R. McCarthy — it was his most famous charge — said that Lattimore was a Communist spy. There was a lot of investigation, and as the power of McCarthyism waned, the reputation of Lattimore was vindicated. So that one never runs into his name nowadays without some reference to his having been "vindicated."

That would hardly appear to be the word for it. Apparently, all this time, while more or less pretending to be pro-Communist, he was really anti-Communist. More, an international spy!

Owen Lattimore wrote a book shortly after the war called "Solution In Asia." The jacket of that book described the contents neatly.

"He (Lattimore) shows that all the Asiatic people are more interested in actual democratic practices such as the ones they can see in

action across the Russian border, than they are in the fine theories of Anglo-Saxon democracies which come coupled with ruthless imperialism. . . . He inclines to support American newspapermen who report that the only real democracy in China is found in Communist areas."

That was pretty rank stuff, and no doubt in saying it, Lattimore convinced the Communists that he was really on their side. Indeed, only two years ago Chou En-lai gave a big party in honor of Lattimore in Peking, so convincingly had Lattimore presented himself as sympathetic to Mao during this last generation.

However, since it is the practice of the CIA never to disclose the identity of its agents, one fears that Lattimore will not be betrayed as an American superspy.

Accordingly, he will have to fight to establish his innocence of Peking's charges. What can he do? Everyone knows that there is no freedom in China, none to speak, to organize, to emigrate, to practice religion, to seek out a job of one's choice, to study what you

want where you want. These deprivations haven't bothered the legion of admirers who in recent years have swarmed over China: Barbara Tuchman, for instance, or John Kenneth Galbraith, or Harrison Salisbury, or Seymour Topping, or James Reston.

The Cultural Revolution in which a million or so were killed, following on the heels of the purges of the preceding decades, didn't in the least undermine the enthusiasm for Mao. But now, what if Owen Lattimore accuses the Chinese Communists of—McCarthyism!

What would Barbara Tuchman say? Or John Fairbank? Or Arthur Schlesinger? I mean, we all want peace in this world, sure. And we can afford to be understanding if the Chinese revolution requires an average of 1.5 million victims per year, and an absolutely totalitarianized society admitting of no human freedom — that's okay. But McCarthyism we cannot accept. If Owen Lattimore persuades the Eastern Seaboard Establishment that Peking is Mc-

Carthyite, they'll impeach Nixon not for Watergate, but for having gone and made friends with Chou En-lai.

This poses very grave questions of public policy. While I am ordinarily sympathetic with the iron code of the CIA that its agents are never uncovered, I for one think that in the case of Owen Lattimore an exception should be made. After all, we live in dangerous times. A nuclear war could dash the hopes of mankind. East and West *must* meet. And anyway, why should CIA suffer from the exposure of just his one operation? After all, they had McCarthy fooled into believing Lattimore was a Communist, and that was 24 years ago.

You can't expect to fool all the people all the time, and Peking's discovery reminds us we've got to stay on our toes. Let's swallow our pride like a man, decorate Owen Lattimore for his services as an international spy, and pull together for detente, by making it clear that the Chinese Communists may do a lot of things we don't agree with, but it is wrong, and unfair, to accuse them of McCarthyism.



# Western Hemisphere

CHRISTIAN SCIENCE MONITOR  
5 March 1974

## Latin American pressure

# Cuban blockade erodes with increased trade

By James Nelson Goodsell  
Latin America correspondent of  
The Christian Science Monitor

Buenos Aires  
Washington appears reluctantly moving toward accepting a gradual, but steady erosion of its decade-old economic blockade of Cuba.

In fact, there is a feeling here in Buenos Aires that Washington may well quietly allow aspects of the blockade to lapse without much protest in the face of growing Latin American pressure to sell products to the Caribbean island.

In the first place, there is not much that Washington can do to prevent determined Latin American nations from selling to Cuba even when the sale bumps up against prohibitions of traffic with Cuba by U.S. citizens and companies.

Argentina's decision to sell Cuba 60,000 vehicles, automobiles, and trucks is a case in point. Many of the vehicles will be produced in Argentine subsidiaries of U.S. firms here.

### Kissinger on hand

Secretary of State Henry A. Kissinger came face to face with the Argentine vehicle decision at last week's meeting of hemisphere foreign ministers in Mexico City. Argentine Foreign Minister Alberto Jose Vignes is reported to have told him that Argentina would brook no interference in the sale of the vehicles.

As if to emphasize the point, Economy Minister Jose Ber Gelhard this week went to Havana for extensive trade talks with Cuba officials. He was accompanied by a large delegation of Argentine businessmen including rep-

BALTIMORE SUN  
6 March 1974

## Canada to sell locomotives to Cuba

Ottawa (Special)—A Canadian-U.S. confrontation over trade with Cuba climaxed here yesterday with Prime Minister Pierre E. Trudeau vowing to push through an \$18 million sale of locomotives to the Castro government by a United States-controlled company in Montreal, with or without approval from Washington.

"The Canadian government has means to make sure that this kind of deal, which is to the profit of Canadian compa-

nies, does go through. We have the means to do it, and we will exercise those means," said Mr. Trudeau.

The sale of 25 locomotives to Cuba by MLW Worthington Company of Montreal has been pending for nearly two months. For three weeks an application for exemption of the sale from the U.S. Trading-With-the-Enemy Act has been waiting decision at the U.S. State Department.

MLW Worthington is 52 per cent owned by Studebaker-

representatives of Chrysler, General Motors, and Standard Electric.

Mr. Gelhard repeatedly emphasized in public statements that "Argentina is sovereign and will continue being so" adding that "the credit given Cuba [to purchase Argentine products] is irrevocable." The credit, granted last July, is for \$200 million yearly for an unspecified period of years.

### Gelhard mission reported

Argentine newspapers last week were full of reports on the Gelhard mission — and they devote much attention to the whole question of Washington's attitude. Editorial-page comment was clearly in favor of the trade arrangement no matter how much it steps on Washington's toes.

As the week ends, the focus shifts to reports that a Canadian firm, MLW Worthington of Montreal, subsidiary of the New Jersey-based Studebaker Worthington, was negotiating the sale of 25 locomotives to Cuba.

"Washington's blockade of Cuba is tumbling down," commented a radio announcer on one of Buenos Aires' most popular stations.

State Department officials, for their part, emphasized that Washington's position for the present remains firm on the economic boycott, but spokesman John King said that the United States does not want "to be arbitrary or capricious" in rejecting requests for exemptions from the boycott.

### Issue under study

Dr. Kissinger had earlier said that the whole issue was under some

study, and Washington sources this past week indicated that the Secretary of State was personally studying the matter.

Washington is caught in a dilemma on the issue. It has an increasingly limited amount of clout in Latin America — and relatively little when it comes to nations like Argentina.

Given the general trend in Latin America regarding Cuba, the time is coming, in the view of most informed Latin Americans, when Cuba will again be part of the Western hemisphere politically and economically.

It was excluded in the early 1960's when Cuban Prime Minister Fidel Castro talked of exporting his island's revolution to the rest of Latin America and when Soviet influence was growing.

### Trade ties resumed

But Mexico never went along with the break — and gradually a number of Latin American nations have resumed diplomatic, cultural, and trade ties with the Caribbean nation. Chile, although it has since reversed the step, was the first, then Peru, Argentina, and the English-speaking nations of the Caribbean (Barbados, Guyana, Jamaica, and Trinidad and Tobago) followed suit. Others are inclined in this direction, Dr. Kissinger learned in Mexico City last week.

This coming week, a Cuban delegation will be on hand in Punta del Este, the Uruguayan beach resort, for a meeting on Latin American trade — yet another indication of the trend.

Seen here, the sale of Argentine vehicles is a natural one. Cuba needs the product and Argentina needs markets for its vehicular industry. Moreover, given the growing nationalist sentiment in Argentina as elsewhere in Latin America, the sale to Cuba is one that Washington could not easily alter.

Washington, thus, appears to be accepting the changing reality of the times. "Isn't it time that the embargo on trade to Cuba be halted?" asked a government spokesman here. "We think so, and that is how it is going to be."

Worthington, Inc., of the United States, and 2 of the 11 directors of the Canadian company are Americans. Violation of the Trading-With-the-Enemy Act could make directors of the company liable to fines up to \$10,000, and jail terms of up to 10 years. The sale to Cuba, in American eyes, would violate the U.S. economic blockade of Cuba.

The MLW Worthington deal also will include refurbishing a number of old Cuban locomotives, which are suffering from

lack of parts because the U.S. blockade. Capital spending on railway equipment is part of Fidel Castro's latest economic plan for Cuba, and Canada stands to receive many more orders.

Two months ago Cubans told Canada that Canadian firms would be expected to bid on between \$200 million and \$300 million of industrial business in the next six years.

The confrontation over locomotive sales could signal the beginning of a floodgate open-

ing in the U.S. economic blockade of Cuba. Last year Canada sold \$68 million worth of goods to Cuba, but the Cuban Embassy in Ottawa reports that already in the first two months of 1974, Canada has sold more than \$120 million worth of goods to Cuba.

CHRISTIAN SCIENCE MONITOR  
19 February 1974

Let's think

## Just to the south

By Erwin D. Canham

**Peru, Colombia, Venezuela**  
Today, as ever, people in South America are very hurt and puzzled that North Americans pay them so little attention.

They believe, rightly, that their affairs are of great importance to the entire hemisphere. But, with the exception of occasional crises such as the overthrow of Salvador Allende in Chile, they observe that United States citizens are abysmally ignorant of the many diverse and significant things going on beneath the Southern Cross.

This time, our swing took us first to Lima, Peru, then north to Bogota, Cali, and Medellin in Colombia, and finally to Caracas in Venezuela. The three countries are stable, progressive, and very different.

But now, with the inter-American conference opening at Mexico City on Feb. 21-23, the Latin Americans think the United States may be taking them seriously for the first time since President Kennedy's Alliance for Progress.

### Kissinger's pledge

They listened on Feb. 7 to Secretary of State Henry Kissinger's speech at Panama as he signed the agreement opening the long road toward a better relationship with the Republic of Panama concerning the canal. They observed that he came up with no glittering slogans, that he made no

NEW YORK TIMES  
27 February 1974

## TOP ALLENDE MEN REPORTED ON ISLE

By MARVINE HOWE  
Special to The New York Times

RIO DE JANEIRO, Feb. 26—Leading supporters of Chile's late President, Dr. Salvador Allende Gossens, are being held in a desolate "concentration camp" on Dawson Island in the Strait of Magellan, according to a report last week in Brazil's leading political magazine, *Visão*.

The article said that a *Visão* correspondent recently spent two hours on Dawson Island and interviewed several men who had been Dr. Allende's aides, including former Defense Minister Orlando Letelier, and the former chief of the Chilean Communist party, Luis Corvelán Lepe.

This is believed to have been

fancy promises, but that he pledged the United States to a solution of the ancient and humiliating problem of sovereignty of the Isthmus.

Secretary Kissinger's prestige is as high in Latin America as anywhere else. There is danger that he will be considered a miracle worker, producing some great new hemisphere program at Mexico City. The word is going around that nothing so impressive can be expected. But the mere fact that the Secretary of State is concerning himself with hemisphere affairs is encouraging.

Diversity is the best thing to remember about Latin America. The three countries we visited illustrate it. Peru is governed by a group of military leaders, with army generals in the ascendancy. It is not just a military junta.

The generals have social programs. They have nationalized several valuable properties of international corporations and compensation is not yet settled. They are controlling and operating many parts of the economy. They enforce their rule with sometimes draconian controls of the press. The Peruvian land-owning aristocracy is on the way out. It is an elaborate socio-economic experiment and its ultimate success is uncertain. But it is conscious, thoughtful, and innovative.

### Colombian elections

the first report of a visit by a foreign correspondent to the island since some 35 of Dr. Allende's closest aides were flown there after the military coup last September. A small group of Chilean newsmen who support the military junta and representatives of the International Red Cross have visited the prison island.

The *Visão* correspondent, Antonio Alberto Prado, told friends he thought that he had been permitted to visit Dawson Island because he was a Brazilian. Gen. Gustavo Leigh Guzman, a member of the Chilean junta, expressed admiration for Brazil and its authoritarian legal system in an interview also published by *Visão* in last week's issue.

#### Island Reached by Plane

Military authorities at Puento Arenas, the southernmost city in Chile, authorized Mr. Prado to visit Dawson Island for two hours. The flight across the strait took only a few minutes in an old DC-3 aircraft of the Chilean Navy.

The island is bleak, Mr. Prado reported, with a gravel beach inhabited only by thousands of seabirds and the interior an expanse of tundra.

Though it was summer, the temperature was only about 40 degrees Fahrenheit, and there was an icy wind, the correspondent wrote. He quoted Mr. Letelier as saying: "Now I'm in a frozen limbo."

Mr. Prado found the former Defense Minister, who also served as Foreign Minister and Ambassador to the United States, in a small shack next to the kitchen, awkwardly chipping at a piece of wood with a knife. One of his duties was to help prepare construction material for other prisoners building additional prison barracks, the *Visão* article said.

#### No Legal Charges, He Says

Mr. Letelier, who had a heavy beard, was quoted as complaining about the uncertainty of his situation, asserting that he had no access to legal defense and that no charges

Colombia is on the verge of a presidential election, being campaigned with vigor and propriety. It is a democratic republic, having alternated presidential power for 14 years. Business is flourishing. But there are guerrillas who sometimes kidnap hostages. We had dinner with the grateful grandparents of a teen-aged boy who had been in kidnappers' hands for more than a year and only released after a violent skirmish between the army and his captors.

Venezuela sits on its pool of oil. Its budget this year, the total expenses of running the government, comes to \$3 billion. Its oil revenues are estimated to increase by some \$7 billion as a result of the increased prices of oil. Caracas bursts with vitality, looking more and more like Sao Paulo in Brazil with its bristling skyscrapers.

### The desperately poor

But not far away, in Central America, are other Latin-American brother nations, desperately poor, with no oil and few exports to pay for energy needs.

Venezuela is in the position of the mansion in the midst of the slum, not unlike the traditional role of the United States. There is talk of setting up a new international bank or lending arrangement by which the oil-hungry Latin neighbors might finance their needs. In that case, Venezuela might some day own a good piece of its mortgaged brothers. The problems of affluence are not easy.

U.S. businessmen are hustling in the three countries we touched. A lot of U.S. tourists are about. But even so, no real link of understanding has yet been forged between north and south. Vibrant and proud societies are a few hours away by jet. They deserve interest and respect, and above all a closer acquaintance.

had yet been brought against the prisoners on the island.

To pass the time, the former minister gives English lessons and courses in international credit to his fellow prisoners, according to the magazine report. He was quoted as saying that mail took a month to reach the island, that no newspapers had been received since Christmas and that the prisoners were not allowed to have political books.

The Brazilian journalist said he had been accompanied on his tour of the camp by Comdr. Jorge Fellay Fuenzallida, military chief of the island.

Despite the presence of Commander Fuenzallida and a number of armed military men, Mr. Corvelán Lepe, the former Communist party leader, denounced conditions on the island, according to Mr. Prado. He also accused the authorities of torturing his son in another prison camp and said that his own life had been threatened several times, Mr. Prado reported.