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American engineer charged with espionage

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SAN FRANCISCO — An American engineer has been charged with stealing and passing to Soviet-bloc agents documents aimed at helping the United States survive a nuclear attack, the Justice Department said yesterday.

About 100 "extremely sensitive" classified documents allegedly were passed in a series of 14 meetings over a 4½-year period and were turned over to Polish intelligence agents who routed them to the Soviet Union, the Justice Department said.

The documents included information on the Minuteman intercontinental ballistic missile and the ballistic-missile-defense research and development programs of the United States, according to federal authorities.

James Durward Harper Jr. of Mountain View, Calif., was charged with stealing secrets from May 1979 to the present for more than \$250,000, according to the FBI.

Harper, 49, who was arrested Saturday, was arraigned yesterday. If convicted, he could be sentenced to life in prison.

The affidavit said the FBI obtained information from a high-ranking officer of the Polish intelligence service.

It said that when the documents about the Minuteman were delivered to the Polish intelligence service in Warsaw on June 5, 1980, a team of 20 KGB analysts and engineers was flown from Moscow to evaluate them. The following month, the officers instrumental in obtaining the documents received a commendation signed by Yuri V. Andropov, who now is Soviet president but then was head of the KGB.

Harper told a U.S. magistrate yesterday that he intended to "cooperate in every way" with the government.

Harper, whose late wife, Ruby Louise Schuler, had access to the information through her job at Systems Control Inc. in Palo Alto, Calif., allegedly contacted the Polish intelligence service in May 1979.

Ms. Schuler had a "secret" security clearance through her job as a secretary-bookkeeper at Systems Control, a government contract facility and computer company owned by British Petroleum.

She quit the company in August 1982 because of illness and died June 22. Harper remarried a month later.

Harper, a power-supply consultant at Sollectron Corp., never had any security clearance. The FBI said it recovered some government documents when it arrested him at his apartment on the San Francisco Peninsula.

The FBI charged that since 1979, Harper had furnished classified information to the Polish intelligence service and that information was passed to the Soviet KGB.

In the affidavit, FBI agent Allan Power said the documents allegedly stolen by Harper and Ms. Schuler were classified as "secret" and "confidential."

He said the Army described the documents as "extremely sensitive research-and-development efforts" that would enable the Minuteman missile and other U.S. strategic forces to survive a pre-emptive nuclear attack by the Soviet Union.

Power said an Army official maintained that passing these secrets to Poland and the Soviet Union would "cause serious damage to our national defense and would provide Warsaw Pact analysts with a windfall of intelligence information."

Army official John Cunningham, acting director of technology for the Ballistic Missile Defense Project office, said the value of the documents

to Warsaw Pact military planners is "beyond calculation," according to Power's affidavit.

Harper appeared before U.S. Magistrate Owen Woodruff, who advised him of the charges and of his right to an attorney.

"I have no intention of hiring a lawyer," Harper said. "My intent is to cooperate with the government in every way I can to expedite the proceedings."

A preliminary hearing was set for Oct. 27.

Harper's arrest was the result of an extensive investigation that turned up volumes of government documents. Although Harper had no access to the classified documents and information he sold for about \$250,000, Ms. Schuler was believed to have helped him through her job.

The FBI affidavit said Harper traveled to Switzerland, Vienna and Warsaw as part of the espionage conspiracy. At one point, he allegedly boasted that he had "stashed" about 200 pounds of military documents.

Systems Control Inc. had numerous contracts with the Ballistic Missile Defense Advanced Technology Center in Huntsville, Ala., and kept classified documents at its Palo Alto office.