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## Ex-CIA Man Affirms Mercenary Hire

Startling new evidence contradicts statements made by former secretary of state Henry Kissinger and the CIA to Congress about the agency's role in recruiting American mercenaries to fight in Angola's civil war in 1976.

A sworn statement by a onetime CIA recruiter, David Floyd Bufkin, reveals that at least two Americans — Daniel Gearhart and Gary Acker — were recruited by the CIA to fight for the U.S.-backed faction in Angola. Both were captured by the Soviet-supported regime that eventually won the war. Gearhart was executed by a firing squad and Acker is serving a 16-year sentence in a Luanda prison.

Bufkin's statement belies testimony given by Kissinger and written State Department assurances to the Senate Foreign Relations Committee, which investigated U.S. covert action in Angola in 1976. "The CIA has not directly or indirectly recruited any Americans to serve as mercenaries in Angola," Kissinger testified.

"We have consulted with the CIA and have been assured that no U.S. funds are being used directly or indirectly to recruit, train or deploy American mercenaries," Robert J. McCloskey, then assistant secretary of state for congressional relations, informed the committee.

Recruiting American citizens to fight for a foreign power is a criminal violation of the Neutrality Act. When Gearhart and Acker were captured, U.S. officials insisted that they were "soldiers of fortune" who went to Angola on

their own, and had no connection with the CIA.

In his affidavit, reviewed by my associate Indy Badhwar, Bufkin swears that the CIA sent him to Kinshasa, Zaire, in January 1976, "where I received orders from CIA agents to return to the United States and recruit American citizens as mercenaries with the [U.S.-backed faction] in Angola." He swears he was given \$20,000 in fresh \$100 bills by the CIA.

Returning to California, Bufkin relates, he placed an ad in the Fresno Bee soliciting mercenaries. Acker responded to the ad, and Bufkin later met Gearhart through another man who had seen the ad. Bufkin flew back to Kinshasa with a list of potential recruits. There he met with one Nick Hall, a "General Garcia" and a CIA agent he knew only as Frank. They authorized him to hire the recruits, according to Bufkin's statement.

The recruiter flew back to the United States, rounded up his handful of mercenaries and escorted them to Kinshasa. There, he says, the recruits "met with United States CIA agents who briefed the individuals . . . as to military matters pertaining to Angola." He adds: "At this time a CIA agent known as Frank paid Daniel Gearhart \$2,900 for expenses and compensation."

The CIA then transported the mercenaries to Angola, Bufkin claims, and they "participated in several military operations under the direction and orders of CIA personnel."

In his statement, Bufkin says that,

"acting on representations made to me by CIA agents," he assured Gearhart that his wife would be compensated if he were killed in Angola. But Gearhart's widow, Sheila, has gotten nothing.

"I believe the CIA really led these guys down the garden path," says Bill Wilson, a St. Louis attorney who represented both Acker and Gearhart at their trial in Angola, and still represents Mrs. Gearhart and Acker's parents. Wilson spent four years tracking down Bufkin, and persuaded him to make his sworn statement for Acker's parents.

The CIA's denials haven't impressed one conservative congressman who's been assisting the Acker family and is familiar with the case. Rep. Robert Dornan (R-Calif.) said that the "official denials and misrepresentations to the victims' families and even members of Congress . . . have done little to inspire confidence."

"It's really frustrating," said Acker's mother, Joyce. "The affidavit shows that the government recruited Gary to fight in Angola, but I couldn't even get the State Department to deliver a Christmas package to him."

Footnote: A CIA spokesman reiterates the government's position that the agency "neither paid nor authorized funds to Mr. Acker or other Americans engaged in armed combat in Angola," and that none of them was flown there "by or for the CIA." The State Department says it is trying to persuade the Angolan government to release Acker or reduce his sentence.