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Quiet Diplomacy Eased Previous Spy Tensions

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Cases with similarities to the current Daniloff-Zakharov situation arose during preparation for U.S.-Soviet summits in the Nixon and Carter administrations, but diplomatic compromises arranged during private negotiations in those days prevented the controversies from escalating.

On Feb. 14, 1972, with President Richard M. Nixon about to go to China, and U.S. and Soviet negotiators working to conclude the final phase of the Antiballistic Missile (ABM) Treaty and the SALT I strategic arms limitations agreement, the Federal Bureau of Investigation arrested a Soviet United Nations translator who had been under surveillance for two years.

The spy, Valery Markelov, was charged with taking classified documents about the Navy's F14 fighter from a Grumman Corp. engineer Markelov had been cultivating since 1970. The Grumman engineer had been cooperating with the bureau.

Markelov initially was held on \$500,000 bond. But two days later, on instructions from the State Department, asked that bail be dropped to \$100,000 and that Markelov be remanded to the custody of then-Soviet Ambassador Anatoliy Dobrynin.

A former Central Intelligence Agency official said yesterday that keeping agents out of jail was a mutual aim of the KGB and his agency. "You don't have control when your man's in jail," he said. "We worry about his comfort, they worry he might defect."

Three months later, on the eve of Nixon's summit meeting with Soviet leader Leonid Brezhnev, the U.S. government moved to quash the indictment. A trial was avoided, and Markelov was freed and returned to the Soviet Union.

On May 20, 1978, with President Jimmy Carter and his administration working on the SALT II strategic arms negotiations in hopes of having a summit meeting the next year with Brezhnev, the FBI arrested two Soviet U.N. employes in New Jersey on espionage charges after they had paid \$16,000 to a retired Navy officer for secret documents on antisubmarine warfare.

The arrest culminated a year-long "dangle" operation, in which the American officer had offered himself to the Soviets as a potential spy. The FBI-run operation was undertaken, in part, because then-Attorney General Griffin B. Bell and some Carter aides believed the Soviet KGB had gotten out of hand.

A CIA agent under cover as a U.S. embassy employe in Moscow had been caught the year before as she was making a delivery to one of her Soviet contacts. The contact was arrested, tried and condemned to death and the U.S. agent, who had diplomatic immunity, was expelled from the country without publicity.

The CIA, however, was forced to close its Moscow operations to investigate how one of its agents could be caught so cleanly. Meanwhile, a former CIA clerk had sold data on the most secret U.S. spy satellite and had been caught only because he confessed his actions to a former coworker.

In that atmosphere, when the FBI came forward with its plan to arrest the two Soviet U.N. employes, the Carter administration interagency group that reviewed the case offered no objection. The only question was whether to proceed to trial. The White House and Justice Department were on one side of that bitter debate; the State Department and CIA on the other.

The State Department's concern was for the arms negotiations and possible summit. The CIA was con-

cerned about a trial and the possibility that the KGB would respond against one of its people in Moscow. Since the CIA was already under fire in Moscow and its agents few in number, the CIA opposed actions that could bring on retaliation, a former agency official said.

Carter agreed to go to trial and the two Soviets, Rudolf Chernyayev and Valdik Enger, were jailed when a New York magistrate, to the surprise of the U.S. attorney, required \$2 million bail for each.

The KGB clearly did not want its men in jail, a former CIA official said yesterday. Five weeks later, while the Carter administration was preparing to go to trial, the KGB arrested Francis J. Crawford, an American businessman in Moscow. Crawford was charged with violating money exchange laws, and held in prison.

"Crawford was a surprise," a former Carter administration official said yesterday. But inside of two weeks, a deal was worked out whereby Crawford was released in Moscow to await trial in the custody of then-U.S. Ambassador Malcolm Toon, and the two Soviets



VALDIK ENGER
... was tried, convicted and swapped

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were released to Dobrynin to await trial.

There was no formal agreement on the next step, but both sides seemed temporarily satisfied, a former official who participated in the discussions said yesterday. The charges against Crawford, clearly brought to gain bargaining power for release of the two accused Soviet spies, had been accumulated over some time, not trumped up at the last minute, sources said.

In succeeding months, U.S. businessmen, quietly encouraged by the Carter administration, began to complain privately to Moscow officials that the arrest of Crawford endangered continued expansion of trade. Industrialist Armand Hammer, according to former Carter officials, traveled to Moscow to make that point personally to Brezhnev.

In September, with arms control negotiations proceeding, Carter administration officials were somewhat surprised when the Soviets decided to put Crawford on trial a month before the start of their own spies' trial in the United States. Crawford was convicted and given a suspended sentence, all in one day. The next day he was put on a plane and sent back to the United States.

A month later, the two U.N. Soviets were convicted and each given sentences of 50 years in prison. In the ensuing six months, negotiations took place between Carter national security affairs adviser Zbigniew Brzezinski and Dobrynin over a swap. Meanwhile, the two Soviets were free on bail and even allowed to travel to the Soviet Union for a visit.

With the SALT II agreement almost complete, the Soviets finally agreed to trade the two for five Soviet dissidents and a pledge not to execute one of the CIA's Soviet agents. The Soviet decision was hailed by the Carter officials as helpful to the SALT II negotiations.