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29 December 1964

SUBJECT: General Comments and Opinions Concerning E. HEINE

1. While on the surface the HEINE slander suit may seem to be a matter of little significance, it is our considered opinion that this is a very important case, possibly a test case, where the Soviet Intelligence hand in Moscow is the guiding element behind HEINE and his activities.

2. The setting for this dates back to another case of an Estonian, one Arthur HAMAN, who defected to the West from the Soviet Union after ostensibly "escaping" across the border. HAMAN, whose background story and activities were equally as suspect because of his participation in alleged underground activities and because of his attempts to interest Western intelligence services in the "underground assets" within Estonia, was considered suspect by various Western governments although he was permitted to reside in Sweden where he studied until 1962. In September 1962 he came to the United States, ostensibly to attend the IXth International Congress of Linguists. In actual fact, he came for other purposes. Several of his stories were demolished and he ultimately admitted that he had come to the USA in search of work in order ultimately to emigrate to and to settle in the USA.

3. HAMAN was debriefed in considerable detail concerning his entire background, his "underground" activities, his "illegal travels" within the USSR, and his "escape" to the West. His story was found wanting. Because of the contacts which he had established in the USA and because of the internal security aspects involved, other US Government authorities were briefed on the HAMAN case. After HAMAN departed the USA, various responsible Estonian emigre leaders, whose confidence and assistance HAMAN had sought (and whom he had misled and deceived as to his background), were furnished relatively full and complete details concerning HAMAN's background, those which had been obtained during the official debriefings. The president of the Estonian National Council in the USA, who realized that the security of his own organization was at stake to a great extent (HAMAN had gotten elected to the Estonian National Council in Sweden and was very, very active in emigre political affairs), summoned a meeting together of responsible Estonians and then, using the information which had been provided him, acquainted the Estonian public with the full details and background of Arthur HAMAN. The president voiced no suspicions and made no accusations; however, the true facts of HAMAN's background spoke for themselves as the severest judges were the Estonian emigres who knew what was, or was not, possible in Estonia and what the facts of life were in Estonia. As a result, HAMAN

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became publicly branded not only in the USA, but throughout the world among Estonian emigre colonies, as a suspect Soviet agent who had been dispatched to the West.

4. Once word got to HAMAN in Sweden he immediately branded all these rumours to be lies and began making noises of filing a suit for libel and slander against the president of the Estonian National Council in the USA. Because HAMAN tarried and did nothing about this, his supporters, primarily his fellow fraternity brothers, made available several attorneys to defend HAMAN's "good name" without cost to HAMAN. As HAMAN continued to tarry and then later declined to file suit, all, or most, of HAMAN's supporters then immediately concluded that there was basis to the charges against HAMAN. This sounded the death knell for HAMAN. This killed him and his political activities among the Estonian emigres. This neutralized him to the extent that no Estonian emigre would have anything to do with him.

5. In early 1963 HAMAN disappeared from sight, reappeared briefly in Helsinki, and then disappeared completely. He was then surfaced by Izvestia which indicated that HAMAN had been "compelled" to return to the USSR. There followed various diatribes and attacks against the rotten emigres, "lackeys of intelligence services in the West", by HAMAN after which the Soviet government "rewarded" HAMAN by giving him a professorial position at Tartu University, this despite the fact that he had committed "high treason" by defecting to the West in 1956 and by engaging in violent and hostile anti-Soviet activities during the period from 1956 until his return in 1963.

6. The HAMAN case has attracted considerable attention of the free world, particularly within the entire Baltic colony. There is no doubt in anyone's mind among the emigres but that HAMAN had been a dispatched Soviet agent to the West, but that he had functioned in the West in behalf of Soviet intelligence, and that he returned to the Soviet Union after his effectiveness (for the Soviet intelligence) had been neutralized in the West. We not only share this opinion at this time but had spotted and identified HAMAN for what he was as early as 1956 after the story of his background, though less limited then that which was acquired in 1962, became known to us. We have indications that HAMAN continues to be active for the Soviet intelligence to the present day. HAMAN's case is a typical one where the Soviet intelligence dispatches its intelligence agents to the West under the guise of "escapees", "deserters", "repatriatees", et cetera.

7. As in other similar cases, we never had any legal proof that HAMAN was a dispatched Soviet agent. For our purposes it is not necessary

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to have such legal proof. It suffices that we are able, on the basis of our professional knowledge of the Soviet intelligence techniques and modus operandi, to arrive at a conclusion that an individual's story, account of his activities, narration of his escape, history of arrests and detentions, series of "miracles" and "good luck", etc. are not credible or worthy of belief. Because the individual is usually at one time or another closely associated with the Soviet intelligence, whom by crook or by hook he "deceives, fools, misleads", we find sufficient basis to conclude, again harking back to our knowledge of Soviet intelligence techniques, that the individual is, as a minimum, highly suspect, or, at most, an outright Soviet agent who was dispatched to the West. The security of our country and of our activities is protected by taking prophylactic action to neutralize the individual and to preclude him from engaging in harmful activities.

8. Such is the case with HEINE. There exists no legal proof whatever that he is a Soviet agent. However, we have every reasonable basis to believe that he is one. The fact that individuals like HAMAN (and HEINE) actively engage in hostile anti-Soviet activities is no proof of their loyalty to the West - although many less informed citizens and emigres do so conclude - but is rather a part of the briefing accorded the Soviet agent by the Soviet intelligence (information known to us from unimpeachable sources) inasmuch as only thereby can the Soviet agent accomplish the objectives and purposes of the Soviet intelligence in penetrating the emigre organizations to the very core. Note that HAMAN was elected to the Estonian National Council in Sweden by virtue of his anti-Soviet activities. Note that HEINE, by virtue of his anti-Soviet activities, has gotten himself elected (although he has since resigned) to the Estonian National Council in Canada. Note also that HEINE has been nothing but a disruptive force within the Estonian emigre community. Even before his election to the Council, he had a group of followers who were rebels. After his election to the Estonian National Council in Canada, HEINE (working to some extent through others) actually created a rent in the Council and divided this into two forces.

9. HEINE attracted attention to himself, partially deliberately and partially because he is not a very suave and diplomatic individual, to the extent that various individuals in the USA and elsewhere began to question his motives and purposes in engaging in Estonian emigre politics. The story peddled by him about himself was suspect to various individuals, the book he wrote about himself - albeit a narrative - raised a variety of serious questions about him, and, despite his allegations to the contrary, his purpose in coming to the USA was to emigrate ultimately to the USA (as was indicated elsewhere he tried to do so as early as 1957).

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10. RAUS, like the president of the Estonian National Council before him, saw fit to take prophylactic action, albeit somewhat indiscreetly using the information which had been made available to him (as well as to other responsible Estonian leaders concerning HEINE's background), to insure the security of his own organization primarily as HEINE was deliberately making use of the LEL. This was particularly significant and important to RAUS and the LEL as HEINE tried to inveigle several individuals into obtaining maps for him from the Library of Congress, tried to persuade active members of the LEL to aid him in engaging in balloon operations from Sweden into Estonia (an activity engaged in and supported by HAMAN in Sweden), and tried to persuade members of the LEL in the USA into using his "secret means of commo" to Soviet Estonia through which to obtain "secrets" from Estonia.

11. With the foregoing as a background, HEINE finds himself in a dilemma. He cannot do what HAMAN did, to wit, redefect as this would be an immediate admission of guilt. On the other hand, he too cannot very well file a suit or appear in court as there are too many elements about his background which would prove highly embarrassing, both to him as well as to the Soviet intelligence, if made known publicly. It is an established fact that HEINE tried very hard through at least a half dozen intermediaries to impress upon RAUS the need to apologize. HEINE indicated strongly that he did not wish to file suit. There were many indications that HEINE, like HAMAN, continued to tarry and to do nothing; however, like HAMAN, he too was under constant pressure from his supporters to "clear his good name" of the accusations against him. It is known that HEINE contacted at least three other lawyers before RAUSKAUSKAS took his case. (Note: RAUSKAUSKAS himself has made it known to various of his friends and associates that he has had at least several contacts with the Soviet Embassy in Washington, D.C.)

12. Another item of some significance which, in all probability, might be used against HEINE is the fact that HEINE, as well as his supporters in the USA, has accused CIA of being completely penetrated by Soviet intelligence and that RAUS is, by virtue of his alleged CIA affiliation, in actual fact a Soviet agent who is performing a mission for the Soviet intelligence by denouncing a "good, loyal, honest Estonian patriot" like HEINE.

13. A tactic which could reflect adversely upon HEINE would be to invite him, with full costs and expenses to be paid by the defendant, to the USA to be present during the actual trial. If HEINE refuses to attend in order to be available for cross examination, he will already have lost a morale victory in the eyes of the emigres (for whose benefit

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essentially HEINE is actually following through with the suit). Moreover, this will function as a form of psychological pressure against him.

14. The following list of questions is suggested for use in obtaining answers from HEINE for the court proceedings. It is felt that, properly phrased and presented, all these questions can be declared pertinent and relevant. Moreover, HEINE might find it highly embarrassing to provide detailed answers to them, if he does so at all.

- (1) When did you arrive in Canada?
- (2) Why did you come to Canada and how did you arrange this?
- (3) Are you aware that the Soviet intelligence selects agents for dispatch abroad on the basis of the contacts, or relatives, he has abroad?
- (4) Where and when were you born?
- (5) How long did you live in Estonia?
- (6) What citizenship did you have prior to accepting Canadian citizenship?
- (7) Where did you live during the period until April 1941 when the Soviets occupied Estonia?
- (8) Legally, were you at that time a Soviet citizen?
- (9) On what charges were you arrested in August 1940? Please describe the full details of your arrest and detention.
- (10) How long were you imprisoned by the NKVD?
- (11) You were accused of violating which article of the Soviet Criminal Code?
- (12) Is Article 58 the article which deals with Soviet citizens engaging in counter-revolutionary, anti-State, and anti-Government activities?
- (13) Is this not the most serious offense of which one can be accused in the Soviet Union?
- (14) How long were you under NKVD interrogation?
- (15) Did you affix your signature to the protocol prepared by your interrogator(s)?

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- (16) What other documents did you affix your signature to?
- (17) Why did the Soviet punitive organs not try you in court or before a special commission for your counter-revolutionary activities in 1940?
- (18) What evidence were your parents able to provide the Soviet authorities to obtain permission to proceed to Germany in 1941?
- (19) Inasmuch as your parents were considered hostile to the Soviet State, how did the NKVD grant permission to them to leave Estonia when tens of thousands of loyal, honest Estonians were being deported to Siberia by the NKVD?
- (20) Why did the NKVD and the Soviet punitive organs decide to release and to send you to German?
- (21) You once stated that your parents, while in Germany, were able to "exert influence" upon the NKVD to gain your release from prison. Please elaborate.
- (22) Did the NKVD ask you to perform any mission in exchange for your release and dispatch to Germany?
- (23) Did you sign any document agreeing not to engage in anti-Soviet activities upon your arrival in Germany?
- (24) What citizenship did you hold while living in Germany?
- (25) Did you become a German citizen?
- (26) What was your legal status and occupation in Germany?
- (27) Did you serve in the Nazi army? In what capacity?
- (28) Did you work in the Nazi SD or in the political police? In what capacity?
- (29) What name(s) did you use while in the Nazi army and in the SD?
- (30) After World War II what was the position of the Soviet state towards its Soviet citizens who took up arms of the enemy, served in the SD or the political police, and engaged in war against the Soviet Union?

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(31) What uniform were you wearing when you found yourself in the hands of the Soviet Army?

(32) While in the Ukraine did you not collaborate with the Germans in destroying anti-Soviet (and anti-German) Ukrainian resistance elements?

(33) While in Estonia during WW II did you not collaborate with the Germans and the German political police in doing harm to the anti-Soviet (and anti-German) Estonian resistance elements?

(34) Describe the full details of your capture and detention by the Soviets in 1944. You have provided a variety of contradictory versions in the past. Can you explain why you have not been able to provide a coherent, logical, and truthful story?

(35) What language did you use in speaking with the Soviets upon your capture?

(36) Why did the Soviets not execute you? What did you tell the Soviets upon your capture in order to avoid being executed?

(37) Did you tell the Soviet Army captors that you were a German (SD or SS) officer?

(38) Did you tell the Soviet Army captors that you were an Estonian who had been inducted into the German army?

(39) What interrogations did the Soviets subject you to upon your capture?

(40) Did you admit to the Soviets, to save yourself from execution, that you were an Estonian rather than a German?

(41) Describe in detail the circumstances of your alleged escape from arrest after you were isolated and declared to be an enemy of the state and your trek to Leningrad?

(42) Why were you arrested in Leningrad?

(43) Describe the details of your transfer to Estonia.

(44) Describe the details of your activities in Estonia until 1946.

(45) Were you ever arrested or detained by the Soviet punitive organs in Estonia between 1945 and 1946?

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(46) How did you succeed in deceiving the Soviets in Estonia during 1945 and 1946 that Erik HEIN was not identical with Erik HEINE although you yourself have admitted that you made no secret of your existence, although you associated with old friends, and although you were publicly employed?

(47) Describe the details of your "escape" into the underground in order to evade arrest?

(48) Describe the details of your activities from 1946 to 1950.

(49) How did you establish contact with the Estonian underground?

(50) How many "underground units" did you organize while a partisan?

(51) While in the underground, did you have any ties or contacts with the Soviet secret police?

(52) Who is the NKVD employee, or telephone operator, with whom you were in "secret contact" from 1946 to 1950?

(53) What form of secret contact did you maintain with this NKVD employee?

(54) According to one of your versions, you travelled to Siberia after obtaining legal documents. Please elaborate and explain how you were able to evade controls and checks during this severe period of the Stalinist regime during which every form and vestige of resistance was being uprooted?

(55) Describe how you succeeded in deceiving the Soviet secret police in Moscow, enroute, and in Siberia and in gaining the release of a number of Estonians from Siberia.

(56) Do you consider yourself to be an old experienced hand in underground activities on the basis of your statements that you worked in the Estonian underground for five years?

(57) On the basis of this experience, are you acquainted with any incidents where the Soviet secret police staged escapes of its prisoners from jail in order to permit them to go underground where they then functioned as secret agents of the NKVD in ferreting out anti-Soviet elements, in detecting anti-Soviet resistance, and in controlling the activities of the underground by keeping the NKVD informed of the underground's activities?

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(58) Describe the details of your alleged "escape" from the NKVD in 1948.

(59) How, when, and why were you arrested in 1950?

(60) Was it common for members of the underground to attend cultural performances? Was this not a simple-minded act on your part indicative of poor security behaviour?

(61) On what charges were you arrested?

(62) Relate in full detail the process of your arrest and your interrogation up to the trial.

(63) Under what article were you tried? Article 58?

(64) What concretely were you accused of?

(65) Did the Soviet government consider you to be a Soviet citizen at this time?

(66) Under what circumstances was your sentence commuted?

(67) You once stated that your sentence was commuted because you were found to be of German descent. As a former member of the German Nazi SD, was this not even a worse crime during the brutal Stalinist terror days of 1950?

(68) How long were you imprisoned?

(69) The Soviet Government was obliged to review your entire background in order to establish whether you were friendly to the Soviet State, indifferent (neutral to it), or were an enemy of the State. Is this not true? Is it not correct that the Soviet Government categorized you, on the basis of your 1940 and 1946-50 activities, to be an arch enemy of the Soviet state?

(70) What activities did you engage in in the Soviet concentration camps?

(71) Give us a full and accurate description of all the positions which you held while in the Soviet concentration camps.

(72) You once stated that you worked in a dispensary. As an individual who was as violently anti-Soviet and as openly active as you have maintained, how could the Soviet secret police have assigned you to such a favored position?

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(73) Describe how you were able to organize anti-Soviet Russian resistance elements in the concentration camps? In how many camps did you do this?

(74) You were in a total of how many concentration camps?

(75) Why were you transferred from one camp to another?

(76) Furnish a complete story about the concentration camp inmate who took you into confidence about the existence of the anti-Soviet underground in the concentration camp. Elaborate what he asked you to do once in contact with American intelligence. How did he know that you would be permitted to go to Germany? How did you know that he was not a provocateur? Did you not suspect him of being a provocateur?

(77) As an old underground hand, have you not heard that the NKVD deliberately plants its own agents among concentration camp inmates to organize such "resistance movements" in order thereby to gain control over them?

(78) Upon your arrival in the West, what did you try to persuade members of the American and German intelligence services to do in sending aid, arms, and money to this anti-Soviet resistance in the USSR?

(79) While in the Soviet concentration camps, were you known to be an Estonian? A German?

(80) If they knew that you were an Estonian, this means that the Soviet government considered you to be a legal Soviet citizen. Is this correct?

(81) While in the concentration camps, were you under interrogation by the NKVD? How intensive were these interrogations? During these interrogations, was the Soviet secret police able to establish everything about your previous anti-Soviet and underground activities?

(82) Why were the intensive interrogations necessary and why were they discontinued?

(83) Do you know that the NKVD uses the pretext of an interrogation as a means of maintaining contact with its secret agents and as a means of briefing and training them to perform their secret work among the camp inmates?

(84) What did you do in Moscow in 1956? Who interviewed you in Moscow?

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(85) According to your own statements, you were (1) an Estonian citizen prior to 1940, (2) a resident of Germany from 1941 to 1944, and (3) a Soviet citizen from 1944 to 1956. Why then did the Soviet secret police release you to the West ostensibly "as a German POW", knowing that you persistently and repeatedly engaged in violent anti-Soviet activities as an Estonian, while in Germany, and as a Soviet citizen? As a former resident of the Soviet Union, are you not aware that the Soviet State fears anti-Soviet activities from abroad more than it fears anything else as being a threat and a danger to the Soviet regime?

(86) According to your own statements, you tried to interest the West in information on rockets in Soviet Estonia. Who is your source(s) of information?

(87) In 1957 you stated to several citizens of the USA that you wanted to move to the USA. You now state that you no longer did so. What is the reason for your obvious contradiction?

(88) While in the USA recently, did you ask anyone to obtain maps for you from the Library of Congress?

(89) While in the USA did you try to interest anyone in engaging in secret contacts with "your sources and agents" in Estonia?

(90) Did you try to persuade anyone in the USA to engage in balloon activities from Sweden to Estonia?

(91) Do you know A. HAMAN?

(92) Do you know that A. HAMAN, who is now in the USSR and who was a Soviet agent in the West, also tried to organize these balloon activities during his stay in Sweden?

(93) Are you aware that you provided contradictory statements about your background and activities during your visits to the USA?

(94) Did you deliberately use the LEL name without the authorization of the LEL national council in the USA?

(95) Did you collect names and addresses of prominent Estonians in the USA during your visit around the USA? How many Estonian names did you collect?

(96) Serious questions have arisen among Estonian emigres as to what you did with the funds which you collected in showing your film in the USA. Have you made a public accounting of the monies received and spent?

(97) Do you know that your attorney in the USA, RAUSKAUSKAS, has been in touch with the Soviet Embassy?

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