

ARTICLE APPEARED
ON PAGE 1CHRISTIAN SCIENCE MONITOR
9 January 1987

Israel's 'selective cooperation' in Pollard spy case

By Warren Richey

Staff writer of The Christian Science Monitor

Washington

The case of admitted spy Jonathan Jay Pollard is raising questions about the cooperation that can be expected from Israel in pending United States criminal investigations.

New details in the Pollard case suggest that Israel returned only a small portion of more than a thousand classified US government documents Mr. Pollard allegedly delivered to Israeli intelligence officers during his 18-month career as an Israeli spy in 1984 and '85.

The details are included in a Justice Department memorandum recommending a stiff sentence for Pollard, who pleaded guilty to espionage last June. Pollard is scheduled to be sentenced Feb. 10 and faces a possible life sentence.

Israeli officials returned 163 classified documents to US representatives in December 1985 as a show of cooperation with American authorities investigating the Israeli spy ring. But according to the sentencing memorandum recently filed in US District Court, the US defense information Pollard provided the Israelis was "immense in volume and far reaching in scope, including thousands of pages of documents classified top secret and/or SCI [special compartmented information, a highly sensitive classification]."

The issue of Israeli cooperation will become increasingly important as the new special prosecutor's probe into the White House's secret effort to sell arms to Iran via Israel picks up speed.

The administration is already at odds with top Israeli officials over key aspects of the secret Iran initiative, including whether President Reagan gave prior approval for Israeli shipments of US arms to Iran in 1985. The White House version of the secret Iran initiative assigns a significant role to Israeli middlemen in planning and carrying out the arms shipments.

Israeli government officials maintain that they became involved in the Iran arms episode as a favor to the US. They stress they have done nothing improper.

In the Pollard case, American investigators have received only "selective cooperation" from Israeli officials, according to FBI Director William Webster and John Martin, chief of the the Justice Department's internal-security section. Justice Department officials say their investiga-

tion into Israeli spying in the US is continuing, but they have acknowledged that without full Israeli cooperation, it is unlikely that the Israelis who directed and paid Pollard will face a US trial.

Israeli officials say they are cooperating fully with US investigators. They assert that the spy ring was a rogue operation organized without the knowledge of senior Israeli officials.

And they point out that the alleged leader of the Pollard spy ring, Rafi Eitan, was dismissed from his intelligence post as a result.

But Mr. Eitan was later named chairman of the board of state-owned Israel Chemicals. And Aviem Sella, who made initial arrangements for Pollard's spying and played a role in the spy ring, has been promoted to brigadier general in the Israeli Air Force and assigned command of a large Israeli air base.

The Eitan and Sella appointments raise questions about whether the two are being punished or rewarded for their actions in the US spy case.

Ironically, according to documents in US District Court, Eitan is said to have repeatedly assured Pollard during the spy operation that he would be "taken care of" if he were caught spying.

Pollard, a former Navy counterterrorism analyst, says he was told several times by Eitan that he should not worry about being detected by US authorities. Eitan told Pollard that any legal action by the US against him could be "contained," according to court documents.

The truthfulness of Pollard's statements could not be immediately determined. But a Justice Department spokesman noted, "It is obvious that Mr. Eitan was unable to perform what he had promised. Mr. Pollard is sitting in a prison cell."

Continued

2

Some analysts say it is not uncommon for senior intelligence officers like Eitan to make unrealistic promises of unlimited support when trying to encour-

age spy recruits to undertake difficult assignments. They maintain that Eitan may have exaggerated Israeli influence in an effort to allay Pollard's fear of arrest.

A spokesman for the US attorney's office refused to comment about Eitan's alleged assertion that he had influence within the US government to fix criminal cases. Israeli Embassy spokesman Yossi Gal also declined comment.

Israeli officials interceded in a US Customs Service investigation last summer in which eight Israelis were to appear before two grand juries investigating an alleged conspiracy to smuggle cluster-bomb manufacturing equipment to Israel.

According to a knowledgeable source, Israeli officials worked through the State Department's Office of Legal Counsel to pressure Justice Department officials to withdraw the subpoenas. In exchange, Israeli officials pledged cooperation in the customs probes. As a result, the Israelis involved may be insulated from criminal charges, according to legal sources.

Justice Department officials refuse to comment on the cluster-bomb case. A spokesman said only that "we have not caved in on that case at all."

The eight Israelis work in New York for Israel Military Industries (IMI), Israel's government-owned military procurement firm. IMI is charged with the task of purchasing and obtaining military technology and military-related equipment.

US officials have said the subpoenas were withdrawn in an effort to prevent a lengthy legal battle with the Israeli Embassy over whether or not the Israelis involved were covered by diplomatic immunity. But according to the State Department's Office of Protocol, only one official at IMI is entitled to immunity from US criminal charges.