

THE FEDS / By Jeff Stein

The Trenchcoats Retrench

The morning after the Republican election victory, Louis Wolf went to work as usual in the National Press Building, a few blocks from the White House. Bleary-eyed from the long election night, Wolf bought coffee at the take-out counter in the lobby and, with an armload of newspapers, slipped into the elevator crowded with reporters for the five-floor ride to his office.

By four o'clock that afternoon, the slim 40-year-old man began pasting strips of copy on layout sheets for his publication. On the strips were names—names of Central Intelligence Agency undercover officers in American embassies around the world.

Lou Wolf has been exposing the identities of CIA agents for about five years now. He and his associates—Washington, D.C., attorney William Schaap and filmmaker Ellen Ray—have, with the help of renegade former CIA agent Philip Agee, ripped the cover off more than 2,000 officers in the pages of their journal, *Covert Action Information Bulletin*, and in two books: *Dirty Work I: the CIA in Western Europe* and *Dirty Work II: the CIA in Africa*.

The CIA, and now the Congress, has labeled these four people everything from traitors to Russian agents. But for the past five years, legislation to put them out of business has been stymied by a wobbly congressional concern for the First Amendment and by revelations during the '70s of CIA misdeeds—dossiers on American citizens, assassination attempts, the set-up of the coup in Chile.

But now, times have changed. On the congressional docket is the Intelligence Identities Protection Act, which would make it a crime punishable by three years in jail and a \$10,000 fine to publish the names of CIA personnel, even if the information has been gathered from public sources.

Prospects for the bill's passage were



Clockwise from left: Bill Schaap, Louis Wolf and Ellen Ray.

favorable even in last year's Democrat-controlled Congress. They have been advanced immeasurably by the November defeat of half a dozen key liberals and by the rantings of groups like the Heritage Foundation, demanding that Congress act on "domestic terrorists." The bill's probable passage this year will set the stage for a classic First Amendment showdown with unpredictable results. In the months ahead, the Intelligence Identities Protection Act and the constitutional issues raised by it—just what *can* journalists reveal about the CIA—may prove an important indicator of the Reagan administration's real interest in restricting free speech and progressive political debate.

Bill Schaap put it succinctly: "For more than a year now, we've been saying to the press that there's no such thing as a bill against us and not against you." And as Schaap has pointed out again and again, there are clearly unconstitutional aspects to the act. Under the legislation, it would be illegal not only to publish the names of CIA personnel gathered from public

sources but also to publish names of federal informants undercover in an organization you belonged to.

These thorny free-speech issues were brushed aside when the Senate considered the bill:

"Will this get Agee?" was all one senator wanted to know when the Judiciary Committee marked up the act.

"Yeah," responded Ted Kennedy, his eyes fixed on the text of the legislation. The bill stalled after passing the committee and will have to be reintroduced in the current session of Congress.

When "getting Agee" or "getting" *Covert Action Information Bulletin* becomes the task, when it is paramount to pass legislation aimed not at restricting government information but at restricting publication of information about uncomfortable realities, then

we are faced with a constitutional threat on a new scale.

The CIA has been gritting its teeth over *Covert Action Information Bulletin* (and its predecessor, *Counterspy*, a publication which continues under different management) for years, trying unsuccessfully through a series of propaganda maneuvers to rustle up widespread support for jailing its editors. The problems for the journal began with the murder of Richard Welch.

In December 1975, official Washington, and especially the intelligence community, was in a tumult. Nixon had been toppled. The Church Committee, the Rockefeller Commission and the press were dragging CIA skeletons out of the closet one by one: Cuba; the Congo; Chile; Brazil; Guatemala; and Operations Phoenix, MK-ULTRA and CHAOS. Assassination attempts, drug testing, mail openings, break-ins, CIA efforts to move covertly into Angola were thwarted by intelligence agency critics.

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And in a little suit Approved For Release 2009/02/04 : CIA-RDP91B00134R000400130009-7 and Ray agree that ington's Dupont Circle, a small group of ex-military intelligence officers had begun to publish a journal called *Counterspy*. In one issue in 1974, they printed the name of a CIA officer in Peru, one Richard Welch. In late 1975, Welch was transferred to Athens as CIA station chief, and *Counterspy* noted the move in its December issue. Two weeks later, Welch was murdered; a left-wing group took credit for the hit. In background briefings, CIA spokesperson Angus Thuermer blamed *Counterspy* for Welch's death.

In a short but meticulous review of the Welch affair, which appeared a few weeks later in *The Washington Post*, however, former Kissinger aide Morton Halperin badly damaged the CIA's case. "It was a classic disinformation campaign," Halperin wrote. The CIA itself, Halperin reported, had warned Welch not to move into his house in an Athens suburb; a house well-known to have belonged to a succession of CIA station chiefs. The political atmosphere in Athens was poisonous, with anti-American fever directed largely at the CIA. Despite a flurry of cables between Welch and CIA headquarters at Langley, Virginia, Welch rejected the advice.

"The disinformation campaign was a success," Halperin noted. "The stories filed out of Washington on Welch's death that night all noted that he had been listed in *Counterspy*. None mentioned the CIA warnings to Welch as to his place of residence."

Inside *Counterspy*, a debate broke out over the best tactics for the future. "Many of us felt we had gotten on the map, and now was the time to ease up," said Harvey Kahn, then a member of the group. "We felt that continuing to name names would just provide easy ammunition for the CIA to attack all its critics, not just us, so a consensus began to take hold that we should continue to expose the CIA's secret foreign policy in investigative articles, but not print lists of names."

It was about the time of the Welch episode that Ellen Ray and Bill Schaap returned from Okinawa, where they had been counseling antiwar GIs and organizing workers at the huge American airbase. *Counterspy* seemed a logical place for them to go to work.

The debate over tactics inside *Counterspy* had badly split the staff. "A lot of people were saying that they wondered about naming names," Ray remembers. Those who objected to the confrontational approach were leaving. Ray and Schaap favored such tactics and eventually took charge of the publication.

Philadelphia business family, had been a conscientious objector and had joined International Voluntary Services, a church group, to perform alternate service among the peasants of Laos. From 1964 to 1967, Wolf tried to bring reading, rice and well-digging skills to the Meo and other Laotian peoples. But his anger grew as the daily barrage of napalm and B-52 block-busters brought rural Laos into the war in Southeast Asia and blew off the map the villages Wolf had worked to build.

In 1973, two years before Welch's murder, the U.S.-backed military coup crushed the elected socialist government of Salvador Allende in Chile, and Philip Agee, a Jesuit who had been one of the CIA's most talented case officers, published his book *Inside The Company: CIA Diary*. Agee's turnabout—from CIA golden boy in Latin America, a dedicated, back-alley cold warrior in the service of America's secret police, to self-proclaimed "revolutionary socialist"—galled the CIA enough to go after him with no holds barred. *CIA Diary* drained Agee's mind of every agent, code name and cover operation he could remember. Then, Philip Agee and Lou Wolf met in London in 1975.

Wolf was part of a research collective of Americans and Europeans studying the operations of not only the CIA but British and French intelligence as well. Agee, facing possible U.S. prosecution, was living in England at the time.

"Phil's role," Wolf explains, "was not that of a catalyst so much as [a resource]; people came to him with information and asked him what he thought of it. 'Is this the way you work? Does this ring true?' And so on. He didn't have as much to do with the gathering of names as the intelligence people like to suggest."

These days, Agee is still trying to avoid prosecution while revealing CIA excesses. Wolf spends most of his time in the stacks of the National Archives, picking through the lists of names in the State Department's *Biographic Register*, tracing the records of employment until he notices something a little offbeat: perhaps a man with three years' duty as a "political analyst" at the Pentagon; then, a transfer to the Agency for International Development in Chile during the Allende period; next, a short stint with the Army as a "research consultant" in Saigon before the fall; now, a position as a U.S. official in El Salvador or Jamaica. These are some of the signs that alert Wolf to a *poseur*, an undercover CIA officer in the ranks of the State Department. All of this is checked and doublechecked before any names are revealed. It's slogging, often boring work.

the work—including the tactic of naming names—is necessary. Just because the Congress has not held public hearings on CIA misdeeds for five years now, the three say, and just because the press has generally retrenched on the intelligence and intervention issues does not mean that covert U.S. penetration of the Third World has come to a halt. As Wolf says, "The most provocative thing is not what we do, but what the CIA does."

This past July 2, Lou Wolf, at a press conference in Kingston, Jamaica, named 15 U.S. embassy personnel who, he said, were CIA undercover officers operating in Jamaica. A few nights later, unidentified attackers sprayed automatic rifle fire at the home of N. Richard Kinsman, the man Wolf identified as the CIA station chief, a fact that the CIA has never denied.

For two years, Jamaica had been trapped in a tightening knot of food shortages, strikes and violence reminiscent of conditions planned by the U.S. in its secret campaign in Chile. At the same time, socialist Prime Minister Michael Manley, who had won a second term in 1976, was fighting an unsuccessful battle with Western-dominated international banks to finance a refitting of the Jamaican economy by diluting foreign ownership of its prime export commodity, bauxite (see "Jamaica's Hot Politics," *MJ*, Sept./Oct. '80). But, like Allende in Chile in the 1970s, Manley had to cope with the hostility of the multinational corporations and the coolness of the U.S. government toward his plans for democratic socialism.

Wolf, Schaap and Ray detected in Jamaica another "destabilization" campaign orchestrated by the CIA. After Wolf's press conference and the subsequent attack on Kinsman's house, more questions were raised about CIA involvement in Jamaican politics.

"All we know," says Schaap about the Kinsman incident, "is that it looked completely like a phony. If it was a legitimate attack it was the most silly, bumbling attack one has ever heard of. The family, except for Kinsman, was away on vacation. The reports here said that the house had been bombed. Now the facts of that from Jamaican papers are that in front of the house was a hole about the size of a grapefruit. That was picked up here as a 'bombing.' Do you bomb a house by dropping a grenade on the lawn half a football field away from it?" Schaap adds that Kinsman's first move was not to call the police but to notify the *Daily Gleaner*, Jamaica's anti-Manley newspaper.

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tion to outlaw the naming of CIA agents suddenly found new momentum and sailed through a complex of House and Senate committees. Wolf says, "There are those who say we should have kept our mouths shut in Jamaica, but it seems to me just the reverse, because the nature and scale of what we discovered there was comparable to Chile."

In late October 1980, Michael Manley's party was overwhelmingly defeated at the polls (losing 51 of 60 seats in the parliament) by Edward Seaga's pro-Washington, anti-Havana, business-oriented Jamaica Labor Party. I went back to Wolf and asked him to evaluate his actions in light of the election results.

"Well, I think we got the idea of CIA intervention into the Western press," he said thoughtfully. "And until the election, I thought we had helped stem the tide of forces who supported the CIA. I'm not so sure now."

It would of course be absurd to lay any responsibility for Manley's defeat on *Covert Action Information Bulletin*. Violence had already been endemic in Jamaica's polarized political and economic environment, and Seaga had long been pounding the theme that a vote for Manley was a vote for Fidel Castro.

While the hysteria whipped up by the anti-Manley propagandists was blown way out of proportion, it is instructive to note that the role Cuba had or might play in Jamaican politics became a source of heated debate during the election. It is the *lack* of debate here over the United States' continuing involvement in Third World affairs—when our actions are carried out secretly by the CIA—that convinces the *Bulletin* people it is necessary not only to print available details of covert actions and how the agency works but also to name names, if there is to be open discussion of the CIA.

"When the U.S. gives military aid to South Africa or Chile or El Salvador—which is a big public debate now," Schaap says, "you can discuss it as public issue.

When the CIA is doing it secretly, that kind of debate never occurs."

Time and again the CIA has maintained that it is not debate it fears, but violence. The agency tells Congress that revealing the names of agents and their activities sets its people up like ducks in a shooting gallery. In reality, Wolf has found that "better than half" of the CIA officers under cover in U.S. embassies around the world are kept in their assignments after they have been named in the *Bulletin*.

Whether the Kinsman attack in Jamaica was manufactured by the CIA or not—and we may not know until another congressional investigation comes along—*Covert Action Information Bulletin's* relentless naming of names still begs that final "What if" question. What if a CIA man or woman were to be murdered by an armed revolutionary group—a group the *Bulletin* might be sympathetic toward—subsequent to his or her name popping up for the first time in the *Bulletin*?

To this question, Wolf, Schaap and Ray respond with cool directness. "We've named thousands of agents so far, and it's never happened," says Wolf. "I'm not saying it can't. But in any event, we are unalterably opposed to assassination of CIA personnel. For one thing, it gives them a martyr status and sympathy they don't deserve. But the question really is, was that person hurt because of his or her covert CIA activities in that country, or because of us?"

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LIMITING FOIA

A SUPREME COURT DECISION last year allows businesses to file suits to stop information from being disclosed despite the Freedom of Information Act (FOIA). Laws recently enacted exempt virtually all Federal Trade Commission files, as well as security plans and procedures for nuclear power plants kept by the Nuclear Regulatory Commission.

The FBI is lobbying hard to have its files exempted as well. The bureau's fervor may be explained in part by a U.S. district court finding that it has been illegally destroying field office files for years in part to avoid compliance with FOIA requests and damage suits filed by outraged citizens over constitutional rights violations. The CIA is also pushing for laws to keep its information secret, and the Departments of Defense and Labor may be granted partial FOIA exemptions under proposed legislation.

The Ralph Nader-affiliated Freedom of Information Clearinghouse has more information on what Congress may be up to this session. Contact the Clearinghouse at P.O. Box 19367, Washington, D.C. 20036. The Campaign for Political Rights has information about the Intelligence Identities Protection Act as well as the FOIA. It is located at 201 Massachusetts Avenue, N.E., Washington, D.C. 20002.

—Deborah Branscum