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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. case file (444794SS)	re February schedule (3 pp and 1 copy)	2/10/87	B5 H27 11/15/00
2. case file (446044)	re Advice to the President (2 pp)	8/1/85	B5
3. memo (446085)	from Mitch Daniels to Donald T. Regan; re The Administration and the 1986 elections (3rd-8th pages)	6/19/86	B5
COLLECTION: WHORM: Subject File			cas
FILE LOCATION: FG 001 President of the United States (444660-446232)			6/4/93

RESTRICTION CODES

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B2. Release would disclose trade secrets or confidential commercial or financial information.

B3. Release would constitute a clearly unwarranted invasion of personal privacy.

B4. Relating to appointment to Federal office.

B5. Release would disclose confidential advice between the President and his advisors, or between such advisors.

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B8. Release would disclose information concerning the regulation of financial institutions.

B9. Release would disclose geological or geophysical information concerning wells.

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THE WHITE HOUSE
WASHINGTON

DATE: 2/10/87

44479455
FG001

NOTE FOR: DONALD T. REGAN

The President has

seen



acted upon



commented upon



the attached; and it is forwarded to you for your:

information



action



David L. Chew
Staff Secretary
(x-2702)

cc:

February Schedule

THE WHITE HOUSE

WASHINGTON

February 6, 1987

MEMORANDUM FOR THE PRESIDENT

FROM: DONALD T. REGAN

SUBJECT: February Schedule

NOTED BY DT

Within the next four weeks you can anticipate a series of events that will have a major impact on the balance of the year. This next month may well be the last opportunity until next August or possibly later, to close a chapter on the Iran matter.

The Congressional inquiries can be expected to commence in early March and not conclude for six months. The inquiry by the independent counsel will certainly not wrap-up until the end of the year at the earliest. The Tower Board report, however, does offer a window, if utilized properly, for you to speak out, act on and then begin to move from the Iran matter.

If the Report is as comprehensive and in depth as indicated, it could provide many, if not all, of the answers that are sought on Iran -- short of testimony from Admiral Poindexter and Colonel North. Accordingly, a carefully planned and executed series of events leading to and following on that report will do much to reassure the American public you are acting responsibly and quickly to solve the Iran controversy.

Release of Report

The Tower Commission anticipates releasing their findings February 19th. The credibility of their work must be maintained and the manner of the release should be based on reinforcing their independence and the integrity of their review. To that end the Commission's report should be released by the Commission, not through you. I recommend you meet with the Commission on the morning the report is to be released. Immediately following the Commission members would conduct a press conference and release their report to the public.

You can anticipate a great deal of focus on their report, followed by several days of Iran interviews with the Commission members. At the conclusion of this "press dissection" of the report there will be a keen interest in your reaction to the report.

Presidential Statement

You have not made a comprehensive statement on the subject of Iran since November. Your position has been that it would be inappropriate to respond to piecemeal and incomplete information. Further, it has been your belief that when a full report was forthcoming you could be expected to speak out.

Accordingly, I recommend you receive the report on Thursday, February 19th, read and study the report over that weekend and on Monday, February 23 you address the nation from the Oval Office. This speech would allow you to directly communicate to the American people your thoughts, reactions and planned actions in response to the Tower Report.

If you were to give an address that Monday it could be followed by a press conference later that week -- perhaps Thursday.

Press Conference

Your last press conference was also in November. Scheduling one shortly after your Oval Office speech would serve several purposes. It would allow you to use those remarks as a reference point in taking questions on Iran; i.e., "As I said in my speech on Monday" A press conference the same week of your speech would allow you the opportunity to form public opinion and not reporters who would otherwise be expected to "interpret what you think."

Related Activities

It would be useful to have a series of other activities: meeting with Hill leaders to share the report and brief them on actions you are taking in implementing the Tower recommendations; and, meeting with your foreign policy and intelligence community to brief them on your actions.

Summary

The post-Tower Board period should be utilized as an opportunity to demonstrate Presidential action in "getting the facts out and making right what went wrong." This will be critical and must be done in that 10-day period following the release of the report because the Senate and House Select Committees will begin hearings shortly thereafter and the Iran matter will move into a new phase.

With the release of the Tower Report, an Oval Office address, a press conference and follow-up meetings and activities, you can take a big step forward in addressing the Iran controversy.

THE WHITE HOUSE
WASHINGTON

DATE: 2/10/87

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information



action



David L. Chew
Staff Secretary
(x-2702)

cc:

February Schedule

THE WHITE HOUSE

WASHINGTON

February 6, 1987

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FROM: DONALD T. REGAN *DR*
SUBJECT: February Schedule *RR*

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With the release of the Tower Report, an Oval Office address, a press conference and follow-up meetings and activities, you can take a big step forward in addressing the Iran controversy.

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THE WHITE HOUSE
WASHINGTON

February 11, 1987

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MEMORANDUM FOR THE PRESIDENT

FROM: PATRICK J. BUCHANAN *PJB*

SUBJECT: PRESIDENTIAL READING

Three items here of some interest.

- (Comments)*
- A) An editorial in the Wall Street Journal which argues that the President -- rather than debate the "broad" or "narrow" construction of the ABM Treaty, should exercise the U.S. treaty right to move out of it, for national security reasons.
 - B) Robert Jastrow's latest National Review piece, the focus of which is on the extraordinary Soviet gains in SDI.
 - C) An excellent piece from the Philadelphia Inquirer, which details both the case against, and the case for, Karl Linnas -- the alleged Nazi War Criminal whose deportation -- having been permitted by the Supreme Court -- is now in the lap of the Attorney General. (Issue is one we discussed at the Monday Lunch; your thoughts have been conveyed to Attorney General.)

REVIEW & OUTLOOK

The ABM Decision

Ronald Reagan is fast approaching one of the seminal decisions of his presidency. He must either order the deployment process for strategic defense technologies to go forward, or he must leave that decision to the next president. Mr. Reagan discussed this matter last week with Secretary of State Shultz, Defense Secretary Weinberger and National Security Adviser Frank Carlucci. A second meeting is reportedly scheduled for today.

If the president opts for deployment of antimissile systems, he will most likely set in motion a great debate over the meaning of the Anti-Ballistic Missile treaty that was signed back in 1972 by Leonid Brezhnev and Richard Nixon. In Washington, opponents of the Strategic Defense Initiative are already saying the treaty's language forbids deployment and much testing, and SDI supporters are saying that an expansive interpretation of the treaty permits these actions. Sen. Sam Nunn (D., Ga.) recently raised the specter of a "constitutional crisis" if Mr. Reagan tries to push SDI through the cracks in the treaty's prose.

While much intellectual firepower is being brought to bear on who said what to whom from 1969 to 1972 and what they meant when they said it, the treaty's own language provides the means for resolving this ambiguity. Surely the president, Sen. Nunn and all the rest could agree on the meaning of Article XV:

"1. This Treaty shall be of unlimited duration.

"2. Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests. It shall give notice of its decision to the other Party six months prior to withdrawal from the Treaty. Such notice shall include a statement of the extraordinary events the notifying Party regards as having jeopardized its supreme interests."

President Reagan should grasp this battle now, rather than get into arguments over the treaty's wording, an interminable, partial game that will hold the real decision out of the reach of his successor. The provisions of the treaty are, however, not as notoriously fuzzy; little details such as what counts as a "heavy" missile were somehow left unresolved, for example. There have been endless arguments over whether its provisions prohibit such Soviet activities as the encryption of telemetry. The Soviets

even defend their Krasnoyarsk radar, which even dovish U.S. analysts agree is a blatant violation of the treaty.

Specific wording aside, the treaty's political bargain was clear enough. Agreement to limit ABM defenses was a trade-off for limiting offensive missiles, covered in the accompanying "Interim Agreement." U.S. negotiator Gerard Smith solemnly announced at the time that further limitations on offensive missiles would be necessary to contain threats "to the survivability of our respective retaliatory forces," that if this were not achieved within five years "U.S. supreme interests could be jeopardized" and that this would constitute "a basis for withdrawal from the ABM treaty."

The Soviets promptly drove their SS-19 through the "heavy missile" loophole, an expansion that in itself threatened the U.S. land-based deterrent. They have continued to expand since. Now they are clearly proceeding with a large ABM program of their own, through loopholes and outright violations where necessary, counting on the 1972 treaty to confound similar efforts by the U.S.

It is interesting that in 1972 the negotiators understood clearly that strategic policy is an inherently *dynamic* process, that circumstances are likely to change. The opponents of SDI—in Congress, the State Department and within the scientific community—have now lashed themselves to the mast of a 15-year-old treaty, under the insupportable pretense that strategic policy is *static*. And it presumably follows that circumstances are little different now than they were in 1972 and that the treaty Leonid Brezhnev signed will protect us.

Mr. Reagan, as always, will have to trust his own instincts and sense of timing. The Strategic Defense Initiative was his idea. After announcing it, he caught Beltway flak, but support for the program has steadily increased. At Reykjavik, he learned two things: The arms-control process has become manic and the U.S. public supports missile defenses. From Washington, however, came the message: The president had better not let the commitment to the 1972 treaty—indeed, to any treaty—become a liability.

Mr. Reagan has no idea that this is the right thing, let's get the whole shopworn treaty out of the way and do it. He'll catch more flak. So what else is new? He'll have seized the moral high ground, and in time the Beltway, Congress and the allies will come around again.

AMERICA HAS FIVE YEARS LEFT

TIME is running out for the United States. Just two months ago, Robert Gates, Deputy Director of the CIA, confirmed reports that the Soviets were constructing three more huge phased-array radars in the western USSR. These mammoth radars, each as large as a football field, close the final gap in the network of radars guarding the missile corridors into the Soviet Union.

Some analysts say the Soviet radar network is intended for early warning. However, the radars have a combination of size and power that goes far beyond early-warning requirements. They have the range and angular precision needed to get an accurate track on an oncoming warhead, figure out which target the warhead is headed for, and alert ABM launch sites in the warhead's path so they can send up missiles to intercept it. In fact, they have all the properties of "battle management" radars designed for an ABM defense of Soviet territory.

The new radars and their fellows—the complete ABM radar network has nine—are the long poles in the Soviet ABM tent. They take several years to design and five or six years beyond that to build. The Soviets must have started working on the first of them around 15 years ago, while they were still negotiating the ABM Treaty.

Mr. Gates also confirmed the existence of Soviet production lines for manufacturing large quantities of ABM equipment. That means volume production of the intercepting missiles that destroy oncoming warheads, the launchers that send these missiles into battle, and the small "engagement radars" that point the missiles in the right direction to make an intercept.

Dr. Jastrow is a professor of earth sciences at Dartmouth College and the founder and director (retired) of the Goddard Institute for Space Studies, National Aeronautics and Space Administration.

Article I of the ABM Treaty says each side must promise not only that it will not deploy a nationwide ABM defense, but also that it will not "provide a base" for such a defense. The Soviet radar network and ABM production lines constitute a base for a nationwide ABM defense. This goes beyond isolated technical violations like the inland location of the Krasnoyarsk radar. It tears the guts out of the ABM Treaty.

The CIA report calls the Soviet ABM buildup "ominous," with "awesomely negative implications" for American security. This is strong language coming from a senior CIA official. In the past the CIA has been conservative in its estimates of Soviet capabilities in the nuclear arena. Why is the CIA so alarmed now?

The answer is that this recently discovered buildup of Soviet ABM defenses has been going on in concert with the buildup of a first-strike ICBM arsenal. Mr. Gates writes: "Their heavy ICBM force is designed for the Soviets to strike first." As a result of that missile buildup, the Soviets could, with half of their ICBM force, destroy essentially all our ICBMs plus a large fraction of our bombers, cruise missiles, and ballistic-missile submarines.

Little would be left of our nuclear forces for retaliation in the aftermath of a Soviet first strike. Destruction of U.S. military communications links would further diminish the effectiveness of the U.S. response. Against the ragged retaliatory strike the U.S. could launch after such an attack, the Soviet ABM defenses now under construction would be very effective.

The bottom line is that the Soviet Union is developing a lethal combination of a first-strike attack force and a defense against retaliation by U.S. ballistic missiles. That combination removes the ability of the United States to protect its citizens from nuclear attack. If Soviet plans come to fruition

and the Soviets' nationwide ABM defense is deployed, the U.S. will have suffered the greatest military reversal in its history, with highly destructive consequences certain to follow.

HOW MUCH TIME do we have? Not very much. The three new radars that close the gap in the Soviet network will be completed around 1991 or 1992. According to the CIA, the same time frame—the early 1990s—is also the best guess for deployment of nationwide ABM defenses in the USSR, constituting the final Soviet breakout from the ABM Treaty. That gives the U.S. about five years before our nuclear deterrent is emasculated.

A general understanding of this danger united the three authors of *NR*'s recent special SDI update [Dec. 31] in their call for an early deployment of missile defenses. They pleaded for the immediate use of technologies in hand now, without "researching the problem to death," as Jack Kemp put it. That means backing away from the laser and the particle beam as far as early deployment is concerned. These exotic devices are promising but they require more research. They will not be available in our time of greatest peril.

The technology we have in hand now is the "smart bullet," a heat-seeking missile that homes in on its target like a snake stalking a rodent. Smart-bullet technology is relatively mature and ready to use. It is just an evolutionary development out of heat-seeking missiles (like the Sidewinder) routinely used in air defense.

Smart bullets can be fired at their targets either from launchers on the ground or from satellites in orbit. They have been tested against targets in space, including a ballistic-missile warhead, and are highly effective.

Congressman Kemp says we should make use of this proven technology by

putting up one hundred smart-bullet launchers (the number permitted by the ABM Treaty) as fast as we can. I made similar proposals last year, after talking with experts about the rapid progress being made in the smart-bullet technology, although my proposals involved more launchers and would not have complied with the treaty.

A great deal of work is going on in the SDI program on these smart-bullet defenses, with a view to meeting the Soviet first-strike threat at the earliest possible moment. However, the thinking on this matter in the SDI Organization, and on the part of Defense Secretary Weinberger, is a little different from what Congressman Kemp and I, among others, had proposed.

The Secretary and senior SDI management have concluded that an effective defense must include smart bullets based on satellites orbiting over the USSR, so that the Soviet missiles can be destroyed in their boost phase as they rise from their silos, before they release their warheads and decoys. In the judgment of these DOD officials, a space-based layer is essential because a massive Soviet first strike would send thousands of warheads and perhaps a hundred thousand decoys toward the United States. A "threat cloud" of those dimensions would confront the ground-based layers of our defense with an almost insurmountable challenge.

But if we can catch the ICBMs in their boost phase, we get them with all their eggs in one basket. It doesn't matter how many warheads and decoys each ICBM carries; we kill them all with one bullet. That greatly simplifies the problem for the ground-based layers of our defense.

The boost-phase defense, based in space, also makes it difficult for the attacker to overwhelm our defense by concentrating his attack on high-priority targets, such as MX silos or the National Command Authority, because he cannot tell beforehand which missiles and warheads are going to get through and which will be shot down.

Congressional supporters of an early missile defense grant these virtues of the space-based layer but say that the pace of the Soviet move toward a nationwide ABM defense does not permit us the luxury of waiting until the space-based layer is available. We only have four or five years. We must go forward with what we have. Even if the initial, ground-based defense is only

large measure of uncertainty that will deter the Soviet leadership. Any factor that discourages the Soviet Union from using its first-strike arsenal is a big plus for American security.

I myself shared these views, and believed that we should go forward with a ground-based defense without waiting for the space-based layer. Then, quite recently, I was surprised to learn that it is not necessary to make this painful choice. Several independent studies indicate that a space-based layer can be put in place in the same time frame as the ground-based layers. This result came out of the deliberations of the technical panel on missile defenses convened by the George C. Marshall Institute. The five members of the panel have more than 160 years of combined experience in defense and space. Lieutenant Colonel Worden's article in the *NR* special update confirms their finding.

The Marshall Institute panel concluded that the technical situation will allow deployment of a space-based defense layer starting in six and a half to seven years from the time the political decision is made to go forward. Deployment could start in 1993 or 1994, if the decision to proceed were made this year.

The complete defense will have three layers, the other two layers being ground-based. One of the ground-based layers—the so-called ERIS layer, which uses smart bullets to intercept oncoming warheads high above the atmosphere—has a more mature weapons technology than the other layers and can be deployed even sooner, perhaps as early as five years from the time of the political decision to proceed. That means deployment of the ERIS layer might start in 1992 if the decision to deploy is made this year.

As Congressman Kemp and Lieutenant Colonel Worden point out, an in-

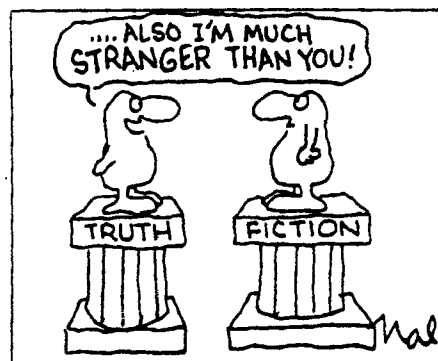
of the full defense, starting with deployment of the ERIS layer in 1992, would be valuable. It would provide the earliest possible protection against accidental or irrational launches, and would also provide a useful degree of deterrence against limited attacks on key military sites.

But there is a great danger in deploying an ERIS layer before the rest of the defense. ERIS has limited effectiveness against a massive attack. If we deploy ERIS first and say it will be followed up in two years by a space-based layer, critics of SDI will conveniently forget the last half of the announcement. They will say, "See here, the Soviets can overwhelm that defense easily with more warheads and decoys. SDI isn't worth much."

It's true. A defense without a space-based layer is very vulnerable to decoys and would provide a powerful incentive for the Soviets to develop large numbers of low-cost, lightweight fake warheads. A ground-based defense by itself would give us only a few years' respite. It is essential to follow up the ERIS deployment as quickly as possible with the space-based layer.

DEPLOYING ground-based defenses without a space-based layer would also be tantamount to handing military control of space over to the USSR. We know Soviet scientists are working very hard on lasers to destroy satellites in orbit. They are also working on lasers as a boost-phase defense against U.S. ballistic missiles. If we do not press forward as rapidly as possible with our own space-based defense, by the late 1990s the Soviets will be in a position to disrupt U.S. communications and reconnaissance satellites at will. By the end of the century, they may be able to keep the United States out of space altogether. They'll close the door and say, "You can't come in."

We can no more survive as a nation without a military guarantee of free access to space than we could survive without a military guarantee of access to the world's oceans. We need space-based defenses as much as we need the U.S. Navy. That is why Gorbachev was so insistent on killing the space-based part of SDI in Reykjavik, and why the President was so insistent on preserving it. □



INQUIRER

NOVEMBER 2, 1986

The Philadelphia Inquirer Magazine

IS THIS MAN



An unlikely coalition of supporters believes that this compassionate grandfather is innocent and that he should be allowed to live out his days as a free man. But the U.S. government wants him deported. And the Soviet Union wants him put to death.

By **DICK POLMAN**

A WAR CRIMINAL?

SHOULD KARL LINNAS BE PUT TO DEATH?

SOME OF THE KIDS WOULD get so scared. The strange man in the red suit would be up in front of the room, beckoning for them, and it was clear he had the power to reward or punish.

He had come from the woods, marching up to the front door of the building; the kids had watched, their noses pressed to the window. It happened that way almost every Christmas during the 1960s, whenever Santa Claus paid a visit to the Estonian recreation center, and the littlest kids were never quite sure whether Santa intended to be naughty or nice. While all this was happening, their immigrant parents, refugees from communism, all of them grateful for the good life they had found on Long Island, would be secreting their gifts beneath the huge Christmas tree.

But this Santa didn't just hand out gifts. This was an Estonian-style Santa, and with him you didn't get something for nothing. Estonia, a tiny country on the Baltic Sea just south of Finland, had been swallowed by the Soviets at the end of World War II, and this particular Santa was determined to keep the old culture alive. This Santa always required that each youngster earn his gift by performing in some way — singing, dancing (an Estonian folk dance would be nice), reciting a poem, playing an Estonian instrument (perhaps a zither, one that he had made himself for the children).

Soon enough, the kids always warmed up to the kindly stranger who had come from the darkness. They would sit in his lap. They would kiss him. And all the while, a young girl named Epp Kai Linna would be smiling to herself, because she knew something none of the other kids knew.

Santa was really her father. She knew how he loved being Santa because of the way he loved kids. In fact, the songs those kids were singing, and the instruments they were playing, had probably been taught to them by Karl Linna.

She loved that about him. She thinks about those days a lot now, about the goodness she saw in him, about the wonderful values that he bequeathed to her. But it's not fun to see him anymore.

DICK POLMAN is an Inquirer staff writer.

He wears a brown prison jump suit now and hides his time awaiting her next visit. Her two sisters visit also. When they all get up to leave, the father, who is 67, asks them, "Can't you stay a little longer?"

They always feel guilty when they leave. Anu, the oldest, says her father is pretty scared. Time is growing short, perhaps a matter of weeks. Barring some governmental miracle, he will be kicked out of this country, shipped to the Soviet Union — and put to death. The American authorities are making the arrangements right now. They couldn't care less how many kids used to sit on his knee at Christmas.

No, the authorities are interested in how he treated children 45 years ago, when the Nazis ruled his native Estonia. As a federal appeals court ruled in May, Linna appears to be a man "who ordered the extermination of innocent men, women, and children kneeling at the edge of a mass grave," a Nazi collaborator whose "duties as a concentration camp chief were such as to offend the decency of any civilized society."

Thus, Karl Linna — a land surveyor who came to these shores in 1951, raised three girls, and charmed everyone with his buoyant behavior — is now on the brink of becoming the first accused Nazi war criminal to face imminent death in the wake of his deportation from the United States. The Soviets, since 1962, have officially voiced a desire to execute him.

It is an explosive case, one of the first pursued by the Nazi-hunting office established within the U.S. Justice Department in 1979. It is so controversial that Linna has gained the support of such strange political bedfellows as Ramsey Clark (the liberal ex-attorney general) and Pat Buchanan (the conservative commentator and White House aide), not to mention Amnesty International, which opposes the death penalty on principle.

Karl Linna has become a *cause celebre* for supporters of human rights and civil liberties, and for avowed foes of the Soviets — developments that overshadow the basic question of guilt or innocence. Any day now, the U.S. Supreme Court will decide whether the case deserves another look — and, in effect, whether Linna should be kept alive.

The evidence linking Linna to war crimes comes from the Soviet Union — from citizens who claim to have seen him in action, and from prison camp documents, kept in Soviet archives, that are adorned with swastikas and appear to bear his signature. But there is growing debate within the legal profession about whether the courts should accept such evidence — all of which plays a major role in cases brought by the Justice Department's Nazi-hunting arm, the Office of Special Investigations (OSI).

It comes down to an old question: Can we trust the Communists? Should Karl Linna, an avowed anti-communist, be returned to the land he fled in 1944, based on material supplied by a "government" that, in the view of Linna loyalists, has a political interest in depicting emigrants as fascists?

Ramsey Clark, never known to be a hard-liner toward the Soviets, is Linna's lawyer, and he argues that deportation amounts to a "drastic and dreadful use of American judicial power at the behest of the Soviet Union." Pat Buchanan, voicing his "personal view," said publicly last summer that it was "Orwellian and Kafkaesque" to strike a "devil's bargain" with a country that was once itself allied with the Nazis in the early years of World War II.

But Allan Ryan, director of OSI when the evidence against Linna was gathered, insists today that the Soviet material is solid. "If he is guilty," he says, "and I do believe he is, then why should we give him a free ride in this country just because the Soviets have condemned him to death?"

Comments like that have taken their toll on Epp Linna. She is 29 now, with a family of her own, and she can't sleep at night. "The way I see it, you're born with a certain personality," she says, gulping back tears. "The way you're nurtured and molded is 90 percent of what you become. And for me to have turned out well, the way I have, and the way others see me — my father had to be a nice guy. He had to be good. He's the one who raised me. I just don't believe this. I don't believe any of it. That man could not have done any of those things. I lived with him day after day. I know him. He is my father. He is my father."

continued on next page

The Soviet Union has sentenced the Estonian emigrant, contending that in a long-hidden past, he was an executioner for the Nazis.

His case asks American authorities to answer a difficult question: Do we believe the Soviets?

ELMAR PUUSEPP'S STORY

It was a turbulent era for his country. Estonia had been an independent republic from 1919 to 1940 — until the Soviets invaded from the east, with the tacit support of their German allies. Puusepp, a Communist, became "political chief of a tractor station." But the Nazis broke their pact with the Soviets in 1941, invading Estonia in July. Puusepp was incarcerated in a prison in Tartu, a university town. It was here that he says he met Karl Linnas.

It was a filthy camp that housed civilians. They ate soup made from rotting horse corpses. There was so much lice that he couldn't sleep at night. The Nazis kept him alive because he was an expert engine mechanic. The Estonian named Linnas was always there, supervising the guards, under the command of a German officer wearing the insignia of the SS. Prisoners of this camp were often led away on a long rope, and they didn't return. But the rope would come back with bloodstains on it, only to be used again.

Jews were housed separately, at a former Tartu Hebrew school that had a courtyard. One day, Puusepp was ordered to chop wood for a camp guard who lived across the street from this school. While resting from his labors, Puusepp says he saw a commotion in the courtyard. Jews were being ordered onto a bus. Karl Linnas was there, encouraging people to take all their belongings. Puusepp says he heard Linnas say, "We are taking you to Riga (a distant city). Do not leave anything behind, because you are not coming back here anymore."

He says he noticed Linnas smiling and helping a little girl onto the bus. She was 5 or 6 years old, carrying a doll of her own height.

"The very same evening," Puusepp says, "when I returned to the camp, I saw that doll when they were carrying things to be storehoused. There was already a guard, guardman, who was holding that doll. That doll was so big, about half a meter from the ground, so that I cannot mix it with anything else. . . . That same evening, I saw the bus standing empty near the camp, and it's absolutely sure that nobody can make a trip to Riga and back in such a short time."

OSI LAWYERS TRAVELED TO ESTONIA and interviewed Elmar Puusepp on April 2, 1981. Ryan had made an oral agreement with the Soviets a year earlier to talk with witnesses supplied by the Soviets. It was a bid to rekindle the spirit of the old wartime alliance. The OSI amassed a lot of facts about Karl Linnas. Only the basics remain undisputed:

He was born Aug. 6, 1918, in Tartu. He entered the University of Tartu in September 1937 but did not graduate. In 1939, he began mandatory military service with the independent Estonian army. On July 7, 1944, he got married. In August 1944, he was wounded while fighting the Soviets, taking shrapnel in his right shoulder. On Sept. 24, 1945, his eldest daughter, Anu, was born in a displaced-

persons camp in West Germany. On Aug. 27, 1948, he told the U.S. Third Army, "I am a citizen of the Estonian Democratic Republic and do not wish to live under a Bolshevik regime."

On Aug. 17, 1951, Linnas, his wife and two daughters (Tiina was born in 1947) entered the United States, having sworn to the authorities that he had never persecuted civilians on behalf of the Axis powers. Anyone making such a disclosure was barred from entry. Linnas swore that he had been a college student and part-time draftsman during the Nazi occupation and that he had been wounded while fighting as an Estonian patriot.

He settled in Suffolk County, Long Island, finding friends among other Estonian emigres who had bitter memories of the Soviets. Employed as a land surveyor, he built an exemplary work record. His youngest daughter was born Nov. 26, 1956. He became a community leader. His wife died in 1970, at age 47. And OSI moved against him on Nov. 13, 1979, several months after the office was created in response to criticism that the Immigration and Naturalization Service was doing little to right the wrongs of the Holocaust.

Linnas lost his citizenship on July 30, 1981, when a federal district court judge ruled that he had concealed a history of "unjustifiable atrocities." A federal immigration judge approved his deportation on March 19, 1983. Linnas has lost four appeals since, the last on May 8. The Linnas family's legal tab, paid through the help of friends, exceeds \$300,000.

Armed with its mandate, OSI now has stripped 19 Americans of their citizenship. Nine have been deported. (Unlike Linnas, none of these deportees was facing immediate execution.) An additional 35 OSI cases are in court; 300 other investigations are in progress. These are civil cases, with no jury; the United States does not put people on trial for alleged war crimes. Rather, the question of guilt turns on whether the defendant lied on immigration papers. One current case involves a Ukrainian-born Philadelphia resident, Serge Kowalchuk, who is being defended by local lawyer John Rogers Carroll. If the OSI gets its way, Kowalchuk, too, will go back to the Soviets.

It's all part of what Ryan calls "a wildly improbable marriage" between a democracy and a dictatorship, between a country in need of evidence and a country willing to provide it. This pact has been pivotal to OSI investigations, because Soviet citizens contend that they have seen atrocities and because German documents were captured by the Soviets at the close of the war. As Eli Rosenbaum, a former OSI trial lawyer, argues, "You pursue the evidentiary trail wherever it leads. If it leads to the Soviet Union, that's where you go."

But there's something about the Linnas case that bothers its critics. While safely ensconced on Long Island in 1962, Linnas was tried by the Soviets in absentia and sentenced to death. The trial took place in January. What concerns defense lawyer

Clark is that the verdict of the trial, and the sentence, were both published, in a journal controlled by the Soviet prosecutor's office, in December 1961 — one month before the trial even began.

Witnesses interviewed by the OSI, including Elmar Puusepp, were also part of that 1962 proceeding. Even the Justice Department's Board of Immigration Appeals, one of many panels to rule on the Linnas case during its tortuous seven-year trek to the U.S. Supreme Court, acknowledged a year ago that Linnas "has been sentenced to death . . . in what appears to have been a sham trial." Still, this board backed the bid to boot him out, saying "the Constitution does not extend beyond our borders to guarantee [Linnas] fairness to judicial proceedings in the Soviet Union."

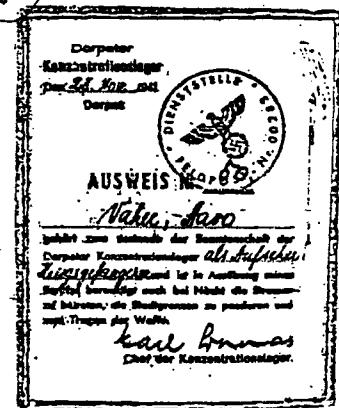
The Linnas loyalists want their man to have a war-crimes trial, with a jury, on American soil. In essence, the political climate has gotten so hot that no current OSI official will discuss the case. Anti-communist emigre groups, with names like Americans for Due Process and Coalition for Constitutional Justice and Security, have been peppering the White House with letters urging a rejection of "Soviet evidence," although Buchanan has said he cannot lend assistance in his capacity as communications chief. A vigil opposing Linnas' death penalty was held last month in front of the U.S. Supreme Court. OSI allies such as the World Jewish Congress have accused the emigre groups of McCarthyism, because of the emigre contention that OSI has become a stooge of the Communists.

And amid all this, Karl Linnas awaits his fate at the Metropolitan Correction Center in Lower Manhattan. He was jailed in April when authorities decided that he "represented a risk of flight." He has not spoken to the press in years. But his family and friends are speaking for him now.

"He has always been ultra-ultra-honest," says Tiina Linnas, the middle daughter, who works for IBM and is raising a family in New Jersey. "And he just can't understand how the American justice system has gone so wrong. He believed it would come around and realize that the Soviet evidence was all trash. He is worried about his life. But he still thinks that Robin Hood is going to pop out of the woods and give him hope."

"This is like history repeating itself. For us, the Second World War is still continuing. It's been handed down from generation to generation."

AT DUSK ON AN AUTUMN EVENING in Greenlawn, Long Island, the neighborhood youngsters are doing wheelies in the street. Homeowners are washing cars, mowing lawns, tying down the tarpaulins that cover their boats. Traffic is light; there are no sidewalks. Until the mid-1960s, it was just flat farmland, and the migrants who worked it could see for miles. But then the young families arrived, war veterans like Dick Hammer, all of them anxious to carve



To friends and family, Linnas' annual portrayal of Santa Claus is evidence of his personal warmth and love of children; to a Soviet court, his alleged signature on a Nazi concentration camp identification card is evidence of a different nature. He is listed here as camp director.

Linnas was tried by the Soviets and sentenced to death. What concerns Ramsey Clark is that the verdict and the sentence were both published one month before the trial even began.

themselves a piece of American pie.

Hammer was one of the first on the block. "It was like a desert in those days," he recalls. He felt better when some neighbors arrived, and he remembers how his wife baked a welcoming cake in 1958 for the nice Estonian family across the road. He liked Karl Linnaas right away; he was such a high-spirited, easygoing guy, always stopping by to play bouncy tunes on Hammer's organ.

And the wife? "Very kind-hearted," says Hammer. "Women see the fine points in men, and I think she picked Karl because he had such special qualities." And the three girls? "They were always so enthusiastic and happy," he says. "You'd always see them over there on their front lawn, doing exercises and practicing their cheerleading calls."

John Glenn High School / Loyal and True / Honor and Glory Will Carry Us Through... They were popular kids, by all accounts, earning letters in such sports as volleyball and soccer, singing in the chorus, playing in the orchestra, whizzing around town in Anu's Volkswagen Beetle, which was painted blue to match the hue on the old Estonian Republic flag.

On some nights, the family would invite Hammer over. In one part of the back yard, the family had planted shrubs in a circle, leaving a cozy little space inside for socializing. They would make a fire, and the daughters, who had inherited a talent for music from their father, would strum their guitars and sing Estonian folk songs long into the night, with only the fire's light playing on their faces.

Anu, the oldest, once asked her parents why they had opted to start a family in the midst of war, at a time when their future was so uncertain. She recalls her father's telling her, "I will never regret it, because it was you kids that brought us through the whole ordeal. Getting out of there, getting across the ocean, getting a house — it made it all worthwhile." Family was paramount to Karl Linnaas; most of his relatives had been shipped to Siberia by the Soviets in 1940, never to be heard from again.

Like so many immigrants, he worked hard and saved pennies. Anu remembers wearing the same skirt to school for a week. She was admonished to study hard, to become a professional some day. Homework always came first. Anu and Tiina were given quarters if they came home with all A's on their report cards. Epp, the youngest, was warned about the violent shows on TV. "This isn't very good for you to watch," Linnaas would tell her when the action got too hot.

Compassion for the innocent was also important. When Anu was very young, she came upon a bird's nest one day and found two eggs inside. She was very excited and ran home with the eggs. Her father was appalled. "No way, you can't do that to the mother bird," she remembers his telling her. "She's going to come back soon and be looking for them. How would you like it if you suddenly came home and found your mother and I gone?" She took the eggs back.

Malle Paul, a Long Island nurse who is active in the tight-knit Estonian community, says Linnaas was the same way at scout camp. The immigrants ran a campground for their kids in Lakewood, N.J., and Linnaas was a fixture there, a scout leader who would take the youngsters on nature walks to discover, as he put it, "the treasures of the woods." Whenever the boys attacked the trees with their knives, she says, Linnaas would set them straight in his characteristically gentle way.

"Don't ruin anything for the pleasure of ruining," she remembers his saying. "If it is for a need, fine. But for waste, no. That is a living thing, and you can't just take down a living thing."

Anu, who now works for a financial institution in Washington, D.C., says the girls never knew the meaning of prejudice. She had a Jewish boyfriend, and her father never said a word. Her sister Tiina roomed with a Jewish girl for two years after graduating from college, and, as she recalls, "my father came up and moved our furniture in. She made Jewish food, I made Estonian food, and we had a grand old time."

And Anu can still hear her father's homilies about the importance of being honest. *Your word is your pride. Your pride is your integrity.* She heard that one when she was 18. She had lent her driver's license to an underage friend who wanted to go drinking. This was easy to do in 1963, because New York licenses didn't carry pictures. But her timing was bad. Her father asked to see her license that night, to check the renewal date.

She stammered. She told him she must've lost it. But he looked into her eyes, and she immediately confessed to her deed. He was atypically upset and told her, "You know what can happen? You could go to jail, your friend could be arrested. Do you know what this means for your integrity?"

Tiina, meanwhile, remembers the time her father came home from the store with a new lamp, packed in a box. When he opened the box, there were two lamps inside. He insisted on bringing one of them back. "Nope," he told her, when she protested, "we didn't pay for this, it doesn't belong to us, it's not ours. You don't get anything for nothing."

She says he was the same way with the man from the gas company. "The guy would put in a couple cents more than my father was paying for, so my father would hand over two more pennies. The man was unbelievable to the point where you wanted to knock him over and say, 'Hey, the guy doesn't want your two cents.'"

Eda Malters, a real estate agent on Long Island who has known Karl Linnaas for almost 30 years, says simply, "Karl was never a man with any kind of burden. Never with a cloud over him, never. In wartime, a person can do certain things sometimes, but Karl's personality could never change to the degree that the government says. This just seems like one of those nightmares that can never actually happen because it is too ridiculous to believe. It can't be. It just can't be."

Malle Paul, who met Linnaas 18 years ago, says, "You always got the feeling with Karl that you didn't have to worry about what was inside of him. We would say to each other, 'Oh good, finally we have somebody who has no hang-ups.' To think that this man who I saw work so sweetly with youngsters — that this man could do harm to children? I am sorry, it just doesn't fit."

"He wouldn't hurt a flea," says Tiina. "He would come to my house in New Jersey and get upset when I put out mousetraps to catch mice. He wanted to just catch them and throw them outside. Two years ago, he drove out from Long Island, 2½ hours one way in a blizzard, just to help me when my dog was having puppies. The next day, the dog had a fever, and I had to take her to the vet. My father shoveled the driveway, more than 100 feet downhill, so that I could get out."

When all this was brought to the attention of Eli Rosenbaum recently, he listened quite patiently. Then the former OSI prosecutor, now general counsel to the World Jewish Congress, composed his response:

"Did you know Adolf Hitler was genuinely fond of dogs?"

OLAV KARIKOSK'S STORY

A former student at the University of Tartu, he was looking for work in October 1941 when he says he ran into Karl Linnaas on the street. He says he first met Linnaas two years earlier, when both young men were in military training under the auspices of the old Estonian Republic.

But on this day in 1941, Linnaas said he was now heading the local prison camp and would give Karikosk a job. Karikosk took it, a "rank-and-file post." But he says he left the camp after only a few weeks because "I could not endure that kind of odor and killings."

There was one day, for example, when a busload of Jewish women and children was brought to the camp square from another location. "They were tied by their hand to the rope," he recalls. "They were in their underwear." Karl Linnaas, he says, "told me that I must come with him to the execution. I told him that I cannot bear that. But he said this is my order..."

They drove, directly behind the bus, to an antitank ditch. "The prisoners were told to kneel on the edge of the antitank ditch. Guards were placed right behind everyone, and they stood a few meters away. Then one of the officers (not Linnaas) said that 'you are condemned to death as a worthless human race.'... Linnaas was just observing it."

Karikosk says he drove away with Linnaas. "To me, this was such a grave experience that I cannot even recall what was spoken in the car."

ESTONIA IS A FOOTNOTE IN THE Holocaust literature. The Jewish population — numbering 7,000, less than 1 percent of the citizenry on the eve of the war — enjoyed full rights during the

Republic era. Anti-Semitism in Estonia was "negligible," according to historian Lucy Davidowicz. When the Soviets invaded, however, thousands of upper-class citizens of all faiths were shipped to Siberia. Most of the remaining Jews later fled when the Nazis came, leaving only 2,000 behind. By January 1942, seven months after the invasion, Berlin was informed that Estonia was "Jew-free." But who did the killing? And who saw the killers do it?

The flap over the validity of Soviet-source evidence has been building ever since OSI was established. Several federal courts have questioned the use of such evidence in Nazi-hunting cases, the American Bar Association is contemplating a study of the issue, and legal journals are taking notice. The Columbia Journal for Transnational Law concluded this year that use of Soviet evidence in American courts "raises serious and unique questions of due process and fundamental fairness," in part because "the infusion of political motives is ever present within the Soviet legal system."

Ryan, the OSI director who set up the "improbable marriage" with the Soviets in 1980, stands by the arrangement. He notes that the Soviets approved his request to allow cross-examination by defense lawyers. He says, however, that in the Linnaas case, defense attorney Ivars Berrins called the process a sham and declined to attend. (Berrins, who works on Long Island and is now off the case, refuses to talk to the media. Still, the court record confirms Ryan on this.)

But Philadelphia lawyer Carroll says Berrins didn't miss much by skipping the trip. Carroll, who is defending Kowalchuk, a Philadelphia tailor charged by OSI with hiding a Nazi past, argues with some vehemence that the Soviet arrangement is designed to favor the OSI.

Citing his own experience cross-examining Soviet witnesses, Carroll says, "It is a joke to claim those depositions go by American rules. The Soviets produced people who recited their stories, but I couldn't go to the places where they lived and worked and find out anything about them. In Philadelphia, if there are witnesses to an auto accident at Sixth and Market, you can find out who the heck those people really are. In the Soviet Union, you can't do that. You don't know if you're talking to a real live person, who was really where he says he was on the day in question, or if it's just someone from Central Casting.

"On the Kowalchuk case, I asked to go to Lubomyl (in the Ukraine), where he lived during the war, to see who else might be there. They said, 'Sorry, you can't go. That area is closed to foreigners.' Period. End of explanation. They don't even let you fly over it. The whole atmosphere was very oppressive. There is no 'reality-testing' there."

But Rosenbaum, the former OSI prosecutor, says the Nazi-hunters don't swallow whatever the Soviets give them. "Look, in the overwhelming majority of

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instances where we've contacted them for evidence, they come back to us and say, 'Sorry, we don't have anything,' he argues. "Or they send us witness statements saying, 'Yeah, I remember Joe Shmoe, but he was just a clerk and didn't do anything.' But the public never hears about those cases."

"And I can't imagine them trying to train those witnesses to tell phony stories. The Soviets don't know what documents we have, or what our own witnesses might say. To this day, not one example of perjured testimony has ever been proven in a case brought by OSI."

"That's a very safe statement," counters Carroll. "To prove falsehood, I'd have to find evidence that contradicts what the Russians hand over. But they won't even give us access to their war archives. All of those things put the burden on us [the defense] to prove innocence. We practically have to prove that God says the defendant was in the Himalayas during the war."

Ryan concedes that the Soviets grant no access to their archives. "We asked for that," he says. "I would've liked it."

Even the federal district court judge who in 1981 stripped Linnas of his citizenship said he was "disturbed by language used by the Soviet prosecutor" in the presence of the Soviet witnesses. A Soviet prosecutor oversees the taking of all the depositions — another sore point for defense lawyers. In the Linnas case, noted Judge Jacob Mishler, the Soviet overseer repeatedly referred to Linnas as "the former war criminal" or as "the fascist prisoner murderer." (Mishler, however, did not think these comments were enough to prejudice Linnas' case.)

OSI cases are also replete with instances where the Soviet prosecutor interfered with defense cross-examination. In the Kowalechuk case, Carroll tried at one point to undercut the credibility of a Soviet witness, a common American tactic, but he was cut off by the overseer. According to the court record, the Soviet official interjected, "Mr. Carroll, these questions have nothing to do with the case. . . . These questions abuse his dignity, get on his moral side. It is not pleasant for him." To which the witness added, "I'm a citizen of the U.S.S.R., and I don't like this."

Several American courts have voiced concerns. A federal appeals court dismissed an OSI case 18 months ago, fearing that the Soviet testimony was "potentially coerced" and therefore "unworthy of belief." And in 1983, another federal judge scoffed at such evidence, arguing that the Soviets had a political interest in smearing refugees from communism now living in the United States.

Rosenbaum remembers the 1988 ruling and shrugs it off with his own political interpretation: "That came right after the Korean airliner went down. A lot of us at OSI thought the tragedy played a role in the judge's decision."

In any event, the dispute has yet to help Karl Linnas. His judges have not challenged the Soviet evidence, and they have

accepted an FBI report that vouches for the authenticity of routine administrative documents, supplied by the Soviets, bearing the signature "Karl Linnas," and the title "Chief of Concentration Camp." The FBI, also an arm of the Justice Department, assists OSI by examining documents supplied by the Soviets. The FBI said there were "strong indications" that the Linnas signature was genuine.

The OSI critics are unimpressed by this. "We are ill-equipped to question or examine the physical evidence," says Carroll. "There's no full context" because nobody knows what else might be stored in the inaccessible Soviet archives. And Buchanan, before joining the White House, charged that the Soviet KGB's longtime forgery record should not be overlooked. In fact, a CIA official told a congressional panel in 1980 that Soviet forgeries were "established practice" in the war of nerves with the West.

"Look, anything is possible," sighs Rosenbaum. "It's possible the moon is flat. But we know the Soviets are not sophisticated forgers. If there are going to be advances in that technology, we'll see it first with organized crime, not from the Soviets."

And as for the Soviet events of 1962 — when Linnas was convicted and sentenced in a government periodical one month before the trial in absentia — Ryan says "it makes no difference to us. I place no credence at all in the Soviet judicial proceedings. I don't think they are fair. If the evidence was credible that he took part in persecution, then we moved ahead."

Nor is Ryan troubled by the death sentence, despite the fact that it stemmed from a trial in which he places no credence. "If he comes here illegally," says Ryan, "and if he's then sent back to where he came from, what happens to him is between him and that country."

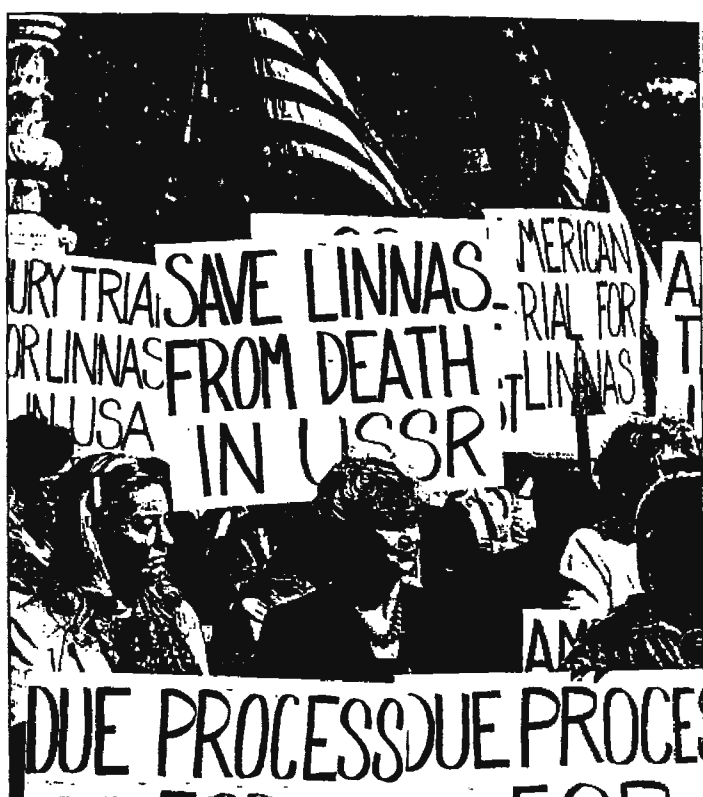
But to the Linnas camp, this is denial of due process. And Carroll says it's symptomatic of something far more disturbing: "This is all part of the hydraulic pressure created by the events of the Holocaust. The horror we learned about is so appalling to us that something should be done, and this causes us to overlook legal niceties."

"It's like a scene from a bad cowboy movie. Sixteen cows are missing, and somebody out there has gotta hang."

HANS LAATS' STORY

A forestry inspector before the Nazis took Tartu, he joined the Estonian police (the Omakaitse) after the occupation. The Nazis used the police in a support capacity. At war's end, the invading Soviets sent Laats to prison.

Karl Linnas "was in charge of the [camp] guards. . . . I saw Linnas during one execution. . . . [Prisoners] were told to go to the edge of that ditch. . . . He pronounced the sentence, saying that in the name of the Estonian Republic and the German Army, you have been condemned to death, and



then he gave the order to the squad. . . ."

Question from OSI: "Did Linnas himself shoot?"

Answer: "Well, there was that famous shooting to be sure when they were lying down in the bottom of the ditch, he shot just in case to be sure."

Q: "Did you actually see him do that?"

A: "Well, the noncommissioned officers told me that he had repeatedly done that. How many times, I do not know."

Q: "Did you see him do it?"

A: "Yes, I saw him."

ANU AND TIINA FOUND THE LETTERS hidden in a linen closet after their mother's fatal heart attack in 1970. Linda Linnas had been a very nervous, anxiety-ridden woman for years; she was only 47 at the time of her death. And when the sisters read the mail, they felt they understood their mother far better than when she was alive.

Your kids' fingers are going to be chopped off and put in your mailbox. . . . You have three kids, tomorrow you'll have two.

The mail had begun arriving after newspapers ran stories on the 1962 Soviet trial. Anu and Tiina finally realized why their mother, in Tiina's words, "had put a choke collar on us during high school that you wouldn't believe." They had not been allowed to go to a Canadian girl scout jamboree in 1962. Their boyfriends

continued on Page 27

Two of Linnas' daughters, Tiina (left) and Anu, join in a 24-hour vigil on the steps of the U.S. Supreme Court last month, urging the court to halt their father's deportation. The protest was staged by a coalition of emigre organizations and death-penalty opponents.

"Prisoners were told to go to the edge of that ditch . . . He pronounced the sentence, saying . . . you have been condemned to death, and then he gave the order to the squad . . ."

had been quizzed endlessly about where the girls were going and when they would be back. The leash was so tight that Anu had gotten married at age 19, just to get out of the house.

Karl Linnaas was calmer by nature. He shrugged off the trial as communist propaganda and told friends that the reason he came here was because this country would never listen to such things. He stuck with his hobbies, the most ambitious of which was founding and directing an Estonian children's orchestra — 20 instruments in all, and he'd write the music for each instrument. Dick Hammer, the neighbor, can still see him waving his arms like a real conductor at community functions; Eda Melders laughs when she recalls how awful the National Anthem would sound when Linnaas gathered his musicians around the flagpole at scout camp.

Over the years, he never talked much about the war. But when the Soviet war-crimes trial was first reported in the papers, Hammer asked him what it was all about. "He told me that he'd been a guard or something, in the administrative part of the prison, and that the Germans were taking people in and out all the time, but that he didn't know what they did with them," Hammer recalls.

Hammer was not alarmed by this. "The Germans and Communists both used the Estonian people," he says. "The Soviets came back at the end, started looking for enemies, and Karl's name was probably on the [prison] blotter somewhere. But him actually killing civilians? I can't possibly conceive of it."

"Ever since this thing came up with Karl, I've given it a lot of thought. In war sometimes, when you're very young, you can get caught up in things. I was on a naval ammunition ship off mainland Japan during the war. Ships would load up to us, and we'd pass them bombs. Then they'd go up to the coastline and lob shell after shell at the cities. Never thought, before Karl's problems, about how the bombs I'd handled must've landed on women and children. And just a few minutes ago, there I was, talking on the phone to one of my kids, saying 'Put the baby on to talk to Grandpa.' I mean, who can sit in judgment?"

The OSI never interviewed Hammer. However, the court record shows that Linnaas made a comment about guard duty when a colleague at his land-surveying office asked him to explain the Soviet trial. The OSI needed to prove only that Linnaas had concealed his past from immigration authorities; whether he oversaw atrocities was, technically, beside the point.

The Linnaas loyalists argue, in response, that admitting to guard duty is not the same as killing civilians and that only the Soviets link Linnaas to such acts; that lying to the immigration people should not be punishable by death; and that the entire OSI case ignores the historical context of the times.

"In Estonia, they first experienced the war when the Soviets invaded [in 1940], and it was a totally brutal experience," says Tonn Farming, an expert on Estonian history, on leave from the Foreign Service Institute, part of the U.S. State Department. "People's attitudes were influenced by that. The Soviets executed people, shipped all the leading Jews to Siberia, then the Nazis came in and executed people. So if I'd been an adult [seeking to escape at war's end], I, too, would have lied like hell just to get to the West. Anyone carrying the psychological burden of five years of war would do it."

"I'd love to have a nickel for every immigrant

continued on Page 43

application that is not true-blue," scoffs Eda Melders. "I would share the money with everyone, and we would all live very happy for the rest of our lives. Karl was opinionated about the Communists, yes, but he never had any good words to say about the Germans either. He said they were just as tyrannical and unfair as the others."

Ryan is not persuaded by any of this. "I have no doubt that the Estonians hated the Soviets and saw the Germans as liberators," he says. "But if someone went beyond that sentiment and started killing Jews, like Linnaas did, that's where the argument breaks down."

Nevertheless, if the Supreme Court decides, as early as this week, to hear the Linnaas case, the defense lawyers will argue that it's wrong for the United States to send a man to his death based on eyewitnesses from a sham trial whose outcome was apparently preordained. "It's proper for our courts to do something about this," says Lawrence Schilling, who, along with Clark, is defending Linnaas. "A man's life is at stake."

But, he is asked, what if Linnaas is really guilty? What if, in this case, the Soviets are telling the truth?

"I don't know how to answer that," he replies. "There are issues that need to be raised on his behalf. He is charged with some pretty dreadful things. But the fate that awaits him is pretty dreadful, too."

"Go to sleep / Mommy feeds you / Daddy takes care of you / You'll grow up to be a big strong girl..."

NOT LONG AGO, IN NEW YORK CITY, Karl Linnaas wrote the lullaby in his cell. He drew the notes so that his youngest daughter could sing it to her baby. "It's a quiet kind of song," says Epp Linnaas, "with notes that you repeat a lot so the baby can learn it. But I haven't been able to sing it yet because it makes me cry."

In Washington, the Soviets are anxious to get their man. At a meeting on July 25, a Soviet Embassy official told the OSI deputy director that the deportation of Linnaas would be the "crowning achievement" of OSI-U.S.S.R. cooperation. This meeting was described in a private OSI memo. The memo also noted that the Soviet official was aware of the death sentence issue and that "he understood that this procedural posture might pose some public relations problems."

On Long Island, Malle Paul says she will not hold a grudge against her adopted country if her friend is kicked out. "No way are the values of freedom going to be lessened by that," she says, sipping tea in her comfortable dining room. "Freedom is why we came here. Considering our [Estonian] history, we probably cannot value anything higher."

"But, when you talk about Karl, it only underlines for me that this country is not a dreamland. It is a place with real people and real problems, with things good and not so good, with many things that are not necessarily just. But that does not mean I am disappointed. How could I be? Was I looking for a paradise? No. Because there is none on this Earth."

Twenty miles away, Epp Linnaas and her husband are living in the house Karl bought when it was new, 28 years ago. She is overhauling the interior, one room at a time, in part to erase her happy memories of childhood. "I can't say the Pledge of Allegiance anymore, because it hurts too much," she says. "I've lost my faith in

NOVEMBER 2, 1986

The real Karl Linnaas

HE WAS NOT JUST A KIND FATHER and good neighbor. No, he took kindness and goodness to their extremes. He preached about the sanctity of life, to all who would listen. He dressed up as Santa Claus every year for the community Christmas celebration. He taught the neighborhood children music, protected baby birds, and loved America with a zeal only refugees can muster.

So here's the question: Was it all for real? Was Karl Linnaas, sweet, grandfatherly pensioner, covering up his own guilt and a criminal past? A court of law has found Linnaas guilty of collaborating with the Nazis in World War II, of running a concentration camp in his native Estonia, of ordering the brutal mass execution of Jewish men, women and children.

But the case, as staff writer Dick Polman clearly shows, is not all that simple. The court in question was a kangaroo tribunal in the Soviet Union — a legal charade that pronounced Linnaas guilty and sentenced him to death before the trial even began.

An odd assortment of liberals and conservatives, friends and strangers, are holding vigils for his freedom, but any day now, the U.S. Supreme Court could order him deported to an almost-certain execution.

Should we believe the Soviet evidence against him? Can a man this good have been that bad? And if we don't know the answers, should a man be forced to pay with his life? Reading Polman's account can't clarify for everyone Linnaas' guilt or innocence (the editors here were divided). But it does vividly demonstrate the stakes involved in trying to right the egregious wrongs of 45 years ago.

Fred Mann



our system of justice. But I can't let that influence my daughter. It wouldn't be fair to her. This is the country where I was born and where she was born. She's going to learn the pledge, she's going to sing the National Anthem, she's going to go to school like everyone else.

"I remember what my father said to me when

my mother died: 'Life goes on. You can't crawl into a hole and die because something bad is going on. You've always got to make the best of it, you've got to keep on going.' I hear that in my ears, and that motivates me. Life goes on. Life must go on. And one of these days, I'm going to be able to sing that lullaby." □

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David Chen's Copies of the President's Summary
Schedule and Weekly update ranging in date
from Apr to Aug 1986 sent to OLM on the
above date.

ENCLOSURES FILED OVERSIZE ATTACHMENTS 545

WHITE HOUSE OFFICE OF RECORDS MANAGEMENT: Subject File

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THE WHITE HOUSE
WASHINGTON

ADMINISTRATIVELY CONFIDENTIAL

August 1, 1985

MEMORANDUM FOR DON REGAN

FROM: BUD McFARLANE *rem*
SUBJECT: Advice to the President



2/23/93

I want to raise a matter which seems to me of considerable importance concerning how the President receives advice from his Cabinet and White House staff. There are many models for providing advice to the President and we should pursue the one which the President prefers. The experience of the first term suggests that the President looks to his Cabinet Officers as the primary source of policy advice. On a given issue that advice often involves the views of more than one Cabinet Officer and consequently once recommendations are received within the White House, they must be faithfully integrated into a single presentation of the issue. In national security affairs, the responsibility for presenting comprehensive policy recommendations has rested with the NSC staff. We have made it our practice to include the views of others on the White House staff in our submission to the President. These include the views of those responsible for the budget, for legislative affairs and for political and public affairs. But the process is oriented toward order through the submission of a single document as opposed to multiple proposals which then must be integrated by the President.

It may be that I am wrong and that the President would prefer to receive the direct views of individual Cabinet and White House Senior Staff Officers. If that is the case, then that is how we should proceed. My own experience, however, is with the single integrated approach and consequently if the President prefers another course he would be better served by another National Security Advisor.

As you know, we are entering a period in which the President will deal with a number of issues of great complexity and over which there is a rich diversity of opinion within the Administration --arms control and other East-West issues are salient cases in point. In order to reach decisions, the President deserves to receive the views of his Cabinet Officers and Senior Advisors in their respective domains. I stress the matter of "respective domains" for it seems to me inappropriate for example, for a White House staff officer to be offering advice beyond his area

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of assigned responsibility. But here again, the President's view should govern.

Let me be clear. I am making two points. First, that Cabinet Officers within the national security community should feel free to offer whatever advice they believe appropriate and expect that it will be faithfully transmitted by the NSC staff to the President. Second, that White House staff principals should also feel free to submit to me their recommendations, not on the policy content but on how alternative decisions will be received in their respective domains -- legislative, political and so forth. All of these views would then be faithfully submitted to the President in a single -- indeed the only -- written presentation to the President. I would very much appreciate your confirming to me which of the above or other alternative approaches the President prefers.

ADMINISTRATIVELY CONFIDENTIAL

Min

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THE WHITE HOUSE
WASHINGTON

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TO: Secretary Regan

FROM: KATHY OSBORNE
Personal Secretary
to the President

DATE: 2-4-85

FYI, I had MKD approve this
because of a mix-up at Camp
David this weekend.

Telephone Access to the President

THE WHITE HOUSE

WASHINGTON

February 4, 1985

MEMORANDUM TO: DAVID FISCHER
 KATHY OSBORNE
 MILITARY AIDES TO THE PRESIDENT
 SIGNAL SUPERVISOR
 ADMINISTRATION BOARD

FROM: MICHAEL K. DEEVER *mk*

SUBJECT: TELEPHONE ACCESS TO THE PRESIDENT

This memo will serve to clarify direct telephone access to the President. Only the following people have direct telephone access at any time: Donald Regan, Michael Deaver, Ed Meese, Vice President Bush, David Fischer, Kathy Osborne, Jim Kuhn, Bud McFarlane, and George Shultz, Dr. Burton Smith, Dr. Riker, and any Reagan family members. However, during normal working hours all calls will come through the President's personal offices first, and at Camp David through David Fischer or Jim Kuhn to determine the President's convenience in taking the calls.

The Military Aide on Duty and designated U.S.S.S. supervisory personnel are to have direct access only in cases of emergency wherein the situation dictates immediate communication with the President. Routine messages and matters will be handled through normal procedures using the President's immediate staff as the conduit for the transmission of information.

THE WHITE HOUSE
WASHINGTON

April 17, 1985

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MEMORANDUM TO DON REGAN

FROM: KATHY OSBORNE

SUBJECT: OVAL OFFICE ACCESS (NO CLEARANCE) TO WH STAFF AND
SPEECH CHANGES

Yesterday we had some confusion regarding the President's speech in the EOB to the Conference on Religious Liberty (Jim Kuhn advised me that you had to be called out of a meeting to solve the problem). It would be helpful if we had some guidance on the following:

- 1) Pat Buchanan is not on our Oval Office access list (to freely stop by to see the President without advance notice from you or MKD, or without you or MKD in attendance). Do you want me to add him to this list now?

I planned on going over this access list with you (which I assumed Mike Deaver had already discussed with you) and the telephone access list, and several other items pertaining to direct access to the President, and how certain functions are carried out in our office--when we returned from Europe and when the offices were re-structured after Mike's departure from the White House.

- 2) When Dick Darman was the Staff Secretary, our policy was that speech changes could not be made without his approval. We assumed that Pat Buchanan was showing the President changes in the speech with your knowledge and with David Chew's knowledge and approval. When NSC type changes are made in the speech by someone other than NSC, will David Chew be advising NSC of the changes, do you want us to, or is it not necessary to check with NSC? My concern with letting NSC know is to prevent situations like yesterday so you don't have to be bothered with these problems and so that the President doesn't have his speech changed as he's departing to give the speech.

Looking at the schedule for the next couple of weeks, it's obvious the days are only going to get worse. If you could give Jim and me some clarification on the above two areas, it would make it easier for us to try to keep things running smoothly and without chaos during this time period.

*Shirley,
Kathy*

10/13

THE WHITE HOUSE

WASHINGTON
June 19, 1986

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MEMORANDUM FOR DONALD T. REGAN

FROM: MITCH DANIELS *mitch D.*

SUBJECT: The Administration and the 1986 elections

The attached concept paper recommends an all-out commitment of Presidential time and prestige to the fall political campaign, specifically the campaign to save the Senate majority. I do not make this suggestion lightly; success is not assured, and I am fully sensitive to the need to be sparing in the use of Presidential time.

Before presenting these ideas to you, I have reviewed them with a number of people within the White House (Thomas, Henkel) and outside (Wirthlin, Timmons, Nofziger, Rollins, and others.) I have modified the original draft in several places based on the comments. I think it is fair to say that each of these advisers has agreed with the general premise of the proposal, although there was some disagreement about specifics.

I. INTRODUCTION

The premises of this proposal are:

- o Nothing is more critical to the balance of the Reagan Presidency, and to the President's place in history, than continued Republican Senate control.
- o With 70%+ approval ratings, and no competing message to deliver on behalf of his own campaign, the President is in a position to be more effective than in either 1982 or 1984 at making an impact on Senate election outcomes.
- o The President and the Administration will be held largely accountable for the Senate outcome whether we like it or not, and whether the President takes a routine or extraordinary role in the campaign.
- o There is no better - - in fact, no other - - focus for the President's activity in October than the off-year election.

The conclusion to which these premises lead is that the President and his Administration should spare no effort between now and November to secure a Senate majority. Done properly, this effort would resemble a Presidential campaign to the extent that it would be approached as an integrated national program, and would demand the closest cooperation of the Cabinet departments, and the national GOP.

Although the President has been vigorous and the Administration generally mindful of the coming elections, the suggestions that follow go well beyond our current level of commitment. The question is: Are we serious about a political win this fall? Is it as important as I have stipulated? If so, we should commit soon to the following program, or an equivalently aggressive one.

In plainer terms: What do we have to lose? What else do we have to do?

II. PERSONALIZING THE CAMPAIGN

The first decision to make is that there should be a unified effort, as opposed to an unconnected series of state-by-state appearances. This effort may or may not involve a single national theme, but it would feature a consistent personal appeal by the President to consider a vote for the local GOP candidates as a vote for Ronald Reagan.

There may be resistance to this idea (at least to the idea of supporting it financially) from party committees who remember the 1982 "Stay the Course" campaign less than favorably.

It is reasonable to distinguish the two situations:

- o The 1986 economy is strong rather than abysmal.
- o The President's current approval rating is 74%, rather than the 46% of late 1982.
- o The 1986 message can be active - - the unfinished agenda - - rather than passive.

The central message would be: The issue of 1986 is the ability of the President to continue being effective.

The general framework for Presidential speeches, and any reinforcing communications, could be:

- o I didn't run for reelection at my age in order to be a caretaker; I didn't run in order to serve half a term. We've got a lot of problems yet to tackle, and I need an even break in Congress to keep moving forward.
- o We have shown that we can work with a divided Congress to move the country forward. But a Congress totally dominated by the Democrats will lead to stalemate.
- o Don't tie both my hands by giving the Democrats a Congressional monopoly. My name is not on the ballot, but my interests are on the line. A vote for your Republican Senate candidate is a vote for me and vice versa.

The Presidential agenda that we say depends on Senate control need not be defined too specifically, but a few carefully selected examples of unsolved problems will be essential: nuclear arms reduction, welfare reform, balanced budget amendment, and a tougher federal judiciary are candidates for inclusion. Alarms about the damage of a Democratic takeover -- higher taxes, for example -- would also be an element.

A decision to mount this kind of coordinated appeal, rather than a series of separate, individual benefit appearances, would dictate differences in the character as well as the degree of Presidential campaigning. Events should be structured to communicate with broader audiences than some host candidates may prefer.

For example, we would recommend against any large public fundraisers after about September 20th. Past that point, we should emphasize bipartisan audiences - - sites of Senatorial accomplishments, conventions, community celebrations, etc. - - at which the President could "showcase" the local candidate, demonstrate that candidate's effectiveness, and appeal to the broader community to support him.

When the event is under purely partisan auspices, we should lean to large rallies and other formats open to the public or at least conducive to broad public appeals.

III. PRESIDENTIAL ACTIVITIES

In a previous memo, I sketched what might be described as a minimum program of Presidential actions this fall. That outline called for 3-4 days in September and 6-8 days in October. Properly targeted and executed, this schedule might lead to enough individual Republican victories to return a Senate majority.

An all-out unified campaign of the type discussed here would look very different. In essence, the President would launch, lead, and wrap up the campaign as a national crusade for his own "reelection", a reelection for two more years of effectiveness in the Presidency.

I have prepared the following outline of the kind of campaign we recommend. Obviously, each of these specifics, and others we would devise, would be carefully debated during the planning phases. This sketch is designed for illustration purposes only.

September

- o Major "declaration of candidacy" event on the South Lawn or other symbolic location, involving all Senate and House candidates and a rally crowd. This speech, or one to follow the next evening might be telecast nationally on purchased air time. Probably the week of 9/8-12.
- o Immediate followup of the "announcement" with aggressive Presidential and Cabinet travel. Simultaneous fundraisers in every state featuring administration surrogates and a Presidential speech by satellite. Presidential 2-day trip week of 9/15-19.
- o Louisiana, the first test, to receive 2 September visits, including a multi-stop day on 9/24 (election day is 9/27).

October

- o From 9/29 to Election Day (5 weeks), President travels 3 days per week.
- o Paid nationally televised broadcast on Sunday, 11/2
- o Major end-of-campaign trip on Monday, 11/3, in selected key states (Ex: Florida, Alabama, California) ending in Orange County, Ca.

Backup Activities

Our level of seriousness can be measured by our willingness to take the following kinds of steps:

- o Shoot silent footage of President and selected candidates walking on the colonnade and standing on the Truman balcony.
- o Invite selected candidates for photo op "consultations" at Camp David and the ranch.
- o Videotape testimonial ads, sign candidate letters to voters, hold Oval Office photo ops with greater frequency.

IV. ADMINISTRATION ACTIVITIES *

Cabinet

At this point, the Administration is simply not acting in a coordinated fashion to produce a winning result in November. Cabinet political activity is, in most cases, desultory and random. Discretionary departmental decisions are made with no central political input except in the rarest of circumstances.

Our shortfall is most apparent in the area of Cabinet scheduling. Despite repeated attempts to bring about special concentration and coordination of political travel, virtually no results have been obtained.

Cabinet members were asked by the Chief of Staff in January to submit just one day per month for assignment to key races. Almost none have complied with this minimal request.

Of the 12 most crucial Senate races, 7 have yet to receive a single appearance by any Cabinet member. 4 others have been visited by Secretary Dole only. Only Sen. Hawkins has received in-state assistance from more than one Cabinet member. Mattingly, Nickles, and Santini have each extended 5 invitations without a single acceptance.

The current system is not working. Those Cabinet members who are politically active are either helping their own special friends and relevant committee members, or simply responding to invitations in a random way without reference to where the help is truly needed. The same principle applies to decisions of all kinds within the departments.

Recommendations:

- o Devote 5 minutes of each Cabinet breakfast to a quick political briefing on the critical Senate races, with the goal of maximizing legitimate help to marginal candidates.
- o Insist that each Cabinet member make available a set amount of time - - say, 5 days - - between now and the election for assignment to key races by the Political Office.

* I shared only the first three sections with outsiders for comment. Section IV on Cabinet and other administration activities has not been seen by anyone else except Dennis Thomas.