

state/nation/world

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Senate defeats motion to cut aid to El Salvador

By W. DALE NELSON
Associated Press Writer

WASHINGTON — The Republican-controlled Senate last night beat down Democratic efforts to halt U.S. aid to guerrillas fighting the leftist government of Nicaragua and restrict presidential power to send combat troops to El Salvador.

The lawmakers rejected a motion by Sen. Edward M. Kennedy, D-Mass., to trim \$21 million for aid to the rebels from a supplemental appropriations bill after being assured by President Reagan that his policy is not aimed at overthrow of the Nicaraguan regime.

The vote was 61-30.

The administration maintains that it is aiding the anti-terrorists in order to stem the flow of Soviet and Cuban arms through Nicaragua to Marxist-led guerrillas in El Salvador.

Sen. Daniel Patrick Moynihan, D-N.Y., questioned this explanation, citing a March 29 New York Times interview in which Reagan said the administration had "made it plain to Nicaragua . . . that this would stop when they keep their promise and restore the democratic rule and have elections."

Moynihan and other Democrats said this seemed to suggest that the policy was aimed at changing the government in some other way than by elections.

Reagan, in a letter read to the Senate by Republican Leader Howard H. Baker Jr. of Tennessee, noted that questions had been

raised about the interview and said the United States does not "seek to destabilize or overthrow the government of Nicaragua."

He said the United States was "trying among other things to bring the Sandinistas into peaceful negotiations" to bring about a regional peace settlement in Central America.

Reagan also defended the administration's Nicaragua policy in his televised news conference last night.

"The present government of Nicaragua is exporting revolution to El Salvador, its neighbors, and is helping, supporting, arming and training guerrillas that are trying to overthrow elected governments," the president said. "As long as they do that we are going to try to inconvenience that government of Nicaragua until they quit that kind of action."

Sen. Alan Cranston, D-Calif., said the administration policy was actually "consolidating support" for the Sandinista government of Nicaragua by supporting the "hated remnants of the . . . national guard" of former Nicaraguan dictator Anastasio Somoza.

Sen. Ted Stevens, R-Alaska, supporting the administration, said, "It is clear that the purpose of our aid is not to overthrow a government, but to keep the pressure on the Nicaraguan Sandinista government to keep their promises" about guaranteeing citizens' rights and halting arms shipments to rebels in El Salvador and elsewhere in

Central America.

By a vote of 59-36, the lawmakers rejected a proposal by Sen. Patrick Leahy, D-Vt., to bar the president from sending U.S. armed forces into El Salvador or Salvadoran air space for combat unless Congress has declared war or enacted a specific authorization.

Leahy said he made his move, as an amendment to an appropriations bill containing \$81.7 million in emergency military aid for the Salvadoran regime, because of his "clear conviction that we are going to reach the point of having American combat forces in El Salvador within a year."

Sen. Joseph Biden, D-Del., referring to Reagan, said, "I believe that the day after he is re-elected, if he is re-elected, we will see American troops fighting in Latin America."

Biden offered to "bet a month's salary" that U.S. troops would be in combat in El Salvador within a year.

Kennedy told the Senate, "I do not trust that this administration or the president will not move to commit American troops in El Salvador, and I am not prepared to take the risk."

The Reagan administration has said it has no plans to send fighting troops to Central America, but has resisted restrictions by Congress on the president's power as commander in chief to order troops into action.

Sen. Nancy Landon Kassebaum, R-Kan., opposing the amendment, said it was "dangerous to make assumptions such as that"

and argued that the War Powers Act already gives Congress sufficient power over the deployment of U.S. troops abroad.

That act says that troops must be withdrawn from combat situations in 60 to 90 days unless Congress declares war or otherwise approves keeping them on the battlefield.

Supporters of the Leahy amendment said this was not adequate, with Kennedy asking "how much blood would be shed" before the 60-day period had elapsed.

Sen. Barry Goldwater, R-Ariz., attacked the Leahy proposal, calling Central America "the last place in the world we have a chance to prove we are anything but a paper tiger."

"I don't say by that that we should go into Central America, but that we should give the Central Americans the wherewithal to defend themselves," Goldwater said.

Sen. Pete Wilson, R-Calif., backed Goldwater up, saying, "If we are concerned about shedding American blood, then what we must do is give the people of El Salvador who want democracy the means to defend themselves without American troops, which they are not asking."

Leahy, however, said, "It is time for Congress to go on record and send a strong signal that this war is not going to become an American war. We will not fight a war that the Salvadorans are unwilling to fight themselves."

The amendment provided that the president would be able to send troops without

congressional authorization if there was danger of an attack upon the United States or if they were needed to evacuate American citizens.

It defined sending troops for combat as sending them "for the purpose of delivering weapons fire upon an enemy."

It provided that resolutions authorizing the president to send troops would have to be acted upon by both houses of Congress within nine days of their introduction, and could be acted upon as little as three days.

Ten Democrats joined members of the Senate's Republican majority in voting to table, or kill, the amendment. Five Republicans joined 31 Democrats in supporting the amendment by voting against the motion to table.

The Senate Foreign Relations Committee, meanwhile, failed to reach agreement on conditions for future aid to Central America and agreed to meet again today after members hash out their differences privately.

Sen. Charles McC. Mathias, R-Md., proposed an amendment to a five-year funding package for Central America requiring that a resolution be passed by Congress and signed by the president each year before any military or economic assistance could be spent. The amendment provides for Congress to act after receiving semi-annual reports from the administration and quarterly reports from the Central American Development Organization on human rights and other reforms.

Espionage:

Former spy charged with selling secrets to Soviets

By MICHAEL J. SNIFFEN
Associated Press Writer

WASHINGTON — The FBI arrested a former Army counter-intelligence agent yesterday on charges of selling to the Soviet Union information about a U.S. double agent operation aimed at penetrating the Soviet KGB spy agency.

The government said the former agent gave the Soviets enough information to identify a double agent working for the Soviets but actually helping U.S. officials learn the identity of KGB agents.

"He hurt us," said one federal law enforcement source, who declined to be named. The source said U.S. officials were concerned as a result of the case for the safety of a number of double agents, who were working with the U.S. Army Intelligence and Security Command, a counter-intelligence operation charged with protecting the Army from foreign spies.

Attorney General William French Smith said Richard Craig Smith, 40, of Bellevue, Wash., was arrested at Dulles International Airport, as he flew here to Washington.

Smith said he could not afford an attorney and in answer to the motions by Joseph Aronica, chief of the criminal division in the U.S. attorney's office in the eastern district of Virginia, Smith said he thought that being held without bond was "preposterous" because he could have left the country anytime he wanted.

"Royal Miter," the code-name for one of the operations and for one double agent whom the Soviets thought was working for them, was aimed at learning the identity of KGB officers engaged in espionage against the United States, Waguespack said. Smith was the case officer or alternate case officer who met with the double agent from October 1976 to July 1978.

Waguespack said he had interviewed Smith several times during February and that Smith had acknowledged telling Okunev about "Royal Miter" and enough detail to allow the Soviets "to determine 'Royal Miter's' identity."

Justice Department spokesman John Russell declined to comment when asked what had become of the double agent known as "Royal Miter" or what his nationality was.

declined to be identified, said Okunev is now stationed in Japan and was expected to be expelled from that country shortly.

In a court affidavit, FBI agent Michael Waguespack said he had been investigating Smith, now a self-employed real estate investor, since December 1983. He said Smith worked for the Army intelligence command from July 1973 until January 1980.

Smith had top secret security clearance and ran double agent operations, the FBI affidavit said.

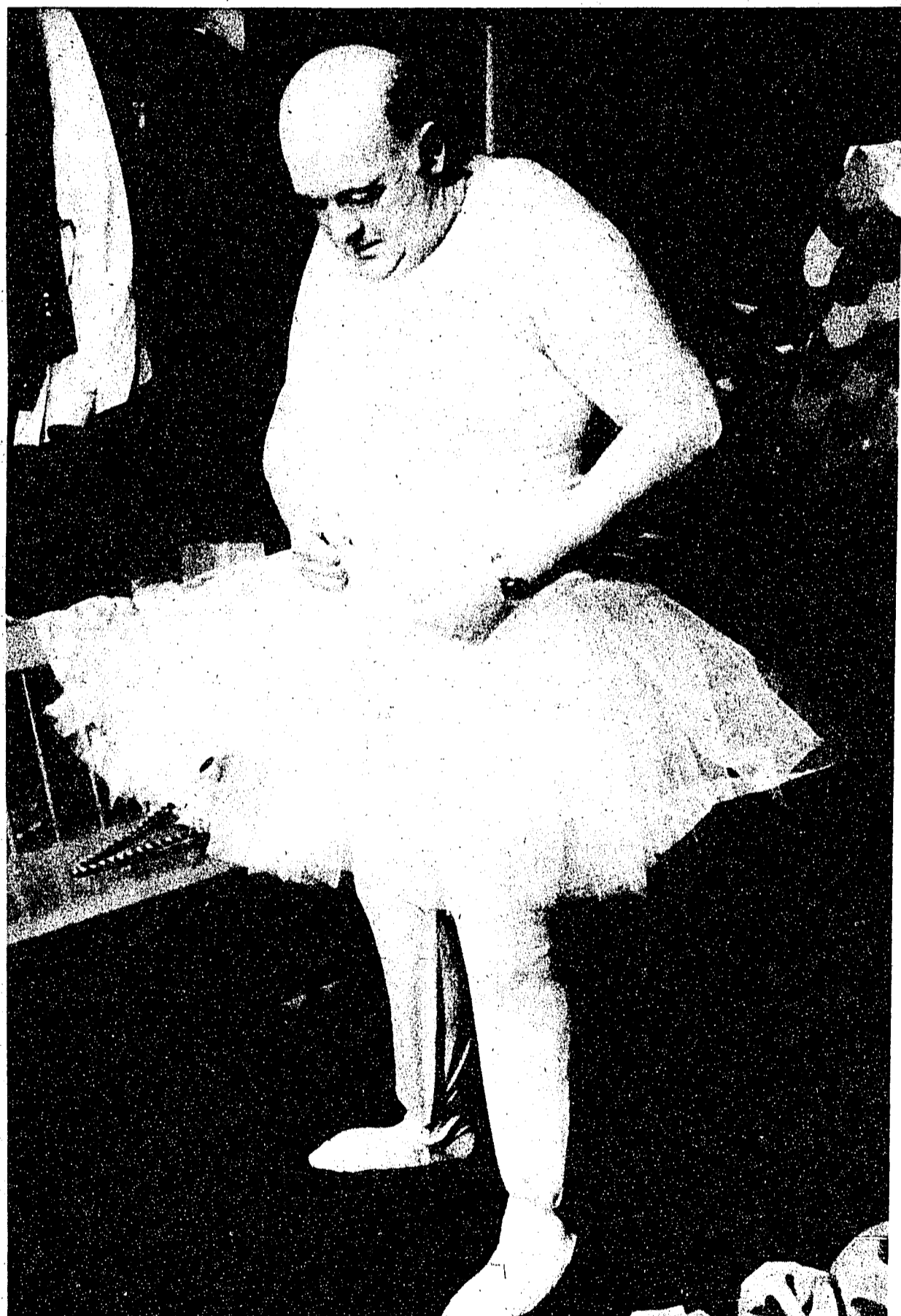
Smith applied before Magistrate Harris Grimsley in a U.S. District Court in Alexandria, Va. The judge ordered Smith held without bond pending a preliminary hearing April 13.

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Tutu tights

Arnold Crawford of Hopkinton, N.H., adjusts his tutu backstage in preparation for a performance by the Bullsho! Ballet at the community center here recently. The Ballet is an informal troupe organized to put on lighthearted entertainment to benefit charities.

Death penalty thrown out in spy case

By The Associated Press

SAN FRANCISCO — The 9th U.S. Circuit Court of Appeals on Tuesday threw out the death penalty provision of the Espionage Act, declaring it unconstitutional in the case of an engineer who is accused of selling national defense secrets to Soviet bloc nations.

The ruling, the first of its kind, had support from both the accused, James Harper, and the government, U.S. District Judge Samuel Conti. It directed him to set aside a pretrial order declaring that Harper could get the death penalty if convicted of espionage.

In its decision, the appeals court said the Espionage Act contains no guidelines governing whether the death penalty should be imposed. The Constitution requires such legislative guidelines in death penalty cases, the court said.

The court said Conti erred in deciding that the law gives district courts the authority to establish and apply the needed guidelines. The Supreme Court has ruled that Congress must establish the standards.

The court also said obtaining a conviction may be more difficult when execution is a possible end result, and the government might feel compelled to release even more sensitive information than it might otherwise have to disclose, thus having a potential effect on national security.

"Harper is delighted with the ruling and feels a great sense of relief," said Harper's attorney, Jerrold Ladar. He quoted Harper as saying, "It feels like someone has freed me."

Ladar said although his client still must face charges, there is a possibility that the case might be resolved without a trial.

"With the death penalty, there was no possibility of a plea," Ladar explained, citing the language of the Espionage Act, which allows the judge to decide the sentence.

Harper, a former consulting engineer from Mountain View, is accused of selling defense secrets to Polish intelligence agents in exchange for between \$250,000 and \$1 million. U.S. investigators allege the material was turned over to Soviet-bloc nations.

He is charged with delivering and conspiring to deliver national defense secrets to aid a foreign government and with obtaining U.S. defense information. He is charged also with income tax evasion and filing a false tax return.

Harper allegedly obtained sensitive documents through his late wife, who worked for an electronics company south of San Francisco.

He now faces a possible sentence of up to life in prison if convicted.

Anti-cancer drug being tested on humans for safety

By PAUL RAEBURN
AP Science Writer

DAYTONA BEACH, Fla. — A new anti-cancer drug stimulates the body's natural cancer-fighter, interferon, by safely mimicking a viral infection, a researcher said yesterday.

Laboratory studies suggest that the artificially induced interferon will be more effective against cancer than existing synthetic interferons, which in early trials have

produced mixed results against various forms of cancer, the researcher said.

The first human trials in the United States to determine the safety of the drug have begun, said Dr. Paul Ts'o of the Johns Hopkins University School of Hygiene and Public Health in Baltimore. Trials of the drug's effectiveness at treating cancer in humans will follow.

The drug is one of a new class of what are called biological response modifiers, which attempt to provoke

the body's defenses — in this case, interferon — to fight cancer. Existing drugs are merely toxic agents intended to kill cancer cells.

In studies with tumor cells taken from 30 patients, at least half of the tumor samples responded to the new drug, called Ampligen.

The samples that responded were reduced in size by at least 50 percent, Ts'o said. He did not present data suggesting that the drug could completely eliminate tumor cells. The drug has been shown in hu-

man trial in other countries to be possibly effective in kidney and colon cancer. Liver cancer and stomach cancer are other likely targets, Ts'o said.

The patent rights to Ampligen are owned by Johns Hopkins and have been licensed to a company called HEM, Inc. in Bethesda, Md., he said.

Interferon is a natural anti-viral substance which initially caused a flurry of excitement as a cancer weapon. The drug is toxic, causing fever and provoking an attack by the body's immune system. Ts'o calls that "a major obstacle" to its wide-

spread use.

Trials have shown, however, that low doses of the drug can be effective without being excessively toxic, Ts'o said.

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state news briefs

Temple employees indicted by jury
PHILADELPHIA (AP) — A federal grand jury yesterday indicted 10 present or former Temple University employees on charges of participating in a 15-year conspiracy that netted more than \$750,000 in kickbacks from suppliers.

The indictment said six different vendors were told to make the payments to continue providing goods and services to the university. The payments began in 1969 shortly after John Nardini, one of the defendants, joined the university as a purchasing agent, authorities said.

"Sometimes it was 5 percent, sometimes it was 10 percent" of a supplier's business with the university, said Ronald G. Cole of the U.S. Attorney's Philadelphia Strike Force. "Sometimes it was a percentage of the contract, sometimes it was a cash payment."

The employees indicted worked in either the school's purchasing or physical plant departments. Authorities did not describe the scheme in detail, but Cole did say that "in some cases, bidding information was provided to the vendors, which allowed them to be low bidders."

Pennsylvania walker to sit in a jail
LAKIN, Kan. (AP) — A young man who was walking across the United States to raise money for cancer research will be spending the next couple of months in a southwest Kansas county jail for stealing a camera.

Jeff Fagensteecher, 23, of Uniontown, Pa., was sentenced in Kearny County District Court Tuesday to 120 days in jail for misdemeanor theft. Fagensteecher pleaded guilty after the charge was reduced from felony theft.

Magistrate Russell Jennings made the sentence effective Feb. 21 and told Fagensteecher he would be released after serving 100 days. "If he behaves himself," Kurt Ratzlaff, the young man's court-appointed lawyer, said yesterday.

nation news briefs

Judge rules women get equal pay
WASHINGTON (AP) — A federal judge said Tuesday the government must pay women in the civil service system the same as men with the same duties and responsibilities, regardless of where they are located.

Margaret Mary Grumbein, a regional counsel of the Customs Service assigned to Baltimore, Md., sued the Treasury Department because she was classified as a GS-14 and the agency's eight other regional counsels, as well as her immediate predecessor, all male, were GS-15s.

A GS-14 has a starting salary of \$42,722 a year, while a GS-15 begins at \$50,252 per year.

The government defended the action on the ground that each regional counsel's office is a separate "establishment" for purposes of the Equal Pay Act and, therefore, it was not required to pay the plaintiff at the same rate as the others serving in other "establishments" elsewhere in the United States.

Magistrate Harold Greene said, "The court rejects the government's argument based on geographic location, and it holds that, at least for Pay Act purposes, the 'establishment' under the Act is the Civil Service in its entirety."

FCC may shift some responsibilities
WASHINGTON (AP) — The Federal Communications Commission is considering shifting responsibility for the Emergency Broadcast System to another agency, in hopes of improving the emergency service.

But some broadcasters say they aren't sure the change would be for the better.

Under consideration is a transfer of the Emergency Broadcast System to the Federal Emergency Management Agency, the civil defense coordinating group which has fared better in recent budget decisions than the communications commission.

Top FCC officials say their agency has never had the money or staff to do justice to the emergency broadcasting operation.

But some of the few broadcasters aware of the plan aren't so sure. They worry about the creation of a new federal bureaucracy; the possibility that broadcasters won't volunteer their time and services to FEMA as they do now to the FCC, and the chance that local civil defense officials — who are tied to FEMA — will start making demands on their stations.

"I hope they're making the right decision, but I have my doubts," said Joe M. Baish, a director of the Century Broadcasting Corp., which owns radio stations in Chicago and San Francisco.

Interest rates may peak, Regan says
WASHINGTON (AP) — Treasury Secretary Donald T. Regan said yesterday that interest rates should reach their peak shortly, and he predicted that they will be a bit lower than they are now by year's end.

Regan, in an interview with the Associated Press, said he was "very concerned" about the level of interest rates but felt the economy was strong enough to handle even another small increase in the base corporate lending rate of banks.

"It will slow the economy but it won't kill it," he said in response to speculation that banks may boost their prime lending rate from the current 11.5 percent to 12 percent.

But, he said, "I think that interest rates should be peaking soon." Regan expressed optimism that Congress would agree on a deficit-reduction package this year and he said it was likely to be close to the \$150 billion, three-year plan backed by President Reagan.

"That is about all that is going to be able to get through. The proponents of slashing defense are going to run headlong into the guys who say, hey, wait a minute, that's not the way to go," he said.

World news briefs

Military takes control of Guinea
DAKAR, Senegal (AP) — Military officers seized control of Guinea on Tuesday, eight days after the death of long-time President Ahmed Sekou Toure, in what they said was a bloodless coup aimed at preventing another "ruthless dictatorship."

The new leadership, calling itself the Military Redemption Committee, moved swiftly into the power vacuum caused by Sekou Toure's death. It sealed the borders and closed the airports of the impoverished West African country, barred public gatherings, suspended the constitution and abolished the only legal political party.

Communiqués broadcast by Radio Conakry, the state-run radio in the Guinean capital, said a curfew from 10 p.m. to 6 a.m. was imposed on the nation's 5.5 million people and the new military leaders warned of severe penalties for "looting and banditry."

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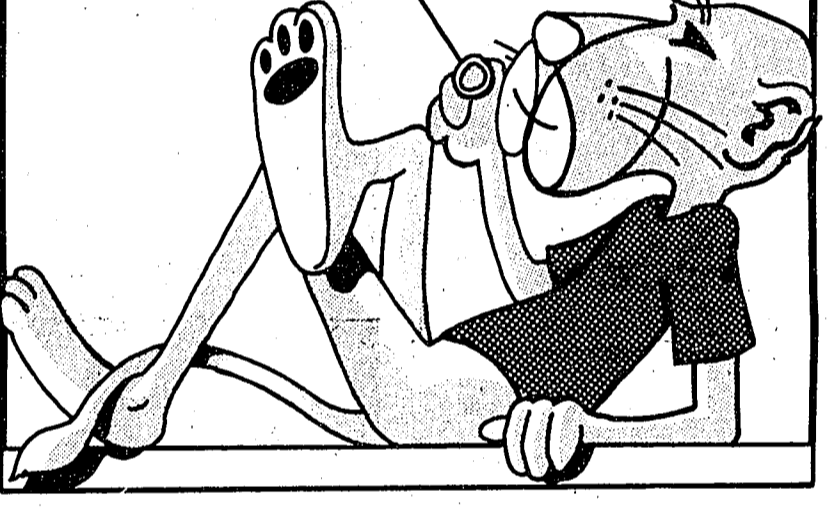
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