

Law Firm Charged In Holding Files On Foreign Client

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The Justice Department yesterday charged in a civil suit that the prestigious Covington and Burling law firm here is breaking federal laws by refusing to turn over to the government complete records about its past representation of the Republic of Guinea.

The firm has represented Guinea in connection with development of its mineral bauxite resources and registered as a foreign agent in 1967 under applicable federal codes. The Justice Department's internal security division now is seeking access to the files under the terms of that registration.

However, Covington and Burling has refused to produce more than 1,000 pages of documents because it claims they fall under the attorney-client privilege, the suit says. Guinea has refused to waive that privilege, and therefore

the law firm feels it cannot give the materials to the Justice Department, one Covington and Burling partner said.

A Justice Department spokesman said the suit is believed to be the first such action taken to gain access to records kept by the various groups here that represent foreign countries in dealings within the U.S.

He said other instances of failure by groups to turn over relevant documents are under investigation by the internal security division.

The filing of the suit yesterday in U.S. District Court follows more than six months of attempts by the Justice Department to get access to all the documents concerning Covington and Burling's representation of Guinea here.

In that affidavit, Justice Department attorney Harold Webb said he first went to Covington and Burling on Jan. 7 of this year but was unable to see any documents concerning the Guinea representation because the attorney handling the case was out of town.

Two days later, Webb said, he was told that Covington and Burling would not produce all of the requested documents.

After being threatened with court action, Covington and Burling agreed later that month to "produce only a token number of documents, withholding such key material as written communications between the firm and officials of the government of Guinea and agencies of that government," Webb said.

The Justice Department re-

fused that offer and again said it must have unlimited access to the files on Guinea.

On July 9, Covington and Burling partner Charles A. Korsky met with Justice Department officials and agreed to turn over most of the firm's books and records on Guinea but said a "few records were to be withheld," Webb stated further in his affidavit.

Webb said the department learned nine days later from Covington and Burling that the firm "had deliberately withheld more than 1,000 pages of documentation... in contravention" of federal laws.

Justice Department sources said there should be no significance attached to the fact that the department wanted to review the files on Guinea and the development of its mineral resources. Instead, they said they felt the department was having increasing difficulty getting access to documents kept by persons and groups registered as foreign agents and felt a suit would help outline the areas within which the government can get access to such materials.