

# Years at SACB

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General draw up a list of organizations considered to be subversive. The Supreme Court in recent years sharply curbed the board's powers, and it was virtually dormant until the Johnson administration referred some cases to it.

Last year, Otepka said, the Nixon administration referred 15 cases to the board.

Early last July, President Nixon issued an executive order extending the board's jurisdiction to cover "violent-action oriented organizations" that deny others their constitutional rights.

Otepka said former attorneys general were to blame for the board's long period of inaction.

"The board is not a self-generating agency, and may not begin an investigation or initiate work on its own," Otepka said. "The former attorney generals — Robert F. Kennedy, Nicholas Katzenbach and Ramsey Clark—were antagonistic to the board so the fault lay there."

He said attorney general John M. Mitchell told the House Internal Security Com-

mittee that he planned to send 25 cases to the board for investigation. The list is expected soon, Otepka said.

Meanwhile, he said, the SACB is drawing up regulations for approval by the office of Management and Budget, under Mr. Nixon's new directive, and is preparing to rewrite the list of subversive organizations. He said it is outdated, and estimated that more than half the names should be removed.

# Otepka Languishling 3

By Marguerite Davis  
United Press International

Otto F. Otepka moved from a tiny room in the State Department to a luxurious office of the Subversive Activities Control Board three years ago, but his work hasn't changed much.

He's still sitting and waiting.

Otepka has been a controversial figure since 1963, when Secretary of State Dean Rusk ordered him fired from his \$19,000-a-year job as chief security officer for giving secret personnel documents to the Senate Internal Security Subcommittee.

But Otepka remained on the payroll — sometimes at a lower salary — for several years while he appealed his dismissal. During that time, he was given a small office, where he said his only assignment was to read the Congressional Record.

The Civil Service Commission ultimately refused to reinstate him in his old job. However, President Nixon in June, 1969, nominated him to fill an unexpired term — at a \$36,000 salary — as a member of the SACB. Some liberals opposed the

nomination, but the Senate gave its approval in a 61-28 vote. The term ran out Aug. 9, 1970, and Mr. Nixon then proposed him for a full five year appointment.

The Senate did not act on the President's request last year and the nomination was submitted by the White House this year. It was approved by the Judiciary Committee, 13 to 3, but there has not yet been a Senate vote on confirmation.

If the Senate adjourns again this year without voting on the nomination, Otepka's current recess appointment will expire and he will go off the payroll.

So, once again as at the State Department, he is watching and waiting, and hoping for a vote soon after the Senate reconvenes after the summer recess.

He says he is not worried about how the vote would come out.

"I feel very confident," he said in an interview. "Certainly the administration supports me."

Sen. James O. Eastland, (D-Miss.), chairman of the In-

ternal Security Subcommittee to which Otepka gave the department documents, has applauded Mr. Nixon's nomination and described Otepka as "a man who has performed a vital service to his country."

Some liberals, Sen. Edward M. Kennedy (D-Mass.) among them, charged that Otepka associated too much with rightist groups.

A syndicated columnist, Carl T. Rowan, recently described Otepka as "a sort of Daniel Ellsberg in reverse." Ellsberg is accused of furnishing newspapers with classified defense department documents — the celebrated "Pentagon Papers" on origins and conduct of the Vietnam war.

In the interview, Otepka rejected the comparison with Ellsberg. Otepka said he gave no classified documents to newspapers, but merely provided senators, at their request, with information to support his own sworn testimony.

President Franklin D. Roosevelt created the SACB in 1939 to help the Attorney



Otto Otepka sits and waits for something to do.