## CIA Moves to Defend Aide Sued for Slander

By Stephen S. Rosenfeld Washington Post Staff Writer

stander suit against an Estonian-born highway engineer who doubles as a Central Intelligence Agency operative its agents. telligence Agency operative strict polic will be taken Thursday in Balits agents. more Federal Court.

Chief Judge Roszel C. Thomen will have before him a motion to dismiss slander charges brought against Juri Raus, who served the CIA in unspecified "specific assignments" among Estonian emigres in the United States and Soviet secret police.

defend Raus against a \$110, interested in emigres by rea-The next turn in a bizarre 000 damage claim filed 18 son of their contacts in their

## Smearing Charged

freedom fighter and anti-Communist, charged that three times Raus smeared him by celling Estomian emigre groups leine was an agent of the lawyers hired for him by community the lawyers hired for him by community and E. Barrett Prettyman Jr.

Helms. It was submitted to that the CIA has long been ranks.

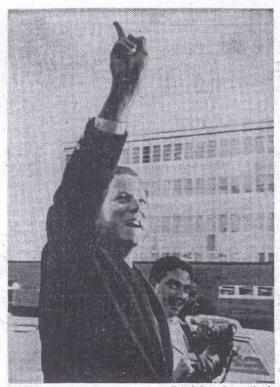
of Public Roads engineer who Heine, 46, a self-described lives in Hyattsville at 6508

## Defense Case Stated

Raus was identified as a swallowed by the Soviet Union Helms's affidavit last Dec. 30, Raus was identified as a clandestine U.S. intelligence agent in an unusual—and perhaps unprecedented—affidavit by CIA Director Richard M. swallowed by the Soviet Chlon Helms's affidavit last Dec. 30, in 1939, occupied by the Germans in World War II and respoke about, Heine, he "was in taken by the Russians. In possession of information furformed sources said yesterday nished to him by the CIA and . . . was acting within the scope and course of his employment by the agency on behalf of the United States."

"Under these circumstances," said Raus's lawyers, asking the court to dismiss the suit, "there arises in favor of (Raus) an absolute privilege which precludes, even under a showing of actual malice, any possibility of recovery" of damages by Heine.

Their authority is a 1959 Supreme Court decision, Barr Matteo, decided 5 to 4, shielding "responsible govern-mental officers" from the harassment of damage suits "brought on account of action taken in the exercise of their official responsibilities." The words are from Associate



United Press International

ARRESTED-Dade County, Fla., Sheriff T. A. Bucanan waves a victory signal to jeering prisoners after leaving the county jail in Miami. A few moments earlier Bucanan was booked on charges of perjury and giving false information about campaign contributions. He has been suspended from his job.

Justice John M. Harlan's majority opinion.

Heine's lawyers, Ernest C. Raskauskas and Robert J. this immunity barrier by getting the CIA to reveal whether in fact Raus said about Heine what the CIA instructed him established.

In a hearing March 11, Judge Thomsen reared back

at the prospect of Heine being denied justice on the basis of Raus's immunity from prose-cution. "You are not going to persuade this Court that there Stanford, are trying to pierce is anybody in this country who does not have some rights," the Judge declared.

He asked Helms or a representative appear in court to to say. This has not yet been back up the affidavit. The stage is set for this next Thursday.

## Help To CIA Stated

Helms, in a second affidavit of April 1, said that "for a number of reasons, including his past history and his posi-tion as National Commander of the Legion of Estonian Liberation, Raus has been a purce to this agency of forign intelligence information pertaining inter alia among others to Soviet Estonia and to Estonian emigre activities n foreign countries as well as n the United States."

The CIA "employed" Raus from time to time" on "speci-fic assignments," the second affidavit said, adding that he was "instructed to disseminate (information about Heine) to members of the Legion so as bo protect the integrity of the Agency's foreign intelligence sources."

Adding state security to his earlier claim of "privilege," Helms said he had personally determined that further disclosures would injure American security. He said Raus had been ordered, in line with a gag agreement Raus signed in 1963, to make no more disclosures to the court.

Heine's lawyers argue that if Raus and the CIA are going to duck behind "security," then they and not Heine must take the consequences of it.

Raus, a University of Connecticut engineering graduate who also attended Yale's Bur-eau of Highway Traffic, refused yesterday to discuss his case with a reporter. The CIA refused, too. Heine was not available.