

Otepka Hopes to Be 'Vindicated' by Nixon

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By George Lardner Jr.
Washington Post Staff Writer

The morning after Richard Nixon's election to the Presidency was confirmed, Otto Otepka stepped jauntily into the State Department cafeteria for a cup of coffee.

An old acquaintance from the Office of Security spotted him with a few friends and cheerfully flashed a "V" for Victory sign his way.

"We all laughed," says Otepka who has been fighting his ouster as State's

guardian of security clearances for five years now. "It was a completely spontaneous gesture."

It was not without significance. Despite Secretary of State Dean Rusk's dogged efforts to get rid of him for "unauthorized, underground" teamwork with the Senate Internal Security Subcommittee, Otto Otepka is still hanging on, more

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confident than ever of a comeback.

Nourished by Nixon's own public pronouncements, the prospect has given rise to some not-so-hollow joking and anxieties at the State Department. It has become a standing quip there to suggest Otepka as the next Secretary.

His restoration would fall far short of that, but just giving him his old job back would still create fears that a purge reminiscent of the McCarthy era might not be far behind.

Otepka, whose ferreting for security risks under the controversial Scott McLeod won him plaudits a decade ago, declares that all he wants right now is "vindication."

Nixon has indicated that at least that much may be expected. In an interview re-

ported by Willard Edwards of the Chicago Tribune last month, the President-elect was quoted as promising a "full and exhaustive review" of Otepka's case "with a view to seeing that justice is accorded this man who served his country so long and well."

House Cleaning Pledged

Nixon also vowed somewhat obscurely during the campaign that "we are going to clean house up there" at the State Department. "It has never been done . . . It wasn't even done during the Eisenhower Administration."

Whether all this would go much deeper than the usual changeover of presidential appointees remains to be seen. Otepka, for one, says he has no idea himself.

Yet it is quite plain that he expects to be back at his old stand to do whatever is

required of him by the Nixon Administration, and perhaps a bit more. Spirits high, Otepka has even shelved his plans for a court fight over his ouster to see what happens next.

At State, talk that Otepka has been "making threats" has also been circulating. He says they are without substance.

"That's a lot of nonsense," he declares. "I don't go around talking like that. People do come up to me and say 'Well, now that you're coming back, I suppose so-and-so won't have a job.' I don't respond to that."

On Payless Leave

Still in limbo for the moment, Otepka is currently on leave without pay from what he terms a "very demeaning" assignment, "a clerical job really," in the Office of Management and Organization.

Underlying the dispute in a very real sense is the issue of who's to be in charge at the State Department: the Executive Branch or Congress, the Secretary or the Senate Internal Security Subcommittee.

Formerly the State Department's chief security evaluator, Otepka was ordered fired in 1963 for giving classified loyalty reports to J. G. Sourwine, the Subcommittee's chief counsel. The Subcommittee was then investigating what it considered lax security in the State Department.

Bolstered by the support of Sen. James O. Eastland (D-Miss.) and others, Otepka appealed the ouster. At length, in June of 1967, the Department held a closed, two-week hearing. With the case muddied by officials who had tapped Otepka's telephone and put him under surveillance, Rusk fi-

nally decided not to fire him.

Instead, last December, the Secretary decreed demotion and a reprimand on the strength of a 1948 presidential directive prohibiting dissemination of loyalty files outside the Department without authorization.

Otepka claims that he did it in self-defense "after all these reprisals against me and after I learned from the hearing transcript that my superiors were giving false statements" to the Subcommittee. He protested Rusk's ruling, this time to the Civil Service Commission, but he was turned down in September.

At bottom, Rusk has told the Subcommittee, is the principle that "your staff should work for you and the Department's staff should work for the Secretary of State."

Should Nixon decide otherwise, it would greatly bolster the claim, still simmering from the 50's that Government employes are bound by "a higher loyalty" to God, country and Capitol Hill. IT COULD ALSO GIVE Congressional committees what amounts to a fishing license.

Otepka—who has traced his troubles to his persistence in reviewing the records of persons "with known character weakness, instability, inclinations to appeasement, or leanings to utopian internationalism, instead of solid Americanism"—says he may still have to go to the courts with his case.

But he says he has been heartened not only by Nixon's interview with the Chicago Tribune, but also by a campaign stop Nixon made Oct. 19 in Mount Prospect, Ill. A friend of Otepka's standing up front reported asking the candidate about the erstwhile security officer.

"Nixon said he was familiar with the case and would help Otepka when he gets into office," Otepka says his friend was told. "I was very pleased."

"Certainly the election did not put a damper on his hopes," says his attorney, Roger Robb. Of the mood at State, Robb added with a chuckle: "I imagine there's a lot of fluttering in the devocate over there."