

Ms. Mary McGrory
Washington Post
1150 15 St, NW
Washington, D.C. 20071

8/17/86

Dear Ms. McGrory,

"The Rules Are for Deaver, Too," is an excellent column. It prompts me to suggest that you consider other column topics, whether the rules are for others, too. Others in the government and outside it, like the newspapers.

Deaver appears to have committed an actionable offense, perjury, as you say, from "his feeling that he, like his principal, could get away with anything."

Reagan has been getting away with anything, including the illegal and immoral. But would this have been possible if the newspapers had lived by the rules with which (for the most part) we worked in my reporting youth? Nicaragua is a recent example. (And from this you will understand, I hope, that what I say is not personal, not directed at you.)

Perjury has become commonplace in the government, particularly in the Department of Justice and its many components. Yet the newspapers refuse to publish this. In my own case, and with the Post but one of more than two dozen illustrations, it has known for years that the FBI and Department lawyers regularly "get away with anything" before the courts. Particularly when that "anything" involves further restrictions on what the people may know under a law supposedly guaranteeing their right to know what their government does. In the recent past, in an FOIA lawsuit in which I am, as the result of such official corruption, pro se, I've sent copies of the pleadings of both sides to at least a half-dozen at the Post, from Ben Bradlee down. I got only one response, from a reporter who knows better as a reporter but perhaps not as a Post employee, that overwhelmingly proven and totally undenied perjury (and fraud and misrepresentation) is not news. (The one other response, from the N.Y. Times, was identical.)

When people in the government have every reason to believe that they "can get away with anything" because the press will be indifferent to almost any offenses, there is, at the least, less cause for restraint.

Parenthetically, one of the appeals court judges who found undenied perjury, fraud and misrepresentation plus a Department lawyer's personal lying to that court to be worthy of reward is about to go onto the Supreme Court. This, I suggest, is one of the more immediate consequences of the refusal to report what in my youth would have been considered newsworthy.

I don't think the rules have changed. I think that the willingness of the press to live and perform under its traditional rules is what has changed.

What is legitimately newsworthy has not changed. What has changed is the attitude of the press. I'm not trying to twist your arm and I'm not hinting for any ulterior purpose but I do assure you that by any rational and certainly by traditional standards the FBI's own records that I filed in court as proof of these felonies are in their own right newsworthy, particularly with police-state overtones.

At the time of the Bay of Pigs the Post and the Times proclaimed that they had learned their lesson but there has been no evidence of this since and their record and that of the rest of the press since has largely been that of an unofficial arm of errant government. Enlarging on Santayana, we are all doomed to relive it.

You say also, and correctly, that Deaver and the other Reaganites like him came "to make a killing," and you juxtapose this with "in the Kennedy years, it was thought to be fun to work in the government." From this I take it that you are too young to have personal knowledge of the FDR years, when it was thought to be worthwhile and a

challenge to work for the government and to help rebuild from disaster. How some of us worked then! And for how little. I left Pierre DuPont's Wilmington Morning News for a file clerk's job at Agriculture, with the promise of promotion to the information office, which didn't happen, and with others worked countless hours of unpaid overtime so that ruined fathers might get their long overdue checks. When I was detailed to work as a Senate investigator, for quite some time my pay remained at \$30 a week. I was that committee's editor for the same magnificent stipend, and more than once, when a report had to come out, went five days without leaving the office and without lying down. Sure, there were glödricks then, but there also were more of us who cared. The young people of the 60s invented the phrase, "crash pad," but not the fact. Those who crashed with my wife and me include those who later became a state supreme court judge, a manager of the National Symphony, radio-station owners and managers, the producer of an Emmy for NBC, the head of a state agency like our Social Security Administration and others who poured into Washington to try to be of help then.

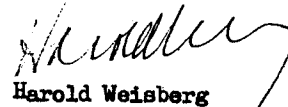
And the Post, then on E Street, had as many cockroaches as we'd had at the Morning News.

Sure, there were shibboleths when I was at the News. As a result of one I became a syndicated by-line feature writer before I was old enough to vote. (For the old Philadelphia Record Syndicate, which did not have that particular shibboleth.) All of them that I recall related to the owner, his likes and dislikes, were so limited. But it was nothing like what is obvious with the press today, especially with regard to government and its policies. I can't imagine official perjury, especially when it was undenied, not being considered news.

When the rules begin to apply again to more than the Deavers it will begin to become a better and a safer world again.

Thanks again for your excellent work.

Sincerely,



Harold Weisberg
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quion of innocent until proven guilty, forcibly requiring a federal employee who is not suspected of illegal activity to provide evidence that may incriminate himself or herself probably violates the Fifth Amendment. It most definitely violates the Fourth Amendment against illegal search and seizure. The Supreme Court ruled in *Cannick v. Mossier* in 1983 that individuals do not waive their constitutional rights in accepting government employment, and nothing in the

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N.Y.) offer of a surprise drug test because there were no grounds for believing he was a drug user.

Unlike the polygraph test, which is looking for the amorphous notion of a lie, something that cannot be said to have a concrete or objectively verifiable existence, urinalysis tests for chemicals, an ordinary laboratory procedure. In ideal circumstances, a relatively inexpensive screening test followed by a more expensive confirmatory test of positive samples can be as much as 99 percent accurate.

The problem, however, is that in

seizure by the government was one of the causes of the American Revolution. The Fourth Amendment was never meant to apply only to some crimes, even in the event of a crusade by the first lady.

As Congress scrambles to put into place a nationwide anti-drug crusade—a goal all Americans should support wholeheartedly—it should pause to consider the very principles in the document that created the Congress in the first place. Federal employees don't give up those rights when they take the civil service exam.

MARY McGRORY

The Rules Apply to Deaver, Too

McGRORY, From C1

just strolled through the gates and sought out anyone who could help him realize his ambition to become the world's richest public relations man in the shortest possible time.

Money was the object with Deaver. He made no secret of that. In his early days as White House deputy chief of staff, he registered a public lament about the inadequacy of his government salary. It was not well-received at the time, particularly by unemployed steelworkers, to whom \$60,000 seemed a fortune.

In the Reagan years, we have seen a number of people, none more talented than Deaver, who have come here to claim government jobs, not to make a difference but to make a killing when they are liberated. In the Kennedy years, it was thought to be fun to work in the government. For the Reaganists, it seems more of a penance, a sentence that must be served until one acquires enough contacts inside to make one invaluable on the outside.

Of Deaver's personal devotion to the president and the first lady there can be no question. He understands the president better than anyone. And in making sure that the public saw the man as he did, Deaver was a magician. He was once exiled from the Reagan entourage, at the behest of John

Sears, who thought the president should be exhaustively briefed and protected from making mistakes. Sears, in his turn, was sacked and Deaver was welcomed back. He sensed what became the most important political fact of this generation: that people don't care if Reagan mangles facts, that indeed, they really don't care much about anything as long as they have steady work and a roof over their heads.

It is obvious from this barebones account of his zoom to the top of capital flackdom—his business was worth \$18 million until his collision with Dingell—that Deaver thought the usual rules did not apply to him.

By the time he got before the Dingell subcommittee, he realized that they did believe he was subject to the rules. So he was stingy with detail about his dealings with various diplomatic eminences who were either personally beholden to him or treated him with the camaraderie that exists among the truly important.

Deaver apparently had little respect for the investigative abilities of the subcommittee staff. Either that, or he thought that his business was none of their business. He may have thought, too, that those with whom he dealt would be as discreet as he had been in revealing certain transactions.

Others who were questioned were more forthcoming with the subcommittee. Our ambassador to West Germany, Richard Burt, told an eye-opening tale of inviting Deaver to bid on a contract for a West German anniversary gala, of paying his airfare and putting him up at the embassy. It was understandable from his point of view, if not from the taxpayer's. Burt owed his job to Deaver, who was on the White House ambassadorial selection committee. His wife owed him hers as onetime social secretary. None of this did Deaver relate to the committee.

Even Fred Fielding, the White House counsel who has rarely seen evil in his immediate vicinity, was taken aback by Deaver's blatant disregard for the proprieties. He warned that "under no circumstances could this go forward."

Deaver, accustomed to pushing prime ministers around, paid no mind. Unrepentantly, he applied for a meeting with the then national security adviser Robert McFarlane on a complicated tax break for Puerto Rico. Deaver grandly told him it was "in the best interests of our government." That's what lobbyists always say.

After Dingell got on his case, Deaver anted up for the German plane tickets. He didn't, he said, "want a whiff of something that didn't look right."

It may have been too late.



...from Eastern Europe over the next five years. This means that the Soviets will have to depend increasingly on their own domestic machinery production in an effort to replace the country's aging capital stock.

The downward slide of exports and imports threatens Mikhail Gorbachev's ambitious modernization program. Just to maintain the quantity of imports at last year's level, the Soviets probably will have to borrow \$25 billion over the next five years, nearly doubling their gross hard-currency debt. But even with this heavy borrowing, the Soviets won't be able to afford increased imports of Western machinery to modernize their economy. To save the modernization program, Gorbachev will have to change the division of the Soviet economic pie by cutting the growth of arms production in order to free capacity for production of civilian machinery.

Gorbachev's realization that he will soon have to choose between tractors and tanks has forced him to show much greater flexibility in arms negotiations than in the past. If the Reagan administration does not overplay its hand and succumb to the temptation to play it tough with the Soviets—based on an assessment that Gorbachev is "over a barrel"—it can probably secure major con-

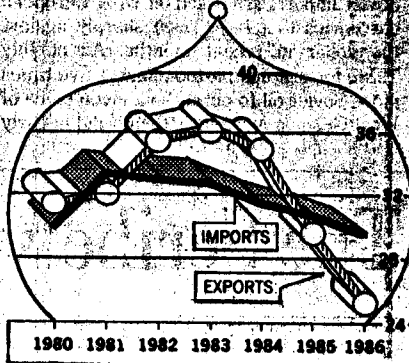
Jan Vanous is research director of PlanEcon, Inc., an economic consulting firm that specializes in the Soviet Union and Eastern Europe.

agree they need better management, a more enthusiastic and better disciplined labor force, and above all, new investment in plant and equipment. Gross investment in fixed capital is slated to rise 10 percent this year, remain at the same level in 1987, and then increase by about 2 percent per year during 1988-90. It was originally hoped that

See SOVIETS, C3, Col. 1

THE COLLAPSE OF SOVIET EXPORT EARNINGS

HARD CURRENCY EXPORTS AND IMPORTS IN BILLIONS OF CURRENT DOLLARS



TOBEY — THE WASHINGTON POST

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MARY MCGRORY

The Rules Are for Deaver, Too

IF ARROGANCE were a crime, Michael Deaver would be in bad trouble. He could get life.

As it happens, the staff report of the Dingell subcommittee does raise the possibility that Deaver, Ronald Reagan's first-term impresario, committed an actionable offense—that is, perjury. In a press conference, Rep. John Dingell (D-Mich.), chairman of the House oversight and investigations subcommittee, shied away from the word "lying" or anything that strong. The special prosecutor who will continue the investigation, he said, with

Mary McGrory is a Washington Post columnist.

uncharacteristic diffidence, would have to make that grave judgment.

But what pervades this account of Deaver's hitherto wildly successful career as a lobbyist is his feeling that he, like his principal, could get away with anything.

Despite his denials to the committee that he sought legal counsel whenever he made contact with former White House associates, Deaver, according to the staff report, proceeded as if he had never left the place last year—and as if there were no laws forbidding that sort of thing.

Since he was allowed to keep his White House pass, as a special favor, he

See MCGRORY, C5, Col. 4