

SPY SUSPECT 340

ALEXANDRIA, VA., (AP)-AN FBI AGENT TESTIFYING IN THE TREASON TRIAL OF AN AIR FORCE SERGEANT SAYS THE AIRMAN ADMITTED COOPERATING WITH A SOVIET AGENT BECAUSE OF THREATS HIS FATHER IN WEST GERMANY WOULD BE HARMED.

SGT. HERBERT W. BOECKENHAUPT, 24, A NATURALIZED AMERICAN AND A GERMAN NATIVE, IS ON TRIAL BEFORE AN ALL-MALE FEDERAL COURT JURY HERE ON CHARGES HE TRANSMITTED DEFENSE SECRETS--INCLUDING STRATEGIC AIR COMMAND CODES--TO THE SOVIET UNION.

CONVICTION COULD MEAN THE DEATH PENALTY.

FEDERAL JUDGE OREN R. LEWIS, OVERRULING DEFENSE PROTESTS THAT BOECKENHAUPT'S ADMISSION TO FBI AGENTS SHOULD NOT BE ALLOWED IN TESTIMONY, ALLOWED AGENT EWING G. LAYHEW TO DESCRIBE WHAT THE AIRMAN TOLD HIM.

LAYHEW TESTIFIED BOECKENHAUPT SAID THAT IN JUNE 1965, JUST AFTER HE WAS TRANSFERRED TO THE PENTAGON--WHERE HE HAD TOP SECRET SECURITY CLEARANCE--A MAN WHO CALLED HIMSELF ROBERT VISITED HIM IN A STORE WHERE HE WORKED PART-TIME.

THE FBI SAYS BOECKENHAUPT HAS IDENTIFIED "ROBERT" AS ALEKSEY R. MALININ, A FORMER ASSISTANT COMMERCIAL COUNSELOR AT THE SOVIET EMBASSY IN WASHINGTON.

THE AGENT TESTIFIED BOECKENHAUPT SAID THAT IN A SUBSEQUENT MEETING, MALININ TALKED OF THE AIRMAN'S FATHER, SAID HE WAS IN GOOD HEALTH, BUT INDICATED HE MIGHT NOT STAY SO.

BOECKENHAUPT WAS QUOTED AS TELLING THE FBI: "I HAD THE IMPRESSION IF I DID NOT COOPERATE WITH HIM MY FATHER'S HEALTH WOULD BE ENDANGERED."

BOECKENHAUPT LATER WAS GIVEN PRESSURE-SENSITIZED PAPER AND A LONDON ADDRESS BY MALININ, LAYHEW SAID, BUT NO SPECIFIC INSTRUCTIONS AT THAT TIME.

LATER TRANSFERRED TO LACKLAND AIR FORCE BASE, TEX., FOR CRYPTOGRAPHIC TRAINING, BOECKENHAUPT TOLD THE FBI HE WROTE A LETTER TO THE LONDON ADDRESS IN OCTOBER 1965, AND A SECOND LETTER THE FOLLOWING SPRING, SAID LAYHEW.

THE AGENT SAID IN BOTH CASES THE LETTERS WENT TO WILLIAM R. MULVENA, A BUSINESSMAN NOW SERVING A FOUR-YEAR PRISON TERM IN ENGLAND AFTER PLEADING GUILTY TO VIOLATING THE BRITISH OFFICIAL SECRETS ACT.

BOECKENHAUPT LATER WAS TRANSFERRED TO CALIFORNIA AND ADMITTED WRITING ANOTHER LETTER FROM THERE TO THE LONDON ADDRESS, LAYHEW SAID.