

Holmes Alexander ————— Otepka's Landmark Case

WASHINGTON — He would not accept the hidden bribes. He would not bend the knee. He would not yield to threats. He would not accept the upward - and - out promotions that would have saved his dark, handsome, gentle puzzled face.

Otto Otepka's personal honor, his professional pride, his Slavic blood that runs rich with stubborn principle — all these kept him fighting for eight years, and brought him at last to a victory that is a victory for us all — for our freedoms.

"The right people at the White House know what my position is," Otepka told me. "They have a clear understanding. The State Department made charges against me, and then said the charges were dropped for technical reasons. I don't want that. I want the charges expunged from my record . . ."

These are the conditions under which Otepka agreed to accept the "justice" which the campaigning Richard Nixon promised.

Otepka gets more than the \$36,000-a-year job as member of the Subversive Activities Control Board. He gets the distinction of a presidential appointment. He gets exoneration by Congress when the Senate confirms his appointment.

He gets a chance, he says, to "do something" for his subordinates who stood up for him and were exiled into bureau-

cratic Siberia. He gets, though it's not in his nature to gloat over it, the satisfaction of suc-



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ceeding over powerful enemies. They include the late Atty. Gen. Robert Kennedy, the past Secretary of State Dean Rusk and the present Atty. Gen. William Rogers.

There are some right-of-Nixon Republicans who wanted Otto to spurn the SACB post and to hold out for reinstatement as security-evaluator at the State Department.

An out-of-a-job Otepka would make it easier to berate the President as a disguised left-winger. A martyred Otepka is a better symbol of Reds-in-government. But Otto took three days to think it over when he was told the White House was "considering" his nomination.

He never considered refusing it, provided his conditions were met. He regards the sponsorship of Senators Dirksen, Goldwater and Thurmond as sufficient proof that he isn't deserting the conservative or anti-Communist cause. He doesn't go for the right-of-Nixon argument which says "Let's you and him fight."

But there was some intra-administration fighting, and there may be more. Mr. Nixon, always the political artist-of-the-possible, might lose a secretary of state if he forced Otepka on the State Department. There are many Democratic hold-overs there (actually 12 that were on Sen. Joseph McCarthy's list of subversives), and they won't stand for Otepka's coming back to take charge of security files. They are numerous enough to make Rogers ineffective, and he might have to quit. Rogers lobbied among senators against Otepka, and to that extent against his friend and boss, the President.

Thus far Mr. Nixon has managed to stay superbly above the squabbling.

For those who like to be around when history provides a landmark case, this is a time to remember. It will be written that Otto Otepka, civil servant, was true to his oath of office. He would not bend the regulations and grant the wholesale "waivers" on security clearances, even at the command of the attorney general and the secretary of state. It will be written that Otepka struck a blow for freedom-of-information, and for the Constitution's checks-and-balances, when he gave the Senate what the State Department was trying to hide.

It will be written that he was made to suffer long for choosing national loyalty above what the bureaucracy called organizational loyalty."

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