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Notes: Iran-contra Affair Investigations, May 28-may 29

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May 28: In testimony before the joint House-Senate committees investigating the Iran-contra affair, former US Ambassador to Costa Rica, Lewis Tambs, said he was operating under direct orders from the National Security Council (NSC), the State Department and the CIA. He has been accused of improperly helping the contras. Tambs stated that his main assignment when he was sent to Costa Rica in July 1985 was to help the contras open a military front across the border in southern Nicaragua. He said Elliott Abrams, Assistant Secretary of State for Inter-American Affairs, and Alan D. Fiers, head of the CIA Central American Task Force, were completely familiar with his activities and, he assumed, had authorized them. Tambs agreed with the view of Dante B. Fascell (D-Fla.) that his former superiors had apparently abandoned him and his staff. Fired NSC aide Lt. Col. Oliver North, Abrams and Fiers were the members of an informal organization called a Restricted Interagency Group (RIG) that helped set government policy on the contras. Tambs repeated much of what he told the NEW YORK TIMES in an interview four weeks ago, but was more explicit about Abrams. Speaking of Abrams' knowledge of his assignment to help the contras, Tambs said, "It was obvious to me that he knew as much about it as I did." Abrams has repeatedly denied having anything to do with the covert program to help the contras at a time when the law prohibited government officials from providing military assistance to the contras. Sen. Warren B. Rudman, (R-NH) said that when Tambs heard what the other witnesses would have to say, "I think you will burn up." The Senator said he sympathized with Tambs' sense that he and those who had worked with him in Central America were being abandoned by their superiors. The Senator indicated he believed Tambs, not other versions that the committees have heard but is not yet public. Tambs said that he never met directly with contra military leaders but that his staff did so regularly. He said he personally persuaded Costa Rican authorities to allow the contras to open an air strip for refueling of supply flights and at one point arranged for a transport plane in trouble to land at the international airport in Costa Rica. Some evidence introduced by committee lawyers seemed intended to raise the possibility that Tambs was running a renegade operation. They presented a series of cables between Tambs and the State Department involving an agreement between John Singlaub and contra commander Eden Pastora. Tambs' initial cable seemed to imply that the US would provide the supplies. The ambassador was sharply criticized in cables from Washington, including one signed by Secretary of State George Shultz, and was told the US could give no such assistance. Later Tambs said he assumed Shultz knew of his help to the contras because he assumed Abrams had told him about it. But Tambs said he had not spoken to Shultz about the matter and did not know directly how much Shultz knew. Tambs said Singlaub was talking about goods provided by private sources in the US and not by the government. He said his original cable was meant only to report on the agreement to his superiors in Washington. Tambs said that although he was assigned to Costa Rica in 1985 he accepted an order from North to help the contras open the new military front in southern Nicaragua. Later, he obtained permission from the Costa Rican government to build an airstrip to be used by the private supply network for the contras. Tambs said he believed these orders came from a special body within the Administration, known as the Restricted Interagency Group (RIG), that managed Central American policy. Sen. George J. Mitchell (D-Maine), a former federal judge, questioned whether Tambs had considered that blind

obedient to orders can be dangerous. "There's a substantial body of law developed over the last half-century that there are circumstances in which government officers have a positive duty not to obey orders," he said. Tambs said he had never read the Boland Amendment, but he argued: "I'm not a lawyer, I probably wouldn't have understood it anyway...The people in the field who are trying to do a job are going to assume that orders from Washington are legal and legitimate." He added, "I certainly do not want to see the US government brought to paralysis while people are getting private legal counsel before they carry out orders from their legitimate superiors." (NEW YORK TIMES, 05/29/87) May 29: Former CIA station chief in Costa Rica, Joe Fernandez (known as Tomas Castillo) testified that he acted to help the contras under orders from North, the US Ambassador and perhaps others in Washington, according to members of the joint congressional committees. Fernandez testified behind closed doors. Fernandez was recalled from his post in Costa Rica last winter and suspended by the CIA after reports that he had violated the congressional ban by helping the contras. Associates said he was furious over being depicted as a renegade by the CIA and was eager to tell the committees that his activities had been authorized. (NEW YORK TIMES, 05/30/87) Donald P. Gregg, national security adviser to Vice President George Bush, will be questioned for a second time by congressional committees investigating the Iran-contra affair about notes he made last August 8 referring to a "swap of weapons" for money to aid the Nicaraguan contras, a senior committee member said. In the notes, made during a meeting with Felix Rodriguez, a former CIA operative who was assisting the secret resupply of Nicaraguan rebels, Gregg wrote: "A swap of weapons for \$ was arranged to get aid for the contras." Rodriguez was sharply questioned about that line on Thursday by Sen. George J. Mitchell (D-Maine), who pressed to know whether it was a reference to the diversion of money from the Iran arms sales to help the contras. Gregg and Bush have said they did not know about this diversion until it was made public November 25. In his testimony, Rodriguez acknowledged having made all the other comments recorded in Gregg's notes, but insisted that he did not tell Gregg of any such swap of weapons to aid the contras, during a time when Congress had barred US government aid. Instead, Rodriguez said, he was complaining to Gregg that other participants in the resupply mission were engaging in a "rip-off" of the contras, including "hand grenades bought for \$3 (and) sold for \$9," an example he used throughout two days of testimony. Committee investigators initially asked Gregg about the notes when it took a deposition earlier in May. Gregg at the time remembered writing the note but could offer no explanation, one committee source said. In a telephone interview, Gregg said he was not describing the diversion of Iran profits to the contras, which occurred from February through October 1986. Gregg offered this explanation: "I was describing a process where money was coming from a variety of sources and was being spent unwisely, or in ways where aid to the contras was less than it should have been." Rodriguez was recruited by former NSC aide Lt. Col. Oliver L. North, who handled both the Iran operation and the resupply effort. Gregg has said that Rodriguez never told him he was associated with the resupply mission before the August 8 meeting in Gregg's office. Gregg has said he did not inform the vice president at the time that Rodriguez had been involved in the clandestine resupply missions to the rebels. When a C123K plane involved in the resupply mission was shot down last October 5, Gregg initially denied ever talking to Rodriguez about the contras. Later, he acknowledged that he had discussed it on August 8. Members of the congressional committees said after six hours of closed-door testimony by the former CIA station chief in Costa Rica that it is likely that higher-level agency officials would be subpoenaed to tell of their role in supporting the Nicaraguan contras while US aid was prohibited. The White House requested that news media that had used Castillo's real name stop doing so, but spokesman Marlin Fitzwater added that this was not a threat to prosecute organizations that had. [The WASHINGTON

POST has not used the real name.] Sen. Warren B. Rudman (R-N.H.), vice chairman of the Senate select committee, refused to discuss Castillo's testimony, but characterized it as "candid, useful, very helpful information." Sen. William S. Cohen (R-Maine) said it had raised questions about the CIA's role that may have to be aired shortly at hearings of the Senate Select Committee on Intelligence, of which he is vice chairman. Committee sources said it is likely that Castillo's boss, Alan Fiers, director of the CIA's Central American task force, will be called as a witness. Tams testified Thursday that it was his "conviction" that Castillo reported what he was doing to the Central American task force chief. Dutton, who managed the private airlift to the contras last year, said he had received help last August and September from "Vince," believed to be the CIA station chief in Honduras. Sources said Vince is one of more than a dozen CIA officials who have provided depositions to the congressional committees. Texas billionaire Nelson Bunker Hunt appeared before the federal grand jury investigating the Iran-contra affair in the wake of reports that he had donated about \$1 million to help the contras. His appearance coincided with the filing of a brief in the US Court of Appeals in which independent counsel Lawrence E. Walsh said he was moving "as rapidly as possible" on those portions of his investigation that relate to fired National Security Council aide Oliver L. North. North has been named a co-conspirator in an illegal scheme to assist the contras with tax-deductible contributions by the only two people to plead guilty so far in Walsh's probe: conservative fund-raiser Carl R. (Spitz) Channell and public relations executive Richard R. Miller. Both men said they worked closely with North in using Channell's National Endowment for the Preservation of Liberty (NEPL) as a front for the purchase of military and other nonhumanitarian aid for the contras. An individual named "Hunt" is listed on a 1986 list of NEPL's top 25 contributors as having given \$237,500. North has been challenging Walsh's investigation on constitutional grounds. In a 55-page brief, Walsh dismissed North's claims as baseless and called the independent counsel act under which he was appointed by a three-judge court as "a measured and balanced statutory response to the problem of guaranteeing the integrity and independence of investigations in matters where the Department of Justice may have a conflict of interest." Walsh also said that his parallel appointment by Attorney General Edwin Meese III on March 5 as a Justice employee makes any constitutional challenge "frivolous." (Basic data from WASHINGTON POST, 05/30/87)

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