

April 19, 1966

To: Jim Montgomery

Subject: Loans To Chile

You will recall that during our recent discussion of Santiago Embassy's Goals and Objectives paper I referred to the problem of public perception of loans to the Pinochet Government. The attached statement by Sen. Kennedy is one example of such perception. As you know, Larry Birns' Council on Hemispheric Affairs is a caustic critic of our Chile policy.

U.S. financial help to Pinochet is a major Communist propaganda theme.

George Lister

✓

cc: Dick Schifter  
JT-MG

tion Educator, Mr. Louis Ritrovato; the year's Conservation Commissioner, Mr. Hugh G. Stranahan; the Conservation Legislator of the Year, State Senator Roy W. Witt; the finest Youth Conservation Group, Butler County Explorer Post No. 100; and the Special Industry and Business Conservation Award to P.H. Glatfelter Paper & Pulp Wood Co.

I am pleased to be able to share my enthusiasm for the accomplishments of all the federations' members. As we approach the 21st century, it is essential that on the Federal, State and local levels we continue to focus on the environmental integrity of our Nation. The efforts of those honored by the Pennsylvania Wildlife Federation will encourage expanded emphasis on the vital need for conservation, and I look forward to working with them to achieve this goal.

#### DEATH OF IRON H. CARL MOULTRIE I

Mr. MATTHIAS, Mr. President, I was with sorrow that I learned yesterday morning of the death of the Honorable H. Carl Moultrie I, chief judge of the Superior Court of the District of Columbia. Appointed to the superior court by President Nixon in 1972, Judge Moultrie was an upright jurist, not only carrying a full trial calendar, but effectively and efficiently administering the court on a day to day basis. His service to the people of the District of Columbia on the trial court and in his civic involvements will long be remembered.

Mr. President, I ask unanimous consent that an article from today's Washington Post detailing Judge Moultrie's life be included in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

STEVENS COVER'S JAMES MONTAGNA DREW OR  
COURT  
(By Elva Walsh)

H. Carl Moultrie I, 71, the chief judge of D.C. Superior Court, a jurist who put more faith to stiff resistance than in rehabilitation and a widely respected civil rights and community leader who was president of the D.C. branch of the NAACP during the 1960s, died of cancer yesterday at the Washington Hospital Center.

Judge Moultrie announced to his colleagues in February that he had inoperable cancer, but that he had no intention of giving up his work. His last day in his chambers was March 5.

Judge George H. Goodrich, the court's senior sitting judge, was named acting chief judge until a permanent replacement can be selected.

A former newspaperman, social worker and housing official in Wilmington, N.C., Moultrie came to Washington in 1948 as the national executive secretary of Omega Psi Phi, a noted black fraternity. He studied law at Georgetown University in 1950 and in 1958, at age 41, received his degree. While practicing his work with the fraternity, he remained executive secretary until 1975—he joined the law firm of Cobb, Hayes, & Wind-

As a lawyer he distinguished himself by filing the first police brutality suit against the D.C. police department. As was the case with most black lawyers at that time, much of his courtroom work was far little or no pay.

He also immersed himself in civic activities and over the years held positions of increasing responsibility in areas ranging from health and welfare to the provision of legal services. He became a mentor to a generation of younger black leaders, including Martin Barry, Walter K. Phantroy, and Jesse Jackson, who started at Moultrie's house on the eve of the 1963 March on Washington that was led by the Rev. Martin Luther King Jr.

In 1964, Moultrie became president of the local NAACP and he held that post in 1968 when rioters looted and looted parts of the city in the aftermath of King's assassination. Mayor Walter Washington in Washington rode through the riot areas trying to calm the situation. Later that year, he played an important behind-the-scenes role, helping to feed the participants in the Poor People's March who camped on the Mall. In 1971, President Nixon appointed him a judge of D.C. Superior Court. The court had come into being only in the previous year, replacing the D.C. Court of General Sessions. His purpose was to serve the citizens of the District of Columbia as a state court, taking over from the U.S. District Court such functions as the trial of felonies and major civil cases, the probation of writs and other functions.

Judge Moultrie was part of this process. In 1975, he succeeded Harold H. Greene as chief judge when Greene was made a judge of the U.S. District Court.

A growing anxiety was the court's backlog of cases. As a way to alleviate it, Moultrie initiated several modification programs to reduce the number of hearing commitments from one to 10. These efforts had little preliminary hearings, assignments and other matters that tend to fill judges' calendars. Moultrie's reforms also furthering opportunities to the court systems for minorities, women and younger lawyers and judges. He tall, lean figure with a puff of white hair and wire-rimmed glasses often could be seen in the hallways and on the stairs, talking to attorneys and court clerks.

In the process, the judge became for many the embodiment of Superior Court. Most judges begin their work yesterday by making a circuit of chambers and the courthouse closed early out of respect for him.

Apart from his administrative duties, Moultrie had a full trial calendar. His presiding over some of the city's most complicated cases, including that of Bernard Weisler, the murderer of Washington cardiologist Michael Halperin.

It was as a trial judge that he gave heavy emphasis. In an interview in February, he said the young defendants awaiting trial in the courtroom to be heard on admission with great respect of rehabilitation. He almost always gave them maximum sentences.

"He's just a criminal," he said of young offenders. "He's just damn mean. They don't give a damn. Your life to them is nothing. I would like to see the death penalty. I would use it."

For defendants over 20, however, Judge Moultrie had greater hopes of rehabilitation, says Jim Brown. "There is a one line," he said.

In a controversial decision in 1968, he sentenced Edward Stephens, 26, to 100 days of weekends in prison after Stephens pleaded guilty to murdering his girlfriend while her grandmother looked on. He also ordered

Stephens to make payments to the victim's 6-year-old daughter and to take out a life insurance policy in her behalf.

"I had only one thing in mind: to see what could be done for the decedent's daughter," Moultrie said in an interview. "I had no qualms about putting people in jail. In fact, it's the easiest, least controversial thing to do. I could have put this man in prison and let the citizens take care of him for the rest of his life. But what good would that do the state?"

Mayor Barry yesterday ordered flags on city buildings flown at half staff in honor of Moultrie. He released a statement that said: "His legal services, his judicial temper and his long and successful efforts as the leader of our Superior Court will forever remain a monument to this great lawyer, jurist and public servant."

U.S. Attorney Joseph diGenova said Moultrie reminded him of Solicitor John of a good judge. "To hear respectfully, to hear wisely, to consider soberly, and to decide impartially."

Moultrie was born in Charleston, S.C., April 3, 1903. His parents were the Rev. William Edmund and Annie Moultrie. For reasons lost in time, his childhood nickname was "Dick Tracy." He graduated from Lincoln University in 1926 and also studied theology there. He received a master's degree at New York University in 1952.

After Lincoln, he moved to Washington, N.C., where he was a newspaper reporter and worked at a boy's club. From 1941 to 1949, he headed the Hillcrest Housing Project in Washington. He then moved to Washington to work for Omega Psi Phi.

A student at Washington, he is survived by his wife, Sara; a son, Dr. H. Carl Moultrie II of Valparaiso, Ind., and two grandchildren.

In the interview he gave in February, Moultrie said: "There are so many things that I miss about Washington. It is a city you think in terms that it could be a space of months that you are no longer involved. That's very frightening, very frightening. But you learn to live with it."

#### COUNCIL ON HEMISPHERIC AFFAIRS SITUATION 1968 CHILE ANNUAL HUMAN RIGHTS RECORD

Mr. KENNEDY, Mr. President, last summer the Government of Chile finally lifted its 7-month state of siege, and the United States promptly resumed its support for international loans to Chile. This action was taken despite protests from human rights groups in the United States, in Chile, and from Members of this body.

The lifting of the state of siege last year did not end the Pinochet regime's brutal oppression of its population. That Government still retains the de jure right to continue systematically repressing and terrorizing the Chilean population.

And in fact, the human rights record is just as bad today as it was during the state of emergency. U.S. law clearly states that the U.S. representative to multilateral institutions should not support loans to governments which engage in a pattern of gross human rights abuses. Yet the U.S. World Bank Executive Director has voted in favor of billions of dollars in loans to the Pinochet dictatorship since the lifting

of acts, and a record 8999 during 1985.

In January I visited Chile and met with opposition leaders committed to a restoration of democracy in that country. I also met with victims of human rights abuses who told me of the brutal methods of intimidation, torture, and murder perpetrated by Pinochet and his military supporters.

I direct my colleagues to a recent report on the human rights situation in Chile compiled by the Council on Hemispheric Affairs, one of our Nation's most respected bodies of scholars and policymakers. Contrary to claims by members of the Reagan administration that the Pinochet government is making progress on human rights, the report's findings indicate that there was no improvement in Chile over the last year.

As the report states, "Abuses in the country occurred on such a broad scale throughout the year that Pinochet's human rights record ranks Chile as the worst violator in South America and one of the poorest in the hemisphere."

I have asked Treasury Secretary Baker to reconsider our Government's decision last summer to resume support for international loans to Chile. It is my hope that he and my colleagues in the Senate will take the time to read the Council's report.

Mr. President, I ask that the report may be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

#### CHILE: WOMEN VICTIMS IN NORTH AMERICA

Human rights conditions in Chile, which had greatly deteriorated in 1979, remained at least as poor if not worse in 1980 despite the lifting June 18 of the seven-month old state of siege. Abuses in the country occurred on such a broad scale throughout the year that Pinochet's rights record ranks Chile as the worst violator in South America and one of the poorest in the hemisphere. A December 18 report by the Chilean Human Rights Commission cited the kidnappings, 1,818 political detentions, and 81 deaths at the hands of security forces. Further figures comprise an alarming tally of torture, harassment, threats, and embezzlement. In addition, Chilean students in America face Pinochet's rejection of the National Accord, a loose but comprehensive coalition of leftist, rightist and centrist political groups brought together by the country's Cardinal Primate and committed to a peaceful transition to civilian rule, make clear his intention not to follow the lead of many of his South American neighbors in moving towards democratization.

Though the lifting of the state of siege at mid-year was, in itself, taken by the Reagan administration as sufficient proof of improvement in human rights to justify the United States voting in favor of international loans to Chile in June, repression in the second half of the year continued to be widespread. Even without the state of siege, other states of legal exception, particularly the state of emergency, guarantees the authorities broad discretion to violate civil rights, though mere suspension of civil rights pales in view of the torture, intimidation, and murder attributed to security

forces and anti-communist paramilitary groups.

One disturbing development has been the emergence in the last year of the clandestine right-wing group the Chilean Anticomunist Action (ACHA) which has intimidated and threatened church and human rights activists and students, and is responsible for some beatings and kidnappings. Its most recent abductions, some of which involve rape, beatings, slappings, or suffocating burns, are invariably carried out by unidentified armed civilians, who are generally believed to be connected to the security forces because of the similarity of methods and the frequency with which they operate, and use of "subliminal" to intimidate or terrify victims. A direct connection was established between the ACHA and military personnel in at least one case in Oct. 1984 in which ACHA pamphlets were found in the car when an army lieutenant was killed while placing a bomb in a church.

Students, teachers, human rights activists and labor leaders have been particularly victimized. Demonstrations were routinely broken up with water cannons, tear gas, and demagogues arrested, beaten, and in some cases killed by National Information Center (CNI) or Carabinero personnel. Killing prisoners by staking "shootouts" with police has been a frequent technique since the onset of Pinochet's rule, and human rights groups in Chile include "magnified shootouts" as a subcategory in their statistics.

Repression of students and campus groups has been a hall mark of the regime since it seized power in 1973. Early this year, members of the Student Association of the University of Chile (FEUC), who were among the first to provide for security in their neighborhoods were arrested by police.

On the second such occasion February 8, 949 students were held for two days during which time they were beaten and forced to do "brigade" exercises which led to the death of one student, Patricio Menaucos, due to medical failure. At the student's funeral, the vice-president of FEUC, Gonzalo Rivera, was arrested and banished to a remote concentration camp. In March, five leaders of the national teachers' union were kidnapped, tortured and interrogated by armed civilians. Numerous other arrests and killings of students occurred throughout the year, particularly in the fall when the incidence of student protests and anti-government demonstrations was greater.

Church leaders, who are often considered subversive by the nature of the office that they hold, also were frequently threatened. In one case a priest, Marcel Irujo, was actually beaten, in many others priests or their parishes were threatened or attacked. In some cases crosses were cut or burned into victims. Maria Wille Walberg, a worker with the Pastoral Youth Welfare, was the victim of such an attack in August in which two men attacked her and carved three crosses on her breasts and chest in a similar to Padre Marcial, an official of the women's.

A number of beatings occurred of death threats against prosecutors and judges involved in politically sensitive cases, and included the intimidation of family members. In a case similar to the one involving Victor, Miria Marroel, the wife of a court secretary working with Judge Jose Martinez in the investigation of a suicide of a prisoner thought to have actually been staged by police to cover up the true circumstances of his death, she was assaulted June 21 and had a cross slashed into her breast as a warning against pursuing the case. She was attacked again in July and had another cross cut into her forehead.

Numerous other persons directly or indirectly related to human rights work were subject to intimidating attacks, on several occasions against the offices of rights organizations.

1980 was also a bad year for press freedom, though it should be mentioned that the lifting of the state of siege did allow six publications which had been banned to resume. In February, a state abolition of policemen, carrying out search warrants issued by the Interior Ministry, raided the offices of the Chilean Journalist Association and seized the latest edition of the journalists' newsletter. Again on two publishing houses (one by the CNI), and various abolition of journalists, also contributed to a poor press situation. On Dec. 4, Rev. Renato Neiva, a Jesuit priest and editor of the magazine Mensaje, was arrested for violating the State Security Law by criticizing the Pinochet regime and publishing a list of human rights abuses. Though freed Dec. 18, other individuals accused of similar infractions faced possible 18-year sentences if found guilty.

Labor unions were also a favorite target of the regime. On some occasions, union offices were raided and their leaders detained in the raids, plotted up in connection with their fomenting public demonstrations, or beatings in informal cells. In addition to its normal strikes activities, labor has paid dearly, along with students, for its role in protests against specific measures and abuses. "Day for Life" protests against the regime, and demonstrations in commemoration of May Day, former socialist president Salvador Allende's birthday and elections, and other occasions.

A rising tide of demonstrations climaxed with huge National Day of Protest held Sept. 4, in which ten demonstrations and by-standers were killed and over 1,000 arrested in connection with the street manifestations. Pinochet's brutal response to the day of protests provoked a rash of other actions, creating widespread disturbances in October and November as well. Dozens of opposition and union leaders were arrested for instigating the unrest, although most have since been released.

The reestablishment Dec. 9 of nine of the fourteen Carabineros accused of the March 8 killing of a sociologist, and a teacher, and a lieutenant who were members of the Communist party, was a major setback for hopes that there would be successful prosecution of the case. The three victims had been arrested by the Carabineros and were found two days later near the road to the airport with their throats slashed and bearing signs of torture. The brutality and openness of the Carabineros' outrage in the country and led to the arrest and prosecution in the country. But each of the early success of Judge Jose Carrasco Robler's investigation into the case arose due to a rivalry between the Carabineros and the CNI which prompted the latter to cooperate in the prosecution of the case and to expose the Carabineros in this and other cases against police which arose in its wake, has climaxed with the acquittal of the nine accused Carabineros.

When views opposition parties, with the coordination of Santiago Cardinal Juan Barros, Archbishop, signed the "National Accord for the Transition to Democracy" August 20, it was considered a watershed in Chilean politics. The accord declares violence as a means of transition, does not include the participation of the Communist party, and does not call for broad pardons of human rights trials such as occurred in Argentina.

But the same broad representation which makes the agreement unique also limits its

... and, Pinochet has ridiculed the ... and dismissed any possibility of ... his own presidency before the 1989 ... the ... seriously stipulated in ... the ... of ending military ... rule over beyond that year. The all too familiar pattern experienced in Chile this year was that of limited freedoms amounting to greater oppression, that in turn provoked greater repression, rather than the orderly development of a political opening in the country.

#### SALT STRENGTHENS AMERICAN SECURITY

Mr. BUMPERS, Mr. President, the President, and the country, are facing a critically important decision in the next few weeks. We have two choices. One is to continue to stay within the limits of the unratified SALT II Treaty II, and thereby force the Soviets to continue to dismantle hundreds of nuclear-tipped missiles over the next few years. The other choice is to violate those limits, and thereby condemn the world to an accelerated nuclear arms race at which there are absolutely no limits as to the deployment of offensive strategic nuclear weapons. To me the choice is clear: SALT strengthens American security, so we should stay with it until we get something better. I am pleased that a total of 53 Senators have agreed and so stated their views in a letter to the President yesterday, and I hope that more Senators will do the same.

This issue is timely because in May, our latest Trident submarine, with 192 warheads on 24 missiles, will go to sea. This will put us 23 over the SALT II limit of 1,300 deployed nuclear missiles unless we dismantle two older submarines, each with 18 missiles. Not surprisingly, some administration officials with a record of unrelenting hostility toward arms control are pushing for the United States to junk SALT II and not dismantle the two subs. This would end all limits on offensive nuclear arms and trigger an acceleration of the arms race in several dimensions. In turn, we would increase our missile forces by just 2 percent and get an extra 4 to 5 years of service from the subs, after which they would be scrapped anyway because they would hit their 30-year life limit.

This administration has so far wisely chosen to stay within the limits of SALT II. Even went so far last June as to decide to dismantle a Poseidon submarine when our seventh Trident went to sea. However, reports are that the President is less likely to repeat that very statesmanlike decision this time around. I hope those reports prove wrong.

It is important to focus on what we get out of SALT. One of the great untold stories of SALT is that it has forced the Soviets to dismantle over 500 operational missiles and bombers, yet has forced us to dismantle only 14. Through the end of 1987, it will force the Soviets to dismantle five times as many missiles as we, 300 to about 60.

If we drop our policy of abiding by SALT, the Soviets will not have to make any of these reductions. Furthermore, they would be free to add up to 26 more warheads on each of their 305 SS-18 ICBMs, adding over 6,000 warheads to their totals. Without SALT, they could build even more SS-18s. They could easily exceed the SALT II limit of 430 MIRVed ICBM launchers—since they now have 411—and are getting ready to deploy their new MIRVed SS-24 this year.

The major increase in Soviet nuclear forces brought on by a breakdown of SALT would weaken U.S. security. It would pose an important and growing threat to the survivability of U.S. ICBMs, submarines, and bombers. It would increase the difficulty of the President's strategic defense initiative by increasing the number of missiles and warheads that SDI would need to defend against. And in this Graham-Rudman environment, violating SALT would cause us to take money away from conventional forces and shove it all more into nuclear weapons. It's not surprising that the Joint Chiefs are reported to favor staying with SALT II.

Some say that because the Soviets have violated some of SALT's provisions we should junk the treaty.

We should ask three questions. First, are the Soviets in violation? The answer is yes. Second, are the violations sufficient to alter the strategic balance? The answer is clearly no. Third, if not, is our interest well served by continuing our no tendered policy? The answer is clearly yes.

The Senate has spoken out clearly and convincingly on several occasions for maintaining our current SALT policy. In 1984 the Senate accepted our amendment supporting SALT by a vote of 83 to 17. Last year the Senate again approved our SALT amendment by a vote of 90 to 5. And again last year, the Senate rejected by a vote of 78 to 17 an attempt by SALT opponents to overturn the President's decision to dismantle a Poseidon submarine.

Our allies strongly support our current SALT policy. Every one of our NATO allies endorsed SALT II back in 1978, and they continue to do so today. In the words of Hans Dietrich Genscher, West Germany's foreign minister:

We supported the United States commitment to SALT II treaty, although it was never ratified. Because it is very difficult to make new agreements in arms control, it is all the more important to not carefully preserve existing treaties and adhere to them.

Rejecting SALT now, before we have a new strategic arms agreement in place, would be a body blow to the NATO Alliance, and would give the Soviets a propaganda field day in Europe.

Some in the administration are proposing that we drydock the two submarines that it, inactivate them for a

year to put pressure on the Soviet. While some see this as a compromise position, the record was set straight when a senior State Department official, when asked if this would be a violation, said "Drydocking? Yes, it would." There is no doubt we would label such behavior by the Soviet as a violation. We would just be inviting the Soviets to drydock the submarines and we would also they would otherwise dismantle. And while it would take about 3 years before we could return our subs to service, the Soviets could reactivate their ICBM sites in a matter of days. The drydocking ploy thus favors the Soviets numerically—300 versus 60—and qualitatively as well.

As President Reagan so wisely said last June:

Despite the Soviet record over the last year, it remains in our interest to establish an interim framework of truly mutual restraints on strategic offensive arms as we pursue . . . the complex negotiations in Geneva.

I am pleased that so many of our Senate colleagues have joined us in reinforcing the message the Senate sent last year. For the sake of vital United States and NATO security interests, and to force the Soviets to continue dismantling hundreds more missiles, Mr. President, please stay within the SALT II limits and dismantle the 2 submarines, or 22 Minuteman III's next month.

Mr. LEAHY, Mr. President, yesterday's bipartisan majority of the U.S. Senate—52 Senators in all—wrote to President Reagan to urge him to continue his "no tendered" policy of inactivity regarding with regard to existing offensive strategic arms agreements.

As many of my colleagues know, the new trials of the eighth Trident submarine, the U.S.S. Nevada, scheduled to occur on May 20, 1986, will require the President to decide whether or not to decommission existing strategic launchers in our nuclear arsenal in order for the United States to remain within the SALT II launcher ceilings imposed by the unratified SALT II Treaty.

Specifically, unless the President orders the decommissioning of the launchers of two Poseidon submarines or an appropriate number of Minuteman ICBM launchers, the United States will violate the SALT II Treaty by exceeding the 1,300 launching on launchers of MIRVed ICBMs and SSBNs.

Our letter to the President is a reflection of the strong feeling in the Senate that scrapping the no tendered policy would not serve U.S. national security interests, would damage relations with our NATO allies, and probably destroy key choices for arms control for the rest of his administration.

Mr. President, the no tendered policy has been overwhelmingly endorsed by the U.S. Senate on two previous occasions when Senators Boreman, Chafee, Harkin, and I offered amendments to the fiscal year 1985 and fiscal year 1986 Department of