



Chapter 19

United States v. Alan D. Fiers, Jr.

Alan D. Fiers, Jr., was the chief of the Central Intelligence Agency's Central American Task Force (CATF) from October 1984 until his retirement in 1988. An extraordinary career officer -- with accolades that included the CIA's Distinguished Officer Rank, the CIA's highest award -- Fiers was the CIA headquarters official most heavily involved with efforts to support the contras. After 1984, Fiers was perhaps second only to CIA Director William J. Casey in the extent of his contact with Lt. Col. Oliver L. North's efforts to keep the contras supplied, notwithstanding the limits of Boland Amendments upon contra aid.

On July 9, 1991, Fiers pleaded guilty to two counts of withholding information from Congress. Fiers entered the plea as part of an agreement to cooperate with Independent Counsel's investigation. On January 31, 1992, Chief Judge Aubrey E. Robinson, Jr., sentenced Fiers to one hundred hours of community service to be performed within one year of his sentence. Fiers was pardoned by President Bush on December 24, 1992.

Fiers's cooperation with Independent Counsel was extensive and exemplary. No other Iran/contra defendant assisted OIC with the degree of professionalism exhibited by Fiers. Many pieces of the Iran/contra puzzle fell into place solely because of the information provided by Fiers. Fiers also was the principal witness for the Government in the two trials of Clair E. George.

What follows is a discussion of Fiers's involvement in the Iran/contra affair.¹ Independent Counsel's analysis relies primarily on evidence other than that provided by Fiers pursuant to his cooperation agreement with Independent Counsel. This analysis caused Independent Counsel to conclude that Fiers had made false statements and committed the perjury that led to his prosecution. These include:

1 Because the Department of Justice specially referred two aspects of Fiers's Iran/contra activities to Independent Counsel, these matters are treated in other sections of this report. See Classified CIA Investigations A and B.

- Denying knowledge of the true identity of ``Max Gomez," an alias for Felix Rodriguez, and knowledge of to whom he was reporting.
- Denying CIA contacts with the contra-resupply operation at Ilopango air base in El Salvador.
- Denying knowing the identities of any of the ``private benefactors."
- Denying that North discussed his contra-resupply activities, and denying knowledge of North's fund raising, supply-providing, and intelligence-passing activities, as well as North's connection with arranging flights into the Ilopango air base.
- Denying that any American citizen was providing aid to the contras outside of the law.
- Denying North's account of an August 1986 RIG meeting where North claimed he revealed all of his Central American activities in support of the contras.

Fiers' Knowledge of Contra Resupply

Fiers became chief of the CATF on October 9, 1984, shortly before the "full" Boland restrictions on contra aid took effect. By all indications, Fiers was fully in control of task force operations and ran them with a firm hand.²

² See, for example, Deputy Chief of CATF (DC/CATF), FBI 302, 2/28/91, p. 2 ("All of CATF was a support mechanism for Fiers, who ran it all."); Chief #2, Latin America Division (C/LA #2), Grand Jury, 5/8/91, p. 25 ("Alan was Mr. Central America. I mean he went to every congressional hearing, he went to every place, and when you really wanted to know what [the] policy was, Alan was the guy to talk to."); Deputy C/LA, FBI 302, 5/2/91, pp. 5, 11.

Fiers learned by late 1985 of a private network that was supporting the contras. He knew that North was a manager in this effort, and that Felix Rodriguez and Richard Gadd were involved in its day-to-day operations. Fiers approved specific activities that facilitated the network's operations. On one occasion, Fiers encouraged the network to drop supplies to contra units operating in northern Costa Rica and southern Nicaragua (the so-called contra "southern front").

During 1986, Fiers also learned that an airstrip had been built at Santa Elena, Costa Rica, by the "private benefactors" involved in contra resupply to facilitate aerial resupply. He became aware in April or May of 1986 that the Chief of the CIA's station in San Jose, Costa Rica, Joseph Fernandez, was passing CIA intelligence directly to the operation to facilitate resupply missions to the southern front. Fiers helped develop a plan to terminate Fernandez's direct involvement with the network, but it was scrapped after other task force officers criticized it as being too risky, both legally and politically. Although Fernandez continued to facilitate resupply drops after August 1986 without informing headquarters of his actions, Fiers knew from Fernandez's activities prior to August 1986 that he was in direct contact with the resupply network, and was facilitating its operations, at the time Fiers was first questioned about the resupply effort in October 1986.

Fiers dated the beginning of his knowledge of the "private benefactors" resupply operation and their involvement with U.S. officials around a meeting held on November 9, 1984, in Director Casey's office.³ Fiers' own experience arose from events that occurred the following year, beginning with Fiers' realization that North was raising funds on behalf of the contras.

³ See description of the meeting in the George chapter.

In a February 1985 memorandum written by Fiers to his superiors at the CIA, Fiers reported that North could line up funding for contra leaders Arturo Cruz, Sr., and Edgar Chamorro, who to that point had been receiving money from the CIA. By using private funding, Fiers believed these contra representatives could continue to lobby Congress without it appearing that Government funds were supporting the contras to influence legislation.⁴

⁴ Memorandum from Fiers, re: Status Report on Honduran Discussions, 2/12/85, DO 94090-94; Fiers, Select Committee Deposition, 5/1/87, pp. 22-24. North professed not remembering any specific conversation about funding with Fiers, but had "absolutely no doubt that it occurred." (North, Grand Jury, 1/18/91, p. 36.) Fiers subsequently acknowledged to the Independent Counsel that he knew more than he had previously disclosed about North's fund-raising activities in 1985, particularly an incident where Fiers helped refer intelligence to North concerning South Korean interest in contributing to the Contras. (See Fiers, Grand Jury, 8/12/91, pp. 40-45 and George chapter.)

Second

In early March 1985, the CIA received reports that retired Air Force Maj. Gen. Richard V. Secord was seeking to buy weapons from the Peoples' Republic of China, for delivery to Guatemala. Fiers passed this information to North. This was the first document to link them. North noted on March 7, 1985:

Mtg w Fiers

[CIA] Source -- businessman in Boston

``knows": Canadian Arms Broker Working

w/ Secord

Went to China

Secord working w/ USG

China refused Guat EUC's [End User

Certificates]

Moroccan EUC's used

1st Shipment Feb

offshore bank Cayman/Bahamas

Rodriguez

In the fall of 1985, North recruited a former CIA officer named Felix Rodriguez, who was working in El Salvador, to join the ``private benefactors." Rodriguez's work led to a significant confrontation between Fiers and Rodriguez in February 1986, as well as a meeting in Washington in August of that year where Rodriguez's role in contra resupply was fully aired. Together these events showed Fiers just what Rodriguez was doing for the resupply operation.

On December 30, 1985, a delegation from the Restricted Interagency Group on Central America (the RIG) arrived at Ilopango air base to discuss using the air base as a transshipment point for U.S. Government humanitarian assistance provided by the Government's Nicaraguan Humanitarian Assistance Office (NHAO). The delegation consisted of Fiers, North, Deputy Assistant Secretary of State William G. Walker, and Cresencio Arcos, the deputy director of NHAO.⁵ Numerous meetings took place during this visit, including one among North, Salvadoran Air Force Gen. Juan Bustillo, U.S. Military Group commander Col. James J. Steele, and Rodriguez.⁶ The meetings resulted in agreements on use of Ilopango air base as a transshipment point for NHAO assistance to the contras. A consensus also was reached that Rodriguez and Steele would pass information about NHAO flights to CIA field personnel.⁷

⁵ CIA Officer #1, Grand Jury, 3/16/90, pp. 31, 40-42, 51; CIA Officer #1, FBI 302, 4/19/91, p. 3; CIA Officer #1, Grand Jury, 5/22/91, pp. 8-13, 16-19. Fiers later told the Independent Counsel that shortly before this trip, he talked with North about a weapons resupply flight that was on its way from Europe. (Fiers, FBI 302, 7/17/91 AM, p. 13; Fiers, FBI 302, 7/17/91 PM, p. 11; Fiers, FBI 302, 7/23/91, p. 4.) Also during this period, Fiers learned from North that Rodriguez was using the alias ``Max Gomez." (Fiers, FBI 302, 7/17/91 PM, p. 7.) By the end of December 1985, Fiers had concluded that Rodriguez was ``North's man" at Ilopango and was ``greasing the skids" for Contra resupply activities there. (Fiers, FBI 302, 7/23/91, p. 3.)

⁶ CIA Officer #1's stand-in during the RIG's December 1985 visit placed Fiers in these ``closed door" sessions. ([Classified Identity Withheld], FBI 302, 11/20/90, p. 5; [Classified Identity Withheld], CIA IG Interview, 2/12/87, p. 2.) Fiers insisted that he was not in these meetings. (Fiers, FBI 302, 7/17/91 PM, p. 13.) Notes prepared by Ambassador Corr in February 1986 confirm Fiers's account. (Corr Notes, 2/9/86, ALV 1399-1400.)

7 DIRECTOR 672514, 12/30/85, DO 39663; DIRECTOR 672517, 12/30/85, DO 58061; Corr Notes, 2/9/86, ALV 1399-1400; Corr, Grand Jury, 4/26/91, pp. 86-90; [Classified Identity Withheld], Grand Jury, 5/31/91, pp. 47, 67-82.

Fiers provided general guidance to CIA field personnel on tracking NHAO shipments out of Ilopango in a cable dated January 4, 1986. CIA personnel were to monitor the arrival of all equipment brought in by NHAO, and to report in detail on shipments from Ilopango -- including the contents of each load, the destination of the flight and type of aircraft used. Personnel were also instructed ``to confirm that none of the supplies are diverted to [Eden Pastora's] organization." 8

8 DIRECTOR 677959, 1/4/86, DO 84690; CIA Officer #1, Grand Jury, 5/22/91, pp. 13-15. The cable also noted that CIA field personnel would assist Contra forces in Honduras in placing an FDN communicator at Ilopango. (Ibid.) On the significance of the ban on providing assistance to Eden Pastora, see section below.

NHAO supplies began landing at Ilopango in January 1986. With large amounts of supplies arriving and no contra logistics team in place, coordination problems arose. North noted that U.S. Ambassador to El Salvador Edwin G. Corr and Steele were becoming concerned about what CIA Officer #1 was reporting about these problems to Washington, and that Bustillo wanted to deal with Rodriguez, not the CIA:

Amb & Steele concerned

[CIA Officer #1] msg to Wash re mtg he had w/Bustillo re movement of matl [material] through El Salv.

[CIA Officer #1] advised Bustillo that he [CIA Officer #1] had a reporting reqmt

Bustillo told this is overt program -- reported back to D.C.

Bustillo very concerned that [CIA Officer #1] involved

Does not want to deal w/ CIA wants no reports is going to shut down OP

Bustillo wants CIA out or he will shut this off will work only w/Steele and Maximo

Ambassador Corr's notes indicate that he attempted to persuade Fiers to limit distribution of Officer #1's reports.9

9 North Notebook, 1/22/86, AMX 00927 (emphasis in original); CIA Cable, 1/16/86, DO 10458; Corr Notes, ALV 1396. CIA Officer #1 felt during this period that Corr was cutting him out of the machinations at Ilopango. (CIA Officer #1, FBI 302, 4/19/91, p. 4.) Fiers later disclosed to Independent Counsel that he was aware by October 1985 that someone was complaining to North about CIA Officer #1. (Fiers, FBI 302, 7/17/91 PM, p. 8.) Fiers also did not dispute the implication of North's notes. (Fiers, Grand Jury, 8/12/91, pp. 128-29.)

In late January 1986, CIA field personnel -- including CIA Officer #1 -- began to complain that Rodriguez was attempting to take over coordination of NHAO flights. Personnel in one location reported to Headquarters:

[Personnel believe] additional confusion being introduced into San Salvador scenario by Felix ((Rodriguez)), who has somehow become involved in the San Salvador end of the NHAO system. He repeatedly was the person who receipted for the NHAO shipment to Ilopango, and he has become involved in conflict with both [the contra air force commander and the contra logistics coordinator at Ilopango] by insisting that all matters relating to the Ilopango logistics system be channelled through him.

CIA Officer #1 agreed and further informed CATF headquarters:

[We are] standing by for final decision on who will do what at Ilopango. Until this determined, our preference is to stay away from all other players. . .at moment there does not seem to be convenient way to be partially involved; it's either us or the other group (i.e., Rodriguez and Col. Steele).¹⁰

10 CIA Cable, 1/25/86, DO 39674-73; CIA Cable, 1/27/86, DO 39675; CIA Officer #1, FBI 302, 4/19/91, p. 7; CIA Officer #1, Grand Jury, 5/22/91, pp. 21-32. Officer #1 testified that during this period, his personnel had to compete with Rodriguez and Steele for NHAO flight manifests. Cables state that Rodriguez personally arranged for at least one humanitarian resupply flight from Guatemala to Ilopango without informing CIA personnel. (CIA Officer #1, Grand Jury, 3/16/90, pp. 42-43; CIA Cable, 1/27/86, DO 39676.)

CIA Officer #1 pressed again for guidance in a special message addressed to Fiers on February 6, 1986.

Meanwhile, Ambassador Corr, who was in Washington, had spent the last two days meeting with North, Fiers, Assistant Secretary of State Elliott Abrams, and Abrams's deputy Walker about the situation at Ilopango -- particularly Officer #1's performance. Corr's notes from one of these meetings state in part:

Re-hash of earlier mtgs w/ North & Fiers.

I said I'd prefer early promotion & transfer of [CIA Officer #1], emphasizing that he'd done a superb job of pulling USG intel effort together. Said that perhaps same qualities that enabled him to do this were detrimental on the Contra question.

Corr later wrote that another topic during this meeting was ``coordination among Front Office, [CIA Officer #1], Steele, Felix, and UNO/FDR." ¹¹

¹¹ Corr Notes, 2/5/86, ALW 33715-16; Corr, Grand Jury, 5/29/91, pp. 96-106; ALV 1399-1400 (emphasis added). UNO/FDR was an acronym for the principal contra organization that operated out of Honduras.

On February 6, 1986, a private-benefactor C-7 aircraft crashed on a highway in El Salvador, its crew frantically unloading cargo on the way down. In frustration, CIA Officer #1 sent a cable to Fiers with a subject line that read ``END THE SILENCE":

1. [My last cable asked Fiers] for update on the Salvadoran aspects of Washington negotiations on NHAO/UNO-FDN/Ilopango et al, to be available by OOB [opening of business] this morning, 7 February. Nothing arrived. Given that two weeks have passed since that awful mix-up on this subject at HQS, with sloppy repercussions here,¹² do not feel our request for a timely response was unreasonable.

¹² CIA Officer #1 testified that his reference here was to the cables discussed above. (CIA Officer #1, Grand Jury, 5/22/91, pp. 35-36.)

2. Minutes ago Charge [David] Passage came to [me] with story that presumed NHAO-chartered Caribou aircraft on ill-fated supply run to Ilopango via Mexico made emergency landing yesterday, 6 February, on road in Southwest El Salvador. Charge says his source was Felix Rodrigues [sic] who apparently has been ``coordinating" all of this with Ollie North (one supposes on open phone). [I] had to say, honestly, that [I] knew nothing of this Caribou and indeed had not heard anything from [Fiers] on this subject for two weeks.

3. Rodrigues has just called Charge to advise that UPI [United Press International] is on the downed Caribou and wants a story. Charge's position is that he has no knowledge re this A/C. God knows

what Felix Rodrigues is saying.

4. What is going on back there? 13

13 CIA Cable, 2/6/86, DO 84797; CIA Cable, 2/7/86, DO 58911; CIA Officer #1, FBI 302, 4/19/91, pp. 8-10; CIA Officer #1, Grand Jury, 5/22/91, pp. 32-37, 42-43.

Fiers cabled CIA Officer #1 four hours later and told him that CIA Deputy Director for Operations Clair George had instructed Fiers to meet Officer #1 at Ilopango to discuss NHAO operations in San Salvador. Fiers came to Ilopango from Honduras, where he had reached agreement with the Honduran government over the size of aircraft and other rules that would govern flights of NHAO aircraft from Ilopango to contra bases in Honduras. Fiers met Officer #1. He and another CIA field officer took Fiers past a Southern Air Transport C-130, on which supplies were being loaded. It exceeded the size of aircraft acceptable to Honduras. Fiers asked the loaders where the plane was headed, and was told that it was going to Honduras -- on Felix Rodriguez's authority.¹⁴

14 DIRECTOR 726822, 2/7/86, DO 84799; CIA Officer #1, FBI 302, 4/19/91, pp. 9-10; CIA Officer #1, Grand Jury, 5/22/91, pp. 43-50; Fiers, Grand Jury, 4/17/87, pp. 107-13; Fiers, Select Committees Deposition, 5/1/87, pp. 102-05.

Fiers and Officer #1 drove to Rodriguez's quarters at the air base, where Fiers told Rodriguez that he could not send the plane to Honduras. Rodriguez said that he had North's permission. Fiers told Rodriguez to call North. Rodriguez dialed North's number, spoke briefly with North, then handed the phone to Fiers. Fiers convinced North that the plane could not fly over Honduran airspace, and North said, "Okay, give me Felix." North cancelled the flight.¹⁵

15 Ibid., pp. 104-05; [Classified Identity Withheld], FBI 302, 4/18/90, p. 10; CIA Officer #1, Grand Jury, 3/16/90, pp. 52-54; CIA Officer #1, FBI 302, 4/19/91, pp. 9-10; CIA Officer #1, Grand Jury, 5/22/91, pp. 49-53; Rodriguez, Grand Jury, 5/3/91, pp. 86-88, 157, 199-210; Chief #1, Latin American Division (C/LA #1), Grand Jury, 8/28/91, pp. 48-50, 75-77. North did not recall the incident. (North, Grand Jury, 2/8/91, pp. 13-14.)

Despite North's orders, Rodriguez made one last effort to get his C-130 to Honduras. See CIA Subject #1 chapter.

Fiers had to admit that by this time, that he knew that North had involved Rodriguez in coordinating NHAO shipments at Ilopango. Fiers also knew that C-7 Caribous, like the one that crashed on the highway in El Salvador were linked to Rodriguez and were controlled by private benefactor Richard Gadd ¹⁶ -- and that these planes carried arms when they were not carrying NHAO goods. He knew as well that Rodriguez had arranged to bring the C-7s into Ilopango.¹⁷

¹⁶ Fiers' knowledge of Gadd is discussed in more detail below.

¹⁷ Fiers, Select Committees Deposition, 5/1/87, pp. 72-73, 99-100; Fiers, Select Committees Testimony, 8/5/87, p. 13.

CIA Officer #1 told Independent Counsel that even before the confrontation with Rodriguez, he and Fiers took a drive to talk about NHAO operations at Ilopango. Fiers disclosed that there would be "more flights" similar to the ones Officer #1 was now seeing, flights that Fiers "would not handle." Fiers told Officer #1 that these new flights would be managed by North, and that they would be lethal resupply missions. Officer #1 pressed Fiers to "get a handle on this;" Fiers told Officer #1 not to worry -- that he would "take care of Ollie North." ¹⁸ Subsequent to his meeting Fiers at Ilopango, CIA Officer #1's was "promoted" to another post.¹⁹

18 CIA Officer #1, FBI 302, 4/19/91, p. 10; CIA Officer #1, Grand Jury, 5/22/91, pp. 46-49, 53-56. North's notebook suggests that Fiers discussed the incident with North upon Fiers's return from Ilopango. A February 11, 1986 entry reads: "Fiers -- Why clearing out Ilopango". (North Note, 2/11/86, AMX 955.)

19 CIA Officer #1, FBI 302, 4/19/91, p. 10. For an example of a sanitized reference to Rodriguez, see CIA Cable, 2/14/86, DO 101121. Fiers admitted to Independent Counsel that he "probably" ordered CIA Officer #1 not to mention Rodriguez in cables. (Fiers, FBI 302, 7/19/91, pp. 3-4.)

Fiers's "trouble with Felix" arose on at least three other occasions.²⁰ Rodriguez was a topic of discussion at a meeting of senior CIA field officers in May 1986, when Fiers, his new superior and the field officers attempted to fix once and for all problems associated with the private benefactors.²¹ Fiers's concern regarding Rodriguez was also reflected in a secure phone conversation with a senior CIA field officer in August 1986. Fiers said:

20 After pleading guilty, Fiers disclosed that he discussed security concerns about Rodriguez with North on several occasions in 1986. (Fiers, FBI 302, 7/18/91 AM, p. 2.) Fiers also revealed that the RIG discussed Rodriguez, his whereabouts, and his plans to return to El Salvador on October 8, 1986, in the wake of the Hasenfus crash. (Fiers, FBI 302, 7/23/91, p. 9.)

21 C/LA #2, Grand Jury, 5/8/91, pp. 30-45. This meeting is discussed in greater detail below.

[A]pparently, Felix Rodriguez is . . . getting himself out of control and about to get himself and General Bustillo into . . . trouble. . . . [I]t appears that . . . Bustillo and Felix Rodriguez took off from Miami . . . in a C-123K that did not belong to them. . . . [W]e have checked . . . with everybody in Washington, including the Vice President's office, and . . . there is no writ anywhere for Felix Rodriguez in any way to be involved with anything to do with Nicaragua, the Nicaraguan Resistance or . . . C-123s or C-7s or anything else operating out of Ilopango. . . . [W]e checked and we've got to try to get [Rodriguez] out of the Nicaraguan pot because he is really . . . muddying the waters and is going to cause us big problems just at a time when we don't need them. . . .²²

22 PRT-250 Conversation, 8/6/86.

Rodriguez also was the center of an August 12, 1986, meeting in Donald P. Gregg's office. Fiers testified that the meeting focused on Rodriguez's frictions with the private benefactors and on whether the CIA would purchase the resupply operation's planes.²³ The participants uncomfortably agreed that they would try to work with Rodriguez, and Fiers so informed his field personnel.²⁴

23 Fiers later explained that he turned down North's offers of the planes because they were old, poorly maintained and heavy users of fuel. Fiers also did not want to "contaminate" the \$100 million program with planes that could be traced back to North's program. (Fiers, George Trial Testimony, 10/28/92, pp. 1333-34.)

24 Fiers, Select Committees Deposition, 5/1/87, pp. 120-31. Gadd

Gadd

Richard Gadd was the first manager of the North/Secord contra-resupply network. He also supervised contracts for deliveries of NHAO aid to Central America. Fiers admitted he met with Gadd around February 7 or 8, 1986 -- the same week a private benefactor C-7 aircraft crashed in El Salvador, and the same time that Fiers had confronted Rodriguez at Ilopango. Fiers testified that his meeting with Gadd made him uncomfortable, and that he never met Gadd again.²⁵

25 Ibid., pp. 82-84.

According to Gadd, some time in January or February 1986 he received a message from Secord, who relayed a request from North that Gadd brief a CIA official on air operations at Ilopango. Gadd received a phone number of an individual named ``Cliff," whom Gadd knew to be Fiers.²⁶

26 Gadd, Grand Jury, 10/16/87, pp. 63-64; Gadd, FBI 302, 2/19/91, p. 4; Gadd, Grand Jury, 6/19/91, pp. 5-7. North did not remember setting up the briefing, but did recall that Fiers and others were concerned at this time about NHAO money paying for lethal supplies. (North, Grand Jury, 2/8/91, pp. 109-12.)

At Fiers' suggestion, Gadd and one of his employees met Fiers and a CIA annuitant who was in charge of air logistics for the Central American Task Force. The annuitant was also the task force's airlift liaison to NHAO. They met at Charley's Place, a restaurant near CIA headquarters. The meeting lasted two to three hours. Fiers said little, remaining aloof and allowing the annuitant to do most of the questioning. Gadd testified that he told both men about his efforts to airlift guns and ammunition from Europe to Central America, and on into Nicaragua, using C-123 aircraft.²⁷

27 Gadd, Grand Jury, 10/16/87, pp. 65-69; Gadd, Grand Jury, 6/19/91, pp. 7-11, 13-15. Gadd said in 1991 he was not sure whether Fiers was aware of the NSC's involvement with his operation. (Gadd, FBI 302, 2/19/91, p. 4) In his first Grand Jury appearance, however, Gadd testified that it was ``clear" from the circumstances surrounding the meeting that ``Fiers was aware of North's involvement in all of this." (Gadd, Grand Jury, 10/16/87, pp. 69-70.) Gadd said, however, that Fiers never mentioned North's name. (Ibid., p. 70.) The annuitant, for his part, gave interviews to Independent Counsel in 1987 and 1988, and never admitted to meeting with Gadd and Fiers. (CIA Annuitant, FBI 302, 6/12/87; CIA Annuitant, FBI 302, 2/9/88.) He included Fiers in a meeting with Gadd only when pressed, in May 1991. The annuitant acknowledged learning that Gadd was involved with lethal Contra resupply efforts, but denied that he learned it during the February Charley's Place meeting. (CIA Annuitant, FBI 302, 5/1/91, p. 7.) Gadd's associate, John Cupp, could not recall if lethal contra-resupply efforts were discussed during the meeting. (Cupp, FBI 302, 3/26/91, p. 4.)

Fiers later added two details to the Gadd story, first that he had met Gadd alone the day before, and second, that North had encouraged him to meet with Gadd, whom North called ``Colonel East." North told Fiers that Gadd could be helpful to Fiers in ``running this stuff" -- meaning contra resupply -- once official aid to the contras resumed.²⁸

28 Fiers, FBI 302, 7/18/91 AM, p. 5; Fiers, FBI 302, 7/18/91 PM, p. 2; Fiers, Grand Jury, 8/12/91, pp. 168-70.

The Airstrip

Joseph F. Fernandez was the CIA's chief of station in San Jose, Costa Rica from 1984 to 1987. His involvement in the construction and planning of a ``private benefactor" airstrip near Santa Elena, Costa Rica, and the effort by the CIA to induce Costa Rican President Luis Monge to permit construction of the airstrip, are discussed elsewhere in this report.²⁹ The focus of this section is Fiers's knowledge of what was occurring at Santa Elena.

29 See Fernandez and Classified CIA Investigation A chapters.

The first information available to Fiers of private benefactor efforts to build the airstrip appeared on August 13, 1985, in a cable from Fernandez. Fernandez informed Fiers that President Monge had agreed to allow construction of an airstrip, and Fernandez asked Fiers for guidance on facilitating it. Fiers responded that Monge's interest in supporting the contras was ``gratifying," but he told Fernandez that the CIA could not be involved in pushing the airstrip.³⁰

30 SAN JOSE Cable, 8/13/85, DO 189740-38; SAN JOSE Cable, 8/14/85, DO 189743-41; WASHINGTON 497837, 8/17/85, HC 10; Fiers, Select Committees Testimony, 8/4/87, pp. 264-65. Fiers later admitted to Independent Counsel that he remembered these cables clearly, but denied that they contained any hidden instructions to Fernandez. Fiers assumed that the private benefactors, perhaps with North's help, would find a way to get the airstrip built. Fiers also described discussions during September 1985 with North and Abrams about these cables. (Fiers, FBI 302, 7/30/91, p. 14, and Classified CIA Investigation A chapter.)

At the conclusion of a Senior Interagency Group meeting on February 12, 1986, North showed photographs of the airstrip, then under construction, to everyone in attendance. North did not say that he was building the airfield, but Fiers inferred that he was behind it. Fiers thought that North was reckless to show the pictures at such a meeting, and he told North, "You ought to keep your mouth shut." 31

31 Fiers, Select Committees Deposition, 5/1/87, pp. 60-61; Fiers, Select Committees Testimony, 8/4/87, pp. 270-72; Croker, Grand Jury, 9/13/91, pp. 54-57. Fiers later told Independent Counsel that the evening of the meeting, he questioned Gadd about the airstrip and its use. (Fiers, FBI 302, 7/30/91, p. 19.)

In early September 1986, the new President of Costa Rica, Oscar Arias, threatened to expose the airstrip and its connection to the "private benefactors." Fiers consulted with an extremely upset North. At Abrams' request, Fiers called Fernandez. Fernandez claimed that the situation had been handled through a CIA asset. The situation, however, was merely delayed. On September 25, 1986, a Costa Rican official revealed the airstrip in a press conference. According to a memo to National Security Adviser John M. Poindexter from North, Fiers, Abrams, and North prepared the false press guidance to cover it.³²

32 Fiers, Select Committees Deposition, 5/1/87, pp. 63-64; Memorandum from North to Poindexter, Subject: Press Guidance re Costa Rican Airstrip, 9/30/86, AKW 002131-39. Fiers later admitted that this further proved to him that North was closely tied to the private benefactors. Fiers also feared that press inquiries about the airstrip would lead to revelation of North's operation. (Fiers, FBI 302, 8/1/91, p. 6.) Clines

Clines

By February 1986, Fiers knew that Rodriguez, North, and Gadd were engaged in lethal resupply of the contras. By April he could add another name to his list: Thomas Clines.

Clines was a former CIA officer who had begun working with the Enterprise in 1985 as an arms purchaser. On April 28, 1986, CIA personnel in Europe cabled headquarters about business discussions between Clines and a CIA source concerning a possible shipment of arms from Portugal, and possibly Poland, along the lines of earlier shipments to the contras. The cable reported that the shipment in question was "directly dependent for time being on successful passage of bill in U.S. Congress providing funding support for Nicaraguan 'contras.'" ³³

33 CIA Cable, 4/28/86, DO 187161-60.

Fiers called North on May 2, 1986. North's notes state:

-- Lisbon -- reporting on Clines

-- Poland -> Honduras

-- Direct contact w/

-- People are reporting

North remembered that CIA stations worldwide were reporting on arms purchases on behalf of the contras. North testified that Fiers probably called him to brief him on one report, and to suggest improvements in the operational security of his program.³⁴

³⁴ North Notebook, 5/2/86, AMX 1093; North, Grand Jury, 2/8/91, pp. 114-18. North recalled receiving calls about the operational security of the resupply operation from others at the CIA, including Director Casey, deputy directors of central intelligence John McMahon and Robert Gates, and Clair George. North recalled that eventually, by agreement with Casey and George, the reports were "restricted so that there would not be a widespread dissemination of the fact that arms were being purchased in foreign countries by specific individuals or by the resistance. . . ." (Ibid., p. 115.) North also said that he "undoubtedly" communicated to Secord that there was a security leak, and may have done so without Fiers's knowledge or consent. (Ibid., p. 119.) Someone undoubtedly reported the leak to Clines. CIA personnel in Europe reported in June 1986 that the source who had reported the April discussions had received an "angry phone call" from Clines warning him to "stop talking 'to those other people' " about a ship Clines had recently purchased. Clines also reportedly told the source that these "other individuals" were not involved and had no need to know what he was doing, and that he would no longer do business with the source "if he could not keep his mouth shut." (CIA Cable, 6/19/86, DO 13000-12999.)

Fiers testified that he spoke to North about Clines, essentially to warn North and his contacts away from him.³⁵

³⁵ Fiers, Select Committees Deposition, 5/1/87, p. 35; Fiers, Select Committees Testimony, 8/5/87, p. 65.

Advice and Information

Alan Fiers not only learned about private benefactor activities -- he assisted them. North's notebook reveals, for example, a discussion on April 2, 1986, with Fiers concerning Blowpipe missiles, in which Fiers apparently gave North a source for the missiles and a price. North remembered discussing Blowpipes generally with "a lot of different people," possibly including Fiers. North testified that information about his search for Blowpipes was "not the kind of information I held back from Alan Fiers or any of the other people that I had to deal with." ³⁶

³⁶ North, Grand Jury, 2/15/91, pp. 38-39, 76. Fiers later admitted these conversations. (Fiers, Grand Jury, 8/14/91, pp. 21-22.)

Fiers assisted the private benefactors by providing them information, such as flight vectors and clearances, that assisted their air deliveries.³⁷ Much of this assistance was done indirectly, and therefore legally. In one instance, however, Fiers encouraged and perhaps directed a lethal "private benefactor" mission to forces that had been promised lethal aid by the CIA.

³⁷ Fiers would later reveal to Independent Counsel that on Clair George's instructions, he provided intelligence to North in February 1985 that North intended to pass to the Contras illegally. See George chapter.

The CIA and the Southern Front

Prior to 1985, the bulk of U.S. Government effort and resources earmarked for the contras benefited those elements arrayed against the Sandinista regime along Nicaragua's border with Honduras, on Nicaragua's northern frontier. By August 1985, officials in the CIA and other federal agencies had decided that they could press the Sandinistas harder if there were a politically and militarily viable contra force along Nicaragua's southern border with Costa Rica -- a "southern front."

Prior to August 1985, contra forces along Nicaragua's southern border were commanded by Eden Pastora, a charismatic ex-Sandinista who enjoyed significant political support in the U.S. Congress. The CIA viewed Pastora as a militarily ineffective personality who would not take his forces out of Costa Rica. This produced diplomatic friction between the American and Costa Rican governments. Further, as evidence mounted that Sandinista spies and drug smugglers had penetrated Pastora's inner circle, the CIA believed that Pastora had become a security and public relations risk. The CIA saw Pastora as a difficult and opportunistic leader who also did not share United States objectives for the region.³⁸

³⁸ Fiers, Select Committees Deposition, 5/1/87, pp. 37-40; Fernandez, Grand Jury, 11/19/90, pp. 59-67; CIA Officer #1, Grand Jury, 5/22/91, pp. 15-16.

The task of shaping a Pastora-free, viable Southern Front fell primarily to Fernandez. As chief of the CIA station in Costa Rica, Fernandez carefully helped neutralize Pastora's influence among contras who were operating in Costa Rica and persuaded his military commanders to join the United Nicaraguan Opposition (UNO).³⁹ Fernandez pursued these actions under Fiers' supervision, and kept CIA headquarters informed of his progress.

³⁹ UNO was a contra organization under the leadership of Alfonso Robelo, Adolfo Calero, and Arturo Cruz, Sr. UNO was created in 1985 under the auspices of the CIA and the State Department to unify the various elements of the resistance.

Fiers and Fernandez began planning to separate Pastora's commanders from their leader in the spring of 1985. Both viewed the effort as a critical objective for the CIA in the contra war.⁴⁰ Their plans crystallized in early August 1985. North noted on August 6, 1985, a call from Fiers during which they discussed Fiers' plans:

⁴⁰ Fiers, Select Committees Deposition, 5/1/87, pp. 40-41; Fernandez, Grand Jury, 11/19/90, pp. 69-70.

-- Alfonso [Robelo] alone is not enough in South

* * *

-- Told Robelo to get in touch w/3 Pastora [commandantes]

Gonzalez

Lionel

Omar

-- Fold 3 commandantes, into [UNO] 41

⁴¹ North Notebook, 8/6/85, AMX 001305. North did not recall the specifics of this conversation, but he admitted that he discussed these kinds of matters regularly with Fiers. (North, Grand Jury, 1/18/91, p. 40.)

The next day, Fiers cabled Fernandez with a "Strategy for the Southern Front." Fiers wrote that "a cohesive and viable southern front has not evolved" and that the CIA was "left with the problem of trying to develop an alternative organization which could be folded into our overall objectives." CIA headquarters had reached this conclusion in light of "consensus having developed that neither we nor [UNO] could work with any confidence with [Pastora]." The cable suggested that an effective and complementary course of action would be to "have [Arturo Cruz, Jr.] seek out Southern Commanders who we understand to have a positive record (such as 'Ganso,' 'Lionel' and 'Omar')

and begin a dialogue with them on behalf of [UNO] with the objective of bringing them into the overall effort." 42

42 DIRECTOR 482618, 8/7/85, DO 186312-11.

Fernandez, who eventually was given responsibility for persuading Pastora's commanders to abandon him, responded by cable on August 8, 1985. Fernandez suggested bringing Pastora's military commanders under Fernando ("El Negro" or "Blackie") Chamorro, who for much of 1986 served as military commander for the southern front. Fernandez also concurred in efforts to wean Pastora's commanders away from him, suggesting that these commanders and other sympathetic individuals would "unite with [UNO] once its programs are funded and under way." 43

43 Fernandez, Grand Jury, 11/19/90, pp. 71-72; SAN JOSE Cable, 8/8/85, DO 181545-41.

Fiers denied authorizing such activities until after Congress amended its restrictions on aid to the contras in December 1985, and allowed for expanded political activities in support of the contras. On December 31, 1985, Fernandez reported to Fiers that four commanders within Pastora's organization, known as the ARDE, were "planning to abandon Pastora and ally themselves with UNO/FDN" and Fernando Chamorro. Fiers responded by asking Fernandez for a plan to contact the dissidents, whom CIA officers would later dub the "Newly Aligned Commanders" or "NACs." 44

44 Fiers, Select Committees Deposition, 5/1/87, p. 41; SAN JOSE Cable, 12/31/85, DO 100930-29; DIRECTOR 676529, 1/3/86, DO 10336.

Supporting the NACs

The success of the CIA's effort to enlist dissident Pastora commandantes in the UNO/FDN cause depended in large part on the acquisition and delivery of lethal and non-lethal support to them. The CIA provided communications equipment and training for the NACs as permitted by law. This alone, however, would not have drawn the NACs into the field. As plans were made in early February 1986 to move these forces into southern Nicaragua, it became a priority for the CIA to get supplies to them. The NACs and Fernando Chamorro were promised support, both lethal and non-lethal, to enter southern Nicaragua.⁴⁵

45 Fernandez, Grand Jury, 11/19/90, p. 73; SAN JOSE Cable, 2/4/86, DO 100961.

Two CIA paramilitary officers testified that Fernandez authorized CIA officers to promise support to the NACs to induce them to join UNO.⁴⁶ Rafael Quintero, a former CIA operative who helped coordinate "private benefactor" activities in Central America, also testified that Fernandez made such promises to the NACs.⁴⁷ Other evidence -- most notably from North and Robert Owen ⁴⁸ -- indicates that North and others promised lethal support to the NACs during this period.

46 [Classified Identity Withheld], Grand Jury, 6/5/87, pp. 21-22; [Classified Identity Withheld], Grand Jury, 4/13/88, p. 14. These officers and a third paramilitary officer also testified that Fernandez ordered them to provide training (permitted by law) in map reading and drop site selection for the southern forces. The third paramilitary officer, who arrived in San Jose in August 1986, essentially chose drop sites for Enterprise resupply drops with Fernandez's knowledge. The third officer knew that private sources were supplying the arms, but he assumed the activities were authorized by CIA headquarters. ([Classified Identity Withheld], Grand Jury, 1/20/88, pp. 34-36; [Classified Identity Withheld], Grand Jury, 4/13/88, p. 20; [Classified Identity Withheld], Grand Jury, 6/5/87, pp. 26-27.) Fernandez admitted only to authorizing training. (Fernandez, Grand Jury, 12/19/90, pp. 6-9.) He also denied authorizing his subordinates to promise aid to the NACs. (Fernandez, Grand Jury, 11/19/90, pp. 82-83.)

47 Quintero, Grand Jury, 1/6/88, pp. 105-6.

48 North, Grand Jury, 2/8/91, p. 46; Memorandum from TC [Owen] to BG [North], 2/10/86, p. 1 ("Once [Chamorro's] column reaches its destination, they will request a large amount of goods and they have been promised they will get what they need").

Confirmation of CIA offers of lethal support also came from Fernando Chamorro. In February 1986, Chamorro, on instructions from Fernandez, traveled to Washington, D.C. He met with a "Mr. Cliff." (Fiers's cover name was Cliff Grubbs.) "Mr. Cliff" congratulated Chamorro on the unification of the southern troops with UNO and reaffirmed promises of increased assistance. Chamorro was told that in terms of arms, whatever Chamorro thought was necessary, "he would receive." 49

49 Chamorro, FBI 302, 11/17/87, p. 4.

Fiers admitted that he encouraged CIA officers and others to lead the NACs to believe that Fiers would do whatever was possible under the law to support them if they left Pastora. The NACs were to be offered communications equipment, humanitarian aid, and an equal share of U.S. weapons once Congress had resumed aid to the contras. Fiers also testified that he twisted Adolfo Calero's arm to get the FDN to release weapons from FDN stocks for the NACs, and that he spoke with North about the Southern Front's need for arms -- knowing that North might be able to influence Calero.⁵⁰

50 Fiers, Select Committees Deposition, 5/1/87, pp. 42-49.

CIA cables and other evidence from early 1986 establish that, to seal the NACs' allegiance to UNO, the Central American Task Force actively promoted non-lethal airdrops, and later, lethal missions to them. Soon after the NACs' defection, Fiers informed the San Jose station that the task force wanted to ensure that the NACs received "some demonstrable material benefit as a result of their decision," and noted that NHAO had authorized money and other aid to the NAC forces. Fiers pushed for a NHAO drop to the southern forces that was accomplished on March 6, 1986.⁵¹

51 DIRECTOR 684429, 1/9/86, DO 10392; Fernandez, Grand Jury, 11/19/90, p. 94. According to Fernandez, these drops had to be in Nicaragua because the CIA "felt that if [the NACs got] their supplies inside Costa Rica, they might never go back into Nicaragua. So we put the carrot out there and let them go." (Ibid., p. 95.) Fiers explained his rationale by cable: [W]e do not view [Pastora] in vicious or malicious terms, but rather see him as a tragic figure, who for multiple reasons. . . is incapable of a positive contribution. It is also important to point out that supplies will be made available to FRS [contra] units in the field via NHAO, if they (the unit commandantes) so request. (FYIO [For Your Information Only]: specific plans to this end are being made.) DIRECTOR 677959, 1/4/86, DO 84690.

Despite having received humanitarian aid, Fernando Chamorro complained that the U.S. Government had abandoned its commitments to the NACs, who by that time had been in southern Nicaragua for a month without having received fresh ammunition or other lethal supplies. Chamorro had attempted to arrange for an airdrop sponsored by the FDN, the contra organization in Honduras, to the southern forces on March 7 or 8, 1986, only to have the mission scrubbed by the FDN, Fernandez, and U.S. Ambassador to Costa Rica Lewis Tambs.

On March 11, 1986, Fernandez informed Fiers that Chamorro's forces had established a secure drop zone in southern Nicaragua. Fernandez also reported that the NACs had made an "urgent request" for ammunition. Headquarters replied, suggesting that a "list of items needed be obtained and sent through UNO secure commo net and drop of ammunition be arranged through UNO/FDN." 52

52 SAN JOSE Cable, 3/11/86, DO 11405; Fernandez, Grand Jury, 11/19/90, pp. 127-28; DIRECTOR 776030, 3/13/86, DO 11467.

On March 15, 1986, Fiers directed Fernandez and other CIA personnel in Central America to assist a drop of lethal supplies by UNO/FDN to the NACs. By this time, according to CIA field reports, Chamorro and the NAC forces had received the March 6 NHAO drop and were dividing it among themselves. Fernandez related that the UNO/South leadership had given priority to a lethal drop, noting that the NACs were ready to receive supplies at their secure drop zone. Fiers responded:

1. Note [your cable] planning to expedite ammunition resupply for [Southern] forces. Hqs views this as positive step to expand NAC forces. If the ammunition drop can be made with the UNO/FDN aircraft it will go a long way toward promoting UNO/FDN/FARN unity.
2. Suggest this drop be expedited by the FDN to speed up the development of NAC forces and [CIA field personnel] assist as appropriate.

By this cable, Fiers instructed Fernandez and other CIA personnel in Central America not only to encourage an FDN drop to the NACs, but to make sure that it happened.⁵³

⁵³ SAN JOSE Cable, 3/13/86, DO 100977; DIRECTOR 780844, 3/15/86, DO 11534; Fiers, Select Committees Testimony, 8/5/87, p. 18.

Handwritten notes by Fiers on cables received by CIA headquarters during late March-early April 1986 urged headquarters personnel to move ahead with plans for a drop of supplies.⁵⁴

⁵⁴ SAN JOSE Cable, 4/1/86, DO 101154-53.

A Lethal Mission for the Southern Front

Three events prompted North and Secord to stage its first aerial delivery of supplies to the southern front on the night of April 11, 1986, after the CIA was blocked from a lawful means of delivery.

The first development came in Congress. On March 20, 1986, the House of Representatives rejected the Reagan Administration's request for 100 million dollars for contra aid.

The second event was the imminent collapse of the newly formed NAC alliance, a collapse fueled in part by private American donors. Pastora vied with the CIA and UNO for the NAC commanders' allegiance throughout January-May 1986. In early March 1986, Pastora traveled to Washington and was received by the State Department. He returned to Costa Rica insisting that he would be receiving supplies from the U.S. Government. The Central American Task Force assured a worried Fernandez that, although the State Department had met with Pastora, "no commitments were made to support him or his troops." In a separate communication, the task force "strongly" suggested that a

message be sent to Newly Aligned Commanders . . . alerting them to rumors being circulated by [Pastora], and setting the record straight. They should be made aware that as soon as some basic operational problems are resolved they will be receiving further supplies from UNO, rpt [repeat] UNO.⁵⁵

⁵⁵ DIRECTOR 772442, 3/11/86, DO 11375; DIRECTOR 773931, 3/11/86, DO 100976.

Soon after Pastora's trip, retired Army Maj. Gen. John K. Singlaub traveled to Costa Rica. During his visit Singlaub met with Pastora and attempted to negotiate an agreement with him, purportedly on behalf of the United States. Word of a Singlaub-Pastora agreement stoked the already tense competition for the NACs and momentarily gave the advantage to Pastora. Shortly after hearing about the agreement, Fiers cabled Fernandez and other CIA personnel in Central America that Singlaub's actions did not reflect a new posture toward Pastora, and that the NACs should be reminded that any and all U.S. support would come through UNO. Fiers also wrote that in view of Singlaub's "agreement,"

it is more crucial than ever that we maintain our commitment to the NAC's and that the required drop be made at the absolutely first possible opportunity. Recognizing aircraft problems, request [CIA personnel in Central America] ensure that [the FDN] understands urgency and assigns proper priority to this mission.⁵⁶

56 AMEMB SAN JOSE 0144, 3/27/86, ALV 5011-12; DIRECTOR 799822, 3/28/86, DO 10799. Fernandez testified that the drop to which Fiers referred was the lethal drop contemplated by the FDN. (Fernandez, Grand Jury, 12/19/90, p. 48.)

Despite Fiers' efforts, news of the Singlaub-Pastora accord spread quickly through the NAC coalition. UNO/FARN commander Ramon and NACs Lionel and Oscar threatened to march back towards the Costa Rican border if they did not receive the arms they were promised as soon as possible. Moreover, Franklin and Navigante -- the NAC commanders most loyal to Pastora and most skeptical of their UNO/FDN brethren in the north -- informed other NACs that they remained allied with Pastora's ARDE. In short, in the days immediately preceding North's lethal resupply mission, the nascent southern front was teetering.⁵⁷

57 Fernandez, Grand Jury, 12/19/90, p. 55; SAN JOSE Cable, 4/1/86, DO 101154-53.

The third event that forced a private benefactor drop to the NACs was UNO/FDN's inability to stage its own mission. CIA personnel in Central America reported on April 1, 1986, ten days before North's mission, that the FDN had scheduled a drop to the NACs on April 3, using an FDN-owned DC-3 aircraft. The proposed route would have taken the FDN aircraft twice over Costa Rican air space. It also called for landing at the San Jose international airport if the mission had to abort.⁵⁸

58 CIA Cable, 4/1/86, DO 11714.

Fernandez objected that any flight that crossed Costa Rican air space would violate American assurances to President-elect Arias. Fernandez also argued that the route would make the flight vulnerable to detection by Sandinista radar and anti-aircraft fire. Fernandez suggested an alternative route.⁵⁹

59 SAN JOSE Cable, 4/2/86, DO 11741.

CIA headquarters agreed and directed other CIA personnel in Central America to change the route. In response, CIA field personnel reported that the FDN's airplane was having mechanical problems, and that the FDN flight crew was too inexperienced to fly the prescribed route. Angry and concerned, Fernandez cabled headquarters and his Central American colleagues:

UNO/South is currently making arrangements with sources other than FDN for a smaller resupply drop utilizing a C-123 aircraft which will be able to fly the preferred route mentioned previous traffic. That drop is tentatively scheduled for the week of 6 April. In the event that [Calero] cannot assist and if San Jose cannot be assured that DC-6 will follow flight plan recommended believe that [FDN] drop should be held in abeyance until further notice.

The FDN mission was scrapped and the FDN's pre-packed load of lethal materiel designated for the NACs remained in Honduras.⁶⁰

60 DIRECTOR 809755, 4/3/86, DO 101156; CIA Cable, 4/4/86, DO 11782; SAN JOSE Cable, 4/5/86, DO 101158 (emphasis added); CIA Cable, 4/7/86, DO 101159; Fernandez, Grand Jury, 12/19/90, p. 52.

The North-Secord Enterprise resupplied the NACs by air within a week by commandeering an aircraft in Ilopango under NHAO contract. A Southern Air Transport L-100 under contract to the

private benefactors -- which had delivered NHAO supplies to Ilopango from the United States -- dropped a mixed load of arms and non-lethal supplies to the NACs on the night of April 11, 1986.

Fernandez, North, and Secord were the moving forces behind the L-100 mission. The most direct evidence of Fiers' involvement in the drop was a KL-43 message, one written a few days before April 9, 1986. In this message North informed Secord that he had briefed Fiers on the L-100 flight and secured Fiers's approval for the mission. The message states:

The unit to which we wanted to drop in the southern quadrant of Nicaragua is in desperate need of ordnance resupply. We had planned to do a material drop from the supplies we are bringing into Ilo Pango [sic] but the units -- headed by [NACs] Ramon, Lionel and Navigante cannot wait. Have therefore developed an alternative plan which Cliff [Fiers] has been briefed on and in which he concurs. The L-100 which flies from MSY [Miami] to Aguacate on Wednesday should terminate it's [sic] NHAO mission on arrival at Aguacate. At that point it should load the supplies at Ilo Pango which -- theoretically [CIA Subject #1] is assembling today at Aguacate -- and take them to Ilo Pango. These items should then be transloaded to the C-123 after being properly rigged. On any night between Wednesday, Apr 9, and Friday, Apr 11 these supplies should be dropped by the C-123 in the vicinity of 11 22 15N and 84 18 00W -- SSE of Nueva Guinea. The A/C shd penetrate Nicaragua across the Atlantic Coast south [sic] of Monkey Point. Call signs freqs and zone marking light diagram to be provided to Ralph [Quintero] at Ilo Pango by the new UNO Sur operator we are taking care of. Hope we can make this happen the right way this time. If we are ever going to take the pressure off the northern front we have got to get this drop in -- quickly. Please make sure that this is retransmitted via this channel to Joe [Fernandez], Ralph, Sat [Southern Air Transport] and [the US military group commander in El Salvador, Colonel James] Steele. [Robert] Owen already briefed and prepared to go w/ the L-100 out of MSY if this will help. Please advise soonest.

North, Fiers, and Abrams' calendars show that the three of them met at 3:00 p.m. on April 4, 1986, and at 4:30 p.m. on April 10, 1986. North's calendar and schedule cards show that he met with Fiers alone on April 8, 1986, at 4:30 p.m., and that he met with Fiers alone at the CIA at 9:00 a.m. on April 11, 1986 -- the morning after a first failed attempt to drop lethal supplies to the NACs. The meeting also was on the heels of a request by Secord that North learn whether there was intelligence indicating that the Sandinistas knew of the attempted drop.⁶¹

61 KL-43 Message from Secord to North, 4/11/86, AKW 4413; Fiers, Select Committees Deposition, 5/1/87, pp. 91-92; Fiers, Select Committees Testimony, 8/4/87, pp. 271-72. North claimed not to remember either briefing Fiers on the mission or writing the KL-43 message. North did not dispute the message, however. (North, Grand Jury, 2/8/91, p. 94.)

By April 13, 1986, the CIA had published news of the L-100 drop to other U.S. government agencies. Fernandez cabled CIA headquarters with word of the drop's success on April 12, and sent an elated KL-43 message to North at midnight that same day. The drop had the desired effect on the NACs. Shortly after the drop, Fernando Chamorro met with NAC leaders and convinced them to resume negotiations with UNO. By the end of May, the NACs publicly announced an agreement to align themselves with UNO under Chamorro. Meanwhile, Pastora had turned himself in to Costa Rican authorities and had applied for political asylum -- thereby ending his military influence.⁶²

62 CIA Intelligence Cable, 4/12/86, DO 101167; SAN JOSE Cable, 4/16/86, DO 12126; CIA Intelligence Cable, 4/29/86, DO 100997; CIA Intelligence Cable, 5/7/86, DO 101012; SAN JOSE Cable, 3/15/86, DO 12637.

Fiers's Effort to Insulate Fernandez

Continuing from April to October 1986, Fernandez passed intelligence directly to Rafael Quintero, Secord's Central American representative. To remove himself from direct contact with the resupply

operation, Fernandez began working to place a UNO/South representative at Ilopango air base as a liaison between the resupply operation and UNO/South. Although this plan was ultimately rejected by Fiers -- and although Fernandez continued to pass information directly to Quintero without informing headquarters -- Fiers learned enough between April and July 1986 to know that Fernandez was in direct contact with the private resupply network in 1986.

Fernandez first announced his plan to place a UNO/South communicator at Ilopango on April 8, 1986. Ultimately, it was decided that the UNO/South communicator would be housed and would use radio equipment provided by the "private benefactors." 63

63 SAN JOSE Cable, 4/8/86, DO 11890; SAN JOSE Cable, 7/10/86, ANT 3729-30.

At least one senior CIA official learned that Fernandez was involved in passing information directly to the benefactors in April 1986. C/LA #2, who was to become Chief of the CIA's Latin American Division and Fiers' direct superior on May 1, 1986, visited San Jose in April. Fernandez and C/LA #2 were friends. Shortly after C/LA #2 arrived, Fernandez told him this about his contacts with the resupply operation:

- he was passing intelligence to the private benefactors to facilitate the delivery of supplies, including guns and ammunition, to the southern front;

- he had not previously told headquarters about these activities;

- North had introduced him to the private benefactors;

- he communicated with the private benefactors by "communications gear" used in conjunction with the telephone and manufactured by TRW;

- he had received this gear [a KL-43 device] from the private benefactors; and

- at the request of Ambassador Tambs, he was monitoring the construction of an airfield that was being paid for and would be used by the private benefactors.64

64 C/LA #2, Grand Jury, 4/29/88, pp. 15-31; C/LA #2, Grand Jury, 5/8/91, pp. 15-24.

C/LA #2 expressed concern and promised to look into the situation when he returned to Washington and to provide guidance. C/LA #2 remembered more than one meeting after his return in which he discussed Fernandez's predicament with Fiers. He did not tell Fiers about the mysterious "communications gear" obtained by Fernandez, but he told Fiers everything else.65

65 Ibid., pp. 25-31; C/LA #2, Grand Jury, 4/29/88, pp. 24, 36-42; Fernandez, Grand Jury, 11/19/90, pp. 131-32. C/LA #2's calendar shows meetings with Fiers on May 2, 5, 6, 7, 8, 9, 12 and 13, 1986. Fiers denied C/LA #2's account. (Fiers, FBI 302, 7/19/91, p. 14.)

C/LA #2 and Fiers agreed that Fernandez's direct contacts with the private benefactors were contrary to CIA policy. They believed that the solution was to place a UNO/South communicator at Ilopango, and to inform Fernandez of this decision personally at a regional conference of senior CIA officers later in May 1986. C/LA #2 and Fiers presented their proposal to Fernandez as planned, provoking a wider discussion among the senior CIA field officers in attendance about Fernandez's contacts with the private benefactors. C/LA #2 and Fiers directed the officers to help place the UNO/South communicator at Ilopango.66

66 C/LA #2, Grand Jury, 4/29/88, pp. 45-52; C/LA #2, Grand Jury, 5/8/91, pp. 31-46; [Classified Identity Withheld], FBI 302, 3/24/87, p. 2; DIRECTOR 830033, 4/16/86, DO 12111; Fernandez, Grand Jury, 12/19/90, pp. 70-76. Only one officer who attended the May 1986 meeting, CIA Subject #1, failed to recall the discussion of Fernandez's contacts with the private resupply operation. (CIA

Subject #1, Grand Jury, 6/5/87, pp. 65-66.) Fernandez recalled that Quintero's name came up during the meetings, as the officers joked about Quintero's arranging a delivery of pizza to the private benefactors at Aguacate. (Fernandez, Grand Jury, 12/19/90, p. 106.) For his part, Fiers testified before cooperating with the Government that C/LA #2 did not speak with him upon C/LA #2's return from his April 1986 trip, and that the first he heard of Fernandez's situation was at the May 1986 meeting. (Fiers, Select Committees Deposition, 5/1/87, p. 114; Fiers, Grand Jury, 4/17/87, pp. 116-19, 126.)

By July 10, 1986, the arrangements were complete and were reported to the CATF. It was only then that Louis Dupart, the task force compliance officer and a lawyer, decided that the plan took the CIA too close to the line drawn by the Boland Amendment restrictions on contra aid. Dupart persuaded Fiers that the move was politically and legally risky, and that the CIA could not be involved in any effort to place a contra liaison to the private benefactors at Ilopango. Dupart and Fiers informed the field of their decision on July 12, 1986. Fiers assured C/LA #2 that the contras would place the communicator on their own.⁶⁷

⁶⁷ Dupart, Grand Jury, 4/27/88, pp. 66-71; DIRECTOR 959273, 7/12/86, DO 169558; C/LA #2, Grand Jury, 4/29/88, pp. 61-63; C/LA #2, Grand Jury, 5/8/91, p. 63.

Fiers knew as early as May 1986 that Fernandez had passed information directly to the "private benefactors." No one at the CIA -- including Fiers -- disclosed this information to any congressional committee in October 1986, when questioned about CIA contacts with the private resupply network.

Fiers's Request for North's Financial Assistance

Fiers joined one last attempt in July 1986 to use North's private resupply operation after the House of Representatives approved an Administration-backed effort to provide the contras with \$100 million in assistance. By May 1986 it was clear to some that "bridge financing," until the contras would eventually receive aid from the U.S. Government, would be necessary. A computer message from North to Poindexter indicates that Fiers and Abrams turned to North for some of this aid.

All seriously believe that immediately after the Senate vote the [contras] will be subjected to a major Sandinista effort to break them before the U.S. aid can become effective. PRODEM [Project Democracy] currently has the only assets available to support the [contras] and the CIA's most ambitious estimate is 30 days after a bill is signed before their own assets will be available. This will be a disaster for the [contras] if they have to wait that long. Given our lack of movement on other funding options, and Elliot/Allen's plea for PRODEM to get food to the resistance ASAP, PRODEM will have to borrow at least \$2M to pay for the food. . . . The only way that the \$2M in food money can be repaid is if CIA purchases the \$4.5M worth of PRODEM equipment for about \$2.25M when the law passes.⁶⁸

⁶⁸ PROFs Note from North to Poindexter, 7/24/86, AKW 021735 (emphasis added). Fiers later admitted to Independent Counsel that he and Abrams had sought aid from "Project Democracy." (Fiers, Grand Jury, 8/14/91, pp. 72-76.) Fiers said that North had approached him about this time with an offer to sell the private benefactors' planes to the CIA, (Fiers, FBI 302, 7/19/91, p. 18); and that Fiers had pleaded with several senior CIA officials in July 1986 to keep a CIA detailee to the NSC, Vincent Cannistraro, away from the "private sector people" with whom North was dealing. (Fiers, Grand Jury, 8/14/91, p. 59.)

North tried to enlist the CIA in extricating himself from "private benefactor" operations; he sought the Restricted Interagency Group's (RIG's) advice as well. In at least one RIG meeting prior to October 1986 -- meetings that Fiers attended -- North exposed his role in private assistance to the contras, with such detail that Fiers had a comprehensive understanding of his activities.⁶⁹

69 Fiers later corroborated North's general account of these discussions. (Fiers, FBI 302, 7/22/91, p. 14; Fiers, FBI 302, 8/2/91, pp. 9-10.) For further discussion of these meetings, see Abrams Chapter.

Exposure

The Hasenfus Crash

Fiers' control of Central American issues for the CIA extended beyond management of regional operations. Fiers also had a unique command of the CIA's relationship with Congress on Central American affairs throughout 1985 and 1986. The Task Force was not subject to the same control by the CIA's Office of Congressional Affairs (OCA) as other Agency units, but despite (or perhaps because of) this autonomy, relations with the Hill were positive. Members of Congress admired Fiers and his ability to give them details of Central American operations. Fiers was the one to whom Congress turned when it wanted answers about the specifics of the Nicaragua program. As a result, Fiers spent hours speaking with people from the Hill. It was a task that he enjoyed.⁷⁰

⁷⁰ Fiers, Tower Commission Testimony, 1/8/87, pp. 18-19, 22; C/LA #2, Grand Jury, 4/29/88, pp. 72-73; Memorandum for DCI & DDCI, Subject: Meeting with VADM Poindexter, 13 November, 1700 Hours, 11/12/86, ER 27230; Pearline, FBI 302, 3/4/91 302; Memorandum re: HPSCI Request for a Briefing on Downed Cargo Plane, 10/9/86, DO 112485; Fiers, Select Committees Testimony, 8/5/87, p. 60; Gries, FBI 302, 4/9/91, p. 2.

Fiers was more than a knowledgeable mouthpiece on Central America. He was politically astute, something which earned him credit at Agency headquarters but which sometimes frustrated those in the field. Fiers's chief political interest beginning in late 1985 was persuading the Congress to let the CIA back into the "resistance game" -- that is, appropriate funds to the CIA so that the Agency could support and better influence the contras.⁷¹

⁷¹ Fernandez, Grand Jury, 12/21/90, p. 89; Fiers, Tower Commission Testimony, 1/8/87, pp. 21, 27, 60; Fiers, Grand Jury, 4/17/87, pp. 79-85; Fiers, Select Committees Testimony, 8/5/87, pp. 171-72; Dupart, Grand Jury, 4/27/88, pp. 20-21; Fiers, Select Committees Deposition, 5/1/87, pp. 16-17.

Fiers worked hard to persuade Congress to support President Reagan's 1986 proposal to appropriate \$100 million in contra aid. His chief contribution to this effort was demonstrating that the Agency was abiding by the law. Fiers underestimated the delays. Both Fiers and CIA field officers promised supplies to the contras in anticipation of renewed aid, but they could not deliver. Efforts to demonstrate compliance were thus redoubled.⁷²

⁷² Fiers, Select Committees Testimony, 8/5/87, pp. 192-93; Dupart, Grand Jury, 3/15/91, pp. 11-13.

Eventually the House approved the \$100 million aid package on June 25, 1986, but the final steps toward enacting the package came slowly. The October 5, 1986, crash of the Hasenfus C-123 could not have occurred at a more inopportune time.

The Hasenfus crash unleashed chaos in the Central American Task Force. The Task Force spent the Monday following the crash, and most of the rest of the week, scrambling for information. Matters were made worse on Tuesday, October 7, when Nicaragua announced that the plane had CIA backing.⁷³ That same day a staff member of the House Permanent Select Committee on Intelligence (HPSCI) called the CIA to seek the identities of the private benefactors. Fiers equivocated about the cargo of the Hasenfus plane -- despite having received specific cables on the subject -- and denied knowing who sponsored the flight: "I can assure you that we won't touch any of that stuff, we have come too far to commit political suicide." Later, to another HPSCI staffer, Fiers stressed that he was trying "to be as up front as possible and we don't want to hide any information from anybody." ⁷⁴

⁷³ Dupart, FBI 302, 2/19/91, p. 2; Strother, FBI 302, 3/8/91, pp. 4, 6-7.

74 Ibid.; Memorandum to Fiers, Subject: Request from HPSCI Staffer Giza, 10/7/86, DO 166462; Memorandum for the Record by Strother, Subject: Request from Dick Giza, 10/7/86, DO 166472-71; Memorandum for the Record by Strother, Subject: Telephone Call from Steve Berry, 10/7/86, DO 166474-73; CIA Cable, 10/6/86, DO 101228; SAN JOSE Cable, 10/6/86, DO 101254-52; DDO Duty Officer, FBI 302, 4/30/91. Fiers later told Independent Counsel that he read DO 101228 late on the afternoon of October 6, 1986. He also admitted talking with North, who said that the Hasenfus plane was one of his and that he was dismantling his operation. (Fiers, FBI 302, 7/22/91, pp. 10-11.) Fiers admitted that his aim during this period was to protect North and not disclose his knowledge of North's operation. (Fiers, FBI 302, 7/30/91, pp. 5, 8.)

The controversy continued. Director Casey and Deputy Director Gates briefed ranking members of HPSCI and the Senate Select Committee on Intelligence (SSCI) on October 9, only to have one member say he was "shaken" by the disclosures. HPSCI met on the morning of October 9 to hear House Speaker Tip O'Neill report that the Hasenfus crash was "mysterious still." The Chairman of HPSCI, Rep. Lee Hamilton, decided that he would call the CIA for a briefing. Likewise, the Senate Committee on Foreign Relations told the CIA that it wanted a hearing the next day about the crash, the history of the Central America covert-action program, and CIA compliance with the law.⁷⁵

⁷⁵ Lugar, SCFR Hearing, 10/10/86, p. 44; Durenberger, SSCI Hearing, 12/9/86, pp. 22-23; HPSCI Session, 10/9/86, pp. 3-5, 23; Memorandum for EPS/LG by Randolph, Subject: HPSCI Request for a Briefing on Downed Cargo Plane, 10/9/86, DO 112485; Memorandum for the Record by Rice, Subject: SFRC Briefing -- Airplane Crash in Nicaragua, 10/9/86, DO 169160.

CATF was told that it would be responsible for putting a statement together for Deputy Director Gates. The deputy chief of CATF cabled all Central American personnel for information about their contacts with the Hasenfus crew and Hasenfus's press statements about CIA contacts. Another CATF officer contacted a senior CIA officer in Central America by secure phone to learn his knowledge of Felix Rodriguez.⁷⁶

⁷⁶ Ibid.; CIA Cable, 10/9/86, DO 177158. The Task Force officer who spoke with the senior officer, who was identified as CIA Officer #2 in U.S. v. George, did not recall telling Fiers about his conversation or the cable summarizing it, which arrived around 6:00 p.m. (CATF Officer, FBI 302, 6/6/91, pp. 11-12.)

Fiers ordered Dupart, who was on leave, back to the office. Fiers told him, "[T]his is it. This is what you were hired for," and instructed him to prepare testimony and a briefing book. Fiers later left to join Casey, Clair George (who had replaced Gates as the lead witness for the Agency), and David Gries from the Office of Congressional Affairs about the next day's testimony.⁷⁷

⁷⁷ Dupart, FBI 302, 2/1/88, pp. 8-9; Dupart, Grand Jury, 4/27/88, pp. 39-40; Dupart, FBI 302, 2/19/91, pp. 3-4; Casey Schedule, 10/9/86, ER 379; George, FBI 302, 3/11/91, p. 5.

Dupart worked into the night. In his draft, the CIA categorically denied direct or indirect CIA involvement in "private benefactor" operations. The statement acknowledged only that the Agency had passed intelligence legally to the contras, who may have passed the information to private groups that aided deliveries of supplies.⁷⁸

⁷⁸ Dupart, FBI 302, 2/1/88, pp. 8-9; Dupart, Grand Jury, 4/27/88, p. 43; Dupart, FBI 302, 2/19/91, pp. 6-7; DDO's Opening Statement, ANT 1779-82.

The rest of the story of Dupart's draft testimony is treated elsewhere.⁷⁹ After drafting the testimony, Fiers and George joined Abrams to appear before the Senate Foreign Relations Committee at 10:11 am on October 10, 1986. George read from his opening statement that the CIA "has not been involved directly or indirectly in arranging, directing, or facilitating resupply missions conducted by private individuals in support of the Nicaraguan Democratic Resistance." "Not only do we wish to

share what we know with all the members of the Senate," said George, "but this is very critical testimony for us because there is some question as to our legal behavior. We want to share with you the frank, open facts, because it is not anything that we want to have hanging over our head at any moment, that we broke the law in our performance in Nicaragua or Central America." 80

79 See George chapter.

80 George, Senate Foreign Relations Committee Testimony, 10/10/86, pp. 16, 29-31, 51-52.

Fiers remained silent throughout George's opening statement. The Committee chairman asked Fiers at the end of George's statement whether Fiers had "anything additional, or are you in support of Mr. George's testimony?" Fiers replied: "That's it. Yes." 81

81 Fiers, Select Committees Testimony, 8/5/87, pp. 90-91; Fiers, Senate Foreign Relations Committee Testimony, 10/10/86, p. 31.

Fiers and George repeated their false testimony and disavowals on October 14, 1986, this time before HPSCI. The next day, Fiers briefed Sen. John Kerry, two Senate foreign relations staff members, and later Sen. Edward Kennedy on the contras -- again denying CIA complicity in resupply activity. Fiers' aim in these briefings, like the ones before them, was to head off an effort by Sen. Tom Harkin to stop the \$100 million aid package.⁸²

82 Memorandum for the Record by Dorn, Subject: Briefing for Senator Kerry, 10/16/86, DO 166519-18; Dupart Notes, ANT 01783-89; Dupart, Grand Jury, 4/27/88, pp. 45-48, 110-11; Dupart, Grand Jury, 3/15/91, pp. 56-73; Memorandum by Buckman, Subject: Briefing for Senator Kennedy, 10/15/86, ER 28571.

Fernandez

Fiers' efforts to persuade Congress that the CIA had no involvement with the private benefactors succeeded. On October 17, 1986, Congress released the \$100 million contra-aid package. In the wake of this vote, Fiers traveled with an interagency group to Central America, where he learned that Fernandez had been in telephone contact with the private benefactors since the regional meeting in May 1986. Returning to Washington on October 23, Fiers informed C/LA #2 of the news, but not Dupart.⁸³

83 132 Cong.Rec., No. 144, at H 11068, S 16638; Dupart, Grand Jury, 4/27/88, pp. 48-49; C/LA #2, Grand Jury, 4/29/88, pp. 73-77; C/LA #2, Grand Jury, 5/8/91, pp. 61-63.

Fernandez returned to Washington for consultations on Saturday, October 25. The following Monday, Fernandez met with C/LA #2 about the private benefactors. C/LA #2 learned for the first time in this meeting that the "communications gear" that Fernandez told him about in April was a KL-43 encryption device. Fernandez described the device as National Security Agency issue, and said that he got it from North. Fiers may have joined this meeting late; in any event, C/LA #2 understood that Fiers would talk to George and continue discussions with Fernandez. Fernandez returned to San Jose two days later.⁸⁴

84 Ibid., pp. 69-71, 79-84; Dupart, FBI 302, 2/1/88, pp. 4-5; C/LA #2, Grand Jury, 4/29/88, pp. 77-93; Fernandez, Grand Jury, 1/4/91, pp. 39-40; SAN JOSE Cable, 10/30/86, DO 22949.

Unaware that the Fernandez situation was about to compromise his work as the CATF's compliance officer, Dupart penned a memorandum on November 4, 1986, in which he boasted of the task force's responses to Congress in the wake of the Hasenfus crash. Two days later Dupart traveled to San Jose to explain the new contra-aid rules, only to learn from Fernandez that he had been in contact with

the private benefactors since early 1986. ``Shocked" by this information, Dupart instructed Fernandez to report the matter to headquarters by special cable.⁸⁵

⁸⁵ Dupart, FBI 302, 2/19/91, pp. 7-8; Memorandum for General Counsel by Dupart, Subject: The Compliance Process and the Crash of the Private Benefactors C-123 Transport Aircraft, 11/4/86, DO 169157-58; Dupart, FBI 302, 4/3/87, pp. 4-5; Dupart, FBI 302, 2/1/88 302, p. 5; Dupart, Grand Jury, 4/27/88, pp. 51-58; Dupart Notes, ANT 1790; Fernandez, Grand Jury, 1/4/91, pp. 42-44.

Dupart returned to Washington on November 10. Dupart advised Fiers privately of what he had learned from Fernandez. He warned Fiers that the CIA had to correct its October testimony before Congress. Fiers was surprised by Dupart's reaction, and claimed he never ``perjured" himself. Dupart told Fiers that perjury was not the issue, but rather, frank disclosure.⁸⁶

⁸⁶ Dupart, Grand Jury, 4/27/88, pp. 62-63; Dupart, FBI 302, 2/1/88, p. 6; Dupart, FBI 302, 2/19/91, pp. 7-8; Dupart Notes, ANT 1790.

Despite Dupart's warning, Fiers did not take any steps to correct the testimony until November 26, the day after North was fired and after Attorney General Edwin Meese III announced the diversion to the contras of profits from the Iran arms sales. On November 26, Fiers, C/LA #2, and George met to discuss what to do about the Fernandez matter. After the meeting, C/LA #2 wrote a memorandum to George about his involvement with the Fernandez/private benefactor issue, and recommended review by the CIA's inspector general.⁸⁷

⁸⁷ Memorandum for the DDO by C/LA #2, Subject: Possible Impropriety in San Jose, 11/26/86, DO 62341-39; C/LA #2, Grand Jury, 4/29/88, pp. 100-01; C/LA #2, Grand Jury, 5/8/91, pp. 89-91. Fiers later disclosed that George directed that C/LA #2's memorandum fabricate an account of a meeting on November 10, 1986, that never happened. See George chapter.

On December 4, NBC broadcast the connection between the pilots of the Hasenfus flight and ``Tomas Castillo," Fernandez's alias. The next day HPSCI asked the CIA to respond to NBC's allegations -- triggering the CIA's first admission to HPSCI that the October 1986 testimony had been incorrect.⁸⁸ On December 9, 1986, Fiers told SSCI that Fernandez had been in contact with private benefactor Quintero. Fiers stated that he discovered the matter in a conversation with Fernandez in late October. Sen. David Durenberger asked Fiers: ``Are there any other incidents like that that you want to leave with us today?" Fiers replied: ``No, no, no. That's the one." ⁸⁹

⁸⁸ Dupart, FBI 302, 4/3/87, p. 4; Dupart, FBI 302, 2/1/88, p. 10.

⁸⁹ Fiers, SSCI Testimony, 12/9/86, pp. 30-32.

Official Inquiries

During 1987, Fiers began admitting that he knew more about North's involvement in contra resupply than he had disclosed previously. For example, Fiers admitted that he knew that North and Fernandez talked often about the contras. Fiers acknowledged that he had a general sense in 1985-86 that North had a relationship with Secord, and that Secord was involved in contra weapons purchases. He also admitted that North tried to sell the CIA Enterprise assets.⁹⁰

⁹⁰ Fiers, Grand Jury, 4/10/87, pp. 30-31, 39-40, 45-46; Ibid., 4/17/87, pp. 175-78.

Fiers had a tougher time explaining his efforts with respect to the southern front and his knowledge of Felix Rodriguez. About the former, Fiers gradually gave a more complete account of the May 1986 regional meeting, where he ``really developed an understanding of this whole private benefactor program. . . ." In answer to the question, ``Did you ever during this period of '85 and '86 have reason to believe that the private benefactors or individuals within the private benefactors had

received information generated by the CIA," Fiers said, "I had no hard reason to believe it but I also wouldn't have doubted it." Fiers also admitted to a hazy memory about the Costa Rican airstrip, North's showing pictures of the airstrip, and North and Fernandez's role in the "flap" over the airstrip's exposure.⁹¹

⁹¹ Fiers, Grand Jury, 4/10/87, pp. 38-45; Ibid., 4/17/87, pp. 118-130, 156-71, 179-80; Fiers, Select Committees Deposition, 5/1/87, pp. 56-57.

Fiers denied, however, that he had promised southern front commanders lethal aid, or that he authorized subordinates to do so. He did acknowledge discussing the southern front and its problems with North, "within the context of legislation" and in deciding whether to deal with Eden Pastora. Fiers denied asking North to try to find a way to supply the front, as well as prior knowledge of or briefings on the April 1986 L-100 flight. Fiers did describe in May 1987, however, how the CIA passed flight vectors via Fernandez to what he believed was UNO/South, attributing these activities to being "a little too far forward leaning" in anticipation of renewed U.S. funding.⁹²

⁹² Fiers, Select Committees Deposition, 5/1/87, pp. 43, 47, 49, 108-13; Ibid., 5/11/87, pp. 12-17; Fiers, Select Committees Testimony, 8/5/87, p. 21.

Fiers could not square his previous testimony about North with what he knew about Rodriguez. Fiers admitted that he first became aware of Rodriguez's relationship with North and Ilopango in December 1985. Fiers also admitted to his confrontation with Rodriguez at Ilopango in early 1986, and eventually divulged the phone call to North. From this Fiers admitted that he had concluded that Rodriguez was keeping North informed of the private benefactor operation at Ilopango and that North was influencing it through Rodriguez. Fiers also admitted to attending the August 1986 meeting in Donald P. Gregg's office concerning Rodriguez.⁹³

⁹³ Fiers, Select Committees Deposition, 5/1/87, pp. 71-72, 100-06; Fiers, Grand Jury, 4/17/87, pp. 107-16, 120-27.

When it came time to appear before the Iran/contra Committees, Fiers was clearly prepared to answer questions about his and George's testimony of October 14, 1986.⁹⁴ Fiers acknowledged that he intentionally remained silent before HPSCI on that day, but denied that it was because he knew of Fernandez's problems. Fiers was less prepared, however, to talk about other false testimony such as his responses to Sen. David Boren in December 1986 to a question of his knowledge of any involvement by persons associated with the U.S. Government in resupply activities. Fiers could say only that he had been "exposed" and "nervous" during his testimony. As for questions about North, Fiers said that he had been "cutting some very tight corners" and was "technically correct, specifically evasive" in October 1986.⁹⁵

⁹⁴ Fiers had earlier defended this testimony in a Select Committees deposition, arguing that his answer about ownership of private benefactor planes was literally true. Fiers, Select Committees Deposition, 5/11/87, pp. 42-44.

⁹⁵ Fiers, Select Committees Testimony, 8/5/87, pp. 59-63, 80, 121-22, 116-17.

The Fiers Plea and Cooperation

Count One of the criminal information to which Fiers pleaded guilty charged Fiers with withholding information concerning his knowledge of the diversion of funds from the Iran arms sales to the contras during a November 25, 1986, briefing of SSCI. Fiers had claimed that the first time that he had heard of the diversion was from a Cable News Network broadcast of Meese's November 25, 1986, news conference, and that he was aware of no official above him in the CIA hierarchy who was aware of this information.⁹⁶

96 Information, United States v. Fiers, Crim. No. 91-0396 (D.D.C. July 8, 1991). Fiers' guilty plea was obtained by Deputy Independent Counsel Craig A. Gillen and Associate Counsel Vernon L. Francis and Michael D. Vhay.

As he admitted in 1991, Fiers knew that these statements withheld material information from Congress because North had given him information about the diversion on two occasions in 1986, and because Fiers communicated this information to his superiors. Fiers reported these contacts to his superiors, and purposely avoided telling SSCI about them during his November 25, 1986 briefing.

In Count Two of the information, Fiers was charged with concealing his knowledge of North's resupply operation from HPSCI, during this exchange:

[MR. CHAIRMAN]: You don't know whose airplane that was?

[MR. George]: I have no idea. I read -- except what I read in the paper.

[MR. CHAIRMAN]: I understand, but you don't know?

[MR. FIERS]: No, we do not know.

[MR. CHAIRMAN]: There are a number of planes that take off there to supply the Contras regularly. You don't know who they are?

[MR. FIERS]: We know what the planes are by type, we knew, for example, there were two C-123s and two C-7 cargoes. . . . We knew in some cases much less frequently that they were flying down the Pacific air corridors into southern Nicaragua for the purposes of resupply, but as to who was flying the flights and who was behind them we do not know.

[MR CHAIRMAN]: And you still don't?

[MR. FIERS]: No.

These statements withheld Fiers's actual knowledge about the operations and sponsorship of the resupply flights. Fiers was aware generally from November 1984 through November 25, 1986, that North was actively involved in coordinating lethal assistance for the contras. Fiers coordinated CATF activities with North to facilitate North's efforts. As a result, Fiers became aware by February 1986 that North was involved specifically in coordinating flights carrying lethal supplies to the contras from Ilopango air base in El Salvador. This knowledge was reinforced throughout 1986 in a variety of meetings and conversations, some solely between Fiers and North, others attended by other Government officials.

After pleading guilty, Fiers spent over 100 hours reviewing documents and notes, recounting events to FBI agents and the Grand Jury, and preparing himself for trials. Information obtained from Fiers contributed significantly to Independent Counsel's investigation of Iran/contra, particularly his investigation of the activities of the CIA, the Department of State, and the RIG on Central America. Fiers gave critical evidence against Clair George, and would have been a major witness against Elliott Abrams had Abrams not pleaded guilty. At the cost of alienating those with whom he worked, Fiers broke the conspiracy of silence within the Reagan Administration that concealed the widespread high-level support for North's illegal contra resupply activities.