

SUMMARY OF THE DEPOSITION OF  
FERDINAND E. MARCOS (MARCOS II)

Re: Domingo/Viernes v. Republic of Philippines,  
et al.

Deposition  
Taken: March 4 and 5, 1987

Summary  
Prepared By: Linda Scher

Present at  
Deposition: Michael Withey, Jim Douglas, Peter Labrador,  
Mark Bernstein, John Bartco and Helen Rivilla  
(for Marcos), Imelda Marcos, Terri Mast

Page

Examination by Withey

307-309 Discussion between Bartco and Withey as to how  
documents were requested and provided.

308 (Missing)

310-312 Discussion of meaning of "publish" in stipulation,  
that transcript would only be available when properly pub-  
lished.

313 Introductions.

314 Discussion of Marcos's health.

315 In 1980 and early 1981, Imelda was Minister of  
Human Settlement, Governor of Metropolitan Manila, elected  
member of Batasan Pambansa (parliament), member of committee  
to do with AID.

316 Member of overseas committee of Economic Support  
Fund, project FUND from the United States, upon request of  
U.S. and Philippine officials because of much of funds  
passed through Minister of Human Settlement. Economic  
Support Fund was considered part of the military. Imelda  
didn't approve contracts.

317-318 (Discussion of phrasing of question.)

319 AID administrator, some members of defense  
establishment, and Tusmong(SP?) were on the AID committee

that actually was in control of the funds. Amount of AID funds at one time was \$15 million, at another time \$60 to \$70 million including the energy program. DMOP program was run by the military and Jusman(SP?). Policy was established by the entire oversea committee, with Imelda as chair. Executive director who recommended policy and expenditure was Mr. Abling.

320 Marcos did not, as president, sign any agreements with the United States to share intelligence. Not aware of meetings between Philippine and United States military officers and in CINC PAC in Honolulu.

321-22 Marcos refuses to answer questions on intelligence on the basis of security. Confirms that there were a series of bombings between 1980 and 1984.

323 Marcos probably said that the administration of the United States is cooperating with the Philippine government and that (the policy against terrorism) would continue, not that he counseled president-elect Reagan on the matter.

324 Government of the Philippines officially notified the U.S. Department of State and of Defense, CINC PAC, and others of the terroristic plot. Minister of Foreign Affairs, Minister Frivaldo, through the diplomatic missions in the United States, conveyed that information.

325 Marcos was informed by note that the Minister of Justice was called every day by the United States minister of justice on the matter. Does not know of the content of the calls.

✓ 327 Marcos presumed there would be an exchange of information regarding terrorism. The terrorism was identified with some who were anti-Marcos, for example, Psinakis and Benigno Aquino, but others were not identified.

328 (Objection to form of question.)

329 The story that General Ver signed an end user statement that he received a shipment of arms destined for Iran is false. He does not think any statement of that nature could have been signed without his knowledge.

330 (Objection to question.)

331 Marcos discussed and cleared an extradition ("treaty") between the U.S. and Philippines with the Ministry of Justice. Guesses it was never approved. Vaguely recalls a visit by Alexander Haig to Manila in June 1981.

332 Doesn't remember discussing the treaty or an exchange of information. Exhibit 43 (June 1981 FEBC report).

333 Marcos did speak about the treaty.

334 Doesn't remember saying anything about discussing the United States prosecution. Marcos was not aware that Mr. Lovely was questioned before the grand jury in San Francisco, but knew that Alsonis(SP?) traveled to the U.S. because he hurt his hand and eye.

335 Did not receive a transcript of Lovely's U.S. testimony. Has not discussed it with Ver.

336 Marcos was aware that there was a criminal case filed by the Philippine government, but doesn't know if it was against the leading members of the U.S. anti-Marcos opposition (AMO). Some claim to be anti-Marcos; some he believes infiltrated. Marcos was shown the evidence against them, and the Ministry of Justice was told to assess it.

337 It seemed to be some corroborative evidence. Ministry of Justice recommended prosecution, so they were. As far as evidence dating back to 1980 and 1981, only went into the matter of training of terrorists in some desert near L.A. Psinakis was involved. As far as he knew, the information was received from the Philippine intelligence agency.

338 Intelligence processes information that may come from the military attache, consul general, persons writing a sworn statement, in the United States and everywhere. All received and processed at a lower level and brought up to the correct agency; foreign affairs, minister of justice or executive secretary of the president. Not necessarily NISA.

✓ 339 Exhibit 44 (Criminal charge in the Philippines). Marcos identifies it as the criminal complaint brought against the leading AMO members, including Raul Manglapus, Benigno Aquino, Jovito Salonga (head of presidential commission on good government).

✓ 340 Also against Steve Psinakis, who was also charged with masterminding Philippine television, and Rene Cruz. Marcos vaguely remembers Cruz's name.

341 Marcos doesn't believe that there was any change of policy on the right to strike. Martial law was declared under the constitution, which enforces the bill of rights. Right to strike is provided for in the magna carta of labor,

which says that it must be approved by secret ballot by two-thirds of the union.

342 (Compulsory) arbitrator is authorized to order a return to work. Certain rights for management provided, like ingress, egress of products. Also limits use of force by police. But Marcos cannot swear whether the unions had the right to strike in vital industries. He would need to see (decree No. 823). Wages and benefits under martial law were increased, but they wanted more. Kept at a compromise level. They had a tripartite labor conference between representatives of labor unions, management and government, later changed to a wage council.

343 Would not agree that wages decreased by up to 39% between 1977 and 1979; it increased during Marcos's administration from 5 pesos per day to 52 in the country and 54 in the cities. Is well aware of the Kulisang Mayo Uno (KMU); thinks they began earlier than May 1, 1980.

344 They were trying to spread their influence. By 1980 they tried to establish a labor federation, but he doesn't know if they succeeded. He remembers that a charge was filed against the KMU leaders (in September 1980) for treasonable acts, murder, and inciting to rebellion.

345 Marcos did not review the evidence. The court ordered their detention. He saw only one sworn confession by the VP of the unions. Shown to him by Estelito Mendoza, Minister of Justice. Does not recall stating in August 1980 that he would put off cabinet and military changes because of unrest in the labor movement. About that time he changed two cabinet ministers.

345-346 Regarding statement at the same time that he didn't think an increase in minimum wages was wise; he remembers a study that wages were deficient. He was asked by labor to double the deficiency and they agreed. That was in the newspaper. Exhibit 45 (AFP release dated 9/7/80. Recalls the arrest of labor leaders Ernesto Arellano, Vicente Amboy, and Andres Magtoto.) Marcos recalls that they were arrested.

347 Marcos never memorized names, except of leaders like Felix Burto Araulya, president of the KMU. His vice president squealed on him.

348 Exhibit 45 quotes Marcos as warning organized labor and student groups to guard subversive elements and that the government would use force in the groups resorted to violence. Marcos doesn't remember saying it, but he thinks he was more specific because armed forces intelli-

gence had caught subversives who confessed that they were using KMU as a Communist front.

349 Marcos asks, because he always inquires, whether charges had been filed before they issue clearance for erase of arrest, and was told that they had been filed. The intelligence of the armed forces includes practically all sources of intelligence gathering against the KMU threat for subversion. Marcos doesn't believe the NBI was involved. Marcos then qualifies: On that particular case.

350 Exhibit 345 also says that labor organizations were dissatisfied with the new minimum wage. Marcos replies that there was an agreement of the tripartite conference, but the KMU refused to comply.

351 Marcos denies saying that the right to strike would be restored with the upcoming lifting of martial law, but rather he said that the government would fall back on the magna carta of labor, which contains certain conditions for strikes. Policy of the Philippine government and every government was to bring their power to bear against wildcat strikes. Policy in February 1981 was not to arrest but to bring about an immediate, compulsory arbitration, notify them it was an illegal strike, and order a return to work.

352 Exhibit 46 (2/16/81 FED release, "Labor minister Blas Ople said the ministry will take drastic action against wildcat strikes," including dismissal of strikers.)

353 Marcos responds that he was quoting provisions of the law, the magna carta. The first action was always to call for a conference.

354 Marcos was aware of the efforts of leftists or Communists to influence and use labor unions.

355 Denies that in 1980, numerous labor organizers, particularly those affiliated with the KMU, were arrested or disappeared and were salvaged, and hundreds imprisoned as political prisoners. Is extremely false and libelous that hundreds were arrested, etc. The statement causes him anger. It's absolutely a fabrication. It's not necessarily propaganda from the AMO; it could be from any source.

356 Trade union congress, a "vigorous" labor union in the Philippines, started the move to increase minimum wage. They are well balanced as opposed to "government influenced."

357 Doesn't remember a KMU activity on May 1, 1981, to present their demands to the government to liberalize labor

laws. Knows that the KMU officers ultimately supported the confession by their vice president that they were used as a Communist front.

358 Exhibit 47 (5/19/81 broadcast statement that there was a nationwide alert for suspects in the killing of three labor union officials in Calamba, Laguna.)

359 Marcos issued a directive that the killings should be investigated. The arrest of Araula in August 1982 was directed by the court. Araula admitted that there were leftists in his organization.

360 Marcos reviewed the evidence against Araula before he issued clearance for his surveillance and later on to obtain evidence. The tape recordings of meetings, demonstrations and wildcat strikes were outlined to him and Minister of Justice Mendoza with the armed forces judge advocate general. Then Marcos authorized the arrest. Summary of taped evidence indicated Araula openly advocated rebellion and said, "If they oppose you, shoot them."

361-62 Agencies who obtain evidence included: "intelligence section of the armed forces, probably NISA." Not PSC or NBI. The NBI is just involved in international matters.

362 Exhibit 48 (9/1/82 broadcast: "Military arrests 17 more labor leaders.")

363 It is an error that Tupaz is a secretary general of the trade union congress and (part of) allied services labor union.

364 He had his own union, supported by funds from Europe. Marcos had evidence that foreign money was used to support trade union movements, obtained from the labor union books.

365 In public documents, they said the funds were for training, but they finally admitted the funds were going to the organization. Labor leaders were accused by unions of pocketing money. Exhibit 48 says, "Others arrested were affiliated with (the federation) and (the KMU)."

366 Marcos doesn't remember the arrest or signing the presidential commitment order.

367 Knew that there was money from the U.S. coming into the KMU from their account books, which are open. The amount was about \$1-1/2 million.

368 Exhibit 49 (9/82 press conference transcript where Marcos asked, "Where is the money all coming from?" referring to the KMU.)

370 Marcos probably got the information that U.S. funds were provided to them later. But some intelligence people were worried that he'd reveal their information. Marcos doesn't remember whether the KMU was against the Bataan nuclear facility.

371 Knew that they opposed U.S. military bases in the Philippines. Recalls visit from Cesar Chavez in 1977. Knew he was head of the UFW, where a number of Filipino-Americans (F-A) worked. He was also told that a number of F-A worked in the ILWU, in Hawaii and on the west coast. There were two main unions with F-A participation.

372 Chavez was complimentary of the growth of unionism in the Philippines and the magna carta of labor and was impressed with it.

373 Exhibit 50 (ILWU resolution RS-34 passed in Honolulu in April and May of 1981).

374 Regarding the statement that strikes have been banned, Marcos wants to review presidential decree No. 823 and the policy statements he issued.

375 The statement that the labor situation has deteriorated and wages depressed is completely wrong. Disagrees that labor organizers have been salvaged, killed under suspicious circumstances, because charges were not filed in the courts.

376 Consul general in Hawaii in 1981 was probably Alconcel. Marcos has known Alconcel more than 20 years.

377 Marcos describes Alconcel as efficient and one who worked according to the standards issued rather than a loyal and trusted diplomat.

378 Marcos denies knowing anything about Alconcel and de Vega's provision of funds to Mijares. He doesn't remember calling Alconcel and telling him to take orders from de Vega.

380 In April and May of 1981, cables regarding the resolution would have been sent from the consul general Alconcel to the Minister of Foreign Affairs, Carlos Romulo.

381 Exhibit 51 (photograph). Marcos recognizes himself but not Tony Baruso. Marcos's seal is in the picture,

but not necessarily taken at Malacanang. Marcos doesn't remember Frank Perez.

382 Marcos doesn't remember Baruso.

383 Is not familiar with Caballeros di Mas Alang. Doesn't remember attending the 1977 Manila convention. Minister Romulo could attend to those duties. Philippine government did award U.S. Filipinos.

384 The award would depend on how meritorious they were. Some were awarded the presidential citation or even the order of Sicutuna(SP?). Also awarded a citizen's medal, sometimes provided through consul generals in U.S. cities.

385-398 Marcos asserts his privilege not to testify against himself in response to questions about:

386 -- Whether the PNB was used to pay for intelligence activities in the United States.

-- Who was the president of the PNB in 1981?

388 -- Exhibit 52 (Memo to Marcos from Placido Mapa regarding Philippine intelligence fund), including identifying his signature and the source of the \$9-plus million.

389 -- How many intelligence funds he authorized.

-- Why he had Exhibit 52.

390 -- Whether he authorized expenditure of \$1-plus million for intelligence funds in 1981.

-- How many branches of the Philippine bank existed in 1981.

391 -- General Ver's role in approving intelligence funds.

-- Juan Ponce Enrile's association with the PNB in Manila.

392 -- Leaniti Virata's position with the Development Bank of the Philippines.

-- Roman Cruz, Jr.'s association with government services insurance system (although Marcos testifies he knows Cruz).

393 -- Incorporation of the Philippine Bank of California.

395 -- Three copies of Mabuhay statement of expenses (identified for the record).

396 -- Including: Initials PSC-CG, authorization of use of \$1 million of PNB funds to create Mabuhay.

398 -- Whether Mabuhay was used as an intelligence slush fund to, on May 17, 1981, provide \$15,000 for the murders of Domingo and Viernes.

399 (Statement for the record regarding the questionable source of Exhibit 52. Mabuhay statements marked Exhibit 53A, B and C.)

400 (Statement for the record that Marcos is invoking his Fifth Amendment right to remain silent and right against self-incrimination.)

401 Remembers taking trips abroad as president in 1980 and 1981. He remembers the ANPA convention in Hawaii, but not that it was in 1981. He addressed people from the U.S. at the convention.

402-403 Is accompanied by members of the PSC when he travels abroad. Believes there was a conference of all American heads of diplomatic nations, American-based Filipinos from S.F., L.A., Chicago, N.Y., maybe New Orleans, and possibly U.S. ambassador from D.C., involving problems of relations with the press. Ministry of Information or media affairs people from consulates might have come. He doesn't believe there were military attaches there.

404 Doesn't remember stopping in Hawaii in 1981 on the way to Cancun. Regarding presidential decree No. 731 indicating that chair of the succession committee (Imelda) was designated as the president's successor to perform his duties, it was handwritten, never recorded. When Imelda traveled abroad, she was generally accompanied by security.

405 Local boys of the diplomatic mission are part of the advance party. Doesn't recall a satellite speech to U.S. supporters. Pulong-Pulong is a live interview with call-in questions.

406 Marcos doesn't remember having one, but the National Press Club does one every Monday in the Philippines.

406-407 Lito Gorospe was a staff member of the Ministry of Information. Worked directly under Mr. Santanya. Had a special mission to cover Marcos's TV and radio interviews, mostly held in parliament. Gorospe was there from the time

Marcos became president. Gorospe's duties may have taken him to the United States. Marcos was told that Malabed owned a newspaper in the Bay Area.

408 Privilege invoked as to Malabed's efforts to purchase a radio station. <sup>Ver</sup> There had a primary role in 1981 in assessing Philippine intelligence needs regarding U.S. AMO as well as all kinds of intelligence as head of NISA. It was all he worked on until he became chief of staff.

409-410 Marcos has used other names during the war. Invokes the fifth as to whether he used the name William Saunders, including to establish a bank account in any other country. Also invoked as to wife's use of the name Jane Ryan to open a bank account.

411 No. 7 is the Biblical strong number; 4 is the weak number. Seven is a strong number for Marcos. One of the presidential license plates was No. 777.

412 777 was also the number of votes Marcos received when he was nominated for president of the opposition party. Invokes the fifth as to whether he had corporations in the name "777" because it involves his assets.

413 For the record, Exhibit 53A, B and C were obtained by Marcos's lawyers from the U.S. Customs.

414-422 Marcos invokes the fifth amendment as to:

414 -- Exhibit 54 (Signature card of Dr. Leonilo Malabed, which opened the Mabuhay Corporation account with the Philippine Bank of California on 7/7/77).

415 -- Discussion between Marcos and Malabed about the opening of the Mabuhay Corporation

-- Suggestion that it be opened on 7/7/77 for good luck.

-- Whether the funds provided to the Mabuhay Corporation for intelligence purposes were used to monitor and operate against the U.S. AMO movement.

417 -- Whether they were used to purchase surveillance equipment and other supplies.

418 -- Or used to pay informants and other sources in order to infiltrate AMO organizations.

419 -- Or used to conduct acts of physical violence, including murder, political assassinations, and summary

executions, against the U.S. AMOs.

-- Whether Marcos made contributions to U.S. campaigns through Mabuhay or otherwise.

420 -- Whether Lito G rospe was a courier of cash to purchase media ads in the Bay Area.

421 -- Whether the PNB was used to funnel intelligence funds to the U.S. other than through Mabuhay (also objection to form).

422 -- Whether the 2/7/79 payment listed on the statement of \$9,900 was paid to Malabed for his handling of the account.

Marcos celebrate his wedding anniversary on May 1st.

423 Friends from the U.S. often called to wish him happy anniversary. Invokes the fifth as to whether Malabed called on May 1, 1981. No government intelligence fund was used by Marcos or Ver to dispatch a military officer to Seattle or California in May 1981. Invokes the fifth as to whether \$1.2 million in Philippine pesos accompanied him to Hawaii in February 1986. (Also objection to form.)

424 -- Also invoked as to whether the Mabuhay statement, Exhibit 53A, accompanied him.

March 5, 1987

425 (Discussion of customs documents provided and missing.)

427 Documents provided did not originate with the U.S. customs.

428 Orlando Villa is assistant to senior aide-de-camp in the PSC and is "close security" meaning always close to the president in public. Was in that capacity for not more than two years. Villa is a major in the armed forces, serving Captain Igrande. Before the Aquino assassination cases were filed, Colonel Arturo Arisa was senior aide-de-camp.

429-430 Presidential decree No. 731, now part of Exhibit 55, is apparently in Marcos's handwriting. A move to eliminate the executive committee, who was supposed to be the successor if the president was disqualified, was gaining ground. There was an assassination plot about the same

time. He wanted to issue a decree to show as a warning to assassination plotters. Note in presidential decree No. 731-A, dated 1/15/76, inserts the office of Secretary of Justice rather than executive secretary. Secretary of Justice in 1981 was Estallito Mendoza, who was also Minister of Justice.

431 The president does not authorize official missions abroad, and Marcos never did. Government official policy was that no intelligence missions be sent out, especially for anti-terrorism purposes.

432 If Imelda went on an official mission abroad, either Marcos or an official document from the Ministry of Foreign Affairs would authorize her to represent the president or the Philippine government. Marcos remembers his Cancun conference in October 1981. Expenses were handled by the fiscal officer. Under legislation No. 1617, it gave the power of transfer in the event of shortages on official missions, i.e., through advances by official agencies like the PNB, so that it would be officially registered.

433-436 Marcos invokes the fifth amendment as to:

433 -- Whether the 1981 Philippine intelligence fund (PIF) account, referred to in Exhibit 55, authorized expenses for the Cancun trip.

434 -- Whether \$50,000 was spent out of the PIF for official missions abroad, as per Exhibit 55, p. 416. (Also objection to the phrase "intelligence fund.")

-- Whether he is familiar with traders royal bank.

435 -- Whether the traders royal bank, run by Benedicto, shows the withdrawal of \$10 million cash from Marcos's account on 5/11/81, as per Exhibit 55, p. 1300.

436 -- Whether there was a withdrawal of \$30,000 to Malabed as per Exhibit 55, p. 1307.

437 (Bartco confirms that there is an understanding that any questions related to the documents just mentioned as well as to the Philippine intelligence fund, the PNB accounts, etc., will be objected to on fifth amendment grounds.)

#### Examination by Bernstein

438 Marcos took the bar exam in 1939. Was delayed in taking the oath as a lawyer until 1940 because of the pending Mendoza murder case. The claim was that he assassinated

a deponent of his father in the 1935 or 1936 election. He lost the case on trial, but won on appeal after the principal witness confessed to perjuring himself. President Kesson recommended a pardon after the trial, but Marcos refused.

439-440 Marcos assisted President Ross. He is familiar with the contents of the commonwealth constitution from 1935 to 1973, and the 1973 constitution as amended in 1976, 1981 and 1984, and is generally familiar with the laws of the Philippines.

441 National Intelligence and Security Agency is referred to as NISA, now known as NICA, under Aquino. Secret legislation established NISA.

442 (Argument regarding Marcos's security privilege.)

443 The legislation is jurisdictional, but contents cannot be revealed for security reasons. Legislation exists establishing the PSC and is confirmed yearly by the operations act. It outlines the jurisdictional limits.

444 During 1975 to 1982, Marcos doesn't believe the PSC had authority and jurisdiction to investigate matters outside the Philippines. PSC not authorized to conduct surveillance outside the Philippines unless special information or knowledge comes to them, not as members of the PSC.

446 As far as Marcos knows and as far as policy says, the PSC never conducted activities on U.S. soil. If the PSC believed there was a matter to be investigated (officially or unofficially),

on U.S. soil, it would be brought to Marcos's personal attention. This happened only once, regarding a foreign head of state. NISA is not authorized to act outside the Philippines unless it is an urgent matter relating to Marcos's security while abroad.

447 Written authority of Marcos was required for NISA action abroad. Marcos never has issued such authority. No one else authorized to permit that activity.

448 Checks on activities of each agency usually end up with the National Security Council, not Marcos alone.

449 If such activity abroad occurred, it would be a violation of policy and law. (Objections to the question.) NBI is concerned with international intelligence operations. It obtains information through Interpol, police and intelligence operations.

450 NBI was never authorized to conduct surveillance operations on members of the U.S. AMO between 1978 and 1982. Would have to be authorized by court, security council and perhaps the president. NBI under minister of justice engages in obtaining evidence, which may involve intelligence exchanges.

451 An intelligence board coordinates intelligence activities.

452 If an act is not authorized, it's unlawful. ISAFP is the intelligence arm of the armed forces. They were not authorized to conduct U.S. investigations of the U.S. AMO between 1978 and 1982. Limited to the Philippines except possibly for the exchange of intelligence information.

453 Such investigation would violate policy and law.

454 Between 1972 and 1982, Marcos did not cause any Philippine government agency to investigate people solely because they were considered political opponents. Police agencies, intelligence agencies and covert action groups performed their jobs without reference to authorities, written or otherwise.

455 Between 1972 and 1981, he did not have unlimited power, only constitutional power.

455-458 Marcos explains his view of the U.S., South America and Erocan(SP?) martial law.

458 He submitted himself to the jurisdiction of the supreme court during martial law.

459 During 1972-1982, Marcos was subject to the constitution and the laws of the Republic of the Philippines as evidenced by the number of cases filed against him and his cabinet during that time.

460 They recognized and implemented the bill of rights. Commander in chief of the armed forces authorized to operate the AF and intelligence groups according to the law, which he doesn't remember included surveillance specifically of political opponents, but rather of those guilty of committing a crime.

461 Not guilty, but rather suspected upon some basis of committing a crime.

462 Marcos consulted Aquino who said he should declare martial law. Also consulted Jerry Roth who was supposed to

be his next opponent.

463 No need to conduct surveillance. Filipinos are perennial gossipers. It is the work of the intelligence and police to separate the chaff from the grain.

464 Marcos wouldn't have believed the assassination plot was serious if not for the fact of the strange entry of a foreign gunman. Marcos was president of movement for a new society, a coalition, from 1972 to 1982. No need for party to gather intelligence on opponents.

465 The whole party assessed their capabilities. Their surveys were revealed to the opposition leaders, who admitted that their surveys showed that people were waiting for martial law. As to the question of whether the president was authorized during 1972-1982 to provide government funds to his political supporters to conduct surveillance on opponents, Marcos' answer is unclear.

466-467 (Argument about relevancy of questions.)

468 Capital punishment has always been allowed. Capital crimes for those in the Napoleonic codes and also treason. The court orders the death sentence. Marcos, as president, always remitted the death sentence to life imprisonment. The only exception was the case of Lim Sang, heroin producer.

469 No government official carried out an execution without his authority. No cases were filed on the salvage charges. Marcos asked to assume that in 1981, Viernes and Domingo were involved in a plan formulated in the United States to provide funds to the KMU and that his intelligence officers reported this, and he believed it to be true. If true, what lawful steps can be taken?

470-471 (Series of objections.) Marcos responds, "Court action."

472 Marcos would not authorize other steps.

473 Invokes the fifth as to whether he has seen Exhibit 56 before (documents regarding PIF account at PNB).

474 Also invokes fifth as to whether the intelligence fund accounts were used for confidential security purposes as well as other purposes.

475 Invoked as to whether he unlawfully and without authority ordered funds to be disbursed from the PIF to conduct intelligence activities against purely political

opponents in the U.S. between 1978-1982.

476 NISA created by legislation that was kept secret. Passed by parliamentary legislation and, he thinks, by presidential decree.

Examination by Withey.

477 NBI headquartered under the Ministry of Justice in Manila. Jolly Bugarin was director in 1980 and 1981.

478 NBI created in 1935.

479 There were international yearly meetings of Interpol in which the NBI participated. U.S. is also a member of Interpol.

480 If, in 1980-1981, a person came from the U.S. to the Philippines, was suspected of coming to aid and abet the KMU, to meet with its top leadership, including Aralia, under existing procedures, it would have been routine to conduct an investigation of such person and their background jointly through immigration and Ministry of Foreign Affairs via their files.

481 If the person came to aid and abet the New Peoples Army: First, the American government wouldn't allow them to go. If such a person got in, the first thing would be to ask the U.S. government what their files say. Marcos presumes there was routine cooperation of this nature.

482 All agencies with police functions would be responsible for the investigation, including immigration, airport security, foreign affairs, intelligence authorities in various agencies, NBI. NBI would be the most expeditious, they could go over to the Interpol record of questionable characters. Information from Interpol would pass through the Minister of Justice.

483 Procedures are compartmentalized; everyone uses discretion. Marcos presumes the man would be interrogated and confronted with his files. The whole government would be responsible for surveillance of the person once he got out into the New People's Army's zones. If such a person went to the NPA zone and then met with KMU leadership, he would be subject to routine investigation and surveillance.

484 It might also justify the filing of a case in court. Decision lies with Minister of Justice and Ministry of Foreign Affairs. Seldom comes up in the National Security Council.

485 As to whether Benigno Aquino was assassinated for political reasons by members of Marcos's military, he believes officers of the Communist party were seeking to revenge the killing of Commander Pusa, allegedly by Aquino. Still believes that the gunman Gaulman infiltrated the MIA in order to assassinate Aquino.

485-486 Disagrees that the Agrava Commission concluded that there was a murder conspiracy involving Luther Custodio, Colonel Ababia and Prospero Olivas.

illa