File #:

62-116395

Serial Scope:

1715 THRU 1740

309

Memorandum

Dep. Dir.
ADD Adm.
ADD Inv.
Asst. Dir.:
Adm.Servs.
Crim.Inv.
Ident.
Info.Mgnt.
Insp.
Intell.
Lab.
Legal Coun.
Tech. Servs.
Training
Cong. Affs. Off.
Off. of EEO
Off. Liaison & Int. Affs.
Off. of Public Affs.
Telephone Rm.
Director's Office

To : Mr. Davis

Date 3/30/92

From : Congressional Affairs Office (CAO)

Subject : DOCUMENT REVIEW FOR SENATE SELECT COMMITTEE ON POW/MIA AFFAIRS

PURPOSE: To request that LCD deliver to CAO for transmittal to the Office of Senate Security certain classified and unclassified POW/MIA documents received from the Department of State (DOS), which are currently being processed by LCD, CDRU, for dissemination to the Select Committee.

DETAILS: The above referenced FBI documents were received from the DOS by letter dated 3/6/92, and forwarded to LCD for review prior to any dissemination of same to the Senate Select Committee on POW/MIA Affairs. DOS has requested these documents be turned over to the Committee for their review/use. LCD, CDRU, has advised CAO that some of the documents under review are classified, and has requested clarification of the procedures surrounding transmittal of classified FBI documents to the Senate.

Pursuant to established procedures regarding transmittal of classified FBI documents to the Senate for review by a particular committee, CAO is responsible for physical delivery of classified documents to the Senate Security Office, where they are stored and made available to persons possessing proper security clearances. CAO attaches a transmittal letter with receipt to the documents, and they are delivered to the Senate Security Office by courier.

62-116395-1740

RECOMMENDATION: That upon completion of review of the above documents, LCD deliver same to CAO for transmittal to the Senate Security Office.

APPROVED:

Director
Dep. Dir.
ADD-Adm.
ADD-Inv.
Adm. Servs.
Crim. Inv.
Ident.
Info. Mgnt.
Inspection
Intell.
Laboratory
Legal Coun.
Tech. Servs.
Training
Cong. Affs. Off.
Off. of EEO
Off. of Liaison & Int. Affs.
Off. of Public Affs.

1 - Mr. McFarland
1 - Mr. Dohogne
1 - Mr. Collingwood
3 - Mr. Hooks
1 - Mr. Brust
PFB:sr (7)

SSA PETER F. BRUST
ROOM 7240

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/6/2000 BY SP2 NM/lmf
MDR-16

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DIRECTOR OF CENTRAL INTELLIGENCE
Intelligence Community Staff
Washington, D.C. 20505

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ICS 0843-90
30 March 1990

MEMORANDUM FOR: Distribution

FROM: Brigadier General Richard S. Beyea, Jr., USAF (Ret.)
Director, Community Counterintelligence and Security Countermeasures Office

SUBJECT: Coordination of SSCI Testimony--10 May 1990

1. Attached for information and action are copies of Senate Select Committee on Intelligence (SSCI) letters of request to principals scheduled to testify before the SSCI on 10 May 1990. The materials are provided, with the consent of respective addressees, to facilitate interagency awareness and coordination. Also outlined below for your concurrence is a recommended procedure intended to further promote optimum coherence in all intended testimony.

2. As reflected in the attachments, it is clear that many of the specific questions asked of individual respondents also have relevance to the missions and interests of other agencies providing testimony. It would seem mutually beneficial therefore to be collectively alert, in advance, to the general direction of intended individual positions.

3. As an aid to further promotion of improved Community coordination, CCISCMO proposes the following:

05-116395-1739

a. CCISCMO will facilitate distribution, amongst addressees, of the text of intended written testimony. Addressees from the Departments of State and Defense as well as those from the CIA and FBI are requested to provide input to CCISCMO by 30 April 1990 so that timely distribution can be made prior to the date final written testimony is due to the SSCI.

b. CCISCMO will host a preliminary coordination meeting of appropriate representatives of those agencies scheduled to testify. Its purpose is to provide a forum for discussion of themes and content of proposed replies to SSCI questions. The meeting is scheduled for 1000, 11 April 1990 at the CCISCMO offices, room 1005, 1820 North Ft. Myer Drive, Rosslyn, Virginia.

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OFFICE OF
CONGRESSIONAL AFFAIRS
FRONT OFFICE

SUBJECT: Coordination of SSCI Testimony--10 May 1990

4. Request addressees provide telephonic notification to CCISCMO indicating approval of the proposals outlined in paragraph 3 above as well as the identity of attendee(s). A response to Mr. Waldo Webb at 351-2001 (STU III) or secure 34176 by 5 April 1990 would be greatly appreciated.

R. S. Beyea, Jr.
Richard S. Beyea, Jr.

Attachments:
a/s

NW 55008 DocId:32989599 Page 6

SUBJECT: Coordination of SSCI Testimony--10 May 1990

Distribution of ICS 0843-90 (w/atts)
1 - Mr. Rich Haver, DoD
1 - Amb Ivan Selin, State
1 - Mr. William Sessions, FBI
1 - Mr. Hugh Price, CIA

62-116395-1739

ENCLOSURE

NW 55008 DocId:32989599 Page 7

SAM NUNN, GEORGIA
ERNEST F. HOLLINGS, SOUTH CAROLINA
BILL BRADLEY, NEW JERSEY
ALAN CRANSTON, CALIFORNIA
DENNIS DeCONCINI, ARIZONA
HOWARD M. METZENBAUM, OHIO
JOHN H. GLENN, JR., OHIO.

ORRIN HATCH, UTAH
FRANK MURKOWSKI, ALASKA
ARLEN SPECTER, PENNSYLVANIA
JOHN WARNER, VIRGINIA
ALFONSE M. D'AMATO, NEW YORK
JOHN C. DANFORTH, MISSOURI

GEORGE MITCHELL, MAINE, EX OFFICIO
ROBERT DOLE, KANSAS, EX OFFICIO

GEORGE J. TENET, STAFF DIRECTOR
JAMES H. DYKSTRA, MINORITY STAFF DIRECTOR
L. BRITT SNIDER, GENERAL COUNSEL
KATHLEEN P. McGHEE, CHIEF CLERK

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, DC 20510-6475

OFFICE OF THE
SECRETARY OF DEFENSE
90 FEB 13 AM 11:29

February 7, 1990

SSCI #90-508

The Honorable Dick Cheney
Secretary of Defense
The Pentagon
Washington, D.C. 20301

Dear Secretary Cheney:

The Senate Intelligence Committee, as part of the annual budget authorization process, will hold a hearing on U.S. counterintelligence and security programs on May 10, 1990, in Room SH-219 of the Hart Senate Office Building. We request that you make available to testify at that hearing Mr. Rich Haver, Special Assistant to the Secretary of Defense for Intelligence. Other witnesses invited to testify at this hearing are FBI Director William S. Sessions, Mr. Ivan Selin, Undersecretary of State for Management, and Mr. Ted Price, the announced successor to Mr. Gardner Hathaway as CIA Associate Deputy Director for Operations and head of the CIA Counterintelligence Center.

We are asking all witnesses to be prepared to discuss with the Committee the results of the Administration's review of counterintelligence and security programs for the 1990s, whether recent changes in the threat and operating environment require modifying objectives in the 1990s, and the implications for NFIP and non-NFIP resource allocation, program direction, and possible legislation. The hearing will also consider issues identified in the testimony from a group of prominent citizens scheduled for March 22, and we will be in touch with you further on those matters.

We would like Mr. Haver to address in his written testimony and be prepared to discuss the following questions: (1) What are the results of his review of DoD counter-intelligence which you stated was "an early and high priority" in your letter of May 31, 1989? (2) To what extent has political change in the Soviet Union and Eastern Europe diminished their intelligence threat in the 1990s and the requirements for CI operations and security measures against that threat? (3) To what extent do other traditional threats, such as the PRC and Cuba, require greater attention in the 1990s? (4) What are the emerging threats in the 1990s from third world and "friendly" intelligence services, as well as narcotics traffickers and terrorists? (5) What new challenges do technological advances and transfers to criteria countries and terrorist groups pose in the 1990s? (6) What are the consequences of these changing threats for

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ENCLOSURE

DoD counterintelligence needs and protection of military, diplomatic, and intelligence secrets in the 1990s? (7) How will CI and security programs cope with increased Soviet emigres and visitors, arms control inspectors, and US-Soviet commercial contacts? (8) Are US computer and communications security efforts adequate for the 1990s? (9) How serious is the CI impact of counterpolygraph techniques and NSA's loss of access to certain targets? (10) What national policy initiatives are required for the 1990s, i.e., personnel security standards, actions to deter leaks? (11) Is a national countermeasures budget needed? (12) What should be done to improve multiagency organizations such as OFM, SEO and JSPO?

Witnesses are asked to submit their written testimony a week in advance and to make informal opening remarks of about 5-10 minutes. Agency representatives should contact Committee staff members Mary Sturtevant or John Elliff at 224-1700 regarding this hearing.

Sincerely,

David L. Boren
Chairman

William S. Cohen
Vice Chairman

NW 55008 DocId:32989599 Page 9

DAVID L. BOREN, OKLAHOMA, CHAIRMAN
WILLIAM S. COHEN, MAINE, VICE CHAIRMAN
SAM NUNN, GEORGIA
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GEORGE MITCHELL, MAINE, EX OFFICIO
ROBERT DOLE, KANSAS, EX OFFICIO

GEORGE J. TENET, STAFF DIRECTOR
JAMES H. DYKSTRA, MINORITY STAFF DIRECTOR
L. BRITT SNIDER, GENERAL COUNSEL
KATHLEEN P. McGHEE, CHIEF CLERK

SECRET

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, DC 20510-6475

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February 9, 1990
'90 FEB-20 9:22 PM

SSCI #90-505

The Honorable James A. Baker, III
Secretary of State
Department of State
Washington, D.C. 20520

Dear Secretary Baker:

The Senate Intelligence Committee, as part of the annual budget authorization process, will hold a hearing on U.S. counterintelligence and security programs on May 10, 1990, in Room SH-219 of the Hart Senate Office Building. We request that you make available to testify at that hearing Mr. Ivan Selin, Undersecretary of State for Management. Other witnesses invited to testify are FBI Director William S. Sessions, Mr. Ted Price, the announced successor to Mr. Gardner Hathaway as CIA Associate Deputy Director for Operations and head of the CIA Counterintelligence Center; and Mr. Rich Haver, Special Assistant to the Secretary of Defense for Intelligence.

We are asking all witnesses to be prepared to discuss with the Committee the results of the Administration's review of counterintelligence and security programs for the 1990s, whether recent changes in the threat and operating environment require modifying objectives in the 1990s, and the implications for NFIP and non-NFIP resource allocation, program direction, and possible legislation. The hearing will also consider issues identified in testimony from a group of prominent citizens scheduled for March 22, and we will be in touch with you further on those matters.

We would like Mr. Selin to address in his written testimony and be prepared to discuss the following questions: (1) To what extent has political change in the Soviet Union and Eastern Europe affected their intelligence threat in the 1990s and the requirements for CI operations and security measures against that threat? (2) To what extent do other traditional threats, such as the PRC and Cuba, require greater attention in the 1990s? (3) What are the emerging threats in the 1990s from third world and "friendly" intelligence services, as well as narcotics traffickers and terrorists? (4) What new challenges do technological advances and transfers to criteria countries and terrorist groups pose in the 1990s? (5) What are the consequences of these changing threats for embassy security priorities and protection of diplomatic, military, and intelligence secrets?

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(6) How will the State Department assist CI and security programs to cope with increased Soviet emigres and visitors, arms control inspectors, and US-Soviet commercial contacts? (7) Are US computer and communications security efforts adequate for the 1990s? (8) What national policy initiatives are required for the 1990s, i.e., personnel security standards, actions to deter leaks? (9) Is a national countermeasures budget needed? (10) What should be done to improve the multiagency organizations such as OFM, SEO and JSPO in the 1990s? (11) Are organizational changes in State Department security, counterintelligence, construction, and foreign missions programs needed for the 1990s?

Witnesses are asked to submit their written testimony a week in advance and to make informal opening remarks of about 5-10 minutes. Agency representatives should contact Committee staff members Mary Sturtevant or John Elliff at 224-1700 regarding this hearing.

Sincerely,

David L. Boren
Chairman

William S. Cohen
Vice Chairman

NW 55008 DocId:32989599 Page 11

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DAVID L. BOREN, OKLAHOMA, CHAIRMAN
WILLIAM S. COHEN, MAINE, VICE CHAIRMAN
SAM NUNN, GEORGIA
ERNEST F. HOLLINGS, SOUTH CAROLINA
BILL BRADLEY, NEW JERSEY
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DENNIS DeCONCINI, ARIZONA
HOWARD M. METZENBAUM, OHIO
JOHN H. GLENN, JR., OHIO
ORRIN HATCH, UTAH
FRANK MURKOWSKI, ALASKA
ARLEN SPECTER, PENNSYLVANIA
JOHN WARNER, VIRGINIA
ALFONSE M. D'AMATO, NEW YORK
JOHN C. DANFORTH, MISSOURI

GEORGE MITCHELL, MAINE, EX OFFICIO
ROBERT DOLE, KANSAS, EX OFFICIO

GEORGE J. TENET, STAFF DIRECTOR
JAMES H. DYKSTRA, MINORITY STAFF DIRECTOR
L. BRITT SNIDER, GENERAL COUNSEL
KATHLEEN P. McGHEE, CHIEF CLERK

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, DC 20510-6475

February 7, 1990

SSCI #90-507

The Honorable William Sessions
Director
Federal Bureau of Investigation
J. Edgar Hoover Building
Washington, D.C. 20535

Dear Director Sessions:

The Senate Intelligence Committee, as part of the annual budget authorization process, will hold a hearing on U.S. counterintelligence and security programs on May 10, 1990, in Room SH-219 of the Hart Senate Office Building. We invite you to testify at that hearing as FBI Director and as chairman of the DCI's Advisory Group on Counterintelligence. Other witnesses invited to testify are Undersecretary of State Ivan Selin, Mr. Ted Price, the announced successor to Mr. Gardner Hathaway as CIA Associate Deputy Director for Operations and head of the CIA Counterintelligence Center, and Mr. Rich Haver, Special Assistant to the Secretary of Defense for Intelligence. *

We are asking all witnesses to be prepared to discuss with the Committee the results of the Administration's review of counterintelligence and security programs for the 1990s, whether recent changes in the threat and operating environment require modifying objectives in the 1990s, and the implications for NFIP and non-NFIP resource allocation, program direction, and possible legislation. The hearing will also consider issues identified in testimony from a group of prominent citizens scheduled for March 22, and we will be in touch with you further on those matters.

We would like you to address in your written testimony and be prepared to discuss the following questions: (1) What are the results of the Administration's review of counter-intelligence and security programs to meet the needs of the 1990s? (2) How will the Administration coordinate national policy in these areas? (3) What national policy initiatives are required for the 1990s, i.e., personnel security standards, actions to deter leaks? (4) To what extent has political change in the Soviet Union and Eastern Europe diminished their intelligence threat in the 1990s and the requirements for CI operations and security measures against that threat? (5) To what extent do other traditional threats, such as the PRC and Cuba, require greater attention in the 1990s? (6) What are the emerging threats in the 1990s from third world and "friendly" intelligence services, as well as narcotics traffickers and

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terrorists? (7) What new challenges do technological advances and transfers to criteria countries and terrorist groups pose in the 1990s? (8) What are the consequences of these changing threats for FBI surveillance needs and investigative strategy? (8) How will the FBI cope with increased Soviet emigres and visitors, arms control inspectors, and US-Soviet commercial contacts in the 1990s? (9) Are US computer security efforts adequate for the 1990s? (10) Are U.S. computer and communications security efforts adequate for the 1990s? (11) How serious will be the CI impact in the 1990s of counterpolygraph techniques and NSA's loss of access certain targets? (12) What should be the role of multiagency organizations such as OFM, SEO and JSPO in the 1990s? (13) Should Congress consider any legislation to meet FBI counterintelligence needs in the 1990s? (14) Should the FBI have the greater flexibility to manage its counterintelligence personnel in the 1990s?

Witnesses are asked to submit their written testimony a week in advance and to make informal opening remarks of about 5-10 minutes. Agency representatives should contact Committee staff members Mary Sturtevant or John Elliff at 224-1700 regarding this hearing.

Sincerely,

David L. Boren
Chairman

William S. Cohen
Vice Chairman

NW 55008 DocId:32989599 Page 13

DAVID L. BOREN, OKLAHOMA, CHAIRMAN
WILLIAM S. COHEN, MAINE, VICE CHAIRMAN
ORRIN HATCH, UTAH
FRANK MURKOWSKI, ALASKA
ARLEN SPECTER, PENNSYLVANIA
JOHN WARNER, VIRGINIA
ALFONSE M. D'AMATO, NEW YORK
JOHN C. DANFORTH, MISSOURI
ERNEST F. HOLLINGS, SOUTH CAROLINA
BILL BRADLEY, NEW JERSEY
ALAN CRANSTON, CALIFORNIA
DENNIS DECONCINI, ARIZONA
HOWARD M. METZENBAUM, OHIO
JOHN H. GLENN, JR., OHIO

GEORGE MITCHELL, MAINE, EX OFFICIO
ROBERT DOLE, KANSAS, EX OFFICIO

GEORGE J. TENET, STAFF DIRECTOR
JAMES H. DYKSTRA, MINORITY STAFF DIRECTOR
L. BRITT SNIDER, GENERAL COUNSEL
KATHLEEN P. McGHEE, CHIEF CLERK

SECRET

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, DC 20510-6475

February 7, 1990

SSCI #90-506

The Honorable William H. Webster
Director of Central Intelligence
Central Intelligence Agency
Washington, D.C. 20505

Dear Judge Webster:

The Senate Intelligence Committee, as part of the annual budget authorization process, will hold a hearing on U.S. counterintelligence and security programs on May 10, 1990, in Room SH-219 of the Hart Senate Office Building. We request that you make available to testify at that hearing Mr. Ted Price, the announced successor to Mr. Gardner Hathaway as Associate Deputy Director for Operations and head of the CIA Counterintelligence Center. Other witnesses invited to testify are FBI Director William S. Sessions, Undersecretary of State Ivan Selin, and Mr. Rich Haver, Special Assistant to the Secretary of Defense for Intelligence.

We are asking all witnesses to be prepared to discuss with the Committee the results of the Administration's review of counterintelligence and security programs for the 1990s, whether recent changes in the threat and operating environment require modifying objectives in the 1990s, and the implications for NFIP and non-NFIP resource allocation, program direction, and possible legislation. The hearing will also consider issues identified in testimony from a group of prominent citizens scheduled for March 22, and we will be in touch with you further on those matters. || postpone

We would like Mr. Price to address in his written testimony and be prepared to discuss the following questions: (1) To what extent has political change in the Soviet Union and Eastern Europe affected their intelligence threat in the 1990s and the requirements for CI operations and security measures against that threat? (2) To what extent do other traditional threats, such as the PRC and Cuba, require greater attention in the 1990s? (3) What are the emerging threats in the 1990s from third world and "friendly" intelligence services, as well as narcotics traffickers and terrorists? (4) What new challenges do technological advances and transfers to criteria countries and terrorist groups pose in the 1990s? (5) What are the consequences of these changing threats for operations and security at CIA stations, embassy security priorities, and protection of military, diplomatic, and intelligence secrets? (6) Are US computer and communications security efforts

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adequate for the 1990s? (7) How serious will be the CI impact in the 1990s of counterpolygraph techniques and NSA's loss of access to data? (8) What national policy initiatives are required for the 1990s, i.e., personnel security standards, actions to deter leaks? (9) What should be done to improve multiagency organizations such as SEO, JSPO and OFM in the 1990s?

Witnesses are asked to submit their written testimony a week in advance and to make informal opening remarks of about 5-10 minutes. Agency representatives should contact Committee staff members Mary Sturtevant or John Elliff at 224-1700 regarding this hearing.

Sincerely,

David L. Boren
Chairman

William S. Cohen
Vice Chairman

NW 55008 DocId:32989599 Page 15

Memorandum

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Exec AD Adm. ____
Exec AD Inv. ____
Exec AD LES ____
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Tech. Servs. ____
Training ____
Off. Liaison & Int. Affs. ____
Telephone Rm. ____
Director's Sec'y ____

To : The Director WSS/Sec

Date 8/10/89

From : J. H. Geer

CLASS
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Subject : SENATE SELECT COMMITTEE ON INTELLIGENCE REPORT ON THE FBI AND CISPES (U)

PURPOSE:

Although the Intelligence Division was not requested to provide recommendations as to additional policy or procedural changes to be implemented, we do wish to comment on an errant conclusion of the Senate Select Committee on Intelligence (SSCI) regarding our jurisdiction in international terrorism/ counterterrorism matters. (U)

RECOMMENDATION:

That consideration be given to requesting the SSCI amend its report to correct the statement that the FBI's international terrorism jurisdiction is derived in part from the Foreign Intelligence Surveillance Act (FISA). (U)

APPROVED:

Director		Adm. Servs.	Off. of Cong. & Public Affs.
Exec AD-Adm.		Crim. Inv.	Off of Lia. & Intl Affs.
Exec AD-Inv.		Ident.	Rec. Mgmt.
Exec. AD-LES		Inspection	Tech. Servs.
		Intell.	Training
		Laboratory	
		Legal Coun.	

DETAILS:

On page 131 in the last sentence of the last full paragraph of subject report, the statement is made, "Thus, the FBI's international terrorism jurisdiction, derived in part from

62-116395-1738

RFK:glh (12)

(CONTINUED - OVER)

1 - Mr. Clarke
1 - Mr. Otto
1 - Mr. Revell
1 - Mr. Baker
1 - Mr. Davis
1 - Mr. Geer
1 - Mr. McCreight
1 - Mr. Toohey
1 - Mr. Rissler
1 - Mr. Ash
1 - Mr. Klein

JUN 15

SECRET
Classified by: 05
Declassify on: OADR

☆ U.S.G.P.O.: 1988-202-042/75505

Memorandum from J. H. Geer to The Director
Re: Senate Select Committee on Intelligence
Report on the FBI and CISPES (U)

FISA, includes domestic groups that are believed to be providing personnel, training, funds, or other means for the commission of terrorist acts abroad." This statement is an inaccurate conclusion of law which we could see in the future as determinative as to the intent of Congress in which activities they choose to consider as under our counterterrorism program. Footnote 89 acknowledges acceptance of the current definition of terrorism as being the one favored by the FBI. The fact that this particular definition is utilized in FISA, as well as in the Attorney General Guidelines governing the conduct of the intelligence aspect of our counterterrorism cases, is a quantum leap from the conclusion that our investigative jurisdiction is derived from the FISA. The definition utilized by FISA is determinative only for jurisdiction of the FISC. (U)

A case in point are the requirements for subjects of counterintelligence activity in FISA, which are more stringent than the requirements of our counterintelligence guidelines for subjects of a full counterintelligence investigation. In fact, an entire class of cases, those involving targets of intelligence activity, are omitted from the FISA. This in no way limits our counterintelligence jurisdiction, only the ability to utilize FISA in those particular cases. (S)

NW 55008 DocId:32989599 Page 17

Memorandum

Exec AD Adm. ____
Exec AD Inv. ____
Exec AD LES ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
Insp. ____
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Lab. ____
Legal Coun. ____
Off. Cong. & ~~Public~~ Affs. ✓
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Off. Liaison & Int. Affs. ____
Telephone Rm. ____
Director's Sec'y ____

SSE
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REC

To : The Director

Date 8/22/89

From : Congressional Affairs Office

Subject : REQUEST OF THE SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) FOR A BRIEFING ON SOVIET EFFORTS TO INFILTRATE ILLEGALS INTO THE UNITED STATES AS POLITICAL REFUGEES

PURPOSE: To recommend the Director approve the briefing of Senator SIMPSON (R-WY), Senator BOREN (D-OK), and Senator COHEN (R-ME) by the Intelligence Division on the captioned matter.

DETAILS: Attached is a request from Senator ALAN K. SIMPSON, Ranking Minority, Committee on the Judiciary, Subcommittee on Immigration and Refugee Policy, for a briefing on September 7, 1989, at 10:00 a.m. concerning Soviet efforts to infiltrate illegals into the United States. As the FBI does not ordinarily provide such classified information to other than the intelligence oversight committees, CAO contacted SSCI staff to inquire of Committee interest. Both GEORGE TENNET, Staff Director, and JIM DYKSTRA, Minority Staff Director, expressed interest on behalf of Chairman DAVID L. BOREN and Vice Chairman WILLIAM S. COHEN. It is anticipated that either Chairman BOREN or Vice Chairman COHEN would attend the proposed briefing along with Senator SIMPSON. Mr. TENNET proposed that the FBI treat the SIMPSON request as an SSCI request. If Chairman BOREN or Vice Chairman COHEN cannot attend the briefing, Mr. TENNET and Mr. DYKSTRA will sit in on their behalf.

62-116395-1737

1 - Mr. Geer - Enclosure
1 - Mr. DuHadway - Enclosure
1 - Mr. Stukey - Enclosure
1 - Mr. Borocco - Enclosure
1 - Mr. Collingwood - Enclosure
3 - Mr. Rissler - Enclosure
1 - Mr. Hooks - Enclosure
JSH:glh (10)

SSA JOHN S. HOOKS, JR.
ROOM 7240, TL-245

NOV 6 1989

Off. of Leg. and Pub. Affs.

☆ U.S.G.P.O.: 1988-202-042/75505

Memorandum to The Director from the Congressional Affairs Office
RE: REQUEST OF THE SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) FOR A BRIEFING ON SOVIET EFFORTS TO INFILTRATE ILLEGALS INTO THE UNITED STATES AS POLITICAL REFUGEES

RECOMMENDATIONS: 1. That you approve the captioned briefing for Senator SIMPSON, Chairman BOREN and Vice Chairman COHEN as set forth above.

also attended by Sen Cohen

APPROVED:

	Adm. Servs.	Off. of Cong. & Public Affs.
	Crim. Inv.	
	Ident.	Off. of Lia. & Intl. Affs.
Director	Inspection	
Exec. AD-Adm.	Intell.	Rec. Mgmt.
Exec. AD-Inv.	Laboratory	Tech. Servs.
Exec. AD-LES	Legal Coun.	Training

2. That the Intelligence Division designate a senior official(s) to conduct the requested briefing.

APPROVED:

	Adm. Servs.	Off. of Cong. & Public Affs.
	Crim. Inv.	
	Ident.	Off. of Lia. & Intl. Affs.
Director	Inspection	
Exec. AD-Adm.	Intell.	Rec. Mgmt.
Exec. AD-Inv.	Laboratory	Tech. Servs.
Exec. AD-LES	Legal Coun.	Training

NW 55008 DocId:32989599 Page 19

JOSEPH R. BIDEN, JR., DELAWARE, CHAIRMAN
EDWARD M. KENNEDY, MASSACHUSETTS
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DENNIS DeCONCINI, ARIZONA
PATRICK J. LEAHY, VERMONT
HOWELL HEFLIN, ALABAMA
PAUL SIMON, ILLINOIS
HERB KOHL, WISCONSIN
STROM THURMOND, SOUTH CAROLINA
ORRIN G. HATCH, UTAH
ALAN K. SIMPSON, WYOMING
CHARLES E. GRASSLEY, IOWA
ARLEN SPECTER, PENNSYLVANIA
GORDON J. HUMPHREY, NEW HAMPSHIRE

DIANA HUFFMAN, STAFF DIRECTOR
TERRY L. WOOTEN, MINORITY CHIEF COUNSEL
R.J. DUKE SHORT, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

August 3, 1989

Honorable William S. Sessions
Director, Federal Bureau of
Investigations
9th & Pennsylvania Avenue, N.W.
Washington, D.C. 20535

Dear Director Sessions: Senate Select Committee on Intelligence

This is in reference to a recent conversation between Richard W. Day, my chief counsel on the Subcommittee on Immigration and Refugee Policy, and Steve Hooks of your agency, concerning the growing numbers of immigrants, parolees, and refugees from the Soviet Union entering the United States.

I am writing to request a briefing from the Bureau on the possibility of the Soviet Union infiltrating agents into the flow of refugees and other emigres to the United States from the Soviet Union.

It has been called to my attention by several sources that the Soviet government might well be using our refugee program for that purpose.

62-116395-1736

Legislation is currently pending in the Congress to provide a presumption of refugee status to all members of certain groups within the Soviet Union. The bill, if enacted, would make a substantial number of Soviets presumptively eligible for our refugee program, which gives rise to such concerns about the infiltration of agents into that flow.

I would appreciate having the briefing after the August congressional recess. If 10 a.m., September 7th, is acceptable, that would be a good time for me.

NOV 6 1989

Mr. Day has a top secret clearance and will be available during the August recess to help arrange the briefing.

I appreciate your consideration of this request.

Most sincerely,

Alan K. Simpson
United States Senator

AKS:rwy

Memorandum

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Exec AD LES ___
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Public Affs. Off. ___
Telephone Rm. ___
Director's Sec'y ___

To : E. J. O'Malley

Date 8-21-84

SSP
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From : W. M. Baker

Subject : SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) REQUEST FOR INFORMATION REGARDING FBI INTERVIEWS OF SALVADORAN ~~EX-PATRIOTS~~ EXPATRIATES

PURPOSE: To request that the Intelligence Division (INTD) consider the request of the SSCI to provide the terms of the Attorney General's authorization for captioned investigation, and the two documents which were disseminated to the Central Intelligence Agency (CIA).

DETAILS: By letter dated July 31, 1984 (copy attached) det. & handled separately Gary Chase, Chief Counsel, SSCI, requested that the Department of Justice (DOJ) provide further information regarding the FBI's interviewing of Salvadoran ~~ex-patriots~~ expatriates concerning the 1984 Salvadoran Presidential elections. This was in follow-up to the DOJ letter dated July 27, 1984, that responded to a question by the SSCI regarding the United States Government's obtaining of intelligence and other information about political violence in El Salvador. At a meeting on August 15, among representatives of INTD, Congressional Affairs Office, Gary Chase, and John Elliff of the SSCI, it was requested that the FBI supply the SSCI with the exact terms of the authorization by the Attorney General for the captioned investigation, as well as copies of the results of this investigation provided to the CIA. It was explained that any release of the results of the investigation which were provided would have to be cleared by that Agency.

1735

SECRET 62-116395-1735

Classified by: 10213
Declassify on: OADR

1 - Mr. O'Malley - Enc.
Attention Mr. Egbers
1 - Mr. Baker
3 - Mr. Moschella
1 - Mr. Moran - Enc.
JDH:kmg
kg mg

SA Robert A. Moran
Room 7240, TL-245

5 - Cordell
OCPA -

(Continued - Over)

2/4/84
17 AUG 31 1984

[redacted]

Memorandum to E. J. O'Malley from W. M. Baker
RE: SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) REQUEST FOR INFORMATION REGARDING FBI INTERVIEWS OF SALVADORAN EX-PATRIOTS

RECOMMENDATION: That the INTD review the above request and provide appropriate responses to the Congressional Affairs Office, Attention: SA Robert A. Moran, room 7240, extension number 4510, for further handling.

APPROVED:	Adm. Servs.	Laboratory
	Crim. Inv.	Legal Coun.
Director		Off. of Cong. & Public Affs. B/WMB
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Exec. AD-Inv.	Inspection	Tech. Servs.
Exec. AD-LES	Intell. SSOI	Training

EB

NW 55008 DocId:32989599 Page 22

SECRET

BY LIAISON

Date: September 15, 1989

To: Brigadier General Richard S. Beyea, Jr.
CCISCMO/ICS
Room 1005 Ames Building
Washington, D.C.

From: James H. Geer
Assistant Director in Charge
Intelligence Division

Subject: FBI CLASSIFICATION REVIEW OF SENATE SELECT COMMITTEE ON INTELLIGENCE REPORT ON COUNTERINTELLIGENCE AND SECURITY COUNTERMEASURES

This communication is classified "Secret" in its entirety.

Reference is made to your memorandum of July 25, 1989, captioned "SSCI Counterintelligence Report Classification Review," which provided a draft report, dated July 20, 1989, for classification review by the FBI. Reference is also made to your memorandum of August 8, 1989, captioned the same, which provided an additional section of the draft on Technology Transfer for FBI classification review. (According to your instructions, the Technology Transfer section of the draft has been inserted at the end of page 59 of the July 20, 1989 draft.)

Enclosed is a copy of the entire draft report which has been reviewed by the Intelligence Division. It is requested that the following changes be made to ensure classified information is

Enclosure

1 - OLIA
1 - Mr. J. H. Geer
1 - Mr. D. E. Stukey, III
1 - Mr. J. C. Johnson
KPG:jmb (11)

1 - Mr. R. F. Klein
1 - Mr. R. P. Watson
1 - Mr. C. W. Saari
1 - Mr. K. P. Giblin
SEE NOTE PAGE FIVE

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UNCLASSIFIED WHEN SEPARATED FROM CLASSIFIED ENCLOSURE

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DELIVERED BY LIAISON
DATE 9/15/89

MAIL ROOM

not released in the final version of the report. The changes appear below, introduced by the appropriate page, paragraph, sentence and line numbers of the draft; the sentence or sentences where changes have been made is then repeated, including the new information and/or deletion of information. Change number 11 concerns the FBI's disagreement with Recommendation 33 of the Technology Transfer section of the draft.

1. Page 14, paragraphs 1-4 sentences 2-14, lines 2-31: "Upon returning in 1985, Conrad attempted to continue his espionage operation through active duty personnel.

Conrad was arrested as a result of a long term Army CI operation to determine the source of an apparent compromise of U.S. Army, Europe, and NATO warplans. The operation led to the identification of Clyde Lee Conrad as the source of the compromise. Leads to possible additional suspects are being pursued in the U.S. and abroad.

In April 1987 Army CI investigation mounted an undercover operation using an active duty Army source who knew Conrad. Under Army CI control, the source recontacted Conrad and eventually passed him approved "feed" material, for which Conrad paid $15,000.

In June 1988 the West German Government was informed of the developments in the Conrad case, accepted criminal jurisdiction, and arrested Conrad. They found extensive materials providing further evidence and leads, including a computer on which Conrad kept records of his activities. Conrad is accused of selling NATO plans to Hungarian intelligence and will be tried by the West Germans for state treason. If convicted, he faces a possible maximum sentence of 15 years in prison.

In August 1988 the Kercsik brothers, two Hungarians who were the alleged couriers for Conrad to the Hungarian intelligence services, were arrested by Swedish authorities. On October 18, 1988 Swedish authorities sentenced the Kercsik brothers to one and one-half years in prison. The Kercsiks were released from prison on May 23, 1987."

2. Page 14, paragraph 6, sentence 2, line 2 (ends on page 15, paragraph 1, lines 1-3). "At the meeting, Hall readily provided an account of his espionage activities since 1982, gave the 'Soviets' classified documents, and signed a receipt for money."

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Brigadier General Richard S. Beyea, Jr.

3. Page 15, paragraph 1, sentence 3, lines 8-10: "Hall continued to work separately for the Soviets (they reportedly reprimanded Hall over his work for the East Germans)."

4. Page 15, paragraph 3, sentence 4, lines 9-11. "On July 20, 1989, Hall's contact, Yildirim, was convicted in a Federal district court in Georgia, with sentencing to occur within 60 days."

5. Page 18, paragraph 3, sentence 1, lines 1-5: "In September 1986 John Allen Davies contacted the Soviet Consulate in San Francisco; an undercover FBI agent subsequently arranged to meet Davies, who verbally provided sensitive information to the undercover FBI agent about his former duties in the U.S. Air Force."

6. Page 18, paragraphs 4 and 5, sentences 1-4, lines 1-11: "Thomas Joseph Dolce had a Secret clearance and was a civilian mid-level weapons analyst at the Army Material Systems Analysis Activity Unit at Aberdeen Proving Ground, Maryland.

Upon confrontation by FBI agents, Dolce admitted providing the South Africans with classified documents. In exchange for his agreement to cooperate during his debriefing, Dolce was charged with only one count of espionage. In April 1989 Dolce was sentenced to a maximum prison term of 10 years, and was fined $5,000."

7. Page 19, paragraph 4, sentence 1, lines 1-4: "The FBI learned that Craig Dee Kunkle contacted the Soviet Embassy in Washington, D.C., on three separate occasions to inform officials there he had information of interest to them."

8. Page 20, paragraph 1, sentences 1-3, lines 1-10: "The Air Force Office of Special Investigations (AFOSI) received information from the FBI in May 1988 that an individual subsequently identified as Ronald D. Parker had contacted the Soviet Embassy in Washington, D.C., on three consecutive days. Parker offered to provide Air Force information, claiming access to AWACS and B-1B data. An undercover FBI agent called Parker at his home; believing the undercover FBI agent to be a Soviet, Parker admitted contacting the Soviet Embassy and expressed his willingness to work for the Soviets."

9. Page 20, paragraph 4, sentences 2-4, lines 2-6: "In July 1986 Richardson had contacted the Soviet Embassy and another official Soviet establishment in Washington, D.C. U.S.

NW 55008 DocId:32989599 Page 25

Brigadier General Richard S. Beyea, Jr.

Army INSCOM identified Richardson in August 1987. An undercover FBI agent, who Richardson believed to be a Soviet, met with Richardson; the Army Seargent was then arrested for attempted espionage."

10. Page 22, paragraph 2, 3, sentences 1-7, lines 15: "While serving as a radioman in the Navy, Henry Otto Spade stole classified information, including a crypto keycard, Top Secret operational plans and a change of code words for all current fleet operations. Spade mailed and hand-carried these materials to his home and, after his discharge, told a cooperating witness that he could make a lot of money selling them. The cooperating witness reported this to the FBI. Spade was indicted for unauthorized possession of classified material, and all of the material is believed to have been recovered. The FBI does not believe that Spade actually compromised any classified material.

On March 13, 1989 Spade was sentenced to three months probation and charged $50 for court costs. The Federal judge ignored sentencing guidelines as he felt that his were merely the actions of a stupid young man."

11. Technology Transfer section, Recommendation 33, no page number indicated:

The FBI disagrees with this recommendation. The FBI is statutorily limited in its investigations of technology transfer. The FBI's main priority in technology transfer investigations is foreign counterintelligence, as the FBI has the primary responsibility of countering hostile intelligence services activities and collection efforts in the United States. The FBI only becomes involved in an investigation regarding technology transfer when a hostile intelligence service is involved or the technology in question is classified. There must be specific and articulable facts that a hostile intelligence service or a criteria country is involved in some phase of technology transfer. Until one of these criteria is met, the primary investigative responsibility for violations of the export control laws remains with the U.S. Customs Service and the U.S. Department of Commerce.

NW 55008 DocId:32989599 Page 26

Brigadier General Richard S. Beyea, Jr.

NOTE: Responds to request of Community Counterintelligence and Security Countermeasures Office (CCISCMO) for FBI classification review of report intended for dissemination to the Senate Select Committee on Intelligence. Recommended changes recorded in letter and draft provided to CCISCMO.

Coordinated with Sections CI-1 and CI-2, CI-3 Section, A Unit, and Special Staff, INTD; and Security Programs Unit, Records Management Division.

Copy of draft maintained in room 4835, INTD, CI-3 Section, B Unit.

KY

RAB

NW 55008 DocId:32989599 Page 27

Memorandum

To file

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Exec AD Inv. ___
Exec AD LES ___
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Laboratory ___
Legal Coun. ___
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Rec. Mgnt. ___
Tech. Servs. ___
Training ___
Off. of Cong. & Public Affs. ___
Telephone Rm. ___
Director's Sec'y ___

To : J. H. Geer

Date 5/22/89

From : Congressional Affairs Office

SSP
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SER
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Subject : BRIEFING OF SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) STAFF ON THE IMPACT OF AN INCREASE OF 25 OFFICIAL SOVIET REPRESENTATIVES IN THE UNITED STATES WILL HAVE ON COUNTERINTELLIGENCE

PURPOSE: To recommend a briefing be provided on the captioned matter.

DETAILS: Attached is a note concerning the proposed increase in the ceiling of U.S. foreign service officers in the Soviet Union. As is detailed in the note, the Department of State (DOS) recently justified the need for an increase of foreign service representatives in the USSR to SSCI staff. On May 19, 1989, JOHN ELLIFF requested a briefing by the FBI on the impact a reciprocal increase of Soviet officials in the United States will have on counterintelligence. On May 22, 1989, KEITH HALL, Budget Director, SSCI, advised the request is on behalf of the Committee with the knowledge of the Chairman.

The DOS briefing was provided by JOHN EVANS, Deputy Director, Soviet Desk, to 10 SSCI staff members. CAO recommends an FBI representative from CI-1 provide the FBI briefing. Although Mr. ELLIFF requested a representative from WMFO attend the briefing, CAO recommends against that request.

The proposed briefing will not require the FBI to evaluate the DOS need for a ceiling increase or make any counterproposal. Only the facts should be presented as they relate the response to address the increase. Potential resource needs rising from the possible reopening of the New York City Soviet Consulate should also be discussed.

62-116395-1733

RECOMMENDATIONS: 1. That the Intelligence Division designate a representative from CI-1 to brief SSCI on the impact of the proposed ceiling increase.

APPROVED: Adm. Servs. ___ Off. of Cong. & Public Affs. ___ Crim. Inv. ___ Ident. ___ Off. of Liq. & Intl. Affs. ___ Director ___ Inspection ___ Rec. Mgmt. ___ Exec. AD-Adm. ___ Intell. ___ Tech. Servs. ___ Exec. AD-Inv. ___ Laboratory ___ Training ___ Exec. AD-LES ___ Legal Coun. ___

Briefing request withdrawn by John Elliff as it would not be necessary

2. That SSA JOHN S. HOOKS, JR., CAO, coordinate this matter.

APPROVED: Adm. Servs. ___ Off. of Cong. & Public Affs. ___ Crim. Inv. ___ Ident. ___ Off. of Liq. & Intl. Affs. ___ Director ___ Inspection ___ Rec. Mgmt. ___ Exec. AD-Adm. ___ Intell. ___ Tech. Servs. ___ Exec. AD-Inv. ___ Laboratory ___ Training ___ Exec. AD-LES ___ Legal Coun. ___

1 - Mr. Geer - Enc.
1 - Mr. DuHadway - Enc.
1 - Mr. Stukey - Enc.
1 - Mr. McClay - Enc.
1 - Mr. Collingwood - Enc.
3 - Mr. Rissler - Enc.
1 - Mr. Hooks - Enc.

JSH:glh (9)

SSA JOHN S. HOOKS, JR.
ROOM 7240, TL-245

FBI/DOJ

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GARY J. SCHMITT, MINORITY STAFF DIRECTOR

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, D.C. 20510

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Exec. AD-Inv.
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#84-1335

April 11, 1984

FEDERAL GOVERNMENT

The Honorable William H. Webster
Director
Federal Bureau of Investigation
J. Edgar Hoover Building
Washington, D.C. 20535

Dear Bill:

On Tuesday, March 26, 1984, Senator Kennedy introduced Amendment #2836 to the Urgent Supplemental for the Fiscal Year 1984 PL-480 Program [H.J.Res. 492]. At that time, Senator Kennedy said his amendment was based on his concern that there have been "persistent allegations that high Salvadoran officials are deeply involved in the death squads, possibly with the complicity or acquiescence of the CIA." Kennedy's amendment stated the following:

> "The Senate and House Select Committees on Intelligence, in coordination with the Senate Foreign Relations Committee and the House Foreign Affairs Committee, shall conduct a full investigation of death squads in El Salvador and shall report to the Senate and the House of Representatives by May 31, 1984, on the extent of death squad activity, responsibility for organizing, directing and carrying out death squad killings, and progress in prosecuting those responsible for such killings."

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DEC 5 1989

The Senate Select Committee on Intelligence routinely does reports on its own recognizance or if requested by other Committees or Members of the Senate. So on April 3, 1984, we agreed in a colloquy on the Floor of the Senate to hold a series of hearings on the death squads in response to Senator Kennedy's concern. We further agreed to investigate the matter of these allegations and to make the record of that investigation known to the extent that it can be published. On the basis of our commitments to Senator Kennedy, the Staff Director and Minority Staff Director of the Committee have established a Death Squad Working Group which is being coordinated by Larry Kettlewell and Steve Ward.

Off. of Cong. and Pub. Affs.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/20/2000 BY SP2 [illegible]
MDR-16

NW 55008 DocId:32989599 Page 29

The purpose of this letter is to ask your maximum cooperation in this undertaking. We expect your staff to cooperate with the Coordinators and with the Professional Staff Members who are on the Death Squad Working Group. In a week or ten days, we will be issuing letters of invitation to various individuals to appear before our Committee in closed session on this issue. We will also be requesting certain documents from the Intelligence Community, as well as access to certain files in the possession of your Bureau. We look forward to and expect full cooperation in this important undertaking which we hope to complete by July 4, 1984.

Please let us know if you have any questions regarding this matter.

Sincerely,

Barry Goldwater
Chairman (Arizona)

Daniel Patrick Moynihan
Vice Chairman (New York)

Memorandum

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Exec AD Adm.
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Exec AD LES
Asst. Dir.:
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Director's Sec'y

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To : Director, FBI

Date 3/21/89

From : Mr. Ahlerich

Subject : APRIL 18, 1989 FBI FOREIGN COUNTERINTELLIGENCE PROGRAM AUTHORIZATION HEARING BEFORE THE SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI)

PURPOSE: To provide details of the captioned hearing and to request briefing materials be prepared for the Director's appearance.

DETAILS: Attached is the congressional hearing schedule for the intelligence community.

Director Sessions has been asked to appear as the FBI witness, accompanied by Assistant Director James H. Geer, on April 18, 1989, at 2:00 p.m. before the SSCI in Room 219, Hart Office Building. Also appearing will be Maynard Anderson, Department of Defense, accompanied by Ray Pollari. The theme of the hearing will be how counterintelligence will cope with increased responsibilities in the 1990s without additional resources. The first part of the hearing will be a joint FBI/DOD affair. The second part will be compartmented to discuss funding of FBI special projects and issues relating to the Soviet occupation of Mt. Alto.

Briefings for the Director are scheduled at 10:00 a.m. on April 11 and 2:00 p.m. on April 17. Briefing materials should be submitted to the Congressional Affairs Office (CAO) by April 5, 1989 so the Director will have the opportunity to review the materials prior to

1 - Mr. Otto - Enclosure
1 - Mr. Revell - Enclosure
1 - Mr. Glover - Enclosure
1 - Mr. Ahlerich - Enclosure
1 - Mr. Bayse - Enclosure
1 - Mr. Clarke - Enclosure
1 - Mr. Davis - Enlcosure
1 - Mr. Geer - Enclosure
1 - Mr. McCreight - Enclosure
1 - Mr. Sharp - Enclosure
1 - Mr. Rissler - Enclosure
1 - Mr. Strait - Enclosure
1 - Mr. Brixey - Enclosure
1 - Mr. DuHadway - Enclosure
1 - Mr. Penrith - Enclosure
1 - Mr. Ricks - Enclosure
1 - Mr. Ludemann - Enclosure
1 - Mr. Stoops - Enclosure
1 - Ms. Pagelsen - Enclosure
1 - Mr. Hale - Enclosure
1 - Mr. Klein - Enclosure
1 - Mr. Davis - Enclosure
1 - Mr. O'Brien - Enclosure
1 - Mr. Dun - Enclosure
1 - Mr. Hooks - Enclosure

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62-116395-173

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FBI/DOJ

the first briefing. A large portion of the Director's briefing book will consist of materials prepared for the House Permanent Select Committee on Intelligence (HPSCI) hearing which occurred on March 9, 1989. Additional requirements are set out below:

1. ISSUE: Although zero is expected for counterintelligence in the 1990s, there will be additional requirements placed on the FBI by the growing numbers of criteria country nationals present in the United States and increasing immigrants from the Soviet Union, Cuba, etc.

QUESTION: A. How will the FBI address the increased presence of criteria country nationals in the United States in the 1990s?

B. There is a proposal by the Administration for $100,000,000 to help relocate Soviet emigres in the United States. Does the FBI desire a portion of this funding to address this immigration? What resources are needed to address this increased immigration?

C. How will the FBI get greater productivity from available resources in the 1990s?

The Intelligence Divison (INTD) should prepare a response.

2. ISSUE: A National Academy on Public Administration report recently recommended the FBI be exempted from the pay classification requirements of Title 5, United States Code. It is presumed by the SSCI that the FBI would need additional resources to implement the flexibility this proposal would allow but that such resources may not be available in the 1990s.

QUESTION: If the FBI had the flexibility recommended by NAPA, how could it currently be utilized without additional resources? (The answer should discuss the current pay scale that forces the FBI to contract for engineering services as it is unable to hire engineers.)

The Adminstrative Service Division (ASD) should respond with input from CI 3-D and the Engineering Section, Technical Services Division (TSD).

3. ISSUE: The FBI is requesting 55 work years for its Security Programs in FY 1990 although in FY 1988 131 work years were expended and in FY 1987 in excess of 100 work years were expended.

QUESTION: A. Why is the request so much lower than the actual number of hours TURKed?

B. Is the field burning too many hours for the Security Programs?

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C. Are the additional hours utilized for Security Programs coming from man years intended for counterintelligence investigations?

D. What is the position of the FBI in moving the Security Programs from the Records Management Division (RMD) to the INTD?

RMD should respond.

4. ISSUE: For the past 2 years the SSCI has requested the Domestic Terrorism Program justification be submitted simultaneously with the National Foreign Intelligence Program (NFIP) budget request.

QUESTION: Would the FBI object to including the Domestic Terrorism justification in the NFIP budget?

Criminal Investigative Division should respond.

5. ISSUE: The SSCI seems reluctant to support the FBI's current request for access to Social Security account records and past requests for access to taxpayer records in counterintelligence cases and has suggested we work cases jointly with the Internal Revenue Service to get taxpayer information.

QUESTION: A. Does the FBI conduct joint investigations with the Internal Revenue Service?

B. Would the FBI object to increasing its joint investigations with the Internal Revenue Service to gain access to taxpayer information, and if so, why?

INTD should respond.

6. ISSUE: The HPSCI and the SSCI support the expansion of the New York Demonstration Project to include all New York Office support employees. There is concern by the committees that amending the Demonstration Project legislation passed in 1988 might jeopardize the current project as members of Congress from other high cost areas might attempt to include other FBI offices in the Project without providing the FBI with increased resources to fund the participation by those offices.

QUESTION: A. How serious is the New York Office support problem in terms of turnover, vacancies, moral, etc?

The ASD should respond with input from the New York Office.

7. ISSUE: The Director's opening statement before HPSCI pointed out that the Interagency Group on Counterintelligence (IG-CI) was a very important entity. It is proposed that the National Advisory Group on Counterintelligence (NAG-CI) will replace IG-CI.

NW 55008 DocId:32989599 Page 33

Memorandum to Director, FBI

QUESTION: A. What is the current status of the NAG-CI?

B. What Agencies will be represented in the NAG-CI?

C. How important will the NAG-CI be?

The INTD should prepare a response.

8. ISSUE: The SSCI has followed the FBI's POWERCURVE investigation and is interested in the FBI's findings.

QUESTION: What is the outcome of the FBI's investigation into the security leaks of the Moscow Embassy?

INTD should prepare a response.

9. QUESTION: A. What is the status of the Conrad case?

B. How many people have been implicated in the Conrad Case?

The INTD should prepare a response.

10. ISSUE: The Congressional Budget Justification Book (CBJB) indicates a reduction in the number of double agent cases conducted in 1988.

QUESTION: A. Why has there been a reduction in the number of double agent cases?

B. Is the FBI conducting fewer double agent cases but cases of better quality?

The INTD should prepare a response.

11. ISSUE: There is concern by the SSCI that the FBI is less capable in conducting analysis than other intelligence agencies.

QUESTION: A. How many analysts (Special Support) are there at FBI Headquarters? In the Field?

B. How do these numbers compare to the number of analytical positions available 5 years ago?

C. Could the FBI use more analysts?

The INTD should prepare a response.

NW 5

Memornadum to Director, FBI

12. ISSUE: The Committee believes the FBI does not share all information contain in its files with other members of the intelligence community when asked and that a centralized file would ensure full information is available to all intelligence agencies.

QUESTION: What are the advantages and disadvantages of a single database for CIA, FBI, and DOD?

RECOMMENDATIONS: 1. That the INTD, ASD, CID, and RMD prepare responses for the questions identified above and submit those questions to the Congressional Affairs Office by close of business April 5, 1989 in the format currently in use classified as appro-riate with a heading for issue, question, summary response, details, and approval signed by the appropriate Assistant Director or Deputy Assistant Director and date signed.

APPROVED:

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2. That the Congressional Affairs Office coordinate the preparation of briefing materials and prepare the Director's opening statement and briefing book.

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Exec. AD-LES	Legal Coun.		Training

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As of: 10 March 1989

INTELLIGENCE COMMUNITY

Congressional Hearing Schedule

DATE & TIME	COMMITTEE & SUBJECT	WITNESS/ATTENDEE
Tuesday 14 March 0900-1200 H-405 Capitol	HPSCI P&B A Subc. Subject: Testimony on 1990-91 Special Air Force Budget	PM/Special Air Force; PBO
1400 Hart 219	SSCI Subject: Testimony on 1990-91 GDIP Budget	PM/GDIP; PBO
Wednesday *15 March H-405 Capitol	HAC Defense Subc. Subject: Testimony on 1990-91 Budget	
1330-1415	GDIP	DD/ICS; PM/GDIP; PBO
1415-1500	Special Air Force	DD/ICS; PM/Special AF; PBO
1500-1600	CCP; TCP; CCS	DIRNSA; PBO
Thursday 16 March 0900-1230 H-405 Capitol	HPSCI P&B A Subc. Subject: Testimony on 1990-91 CCP Budget Consolidated Cryptologic Program Tactical Cryptologic Program Computer and Communications Security	DIRNSA; PBO
1400 Hart 219	SSCI Subject: Testimony on 1990-91 Special Air Force Budget	PM/Special Air Force; PBO
Tuesday 21 March 0900-1200 H-405 Capitol	HPSCI P&B A Subc. Subject: Testimony on 1990-91 GDIP Budget	PM/GDIP; PBO

*Indicates Change or Addition

NW 55008 DocId:32989599 Page 36

DATE & TIME	COMMITTEE & SUBJECT	WITNESS/ATTENDEE
Wednesday 22 March 0900-1230 H-405 Capitol	HPSCI P&B A Subc. Subject: Testimony on 1990-91 TIARA Budget	*ASD/I; Armed Service/Principals DD/ICS; PBO
Tuesday 04 April 0900-1200 H-405 Capitol	HPSCI P&B A Subc. Subject: Testimony on 1990-91 NIESP & DMA Budget	D/SIO; PM/NIESP D/DMA
P.M. H-405 Capitol	HAC Defense Subc. Subject: Milstar & Airborne Reconnaissance Programs	*PM/Milstar PM/ARP
1400 Hart 219	SSCI Subject: Testimony on 1990-91 CIAP	DD/ICS; PBO; ExDir; DDI; DDO; DDA; DDS&T; Compt; D/OCA
Wednesday 05 April 0900-1200 H-405 Capitol	HPSCI P&B A Subc. Subject: Testimony on 1990-91 Covert Action Budget	DDO; Compt; D/OCA
1400-1700 Hart 219	SAC Def Subcmte Subject: Overview of IC Program & Budget	DCI; ExDir; Compt; D/OCA; PM/NSA; PM/GDIP; PM/NRP; D/ICS; DD/ICS; C/LL/ICS
Thursday 06 April 1400 Hart 219	SSCI Subject: Testimony on 1990-91 Special Navy & NIESP Budget	DD/ICS; PBO; DASD(I)
Thursday 13 April 1400 Hart 219	SSCI Subject: Testimony on 1990-91 CCP Budget	DIRNSA; DD/ICS; PBO

*Indicates Change or Addition

NW 55008 DocId:32989599 Page 37

DATE & TIME	COMMITTEE & SUBJECT	WITNESS/ATTENDEE
Tuesday 18 April 1400 Hart 219	SSCI Subject: Testimony on 1990-91 FBI & DoD Foreign Counter-intelligence Budget	D/FBI PM/DoD/FCI
Thursday 20 April 1400 Hart 219	SSCI Subject: Covert Action Budget	CIA/DDO; D/OCA
*Wednesday 26 April 1000-1200 1330-1500 1500-1600 H-405 Capitol	HAC Defense Subc. Subject: Testimony on 1990-91 Budget Special Navy CIAP 908	D/ICS; DD/ICS; PBO DASD(I); ExDir; DDI; DDA; DDS&T D/SIO; Compt/SIO
Tuesday 02 May 1400 Hart 219	SSCI Subject: Testimony on 1990-91 TIARA Budget	ASD/C^3I; PBO
Tuesday 09 May 1400 Hart 219	SSCI Subject: Committee Markup	
Thursday 11 May 1400 Hart 219	SSCI Subject: Committee Markup	

*Indicates Change or Addition

NW 55008 DocId:32989599 Page 38

Memorandum

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Exec AD LES ___
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To : O. B. Revell

Date 1/25/89

From : Milt Ahlerich

Subject : FBI RELATIONS WITH THE SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) AND THE HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE (HPSCI)

PURPOSE: To set forth FBI policy on the conduct of business with SSCI and HPSCI.

DETAILS: This memorandum restates the agreement of Assistant Director JAMES H. GEER, Assistant Director FLOYD I. CLARKE, Inspector and Chief Counsel J. KEVIN O'BRIEN, yourself, and myself concerning how requests by our intelligence oversight committees will be received and handled by the FBI.

Requests for briefings may be initiated by designated senior staff members of SSCI and HPSCI. On November 9, 1988, KEVIN O'BRIEN and GEORGE TENET, Staff Director, SSCI, agreed SSCI staff members GEORGE TENET; JAMES H. DYKSTRA, Minority Staff Director; SVEN E. HOLMES, General Counsel; and L. BRITT SNIDER, Minority Counsel could make requests on behalf of the Committee.

On November 30, 1988, KEVIN O'BRIEN and SSA JOHN S. HOOKS, CAO, met with THOMAS K. LATIMER, Staff Director, HPSCI, who agreed requests by the Committee could be made by Mr. LATIMER; MICHAEL J. O'NEIL, Chief Counsel; and THOMAS R. SMEETON, Associate Counsel.

62-1116395-1731

JUN 12 1989

1 - Mr. Revell
1 - Mr. Geer
1 - Mr. Clarke
1 - Mr. Ahlerich
JSH:glh (10)

1 - Mr. O'Brien
3 - Mr. Rissler
1 - Mr. Hooks

SSA JOHN S. HOOKS, JR.
ROOM 7240, TL-245

Off. of Cong. and Pub. Aff.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 12/16/2000 BY SP2 ALM/LMF MDR-16

FBI/DOJ

Memorandum to O. B. Revell from Milt Ahlerich
RE: FBI RELATIONS WITH THE SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) AND THE HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE (HPSCI)

Requests will be accepted only if the staff member certifies the request is on behalf of and with the knowledge of the Chairman. On a case by case basis, whenever deemed appropriate by the Chief Counsel of the Congressional Affairs Office, certain of these requests will be required to be presented in writing signed by the Committee Chairman. Requests for visits to FBI field offices, those that appear to be clearly politically motivated, or those concerning FBI investigations where the Privacy Act would prohibit the release of information but for the Congressional Committee exception would fall into this category. CAO may continue to initiate briefings whenever CAO and the concerned FBI Headquarters Division deem the briefing is in the interest of the FBI.

For all other congressional committees, a written request signed by the respective committee Chairman will be required for briefings.

RECOMMENDATIONS: None. For information only.

APPROVED:

Director
Exec. AD-Adm.
Exec. AD-Inv.
Exec. AD-LES

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Laboratory
Legal Coun.

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Off of Lia. & Intl. Affs.
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Tech. Servs.
Training

NW 55008 DocId:32989599 Page 40

Memorandum

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Training ___
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Director's Sec'y ___

SECRET

To : Mr. Geer

Date 11/8/88

SSP
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From : M. Ahlerich

Subject: VISIT OF SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) STAFF TO THE WASHINGTON METROPOLITAN FIELD OFFICE (WMFO)

PURPOSE: To recommend WMFO host SSCI staff on 11/18/88.

DETAILS: On 11/1/88, John T. Eliff, Professional Staff Member, SSCI, advised that he; James H. Dykstra, Minority Staff Director; Britt L. Snider, Minority Counsel; Edward P. Levine, Professional Staff; and Charles Battaglia, Professional Staff, wish to visit WMFO on 11/18/88. Mr. Eliff was reminded that a letter from the Chairman would be required for a field office visit and advised that a letter would be produced. The visit to WMFO was briefly discussed during a 10/26/88 meeting at FBI Headquarters concerning an update the SSCI is preparing of a 1986 study entitled "Meeting the Espionage Challenge: A Review of United States Counterintelligence and Security Programs" and will be used to gather information for that update. In that regard, Mr. Eliff requested that an Intelligence Division (INTD) official in a policy making position accompany the SSCI Staff during the visit. CAO agrees that, given the subject matter, this is a reasonable request and is in the interest of the FBI.

On 11/2/88, SSA Monty C. Strait, CAO, and John S. Hooks, Jr., CAO, met with Messrs Eliff, Snider and Dykstra to develop issues for the visit at WMFO. Those items are set out below. CAO notes that SSCI requests to visit offsite operations will likely be impossible given time constraints.

Provide an explanation of WMFO's organization for both counterintelligence and criminal investigative matters. An organizational chart would be helpful to demonstrate how resources are deployed. Appropriate WMFO officials including the SAC, ASAC

62-116395-1730

1 - SAC, WMFO
1 - Mr. Revell
1 - Mr. Geer
1 - Mr. Clarke
1 - Mr. Ahlerich
1 - Mr. DuHadway
1 - Mr. Penrith
1 - Mr. Ricks
1 - Mr. Gallagher
1 - Mr. O'Brien
1 - Mr. Rissler
1 - Mr. Strait
1 - Mr. Hooks

DEC 2 1988

JSH:majh (14)

DECLASSIFIED BY SP2 ALM/MLC
ON 12/20/2000
MDR-16

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Classify by: G-3
Declassify on: OADR

ENCLOSURE

* U.S. GOVERNMENT PRINTING OFFICE: 1983-411-864/9070

Memorandum from M. Ahlerich to Mr. Geer
Re: Visit of Senate Select Committee in Intelligene (SSCI) Staff to the Washington Metropolitan Field Office (WFMO)

and the SSA's should be available to meet with SSCI staff. Data on the number of establishments covered by WMFO should be available. A map identifying their locations would be helpful.

Provide an estimate of the approximate number of known intelligence officiers and suspected intelligence officiers under investigation. Provide detail on the number of Look-Out sites currently in use. Provide data on the total number of offsites in use by WMFO. Provide details of additional resources needed to maintain the attack on the hostile foreign intelligence presence in the WMFO territory. SSCI Staff has expressed an interest in visiting a Look-Out if time permits. Staff members visited a Look-Out in New York City in early 1988.

There is a proposal for an increase of 30 U.S. diplomatic representatives assigned to the United States Embassy in Moscow. If this proposal is approved, the USSR might ask for reciprical treatment. If 30 additional Soviet officials were posted in the WMFO territory, how would it impact on WMFO's counterintelligence missions?

FISA-Prepare to discuss how decisions are made to conduct electronic surveillance of an establishment or a subject, including Bureau policy as it differ s from the Foreign Intelligence Surveillance Act, and necessary paper work to implement coverage. Provide an update on Double Dagger and a tour of the monitoring plant. Explain any problem with utility service that impacts on the electronic surveillance efforts staged by WMFO. Discuss cooperation with the National Security Agency and National Security Agency facilities. Discuss minimumization-prepare to answer questions that might be posed: What happens if a Senator calls the USSR Ambassador? Describe the investigative processes taken if a Senate Staff member calls a known Intelligence Officer and holds a conversation that stimulates FBI investigative interest. Discuss any needs for additional language specialists.

NW 55008 DocId:32989599 Page 42

Memorandum from M. Ahlerich to Mr. Geer
Re: Visit of Senate Select Committee in Intelligence (SSCI) Staff to the Washington Metropolitan Field Office (WFMO)

Physical Surveillance-Discuss the utilization of SSG. If time permits, Committee staff would like to speak with SSG as they did in New York in early 1988. How are FCI cases prioritized to determine SSG deployment? Has the TSD Engineering Section provided new technology assisting in Physical Surveillance, example grid, satellite systems, or other techniques.

Terrorism-Counterterrorism squad supervisors, ASAC John M. Kelso, and ASAC David W. Johnson should be available, if possible, meet with SSCI Staff. They should explain the difference in the investigative efforts of the two counterterrorism squads. They should prepare to discuss the use of the Hostage Rescue Team in terrorist matters.

The Congressional Affairs Office has scheduled the WMFO Meeting to begin at 10 a.m. If desired, this time could be moved to 8:30 a.m.

WMFO should plan time for lunch. The cafeteria in the building will be suitable.

Some SSCI Staff members visited the New York Office and the San Francisco Office in early 1988. During those visits, time was available for SSCI Staff to have an informal discussion with a small number of office managers and with a small number of case Agents after regular business hours. The SSCI valued those opportunities and inquired if a similar setting could be used to complete the WMFO meeting. This communication makes no recommendation in this regard other than to note that such contact did create good will between the Committee staff and the Bureau.

NW 55008 DocId:32989599 Page 43

Memorandum from M. Ahlerich to Mr. Geer
Re: Visit of Senate Select Committee in Intelligence (SSCI) Staff to the Washington Metropolitan Field Office (WMFO)

RECOMMENDATION: (1) That the INTD approve the visit of SSCI Staff (letter to be provided) on 11/18/88 at 10 a.m. and coordinate with WMFO to prepare an agenda for the visit.

APPROVED:

	Adm. Servs.	Off. of Cong. & Public Affs. MAHER
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	Ident.	Off. of Lia. & Intl. Affs.
Director	Inspection	
Exec. AD-Adm.	Intell.	Rec. Mgmt.
Exec. AD-Inv.	Laboratory	Tech. Servs.
Exec. AD-LES	Legal Coun.	Training

TED

(2) That the Criminal Investigative Division approve the meeting of SSCI with WMFO counterterrorism management.

APPROVED:

	Adm. Servs.	Off. of Cong. & Public Affs. MAHER
	Crim. Inv.	
	Ident.	Off. of Lia. & Intl. Affs.
Director	Inspection	
Exec. AD-Adm.	Intell.	Rec. Mgmt.
Exec. AD-Inv.	Laboratory	Tech. Servs.
Exec. AD-LES	Legal Coun.	Training

TED

(3) That INTD designate an official in a policy position to accompany SSCI Staff during the WMFO visit.

APPROVED:

	Adm. Servs.	Off. of Cong. & Public Affs. MAHER
	Crim. Inv.	
	Ident.	Off. of Lia. & Intl. Affs.
Director	Inspection	
Exec. AD-Adm.	Intell.	Rec. Mgmt.
Exec. AD-Inv.	Laboratory	Tech. Servs.
Exec. AD-LES	Legal Coun.	Training

TED

(4) That SSA John S. Hooks, Jr. coordinate this matter.

APPROVED:

	Adm. Servs.	Off. of Cong. & Public Affs. MAHER
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	Ident.	Off. of Lia. & Intl. Affs.
Director	Inspection	
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Exec. AD-Inv.	Laboratory	Tech. Servs.
Exec. AD-LES	Legal Coun.	Training

TED

In response reply to: 88-3766

DAVID L. BOREN, OKLAHOMA, CHAIRMAN
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ALAN CRANSTON, CALIFORNIA
DENNIS DeCONCINI, ARIZONA
HOWARD M. METZENBAUM, OHIO
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ORRIN HATCH, UTAH
FRANK MURKOWSKI, ALASKA
ARLEN SPECTER, PENNSYLVANIA
CHIC HECHT, NEVADA
JOHN WARNER, VIRGINIA

ROBERT C. BYRD, WEST VIRGINIA, EX OFFICIO
ROBERT DOLE, KANSAS, EX OFFICIO

GEORGE J. TENET, STAFF DIRECTOR
JAMES H. DYKSTRA, MINORITY STAFF DIRECTOR
KATHLEEN P. McGHEE, CHIEF CLERK

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, DC 20510-6475

November 7, 1988

The Honorable William S. Sessions
Director
Federal Bureau of Investigation
J. Edgar Hoover Building
Washington, D.C. 20535

Dear Director Sessions:

As part of our current review of counterintelligence programs, we are looking at the challenges and opportunities confronting the FBI. For this purpose, we believe it would be valuable for our staff to visit FBI field offices, beginning with the Washington Metropolitan Field Office which plays an important role in the national counterintelligence effort. Such visits have helped in the past to identify ways of strengthening FBI capabilities. We would appreciate your making appropriate arrangements for an oversight visit to the Washington office by Committee staff members Jim Dykstra, Britt Snider, Ed Levine, Charles Battaglia, and John Elliff on Friday, November 18, 1988.

We are grateful for the assistance of FBI headquarters and field personnel in preparing for this visit.

Sincerely,

David L. Boren
Chairman

William S. Cohen
Vice Chairman

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/20/2000 BY SP2 FM/lmf
MDR-16

62-116395-1730

ENCLOSURE

SECRET

October 24, 1988

FEDERAL GOVERNMENT

Honorable David L. Boren
Chairman
Select Committee on
Intelligence
United States Senate
Washington, D. C.

Dear Mr. Chairman:

Please be advised that we have received your letter to Director Sessions of October 17, 1988, requesting a briefing on any unauthorized transfer of technology and equipment from the United States by the Egyptians and by the Israelis.

A member of our Congressional Affairs Office will be in contact with your Committee staff regarding this request.

Sincerely yours,

Milt Ahlerich
Assistant Director
Office of Congressional
and Public Affairs

1 - Mr. Revell - Enclosure
1 - Mr. Ahlerich - Enclosure
1 - Mr. Geer - Enclosure
1 - Mr. DuHadway - Enclosure
1 - Mr. O'Brien - Enclosure
2 - Mr. Rissler - Enclosure
1 - Mr. Hooks - Enclosure
TSH:mds (10)

66-11629-1729

DEC 8 1988

M. D. SPENCER
ROOM 7240, TL-245

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Director's Sec'y

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APPROVED:

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FBI/DOJ

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WILLIAM S. COHEN, MAINE, VICE CHAIRMAN
LLOYD BENTSEN, TEXAS
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WILLIAM V. ROTH, JR., DELAWARE
ORRIN HATCH, UTAH
FRANK MURKOWSKI, ALASKA
ARLEN SPECTER, PENNSYLVANIA
CHIC HECHT, NEVADA
JOHN WARNER, VIRGINIA

ROBERT C. BYRD, WEST VIRGINIA, EX OFFICIO
ROBERT DOLE, KANSAS, EX OFFICIO

GEORGE TENET, STAFF DIRECTOR
JAMES H. DYKSTRA, MINORITY STAFF DIRECTOR
KATHLEEN P. McGHEE, CHIEF CLERK

SECRET/SENSITIVE

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, DC 20510-6475

#88-3613

October 17, 1988

Honorable William Sessions
Director
Federal Bureau of Investigation
Washington, D.C. 20535

Dear Director Sessions:

The Senate Select Committee on Intelligence is conducting a comprehensive review of U.S. counterintelligence and security programs and capabilities. Included in this review will be Executive branch efforts to stem the flow of sensitive technology and equipment to foreign governments.

Recent press reporting has alleged that such transfers have been made by the military offices of Egypt and Israel. Accordingly, I request that the FBI brief the Committee staff on any unauthorized transfer of technology and equipment from the United States by the Egyptians and by the Israelis. For the latter, we are particularly interested in any role played in these transfers by the Israeli Defense Procurement Mission and Trade Center in New York.

Sincerely,

David L. Boren
Chairman

William S. Cohen
Vice Chairman

SECRET/SENSITIVE

62-116395-1729

Memorandum

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Exec AD LES ___
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Director's Sec'y ___

To : F. I. Clarke

Date 8/22/88

From : M. Ahlerich

Subject : BRIEFING FOR SENATE SELECT COMMITTEE ON INTELLIGENCE STAFF ON CENTRAL AMERICAN TERRORISM

PURPOSE: To recommend captioned briefing be provided.

DETAILS: On 8/22/88, EDWARD LEVINE, SSCI staff designee for Senator HOWARD METZENBAUM, requested the captioned briefing. The briefing is to be limited to current terrorist activities, including those of the FMLN and other groups, and is separate from the CISPES inquiry.

It is noted by the Congressional Affairs Office that Mr. LEVINE is one of the SSCI staff members conducting the CISPES review for the Committee.

RECOMMENDATIONS: 1. That Mr. LEVINE be briefed by STEVEN L. POMERANTZ, Section Chief, Counterterrorism Section on 8/30/88 at 2:00 p.m.

APPROVED: Director ___ Exec AD-Adm. ___ Exec AD-Inv. ___ Exec. AD-LES ___
Adm. Servs. ___ Crim. Inv. ___ Ident. ___ Inspection ___ Intell. ___ Laboratory ___ Legal Coun. ___
Off. of Cong. & Public Affs. ___ Off of Lia. & Intl Affs. ___ Rec. Mgmt. ___ Tech Servs. ___ Training ___

2. That SSA JOHN S. HOOKS, JR., CAO coordinate this matter.

APPROVED: Director ___ Exec. AD-Adm. ___ Exec. AD-Inv. ___ Exec. AD-LES ___
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Off. of Cong. & Public Affs. ___ Off of Lia. & Intl Affs. ___ Rec. Mgmt. ___ Tech. Servs. ___ Training ___

1 - Mr. Revell
1 - Mr. Clarke
1 - Mr. Ricks
1 - Mr. Pomerantz
JSH:glh (11)

1 - Mr. VanBalen
1 - Mr. O'Brien
3 - Mr. Rissler
1 - Mr. Hooks
SSA JOHN S. HOOKS, JR
ROOM 7240, TL-245

DE-142 62-116395-1928

10 OCT 3 1988

* This was changed to 2:30 8/31/88; the briefing to be conducted by Pomerantz + AAD RICKS.

7 MAY 23 1989

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Sep 21 9 28 AM '88

OFF. OF CONG. & PUBLIC AFFAIRS

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F.B.I. U.S. DEPT. OF JUSTICE

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OFFICE OF CONGRESSIONAL AFFAIRS FRONT OFFICE

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RECEIVED CRIMINAL INVESTIGATIVE FRONT OFFICE

MEMORANDUM

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Director's Sec'y___

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To : Mr. S. M. McWeeney

Date 4/20/88

From : M. V. Hale

Subject : SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) REQUEST TO DISCUSS THE OFFICE OF LIAISON AND INTERNATIONAL AFFAIRS (OLIA) AND THE COUNTERINTELLIGENCE SITUATION IN WEST BERLIN

This communication is classified SECRET.

Reference memorandum captioned as above dated 4/14/88.

PURPOSE:

To set forth results of briefing of John Eliff, Professional Staff, SSCI, conducted by Office of Congressional Public Affairs Supervisory Special Agent John S. Hooks, Jr., Unit Chief Roland O. L'Allier, Jr., Intelligence Division, and OLIA Deputy Chief Martin V. Hale on the issue of Federal Bureau of Investigation (FBI) representation in Berlin.

RECOMMENDATION:

None, for information only.

APPROVED:

Director ___
Exec. AD-Adm. ___
Exec. AD-Inv. ___
Exec. AD-LES ___

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(CONTINUED - OVER)

1 - S. M. McWeeney
1 - J. H. Geer
Attn: J. E. Tomlinson
1 - J. K. O'Brien
Attn: J. S. Hooks, Jr.
1 - S. A. Pimentel
1 - T. E. Crosson
1 - M. V. Hale

MVH:rlm (7)

62-116395-1727

MAY 27 1988

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18 DEC 22 1988

Memorandum from M. V. Hale to Mr. S. M. McWeeney
Re: Senate Select Committee on Intelligence (SSCI) Request to Discuss the Office of Liaison and International Affairs (OLIA) and the Counterintelligence Situation in West Berlin

DETAILS:

Mr. Hale opened the session, advising Mr. Eliff that, on his recent trip to Western Europe to visit certain U. S. Embassies and establishments, including the U. S. Mission in West Berlin, where Legal Attaches were desired and needed, he had conferred with appropriate U. S. military, U. S. Department of State (USDS) and Central Intelligence Agency (CIA) personnel in order to present the FBI's case for representation in West Berlin. During these discussions, Mr. Hale was advised that staff members of the SSCI had recently visited West Berlin concerning counterintelligence issues and Mr. Hale, in that context, wished to brief Mr. Eliff regarding the FBI's perspectives on opening a Legal Attache, particularly from a counterintelligence point of view.

Mr. Eliff stated that although he had not recently visited West Berlin, he was intimately familiar with the intricacies of the counterintelligence atmosphere in West Berlin and supported the FBI's presence there. He indicated he was well aware of the gap which existed in the counterintelligence coverage of U. S. civilians, both students and businessmen in that neither the U. S. military nor the U. S. civilian intelligence intelligence components were addressing the threat to these individuals and this for two reasons.

The first involved the basic functions of the U. S. intelligence components in West Berlin, a function he described as being the collection of positive intelligence as opposed to counterintelligence, the latter being at best a secondary requirement.

(CONTINUED - OVER)

NW 55008 DocId:32989599 Page 51

Memorandum from M. V. Hale to Mr. S. M. McWeeney
Re: Senate Select Committee on Intelligence (SSCI) Request to Discuss the Office of Liaison and International Affairs (OLIA) and the Counterintelligence Situation in West Berlin

DETAILS CONTINUED:

The second reason for this gap involves the legal guidelines under which the U. S. military, by virtue of their authority of an occupying power in West Berlin, conducts technical surveillance and mail openings. Mr. Eliff stated that, as an occupying power, the U. S. military, much like the FBI domestically, is the entity which conducts telephone monitorings of criteria country establishments and personnel in the U. S. sector of West Berlin. It also opens certain mail of interest from the East which passes through this sector. However, whenever there is an overhear of a U. S. national or whenever there is mention made of a U. S. national in a piece of correspondence, that U. S. national's name is not disseminated to any other U. S. intelligence agency. This lack of dissemination is as a result of a lawsuit in the early 1970s against the U. S. Army which, at that time, had in fact been monitoring the activities of U. S. nationals. As a consequence of this lawsuit, very stringent guidelines were written which compelled the U. S. military to use the Foreign Intelligence Surveillance Court to monitor Americans including stringent guidelines for minimizing overhears of U. S. nationals when monitoring non U. S. nationals.

The net results of these restrictions is that, according to Mr. Eliff, 15 years worth of overhears of U. S. nationals as well as the like potential collection of names of U. S. persons via mail openings has been lost.

Mr. Eliff advised it was his belief these minimization restrictions were too stringent and should be amended to allow for dissemination. He however stated that he thought the issue should be brought up after the upcoming elections in that he did not believe a "lame duck" administration would be interested in undertaking the issue.

(CONTINUED - OVER)

NW 55008 DocId:32989599 Page 52

Memorandum from M. V. Hale to Mr. S. M. McWeeney
Re: Senate Select Committee on Intelligence (SSCI) Request to Discuss the Office of Liaison and International Affairs (OLIA) and the Counterintelligence Situation in West Berlin

DETAILS CONTINUED:

As an aside, Mr. Eliff indicated that Allan Kornblum, Office of Intelligence Policy and Review, Department of Justice, had visited West Berlin on two occasions and was conversant with this U. S. military monitoring issue.

Mr. Eliff also stated that he further supported an FBI presence in West Berlin in that his study of the counterintelligence venue in that city indicated to him that the many double agent cases run by the U. S. military there were run for parochial reasons with no strategic view of counterintelligence. He stated that even though the U. S. military services were professional and did coordinate the turnover of some of their many double agents to the FBI when these agents are rotated back to domestic assignment, he believed the FBI should have input at the outset of these double agent cases insofar as the double agent technique was a fundamental counterintelligence tool which demanded consultation with the principle counterintelligence service, the FBI, at their inception in order to better globally address counterintelligence issues.

He stated he believed FBI presence in West Berlin would therefore be necessary if the U. S. were to have a coherent national counterintelligence strategy.

Mr. Eliff concluded by reiterating his support for the FBI's presence in West Berlin, by indicating that he would be willing, were we to ask, to indicate his support of this position to the USDS, the U. S. military and the CIA as well as Mr. Jeff Smith, Chief Staffer for Senator Sam Nunn, the latter also well versed in counterintelligence issues and a potential strong supporter of the FBI's cause.

Messrs L'Allier, Hooks, and Hale thanked Mr. Eliff for his time and indicated that the FBI had designated a new assistant Legal Attache in Bonn whose function would largely be to travel weekly to West Berlin in order to prepare the FBI's case for a permanent presence there.

NW 55008 DocId:32989599 Page 53

Memorandum

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Exec AD LES
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Off. of Cong. & Public Affs.
Telephone Rm.
Director's Sec'y

To : J. H. Geer

Date 12/11/87

From : M. Ahlerich

Subject : SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) MEETING TO GATHER INFORMATION ON INTERMEDIATE RANGE NUCLEAR FORCES TREATY (INF TREATY)

CLASS
SRG'D
SER
REC

PURPOSE: To advise of captioned meeting and to request the Intelligence Division (INTD) designate a representative to attend.

DETAILS: On December 10, 1987, JOHN ELLIFF, Professional Staff Member, SSCI, advised the Committee would hold an informal meeting at 4:30 p.m. on December 15, 1987 in the SSCI hearing room 211 Hart Office Building to discuss matters relating to INF Treaty verification. The meeting is scheduled to last approximately one hour. The purpose of the meeting is to give Committee Members an opportunity to tell the Department of Defense (DOD) what SSCI expects in the way of treaty verification. JACK DONNLEY, DOD Counterintelligece, has been requested to attend along with a General DANIELS (not further identified) who will be in charge of INF Treaty verification. Although it is not necessary that the FBI attend, it is believed by SSCI FBI presence would be beneficial and an invitation has been extended.

62-116395

17268

1 - Mr. Revell
1 - Mr. Geer
1 - Mr. Ahlerich
1 - Mr. DuHadway
1 - Mr. Stukey
1 - Mr. O'Brien
3 - Mr. Rissler
1 - Mr. Hooks
JSH:glh (11)

12 DEC 9 1988

SSA JOHN S. HOOKS
ROOM 7240, TL-245

SECRET

Off. Mgt. Ang. and Pub. Aff.

SEE OCPA ADDENDUM PAGE 3

166 JUL 20 198

FBI/DOJ

Memorandum to J. H. Geer from Milt Ahlerich
RE: SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) MEETING TO GATHER INFORMATION ON INTERMEDIATE RANGE NUCLEAR FORCES TREATY (INF TREATY)

RECOMMENDATION: 1. That INTD designate a representative to attend the captioned meeting and notify CAO.

APPROVED:

Director
Exec AD-Adm.
Exec. AD-Inv.
Exec. AD-LES

Adm. Servs.
Crim. Inv.
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Legal Coun.

Off of Cong. & Public Affs.
Off of Lia. & Intl Affs.
Rec. Mgmt.
Tech. Servs.
Training

2. That SSA JOHN S. HOOKS, JR accompany the INTD representative to captioned meeting.

APPROVED:

Director
Exec AD-Adm.
Exec. AD-Inv.
Exec AD-LES

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NW 55008 DocId:32989599 Page 55

Memorandum from M. Ahlerich to J. H. Geer dated 12/11/87
Re: Senate Select Committee on Intelligence (SSCI) Meeting to Gather Information on Intermediate Range Nuclear Forces Treaty (INF Treaty)

ADDENDUM: Office of Congressional and Public Affairs (OCPA)
JSH:mmc 12/16/87

On 12/15/87, Deputy Assistant Director Thomas E. DuHadway attended an informal meeting of the SSCI in which INF Treaty verification was discussed. Based on the meeting, it appears SSCI will hold hearings on intelligence concerns of the INF Treaty in February, 1988.

APPROVED:

Director
Exec AD-Adm
Exec AD-Inv
Dep

Adm. Servs.
Crim Inv.
Ident

NW 55008 DocId:32989599 Page 56

March 20, 1987

FEDERAL GOVERNMENT

Mr. Sven Holmes
Chief Counsel and Staff Director
Senate Select Committee on
Intelligence
United States Senate
Washington, D. C. 20510

Dear Mr. Holmes: activities

Pursuant to Question #12 of the Senate Select Committee on Intelligence Questionnaire for Completion by Presidential Nominee, I have enclosed a list of all the speeches William Webster has given since becoming the Director of the FBI in 1978. This information is being provided in advance of the completed questionnaire. Those speeches which have not been transcribed are asterisked. I have also enclosed a copy of the speeches which have been transcribed. Additionally, I have sent you articles which he has written for publication. I trust this will meet your needs.

Sincerely,

62-116395-172

William M. Baker
Assistant Director
Office of Congressional
and Public Affairs

Enclosures (2)

1 - Mr. W. M. Baker - Enclosures (2)
1 - Research Unit - Enclosures (2)
(CIA Nomination)
1 - Speech Unit - Enclosures (2) (detached)
SDG:baf (5)

21 JUN 18 1987

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Director's Sec'y ___ MAIL ROOM ☐

SDG/pm baf

APPROVED:

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Crim. Inv. ___ Legal Coun. ___
Off. of Cong. & Public Affs. WB
Director ___
Exec. AD-Adm. ___ Ident. ___ Rec. Mgnt. ___
Exec. AD-Inv. ___ Inspection ___ Tech Servs. ___
Exec. AD-LES ___ Intell ___ Training ___

Sent 3/20 SDG

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 12/6/2000 BY SP2 ALM/MF

FBI/DOJ

1 - Mr. O'Malley
1 - Mr. Baker
1 - Mr. O'Brien
3 - Mr. Moschella
1 - Mr. Moran

FEDERAL GOVERNMENT

April 17, 1985

Honorable Dave Durenberger
Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C.

Dear Mr. Chairman:

This letter confirms our response to your letter dated February 26, 1985, when you requested that we continue to advise the Committee promptly whenever information is developed that a foreign agent has contacted a member of the Committee. Our Congressional Affairs Office has notified Committee staff that we will continue to abide by this agreement. I agree that this arrangement has worked well in the past and we will continue to bring such matters to your attention whenever they occur.

Sincerely yours,

/s/

William H. Webster
Director

APPROVED:
Director WHW
Exec. AD-Adm.
Exec. AD-Inv.
Exec. AD-LES
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Tech. Servs.
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Exec AD LES
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Director's Sec'y

NOTE: Bernie McMahon, Staff Director, SSCI, was contacted regarding receipt of this letter on March 19, 1985. He was advised that we would continue to abide by the agreement referred to in the Committees request.

RAM:tlm (8)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 12/16/2000 BY SP2 ALM/lmf MDR-16

SA Robert A. Moran
Room 7240, TL-245

MAIL ROOM

DAVE DURENBERGER, MINNESOTA, CHAIRMAN
PATRICK LEAHY, VERMONT, VICE CHAIRMAN

WILLIAM V. ROTH, JR., DELAWARE
WILLIAM S. COHEN, MAINE
ORRIN HATCH, UTAH
FRANK MURKOWSKI, ALASKA
ARLEN SPECTER, PENNSYLVANIA
CHIC HECHT, NEVADA
MITCH McCONNELL, KENTUCKY

LLOYD BENTSEN, TEXAS
SAM NUNN, GEORGIA
THOMAS F. EAGLETON, MISSOURI
ERNEST F. HOLLINGS, SOUTH CAROLINA
BILL BRADLEY, NEW JERSEY
DAVID L. BOREN, OKLAHOMA

ROBERT DOLE, KANSAS, EX OFFICIO
ROBERT C. BYRD, WEST VIRGINIA, EX OFFICIO

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, DC 20510

Exec. AD-Adm.
Exec. AD-Inv.
Exec. AD-LES
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Director's Sec'y

#85-0659

February 26, 1985

FEDERAL GOVERNMENT

The Honorable William H. Webster
Director
Federal Bureau of Investigation
J. Edgar Hoover Building
Washington, D.C. 20535

Per Mr. O'Brien's office, OCPA, an appropriate response is being prepared by Congressional Affairs Office for your approval.

Dear Bill:

In 1977, when Senator Daniel Inouye was Chairman of the Select Committee, an agreement was entered into with the Intelligence Community that the Committee would be advised promptly whenever the Intelligence Community learned that a foreign agent had contacted a Member of the Committee. At the budget authorization hearing on counterintelligence in 1981, Senator Inouye recalled this agreement; and both you and Director Casey affirmed that the Committee would be so informed. We wish to continue this arrangement, which appears to have worked well in the past.

Sincerely,

Dave Durenberger
Chairman (Minnesota)

Patrick Leahy
Vice Chairman
(Vermont)

EXPEDITE
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Off. of Cong. & Pub. Affs.

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Director's Sec'y ___

To : Mr. E. J. O'Malley

Date 2/4/83

From : R. L. Leffler

Subject : SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) STAFF REQUEST FOR BRIEFING CONCERNING THE MARINE RESOURCES COMPANY JOINT FISHING VENTURE

PURPOSE:

To advise of briefing provided on 1/31/83 to Bob Butterworth, Senator Jackson's designee on the SSCI, in accordance with recommendation set forth in R. S. Young to E. J. O'Malley memorandum 1/27/83, captioned as above. (U)

RECOMMENDATION:

For information. (U)

APPROVED:

Director ___
Exec. AD-Adm. ___
Exec. AD-Inv. ___
Exec. AD-LES ___

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ORIGINAL FILED IN

DETAILS:

The U.S.-USSR Marine Resources Company of Seattle, Washington, is a joint venture of the Soviet Government and a private U.S. firm, Bellingham Cold Storage Company, engaged in the fish processing industry. One Soviet is stationed in Seattle and one Bellingham employee is stationed in Nakhodka, USSR, on a strict reciprocity basis. (U)

62-116395-

NOT RECORDED
47 MAR 1 1983

1 - Mr. R. S. Young
1 - Mr. E. J. O'Malley
1 - Mr. R. L. Leffler
1 - Mr. A. S. Archer

RLL:dmy (5)

CONFIDENTIAL

Classified by: G-3
Declassify on: OADR

XEROX
MAR 1 1983

FBI/DOJ

Memorandum R. L. Leffler to Mr. E. J. O'Malley
Re: Senate Select Committee on Intelligence (SSCI) Staff Request for Briefing Concerning the Marine Resources Company Joint Fishing Venture

Mr. Butterworth requested a briefing on the counter-intelligence implications of a proposal made to Senator Jackson by Bellingham Cold Storage Company, Seattle, Washington, to establish a servicing and dry dock repair facility in Bellingham, Washington, for Soviet fishing vessels. The vessels would dock for repair for a two to four-week period and would be accompanied by a maintenance crew of 25 to 50 Soviets. These maintenance crews would live on the ships being repaired, would be allowed free access to the port community and would be rotated back to the Soviet Union every six months. (U)

I advised Mr. Butterworth that this proposal was similar to one made in 1979 by Bellingham and that the FBI had recommended against implementation at that time because it represented potential for significant intelligence exploitation by the Soviet intelligence services. Moreover, it would constitute a major drain on our investigative resources which would be required to effectively monitor Soviet activity in and around Bellingham. Our reasoning was based on the fact that there were major sensitive defense installations in the area and that Soviet intelligence personnel, fully capable of mounting HUMINT gathering operations, undoubtedly would be assigned to the semipermanent Soviet complement. It was also speculated that the Soviets would eventually require some type of permanent shore facilities which would add to the coverage problem. (C)

It was further explained to Mr. Butterworth that insofar as repair work on the Soviet vessels by U.S. persons was concerned, it would probably be limited to the exterior of the ships, with any interior work being done by the Soviets in order to protect sensitive SIGINT gathering equipment known to be aboard at least some of these vessels. Hence the need for such a relatively large Soviet "maintenance crew." (C)

Mr. Butterworth was told that from the FBI's viewpoint nothing has occurred since we last studied this matter that would alter our recommendation against the implementation of this proposal for counterintelligence reasons. (C)

Briefing provided by Acting Section Chief Rodney L. Leffler and was attended by Margaret Owens, Congressional Affairs Section. (U)

NW 55008 DocId:32989599 Page 61

Memorandum

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Director's Sec'y ___

To : E. J. O'Malley

Date 1/27/83

From : R. S. Young

Subject: SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) STAFF REQUEST FOR BRIEFING CONCERNING THE MARINE RESOURCES COMPANY JOINT FISHING VENTURE

Activities

PURPOSE: To advise of the above.

DETAILS: On 1/26/83, Mr. Bob Butterworth, Senator Jackson's designee on the SSCI, telephoned Congressional Affairs Section and requested a briefing concerning a proposal by Bellingham Cold Storage Company, a Seattle, Oregon business which is part of the Marine Resources Company Joint Fishing Venture. The proposal relates to establishing a vessel repair operation for Soviet fishing vessels in the North Pacific. It is expected that these vessels will dock at Bellingham, Washington, (or as an alternative, in Coosbay, Oregon) for 2 to 4 weeks for repairs. The crew of the vessels will return to the Soviet Union but a Soviet maintenance group of 25 to 50 individuals would remain to supervise the work. These individuals would live on the vessels but would be free to visit the port community. These maintenance crews would be rotated back to the Soviet Union every 6 months.

Senator Jackson has been advised of the economic benefits to the community but is concerned that there may be some counterintelligence problems with this arrangement. Therefore he has asked Mr. Butterworth to discuss this matter with the FBI. (Mr. Butterworth received a briefing on Soviet shipping at headquarters and at the Seattle field office in December 1981 and January 1982 respectively).

This request was discussed with Deputy Assistant Director Phil Parker and SA Rodney Leffler on 1/27/83.

RECOMMENDATION: That Intelligence Division provide the requested briefing.

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105-300723

NOT RECORDED

APPROVED: MAR 1 1983

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Director ___ Exec. AD-Adm. ___ Exec. AD-Inv. ___ Exec. AD-LES ___ Ident. ___ Inspection ___ Intell. ___

1 - Mr. O'Malley
1 - Mr. Young
1 - Mr. Leffler
1 - Mr. Haynes
3 - Mr. Moschella
1 - Mr. Brewer
1 - Ms. Owens
MRO/lec (9)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/30/2000 BY SP2 ALM/LMF

FEB 8 1983

MDR-16

ORIGINAL FILED IN 105-300723

FBI/DOJ

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1-10-83 SECRET PRIORITY

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FM DIRECTOR FBI

TO FBI NEW YORK PRIORITY

ATTENTION: SAC GRAY

ATTENTION: SAC MCGORTY

BT

S E C R E T

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSCI) STAFF VISIT TO THE NEW YORK OFFICE JANUARY 17-18, 1983.

THIS COMMUNICATION IS CLASSIFIED "SECRET" IN ITS ENTIRETY, UNLESS OTHERWISE INDICATED.

REBUCALLS TO SACS GRAY AND MCGORTY, AND BUTEL JANUARY 7, 1983, CAPTIONED AS ABOVE. (U)

ON JANUARY 7, 1983, SSCI STAFF MEMBER JOHN ELLIFF, AND STAFF BUDGET OFFICER HERBERT KLINE MET WITH THE INTELLIGENCE DIVISION (INTD) TO DISCUSS DETAILS OF VISIT TO THE NEW YORK OFFICE. (U)

SSCI STAFFERS WISH TO HAVE GENERAL OVERVIEW BRIEFING ON FOREIGN COUNTERINTELLIGENCE (FCI) AND TERRORISM MATTERS WITHIN

FEC:jmb (9) 1-10-83 4835/5 4674/232

1 - Mr. R. S. Young
(Attn: B. F. Brewer)
1 - Mr. E. J. O'Malley
1 - Mr. P. A. Parker (Enc.)
1 - Mr. D. K. Pettus (Enc.)
1 - Mr. J. L. Tierney (Enc.)
1 - Mr. W. D. Gore (Enc.)
1 - Mr. R. P. Hanssen (Enc.)
1 - Mr. F. E. Carey, III

FEDERAL BUREAU OF INVESTIGATION COMMUNICATIONS CENTER

JAN 11 1983

SEE NOTE PAGE SIX

59 FEB 1 1983

NEW YORK. THE SSCI STAFFERS ALSO HAVE SPECIFIC SUBJECT MATTERS THEY WISH TO DISCUSS, WHICH ARE SET FORTH HEREIN.

NEW YORK SHOULD BE MINDFUL THAT SSCI STAFFERS MAY INDICATE A DESIRE TO DISCUSS THE ISSUES SET FORTH HEREIN, IN SOME DETAIL, IN AN EFFORT TO "ASSIST" THE FBI IN MEETING ITS FCI RESPONSIBILITIES. HOWEVER, THE NEW YORK OFFICE IS NOT THE APPROPRIATE ARENA TO RAISE PROBLEM ISSUES AFFECTING OVERALL FCI POLICY. NEW YORK'S COMMENTS, AND THE CONTENTS OF ANY BRIEFING AFFORDED SSCI STAFFERS, MUST BE CONSTRUCTIVE AND POSITIVE, BUT STRICTLY WITHIN GUIDELINES PROVIDED BY FBIHQ. NEW YORK MAY COMMENT ON CURRENT RESOURCE REQUIREMENTS REQUIRED TO MEET HOSTILE INTELLIGENCE THREAT IN THE NEW YORK OFFICE. PENDING CASES AND OTHER SENSITIVE MATTERS SHOULD NOT BE DISCUSSED, AND WHILE SSCI STAFFERS HAVE REQUESTED THAT DISCUSSIONS AND BRIEFING INCLUDE AGENT PERSONNEL, FBIHQ DESIRES THAT MEETINGS BE CONFINED TO THE SAC/ASACS, AND SELECTED SUPERVISORS. SSA ROBERT P. HANSSEN, BUDGET AND PLANNING UNIT, WILL REPRESENT INTD DURING BRIEFING AND DISCUSSIONS.

BEYOND THE OVERVIEW BRIEFING, SSCI STAFFERS WISH TO DISCUSS THE FOLLOWING:

JFK Act 6 (1)(B)

1) CURRENT FBI RELATIONSHIP WITH THE NATIONAL SECURITY AGENCY (NSA) AND CENTRAL INTELLIGENCE AGENCY (CIA) COMPONENTS [redacted] THE STAFF MEMBERS HAVE REQUESTED THAT THEY BE GIVEN A TOUR AND BRIEFING AT THE [redacted] FACILITY. ACCORDING TO SSCI STAFF MEMBER, NSA HAS POSED NO OBJECTIONS, AND INTD HAS NO OBJECTIONS EITHER. HOWEVER, TOUR AND BRIEFING SHOULD BE HANDLED BY THE SUPERVISOR, AND COMMENTARY SHOULD BE GUARDED. UNDER NO CIRCUMSTANCES SHOULD TARGETS BE IDENTIFIED, AND NO DISCUSSION SHOULD ENSUE WITH REGARD TO COVERAGE OF OR PROBLEMS ENCOUNTERED WITH COVERAGE OF NON-HOSTILE TARGETS.

THE RELATIONSHIP BETWEEN FBI AND CIA SHOULD BE CHARACTERIZED AS "EXCELLENT." SSCI STAFFER REQUESTED THAT INVITATION BE EXTENDED TO [redacted] REPRESENTATIVE TO ATTEND THIS PORTION OF THE DISCUSSIONS. THIS REQUEST HAS BEEN DENIED, AND SSCI STAFFERS HAVE BEEN ASKED TO CONTACT CIA [redacted] INDEPENDENTLY.

2) UNDERCOVER OPERATIONS AND PROPOSED LEGISLATION BEFORE CONGRESS. SSCI STAFFERS HAVE EXPRESSED INTEREST IN KNOWING VIEWS OF FIELD ON UNDERCOVER OPERATIONS; PROBLEMS, VALUE, ETC.? INTD SUGGESTS DISCUSSION BE CONFINED TO DESCRIBING "SHOPRITE"

OPERATION, AND HOW IT HAS BEEN USED TO ASSESS HOSTILE TARGETS. NEW YORK MAY ALSO WISH TO DISCUSS SOME OF THE ADMINISTRATIVE PROBLEMS INVOLVED IN AN OPERATION OF THIS NATURE (E.G., LEASING SPACE, ETC).

3) ACTIVE MEASURES. SSCI STAFFERS WISH TO DISCUSS NEW YORK'S RESPONSE TO SOVIET INITIATIVES IN THIS AREA. HOWEVER, INTD BELIEVES SSCI MAY ATTEMPT TO CENTER DISCUSSION ON THE CURRENT "PEACE" AND ANTI-NUCLEAR MOVEMENT. NEW YORK COMMENTS SHOULD BE CONFINED TO ACKNOWLEDGEMENT THAT THE COMMUNIST PARTY, U.S.A. IS UNDER INVESTIGATION, AS WELL AS THE KGB, BUT REQUEST THAT FURTHER AMPLIFICATION BE DISCUSSED WITH FBIHQ. NEW YORK MAY WISH TO REFER TO DIRECTOR'S AIRTEL TO ALL SACS, DECEMBER 17, 1982, CAPTIONED "FOREIGN COUNTERINTELLIGENCE GUIDELINES - INVESTIGATIONS OF ORGANIZATIONS," FOR ADDITIONAL INFORMATION ON THIS SUBJECT.

4) TECHNOLOGY TRANSFER. THE AREA OF INTEREST IS FBI RELATIONSHIP WITH U.S. CUSTOMS SERVICE AND CIA REGARDING TECHNOLOGY TRANSFER. THEY WOULD LIKE TO COVER THE "EXODUS" PROJECT AND THE RELATIONSHIPS OF UNDERCOVER OPERATIONS TO TECHNOLOGY TRANSFER.

5

PAE*GE FIVE DE HQ 0155 S E C R E T

5) FREEDOM OF INFORMATION ACT.

6) FOREIGN INTELLIGENCE SURVEILLANCE ACT (FISA). HOW IS FISA SYSTEM WORKING?

C BY: 859, DCL: OADR

BT

NOTE:

Communication providing New York with details of proposed visit of SSCI Staff members to New York on January 17-18, 1983. Details of request contained in memorandum R.S. Young to Director, dated January 6, 1983, captioned "Visit by Senate Select Committee on Intelligence Staff Members to New York Office." This communication coordinated with Mr. Parker, Mr. Pettus, and Mr. Nolan. {U}

fec

APPROVED:

Director _____
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Exec. AD-Inv. _____
Exec. AD-LES _____

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Off. of Cong. & Public Affs. _____
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Memorandum

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Telephone Rm. ___
Director's Sec'y ___

To : O. B. Revell

Date 8/31/82

From : R. S. Young

Subject : SENATE SELECT COMMITTEE TO STUDY LAW ENFORCEMENT UNDERCOVER ACTIVITIES OF COMPONENTS OF THE DEPARTMENT OF JUSTICE

PURPOSE: To advise you of captioned Committee's oral request to review certain files and make appropriate recommendation.

DETAILS: On 8/30/82, Deputy Chief Counsel to captioned Committee, Malcolm Wheeler, requested that the FBI provide the Headquarters volume 1 and Washington Field Office volumes 1, 2 and 3 of Labou and all Headquarters and Seattle volumes of BUYIN for his review. This request is made in order for the Committee to more appropriately prepare for Assistant Director Revell's testimony scheduled 9/21/82.

RECOMMENDATION: That Criminal Investigative Division provide appropriately redacted copies of the above volumes to Office of Congressional and Public Affairs pursuant to the Committee's review.

APPROVED:

Director ___
Exec. AD-Adm. ___
Exec. AD-Inv. ___
Exec. AD-LES ___

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1 - Mr. Revell
1 - Mr. Young
1 - Mr. Haynes
3 - Mr. Moschella
1 - Mr. Andrews
1 - Mr. Martens
TMM:lec (8)

62-116395-1722X

AUG 25 1989

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/30/2000 BY SP2 AUM/LMF MDR-16

FBI/DOJ

1 - Mr. F. M. Mullen, Jr.
1 - Mr. R. [illegible] Young
1 - Mr. E. [illegible]. O'Malley
1 - Mr. J. L. Tierney
1 - Mr. F. E. Carey
1 - Mr. R. M. Clancy
1 - Miss M. F. Devine

FEDERAL GOVERNMENT

January 13, 1982

Honorable John H. Chafee
Chairman, Subcommittee on
Collection and Foreign Operations
Select Committee on Intelligence Activities
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

By letter dated December 17, 1981, you requested more detailed responses from the FBI regarding certain counterintelligence topics discussed in our December 7, 1981, letter to you.

This is to advise that a joint FBI-Central Intelligence Agency response is in preparation and will be forwarded to you in the near future.

Sincerely yours,

William H. Webster
Director

RMC:enb enb
(10)

SEE NOTE, PAGE 2

Given to Courier for hand delivery 1/14/81 RMC

62-116395-1722

FEB 5 1982

Exec AD Inv. ___
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Exec AD LES ___
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Rec. Mgnt. ___
Tech. Servs. ___
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DATE 12/4/0000 BY SP2 ALM/JMF
MDR-16

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FEB 03 1982

Honorable John H. Chafee
United States Senate

NOTE:

This is to advise the SSCI that a joint FBI-CIA response is in preparation. This response will be coordinated by the Community Counterintelligence Staff.

Pms

Fac

APPROVED:

Director W Hey
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Exec. AD-Inv. ____
Exec. AD-LES ____

Adm. Servs. ____
Crim. Inv. ____
Inst. ____
Intell. Gold

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Legal Coun. ____
Off. of Cong. & Public Affs. ____
Rec. Mgmt. ____
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Training ____

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Memorandum

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Tech. Servs. ___
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Off. of Cong. & Public Affs. ___
Telephone Rm. ___
Director's Sec'y ___

To : E. J. O'Malley

Date 1/4/82

From : R. S. Young

Subject : LETTER OF DECEMBER 17, 1981, FROM THE SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI)

PURPOSE: To advise of ~~the receipt of~~ said letter requesting supplemental information on counterintelligence.

DETAILS: By letter from the SSCI (attached) dated 12/17/81 and received in the Congressional Affairs Unit on 12/28/81, the FBI was requested to amplify on the Bureau's December 7, 1981, response to the Committee.

This letter is apparently identical to one sent to the CIA, a copy of which has already been provided to the Intelligence Division (INTD).

RECOMMENDATION: That INTD prepare an appropriate communication to the SSCI and forward the response through the Congressional Affairs Unit.

APPROVED:

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Exec. AD-LES ___

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Tech. Servs. ___
Training ___

ENCLOSURE

62-116531-1221

FEB 5 1982

Enclosure

1 - Mr. O'Malley - Enclosure
1 - Mr. Young - Enclosure
1 - Mr. Haynes - Enclosure
2 - Mr. Moschella - Enclosure
1 - Ms. Owens - Enclosure
MRO:lmb (7)

Off. of Cong. & Public Affs.

FBI/DOJ

DO57

FROM

OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

TO

OFFICIAL INDICATED BELOW

Mr. Colwell ( )
Mr. Mullen ( )
Mr. Otto ( )
Mr. Bayse ( )
Mr. Greenleaf ( )
Mr. Finzel ( )
Mr. Kelleher ( )
Mr. McKenzie ( )
Mr. Mintz ( )
Mr. Monroe ( )
Mr. O'Malley ( )
Mr. Revell ( )
Mr. Stames ( )
Mr. Young ( )
Mr. Hotis ( )
Mr. Andrews ( )
Ms. Douglas ( )
Mr. Gants ( )
Tele. Room ( )
Miss Devine ( )

See Me ( )
Note and return ( )
Prepare reply and return for my signature ( )
Please Handle ( )
Respond over your signature ( )
Prepare memo for the Department ( )
For your recommendation ( )
What are the facts? ( )
Hold ( )

Remarks:

FBI/DOJ

BARRY GOLDWATER, ARIZ., CHAIRMAN
DANIEL PATRICK MOYNIHAN, N.Y., VICE CHAIRMAN
JAKE GARN, UTAH
JOHN H. CHAFEE, R.I.
RICHARD G. LUGAR, IND.
MALCOLM WALLOP, WYO.
DAVID DURENBERGER, MINN.
WILLIAM V. ROTH, JR., DEL.
HARRISON H. SCHMITT, N. MEX.
WALTER D. HUDDLESTON, KY.
JOSEPH R. BIDEN, JR., DEL.
DANIEL K. INOUYE, HAWAII
HENRY M. JACKSON, WASH.
PATRICK J. LEAHY, VT.
LLOYD BENTSEN, TEX.

HOWARD H. BAKER, JR., TENN., EX OFFICIO
ROBERT C. BYRD, W. VA., EX OFFICIO

ROBERT R. SIMMONS, STAFF DIRECTOR
ABRAM N. SHULSKY, MINORITY STAFF DIRECTOR

COMMITTEE SENSITIVE

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
(PURSUANT TO S. RES. 400, 94TH CONGRESS)
WASHINGTON, D.C. 20510

December 17, 1981

Exec. AD-Adm.
Exec. AD-Inv.
Exec. AD-LES
Asst. Dir.:
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Crim. Inv.
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Laboratory
Legal Coun.
Congl. Affs.
Public Affs.
Rec. Mgmt.
Tech. Servs.
Training
Telephone Rm.
Director's Sec'y

IN REPLY PLEASE
REFER TO N#9435

The Honorable William H. Webster
Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C.

Dear Judge Webster:

Thank you for your letter of 7 December replying to our questions raised at our Committee's counterintelligence briefing on 28 October.

We hope you will amplify your response considerably so that we can understand as clearly as possible the threat facing us and the protective responses we should be developing. We understand that, in some instances, appropriate corrective action must be taken by agencies and departments outside the intelligence community. We on this Committee are interested in helping to affect such changes, but to do so effectively we need complete and actual information.

In this spirit, we hope you can provide, by 25 January 1982, fuller and more detailed responses to our questions providing, at a minimum, more information on the following topics:

KGB active measures:

-- Please provide recent examples of such activities in the U.S. with an assessment and analyses of their success.

-- Please describe the level and type of FBI effort against such activities.

-- Please provide examples of such activities in Western Europe, U.S. countermeasures, and an assessment and analysis of the success of each side.

Please include a copy of the joint CIA-STATE-ICA briefing referred to in your 7 December response.

EXP. PROC. DEC 31 1981
#40 1/27/82
COMMITTEE SENSITIVE
CLOSURE

Clandestine technology transfer:

-- Please report on the status of the improvement measures outlined in the generally excellent October 1981 report, including the resources and effort you are currently programming.

-- Please describe arrangements for information and support from other agencies to the intelligence community to deal with these problems, and provide your assessment of the effectiveness of such arrangements, together with analyses and suggestions regarding how they could be improved.

Reciprocity:

-- Please describe and assess the net practical impact of the disparity in personnel numbers on U.S. security and CI operations.

-- Please analyze disparities and/or lack of reciprocity in respects other than numbers, such as the type and quality of personnel, the activities they can engage in (either officially or in practice), and the intelligence/CI opportunities open to them.

-- Please identify participants in the current State Department review of reciprocity, and provide an analysis of why, as you said, "past reviews ... have been without effective results from a counterintelligence perspective."

Official Presence:

-- Please provide a more detailed breakdown of categories, to include separation of U.N., military, and intelligence personnel.

Travel Restrictions:

-- Please provide a complete bill of particulars detailing official and de facto travel restrictions on Soviet and PRC personnel in the U.S., preferably including a map to compare with that appended to the recent report on travel restrictions on U.S. personnel in the U.S.S.R.

NW 55008 DocId:32989599 Page 76

-- Please provide an account of any exceptions officially granted in recent years, together with any comparable exceptions granted to U.S. personnel in the U.S.S.R. as quid pro quo.

Soviet deception of telemetry and SIGINT collection:

-- By what specific means does the intelligence community currently guard against such deception?

-- Recent examples of Soviet attempts at technical deception should be provided.

-- Recent examples of Soviet failures and possible successes should be provided.

Comments on paper by Dr. Harris:

-- Please provide a copy of written comments within CIA on that paper.

Thank you for your attention to these matters. We are hopeful that our continued cooperation can lead to correcting some of the major security vulnerabilities that the U.S. has presented for exploitation by hostile foreign intelligence services.

Sincerely,

John H. Chafee

John H. Chafee
(Rhode Island)

Henry M. Jackson

Henry M. Jackson
(Washington)

Malcolm Wallop

Malcolm Wallop
(Wyoming)

NW 55008 DocId:32989599 Page 77

Memorandum

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Telephone Rm. ___
Director's Sec'y ___

To : Mr. E. J. O'Malley

Date 4-20-81

From : C. P. Monroe

Subject : DIRECTOR'S TESTIMONY BEFORE THE SENATE SELECT COMMITTEE ON INTELLIGENCE, MARCH 25, 1981

PURPOSE: To transmit answers to the questions arising from this testimony.

RECOMMENDATION: That the attached answers to their questions be transmitted to Intelligence Division for submission to the committee.

APPROVED:	Adm. Serv. ___	Legal Coun. ___
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Director ___		Rec. Mgnt. ___
Exec. AD-Adm. ___	Ident. ESO	Tech. Servs. ___
Exec. AD-Inv. ___	Intell. ___	Training ___
Exec. AD-LES ___	Laboratory ___	Off. of Cong. & Public Affs. ___

DETAILS: The attached questions were furnished to the FBI as a result of the Director's testimony. They were answered by the Terrorism Section.

Enclosure

1 - Mr. O'Malley
1 - Mr. Monroe
1 - Mr. Castonguay
1 - Mr. Duffy
1 - Mr. Ivey
1 - Mr. Hope

NCH:dj (7)

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"ENCLOSURE ATTACHED"

ENCLOSURE

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FBI/DOJ

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ENCLOSURE

(b) That report did not cover international terrorism or hostile covert action (including subversion) threats. What assessment of these threats has been done or is underway?

The Terrorism Section, in the fall of 1980, established a research and analysis group. This group will have the responsibility for assessments of the international terrorist threat when it is fully implemented. At present the threat of each international group is assessed on a case by case basis by the Terrorism Section at FBIHQ. (U)

NW 55008 DocId:32989599 Page 80

(c) How does the FBI ensure the responsiveness of its programs concerning either international or domestic terrorism to national requirements?

The FBI's terrorism program is dual-phased, preventive and reactive. Through close coordination with its field offices, FBIHQ ensures that the terrorist threat is met. (U)

NW 55008 DocId:32989599 Page 81

34a. Does this separation cause any gaps or problems?

The FBI's Intelligence Division and Criminal Investigative Division work closely in the area of international terrorism and no significant gaps are obvious in the day to day investigative product. The separate budget for international and domestic terrorism results in significant administrative problems. (b)(1)

NW 55008 DocId:32989599 Page 82

34b. To what extent were the Libyan "hit" teams, which were sent to the U.S. for assassinations, directed by Libyan intelligence or security services?

Libyan intelligence personnel under diplomatic assignment in the United States were part of alleged assassination effort. (S)

classified

NW 55008 DocId:32989599 Page 83

34c. What are the respective roles of the two FBI Divisions in obtaining foreign counterintelligence or counterterrorism intelligence concerning such operations?

The FBI's Intelligence Division investigates foreign counterintelligence regarding hostile intelligence services within the United States. The FBI's Criminal Investigative Division investigates and collects counterterrorism intelligence. When these two areas overlap, coordination between the two divisions is initiated. (S)

NW 55008 DocId:32989599 Page 84

35. How do intelligence and FBI domestic terrorism efforts relate to the efforts of the military services to prepare for terrorist incidents?

FBIHQ maintains close liaison with all branches of the United States military. The FBI provides the military authorities all pertinent information developed concerning any terrorist activity directed against or affecting military bases, personnel or resources. (U)

NW 55008 DocId:32989599 Page 85

36. Unlike the Bureau's FCI guidelines, its domestic security guidelines for domestic terrorism investigations have not been revised significantly since 1976. Should they be reexamined in light of any specific problems that have arisen over the past five years?

Although it is believed that the Guidelines have enable the FBI to cope with the domestic terrorist problem in an effective manner, the Guidelines limit the use of one of the most effective investigative techniques at our disposal. The Guidelines forbid the FBI to develop and direct the activities of an informant against an individual or group unless that individual or group is currently the subject of a full domestic security investigation. Thus, we cannot continue to operate an informant in a group once that group's activities fail to meet the criteria for a full investigation. This prevents us from obtaining valuable information regarding the group's possible decision to return to or instigate violent actions prior to these actions taking place. This prohibition has also created an obvious lack of intelligence data to assess the terrorist threat. In view of this, a re-examination of the domestic guidelines as well as all guidelines should be undertaken on a periodic basis. (U)

NW 55008 DocId: 32989599 Page 86

(d) What special training is provided in the terrorism field?

The FBI's Training Division conducts training in the following areas: Special Weapons and Tactics (SWAT), Crisis Management, Bomb Technician School, Hostage Negotiations, and seminars on terrorism. All the above-mentioned training is provided to all interested Federal, state, and local law enforcement agencies. (~~S~~)(U)

NW 55008 DocId:32989599 Page 87

(c) What type of personnel are being recruited as analysts in this area, and what training and career development is planned for them?

The personnel that are being hired as analysts in the Terrorist Research and Analytical Group (TRAG) are from the Bureau's ranks. They have each taken a series of tests to determine their adaptability for analytical work. They are people who have a keen interest in the work of this group and all but one have at least a college degree. (U)

They have received training in the use of the computer system and the basics of analysis. They will be receiving additional training in the use of the computers and, by cross training with analysts from other FBI sections and other government agencies, will develop their analytical skills. They are also being encouraged to either complete their degree or obtain additional ones. (U)

The analysts in this group will have a career path that will permit advancement from junior analyst to senior analyst as their level of ability increases. (U)

NW 55008 DocId:32989599 Page 88

79 (d) How do the functions of the Terrorism Section compare with the Training Division programs in the terrorism field, and how are they coordinated?

The Terrorism Section actively coordinates all investigations of terrorist organizations and their members in the United States. It also supervises investigations of criminal violations committed by these groups. (U)

The Training Division conducts studies of known terrorist groups, both international and domestic to develop psychological profiles of terrorists. The Training Division also conducts training for the FBI and local law enforcement agencies to enable them to respond to terrorist incidents. (U)

The FBI's Internal Committee on Terrorism coordinates communications between the Terrorism Section and the Training Division. (U)

NW 55008 DocId:32989599 Page 89

80a. Is this a significant informant shortfall?

The 69 individuals and 17 organizations represent all full, limited, and preliminary domestic security cases currently under investigation. Informants can only be targeted against groups or organizations who are under full investigation. Currently, there are 17 individuals and 8 organizations under full investigation. This is not a significant shortfall because in addition to the 13 domestic security informants there are 27 terrorist informants which also report on some of these organizations and individuals. (S)

NW 55008 DocId:32989599 Page 98

80b. If so, what is the relative impact in this area of such factors as FOIA, lawsuits, guidelines, and the operations difficulties of recruiting productive informants?

Factors such as FOIA, lawsuits, and guidelines have reduced the number of domestic security informants. The guidelines restrict the usage of informants. FOIA and lawsuits have caused fear of disclosure and therefore people are not willing to cooperate in this area. (X/U)

NW 55008 DocId:32989599 Page 91

80c. Should more effort be devoted to long-range informant or undercover agent operations beginning at the periphery that may not be productive immediately?

Domestic security operations of this nature are prohibited by the Attorney General Guidelines. (b)(1)

NW 55008 DocId:32989599 Page 92

81. As of January, 1981, how many international terrorism investigations were being conducted, how many organizations were involved, and how many informants were in use?

As of January, 1981, there were approximately 325 full FCI-Terrorism investigations open on individuals, 12 terrorist organizations under investigation, and 235 active FCI informants. (S)

NW 55008 DocId:32989599 Page 93

81a. What makes possible the larger number of informants in such investigations, in contrast to the number per investigation in domestic security investigations?

The rules for opening domestic security informants come from the Attorney General Guidelines for domestic security investigations. These rules are considerably more restrictive than those for the opening of informants under the guidelines for FCI-Terrorism. (C)

NW 55008 DocId:32989599 Page 94

81b. What differences are there in the relative value of informants in the two fields?

Informants are an invaluable aid to the investigator. A quality informant, whether domestic or foreign, is equally important to the FBI's investigative effort. (C)

NW 55008 DocId:32989599 Page 95

81c. Does the FBI have adequate authority to investigate domestic-based international terrorist groups engaged in or preparing for terrorism abroad?

The FBI does have adequate authority to investigate domestic-based international terrorist groups. (C)

NW 55008 DocId:32989599 Page 96

82. Under the domestic security guidelines, what are the recent and current practices for review and approval of full investigations by the Justice Department?

Initially, the Justice Department is notified that a full domestic security investigation has been authorized. After a 90 day period, the FBI field office is required to submit a 90 day report on the progress of the investigation. This is forwarded to the Justice Department. At the end of one year if the FBI desires to continue its investigation, it must be approved by the Justice Department. (C)

NW 55008 DocId:32989599 Page 97

82a. Within a framework of Attorney General Guidelines, could approval of full investigations and use of new informants be shifted to the FBI Director or the head of the Criminal Investigative Division in consultation with the FBI Legal Counsel Division if necessary?

Approval already rests with the FBI and not with the Department of Justice. (C)

NW 55008 DocId:32989599 Page 98

82b. Would reporting to the Justice Department, with the opportunity for the Attorney General or Deputy Attorney General to terminate investigations, provide adequate Departmental supervision?

Yes. This is the system currently in use regarding domestic security investigations and it provides adequate Departmental supervision. (C)

NW 55008 DocId:32989599 Page 99

82c. What safeguards have been adopted in domestic security investigations to limit the collection and dissemination of information about lawful exercise of First Amendment rights that does not relate to possible violent criminal activity?

In 1976, the Attorney General Guidelines for domestic security investigations were instituted. The Terrorism Section of FBIHQ closely supervises the domestic security investigations which are conducted by its field offices to insure that they comply with the restrictions in these guidelines that were designed to insure the rights of American citizens. (C)

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82d. If increased threats of domestic terrorist violence were to require a larger number of domestic security investigations, would it be necessary to modify such safeguards?

An increase in domestic security matters would not necessitate a change in the safeguards protecting the lawful exercise of the First Amendment rights. (C)

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82e. What are the current views of the Justice Department on these questions?

The Justice Department has established the policy as already mentioned that the Director of the FBI is authorized to approve domestic security investigations. (C)

NW 55008 DocId:32989599 Page 102

Memorandum

Exec AD Adm.
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Exec AD LES
Asst. Dir.:
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Rec. Mgnt.
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Training
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Telephone Rm.
Director's Sec'y

To : The Director

Date 3/4/81

From : Mr. E. J. O'Malley

Subject : DIRECTOR'S APPEARANCE BEFORE SENATE SELECT COMMITTEE ON INTELLIGENCE, MARCH 25, 1981

Enclosed is a copy of questions pertaining to FCI which will be posed to the various agency heads appearing before the Committee. These are not all inclusive and other questions will be forwarded as preparations for the hearing continue.

PURPOSE:

To inform the Director of changes in format and content of questioning expected in his appearance before the Senate Select Committee on Intelligence scheduled for March 25, 1981.

APPROVED:
Director
Exec. AD-Adm.
Exec. AD-Inv.
Exec. AD-LES
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Crim. Inv.
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Tech. Servs.
Training
Off. of Cong. & Public Affs.

62-116395-1719

Enclosure

1 - The Director
1 - Mr. L. Colwell
1 - Mr. F. M. Mullen, Jr.
1 - Mr. H. J. Roin
1 - Mr. L. C. Groover
1 - Mr. R. J. Ivey
1 - Congressional Affairs (Attn: I. A. Bassett, Jr.)
1 - Mr. E. J. O'Malley
1 - Mr. J. L. Tierney
1 - Mr. R. P. Hanssen

3/19/81
I would like two briefings — one fact & 1 follow up. This is an important presentation and our position must be presented with clarity. WHW

RPH:aed
(11)

60 APR 15 1981

CONTINUED - OVER

1 - Briefing 10:00 AM 3/23/81
2 - Follow-up 3:00 PM 3/24/81

FBI/DOJ

Memorandum from Mr. E. J. O'Malley to The Director
Re: Director's Appearance Before
Senate Select Committee on
Intelligence, March 25, 1981

SYNOPSIS:

On March 2, 1981, a preparatory meeting was held at Central Intelligence Agency (CIA) Headquarters chaired by Admiral Showers of the Director of Central Intelligence (DCI) Staff and attended by representatives of CIA, Department of Defense (DOD), Defense Intelligence Agency (DIA), and the FBI. The purpose of this meeting was to block the time necessary for each agency head to make a statement and answer questions. The enclosed questions were handed out and each agency present is to draft answers and submit them to CIA for distribution to all participating agencies.

Another meeting on the same matter was held on March 3, 1981, with Staff members of the Senate Select Committee on Intelligence to discuss the Director's March 25th appearance before that Committee.

In the past, intelligence community members responsible for counterintelligence were afforded individual appearances. This year all such members will appear jointly allowing cross commenting and questioning. This is a marked change and a departure from the notion that each agency in turn would appear and answer questions for a limited time.

The emphasis in questioning will be the Committee's perception of a lack of strategic planning within the community from a multi-disciplinary counterintelligence view.

Specific questions asked the Director will center on Bureau strategic planning and the role of foreign threat assessment in this planning.

Opening remarks are expected to specifically justify resource requests through concrete appraisals of hostile intelligence service threat.

It appears that the thrust of these changes is to force the Intelligence Community to establish mechanisms for threat assessment and strategic planning below the White House level where they will fall under Congressional oversight.

CONTINUED - OVER

NW 55008 DocId:32989599 Page 104

Memorandum from Mr. E. J. O'Malley to The Director
Re: Director's Appearance Before
Senate Select Committee on
Intelligence, March 25, 1981

RECOMMENDATION:

That Intelligence Division prepare an appropriate briefing book for the Director.

DETAILS:

Three Staff members of the Senate Select Committee on Intelligence met with representatives of the Intelligence Division on March 3, 1981. The purpose of this meeting was to discuss the scheduled March 25, 1981, appearance of the Director before that Committee.

In the past, members of the Intelligence Community have been afforded individual appearances before the Senate Select Committee. The March 25, 1981, meeting has been scheduled as a simultaneous appearance of all Intelligence Community chiefs having counterintelligence responsibilities. It is the intent of the Committee that this be a joint appearance. That is, while individual statements from each Intelligence Community chief will be expected, questions may be directed to any member appearing, allowing cross commenting on answers of other chiefs. This is a marked departure from previous procedure.

The emphasis in questioning before the Committee this year will be into who has overall responsibility for counterintelligence operations from a multi-disciplinary view. How is the counterintelligence "puzzle" put together, and how can the Committee augment the budgets of each Intelligence Community member to increase the effectiveness of the total counterintelligence effort.

CONTINUED - OVER

NW 55008 DocId:32989599 Page 105

DETAILS (Continued):

In line with these directions, questions can be expected to center on FCI strategic planning, FBI strategic planning and the synthesis of the multiple threats of foreign intelligence services into a coherent response.

Participants should additionally expect specific questions as to illegals presence, numbers of foreign recruitments and their threat, war-time contingencies, the utility of budgetary augmentations (what could be done with an additional 10%), and changes in the law which might increase performance.

Participants have been requested to address, in their opening remarks, the following three major areas pertaining to the area of inquiry being conducted this year.

1. What is the mechanism within your organization for assessing the overall hostile intelligence threat and how do established mechanisms in your organization allocate resources to respond to that threat?

2. What is that threat both quantitatively and qualitatively citing concrete examples?

3. What resources are needed by your organization to meet this threat?

It appears that the thrust of these changes is to force the Intelligence Community to establish mechanisms for threat assessment and strategic planning below the National Security Council level where they will be within the Senate's oversight responsibilities. During this meeting, one Staff member, Mr. John Elliff, stated that these matters were currently "unaccountable" as they were done by the White House staff, implying that the Committee wished to extend its oversight to the strategic planning mechanisms.

CONTINUED - OVER

NW 55008 DocId:32989599 Page 106

Memorandum from Mr. E. J. O'Malley to The Director
Re: Director's Appearance Before
Senate Select Committee on
Intelligence, March 25, 1981

DETAILS (Continued):

The Staff members present in the March 3, 1981, meeting were Angelo Codevilla, employed by Senator Wallop, Chairman of the Budget Subcommittee; John Elliff, from the same Committee and formerly with the Bayh Committee, experienced in budget matters and John Pingree, a new Staff member. Bureau representatives were Dennis L. DeBrandt, Unit Chief, CI-3 Section, D Unit and Supervisors Richard M. Alu, Robert P. Hanssen and James D. Ohlson of that Unit. Supervisor Irving A. Bassett, Jr. of the Congressional Affairs Office was also present.

This joint appearance also was the subject of a March 2, 1981, meeting convened by the Special Assistant to the DCI for Counterintelligence and attended by representatives of agencies having FCI responsibilities. The views expressed by the Senate Select Committee on Intelligence Staffers, as above, were not fully conveyed in this meeting. It was agreed at the March 2nd meeting responses would be exchanged between participants by March 18th. As of this writing, the participants are as follows:

Admiral Bobby Inman, Deputy DCI
The Director
General Tighe, DIA
Mr. John McMahon, DDO, CIA
Mr. Roland Morrow, DOD

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COUNTERINTELLIGENCE

(27) What need do you see for creating a broad, national-level, strategic, multidisciplinary counterintelligence program which includes a closely-coordinated counter-SIGINT, counter-imagery, protective security, counter-espionage and counter-deception program?

(a) How much progress has been made toward this end? What is being done to hasten this process?

(b) What steps are being taken to increase the capability of the U.S. Government for interagency and comprehensive national foreign counterintelligence (FCI) analysis and production?

(c) Given the admitted increase in threat from foreign intelligence activities, why is there no increase in resources allocated for counterintelligence (less than 2 percent of NFIP)?

(28) At least seven different agencies are involved in counterintelligence work -- FBI, CIA, NSA, DIA and the three military services. Each agency has its own approach to counter-intelligence, and the emphasis in recent years has been on better operational coordination and on preparation of an inter-agency threat assessment.

(a) Who is responsible for making an assessment of our country's own counterintelligence capabilities?

62-116395-1719

(b) Should there be more of a joint effort by senior FBI, CIA, and Defense Department officials to assess the overall quality of our counterintelligence efforts and to promote improvements and innovations for dealing with the threat across the board?

(29) The FBI gets by far the largest share of the national intelligence budget for counterintelligence, and Director Webster has made counterintelligence a top FBI priority. Last year this Committee recommended that the FBI move towards the creation of a separate entity in the Bureau for counterintelligence so that it could play a more effective role as the lead agency in this field. This is especially important for countering the HUMINT collection efforts of Soviet and other Communist intelligence services.

(a) Would a stronger FBI leadership role in this field meet with any significant resistance from the intelligence community?

(30) There is some evidence that particular agencies, such as CIA and NSA, may not be adequately collecting and disseminating counterintelligence that the FBI needs to monitor possible foreign intelligence threats to this country. This problem may be due to a fear of collecting and disseminating information about U.S. citizens, so that these agencies do not use the full authority they have under current guidelines.

(a) Does this appear to be true, and if so, what can be done to encourage CIA and NSA to use their full authority to support the FBI's counterintelligence requirements?

(b) What unrealistic restrictions on counterintelligence activities most need revision?

(31) The issue of technology transfer is one which affects many parts of the government, not just the intelligence community.

(a) What role do you see for counterintelligence in providing information concerning technology diversions, espionage directed against American high technology (both civilian and defense-related) and key financial and business data obtained through COMINT?

(b) Do you believe a national level program is required to combat this threat?

(c) Should counterintelligence information obtained by the intelligence community be provided to the private sector?

(32) Terrorism poses a serious threat to world stability, as well as to the physical safety of individuals.

(a) What is the intelligence community doing to give American policymakers comprehensive analyses of worldwide terrorism, including the links among countries and groups and the factors that increase or reduce terrorist activity?

(b) Is the community preparing the kind of estimates that will best help policymakers understand terrorism problems and the likely consequences of U.S. policies for dealing with those problems?

(33) Although the NSC Special Coordination Committee for Counterintelligence has responsibility for counterintelligence policy, there has been a lack of long-range strategic planning in this field.

(a) Has the NSC committee undertaken any long-range strategic planning for U.S. counterintelligence programs?

(b) What other steps have been or could be taken to improve long-range strategic planning for counterintelligence?

(c) In general, how effective has the NSC committee been, and what could be done to strengthen its effectiveness?

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TO DIRECTOR ROUTINE

ATTENTION: LEGAL COUNSEL DIVISION

BT

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HEARINGS BY U.S. SENATOR JOHN MELCHER (D-MONTANA) RE: INDIAN HEALTH SERVICE, BILLINGS, MONTANA, DECEMBER 21, 1979.

RE BUTTE TELCALL TO LEGAL ~~RESEARCH UNIT~~, FBIHQ, DECEMBER 20, 1979.

SENATE SELECT Committee

ON DECEMBER 20, 1979, A TELEPHONE CALL WAS RECEIVED FROM MR. CHARLES TIEFER, WHO REPRESENTED HIMSELF AS BEING FROM THE OFFICE OF LEGAL COUNSEL, U. S. SENATE, AND A CONSULTANT TO SEANTOR JOHN NELCHER'S COMMITTEE. MR. TIEFER STATED HE WAS CURRENTLY IN BILLINGS, MONTANA, FOR THE PURPOSE OF HOLDING FIELD HEARINGS INVOLVING EXPENDITURES FOR THE INDIAN HEALTH SERVICE. THOSE HEARINGS ARE TO BE HELD IN BILLINGS ON DECEMBER 21, 1979.

MR. TIEFER ADVISED HE REALIZED HE WAS NOTIFYING THE

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MDR-16

FBI ON VERY SHORT NOTICE, BUT IT WAS THE INTENTION OF SENATOR MELCHER'S COMMITTEE TO PUT TOGETHER A PANEL CONSISTING OF REPRESENTATIVES FROM THE FBI, U.S. POSTAL SERVICE, AND BUREAU OF INDIAN AFFAIRS, WHO WOULD BE QUESTIONED IN THE AGGREGATE FOR A PERIOD NOT TO EXCEED TEN TO FIFTEEN MINUTES. THE GENERAL NATURE OF THE TESTIMONY WOULD BE HOW THE AFOREMENTIONED AGENCIES CONDUCTED TRAVEL TO AND FROM THE INDIAN RESERVATIONS IN THE STATE OF MONTANA.

MR. TIEFER WAS ASKED SPECIFICALLY AS TO THE QUESTION WHICH WOULD BE ASKED, WHICH AS AS FOLLOWS:

1. A. HOW DOES THE FBI ARRANGE TRAVEL TO AND FROM INDIAN RESERVATION IN THE STATE OF MONTANA?

B. HOW DOES THE FBI HANDLE THE DISTANCES AND ROAD CONDITIONS IN THE STATE OF MONTANA?

2. HAS THE FBI PAID FOR FLIGHT LESSONS FOR ITS PERSONNEL IN THE STATE OF MONTANA?

ASAC, BUTTE, ADVISED MR. TIEFER THAT THE ANSWERS TO THE ABOVE QUESTIONS WERE AS FOLLOWS:

1. A. BY GOVERNMENT VEHICLE.

B. THE FBI WORKS FROM RESIDENT AGENCIES THAT ARE STRATEGICALLY LOCATED THROUGHOUT THE STATE OF MONTANA, ALLOWING FOR REASONABLY PROMPT RESPONSE TIME. THE FBI UTILIZES GOVERNMENT VEHICLES REGARDLESS OF THE ROAD CONDITIONS.

2. NO.

MR. TIEFER ASSURED THAT NO QUESTIONS WOULD BE ASKED OF A FBI REPRESENTATIVE WHICH WOULD CONCERN A SPECIFIC INVESTIGATIVE MATTER, BUT RATHER THE QUESTIONING WOULD ONLY CONCERN ITSELF WITH THE ABOVE TRAVEL ARRANGEMENTS.

PER BUTTE TELCALL TO LEGAL RESEARCH UNIT, BUTTE URGED APPROVAL OF ITS COOPERATION WITH AN OFFICIAL COMMITTEE OF THE U.S.;ANE UACB EITHER THE SENIOR RESIDENT AGENT OR ALTERNATE SENIOR RESIDENT AGENT OF THE BILLINS, MONTANA, RESIDENT AGENCY WILL FURNISH THE ABOVE ANSWERS TO THE QUESTIONS AS INDICATED.

BT

1 - Mr. Steel
1 - Mr. Cregar
1 - Mr. Fulton
1 - Mr. Groover
2 - Mr. Moschella
1 - Mr. Mazzella

FEDERAL GOVERNMENT

November 30, 1979

Honorable Birch Bayh
Chairman
SENATE Select Committee on Intelligence
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

Thank you for your letter of November 15, 1979, your reference N-664, which was received by me on November 19, 1979.

I am pleased that you are interested in increasing your understanding of our foreign counterintelligence activities and am directing all personnel at Headquarters and in the field to cooperate fully with your staff during their visits to FBI Headquarters and selected field offices.

Special Agent Christopher Mazzella of our Legal Liaison/Congressional Affairs Unit will be responsible for planning an appropriate agenda and any other arrangements necessary to facilitate your staff's visits to our facility. Mr. Mazzella has already been in touch with your staff regarding your request.

I hope this meets with your satisfaction.

Sincerely yours,

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William H. Webster
Director

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Director's Sec'y ____

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Director WHW
Exec. AD-Inv. ____
Exec. AD-Adm. ____
Exec. AD-LES ____

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ASSISTANT DIRECTOR
INTELLIGENCE DIV.

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EXEC. A. D.
FBI

Nov 26 [illegible] 23 PM 1979

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RESEARCH [illegible]
[illegible] INFORMATION COMMITTEE

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WILLIAM G. MILLER, STAFF DIRECTOR
EARL D. EISENHOWER, MINORITY STAFF DIRECTOR

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
(PURSUANT TO S. RES. 400, 94TH CONGRESS)
WASHINGTON, D.C. 20510

November 15, 1979

IN REPLY PLEASE
REFER TO N-664

FEDERAL GOVERNMENT

The Honorable William H. Webster
Director
Federal Bureau of Investigation
Washington, D. C. 20535

Dear Judge Webster:

As part of its continuing oversight and budget authorization responsibilities, the Select Committee on Intelligence wishes to increase its understanding of the foreign counter-intelligence activities of the Federal Bureau of Investigation. In this regard, I respectfully request the Bureau's cooperation in facilitating the visit of three members of the Select Committee staff to Bureau headquarters and to two or three field offices. These visits would be for the purpose of helping the Committee become better acquainted with Bureau operational management practices and to acquire first-hand knowledge of FCI field operations.

I have designated Messrs. Daniel Childs, George Pickett, and Thomas Crowley, who hold all appropriate clearances, to undertake these visits.

Thank you in advance for your help.

Sincerely,

Birch Bayh

Birch Bayh
Chairman

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MDR-16

11-30-79

CM: cah

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UNITED STATES GOVERNMENT

Memorandum

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
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Public Affs. Off. ____
Telephone Rm. ____
Director's Sec'y ____

TO : Assistant Director
Criminal Investigative Division

DATE: 7/19/79

FROM : Legal Counsel

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FEDERAL GOV

SUBJECT: PROPOSED ELECTRONIC SURVEILLANCE LEGISLATION

PURPOSE:

To advise of the imminent introduction of legislation affecting electronic surveillance procedures by making emergency wiretaps available in life endangering situations and by requiring notice to the court of surreptitious entry, and to solicit the views of the Criminal Investigative Division for transmittal to the Department of Justice (DOJ).

DETAILS:

On 7/19/79 Ms. Molly Warlow, Criminal Division, DOJ, made available to SA Parks H. Stearns, Jr., Legal Counsel Division, a draft of legislation which has been forwarded to the Office of Management and Budget for approval. She requested the FBI's comments on the proposed legislation.

The primary effect of the proposal would be to make available to the Bureau emergency wiretaps in situations where there is "immediate danger of death or serious physical injury" (see page 3 of attachment, Section 6[a] of the bill).

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The bill also makes statutory the current Government regulations requiring that notice be given to the magistrate issuing a Title III order in situations where surreptitious entry is necessary to install the device.

Enclosure

1 - Mr. Gow (Enclosure)
1 - Mr. McWeeney (Enclosure)
2 - Mr. Moschella (Enclosure)
1 - Mr. Stearns (Enclosure)

2 JUL 31 1979

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Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

59 SEP 13 1979

Stearns advised orally by Gow & McCurnin of CID concerns - Warlow, DOJ advised by Stearns.

Memorandum to the Assistant Director
Criminal Investigative Division
Re: PROPOSED ELECTRONIC SURVEILLANCE LEGISLATION

The impetus for the first change came from the FBI, which for several years has urged the Department to formulate legislation to provide emergency wiretaps for life endangering situations. The impetus for the second change above has come from the domestic policy staff of the White House in response to the recent Supreme Court case United States v. Dalia, ____ U.S. ____ (April 18, 1979).

The bill also requires prior notice, when practicable, to the issuing magistrate for subsequent entry under the same order to repair or replace the surveillance device. When prior notice is not practicable, notification to the authorizing judge should be made within 48 hours after the re-entry (see page 30, Section 5[g][iii]). Previous Congressional requests for prior approval before the re-entry and for additional minimization provisions have been dropped.

Bob McNamara of Senator Kennedy's staff is anxious to introduce this legislation as a Kennedy bill and has requested that it be submitted as soon as possible. Accordingly, Ms. Warlow requested that Bureau views be provided to the Department by Monday, 7/23/79. SA Stearns has provided copies of this draft legislation to Section Chiefs Douglas Gow and Shawn McWeeney of the Criminal Investigative Division.

RECOMMENDATIONS:

1. That the Criminal Investigative Division review the attached draft and advise SA Stearns, Legal Counsel Division, regarding its impact upon Bureau investigative operations.

APPROVED:

Director ____
Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____

Adm. Serv. ____
Crim. Inv. ____
Ident. ____
Intell. ____
Laboratory ____

Legal Coun. ____
Plan. & Insp. ____
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Tech. Servs. ____
Training ____
Public Affs. Off. ____

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Memorandum to the Assistant Director
Criminal Investigative Division
Re: PROPOSED ELECTRONIC SURVEILLANCE LEGISLATION

2. That upon receipt of observations and recommendations by Criminal Investigative Division, that SA Stearns advise Ms. Warlow of the Department of Justice.

APPROVED:

Director
Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.

Adm. Serv.
Crim. Inv.
Ident.
Intell.
Laboratory

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A BILL

To amend certain provisions of title 18, United States Code, relating to the procedures for interception of wire or oral communications.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that

Sec. 2 ~~That~~ Section 2510 of title 18, United States Code, is amended --

(a) in subsection (10), by striking out "and" at the end thereof; and

(b) in subsection (11), by striking out the period at the end thereof and inserting in lieu thereof a semicolon and "and"; and

(c) by adding at the end thereof the following new subsection:

"(12) 'surreptitious entry' means a physical entry upon a private place or premises to install, repair, reposition, replace, or remove any electronic mechanical or other device, and includes both covert entry and entry effected by means of a ruse or subterfuge."

Sec. 3. Section 2518(1) of title 18, United States Code, is amended --

(a) in paragraph (e), by striking out "and" at the end thereof; and

(b) in paragraph (f), by striking out the period at end thereof and inserting in lieu thereof a semicolon and "and"; and

(c) by adding at the end thereof the following new paragraph:

"(g) a statement whether surreptitious entry ~~for the purposes of installing, repairing, repositioning, replacing, or removing any electronic, mechanical or other device~~ is required to effect the interception, and if such surreptitious entry is required, a statement why other means of effecting the interception than

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ENCLOSURE

surreptitious entry reasonably appear to be unlikely to succeed, to be too dangerous if tried, or to be impracticable."

Sec. 4. Section 2518(3) of title 18, United States Code, is amended --

(a) in paragraph (d), by striking out the period at the end thereof and inserting in lieu thereof a semicolon and "and"; and

(b) by adding at the end thereof the following new paragraph:

"(e) where the order is to authorize or approve a surreptitious entry, ~~for the purposes of installing, repairing, repositioning, replacing, or removing any electronic, mechanical, or other device,~~ such surreptitious entry reasonably appears to be required to effect the interception, and other means of effecting the interception than surreptitious entry reasonably appear to be unlikely to succeed, to be too dangerous if tried, or to be impracticable."

Sec. 5. Section 2518(4) of title 18, United States Code, is amended -

(a) in paragraph (d), by striking out the "and" at the end thereof; and

(b) in paragraph (e), by striking our the period at the end thereof and inserting in lieu thereof a semicolon and "and"; and

(c) by inserting the following immediately after paragraph (e) the following new paragraphs:

"(f) whether surreptitious entry ~~for the purposes of installing, repairing, repositioning, replacing, or removing any electronic, mechanical, or other device~~ is authorized or approved to effect the interception; and

(g) in any order which includes authorization of surreptitious entry --

(i) the identity of the agency authorized to make the surreptitious entry; and

(ii) that the attorney for the government in charge of the investigation shall, when practicable, notify in writing the authorizing judge of the proposed time of the entry, and when prior notice is not practicable, notification is to be made within 48 hours after such entry; and

"(iii) that in any case in which more than one entry is necessary to install the device, or in which re-entry is necessary to repair, reposition, or replace the device, the attorney for the government in charge of the investigation shall, when practicable, notify in writing the authorizing judge prior to such re-entry of the reasons which necessitate the re-entry, and when prior notice is not practicable, such notification is to be made within 48 hours after the re-entry and is to describe the reasons which necessitated the re-entry and why prior notification was not practicable."

Sec. 6. Section 2518(7) of title 18, United States Code, is amended --

(a) by deleting paragraph (a) and inserting in lieu thereof:

"(a) an emergency situation exists that involves --

(i) immediate danger of death or serious physical injury to any person; or

(ii) conspiratorial activities threatening the national security interest; or

(iii) conspiratorial activities characteristic of organized crime,

that requires a wire or oral communication to be intercepted before an order authorizing such interception can with due diligence be obtained, and"; and

(b) by inserting a comma and "and may make any surreptitious entry required to effect such interception," immediately after "wire or oral communication" the second time it appears.

Sec. 7. Section 2519 of title 18, United States Code, is amended --

(a) in subsection (1):

(1) by inserting immediately after paragraph (e) the following new paragraph:

"(f) the fact that a surreptitious entry to effect the interception was authorized or approved, the number of such entries made, and the purpose, either to install, repair, reposition, replace, or remove the interception device, for each such entry;";and

(2) by redesignating paragraphs (f) and (g) as paragraphs (g) and (h) respectively; and

~~(b) in subsection (2), by~~

(b) in paragraph (2)(a), by striking out "(g)" and inserting in lieu thereof "(h)".

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