

10 JAN 76 08 52Z

~~SECRET~~ RYBAT TELEPOUCH

DISP NO: [REDACTED] SECTION 1 OF 5.

DATE : 8 JANUARY 1976

TO : [REDACTED] TEHRAN

INFO : NONE

FROM : OGC

SUBJECT: RYBAT EYES ONLY MEMORANDUM FOR AMBASSADOR HELMS

PLEASE PASS TO AMBASSADOR HELMS

HEREWITH THE MEMORANDUM BY GEORGE-ADIS REFERRED TO IN MY EARLIER CABLE.

"1. THE WRITER WAS ASSIGNED TO THE SECURITY RESEARCH STAFF/OFFICE OF SECURITY AS A SECURITY RESEARCH SPECIALIST FROM FEBRUARY 1969 TO AUGUST 1973. IN LATE 1969, PROJECT [REDACTED] WAS ASSIGNED TO HIM AS ONE OF HIS DUTIES. PROJECT [REDACTED] IS A SENSITIVE COUNTERINTELLIGENCE PROGRAM IN THE AGENCY ADMINISTERED BY THE OFFICE OF SECURITY AND UTILIZING CONFIDENTIAL INFORMANTS OR SOURCES; RESPONSIBILITY AND AUTHORITY FOR THIS PROGRAM IS DERIVED FROM HR-1-14(CD), AND DETAILS ARE CONTAINED IN RESTRICTED FILES MAINTAINED IN OS.

"2. DURING THIS PERIOD, THE WRITER DEVELOPED SEVERAL COVERT COUNTERINTELLIGENCE ASSETS UNDER PROJECT [REDACTED] SUCH ASSETS ARE SPOTTED AND THEIR BACKGROUNDS SCREENED BY SRS, AND SELECTED CANDIDATES ARE RECOMMENDED THROUGH CHANNELS (I.E., CHIEF/SAB, CHIEF OR DEPUTY CHIEF/SRS, AND DIRECTOR OF SECURITY). SIGNATURES OF ALL FOREIGN SUPERVISORS ARE REQUIRED AS AUTHORIZATION PRIOR TO RECRUITMENT OF THE ASSET.

"3. ABOUT 22 APRIL 1976, INFORMATION WAS RECEIVED FROM A [REDACTED] SOURCE THAT AN AGENCY FEMALE EMPLOYEE [REDACTED] WHO HAD SUDDENLY RESIGNED ON 6 MARCH 1976 HAD BEEN CONTACTING WITH A CUBAN NATIONAL (ORLANDO NUDEZ TORO, NO. 289 734) WHO WAS AN ALLEGED CASTRO AGENT WHO OPERATED A PHOTOGRAPHY STUDIO IN THE MCLEAN AREA [REDACTED] AND FOR WHOM [REDACTED] REVIEWED AGENCY CLASSIFIED FILES, INCLUDING HIS OWN ZOI FILE. FURTHER INQUIRY DEVELOPED THAT OS/PSD HAD PREVIOUSLY INITIATED AN INVESTIGATION ON THESE TWO SUBJECTS AND HAD DEVELOPED ADDITIONAL INFORMATION, ALTHOUGH NO ACTION HAD BEEN TAKEN BEFORE THE

HR70-14
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APPROVED FOR RELEASE
DATE: MAR 2008

EMPLOYEE'S RESIGNATION AND THE CASE WAS CLOSED SUBSEQUENTLY.

"4. REVIEW OF THE NUNEZ' AGENCY 201 FILE, WHICH INCLUDED FBI REPORTS, REVEALED A GREAT DEAL OF DEROGATORY AND QUESTIONABLE INFORMATION REGARDING NUNEZ' BACKGROUND AND INDICATED HE HAD BEEN A SUSPECTED CUBAN INTELLIGENCE AGENT, HAD BEEN A U.S. ARMY DESERTER, HAD DEFECTED TO CUBA, HAD ATTEMPTED ILLEGAL ENTRY INTO THE UNITED STATES, ETC. AT THE REQUEST OF CHIEF/SAOS AND IN FURTHERANCE OF PROJECT [REDACTED] REQUIREMENTS, A RESEARCH STUDY WAS PREPARED ON THE CUBAN'S AND THE FORMER EMPLOYEE'S BACKGROUNDS AND ACTIVITIES.

"5. ON 9 JUNE 1970, AN SRS MEMORANDUM TO CHIEF/SRS THROUGH CHIEF/SAOS WAS PREPARED BY THE WRITER, SUBJECT: CE CASE ON [REDACTED] FORMER AGENCY STAFF EMPLOYEE. THIS MEMORANDUM:

"(A) SUMMARIZED THE ACTIVITIES OF THE CUBAN AND THE EX-EMPLOYEE, INDICATING CONTACTS WITH PERSONS SUSPECTED OF COMMUNIST AND SOVIET INTELLIGENCE CONNECTIONS AND OF QUESTIONABLE BEHAVIOR AND IMPROPER REVIEW OF AGENCY CLASSIFIED INFORMATION;

"(B) CONCLUDED THAT INVESTIGATION OF THE CASE SELECTS A REASONABLE POSSIBILITY THAT AN INTELLIGENCE OPERATION MAY EXIST AGAINST THIS AGENCY;

"(C) INDICATED FACTORS (DEALING WITH CONTINUING CONTACTS BY SUBJECTS WITH CURRENT AGENCY EMPLOYEES) REQUIRING AGENCY IS PURSUING THIS CASE;

"(D) PROPOSED FIVE RECOMMENDED ACTIONS TO GAIN ADDITIONAL INFORMATION, ONE OF WHICH SUGGESTED SURVEILLANCE IN AN ATTEMPT TO ESTABLISH THE ACTIVITIES OF THE PRINCIPALS IN THE CASE.

"CHIEF/SAOS CONCURRED AND RECOMMENDED CONSIDERATION BE GIVEN TO THE PROPOSALS; CHIEF/SRS CONCURRED IN THE RECOMMENDATIONS; DIRECTOR OF SECURITY APPROVED ACTION AND DIRECTED CHIEF/SRS IN A FOOTNOTE ON THE MEMO TO ASK DEPUTY DIRECTOR/IOS TO CHECK WITH THE DIRECTOR OF SECURITY BEFORE MOUNTING SURVEILLANCE.

"6. SRS MEMORANDUM FOR THE RECORD, DATED 17 JULY 1972,

PAGE 3

~~SECRET~~

PREPARED BY THE WRITER, ROUTED TO CHIEF/SAOB, DEPUTY CHIEF/SRS, AND CHIEF/SRS, INDICATED MORE SERIOUS INDICATIONS OF POSSIBLE ESPIONAGE ACTIVITIES BY THE TWO SUBJECTS AND UNAUTHORIZED DISCLOSURE OF CLASSIFIED INFORMATION AND CONTAINED NOTES BY DEPUTY CHIEF/SRS REFERENCING FBI FOLLOW-UP LIAISON CONTACTS AND INQUIRIES BY DEPUTY CHIEF/SRS REGARDING THIS CASE AND RECOMMENDED A FORMAL MEMORANDUM BE PREPARED FOR THE FBI.

"7. MEMORANDUM FROM THIS AGENCY TO THE FBI, DATED 4 AUGUST 1970, (FROM THE DIRECTOR OF SECURITY FOR THE DIRECTOR, CIA, TO THE DIRECTOR, FBI, ATTENTION: DOMESTIC INTELLIGENCE DIVISION, SUBJECT: ORLANDO NUNEZ TORO; [REDACTED] [REDACTED]--INTERNAL SECURITY--CUBA) SUMMARIZED INFORMATION ON THE NUNEZ CASE AND REQUESTED AUTHORIZATION FOR INVESTIGATIVE ACTION. THIS MEMORANDUM SPECIFICALLY:

"(A) PRESENTED A SUMMARY OF INFORMATION REGARDING NUNEZ AND [REDACTED];

"(B) STATED THAT THE CURRENT ACTIVITIES OF NUNEZ AND [REDACTED] ARE BELIEVED TO POSE A POTENTIAL SECURITY THREAT TO THE PERSONNEL AND ACTIVITIES OF THIS AGENCY, AND CERTAIN INVESTIGATIVE COVERAGE APPEARS NECESSARY TO RESOLVE OUR CONCERN;

"(C) REQUESTED THAT THE BUREAU ADVISE WHETHER IT INTERPOSED ANY OBJECTION TO THIS AGENCY CONDUCTING INVESTIGATIVE ACTION NECESSARY TO EXPLORE QUESTIONS RAISED BY THE ASSOCIATION OF NUNEZ AND [REDACTED] WITH EMPLOYEES OF THIS AGENCY;

"(D) ADVISED THAT SUPPLEMENTAL INFORMATION CONCERNING THE SUBJECTS WOULD BE PROVIDED TO THE BUREAU AS IT IS OBTAINED.

"8. MEMORANDUM FROM THE FBI TO THIS AGENCY, DATED 14 AUGUST 1970, (FROM THE DIRECTOR, FBI, TO THE DIRECTOR, CIA, ATTENTION: DIRECTOR OF SECURITY, SUBJECT: ORLANDO NUNEZ TORO; [REDACTED]--INTERNAL SECURITY--CUBA) ADVISED THAT THE FBI INTERPOSED NO OBJECTION TO INVESTIGATION BY THE AGENCY TO EXPLORE QUESTIONS RAISED BY THE ASSOCIATION OF NUNEZ AND [REDACTED] WITH EMPLOYEES OF THIS AGENCY, THEREBY

AUTHORIZING THE AGENCY TO UNDERTAKE INVESTIGATIVE ACTION IN THIS CASE.

"9. DURING THE ENTIRE INVESTIGATIVE PERIOD IN THIS CASE, FROM APPROXIMATELY SPRING 1970 TO SPRING 1973, A VARIETY OF INVESTIGATIVE METHODS WAS EMPLOYED, INCLUDING RESEARCH, TRACES WITH FEDERAL, POLICE, AND LAW ENFORCEMENT AGENCIES, INFORMANTS, CONFIDENTIAL INTELLIGENCE SOURCES, REVIEW OF FBI, I&NS, DOD REPORTS, ETC.

"ON THREE LIMITED OCCASIONS DURING 1971, WITH THE APPROVAL OF HIGHER AUTHORITY, SURVEILLANCE WAS EMPLOYED AS AN INVESTIGATIVE TOOL, USING AUTOMOBILES, TWO-WAY RADIOS, OBSERVATION POSTS, AND PHOTOGRAPHIC COVERAGE. ON ONE OCCASION, SURREPTITIOUS ENTRY WAS EMPLOYED WITH THE APPROVAL OF HIGHER AUTHORITY, DURING WHICH SUSPECTED DOCUMENTS WERE PHOTOGRAPHED. TO THE WRITER'S KNOWLEDGE, INVESTIGATIVE DEVICES SUCH AS WIRETAPS, ELECTRONIC "BUGS," AUDIO DEVICES, ETC. HAVE NEVER BEEN USED OR AUTHORIZED IN THIS CASE.

"SUBSEQUENT TO RECEIPT OF FBI AUTHORIZATION FOR INVESTIGATION, THE FBI WAS KEPT ADVISED OF INFORMATION DEVELOPED AND IT COOPERATED IN THE INVESTIGATION BY CONDUCTING NAME TRACES OR FURNISHING ADDITIONAL PERTINENT INFORMATION TO HIS AGENCY. IN RESPONSE TO THIS AGENCY'S REPORTS TO THE FBI, THE FBI CONTINUED TO DEFER TO THIS AGENCY IN THE CONDUCT AND COMPLETION OF THE INVESTIGATION. IT IS THE WRITER'S BELIEF THAT IT WAS SUGGESTED TO THE FBI IN SUCH REPORTS THAT THE BUREAU MIGHT WISH TO TAKE OVER THE CASE OR CONDUCT IT AS A JOINT OPERATION, HOWEVER, THE BUREAU DID NOT MAKE SUCH A DECISION. THE WRITER'S FINAL REPORT ON THIS CASE, DATED 4 JUNE 1973, WAS ADDRESSED TO THE DIRECTOR OF SECURITY THROUGH CHIEF/SRS. THIS REPORT OUTLINED VARIOUS OPTIONS AVAILABLE TO THE AGENCY IF IT WISHED TO PURSUE OR TERMINATE THE CASE, AND IF THE CASE WAS PURSUED, ONE OPTION SUGGESTED WAS TO REQUEST THE FBI TO TAKE OVER THE CASE AND CONCLUDE IT, IN VIEW OF ITS SUBSTANTIAL RESOURCES.

"DURING BRANCH DISCUSSIONS ON THIS CASE WITH CHIEF/SAOB THE WRITER OFTEN PROPOSED THAT A POINT-BLANK REQUEST OR

PAGE 5

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POSITIVE AND STRONG APPEAL BE MADE TO THE FBI TO ASSUME OUR CASE AND INVESTIGATE IT WITH THEIR MORE PROFESSIONAL AND EXTENSIVE RESOURCES. TO SUCH PROPOSALS THE CHIEF/SAOB WOULD REPLY THAT WITHIN HIS EXPERIENCE AND KNOWLEDGE, WHICH INCLUDED AGENCY EXPERIENCE WITH THE FBI, THE FBI WAS NOT IN THE HABIT OF WANTING OUR CASES AND THAT IT WAS IMPOSSIBLE THAT IT WOULD TAKE OURS REGARDLESS OF ITS IMPORTANCE OR IMPACT. HE INDICATED THAT THE FBI HAD THOUSANDS OF CASES THAT IT DID NOT BOTHER WITH, MANY UNDOUBTEDLY FAR MORE IMPORTANT THAN THIS ONE, AND THAT THE FBI LIMITED ITS CASES AND TOOK ONLY THOSE THAT WOULD EITHER MAKE IT LOOK GOOD OR PAID OFF IN OTHER DIVIDENDS SUCH AS PUBLICITY. HE INDICATED THAT IF BY SOME REMOTE POSSIBILITY THE AGENCY MIGHT BE SUCCESSFUL IN PRESSURING THE FBI TO TAKE THE CASE, THE FBI WOULD SIT ON THE CASE AND DO NOTHING OR SWIT IT OUT QUICKLY, LEAVING THE AGENCY VULNERABLE, OPEN INDEFINITELY AGAINST THE HOSTILE THREAT THAT CONCERNED US, AND WE WOULD BE LEFT HELPLESS TO PROTECT OUR CLASSIFIED INFORMATION AND PERSONNEL TO THE FULLEST EXTENT POSSIBLE. HE INDICATED THAT IT WAS FORTUNATE AND MORE EFFECTIVE, EVEN THOUGH MORE BURDENSOME, TIME-CONSUMING AND EXPENSIVE, THAT THE FBI PERMITTED THE AGENCY TO HANDLE THE INVESTIGATION.

" 10. BECAUSE OF THE INVOLVEMENT OF AGENCY STAFF EMPLOYEES, PSD ASSUMED PRIMARY RESPONSIBILITY FOR INVESTIGATION ON [REDACTED], AN AGENCY EMPLOYEE, MAINTAINED CUSTODY OF THE [REDACTED] SECURITY FILE, AND INDICATED IT WANTED TO PURSUE OTHER LEADS. SRS KEPT CUSTODY OF THE NUÑEZ FILE.

" 11. PRE-SURVEILLANCE PREPARATIONS DURING JANUARY 1971 WERE COORDINATED AMONG THE PSD, SRS, OSD, AND WFO COMPONENTS OF OS. AUTHORIZATION FOR SURVEILLANCE ACTION IN JUNE 1970, AS NOTED IN PARAGRAPH FOUR ABOVE, WAS FOLLOWED BY A LONG DELAY PRIOR TO ITS ACCOMPLISHMENT. THE FOLLOWING ADDITIONAL STEPS PRECEDED THE SURVEILLANCE ACTION:

" (A) MEMORANDUM FROM THE FBI TO THIS AGENCY, DATED 24 AUGUST 1970, FURNISHED ADDITIONAL INFORMATION REGARDING THE CUBAN;

PAGE 6

~~SECRET~~

"(B) OFFICIAL ROUTING SLIP, DATED 8 SEPTEMBER 1970, FROM THE EXECUTIVE OFFICER/OS TO CHIEF/SRS INDICATED THAT THE FBI REPLY DATED 14 AUGUST 1970 (APPARENTLY ATTACHED TO THIS SLIP) HAD BEEN MISROUTED TO THE CI STAFF AND WH DIVISION. CHIEF/SRS ROUTED THIS SLIP TO THE DEPUTY DIRECTOR/IOS ON 9 SEPTEMBER 1970 (POSSIBLY WITH A COPY OF THE FBI MEMO) WITH A NOTE: 'PER OUR DISCUSSIONS AND D/OS NOTE TO YOU, FBI GIVES US (I.E. IOS) GO-AHEAD TO CONTINUE THE INVESTIGATION...'

"(C) OFFICIAL ROUTING SLIP, DATED 9/10/70, FROM A.P.S. ([REDACTED] ADD/IOS) TO CHIEF/OSD WITH A NOTE: 'PLEASE APPOINT SOMEONE TO REVIEW THIS FILE AND ACT AS SUPERVISOR IN SETTING UP AND FOLLOWING ACTION RECOMMENDED IN PAR. 5 A AND B OF 9 JUNE 70 MEMO. FBI HAS NOW APPROVED. PLEASE KEEP ME ADVISED.'

"(D) FILE NOTE, DATED 15 SEPTEMBER 1970, UNSIGNED: [REDACTED] (OD/IOS) SAYS GO AHEAD WITH SPECIAL INQUIRY ON [REDACTED] HOLD OFF ON PHYSIC. SURV. FOR TIME [REDACTED].

"FOR THIS TIME PERIOD, IT IS SUGGESTED THAT CIRONO MEMOS AND LOGS IN OSD FILES BE OBTAINED FOR INSTRUCTIONS, DATES, TARGETS, DETAILS OF INVESTIGATIVE COVERAGE, ETC., CONCERNING OSD AND WFO ACTIONS. IT IS RECALLED THAT SRS WAS ADVISED BY IOS AT THIS TIME THAT DUE TO HEAVY COMMITMENTS BY WFO TO OTHER PRIORITIES, INVESTIGATIVE COVERAGE COULD NOT BEGIN IN THE NEAR FUTURE.

"12. TO THE BEST OF THE WRITER'S RECOLLECTION, SURVEILLANCE COVERAGE OF THE SUBJECT'S STUDIO OCCURRED IN THREE STAGES, RANGING APPROXIMATELY TWO WEEKS FROM 3 TO 20 FEBRUARY 1971; APPROXIMATELY THREE WEEKS IN APRIL TO MAY 1971; AND APPROXIMATELY 1 1/2 WEEKS IN AUGUST 1971. OSD FILES MAY BE CHECKED FOR DETAILS. THIS PHASE OF INVESTIGATION WAS LABELED 'PROJECT [REDACTED] BY OSD.

"IT IS THE WRITER'S IMPRESSION THAT THE CONSENSUS OF THINKING AMONG OS REPRESENTATIVES AT THE PRE-SURVEILLANCE MEETINGS THAT THE FIRST SURVEILLANCE UNDERTAKEN IN FEBRUARY

OF 1971 WOULD BE AN ATTEMPT TO IDENTIFY THE ACTIVITIES OF THE "CUBAN IN THIS AREA, DETERMINE SPECIFIC CONTACTS WITH SPECIFIC, KNOWN OR IDENTIFIABLE FOREIGN INTELLIGENCE SERVICES OR AGENTS, DETERMINE WHETHER AGENCY EMPLOYEES WERE IN CONTACT WITH THE SUBJECTS OR THE STUDIO, AND DETERMINE THE POSSIBILITY OR EXTENT OF UNAUTHORIZED DISCLOSURE OF AGENCY CLASSIFIED INFORMATION OR MATERIAL.

"TO THE BEST OF THE WRITER'S RECOLLECTION, THE SECOND SURVEILLANCE ACTION DURING APRIL TO MAY 1971 HAD BEEN DIRECTLY ORDERED BY THE DIRECTOR OF SECURITY AND HAD BEEN DONE SO IN ANTICIPATION OF PLANNED MASSIVE ANTIWAR DEMONSTRATIONS IN THIS AREA DURING WHICH THE DIRECTOR OF SECURITY FELT THAT THE CUBAN, IF HE WERE A REPRESENTATIVE OF THE CUBAN INTELLIGENCE SERVICE, WOULD BE APT TO BE IN CONTACT WITH SPECIFIC FOREIGN INTELLIGENCE AGENTS REQUIRING FUNDS, ADVICE, ASSISTANCE, OR COORDINATION WHO WERE EXPECTED TO BE ACTIVE IN THE AREA AND WOULD BE IDENTIFIABLE.

"THE THIRD SURVEILLANCE ACTION, DURING MID-AUGUST OF 1971, WAS ORDERED BY THE DIRECTOR OF SECURITY, IN COORDINATION WITH CHIEF/CI/SC, FOLLOWING A SIGNIFICANT INCIDENT THAT INVOLVED THE [REDACTED] CI SOURCE ON 6 AUGUST 1971 AND REPRESENTED THE LEVYING OF AN 'INTELLIGENCE ASSIGNMENT' UPON THE SOURCE BY BUREZ AND [REDACTED]. THIS INCIDENT IS DETAILED IN MEMORANDUM FOR THE RECORD BY THE WRITER, DATED 13 AUGUST 1971, AND SUPPORTING MEMORANDA DATED 9, 10, AND 11 AUGUST 1971. BASICALLY, THIS REFERS TO UNEXPECTED CONTACT WITH THE [REDACTED] SOURCE WITHIN THE HEADQUARTERS BUILDING BY ANOTHER EMPLOYEE IN CONTACT WITH BUREZ AND [REDACTED] RECEIPT OF A MESSAGE FROM THE EMPLOYEE TO CONTACT [REDACTED] PROMPTLY, MEETING WITH [REDACTED] AT THE STUDIO, WITH BUREZ CLOSE BY, AND A REQUEST FOR THE [REDACTED] SOURCE TO REVIEW AGENCY CLASSIFIED FILES FOR INFORMATION ON AN INDIVIDUAL OF INTEREST TO THE SUBJECTS, A ROMANIAN NATIONAL OF ARGENTINE CITIZENSHIP RESIDING IN MEXICO, WHOSE ENTRY INTO THE UNITED STATES THE SUBJECTS PURPORTEDLY DESIRED.

"WITH REFERENCE TO THE SURVEILLANCE ACTION ITSELF, ONE MEMORANDUM DATED 9 AUGUST 1971 INDICATES THE FOLLOWING:
"DIRECTOR OF SECURITY ORDERED AN IMMEDIATE RESUMPTION OF PRIOR

"(SURVEILLANCE) COVERAGE OF THE STUDIO... ALL ARRANGEMENTS FOR THIS COVERAGE HAVE BEEN COORDINATED WITH THE WASHINGTON FIELD OFFICE."

"13. AT THE CLOSE OF THE FIRST SURVEILLANCE ACTION IN FEBRUARY 1971, IT IS THE WRITER'S RECOLLECTION THAT THE DIRECTOR OF SECURITY RECOMMENDED THE ADVISABILITY OF MAKING A SURREPTITIOUS ENTRY INTO THE STUDIO FOR THE PURPOSE OF DEFINING ANY FOREIGN INTELLIGENCE AND AGENCY EMPLOYEE CONTACTS BY THE SUBJECTS, DETERMINING WHETHER AGENCY CLASSIFIED INFORMATION MAY HAVE BEEN LEAKED OUT, AND POSSIBLY RESOLVING THE ENTIRE ISSUE AT THIS TIME. TO THE BEST OF THE WRITER'S MEMORY, THIS INCIDENT DEVELOPED AS FOLLOWS:

"ON THE MORNING OF 19 FEBRUARY 1971, ABOUT 0930 HOURS, A MEETING WAS HELD IN THE DIRECTOR OF SECURITY'S OFFICE, ATTENDED BY MESSRS. OSBORN, GEISS, [REDACTED], [REDACTED], [REDACTED], AND [REDACTED]. THE DIRECTOR OF SECURITY DISCUSSED PROJECT [REDACTED] AND REVIEWED THE PHOTOGRAPHIC COVERAGE. THE DIRECTOR OF SECURITY EXPRESSED HIS OPINION THAT THE STUDIO WAS "A FRONT AND AT MINIMUM WAS A FUNDING MECHANISM FOR ANTI-WAR MOVEMENTS SUPPORTED BY THE LIBERAL GOVERNMENT."

"THE DIRECTOR OF SECURITY MADE REFERENCE TO PAST DISCUSSIONS WITH MR. RICHARD OBER, CHIEF/CI/EO, AND TO THE EXISTENCE OF OTHER AVAILABLE INFORMATION IN THE BACKGROUND, TO THE BEST OF THE WRITER'S RECOLLECTION. THE DIRECTOR OF SECURITY FURTHER EXPRESSED HIS BELIEF THAT SURREPTITIOUS ENTRY WAS NECESSARY TO RESOLVE THE GOMEZ MATTER. HE THEN DISCUSSED HOW SUCH A PLAN SHOULD BE CARRIED OUT AND WHO SHOULD BE USED. HE ALSO MENTIONED THAT THE PLAN WOULD NEED THE APPROVAL OF THE SEVENTH FLOOR. IT IS THE WRITER'S IMPRESSION THAT THE DIRECTOR OF SECURITY EXPRESSED HIS DESIRE TO ENLIST THE ASSISTANCE OF MR. OBER IN THE GOMEZ INVESTIGATION, FEELING THAT THE CASE MIGHT FALL WITHIN SOME OF THE AREAS OF CONCERN IN MR. OBER'S OFFICIAL ACTIVITY OR AT LEAST PROVIDE FOR A VALUABLE EXCHANGE OF INFORMATION, AND THAT IN ANY APPEAL TO THE DCI, MR. OBER HAD A GREAT DEAL OF INFLUENCE AND THERE WOULD BE A STRONGER CHANCE OF GAINING THE DCI'S APPROVAL IF BOTH MEN APPROACHED THE DCI AND SUPPORTED THE "MERITS OF THE CASE."

"THE DIRECTOR OF SECURITY THEN SENT MR. [REDACTED] TO MR OBER'S OFFICE, FOLLOWING A PHONE CALL, TO BRIEF MR. OBER ON PROJECT [REDACTED] AND TO ADVISE THAT THE DIRECTOR OF SECURITY WAS SETTING UP A MEETING THIS SAME MORNING WITH THE DCI, IF IT COULD BE WORKED IN, WHICH OBER MIGHT BE ASKED TO ATTEND.

"IN THE MEANTIME, A SEPARATE CONFERENCE WAS HELD BY THE DIRECTOR OF SECURITY WITH REPRESENTATIVES OF IOS, WFO, AND OSD.

"MR [REDACTED] PROVIDED A BRIEFING ON THE NUNEZ CASE TO MR. OBER. THE DIRECTOR OF SECURITY JOINED THE BRIEFING SHORTLY AFTERWARDS, INDICATING THAT THERE WAS TO BE A MEETING WITH THE DCI AT ABOUT 1130 HOURS. THE DIRECTOR OF SECURITY AND MR. OBER DISCUSSED THE CASE AND MR. OBER AGREED THAT IT FELL WITHIN HIS AREA OF INTEREST. MR. OBER AGREED TO COORDINATE AND COOPERATE IN THE CASE AND LEND HIS SUPPORT. IT IS THE WRITER'S IMPRESSION THAT MR. OBER AND THE DIRECTOR OF SECURITY MAY HAVE DISCUSSED THE ADVISABILITY OF MAKING A SURREPTITIOUS ENTRY INTO THE STUDIO AND THAT MR. OBER MAY HAVE CONCURRED. MR. OBER FURTHER AGREED TO ARRANGE FOR NAME TRACES BY HIS OFFICE ON ALL IDENTIFIED PERSONALITIES IN THE CASE. THE DIRECTOR OF SECURITY THEN REQUESTED MR. [REDACTED] TO ACCOMPANY THEM TO THE DCI MEETING IN THE EVENT THAT DETAILS OF THE CASE WERE REQUESTED BY THE DCI WHICH THE DIRECTOR OF SECURITY MIGHT BE UNABLE TO ANSWER.

"AT ABOUT 1130 HOURS ON 19 FEBRUARY 1971, A MEETING WAS HELD IN THE DCI OFFICE ATTENDED BY MESSRS. HELMS, OSBORN, OBER, AND [REDACTED]. THE DIRECTOR OF SECURITY BRIEFED THE DCI ON PROJECT [REDACTED] INCLUDING REFERENCE TO NUNEZ'S SUSPECTED CUBAN INTELLIGENCE BACKGROUND, HIS ACTIVITIES, HIS CONTACTS WITH FORMER AND CURRENT AGENCY EMPLOYEES, HIS NEARBY PHOTO STUDIO AND PASSPORT PHOTO SERVICES TO AGENCY EMPLOYEES, AND INCIDENTS PERTAINING TO THE UNAUTHORIZED DISCLOSURE OF AGENCY CLASSIFIED INFORMATION TO NUNEZ. THE DIRECTOR OF SECURITY INDICATED HIS BELIEF TO THE DCI THAT A CUBAN ESPIONAGE OPERATION WAS WORKING AGAINST THE AGENCY.

"THE DCI READ A TYPED SUMMARY OF PROJECT [REDACTED] DATED

PAGE 10 [REDACTED] ~~SECRET~~

"25 JANUARY 1971, WHICH HAD BEEN PREPARED BY WFO, AND REVIEWED THE PHOTOGRAPHIC COVERAGE.

"THE DIRECTOR OF SECURITY ADVISED THAT THE FBI HAD WAIVED JURISDICTION TO THE AGENCY AT OUR REQUEST AND IN VIEW OF THE NATURE OF THE CASE. THERE WAS AN EXCHANGE ON THE MERITS OF THE CASE WITH MR. OBER. THE DIRECTOR OF SECURITY THEN REQUESTED THE DCI FOR PERMISSION FOR SURREPTITIOUS ENTRY INTO THE STUDIO, PROPOSED FOR THAT SAME NIGHT IF CIRCUMSTANCES PERMITTED. HE ADVISED THAT THREE PRINCIPALS WOULD BE USED UNDER HIS PLAN, AND NOT MORE THAN FOUR PERSONS IN ANY EVENT, ALTHOUGH THE OPERATION WOULD BE COVERED BY SURVEILLANCE OUTSIDE UNTIL IT WAS COMPLETED. SURVEILLANCE ON THE STUDIO WOULD THEN BE TERMINATED AFTER COMPLETION OF THE ENTRY.

"IT IS THE WRITER'S IMPRESSION THAT AT THIS POINT THE DCI MAY HAVE PASSED SEVERAL COMMENTS REGARDING THE EXISTENCE OR EFFECT OF FOREIGN ESPIONAGE ACTIVITY IN THIS AREA, PARTICULARLY CUBAN INTELLIGENCE ACTIVITY, AND THE NEED FOR PROTECTION OF THE NATIONAL SECURITY. IT IS FURTHER THE IMPRESSION OF THE WRITER THAT MR. HELMS CONSIDERED HIS DUTY AS DCI TO PROTECT THE CIA, ITS EMPLOYEES, ITS CLASSIFIED INFORMATION, AND ITS SOURCES AGAINST THE OPPOSITION. TO THE BEST OF THE WRITER'S RECOLLECTION, THE DCI RECOGNIZED THE RISK IN ANY ACTION OF THIS NATURE BUT BELIEVED IT WAS HIS RIGHT TO DEFEND HIMSELF AGAINST DANGEROUS THREATS WHICH WERE HAPPENING ON HIS OWN FRONT DOOR STEP, AND THE DCI GAVE APPROVAL TO THE DIRECTOR OF SECURITY'S REQUEST.

"THE DIRECTOR OF SECURITY INSTRUCTED MR. [REDACTED] TO EXTEND FULL COOPERATION TO MR. OBER, TO FURNISH HIM WITH COPIES OF ALL PROJECT SIESTA REPORTS, AND TO PROVIDE PERTINENT INFORMATION FROM OFFICE OF SECURITY FILES AS REQUIRED.

"ALTHOUGH THE WRITER FELT AT THE TIME THAT RECORDING OF HIGH-LEVEL CONFERENCE WAS NOT STRICTLY OR IMMEDIATELY HIS RESPONSIBILITY, THE WRITER RECALLS HAVING PREPARED A BRIEF MEMORANDUM FOR THE RECORD ON THIS DEVELOPMENT AT THAT TIME, HOWEVER, THE MEMORANDUM CANNOT BE FOUND IN A SEARCH OF PERTINENT FILES.

" 14. AS A RESULT OF THE FOREGOING INVESTIGATIVE ACTION, INFORMATION WAS GIVEN BY OSD TO SRS FOR RESEARCH AND ANALYSIS CONSISTING OF PHOTOGRAPHS OF PAGES FROM A BUSINESS LOG OR ADDRESS BOOK AND A DIARY. THE NUMBER OF PAGES IS UNRECALLED BY THE WRITER. ALL LEGIBLE OR DECIIPHERABLE NAMES OF INDIVIDUALS AND ORGANIZATIONS FOUND IN THESE MATERIALS WERE TRACED THROUGH OS INDICES BY SRS, THROUGH DDO INDICES BY MR. OBER, AND WERE SENT TO THE FBI WITH A REQUEST FOR TRACES AGAINST BUREAU INDICES. (AGENCY MEMORANDA TO THE FBI DATED 6 JULY 1971 AND 24 FEBRUARY 1971; AND FBI REPLIES TO SAME AGENCY MEMORANDA DATED 13 AND 30 JULY 1971 AND 2 MARCH 1972.)

" TO THE BEST OF THE WRITER'S RECOLLECTION, NO MEETINGS THAT THE WRITER WAS AWARE OF WERE HELD AND NO DETAILS REGARDING THE SURREPTITIOUS ENTRY OPERATION AFTER IT TOOK PLACE WERE EVER COMMUNICATED BY ANY PERSON OR OFFICE TO THE WRITER. IT IS QUITE POSSIBLE THAT THE CHIEF/SAOB MIGHT HAVE MADE A COMMENT WITHIN THE BRANCH THAT WORD HAD BEEN RECEIVED THAT THE OPERATION WENT WELL OR SUCCESSFULLY AND THAT SRS WOULD BE RECEIVING SOON SOME DOCUMENTS PHOTOGRAPHED DURING THE OPERATION. A DAY OR TWO LATER, A PACKET OF PHOTOGRAPHS WAS DELIVERED TO THE WRITER'S DESK, EITHER BY CHIEF/SAOB OR AN OSD REPRESENTATIVE. IT IS RECALLED THAT THE SAME PERSON ALSO ADVISED THAT THERE WAS A SECOND SET OF THE SAME PHOTOGRAPHS WHICH WERE BEING REVIEWED BY THE DIRECTOR OF SECURITY AND A THIRD SET BEING RETAINED IN OSD FILES. IT IS THE IMPRESSION OF THE WRITER THAT, PROBABLY A FEW DAYS LATER, THE DIRECTOR OF SECURITY INDICATED THAT MR. OBER HAD REQUESTED HIS OWN COPIES AND HE WAS AUTHORIZING AND ARRANGING FOR ANOTHER SET TO BE GIVEN TO MR. OBER FOR ANALYSIS BY HIS OWN STAFF. THE NAMES ISSUING FROM THESE DOCUMENTS WERE NOT DISCUSSED UNTIL SOME WEEKS LATER WITH THE DIRECTOR OF SECURITY AFTER OS TRACES HAD BEEN COMPLETED AND IDENTIFICATIONS MADE.

" 15. THE WRITER HAS NEVER BEEN BRIEFED REGARDING THE SURREPTITIOUS ENTRY ACTION AND IS NOT AWARE OF DETAILS CONCERNING THIS INCIDENT. THE WRITER AT NO TIME PARTICIPATED PHYSICALLY IN ANY SURVEILLANCE ACTION OR SURREPTITIOUS ENTRY ACTION AND NO SUPERVISOR INSTRUCTED HIM TO DO SO. THE WRITER RECALLS THAT ONLY ONE NAME WAS MENTIONED DURING ONE OF THE PRELIMINARY MEETINGS AS A CANDIDATE FOR THE ENTRY TEAM, AND

PAGE 12 [REDACTED] ~~SECRET~~

THAT WAS MR. EARL HARTER. IT IS THE WRITER'S RECOLLECTION THAT A POLICE OFFICIAL MAY ALSO HAVE BEEN INDICATED AS A CANDIDATE; HOWEVER, IT IS NOT KNOWN BY THE WRITER WHETHER HE WAS EVER INVOLVED NOR IS IT KNOWN EXACTLY HOW MANY PERSONS WERE ACTUALLY INVOLVED IN THE OPERATION. IT IS THE WRITER'S UNDERSTANDING THAT DETAILS CONCERNING THIS INVESTIGATIVE ACTION ARE CONTAINED IN OSD FILES AND LOGS.

" 16. BEGINNING 19 FEBRUARY 1971, WITH THE BRIEFING OF MR. RICHARD OBER, C/CI/SO, IT IS THE WRITER'S OPINION THAT ALL SUBSEQUENT ACTIONS REGARDING THE NUÑEZ CASE WERE COORDINATED WITH MR. OBER AND ALL IMPORTANT DECISIONS REGARDING THE CI/CE ACTIVITY OF THE [REDACTED] ASSET WERE COORDINATED BETWEEN MR. OSBORN AND MR. OBER.

" SINCE 19 FEBRUARY 1971, THE WRITER, ACCORDING TO INSTRUCTION, PROVIDED MR. OBER WITH ALL CONTACT REPORTS FROM [REDACTED] SOURCES. IT IS THE WRITER'S FEELING THAT ALL MAJOR OR FINAL DECISIONS MADE WITH RESPECT TO AGENCY CI/CE ACTION INVOLVING THE [REDACTED] ASSET AND THE SUBJECTS WERE MADE JOINTLY BETWEEN THE DIRECTOR OF SECURITY AND THE C/CI/SO.

" IN EFFECT, SRS CONSIDERED THE DIRECTOR OF SECURITY TO BE THE TRUE CASE OFFICER ON THE NUÑEZ CASE AND THE WRITER'S SUPERVISORS OFTEN ADVISED THE WRITER TO KEEP THIS IN MIND WHEN REPORTING TO THE DIRECTOR OF SECURITY.

"MR. OBER CONTINUED TO RUN ALL CI STAFF AND DDO TRACES ON NAMES DEVELOPED DURING SECURITY INVESTIGATION OUT OF HIS OWN OFFICE. ON OCCASION, HE WOULD RUN AN FBI TRACE THROUGH HIS OFFICE BUT IN THE MAIN, HE PREFERRED THAT OFFICE OF SECURITY CONDUCT SUCH TRACES THROUGH ITS OWN LIAISON CHANNEL WITH THE FBI.

"THE WRITER HAS NEVER BEEN BRIEFED ON THE NATURE OF THE ACTIVITY OF THE CI/SO AND DID NOT LEARN ANY DETAILS DURING HIS ACTIVITIES IN DISCUSSIONS AND WOULD LIMIT HIS REMARKS TO CONTACTS WITH CHIEF/CI/SO. MR. OBER NEVER REFERRED TO ANY OF HIS ACTIVITIES IN DISCUSSIONS AND WOULD LIMIT HIS REMARKS TO ANY ACTIONS OR DECISIONS HE MAY HAVE TAKEN ON THIS CASE ONLY. THE WRITER WAS ALWAYS MET AT A DESIGNATED DOOR LEADING TO MR. OBER'S

OFFICE AND ESCORTED DIRECTLY TO HIM BY HIS SECRETARY. ALL OS ORIGINATED INFORMATION HAD TO BE PASSED TO MR. OBER BY HAND BY THE WRITER AND HAD TO BE MARKED EYES ONLY, UNDER INSTRUCTIONS FROM THE DIRECTOR OF SECURITY.

"17. THROUGHOUT THE INVESTIGATIVE PERIOD, THE CI ASSET MAINTAINED CONTINUOUS CONTACT WITH THE SUBJECTS. AS THE CI/CE ROLE OF THE ASSET DEVELOPED AND GREW IN SENSITIVITY AND THE ASSET'S CONTACTS WITH THE SUBJECTS BECAME MORE NUMEROUS, THE NEED APPEARED FOR AN AGENCY FOCAL POINT AND CLOSE COOPERATION. DURING THIS PERIOD THERE WAS EVIDENCE THAT THE SUBJECTS WERE POSSIBLY DEVELOPING THE ASSET FOR INTELLIGENCE RECRUITMENT. THE ASSET WAS GIVEN SEVERAL TASKS OR 'ASSIGNMENTS' INVOLVING THE ASSET'S CLANDESTINE ACCESS TO AGENCY CLASSIFIED FILES AND REPORTING OF CLASSIFIED INFORMATION TO THE SUBJECTS. THE ASSET WAS ALSO OFFERED HIGHLY PAID EMPLOYMENT BY THE SUBJECTS WITH THE PROVISION THAT HE ALSO MANAGE TO RETAIN HIS AGENCY POSITION. PAID TRAVEL AND ASSIGNMENTS TO THE CARIBBEAN AREA WERE ALSO OFFERED TO THE ASSET. AS SUCH DEVELOPMENTS OCCURRED AND AS THE ASSET WAS SOMETIMES REQUIRED TO VISIT THE STUDIO ON SHORT NOTICE, A "JOINT MECHANISM" ACTING ON BEHALF OF THE AGENCY SEEMED ESSENTIAL PRIOR TO ACTION THAT MIGHT ENDANGER THE ASSET'S LIFE OR SAFETY AND/OR AFFECT THE PASSAGE OF SENSITIVE CLASSIFIED INFORMATION TO THE SUBJECTS AS THEY DEMANDED IT. UNDER THESE CIRCUMSTANCES, THEREFORE, NO DECISION AFFECTING THE AGENCY'S OVERALL SECURITY OR THE SAFETY OF THE ASSET WAS MADE WITHOUT THE DIRECTOR OF SECURITY AND THE CHIEF/CI/SD ACTING JOINTLY OR ONLY AFTER CONSULTATION WITH EACH OTHER. IT IS NOTED THAT SEVERAL COMMENTS BY THE DIRECTOR OF SECURITY ON MEMORANDA IN THE FILE WILL REFLECT THIS PRACTICE.

"IT WAS THE WRITER'S EXPERIENCE TO BE SUMMONED TO MEETINGS IN THE DIRECTOR OF SECURITY'S OFFICE WHERE MR. OBER WAS ALREADY PRESENT AND WHERE INSTRUCTIONS WERE CONVEYED TO THE WRITER AS THE OBVIOUS RESULT OF A COMPLETED CONFERENCE AND FORMULATED DECISIONS. THERE WERE OTHER OCCASIONS WHEN THE DIRECTOR OF SECURITY WOULD REQUEST THE WRITER TO RELAY CONTACT REPORTS TO MR. OBER WITH INSTRUCTIONS FOR MR. OBER TO CONSULT WITH THE DIRECTOR OF SECURITY ON THE MATTER AFTER READING SAME REPORTS. ON SOME OCCASIONS, THE DIRECTOR OF SECURITY ADVISED THE WRITER

"THAT HE HAD TALKED TO MR. OBER ON THE TELEPHONE AND HAD OBTAINED HIS AGREEMENT OR CONCURRENCE ON AN ACTION REGARDING THE [REDACTED] ASSET'S ACTIVITY, VISIT TO THE STUDIO, ETC.

"18. THROUGHOUT THE ENTIRE INVESTIGATIVE PERIOD, THE WRITER'S MAIN OBJECTIVE AND PRIMARY CONCERN IN THE [REDACTED] PROJECT AND THE NUNEZ INVESTIGATION WAS COUNTERINTELLIGENCE/ COUNTERESPIONAGE ACTION OR INTEREST IN DEFENSE OF THE AGENCY, ITS PERSONNEL, ITS CLASSIFIED INFORMATION, PROCEDURES AND SOURCES, AND THE NATIONAL SECURITY INTEREST AS REPRESENTED IN AGENCY RESPONSIBILITIES, AGAINST SUSPECTED FOREIGN INTELLIGENCE THREATS, OPERATIONS, OR ELEMENTS. THE WRITER ACTED IN PURSUANCE OF ORDERS AND DECISIONS COMING DOWN THROUGH CHANNELS AND IN ACCORDANCE WITH HIS JOB DESCRIPTION AND DUTIES. THE DIRECTOR OF SECURITY NEVER INSTRUCTED THE WRITER, OR SRS TO THE BEST OF THE WRITER'S KNOWLEDGE, TO PURSUE ANY ANGLE OR OBJECTIVE OTHER THAN FOREIGN ESPIONAGE AND NATIONAL SECURITY INTERESTS REGARDING SUBJECTS' CASE. THE WRITER HAD DIFFERENCES OF OPINION AT TIMES WITH SOME OF HIS SUPERVISORS ON THIS CASE; HOWEVER, THE WRITER'S CONVICTION--THAT THE SUBJECTS WERE ACTING UNDER THE CONTROL OF OR IN CONCERT WITH FOREIGN INTELLIGENCE ELEMENTS WITH THE AGENCY AS THEIR TARGET--ALWAYS PREVAILED AND WAS THE MOTIVATING FACTOR IN THE INVESTIGATION. THE WRITER IS UNAWARE OF ANY LESSER OBJECTIVES OR MOTIVES, EITHER ASSIGNED TO HIM OR INITIATED BY HIM, IN CONNECTION WITH PURSUIT OF THIS CASE, UNLESS SUCH MATTERS SUPPORTED INDIRECTLY INTELLIGENCE CONTROL OR ACTIVITY ON THE PART OF THE SUBJECTS OR AGENCY EMPLOYEES.

"19. THE ISSUE OF ESPIONAGE AGAINST THE UNITED STATES GOVERNMENT AND PENETRATION OF THE AGENCY AND ITS SOURCES WAS ALWAYS PARAMOUNT IN THIS CASE THROUGHOUT THE ENTIRE INVESTIGATIVE PERIOD WITH WHICH THE WRITER IS FAMILIAR. IT WAS THE WRITER'S OPINION AND BELIEF THROUGHOUT THE INVESTIGATIVE PERIOD THAT STRONG CLUES INDICATING FOREIGN INTELLIGENCE ACTIVITY ON THE PART OF THE SUBJECTS AND SOME OF THEIR CONTACTS WITH FOREIGN, COMMUNIST, OR QUESTIONABLE BACKGROUNDS WERE DEVELOPING. INVESTIGATION WAS PURSUED FOR SUBSTANTIATION OF THESE CLUES OR DEVELOPMENT OF NEW FACTS DEMONSTRATING DEFINITE FOREIGN INTELLIGENCE CONNECTIONS OR ACTIVITIES OR THE UNAUTHORIZED PASSAGE TO THE SUBJECTS OF AGENCY CLASSIFIED INFORMATION FOR EITHER SUSPECTED

PAGE 15 ~~SECRET~~
OR UNKNOWN CONTACTS.

"THE WRITER'S FINAL REPORT ON THIS CASE WAS DATED 4 JUNE 1973 AND WAS ADDRESSED TO THE DIRECTOR OF SECURITY THROUGH CHIEF, SRS.

"IN JULY 1973, IN A MAJOR REORGANIZATION OF THE OFFICE OF SECURITY, THE ABOLISHMENT OF SRS WAS ANNOUNCED. IN THE ENSUING WEEKS MANY SECURITY, WORKING, AND OPERATIONAL FILES WERE DISTRIBUTED TO OTHER OFFICE OF SECURITY COMPONENTS, BOTH NEW AND OLD, WHO ASSUMED SOME OF SRS' FUNCTIONS. IN PARTICULAR, THE PROJECT AND THE NUNEZ CASE WERE ASSIGNED TO SEPARATE COMPONENTS. TO THE WRITER'S RECOLLECTION, REORGANIZATION TASK FORCES AND FILE MANAGEMENT PERSONNEL VISITED ALL OS OFFICES, INCLUDING SRS AT THAT TIME AND MADE DECISIONS REGARDING THE RETIREMENT, PURGING, DESTRUCTION, OR RETENTION OF ALL FILES ON HAND. IT IS SUGGESTED THAT ANY ADDITIONAL SUPPORTING MEMORANDA THAT MAY BE NEEDED IN THIS CASE SHOULD BE SOUGHT IN CD, OSD, SRD, SAG, AND WFO.

"THE WRITER WAS REASSIGNED TO ANOTHER OFFICE OF SECURITY COMPONENT EFFECTIVE 6 AUGUST 1973."

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