

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1488653-000

Total Deleted Page(s) = 5
Page 63 ~ b1; b3; b6; b7C; b7E;
Page 65 ~ b3; b7E;
Page 66 ~ b1; b3; b7D; b7E;
Page 68 ~ b1; b3; b6; b7C; b7D; b7E;
Page 69 ~ b1; b3; b7D; b7E;

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Memorandum



Exec AD Adm. _____
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 Exec AD LES _____
 Asst. Dir.:

- Adm. Servs. _____
- Crim. Inv. _____
- Ident. _____
- Insp. _____
- Intell. _____
- Lab. _____
- Legal Coun. _____
- Off. Cong. & Public Affs. _____
- Rec. Mgnt. _____
- Tech. Servs. _____
- Training _____
- Telephone Rm. _____
- Director's Sec'y _____

To : Mr. Monroe

Date 10/31/85

From : J. D. Glover

Subject : ADMINISTRATIVE INQUIRY
INTO THE DISAPPEARANCE OF
EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO
9/21/85

It is recommended that a 62 file be opened and captioned as above.

APPROVED: _____

Director _____	Adm. Servs. _____	Laboratory _____
Exec. AD-Adm. _____	Crim. Inv. _____	Legal Coun. _____
Exec. AD-Inv. _____	Ident. _____	Off. of Cong. & Public Affs. _____
Exec. AD-LES _____	Inspection _____	Rec. Mgnt. _____
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		Training _____

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 4-27-87 BY SP6 BJA/nc

62-121677-1
Searched _____ Numbered _____
8 NOV 7 1985

DE-26

1 - Mr. Monroe
 1 - Mr. Glover
 RDS:hjs (3)

62-121677-1

3 NOV 5 1985

Memorandum



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 Tech. Servs. _____
 Training _____
 Telephone Rm. _____
 Director's Sec'y _____

To : Mr. Monroe *CM/RWX* Date 11/6/85
 From : J. D. Glover *JDG/USA*
 Subject : DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R;
 FROM SANTA FE, NEW MEXICO, 9/21/85
 ADMINISTRATIVE INQUIRY

PURPOSE: To file original FD-302s, inserts and bulky exhibits in FBIHQ file #62-121677.

DETAILS: Captioned matter was investigated during 10/85 and as a result, numerous FD-302s, investigative inserts, signed statements and other documents were generated. By J.D. Glover to Mr. Monroe memorandum dated 10/31/85, captioned case was assigned Bufile #62-121677. Attached herewith are twenty-five (25) original FD-302s; four (4) original investigative inserts; and one box containing bulky items obtained during the investigation. All should be appropriately filed in Bufile #62-121677.

RECOMMENDATIONS: 1) That the attached FD-302s and investigative inserts be filed in Bufile #62-121677.

APPROVED: Adm. Servs. _____ Laboratory _____
 Crim. Inv. _____ Legal Coun. _____
 Director _____ Off. of Cong. & Public Affs. _____
 Exec. AD-Adm. _____ Ident. _____ Rec. Mgnt. *CM/RWX*
 Exec. AD-Inv. _____ Inspection *JDG/USA* Tech. Servs. _____
 Exec. AD-LES _____ Intell. _____ Training _____

2) That the attached box of bulky exhibits be made an enclosure behind file.

Bulky ← **5-ENCLOSURE**

APPROVED: Adm. Servs. _____ Laboratory _____
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 Director _____ Off. of Cong. & Public Affs. _____
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 Exec. AD-Inv. _____ Inspection *JDG/USA* Tech. Servs. _____
 Exec. AD-LES _____ Intell. _____ Training _____

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*Filed in bulky
 files*

ALL INFORMATION CONTAINED
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 DATE 4-27-87 BY SP6 BJA/ive

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Memorandum



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- Legal Coun. _____
- Off. Cong. & Public Affs. _____
- Rec. Mgnt. _____
- Tech. Servs. _____
- Training _____
- Telephone Rm. _____
- Director's Sec'y _____

To : Mr. Monroe *CM*

Date 11/27/85

From : W. E. Wells *Wells*

Subject : DISAPPEARANCE OF EDWARD LEE HOWARD - ESP-R
 FROM SANTA FE, NEW MEXICO
 9/21/85
 ADMINISTRATIVE INQUIRY

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 4-27-87 BY SP6 BTR/hur

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PURPOSE: To transmit for review and file an addendum of SA [redacted] Albuquerque Division, dated 10/29/85.

DETAILS: Reference is made to Mr. Glover to Mr. Geer memorandum dated 11/1/85, and captioned as above. That memorandum enclosed a report of Inspector-In-Place [redacted] dated 11/1/85, also captioned as above. Subsequent to the preparation of that report, SA [redacted] Albuquerque Division, advised that he desired to modify portions of the statement he had given in captioned matter, which upon reflection he believed were not accurate. To this end, he prepared an addendum clarifying certain points in his statement. That addendum has been received at FBIHQ and is being transmitted for review and file via this memorandum.

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RECOMMENDATIONS: 1) That copies of the attached addendum be forwarded to FBIHQ officials noted in copy count of this memorandum for review and attachment to SA [redacted] prior statement in captioned matter.

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APPROVED: Adm. Servs. _____ Laboratory _____
 Crim. Inv. _____ Legal Coun. _____
 Director _____ Off. of Cong. & Public Affs. _____
 Exec. AD-Adm. _____ Ident. _____ Rec. Mgnt. _____
 Exec. AD-Inv. _____ Inspection *JOG/WR* Tech. Servs. _____
 Exec. AD-LES _____ Intell. _____ Training _____

2) That the original addendum be appropriately filed in the FBIHQ file.

APPROVED: Adm. Servs. _____ Laboratory _____
 Crim. Inv. _____ Legal Coun. _____
 Director _____ Off. of Cong. & Public Affs. _____
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 Exec. AD-LES _____ Intell. _____ Training _____

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Enclosure

- 1 - Mr. Revell (Enc.)
 - 1 - Mr. Geer (Enc.)
 - 1 - Mr. Glover (Enc.)
 - 1 - Messrs. [redacted] (Enc.)
- RMB:hjs (5)

hjs

3-ENCLOSURE

62-121697-3
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4-File - *cmf*

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DATE 4-27-87 BY SP6 BJA/ur



ENCLOSURE

62 121677 3

11-7-85

TO : ROBERT M. BLITZER
Inspector's Aide

FROM : [REDACTED]
Inspector-In-Place

SUBJECT: SIGNED STATEMENT OF
SA [REDACTED]

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ALL INFORMATION CONTAINED
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DATE 4-27-87 BY SP6 BJA/ur

Attached hereto is an addendum to a Signed Statement received at the Cleveland Office on 11-7-85. Per our conversation and my conversation with Deputy Assistant Director WILLIAM E. WELLS, please have the appropriate number of copies reproduced and addended to the copies of the report and the original statement.

Attachment

~~SECRET~~

ADDENDUM TO SIGNED STATEMENT OF SA
ALBUQUERQUE DIVISION, OCTOBER 29, 1985

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Having thoroughly read the statement which I signed October 17, 1985, I wish to have this addendum placed on this statement.

On Page 6, Lines 5 and 6 state, "While I strongly suspected on Sunday evening that Howard had escaped the surveillance, it was not until Monday morning that I was convinced that Howard had departed Santa Fe." I wish to change this sentence to read, "It was not until Monday morning that I knew Howard had departed Santa Fe because of the letter he left for his wife."

On Page 4, first full paragraph, Line 4, I changed the date that we left Santa Fe from September 21, 1985 to September 22, 1985. I now realize that we had left on September 21, 1985.

DECLASSIFIED BY *SP6 BJA/pue*
ON *4-27-87*

~~SECRET~~

~~SECRET~~

I have read the addendum contained on the previous page,
and it is true and correct to the best of my knowledge.

[Redacted Signature]

Special Agent

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Sworn to and subscribed before me
this 27th day of October, 1985,
at [Redacted] buquerque, New Mexico

[Redacted Signature]

Ass[Redacted]nt Spécial [Redacted]nt in Charge

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~~SECRET~~

EW

FEDERAL GOVERNMENT

November 6, 1985

Honorable Lee H. Hamilton
Chairman
Permanent Select Committee
on Intelligence
House of Representatives
Washington, D.C. 20515

ALL INFORMATION CONTAINED
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DATE 4-27-87 BY SP6 BJA/PC

Dear Mr. Chairman:

This is to acknowledge receipt of your letter dated October 31, 1985 requesting for responses for the record following the October 10, 1985 briefing regarding Edward Lee Howard.

A further response from Director Webster will be forthcoming in the near future.

Sincerely,

William H. Webster

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

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

WIC (8)

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- Asst. Dir.:
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FBI

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62-121677-4 *[Signature]*

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17 NOV 13 1985

[Signature]

FBI/DOJ

Memorandum



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- Rec. Mgnt. _____
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- Training _____
- Telephone Rm. _____
- Director's Sec'y _____

To : Mr. Geer *gmk*

Date 11/7/85

From : J. D. Glover *S*

Subject : DISAPPEARANCE OF EDWARD LEE HOWARD (ESP-R)
 SANTA FE, NEW MEXICO, 9/21/85
 ADMINISTRATIVE INQUIRY

PURPOSE: To advise of an anonymous letter received by the inquiry team and SAC, Albuquerque, on 10/17/85, during the captioned inquiry.

DETAILS: Attached hereto is a copy of an envelope and newspaper clipping addressed to "SAC or INSPECTORS, FBI, 301 Grand NE, Albuquerque, NM 87102." The letter is postmarked at Albuquerque on 10/16/85. The newspaper clipping contains a typewritten notation, "More screwups by [redacted] ??????"

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This matter was discussed with Albuquerque SAC William D. Branon and, because it did not appear to be within the scope of the captioned inquiry, SAC Branon advised he would handle as a separate matter.

RECOMMENDATION: None. For information.

Enclosures (2) *VLm*

APPROVED: _____

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Director _____	Off. Cong. & Public Affs. _____
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Exec AD LES _____	Training _____

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 DATE 4-27-87 BY SP6 BJA/luc

VLm
 62-121677-5

- 1 - Mr. Revell - Enclosures (2)
- 1 - Mr. Geer - Enclosures (2)
- 1 - Inspection Division - Enclosures (2)
 (Messrs. Glover, [redacted])
- 1 - [redacted] - Enclosures (2)

RMB:vb (5)

62-121677-5
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8 JUL 9 1986

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* a copy of attached
 previously submitted by
 SAC Albuquerque. This
 should be added to the record.

8 JUL 14 1986

93 FEB 10 1986

VLm
 [Signature]

FBI Seems Either Inept or Mendacious

More action here by [redacted] 727777

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MONTEVIDEO JOURNAL Saturday, October 12, 1985

CIA Knew About Howard, But Didn't Tell FBI

THE ASSOCIATED PRESS

WASHINGTON — The CIA knew a year ago that one of its ex-agents, Edward L. Howard, had toyed with delivering U.S. secrets to the Soviets but did not tell the FBI until this year, three federal officials said Friday.

Meantime, sources said Howard, the 33-year-old ex-agent charged with spying for the Soviet Union, is believed to have fled from his Santa Fe home through Texas to Europe.

The sources and officials spoke only on condition they not be identified by name. In an affidavit filed in federal court in

New Mexico, the FBI said last week that Howard, who was fired by the CIA in June 1983, told two current CIA employees on Sept. 24, 1984 that in October 1983 he had traveled to Washington and spent several hours near the Soviet embassy trying to decide whether to enter the embassy and disclose classified information, but that he had decided against doing so.

Two federal officials said the two were acquaintances of Howard's from his days inside the spy agency. They reported his remarks to the CIA's Office of Security at the time, but the CIA did not advise the

FBI until a year later, after a Soviet defector provided information which opened an investigation of Howard, these officials said.

Asked why the delay occurred, CIA spokeswoman Kathy Pherson said: "There are procedures to handle security problems. They were followed in this case, and they were reasonable."

But she declined to say exactly what was done in the Howard case.

In deciding which information to report to the Justice Department, the CIA has developed "thresholds," Pherson said, below which information is

not reported. "It is not considered so petty that reporting it would simply overburden investigators."

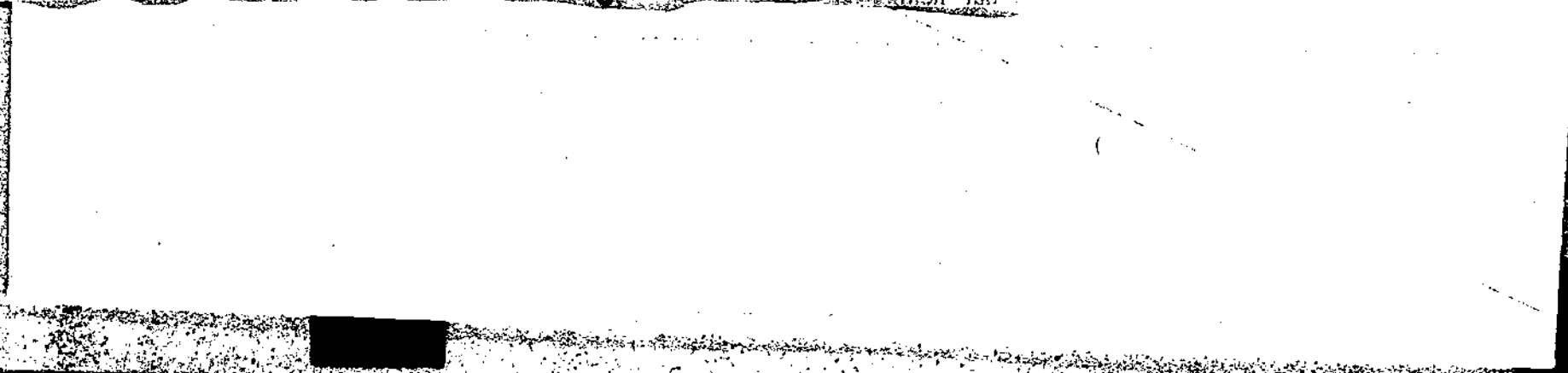
One federal law enforcement official said that if the contact had been reported a year ago, there were things the FBI could have done, such as reviewing its surveillance photographs of the embassy to see if Howard had been there and alerting agents to watch for his return.

This source, however, said the information was probably not sufficient to justify a formal investigation, including physical surveillance of Howard.

One source said Justice of

this case, including the limited orders to FBI agents in New Mexico which allowed Howard to flee on the night of Sept. 24, less than 48 hours after FBI agents had directly confronted him with the spy allegations.

The FBI has charged that on Sept. 19, 1984, Howard



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62-121677-5

ENCLOSURE

ALBUQUERQUE JOURNAL

H.P. PICKRELL, Editor 1926-1961

T.H. LANG, Publisher

As Independent Newspaper

Published At Journal Center, 7777 Sanilac
Albuquerque, New Mexico 87109-4012, By The Journa
Gerald J. Crawford, Editor

Octo

Pirate Case Will Test Western Justice

Now that the hijackers of the Achille Lauro have been captured, the question still remains whether they can be brought to

Alan M. Dershowitz

ly seized evidence — doesn't tried where the crime physically apply to the seizure of the defen. occurred.



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SAC or INSPECTORS
FBI
301 Grand NE
Albuquerque, NM 87102

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DATE 4-27-87 BY SP 6 BJA/ML

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- Asst. Dir.: _____
- Adm. Servs. _____ b6
- Crim. Inv. _____ b7C
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- Laboratory _____
- Legal Coun. _____
- Plan. & Insp. _____
- Rec. Mgnt. _____
- Tech. Servs. _____
- Training _____
- Public Affs. Off. _____
- Telephone Rm. _____
- Director's Sec'y _____

EW

To : J. H. Geer *galyb* Date 11/13/85

From : W. M. Baker *Blaker*

~~ALL INFORMATION CONTAINED
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EXCEPT WHERE SHOWN
OTHERWISE~~

Subject : HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE BRIEFING
REGARDING EDWARD LEE HOWARD, OCTOBER 10, 1985

PURPOSE: To provide to the Intelligence Division a copy of the transcript of the October 10th briefing as well as questions for the record and to request appropriate responses.

DETAILS: By letter dated October 31, 1985, to the ATTORNEY GENERAL, Congressman LEE HAMILTON, Chairman, House Permanent Select Committee on Intelligence (HPSCI) provided a copy of a transcript of the briefing regarding EDWARD LEE HOWARD on October 10, 1985 before HPSCI. [redacted]

~~These questions were directed not only to the FBI but to the Department of Justice in light of the fact that JOHN MARTIN, Chief, Internal Security Section, testified at the briefing. The Intelligence Division is requested to review the attached questions for the record.~~ [redacted]

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RECOMMENDATION: That the Intelligence Division review the enclosed transcript and make appropriate corrections and provide responses to the enclosed questions for the record.

4-27-87
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Declassify on: OADR

APPROVED:

Director _____	Adm. Servs. _____	Laboratory _____
Exec. AD-Adm. _____	Crim. Inv. _____	Legal Coun. _____
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	Intell. <i>galyb</i>	Tech. Servs. _____
		Training _____

- 1 - Mr. Geer (Attn: Mr. Crocker)
 - 1 - Mr. Baker
 - 1 - Mr. DuHadway
 - 1 - Mr. O'Brien
 - 3 - Mr. Moschella
 - 1 - [redacted]
- RAM:cae (9)
RAM

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DEC 3 1985

SA [redacted]
Room 7240, TL-245

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8 MAY 16 1986

~~TOP SECRET MATERIAL ATTACHED~~

returned to HPSCI

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11/19/85

RAM FBI/DOJ

Memorandum



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 Exec AD Inv. _____
 Exec AD LES _____
 Asst. Dir.:

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- Crim. Inv. _____
- Ident. _____
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- Tech. Servs. _____
- Training _____
- Telephone Rm. _____
- Director's Sec'y _____

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To : Mr. E.J. Sharp *EJS*

Date 11/14/85

From : J.H. Geer

Subject : ADMINISTRATIVE INQUIRY INTO THE
 DISAPPEARANCE OF EDWARD LEE HOWARD
 FROM SANTA FE, NEW MEXICO,
 SEPTEMBER 21, 1985

~~ALL INFORMATION CONTAINED
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 EXCEPT WHERE SHOWN
 OTHERWISE~~

PURPOSE: To document a review of the administrative inquiry conducted by Inspector [redacted] regarding the disappearance of Edward Lee Howard, an espionage subject b6 from Santa Fe, New Mexico, on 9/21/85, while under Bureau surveillance. b7C

RECOMMENDATIONS: 1. That the Administrative Summary Unit of the Administrative Services Division review the report for appropriate administrative action.

APPROVED: Adm. Servs. _____ Laboratory _____
 Crim. Inv. _____ Legal Coun. _____
 Director _____ Off. of Cong. & Public Affs. _____
 Exec. AD-Adm. _____ Ident. _____ Rec. Mgnt. _____
 Exec. AD-Inv. *AS* Inspection _____ Tech. Servs. _____
 Exec. AD-LES _____ Intell. *AS* Training _____
TED

The Intelligence Division (INTD) has reviewed the report and recommends the following administrative action:

2. That SA [redacted] be censured, placed on probation and suspended for five working days. b6 b7C

APPROVED: Adm. Servs. _____ Laboratory _____
 Crim. Inv. _____ Legal Coun. _____
 Director _____ Off. of Cong. & Public Affs. _____
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 Exec. AD-LES _____ Intell. *AS* Training _____
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4-27-01
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 Declassify on: OADR

3. That ASAC [redacted] be censured. b6 b7C

APPROVED: Adm. Servs. _____ Laboratory _____
 Crim. Inv. _____ Legal Coun. _____
 Director _____ Off. of Cong. & Public Affs. _____
 Exec. AD-Adm. _____ Ident. _____ Rec. Mgnt. _____
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- Enclosure
- 1 - Mr. Revell
 - 1 - Mr. Mintz
 - 1 - Mr. Sharp
 - 1 - Mr. Glover
 - 1 - Mr. Geer

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Classified by 05

XEROX Declassified on OADR

MAY 28 1987

121677-7

8 JUL 28 1986

DETAILS - OVER

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Memorandum J.H. Geer to E.J. Sharp
Re: Administrative Inquiry into the
Disappearance of Edward Lee Howard
from Santa Fe, New Mexico,
September 21, 1985

DETAILS: At the request of the Assistant Director, INTD, Assistant Director Glover, Inspection Division, had an administrative inquiry conducted in order to establish how Edward Lee Howard disappeared from Santa Fe, New Mexico, on 9/21/85, while under FBI physical surveillance. This administrative inquiry was conducted and included interviews of personnel in Albuquerque, San Diego and Los Angeles as well as FBIHQ. A copy of this report is attached for your review. (original memo only)

A thorough review of this administrative summary has been conducted and it is INTD's recommendation that administrative action be considered for SA [redacted] who was assigned to the lookout on 9/21/85, the date of Howard's disappearance.

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SA [redacted] performance was less than adequate and is a critical element in the disappearance of Howard while under physical surveillance. It is noted that SA [redacted] after having been placed on notice that the Howards were to leave their residence, and knowing the approximate time that the babysitter was to arrive at the residence, failed to notice the departure of the Howards from their residence and also failed to notify the surveillance teams of the Howards' departure. SA [redacted] further failed to notice and/or advise the surveillance teams of the babysitter's arrival after having logged outgoing calls that the babysitter was making from the Howards' residence. SA [redacted] recorded an incoming call from Mrs. Howard wherein she stated that she was at Alfonso's Restaurant and, although he recorded this call, SA [redacted] failed to notify the surveillance units of this call. SA [redacted] also failed to notice the return of Mrs. Howard to her residence.

SA [redacted] was further delinquent in his performance in that he failed to report problems he experienced with the surveillance monitoring equipment and he made entries into his surveillance log which he later admitted he could not sustain.

SA [redacted] lack of performance in a very critical position is primarily responsible for the disappearance of Howard.

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ASAC [redacted] was the first-line supervisor for this investigation in the Albuquerque Division as he is the program manager for the Foreign Counterintelligence Program in Albuquerque and, at times during this investigation, he also functioned as the acting SAC of the Albuquerque Division as former SAC Joel Carlson had been transferred to the Louisville Division and arriving SAC William D. Branon was not on duty in Albuquerque during portions of this investigation.

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A thorough review of this administrative inquiry disclosed that ASAC [redacted] failed to maintain proper control and command during critical periods in this investigation. ASAC [redacted] failed to insure that a proper surveillance plan with adequate procedures was being utilized during critical periods in this investigation. Appropriate briefings of personnel were not held and SAs that were being utilized in critical aspects of this investigation were not properly briefed and/or knowledgeable as to all aspects of the

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Memorandum J.H. Geer to E.J. Sharp
Re: Administrative Inquiry into the
Disappearance of Edward Lee Howard
from Santa Fe, New Mexico,
September 21, 1985

surveillance. This resulted in assumptions being made which led to critical errors in this investigation. ASAC [] assigned SA personnel to 18-hour shifts, which are believed to be excessive, and manned critical components of this surveillance with insufficient manpower to insure proper results. It is noted that SA [] was assigned by himself to an 18-hour shift in a lookout point which was crucial to a successful surveillance of Howard.

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ASAC [] overdelegated the responsibility for the conduct of this surveillance and failed to review all aspects of this surveillance so that proper contingency plans and programs could be developed and implemented.

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It is to be noted that the Albuquerque Division requested that authority be obtained so as to place beepers on subject's car and that authority for these beepers was not obtained by FBIHQ prior to Howard's disappearance. The facts surrounding Albuquerque's request for beepers have been reviewed and it has been determined that the request for these beepers was properly handled and a breakdown occurred in the Department of Justice as the attorney handling this request went on extended annual leave and when he returned did not handle this matter as promptly as necessary. The INTD is reviewing its procedures so as to insure prompt handling of such requests is accomplished in the future; however, it does not appear that the absence of these beepers was a critical element in the disappearance of Howard. Howard was successfully followed without these instruments and it is not believed that the absence of these beepers was a major contributing factor in Howard's disappearance.

[The INTD has closely reviewed the performance of Los Angeles Special Operations Group (SOG) leader, SA [] who was in charge of the surveillance team during the shift in which Howard disappeared, and notes that when this SOG team came on duty on 9/21/85 they were briefed by the previous SOG team that the Howards intended to go out for dinner or dessert sometime during the early evening of 9/21/85. They were furnished with information that indicated the babysitter had to be at another location other than the Howards' home by 6:30pm.] SA [] did not station any of his surveillance units at the entrances or exits of the Howards' subdivision in anticipation of their departure and relied solely upon the lookout within the subdivision to advise his surveillance team of the Howards' departure. During all of the previous surveillances, the surveillance teams had relied 100 percent on the lookout to advise them of the Howards' movements and this process had been successful. The surveillance teams were under instructions to conduct a discreet surveillance and it was SA [] decision that a discreet surveillance could not be conducted by posting surveillance units at the entrances and exits of the Howards' subdivision.

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It is further noted that SA [] became alarmed when the lookout failed to notify his surveillance units of any movement by 7:00pm on 9/21/85 and that he dispatched two of his surveillance units to drive through the Howards' subdivision to see if any movement had taken place.

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Administrative Services Division may consider the possibility of an oral reprimand of SA [] for his failure to dispatch surveillance units to appropriate areas in anticipation of the Howards' departure.

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HER BIRTHDAY, [redacted] Squad C-11
[redacted]
VERSARAL
ATTENTION

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197-HQ-1074741



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- Exec AD Inv. _____
- Exec AD LES _____
- Asst. Dir.:
- Adm. Servs. _____
- Crim. Inv. _____
- Ident. _____
- Insp. _____
- Intell. _____ b6
- Lab. _____ b7C
- Legal Coun. _____
- Off. Cong. & Public Affs. _____
- Rec. Mgnt. _____
- Tech. Servs. _____
- Training _____
- Telephone Rm. _____
- Director's Sec'y _____

To : Mr. Minner Date 12/5/85

From : E. J. Sharp

Disappearance of Edward Lee Howard

Subject : ASAC [redacted]
SA [redacted]
ALBUQUERQUE DIVISION
PERSONNEL MATTER

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE~~

PURPOSE: Captioned matter concerns an administrative inquiry into the circumstances surrounding the disappearance of Edward Lee Howard on 9/21/85, while under 24-hour surveillance.

RECOMMENDATIONS: (1) That SA [redacted] be censured, placed on probation and suspended from duty without pay for seven calendar days for his negligence in failing to advise surveillance units of information indicating that Howard was not at his residence.

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let dtd: 1-1-89 ARR: gdk

APPROVED: [Signature] [redacted]

Director _____

Exec. AD-Adm. _____

Exec. AD-Inv. _____

Exec. AD-LES _____

Asst. Dir.:

Crim. Inv. _____

Legal Coun. _____

Off. of Cong. & Public Affs. _____

Rec. Mgnt. _____

Tech. Servs. _____

Training _____

4-27-87
Classified by multiple sources
Declassify on: OADR BJA/HR

(2) That no administrative action be taken against ASAC [redacted] who was responsible for overall supervision of the surveillance.

APPROVED: [Signature] [redacted]

Director _____

Exec. AD-Adm. _____

Exec. AD-Inv. _____

Exec. AD-LES _____

Asst. Dir.:

Crim. Inv. _____

Legal Coun. _____

Off. of Cong. & Public Affs. _____

Rec. Mgnt. _____

Tech. Servs. _____

Training _____

* Intel & Insp. Div
found A.S.A. [redacted]
control & coordination
of this aspect to be
lacking. Intel recomm.
responsive and of concern.

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(3) That no administrative action be taken against Unit Chief [redacted] SSA [redacted] or other Intelligence Division personnel who were responsible for administration/management of captioned investigation.

APPROVED: [Signature] [redacted]

Director _____

Exec. AD-Adm. _____

Exec. AD-Inv. _____

Exec. AD-LES _____

Asst. Dir.:

Crim. Inv. _____

Legal Coun. _____

Off. of Cong. & Public Affs. _____

Rec. Mgnt. _____

Tech. Servs. _____

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62-121677-8

Searched _____ Numbered 8

8 JUL 22 1986

62-121677-8

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ARR: gdk
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(3) XEROX

MAY 28 1987

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SEE ADDENDUM OF EAD MINTZ PAGE 17

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

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Re: ASAC [redacted]
SA [redacted]
Albuquerque Division
Personnel Matter

DETAILS: By way of background, on or about 8/1/85, a Soviet defector provided information indicating that a former CIA employee was possibly selling classified information to the Russians. CIA developed as suspects two former employees: Edward Howard and [redacted] Howard resided in Santa Fe, New Mexico, [redacted] [S]

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During early August, 1985, FBIHQ advised Albuquerque of Howard's suspected activities, and Albuquerque was directed to conduct discreet inquiries to determine Howard's current whereabouts and activities. The case was supervised at FBIHQ by the CI-1 Section. SSA [redacted] was the Unit Chief and SSA [redacted] was the supervisor. [redacted]

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[redacted]

Under the direct supervision of ASAC [redacted] of the Albuquerque Division, surveillance of Howard was instituted in late August, 1985, [supported by SOG and SSG teams from the Los Angeles Division assisted by Agents from the Albuquerque Division.] [S] (U)

From 8/29/85 to 9/18/85, the surveillance ran from 7:00 a.m. until Howard went to bed. On 9/18/85, 24-hour surveillance coverage was initiated. [redacted]

[redacted]

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division
Personnel Matter

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Background Concerning Edward Lee Howard

Howard and his wife, [redacted] both were former CIA employees. Howard had been trained by the FBI in counter-surveillance techniques to include the use of beacons. Inasmuch as CIA had not determined if Howard [redacted] were involved in espionage activities, a discreet surveillance was initially placed on Howard utilizing SOG and SSG teams along with fixed-wing aircraft. [S] (U)

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Organization of Surveillance Personnel
and Technical Equipment

The surveillance of Howard's residence was extremely difficult, inasmuch as the house was in a subdivision located in a desert area with very open terrain. Agents could not conduct the surveillance from stationary vehicles since the subdivision was patrolled by security guards and the neighbors would, in all probability, become suspicious of any strange vehicles. After unsuccessful efforts to locate a residence to utilize as a surveillance site, an unmanned van, equipped with CCTV, was placed across the street and video transmissions were microwaved a short distance to a monitoring station, which consisted of a recreation vehicle (RV) staffed with one Agent. The RV, which was code named "Bell Tower," was equipped with a TV monitor and video cassette recorder, [redacted]

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[redacted]

The monitoring Agent also had secure radio available to communicate with surveillance teams who were assembled close to the exits of the subdivision. A telephone was available to maintain contact with the case Agent assigned to the Santa Fe RA, as well as to communicate with Albuquerque Division Headquarters which was 70 miles away.

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division
Personnel Matter

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Due to the open terrain, surveillance units could not visually observe Howard's residence or the entrances to the subdivision without being obvious to local traffic. An assembly area was, therefore, utilized which provided easy access to the exits to the subdivision. Since the surveillance units could not observe the residence or the subdivision exits, they were completely dependent on "Bell Tower" to call out any activity at which time the units, assisted by aircraft, would provide appropriate coverage. From 8/29/85 to 9/20/85, the surveillance was successfully conducted using the above scenario.

The Circumstances Leading Up to Howard's Escape

Thursday, 9/19/85 Howard interviewed during the afternoon and became hostile. He was advised that full investigation being initiated to include surveillance, interviews of friends and associates.

Overt surveillance instituted.

Friday, 9/20/85 Howard initiates contact with Agents and indicates possible willingness to take polygraph. Howard wants to talk to his attorney first. Agents observe complete change in Howard's demeanor indicating his cooperation.

After consultation with FBIHQ and DOJ, based on Howard's anticipated cooperation, ASAC [redacted] directs that surveillance revert back to discreet surveillance in order to avoid antagonizing Howard.

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division
Personnel Matter

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During evening hours, suspect [redacted]
[redacted] telephonically contacted
at [redacted] and indicated
willingness to be interviewed and
take polygraph on 9/21/85.

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Saturday, 9/21/85

At 3:30 p.m., SA [redacted]
begins 18-hour shift (3:00 p.m. -
9:00 a.m) at "Bell Tower." [redacted]
relieves SA [redacted] who has
completed a 6-hour shift. SA [redacted]
informs [redacted] that [redacted]

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At 3:51 p.m., [redacted]
[redacted]

At 3:57 p.m. [redacted]
[redacted]

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At 5:03 p.m., [redacted]
[redacted]

At 5:34 p.m. [redacted]

At 5:35 p.m., [redacted]
[redacted]

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division
Personnel Matter

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At 5:51 p.m., [redacted]
[redacted]

At 5:52 p.m., [redacted]
[redacted]

At 6:54 p.m., [redacted]

At 6:54 p.m., [redacted]

At 7:01 p.m., [redacted]
[redacted]

At 7:32 p.m., [redacted]
[redacted]

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Surveillance teams are not advised of [redacted] indicating Howards have left residence. Due to lack of activity, surveillance units are dispatched to conduct drive-bys of residence. Jeep is still out front and no activity is observed inside except for two sets of clothing seen through blinds. Garage door closed and unable to determine if Oldsmobile is inside.

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Eight-hour interview of [redacted] completed during evening [redacted] provides sufficient PC for arrest warrant for Howard.

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division
Personnel Matter

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At 8:47 p.m., [redacted]
[redacted]

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At 8:48 p.m., same as above.

Sunday, 9/22/85

At 3:00 p.m., Agents attempt to interview Howard at residence. Mrs. Howard extremely upset and says husband is out jogging and will return in half hour.

At 3:30 p.m., Agents return to residence. Edward is still not home according to Mrs. Howard.

At 9:15 p.m., Howard's employer telephonically contacts [redacted] and advises that he has found a resignation letter from Howard, along with a letter to [redacted]

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A subsequent interview of Mary Howard revealed that she assisted her husband in his disappearance on the evening of 9/21/85, after driving from their residence to Alphonso's restaurant in their Oldsmobile. After leaving Alphonso's, Mrs. Howard drove down various streets in an effort to clean themselves. Howard then got out of the car, put up a dummy in his place, and Mrs. Howard drove home alone.

Interview of SA [redacted]

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SA [redacted] indicated that on 9/21/85, he was assigned to work as a technical surveillance monitor at "Bell Tower" on a 18-hour shift beginning at 3:00 p.m on 9/21/85 and ending at 9:00 a.m. on Sunday, 9/22/85. He had not previously worked at "Bell Tower;" however, in early September, 1985, he had been involved in a loose surveillance of Howard. Prior to his arriving at "Bell Tower," he had not

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division
Personnel Matter

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been specifically briefed concerning his responsibilities as a monitor; however, upon arrival he was briefed for 45 minutes by SA [redacted]. He was shown how to operate the technical equipment, [redacted]

[redacted] He was also told that Howard had been interviewed the previous day and was afraid to take a polygraph. During the briefing, SA [redacted] was in radio contact with the surveillance teams on several occasions for the purpose of ensuring that they were aware of Howard's dinner plans. He was told by SA [redacted] to notify the surveillance teams if any movement was detected during his shift. SA [redacted] also informed [redacted] that he had had some trouble with the CCTV in that the picture quality was poor [redacted]

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SA [redacted] indicated that during his entire shift, he never saw Howard's Oldsmobile either leave or arrive at the residence even though he repeatedly viewed the monitor during his shift. He stated that at approximately 5:00 p.m. he advised the surveillance units that [redacted]. He did not recall if he told the units that the Howards had departed the residence nor could he remember advising the surveillance teams of [redacted]

Between 6:00 p.m. and 7:00 p.m., [redacted] recalled receiving a radio message from the surveillance units inquiring if he could see Howard's car. After advising that he could only see the jeep and not the Oldsmobile, he overheard radio traffic indicating that the surveillance units were being dispatched to look for the Howards in various parts of Santa Fe. At 7:01 p.m., [redacted]

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He immediately informed the surveillance units [redacted] and they returned to the general area of Howard's home, inasmuch as it was apparent that [redacted]

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division
Personnel Matter

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SA [redacted] noted that during his shift he did not experience any radio problems and that the surveillance teams responded each time he attempted to contact them on the radio. He noted that he was never briefed concerning the surveillance units' locations and he was under the impression that they could visually observe the house. [redacted] also noted that during his shift, he did monitor radio transmissions from the surveillance units indicating that they were doing drive-bys of the residence.

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Analysis by ASD

A review of the results of the inquiry identify the following relevant issues:

- (1) Did SA [redacted] have sufficient information available to believe that the Howards had left the residence and, if so, was he negligent in failing to advise the surveillance teams?
- (2) Were there any deficiencies identified in the surveillance plan, which was in place at the time Howard disappeared, and which would have contributed to Howard's disappearance?
- (3) Were there any deficiencies on the part of FBIHQ or DOJ personnel which contributed to the delay in obtaining the beacon?

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Performance of SA [redacted]

With regard to the performance of SA [redacted] ASD notes that SA [redacted] had stated that he did advise the surveillance units of [redacted]. All seven surveillance team members denied receiving any transmissions from "Bell Tower" indicating the presence of the babysitter at the residence. The surveillance team members

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division
Personnel Matter

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also stated that they were not aware of [redacted]

[redacted] SA [redacted] has stated that when he began the shift he understood that his mission was to advise the surveillance units of any movement involving Howard, yet in his signed statement, he did not express any concern or alarm when [redacted]

[redacted] which certainly should have indicated that the Howards were no longer at the residence. Inasmuch as there was no indication of a technical failure by the radio equipment, coupled with the fact that all of the surveillance team members were in agreement that no transmissions were received from "Bell Tower" concerning the babysitter, ASD must conclude that SA [redacted] did not advise the surveillance teams of [redacted]

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[redacted] As a direct result of SA [redacted] negligence, Howard was able to avoid the surveillance and flee the area.

The Intelligence Division has recommended that SA [redacted] be censured, placed on probation and suspended for five working days for his lack of performance during the surveillance.

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Supervision of the Surveillance

ASAC [redacted] was responsible for overall supervision of the surveillance. During the period 9/19-21/85, the decision to maintain a discreet or overt surveillance was made only after consultation with FBIHQ and DOJ. On 9/20/85, after consultation with DOJ, Unit Chief [redacted] told ASAC [redacted] not to harass Howard with a tight surveillance in order to avoid angering Howard. All surveillance team members were consistent in their understanding that a discreet surveillance (not a bumper-lock) was in operation on 9/21/85. Interview of field management and surveillance team leaders revealed agreement that at Howard's residence, due to the open terrain, the surveillance teams could only avoid detection by using assembly areas beyond eye contact of Howard's residence and the subdivision entrances and exits. Success of the surveillance, therefore, rested entirely on "Bell Tower" which was relying on CCTV and [redacted]

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division
Personnel Matter

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ASD is of the opinion that too much reliance was placed on the CCTV [redacted] at "Bell Tower" and that a beacon would have greatly assisted the surveillance teams. The inquiry did not develop any information indicating negligence on the part of the surveillance teams. On the contrary, on 9/21/85, when there was no activity between 5:00 p.m. and 6:00 p.m., the team leader was conscientious enough to send units to do drive-bys of the Howards' residence.

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As noted in Assistant Director J. H. Geer's memorandum to Assistant Director E. J. Sharp, dated 11/14/85, the Intelligence Division cited ASAC [redacted] for failing to maintain proper control and command during critical periods of this investigation. In recommending censure for ASAC [redacted] the Intelligence Division indicated that he failed to ensure that a proper surveillance plan with adequate procedures was being utilized during critical periods and also failure to provide appropriate briefings of personnel being utilized in critical aspects of the investigation. The Intelligence Division was of the opinion that as a result, assumptions were made which led to critical errors during the investigation. In addition, the assignment of Special Agent personnel to 18-hour shifts was believed to be excessive and it was noted that SA [redacted] was assigned to an 18-hour shift at the lookout site, which was a critical position to the overall surveillance of Howard.

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In arriving at an appropriate administrative action concerning ASAC [redacted] ASD notes that the Intelligence Division did not provide any evidence to support their finding that ASAC [redacted] failed to maintain proper control and command of the surveillance, which would have contributed to Howard's disappearance. On the contrary, ASD notes that up until the day Howard disappeared, the surveillance plan as it was set up, had been in place for approximately three weeks and had been used to successfully surveil Howard. On 9/21/85, the decision to maintain a discreet surveillance was not decided by ASAC [redacted] but was directed by Unit Chief [redacted] who had conferred with DOJ. A review of

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division
Personnel Matter

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photographs of Howard's residence and surrounding areas disclosed that it was a very open area and, therefore, would have precluded Agents from conducting the surveillance of the residence from stationary vehicles. ASD, therefore, concludes that the use of microwaved CCTV was the only practical way to visually monitor activities at Howard's residence.

The Intelligence Division indicated that appropriate briefings of personnel were not held and Agents being utilized in critical aspects of the investigation were not properly briefed or knowledgeable which resulted in assumptions being made which led to critical errors in the investigation. A review of all of the interviews of personnel associated with this surveillance, however, failed to identify any employee who did not understand their mission and responsibilities. SA [redacted] was the only Agent on the surveillance who indicated that he was not briefed prior to his going on duty during the 9/21/85 shift. SA [redacted] however, has indicated that in early September, he was involved in a loose surveillance of Howard, and he, therefore, should have been aware of the allegations concerning Howard's involvement in possible espionage activity. In addition, the Agents assigned to the Albuquerque Office were being utilized to pull shifts at "Bell Tower" and SA [redacted] certainly should have been aware of those responsibilities. In addition, SA [redacted] was briefed for 45 minutes by SA [redacted] and SA [redacted] has indicated in his statement that he understood what his mission was. SA [redacted] did make the statement that he was never briefed as to the locations of the surveillance units, and he was, therefore, under the impression that the surveillance units could observe Howard's residence. SA [redacted] however, has acknowledged that he overheard radio transmissions from the surveillance units wherein they had to do drive-bys. It should have been apparent to SA [redacted] that the surveillance units, wherever they were, were not in a position to closely observe the residence. Further, SA [redacted] not knowing exactly where the surveillance units were located does not mitigate the fact that he did not notify the surveillance teams of the

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division
Personnel Matter

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[redacted]

[redacted] In summary, ASD is of the opinion that SA [redacted] statement that he was not briefed prior to his arrival at "Bell Tower" does not mean that he did not understand what the investigation was about and what his responsibilities were. The Intelligence Division has also pointed out that SA [redacted] was assigned to an 18-hour shift by himself. The 18-hour shift was believed too excessive, particularly inasmuch as it concerned a critical component to the surveillance. ASD concurs with the observations of the Intelligence Division with regard to the lengthy 18-hour shift. However, ASD also notes that SA [redacted] had only been on duty for approximately three hours, and therefore, the lengthy 18-hour shift did not contribute to SA [redacted] shortcomings.

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In summary, ASD is of the opinion that the surveillance plan formulated by ASAC [redacted] was based on a logical analysis of the circumstances which dictated that surveillance units could only avoid detection by being away from the residence and the immediate area around the entrances and exits to the subdivision. The only shortcoming to the surveillance is the too great of reliance on "Bell Tower," and as previously indicated, ASD is of the opinion that [redacted] would have greatly assisted in Howard's surveillance. Inasmuch as

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[redacted]

[redacted] ASD finds that ASAC [redacted] was not negligent in the formulation of the surveillance plan. ASD, therefore, does not agree with the Intelligence Division with regard to the censure of ASAC [redacted]

Efforts to [redacted]

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By teletype dated 8/16/85, Albuquerque Division requested [redacted]

[redacted]

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division
Personnel Matter

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[redacted]
[redacted] As noted in the interview
of FBIHQ Supervisor [redacted] was not included in

[redacted] As noted in the signed, sworn statement of
SSA [redacted] on 10/28-29/85, the Principal Legal
Advisor of the Albuquerque Division and SSA [redacted] of
Legal Counsel Division, FBIHQ, were attempting to resolve
the legal issues concerning [redacted]

[redacted] During late
August, 1985, SSA [redacted] was advised that [redacted]

Accordingly, on 9/5/85, SSA [redacted] submitted to DOJ Attorney

[redacted]
[redacted] After several days had past
without notification from DOJ, SSA [redacted] contacted DOJ and
was advised that [redacted]
Approximately ten days after [redacted] had been furnished with
[redacted] SSA [redacted] learned that [redacted] was on annual
leave. After [redacted] returned from annual leave, he was
immediately contacted by SSA [redacted] At that time, [redacted]
indicated that [redacted] was one of a
number of important matters which he was working on. This
conversation occurred on or about 9/15/85.

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In their memorandum of 11/14/85, the Intelligence
Division advised that [redacted] was
properly handled by FBIHQ and that breakdown occurred in the
Department of Justice as the attorney handling the request went
on extended annual leave and when he returned, did not handle
[redacted] as promptly as necessary. The Intelligence
Division indicated that they were reviewing its procedures
to ensure the prompt handling of any future request. The

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division

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Intelligence Division also noted that just prior to Howard's disappearance, the surveillance teams had been able to successfully surveil Howard [redacted] and therefore, the Intelligence Division was of the opinion that the failure to [redacted] was not a major contributing factor in Howard's disappearance.

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ASD recognizes that up until 9/21/85, the surveillance of Howard was successfully conducted [redacted]. However, ASD is of the opinion that too much reliance was placed on the CCTV [redacted] at "Bell Tower" [redacted] would have assisted the surveillance teams by backing up "Bell Tower." Albuquerque had requested [redacted] on a timely basis, yet it took five weeks to [redacted]. As noted in the signed statement of Unit Chief [redacted] dated 10/29/85, John Martin, Chief of the Internal Security Section, Criminal Division, Department of Justice, had been advised in August of the significance of the Howard case [redacted].

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[redacted] DOJ personnel were aware of the significance of the Howard case and, therefore, should have recognized the need to expedite [redacted].

Based on a review of SSA [redacted] signed statement, ASD is of the opinion that SSA [redacted] did conscientiously attempt to have [redacted] order processed; however, he was thwarted in his efforts, inasmuch as he had no authority over DOJ personnel. Without the benefit of interviews of DOJ personnel with regard to their understanding of the Howard case, ASD concludes that Unit Chief [redacted] and SSA [redacted] did properly process [redacted].

Based on a review of the statements of Unit Chief [redacted] and SSA [redacted] ASD is of the opinion that there appears to be a breakdown at DOJ with regard to prioritizing matters which could significantly impact on national security.

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Memorandum from D. Rarity, Jr. to Mr. Sharp, 12/5/85

Re: ASAC [redacted]
SA [redacted]
Albuquerque Division

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Summary

In conclusion, ASD concurs with the recommendation of the Intelligence Division that SA [redacted] be censured, placed on probation and suspended from duty without pay for seven days as a result of his failure to advise surveillance units of [redacted] [redacted] which would have indicated that Howard was not at home. Inasmuch as no evidence was developed which would indicate that the surveillance plan was deficient or that surveillance personnel had not properly been briefed on their responsibilities, ASD recommends no administrative action concerning ASAC [redacted] who was responsible for the overall supervision of the surveillance. In addition, ASD finds that no formal administrative action is appropriate with regard to Intelligence Division personnel who were responsible for administration/management of the investigation.

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Addendum to Sharp to Mintz Memorandum dated 12/5/85

RE: ASAC [redacted]
SA [redacted]
ALBUQUERQUE DIVISION
PERSONNEL MATTER

b6
b7C

ADDENDUM OF EAD JOHN A. MINTZ

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JAM:wss

A review of the facts as reported in this administrative inquiry indicates several factors that should be taken into consideration in addition to comments stated in memorandum from J. H. Geer to E. J. Sharp dated 11/4/85 and memorandum from E. J. Sharp to Mr. Mintz dated 12/5/85.

Since ASAC [redacted] was directly responsible for the overall supervision of this surveillance and investigation, his management decisions in the following areas are considered as ineffective investigative judgments under the circumstances:

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1. That adequate personnel was not scheduled or provided to staff the monitoring station "Bell Tower" at a critical period of this surveillance.

2. That he failed to develop or implement contingency plans that would have provided visual coverage to appropriate areas in anticipation of Howard's departure from his residence.

3. That there is no indication that appropriate stops, notices, or checks with airlines, or other commercial transportation systems had been implemented prior to Howard's disappearance on 9/21/85.

In accordance with the above, it is my recommendation that ASAC [redacted] be censured.

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APPROVED:

Director _____

Exec. AD-Adm. _____

Exec. AD-Inv. _____

Exec. AD-LES _____

Adm. Serv. _____

Crim. Inv. _____

Ident. _____

Intell. _____

Laboratory _____

Legal Coun. _____

Plan. & Insp. _____

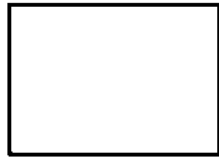
Rec. Mgnt. _____

Tech. Servs. _____

Training _____

Off. of Cong. & Public Affs. _____

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AIRTEL

4/1/86

PERSONAL ATTENTION

Director, FBI
SAC, Albuquerque

Disappearance of Edward Lee Howard

ASAC [redacted]
SA [redacted]
ALBUQUERQUE DIVISION
PERSONNEL MATTER

DECLASSIFIED BY SP-6 BJA/PLC
ON 4-27-87

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Reference telephone call of ASAC [redacted] to the Administrative Summary Unit, Administrative Services Division, 3/25/86.

Enclosed for Albuquerque is one copy of a signed, sworn statement of ASAC [redacted] furnished regarding captioned matter on 10/21/85.

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As noted in referenced telephone call, SA [redacted] has requested an opportunity to review ASAC [redacted] statement in order to assist him in connection with appealing to the Director his 30-day suspension.

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SA [redacted] should be permitted to review ASAC [redacted] statement only while in Bureau space. Due to the sensitivity of the investigation, copies of the statement can not be provided to him.

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Enclosure

ARR:law (4)

2-121677-9
Searched _____ Indexed _____
8 JUL 22 1986

Based on telcall of ASAC [redacted] to ASU, ASD, 3/25/86.

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

XEROX

MAY 28 1987

Classified by: 409
Declassify on: OADR

JUL 24 1986
MAIL ROOM

MAILED 2
MAR 31 1986

O.
Disappearance of
Edward Lee Howard

February 10, 1986
PERSONAL

PPMU
OKR

[Redacted]
Federal Bureau of Investigation
Albuquerque, New Mexico

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4-27-87 BY SP6 BJS/ur

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Dear [Redacted]

I have recently concluded a review of an administrative inquiry concerning your performance during a surveillance in a highly sensitive investigation. Specifically, on September 21, 1985, information was made available to you indicating that the individual being surveilled was no longer at his residence. In your signed statement, you recalled that on September 21, 1985, you advised surveillance units of the presence of another individual at the residence. A preponderance of evidence was developed, however, which disclosed that you did not inform the surveillance units of information which indicated that the individual being surveilled was no longer at the residence. Your failure to disseminate that information resulted in surveillance units not being deployed which I believe contributed significantly to the subsequent disappearance of the individual without detection.

Your conduct is of grave concern to me, inasmuch as the individual under surveillance was in possession of information that could seriously impact on national security. In view of the seriousness with which I view this matter, you are being suspended from duty without pay from the close of business February 14, 1986, through March 16, 1986, and placed on probation.

MAILED 2
FEB 10 1986

Very truly yours,
1 - SAC, Albuquerque (Personal Attention) Enclosure (See Note Page 2)

John A. Mintz
Executive Assistant Director -
Administration

- Exec AD Adm. _____
- Exec AD Inv. _____
- Exec AD LES _____
- Asst. Dir.:
- Adm. Servs. _____
- Crim. Inv. _____
- Ident. _____
- Insp. _____
- Intell. _____
- Lab. _____
- Legal Coun. _____
- Off. Cong. & Public Affs. _____
- Rec. Mgnt. _____

- 1 - Pay and Position Management Unit
 - 1 - [Redacted] (PPMU)
 - 1 - Voucher and Payroll Section
 - 1 - OPR
- 62-121677

- Adm. Servs. _____
- Crim. Inv. _____
- Ident. _____
- Insp. _____
- Intell. _____
- Lab. _____
- Legal Coun. _____
- Off. of Cong. & Public Affs. _____
- Rec. Mgnt. _____
- Training _____

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Albuquerque Division Personnel Matter
Based on ASD memorandum from E. J. Sharp to Mr. Mintz, 12/5/85,
ARR: gdk (10)
ARR: gdk



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NOTE TO SAC: The enclosed letter should be delivered to the employee at which time it should be ensured that the employee fully understands the reason for the Bureau's action.

This employee should be closely supervised. At the expiration of 90 days, a recommendation should be submitted as to whether the employee should be removed from probation, at which time a determination will be made by the Bureau. Period of probation should begin the first working day upon return to duty.

Bureau property in the custody of this employee should be secured and retained until employee returns to duty.

Furnish employee with a copy of Standard Form 8, Notice to Federal Employee about Unemployment Compensation before he ceases duty.

Disappearance of Edward Bee Howard

February 10, 1986

PERSONAL

Handwritten initials/signature

Handwritten initials/signature

[Redacted]

Federal Bureau of Investigation
Albuquerque, New Mexico

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4-27-87 BY SP6 BJA/rl

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Dear [Redacted]

I have recently concluded a review of an administrative inquiry concerning your supervision of a highly sensitive Foreign Counterintelligence investigation wherein an individual was able to avoid detection during a surveillance. The inquiry established that inadequate personnel were scheduled to staff the monitoring station that had been established in this case at a critical period during this surveillance. In addition, you failed to develop or implement a contingency plan that would have provided visual coverage to appropriate areas in anticipation of the subject's departure from his residence. Further, there was no indication that appropriate stops, notices or checks were made with airlines and other commercial transportation systems prior to the subject's disappearance.

The manner in which you handled this investigation is of serious concern to me, particularly in light of the fact that the individual under surveillance was in the possession of information that could seriously impact national security. In the future, I expect that you will be more diligent and attentive in the discharge of your managerial responsibilities.

Very truly yours,

William H. Webster
Director

- Exec AD Adm.
- Exec AD Inv.
- Exec AD LES
- Asst. Dir.:
- Adm. Servs.
- Crim. Inv.
- Ident.
- Insp.
- Intell.
- Lab.
- Legal Coun.
- Off. Cong. & Public Affs.
- Rec. Mgmt.

1 - SAC, Albuquerque (Personal Attention) Enclosure

The enclosed letter should be delivered to the employee at which time it should be ensured that the employee fully understands the reason for the Bureau's action.

[Redacted]

62-121677

Handwritten signatures and initials

67 NOT RECORDED
8 AUG 5
ARR:gdk (6)
Based on memorandum from E. J. Sharp to Mr. Mintz, 12/5/85;
ARR:gdk

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FBI/DOJ

MAILED 2
FEB 10 1986

Memorandum

~~TOP SECRET~~



Exec AD Adm.
 Exec AD Inv.
 Exec AD LES
 Asst. Dir.
 Adm. Servs.
 Crim. Inv.
 Ident.
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 Lab.
 Legal Coun.
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 Rec. Mgnt.
 Tech. Servs.
 Training
 Telephone Rm. b6
 Director's Sec'y b7C

~~SECRET~~

To : Mr. Glover *EGP*
 From : E. J. Sharp *EGP*
 Subject : DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R FROM SANTA FE, NEW MEXICO, 9/21/85 ADMINISTRATIVE INQUIRY

EXEMPTED FROM AUTOMATIC
 DECLASSIFICATION
 AUTHORITY DERIVED FROM
 FBI AUTOMATIC DECLASSIFICATION GUIDE
 EXEMPTION CODE: 50X(1-HUM)
 DATE 02-27-2024 BY: [redacted]

6/19/86
 [redacted box]

Classified by *SP6 BJA/UC*
 Declassify on: OADR
C.N. 274, 326
SP6 BJA/UC
9-27-87
C.N. 280, 775

PURPOSE: To report the results of additional investigation requested by the Director concerning the performance of Division 5 personnel involved in the supervision of the Howard investigation.

RECOMMENDATION: That ASAC [redacted] formerly Unit Chief in the Intelligence Division, receive an oral reprimand for his failure to advise his superiors of delays which were being experienced at DOJ [redacted] and also his not informing Albuquerque Division personnel of his reluctance to approve [redacted]

APPROVED: *[Signature]*
 Special Agent in Charge
 [redacted]
 [redacted]
 [redacted]
 [redacted]

SAC Hegarty advised 7-14-86.
 ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 EXCEPT WHERE SHOWN
 OTHERWISE.

SYNOPSIS: [redacted] indicating that Edward Howard, a former CIA employee, was selling classified information to the Soviets. The Albuquerque Division initiated a full-field investigation of Howard, which included continuous surveillance with the support of SOG and SSG Teams from the Los Angeles Division [redacted]

[redacted] Subsequently, on Saturday, 9/21/85, while this surveillance was in place at Howard's residence, Howard was able to leave his residence undetected and subsequently disappeared. ~~SECRET~~

An administrative inquiry conducted in the circumstances surrounding Howard's disappearance identified one Agent who was negligent during the surveillance. The inquiry also identified administrative deficiencies in the conduct of the surveillance, which were found to be the responsibility of the ASAC in Albuquerque.

62-121677-10
 Searched _____ Numbered 8
 Identified one
 The inquiry
 JUL 22 1986

XEROX
 MAY 28 1987

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62-121677-10

OPEN

(CONTINUED - OVER)
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Classified by: 409
 Declassified by: OADR

ARR: PJJ
 1 - OPR
 8 JUL 24 1986

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Memorandum from Mr. Sharp to Mr. Glover, 6/19/86
Re: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

The initial administrative inquiry also raised the question of whether [redacted] would have prevented Howard from avoiding the surveillance. This issue was raised inasmuch as the surveillance unit could not directly observe Howard's residence and had to rely entirely on the observations of an Agent who was manning an offsite monitoring station where CCTV [redacted] was maintained. The inquiry established that on 8/16/85 the Albuquerque Division had requested that FBIHQ [redacted] and five weeks later, on 9/23/85 [redacted] was obtained, two days after Howard had disappeared. The administrative inquiry was expanded in March, 1986, to identify and interview Intelligence Division (INTD) personnel who were responsible for processing [redacted]. These interviews determined that SSA [redacted] was directly involved in [redacted] and dealing with DOJ personnel concerning [redacted]. Problems experienced by SSA [redacted] in dealing with DOJ were discussed with [redacted] Unit Chief [redacted].

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Unit Chief [redacted] furnished sworn, signed statements wherein he advised that he was not inclined to authorize the [redacted]. [redacted] Unit Chief [redacted] pointed out that Howard had been trained by the FBI [redacted] and if Howard [redacted] he could have been antagonized and possibly fled prior to the Bureau developing probable cause for his arrest. Unit Chief [redacted] also pointed out that Howard's escape was primarily due to the failure of the monitoring Agent in properly carry out his duties and not as a result of [redacted]. [redacted] Unit Chief [redacted] was also of the opinion that SSA [redacted] efforts to [redacted] were entirely adequate and it was not necessary for [redacted] to interject himself in the situation or to seek the intercession of superiors in [redacted]. The Intelligence Division has recommended that former Unit Chief [redacted] be orally admonished for his judgmental

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Memorandum from Mr. Sharp to Mr. Glover, 6/19/86
Re: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

shortcoming in handling [redacted] was specifically cited for failing to ensure that the Albuquerque personnel were aware that Howard had been formerly trained in [redacted] and also failure to seek support from higher management in minimizing any delay in [redacted]. [redacted] ASD concurs with the observations and recommendations of the Intelligence Division that Unit Chief [redacted] receive an oral reprimand for his administrative shortcomings in this matter.

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DETAILS: [redacted] furnished information which identified former CIA employee, Edward Lee Howard, as possibly selling classified information to the Soviets. [redacted] handled by the CI-1C Unit of the Intelligence Division [redacted] by Unit Chief [redacted] SSA [redacted] was assigned the Howard investigation in the CI-1C Unit. On 8/15/85, a full-field investigation was initiated by the Albuquerque Division and on 8/16/85, Albuquerque submitted a teletype to the Bureau [redacted].

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[redacted] An administrative inquiry initiated into the circumstances surrounding Howard's disappearance determined that SA [redacted] was negligent for failing to advise surveillance units of information indicating that Howard had departed his residence on 9/21/85. In addition, [redacted] ASAC [redacted] who was directly responsible for overall supervision of the surveillance, was found to have made several ineffective investigative judgments in the formulation of the surveillance.

In addition to the deficiencies which were identified involving Albuquerque Division personnel, the inquiry also took issue with [redacted]

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[redacted] Interview of Division 5 personnel determined that SSA [redacted] was

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Memorandum from Mr. Sharp to Mr. Glover, 6/19/86
Re: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

responsible for [redacted]
[redacted]

SSA [redacted] provided the following detailed account concerning his efforts to [redacted]

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Friday, 8/16/85

Teletype from Albuquerque to Bureau requesting

[redacted]
[redacted] Teletype indicated
Albuquerque would furnish [redacted]
[redacted] on a later date.

Monday, 8/26/85

[redacted]

Wednesday, 8/28/85

Bureau received Albuquerque teletype containing additional information [redacted]

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Thursday, 8/29/85

Request [redacted]
[redacted] was typed and forwarded to DOJ.

Friday, 9/6/85

DOJ Attorney [redacted] telephonically confirms to SSA [redacted] receipt of [redacted]

[redacted]

SSA [redacted] telephonically contacts Albuquerque regarding request.

Monday or Tuesday 9/9 or 9/10/85

Albuquerque telephonically furnished SSA [redacted] appropriate information regarding [redacted] and SSA [redacted] in turn informed [redacted] telephonically. SSA [redacted] sends confirming teletype to Albuquerque.

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Memorandum from Mr. Sharp to Mr. Glover, 6/19/86
Re: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

Wednesday or Thursday 9/11 or 9/12/85
SSA [] calls DOJ regarding []
and is advised [] is on AL "for a few
days."

Next Day SSA [] again calls DOJ regarding []
[] Advised [] still on AL.

Friday, 9/13/85
[] returns to office and informs SSA []
that he is handling a number of matters on his desk
and that he will []
as soon as possible.

Friday or Monday, 9/13 or 9/16/85
[] informs SSA [] that []
[]

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Monday, 9/16/85
[]

Thursday, 9/19/85
Howard interviewed in Santa Fe.

Friday, 9/20/85
Howard indicates possible willingness to cooperate.

Saturday, 9/21/85
Howard disappears.

Monday, 9/23/85
[]

SSA [] advised that during the above-described
time period he informed Unit Chief [] of developments and
the difficulties experienced with DOJ. He could not recall
specifically what Unit Chief [] told him, nor could he
recall if Unit Chief [] took any action with DOJ.

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Memorandum from Mr. Sharp to Mr. Glover, 6/19/86
Re: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

Unit Chief [redacted] furnished sworn, signed statements on 2/12/86 and 2/14/86, wherein he furnished the following information:

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[redacted] During August and September of 1985 his unit was in the receipt of a continuing flow of possible espionage cases

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[redacted] When information [redacted] was developed identifying Howard, the decision was made to [redacted]

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(U)

[redacted]

[redacted] Unit Chief [redacted]

confirmed that SSA [redacted] advised him on a regular basis concerning the status of [redacted] and problems that were being experienced with DOJ. [redacted] stated, however, that he never considered [redacted]

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to be a high priority item within the context of all items assigned to his unit or within the context of the Howard case. He indicated that he did not believe that pressure applied to DOJ to [redacted] expeditiously would have been necessary or appropriate. In making this observation, [redacted] stated that he had not decided to allow Albuquerque to [redacted] and to the contrary he would not have allowed [redacted] unless circumstances changed considerably. In explanation, [redacted] pointed out that Howard had undergone training by the FBI in counter-surveillance to include [redacted]

[redacted] indicated that he was reluctant to authorize [redacted] before and after Howard's interview on 9/19/85. Prior to Howard's interview, the surveillance was conducted in a manner to prevent Howard

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Memorandum from Mr. Sharp to Mr. Glover, 6/19/86
Re: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

from realizing that he was under investigation. After Howard's interview, the physical surveillance was conducted in a manner to avoid antagonizing Howard since Howard was expected to be more cooperative and also to avoid creating facts upon which Howard could apply for an injunction in court prohibiting any surveillance. Unit Chief [redacted] was of the opinion that SSA [redacted] conducted himself appropriately in [redacted] and he was of the opinion that he would not have urged SSA [redacted] to pursue that matter anymore than he already had. [redacted] also stated that he did not think that he would have interjected himself into the situation and would not have sought the intercession of higher level management. SSA [redacted] concluded by pointing out that in his opinion, had [redacted] it would not have prevented Howard's successful escape plan.

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[redacted] was the Acting Section Chief / directly supervising Unit Chief [redacted] during the Howard investigation. He recalled that early in the investigation he was told by either Unit Chief [redacted] or SSA [redacted] that [redacted]

[redacted] Other than instructing either [redacted] or [redacted] to ensure that LCD [redacted] he had no other information relative to [redacted] stated that he was not briefed regarding any difficulties which the unit was having with DOJ [redacted]

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SSA [redacted] Legal Research Unit, LCD, advised that he [redacted] in connection with the Howard investigation. [redacted] advised that [redacted] experienced the usual delays [redacted]

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[redacted] SSA [redacted] recalled that during August, 1985, he had several conferences with Intelligence Division personnel concerning [redacted]

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Memorandum from Mr. Sharp to Mr. Glover, 6/19/86
Re: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

RECOMMENDATION OF THE INTELLIGENCE DIVISION

As noted in Mr. J. H. Geer's memo to Mr. Revell dated 4/2/86, recommendation was made that ASAC [redacted] be orally admonished for administrative shortcomings in his handling of this matter. In making this recommendation the Intelligence Division noted that the inquiry established that the Albuquerque Division did not have a complete understanding of the Intelligence Division's concerns and reluctance regarding

[redacted] While Albuquerque had been advised by teletype that Howard had received FBI/CIA training [redacted]

[redacted] the Intelligence Division was of the opinion that Unit Chief [redacted] used poor judgment in failing to ensure that Albuquerque Division personnel were aware of the Bureau's reluctance [redacted] Unit Chief [redacted] was also cited

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[redacted] for his failure to adequately follow the Bureau's [redacted] with DOJ personnel and his failure to seek support from higher management officials in minimizing any delay in obtaining of [redacted]

[redacted] In recommending an oral admonishment, Mr. Geer pointed out that at the time the Howard investigation was being conducted, Unit Chief [redacted] and personnel under his supervision were involved in supervising a number of major cases including [redacted]

[redacted] the Howard case [redacted]

[redacted] Unit Chief [redacted] was described as literally working seven days and nights a week. ASAC [redacted] was described as having exceptional operational administrative skills and that any shortcomings experienced by [redacted] were judgmental in nature and only justified an oral admonishment.

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ANALYSIS BY ASD

In determining if Intelligence Division personnel were negligent in processing [redacted] ASD conducted a review of SSA [redacted] statement wherein he chronologically described the sequence of events in the [redacted]

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Memorandum from Mr. Sharp to Mr. Glover, 6/19/86
Re: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

ASD notes that [redacted] was prepared by SSA [redacted] within one day of receipt of Albuquerque's teletype. A week transpired before DOJ Attorney [redacted] informed SSA [redacted] that [redacted]

[redacted] SSA [redacted]

The inquiry determined that [redacted] apparently was on leave for two or three days during the period 9/9 or 9/10 through 9/12/85. When [redacted] returned to the office on 9/13/85, he informed SSA [redacted] that he was handling several matters which were equally important [redacted] but that he would handle [redacted] as soon as possible. Within one working day [redacted] then advised that [redacted]

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[redacted] Based on a review of these events, ASD is of the opinion that SSA [redacted] conducted himself appropriately in that he attempted to maintain contact with DOJ on a timely basis regarding the status of [redacted]

ASD notes that former Unit Chief [redacted] has advised that even if [redacted] had been obtained on a timely basis, he had not made a determination as to whether [redacted] His reluctance to [redacted] was based on the concern that [redacted] might cause

Howard to either flee the area or serve as a basis for justification of a charge of harassment in an effort to discontinue the surveillance. Certainly these issues raised by Unit Chief [redacted] appear to be legitimate concerns; however, it has become apparent during this inquiry that these concerns were not made known by Unit Chief [redacted] to either SSA [redacted] or to Acting Section Chief [redacted] his immediate supervisor. This information was also not made known to the Albuquerque Division whose personnel were on the surveillance and who were of the opinion [redacted] would have been helpful. In arriving at an appropriate administrative remedy, ASD notes that after the Albuquerque Division had instituted

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Memorandum from Mr. Sharp to Mr. Glover, 6/19/86
Re: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

their surveillance of Howard, there apparently were no additional communications from Albuquerque to the Bureau indicating [redacted] was essential to the successful surveillance of Howard. Based on those combinations of factors, ASD is of the opinion that Unit Chief [redacted] used poor judgment in failing to ensure that his superiors and the Albuquerque Division were aware of the difficulties being experienced in [redacted] and also his reluctance to approve [redacted] even if it was obtained. Noting also that [redacted] unit was handling a high volume of highly significant investigations at the time of the Howard case, ASD recommends that Unit Chief [redacted] receive an oral reprimand.

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Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

~~SECRET~~

To : Mr. Revelle

Date 4/2/86

From : J. H. Geer

Subject : DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

~~This communication is classified "Secret" in its entirety.~~

PURPOSE:

To convey my observations based on a review of the report of the Inspection Division in captioned matter and to offer my recommendation as to administrative action.

RECOMMENDATION:

ENCLOSURE

That ASAC [redacted] be orally admonished for administrative shortcomings in his handling of this matter.

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Numbered
8 OCT 29 1987

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APPROVED: [Signature]
Director _____
Exec. AD-Adm. _____
Exec. AD-Inv. _____
Exec. AD-LES _____
Adm. Servs. _____
Crim. Inv. _____
Laboratory _____
Legal Coun. _____
Off. of Cong. & Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Intell. _____
Training _____

DETAILS:

I have reviewed the Inspection Division's report in this matter and will not restate in this memorandum the specifics set forth in that report. There are, however, only two areas in which I believe that INTD's and specifically former Unit Chief [redacted] handling of this matter was less than adequate.

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Enclosure
JHG:ebc
(4)

ENCLOSURE

CONTINUED - OVER

- 1 - Mr. Glover
- 1 - Mr. Sharp
- 1 - Mr. Geer

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Classified by: 05
Declassify on: OADR

SEARCHED
FILED

8 NOV 23 1987

Memorandum for Mr. Revell
RE: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

First, it appears that the Albuquerque (AQ) Division did not have a complete understanding of INTD concerns and reluctance regarding [redacted]

[redacted] I did find that AQ, by teletype dated 9/9/85, (copy attached), was put on notice of INTD concerns regarding [redacted]

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[redacted] that this was a clear signal to AQ of INTD concerns but I also believe that such concerns should have been formally conveyed to AQ during the time period in which [redacted] [redacted] I, however, consider this strictly a failure in judgment on [redacted] behalf.

The other area in which I see some shortcomings on [redacted] behalf lies in his failure to adequately follow our request [redacted] and to seek support from higher management in minimizing any delay in [redacted] [redacted] I add, however, that this is closely tied to [redacted] concern regarding [redacted] in this case and, therefore, is judgmental in nature.

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I would ^{also} add from my own perspective the fact that [redacted] and his Unit during this time frame were responsible for and deeply involved in supervising a number of major cases [redacted]

[redacted] was literally working seven days and nights a week. I consider ASAC [redacted] to be exceptional in both his operational and administrative skills. I, therefore, based upon my review of this matter, recommend that [redacted] be orally admonished for these failures which were judgmental in nature.

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EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE: 50X(1-HUM)
DATE 02-28-2024 BY: [REDACTED]

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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9/9/85

~~SECRET~~

IMMEDIATE

FM DIRECTOR FBI (65-78853) (CI-1C) (ROOM 4220)
TO FBI ALBUQUERQUE (65A-590) (IMMEDIATE)

PERSONAL ATTENTION: SAC BRANON

FBI WASHINGTON FIELD OFFICE (65A-13358) (CI-4) (IMMEDIATE)

BT

~~SECRET~~

TRUMPHET; ESP-R; OO:ALBUQUERQUE

THIS COMMUNICATION IS CLASSIFIED ~~"SECRET"~~ IN ITS
~~ENTIRETY.~~

[REDACTED]

REFERENCE BUREAU TELETYPE TO ALBUQUERQUE AUGUST 3, 1985.

REFERENCE ALBUQUERQUE TELETYPE TO FBIHQ AUGUST 27, 1985,

AUGUST 20, 1985, AUGUST 30, 1985, AUGUST 31, 1985, AND

SEPTEMBER 4, 1985.

[REDACTED]

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JJQ:ac (2)

9/9/85

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[REDACTED]

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1 [REDACTED]

[Handwritten signature]

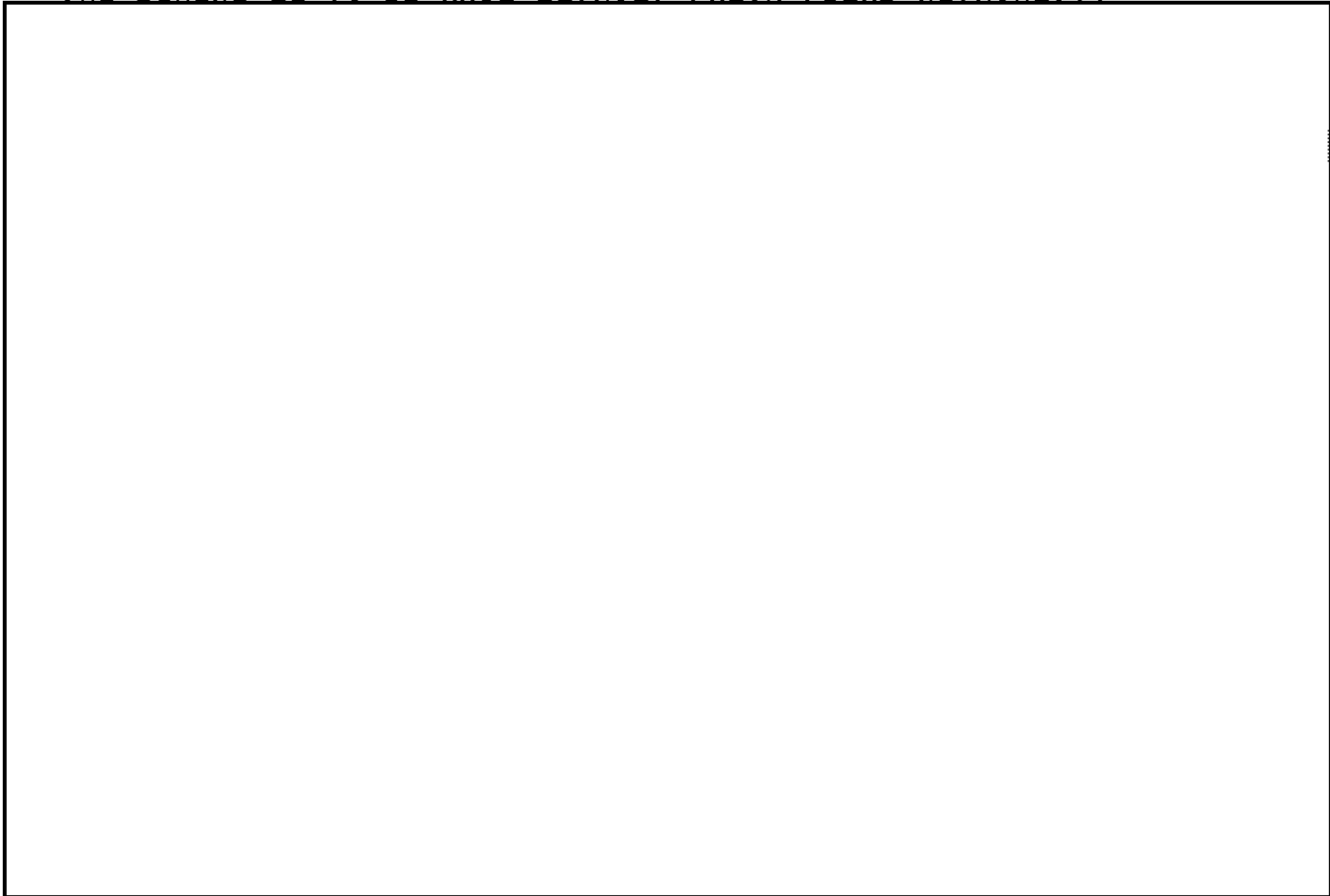
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FURTHERMORE, NO DISSEMINATION OUTSIDE

THE BUREAU IS TO BE MADE WITHOUT PRIOR FBIHQ AUTHORITY.



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MAY OR MAY NOT BE ADDRESSED AT TIME OF INTERVIEW.

A SEARCH OF FBIHQ INDICES WAS NEGATIVE REGARDING THE
FOLLOWING INDIVIDUALS: [REDACTED] X

[REDACTED]

[REDACTED] FBIHQ INDICES ALSO NEGATIVE REGARDING SUBJECT'S WIFE,
SUBJECT'S CIA OPERATIONAL NAMES, AND ALL CLOSE RELATIVES OF
SUBJECT MENTIONED IN ALBUQUERQUE TELETYPE DATED
AUGUST 20, 1985.

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[REDACTED]

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FM DIRECTOR FBI (65-78853) (CI-1C) (ROOM 4220)

TO FBI ALBUQUERQUE (65A-590) (IMMEDIATE)

PERSONAL ATTENTION: SAC BRANON

FBI WASHINGTON FIELD OFFICE (65A-13358) (CI-4) (IMMEDIATE)

BT

~~SECRET~~ SECTION 2 OF 2

TRUMPHE; ESP-R; 00:ALBUQUERQUE

[REDACTED]

FOR INFORMATION OF RECEIVING OFFICES, [REDACTED]

[REDACTED]

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Memorandum



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

To: Mr. Mintz *[Signature]*

From: J. D. Glover

~~SECRET~~

Date 3/10/86

Subject: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

This communication is classified "~~Secret~~" in its entirety.

PURPOSE: To record the results of additional inquiries made concerning Intelligence Division (INTD) personnel handling of the

[redacted]

[redacted] further, to record inquiry concerning the alleged failure of a Department of Justice (DOJ) attorney to handle the Bureau's [redacted] on a timely basis.

SYNOPSIS: You requested that further inquiry be made in the Howard matter concentrating on INTD personnel handling of [redacted]

[redacted] and on concerns about the failure of a DOJ attorney to handle [redacted] on a timely basis.

On 2/12/86, this additional inquiry was initiated by Inspector [redacted]. At the outset of the inquiry, it was determined that INTD had begun its own inquiry which was being conducted by Section Chief J. L. Tierney. Tierney had obtained a signed, sworn statement from Unit Chief [redacted]. That statement is incorporated into this inquiry along with an additional statement obtained by Inspection Division personnel. At the outset of our inquiry, INTD ceased its inquiry. Supervisory Special Agent (SSA) [redacted] and Unit Chief [redacted] agreed

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[redacted] on or about 8/15-16/85.

- Enclosures (5)
- 1 - Mr. Revell
 - 1 - Mr. Mintz
 - 1 - Mr. Sharp
 - 1 - Mr. Geer
 - 1 - Mr. Glover
- RDS:hjs (6)

5- ENCLOSURE

~~SECRET~~
~~Classified by: 10~~
~~Declassify on: OADR~~

62-121677-12	
Searched _____	Numbered _____
8 MAR 17 1991	

(CONTINUED - OVER)

08 APR 09 1991

Place in 62-121677 per
[redacted] also conferencing
with [redacted] 4-9-91

RECEIVED

MAR 13 11 27 AM '86
E.A.D.-INVEST
F.B.I.

RECEIVED DIRECTOR
F.B.I.

MAR 13 4 00 PM '86
RECEIVED PH '86
MAR 12 4 07 PM '86
E.A.D.-L.E.S.
F.B.I.

RECEIVED
MAR 11 9 05 AM '86
E.A.D.-ADMIN.
F.B.I.

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Memo J. D. Glover to Mr. Mintz
Re: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

At that time Albuquerque did not furnish identifying information relating [redacted] and it was learned that [redacted]

[redacted] As INTD did not have [redacted] and the Legal Counsel Division and Albuquerque were waiting on [redacted]

[redacted] Within a "few" days, SSA [redacted] prepared a memorandum [redacted] was forwarded to DOJ on or about 8/29/85. On 9/6/85, DOJ attorney [redacted] acknowledged receiving [redacted]

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[redacted] furnished same to FBIHQ on or about 9/9 or 9/10/85. On or about 9/11-12/85, FBIHQ checked with Office of Intelligence and Policy Review (OIPR), DOJ, and found attorney [redacted] on annual leave for a few days. On or about 9/13/85, [redacted] returned to work. [redacted] was discussed but said he had just returned from leave and had things of equal importance on his desk. Between 9/13 and 9/16/85, [redacted] advised that [redacted]

[redacted] on or about 9/16/85. SSA [redacted] advised he told Unit Chief [redacted] of the difficulty he was having obtaining the [redacted] from OIPR regarding [redacted]

Unit Chief [redacted] outlines the same basic information concerning [redacted]

[redacted] does not think the failure to [redacted] was critical and states he does not think [redacted] states he probably would not have authorized [redacted]

[redacted] also states SSA [redacted] advised him of the difficulties concerning [redacted] did not advise his superiors of this problem as he thought handling this matter was within the scope of his authority and [redacted] was not that significant.

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Memo J. D. Glover to Mr. Mintz
Re: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

Acting Section Chief [redacted] advised he was not aware of or told about this problem.

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As a result of the additional inquiry conducted into INTD's handling of the Howard case, it is being recommended that no further inquiry be made relative to INTD personnel. It is apparent that Unit Chief [redacted] was the INTD official who made the critical decisions relative to [redacted]

[redacted] Unit Chief [redacted] in his statement of 2/12/86, advised that all efforts to [redacted] were handled in his unit and that he "would not have sought the intercession of higher level management in CI-1 or in INTD," even during the second effort which the unit made during September, 1985, to [redacted] Acting Section Chief

[redacted] advised, in his statement of 2/13/86, that Unit Chief [redacted] or SSA [redacted] briefed him initially on the fact that [redacted]

[redacted] After that initial briefing, no further information was brought to [redacted] attention regarding [redacted] Thus, it is clear that responsibility for not [redacted] remained at the unit chief level and that further interviews above the section level are unnecessary at this time.

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In addition to the above, the further inquiry conducted pertaining to the role of the Departmental Attorney [redacted] [redacted] revealed that he acted within a reasonable time frame after being furnished [redacted] by FBIHQ.

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RECOMMENDATIONS: (1) That no further interviews be conducted.

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

WJW

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(CONTINUED - OVER)

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Memo J. D. Glover to Mr. Mintz
Re: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

(2) That the attached signed, sworn statements be incorporated into the record of this inquiry.

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

DETAILS: On 2/7/86, Assistant Director John D. Glover, Inspection Division, was requested to conduct further inquiry into the matter of the disappearance of Edward Lee Howard. This inquiry was initiated on 2/12/86, by Inspector [redacted]

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The scope of the inquiry concentrated on two points: (1) INTD personnel handling of [redacted]

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(2) Concern about the alleged failure of the DOJ attorney [redacted] to handle the Bureau's request on a timely basis.

At the outset of the inquiry, it was determined that INTD had begun its own inquiry which was being conducted by Section Chief Joseph L. Tierney. A signed statement had been obtained from Unit Chief [redacted]. At the start of this inquiry, INTD ceased its own inquiry. Signed statements were obtained on the issues being addressed from SSA [redacted] and from Unit Chief [redacted] the [redacted]. In addition, Acting Section Chief [redacted] was interviewed concerning any knowledge he had concerning difficulty in [redacted] SSA [redacted] [redacted] Legal Research Unit, Legal Counsel Division, was interviewed concerning his handling of [redacted]

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(CONTINUED - OVER)

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Memo J. D. Glover to Mr. Mintz
Re: DISAPPEARANCE OF EDWARD LEE HOWARD, ESP-R
FROM SANTA FE, NEW MEXICO, 9/21/85
ADMINISTRATIVE INQUIRY

There is attached hereto and made part of by reference
the signed, sworn statement of SSA [redacted]

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There is attached hereto and made part of by reference
the signed, sworn statement of Unit Chief [redacted] to
Section Chief Joseph L. Tierney, 2/12/86.

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There is attached hereto and made part of by reference
the signed, sworn statement of Unit Chief [redacted] to
Inspector's Aides [redacted] and [redacted]

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There is attached hereto and made part of by reference an
FD-302 report of interview of [redacted] by Inspector's
Aides [redacted] and [redacted]

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There is attached hereto and made part of by reference an
FD-302 report of interview of SSA [redacted] by Inspector's Aides
[redacted] and [redacted]

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62-121677-12
ENCLOSURE

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February 12, 1986
Washington, DC

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I, [redacted] having been duly sworn by Special Agent--Section Chief Joseph L. Tierney hereby make the following statement. I have been provided with a copy of an FD-645, captioned "Warning and Assurance to Employee Required to Provide Information," which I have read and understand as is acknowledged by my signature on the form. I understand this is a continuation of the administrative inquiry into the espionage investigation of Edward Lee Howard. The continuation specifically focuses on the question of whether or not FBIHQ efforts to [redacted] were adequate.

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I have reviewed the sworn statement dated 10/29/85 which I made during the early stages of this inquiry. That statement recited my knowledge of this investigation as the Unit Chief of the CI-1C Unit in the Intelligence Division (INTD) which was responsible for the management and supervision of the case at FBIHQ. This statement now will focus on and elaborate on items covered in my prior statement.

CI-1C was in receipt of a continuing flow of possible espionage cases in August and September of 1985 [redacted]

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[redacted] During that time we were sorting through the cases trying to evaluate what we had. I later requested assistance in the form of additional Supervisory Special Agents

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Declassify on: OADR

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 (SSA) and assistance was provided by CI-1 Section. During the critical times involved in the Howard matter, when [redacted] [redacted] was an issue, it was premature and would have been counterproductive to ask for help. For example, we had to determine which if any of the apparent espionage cases were in fact identical to double agent or other types of FCI cases being run by the FBI. These determinations were not always easy to spot or make and many of them ended up being made by Intelligence Research Specialists in the INTD who were able to recognize similarities.

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During the early stages of the Howard case we instructed Albuquerque to [redacted]

[redacted]

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[redacted] This is our standard approach to such an investigation. Being ready to react was even more important in the Howard case than it usually is because we were assuming [redacted]

[redacted] [redacted]

When we realized [redacted]

[redacted]

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[redacted] I instructed that the Albuquerque Principal Legal Advisor contact Legal Counsel Division so that whatever

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steps were necessary could be taken. [redacted]

[redacted]

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We then asked Albuquerque to check to determine if

[redacted]

About two days later Albuquerque confirmed [redacted]

[redacted]

This case was assigned to SSA [redacted] in my Unit and was reassigned to SSA [redacted] at about the time [redacted] was obtained. The reassignment date is not significant since SSA [redacted] was responsible from the very beginning for obtaining

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[redacted]

Within a few days of FBIHQ receiving [redacted]

[redacted] SSA [redacted] prepared a letter requesting [redacted]

SSA [redacted] later determined the staff attorney in OIPR, DOJ who had the matter assigned was on vacation. SSA [redacted] discussed this situation with me promptly.

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I had never considered [redacted] to be a high priority item within the context of all matters assigned to my Unit or within the context of the Howard case itself. I did not then and I do not now think pressure applied to OIPR, DOJ to [redacted] more expeditiously would

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have been necessary or appropriate. Although we were still interested in [redacted] our interest was on the basis of [redacted]

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I had not decided to allow Albuquerque to [redacted]

[redacted] To the contrary, I would not have been inclined to [redacted] unless circumstances changed considerably.

I knew Howard had undergone training at WFO in preparation for his Moscow assignment. I was familiar with the content of that type of training because it was conducted on my squad when I was an [redacted] at WFO. This, of course, was before Howard participated in this training program. Howard's training included [redacted]

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I had confirmed my recollection or assumption that Howard was trained by the FBI in [redacted] no later than 8/20/85.

My reluctance to authorize [redacted] applied before and after the interview of Howard on 9/19/85. Before the interview we were interested in preventing Howard from realizing he was under investigation. After the interview we were interested in avoiding physical surveillance which could be considered harassing for two reasons: to avoid antagonizing Howard since we expected him to become more cooperative, and to avoid creating facts upon which Howard could apply for an injunction in court prohibiting any surveillance.

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Although it is apparent Albuquerque did not understand we were continuing to [redacted]

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[redacted] Albuquerque was aware of the fact [redacted]

[redacted]
Under the circumstances I believe SSA [redacted] attempts to [redacted]

[redacted] were entirely adequate. I would not have urged him to pursue the matter any more than he already had. I do not think I should have interjected myself into the situation and certainly would not have sought the intercession of higher level management in CI-1 or in INTD. Efforts to [redacted]

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[redacted] do not justify such pressure.

My custom is to inquire about the ability of case Agents if I am not familiar with them when there is a new and important case. I did that with the Howard case and was very pleased with the reputation and ability of SA's [redacted] and [redacted] I still think they worked this case well. I knew SA [redacted] when he was assigned to Technical Services Division and was reassured when I learned he was involved. I spoke regularly with ASAC [redacted] and was impressed with his efforts. I understand he was functioning not only as squad supervisor and ASAC but also as Acting SAC. The site of the investigation was in an RA about 70 miles from Headquarters City.

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I was particularly appreciative of the difficulties involved in the physical surveillance from the time they were

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first reported to me. I was responsible for the SSG when I was a relief supervisor in WFO and I immediately concluded that SSG services were needed and participated in making the arrangements to have them sent from the Los Angeles Division. However, when it was determined Howard had been convicted of assault with a deadly weapon it became necessary to send SOG personnel in order to have armed law enforcement officers on the surveillance. I subsequently determined no SSG representatives had been sent by LA with the SOG and I corrected this because the particular expertise of the SSG was needed in view of the expertise of the target, notwithstanding the fact SOG was also needed for this surveillance since Howard was considered armed and dangerous.

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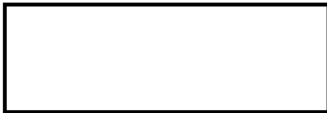
152
I have read this statement consisting of this and six other pages and it is true and complete to the best of my knowledge.




Special Agent

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Sworn to and subscribed before me this 12th day of February, 1986, at Washington, DC.





Joseph L. Tierney
Special Agent--Section Chief
FBIHQ

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~~SECRET~~

February 14, 1986

Washington, D. C.

CP I, [redacted] having been duly sworn, make the following statement to Inspector's Aides [redacted] and [redacted]

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[redacted] I have been provided with a copy of an FD-645, "Warning and Assurance to Employee Required to Provide Information," which I have read and understand as acknowledged by my signature. I understand that this administrative inquiry concerns certain aspects of an investigation entitled, "TRUMPET; ESP-R, OO: Albuquerque." I have been a Special Agent (SA) of the FBI since January 30, 1962, and am currently assigned to the CI-1C Unit of the Intelligence Division (INTD) at FBI Headquarters (FBIHQ). I have been assigned to that unit since reporting to FBIHQ on May 6, 1985. On October 28th through 29th, 1985, I provided an eight-page, signed statement regarding certain aspects of the "TRUMPET" case.

I am now providing additional information relative to that statement and note that I have had ample opportunity to examine the case tickler relative to that investigation. I understand that this additional inquiry concerns efforts made to

[redacted]

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CP

On or about August 16, 1985, the Albuquerque Division forwarded a teletype to FBIHQ requesting [redacted]

[redacted]

[redacted] After receiving that teletype, I became involved in [redacted]

[redacted] were

not furnished by Albuquerque and because of [redacted]

[redacted] was not

included in [redacted]

[redacted] I do not recall whether or not I

checked with Albuquerque to [redacted]

[redacted] at the time I was [redacted]

[redacted] Additionally, I do not recall discussing [redacted] with Unit Chief [redacted]

[redacted] while I was [redacted]

It should be noted that on or about August 15, 1985, it was known that [redacted]

[redacted]

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CP

On August 26, 1985,

[redacted]

was approved.

[redacted]

and on August 28, 1985, I

received a teletype from Albuquerque dated August 27, 1985, which set forth [redacted]

[redacted]

Upon receipt of

[redacted]

[redacted]

I did not discuss this with the Unit

Chief,

[redacted]

as my job was to

[redacted]

[redacted]

as soon as possible. I recall

that on or about August 29, 1985,

[redacted]

[redacted]

prior to its being forwarded to the Department of Justice for

handling. On or about September 6, 1985, Departmental attorney

[redacted]

telephonically contacted me and advised that he

had received

[redacted]

was the attorney in

the Office of Intelligence and Policy Review (OIPR) at the

Department who was handling

[redacted]

[redacted] for the Department.

[redacted]

called in order

to

[redacted]

As a result of

his call, I called the Albuquerque Division and on or about

September 9 or September 10, 1985, the call was returned by

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Albuquerque and they advised me that [redacted]

[redacted]

It should also be noted that on or about September 9 or September 10, 1985, I sent a teletype to Albuquerque which confirmed our earlier conversation relating to the request of [redacted] for

[redacted]

Within a day or two (September 11 or September 12, 1985), I telephonically contacted OIPR in an attempt to ascertain the status of [redacted]. At that time I talked to Departmental attorney [redacted] (phonetic) and she told me that [redacted]

[redacted] was out on annual leave for a few days. She further told me that [redacted]. The

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next day I called again and contacted [redacted]. She said that she didn't know the status of [redacted]. On or about

September 13, 1985, [redacted] returned to the office and I discussed the status of [redacted] with him. He told me

that he had just returned from annual leave and that there were a number of other things on his desk of equal importance and that he would take action on [redacted] as soon as possible.

During this same time frame, either September 13 or September 16, 1985, [redacted] told me that [redacted]

[redacted]

✓

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[redacted] In my original statement, I indicated that I was [redacted]

[redacted] Since I furnished that statement, I have determined that [redacted] was the individual who [redacted]

[redacted] I recall that [redacted] was completed on or about September 16, 1985, and know this because I have seen [redacted] I told Unit Chief [redacted] during this entire period of time, which would have been approximately August 29 through September 16, 1985, that I was having difficulty obtaining the needed assistance from OIPR to move ahead quickly on [redacted]

[redacted] I don't recall specifically what [redacted] told me nor do I recall whether he took any action with OIPR; in view of the fact that I was the individual exclusively dealing with OIPR in this matter. I believe that [redacted]

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[redacted] however, I don't know if it was in fact was forwarded to FBIHQ from OIPR, because I don't remember seeing it come across my desk during this period of time. I should like to note that on September 19, 1985, the subject, Mr. Howard, was interviewed at Sante Fe, New Mexico; on September 21, 1985, he fled; and on September 23, 1985, process was obtained supporting an arrest warrant for him. During that approximate time frame,

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CP OIPR told us to [redacted]

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[redacted]

From September 5 through September 17, 1985, I do not recall briefing anyone else in the chain of command except Unit Chief [redacted] regarding [redacted]. Additionally, [redacted] did not tell me if he [redacted] had briefed anyone else in the chain of command concerning the difficulties we were having in [redacted].

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[redacted]

CP I would like to state that all dates are approximate and some facts are from memory only.

CP

I have read this statement consisting of this and six other pages and it is true and correct to the best of my knowledge.



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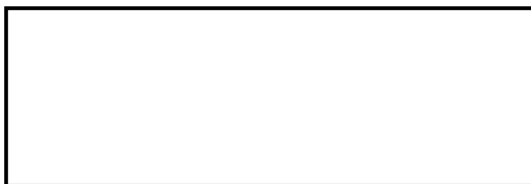
Sworn to and subscribed before me this 14th day of February, 1986, at Washington, D. C.



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Supervisory Special Agent
FBIHQ

Witness:



Supervisory Special Agent
FBIHQ

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/14/86

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SSA [redacted] Legal Research Unit, Legal Counsel Division, advised he [redacted] prepared [redacted] [redacted] in connection with the Edward Lee Howard matter being handled by the Albuquerque Division. [redacted] said he did not have notes or a diary reflecting specific dates of activity; however, he had some calendar notations revealing contact with Intelligence Division (INTD) personnel in late August, 1985. [redacted] said the preparation of [redacted] experienced the usual delays [redacted]

[redacted] recollection was that [redacted]

[redacted] This fact was brought to his attention by SA [redacted] of the Albuquerque Division sometime between August 13-20, 1985. [redacted] explained his calendar on August 13, 1985, reflected a meeting with [redacted] and [redacted] and a notation on August 20, 1985, of a "discussion with [redacted] and again on August 28, 1985, [redacted] says he can only assume these notations are in connection with the Howard case and, therefore, his discussion with [redacted] would have been between August 13-20, 1985.

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It is [redacted] recollection that during this time frame SSA [redacted] of INTD brought [redacted] to him and he spent a day preparing [redacted] request. Upon completion, he and SSA [redacted] took [redacted] to Assistant Director (AD) James H. Geer's office where [redacted] believes [redacted] was serving as Acting AD, to have [redacted] approved prior to transmittal to the Department of Justice. SSA [redacted] later that day told him, "it made it across the street."

Investigation on 2/12/86 at Washington, D. C. File#

by SSAs [redacted] Date dictated 2/14/86
& [redacted] hjs

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

[REDACTED] explained that he does not normally have direct contact with anyone at the Department of Justice unless [REDACTED]

[REDACTED] Delays in [REDACTED] due to key personnel being on sick leave, vacation, out of town on business, etc., are normal delays to be anticipated and not generally of concern to the Legal Counsel Division. These delays are addressed by the originating division and usually the Legal Counsel Division is not aware of such delays. At no time during the Howard case did [REDACTED] have any contact with anyone from the Department of Justice.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/14/86

[redacted] Intelligence Division (INTD), FBIHQ, was contacted and he was advised that he was to be interviewed concerning a certain aspect of an investigation entitled, "TRUMPET, Espionage-R, OO: AQ." Prior to being asked any questions in this matter, he was furnished an FD-645 which is a form entitled, "Warning and Assurance to Employee Required to Provide Information" by SA [redacted] read the form and acknowledged his understanding of same when he signed the form.

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[redacted] was advised that the purpose of this interview was to establish what information he had regarding the [redacted]

[redacted] During the time the above-captioned case was ongoing and Howard was residing in Santa Fe, New Mexico, [redacted] was the Acting Section Chief directly supervising Unit Chief [redacted] who was the line supervisor responsible at FBIHQ for the handling of the "TRUMPET" case. He recalled that early on he was told by Unit Chief [redacted] or SSA [redacted] that [redacted]

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[redacted] He told either [redacted] or [redacted] to get with the Legal Counsel Division, FBIHQ, and insure that [redacted]

[redacted] After that, he had no other information relative to [redacted] He stated that he was not briefed regarding any difficulties which the unit was having with the Department of Justice in obtaining [redacted]

Investigation on 2/13/86 at Washington, D. C. File#

by SSAs [redacted]
& [redacted] hjs

Date dictated 2/14/86

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

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February 14, 1986
Washington, D.C.

WZQ
I, [redacted] having been duly sworn by [redacted]
[redacted] hereby make the following statement to Inspector's Aides
and [redacted] I have been provided with a copy of an
FD-645 captioned, "Warning and Assurance to Employee Required to
Provide Information," which I have read and understood as acknowledged
by my signature. I understand that this is the continuation of an
administrative inquiry concerning my knowledge of the "TRUMPET;
Espionage-R, OO: AQ" case.

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It is noted that on February 12, 1986, I provided a signed
statement to Section Chief Joseph L. Tierney in which I addressed
questions which had arisen relative to my handling of the obtaining of
[redacted]
[redacted] during late August and
early September, 1985. In addition to the information I have
furnished in that and one other signed statement which I furnished to
SA [redacted] on October 29, 1985, I am now providing additional
information relative to [redacted]

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During a telephone conversation with ASAC [redacted]
of the Albuquerque Division, on or about August 15, 1985, I was told
that it would be necessary to [redacted]
[redacted] I told [redacted] to have the Albuquerque
Principal Legal Advisor get in touch with the Legal Counsel Division,
FBI Headquarters, and work out the details relative to [redacted]

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Thereafter, I told SSA [redacted] to handle [redacted]

[redacted]

[redacted] At that time, I probably told [redacted] about the problem with [redacted] however, I do not specifically recall this. [redacted]

[redacted]

information relative to [redacted] I believe that the Albuquerque

[redacted]

[redacted] I did not push for [redacted] during the early or mid-part of August, 1985, because there were other things going on in the unit and because [redacted]

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[redacted]

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[Redacted]

The next thing I remember was being contacted in approximately early to the middle of September, 1985, by SSA [Redacted] and being told that [Redacted]

[Redacted] I was also told by SSA [Redacted] that the attorney handling this matter, [Redacted] was on Annual Leave and had not handled [Redacted]

[Redacted] I did not do anything with this information because to me it was not a major issue. I believe I merely told [Redacted] to keep working with the Department to [Redacted] I do not believe that I advised anyone above my level of the difficulties we were having relative to [Redacted] I have never seen [Redacted]

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[Redacted] to the best of my recollection although SSA [Redacted] indicated to me that it had been done and had been sent over to FBI Headquarters from the Department of Justice.

In the context of the mode of the physical surveillance being conducted on Mr. Howard prior to his interview at Santa Fe (very covert), [Redacted]

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[Redacted] My reasons for this line of thinking are as follows: [Redacted]

[Redacted]

[Handwritten mark]

[Redacted]

[Redacted] (3) [Redacted]

[Redacted]

[Redacted] he would have been in a position to flee from us prior to an interview attempt and prior to the FBI being able to develop probable cause which could be used to detain him.

After Mr. Howard's interview, I do not believe that I ever considered [Redacted] nor was it ever mentioned because, at that point, physical surveillance was in an overt mode. Because the surveillance was in an overt mode, I would have not considered [Redacted]

[Redacted] In addition to the above, I would like to make the following points regarding [Redacted] in the Howard case. [Redacted]

[Redacted]

[Redacted]

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Howard's method of escape, which was from a vehicle after it had turned the corner and the use of a dummy to cover his exit from the vehicle, it appears to me that, had [Redacted]

[Redacted] it would not have prevented Howard's successful escape plan.

Second, Howard had been interviewed, was aware he was under surveillance, and that the surveillance was intentionally overt, again, a situation which does not [Redacted] At the time Howard escaped, we had highly trained surveillance personnel on

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up
duty,

[Redacted]

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[Redacted]

[Redacted] it appears to me that Howard's escape was due primarily to the failure of the monitoring Agent to properly carry out his duties on the evening of September 21, 1985.

I have read this statement consisting of this and four other pages and it is true and correct to the best of my knowledge. *up*

[Redacted]

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SSA [Redacted]

Sworn to and subscribed before me this 14th day of February, 1986, at Washington, D.C.

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[Redacted signature]

SSA
FBI Headquarters

Witness:

[Redacted signature]

SSA
FBI Headquarters

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/13/86

[redacted] Secretary, CI-3-G, Intelligence Division, Room 4648, extension 4696, provided the following information on 2/13/86.

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She maintains the log for applications to USFISC and file folders of the applications. She has a record for an application to USFIC for Edward Lee Howard, 8/18/85. A copy of this log is attached; the pages are unnumbered and are in date order. A review of the log from August, 1985 to November, 1985, did not find any other entries for Edward Lee Howard. A file was located for an application regarding Mary Howard on 10/24/85, but this application is not recorded on the log. Only one file for Edward Lee Howard was located and it is dated 8/18/85.

[redacted] advised she has no knowledge of an amended or second USFISC application for Edward Lee Howard.

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Investigation on 2/13/86 at Washington, D.C. File # _____
by SA [redacted] ^{mlc} MLC:ngm Date dictated 2/13/86

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Title and Date

Date Delivered

<u>Title and Date</u>	<u>Date Delivered</u>

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