1.IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	CRIMINAL NO.
ROBERT PHILIP HANSSEN,	)	
a/k/a “B”	)	
a/k/a “Ramon Garcia”	)	
a/k/a “Jim Baker”	)	
a/k/a “G. Robertson”	)	

AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT, ARREST WARRANT AND SEARCH WARRANTS

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AFFIDAVIT IN SUPPORT OF
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I, Stefan A. Pluta, being duly sworn, depose and state as follows:

1. I am presently employed as a Special Agent of the Federal Bureau of Investigation (FBI) and am assigned to the Washington Field Office in the District of Columbia. I have been employed as an FBI Special Agent for approximately 13 years. I have completed FBI training in foreign counterintelligence matters. As a result of my training and experience, I am familiar with the tactics, methods, and techniques of foreign intelligence services and their agents.

2. This affidavit is in support of applications for the following:

A) A warrant for the arrest of ROBERT PHILIP HANSSEN (DOB 4/18/44) for violations of Title 18 United

I. SUMMARY OF INVESTIGATION

4. The results of this investigation to date indicate that there is probable cause to believe that, beginning in 1985 and continuing to the present, ROBERT PHILIP HANSSEN (hereinafter "HANSSEN"), a United States citizen, has conspired with officers and agents of the Union of Soviet Socialist Republics (hereinafter "USSR" or "Soviet Union") and with its principal successor state, the Russian Federation (hereinafter "Russia") to commit espionage against the United States on behalf of a foreign government, specifically the Soviet Union or Russia, and has in fact engaged in such espionage.

5. The evidence establishes that between 1985 and the present, HANSSEN –- who the KGB/SVR referred to as "B" –- has engaged in the following conduct in violation of 18 U.S.C. §§794(a) and (c):

(a) He compromised numerous human sources of the United States Intelligence Community. Three of these sources were compromised by both HANSSEN and former CIA officer Aldrich Ames, resulting in their arrest, imprisonment and, as to two individuals, execution. HANSSEN compromised these three individuals expressly in order to enhance his own security and enable him to continue spying against the United States.

(b) He compromised dozens of United States Government classified documents, including documents concerning the National MASINT (Measurement and Signature Intelligence) Program

(classified TOP SECRET/SCI), the United States Double Agent Program (classified SECRET), the FBI Double Agent Program (classified TOP SECRET), the United States Intelligence Community's Comprehensive Compendium of Future Intelligence Requirements (classified TOP SECRET), a study concerning KGB recruitment operations against the CIA (classified SECRET), an assessment of the KGB's effort to gather information concerning certain United States nuclear programs (classified TOP SECRET), a CIA analysis of the KGB's First Chief Directorate (classified SECRET), a highly classified and tightly restricted analysis of the foreign threat to a specific named highly compartmented classified United States Government program (classified TOP SECRET/SCI), and other classified documents of exceptional sensitivity.

(c) He compromised United States Intelligence Community technical operations of extraordinary importance and value. This included specific electronic surveillance and monitoring techniques and precise targets of the United States Intelligence Community. In one case, he compromised an entire technical program of enormous value, expense and importance to the United States Government. In several other cases, he compromised the United States Intelligence Community's specific communications intelligence capabilities, as well as several specific targets.

(d) He compromised numerous FBI counterintelligence investigative techniques, sources, methods and operations, and

FBI operational practices and activities targeted against the KGB/SVR. He also advised the KGB/SVR as to specific methods of operation that were secure from FBI surveillance and warned the KGB/SVR as to certain methods of operation which were subject to FBI surveillance.

(e) He disclosed to the KGB the FBI's secret investigation of Felix Bloch, a Foreign Service Officer, for espionage, which led the KGB to warn Bloch that he was under investigation, and completely compromised the investigation.

(f) HANSSEN's conspiratorial activities continue to the present. HANSSEN continues to monitor a particular SVR signal site, doing so on numerous occasions in December 2000, January 2001 and February 2001. A recent search of HANSSEN's personal vehicle, pursuant to court authorization, disclosed a number of classified SECRET documents, entries in a personal journal concerning matters related to the instant investigation, and items typically used to mark signal sites. It has also been determined that HANSSEN continues to attempt to ascertain whether he has become the subject of FBI investigative interest, including checking FBI records to determine whether there have been recent entries as to his own name, his home address, or the signal site.

(g) Over the course of HANSSEN's espionage activities, he communicated on numerous occasions with KGB/SVR personnel. This Affidavit cites 27 letters he sent to the KGB/SVR, and it

describes 33 packages the KGB/SVR left for HANSSEN at secret locations, and 22 packages HANSSEN left for the KGB/SVR at secret locations. The Affidavit also describes two telephone conversations HANSSEN had with KGB personnel. The Affidavit describes 26 computer diskettes that HANSSEN passed to the KGB/SVR, containing additional disclosures of information, and 12 diskettes that the KGB/SVR passed to "B". HANSSEN provided the KGB/SVR more than 6,000 pages of documentary material.

(h) For his services to the KGB/SVR, HANSSEN was paid over $600,000 in cash and diamonds. In addition, the KGB/SVR placed funds in escrow in a Moscow bank on HANSSEN's behalf. Some time in the last two years, the KGB/SVR informed HANSSEN that the escrowed funds are now worth at least $800,000.

II. KEY TERMS AND ENTITIES

6. The term counterintelligence means information gathered and activities conducted to protect against espionage, other intelligence activities, sabotage, or assassination conducted for or on behalf of foreign powers, organizations or persons.

7. The KGB (*Komitet Gosudarstvenoy Bezopasnosti*, or Committee for State Security) was the intelligence service of the former Soviet Union. The KGB's First Chief Directorate (FCD) was responsible for foreign intelligence, active measures, and counterintelligence. KGB FCD intelligence officers assigned to Soviet diplomatic missions could be assigned to Line KR (Foreign

Counterintelligence), Line N (Illegals Operations), Line PR (Political), or Line X (Science and Technology), among others. The KGB's Second Chief Directorate (SCD) was responsible, among other things, for domestic counterintelligence, that is, counterintelligence activities within the Soviet Union. The KGB's Moscow headquarters was referred to as the Moscow Center.

8. Since December 1991, the SVR (*Sluzhba Vneshney Razvedki Rossii*, or Russian Foreign Intelligence Service) has been the Russian Federation's successor agency to the KGB's foreign intelligence arm.

9. The GRU (*Glavnoye Razvedyvatelnoye Upravlenie*, or Chief Intelligence Directorate of the General Staff) was the military intelligence agency of the former Soviet Union, and continues to serve that function for the Russian Federation.

10. The Soviet/Russian Embassy in Washington, D.C., is located at 1125 16th Street, N.W.; the Soviet/Russian Diplomatic Compound is located at 2650 Wisconsin Avenue, N.W. The KGB/SVR presence in a Soviet/Russian diplomatic mission is called the *Rezidentura*, headed by the KGB/SVR *Rezident*.

11. An agent-in-place is a person who remains in a position while acting under the direction of a hostile intelligence service, so as to obtain current intelligence information. It is also called a recruitment-in-place.

12. An illegal is an intelligence officer or a recruited agent who operates in a foreign country in the guise of a private person, and is often present under false identity.

13. A double agent is an agent engaged in clandestine activity for two or more intelligence services who provides information about one service to another.

14. A dead drop is a prearranged hidden location used for the clandestine exchange of packages, messages, and payments, which avoids the necessity of an intelligence officer and an agent being present at the same time.

15. A signal site is a prearranged fixed location, usually in a public place, on which an agent or intelligence officer can place a predetermined mark in order to alert the other to operational activity. Such a mark may be made by, for example, chalk or a piece of tape. The operational activity signaled may be the fact that a dead drop has been "loaded" and is ready to be "cleared." A call-out signal may be used to trigger a contact between an agent and an intelligence officer.

16. An accommodation address is a "safe" address, not overtly associated with intelligence activity, used by an agent to communicate with the intelligence service for whom he working.

17. The FBI has documented the use by the KGB/SVR of agents-in-place, illegals, double agents, dead drops, signal sites, call-out signals, and accommodation addresses, including

their use in the Northern Virginia area, in the Eastern District of Virginia.

18. The United States Intelligence Community is the aggregation of those Executive Branch entities and programs that, in accordance with applicable United States law and the provisions of Executive Order 12333, conduct intelligence activities that are necessary for the conduct of foreign relations and the protection of the national security of the United States, and that make up the total national intelligence effort. It includes the FBI's National Security Division, the Central Intelligence Agency (CIA), the National Security Agency (NSA), the National Reconnaissance Organization (NRO), the Defense Intelligence Agency (DIA), the Bureau of Intelligence and Research of the Department of State (DOS/INR), and the intelligence elements of the military service branches, among other entities.

19. The Foreign Intelligence Surveillance Act (FISA), Title 50, United States Code, Sections 1801-1811 and 1821-1829, provides for electronic surveillance and searches within the United States directed at persons for whom there is probable cause to believe they are knowingly engaged in clandestine intelligence gathering activities for or on behalf of a foreign power, which activities involve or may involve a violation of the criminal statutes of the United States, as authorized by the Foreign Intelligence Surveillance Court (FISC).

20. Aldrich Hazen Ames is a former CIA officer who in 1994 was arrested and subsequently pled guilty to having committed espionage as an agent of the KGB and SVR. Ames volunteered to the KGB in April 1985, and provided information to the KGB and the SVR until the date of his arrest in February 1994.

21. Classified information is defined by Executive Order 12958 and its predecessor orders (including E.O. 12356), as follows: information in any form that (1) is owned by, produced by or for, or under the control of the United States Government; (2) falls within one or more of the categories set forth in Section 1.5 of the Order (including intelligence sources or methods, cryptology, military plans, and vulnerabilities or capabilities of systems, installations, projects, or plans relating to the national security), and (3) is classified by an original classification authority who determines that its unauthorized disclosure reasonably could be expected to result in damage to the national security. Where such unauthorized release could reasonably result in "serious" damage, the information may be classified as SECRET. Where such damage is "exceptionally grave," the information may be classified TOP SECRET. Access to classified information at any level may be further restricted through compartmentation in SENSITIVE COMPARTMENTED INFORMATION (SCI) categories. Dissemination of classified information at any level may also be restricted through caveats such as: NOFORN (Not Releasable to Foreign Nationals), NOCONTRACT (Not Releasable to

Contractors or Contractor/Consultants), WNINTEL (Warning Notice: Intelligence Sources and Methods Involved), and ORCON (Dissemination and Extraction of Information Controlled by Originator).

III. BACKGROUND OF ROBERT PHILIP HANSSEN

22. ROBERT PHILIP HANSSEN was born on April 18, 1944, in Chicago, Illinois, where he was raised. He is a United States citizen.

23. HANSSEN received an AB degree in Chemistry from Knox College, in Illinois, in 1966. He studied dentistry at Northwestern University, in Chicago, Illinois, from 1966 to 1968, and received an MBA degree in Accounting and Information Systems from Northwestern University in 1971. He became a Certified Public Accountant in 1973.

24. From 1971 to 1972, HANSSEN was employed as a junior accountant at an accounting firm in Chicago, Illinois. In 1972, HANSSEN joined the Chicago Police Department as an investigator in the Financial Section of the Inspection Services Division.

25. HANSSEN studied the Russian language during college.

A. FEDERAL BUREAU OF INVESTIGATION EMPLOYMENT AND DUTIES

26. On January 12, 1976, HANSSEN entered on duty as a Special Agent of the Federal Bureau of Investigation. He has served as an FBI Special Agent continuously since that date.

27. After initial training, HANSSEN was assigned to the FBI Field Office in Indianapolis, Indiana, and served on a White

Collar Crime squad at the Resident Agency in Gary, Indiana, until August 1, 1978.

28. From August 2, 1978 to January 10, 1981, HANSSEN was assigned to the FBI Field Office in New York, New York, initially working on accounting matters in the Field Office's criminal division.

29. In March 1979, HANSSEN was detailed to the New York Field Office's intelligence division to help establish the FBI's automated counterintelligence data base in that office. At that time, this was a new automated database of information about foreign officials, including intelligence officers, assigned to the United States. Its contents were classified up to the SECRET level.

30. From January 12, 1981, to September 22, 1985, HANSSEN was assigned to FBI Headquarters in Washington, D.C., as a Supervisory Special Agent in the Intelligence Division. From January 1981 to August 1983, HANSSEN was assigned to the Budget Unit, which managed the FBI's portion of the United States Intelligence Community's National Foreign Intelligence Program, and prepared budget justifications to Congress. This office had access to the full range of information concerning intelligence and counterintelligence activities involving FBI resources. From August 1983 until September 1985, HANSSEN was assigned to the Soviet Analytical Unit, which supported FBI FCI operations and investigations involving Soviet intelligence services, and

provided analytical support to senior FBI management and the Intelligence Community.

While at FBI Headquarters, HANSSEN was assigned to the intelligence component of a particular highly-compartmented classified United States Government program. He also served on the FBI's FCI Technical Committee, which was responsible for coordinating technical projects relating to FCI operations.

31. From September 23, 1985, to August 2, 1987, HANSSEN was assigned to the intelligence division of the FBI Field Office in New York, New York, as supervisor of an FCI squad.

32. From August 3, 1987, to June 24, 1990, HANSSEN was reassigned to FBI Headquarters in Washington, D.C., where he again served as a Supervisory Special Agent in the Intelligence Division's Soviet Analytical Unit.

33. From June 25, 1990, to June 30, 1991, HANSSEN was assigned to the FBI Headquarter's Inspections Staff as an Inspector's Aide. In this assignment he traveled to FBI Field Offices, Resident Agencies, and FBI Legal Attaché offices in United States Embassies abroad.

34. On July 1, 1991, HANSSEN returned to the Intelligence Division at FBI Headquarters, where he served for six months in the Soviet Operations Section as a program manager in the unit responsible for countering efforts by the Soviets (and particularly the KGB's Line X) to acquire United States scientific and technical intelligence.

35. From January 6, 1992, to April 11, 1994, HANSSEN served as Chief of the National Security Threat List (NSTL) Unit in the Intelligence Division (renamed the National Security Division, or NSD, in 1993) at FBI Headquarters. There he focused the Unit's efforts on economic espionage.

36. In April 1994, HANSSEN was temporarily assigned to the FBI's Washington Metropolitan Field Office (now called Washington Field Office).

37. In December 1994, HANSSEN was reassigned to FBI Headquarters, in the Office of the Assistant Director for NSD.

38. From February 12, 1995, to January 12, 2001, HANSSEN was detailed to serve as the FBI's senior representative to the Office of Foreign Missions of the United States Department of State (DOS/OFM). In that position he functioned as the head of an interagency counterintelligence group within DOS/OFM, and as FBI's liaison to the State Department's Bureau of Intelligence and Research (DOS/INR). His office was in an area designated Suites 106, 107 and 108 of Room 2510C of the State Department building at 2201 C Street, N.W., Washington, D.C.

39. Effective January 13, 2001, HANSSEN was assigned to a newly-created position in the Information Resources Division, at FBI Headquarters, in order that the FBI could more effectively monitor his daily activities without alerting him to the ongoing investigation of his activities. His current office is Room 9930

of FBI Headquarters, 935 Pennsylvania Avenue, N.W., Washington, D.C.

40. At no time during his employment with the FBI was HANSSEN ever authorized, directly or indirectly, to deliver, communicate, or transmit the classified information and documents described in this Affidavit to agents, officers, or employees of the KGB, SVR, or any other hostile foreign intelligence service.

B. OATHS OF OFFICE

41. On January 12, 1976, upon entering service with the FBI, HANSSEN signed an Oath of Office in which he swore that:

> I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

42. On January 12, 1976, HANSSEN also signed the FBI Pledge for Law Enforcement Officers, in which he pledged, in part, as follows:

> Humbly recognizing the responsibilities entrusted to me, ... I accept the obligation in connection with my assignments to . . . consider the information, coming into my knowledge by virtue of my position as a sacred trust, to be used solely for official purposes. . . . In the performance of my duties and assignments, I shall not engage in unlawful and unethical practices . . . . While occupying the status of a law enforcement officer or at any other time subsequent thereto, I shall not seek to benefit personally because of my knowledge of any confidential matter which has come to my attention. I am aware of the serious responsibilities of my office and in the performance of my duties . . . I shall wage vigorous warfare against the enemies of my country, of its laws, and of its

principles; . . . I shall always be loyal to my duty, my organization, and my country.

43. On January 12, 1976, HANSSEN also signed an Employment Agreement in which he stated, in part:

> I hereby declare that I intend to be governed by and I will comply with the following provisions:
>
> (1) That I am hereby advised and I understand that Federal law such as Title 18, United States Code, Sections 793, 794, and 798; Order of the President of the United States (Executive Order 11652); and regulations issued by the Attorney General of the United States (28 Code of Federal Regulations, Sections 16.21 through 16.26) prohibit loss, misuse, or unauthorized disclosure or production of national security information, other classified information and other nonclassified information in the files of the FBI;
>
> (2) I understand that unauthorized disclosure of information in the files of the FBI or information I may acquire as an employee of the FBI could result in impairment of national security, place human life in jeopardy, or result in the denial of due process to a person or persons who are subjects of an FBI investigation, or prevent the FBI from effectively discharging its responsibilities. I understand the need for this secrecy agreement; therefore, as consideration for employment I agree that I will never divulge, publish, or reveal either by word or conduct, or by other means disclose to any unauthorized recipient without official written authorization by the Director of the FBI or his delegate, any information from the investigatory files of the FBI or any information relating to material contained in the files, or disclose any information or produce any material acquired as part of the performance of my official duties or because of my official status. . . .
>
> (4) That I understand unauthorized disclosure may be a violation of Federal law and prosecuted as a criminal offense and in addition to this agreement may be enforced by means of an injunction or other civil remedy.

C. SECURITY CLEARANCES AND ACKNOWLEDGMENTS

44. HANSSEN received his initial TOP SECRET security clearance on January 12, 1976, and has held various SCI accesses since his initial SCI indoctrination on June 23, 1980.

45. On June 23, 1980, HANSSEN signed a Nondisclosure Agreement for Sensitive Compartmented Information, in which he acknowledged receiving a security indoctrination for a particular SCI program, and further acknowledged, among other things:

> 3. I have been advised that direct or indirect unauthorized disclosure, unauthorized retention, or negligent handling of the designated Sensitive Compartmented Information by me could cause irreparable injury to the United States, and be used to advantage by a foreign nation. . . .
>
> 4. In consideration of being granted access to the designated Sensitive Compartmented Information, I pledge that I will never divulge such information, in any form or any manner, to anyone who is not authorized to receive it, without prior written authorization from an appropriate official of the United States Government.
>
> 5. I have been advised that any unauthorized disclosure of the designated Sensitive Compartmented Information by me may be a substantial violation of this agreement, and may result in the termination of my employment. In addition, I have been advised that any such unauthorized disclosure by me may constitute violations of United States civil or criminal laws, including, as to the latter, the provisions of Sections 793, 794, and 798, Title 18, United States Code, and of Section 783, Title 50, United States Code. . . . I acknowledge that the briefing officer has made available Sections 793, 794, 798, and 1001 of Title 18, United States Code, Section 783 of Title 50, United States Code, Executive Order 12065, as amended and the Information Security Oversight Office Directive of 2 October 1978, as amended, which implements this Executive Order, so that I may read them at any time, if I so choose. . . .

> I make this agreement without any mental reservation or purpose of evasion.

HANSSEN signed further iterations of this SCI Nondisclosure Agreement, in order to have access to additional SCI program information, on the following dates: October 1, 1981; March 1, 1982; September 9, 1983; April 10, 1985; and May 31, 1991.

46. On October 15, 1984, HANSSEN signed a Classified Information Nondisclosure Agreement in which he stated, in part:

> 1. Intending to be legally bound, I hereby accept the obligations contained in this Agreement in consideration of my being granted access to classified information. . . .
>
> 2. I hereby acknowledge that I have received a security indoctrination concerning the nature and protection of classified information . . . .
>
> 3. I have been advised and am aware that direct or indirect unauthorized disclosure, unauthorized retention, or negligent handling of classified information by me could cause irreparable injury to the United States or could be used to advantage by a foreign nation. I hereby agree that I will never divulge such information unless I have officially verified that the recipient has been properly authorized by the United States Government to receive it or I have been given prior written notice of authorization from the United States Government Department or Agency . . . last granting me a security clearance that such disclosure is permitted. I further understand that I am obligated to comply with laws and regulations that prohibit the unauthorized disclosure of classified information.
>
> 4. . . . I have been advised and am aware that any unauthorized disclosure of classified information by me may constitute a violation or violations of United States criminal laws, including the provisions of Sections 641, 793, 794, 798, and 952, Title 18, United States Code, the provisions of Section 783(b), Title 50, United States Code, and the provisions of the Intelligence Identities Protection Act of 1982. I

E. Information provided by former KGB/SVR personnel;

F. Records of the FBI, the CIA, and other agencies of the United States Intelligence Community;

G. The contents of an actual package that the KGB/SVR passed to "B";

H. Forensic testing and examination;

I. Interviews;

J. Physical searches and electronic surveillance conducted by the FBI pursuant to FISC authority;

K. Public records;

L. Other law enforcement and intelligence techniques, sources and methods; and

M. KGB/SVR operational and production files.

V. THE KGB's "B" OPERATION

50. The sources of information described in the foregoing section have established the following regarding "B":

51. On or about October 4, 1985, a KGB Line PR officer in Washington, D.C., named Viktor M. Degtyar, received an envelope by mail, at his residence in Alexandria, Virginia, in the Eastern District of Virginia. The envelope was postmarked "Prince George's Co, MD" on October 1, 1985. Inside was an inner envelope, marked: "DO NOT OPEN. TAKE THIS ENVELOPE UNOPENED TO VICTOR I. CHERKASHIN." At that time, Viktor Ivanovich Cherkashin was the Line KR Chief at the Soviet Embassy in Washington, D.C. Inside the inner envelope was an unsigned typed letter from the

person whom the KGB came to call “B.” The letter read in part as follows:

> DEAR MR. CHERKASHIN:
>
> SOON, I WILL SEND A BOX OF DOCUMENTS TO MR. DEGTYAR. THEY ARE FROM CERTAIN OF THE MOST SENSITIVE AND HIGHLY COMPARTMENTED PROJECTS OF THE U.S. INTELLIGENCE COMMUNITY. ALL ARE ORIGINALS TO AID IN VERIFYING THEIR AUTHENTICITY. PLEASE RECOGNIZE FOR OUR LONG-TERM INTERESTS THAT THERE ARE A LIMITED NUMBER OF PERSONS WITH THIS ARRAY OF CLEARANCES. AS A COLLECTION THEY POINT TO ME. I TRUST THAT AN OFFICER OF YOUR EXPERIENCE WILL HANDLE THEM APPROPRIATELY. I BELIEVE THEY ARE SUFFICIENT TO JUSTIFY A $100,000 PAYMENT TO ME.
>
> I MUST WARN OF CERTAIN RISKS TO MY SECURITY OF WHICH YOU MAY NOT BE AWARE. YOUR SERVICE HAS RECENTLY SUFFERED SOME SETBACKS. I WARN THAT MR. BORIS YUZHIN (LINE PR, SF), MR. SERGEY MOTORIN, (LINE PR, WASH.) AND MR. VALERIY MARTYNOV (LINE X, WASH.) HAVE BEEN RECRUITED BY OUR “SPECIAL SERVICES.”

“B” proceeded to describe in detail a particular highly sensitive and classified information collection technique. In addition, “TO FURTHER SUPPORT MY BONA FIDES” he provided specific closely-held items of information regarding then-recent Soviet defectors. “B” added:

> DETAILS REGARDING PAYMENT AND FUTURE CONTACT WILL BE SENT TO YOU PERSONALLY. . . . MY IDENTITY AND ACTUAL POSITION IN THE COMMUNITY MUST BE LEFT UNSTATED TO ENSURE MY SECURITY. I AM OPEN TO COMMO SUGGESTIONS BUT WANT NO SPECIALIZED TRADECRAFT. I WILL ADD 6, (YOU SUBTRACT 6) FROM STATED MONTHS, DAYS AND TIMES IN BOTH DIRECTIONS OF OUR FUTURE COMMUNICATIONS.

The information concerning the FBI’s recruitment of Yuzhin, Motorin, and Martynov was classified at least at the SECRET level, as was the defector information. The sensitive

information collection technique described above was classified at the TOP SECRET level.

52. Valeriy Fedorovich Martynov was a KGB Line X officer assigned to the Soviet Embassy in Washington, D.C., from October 1980 to November 1985. In April 1982, the FBI recruited Martynov to serve as an agent-in-place, and he was debriefed jointly by the FBI and the CIA. Martynov was compromised to the KGB by Ames in June 1985 and by "B" in October 1985, as described above. Based in part on the information provided by "B", the KGB directed Martynov to return to Moscow in November 1985, ostensibly to accompany KGB officer Vitaliy Yurchenko, who was returning to the Soviet Union after his August 1985 defection to the United States. Upon arriving in Moscow on or about November 7, 1985, Martynov was arrested, and he was subsequently tried on espionage charges. Martynov was convicted and executed.

53. Sergey Mikhailovich Motorin was a KGB Line PR officer assigned to the Soviet Embassy in Washington D.C., from June 1980 to January 1985. In January 1983, the FBI recruited Motorin to serve as an agent-in-place, and he was debriefed by the FBI. Motorin returned to Moscow at the end of his tour of duty in January 1985. Motorin, like Martynov, was compromised to the KGB by Ames in June 1985 and by "B" in October 1985, as described above. Based in part on the information "B" gave the KGB, Motorin was arrested in November or December 1985, tried and

convicted on espionage charges during the period of October-November 1986, and executed in February 1987.

54. Boris Nikolayevich Yuzhin was a KGB Line PR officer assigned to San Francisco under cover as a student from 1975 to 1976, and then as a TASS correspondent from 1978 to 1982. The FBI recruited him to serve as an agent-in-place, and debriefed him. After returning to the Soviet Union, Yuzhin became the subject of an internal KGB investigation. Yuzhin was compromised to the KGB by Ames in June 1985 and by "B" in October 1985. Based in part on the information "B" gave the KGB, Yuzhin was arrested in December 1986, convicted of espionage, and sentenced to serve 15 years in prison. In 1992, he was released under a general grant of amnesty to political prisoners, and subsequently emigrated to the United States.

55. On or about October 15, 1985, Degtyar received by mail, at his residence in Alexandria, Virginia, in the Eastern District of Virginia, a package from "B" containing a large number of classified documents, including some original documents, of the United States Intelligence Community.

56. At 8:35 am on October 16, 1985, FBI surveillance personnel observed Degtyar arriving at the Soviet Embassy carrying a large black canvas bag which he did not typically carry.

57. Thereafter, Degtyar received by mail, at his residence in Alexandria, Virginia, in the Eastern District of Virginia, a

typed message from “B,” in an envelope bearing a handwritten address and postmarked “New York, NY” on October 24, 1985. The message included the following text:

> DROP LOCATION
>
> Please leave your package for me under the corner (nearest the street) of the wooden foot bridge located just west of the entrance to Nottoway Park. (ADC Northern Virginia Street Map, #14, D3)
>
> PACKAGE PREPARATION
>
> Use a green or brown plastic trash bag and trash to cover a waterproofed package.
>
> SIGNAL LOCATION
>
> Signal site will be the pictorial “pedestrian-crossing” signpost just west of the main Nottoway Park entrance on Old Courthouse Road. (The sign is the one nearest the bridge just mentioned.)
>
> SIGNALS
>
> My signal to you: One vertical mark of white adhesive tape meaning I am ready to receive your package.
>
> Your signal to me: One horizontal mark of white adhesive tape meaning drop filled.
>
> My signal to you: One vertical mark of white adhesive tape meaning I have received your package.
>
> (Remove old tape before leaving signal.)

The message established a date and times for the signals and drops, and concluded: “I will acknowledge amount with my next package.”

The KGB designated this dead drop site by the codename "PARK". It is located in Fairfax County, Virginia, in the Eastern District of Virginia.

58. On Saturday, November 2, 1985, the KGB loaded the "PARK" dead drop site with $50,000 in cash and a message proposing procedures for future contacts with "B".

59. On or about November 8, 1985, Degtyar and Cherkashin received a typed letter from "B", which read in part as follows:

> Thank you for the 50,000.
>
> I also appreciate your courage and perseverance in the face of generically reported bureaucratic obstacles. I would not have contacted you if it were not reported that you were held in esteem within your organization, an organization I have studied for years. I did expect some communication plan in your response. I viewed the postal delivery as a necessary risk and do not wish to trust again that channel with valuable material. I did this only because I had to so you would take my offer seriously, that there be no misunderstanding as to my long-term value, and to obtain appropriate security for our relationship from the start.

"B" then rejected the contact plans proposed by the KGB, and suggested a particular communications scheme based on "a microcomputer 'bulletin board'" at a designated location, with "appropriate encryption." Meanwhile, he wrote: "Let us use the same site again. Same timing. Same signals." "B" proposed that the next dead drop occur on "September 9" which, according to the "6" coefficient that he established with the KGB in his first letter, actually meant that the dead drop operation would take place on March 3, 1986.

"B" also wrote:

> As far as the funds are concerned, I have little need or utility for more than the 100,000. It merely provides a difficulty since I can not spend it, store it or invest it easily without triping [sic] "drug money" warning bells. Perhaps some diamonds as security to my children and some good will so that when the time comes, you will accept by [sic] senior services as a guest lecturer. Eventually, I would appreciate an escape plan. (Nothing lasts forever.)

Referring to Yuzhin, Motorin, and Martynov, whom he had identified in his first letter as United States intelligence recruitments, “B” wrote:

> I can not provide documentary substantiating evidence without arousing suspicion at this time. Never-the-less, it is from my own knowledge as a member of the community effort to capitalize on the information from which I speak. I have seen video tapes of debriefings and physically saw the last, though we were not introduced. The names were provided to me as part of my duties as one of the few who needed to know. You have some avenues of inquiry. Substantial funds were provided in excess of what could have been skimmed from their agents. The active one has always (in the past) used a concealment device -- a bag with bank notes sewn in the base during home leaves.

In conclusion, “B” warned of a “new technique” used by NSA, which he described.

60. On March 3, 1986, the KGB loaded dead drop site “PARK”, but “B” did not appear and the KGB removed its package from the dead drop site the same day.

61. On or about June 30, 1986, Degtyar received a typed letter from “B” at his residence in Alexandria, Virginia, in the Eastern District of Virginia. The letter read in part as follows:

> I apologize for the delay since our break in communications. I wanted to determine if there was any cause for concern over security. I have only seen one item which has given me pause. When the FBI was first given access to Victor Petrovich Gundarev, they asked . . . if Gundarev knew Viktor Cherkashin. I thought this unusual. I had seen no report indicating that Viktor Cherkashin was handling an important agent, and here-to-fore he was looked at with the usual lethargy awarded Line Chiefs. The question came to mind, are

> they somehow able to monitor funds, ie., to know that Viktor Cherkashin received a large amount of money for an agent? I am unaware of any such ability, but I might not know that type of source reporting.

"B" then described a United States Intelligence Community technical surveillance technique. He concluded:

> If you wish to continue our discussions, please have someone run an advertisement in the Washington Times during the week of 1/12/87 or 1/19/87, for sale, "Dodge Diplomat, 1971, needs engine work, $1000." Give a phone number and time-of-day in the advertisement where I can call. I will call and leave a phone number where a recorded message can be left for me in one hour. I will say, "Hello, my name is Ramon. I am calling about the car you offered for sale in the Times." You will respond, "I'm sorry, but the man with the car is not here, can I get your number." The number will be in Area Code 212. I will not specify that Area Code on the line.

"B" signed the letter: "Ramon".

According to the established "6" coefficient, the weeks the advertisement was actually to run were July 6, 1986, or July 13, 1986.

62. Viktor Gundarev was a KGB Line KR officer who defected to the United States on February 14, 1986. A classified FBI debriefing report, dated March 4, 1986, reports that FBI debriefers showed Gundarev a photo of Cherkashin and asked if he knew Cherkashin.

63. The following advertisement appeared in the Washington Times from July 14, 1986, to July 18, 1986:

> DODGE - '71, DIPLOMAT, NEEDS ENGINE WORK, $1000. Phone (703) 451-9780 (CALL NEXT Mon., Wed., Fri. 1 p.m.)

64. The number 703/451-9780 at that time belonged to a public telephone located in the vicinity of the Old Keene Mill Shopping Center, in Fairfax County, Virginia, in the Eastern District of Virginia. On Monday, July 21, 1986, "B" called that number and gave the number 628-8047. The call was taken by Aleksandr Kirillovich Fefelov, a KGB officer assigned to the Soviet Embassy in Washington, D.C.

65. One hour later, Fefelov telephoned 212/628-8047 and told "B" that the KGB had loaded the "PARK" dead drop site. The KGB mistakenly placed the package under the wrong corner of the wooden footbridge at the "PARK" site.

66. On or about August 7, 1986, Degtyar received a letter from "B" stating that he had not found the package at the dead drop site, and indicating that he would phone 703/451-9780 on August 18, 20, or 22. The KGB then retrieved its package from the "PARK" dead drop site.

67. On Monday, August 18, 1986, "B" telephoned 703/451-9780, and spoke with Fefelov. The latter portion of the conversation was recorded as follows: ([UI] = unintelligible)

"B": Tomorrow morning?

FEFELOV: Uh, yeah, and the car is still available for you and as we have agreed last time, I prepared all the papers and I left them on the same table. You didn't find them because I put them in another corner of the table.

"B": I see.

FEFELOV: You shouldn’t worry, everything is okay. The papers are with me now.

“B”: Good.

FEFELOV: I believe under these circumstances, mmmm, it’s not necessary to make any changes concerning the place and the time. Our company is reliable, and we are ready to give you a substantial discount which will be enclosed in the papers. Now, about the date of our meeting. I suggest that our meeting will be, will take place without delay on February thirteenth, one three, one p.m. Okay? February thirteenth.

“B”: [UI] February second?

FEFELOV: Thirteenth. One three.

“B”: One three.

FEFELOV: Yes. Thirteenth. One p.m.

“B”: Let me see if I can do that. Hold on.

FEFELOV: Okay. Yeah.

[pause]

“B”: [whispering] [UI]

FEFELOV: Hello? Okay.

[pause]

“B”: [whispering] Six . . . . Six . . . .

[pause]

“B”: That should be fine.

FEFELOV: Okay. We will confirm you, that the papers are waiting for you with the same horizontal tape in the same place as we did it at the first time.

“B”: Very good.

FEFELOV: You see. After you receive the papers, you will send the letter confirming it and signing it, as usual. Okay?

“B”: Excellent.

FEFELOV: I hope you remember the address. Is . . . if everything is okay?

“B”: I believe it should be fine and thank you very much.

FEFELOV: Heh-heh. Not at all. Not at all. Nice job. For both of us. Uh, have a nice evening, sir.

“B”: Do svidaniya.

FEFELOV: Bye-bye.

According to the established “6" coefficient, the operation discussed in this conversation was actually scheduled to occur on August 19, 1986, at 7:00 am.

The KGB then loaded the “PARK” dead drop site with $10,000 in cash, as well as: proposals for two additional dead drop sites to be used by “B” and the KGB; a new accommodation address codenamed “NANCY”; and emergency communications plans for “B” to personally contact KGB personnel in Vienna, Austria. The “NANCY” address was the residence of KGB Line PR officer Boris M. Malakhov in Alexandria, Virginia, in the Eastern District of Virginia, who was to become Degtyar’s replacement as the Soviet Embassy press secretary. “B” was instructed to mis-spell Malakhov’s name as “Malkow.” “B” subsequently cleared the dead drop.

68. Thereafter, Degtyar received an envelope at his residence in Alexandria, Virginia, in the Eastern District of Virginia. The envelope bore a handwritten address and return address: “Ramon Garcia, 125 Main St, Falls Church VA.” It was postmarked from “NO VA MSC 22081" on August 19, 1986. MSC designates the Merrifield Service Center, located in the Eastern District of Virginia. Inside the envelope was a handwritten note: “RECEIVED $10,000. RAMON.”

69. On or about September 11, 1987, Malakhov received an envelope at his residence in the Eastern District of Virginia. The envelope bore a handwritten address to “B.N. MALKOW” at the “NANCY” address, and a handwritten return address of “R. GARCIA, 125 MAIN ST, ALEXANDRIA, VA”, and was postmarked September 8, 1987. Inside was the following typed letter:

> Dear Friends:
>
> No, I have decided. It must be on my original terms or not at all. I will not meet abroad or here. I will not maintain lists of sites or modified equipment. I will help you when I can, and in time we will develop methods of efficient communication. Unless a [sic] see an abort signal on our post from you by 3/16, I will mail my contact a valuable package timed to arrive on 3/18. I will await your signal and package to be in place before 1:00 pm on 3/22 or alternately the following three weeks, same day and time. If my terms are unacceptable then place no signals and withdraw my contact. Excellent work by him has ensured this channel is secure for now. My regards to him and to the

professional way you have handled this matter.

sincerely,
Ramon

According to the established “6” coefficient, the dates referred to in this letter were actually September 10, 12, and 16.

70. On Monday, September 14, 1987, the KGB received in the mail a package of documents including TOP SECRET National Security Council documents.

71. On Tuesday, September 15, 1987, the KGB loaded the “PARK” dead drop site with $10,000 cash. The KGB also proposed two additional dead drop sites, one codenamed “AN” located in Ellanor C. Lawrence Park in Western Fairfax County, in the Eastern District of Virginia, and another codenamed “DEN” at a different location farther away. The KGB proposed that “B” load the dead drop at “PARK” or “AN” on September 26, 1987, and that the KGB respond by loading “DEN”.

72. On Wednesday, September 16, 1987, the KGB determined that “B” had cleared the “PARK” dead drop and removed the signal.

73. On September 26, 1987, the KGB recovered from the “PARK” dead drop site a package from “B”. The package contained a handwritten letter reading as follows:

My Friends:

Thank you for the $10,000.

I am not a young man, and the commitments on my time prevent using distant drops such as you suggest. I know in this I am moving you out of your set modes of

> doing business, but my experience tells me the [sic] we can be actually more secure in easier modes.

"B" then suggested an exchange procedure involving a parked car instead of a dead drop site, and a related communications procedure, but stated: "If you cannot do this I will clear this once 'AN' on your scheduled date (rather than the other)." He then asked the KGB to "Find a comfortable Vienna VA signal site to call me to an exchange any following Monday." He closed the letter, "Good luck with your work", and signed it "Ramon."

The package also contained a document which the KGB described as having the title which roughly translates into English as: "National Intelligence Program for 87".

74. Thereafter, the KGB proposed to "B" a signal site in Vienna, Virginia, in the Eastern District of Virginia, on the post of a stop sign on the shoulder of Courthouse Road near its junction with Locust Street. This signal site was referred to as "V".

75. On September 29, 1987, the KGB deposited $100,000 into an escrow account established for "B" in a Soviet bank in Moscow.

76. On November 10, 1987, Malakhov received a letter from "B" at his residence in the Eastern District of Virginia. The envelope bore a return address of "J. Baker" in "Chicago" and was postmarked on November 7, 1987. In the letter, "B" advised that Saturday for "AN" was not suitable, and he postponed the operation for two days, until Monday, November 16. He advised

that he had an urgent package for the KGB, and asked the KGB to place a signal confirming receipt of the letter. That same day, the KGB placed a signal at the "PARK" signal site.

Thereafter, whenever "B" used the word "Chicago" in a return address, it was to signal that he intended for a dead drop exchange to occur the following Monday.

77. On Sunday, November 15, 1987, the KGB loaded the "AN" dead drop site with a package. It was not cleared by "B" and, on November 17, the KGB removed the package.

78. On Thursday, November 19, 1987, the KGB received a handwritten letter from "B". The envelope bore a return address of "G. Robertson" in "Houston" and was postmarked on November 17, 1987. The letter read as follows:

> Unable to locate AN based on your description at night. Recognize that I am dressed in business suit and can not slog around in inch deep mud. I suggest we use once again original site. I will place my urgent material there at next AN times. Replace it with your package. I will select some few sites good for me and pass them to you. Please give new constant conditions of recontact as address to write. Will not put substantive material through it. Only instructions as usual format.
>
> Ramon

79. On Monday, November 23, 1987, "B" and the KGB carried out an exchange operation at the "PARK" dead drop site.

The package from "B" to the KGB contained: a cable-type report about a meeting in October 1987 with a valuable source, whom the KGB referred to as "M"; a survey of information provided

by Vitaliy Yurchenko; and an official technical document describing COINS-II.

In 1987, COINS-II was the then-current version of the United States Intelligence Community's "Community On-Line Intelligence System," which constituted a classified Community-wide intranet.

The package from the KGB to "B" contained $20,000 cash and a letter conveying "regards" from the KGB Director and advising that $100,000 had been deposited in a bank at 6-7% interest. The letter also asked "B" for a variety of specific classified information. The KGB gave "B" two new accommodation addresses and asked "B" to propose new dead drop sites.

80. On February 4, 1988, the KGB received a note from "B" at one of the new accommodation addresses it had given to "B" in the November 23, 1987, dead drop. The address was the residence of a Soviet diplomatic official known to the FBI as a KGB co-optee, located in the Eastern of Virginia. The note read simply: "OK". It was in an envelope bearing a return address of "Jim Baker" in "Langley" and postmarked in Washington, D.C., on February 3, 1988.

81. On Monday, February 8, 1988, "B" and the KGB carried out an exchange operation at the "PARK" dead drop site in Nottoway Park, which the KGB had now renamed "PRIME".

The package from "B" to the KGB contained a typed, unsigned letter. In the letter, "B" acknowledged receipt of $20,000 and identified two additional drop sites. He then went on to provide

detailed information concerning a Soviet defector, and advised the KGB that he had arranged time to review the defector's file. "A full report will follow as soon as possible." He then disclosed to the KGB certain specific information concerning the United States Intelligence Community's communication intelligence capabilities.

Enclosed with the letter was the first computer diskette "B" passed to the KGB. Also in the package from "B" were classified documents.

The package from the KGB to "B" contained $25,000 cash, and a letter conveying thanks of the KGB Chairman, Vladimir Kryuchkov, for the information about the valuable source "M". The KGB also asked "B" for more information about "M" and the "agent network" in New York City, and about a particular KGB officer.

On the next day, February 9, 1988, the KGB observed that the signal at "PARK/PRIME" had been removed, indicating that "B" had cleared the dead drop.

82. On March 16, 1988, the KGB received a second computer diskette from "B" at an accommodation address in the Eastern District of Virginia. The envelope bore a return address of "Jim Baker" in "Chicago" and was postmarked in Washington, D.C., on March 15, 1988.

83. On March 17, 1988, the KGB received a letter from "B" at an accommodation address in the Eastern District of Virginia.

The envelope bore a return address of “Jim Baker” in “Chicago” and was postmarked in Northern Virginia on March 16, 1988. In the letter, “B” instructed the KGB to use the “PARK/PRIME” dead drop site until the KGB approved the other sites.

84. On Monday, March 21, 1988, the KGB observed a signal from “B” at the “PARK/PRIME” site, but was unable to check the dead drop site because strangers were present in the park.

85. On March 26, 1988, the KGB received a third computer diskette from “B” at an accommodation address in the Eastern District of Virginia. The envelope bore a return address of “Jim Baker” in “Chicago” and was postmarked in Washington, D.C., on March 24, 1988. The KGB found no text on the diskette, which it referred to as “D-3".

86. On Monday, March 28, 1988, “B” and the KGB carried out an exchange operation at the “PARK/PRIME” dead drop site.

The package from “B” to the KGB included his fourth computer diskette (“D-4”), a TOP SECRET document entitled “The FBI’s Double Agent Program” and a document that the KGB described as a Director of Central Intelligence (DCI) document entitled “Stealth Orientation.”

The package from the KGB to “B” included $25,000 cash and a letter explaining why the KGB had not been able to check the “PARK/PRIME” dead drop site on March 21. In the letter, the KGB also advised it had been unable to read the diskettes “B” had passed to the KGB. The KGB asked “B” for information about codes

and cryptograms, intelligence support for the Strategic Defense Initiative, submarines, and other classified material.

The next day, the KGB observed that "B" had removed the signal from the "PARK/PRIME" site, indicating he had removed the package.

87. On April 4, 1988, the KGB received an envelope from "B" at an accommodation address in the Eastern District of Virginia. The envelope bore a return address of "Jim Baker" in "Alexandria" and was postmarked in Northern Virginia, on March 31, 1988. The envelope contained a note from "B" reading: "use 40 TRACK MODE, this letter is not a signal."

The term "use 40-track mode" refers to a technical process for re-formatting a computer diskette in order to conceal data by putting the data onto specific tracks on the diskette. Unless a person uses the correct codes to decrypt such a diskette, the diskette would appear to be blank.

88. On April 6, 1988, the KGB received a package from "B" at an accommodation address in the Eastern District of Virginia. The envelope bore a return address of "Jim Baker" in "Fairfax" and a postmark of "MSC NO VA" (Merrifield Service Center, Northern Virginia, in the Eastern District of Virginia) on April 5. The package contained a fifth diskette ("D-5"). On the diskette, "B" provided what the KGB characterized as "everything" about a particular KGB officer, additional information about a KGB defector named Victor Sheymov, and information about two

specific Soviet FBI recruitments. "B" also explained why the KGB had been unable to read his diskettes. "B" also asked the KGB for diamonds. The KGB subsequently purchased several diamonds for use in the "B" operation.

89. On May 24, 1988, the KGB received a letter from "B" at an accommodation address in the District of Columbia. The envelope bore a return address of "Jim Baker" in "Chicago" and was postmarked in "MSC NO VA" on May 17, 1988. With the letter was "B"'s sixth diskette ("D-6"), which contained information about a number of matters. The diskette also contained information about a specific recent FBI Soviet recruitment operation.

90. On Monday, May 30, 1988, a KGB officer arrived at the "PARK/PRIME" dead drop site at 9:03 pm, three minutes after the end of the prearranged dead drop exchange period. The KGB officer saw a man who apparently removed the signal, got into his car, and drove away.

91. On July 15, 1988, the KGB received a letter from "B" at an accommodation address in the Eastern District of Virginia. The envelope bore a return address "Chicago" and was postmarked "WDC 200" on July 13, 1988. The zip codes for Washington, D.C., begin "200". The typed letter read as follows:

> I found the site empty. Possibly I had the time wrong. I work from memory. My recollection was for you to fill before 1:00 a.m. I believe Viktor Degtyar was in the church driveway off Rt. 123, but I did not know how he would react to an approach. My schedule

was tight to make this at all. Because of my work, I had to synchronize explanations and flights while not leaving a pattern of absence or travel that could later be correlated with communication times. This is difficult and expensive.

I will call the number you gave me on 2/24, 2/26 or 2/28 at 1:00 a.m., EDST. Please plan filled signals. Empty sites bother me. I like to know before I commit myself as I'm sure you do also. Let's not use the original site so early at least until the seasons change. Some type of call-out signal to you when I have a package or when I can receive one would be useful. Also, please be specific about dates, e.g., 2/24. Scheduling is not simple for me because of frequent travel and wife. Any ambiguity multiplies the problems.

My security concerns may seem excessive. I believe experience has shown them to be necessary. I am much safer if you know little about me. Neither of us are children about these things. Over time, I can cut your losses rather than become one.

Ramon

P.S. Your "thank you" was deeply appreciated.

92. On Monday, July 18, 1988, "B" and the KGB carried out an exchange operation at the "PARK/PRIME" dead drop site.

The package from "B" contained over 530 pages of material, including:

(A) A CIA document concerning certain nuclear programs, dated approximately November 1987, classified TOP SECRET and with the caveats NOFORN NOCONTRACT ORCON.

(B) A DCI document entitled "Compendium of Future Intelligence Requirements: Volume II", dated September 1987, prepared by the Staff of the Intelligence Producers Council and classified TOP SECRET/SCI with the caveat NOFORN.

(C) A CIA Counterintelligence Staff Study entitled "The Soviet Counterintelligence Offensive: KGB Recruitment

Operations Against CIA," dated March 1988 and classified SECRET with the caveats NOFORN NOCONTRACT ORCON. This document contains the following preface:

Warning Notice	Intelligence Sources or Methods Involved (WNINTEL)
National Security Information	Unauthorized Disclosure Subject to Criminal Sanctions

and also specifically defining "NOFORN" as "Not Releasable to Foreign Nationals."

(D) A TOP SECRET comprehensive historical FBI review of allegations from recruitments and defectors over a period of years that the Soviet intelligence services had penetrated the United States Intelligence Community. It identified Soviet recruitments and defectors with specificity, and describes particular information they provided. It contained the following warning:

> IN VIEW OF THE EXTREME SENSITIVITY OF THIS DOCUMENT, THE UTMOST CAUTION MUST BE EXERCISED IN ITS HANDLING. THE CONTENTS INCLUDE A COMPREHENSIVE REVIEW OF SENSITIVE SOURCE ALLEGATIONS AND INVESTIGATIONS OF PENETRATION OF THE FBI BY THE SOVIET INTELLIGENCE SERVICES, THE DISCLOSURE OF WHICH WOULD COMPROMISE HIGHLY SENSITIVE COUNTERINTELLIGENCE OPERATIONS AND METHODS. ACCESS SHOULD BE LIMITED TO A STRICT NEED-TO-KNOW BASIS.

The package from the KGB to "B" contained $25,000 cash and a letter asking for information about surveillance systems, the agent network in New York City, illegal intelligence, and several specific FBI recruitment operations. The KGB proposed two new dead drop and related signal sites. One, named "BOB", was under

a footbridge in Idylwood Park, between Vienna and Falls Church, in the Eastern District of Virginia. The other, named "CHARLIE", was under a footbridge in Eakin Community Park, south of Vienna, in the Eastern District of Virginia. For these dead drop sites, the KGB instructed "B" to load the dead drops by 9:00 pm on the designated day; the KGB would clear it by 10:00 pm and load it with a package which "B" was to clear after 10:00 pm.

93. On July 31, 1988, the KGB received an envelope from "B" at an accommodation address in the Eastern District of Virginia. The envelope bore a return address of Alexandria and contained a letter dated July 29 and "B"'s seventh diskette ("D-7"), which contained information on technical surveillance systems, a new recruitment in New York City, illegal intelligence, and several other specific Soviet recruitment targets.

94. On August 22, 1988, the KGB deposited $50,000 in an escrow account for "B" at a Moscow bank.

95. On September 21, 1988, the KGB received an envelope from "B" at an accommodation address in the Eastern District of Virginia. The envelope bore a return address of "Chicago" and was postmarked "WDC" on September 20. The envelope contained "B"'s eighth diskette ("D-8") and a note that read: "At BOB". The diskette contained information about particular Soviet recruitment targets of the FBI.

96. On Monday, September 26, 1988, "B" and the KGB carried out an exchange operation at the "BOB" dead drop site.

The package from “B” contained approximately 300 pages of material, including an FBI memo about a particular individual believed at the time to be a KGB Line KR officer in New York City, information on technical means of Soviet intelligence, a transcript of a Counterintelligence Group meeting, and information on several other matters.

The package from the KGB contained a diamond valued at $24,720, and a letter advising “B” that $50,000 had been deposited in his account. The letter also expressed gratitude to “B” from the KGB Chairman (Vladimir A. Kryuchov). The letter also discussed communications procedures, security measures, a personal meeting, and passports. It also asked “B” to provide information about classified technical operations in the Soviet Union, agent network details, allies’ sources, FBI programs, past cases, and a certain missile technology.

97. On December 1, 1988, the KGB received a package from “B” at an accommodation address in the Eastern District of Virginia. It bore a return address of “G. Robertson, Baker’s Photo” and was postmarked “WDC” on November 30, 1988. The package contained a letter and his ninth diskette (“D-9”), which contained information about a number of classified matters.

98. On Monday, December 26, 1988, “B” and the KGB carried out an exchange operation at the “CHARLIE” dead drop site in the Eastern District of Virginia.

The package from “B” contained his tenth diskette (“D-10”) and approximately 356 pages of material. On the diskette, “B” provided additional classified information. He also provided six recent National HUMINT Collection Plan (NHCP) documents, and a document whose title the KGB noted as “Soviet Armed Forces and Capabilities for Conducting Strategic Nuclear War Until the End of the 1990s.”

The package from the KGB to “B” contained $10,000 cash, a second diamond, valued at $17,748, and a message in which the KGB asked “B” for additional specific information about a wide variety of classified technical and recruitment matters.

The next day, the KGB observed that the signal at the “CHARLIE” site had been removed, indicating “B” had removed the KGB’s package.

99. On Tuesday, January 31, 1989, the KGB observed an emergency call-out signal at a signal site that it had issued to “B”, located at the intersection of Q Street and Connecticut Avenue, N.W., Washington, D.C. By prearrangement, the KGB immediately unloaded a package from “B” at the “BOB” dead drop site. The package contained a cable, with a note reading: “Send to the Center right away. This might be useful.” Also in the package was “B”’s eleventh diskette (“D-11”), which contained comments on the cable, as well as information on several specific individuals about whom the KGB had asked for information.

100. On Thursday, March 16, 1989, “B” marked a call-out signal site that the KGB has issued to him, located at the Taft Bridge in Northwest Washington, D.C.

101. On Monday, March 20, 1989, “B” and the KGB carried out an exchange operation at the “CHARLIE” dead drop site in the Eastern District of Virginia.

“B” passed two packages to the KGB. One contained a TOP SECRET SCI document entitled “DCI Guidance for the National MASINT Intelligence Program (FY 1991-FY 2000),” prepared by the Measurement and Signature Intelligence (MASINT) Committee and dated November 1988. The document bears the caveats NOFORN and NOCONTRACT, and contains the following preface:

Warning Notice
Intelligence Sources or Methods Involved
(WNINTEL)
NATIONAL SECURITY INFORMATION

Unauthorized Disclosure Subject to Criminal Sanctions

According to its Introduction, this document contains the MASINT Committee's recommendations to the DCI for the collection, processing, and reporting of MASINT, and represents the Intelligence Community's consensus on specific MASINT objectives and studies leading to needed capabilities. Its contents are highly specific and technical. In passing this document to the KGB, "B" requested that it be returned.

The second package from "B" to the KGB contained his twelfth computer diskette ("D-12") and approximately 539 pages of materials including classified information on a variety of matters.

The KGB package to "B" contained $18,000 cash and a third diamond, valued at $11,700. It also contained a letter that confirmed the KGB had received "B"'s packages on December 26 and January 31, discussed a personal meeting, requested new dead drop sites, and asked how to increase operational security. The KGB also asked "B" about his security precautions for the diamonds. ("B" told the KGB that he would say the diamonds came from his grandmother.) The KGB also asked for information about a wide variety of technical and operational subjects. The KGB thanked

“B” for the information he provided on January 31, and asked him “for everything else that’s possible.”

On Tuesday, March 21, 1989, the KGB observed that the signal at “CHARLIE” had been removed, indicating that “B” had removed the KGB’s package.

102. On March 24, 1989, the KGB marked the “V” signal site on Courthouse Road in Vienna, in the Eastern District of Virginia, indicating that “B” should pick up a package at the “PARK/PRIME” dead drop site the following Monday. On Monday, March 27, 1989, the KGB loaded the dead drop with the MASINT document, for return to “B”, but “B” did not clear the drop.

103. In April 1989, the KGB presented several awards to KGB officers involved in the “B” operation, including the highly-coveted Order of the Red Banner, the Order of the Red Star, and the Medal for Excellent Service.

104. On Monday, May 22, 1989, after a call-out signal from “B”, he and the KGB carried out an exchange operation at the “BOB” dead drop site, in the Eastern District of Virginia.

The package “B” passed to the KGB contained the first and third diamonds the KGB had given to him and which “B” returned for cash, and his thirteenth diskette (“D-13”) in which he suggested an account in Switzerland and bonds to be transferred to it. The package also contained approximately 80 pages of material, including a document whose title the KGB noted as “National Intelligence Program 90-91." The diskette contained

classified information about a variety of technical and operational matters.

"B" also provided information about United States Foreign Officer Felix Bloch and an illegal in Vienna, Austria. This disclosure compromised the FBI's then-ongoing espionage investigation of Bloch, as described below.

The package that the KGB passed to "B" on May 22, 1989, did not contain a payment, but in a letter the KGB promised to do so the next time. The KGB also returned the MASINT Committee document, and described its two prior failed efforts to return it.

The next day, the KGB observed that the signal associated with the "BOB" dead drop site had been removed, indicating that "B" had retrieved the KGB's package.

105. Felix Bloch had been identified as an associate of Austria-based known Soviet illegal Reino Gikman on the basis of a telephone call between them on April 27, 1989. One day later, the FBI opened a classified investigation of Bloch, who at the time was assigned to the State Department in Washington, D.C. Meetings between Bloch and Gikman were observed in Paris on May 14, 1989, and Brussels on May 28, 1989. In early June 1989, after "B" had compromised the Bloch investigation, Gikman suddenly left for Moscow. Early on the morning of June 22, 1989, Bloch received a telephone call at his home in Washington, D.C., from a man identifying himself as "Ferdinand Paul". According to

a recording of that call, “Ferdinand Paul” told Bloch that he was calling “in behalf of Pierre” who “cannot see you in the near future” because “he is sick”, and that “a contagious disease is suspected.” (Bloch knew Gikman as “Pierre”.) “Paul” then told Bloch: “I am worried about you. You have to take care of yourself.” Having concluded that this call alerted Bloch that his association with Gikman had been compromised, the FBI interviewed Bloch on June 22 and 23, 1989. Bloch denied he had engaged in espionage and ultimately declined to answer any further questions. The FBI was unable further to develop its investigation of Bloch.

106. On Monday, August 7, 1989, after two call-out signals from “B”, he and the KGB carried out an exchange operation at the “CHARLIE” dead drop site in the Eastern District of Virginia.

In the package from “B” were five rolls of film containing a highly-restricted TOP SECRET/SCI analysis of the foreign threat to a specific and named highly-compartmented United States Government program, dated May 1987.

Also in the package from “B” was his fourteenth diskette (“D-14”), which contained information from the Bloch-Gikman file, and several FBI recruitment attempts. “B” approved a new dead drop site the KGB had proposed, codenamed “DORIS”, located under a footbridge in Canterbury Park in Springfield, Virginia, in the Eastern District of Virginia.

The KGB's package to "B" contained $30,000 cash and a letter promising to compensate him for the returned diamonds. The KGB rejected his suggestions for an account in Switzerland. The KGB discussed communications plans, and proposed a new dead drop site, codenamed "ELLIS", under a footbridge over Wolftrap Creek near Creek Crossing Road at Foxstone Park, near Vienna, Virginia, in the Eastern District of Virginia, with a signal site on the "Foxstone Park" sign.

The next day, the KGB observed that the signal associated with the "CHARLIE" dead drop site had been removed, indicating that "B" had retrieved the KGB's package.

107. On August 17, 1989, the KGB deposited $50,000 into an escrow account established for "B" in a Soviet bank in Moscow.

108. On Monday, September 25, 1989, "B" and the KGB carried out an exchange operation at the "DORIS" dead drop site in the Eastern District of Virginia.

The package from "B" to the KGB contained approximately 80 pages of material including part of a document concerning a highly-sensitive United States technical operation classified at the TOP SECRET/SCI level. In passing this document, "B" compromised a program of enormous value, expense, and importance to the United States. Also in the package was his fifteenth diskette ("D-15"), containing additional classified information.

requested the KGB to load the “ELLIS” dead drop site at any time, and advised that he would check the signal site periodically about the loading.

The package from the KGB to “B” contained $55,000 cash and a letter advising “B” that $50,000 had been deposited into his escrow account in Moscow. “B” never signaled that he had cleared this dead drop, and on October 26 the KGB retrieved its package.

112. On Tuesday, October 31, 1989, the KGB loaded the “ELLIS” dead drop site with a package containing the $55,000 cash and a second KGB diskette. The diskette provided a new accommodation address, and instructions to “B” on how to inform the KGB which materials should be opened by the KGB in Washington, D.C., and which should go to the Center. It conveyed regards from the KGB Chairman and made extensive requests for additional information concerning particular United States intelligence activities targeting the Soviet Union. On November 11, 1989, the KGB observed that the “ELLIS” signal site was removed, indicating that “B” had removed the KGB’s package.

113. On Monday, December 25, 1989, after a call-out signal from “B”, he and the KGB carried out an exchange operation at the “BOB” dead drop site in the Eastern District of Virginia.

The package from “B” to the KGB contained his seventeenth diskette (“D-17”) and several documents including a DCI National Intelligence Estimate entitled “The Soviet System in Crisis: Prospects for the Next Two Years” and dated November 1989. This

document was classified SECRET, bore the caveats NOFORN NOCONTRACT WNINTEL, and contained the notice: “Unauthorized Disclosure Subject to Criminal Sanctions.” He also provided additional documents on the highly sensitive technical operation referred to above.

The diskette contained a message in which “B” complimented the KGB’s efficient actions, and provided current information about: several ongoing FBI recruitment operations against Soviet intelligence officers; three new tightly-protected FBI sources within the KGB and other Soviet entities; and four defectors. He also provided updated information on the Bloch-Gikman matter.

The package from the KGB to “B” contained $38,000 cash as payment for the October 16-23 period plus compensation for the two returned diamonds, and two KGB diskettes. The diskettes contained Christmas greetings from the KGB, discussed communications plans, and asked “B” for specific information about a variety of classified technical operations.

114. On Monday, March 5, 1990, after a call-out signal from “B”, he and the KGB carried out an exchange operation at the “CHARLIE” dead drop site in the Eastern District of Virginia.

The package from “B” to the KGB contained his eighteenth diskette (“D-18”), on which “B” provided classified information on a wide variety of topics, including: four Soviet nationals, a KGB officer, a Soviet illegal, and two KGB defectors, who were all serving as FBI-CIA sources; communications intelligence

operations; and the identification of a particular named NSA employee and the sensitive office in which the employee worked. The package also contained a 120-page document whose title, according to KGB records, was “Soviet Armed Forces and Strategic Nuclear Capabilities for the 1990s,” dated February 1990.

The package from the KGB contained $40,000 cash and a KGB diskette. The diskette discussed communications plans and asked “B” to provide information on a wide variety of classified technical, operational, and recruitment matters. The KGB also asked “B” what the Soviets could use of the certain highly classified and sensitive program information he had previously disclosed.

115. On Monday, May 7, 1990, after a call-out signal from “B”, he and the KGB carried out an exchange operation at the “DORIS” dead drop site in the Eastern District of Virginia.

The package from “B” to the KGB contained his nineteenth diskette (“D-19”) and approximately 232 pages of material, including another document on the tightly-compartmented classified program that was the subject of the document “B” passed to the KGB on August 7, 1989. “B” also gave the KGB permission to use the certain highly classified and sensitive program information he had previously disclosed.

“B” also advised that because of a promotion he would be traveling for one year, and he discussed communications plans and a method of renewing contact.

The package from the KGB to “B” contained $35,000 cash and a KGB diskette. The diskette contained communications plans, and identified a new dead drop site, codenamed “FLO”, located under a footbridge in Lewinsville Park near the intersection of Warner Avenue and Westbury Road in McLean, Virginia, in the Eastern District of Virginia, and a nearby signal site. The diskette also contained specific requests for information, including operational leads and materials on recruitments of Soviets. It read, in part, as follows:

> Dear Friend:
>
> . . . . We attach some information requests which we ask Your kind assistance for. We are very cautious about using Your info and materials so that none of our actions in no way causes [sic] no harm to Your security. With this on our mind we are asking that sensitive materials and information (especially hot and demanding some actions) be accompanied by some sort of Your comments or some guidance on how we may or may not use it with regard to Your security.
>
> We wish You good luck and enclose $35,000.
>
> Thank you.
>
> Sincerely,
>
> Your friends.

116. On or about May 17, 1990, the KGB received a letter and a diskette from “B” at an accommodation address in the Eastern District of Virginia.

117. On Monday, May 21, 1990, the KGB loaded the “ELLIS” dead drop site with a package containing two KGB diskettes, and marked a call-out signal for “B.” “B” picked up the KGB’s package, but did not leave one for the KGB.

The KGB diskettes contained a letter that discussed in detail communications plans and recontact procedures. It read, in part:

> Dear Friend:
>
> Congratulations on Your promotion. We wish You all the very best in Your life and career.
>
> We appreciate Your sympathy for some difficulties our people face - Your friendship and understanding are very important to us. Of course You are right, no system is perfect and we do understand this.
>
> Speaking about the systems. We don't see any problem for the system of our future communications in regard to this new circumstances of Yours. Though we can't but regret that our contacts may be not so regular as before, like You said.
>
> We believe our current commo plan - though neither perfect - covers ruther [sic] flexibly Your needs: You may have a contact with us anytime You want after staying away as long as You have to. So, do Your new job, make Your trips, take Your time. The commo plan we have will still be working. We'll keep covering the active call out signal site no matter how long it's needed. And we'll be in a ready-to-go mode to come over to the drop next in turn whenever You are ready: that is when You are back home and decide to communicate. All You'll have to do is to put Your call out signal, just as now. And You have two addresses to use to recontact us only if the signal sites for some reason don't work or can't be used. . . . But in any case be sure: You may have a contact anytime because the active call out site is always covered according to the schedule no matter how long you've been away. . . .
>
> Thank You and good luck.
> Sincerely,
> Your friends.

The KGB particularly asked "B" to "give us some good leads to possible recruitments" among "interesting people in the right

places." The KGB also asked for information about a Soviet Embassy employee who "B" had previously identified as an FBI recruitment-in-place, and who the KGB believed was about to defect.

118. On August 20, 1990, the KGB received from "B" an envelope, containing his twentieth diskette ("D-20"), at an accommodation address in the Eastern District of Virginia. The envelope bore the return address "J. Baker, Box 1101, Alexandria VA". The diskette contained classified information about several matters. "B" instructed the KGB to load the "FLO" dead drop site on September 3, 1990.

119. On Monday, September 3, 1990, the KGB loaded the "FLO" dead drop site with a package containing $40,000 cash, and a KGB diskette containing a letter which identified more call-out signal sites and contained numerous specific requests for classified information. The letter noted that some of the materials "B" had provided about "political issues of interest . . . were reported to the very top." "B" subsequently picked up the KGB's package.

120. On Saturday, February 2, 1991, in response to an emergency call-out signal from "B", the KGB retrieved a package from "B" at the "CHARLIE" dead drop site in the Eastern District of Virginia. The package contained "B"'s twenty-first diskette ("D-21"), which included a letter in which "B" acknowledged receipt of the $40,000, which he characterized as "too generous."

He disclosed to the KGB that the FBI's chief of counterintelligence in the New York Field Office had told him that the FBI had recruited a specific number of sources at a particular Soviet establishment. "B" also advised that he would be ready for an operation on February 18, 1991.

In exchange, the KGB left a package for "B" but he did not pick it up and the KGB later retrieved it.

121. On Monday, February 18, 1991, the KGB loaded the "CHARLIE" dead drop site with a package containing $10,000 cash and a KGB diskette. The diskette established two new dead drop sites, one of which was codenamed "GRACE" and located under a footbridge in Rock Creek Park in Washington, D.C. It also asked "B" to provide specific classified technical and operational information, and instructed that the next contact would be at the "DORIS" dead drop site.

122. On Monday, April 15, 1991, in response to a call-out signal from "B", he and the KGB carried out an exchange operation at the "DORIS" dead drop site in the Eastern District of Virginia.

The package from "B" to the KGB contained his twenty-second diskette ("D-22") in which he confirmed receipt of cash. "B" also provided classified FBI material about a specific recruitment operation about which the KGB had previously asked.

The package from the KGB to "B" contained $10,000 and a KGB diskette which read, in part, as follows:

Dear Friend:

Time is flying. As a poet said: “What’s our life,
If full of care
You have no time
To stop and stare?”
You’ve managed to slow down the speed of Your running life to send us a message. And we appreciate it.

We hope You’re O’K and Your family is fine too. We are sure You’re doing great at Your job. As before, we’ll keep staying alert to respond to any call from You whenever You need it.

We acknowledge receiving one disk through CHARLIE. One disk of mystery and intrigue. Thank you.

Not much a business letter this time. Just formalities. We consider Site-9 cancelled. And we are sure You remember: our next contact is due at ELLIS.

Frankly, we are looking forward to JUNE. Every new season brings new expectations.

Enclosed in our today’s package please find $10,000. Thank You for Your friendship and help.

We attach some information requests. We hope You’ll be able to assist us on them.

Take care and good luck.
Sincerely,
Your friends.

The KGB asked “B” for information about several specific classified matters, including United States Intelligence Community plans to respond to domestic turmoil in the Soviet Union and new United States communications intelligence efforts.

123. On Monday, July 15, 1991, after a call-out signal from “B”, he and the KGB carried out an exchange operation at the “ELLIS” dead drop site in the Eastern District of Virginia.

The package from "B" to the KGB contained his twenty-third diskette ("D-23") and approximately 284 pages of material. The diskette read, in part: "I returned, grabbed the first thing I could lay my hands on" and "I was in a hurry so that you would not worry, because June has passed, they held me there longer." He also noted that he had at least five years until retirement, and remarked: "Maybe I will hang in there for that long." "B" also reported on a particular FBI-CIA operation. The classified documents passed by "B" included FBI documents, human intelligence plans, and documents concerning nuclear and missile weapons proliferation.

The package from the KGB to "B" contained $12,000 cash and a KGB diskette reading, in part, as follows:

> Dear friend:
>
> Acknowledging the disk and materials . . . received through "DORIS" we also acknowledge again Your superb sense of humor and Your sharp-as-a-razor mind. We highly appreciate both.
>
> Don't worry. We will not steam out incorrect conclusions from Your materials. Actually, Your information grately [sic] assisted us in seeing more clearly many issues and we are not ashamed to correct our notions if we have some. So, thank You for Your help. But if some of our requests seem a bit strange to You, please try to believe us there were sufficient reasons to put them and that what we wanted was to sort them out with Your help.
>
> In regard to our "memo" on Your security. Just one more remark. If our natural wish to capitalize on Your information confronts in any way Your security interests we definitely cut down our thirst for profit and choose Your security. The same goes with any other

> aspect of Your case. That's why we say Your security goes first. . . .
>
> We are sure You remember our next contact is due at "FLO".
>
> As always we attach some information requests, which are of current interest to us.
>
> We thank You and wish You the very best.
>
> Sincerely,
> Your friends.
>
> Enclosed in the package please find $12,000.

The KGB gave "B" new communications plans, and numerous specific requests for classified technical, operational, and recruitment matters. The KGB also asked follow-up questions about information "B" had previously provided, and requested specific United States Intelligence Community activity towards the Soviet Union.

124. On Monday, August 19, 1991, after a call-out signal from "B", he and the KGB carried out an exchange operation at the "FLO" dead drop site in the Eastern District of Virginia.

The package from "B" to the KGB contained a recent FBI memorandum concerning specific methods of surveillance of a particular Soviet intelligence officer. It also contained "B"'s twenty-fourth diskette ("D-24") on which he discussed communications plans and provided information about classified technical and operational matters. On this diskette, he also discussed how the Soviet Union could benefit from a thorough

study of the period of Chicago's history when the city was governed by Mayor Richard J. Daley.

The package from the KGB to "B" contained $20,000 cash and a message welcoming "B" back and advising that the next exchange would be at the "GRACE" dead drop site.

125. On Monday, October 7, 1991, after a call-out signal from "B", he and the KGB carried out an exchange operation at the "GRACE" dead drop site in the Eastern District of Virginia.

The package from "B" to the KGB contained his twenty-fifth diskette ("D-25") and a classified document entitled "The US Double-Agent Program Management Review and Policy Recommendations" dated September 10, 1991. On the diskette, "B" provided information about various classified recruitment operations. "B" also identified by name a particular "old friend" whom he suggested the KGB try to recruit; he explained that the man was a military officer who had recently been told he would not be promoted.

The package from the KGB to "B" contained $12,000 cash and a KGB diskette reading, in part, as follows:

> Dear friend:
>
> Thanks for the package of 02.13. [The] materials are very promising, we intend to work on the scenario so wisely suggested by You. And the magical history tour to Chicago was mysteriously well timed. Have You ever thought of foretelling the things? After Your retirement for instance in some sort of Your own "Cristall [sic] Ball and Intelligence Agency" (CBIA)? There are always so many people in this world eager to get a glimpse of the future.

> But now back to where we belong. There have been many important developments in our country lately. So many that we'd like to reassure You once again. Like we said: we've done all in order that none of those events ever affects Your security and our ability to maintain the operation with You. And of course there can be no doubt of our commitment to Your friendship and cooperation which are too important to us to loose [sic]. . . .
>
> Please note: our next contact is due at HELEN.
>
> Enclosed in the package please find $12,000 and attached as always are some information requests which we'd ask Your kind attention to.
>
> Thank You and good luck.
>
> Sincerely,
> Your friends.

The KGB provided new communications plans and asked "B" for specific information about a variety of classified technical, operational, and analytical matters. The KGB also asked for the current 1991 issue of a particular document reporting on Soviet knowledge of United States satellite reconnaissance systems, commenting that: "It's fun to read about the life in the Universe to understand better what's going on on our own planet." Asking about some pages that appeared to be missing from "B"'s July package, the KGB noted: "Sometimes it happens, we understand. Life is becoming too fast."

126. On December 12, 1991, the KGB received an envelope from "B" at an accommodation address in Alexandria, Virginia, in the Eastern District of Virginia. The envelope, which was addressed by hand, bore a handwritten return address of "J.

Baker, Box 1101, Houston, TX" and was postmarked Washington, D.C. The envelope contained a handwritten note reading: "— @ BOB on 6/22; T. DEVICE APPROVED 6/16, COMING SOON". Using the established "6" coefficient, the reference to "6/22" actually refers to December 16. The reference to "T. DEVICE" related to information "B" had previously passed to the KGB regarding a classified technical operation.

127. On Monday, December 16, 1991, "B" and the KGB carried out an exchange operation at the "BOB" dead drop site in the Eastern District of Virginia.

The package from "B" to the KGB contained several documents, including:

(A) A DCI Counterintelligence Center research paper entitled "The KGB's First Chief Directorate: Structure, Functions, and Methods," dated November 1990. The document was classified SECRET with the caveats NOFORN NOCONTRACT ORCON. It also bore the following notices:

> WARNING NOTICE
> This document should be disseminated only to persons having both the requisite clearances and a need to have access to its contents for performance of their duties. No further distribution or reproduction is authorized without the approval of the Associate Deputy Director for Operations for Counterintelligence, CIA.

and

> National Security Information — Unauthorized Disclosure Subject to Criminal Sanctions

(B) A current volume of the DCI Congressional Budget Justification that detailed the programs and resource needs of the FBI's Foreign Counterintelligence Program. The document was classified SECRET with the caveats NOFORN NOCONTRACT ORCON, and the warning: "Unauthorized Disclosure Subject to Criminal Sanctions."

The package from "B" also contained his twenty-sixth diskette ("D-26") in which he expressed embarrassment over the pages missing from his earlier package, and advised that he had been promoted to a position of increased salary and authority that had moved him temporarily out of direct responsibility for Soviet matters. He noted that a new mission for his new group had not yet been defined, and he quoted a particular remark by General Patton about the Japanese. "B" discussed communications plans, and provided information about various classified technical and operational matters. He also proposed a new communications system, in which he would set up an office at a location in town not subject to electronic surveillance, where he and the KGB could communicate directly using a computer that would be specially-equipped with certain advanced technology.

The package from the KGB to "B" contained $12,000 cash and a KGB diskette discussing communications plans and asking for specific information about various classified matters.

128. In one message to "B" the KGB warned him to: "Examine from the point of security Your practice of copying materials."

129. On or before October 6, 1999, “B” received the following letter from the SVR:

Dear friend: welcome!

It’s good to know you are here. Acknowledging your letter to V.K. we express our sincere joy on the occasion of resumption of contact with you. We firmly guarantee you for a necessary financial help. Note, please, that since our last contact a sum set aside for you has risen and presents now about 800.000 dollars. This time you will find in a package 50.000 dollars. Now it is up to you to give a secure explanation of it.

As to communication plan, we may have need of some time to work out a secure and reliable one. This why we suggest to carry on the 13th of November at the same drop which you have proposed in your letter to V.K. We shall be ready to retrieve your package from DD since 20:00 to 21:00 hours on the 12th of November after we would read you [sic] signal (a vertical mark of white adhesive tape of 6 - 8 cm length) on the post closest to Wolftrap Creek of the “Foxstone Park” sign. We shall fill our package in and make up our signal (a horizontal mark of white adhesive tape).

After you will clear the drop don’t forget to remove our tape that will mean for us - exchange is over.

We propose a new place where you can put a signal for us when in need of an urgent DD operation. LOCATION: the closest to Whithaven [sic] Parkway wooden electricity utility pole at the south-west corner of T-shaped intersection of Foxhall Road and Whitehaven Parkway (map of Washington, DC, page 9, grid B11). At any working day put a white thumb tack (1 cm in diameter, colored sets are sold at CVS) into the Northern side of the pole at the height of about 1.2 yards. The tack must be seen from a car going down Foxhall Road. This will mean for us that we shall retrieve your package from the DD Foxstone Park at the evening of the nex [sic] week’s Tuesday (when it’s getting dark).

In case of a threatening situation of any kind put a yellow tack at the same place. This will mean that we shall refrain from any communication with you until further notice from your side (the white tack).

We also propose for your consideration a new DD site “Lewis”. DD LOCATION: wooden podium in the

amphitheatre of Long-branch Nature Center (map of N.Virginia, page 16, grid G8). The package should be put under the FAR-LEFT corner of the podium (when facing the podium). Entter [sic] Longbranch Nature Center at the sign from Carlin Springs Road (near 6th Road south) and after parking your car in the lot follow the sign “To Amphitheatre.” LOCATION OF THE DD SIGNAL: a wooden electricity utility pole at the north-west corner of the intersection of 3d Street and Carlin Springs Road neaqr [sic] the Metrobus stop (the same map, grid F7). The signals are the same as in the “Foxstone Park” DD. The white adhesive tape should be placed on the NORTHERN side of the pole, so that it could be noticed fro [sic] a car moving along Carlin Springs Road in the southern direction from Route 50.

Please, let us know during the November operation of your opinion on the proposed places (the new signal and DD “Lewis”).

We are intending to pass you a permanent communications plan using drops you know as well a new portion of money. For our part we are very interested to get from you any information about possible actions which may threaten us.

Thank you. Good luck to you. Sincerely,

Your friends.

The initials “V.K.” are those of a known SVR Line KR senior officer in Washington, D.C.

130. On or before March 14, 2000, “B” wrote a letter to the SVR, reading, in part, as follows:

....I have come about as close as I ever want to come to sacrificing myself to help you, and I get silence. I hate silence....

Conclusion: One might propose that I am either insanely brave or quite insane. I’d answer neither. I’d say, insanely loyal. Take your pick. There is insanity in all the answers.

I have, however, come as close to the edge as I can without being truly insane. My security concerns have

proven reality-based. I'd say, pin your hopes on 'insanely loyal' and go for it. Only I can lose.

I decided on this course when I was 14 years old. I'd read Philby's book. Now that is insane, eh! My only hesitations were my security concerns under uncertainty. I hate uncertainty. So far I have judged the edge correctly. Give me credit for that.

Set the signal at my site any Tuesday evening. I will read your answer. Please, at least say goodbye. It's been a long time my dear friends, a long and lonely time.

Ramon Garcia

131. On or before June 8, 2000, "B" wrote a letter to the SVR which read, in part, as follows:

Dear Friends:

Administrative Issues:

Enclosed, once again, is my rudimentary cipher. Obviously it is weak in the manner I used it last –- reusing key on multiple messages, but I wanted to give you a chance if you had lost the algorythm [sic].

Thank you for your note. It brought me great joy to see the signal at last. As you implied and I have said, we do need a better form of secure communication –- faster. In this vein, I propose (without being attached to it) the following:

One of the commercial products currently available is the Palm VII organizer. I have a Palm III, which is actually a fairly capable computer. The VII version comes with wireless internet capability built in. It can allow the rapid transmission of encrypted messages, which if used on an infrequent basis, could be quite effective in preventing confusions if the existance [sic] of the accounts could be appropriately hidden as well as the existance [sic] of the devices themselves. Such a device might even serve for rapid transmittal of substantial material in digital form. Your FAPSI could review what would be needed, its advisability, etc., obviously –- particularly safe rules of use. While FAPSI may move with the rapidity of the Chinese army,

they can be quite effective, in juggernaut fashion, that is to say thorough. . . .

New topics:

If you are wise, you will reign [sic] in the GRU. They are causing no end of grief. But for the large number of double-agents they run, there would be almost no ability to cite activity warranting current foreign counterintelligence outlays. Of course the Gusev affair didn't help you any. If I'd had better communications I could have prevented that. I was aware of the fact that microphones had been detected at the State Department. (Such matters are why I need rapid communications. It can save you much grief.) Many such things are closely held, but that closeness fails when the need for action comes. Then the compartments grow of necessity. I had knowledge weeks before of the existence of devices, but not the country placing them. . . . I only found out the gruesome details too late to warn you through available means including the colored stick-pin call. (Which by the way I doubted would work because of your ominous silence.) Very frustrating. This is one reason I say 'you waste me' in the note. . . .

The U.S. can be errantly likened to a powerfully built but retarded child, potentially dangerous, but young, immature and easily manipulated. But don't be fooled by that appearance. It is also one which can turn ingenius [sic] quickly, like an idiot savant, once convinced of a goal. The [ ] Japanese (to quote General Patten [sic] once again) learned this to their dismay. . . .

I will not be able to clear TOM on the first back-up date so don't be surprised if we default to that and you find this then. Just place yours again the following week, same protocol.

I greatly appreciate your highly professional inclusion of old references to things known to you in messages resulting from the mail interaction to assure me that the channel remains unpirated. This is not lost on me.

On Swiss money laudering [sic], you and I both know it is possible but not simple. And we do both know that money is not really 'put away for you' except in some vague accounting sense. Never patronize at this level.

It offends me, but then you are easily forgiven. But perhaps I shouldn't tease you. It just gets me in trouble.

thank you again,

Ramon

132. On or before July 31, 2000, "B" received the following letter from the KGB/SVR:

Dear Ramon:

We are glad to use this possibility to thank You for Your striving for going on contact with us.

We received Your message. The truth is that we expended a lot of efforts to decipher it.

First of all we would like to emphasize that all well known events wich [sic] had taken place in this country and in our homeland had not affected our resources and we reaffirm our strong intentions to maintain and ensure safely our long-term cooperation with You.

We perceive Your actions as a manifestation of Your confidence in our service and from our part we assure You that we shall take all necessary measures to ensure Your personal security as much as possible.

Just because proceeding from our golden rule - to ensure Your personal security in the first place - we have proposed to carry out our next exchange operation at the place which had been used in last august [sic]. We did not like to give You any occasion to charge us with an inadequate attention to problems of Your security. We are happy that, according to the version You have proposed in Your last letter, our suggestions about DD, known as "Ellis", coincided completely. However a situation around our collegues [sic] at the end of passed [sic] year made us to refuse this operation at set day.

1. We thank You for information, wnich [sic] is of a great interest for us and highly evaluated in our service.

We hope that during future exchanges we shall receive Your materials, which will deal with a [sic] work of IC, the FBI and CIA in the first place, against our representatives and officers. We do mean its human, electronic and technical penetrations in our residencies here and in other countries. We are very interested in getting of the objective information on the work of a special group which serches [sic] “mole” in CIA and FBI. We need this information especially to take necessary additional steps to ensure Your personal security....

2. Before stating a communication plan that we propose for a next future, we would like to precise [sic] a following problem. Do You have any possibility to meet our collegues [sic] or to undertake the exchange ops in other countries? If yes, what are these countries? Until we receive Your answer at this [sic] questions and set up a new communication plan, we propose to use for the exchange ops DD according to the following schedule:

= DD “LEWIS” on 27 of may 2001 (with a coefficient it will mean on 21 of november 2000). We draw Your attention on the fact that we used a former coefficient - 6 (sender adds, addressee subtracts). A time will be shown at real sense. We will be ready to withdraw Your package beginning by 8 PM on 27 may 2001 after we shall read Your signal. After that we put DD our package for You. Remove Your signal and place our signal by 9 PM of the same day. After that You will withdraw our package and remove our signal. That will mean an exchange operation is over. We shall check signal site (i.e., its absence) the next day (28 of May) till 9 PM. If by this time a signal had not been removed we shall withdraw our package and shall put it in for You repeatedly dates with DD “ELLIS” –- in each seven days after 28 May till 19 of June 2001 (i.e., 13 of December 2000).

= We propose to carry out our next operation on 16 of october 2001 (i.e., 10 of April) at the DD “LINDA” in “Round Tree park” (if this place suits for Your [sic] we would like to receive Your oppinion [sic] about that during exchange in may). A time of operation from 8 pm to 9 pm, signals and schedule of alternate dates are the same. In the course of exchange ops we shall pass to You descriptions of new DD and SS that You can check them before. You will

find with this letter descriptions of two new DD "LINDA" and "TOM". Hope to have Your opinion about them.

In case of break off in our contacts we propose to use DD "ELLIS", that you indicated in your first message. Your note about a second bridge across the street from the 'F' sign, as back up, is approved. We propose to use "ELLIS" once a year on 12 August (i.e., with coeff. it will be 18 February) at the same time as it was in August 1999. On that day we can carry out a full exchange operation –- You will enload your package and put a signal, we shall withdraw it, load our package and put our signal. You will remove our package and put your signal. Alternate dates - in seven days 'til next month.

= As it appears from your message, you continue to use post channel as a means of communication with us. You know very well our negative attitude toward this method. However if you send by post a short note where date (i.e., with coefficient), time and name of DD for urgent exchange are mentioned, you could do it by using address you had used in September (i.e., with coeff.) putting in a sealed envelope for V.K.

In future it is inexpedient to use a V.K. name as a sender. It will be better to choose any well known name in this country as you did it before.

3. We shall continue work up [sic] new variants of exchanging messages including PC disks. Of course we shall submit them to your approval in advance. If you use a PC disk for next time, please give us key numbers and program you have used.

4. We would like to tell you that an insignificant number of persons know about you, your information and our relationship.

5. We assess as very risky to transfer money in Zurich because now it is impossible to hide its origin...

133. On or before November 17, 2000, "B" wrote a letter to the KGB/SVR, reading, in part, as follows:

Dear Friends:

Bear with me. It was I who sent the message trying to use TOM to communicate material to you. On reflection, I can understand why you did not respond. I see that I failed to furnish you sufficient information for you to recognize that the message you left for me in ELLIS did not go astray. You do this often (communicate such assurances through the mention of items like the old date offset we used), and believe me, it is not lost on me as a sign of professionalism. I say bear with me on this because you must realize I do not have a staff with whom to knock around all the potential difficulties. (For me breaks in communications are most difficult and stressful.) Recent changes in U.S. law now attach the death penalty to my help to you as you know, so I do take some risk. On the other hand, I know far better than most what minefields are laid and the risks. Generally speaking you overestimate the FBI's capacity to interdict you, but on the other hand, cocksure officers, (those with real guts and not as much knowledge as they think) can, as we say, step in an occasional cowpie. (Message to the translator: Got a good word for cowpie in Russian?? Clue, don't blindly walk behind cows.). . . .

I have drawn together material for you now over a lengthy period. It is somewhat variable in import. Some were selected as being merely instructive rather than urgently important. I think such instructive insights often can be quite as valuable or even more valuable long-term because they are widely applicable rather than narrow. Others are of definite value immediately.

My position has been most frustrating. I knew Mr. Gusev was in eminent [sic] danger and had no effective way of communicating in time. I knew microphones of an unknown origin were detected even earlier and had no regular way of communicating even that. This needs to be rectified if I am to be as effective as I can be. No one answered my signal at Foxhall. Perhaps you occasionally give up on me. Giving up on me is a mistake. I have proven inveterately loyal and willing to take grave risks which even could cause my death, only remaining quiet in times of extreme uncertainty. So far my ship has successfully navigated the slings and arrows of outrageous fortune.

I ask you to help me survive. . . .

On meeting out of the country, it simply is not practical for me. I must answer too many questions from family, friends, and government plus it is a cardinal sign of a spy. You have made it that way because of your policy. Policies are constraints, constraints breed patterns. Patterns are noticed. Meeting in this country is not really that hard to manage, but I am loath to do so not because it is risky but because it involves revealing my identity. That insulation has been my best protection against betrayal by someone like me working from whatever motivation, a Bloch or a Philby. (Bloch was such a shnook. . . . I almost hated protecting him, but then he was your friend, and there was your illegal I wanted to protect. If our guy sent to Paris had balls or brains both would have been dead meat. Fortunately for you he had neither. He was your good luck of the draw. He was the kind who progressed by always checking with those above and tying them to his mistakes. The French said, "Should we take them down?" He went all wet. He'd never made a decision before, why start then. It was that close. His kindred spirits promoted him. Things are the same the world over, eh?)

On funds transfers through Switzerland, I agree that Switzerland itself has no real security, but insulated by laundering on both the in and out sides, mine ultimately through say a corporation I control loaning mortgage money to me for which (re)payments are made.... It certainly could be done. Cash is hard to handle here because little business is ever really done in cash and repeated cash transactions into the banking system are more dangerous because of the difficulty in explaining them. That doesn't mean it isn't welcome enough to let that problem devolve on me. (We should all have such problems, eh?) How do you propose I get this money put away for me when I retire? (Come on; I can joke with you about it. I know money is not really put into an account at MOST Bank, and that you are speaking figuratively of an accounting notation at best to be made real at some uncertain future. We do the same. Want me to lecture in your 101 course in my old age? My college level Russian has sunk low through inattention all these years; I would be a novelty attraction, but I don't think a practical one except in extremis.)

So good luck. Wish me luck. OK, on all sites detailed to date, but TOM's signal is unstable. See you in 'July' as you say constant conditions.

yours truly,

Ramon

134. On the evening of Tuesday, December 12, 2000, FBI surveillance personnel observed HANSSEN driving four times past the Foxstone Park sign on Creek Crossing Road in Vienna, Virginia. As described above, the Foxstone Park sign is the signal site associated with the "ELLIS" dead drop site, which was used from early on in the KGB's "B" operation.

135. Also on the evening of Tuesday, December 12, 2000, FBI surveillance personnel observed HANSSEN walking into a particular store at a shopping center near Foxstone Park at the same time as a known SVR officer was in front of the store.

136. On Tuesday, December 26, 2000, FBI surveillance personnel observed HANSSEN three times at the Foxstone Park signal site:

a) At approximately 5:42 pm, HANSSEN stopped his vehicle in front of the Foxstone Park sign for approximately ten to fifteen seconds.

b) At approximately 8:53 pm, HANSSEN parked his car on a street off Creek Crossing Road and walked to the Foxstone Park signal site. HANSSEN stopped in front of the Foxstone Park sign, holding a lit flashlight, and swept the flashlight beam in a vertical motion over some wooden pylons

located near the sign, between the road and the sign. He appeared to the FBI surveillance personnel to focus his flashlight beam on one of the pylons. He then turned and walked away, shrugging his shoulders and raising his arms in a gesture of apparent disgust or exasperation. HANSSEN returned to his vehicle, and drove away to a nearby Tower Records store.

c) At approximately 9:32 pm, HANSSEN drove back past the Foxstone Park signal site, stopped his vehicle in front of it for approximately two to three seconds, and then drove away.

137. During January 2001, FBI surveillance personnel observed HANSSEN drive past the Foxstone Park signal site, and either slowing or stopping at the site, on three occasions. At approximately 8:18 pm on Tuesday, January 9, 2001, HANSSEN drove past the Foxstone Park signal site, came to a complete stop in front of it for approximately 10 seconds, then drove away. Shortly before 6:00 pm on Tuesday, January 23, 2001, HANSSEN drove past the Foxstone Park signal site, came to a rolling stop near it, and then drove away. After 5:00 pm on Friday, January 26, 2001, HANSSEN drove past the Foxstone Park signal site, slowing down near it.

138. On the evening of Monday, February 5, 2001, FBI surveillance personnel observed HANSSEN driving past the Foxstone

Park signal site three times between approximately 5:37 pm and approximately 7:44 pm.

139. On Monday, February 12, 2001, FBI surveillance personnel checking the “LEWIS” dead drop site found a package concealed at the site. FBI personnel removed the package and transported it to the FBI Laboratory, where it was opened, its contents were examined and photocopied, and it was restored to an apparently intact condition. The package was then replaced at the dead drop site. The package contained $50,000 in used $100 bills and a typed note reading: “Next 10/31/01 TOM alt. 20,27". These were wrapped in white paper, which was taped, and which in turn was wrapped in a taped-up black plastic trash bag inside a second black plastic trash bag.

VI. FACTS ESTABLISHING THAT “B” IS ROBERT PHILIP HANSSEN

There is overwhelming evidence that “B” is ROBERT PHILIP HANSSEN.

A. FORENSIC EVIDENCE

140. When “B” made dead drops to the KGB/SVR, he would place the contents of the drop in a plastic garbage bag, which he would wrap with tape. The plastic bag would then be placed inside a second garbage bag. The FBI has come into possession of the inner plastic bag used by “B” on one occasion to wrap the contents of a package to the KGB.

141. An FBI fingerprint examiner has conducted an examination of the plastic bag and ascertained that it contains

two latent fingerprints of comparison value. The examiner determined that these two fingerprints are those of ROBERT PHILIP HANSSEN.

B. MATERIAL OBTAINED FROM HANSSEN'S FBI OFFICE AND VEHICLE

142. On February 5, 2001, pursuant to court authorization, the FBI searched HANSSEN's current personal office within Room 9930 at FBI Headquarters. HANSSEN's briefcase, located in the office, contained (1) HANSSEN's current valid United States tourist passport; (2) a personal address book; (3) several personal checkbooks; (4) multiple sets of financial statements; (5) one computer floppy disk; (6) one 8MB Versa Card Flash Memory Adapter, which is a memory storage card for a computer; (7) one cell phone. These items were photographed, duplicated, or otherwise recorded, but not removed or altered. Upon examination, the FBI determined that the memory storage card contained several letters associated with the "B" operation, which are further described elsewhere in this Affidavit. That these letters were found in HANSSEN's possession is clear and unequivocal evidence that HANSSEN is "B".

143. On January 30, 2001, pursuant to court authorization, the FBI searched HANSSEN's Ford Taurus automobile, and found the following:

(1) In the glove compartment were a roll of white Johnson & Johnson medical adhesive tape, and a box of Crayola colored chalk containing 12 pieces of chalk.

(2) In one of four cardboard boxes in the trunk were seven classified documents printed from the FBI's Automated Case Support (ACS) system. Several pertained to ongoing FBI foreign counterintelligence investigations and were classified SECRET.

(3) In another cardboard box in the trunk were six green fabric-covered United States government ledger notebooks, containing classified information.

(4) Also in the trunk were a roll of Superior Performance Scotch clear mailing tape, and dark-colored Hefty garbage bags.

These items were not removed, although small samples were taken, and they were photographed.

144. On February 12, 2001, pursuant to court authorization, the FBI again searched HANSSEN's Ford Taurus automobile. In addition to the items described in part (1) of the foregoing paragraph, the glove compartment contained a small plastic box containing thumbtacks of various colors, including yellow and white. It was further ascertained that at least one of the pieces of chalk was pink. These items were not removed, although small samples were taken, and they were photographed. During this search, HANSSEN's briefcase was observed in the vehicle, but it was not removed.

C. RECORDING OF TELEPHONE CONVERSATION

152. In May 1990, “B” told the KGB that, due to a promotion, he would be traveling more and his access to materials would be limited. In May 1990, HANSSEN was reassigned from the Soviet Analytical Unit in the Intelligence Division to the Inspection Division at FBI Headquarters. An Inspection Division assignment is a typical feature of an FBI supervisory agent’s career path and requires frequent travel to FBI field offices for inspections. While serving in this assignment, HANSSEN traveled frequently from June 1990 through June 1991 to conduct inspections in various FBI offices.

153. On July 15, 1991, “B” indicated to the KGB that he had “returned” from a trip. The KGB responded on August 15, 1991 with a message welcoming him back and noting that “it’s great for you to touch the green, green grass of home.” HANSSEN returned on May 24, 1991 from a lengthy overseas inspection tour.

154. On December 16, 1991, “B” told the KGB that he had “an increase in salary and authority [which] moved him temporarily out of direct responsibility, but a new mission for my new group has not been fully defined” and that “I hope to adjust to that . . . . As General Patton said . . . ‘let’s get this over with so we can go kick the [ ] out of the [ ] Japanese.” (He quoted the same reference to Japanese in the letter he wrote to the SVR on or before June 8, 2000.) At that time, HANSSEN was preparing to assume new duties as Chief of the new National Security Threat List Unit at FBI Headquarters, where he focused the Unit’s

counterintelligence efforts on economic espionage. This new assignment resulted in an increase in salary (from GS-14 to GS-15) and authority (Unit Chief). Several FBI employees recall that HANSSEN frequently quoted General Patton, and one employee who worked closely with HANSSEN specifically remembers HANSSEN once using the above-mentioned Patton quote in a discussion with him.

155. In February 1988, "B" told the KGB that he could read the Viktor Sheymov file because a special project relating to Sheymov was about to begin. At that time, HANSSEN was reviewing the Sheymov file in preparation for his participation in upcoming Intelligence Community debriefings of Sheymov.

156. Throughout the "B" operation, "B" reported on Sheymov's defection. HANSSEN took particular interest in the Sheymov case and developed a personal friendship with Sheymov. Recently, in fact, HANSSEN told FBI co-workers that he was considering an offer of lucrative employment by Sheymov after retirement in April 2001.

157. On August 19, 1991, "B" passed detailed information to the KGB on FBI coverage of a particular suspected Soviet intelligence officer. On July 1, 1991, HANSSEN returned to the Intelligence Division at FBI Headquarters (after his tour of duty on the Inspection Staff) and became the Headquarters Supervisor responsible for FBI coverage of this suspected Soviet intelligence officer.

158. In his assignment to CI-3A, the FBI's Soviet Analytical Unit, HANSSEN had access to an extremely broad array of highly classified material. The FBI has determined that HANSSEN's access to classified material is consistent with "B"'s disclosure of classified material to the KGB/SVR.

159. During two extended periods when "B" was inactive, from November 1985 to June 1986, and August 1986 to August 1987, HANSSEN was assigned to the FBI's Field Office in New York City.

160. In July 1991, "B" told the KGB that he had at least five more years until retirement. HANSSEN was eligible for retirement from the FBI in 1996.

G. HANSSEN'S USE OF THE FBI AUTOMATED CASE SUPPORT SYSTEM

161. The Automated Case Support System (ACS) is the FBI's collected computerized databases of investigative files and indices. ACS came online in October 1995.

The main, and most extensive ACS database, is the Electronic Case File (ECF), which contains electronic communications and certain other documents related to ongoing FBI investigations, programs, and issues, and the indices to those documents. It is the equivalent of a closed FBI intranet. ACS users can access individual files by making full-text search requests for particular words or terms.

162. FBI personnel who are "approved users" of ACS, including HANSSEN, must log on with a user identification number and password unique to each user. Retrieval logs make it possible to conduct audits of individuals' use of ACS.

163. An audit of HANSSEN's use of ACS shows that he has been a consistent user of ECF in particular, and that he periodically conducted searches of the ECF database using a wide variety of very specific search terms. Although some of HANSSEN's ACS use appears to have been related to his official responsibilities, he made a substantial number of ACS searches apparently directly related to his own espionage activities. Through these searches, HANSSEN could retrieve certain FBI records that would indicate whether HANSSEN or his KGB/SVR associates, or their activities or operational locations, were

VII. LOCATION OF EVIDENCE, FRUITS, INSTRUMENTALITIES, AND PROCEEDS

165. Based on my training and experience, and that of other FBI personnel with whom I have consulted, and on my participation in this investigation, I know that:

166. Persons who have engaged in espionage activities on behalf of foreign intelligence services maintain records, notes, bank records, financial statements, calendars, journals, maps, instructions, classified documents, and other papers or documents relating to the transmittal of national defense and classified intelligence information to foreign governments and intelligence services. Such records, notes, bank records, financial statements, calendars, journals, maps, instructions, classified documents, and other papers or documents are maintained, albeit often secreted, on their persons, in and around their residences, at their places of employment, in home and office computers, in their automobiles, and in other remote locations such as safe deposit boxes and storage facilities.

167. Persons who have been engaged in espionage activities on behalf of foreign intelligence services often utilize espionage paraphernalia, including devices designed to conceal and transmit national defense and classified intelligence information. These paraphernalia and devices include materials used by espionage agents to communicate between each other and with a foreign government, to wit: coded pads, secret writing

paper, chemicals used to develop coded and secret messages, microdots, and microfiche, together with instructions in the use of these materials; electronic recording and transmittal equipment; computers and computer disks; cameras and film; books, records, documents, and papers. The information that is frequently passed or recorded through such methods often includes: (1) national defense and classified intelligence information; (2) the identities of other foreign espionage agents and intelligence officers; (3) financial transactions, including payments to foreign espionage agents and hidden financial accounts; (4) records of previous illicit espionage transactions; and (5) the source and disposition of national defense and classified information.

168. Persons who have been engaged in espionage activities on behalf of foreign intelligence services routinely conceal in their residences large amounts of United States and foreign currency, financial instruments, precious metals and gems, jewelry, and other items of value and/or proceeds of illegal espionage transactions. They also conceal records relating to hidden foreign and domestic bank and financial records, including accounts in fictitious names.

169. Persons who have been engaged in espionage activities on behalf of foreign intelligence services often secrete national defense and classified documents and materials, as well as clandestine communications devices and instructions, contact

instructions, codes, telephone numbers, maps, photographs, other papers and materials relating to communications procedures, and proceeds and records of illegal espionage transactions, in secure hidden locations and compartments within their residences, places of employment, safe deposit boxes, storage facilities, and/or motor vehicles, including hidden compartments within motor vehicles, for ready access and to conceal such items from law enforcement authorities.

170. Persons who have been engaged in espionage activities on behalf of foreign intelligence services are not unlike any other person in our society in that they maintain documents and records, often doing so for long periods of time regardless of whether their value to the person has diminished. These persons maintain documents and records that will identify and corroborate travel both in the United States and abroad made in connection with foreign intelligence activity, including personal meets with foreign intelligence officers. Such documents and records include passports, visas, calendars, journals, date books, telephone numbers, credit cards, hotel receipts, airline records, correspondence, carbon copies of money orders and cashier’s checks evidencing large cash expenditures, and accounts and records in fictitious names.

171. Persons who have been engaged in espionage activities on behalf of foreign intelligence services often maintain identity documents, including those utilizing fictitious

appropriate location by Computer Analysis Response Team (CART) personnel. Seizing and disabling the defendant's computer hardware will also help prevent HANSSEN or any co-conspirators from seeking to erase any data on HANSSEN's computer system (including his server) from any remote location and through any special destructive program.

176. In addition, it is highly probable that HANSSEN has access to and has used the computers (including laptops) of family members residing in the same residence. Accordingly, he may be using these computers of family members to store or transmit or conceal classified information or other evidence of the espionage activity set forth in this affidavit. It will therefore be necessary to seize and examine the computer hardware and files within of family members. Such computers and files therein will be speedily returned to those family members if examination discloses that they have in fact no evidence or documents connected to the espionage activity described in this Affidavit.

IX. REQUEST FOR AUTHORITY TO EXECUTE SEARCH WARRANTS DURING NIGHTTIME HOURS

Based on my experience and the experience of other FBI Special Agents known to me, I am aware that persons who have committed serious felonies, particularly those felonies with authorized punishments of death or incarceration for any term of years or life, will often attempt to destroy evidence, fruits, and instrumentalities of their crimes if alerted prematurely to law enforcement interest. I also know that foreign intelligence services, including the SVR, are able to communicate prearranged "danger" signals to their agents to alert them to destroy evidence, fruits and other instrumentalities of crime, as well as to execute emergency escape plans. I am also aware that these hostile foreign intelligence services, and in particular the SVR, actively seek to penetrate United States intelligence and law enforcement agencies by technical and human means to learn about FBI counterintelligence activities. As a result, law enforcement interest could be detected at any time and it may be necessary to execute a search warrant during night time hours to preserve evidence, fruits and instrumentalities of espionage from destruction.

In addition, it is noted that as a Special Agent of the Federal Bureau of Investigation, HANSSEN is authorized to carry a service weapon at all times, and he is known to have additional weapons in his residence, and may in his vehicles, that could

pose an immediate danger and threat to any searching or arresting agents unless seized and secured as quickly as possible.

If the FBI is unsuccessful in apprehending HANSSEN immediately, he could return home during evening hours to destroy incriminating evidence, obtain a weapon and other items to assist his flight or evasion. In an undated letter to the KGB in November 1985, HANSSEN wrote: "Eventually I would appreciate an escape plan." HANSSEN currently carries his valid tourist passport in his briefcase. As noted above, the SVR has instructed HANSSEN to use a yellow tack in case of a "threatening situation", which could trigger an SVR-assisted escape, and he has recently possessed yellow tacks. It is highly likely that HANSSEN would have such an escape plan in place by 2001, and that authority to search at any time of the day or night would be essential to foil any such escape plan, especially if HANSSEN received warning from the SVR.

Finally, as noted above, much of the operational activity of the "B" operation occurred at night. Recently, HANSSEN was observed checking a known KGB/SVR signal site on several nighttime occasions in December 2000 and January and February. Accordingly, there is probable cause to believe that HANSSEN would go to the signal site or related dead drop site (both designated under the code name "ELLIS") at any time, and especially at night to avoid detection. Because an arrest of HANSSEN could well occur in the nighttime hours, and the searches

XI. WARRANTS REQUESTED

Based on all the foregoing, I respectfully request a warrant for the arrest of ROBERT PHILIP HANSSEN, and search warrants for the locations described in the immediately foregoing Section of this Affidavit.

XII. ATTESTATION

The above facts are true and correct to the best of my knowledge and belief.

Stefan A. Pluta
Special Agent
Federal Bureau of Investigation

Sworn and Subscribed to before me
this ____ day of February, 2001.

UNITED STATES MAGISTRATE JUDGE