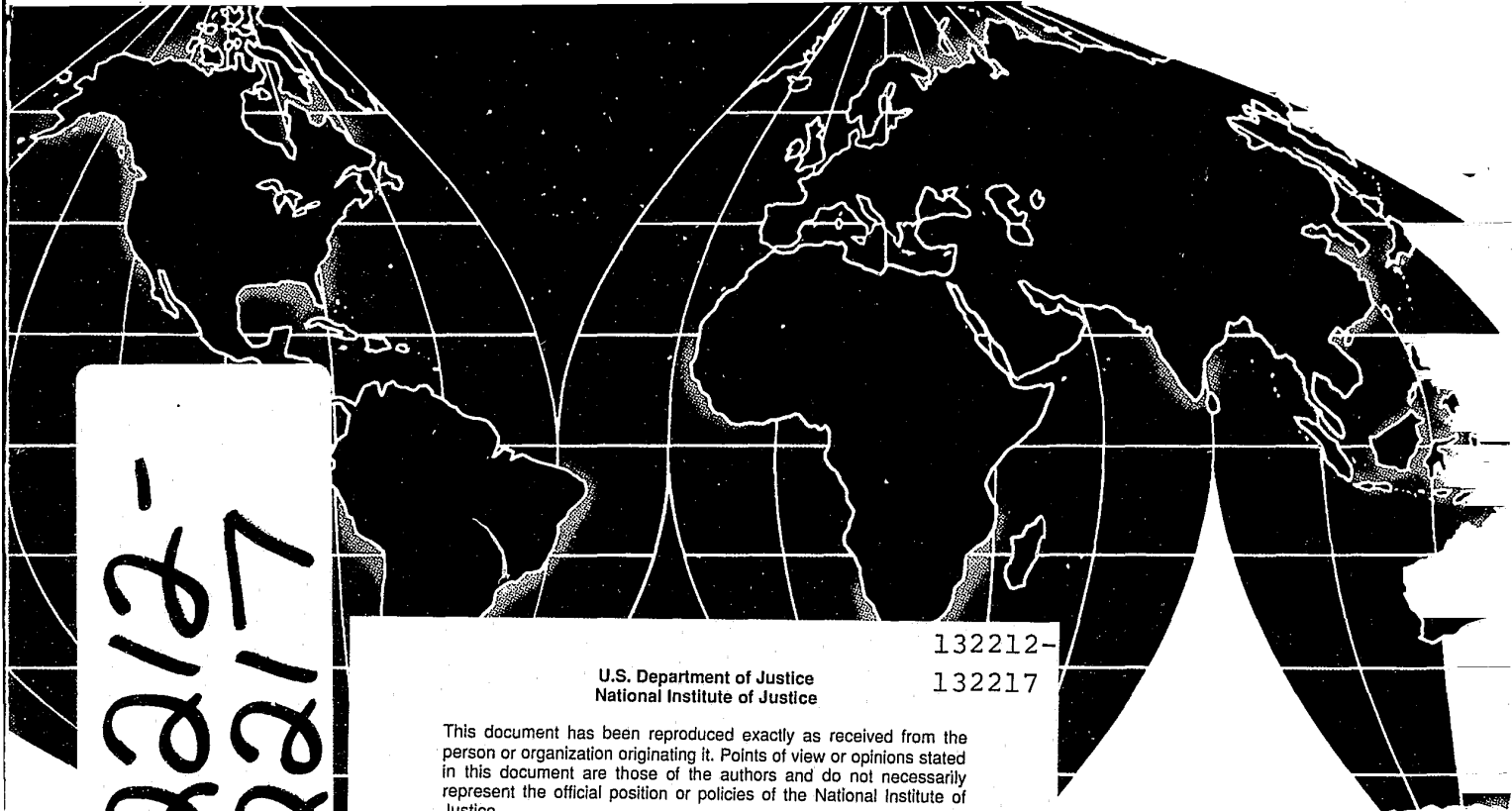


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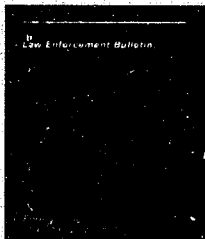
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The Cover: This issue focuses on a unified approach to foreign counterintelligence, highlighting the importance of Federal, State, and local cooperation in confronting new FCI challenges.

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William S. Sessions, Director

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Foreign Counterintelligence An FBI Priority



By
JAMES E. TOMLINSON

To law enforcement agencies and the American public, the FBI is recognized traditionally for its criminal investigations of bank robberies, kidnappings, and fugitives. Within the last decade, they also came to learn about the Bureau's active participation in organized crime, white-collar crime, violent crime, and drug investigations. However, few Americans realize that a major investigative responsibility of the FBI is foreign counterintelligence (FCI).

This article provides a brief overview of the FBI's foreign counterintelligence mission. It then addresses how local and State law enforcement can assist the FBI in its FCI efforts.

The FBI's FCI Mission

The foreign counterintelligence mission of the FBI is to collect, analyze, and use information to identify and neutralize the activities of foreign powers and their agents that adversely affect national security. The Bureau also conducts and/or supervises espionage investigations in U.S. diplomatic establishments abroad and investigates worldwide espionage activity directed against the United States that involves non-military U.S. citizens.

Historically, the FBI has carried on major intelligence and counterintelligence operations since World War II, when it actively sought out Axis saboteurs operating in this

country. Even after the war, the FBI played a role in civilian intelligence collection. However, when the National Security Act of 1947 established the Central Intelligence Agency, which was given the responsibility for collecting positive intelligence,¹ the FBI's focus was directed to counterintelligence.

Since FCI investigations are usually classified, little information on the FBI's efforts is ever disseminated to the public. Only in major espionage cases, such as those involving William Holden Bell, the John Walker family, and Ronald Pelton, did the public even get a glimpse into the Bureau's counterintelligence world. Yet, espionage

activity still exists in this country. Between 1976 and 1990, there were 67 successful prosecutions for espionage in the United States.

The damage caused by these cases from a financial perspective alone is incalculable. For example, William Holden Bell, a senior radar engineer at Hughes Aircraft Company in Los Angeles, California, received \$110,000 for information passed to Marian Zacharski, a Polish businessman and covert agent for the Polish Intelligence Service. The information Bell provided on the F-15 Look Down-Shoot Down Radar, TOW anti-tank missile, Phoenix air-to-air missile, and quiet radar saved the Soviets² approximately \$185 million in technological research and advanced their technology by about 5 years by permitting them to implement proven design concepts.³ But, the dangers placed on each and every U.S. citizen from a national security standpoint cannot be measured in dollar figures alone.

Arrests and prosecutions for espionage, however, make up only a minute portion of the FCI work that the FBI does. Of greater importance is the ability to identify those involved in espionage activities and to stop them before they pass classified or sensitive information. Early detection of individuals who might be inclined to sell sensitive information or who are targeted for coercive recruitment by foreign intelligence agents to provide such information is the primary goal of the FBI's foreign counterintelligence program.

Prosecution will always be an option for deterrence purposes, but

“ ...individuals committing espionage or aiding agents of foreign intelligence services are often greater threats to the American public than major criminal offenders. ”



Special Agent in Charge Tomlinson heads the Foreign Counterintelligence Division in the FBI's New York City Field Office.

complete success will only be achieved if detection is accomplished before national security is damaged. For example, in the case of the John Walker spy ring, the U.S. Navy suffered an unprecedented loss of classified data that provided the Soviet Union with information on Naval operations and capabilities. It is estimated that damage to national security was in excess of \$1 billion in research and development alone. However, as an expert witness and outside observer noted during the trial, "...the information provided by Walker was priceless and its acquisition would be beyond the wildest dreams and hopes in the office of the KGB."⁴

FCI Resources

A sizable portion of the Bureau's work force is dedicated to its FCI mission. In fact, every FBI field office has designated personnel whose primary investigative responsibility is foreign counterintelligence. An

FCI staff may range in size from one Special Agent in a small Midwest office to several hundred in the New York City Office, where foreign counterintelligence is considered the number one investigative priority.

Yet, even though the FBI dedicates a sizable portion of its resources, both personnel and monetary, to counterintelligence, it is still greatly outnumbered by known or suspected foreign intelligence officers. There are nearly 3,000 foreign diplomatic officials in New York City alone who are affiliated with the United Nations or with consular posts and who are from countries with interests traditionally viewed as hostile to the United States.

The FBI has determined that a number of these officials are intelligence officers or have some relationship with foreign intelligence services. While in this country, these intelligence officers enjoy the freedoms of the United States. They have generally unrestricted access

to public source information, as well as contact with U.S. industrial and academic personnel from whom they can obtain technology and other intelligence-related information. In addition, experience has shown that a threat to U.S. security also exists from nontraditional adversaries. For example, Jonathan Pollard, an intelligence analyst at the Naval Investigative Service, was arrested for spying for Israel, for which he received a life prison sentence.

Despite the resources devoted to FCI investigations, the FBI alone cannot monitor all foreign intelligence service officers adequately. The Bureau recognizes that it needs help to protect the security of this country. And to this end, it enlists the help of the U.S. law enforcement community in its FCI mission.

Law Enforcement Cooperation

In cities where most foreign intelligence officers are assigned, such as New York City and Washington, D.C., the FBI has a concentration of FCI resources. However, when foreign intelligence officers travel outside these areas, they are often afforded less scrutiny. Furthermore, individuals not yet identified as intelligence officers, such as diplomats, students, or tourists, may also carry out intelligence functions. This is where local and State law enforcement can assist the FBI.

All law enforcement personnel should be aware of vehicles registered to foreign embassies, consulates, and U.N. missions, and their personnel, traveling in their jurisdictions. These vehicles can be identified by their distinctive license plates. Through the Office of For-

eign Missions Act, the U.S. State Department issues special license plates for vehicles of foreign missions and their staffs accredited in the United States. These license plates are red, white, and blue and have a letter code that denotes the status of the registered owner. The letter "D" signifies diplomat, "C" means a member of a consulate, and "S" denotes a staff member. A separate two-letter abbreviation on the license plate identifies the country of origin of the registrant. For example, the letter designation for the U.S.S.R. is "FC." Therefore, a diplomatic license plate that reads "FCD," along with three numbers, means that the vehicle is registered

“

...not all individuals operating vehicles with...official State Department plates automatically enjoy full diplomatic immunity.

”

to a Soviet diplomat assigned to the Soviet mission in New York City. A "DFC" designation identifies a Soviet bilateral diplomat assigned to Washington, D.C. Local FBI offices have wallet-size cards available that list the various diplomatic designations.

When these individuals travel outside their diplomatic area, their activities may be of interest to the FBI. This is especially the case if such a license plate is observed in a

rural area, near a U.S. military installation, in the vicinity of a defense contractor, or for that matter, anywhere at an unusual time. Noting the license plate number and reporting it immediately to the local FBI office may be of great importance.

Of course, individuals operating these vehicles may be legitimate diplomats fulfilling their official responsibilities or just traveling on personal business. And since only a small percentage of diplomats are active in clandestine intelligence operations, no action should be taken against these individuals. Providing information on the license plate, the number of occupants, and the location of the vehicle when observed to the local FBI office is all that is necessary.

It should be noted, however, that not all individuals operating vehicles with these official State Department plates automatically enjoy full diplomatic immunity. Such immunity is granted only to those who are accredited by the U.S. Department of State and only to the extent appropriate to their status. Distinctive license plates themselves confer no immunity; they simply alert law enforcement officials that the vehicle's operator is likely to be a person enjoying some degree of immunity.⁵

Law enforcement officers who have any questions regarding the diplomatic status of any individual need only contact the local FBI office or the U.S. Department of State. FBI personnel can quickly confirm through FBI Headquarters and the State Department the individual's official standing and accompanying entitlements.

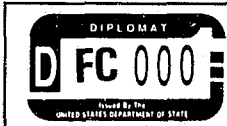

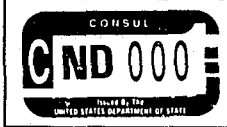
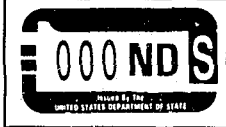


Continued Threat to National Security

Even with the many changes occurring in Eastern Europe and the Soviet Union, the FBI must maintain a "business as usual" attitude with regard to counterintelligence operations. As long as the United States continues to be a leader in technological research and design, countries that are less developed will continue to seek a "quick fix" to solve their economic problems. Therefore, despite an era of Glasnost or "openness," Americans cannot afford to disregard the unusual activities of diplomats and foreign visitors who pose a threat to national security.

In addition, because of this new "openness," the high rate of crime and drug problems experienced by Eastern European countries and the Soviet Union is coming to light. In their efforts to address these crime problems, these countries routinely request assistance from U.S. law enforcement. Soviet journalists have requested information regarding laboratory techniques and drug prevention from both the FBI and the Drug Enforcement Administration. More and more, local, State, and other Federal law enforcement agencies, regardless of size, are also being approached to provide crime-fighting assistance to their Eastern European and Soviet counterparts. And, there is every reason to believe that these requests for scientific training and technological information from U.S. agencies will continue.

Alert to Law Enforcement

Countries seeking assistance from U.S. law enforcement can bene-

SAMPLE OF FOREIGN MISSION LICENSE PLATES	
Nationwide License Plates *	United Nations License Plates
<p><i>Soviet Diplomat</i></p> 	<p><i>Soviet U.N. Diplomat</i></p> 
<p><i>Romanian Consul</i></p> 	<p><i>Romanian U.N. Staff Member</i></p> 
<p><i>Bulgarian Staff Member</i></p> 	<p><i>U.N. Secretariat Member</i></p> 
<p>* COUNTRY CODES</p> <p>FC - U.S.S.R. ND - Romania QM - Bulgaria</p>	

fit from the vast knowledge that has been developed over the years. And, because of the unselfish willingness of local, State, and Federal agencies to provide such assistance, the world should see significant improvements in the law enforcement systems operating in Eastern Europe and the Soviet Union. This, in turn, will hopefully result in a more positive image for law enforcement worldwide.

As is often the case, but particularly within the law enforcement community, strong bonds develop between professional personnel. However, U.S. law enforcement officers must remain alert to the distinct possibility of exploitation by Eastern European countries and the Soviet Union. Many foreign law enforcement agencies have strong ties to their intelligence services. And,

these intelligence services, in turn, are very interested in access to U.S. law enforcement computer systems, equipment, training methods, and operational techniques for intelligence purposes.

Accordingly, the FBI has expanded its FCI awareness education program for defense contractors to include U.S. law enforcement agencies that are involved in exchange programs with other countries. Law enforcement agencies are strongly urged to contact their local FBI offices if they plan to participate in an exchange program with a foreign police service. Trained personnel will provide appropriate specialized briefings that can help to ensure foreign intelligence services do not gain information that may be harmful to the interests of national security.