

## Memorandum

To: Jeremy Gunn  
From: Eric Scheinkopf  
Re: Howard Osborn testimony-Box 25, Folder 4  
Date: May 5, 1995  
File: 4.0.2 Osborn

There are restrictions on what parts of the Osborn file are public as the RIF form notes. The restrictions line reads 1B, Donor Rest., Referred. This makes it difficult to arrive at an effective analysis of the surreptitious entry case discussed. Sources of information in this file could also be with the Department of Justice as they dealt with this case (see document removal record page preceding testimony excerpts).

The Osborn testimony concerns the idea of "surreptitious entry" with regard to a particular case which took place in Fairfax, Virginia. Without knowledge of the facts of the case, I believe that this testimony will not be of help. The information on "surreptitious entry" discussed on page 30 (see below) is of interest regarding Agency policy but the facts of the case itself need to be known for these remarks to be placed in a meaningful context.

Osborn was asked what his understanding was of the situations in which "surreptitious entry" could be used and by "could" the committee staffer asking the question meant under a policy acceptable to the DCI. Osborn answered that "There was no policy acceptable in the Agency concerning surreptitious entry." He went on to say that in the three instances in which it was used that "two were specifically, directly and personally approved by Mr. Helms on a case by case basis. There was no policy."

FILE NAME (osborn.wpd)