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1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. Cregar
1 - Mr. Branigan
1 - Mr. Wannall
1 - Mr. Phillips

62-116395

October 16, 1975

MAB 7-27-98

**U.S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)**

**RE: DEPOSITION OF ASSISTANT DIRECTOR
W. RAYMOND WANNALL**

On October 13, 1975, in response to a request of Mr. James Dick, Staff Member of the SSC, Mr. Wannall was deposed in a room on the sixth floor of the Carroll Arms Hotel by Mr. Dick. Mr. John T. Elliff, also a Staff Member of the SSC, participated during portions of the questioning of Wannall and the questions and answers were recorded by Mr. Alfred H. "Fred" Ward of Ward and Paul Stenographic Reporters, Inc. The deposition concerned matters relating to FBI mail intercept programs and the receipt by the FBI of certain material resulting from a CIA mail intercept program.

Mr. Dick began taking the deposition at 3:00 p.m. and it was completed at 6:15 p.m. Mr. Dick advised Wannall that he had been placed under oath by Senator Richard S. Schweiker of Pennsylvania on October 3, 1975, when Wannall was deposed with regard to another matter and Wannall should consider himself as being still under oath for the purposes of the current deposition. Wannall was advised of his rights and was told that since a Senator was not present he could request a discontinuance at any time. He was further advised that the results would be recorded and he would be given an opportunity to review the transcription at a later date.

Director Clarence M. Kelley of the FBI had previously released Wannall from his secrecy agreement to permit his deposition with respect to the matters covered.

The following represents to the best of Wannall's recollection the information furnished by him responsive to specific questions. The material is not necessarily set forth in the order in which the questions were asked and the responses given.

ORIGINAL AND ONE COPY TO AG

WRW:lm1

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(1) 67-

(Personnel file Assistant
Director W.R. Wannall)

SEE NOTE ON PAGE 14

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noted that the initials at the bottom of the memorandum indicated it had been approved at least by former Associate Director Clyde A. Tolson and it was possible the memorandum had gone into former Director Hoover's office, although this could be established only by checking the time stamp on the reverse side of the one-page memorandum.

The third exhibit shown to Wannall was a memorandum dated May 15, 1963, from Wannall to W. C. Sullivan captioned "Bureau Informant 200 - Policy." This memorandum did not contain the initials of Wannall but he acknowledged that he had read either the memorandum or a copy of it. This memorandum had also been initialed by Mr. Tolson and had been prepared for the purpose of sending to CIA an evaluation of 347 separate items received by the FBI as a result of the Hunter-Vince coverage. It was recommended that an attached memorandum containing the results of this evaluation be furnished CIA "for assistance of that agency in evaluating the program and reinstitution." A sentence had been handwritten after this recommendation and the handwriting was recognized as being that of former Assistant to the Director Alan H. Belmont, and this was called specifically to Mr. Dick's attention. Mr. Belmont's sentence read "CIA will be told the decision is up to them."

Responding to specific questions, Wannall acknowledged that he was aware of the foregoing information that CIA's New York project which produced the Cuban mail operated for approximately one month beginning in February, 1963, and that to the best of his knowledge only 347 separate items, those evaluated in the May 15, 1963, memorandum, were received. Wannall said that Mr. Belmont's written sentence on the memorandum was interpreted by Wannall as an instruction to convey to CIA the fact that the FBI was not requesting a continuance or reinstitution of the Hunter-Vince coverage but that this decision should be made by CIA.

The next three items exhibited to Wannall were (1) a Xerox copy of an airtel dated December 21, 1962, sent from the Director, FBI, to the Special Agent in Charge (SAC), Miami, captioned "Penetrate, Espionage-Cuba;" (2) a Xerox

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copy of an airtel dated June 25, 1965, addressed to the Director, FBI, by the SAC, Miami, captioned "Joe Survey, Espionage-Cuba;" and (3) a Xerox copy of an airtel dated July 22, 1966, addressed to the Director, FBI, Attention: Inspector William S. Hyde, by the SAC, Miami, also captioned "Joe Survey, Espionage-Cuba." These communications revealed that on December 19, 1962, Chief Postal Inspector H. B. Montague gave his approval for an FBI plan to screen mail in Miami and instructed the Miami Office to proceed with this screening on January 2, 1963, after the rush of Christmas mail. The necessity for discreetness and the procedures for handling the initial inspection of mail were set forth and it was pointed out that if it became necessary for any of the letters of the subject, (Penetrato^(S)) (a code name for a then unidentified Cuban Intelligence Agent) to be sent to the FBI Laboratory in Washington for special processing, this would have to be handled by a Miami Office Agent who should personally take the letter to the Laboratory by plane and then return it to Miami for insertion in the normal mail flow after processing by the Laboratory.

Mr. Dick inquired as to whether Chief Postal Inspector Montague had been briefed to the extent that he was told the FBI would be opening mail. Wannall called Mr. Dick's attention to a note on the yellow file copy which indicated that the FBI had originally intended to use the pouch of commercial airlines pilots to transmit from Miami to Washington; however, Mr. Montague wanted mail to be handled only by Bureau Agents. Wannall said that while he had no knowledge as to the scope of the briefing of Mr. Montague, it would appear that he was aware of the fact that mail would be removed from normal mail channels although it was not felt that it could be stated from the note that Mr. Montague was told that the envelopes would be opened and the contents reviewed and processed.

The second item in this series was advice from the Miami Office that Mr. J. A. Callahan, Assistant Inspector in Charge, U.S. Post Office, Atlanta, Georgia, contacted the Miami Office concerning this mail intercept

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program which carried the code words "Joe Survey" and went over the details of the operations at the request of Mr. Montague. It was reported that Callahan told the Miami Office that due to investigations by Senate and Congressional Committees Mr. Montague had requested he be advised of the procedures used in this operation. Mr. Callahan was said to have stated that he had no criticism to offer after the procedure was discussed and, according to his conversation with Mr. Montague, he planned to give his approval to the operation and it would be continued.

The third exhibit in this series, the airtel from Miami dated July 22, 1966, reported that the Joe Survey had been discontinued as of July 21, 1966, in accordance with Bureau instructions and that Postal Inspector Maurice Campbell had advised that he felt sure the survey could be reestablished at any time if so desired by the Bureau.

Wannall was asked by what means the Bureau had instructed that the Joe Survey be discontinued and he responded that he did not have knowledge regarding this. Asked if he knew why it was discontinued, he stated that it was his recollection that former Director Hoover in July, 1966, ordered a discontinuance of certain techniques which had been theretofore utilized and he felt that the interception of mail was one of the techniques discontinued as a result of Mr. Hoover's instructions.

Responding to specific questions, Wannall stated that as he recalled the interception of mail in the Joe Survey had resulted in the identification of (S) **"Penetrator"** and one other Cuban Intelligence Agent, both of whom were sending letters to Cuban intelligence mail drops abroad. He further advised that from a review of material available in FBI files, he had learned that approximately 400 letters had been opened during the course of the Joe Survey and that in 60 instances secret writing was discovered either on the envelopes or on the contents of the envelopes. He said it was his understanding that in establishing the presence of the secret writing no damage resulted to the letters or envelopes and that the mail was placed back into postal channels

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for forwarding to the addressee normally within the matter of a day. Since mail from the United States to Cuba at that time was not flowing regularly because of the disruptions in relations between the Cuban Government and the United States Government, Wannall knew of no situations wherein suspicions were aroused by reason of the fact that there were delays in the transmittal of the mail.

Mr. Elliff asked for the identification of the source whereby the Bureau became aware that a Cuban Intelligence Agent who was given the code name **"Penetrate,"** (S) because his identity was not known at the outset of the Joe Survey, was, in fact, operating in Puerto Rico. Wannall stated that in keeping with the agreement between the Department of Justice and the SSC, he was unable to disclose this source. Mr. Elliff asked if Wannall was able to state whether this source was a mail intercept. Wannall told him that the source was not a mail intercept which satisfied Mr. Elliff's interests in this matter.

Mr. Dick inquired as to the highest authority within the FBI who had given approval to this operation. He was informed that a memorandum dated November 26, 1962, from Wannall to W. C. Sullivan captioned **"Penetrate,"** (S) **Espionage-Cuba,** outlined the background of the **"Penetrate,"** (S) case and recommended that contact be made by the FBI Liaison Agent with the Chief Postal Inspector to advise him of our desire to undertake the mail intercept program in Miami and that this memorandum contained Mr. Hoover's "OK" and his initial. Mr. Dick stated that the SSC staff did not have access to this memorandum and indicated access to it would probably be requested.

Mr. Dick then referred to a mail survey program conducted by the San Francisco Office of the FBI relating to Chinese communist propaganda entering the United States which was known by the cryptonym **"CHIPROP."** He inquired as to Wannall's knowledge of this program. Wannall advised that from a review of material in Bureau files, he had learned that this operation was started in 1954 at which