

1 APRIL 1970



This Newsletter is intended for all Naval Investigative Service personnel concerned with investigations and counterintelligence. Sufficient copies are furnished to allow distribution of individual copies to all NIS professional personnel.

NOT TO BE DISSEMINATED OUTSIDE NAVAL INVESTIGATIVE SERVICE

MEMO

from

The Director's Desk



If the circumstances surrounding an event, incident or situation are known it is more likely that an observer will understand the necessity for certain follow-up actions. With this in mind, I will attempt to describe some of the causative factors which resulted in the effects on the Agent Corps which have already become evident. It will be no great surprise to anyone that the Career Development Program for a Special Agent is closely related to the funding capabilities of the Service. Developments during the current fiscal year with regard to agent strength, promotions from the PSL, and premium pay are directly related to monetary resources.

Ordinarily, during any fiscal year (FY) an agency is given a budget total and is expected to operate within that total except for unexpected emergencies. Having a firm total within which to operate permits the head of the agency to announce firm plans for the year with very little concern of contradictions. The current FY began as those of the past except that a firm total budget figure was delayed, then delayed again and again. Several times during the period of delay we received alternately optimistic and pessimistic indicators. We were furnished what was believed to be a firm budget figure only to learn that it was subject to change. Indeed, changes were frequent. A recent review indicated that our total budget figure changed 28 times during the first three quarters of the FY. During this time I had no choice but to adjust our planning and sights to the new figure. When we finally did receive a reasonably firm budget total, it was necessary to suspend premium pay, to order a RIF of clerical personnel, and to curtail formal agent training among other austerity actions.

Because of the dangers of making firm statements concerning our financial situation at a time when financial resources are fluctuating, I hesitated to furnish strongly worded assurances that certain actions would or would not occur. Some of our agents have misinterpreted this caution for uncertainty of purpose. However, I believe it is wiser to be cautious than to be contradicted.

I now have reason to believe that the budgetary picture for the remainder of this FY and for next FY has cleared recently and that we can look forward with cautious optimism. Our planned end year agent strength of 945 is well within the limits of attrition and no agent RIF is expected or feared. Further, as I indicated at the time premium pay was "suspended," it will be reinstituted at the earliest practical date. As I have indicated earlier, premium pay is definitely factored in our budget request now before the Congress.



CAPTAIN PETER JOSEPH FOLEY, USN
ASSISTANT DIRECTOR FOR ADMINISTRATION
NAVAL INVESTIGATIVE SERVICE

Captain FOLEY is a graduate of St. Joseph's College, Yonkers, N.Y., and began his Navy career as an Ensign following OCS in 1942. He was advanced to the rank of Captain in April 1963 and assumed duties as Assistant Director for Administration, NISHQ in September 1969.

In February 1943, having completed anti-submarine warfare training in Miami, Fla., he reported to the destroyer escort USS AUSTIN (DE-15), serving first as assistant gunnery officer and then as navigator.

Captain FOLEY attended General Line School at Annapolis, Md., and then Post-graduate Naval Intelligence School in Washington, from August 1945 to December 1947. His next assignment was to the staff, Commander Support Group, Naval Forces Far East, as flag lieutenant.

In 1949, he was ordered to the Fleet Intelligence Center, U.S. Atlantic Fleet, Norfolk, Va. From June 1951 until February 1952, he served as operations officer on board the destroyer USS WATTS (DD-567). After a tour as executive officer in the escort destroyer USS RICH (DDE-820), he attended the Naval War College, Newport, R.I., in July 1953.

Following duty in ONI from July 1954 to February 1956, he reported aboard the battleship USS IOWA (BB-61) as navigator. In September 1957, Captain FOLEY assumed command of the radar picket destroyer USS FURSE (DDR-882). He next was ordered to the Navy Field Operational Intelligence Office at Fort George G. Meade, Md., in February 1959. After serving as executive officer of the guided missile cruiser USS CANBERRA (CAG-2), he assumed command of the dock landing ship USS SPIEGEL GROVE (LSD-32) in May 1963.

Captain FOLEY returned ashore in June 1964 to be Officer-in-Charge, Fourth Naval District Intelligence Office, and later, after reorganization, as Commanding Officer, Naval Investigative Service Office, Philadelphia. Prior to reporting to NISHQ, he was on duty with the Defense Intelligence Agency for two years.

Captain FOLEY wears the American Campaign Medal, Asiatic-Pacific Campaign Medal, World War II Victory Medal, Navy Occupation Service Medal, National Defense Service Medal, and the Expeditionary Medal.

A native of Yonkers, N.Y., Captain FOLEY is married to the former Miss Rose Mary Kelley of that city. They have six children and two grandchildren.



VERNON A. BONNEY

Vernon A. BONNEY has been the Supervising Agent, Naval Investigative Service Office, Norfolk, since September 1966. Vern's career began on active duty with Naval Intelligence from June 1942 until November 1945, first in the Investigative Branch, DIO-5ND, and then in the Graphic Section, ONI, Washington, D.C.

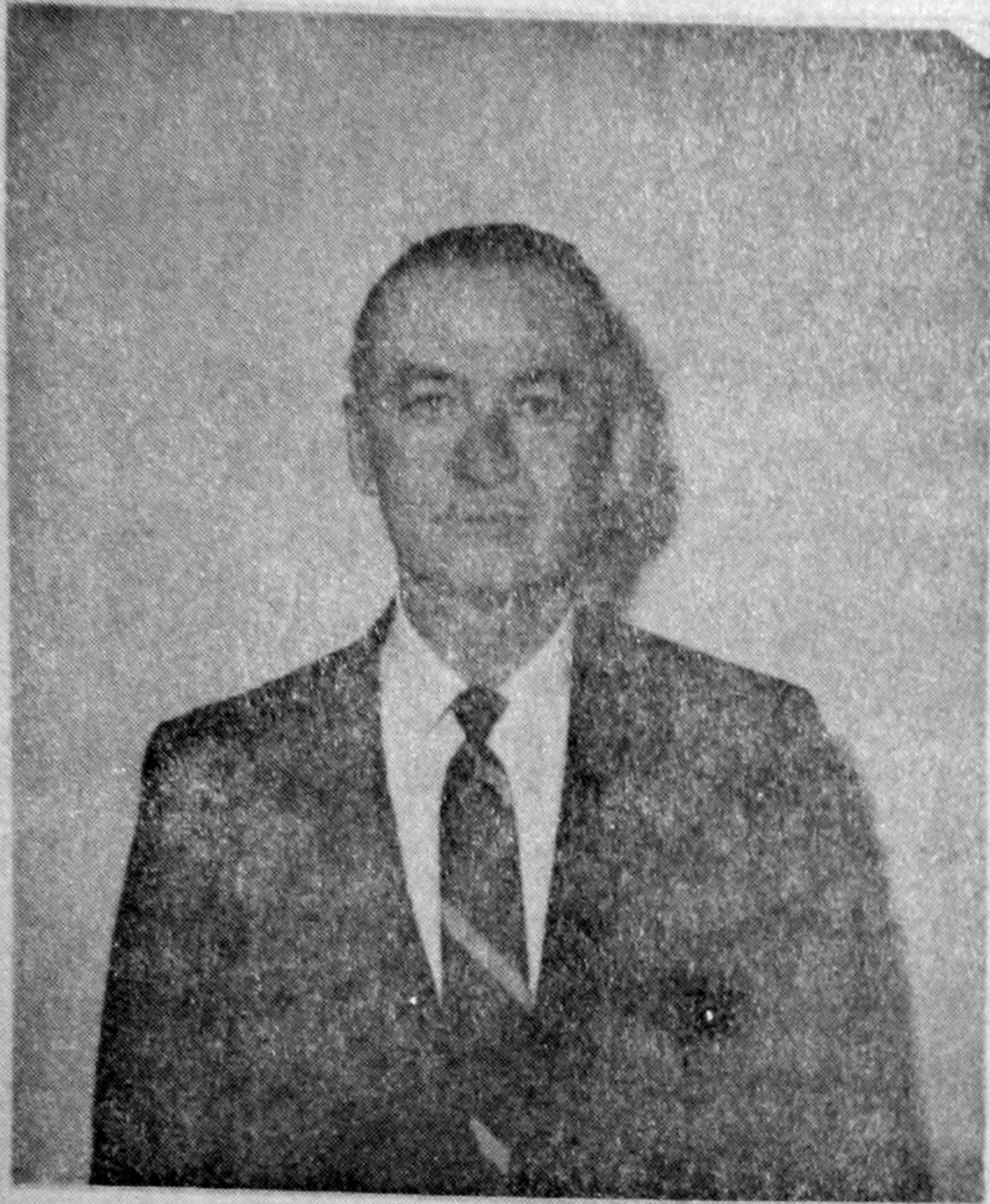
Hired as a Special Agent at DIO-5ND, on 11 October 1946, giving Norfolk a total of four Special Agents, Vern subsequently served as the Senior Resident Agent, Norfolk and Assistant Supervising Agent, Naval Investigative Service Office, Norfolk. Prior to assuming his present position, he was Supervising Agent, Naval Investigative Service Office, Charleston, South Carolina, from June 1964 to September 1966.

Vern is married to the former Doris Godfrey who was a secretary at DIO-5ND during World War II. Vern is the father of three sons, the oldest of whom is on active duty with the Army Security Group in Frankfurt, Germany.

An avid golfer, in some quarters Vern has the reputation as somewhat of a golf hustler. His prowess on the greens is perhaps second only to his enthusiasm and finesse at the bridge table. Vern is a singer of some note having formerly directed a church choir and produced at least one minstrel show in the Norfolk area.

Vern's professional interests have extended beyond NIS. He was one of the founders of the Virginia Crime Clinic, an organization composed of law enforcement representatives, and has served in various capacities and executive offices within that organization.

RETIREMENT



HENRY W. PERSON

Special Agent Henry W. "Hank" PERSON retired on 31 March 1970 having served with distinction and dedication in the Naval Investigative Service, Office of Naval Intelligence, since 1942.

Hank served in the Field Office, Baltimore, from 1942 to 1945 as a YN1 and was appointed as a civilian agent in March 1946. He was promoted to Senior Resident Agent, NAVINVSERVRA Baltimore in 1962 and remained in that assignment until his retirement.

Captain RIFENBURGH forwarded his special thanks in a letter of appreciation in which he commended Hank for his performance and professional know-how. On behalf of all members of the Naval Investigative Service, the Director wishes Hank many happy years of retirement.

I N M E M O R I A M

Francis "Frank" Leo SHANE, who retired from District Intelligence Office, THIRTEENTH Naval District in 1964, died at Seattle, Washington, on 8 December 1969. Frank was one of the original Special Agents employed at DIO-13ND and began his career in 1942 after several years as a Pinkerton detective. He was 72 at the time of his death and is survived by two daughters.

NAVAL INVESTIGATIVE SERVICE INVESTIGATIONS DEPARTMENT DIVISION NOTES

Division interviews report information concerning items of current interest, suggestions as to more efficient methods of operation, and reminders of operating guidelines. Official guidance, commendation and criticism are promulgated to the field by other more formal means. The information printed here is not to be construed as NIS policy.

PERSONNEL SECURITY INVESTIGATIONS DIVISION

Question has arisen as to the most suitable means of confirming the death of the subject of a PSI so that the investigation may be discontinued if not otherwise necessary. Should confirmation of death not be possible through such local records as newspaper files, or through a knowledgeable person not closely related to the decedent, such as a personal reference, a lead to check BUPERS/MARCORPS records would be appropriate. Contact with members of the decedent's immediate family is seldom, if ever, warranted.

Headquarters reviewers have noted that arrests not disclosed by Subject in item 18 of SPH (other than for minor traffic violations) are being reported in the ROI without the necessary highlighting to call attention to these omissions. Many adjudicators consider a failure to disclose such derogatory information to be a significant factor bearing on the Subject's integrity. Consequently, "failure to disclose" should be highlighted in the details (or Special Comment section) of the ROI.

INTERNAL SECURITY DIVISION

Because of the aims and objectives of some organizations of relatively recent origin, it has been the policy of NIS to initiate investigations concerning membership or alleged membership in them by naval and marine personnel. It has been observed that initiation of such investigations has not been consistent throughout NIS.

NISOs frequently can determine NIS investigative policy concerning a specific organization when leads are received in an investigation which is predicated upon membership or alleged membership in that organization. It is realized, however, that a NISO may have had no previous guidelines, formal or informal, about a specific organization and thus no precedent upon which to base further investigative action. In such cases it is mandatory that the NISO apply the policy contained in the Director's letter of 19 May 1969 which summarized the discussions at a Commanding Officer's seminar.

The initiation of investigations must be consistent with the Director's policy concerning the investigations of individuals who express controversial views (as contained in the Director's letter of 26 SEP 67, ser 6213). At the same time, when organizational membership might invoke any of the criteria contained in SECNAVINST 5521.6A (Navy and Marine Corps Military Personnel Security Program), investigation is ordinarily in order.

One point which has been covered before in the Newsletter is the completeness of NOCPs. While this is not a widespread problem, there are NOCPs received at Headquarters which present less than the desired information relating to the matter to be investigated, and which set out action/leads in such a terse manner ("conduct investigation") that the course the investigation will take is obscure.

In some instances the warning of suspects in cases involving loss, compromise or unauthorized disclosure of classified information, has been so specific as to be restrictive. A recent example is quoted in part: "...that I am suspected of unauthorized disclosure of Confidential information by releasing information in Navy message _____ to _____." Such warning places an unnecessary burden on the Special Agent during interrogation. The suspect might well have disclosed the information contained in the message after obtaining it from another source. If such were the case he could deny the specific allegation against him.

During the course of a 3G investigation, and when there is good reason to believe that the suspect is heading toward Canada or Mexico but has not yet left this country, border alerts are ordinarily requested of those NISOs which cover common boundaries with the other country. When such a border lead is requested it should be by a DATA "A" Lead. Border alert leads received by mail are usually late to the point that an undue burden is placed upon the receiving NISO in the dissemination of those leads.

Also important is the prompt cancellation of these alerts. The NIS component first becoming aware of the apprehension or return to military control of an individual upon whom an alert has been requested, should take immediate steps to cancel that notice, either by contacting the appropriate border stations themselves or, if that is not possible, by coordinating with the controlling NIS component. Both the initiation and the cancellation of such alerts should be reported to NISHQ at some time during the pendency of the investigation. It should be expected that the cooperation NIS receives from I&NS at their border stations will be the result of our furnishing prompt notification of cancellation.

CRIMINAL INVESTIGATIONS DIVISION

The January 1970 Newsletter indicated case categories 4X, 6X, etc., were appropriate for investigations conducted to obtain the details and disposition of an arrest record and that assignment of a PSI-Special Inquiry case category was appropriate where a security eligibility determination was concerned. In accordance with the guidance contained in Section 1-0605 of ONI 63-1B wherein Specific Phase investigations (i.e., limited inquiries) are discussed, the PSI Special Inquiry (1X, 1Y, or 1Z) vice criminal case category, will be assigned when the purpose of investigation is to obtain the details and disposition of an arrest record to satisfy any requirement of the requester. The foregoing procedure will distinguish such investigations from those which have the characteristics of a bonafide criminal investigation in which the objective is to establish whether or not a crime has been committed and to determine the legal responsibility for its commission.

It is necessary to re-emphasize that every component initiating a case must make expeditious notification, by means of the ALS/NOCP, to the NIS

Central Case Control System at NISHQ. This should be accomplished as soon as administratively possible following the receipt of the investigative request. In some cases, delays of two weeks or more have been noted. As authorized in NIS GEN, "Revisions to ALS/ROI Entries," dated 6 August 1969, the Status Block entry "# CLOSED" may be used on a "Timely handling" ROI that serves as both a "NOCP" and as the "CLOSED" document. This should continue to be reserved for only those cases in which the investigation and the report are completed within one or two days of receiving the request. Where it appears that this will not be possible, a separate NOCP is required.

NIS GEN of 2-1-70; Subject: Operational Economies, directed that the reproduction of waiver forms, statements and other attachments to ALS/ROIs should be held to an absolute minimum. Apparently this instruction has been misinterpreted and it is suggested that all personnel concerned closely scrutinize this GEN. Attention is invited, in part, to paragraph 1.c, line 7, "...In any case, and in order to assure the integrity of the NIS Central Files Dossier, NISHQ must be provided with a copy of all statements taken in the course of an investigation..."

The NIS INFORMATION REPORT (NIR) has proven its usefulness in the past few months as an important vehicle for reporting information obtained by NIS components that is not pertinent to NIS investigations or to NIS specific collection requirements already established under the ALS/ROI or CCI/CCR systems. While incorrect usage of the NIR has been minimal some NIS components have been erroneously reporting the results of positive investigative effort by this means. For example, reporting the results of a preliminary investigation that was ultimately referred to another investigative agency should be accomplished by ALS/ROI vice NIR. In addition, several NIS components have erroneously attempted to make corrections to previous NIRs by ALS. If a correction to a previous NIR is deemed necessary, a new NIR should be submitted referencing the former.

NAVINSERV INST 5520.19 of 27 October 1969, and enclosure (1) thereto, promulgated the NIS Narcotics Data Sheet and instructions for its completion and submission to NISHQ (0023) by field components effective 1 November 1969. Experience to date indicates that in many cases the data sheets are being completed in a very careless manner. In attempting to keypunch the sheets for the month of December 1969, a 50% error rate was noted. That error rate and the accompanying unacceptable waste of already limited keypunch resources, necessitated a complete, in-depth review of approximately 1100 data sheets for the month of January 1970 by NIS-23 personnel prior to their being keypunched. Some of the more common errors were:

Items 1-17 - CCNs incomplete or unreadable

Item 19 - Incomplete. When Item 18 reflects a co-Subject Name Identifier, item 19 must be completed with a zero (0).

Item 42 - Incomplete. This field must always be completed. When the sheet is being submitted as part of a Narcotics (7N) case, the field entry "Not Applicable" must be circled.

Items 61&67 - Incomplete. When no seizures were made, an "X" must be entered in field 67.

Items 73&78A - Entries improperly made. It is intended that fields 73 through 77 reflect the dollar value and fields 78 & 78A reflect the cents value. When the entered value is an even dollar figure, fields 78 and 78A must be completed with zeros (0).

While the preponderance of recording errors appeared to fall into one or more of the above areas, it was also noted that some data sheets contained errors of substance. The majority of these appeared to fall into Items 43, 44, 45, and 61 through 72; and 73 through 78A. It is indicated that a periodic review of the basic instruction by all hands is warranted. Now more than ever, we must guard against any practice which could involve the wasteful expenditure of our Special Agent/clerical resources.

CAREER SERVICES DIVISION

The budgetary shortage of the current Fiscal Year has affected the Career Services Division to a greater extent than any of the other Headquarters divisions. Although we have been slowed in our activities we have not come to a complete stop. We have used the added free time to plan for the next Fiscal Year. We are planning a reasonable training program for Fiscal Year 1971 to include four (4) basic schools, two (2) criminal courses, two (2) narcotics courses and a Supervising Agents' seminar.

Probably during Fiscal Year 1971 a Special Agent Selection Board will meet to replenish the PSL which is rapidly becoming exhausted. We expect to have funds to resume our Career Development transfer policy and to reduce most of our formal training program to video tape so that pertinent portions of all courses will be available for dissemination to the field upon request for refresher and initial training purposes.

TECHNICAL SERVICES DIVISION

Since the last issue of the NIS Newsletter, Closed Circuit Television (CCTV) has played an important part in the solving of two theft cases at NAVINVSERVO Washington. In both instances the CCTV equipment was utilized exclusively by agent personnel assigned to NAVINVSERVO Washington.

The CCT equipment used in these operations is available to any NAVINVSERVO. Identical equipment is available at the Technical Services Detachments in London and Honolulu for use by NAVINVSERVOs in Europe and WESTPAC. This equipment is easily installed and operated. The lens must be focused at the camera, but all other controls for the camera are operated at the

viewing monitor which can be located as far as 160 feet from the camera.

Other electronic investigative aids and photographic equipment are available for use by any activity of the Naval Investigative Service. Address your requests to the Technical Services Activity nearest you. The equipment requested will be shipped by the fastest possible means. A reasonable lead time should be planned, however.

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Technical Services Division (Code 26)
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Alexandria, Virginia 22314

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Technical Services Detachment
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COMMAND ATTENTION TO DISCIPLINARY MATTERS

Admiral B. A. CLAREY, Vice Chief of Naval Operations, recently issued a position paper directed to the attention of all flag officers, unit commanders and commanding officers. This directive defines the respective roles of command and investigative authorities in keeping senior commands advised concerning disciplinary matters involving public interest. Citing SECNAV INSTRUCTION 5430.13B, Admiral CLAREY pointed out:

"It is incumbent on each level of command to insure that all actual or alleged serious criminal offenses are referred to the Naval Investigative Service for investigation, and that appropriate action is taken following the investigation. It is equally incumbent on the commander involved to provide appropriate information on such matters to his seniors."

Admiral CLAREY directed that his position paper be made a part of the turnover files of all commanders. NIS, of course, will continue to routinely provide copies of appropriate investigation reports to the Chief of Naval Personnel in order that he might fulfill his responsibilities for the technical direction of discipline in the Navy in accordance with Article 0441, U.S. Navy Regulations 1948.

NATIONAL CRIME INFORMATION CENTER (NCIC)

The NISHQ terminal to the NCIC has been operational since April 1969. It is the only NCIC terminal allocated by the FBI for the Department of the Navy. NISHQ has the responsibility for conducting all Navy and Marine Corps transactions involving the NCIC. Presently, NIS is submitting into the NCIC all "entries" for the Navy and Marine Corps involving stolen, lost, missing, and recovered weapons, articles, vehicles, boats and securities. Additionally, entries are made for BUPERS on all Navy deserters and, in the near future, will be made on all Marine Corps deserters.

Total NISHQ transactions with NCIC, i.e., entries, inquiries, recoveries, etc., have increased from approximately 500 per month in May 1969 to about 1600 per month in January 1970 with anticipation of increased numbers of transactions in the future. The recent promulgation of SECNAVINST 5500.4B of 16 December 1969, Subject: Missing, Lost, Stolen, or Recovered Government Property; reporting of - should account for a sizeable increase in activity.

Since the aforementioned instruction has been in effect, numerous questions have been asked concerning duplication of NCIC entries to NISHQ by commands and NIS field components. Commands complying with the SECNAV instruction have mistakenly forwarded their reports via a NIS field component or have made the report to both NISHQ and the NIS field component. Similarly, duplication will arise in those instances where the command makes a report directly to NISHQ and, at the same time, requests investigative assistance from a NIS field component. This poses no problem for the NISHQ terminal operator since the NCIC computer will reject any attempt to make duplicate entries. In fact, it is desirable for NISHQ to receive both because the command report and the ALS/ROI entry can then be easily "married up." In addition, it ensures early entry into the NCIC since the command letter may be received before the ALS/ROI or vice versa.

Commands continually submit reports on which no investigative assistance will be requested because of the circumstances of the missing, lost, or stolen item. For instance, a semi-annual inventory discloses an item missing but it is unknown when the item disappeared or whether it was, in fact, stolen. An investigation would probably not be warranted. Another example might be a lost weapon. Normally NIS does not investigate in instances where items are lost through individual carelessness, so a request for investigation is not warranted; however, the command is required by SECNAV instruction to report this loss to NISHQ for NCIC entry. In the future, should the weapon be found or recovered by a third party, it is readily identifiable as to ownership. Thus, it is possible to return the item to the command suffering the loss.

It is NIS policy that all entries concerning Navy or USMC property must be entered into the NCIC by NISHQ. This action must be taken in all instances irrespective of the fact that a duplicate entry might be made by another investigative agency. For example, the fact that a theft of government property case is assumed by the FBI (and FBI indicates that they will make an NCIC entry) does not eliminate the necessity for NISHQ to make an entry also.

Requirements are continually being levied upon NISHQ to furnish statistics concerning volumes and types of USN/USMC property which is lost, missing or stolen. Unless NISHQ makes NCIC entries on all such USN/USMC property, it is impossible to retrieve accurate statistical data from the NCIC computer.

The NCIC can be an extremely valuable investigative aid in many types of investigations being conducted by NIS. Regardless of the particular case category, the agent should not hesitate to submit requests to NISHQ for NCIC inquiries. For example, in suicide, homicide, or any other type case,

inquiry of NCIC concerning an involved weapon or any other item with a serial number might result in a "hit" and the development of a whole new aspect to the case.

Recent examples of NIS activity with NCIC are:

Two walkie-talkies entered as a result of a NIS investigation of theft from NAS Olathe, Kansas, were recovered three days later from a Cincinnati, Ohio, pawn shop.

A .45 calibre pistol reported stolen in Danang, Vietnam, was recovered by the California Highway Patrol from a vehicle being driven by a Naval officer who was stopped for drunk driving.

Through a NCIC entry, the New York State Police apprehended a sailor wanted by NIS in a case of possible defection.

CASE DOCUMENTATION

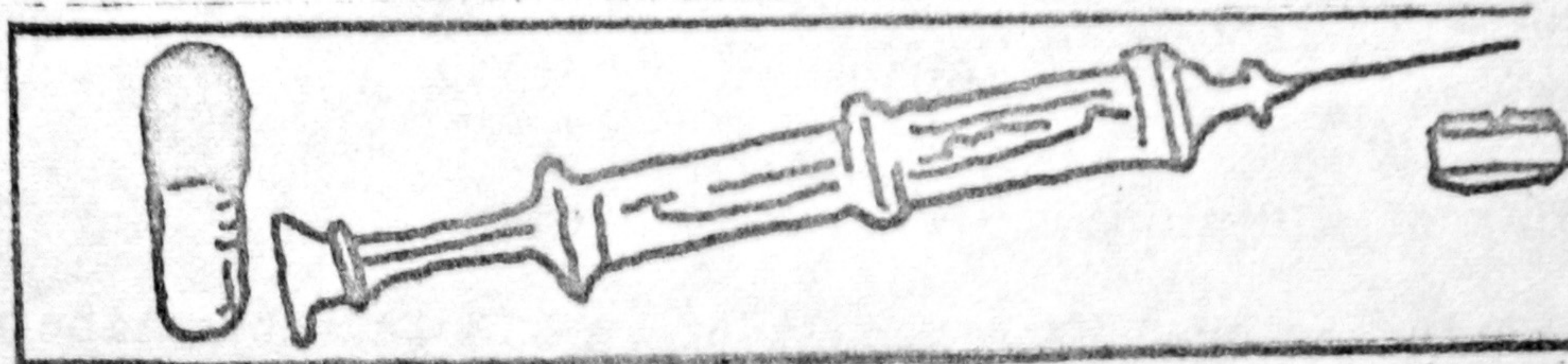
An increasing number of incidents have recently been noted in which reproduced copies of documents attached to ALS/ROIs submitted to NISHQ are illegible, incomplete, or cropped on the bottom, top and sides eliminating some of the substance. In many instances, the modified duplicate documents become virtually totally without value for case file purposes, particularly if the original has been provided to the requester for permanent retention. The document deficiencies are especially prevalent where holographic material is prepared in the original on 8½X11 or larger paper without margins and then reproduced on standard 8X10 reproduction paper. Special Agent personnel are reminded that if the statement author's handwriting is illegible, a typed copy of the statement should be submitted along with the holographic original. Everyone is reminded that the quality, utility, and evidentiary value of the case documentation is as important, if not more so, than the ROI. It is the originator's responsibility to ensure that all material making up the case is adequate, suitable and properly submitted.

SEC DEPARTMENT

In the milieu of the STEACYGRAM (also known as the SSD), experience during the first four months of NIR production has, by and large, been gratifying. Sure, there are some hang-ups in adhering to formatting procedures, but all told, these are on the minor side and when the revised STEACYGRAM form is in supply, corrective guidance will emerge.

While complete statistics are not yet available, a sampling reflects some of interest. For example, total NIR/CCR production in the first two weeks of December 1969 was 462 of which 177 were processed into IRs for DIA. During the first two weeks of February 1970 NIRs totalled 389 with 122 going to DIA in the form of IRs. It should be noted that under current practice, IRs are written only on positive intelligence or overseas matters of counterintelligence; domestic counterintelligence beyond exclusive Navy interest flows to DIA-CI in its NIR/SSD format. The SEC Department appreciates this reporting by the field and solicits inundation with more of the same.

DRUG INTELLIGENCE



LSD "Barrels"

LSD tablets, known as "Barrels" have been analyzed in BNDD's laboratories and all contain dextrose and corn starch and were pink and white, green and white, or blue and white in color. The tablets were round, flat and unscored. They were about 5 millimeters in diameter, 4 millimeters thick and weighed about 90 milligrams. The LSD potency ranged from 90 to 115 micrograms.

LSD "Peace Tablets"

LSD tablets, called "Peace Tablets" and "Peace Pills" not to be confused with Phencyclidine HCl "Peace Pills" have been analyzed by BNDD and are reported to be crudely made. They are embossed with a so-called "peace" symbol, which resembles a bird's footprint inside a circle. The tablets contained a large amount of spraydried skimmed milk and a small amount of dicalcium phosphate. The tablets were round, flat, unbeveled, unscored, light green, red, rose pink, white or blue in color. They are about 6.5 millimeters in diameter and range from 3.3 to 3.9 millimeters in thickness. Tablet weight varied from 137 to 146 milligrams. The LSD potency ranged from 90 to 114 micrograms.

MIXER

Methapyrilene has been appearing with heroin in BNDD's Chicago laboratory. Several exhibits also contained quinine, however, quinine has not been appearing as frequently in recent evidence. Methapyrilene also was found in yellow capsules purported to have contained a barbiturate. Methapyrilene is commonly contained in over the counter sleeping aids.

WOOD ROSE

Hawaiian Baby Wood Rose was identified by BNDD's New York laboratory in bulk powder purported to have contained LSD. Also brown powder alleged to be Mescaline was analyzed and found to be ground Hawaiian Baby Wood Rose.

PUMPKIN SEED

STP "Pumpkin Seed" tablets have been analyzed. They are about 16 millimeters long, about 7.2 millimeters thick at the center, with an edge thickness of about 2 millimeters. The well made tablets contained approximately 4.8 milligrams of STP per tablet.

LSD "SUNSHINE"

LSD "Sunshine" tablets appeared in two sizes at a "Rock" festival in Texas according to BNDD. Tablets of both sizes were orange in color. One size was round, flat, unscored, unbeveled, about 3.9 millimeters thick, with an average tablet weight of 41.8 milligrams. They contained the potency of 256 micrograms of LSD. The other size was also flat, compressed tablets, about 6.4 millimeters in diameter and about 3.4 millimeters thick. These contained 255 micrograms of LSD. Both tablets were poorly made.

PILL POT-POURRI

Purple STP were recently analyzed by BNDD. The well made tablets were 6.8 millimeters in diameter, 3.9 millimeters thick and were unscored. They contained 4.0 milligrams of STP and Phencyclidine per tablet.

"HOG"

Phencyclidine HCl impregnated on plant material and promoted as "HOG" has been analyzed by BNDD laboratories. "HOG" has also been used for alleged "THC" reportedly mixed with strychnine.

AGENT TRAINING ACTIVITIES

The following Special Agents attended Bureau of Narcotics and Dangerous Drugs Schools during the 3rd quarter of FY 70:

Luke P. BENSON	00	Stephen D. GILL	09
Carroll L. HAWKINS	00	Peter D. BLAUVELT	20
Richard T. PAYNE	00	Raymond T. RUSSELL	20
John DILL	09		

The following Special Agents attended the NIS Polygraph Examiner's Seminar which convened at NISHQ during the period 8-11 December 1969:

Millard E. ADDISON	NISRA Yokosuka
Thomas E. BRANNON	NISRA Taipei
J. Brian MC KEE	NISRA Naples
Joseph F. NAYLOR	NISRA Norfolk
Richard L. PECK	NISRA Andrews AFB
Reed QUINN	NISRA Treasure Island
Robert K.G. RENDE	NISRA Jacksonville
Robert C. WALL	NISRA San Diego

PROMOTIONS - TRANSFERS - NEW HIRES

The quarterly notification of promotions and transfers in the NEWSLETTER is intended expressly for the information of its readers and does not constitute official notification. Regarding the GS-11 examination, a certain time lag must ensue from the point of taking the quarterly examination until the

results are processed; however, all NAVINVSERVO's are notified of the results of the examinations during the first week of the following quarter allowing sufficient lead time to permit uniformity in promotion on effective pay periods.

GS-11 EXAMINATIONS

The following Special Agents have successfully completed the professional examination administered during the First Quarter FY 70 and have been advanced to GS-11.

COLITRE, Charles E.	01	HALL, David L.	09
GIBSON, William F.	01	SALM, Peter J.	09
HORAN, Thomas D.	01	AIKEN, Robert M.	11
MELIA, Francis M.	01	BOUCHARD, James J.	11
BESKID, Franklin D.	04	JOHNSTONE, Robert T.	11
DAQUILA, Thomas P.	04	WAGNER, Terry	11
ROGERS, Michael G.	04	BRISBIN, Charles E.	12
SEVERINE, Martin L.	04	DECHANCE, Ronald A.	12
BUCHANAN, Ernest A.	05	DYKES, David W.	12
MC AFEE, Frank E. Jr.	05	CHASE, Donald W. Jr.	20
MCLAUGHLIN, Roger N.	05	HALE, John D.	20
ALBAN, Eugene W., Jr.	06	GLASPELL, Archie A.	20
BANKSTON, Clyde L.	08	STALLINGS, Thomas Y.	81
GODFREY, Richard E.	08	BOURKE, Michael G.	81
BENSON, John S.	09	FERRELL, Lawrence E.	81

Advanced to GS-11 during the Second Quarter FY 70

BOYD, Augustus S.	00	HAMILTON, Wayne B. Jr.	09
STRIEBICH, John H.	04	JACKSON, Leighton G.	09
DEAL, Arthur K.	05	LONG, Gerald O.	09
WOOLARD, James W.	05	STEWART, Edward A.	09
HODGES, James A.	06	GHIO, Fred A.	11
MCDONALD, Claude D.	06	MILLER, Theodore A.	11
PAGE, Charles V. III	06	TAYLOR, Robert A.	11
DETTEN, Robert C.	09	LAWS, Larry A.	12
FEUERBACHER, John M.	09	PADGETT, Wayne W.	12

AUTHORIZED PROMOTIONS TO GS-12 FROM THE PSL

PEISTRUP, Edward J.	Prospective ASRA, NISRA Subic Bay
MILLER, Leland M.	Prospective SRA, NISRA Atsugi, Japan
ANDERSON, Gayle E.	SRA, NISRA Bainbridge
SCHAEFFER, Charles R.	Rep. Agent, NISSU Bremerhaven
CLEVELAND, Walter G.	Prospective SRA, NISRA Kaneohe, Hawaii
BRADY, Bobby L.	NAVINVSERVHQ

AGENT TRANSFERSFROMTO

MUELLER, Paul J.
SULLIVAN, Arthur J.
ALBERSE, Peter T.
GILL, Robert D.
DECOSTA, Ronald
BREEN, Terrence M.
ROGERS, Gordon T.
BURKHAMER, John R.
KERSENBROCK, Allan J.
UPCHURCH, Larry C.
FITZPATRICK, Edward J.
MCDONALD, Vernell
DILL, John
SCANLAN, James N.
RICHARDSON, Robert A.
STEWART, James A.
FOCHT, Walter S.
GRIM, Gordon F.
PENDER, James P.
DAVIS, James R.
BELLINO, Richard A.
LACOSTA, Robert
KELLEY, Paul W.
TAYLOR, Bernard C.
MC DOUGALL, Stewart C.
ATWATER, Donald E.
BENDEROTH, Richard T.
LAWSON, Charles F.
ATKINSON, Charles L.
GIBLIN, Edward P.
ANDERSON, Gayle E.
BROWN, George B.
MC GADY, Raymond A.
STUART, Douglas V.
BAKER, James T.
LOGAN, Royce E.
JOHNSON, George B.
COLEMAN, Lawrence A.
FERRELL, Lawrence E.
ARNOLD, Lance M.
SCHLICHTMAN, John D.
BOURKE, Michael G.
MC COY, Donald L.
SCHUNK, Donald C.

NISHQ
NISHQ
NISHQ
NISHQ
NISRA Newport
NISRA New York
NISRA Camp Lejeune
NISRA Cherry Point
NISRA Camp Lejeune
NISRA Charleston
NISRA Memphis
NISRA Chicago
NISRA Denver
NISRA Los Angeles
NISRA North Island
NISRA Pt. Hueneme
NISRA San Diego
NISRA MCRD
NISRA Alameda
NISRA Sacramento
NISRA Hunters Pt.
NISRA San Francisco
NISRA Spokane
NISRA Washington
NISO Washington
NISRA Bethesda
NISRA Washington
NISSU Bremerhaven
NISRA Keflavik
NISRA Naples
NISRA Sasebo
NISRA Yokosuka
NISRA Subic Bay
NISRA Sangley Pt.
NISRA Saigon
NISRA Saigon
NISRA Saigon
NISRA Danang
NISRA Saigon
NISRA Danang
NISRA Danang
NISRA Saigon
NISRA Danang
NISO Vietnam

NISO Washington
NISRA Bethesda
NISRA Bethesda
NISRA Washington
NISRA New York
NISRA Newport
NISRA New York
NISRA Keflavik
NISO Vietnam
NISRA Saigon
NISRA Danang
NISRA Subic Bay
NISRA Saigon
NISRA Subic Bay
NISRA Marianas
NISRA Norfolk
NISRA Saigon
NISO Vietnam
NISRA Rota
NISRA Sasebo
NISRA New York
NISRA Bremerton
NISRA Sangley Pt.
NISRA Saigon
NISHQ
NISRA Baltimore
NISRA New York
NISRA San Diego
NISRA Cherry Pt.
NISRA San Francisco
NISRA Bainbridge
NISRA Parris Island
NISRA Charleston
NISRA Camp Pendleton
NISRA Great Lakes
NISRA Corpus Christi
NISRA New Orleans
NISRA Cleveland
NISRA Iwakuni
NISRA Pensacola
NISRA Jacksonville
NISRA Yokosuka
NISRA Memphis
NISRA Camp Lejeune

COMMENDATIONS - LETTERS OF APPRECIATION - AWARDS

QUALITY STEP INCREASE

Winston C. KUEHL	00
Billy E. HUDSON	08

SUPERIOR ACCOMPLISHMENT AWARD -

Francis C. BELCHER	20
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VIETNAMESE SERVICE MEDAL

John W. TRIPLETT	01	James J. BAKER	09
Lawrence A. COLEMAN	04	David L. HALL	09
Lance M. ARNOLD	06	Frank E. ORRANTIA	14
John D. SCHLICHTMAN	06	Michael G. BOURKE	81
Royce E. LOGAN	08	Lawrence E. FERRELL	81

LETTERS OF COMMENDATION

John F. DONNELLY	00	William F. GIBSON	01
John W. STARKE	00	Thomas V. CASH	20
Richard E. MCKENNA	00	John W. JUHASZ	20
Victor J. PALMUCCI	00	Gardner E. WALLACE	20
		Edward J. FITZPATRICK	84

LETTERS OF APPRECIATION

Peter T. ALBERSE	00	Frederich L. ROURK	06
George R. SALB	00	Richard L. PECK	20
Arthur J. SULLIVAN	00	George F. BURKE	82
James E. CARSON	04	Clarence C. LEONARD	82
John N. HELD	06	John W. WALLS	82
Joseph F. OLIVERI	06		

UNIT COMMENDATION AWARDED

The Secretary of the Navy recently awarded the Meritorious Unit Commendation to the Naval Investigative Service, Pacific for exceptional service to Naval units ashore and afloat throughout the Pacific from April 1966 to April 1969. In making the presentation Admiral John J. HYLAND, Commander in Chief, U.S. Pacific Fleet, cited the dedication, skill, and teamwork of the NAVINVSERVPAC organization in providing "a greatly enhanced quality of counterintelligence and investigative support to the Navy's combat and shore forces."

This is the first such award ever given a NIS unit and reflects considerable credit on all personnel concerned.

SPECIAL BRIEFINGS

The following NIS personnel were briefed at NISHQ during the past quarter in preparation for recent duty assignments:

Captain Fred C. SATTERTHWAITE, USN, assigned as Commanding Officer, U.S. Naval Investigative Service, Pacific

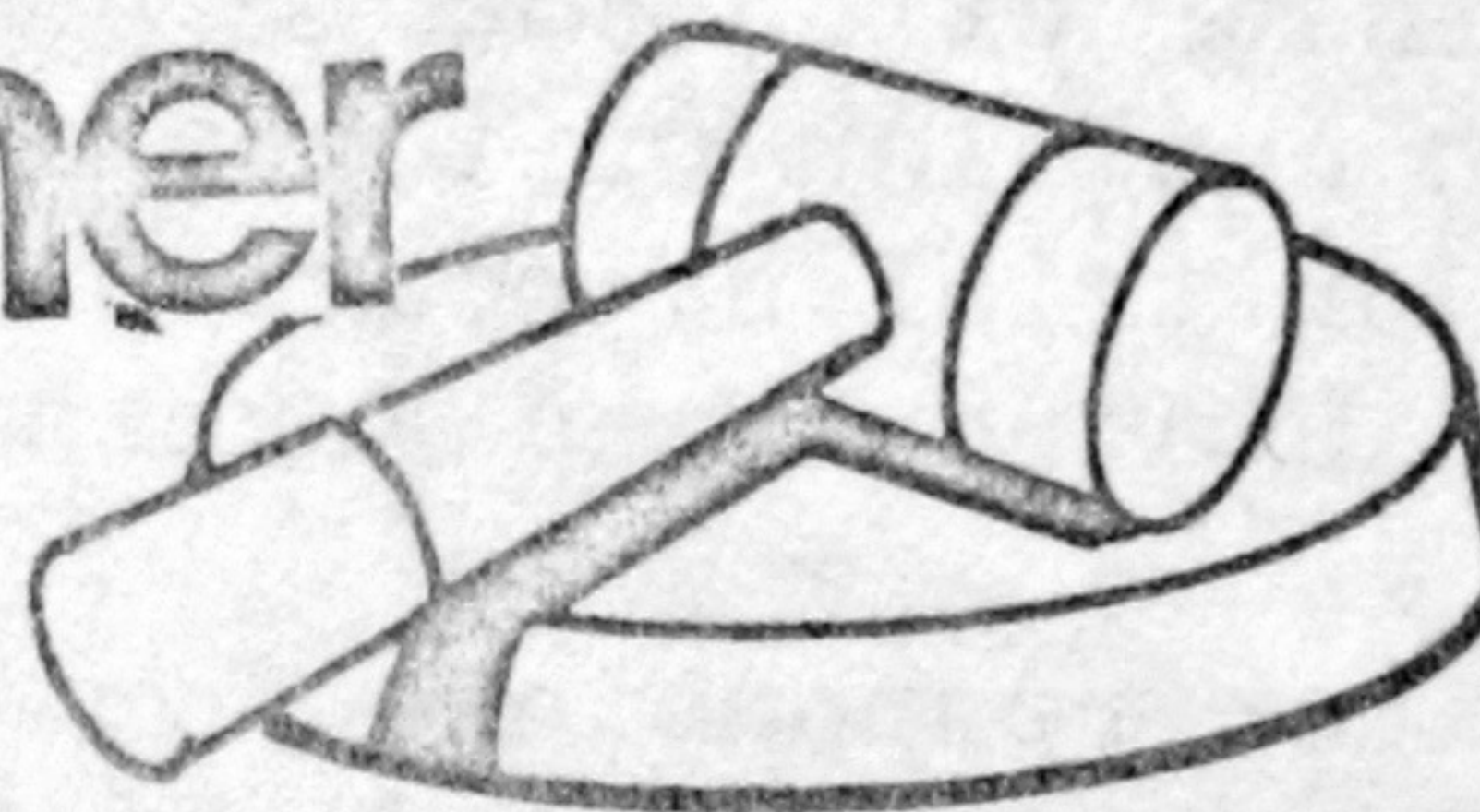
LCDR Marion T. DOSS, USN, assigned as USNAVINVSEVROEUR REP Rota

LCDR George J. HEIM, USN assigned as CO, USNAVINVSEVRO Fort Amador

LT Leonard KARP, USN, assigned as USNAVINVSEVRO VIETNAM REP Danang

LTJG George G. GRIFFITH, USN, assigned as Executive Officer, USNAVINVSEVRO Philippines

Legal Corner



Special Agent H. J. MCCARTHY, NIS-23, submitted the following legal briefs of interest to field agents.

The question of the applicability of Article 31b of the UCMJ and the Miranda - Tempia requirements has occasionally presented problems to administrative field boards dealing with offenses committed by inactive reservists. In July 1968, acting upon BuPers guidance, NIS formulated the modified or administrative type warning currently being used in the case of the inactive reservist. The desirability of furnishing this fairly unique type of advice has been challenged periodically as not meeting the more stringent requirements which the courts have laid down both in Miranda and in Tempia. In some instances this challenge has been presented at an administrative field board and, in isolated cases, has led to the exclusion of statements prefaced by the modified warning. Although these types of field board rulings have been infrequent they nonetheless are deemed noteworthy partially due to the movement within recent years to expand the rules of evidence to the administrative field board.

A fairly recent case in point was a USMC field board hearing at Treasure Island, California. In that case a statement was excluded due to the presence of a modified warning which was found to be inadmissible by the President of the board. It was noted that this ruling was made upon the motion of a local civilian attorney. Because of this decision a discussion was held with the Judge Advocate Division at Headquarters Marine

Corps where the relative significance of this decision was discussed and the concept of the modified warning reviewed. The decision of the Treasure Island field board was regarded as clearly in error due to its failure to understand that the rules of evidence are not applicable at an administrative proceeding and may be relaxed in the discretion of the board. The comment was made that frequently the President of a board is not trained in the law and/or administrative regulations and may be easily impressed by the persuasiveness of counsel.

The modified warning, as it appears on page 16-33 and 16-34 of ONI 63-1B, was reviewed and was found to exceed any statutory or case-law requirements and its continued use in the proper case was recommended.

The following item was submitted by Mr. D. N. FLANTON, Supervising Agent, NAVINVSERVO New York:

SECNAV Instruction 5820.6 prescribes the policy and procedures under which foreign consular officers are to be given notice of the apprehension, confinement, or trial by court-martial of their fellow nationals serving in the United States Armed Forces.

The officer responsible for this notification is the officer exercising general court-martial jurisdiction. While this instruction does not impose any operational responsibilities upon NIS its provisions respecting the apprehension of foreign nationals subject to the UCMJ may have an effect upon relations with the GCM authority.

COURT MARTIAL JURISDICTION OVER NARCOTICS OFFENSES

In U.S. v Beeker CMA 21787 6 Cr1 2017, (September 12, 1969), the Court of Military Appeals held that both the possession and use of marijuana and other narcotics has "special military significance" and hence the military could try a military offender by General Court-Martial under the UCMJ. Such offenses were found by the court to meet the "service connection" test established in O'Callahan v Parker 395 U.S. 258, 23 L. Ed 2d 291, 89 S Ct 1683 (1969). While BEEKER represents the COMA view on military marijuana possession/use the full import of that opinion has not found unanimous acceptance in the federal district courts.

The U.S. District Court for Rhode Island declared, inter alia, in Moylan v Laird, decided 20 Oct 1969, that there is a crucial distinction between use and possession of marijuana; only off-base pot use, not possession, is triable by court-martial. The court accepted the reasoning of the BEEKER decision insofar as it deals with use of marijuana but distinguished off-base possession as being beyond the purview of military jurisdiction. The court noted, however, that BEEKER dealt with on-base possession while MOYLAN was charged with off-base possession. On this basis then BEEKER is distinguishable on its facts from MOYLAN and it is the broad BEEKER dicta dealing generally with all military narcotics possession and use regardless of locale which drew the disagreement of the Rhode Island U.S. District Court.

AROUND THE NISO

CCTV APPLICATION

A recent NISO Washington case involving larceny of personal property from within the NISO spaces was brought to a successful conclusion during January through the use of closed circuit television. The technical surveillance of NISO Washington spaces commenced at 1615, 5 January 1970. At 1630, the suspect was observed opening a desk drawer and removing two one dollar bills. The suspect was apprehended.

ASSISTANCE TO LOCAL LAW ENFORCEMENT AGENCIES

Special Agent Carl SKIFF, NISSU San Angelo, assisted the Sheriff in Abilene, Texas, in apprehension of an escaped federal prisoner on 30 October 1969. The prisoner was captured without violence by S/A SKIFF and the Sheriff when he was found hiding along the bank of a stream. The escaped prisoner was being transported to San Francisco to stand trial on bank robbery charges and was under \$100,000 bond.

Special Agent John N. HELD, NISSU Glynnco, Georgia, was recently recognized by the Chief of the Police Department, Glynn County, Brunswick, Georgia, for his cooperation in an investigation into the drug racket in that area. In commending S/A HELD, the Chief of Police wrote "The actions of HELD reflect most highly on the U. S. Navy. . . ."

Special Agents F. L. ROURK and J. F. OLIVERI, NISRA Parris Island, recently rendered assistance to local authorities in a manhunt for three safe burglars. Two of the criminals were captured aboard MCAS Beaufort and the third escaped after mortally wounding a South Carolina Highway Patrolman. Special Agent OLIVERI assisted in apprehending one of the fugitives. Mayor Monroe W. Key, City of Beaufort, commended both NIS agents and wrote that "We will long remember the willing help that you gave in this serious affair."

CUPID CAPER CURBED

Two Marine enlisted personnel (one male and one female) were apprehended by Special Agents of NISRA Buffalo while enroute to Canada during early February. The Subject and co-Subject claimed travel to Canada to get married on St. Valentine's day because neither co-Subject's mother nor her Commanding Officer would give consent to the marriage. Instead of the wedding night of connubial bliss which they had anticipated, Subject and co-Subject were interrogated by a NIS Special Agent.

LIAISON ON THE LINKS

NAVINSERVO Honolulu's golf team comprised of NAVINSERVO Honolulu and NAVINSERV Pacific personnel won the Interdepartmental Intelligence Conference Golf Tourney for the third time and retired the trophy. The tourney is a quarterly affair which enables NIS, FBI, INTC and OSI representatives to gather in friendly competition.

JAPANESE POLICE OFFICIALS IN CHICAGO

Kasai Tatio, Senior Superintendent, Kanagawa Prefectural Police, and Chief, Yokohama Municipal Police Department, Hasegawa Toshiyuki, Director of the Safety Bureau, National Police Agency, and Suematsu Jitsuo, Chief Police Superintendent and Director of Police Training School, Tokyo Metropolitan Police Department, were extended social courtesies by NIS personnel during a fall visit to Chicago.

CIVIL AIR PATROL ASSISTANCE POTENTIALLY AVAILABLE

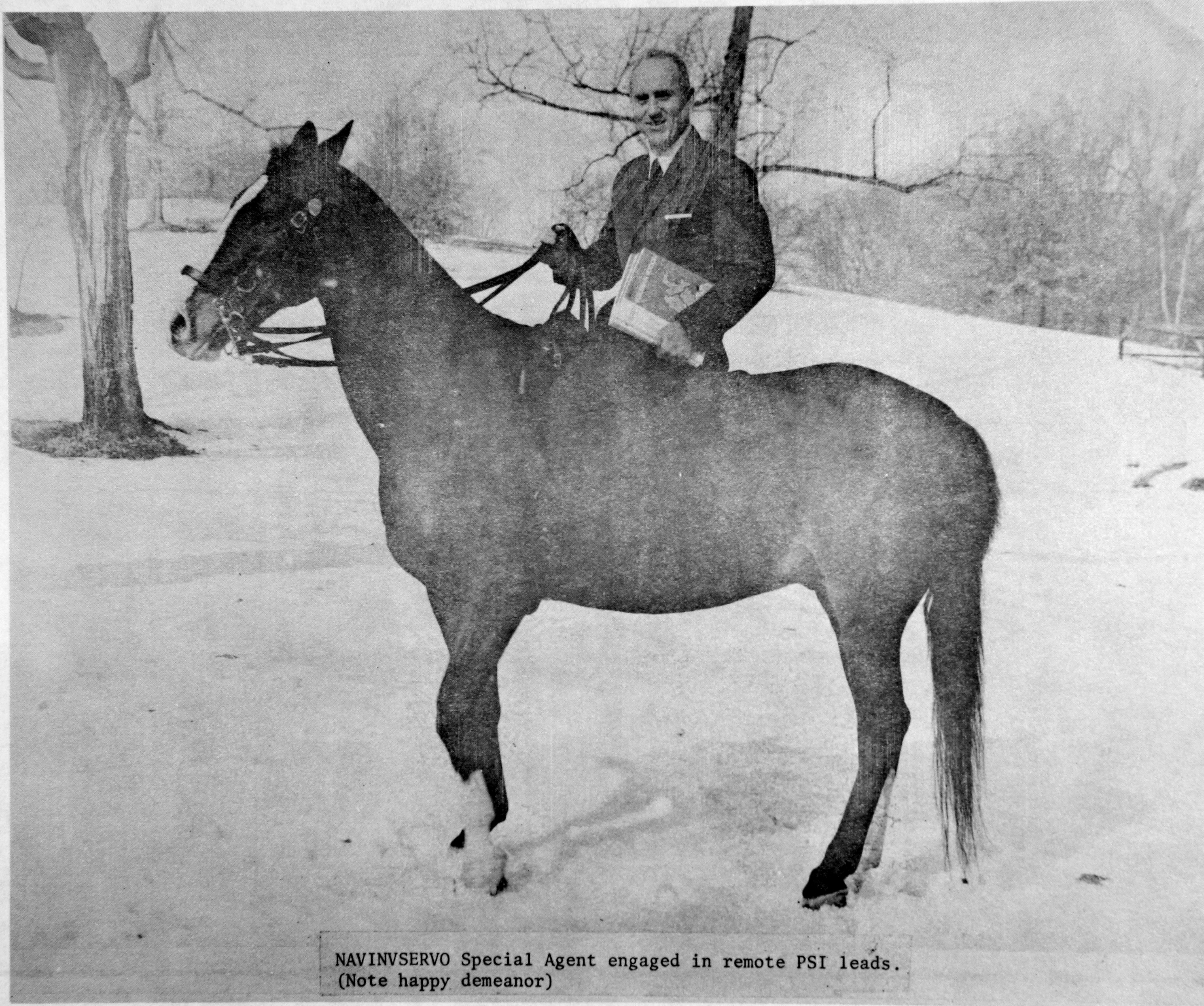
The Civil Air Patrol in Connecticut recently assisted NAVINVSERVO New York in an airborne search for a classified radar pod valued at \$150,000. The item was subsequently recovered and returned to USN custody. The CAP advised NISO New York that they could, in an emergency situation, transport Special Agents on official business by small aircraft to small cities in the Northeast not having regular commercial air service. The only expense involved would be furnishing fuel for the aircraft.

DIRECTIVES OF INTEREST

NISINST 5520.19 of 27 October 1969, Subj: Submission of Statistical Data on Narcotics Offenses Investigated by NIS. Purpose: To promulgate policy concerning the submission of subject statistical data.

SECNAVINST 5500.4B of 16 December 1969, Subject: Missing, Lost, Stolen, or Recovered Government Property; reporting of. Purpose: To prescribe the procedure for reporting missing, lost, stolen, or recovered government property to proper authority.

NISINST 5450.7 of 15 December 1969, Subj: Reassignment of Geographic Areas. Purpose: To promulgate instructions concerning the reassignment of investigative and counterintelligence responsibilities within the territories of certain Naval Investigative Service Offices.



NAVINSERVO Special Agent engaged in remote PSI leads.
(Note happy demeanor)