

United States District Court
EASTERN DISTRICT OF VIRGINIA

FILED
DEC 17 1996
CLERK U.S. DISTRICT COURT
ALEXANDRIA, VIRGINIA

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

EARL EDWIN PITTS

CASE NUMBER: 96-1047-31

(Name and Address of Defendant)

UNDER SEAL

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. From on or about July, 1987 - December, 1996 in Arlington and Stafford Counties in the Eastern District of Virginia defendant(s) did, (Track Statutory Language of Offense)

commit a violation of Title 18, U.S.C. Section 794 (c), that is, with reason to believe that it would be used to the injury of the United States and the advantage of a foreign nation, Earl Edwin Pitts did unlawfully and knowingly conspire with others to communicate, transmit and deliver to representatives of a foreign government, specifically the U.S.S.R. and the Russian Federation, information relating to the national defense of the United States, and did overt acts to effect the object of said conspiracy, including but not limited to the following: Earl Edwin Pitts did travel on March 24, 1992 from National Airport, in the Eastern District of Virginia, to New York City; and did

commit a violation of Title 18, U.S.C. Section 794(a), that is, with reason to believe that it would be used to the injury of the United States and the advantage of a foreign nation, Earl Edwin Pitts did unlawfully and knowingly attempt to communicate, transmit and deliver to representatives of a foreign government, specifically the Russian Federation, information relating to the national defense of the United States; and did

commit a violation of Title 50, U.S.C. Section 783(a), that is, communication of classified information without authority by Government officer or employee to a person he had reason to believe was an agent of a foreign government; and did

commit a violation of Title 18, U.S.C. Section 641, that is, conveyance without authority of property of the United States. in violation of Title 18 United States Code, Section(s) 794 (a) and (c), and 641, and Title 50, U.S.C. § 783(a)

I further state that I am a(n) Special Agent, FBI and that this complaint is based on the following facts:
Official Title

Continued on the attached sheet and made a part hereof: Yes No

David G. Lambert
Signature of Complainant
David G. Lambert, Special Agent
Federal Bureau of Investigation

Reviewing AUSA - Randy L Bellows
Sworn to before me and subscribed in my presence,

December 17, 1996 at Alexandria, Virginia
Date City and State

Thomas Rawles Jones, Jr.
United States Magistrate Judge
Name & Title of Judicial Officer
[Signature]
Signature of Judicial Officer

UNITED STATES V. EARL EDWIN PITTS
UNDER SEAL

Magistrate No. 96-_____ -M

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT,
ARREST WARRANT, and SEARCH WARRANTS**

I, David G. Lambert, 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 9 years. I have been assigned to foreign counterintelligence (FCI) investigations for approximately 7 years. 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 the following:

a. Complaint and Arrest Warrant for:

EARL EDWIN PITTS,
DOB: September 23, 1953
SSAN: 486-62-7841

for the following violations of federal criminal law:

a. Conspiracy to Commit Espionage (Title 18, United States Code, Section 794(c)); and

b. Attempted Espionage (Title 18, United States Code, Section 794(a)); and

c. Communication of Classified Information by Government officer or Employee (Title 50, United States Code, Section 783(a)); and

d. Conveyance Without Authority of Government Property (Title 18, United States Code, Section 641).

b. Application for Search Warrants for:

1) Premises known and described as a single family residence located at 13415 Fox Chase Lane, Spotsylvania, Virginia, 22553 (as more fully described in Attachment A), which is within the Eastern District of Virginia; and

2) Premises known and described as Room B-103, Building #9, Behavioral Science Unit, FBI Academy, Quantico Marine Base, Quantico, Virginia (as more fully described in Attachment B), which is within the Eastern District of Virginia; and

3) One 1992 Chevrolet S-10 Pick-up Truck, bearing Virginia registration NVI-582, VIN: 1GCCS19R7N2148561, which based on recent observation by FBI Special Agents and surveillance personnel is presently located at 13415 Fox Chase Lane, Spotsylvania, Virginia, 22553; and

4) One 1996 Honda Accord, bearing Virginia registration OXK-347, VIN: 1HGCD5636TA112429, which based on recent observation by FBI special

Agents and surveillance presently located at 13415 Fox Chase Lane, Spotsylvania, Virginia 22553; and

5) One storage unit, numbered A425, located at Public Storage, 7400 Alban Station Boulevard, Springfield, Virginia, 22150 (as more fully described in Attachment C); and

6) One storage unit, number D13, located at U-Stor-It Mini Storage, 3662 1/2 Jefferson Davis Highway, Fredericksburg, Virginia, 22408 (as more fully described in Attachment D); and

7) One safety deposit box, number 114, located at the Central Fidelity Bank, 4230 Plank Road, Fredericksburg, Virginia 22407.

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3. The information stated below is based on personal knowledge, training and experience, including training and experience I have gained while assigned to FCI investigations, and information provided to me by others as noted herein.

Summary

4. This affidavit concerns an investigation by the FBI into the compromise of FBI intelligence operations and information. During this investigation, I and others have conducted interviews, physical and electronic surveillance, financial analysis, and other forms of investigation.

5. The results of this investigation to date indicate there is probable cause to believe that:

a. EARL EDWIN PITTS (hereafter, "PITTS"), a United States citizen is an agent of the Sluzhba Vneshney Rasvedi Rossii (hereafter, "SVRR") which is the intelligence service of the Russian Federation. The SVRR is the direct successor of the Union of Soviet Socialist Republics' Committee for State Security, known hereafter as the "KGB". An agent of a foreign intelligence service is one, other than an intelligence officer or employee, who clandestinely and illegally acts on behalf of that service. Prior, to being an agent of the SVRR, there is probable cause to believe PITTS was an agent of the KGB.

b. From in or about July, 1997, through the present, PITTS conspired with officers of the KGB and SVRR to commit espionage. This included numerous trips which PITTS made from

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the Eastern District of Virginia to the New York area in connection with his espionage activities. From in or about October, 1992, to the present, to the best of my knowledge and belief, PITTS remained an agent of the SVRR in a dormant capacity.

c. During PITTS' espionage activities between 1987 and 1992, PITTS received from the KGB and SVRR in excess of \$224,000, including over \$100,000 set aside for PITTS in

a "reserve" account (according to PITTS).

d. From in or about August, 1995, through the present, PITTS attempted to commit espionage and committed numerous other violations of federal criminal law in connection with his contact with certain individuals who he believed were agents of the SVRR but who were, in fact, undercover personnel employed by, or operating on the instructions of the FBI. During this "false flag" operation, described in greater detail below, PITTS gave persons he believed to be SVRR officers sensitive and SECRET classified documents related to the national defense, gave his "SVRR [FBI]" handlers personal, medical and family information about fellow FBI special agents, proposed strategies by which the SVRR might recruit additional agents, made plans to smuggle into the FBI Academy an SVRR technical expert, provided his "SVRR [FBI]" handlers an FBI cipher lock combination, an FBI key and his own FBI identification badge in order to facilitate the smuggling operation, stole from the FBI a handset to a telecommunications device used to transmit

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classified information, and divulged a variety of classified information to his "SVRR [FBI]" handlers. PITTS did this for money. During the "false flag" operation, PITTS accepted \$65,000 for his espionage activities and his attempt to compromise FBI intelligence activities.

Background on Earl Edwin Pitts

6. EARL EDWIN PITTS is a United States citizen, presently employed as a Supervisory Special Agent of the FBI. PITTS is 43 years old and is an attorney. PITTS and his wife, Mary, were married in 1985. PITTS resides with his wife at a single family dwelling located at 13415 Fox Chase Lane, Spotsylvania, Virginia, 22553.

7. On September 18, 1983, PITTS entered on duty with the FBI and, on September 19, 1983, took the following oath of office:

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.

8. On September 20, 1983, PITTS signed an FBI Employment Agreement, which included the following provisions:

That I am hereby advised and I understand that Federal law such as Title 18, United States Code, Sections 793, 794, and 798... prohibit loss, misuse, or unauthorized disclosure or production of national security

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information, other classified information and other nonclassified information in the files

of the FBI; * * * 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 a part of the performance of my official duties or because of my official status. * * * That I understand unauthorized disclosure may be a violation of Federal law and prosecuted as a criminal offense....

9. On October 22, 1984, PITTs signed the Classified Information Nondisclosure Agreement, which reads in part:

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 (hereinafter Department or Agency) last granting me a security clearance that such

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disclosure is permitted. I further understand that I am obligated to comply with laws and regulations that prohibit the unauthorized disclosure of classified information.

I have been advised and am aware that any breach of this Agreement may result in the termination of any security clearances I hold; removal from any position of special confidence and trust requiring such clearances; and the termination of my employment or other relationships with the Departments or Agencies that granted my security clearance or clearances. In addition, I have been advised and am aware that any unauthorized disclosure of classified information by me may constitute a violation of United States criminal laws, including the provisions of Sections 641, 793, 794, 798, and the provisions of Section 783(b), Title 50, United States Code, and the provisions of the intelligence identities Protection Act of 1982.

10. PITTS currently holds a "Top Secret" security clearance. From November 15, 1989 until November 18, 1996, PITTS held certain additional "code word" clearances for access to sensitive compartmented information.

11. Upon graduation from the FBI Academy, he was assigned to the FBI's Alexandria Field Office where he worked applicant, white collar crime, and narcotics investigations. PITTs was assigned to the Fredericksburg Resident Agency within the Alexandria Field Office from March 18, 1985 through January 2, 1987.

12. PITTS was assigned to the New York Field Office from January 3, 1987 to August 13, 1989. He worked FCI investigations, including investigations concerning KGB officials assigned to the (then) Soviet Mission to the United Nations.

13. In August, 1989 PITTS was promoted to Supervisory Special Agent and transferred to the Document Classification

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Authority Affidavit Unit within the Operations Section of the Records Management Division at FBI Headquarters, in Washington, D.C. Upon assignment to the Records Management Division, PITTS was granted access to Sensitive Compartmented Information. In 1991, he was reassigned to the Security Programs Section, where he was responsible for supervising personnel investigations.

14. On or about October 18, 1992, PITTS was transferred to the Legal Counsel Division at FBI Headquarters, where he worked in DNA Legal Assistance and was then assigned to civil litigation matters. PITTS worked in FBI office space located within a building at 601 Pennsylvania Avenue, N.W., Suite 750, Washington, D.C.

15. On or about January 23, 1995, PITTS began working in the Behavioral Science Unit, FBI Academy in Quantico, Virginia, where he remains at present. Among his responsibilities at the FBI Academy is to conduct security briefings for FBI personnel.

16. Since PITTS' assignment to the FBI Academy, PITTS had no duty or responsibility that would have required or necessitated ongoing contact with Russian citizens in a foreign counterintelligence capacity. PITTS was not authorized in 1995 or 1996 to meet with agents of foreign counterintelligence services. In addition, PITTS was required by FBI policy and procedure to accurately and fully report such contacts, which he did not do.

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17. This affidavit refers to information obtained from electronic surveillance, video surveillance and searches of various places and things. In each instance, the searches and surveillance described in this affidavit were authorized by court order, or by consensual monitoring.

Espionage-related Activities (1987-1992)

18. In January, 1987, PITTS began his duties with the New York Division, assigned to a squad responsible for various FCI investigations. Between January, 1987 and August, 1989, PITTS had access to a wide range of sensitive and highly classified operations. These included the following: recruitment operations involving Russian intelligence officers, double agent operations, operations targeting Russian intelligence officers, true identities of human assets, operations against Russian illegals, true identities of defector sources, surveillance schedules of known meet sites, internal policies, documents, and procedure concerning surveillance of Russian intelligence officers, and the identification, targeting and reporting on known and suspected KGB intelligence officers in the New York area.

19. In 1988, PITTS described his duties in New York as follows:

My current duties in NY include investigations concerning Soviet intelligence officers, Soviet establishments, Soviet emigres, espionage matters and developing assets. These duties have afforded me an

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opportunity to investigate some highly complex and sensitive cases, including identification of Soviet intelligence officers, identifying Soviet efforts directed at the emigre community and participation in recruitment efforts.

The July, 1987 Letter

20. In or about late July, 1987, a cooperating witness (hereafter, "CW"), who is known to be reliable and credible, received a letter addressed to the CW at the (then) Soviet Mission to the United Nations. At the time, the CW was a citizen of the Soviet Union assigned to the Soviet Mission to the United Nations. The letter provided surveillance information concerning the CW's recent activities.

21. Specifically, CW recalled that the letter received from the writer contained reference to a trip which CW had made to a New York City airport to meet two high-ranking KGB officials several days earlier. Review of FBI records indicates that on July 15, 1987 -- one week before it is believed the letter was sent to CW -- PITTS conducted surveillance on the CW at another New York City airport and later reported the surveillance in a memorandum classified SECRET.

22. Based on the foregoing, the CW concluded that the writer was an FBI employee. In the letter, the writer requested a meeting with the CW or, if the CW was not a KGB officer, with an actual KGB officer. (During the summer of 1987, several Special Agents on the counterintelligence squad to which PITTS was assigned wrongly concluded the CW was a senior KGB officer. PITTS, himself, told the CW in December, 1995, that he had chosen

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the CW to meet with because the CW had been "misidentified" [as a KGB officer].)

23. The CW provided the letter to the Mission Security Officer, Vadim Voytenko (hereafter, "Voytenko"). Later, the CW met with Voytenko and Aleksandr Vasilyevich Karpov (hereafter, "Karpov").

24. Based upon investigation and analysis, Aleksandr Vasilyevich Karpov has been identified by the FBI as an officer of the SVRR and, formerly, the KGB. From 1987 through 1990, he was the New York Chief of Line KR. Line KR, the counterintelligence component of the KGB, was responsible for penetrating the intelligence and security services of foreign nations, including those of the United States, by human and technical means. The FBI was one of the intelligence/security services targeted by Line KR.

The Meeting at the New York Public Library

25. The CW was instructed by Voytenko to meet with the writer of the letter at the New York Public Library, located at Fifth Avenue and 42nd Street in New York City. The CW briefly met the writer

inside the library, and then introduced the writer to Karpov.

26. Based upon statements made by PITTS during the "false flag" operation, information provided by the CW, and based upon PITTS' subsequent conduct and on other investigative activities, I believe that the writer of the letter to the CW was

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PITTS and that PITTS was the U.S. intelligence officer who met with the CW and Karpov at the New York Public Library.

Disclosure of Classified Material

27. The meeting between Karpov and PITTS at the New York Public Library was the beginning of five years of active espionage activity by PITTS on behalf of the KGB and SVRR.

28. I believe that among the classified documents and information which PITTS conveyed to the KGB in the course of his espionage activity in return for money were the following:

a. A document known as the "Soviet Administrative List". The "Soviet Administrative List", was the FBI's computerized, alphabetical compilation of all Soviet officials posted or assigned to the United States. It is classified "SECRET" and is related to the national defense. The "SECRET" classification is applied to information whose unauthorized disclosure reasonably could be expected to cause serious damage to the national security. The list contains the names, dates of birth, posting, in-country/travel/out-country status, file number, FBI office of origin, FBI squad, FBI Case agent, and the known or suspected intelligence affiliation of each Soviet official assigned to Soviet legations in the United States, including the Soviet Embassy in Washington, D.C., and the Soviet Mission to the United Nations in New York, New York.

PITTS was not authorized to deliver the "Soviet Administration List" to any person not employed by the FBI nor to

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any person within the FBI who did not have an official need to know the information contained in the list.

b. A letter to CW, then suspected by the FBI of being a KGB officer, containing surveillance information concerning CW. Specifically, PITTS disclosed classified SECRET information concerning FBI surveillance of CW.

c. SECRET information concerning an FBI asset who reported covertly on Russian intelligence matter.

Information obtained in the "False Flag" Operation Concerning PITTS' 1987-1992 Espionage Activity

29. The FBI conducted an analysis of PITTS' financial affairs and travel records and conducted

additional investigation, including the debriefing of CW by the FBI. In or about August, 1995, a "false flag" operation was initiated. A "false flag" operation is an operation intended to persuade a target of the operation that he is working for one country when, in fact, he is working for another. The purpose of this "false flag" operation was to confirm PITTS' 1987-1992 suspected espionage activities and, most-importantly, to determine what FBI information, projects and operations PITTS had compromised by divulging them to the KGB and SVRR during the course of his espionage activities.

30. Specifically, the "false flag" operation was designed to persuade PITTS through the use of the CW, and through the use of U. S. government personnel posing as SVRR officers, that he was being contacted again by the SVRR and then, in the course of conducting current espionage-type activities, ascertain the scope and content of his past espionage activities. In fact, during the course of the "false flag" operation, PITTS made numerous incriminating statements concerning his prior espionage activities, including the following:

a. On or about September 8, 1995, PITTS wrote a letter to the person he believed to be his new SVRR handler in which he apologized for missing a meeting with his old SVRR handler in New York and stated that he was "very pleased to hear from you again."

b. In the same September 8, 1995 letter described above, PITTS indicated that he did not have information concerning a certain KGB official and stated: "Shortly after I last met with Alex, I left the operational side of the business and became more of an administrator and researcher." The reference to "Alex" is believed to be a reference to one of PITTS' SVRR handlers, Aleksandr Karpov.

c. In the same September 8, 1995 letter described above, PITTS stated: "I have no additional material to pass along as collections ceased when I missed your friend in New York."

d. On or about November 2, 1995, PITTS wrote a letter to the person he believed to be his SVRR handler. In this letter, PITTS made reference to "previous exchanges." (This letter was not in fact sent due to PITTS' discovery of a surveillance device.)

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e. In the same November 2, 1995 letter, PITTS asked for \$35,000 to \$40,000 from "my account" to fund an escape plan. It is believed that this reference to "my account" is a reference to an account set up in Russia on PITTS' behalf.

f. On December 17, 1995, a telephone call took place between PITTS and the person he believed to be his SVRR handler. In that call, the "SVRR [FBI]" handler told PITTS that PITTS needed to have a face-to-face meeting with PITTS' "friend from Moscow." The "SVRR [FBI]" handler told PITTS that "you must come to the place where you first requested to meet in 1987." PITTS acknowledged that he remembered the place [the New York Public Library] and the section in the place where the 1987 meeting had occurred.

g. On December 28, 1995, a telephone call took place between PITTS and the person he believed to be his SVRR handler. The call concerned the fact that the meeting scheduled for earlier that day in New York had not taken place as planned. After the "SVRR [FBI]"

handler told PITTS that his friend had been waiting in one section of the library for PITTS, PITTS stated that this section was "not where we first met" and that their first meeting had been in a different section of the library. I believe this is a reference to PITTS' first meeting with the CW in or about July, 1987.

h. In a December 29, 1995 meeting with a person he believed to be his SVRR handler, PITTS was asked if he had brought anything for the handler. PITTS said he had not because

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"before" we were "never supposed to exchange two things." I believe this is a reference to the procedures PITTS used during his espionage activity between 1987 and 1992.

i. In the same December 29, 1995 meeting, PITTS said: "I feel very uneasy compared to last time, it's, uh, I'm, I'm much more out of, out of touch with what's going on." I believe this is a reference to PITTS' espionage activity between 1987 and 1992.

j. In the same December 29, 1995 meeting, the following exchange took place between an Undercover officer ["UCO"], who was posing as an SVRR officer and PITTS:

UCO: Edwin, does your wife know any about our present project?

PITTS: No, No. She doesn't know about any of the Projects, but she...

UCO: Did she know anything about the project when you worked with Alex in the old days in New York?

PITTS: No, unless she suspected. She has great deals of suspicions.

UCO: You had no problem with that then in New York at the time?

PITTS: NO.

k. In the same December 29, 1995 meeting, the following exchange took place:

UCO: Do you remember the last date when you met Alex [Karpov]?

PITTS: NO.

UCO: You don't? The year?

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PITTS: Oh, the year? The year would have been, um, uh, 1988.

l. In the same December 29, 1995 meeting, the following exchange took place:

UCO: ... the money you got in the past ... there was some doubt that you

perhaps did not get all the money which was coming to you, to your account.

PITTS: No, I didn't. No.... but,

UCO: No. You.

PITTS: But, I mean, I understand, we had to break contact.

UCO: Yeah, but I understand those people who did bring you money at the time or that money which was passed to you ...

PITTS: Um Hum.

UCO: They, well, tried to reach us, establish to see if your account is up to date. We have an account, you know this?

PITTS: Um Hum. Yes.

UCO: Are you aware of the account?

PITTS: Well, Yeah, I've been told about it.

UCO: Yeah, did ever mention how much it is, in the account?

PITTS: Alex did, but I, I don't remember the amount.

UCO: You don't remember?

PITTS: No. I've tried to put those things out of my head.

m. On July 9, 1986, PITTS wrote a letter to the person he believed to be his SVRR handler, which reads in part:

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If it is possible, please make payment for my most recent deliveries (or withdraw from my reserve account)

n. On or about August 14t 1996, PITTS wrote a letter to the person he believed to be his SVRR handler, which reads in part:

Regarding my reserve, I do not know the amount and it is my understanding that you do not. When I last met with Alex, it was over 100,000.

o. In the same August 14, 1996, letter, PITTS stated that it might be appropriate for the SVRR to pay him out of his "reserves" because "much of the information I have recently provided is not of the quality i have provided in the past...."

p. On or about September 18, 1996, PITTS made additional statements in a letter to the person he believed to be his SVRR handler concerning moneys he had received in the course of his espionage activities during the 1987 to 1992 time period. In this excerpt, PITTS made reference to an SVRR officer who handled PITTS after Aleksandr Karpov:

During the time I knew him, two payments were made but I can not remember if they were in round numbers. He never spoke of the size of the reserve fund or how much I was to expect in payment. * * * The greatest difficulty was the distance between our locations and the absence of an alternate means of communicating meeting dates and alternate dates. The distance and time between meetings made it impossible to plan for unforeseen circumstances. The nature of the information changed because of the type of work I was assigned. * * * I only met him two, or maybe three, times after my posting to Washington [in 1989].

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q. On December 13, 1996, in a communication to the persons he believed to be his SVRR handlers, PITTS stated that he no longer had "direct access" to the files from his New York assignment (1987-1989) but "I believe I have provided you with everything that I was aware of."

r. In the same December 13, 1996 communication, PITTS stated that he wished "to draw on reserve funds" on January 6, 1997 and February 6, 1997. I believe this to be a reference to the Russian account set up on behalf of PITTS, as described above.

Trips to New York City in 1990-1992

31. In August, 1989, PITTS was transferred from the New York Field Office of the FBI to FBI Headquarters. Beginning in February, 1990, and continuing to October, 1992, PITTS made a series of nine brief trips to New York City, most of which were one day trips, all such trips taken to or from National Airport, in the Eastern District of Virginia. Financial analysis indicates a pattern of unusual monetary deposits following these trips. I believe that PITTS made all or most of these trips for the purpose of continuing his espionage activities.

Financial Analysis

32. The FBI has conducted a financial analysis of PITTS for the time period in which it is believed PITTS was actively involved in espionage activities on behalf of the KGB

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and SVRR. This financial analysis indicates that PITTS acquired substantial money during this period of time which cannot be traced to legitimate sources of funds.

33. PITTS' only known source of substantial income during the period from 1987 to 1992 was from his employment and his wife's employment with the FBI. PITTS made frequent deposits of cash and/or money orders, not explained by his known income, into various accounts or as payments on

credit card accounts. This activity was unusual as compared to PITTS' normal financial banking activity prior to July, 1987 and subsequent to June, 1992. Furthermore, examination of when money orders were purchased and when groupings of deposits were made, revealed a pattern linking such deposits to the dates of PITTS' New York trips.

34. From 1987 to 1992, these unexplained deposits and credit card payments resulted in an enhancement of PITTS' wealth by over one hundred thousand dollars, as follows:

Year	Total Value of Deposits
1987	\$ 2,775.00
1988	5,024.48
1989	23,414.31
1990	35,520.00
1991	29,115.21
1992	28,375.66

Total	\$ 124,224.66

This sum of money does not include any funds PITTS may have received which were not deposited into one of his accounts or

used to pay bills. Nor does it include the account in Russia which, according to PITTS' statement, was funded with "over \$100,000."

35. PITTS utilized a number of financial institutions and accounts to hide his receipt of this unexplained wealth, including several accounts at financial institutions in the Eastern District of Virginia. The deposits to these accounts were small, no larger than \$1,100.00, and spread out over several days within a month. To further-conceal the receipt of illegal funds, PITTS rented a post office box in Washington, D.C., which received the American Security Bank statements, he made innumerable deposits, withdrawals and transfers via automated teller machines, and he purchased multiple money orders for deposits into his bank accounts and for payments on credit and accounts. For example, in the years 1987-1992, over 50 money orders were purchased by PITTS. I

36. The following is a summary of activity concerning the specific accounts listed above that have led me to believe these accounts contain proceeds of PITTS' espionage activity:

a. Name/Company: PENTAGON FEDERAL CREDIT UNION
 Address: Alexandria, Virginia

Account #: 587571 027
 In name of: EARL EDWIN PITTS and Mary Colombaro Pitts
 Activity: From July 1987 through May 1992, there were thirty-five known deposits to this account totalling approximately \$10,595, all unexplained by PITTS' known income.

Account #: 587571 019
 In name of: EARL EDWIN PITTS and Mary Colombaro Pitts

Activity: From September 1987 through April 1992, there were thirty-two known deposits to this account totalling approximately \$8,419, all unexplained by PITTS' known income.

b. Name/Company: CENTRAL FIDELITY BANK
Address: Richmond, Virginia

Account #: 1018713721

In name of: EARL EDWIN PITTS and Mary Colombaro Pitts

Activity: From July 1989 through July 1992, there were twelve known deposits to this account totalling approximately \$4,591, all unexplained by PITTS' known income.

Account #: 7919862232

In name of: EARL EDWIN PITTS and Mary Colombaro Pitts

Activity: From July 1989 through October 1992, there were one-hundred fifty-one known deposits to this account totalling approximately \$38,612, all unexplained by PITTS' known income.

c. Name/Company: KEY BANK OF NEW YORK
Address: Albany, New York

Account #: 342928376

In name of: EARL EDWIN PITTS and Mary Colombaro Pitts

Activity: From June 1988 through August 1989, there were fifty-three known deposits to this account totalling approximately \$10,488, all unexplained by PITTS' known income.

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Account #: 347009151

In name of: EARL EDWIN PITTS and Mary Colombaro Pitts

Activity: From September 1988 through June 1989, there were nineteen known deposits to this account totalling approximately \$1,354, all unexplained by PITTS' known income.

d. Name/Company: CHEMICAL BANK (MANUFACTURERS HANOVER)
Address: New York, New York

Account #: 0630264

In name of: EARL EDWIN PITTS and Mary Colombaro Pitts

Activity: From January 1989 through August 1989, there were thirty-two known deposits to this account totalling approximately \$8,027, all unexplained by PITTS' known income.

e. Name/Company: NATIONS BANK.(AMERICAN SECURITY)
Address: Baltimore, Maryland

Account #: 11661881

In name of: EARL EDWIN PITTS

Activity: From March 1990 through August 1992, there were one-hundred twenty known deposits to this account totalling approximately \$33,735, all unexplained by PITTS' known income.

Espionage-related Activities (1995-1996)

37. In August, 1995, the FBI initiated the "false flag" operation described above. It began with correspondence, postmarked in New York, New York, and sent to PITTS' residence. There was no response.

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The August 26, 1995 Meeting

38. On or about August 26, 1995, at approximately 2:30 p.m., the CW went to the PITTS residence and, met PITTS at the door. He told PITTS:

There is a guest visiting me. He wanted to see you. He's in my car. He's from Moscow.

39. PITTS agreed to meet with the CW and the "guest from Moscow" one hour later at the Chancellorsville Battlefield Visitor Center.

40. At approximately 3:20 p.m. that same day, PITTS met the "guest from Moscow", an undercover intelligence officer (hereafter, "UCO"), at the Chancellorsville Battlefield Visitor Center.

The UCO told PITTS that the reason he was there was to advise him of a mutual problem. The UCO indicated that the "SVRR" was worried about the behavior of a Resident (a senior SVRR official] who had been recently assigned in the United States and requested PITTS' assistance.

The UCO asked PITTS:

UCO: Have you brought anything for me, with you? Anything you can give me? Maybe you have some.

PITTS: I, I have nothing. I wasn't expecting you.

42. The UCO stated that his superiors were very happy with PITTS and highly appreciative of PITTS' help and asked if PITTS would help them. PITTS responded: "I'll help you if I

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can." PITTS added that he was in "another line now," and did not have good access.

43. The UCO provided a sealed envelope to PITTS which contained written instructions to PITTS describing how PITTS should make a "dead drop" at a particular location code-named "POLE" on September 9, 1995 in the Clifton, Virginia area. (A "dead drop" is a prearranged location where a clandestine foreign agent or intelligence officer may utilize impersonal, clandestine means of communication to transfer tangible objects between them.) PITTS was also instructed to mark a signal site, code-named "GRADE" in this same area once the "dead drop" had been put down. Also included in the envelope was "SVRR [FBI]" tasking for PITTS to accomplish and provide in the future.

44. The UCO asked PITTS about his financial situation and indicated that money was available if PITTS needed it. PITTS responded by asking if the UCO had the money with him. The UCO told PITTS that he did have the money with him and PITTS stated that he "could" use the money. The UCO gave PITTS a sealed envelope containing \$15,000.00 in used, unmarked, non-sequential, \$100 bills. PITTS placed the envelopes in his pants' pocket.

45. The meeting ended with PITTS stating, "I'll do what I can."

Mary Pitts' Suspicions

46. On August 26, 1995, the day of the first "false flag" contact, Mary Pitts talked to her sister on three

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occasions. She said that on that day a man with a foreign accent came to the house and asked for PITTS, after which PITTS left the house in a "panic." Mary Pitts warned that she didn't want to talk about it over the phone, but she confronted PITTS with what she found. (She searched PITTS' home office while he was meeting with the "SVRR [FBI]"). Her sister then asked if that included "the secret stuff" and Mary Pitts answered affirmatively.

47. On or about August 29, 1995, at approximately 8:00 a.m., Mary Pitts telephoned Special Agent Tom Carter at the Fredericksburg Resident Agency, and asked him to meet with her on an urgent and confidential matter concerning her husband. Special Agent Carter met with Mary Pitts for approximately an hour and obtained statements from her regarding PITTS' suspicious activities on August 26, 1995 and a copy of the initial "false flag" letter referred to above. Special Agent Carter advised Mary Pitts that he would look into the matter for her, and that he would get back to her as soon as possible.

48. Later that day, Mary Pitts had a telephone conversation with a neighbor in which she expressed concerns about PITTS' conduct and her own decision to report her husband to the FBI:

* * *

Mary: I probably shouldn't gone, shouldn't have gone to the Bureau and it will probably be the end of my marriage either way it goes because if he find... If he is on the up and up and he finds out that I went behind his back we're finished.

* * *

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Neighbor: Ahm, the thing of it is Mary. You did what you had to do at the time and there is no point in beating yourself.

Mary: There is no going, there is no going back now...

Neighbor: No, no beating yourself over that....

Mary: What price for national security.

Neighbor: Were you worrying about national security really?

Mary: Yeah, part of me is.

Neighbor: Yes. Neighbor: Yeah.

Mary: And passing information to a foreign national or a foreigner, a foreign country....

Neighbor: Well if it turns out to be the case then you know you did the right thing. You did the only thing.

Mary: Even though maybe he would have stopped in a, in a while? What you would have stopped at my request and we could have gone on with our wonderful life?

Neighbor: Don't know, uh see...

Mary: Could I have gone on with my regular and wonderful life? It's over, my life is over. It's over for me.

* * *

Events of August 29, 1995 - August 30, 1995

49. At approximately 9:00 a.m., on or about August 29, 1995, while sitting in his office, PITTS took from his gym bag, under his desk, an envelope believed to contain the operational

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instructions given to him by the UCO on August 26, 1995. PITTS read the instructions, consulted his calendar, and returned them to the envelope, which he put in his desk drawer.

50. At approximately 1:00 p.m., on or about August 29, 1995, PITTS took an envelope of money from his gym bag under his desk and proceeded to count and separate the money into stacks of ten bills. PITTS placed each stack into a white letter size envelope, 15 envelopes in all. PITTS sealed each envelope and placed the envelopes into one large manila envelope, along with what appeared to be the written instructions for the "dead drop" site, and placed the large envelope into his desk drawer.

51. At approximately 8:00 a.m., on or about August 30, 1995, PITTS concealed a large manila envelope in a ceiling panel of his office. The envelope contained the money and instructions previously furnished to PITTS by the UCO on August 26, 1995.

PITTS' Meeting with Agent Carter

52. After learning from his wife that she had talked to Special Agent Carter about her suspicions, PITTS asked for a meeting with Special Agent Carter. At approximately 10:52 a.m., on or about

August 30, 1995, PITTS met with Special Agent Carter in PITTS' office space. PITTS was calm and made a series of statements to Special Agent Carter to explain the situation which transpired between himself and his wife on August 26, 1995, as follows: A man visited their home on August 26, 1995, who PITTS explained was an asset he knew while working in the New York

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Division. The name provided by PITTS to Special Agent Carter was the name of a person other than the CW. Due to their previous relationship and the fact that PITTS was a lawyer, the asset sent PITTS a note asking him to come to New York. Because of the asset's drunken state when the asset appeared at PITTS' residence, PITTS met the asset at the Walmart near his home to render legal advice. These statements were false.

53. At approximately 4:30 p.m., on August 31, 1995, in PITTS' office, PITTS took a white letter-sized envelope out of his filing cabinet and opened it. He took from the envelope ten bills and proceeded to examine each bill by placing them up against the light. PITTS returned nine of the bills to the envelope and placed the envelope back in his filing cabinet. He placed one bill into his wallet.

Office Search on August 31, 1995

54. A search was conducted on August 31, 1995 of PITTS' office space at the FBI Academy, Quantico. The search revealed the following: a legal size manila envelope found inside a five-drawer filing cabinet, located behind PITTS' desk, which contained 15 sealed white, letter-sized envelopes, and one manila, letter-sized envelope that was folded but not sealed. The manila envelope contained the written "dead drop" instructions provided to PITTS by the UCO on August 26, 1995. Each one of the 15 white envelopes were sealed and contained money in what appeared to be denominations of \$100.00. The serial number of

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one bill in each envelope, which could be seen through the envelopes, matched those provided to PITTS by the UCO on August 26, 1995.

Events of September 7-8, 1995

55. At approximately 8:33 a.m., on September 7, 1995, PITTS retrieved the "dead drop" instructions furnished to him by the UCO on August 26, 1995 from his hardcover briefcase. He placed the instructions in plastic pockets of a dark colored binder, and discarded the envelope from which they came.

56. At approximately 11:49 a.m., on the same day, PITTS took a large manila envelope from his legal attache case. PITTS took a smaller, white envelope out of the manila envelope and withdrew cash from it, afterwards marking on the white envelope. PITTS placed the cash in a pre-addressed, small, white envelope. He also took money from his money clip and placed this into the pre-addressed envelope as well. PITTS then placed the pre-addressed envelope and the money envelopes into a steno-type folder on top of his desk.

57. On or about September 8, 1995, PITTS arrived at his work place at approximately 7:18 a.m. At approximately 7:29 a.m., PITTS began typing on his laptop computer.

58. At approximately 7:38 a.m., PITTS took out a Northern Virginia map and the "dead drop" instructions which were stored in a dark colored binder. PITTS studied both the map and

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the instructional then placed the binder into his bottom, right desk drawer.

59. At approximately 10:43 a.m., PITTS put on a pair of gloves. PITTS then retrieved a 3.5" computer disk, wiped the disk off with the gloves and placed it into the hard drive of his laptop computer and began typing. At approximately 10:52 a.m., PITTS looked at the dead drop instructions contained in the dark colored binder. PITTS continued to glance at the instructions intermittently while typing. At approximately 10:46 a.m., PITTS took out a small piece of paper and briefly wrote on it, while wearing the gloves. At approximately 12:37 p.m., PITTS took the disk out of his laptop hard drive and replaced it with another one. One minute later, PITTS exchanged the disks again, replacing the new one with the original. At approximately 12:39 p.m., PITTS took a map out and looked at it. At approximately 12:40 p.m., PITTS took a plastic bag from his briefcase, and placed one disk into the plastic bag. This disk was placed into his briefcase, while another disk was placed into a disk storage container, taped shut, then placed in a file cabinet. At approximately 12:44 p.m., PITTS reviewed a map and then the dead drop instructions in the binder. PITTS departed his office at approximately 12:53 p.m.

60. PITTS entered the Clifton, Virginia, area at approximately 2:11 p.m. PITTS proceeded directly to the "dead drop" location in Clifton, arriving at the "dead drop" site at approximately 2:30 p.m. PITTS placed a package containing a 3.5"

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computer disk into the "dead drop." The disk was wrapped in a plastic sandwich bag, which was then concealed in a paper bag.

61. PITTS proceeded to signal site "Grade," and at approximately 2:40 p.m. marked the signal site as previously instructed. PITTS departed the Clifton area at approximately 3:10 p.m. and proceeded back to his work place.

62. The package retrieved from dead drop "Pole" contained a note with the signature "Edwin Pearl" [a code name for PITTS] and a computer disk which contained a file named "Alex" which, in part, said:

I was very pleased to hear from you again. I'm sorry I missed your friend when I was in New York. I discovered I had gone to the wrong location and by the time I realized my mistake I missed the get together. Unfortunately, I did not have ready access to a telephone number, or address where I could contact you and could not invite you or your friends to any future get togethers.

It is my belief that PITTS was referring to a missed meeting with his SVRR handler in New York.

63. The file also contained the following statement by PITTS:

I appreciate your concern for my well being, but there should be no great concern on your part. It appears to me that there are several aspects about our system that are greatly different from your concept of our system. It is possible to insulate one's self from real harm even if all security systems fail. There are certain legal and political factors one can rely on to prevent a serious threat to one's safety. Therefore, I strongly recommend you take no dramatic action on my behalf, even if you have had a total problem within your system. My sudden movement would only confirm suspicions if

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they exist, and could seriously harm the degree of cordiality that is being developed between our principals. If I am confronted, I can use certain procedures to protect myself from any long term harm.

Office Search on September 13, 1995

64. on September 13, 1995, a search was conducted at PITTS' office space at Quantico. The search revealed the following: a dark colored binder was located in PITTS' file cabinet which contained the "dead drop" instructions and a note furnished to PITTS by the UCO on August 26, 1995. A sheet of paper containing the alias signature "Edwin Pearl" was also located in the binder.

October 18, 1995 Drop by "SVRR [FBI]" and Pick up by PITTS

65. At approximately 5:12 a.m., on October 18, 1995, the FBI, posing as the "SVRR" placed a 3.5" computer disk, wrapped in plastic, at the appointed drop site in Fairfax County, Virginia. The disk contained tasking for PITTS and operational planning for future drop activities.

66. PITTS left his residence at approximately 8:00 a.m. He drove to his work place and entered his office at approximately 8:45 a.m. He took a dark colored binder from his file cabinet and several envelopes, and then left his office at 9:00 a.m. During the next two hours PITTS drove to various locations in what I believe to be an effort to detect surveillance.

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67. Technical coverage at the drop site revealed that PITTS arrived from a westerly direction on Yates Ford Road, at approximately 11:21 a.m. He left the drop site at approximately 11:27 a.m. and left the area, heading north on Highway 123 to the signal site. Instead of turning right at Burke Center Parkway, as would be the most direct route, PITTS continued north on Highway 123, .25 miles north of Burke Center Parkway. He turned left into Fairfax Station Square Shopping Center at approximately 11:46 a.m. PITTS exited his vehicle and walked toward one of the stores. PITTS was next seen in a southbound direction on Highway 123, turning left onto Burke Center Parkway. He turned left into Burke Center Shopping Center and parked in the western end of the parking lot. He entered CVS Pharmacy, exited and walked toward Baskin Robbins. He entered Baskin Robbins, bought an ice cream cone and stayed in the store for approximately ten minutes. He exited the store, looked around the area, walked across the street and marked the signal on a fire hydrant as he passed by. He then walked through the parking lot back toward his vehicle. Before reaching his vehicle he returned (through the parking lot) to the area of the signal site. He once again looked around, looked at the signal sight from across the street (in front of Baskin Robbins), then walked down the sidewalk

and back to his vehicle, leaving the shopping center at approximately 12:03 p.m.

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Events of November 1, 1995 - November 3, 1995

68. On or about November 1, 1995f PITTS was observed typing on a laptop computer in his office, looking through and writing in spiral notebooks, looking at a dark colored binder and handling and reviewing documents marked "Secret". These activities collectively lasted approximately 176 Minutes.

69. On or about November 2, 1995, PITTS spent approximately 95 minutes typing on his laptop computer in his office at work.

70. On or about November 2, 1995, at approximately 8:26 a.m. , a search of PITTS' office revealed the following items of interest: a handwritten note with names of FBI Special Agents recently transferred to the National Security Division at FBI Headquarters; a handwritten note describing a Northern Virginia Public Storage facility at 7400 Alban Station Boulevard, with a telephone number (703) 569-6926; a 3.5" computer disk labeled "PITTS" which contained the information passed via "dead drop" on Septembet 8, 1995; and a dark colored binder containing, in part, "dead drop" and signal site locations and a photocopy of the note with the name "EDWIN PEARL" on it.

71. During the same search on November 2, 1995, the hard drive on PITTS' personal notebook computer was searched. It contained a six page, single spaced, letter to PITTS', "SVRR handlers". This letter included the following:

- * information concerning past and current FCI operations in New York, Los Angeles and Washington, D.C.

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- * identifying information concerning eight FBI agents, including himself, including such information as home address, current assignment, and number of children. (PITTS made reference to himself in this letter in the third person, as if the letter had been composed by someone else.)

- * information concerning an "emergency escape plan in the event it needs to be used on short notice."

- * information concerning PITTS' plan to provide and receive information via a computer disk left in a storage facility in the Springfield, Virginia, area.

72. I believe that PITTS was preparing this document to pass via computer disk to persons he believed to be the SVRR on the scheduled drop dates of either November 1, November 2, or November 3, 1995. (This document was not in fact passed due to the discovery by PITTS of a surveillance device.)

73. On November 3. 1995, it was determined that PITTS had discarded the following, among other items:

- 1) ten typewritten pages with classified markings cut off;
- 2) ten pieces of paper stamped "Secret" which appeared to be from the cut off tops of a document;
- 3) ten pieces of paper stamped "Secret" which appeared to be cut off from the bottom portion of a document.

November 16, 1995 Telephone Contact

74. On or about November 16, 1995 PITTS was telephonically contacted by an undercover FBI Special Agent (hereinafter "UCA") posing as an SVRR officer. PITTS received the call at a public telephone near the FasMart Convenience

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Store, located at the intersection of Kilarney Drive and Route 3, Fredericksburg, Virginia.

75. During the telephone conversation, the UCA instructed PITTS to retrieve two keys and a slip of paper from a magnetic box located underneath the telephone. PITTS was told the keys were for a mailbox and the address of the mailbox was on the paper. The keys open Box 318, located at a Mailboxes Etc., facility in the Eastern District of Virginia, hereafter referred to as "Box 318".

November 17, 1995 Drop

76. On or about November 17, 1995, PITTS placed a computer disk in Box 318. This disk contained a letter to the person PITTS believed to be his SVRR handler. The letter included the following: apologies for missing the last meeting, information regarding the discovery and arrest of Aldrich Ames, and the risks associated with exchanging information via a mailbox.

77. On or about November 17, 1995, PITTS was paid \$10,000.00 by what he believed to be the SVRR via Box 318.

December 13, 1995 Drop

78. On or about December 13, 1995, PITTS delivered a computer disk via Box 318. This disk contained a letter to the person PITTS believed to be his SVRR handler. The letter included the following: information regarding technical

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penetrations in use by the FBI, his use of surveillance detection routes, and the identities of FBI agents who had access to operations conducted against the KGB while PITTS was assigned to the New York office and their current assignments.

Events of December 17, 1995, December 28, 1995 and December 29, 1995

79. On December 17, 1995, PITTS had a telephone conversation with the person he believed to be

his SVRR handler. In fact, the person posing as an SVRR officer was an FBI Undercover Agent (hereafter, "UCA"). In the conversation, the UCA and PITTS set up a meet. Significantly, PITTS was never told precisely where the meet was to take place; rather, he was told to meet at the same location where he had first met the CW in 1987 [i.e., the New York Public Library]:

* * *

UCA: Okay. Edwin. Thank you for your package. and your signal was received and ah, ah, listen Edwin. Ah, your friend from Moscow has come and he must speak to you face-to-face to discuss some important matters and give you something substantial from your account and a Christmas bonus also, okay?

PITTS: Okay.

UCA: Okay. Now, Edwin. Ah, you must come to the place where you first requested to meet in 1987. Do you remember this place?

PITTS: Ah, yes.

UCA: Okay, good. Now you remember the section where you came?

PITTS: Ah, I believe So. Yes.

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UCA: Good. Good. Okay, Edwin. We will meet you there, okay?

PITTS: Okay.

* * *

UCA: ...go to the same place you first requested to meet and arrive there at thirteen hundred hours. one three zero zero.

PITTS: Okay.

UCA: At the same table, in the same section at this place.

PITTS: Okay.

UCA: And you will see somebody, someone you already know. Somebody already known to you. Okay?

PITTS: Okay.

UCA: This person will give you instructions.

PITTS: Okay.

The meet was set for December 28, 1995 at 1 p.m.

80. The meet described above did not take place. PITTS travelled to New York City and followed a surveillance detection route provided to him by his "SVRR [FBI]" handler. He then went to the New York City Public Library and spent approximately 30 minutes in several rooms of the library. PITTS then left the library and returned to Virginia.

81. At 5:35 p.m., on December 28, 1995, PITTS and the undercover agent spoke on the telephone:

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* * *

UCA: Edwin, what happened?

PITTS: Uh, I was there in the room. I, I, none of your friends were there.

* * *

UCA: Okay. Now, uh, a friend that you know, a person whom you know waited for you and was seated at the table in the Law Section of Room 228, and waiting for you.

PITTS: Okay. That's not where we first met.

UCA: It is not where you met?

PITTS: No.

UCA: Oh, where did you meet? You know I, I thought that this is the place that you met. Where did you meet him the first time?

PITTS: No, it was in the uh, uh, I think it is called uh Public Affairs and Economics.

UCA: Public Affairs and Economics you think that is where you met him?

PITTS: Yes.

UCA: Because my people thought that you met him in the Law Section, in Room 228.

PITTS: No, it, it was around the corner. I, I thought there might be some confusion. I looked around uh, but I couldn't find him anywhere, I, I must have missed him in that section. P

* * *

A second meeting was scheduled for the next day at National Airport. PITTS stated that he would do "everything I can" to make the meet and would "treat it importantly" but that he did not have "complete control" over his schedule. PITTS was told

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that the meet would be with "somebody that you know uh, somebody that knows you...."

82. On December 29, 1995, at approximately 10 a.m., PITTS arrived at National Airport and met with CW (the person to whom PITTS had written the 1987 letter):

* * *

PITTS: Hi. I'm sorry I didn't, uh, like yesterday I couldn't find you inside the ...

CW: You couldn't find the place, yes?

* * *

CW: I mean uh, you didn't remember the place, yes. Actually, I went to this, the, the library where you took me for the first time after... how many years have passed?
(laughs)

PITTS: Well, I'm trying to remember.

CW: (laughs)

PITTS: Yeah, we met down on the, on the second floor...

CW: ...how much time did you wait?

PITTS: No, I looked through the (word or two unclear) half an hour or so.

CW: And uh...

PITTS: I looked through the library, and I looked through other areas, but uh...

CW: But it was changed, you know? Because...

PITTS: Yeah.

CW: ...when you invited me, then those computers were not in.

* * *

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PITTS: Yeah, that's, that's what caused the confusion, really, the library had changed considerably, and it's full of computers now!

CW: Uh-huh, uh-huh! Well! I didn't say Merry Christmas, sir!

PITTS: Yes, also Merry Christmas to you.

* * *

CW: I have one funny question to ask you.

PITTS: Yes?

CW: Why did you select me? (laughs) You had that whole bunch of people in the, in the Embassy.

PITTS: Ah, it's because you were ah, you were misidentified [as a KGB officer].

* * *

83. CW then took PITTS to a parked car, where PITTS met with the undercover officer (hereafter, "UCO") posing as an SVRR official from Moscow. The UCO tasked PITTS, on behalf of the "SVRR [FBI]" to obtain "a list of all our [SVRR] people from our services ... who is known to your [FBI] people. By name and their avocation, what they really deal with." When asked if he understood the tasking, PITTS responded, "You, you, want a list of uh, of people with their, their overt cover and, and what we have them classified as." PITTS was told that "Should you provide this list to us, we are willing to pay you fifteen thousand dollars for this list."

84. On or about December 29, 1995, PITTS accepted \$20,000.00 in payment for his services from what he believed to be the "SVRR." The money was passed to PITTS by his "SVRR [FBI]"

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handler in a meeting which took place in a vehicle parked at National Airport, in the Eastern District of Virginia.

February 13, 1996 Drop

85. On or about January 29 and January 30, 1996, PITTS made arrangements with a pager company to buy a pager, which he picked up on or about February 1, 1996. PITTS purchased this pager to use for covert communication with what he believed to be his "SVRR" handlers. A paging system was established so the need to physically mark a signal site was eliminated and intentions to make a drop or a telephone call could be relayed via the pager. PITTS purchased this pager in furtherance of his espionage activities while using the pager issued to him by the FBI for other purposes.

86. On or about February 13, 1996, PITTS deposited a manila envelope in Box 318. The envelope contained an FBI document entitled: "Russian Administrative List," dated 10/20/95 consisting of 91 pages (pages 71 through 91 were repeated). The "Russian Administrative List" was marked "Secret" at the top and bottom of each page. In my opinion, this document is related to the national defense as that term is used in Title 18, United States Code, Section 794. This list was made available to PITTS in early November, 1995 in the course of PITTS' regular duties at the FBI. While PITTS came into possession of the "Russian Administrative List" in a lawful manner, he had no authority to

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duplicate the list for the purpose of conveying it to persons he did not believe to be authorized recipients.

87. On or about March 21, 1996, PITTS paged the "SVRR [FBI]" to his cellular phone and reported that he was not able to make his drop as planned, but would do so on the first, second or third of April. The following was part of this conversation:

PITTS: Uh, yes, everything is fine uh, I'm making some progress on your request uh some of the things are more difficult than I thought but I have several avenues to explore so..

UCA: Yes.

PITTS: Ah I'll explain that in more detail uh whenn uh you get my package.

April 3, 1996 Drop

88. On or about April 3, 1996, PITTS placed an envelope in Box 318. The envelope contained a computer disk which contained a letter to the person he believed to be his SVRR handler. The letter included the following: information regarding numerous FBI Special Agents who had recently been given transfer orders to various FBI Field Offices and Headquarters, a description of various FBI units within the National Security Division, and the names of FBI or other agency personnel who he said were assigned to national security related investigations.

89. In the same April 3, 1996 letter, PITTS promised his "SVRR [FBI]" handler that he would "attempt to gain an in-road" into a unit responsible for reviewing sensitive national security operations.

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April 16, 1996 Drop

90. On or about April 16, 1996, PITTS placed an envelope in Box 318. The envelope contained three hundred fifty two pages. Included in the envelope were FBI telephone directories from The FBI Training Academy, FBI Headquarters, the Washington Metropolitan Field Office, FBI Field Offices throughout the United States and FBI Legal Attache Offices throughout the world. The envelopes also contained FBI organizational charts from FBI Headquarters.

91. Such telephone directories, including the FBI Headquarters directory referred to above, often contained on their front cover the following warning prohibiting unauthorized dissemination:

This document is for internal use within the FBI, is to be provided appropriate security, and disposed of in official trash receptacles when no longer current.

April 24, 1996 Telephone Conversation

92. On or about April 24, 1996, PITTS paged the "SVRR [FBI]" and, during the telephone conversation that followed, the UCA and PITTS spoke substantially as follows:

PITTS: I was wondering if it would be able ah, if it would be possible for me to pick up a payment, ah, sometime in the near future?

UCA: Ok, ah, what are your needs, Edwin?

PITTS: Ah, just for the material that I've ah, delivered.

UCA: Right. Did you have a certain amount in mind?

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PITTS: Ah. well, ah, I believe uh, I have the list you gave me ah, whatever you feel is equitable.

Later in the conversation they continue substantially as follows:

UCA: Is, is eh, equitable. Ok, ok, I will tell this to my superiors. And, ah, is everything ok with you?

PITTS: Ah, yes. Everything is going well. I'm continuing on our project. There's some ah... unanticipated uh, difficulty in just locating uh, the information but uh, I'll continue. I... I'll send a progress report with my next uh, report on... on what I found or haven't been able to find.

Later in the conversation they continue substantially as follows:

UCA: Ok. By the by, we received your recent shipment and I understand it was very interesting information.

PITTS: I hope it's ah, good.

93. On or about May 6, 1996, the "SVRR [FBI]" paid PITTS \$5,000.00 via Box 318.

May 16 1996 Drop

94. On or about May 15, 1996, PITTS paged the "SVRR [FBI]", indicating that he would make a drop the next day. On or about May 16, 1996, PITTS placed an envelope in Box 318. This envelope contained a videotape classified "Secret". The videotape was of a presentation by an FBI Special Agent to a counterintelligence training class at the FBI Academy in Quantico, Virginia.

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June 28, 1996 Drop

95. On or about June 27, 1996, PITTS paged the "SVRR [FBI]" to let them know that he would make

a drop the next day. On or about June 28, 1996, he placed an envelope in Box 318. This envelope contained a personnel list for certain FBI employees in the Washington, D.C. area and a computer disk. This disk contained a letter to the person PITTS believed to be his SVRR handler. The letter contained information about three FBI Special Agents who had participated in a particular counterintelligence operation while PITTS was in New York. The letter included the FBI Special Agents' home addresses, current office assignments and PITTS' assessment of their personalities. The latter included information such as job satisfaction and, as to one agent, her medical condition. I am aware that the SVRR targets persons with vulnerabilities, such as job dissatisfaction, and that these vulnerabilities can be exploited for recruitment purposes.

The disk also contained lists of FBI personnel being trained at the FBI Academy and the training received; and transfers within the Intelligence Division of the FBI. Finally, PITTS' letter to his "VRR [FBI]" handler contains the following statements concerning two telecommunications devices:

The secure telephone model III (Stu III) is capable of encrypting telephone conversations and facsimile transmissions up to Top Secret level.

* * *

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I need to know how long you need access to the telephone. I also need to know if you will need access to the key. Finally, I need to know if it will be necessary for me to deliver the telephone to you, or if it can be examined on site.

I can get into a protected area that houses a telephone, but I don't know if I'll be able to disconnect it once inside. I know the location of the key for the unit, but do not have access to where it is located. Access can be gained by manipulating a common tumbler lock, but I do not have those skills. If you have someone who is skilled in entry, I have several preliminary plans for getting them to the location undetected [sic]. The key planning factor is how long the examination will take, as it will only be a matter of hours before the unit is missed. Please advise.

I have located several ciphered radioes, but they are closely accounted for. Access to the area is closely controlled, so a direct theft of one of the radioes would be at very high risk manuver [sic]. If it is possible to make a facsimile of a radio, it is possible that the facsimile could be substituted for the actual radio, delaying discovery that it is missing. Once the discovery is noticed, security measures will increase dramatically, making future operations much more difficult or impossible. My own assessment is that a direct theft poses greater risks than the potential rewards, but it is a possibility.

I will continue to look for an alternative means of securing a radio that poses fewer operational risks.

July 9, 1996 Drop

96. On or about July 8, 1996, PITTS paged the "SVRR [FBI]" indicating that he would make a drop the next day. As indicated, on July 9, 1996, he placed an envelope in Box 318 which contained a computer disk and 112 pages of an FBI Headquarters manual titled "Informal FBI Headquarters

Supervisors' Manual - Intelligence Division (INTD)." The

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document was clearly classified "Secret" on the cover, and on numerous internal pages.

The letter on the disk explained that this was only a portion of the manual and the rest would be delivered later (due to the size of the manual). He also requested payment during the week of July 15, 1996.

97. On or about July 22, 1996, the "SVRR [FBI]" paged PITTS, indicating that they would make a drop the following day. This drop included a payment of \$5,000.00.

July 25, 1996 Drop

98. On or about July 24, 1996, PITTS paged the "SVRR" indicating that he would make a drop on the following day. As indicated, on July 25, 1996, he placed an envelope in Box 318. This envelope contained 110 pages of the SECRET FBI manual described above. The drop also contained a computer disk, containing a letter to PITTS' "SVRR [FBI]" handlers. In the letter, PITTS apologized for missing "my appointment last week"; noted that his schedule was unpredictable but believed it could be "manage to avoid unreasonable disruption to our mutual interests"; promised to provide the SVRR "details concerning the [STU-III] telephone, you have requested as soon as possible"; and suggested that the Thanksgiving holiday would offer an "excellent window of opportunity" [to smuggle into the FBI Academy an SVRR technical expert].

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July 31, 1996 Drop

99. On or about July 30, 1996, PITTS paged the "SVRR [FBI]" indicating that he would make a drop the following day. As indicated, on July 31, 1996, he placed an envelope in Box 318 which contained 192 pages of the SECRET FBI manual described above.

August 14, 1996 Drop

100. On or about August 13, 1996, PITTS paged the "SVRR [FBI]" to indicate that he would make a drop the next day. As indicated, on August 14, 1996, he placed an envelope in Box 318. This drop included a computer disk which contained a six page letter. Among "Personnel Actions of Interests," PITTS described a recently retired FBI Special Agent as one whose "knowledge of operations and sources of information over a number of years would be valuable in assessing any past or present security breaches. If the opportunity arises to make an indirect approach, it should be worth the effort." As stated above, vulnerabilities are a key to assessing potential recruitment targets. PITTS also wrote that this agent "tends to be talkative, and appears to be somewhat lonely and isolated. At the time I knew him, most of his social activities revolved around work relationships. Now that he is retired, he will probably feel cut off socially and may be approachable as an indirect source of information."

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101. Other information contained on the disk dealt primarily with PITTS' continued efforts toward assisting the "SVRR [FBI]" in gaining access to a STU-III telephone. He told of the location of the STU-III he considered most appropriate, and gave the "SVRR [FBI]" the cypher lock combination to the door of the room housing the telephone. Vehicle and foot access into the Academy were detailed, as well as the possibility of "covert placement [by SVRR personnel] in a class" at the Academy.

102. In this communication, PITTS also noted his desire for a "steady stream of payments," and his concern about being able to "mask" his payments received from the SVRR:

Regarding my reserve, I do not know the amount and it is my understanding that you do not. When I last met with Alex, it was over 100,000. I do not recall discussing the matter with Alex's friend, who I met later. The amount of the reserve is not the key point I was trying to raise in my recent communication. I believe I am being treated fairly even though circumstances have made our working relationship more difficult.

My purpose in requesting the recent payments even if they came from reserve, was to keep a steady stream of payments in place. Given the difficulties we have had maintaining contact in the past, changes in your organizational structure and current conditions, large reserves are of very little current use to me. There are also practical problems that I must deal with if your payments are made in only a few lump sums (over 10,000) without leaving traces of its source. It also is not wise to leave large sums of cash unused, as holding large amounts of cash raises immediate suspicions. The safest way to deal with this is to create a situation where smaller amounts of money can be hidden in assets that are not easily observable but that can accumulate over a longer period of time. To do this, it is better to deal in smaller amounts but to do so regularly. Regular patterns of spending are difficult to detect, but erratic patterns stand out regardless of the amounts involved. Transactions involving large amounts

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of money are difficult to hide, even if they are done in cash. Therefore, it is important to my purposes that smaller amounts of cash can regularly be infused into the structures I am using to mask your payments. I suggested use of the reserves because much of the information I have recently provided is not of the quality I have provided in the past and did not wish to imply I expected the same level of payment. However, it is also important that I create and maintain a structure that can accommodate [sic] and mask payments for higher quality material, such as the project we are working on now.

With both my needs and your needs (both monetary and security) in mind, I would ask you to make payments on the material I have provided on either the 10th or 11th of next month. I anticipate I will need one more payment before the end of this year (probably [sic] November) after additional material is delivered to you.

103. The envelope provided to the "SVRR [FBI]" on August 14, 1996, also contained a color slide of the FBI Training Academy at Quantico, Virginia; eighty seven (87) pages of a Federal Bureau of Investigation manual titled "The Federal Bureau of Investigation Emergency Response Plans - FBI Academy, Quantico, Virginia, Training Division, April, 1996"; and ten (10) FBI Directories.

August 29, 1996 Drop

104. On or about August 29, 1996, PITTS placed an envelope in Box 318. This envelope contained a computer disk and four maps which correlated with information on the disk. On the disk, PITTS gave the location of "the device you are interested in" [the STU-III telephone detailed above], information concerning security devices near and on the way to

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the telephone, and various routes to the phone from the outside of the Academy. He gave the pros and cons for each route], stated which he recommended, and marked the routes on the accompanying maps.

105. On or about September 9, 1996, the "SVRR [FBI]" paged PITTS, indicating there would be a drop made on the following day. On or about September 10, 1996, PITTS was paid \$5,000.00 by the "SVRR [FBI]".

September 18, 1996 Drop

106. On or about September 17, 1996, PITTS paged the "SVRR [FBI]" to indicate that he would make a drop the following day. On September 18, 1996, as indicated, PITTS placed an envelope in Box 318. This envelope contained a computer disk and five pages of technical information relating to FBI radios and telephones, including radio frequencies and channels used at the FBI Academy, FBI Headquarters, Washington Field Office, Philadelphia, Pittsburgh, Richmond and New York Divisions.

107. The disk contained information regarding transfers within the FBI Intelligence Division and National Security Division training instructors and attendees at the FBI Academy, including some home addresses and telephone numbers. PITTS highlighted one individual as someone who "may be of significant interest to you". PITTS also gave extensive information on an FBI espionage investigation of an individual who passed "Top Secret" military information to the Soviets.

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PITTS continued in his efforts to plan the compromise of a STU-III telephone by recommending a date and method of entry for the SVRR technician including a particular method to smuggle in the SVRR technician.

September 25, 1996 Drop

108. On or about September 24, 1996, PITTS paged the "SVRR [FBI]", indicating that he would be making a drop the following day. As indicated, on or about September 25, 1996, PITTS placed an envelope in Box 318. This envelope contained a computer disk and several telephone directories for the FBI and its' field divisions.

The disk contained detailed information about the Stu-III telephone and the best dates for the SVRR technician to enter the FBI Academy. PITTS offered a key to the Academy and a coded card, which would allow unaccompanied access to the Academy.

October 6, 1996 Drop

109. On or about October 5, 1996, PITTS paged the "SVRR [FBI]" to indicate that he would make a drop the following day. On or about October 6, 1996, PITTS placed an envelope in Box 318. This envelope contained a computer disk containing a letter which detailed PITTS' continued planning for the entry of the SVRR technician. PITTS stated that he was in the "process of assessing security measures" for the building containing the STU-

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III. Also enclosed in the envelope were telephone directories and assignment charts for various divisions within the FBI.

110. In this same drop, PITTS enclosed a nineteen page FBI Intelligence Division report titled "Counterintelligence Techniques: Identifying an Intelligence Officer." This document is classified "Secret" in its entirety and, in my opinion, is related to the national defense, as that term is used in Title 18, United States Code, Section 794.

October 16, 1996 Drop

111. On or about October 15, 1996, PITTS paged the "SVRR [FBI]", indicating that he would be making a drop the next day. On or about October 16, 1996, PITTS placed an envelope in Box 318. The envelope contained a computer disk, a key, a hand drawn map with "target" written on it, and a printed FBI Academy map with handwritten notes. An FBI Special Agent verified that the key unlocked an outside door to the FBI Academy.

112. The disk contained information on the best date and time for the SVRR technician to enter the academy, according to staffing and security procedures around the "target area", and suggested a pick up point for the SVRR technician. PITTS offered to obtain an identification card and uniform for the technician to ensure the success of the operation.

113. On or about November 4, 1996, the "SVRR [FBI]" paged PITTS to indicate that there would be a drop for him the

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next day. On or about November 5, 1996, the "SVRR [FBI]" paid PITTS \$5,000.00 via Box 318.

114. Along with the November 5, 1995, payment was a computer disk containing a letter from PITTS' "SVRR [FBI]" handlers. In the letter, the "SVRR [FBI]" told PITTS that it wished to have PITTS' assistance in a "related effort to defeat secure telephones" and that PITTS would be provided a device for this purpose.

115. On November 10, 1996, PITTS was provided by his "SVRR [FBI]" handlers a STU-III handset which PITTS was told had been "modified". PITTS was requested to exchange it with the STU-III handset at the FBI Academy and to deliver the handset "through normal method" for "modifications."

November 12, 1996 Drop

116. On or about November 12 1996, PITTS placed an envelope in Box 318. This envelope

contained an FBI Intelligence Division Identification badge, number 784046. The badge is identifiable as PITTS' by his name and photo on the front. This type of badge is used by FBI employees and is considered to be Bureau Property. This badge allows entry onto the FBI Academy grounds, as well as unaccompanied entry into the Academy buildings. It also provides bonafides for a person while walking through the Academy as all students, instructors, and visitors are required to wear a badge of some type while inside the Academy.

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November 26, 1996 Drop

117. On or about November 26, 1996, PITTS placed an envelope in Box 318. It contained a computer disk containing a letter to the person PITTS believed to be his SVRR handler. In the letter, PITTS referred to the STU-III handset and said:

The device has been recieved [sic] and is ready for installation. * * * A window of opportunity exists to install the device, and expect installation by December 2 or 3.

Stealing the STU-III Handset

118. On or about November 29, 1996, PITTS stole a handset from a STU-III telecommunications device from the FBI Academy and replaced it with the supposedly "modified" handset provided to him by his "SVRR [FBI]" handlers.

December 4,1996 Drop

119. On or about December 3, 1996, PITTS paged the "SVRR [FBI]" to indicate that he would make a drop the next day. On or about December 4, 1996, PITTS made a drop via Box 318. The box he dropped included the handset which he had stolen from the FBI Academy.

The Final Drop

120. On December 12, 1996, PITTS paged the "SVRR [FBI]" indicating that he would make a drop the next day. On December13, 1996, PITTS placed an envelope in Box 318. In the envelope

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was a computer disk containing a letter to PITTS' "SVRR [FBI]" handler. Among other things, the letter said:

Please understand I no longer have direct access to the files concerning the events that took place during that period [of his New York assignment] and I believe I have provided you with everything that I was aware of.

121. The "false flag" operation described above began on or about August 12, 1995, and continued to on or about December 13, 1996. During this 16 month time period, PITTS made 22 drops of FBI internal information and documents, of both a classified and unclassified nature, held nine telephone conversations and two face-to-face meetings with his "SVRR [FBI]" handlers, and accepted payment of \$65,000 for these services. At no time was.PITTS authorized to divulge or convey such documents

and information to unauthorized persons or to persons he believed to be unauthorized persons, or to attempt to compromise the security of this information.

Intent to Escape

122. On or about November 2, 1995, during a physical search of Room B-103, FBI Academy, Quantico Marine Base, Quantico, Virginia, the following information relating to an escape plan was found in the hard drive of PITTS' personally-owned computer [typed as in the original]:

Personal security is a greater concern now due to suspicious that may have been raised by our direct communication and the greater possibility of security breakdowns since our previous exchanges. I am developing an emergency escape plan in the event it needs to be used on short notice. If you wish me to

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contact you in such an event, please advise me of a point of contact, preferably outside this country, where I should make the contact. Under my working plan, it will take five to six weeks between instituting the plan and being in a position to make contact. To avoid possible security breaches, I will take total responsibility for extricating myself, and only need to know any final point at which you want me to arrive. If it can be passed, I need 35 to 40K from my account to fund the plan and use as a reserve to be used if the plan must be put into effect. Let me emphasize that my plan will only be put into effect as a final extreme measure when all other safeguards have failed.

123. In a December 6, 1996, telephone conversation between PITTS and his "SVRR [FBI]" handler, PITTS indicated that it was getting "close to that time" when he would need a passport prepared by the SVRR, and that he would provide the SVRR with a photograph.

124. Based on the above facts and circumstances, I believe there is probable cause that EARL EDWIN PITTS committed the following violations of federal criminal law:

- A. Conspiracy to Commit Espionage, in violation of Title 18 United States Code Section 794(c);
- B. Attempted Espionage, in violation of Title 18 United States Code Section 794(a);
- C. Communication of Classified Information by Government Officer or Employee, in violation of Title 50 United States Code Section 783(a); and
- D. Conveyance Without Authority of Government Property, in violation of Title 18 United States Code Section 641.

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Items to be Searched and Seized

125. Based on my training and experience, I know that:

- a. Agents of foreign intelligence services maintain records, notes, bank records, f statements, calendars, journals, maps, instructions, classified documents, and oth
- b. Agents of foreign intelligence services often utilize espionage paraphernalia, i
 - 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 h accounts;
 - 4) records of previous illicit espionage transactions; and
 - 5) the source and disposition of national defense and classified intelligence

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- c. Agents of foreign intelligence services routinely conceal in their residences la U.S. and foreign currency, financial instruments, precious metals, jewelry, and oth
- d. It is common for agents of foreign intelligence services to secrete national def instructions, codes, telephone numbers, maps, photographs, other papers and materia
- e. Agents of foreign intelligence services are not unlike any other individual in c
- f. Agents of foreign intelligence services often maintain identity documents, inclu

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126. Based on the foregoing, I believe there is probable cause that evidence, fruits, instrumentalities, and proceeds of this offense/these offenses are located in:

- a. Premises known and described as a single family residence located at 13415 Fox Chase Lane, Spotsylvania, Virginia, 22553 (as more fully described in Attachment A), which is within the Eastern District of Virginia;
- b. Premises known and described as Room B-103, Building #9, Behavioral Science Unit, FBI Academy, Quantico Marine Base, Quantico, Virginia (as more fully described in Attachment B), which is within the Eastern District of Virginia;
- c. One 1992 Chevrolet S-10 Pick-up Truck, bearing Virginia registration NVI-582, VIN: 1GCCS19R7N2148561, which based on recent observation by FBI Special Agents and surveillance personnel presently is located at 13415 Fox Chase Lane, Spotaylvania, Virginia, 22553;
- d. One 1996 Honda Accord, bearing Virginia registration OXK-347, VIN: 1HGCD5636TA112429, which based on recent observation by FBI Special Agents and surveillance personnel presently is located at 13415 Fox Chase Lane, Spotsylvania, Virginia, 22553;
- e. One storage unit, numbered A425, located at 7400 Alban Station Boulevard, Springfield, Virginia, 22150 (as more fully described in Attachment C);
- f. One storage unit, numbered D13, located at U-Stor-It Mini Storage, 3662 1/2 Jefferson Davis

Highway, Fredericksburg, Virginia, 22408 (as more fully described in Attachment D); and

g. One safety deposit box, numbered 114, located at the Central Fidelity Bank, 4230 Plank Road, Fredericksburg, Virginia, 22407.

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WARRANTS REQUESTED

127. Based on the foregoing, I respectfully request the following:

a. Warrant for the Arrest of:

EARL EDWIN PITTS,
DOB: September 23, 1953,
SSAN: 486-62-7841;

for violations of Title 18, United States Code (USC), Sections 794(a), 794(c) and 641, and Title 50, United States Code, Section 783(a).

b. Search Warrants for:

1) Premises known and described as a single family residence located at 13415 Fox Chase Lane, Spotsylvania, Virginia, 22553 (as more fully described in Attachment A), which is within the Eastern District of Virginia;

2) Premises known and described as Room B-103, Building #9, Behavioral Science Unit, FBI Academy, Quantico Marine Base, Quantico, Virginia (as more fully described in Attachment B), which is within the Eastern District of Virginia;

3) One 1992 Chevrolet S-10 Pick-Up Truck, bearing Virginia registration NVI-582, VIN: 1GCCS19R7N2148561, Which-based on recent observation by FBI Special Agents and surveillance personnel is presently located at 13415 Fox Chase Lane, Spotsylvania, Virginia, 22553;

4) One 1996 Honda Accord sedan, bearing Virginia registration OXK-347, VIN: 1HGCD5636TA112429, which based on recent observation by FBI Special Agents and surveillance personnel is presently located at 13415 Fox Chase Lane, Spotsylvania, Virginia, 22553;

5) One storage unit, numbered A425, located at Public Storage, 7400 Alban Station Boulevard, Springfield, Virginia, 22150 (as more fully described in Attachment C);


6) One storage unit, numbered D13, located at U-Stor-It Mini Storage, 3662 1/2 Jefferson Davis Highway, Fredericksburg, Virginia, 22408 (as more fully described in Attachment D);
and

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7)One safety deposit box, numbered 114, located at the Central Fidelity Bank, 4230 Plank Road, Fredericksburg, Virginia, 22407.

Items to be searched for are more fully described in Attachment E.

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


David G. Lambert, Special Agent
Federal Bureau of Investigation

Subscribed to and
Sworn before me this
17th day of December, 1996


Hon. Thomas Rawles Jones, Jr.
UNITED STATES MAGISTRATE JUDGE
Alexandria, Virginia

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ATTACHMENT A

(Residence of EARL EDWIN PITTS)

The residence located on two and one half acres of land with the address 13415 Fox Chase Lane, Spotsylvania, Virginia. It is a single family dwelling facing Fox Chase Lane. The home has two levels above ground and an unfinished basement. The outside of the residence is finished with tan siding and brick and has a two-car garage attached.

The residence is accessed via a paved driveway that extends 215 feet from Fox Chase Lane. The house number "13415" is located on a mailbox at the street.

ATTACHMENT B

(Office space of EARL EDWIN PITTS)

Room B-103, Building 19, Behavioral Science Unit, is located on the 3rd level beneath the gun vault at the FBI Academy, Quantico Marine Base, Quantico, Virginia. The room is accessed by descending in the elevator located in the firearms cleaning area to "3B". On the wall beside B-103 is a sign, "Earl E. Pitts". The office has a single, wooden door and is approximately 15 feet long and 10 feet wide. The office walls are blue; the ceiling is white.

ATTACHMENT C

(Storage space of EARL EDWIN PITTS)

One storage unit, numbered A425, located at Public Storage, 7400 Alban Station Boulevard, Springfield, Virginia, 22150.

Directions to this unit are as follows: go through a locked gate that requires a keypad code. Facing the storage building, turn left and approximately 35-50 yards on the right is a door to enter the building. Take the elevator to the third floor, exit and take two lefts. Unit A425 is on the right.

ATTACHMENT D

(Storage Space of EARL EDWIN PITTS)

One storage unit, numbered D13, located at U-Stor-It Mini Storage, 3662 1/2 Jefferson Davis Highway, Fredericksburg, Virginia, 22408.

The storage facility is located on the Route 1 Bypass, behind Purvis Ford. The facility is surrounded by a 7'-8' fence. Turn left after entering the facility and go to the end of the two buildings. Unit D13 is in the western-most building on the north end.

ATTACHMENT E

(Items of EARL EDWIN PITTS to be searched)

1) 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;

2) espionage paraphernalia including devices designed to conceal and transmit national defense and classified intelligence information and materials used by espionage agents to communicate among each other and with a foreign government, to wit: coded pads, secret writing paper, microdots, microfiche together with instructions in the use of these materials, recording and electronic transmittal equipment, chemicals used to develop coded or secret messages, computers, computer disks, cameras, film, books, records, documents, and papers which reflect:

- a) national defense and classified intelligence information,
- b) the identities of other foreign espionage agents and intelligence officers,
- c) financial transactions including payments to foreign espionage agents and hidden financial accounts
- d) records of previous illicit espionage transactions, and
- e) the source and disposition of national defense and classified intelligence information;

- 3) large amounts of U.S. and foreign currency, financial instruments, precious metals, jewelry, and other items of value and/or proceeds of illegal espionage transactions;
- 4) national defense and classified documents and materials, 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;
- 5) passports, visas, calendars, journals, date books, telephone numbers, address books, 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;
- 6) identity documents, including those utilizing fictitious identities, U.S. and foreign currency, instructions, maps, photographs, U.S. and foreign bank account access numbers and instructions, and other papers and materials relating emergency contact procedures and escape routes;
- 7) foreign and domestic bank records, including canceled checks, monthly statements, deposit slips, withdrawal slips, wire transfer requests and confirmations, account numbers, addresses, signature cards, credit cards, and credit card statements, and all other financial statements;
- 8) safety deposit box records, including signature cards, bills, and payment records;
- 9) financial and investment account records, including statements, investment confirmations, withdrawal and dividend records, and all other related account records;
- 10) federal, state, and local tax returns, work sheets, W-2 forms, W-4 forms, 1099 forms, and all related schedules; and
- 11) records concerning real property purchases, sales, transfers, in the U.S. and foreign countries, including but not limited to deeds, deeds of trust, land contracts, promissory notes, settlement statements, and mortgage documents.