



The FBI Oral History Project

An initiative sponsored by
The Society of Former Special Agents of the FBI
and the Former Agents of the FBI Foundation
www.socxfbi.org



© Society of Former Special Agents of the FBI, Inc. 2005

**Interview of Former Special Agent of the FBI
Edmund J. Birch (1952 – 1975)
Interviewed by Michael O'Brien
On August 28, 2005**

Mr. Birch died in February 2006. We are grateful for his participation in the Oral History Project. May he rest in peace.

Edited for repetitions, spelling, etc. by Sandra Robinette on February 12, 2006. Corrections by Mr. O'Brien were made by Sandra Robinette on March 10, 2006.

O'Brien: Today's date is August 28th, 2005. My name is Michael O'Brien, representative of the Society of Former Special Agents of the FBI. I am interviewing Ed Birch for the FBI Oral History Project.

Okay, Ed, I'm going to read this statement. "We, the undersigned, convey the rights to the intellectual content of our interview on this date, August 28th, 2005, to the Society of Former Special Agents of the FBI. This transfer is in exchange for the Society's efforts to preserve the historical legacy of the FBI and its members.

We understand that portions of this interview may be deleted for security purposes. Unless otherwise restricted, we agree that acceptable sections can be published on the World Wide Web and the recordings transferred to an established repository for preservation and research.

Okay, Ed? We both understand that?

Birch: Yes.

O'Brien: And will you agree?

Birch: Right.

O'Brien: I've already signed my copy and if you would, Ed, right here, if you would, sign it right, see where it says interview right there.

Birch: Yeah.

O'Brien: And today's date is August 28th. I forgot you're left-handed.

Birch: No problem.

Edmund J. Birch
August 28, 2005
Page 2

O'Brien: Okay, Ed. Let's start out by you telling me a little bit about your background. Where you were raised and, well first, let me get this. What's your date of birth, year of birth?

Birch: My date of birth, September 13, 1925.

O'Brien: Okay, where at?

Birch: In Hackensack, New Jersey.

O'Brien: Okay. And were you born and raised there?

Birch: Yes.

O'Brien: Okay.

Birch: Born and raised there.

O'Brien: And your Bureau service dates. When did you start and finish?

Birch: March 31st, 1952 to October 31st, 1975.

O'Brien: October 31st, 1975. Okay. And so your periods covered in the FBI would be the 50s, 60s, and 70s?

Birch: Right.

O'Brien: Okay. Let's start out with basically where were you born and raised and your education and how you got in the FBI.

Birch: Okay. I was born and raised and went to school in Hackensack. And graduated high school in '43. Went in the military in 1944. I took infantry basic training and then went to the European theater and stayed there until the end of World War II. And then fortunately VJ Day came and I came back on the *Queen Mary* in May 1946.

Then went to George Washington University from 1946 to 1950, earning a degree in government with a major in accounting.

I returned to New Jersey and went to work for Allied Chemical, as an accountant. And worked for Allied Chemical for about maybe a year and decided being an accountant wasn't for me.

Edmund J. Birch
August 28, 2005
Page 3

Birch: So I walked over to Foley Square one day and made an application for the Bureau. The Bureau called me and had me in for the examination, the written exam - me and about thirty-five other guys. And that was in December 1951.

And thereafter, I just sat and waited. I knew they were into it, because they were doing a background investigation on me. And I finally got a telegram in March, telling me to report to the old Post Office Building on March 31st, 1952.

O'Brien: Okay. Let me ask you a few questions before we go on. How did you even know to apply to the FBI? Was it word or mouth or a rumor that you found out about the FBI?

Birch: No, no. It was funny because working over in New York, there was a Top Ten Fugitive, Freddy Tenuto, and the *Daily News* would have his picture on the front page of the *Daily News*. I said "I'm going to, I'm going to get that guy," which I never did.

But anyway, I suppose that was the impetus, as far as going in the Bureau. Besides that, I was making, I think, thirty-eight hundred dollars with Allied Chemical and I knew the Bureau was paying five thousand, five seventy.

O'Brien: It's a pay increase.

Birch: Right.

O'Brien: Now what about your father, was there any law enforcement in your background?

Birch: Yeah, my father was a policeman in Hackensack. And then he retired. And so that was part of it, knowing what law enforcement was all about. And so it wasn't, you know, totally new to me. And so it was just a natural.

O'Brien: Did you grow up with the idea you were going to apply for the FBI at all?

Birch: No.

O'Brien: Were you going to be a policeman or anything?

Birch: No.

O'Brien: No.

Birch: No, I went to school thinking that I would be an accountant.

O'Brien: Okay. And let me just backtrack a little bit here about your service overseas. You were in the Infantry.

Birch: Right.

O'Brien: Were you an officer?

Birch: No. I came out as a staff sergeant.

O'Brien: Were you drafted?

Birch: Yes, I was drafted. I took my training down in Camp (**unintel**) in Florida, because the first job was Fort Dix, New Jersey. Then they put you on a train down to Florida. And I went through the basic training.

And then Fort George took me up to the ship in Brooklyn. I went over in a convoy and we were doing nine knots an hour, because we couldn't go any faster than the other ships in the convoy.

And so we landed at Milag, France and got on these damn trains. They were freight cars with bags of hay on them. And I don't think I want to do this, but I had no choice.

And so I went through that. And as I say, was with the 9th Army. I was with the 35th Division, which was Harry Truman's division during World War I. And that's how we got back on the *Queen Mary*, because he wanted his division to be the first one out of Europe.

We were sitting in Camp Le Picard in France, waiting to go to Japan. We were one of six divisions going to be redeployed. And then when they dropped the bombs, we knew we weren't going.

And so it was shortly after that that they called the, the division together and said, "The President wants us back in the States and so we're going to be leaving for South Hampton and catch the *Queen Mary*." And sure enough, we were back in the States by September 12th of '46.

Edmund J. Birch
August 28, 2005
Page 5

Birch: And so that's how I got to Europe and came back from there. And the *Queen Mary* is still in Long Beach.

O'Brien: The same one.

Birch: The same one.

O'Brien: So then you started the Bureau in 1952.

Birch: Right.

O'Brien: And tell me all the offices you were in and then we will go back.

Birch: Okay. Then I went through training and I guess we finished up in August. Minneapolis was my first office. Guy Bannister was the SAC, a hell of a guy. One of Hoover's guys. But a good SAC.

And spent about, I guess about eighteen months doing the usual, you know, as a first office Agent, a lot of applicant work, some criminal work. They assigned you to a criminal guy for a while.

I remember working White Slave Traffic Act cases and under an old hand in the Bureau. His name was Paul Casey.

But anyway, I did that and then at my first office eighteen months. I transferred from there down to St. Louis. In St. Louis, the same thing. I did a lot of applicant work, criminal work. I eventually wound up on the Communist Squad doing that stuff. I didn't like St. Louis. It was too hot.

And so then I decided to put in for my OP, New York. I figured I might as well go on home. My two kids at the time, I figured they could be home with their grandparents, because my folks still lived in Hackensack.

So I put in my OP to New York. And about six months later got the transfer back to New York.

Birch: And so I went back and, like every other young Agent, bought a house over in New Jersey. I got in a carpool with five other guys. And we worked, I started with a CP-7 in New York. And I was in a carpool with guys that lived in the same area, New Milford, New Jersey, which was right near Hackensack.

Edmund J. Birch
August 28, 2005
Page 6

Birch: Anyway, I did that for a while and I said that CP stuff was a dying breed.

O'Brien: CP being Communist Party?

Birch: Yeah. And it was pretty well tied up by the Bureau by that time. You know.

O'Brien: What year are we talking about?

Birch: '55, '56. Yeah. And then they started recruiting, because they wanted to build up the Soviet Section in the New York Office. So I went to surveillance school. And I went to this kind of school, and that kind of school, identifying the Soviets and And so I got assigned to Section 342, which was working the Soviets that were at the United Nations. So that was fine. I had a lot of good cases and started doing a lot of surveillance work.

And so I did that and, of course, Section 342 must have been 200 guys, but the different squads and the section handling different types of Soviets, if you will.

Like with my squad, we handled the Soviets in the U.N. I don't know, one of the cases I had was Victor Laziovsky, who was personal assistant to U Thant, who was secretary general at the time.

Another guy was XXXXXXXX, who we used to have surveillances up in Boston, as he had a couple of agents and he was working out of Boston.

And so we were doing an awful lot of surveillance work. But getting into say the Abel case, if you want to right now.

O'Brien: Yes.

Birch: We always, I guess there was the general feeling in the section that there was an illegal in the New York area.

O'Brien: If you could explain, what is an illegal?

Birch: An illegal is somebody from the Soviet Intelligence in this country illegally. And we all thought that there was somebody. I don't even know on what basis they thought. They always said there was somebody.

O'Brien: In other words, it's a Soviet or Russian that is here under a false name, working some menial job, and is actually a Soviet spy?

Birch: Right.

O'Brien: Yes, okay.

Birch: And so I think the thing that broke that wide open was a fellow by the name of Reino Hayhainan, who worked for Abel, and he was Latvian and recruited by Abel. And he was being sent back to Moscow supposedly for an in-service, so he thought.

Until he got to Paris and started thinking about it and said, "I'm not sure they're sending me back for in-service," because he had absconded with five thousand dollars from Colonel Abel.

And so he started thinking about it and was sober enough to walk into the American Embassy in Paris and talk to either CIA or FBI guys.

He convinced them that there was an illegal in New York, but he couldn't tell them where or where the guy lived or what he was doing. All he knew was that every once in a while, he would have a meeting with this guy. And this guy knew how to get a hold of Reino, but Reino didn't know how to get a hold of him.

So anyway, based on that, they brought Reino back to the States and interviewed him. A couple of guys in my squad.

And one thing about Reino, he loved life, but he had enough intelligence to warrant us getting onto the case and, you know, he'd give us bits and pieces.

Like he said one of the names Abel used was Goldfus, G-o-l-d-f-u-s. And I think the other thing was he said he was an artist at an art studio in Brooklyn. Well, you know, that wasn't much to go by, but we started with that.

Birch: And finally somehow somebody located this Goldfus and yes, he had an artist studio, right near the Post Office in Brooklyn, right near the Federal St. George Hotel in Brooklyn. It was right near the Brooklyn Bridge.

So we got onto that and I can remember one night, I guess, and the surveillance team took a guy out of that studio apartment, they were apartments. And took him into New York and down into some flea bag hotel, off of Park Avenue, probably in the 20s, 28th Street, somewhere down there.

Anyway. I had the surveillance, my team members Saturday morning, and so they stuck us in an office overlooking the back door of this hotel. The hotel went from block to block. The front door was covered by other Agents. We had the back door. Anyway, we were all set up. The guys from the photo lab came down with their fifty millimeter cameras, et cetera, and we got set up in this office.

And we were talking about taking photos through the blinds. All of a sudden, there was a guy coming out the back door, who fit the description of the guys who saw him back from Brooklyn the night before, a gray straw hat and the same clothes.

And we were looking at these guys and said, "Maybe that's the same guy." I said, "Well, whether it is or not," I grabbed the briefcase camera and said, "I'm going to surveil this guy for a while."

O'Brien: Briefcase camera. You had a camera in the briefcase, where you could take photographs.

Birch: Yes, just pressed the button.

O'Brien: Yeah, okay.

Birch: So anyway, and the guys from the photo lab said, "Okay, just let us know when you come back," 'cause I had a radio with me. "Let us know and we'll take his picture on his way up the street." So that was fine.

Birch: Then we got the guys from the front onto the surveillance and this turkey, as we eventually found out, used to go to this cafeteria on Park Avenue every morning and sit there, read the New York Times by the hour, which we didn't realize the first time.

And he went...I think the name of the cafeteria was the Belnort, I think it was B-e-l-n-o-r-t, on lower Park Avenue. So anyway, he goes in there and he sits and he sits and he sits. And I'm getting a little impatient and I'm getting a little closer to the cafeteria. And I'm saying to the guys, "You sure he's still in there." "Yeah, he's still in there reading." And I said, "Okay."

So anyway, eventually, after a couple of hours, he finally came out. Well, they told me he was out. And I said fine. So I start walking toward him and as I was walking, I was pressing the camera.

So anyway, I took a lot of pictures. And told the guys he was heading back, so that they could get some pictures of him. Because the only way we were going to identify this guy as being Abel is to have Reino look at the photographs and say yes, this is Colonel Abel.

So anyway, went back into the lookout and called a good friend, Bill Simon, who was the SAC at the time. And he got me the name of O'Brien, who was the Section Chief. I can't remember his first name.

But anyway, I went back, called the office, and that's the first time in my memory that Bill Simon said, "Okay, you guys grab a cab, get back to the office, and develop those pictures immediately."

So okay, Murphy was the guy from the laboratory. So he got his camera, I got my camera, and downstairs, grabbed a cab and went up to 69th and 3rd, went up to the photo lab.

Murphy opens his camera, no film. I said, "I think I'll leave right now." "No, let's see what's in your camera? Well, sure enough, I had film and he started developing the film. Beautiful pictures of trees, a fire station, and, all of a sudden, one beautiful picture of his face.

O'Brien: Oh, wow.

Birch: And so told Simon, "Yeah, we have a picture of this guy. And he said, "Bring it down to my office."

And so we went down there and he gave it to the guys that were interviewing Reino, get it over to him and find out whether this is the illegal. Well, it was.

And so that started probably six or eight months of constant surveillance of this guy. And opened up more dumb cases, you know, anybody he even talked to, anybody gestured to him. And how I remembered, there was one case *Unsub*, with right hand on subway, somebody that he brushed against to him. We had more cases trying to find out what kind of apparatus he had going for him in New York. Never, I don't think we ever found any, as far as contacts. I'm not sure, but somebody else would know that.

But anyway, after a while, the Bureau finally said, as the Bureau always said, "Enough is enough."

O'Brien: How long did it last?

Birch: Probably six to eight months.

O'Brien: A constant twenty-four hour surveillance?

Birch: Oh, yes, yeah.

O'Brien: How many guys did you have on a team, do you remember?

Birch: On the team?

O'Brien: Yeah, that would do around the clock surveillance?

Birch: There were three guys to a team and probably twelve guys. At a time.

O'Brien: Do you ever think he made anybody? (*spotted surveillance*)

Birch: No. Because if we had, he'd be gone. But no, he stayed. The Bureau and Immigration finally figured out, the only thing they could pick him up for was illegal entry into the country, which they did. Sure enough, he was tried and sent down to prison in Texas and thereafter interviewed him like crazy, you know, every day. He was telling them nothing.

Birch: Matter of fact, one of the things I heard that he said was, “American intelligence walks in baby shoes.” And so he told him nothing, but we eventually found out that he came in through Canada and to New York and he was KGB. He was a full colonel and, well, the end of that story was when the Soviets downed a U2 that was piloted by a, I forget. What was his name?

O’Brien: Powers.

Birch: Powers.

O’Brien: Gary Powers.

Birch: Gary Powers. Right. And Gary Powers was exchanged for Colonel Abel. Colonel Abel had an attorney from New York by the name of Donahue, and so he had wanted to make sure that everything was going to be all right, as far as the exchange was concerned.

And so what eventually happened was they crossed the famous bridge over there in East Berlin, and we got Powers back and they got Abel back. And the Soviets paid Attorney Donahue ten thousand dollars, which he gave to Fordham Law School, because he wanted no part of it. He wanted no part of the money.

O’Brien: Wait. Wait. Let me see if I understand. Who, the Soviets gave who ten thousand?

Birch: The Soviets gave Donahue, the attorney for Abel.

O’Brien: And the attorney donated it to Fordham University, because he didn’t want anything to do with it.

Birch: Right.

O’Brien: Sort of as a patriotic gesture.

Birch:

And so we got rid of him. But there were other cases of guys that were illegals that we worked.

Edmund J. Birch
August 28, 2005
Page 12

O'Brien: Let me just, before we move on from him. Let me ask you a few follow-up questions on Abel. Reino was the Latvian guy that initially came forward?

Birch: Yeah.

O'Brien: Did he actually, did Reino know that Abel was an illegal?

Birch: Yeah.

O'Brien: And he was the one that told you that?

Birch: Yeah.

O'Brien: Was Reino a recruited KGB himself?

Birch: He was a recruited agent of Abel.

O'Brien: Of Abel?

Birch: Yeah. In the States.

O'Brien: Did Abel recruit him in the United States?

Birch: Yeah.

O'Brien: I see. And did he have him do tasks or, I mean, how did, how did he find out that Abel was a illegal? Do you remember that?

Birch: I think, I think Abel told him.

O'Brien: Abel told him. Okay.

Birch: Yeah.

O'Brien: And were there any significant things that he had Reino do?

Birch: No.

O'Brien: No. Okay.

Birch: No, they were both and, again, I think, you have to understand, the Soviets were very patient people, whereas like the XXXXXX case. They had XXXXXXXX out at (March) Air Force Base, a sergeant. And they supplied him with flash paper, hollowed out nickels. Now all the, all this spy paraphernalia. But as far as we know, in the eight months we surveilled him, they never asked him to do anything.

So the Soviets were very patient with their recruitments. And unless they really needed something badly, they would just let these people sit in place.

O'Brien: And at some time in the future, I mean, because a lot of non-FBI people or citizens are going to hear this, but to give you an idea this is correct, they would eventually clear a dead drop some things like, Abel and things?

Birch: He would definitely.

O'Brien: That would, he would establish and then himself in, living in the city, you know, eventually pick up drops or do whatever...

Birch: Right.

O'Brien: ...the Soviets wanted.

Birch: And I think this was part of what Reino did. He recruited jobs in Central Park.

O'Brien: Uh-huh.

Birch: By Abel.

O'Brien: And so he would be established and not suspected by the general population as being a spy.

Birch: Right.

O'Brien: And he wasn't using the name Abel, was he?

Birch: No.

O'Brien: He was using the name, you had mentioned...

Birch: Goldfus...

O'Brien: Yeah.

Birch: ...was one. But he had three or four different names. I think Gold was another one.

O'Brien: And did you, when you searched his apartment, did you find any spying paraphernalia or anything like that in Abel's apartment?

Birch: In Abel's, no.

O'Brien: No. And how did you find out that his name was Abel, that he was a colonel?

Birch: From Reino.

O'Brien: Okay, from Reino.

Birch: Yes.

O'Brien: Reino knew not only his, his alias, but he also knew his real name.

Birch: Right.

O'Brien: So he told Reino a lot of information about himself?

Birch: Oh, yeah.

O'Brien: Which is surprising that if he...

Birch: Well, surprising, yes, except their relationship was that close. As I've said, you know, Reino thought he was going back for an in-service and then when he gets to Paris, he says, uh-uh.

O'Brien: Yeah.

Birch: He probably caught onto it ...

O'Brien: 'Cause he stole some money.

Birch: Right.

O'Brien: Yeah. And they were going to do away with him if he went back there.

Birch: Right.

O'Brien: Yeah. Okay. Whatever happened to Reino?

Birch: I don't know. I have no idea. As I say, he liked his vodka. I think he drank a bottle of vodka every day. He probably drank himself to death.

O'Brien: Drank himself to death, yeah. And so Abel got convicted of what, illegal entry?

Birch: Yeah.

O'Brien: ...into the United States?

Birch: Yeah.

O'Brien: And that was the only thing. I mean, there was no conviction of being a spy.

Birch: No.

O'Brien: So he probably got the maximum amount of time.

Birch: Yeah.

O'Brien: Which couldn't be more than five or ten years.

Birch: Right.

O'Brien: So, do you remember how long he was in jail for it before the exchange was made?

Birch: It wasn't very long.

O'Brien: And did he ever in any way, shape or form cooperate with anybody in the interview?

Birch: No.

O'Brien: Was he stonewalling them or would he answer the questions, do you remember?

Birch: I think he would answer some of the questions, but he would not go into what he was doing or how he did it or anything else.

Edmund J. Birch
August 28, 2005
Page 16

O'Brien: Was he ever polygraphed?

Birch: I don't know that.

O'Brien: Okay. And, and was there any doubt, everybody was sure that he was Russian KGB?

Birch: Oh, yeah.

O'Brien: Yeah, okay.

Birch: No doubt about it. I think we had otherwise...

O'Brien: Oh, other sources and methods that confirmed who he was.

Birch: Right.

O'Brien: So there was no question about that.

Birch: And I think it was the Soviet's interest in getting him back. A full colonel in the KGB.

O'Brien:

Birch:

O'Brien: Yeah. Through other sources. Do you want to talk about, you know, there was other famous sources in the FBI, Top Hat and Fedora were two of them. Did you have any dealings with those sources?

Birch: Yeah. I had one particular dealing with Fedora. Matter of fact, two guys on my squad handled Fedora. Vinnie Cahill and Tom McKeon. And they would see him maybe once or twice a week. Always had to have a bottle of Chivas Regal with them.

O'Brien: Oh, he liked Chivas as opposed to vodka.

Birch: Right. But I was, I came out here in '75 and I was on McGinnis's squad. And in March, Fedora gave us XXXXXXXXX. Air Force sergeant recruited by the Soviets in Morocco. Told to get back to the States, go to Coachville down south. Lackland, no. Was it Lackland Air Force Base?

Edmund J. Birch
August 28, 2005
Page 17

O'Brien: Lackland?

Birch: Maybe Lackland. And get onto Air Force One. They wanted a source on Air Force One.

O'Brien: So Air Force One was the President's airplane?

Birch: Yeah, of which there were five or six.

But anyway, XXXXXXX came back and went down to Lackland, went to Coachville, and in the meantime, I was here. And this is when Fedora gave the Bureau name, rank, and serial number. And said, you know, "What are you going to do with him?" Well, they had three or four different places to send him, two kinds of neutralize (unintel).

And they finally decided that OSI (Office of Special Investigations) and FBI could handle him out of March Air Force Base. OSI was doing the on-base surveillance. The FBI was doing the off-base surveillance.

And sure enough, he came out here and there really was a XXXXX and he was a staff sergeant. And he had been at Lackland. And he was handling, it was a new code machine, a new code machine that was down in Pueblo, that the American Government was upset about losing, because supposedly nobody knew about this.

Well XXXXX knew about it and he was apparently, I guess it was one of eight cards that they would put into the machine.

But anyway, XXXXX did that and we did the off-base surveillances. I had six guys down there.

O'Brien: What year are we talking about, Ed?

Birch: '70, '75, '76.

O'Brien: Uh-huh.

Birch: And one thing about XXXXX, the Soviets gave him five thousand dollars when they recruited him in Morocco and XXXXX was from Wisconsin. And so when he came back to the States, the first thing he did was to go to the dealership in this little town in Wisconsin and bought himself an Avanti.

O'Brien: Avanti, a little sports car, expensive sports car. The money was burning a hole in his pocket.

Birch: Eight thousand bucks. And, but it was good for us. It was the only Avanti in town.

O'Brien: Yeah, surveillance wise.

Birch: Right. And we would surveil the car and we had a lookout on his apartment. He had gotten married. And we followed him around until the Bureau said to pick him up.

So we picked him up and OSI started talking to him, and he wouldn't talk to OSI. So my good friend, Colonel Tucker, who was in charge of the OSI guys, said, "It's your turn."

So we got in there, Jeff Edgar and myself and the first thing he says, "Those bastards wouldn't give me a cigarette and wouldn't give me coffee?" "Don't worry, XXXXX, you can have all the coffee you want."

So we got him coffee, got him cigarettes, and he couldn't, he couldn't wait to get coffee. And so we talked until lunchtime. I said, "Do you mind if we go to your apartment and find some of this stuff you were telling us about?" "No, we can do that." "Oh, okay, fine."

So we got in the car and went back to his apartment. And I said, "XXXXX, you stay outside, just tell me where that box is," 'cause he said he had a cigar box full of this stuff.

O'Brien: Full of what stuff?

Birch: Flash paper.

O'Brien: Flash paper. So at this point...

Birch: Hollowed out nickels.

O'Brien: So at this point is he admitting that he's working for the Soviets?

Birch: Yeah.

O'Brien: He did, okay.

Birch: Yeah. He gave us the whole story, Morocco...

O'Brien: Yeah.

Birch: And, so Jeff was with me and went through the whole thing, made a list of everything. And I said to Jeff, "You better get your butt back to the Bureau with this stuff right now." So he said, "Okay." So he left.

And I kept talking to XXXXX. And all of a sudden, he realized, "Uh oh, I'm in trouble." So he said, "I think I want an attorney." "Okay."

So I said to Colonel Tucker, "He wants a JAG." So, he says, "Okay, I'll get one."

So the JAG came in that afternoon, after lunch, and said, "I want to see everything you guys took out of his apartment." "Too late."

"What do you mean too late." I said, "It's on an airplane on its way back to the FBI Laboratory." "Impossible." "No, it's not impossible." I said, "If you don't believe me, call the office."

Well, okay. So then we had about four days of, where he wouldn't tell us anything.

O'Brien: Was his attorney with him at this point?

Birch: Oh, yeah.

O'Brien: So he stopped once the attorney was there?

Birch: Yeah. So, we eventually got him indicted and we were going to try him in L.A., and Van De Kamp was the USA.

O'Brien: Okay.

Birch: Paul Casey was the departmental attorney, came out and said, "Okay, let's go down and talk to the USA."

So we went down and talked to the USA, showed him his statements that I had gotten from XXXXXXXX, in which he told us that he worked for the Soviets.

And Van De Kamp didn't want to touch the case. He said the rights' statement wouldn't stand up in court.

Paul Casey said, "What the hell are you talking about? This is the rights' statement, which was sent around to every USA to put in their interpretation and their comments and their changes." And he says, "This is the statement that we got from all the USAs." Van De Kamp said, "No," he didn't want any part of it. Why?

So anyway, I'm talking to Paul Casey down at the Biltmore Hotel in L.A., having a drink and saying, "What the hell we going to do now?" He says, "Don't worry. This guy had a meeting with his Soviets in Virginia before he came out to L.A. And we'll hang him with that meeting."

O'Brien: But in Virginia, back in the District or in Virginia?

Birch: So, sure enough, I got him sent back and got the trial set up in Alexandria. Jeff and I had to go back and go through all the Bureau files, get all the evidence, and basically our case was based on his statements.

Old Federal judge, hell of a guy. I remember him saying, "You guys think you can try this case only on the statements?" I says, "No, Your Honor." I said, "We have physical evidence, there is flash paper, et cetera, et cetera, instructions from the Soviets as to what he was supposed to do." Well, we'll see.

Anyway, at about that time, there was a disturbance at the Pentagon, all these peacenik guys were marching on the Pentagon.

O'Brien: What year are we talking about?

Birch: '75.

O'Brien: '75. Okay.

Birch: Yeah. And so they were arrested and, and brought before this tough old Federal judge.

He got a hold, got a hold of the Marshal and said, "Before you bring these people into my court, I want you to get them a haircut. I do not want to see anybody in my court with long hair." That's how tough he was.

So anyway, we finally brought him to trial. And you know who his defense attorney was? Gary, a Greek name.

O'Brien: Cacheris.

Birch: Yeah...

O'Brien: The guy that ended up defending a lot of spies over the years. He was a famous Washington attorney that took Ames and everybody. A Greek guy.

Birch: Yeah. Plato Cacheris.

O'Brien: Yeah, yeah. Cacheris, that's it.

Birch: Plato Cacheris was the defense attorney. That son of a gun, I remember him seeing me outside the courtroom and say, had a couple of questions and he said, "You know I worked in the Department. I know a lot of guys in the New York Office, you know, Joe Phelan and..." Okay, fine.

He got me on the stand and I was on the stand all day, accusing me of all kinds of stuff. You know, bag job, Lackland Air Force Base and this and that.

And the judge finally said to him, he said, "You know, I think you've worked that officer over enough, now would you please get on with it."

So anyway, at the jury trial and after a couple of days, I'm walking down the street and the judge is out there holding court with some of the Assistant USAs, and he says, "Officer?" I say, "Yes, sir." He says, "What do you suppose is taking the jury so long?" I said, "I don't know, Your Honor." He said, "Maybe it isn't a very good story." I said, "Well, that's my story."

Birch: But sure enough, they came back with a guilty verdict. And as the judge said to XXXXXXXX, "If the Government had bothered to prove that you had given anything to the Soviets of a security nature," he said, "I would not have hesitated but to give you a death sentence." But he said, "The Bureau and the Department didn't want to do that," so he says, "The best I can do is two consecutive terms, twenty-eight years."

O'Brien: Total?

Birch: Yeah. He spent twelve years in Lewisburg.

Birch: Addendum to that story. A few years later, I'm at a conference up in San Francisco. Bill Warfield, who was SAC in WFO, he was at the same conference.

He said to me, "I met an old buddy of yours." I said, "What are you talking about?" Well he said, "I went to a cocktail party up at Occidental, Maryland, one night." And he said, you know, "Everybody knew who I am."

And he said, "This short drink of water came up to me and said, 'Don't you know who I am?'" Bill said, "I have no idea."

He said, "I'm XXXXXXXX." And Bill Warfield said, "The same guy that was a sergeant in..." He said, "Yeah." "What are you doing here?" "I'm a tennis instructor." He learned to play tennis at Lewisburg and he had some high-class clients back at Occidental in Maryland.

O'Brien: Yeah. The rest of the story. What was his motivation then?

Birch: Money.

O'Brien: Money. Strictly money? Do you remember did he walk into the Embassy in Morocco?

Birch: Yeah.

O'Brien: And what caused this situation? He wanted to buy a fancy sports car or what?

Birch: Yeah.

O'Brien: That was it, huh?

Birch: Yeah.

O'Brien: Did he have any remorse for what he did?

Birch: No.

O'Brien: When he confessed, did he breakdown or anything?

Birch: Oh, yeah, he confessed, gave us the whole case.

O'Brien: Yeah. Did he breakdown, did he cry, or did he, was he upset? Did he express any type of remorse over what he did?

Birch: No. None whatsoever.

O'Brien: Just, and he admitted openly it was for money?

Birch: Yeah, but he was young.

O'Brien: Yeah.

Birch: You know, he was in his 20s. And he didn't realize the consequences of what he did or what it could have gotten him. I think when he started the trial that he started to realize what exactly could have happened to him.

O'Brien: Yeah. The gravity of the crime that he committed.

Birch: Yeah.

O'Brien: It's like he didn't realize it.

Birch: No.

O'Brien: So he was an immature guy, I would say.

Birch: Yeah. Yeah. But there were, you know, there were other spy cases back in New York, the Butanco case. A guy that worked for IT&T on the two line radar system up in Canada. He did it for money.

Birch: The Drummond case, a guy, a black dude in the U.S. Navy... money. You know, there were so many cases back then that was because of money.

O'Brien: When you look back, the U.S. Attorney declined the case here, based upon the Miranda rights.

Birch: Right.

O'Brien: Is that what you're saying?

Birch: Yeah.

O'Brien: You looked at that, it was sort of hard to understand, since they supplied you with those Miranda rights.

Birch: Right.

O'Brien: Weren't the same ones we use today or what?

Birch: Yeah. The same ones.

O'Brien: What do you think his real motivation was for turning the case down?

Birch: Politics.

O'Brien: Politics?

Birch: Van De Kamp was, well, I think he was looking to do something other than United States Attorney. Maybe governor or something. And he didn't want to be tied down.

O'Brien: He'd look good if you convicted a spy, so...

Birch: Yeah, but he never had any experience at convicting a spy.

O'Brien: Yeah.

Birch: No spy had ever been convicted in Federal Court in L.A.

O'Brien: Yeah.

Birch: And he didn't want to take a chance.

O'Brien: And were you around for the Falcon and the Snowman case, were you on the desk at that time?

Birch: I probably had the Weathermen.

O'Brien: The Weathermen. Okay, you had the Weathermen.

Is there anything else about the espionage or Soviet thing you want to mention?

Birch: No. I think that's probably most everything that I thought should be covered.

O'Brien: Yeah.

Birch: You know, like Top Hat and Fedora.

O'Brien: Uh-huh.

Birch: And the cases that we worked, Butanco, Drummond.

O'Brien: Did you want to talk a little bit about the Weathermen?

Birch: Well, Weathermen.

O'Brien: First explain who they were, because people aren't going to understand.

Birch: Weathermen came about because well, let's go back to the Soviets.

O'Brien: Okay.

Birch: Victor Laziovsky, personal assistant to U Thant. Okay. He traveled all over this country.

O'Brien: You're going back to the U.N. now?

Birch: Yeah. Personal assistant U Thant. He drove a Falcon or a Comet, or similar old car. But he lived on Sutton Place, a beautiful apartment, wife, his daughter went to Juilliard. She was a violinist.

But that guy traveled. But what got me was the places that he went to; University of Michigan, SDS, University of Colorado, heavy into this stuff at that point.

Edmund J. Birch
August 28, 2005
Page 26

O'Brien: Yeah, SDS, Students for Democratic Society.

Birch: So, it was always my impression, but I couldn't convince anybody in the Bureau of this, that this guy helped with the funding of the SDS.

O'Brien: Okay, you're talking about the student activities, leftist groups in the 70s...

Birch: Right.

O'Brien: ...during the Vietnam War area. You were saying that there's a tie-in to the Communist Party, is that correct?

Birch: Yeah.

O'Brien: And who was the individual that you tied in with them, what's his name again?

Birch: Victor Laziovsky.

O'Brien: Laziovsky. And he was a U.N. representative for the Soviets. What was his official duty?

Birch: KG, well, officially it was personal assistant.

O'Brien: Personal assistant.

Birch: To U Thant.

O'Brien: Okay. And you followed...you go back many years that you followed him around...

Birch: Oh, yeah.

O'Brien: ...surveillance and things like that.

Birch: But...

O'Brien: And the purpose of the surveillances is you would hopefully try and recruit these Soviets. Is that...follow their activities and also recruitment was one of the objectives.

Birch: Well recruitment might have been one of the objectives, but I don't think it was done on a personal basis. In other words, if there was somebody that people thought would be amenable then they'd send somebody.

O'Brien: Or if you got him in a compromising position. That would be another situation that you would and recruit him.

Birch: Like with Top Hat. It was my understanding that Top Hat actually knew an Army colonel or somebody like that and told him that he would be amenable.

O'Brien: He volunteered almost.

Birch: Yeah.

O'Brien: And then he got in touch with the Bureau Agent and that's how the case on Top Hat started.

Birch: Yeah.

O'Brien: And he was a U.N. type guy, wasn't he?

Birch: Yes. Top Hat.

O'Brien: Yeah.

Birch: Top Hat, I think, was GRU rather than...

O'Brien: GRU was the military.

Birch: Military. And I think that's why he knew the American military people.

O'Brien: Okay. Now, you mentioned, if I understand you correctly, you felt there was a tie between the Soviets, the KGB, GRU, in inspiring in the leftist radicals in the 70s.

Birch: Right.

O'Brien: And your tie-in to that was...

Birch: Just his travels.

O'Brien: His travels?

Birch: Yeah and, and, of course, we couldn't do that in those days. We couldn't take him to Colorado or the University of Michigan.

O'Brien: He had free access to travel around the United States.

Birch:

O'Brien: Yeah.

Birch:

O'Brien: All right, so you suspected the leftist radicals of the 70s were in touch with him and they would fund these groups. And these groups were going around blowing up various things.

Birch: Well, you know, the SDS, the Weathermen group broke off from the SDS.

O'Brien: Right.

Birch: And so we had the heavy radicals. Bernadine Dorn, okay. Matter of fact, her sister was out here and we used to follow the sister around.

And, you know, all those people. I forget their names now, the ones that blew up the Tunn House.

O'Brien: They blew out the Tunn House. Tell me, yeah, talk about for a little bit.

Birch: Down there in...

O'Brien: New York.

Birch: ...in New York. Was it Purdy down there?

O'Brien: Is there anything else you want to talk about the Weathermen or anything?

Birch: Well, only that, you know, I started the squad in L.A. At the same time, it was started in Chicago, started one in New York, started one in Boston, started one in Washington, because I guess it was Nixon, who was scared to death of these people. And they advocated the overthrow the Government. There was no doubt about it, that's what they wanted to do.

And so it scared the hell out of the politicians.

O'Brien: They were the terrorists of that day.

Birch: Oh, definitely.

O'Brien: And they bombed the Capitol in Washington, correct?

Birch: The Pentagon.

O'Brien: The Pentagon, yeah.

Birch: The Capitol. Then out here, they burned the Bank of America.

O'Brien: Burned the Bank of America?

Birch: And they blew up the National Guard Armory. You know, and they wrote about it. *Prairie Fire* was their book. They published and put down everything that they had done as far as bombing.

O'Brien: And their purpose, ultimate goal, was what?

Birch: Overthrow the government.

O'Brien: And to replace it with what?

Birch: With left wing radicals.

O'Brien: A left wing anarchist basically.

Birch: Definitely.

O'Brien: Yeah. And those type of people.

Birch: Yeah. Jane Fonda and those.

O'Brien: And as we were talking about before, to get that idea on tape a little bit, the Bureau, under Hoover, we didn't work undercover, but under your supervision, you started to head a whole squad of undercover guys (after Hoover died).

Birch: Right.

O'Brien: Well, talk a little bit about that.

Birch: Well, the guys knew that if they were going to be turned loose, looking for the Weathermen, they couldn't do it in suits and shirts and ties. That they had to have the costumes, had to have the sideburns, the clothes. They had to look down in (**unintel**). They had to have the vans. What's his name each a motorcycle.

So they had to have all this equipment in order to go undercover. This was the beginning of the undercover program in the Bureau, as far as I'm concerned.

Birch: Because we never had anything.

O'Brien: Right.

Birch: I think the only thing we had was, like with the Soviets, when we would not use Bureau cars. We'd rent cars.

O'Brien: Why is that?

Birch: Because the Soviets knew every car we had. They were parked out there, outside 69th and 3rd in New York.

O'Brien: So they would make a note of all the Bureau cars, so they would know?

Birch: The Fords and the Dodges.

O'Brien: They looked all alike.

Birch: Oh, yeah, a lot of them.

O'Brien: Yeah.

Edmund J. Birch
August 28, 2005
Page 31

Birch: So we finally convinced the SAC, Joe Schmidt, a hell of a guy, and that we couldn't do it with Bureau cars. And we did it with rental cars and we had different radios, different frequencies, and we were able to do it.

Not only that, but we worked say starting four o'clock Friday afternoon, four to midnight, and then go back on Saturday morning, 'cause this is when the Soviets would make their moves. They knew the Bureau didn't work on weekends.

O'Brien: Yeah.

Birch: So that's how we were successful. We caught XXXXXX one weekend going from his house over to another Soviet's house on the east side and one of the guys on my team, we all went back home, got some sleep, and we were going to get up around six and go and see what he was up to.

So I got a call about five o'clock. Murphy said, "I couldn't sleep, so I went back and as I got back, there's XXXXXXXX getting back into his car."

O'Brien: Wow.

Birch: And then he saw him an hour on the Merritt Parkway headed for Boston. So he said, "You better get your ass moving." I don't know, I had a Pontiac Grand Prix. Threw my clothes on, got in, and I passed XXXXXX, in Bridgeport. I was doing probably doing a hundred and ten. And he was putting along in his little Chevrolet.

And I told Murphy on the radio, I said, "I'll meet you up at the end of, the end of the parkway." There was a Howard Johnson's. "I'll see you up there for breakfast."

But we took XXXXXX in and sure enough, he had a meeting at the Hartford Museum at Fenway Park, the Fens, I guess.

O'Brien: The Fens.

Birch: Yeah. And, the museum. I forget the name of that street. But anyway, caught him in a meet and, again, it was a Latvian guy. He had some sort of equipment, a camera of some kind that he gave to this guy.

Edmund J. Birch
August 28, 2005
Page 32

Birch: Well, same old story. Turned the case over to Boston. No one, they didn't want anything to do with it. Fortunately or unfortunately, the guy passed away six months later.

O'Brien: Yeah.

Birch: End of case.

O'Brien: Yeah.

Birch: But, you know, there was so much we could do if allowed to do it by the Bureau.

O'Brien: Yeah.

Birch: We did a lot of things (**unintel**). Because those guys who were so set and frightened and so scared to do anything.

O'Brien: As we saw from 9/11 with Minneapolis, when they wouldn't let the Agents search the computers.

Birch: Right.

O'Brien: Going back a few years, you would have done it anyway and called them later.

Birch: Right.

O'Brien: Yeah. 'Cause it's interesting. You say scared and they were scared then and they're scared now.

Birch: Oh, yeah.

O'Brien: Yeah.

Birch: They didn't want to lose their position.

O'Brien: Yeah, take a chance of anything.

Birch: Right. They didn't want to lose their 15s and 16s.

O'Brien: Yeah, interesting. Well, Ed, what, what would you say was the most satisfying part of your FBI career?

Birch: Working in New York.

O'Brien: Uh-huh.

Birch: Oh, yeah.

O'Brien: On the Soviet stuff?

Birch: Yeah.

O'Brien: And your favorite case would have been the, most enjoyable?

Birch: They were all enjoyable.

O'Brien: Yeah.

Birch: Every one of them was different, but all of them were the same, in that it was a challenge.

It was a challenge to, to follow them around, not get caught, and accomplish something. And so it was satisfying in that you could do it. All you had to do was, you know, kind of watch what you were doing, pay attention to what you're doing, and you know, not, not be obvious.

And so that, it was satisfying in that you could accomplish it.

And that's the way I felt about my ten years in New York. Yeah, we did all right.

And then they had the one case out here with XXXXXXXX. That was my career.

O'Brien: And how would you sum up your FBI career? Were you happy with the job?

Birch: Yes. Very definitely. Very definitely. You know, with twenty-four years and then leading into the job at Occidental.

O'Brien: You, to get it on tape, what job did you take after the Bureau?

Birch: As Assistant Director of Corporate Security, Occidental Petroleum.

O'Brien: Okay.

Birch: Armand Hammer.

O'Brien: Armand Hammer.

Birch: He was not too impressed at the beginning with me. "FBI, why do we need an FBI guy?" And Charlie said to him, "He's okay. We can trust him."

And I was a friend of his at the Bureau. And so when I finally got to know Hammer and did a few things for him, I, when I first met him, he was in the old Cedar Sinai Hospital downtown in L.A. Called me one day. I said I would go down and see him, maybe to get him his Wall Street Journal, get him his chocolate milkshake.

And so one day I was in there and he said, "You know anybody in the phone company?" I said, "Yes, sir." "Tell 'em I don't want my phone calls to go through the operator. I want a direct line. You understand?" "Yes, sir."

So I got him his direct line. And, you know, we had our contacts at the phone company. The phone company said no problem. They got him his direct line and that's what he wanted.

And so that was a plus in my favor. So I was able to do things like that for him that I eventually gained his confidence.

And so when Charlie died, it was just natural for him to assume I was going to take over, which I did. And he was satisfied and he didn't want anybody else as far as being Director. And so as I say, everything was fine.

After he passed away in 1990, I got along with, the President, who became the Chairman. And he said, "Ed, you can stay as long as you want." So I stayed six more years and then said, "I'm seventy, put in twenty-one years, twenty-four in the Bureau, forty-five is enough."

O'Brien: Yeah.

Birch: So, that was two very satisfying careers. And well compensated.

O'Brien: Yeah. Finally, did you ever get to meet the Director or have any dealings with him?

Birch: Only in training school.

O'Brien: Yeah, Mr. Hoover.

Birch: Yeah.

O'Brien: Yeah.

Birch: Only in training school.

O'Brien: Yeah. What was his reputation back there then when you were in training school?

Birch: He was the Director.

O'Brien: Yeah.

Birch: Like Hammer was the director.

O'Brien: Similar, huh?

Birch: Yeah. The same.

O'Brien: The same, huh?

Birch: Oh, yeah.

O'Brien: Yeah.

Birch: I told him, I said, "I have worked for two people in my life and you are both the same."

O'Brien: Yeah.

Birch: "One was J. Edgar Hoover and the other one is Armand Hammer," and he laughed. But they were very demanding. Very demanding, as far as Hoover and the reputation of the FBI. You know. Don't taint the reputation of the Bureau. That's all he cared about. I think that's why the white shirts, the ties, and, you know, the fedoras and the suits, very business-like. You know, forget about undercover work. Let somebody else do it.

I would say it would be the same thing with the females. I don't think Hoover would ever accept it.

O'Brien: Uh-huh.

Birch: He was not that type of guy. It was not his type of Bureau.

O'Brien: And that was the standard at the time.

Birch: Right.

O'Brien: There were very few females in law enforcement.

Birch: Right. So I think that probably it was the way he operated, and again, getting back to Hammer, you didn't dare go up to the sixteenth floor, which is where his office was, without a coat on.

O'Brien: So he had a similar dress code type of thing.

Birch: Right. Always look the part. But it was the same thing any time you traveled. It was always first class. Nobody on his staff ever traveled other than first class.

O'Brien: And he lived to be over a hundred, correct?

Birch: No. He was ninety, ninety-two.

O'Brien: Ninety-two. Okay.

Birch: You got it. Tough old guy. But he was fair.

O'Brien: Yeah. Well, thank you, Ed. Is there anything else you want to add to this?

Birch: No. No.

O'Brien: Okay. I appreciate your time.