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OSWALD IN THE SOVIET UNION:  
AN INVESTIGATION OF YURI NOSENKO

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Staff Report  
of the  
Select Committee on Assassinations  
U.S. House of Representatives  
Ninety-fifth Congress  
Second Session

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March 1979

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## INTRODUCTION

A hearing held before the committee on September 15, 1978, considered aspects of the information that Yuri Nosenko, a Soviet KGB defector, had relative to Lee Harvey Oswald. It also considered the performance of the Central Intelligence Agency and the Federal Bureau of Investigation in handling Nosenko and his information. These materials supplement that hearing.

### I. EXCERPTS OF TESTIMONY OF YURI NOSENKO BEFORE THE HOUSE SELECT COMMITTEE ON ASSASSINATIONS, JUNE 20, 1978

The initial phase of the committee's investigation of Yuri Nosenko focused primarily on a file review. Only by carefully reading and analyzing the voluminous Federal Bureau of Investigation and Central Intelligence Agency files on Nosenko could it begin to evaluate Nosenko's information on Oswald and understand the complex series of events of the last 14 years, during which Nosenko went from being a virtual prisoner, kept in solitary confinement, to a CIA consultant.

Once the files were read, the investigation moved into a different phase that consisted of the questioning of many of the individuals who had been involved with Nosenko over the years. They included Richard Helms, past director of the CIA, CIA division and deputy division chiefs, interrogators and polygraph operators. Former KGB officers were also interviewed, and most importantly, the committee spent hours questioning Nosenko himself.

The first individuals interviewed by the committee were two former KGB officers. They provided the committee with background and operational material about the KGB. They explained its internal structure, its goals and the functions of various sections. They were questioned extensively about KGB techniques and procedures. From them, the committee received information concerning such relevant topics as the KGB attitude toward American defectors, KGB recruitment of foreigners, KGB control over those entering and exiting the country and KGB debriefing and surveillance techniques.

There were two factors, however, that significantly limited the value of the information supplied to the committee by these ex-KGB officers: (1) Neither had been assigned to the same KGB directorate as Nosenko, and (2) one of them had information about the KGB that was outdated.

It was after speaking to these two men that the committee began interviewing Yuri Nosenko. Nosenko was cooperative during these sessions and spoke at length about his life, his defection, the treatment he received from the CIA and about Lee Harvey Oswald. Nosenko was interviewed by the committee on three different occasions. The first two sessions lasted all day and the third was approxi-

mately 2 hours, during the course of which he gave the committee a sworn deposition. Then, on June 19 and 20, 1978, Nosenko was questioned at an executive session of the committee. Questions and answers from the second day of that executive session follow :

EXCERPTS OF TESTIMONY OF YURI NOSENKO BEFORE HOUSE SELECT COMMITTEE  
ON ASSASSINATIONS, JUNE 20, 1978

Mr. KLEIN. You have testified before this committee that the KGB did not allow Lee Harvey Oswald to defect because he was uninteresting. You have testified the KGB did not even speak to Lee Harvey Oswald because he was uninteresting; and that you decided he was not interesting without speaking to him.

Do you know what year Lee Harvey Oswald came to the Soviet Union?

Mr. NOSENKO. 1959.

Mr. KLEIN. In 1959, approximately how many Americans wanted to defect to the Soviet Union or requested permission to defect?

Mr. NOSENKO. There was a defector, I remember, one of the employees, one of the workers, who was helping to organize the American exhibition in Moscow, Mr. Webster.

Mr. KLEIN. Without giving particular names, how many Americans would you say asked permission to defect in 1959?

What would the number be?

Mr. NOSENKO. These two were known to me—Oswald and Webster.

Mr. KLEIN. From 1955 to 1960, what would be your best estimate as to how many Americans asked permission to defect to the Soviet Union?

Mr. NOSENKO. As far as I heard, there I think was one only.

Mr. KLEIN. One other, meaning three altogether.

Mr. NOSENKO. One besides Oswald and Webster, what I know.

Mr. KLEIN. Three?

Mr. NOSENKO. Three.

Mr. KLEIN. Of the three, was Oswald the only one turned down because he was uninteresting?

Mr. NOSENKO. Right.

Mr. KLEIN. Do you know any other defector who was ever turned down because he was uninteresting?

Mr. NOSENKO. No.

Allow me to tell, as you have seen, and you told yourselves, how many Americans are defected. It is a very rare occasion and KGB prefers defection when they are planning, they want, these types of defectors, they like and invite those people who can give them certain information which is valuable.

Mr. KLEIN. Do you recall telling this committee yesterday that up until 1960 the Seventh Department was recruiting left and right?

Mr. NOSENKO. Absolutely right.

Mr. KLEIN. And that you recruited an individual who was—

Mr. NOSENKO. I simply had given example of this recruitment which took place up to 1960. When Seventh Department was recruiting and giving files to the Intelligence Service, First Chief Directorate, not asking them before, is it person will be for them valuable or not.

Mr. KLEIN. And that KGB officers were getting bonus and promotions when they recruited people?

Mr. NOSENKO. Right.

Mr. KLEIN. And despite that, Lee Harvey Oswald, when he asked to defect, you turned him down without even speaking to him, to find out if he had any information; is that right?

Mr. NOSENKO. Sir, we had quite a few recruitments in 1959, a very big amount of them in 1959, very interesting, much, much more interesting—professors and teachers—and another individual—we had quite a few recruitments, and Oswald was nothing on this base, on this foundation.

Mr. KLEIN. Would the KGB have any interest in an American student?

Mr. NOSENKO. As I told you yesterday, KGB interested in students, but particularly those students who are studying the Russian language, Russian history, Russian economy.

Mr. KLEIN. And would they have any interest in an American who had strong anti-American views and who was a professed Marxist? Would they have any interest in that kind of person?



Mr. NOSENKO. Here we are coming to a very interesting and sensitive question. From mid-1950, by the order of Central Committee Communist Party, Soviet Union, KGB was prohibited to make any approachment and recruitment of members of the Communist Party of the West.

Mr. KLEIN. I am not asking about a member of the Communist Party.

Mr. NOSENKO. Your question is, and if he is some type of Marxist here, the question may be he is possibly a member of the Communist Party, and to check it for KGB very difficult if he is a member of Communist Party or not of his country.

Mr. KLEIN. Would they ask him if he is a member of the Communist Party? Would they check it?

Mr. NOSENKO. No; they would not ask him.

Mr. KLEIN. They wouldn't ask him?

Mr. NOSENKO. No.

Mr. KLEIN. Would the Soviet Union be interested in someone who was in the military and worked with radar equipment?

Mr. NOSENKO. It depends. If he was corporal, private, is no big interest. If he was officer, maybe they would be interested.

Mr. KLEIN. The fact that he worked with the equipment wouldn't be enough; they would want to know what his rank was?

Mr. NOSENKO. No, sir, it is not enough because they had sources.

Mr. KLEIN. And in 1959 would the Soviet Union have been interested in someone who served as a radar operator on an air base where U-2's took off and landed?

Mr. NOSENKO. Yes, sir, it would be very interested.

Mr. KLEIN. It is your testimony that Lee Harvey Oswald, who was a student, who was a professed Marxist, who had—

Mr. NOSENKO. Students? I never heard that he was a student.

Mr. KLEIN [continuing]. Who had been a radar operator and had worked on a base from which U-2 airplanes took off and landed, that he wasn't even interesting enough for the KGB to speak to him, to find out if he knew any of this information?

Mr. NOSENKO. Mr. Klein, I understand your position, but we didn't know that he had any connection with U-2 flights. That is one thing.

And if you, Mr. Klein, are basing on what was written by Mr. Epstein in the book, it is a little bit from the air taken ideas. Mr. Epstein even telling that how important for KGB to know about such base—that base. We knew it in the fifties when I worked in GRU at the Navy, in 1950, 1951, 1952. We knew every base and in Japan, at this Atsugi base, and we knew what kind of airplanes had been. We didn't know about U-2, no. Sure, it is very interesting, but when Oswald applied, requested to stay in the Soviet Union, we didn't know a word about his knowledge, anything concerning U-2 flights.

Mr. KLEIN. And you didn't ask him if he had any kind of information about that when he wanted to defect, is that correct?

Mr. NOSENKO. No.

Mr. KLEIN. And you told us that one reason that no one was working on Oswald was because all of your people were concentrating on the American exhibition in 1959, is that correct?

Mr. NOSENKO. Yes, sir. Not only American exhibition, there were other tourists and among them were interesting targets, very interesting targets.

Mr. KLEIN. You told us yesterday that things didn't—

Mr. NOSENKO. I can explain you why, because an American exhibition in Moscow was by the information which KGB had, I don't know how much it's right, how much it's wrong, but it was suspected quite a number of people from American intelligence community who were working on American Exhibition in Moscow, and when the work is going on against such targets, it is not one officer, it is a big amount of people involved on each case, because it is very serious target.

Mr. KLEIN. Do you know what date Lee Harvey Oswald came to the Soviet Union?

Mr. NOSENKO. No, sir, I do not.

Mr. KLEIN. Mr. Chairman, I would ask that this document be marked for identification and shown to the witness.

Chairman STOKES. Without objection.

[The document referred to was marked as JFK exhibit No. F-2 for identification.]

JFK EXHIBIT F-2

[Doc. 1A]

GRATIS

JFK F 2

VISA AND REGISTRATION OFFICE  
 INTERIOR DEPARTMENT  
 EXECUTIVE COMMITTEE  
 OF THE  
 MOSCOW CITY COUNCIL

Surname: Oswald

Given name: Lee

Father's [middle] name: Harvey

## A P P L I C A T I O N

I request the issuance-extension of an identity card for

\_\_\_\_\_  
 (indicate what kind)

I hereby give the following information about myself:

1. Citizenship: American
2. Year, month, and date of birth: October 18, 1939
3. Place of birth: New Orleans (USA)
4. Nationality: American
5. Marital status: single
6. Citizenship of husband/wife: [blank]
7. Date and year of birth of children up to 16 years of age, etc: [blank]  
for the first time:
8. When did you enter the USSR/ October 16, 1959
9. How many other times have you been in the USSR, etc: never
10. When, under what number and by whom were you last issued an  
entry visa for the USSR: .....[?] No. 403339, by Consul [name?]  
of the USSR in Helsinki.

- 2 -

11. Date and place of last crossing of the USSR border: Vyborg,  
Oct. 15, 1959.
12. Purpose of coming to the USSR: [blank]
13. Occupation: Student
14. Place of work: [blank]
15. Address in Moscow: Hotel Metropole, house No. 201, Militia  
District: 50

I submit the following documents:

1. National passport No. 1733242. Expiration date: September 10, 1961
2. Identity card: Series P NO: 311479  
Issued on: January 4, 1960. By: [illegible signature].  
Expires on: January 4, 1961.
3. Four photographs

RELATIVES LIVING IN THE USSR

Surname, given names	Relationship	Citizenship	Place of residence and employment
none			

RELATIVES LIVING ABROAD

Surname, given names	Relationship	Citizenship	Place of residence and employment
Mother in the USA Margaret Oswald	Mother	USA	3124 West 5th St. Fort Worth Texas

Date: December 29, 1959      Signature of applicant: [signed] Lee H. Oswald

Technical remarks:

[Text in English signed by Lee H. Oswald]

[The following Russian text is a translation of Oswald's statement in English]

I have no passport because I have given that document to the American Consul in Moscow. I request an identity card for purposes of residing in the Soviet Union, since I am without citizenship (nationality).  
Translated by Shironova.

[Doc. 1A]

GRATIS

VISA AND REGISTRATION OFFICE  
 INTERIOR DEPARTMENT  
 EXECUTIVE COMMITTEE  
 OF THE  
 MOSCOW CITY COUNCIL

Surname: Oswald

Given name: Lee

Father's [middle] name: Harvey

## A P P L I C A T I O N

I request the issuance-extension of an identity card for

(Indicate what kind)I hereby give the following information about myself:

1. Citizenship: American
2. Year, month, and date of birth: October 18, 1939
3. Place of birth: New Orleans (USA)
4. Nationality: American
5. Marital status: single
6. Citizenship of husband/wife: [blank]
7. Date and year of birth of children up to 16 years of age, etc: [blank]  
for the first time;
8. When did you enter the USSR/ October 16, 1959
9. How many other times have you been in the USSR, etc: never
10. When, under what number and by whom were you last issued an  
entry visa for the USSR: .....[?] No. 403339, by Consul [name?]  
of the USSR in Helsinki.

- 2 -

11. Date and place of last crossing of the USSR border: Vyborg,  
Oct. 15, 1959.
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Technical remarks:

[Text in English signed by Lee H. Oswald]

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БЕСПЛАТНО

В ОТДЕЛ СНО И РЕГИСТРАЦИИ УВД ПОЛКОВНИК ПИКОТОСОВСКИЙ

Фамилия Освальд  
 Имя Джон  
 Отчество Харвей

## Заявление

Прошу о выдаче-продлении вида на жительство для (непужное заче)

указать своего вида

Сообщаю о себе следующие сведения:

1. Гражданство Американское  
 Подданство  
 2. Год, месяц и число рождения 18 Октября 1939  
 3. Место рождения Новый Орлеан (США)  
 4. Национальность Американец  
 5. В браке нет состоя  
 6. Гражданство мужа-жены  
 Подданство

7. Имя и год рожд. детей до 16-летнего возраста, совместно проживающих, их гражданство

8. Когда прибыл впервые в СССР 28.10.19599. Сколько раз еще был в СССР, где и время пребывания  
не был10. Когда, за какими № и кем была выдана виза из-за границы СССР в последний раз  
4/11/60 № 403339 Консул СССР в Кейптауне11. Дата и место пересезда границы СССР в последний раз Внеборт 15/10-59

12. Цель приезда в СССР

13. Профессия или занятие Студент

14. Место работы

15. Место жительства в гор. Москве, ул. госп. "Метрополь"дом № 201, кв. № 50, отделение милиции 9/1

Прилагаю следующие документы

1. Национальный паспорт за № 1733246 10 выданный (кем и где)сроком до 10/9 1961 г.2. Вид на жительство для визы 4/11-60 серии 4/11-60 195 г.

выданный (кем и где)

сроком до 10/9 1961 г.

3. 4 фотокарточки

Родственников, проживающих в СССР

Фамилия, имя, отчество	Состав родства (отец, мать, 누나, жена, сын, дочь, братья, сестры)	Гражданство	Иное гражданство и место работы
<p>не имеет</p>			

Родственники, проживающие за границей

Фамилия, имя, отчество	Степень родства (отец, мать, брат, сестра, сын, дочь, братья, сестры)	Гражданство родителей	Место рождения и место работы
Майлов в с. шд.	Майлов	Уз-ка С шд	3124 Запад 5-й
Маргарит Освальд			Горный Восток Тюменск. 3124 Восток 5-й Восток 10-й
29. XII 1959	Полный экзистент	С. шд	2-й

29.  $\overline{X''}$

 $\overline{X_{11}}$ 

1959

### Поиск свидетеля

Lee H. Quinlan

224

## ТЕХНИЧЕСКИЕ ОТВЕТЫ

I was surprised because I thought this document  
to the American Commission in Moscow, I ask you  
document for evidence in the past. The only thing  
I think was the first time. I thought I am not to be  
surprised.

Y. M. C. A. - 18. 1. 1900.

John R. Davis

напротив, так как я ставлю этот документ  
американскому правительству в Москве и про-  
<sup>извольно брала и подделывала</sup>  
му вид на проверку немцев, что в Советском  
должности и должный сотрудник

195 г

Созде, так как я су (научно-мисс)

переса Улюпове.

DEPARTMENT OF STATE  
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LS NO. 15028 (Doc. 2A)

## RECEIPT

I, Lee Harvey Oswald, hereby acknowledge that the residence and travel regulations for persons without citizenship and the responsibility for violating such regulations have been explained to me.

1/5/59

Translation of text done by Intourist translator

R. [?] Shironova

Identity Card Series P No. 311479 received 1/5/1960

[s] Lee H. Oswald

*Справка*

*Мне даны объяснения по первой части правил  
проживания и пребывания иностранцев в  
СССР, а также объяснены обязанности по  
соблюдению этих правил.*

*5/1-59 г.*

*Передо мной объяснены правила проживания иностранца*

*Л. Н. Освальд*

*на основании серии П № 311479 выданной*

*5/1-1960 г. Л. Н. Освальд*



Mr. KLEIN. Looking at this document——

Mr. NOSENKO. Right.

Chairman STOKES. Did counsel want to identify for the record how the document has been marked?

Ms. BERNING. JFK F-2.

Mr. KLEIN. Looking at this document, does it say on the top "Visa and Registration Office, Interior Department, Executive Committee of the Moscow City Council"?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. Do you recognize that type of document?

Mr. NOSENKO. Yes. It is from Department of Giving Visas and Registrations, which is working under auspices of Directorate of Internal Affairs of Moscow City.

Mr. KLEIN. And does this appear to be an authentic document, an authentic copy of the document?

Mr. NOSENKO. Sure.

Mr. KLEIN. Looking at No. 8, does it say what date Lee Harvey Oswald came to the Soviet Union for the first time?

Mr. NOSENKO. October 1959.

Mr. KLEIN. October what?

Mr. NOSENKO. October 16, 1959.

Mr. KLEIN. I would ask that this document be marked for identification, Mr. Chairman.

Chairman STOKES. Without objection.

Would the clerk indicate for the record?

Ms. BERNING. JFK F-3, Mr. Chairman.

[The document referred to was marked as JFK exhibit No. F-3 for identification.]

## American Exhibition Put Ideas Of U.S. Across, Analyst Finds

### Psychologist Lauds the Effectiveness of Guides—'Family of Man' Photo Display Had Greatest Impact

By MAX FRANKEL  
Special to The New York Times

MOSCOW, Sept. 4—The United States Government has given itself a B+ in popularity and an A+ in communicating ideas at the American National Exhibition in Moscow, which closed this evening.

This is the verdict of a critical and painstakingly prepared report card on the exhibition that will be studied by Washington in the months to come. It rates the effectiveness of the many displays and analyzes the reactions of Russians to the first direct American propaganda effort inside the Soviet Union.

The critique, conducted since the opening of the fair July 25, has been prepared under the supervision of Ralph K. White of the United States Information Agency. Mr. White, a psychologist who has specialized in public opinion and the psychological causes of war, has worked for the Government for

He has systematically and repeatedly interviewed all the guides and workers at the fair, watched the crowds, analyzed the comment books, studied the Russians' preferences as registered on the voting machines and the questions asked of the electronic answering machine and has collected hundreds of comments overheard.

#### Message Got Across

His report and any additions that may be made by the general manager of the fair, Harpold C. McClellan, are not public. But the fair officials' final thoughts can be summarized as follows:

The Exhibition enjoyed a "moderate success" in popularity, with 2,700,000 visitors. In communicating ideas that Americans would like to get across to the Russian people, its success was "simply tremendous."

The seventy-five young guides and several other Russian-speaking specialists who spoke

with visitors and answered their questions considerably increased goodwill toward the United States.

While not all they said was necessarily believed, their presence offered many Russians their first chance to hear the American side of things.

The fair was most effective in leading many Russians toward taking an open mind on opportunities available to the common man in the United States. It also successfully suggested that the United States was a middle-of-the-road country, with elements of Social Security, unemployment benefits and educational opportunities for ambitious youngsters of all strata.

The "Family of Man" photographic exhibit was given top rating in "total impact."

There is evidence that, while the general public was most taken with the color television and the automobiles, students—the young, intelligent Russians whom the Americans most want to meet—preferred the "Family of Man." It had a depth that moved the Russians, whereas the cars and television caused more "impersonal admiration." While it was clearly not ordinary propaganda, the United States was recognized as the source of the exhibit's human appeal.

Visitors said "why haven't you shown us your best?" considerably more often than "you're exaggerating."

Washington will be told the following relating to the attitudes of Russian visitors:

A great majority of Russians may be described as pro-American as well as clearly pro-Soviet. They admire the United States and its people without necessarily favoring its system of government.

The Russians have great tolerance—greater than the organizers of the fair had thought—for almost any amount of material and propaganda favorable to the United States, as long as it does not depreciate the Soviet Union.

The Russians are aroused about the rearming of West Germany and were most unresponsive to attempts to justify the United States policy on Germany.

Attempts to explain the American basis around the Soviet Union with suggestions that the American people mistrust or suspect the Soviet Government encountered widespread incredulity.

#### Lessons Suggested

Washington will receive the following advice about future exhibitions in the Soviet Union:

The number of guides should be doubled and they should be free from housekeeping duties.

Circarama, the 360-degree film travelogue, gratified the Russians' evident desire for travel abroad. There should be at least two or more such films to serve more visitors.

The Russians' expectation of more technical displays might be met inexpensively by having three or four times as many machines in motion and providing more technical information about existing displays such as

air-conditioners and business machines, scientific demonstrations and films of industrial processes.

There should be as much emphasis on consumer goods, but half a dozen instead of two dozen cars might be sufficient, the architectural display should be dropped or drastically improved and half the number of toys and sporting goods would suffice.

Relatively less effective than most displays were the children's playground, the bookmobile, the static packaging exhibit and the furniture, aside from that in the model house and apartment.

While the abstract paintings were important to demonstrate freedom of expression, especially when properly explained, nearly all the abstract sculpture encountered disinterest or hostility.

# U.S. FAIR IN SOVIET JAMMED AT CLOSE

**Total Attendance Reaches  
2,700,000 — Goodwill of  
Crowds Is Marked**

By OSGOOD CARUTHERS,  
Special to The New York Times.

MOSCOW, Sept. 4 — The American National Exhibition closed in Moscow tonight, with a record crowd of nearly 150,000 visitors on the final day.

In its six-week run some 2,700,000 persons from the farthest reaches of Siberia to the Baltic and from the Arctic Circle to the Black Sea got their first glimpse of American life.

[The Soviet exhibition in the New York Coliseum, which closed Aug. 10 after a forty-two-day run, drew 1,100,000 visitors, "the highest attendance of anything in New York since the World's Fair," a Coliseum official said.]

Good will permeated the throngs of pushing people today, many of whom had waited through a cold and rainy night for the gates to open.

**Crowd Well Behaved**

The fair authorities, who had requested police reinforcements

in anticipation of the pattering that usually accompanies the closing of a fair, reported that the throngs who nearly filled the 400,000-square-yard site were remarkably self-controlled.

The uniformed militiamen and plainclothes men had their hands full, however, maintaining the almost endless serpentine lines at the more popular displays.

Until the last hour was turned out in the domed and glassed pavilions and under the birch trees of the site in Sokolniki Park, the seventy-five Russian-speaking American guides were besieged by thousands of questions about life, politics, culture, industry, science and all problems extant in the United States.

Many of the guides had made contacts with Soviet citizens, young and old, that they clearly did not want to break off, and there were scenes of tentative parting and exchanges of autographs, addresses and souvenirs that were testimony to the impact of the fair on what one guide described as "Moscow hierarchy and lowerarchy."

Up to the last minute, there were numerous complaints that not enough American technology, as well as its end products, was displayed. Yet by far the most popular exhibit was Edward Steichen's "Family of Man" display of photographs.

A line of five deep started near the entrance to this display, wound around the great golden geodesic dome and snaked back and forth several hundred yards.

**Soviet to Get Buildings**

Behind the scenes, negotiations still were in progress as to the final disposition of the displays and installations. The Soviet Government agreed at the beginning to purchase the golden dome and fan-shaped glass pavilion for \$375,000.

The fair director, Harold C. McClellan, has proposed that all the other permanent installations be handed over to the Soviet authorities, along with some of the items on display, in exchange for services and labor to dismantle the fair.

Other items, including most of the automobiles, are to go to the State Department, some for the embassy here and the rest for embassies in Western Europe. A large number of items will be given to representatives of the Rand Development Corporation here, who will dispose of them as agents of various exhibitors.

Meanwhile at the American fair, the fashion show drew its final and probably most enthusiastic crowd. When the commentator, Vera Bacall of New York said in a final little speech, "See you all in America!" There

was an appreciative guffaw.

Then Miss Bacall, speaking in fluent Russian, said, with a catch in her throat, "Friends, we will never forget you."

The crowd cheered and scrambled for flowers that the models threw into the audience.

Mr. KLEIN. Looking at the newspaper article clipping, on the right-hand side, with the heading "U.S. Fair in Soviet Jammed at Close," do you see that?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. And what is the date of that story?

Mr. NOSENKO. The date is September 4.

Mr. KLEIN. Are you aware of the fact that the American Exhibition ended on September 4, more than a month before Oswald came to the Soviet Union?

Mr. NOSENKO. Mr. Klein, I would like you to ask when Americans who were working for this exhibition left Moscow.

Mr. KLEIN. I will ask you another question.

Yesterday, when I asked you if things got back to normal once the fair ended, did you say yes?

Mr. NOSENKO. No; till they were leave the Soviet Union. No. They are the same targets. OK, you are right, it is closed September 4, but does it change the importance of these people against whom the KGB was working? They were still in Moscow.

Mr. KLEIN. Do you recall yesterday my asking you, did things in your department get back to normal once the fair ended, and do you recall saying yes?

Mr. NOSENKO. Well, I meaning fair ended when left all the people involved in work on American Exhibition, Americans when they left, and they were staying quite a long time after it was closed. It was closed for visits for Soviet citizens, but it took quite a time for them to leave.

Mr. KLEIN. You also testified yesterday that Lee Harvey Oswald was allowed to stay in the Soviet Union after he said that he was going to kill himself if they sent him home. You told us that he slashed his wrist and two psychiatrists examined him and both found him mentally unstable.

Mr. NOSENKO. Right.

Mr. KLEIN. What was the point of having two psychiatrists examine him?

Mr. NOSENKO. I think simply to be assured that it was right found decision, concerning this person. Two independent.

Mr. KLEIN. After they examined him, the decision was made to let him stay; is that correct?

Mr. NOSENKO. It is not because of the examination he was allowed to stay, Mr. Klein. You are a little bit mixing things. He was allowed to stay because KGB and Soviet Government had come to the conclusion if this person will kill himself it will be reaction in newspapers, which can in any way hurt the starting, the warming of Soviet-American relations.

Mr. KLEIN. The Soviets were worried he would kill himself in the Soviet Union?

Mr. NOSENKO. Right, if they would not allow him to stay.

Mr. KLEIN. Could the KGB have taken him and put him on the next plane out of Russia and thereby ended their whole problem with Lee Harvey Oswald?

Mr. NOSENKO. It is a very sensitive question. He can jump out of car. If he decided, if he is mentally unstable, you don't know what he will do.

Mr. KLEIN. Do you think the KGB didn't do that because they were worried he might jump out of the car or do something like that?

Mr. NOSENKO. Simply a mentally unstable person, they didn't want to go it on any such action.

Mr. KLEIN. They would rather keep him in the Soviet Union?

Mr. NOSENKO. No; they would rather prefer they washed their hands, Mr. Klein; they are not making decision, KGB. In Soviet Union decisions are made by the Central Committee of the Communist Party, and General Secretary and Politburo, not by KGB. KGB a servant of the Politburo and Central Committee Communist Party.

Mr. KLEIN. Going by the facts as you have told them to the Committee——

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. Why wasn't he put on a plane and sent back to America?

Mr. NOSENKO. KGB washed their hands. Then from Intourist it was given information Ministry of Foreign Trade; Ministry of Foreign Trade reported to the Soviet Government. As I said, I assumed the chairman was surely asked; he told his opinion of the KGB, and up to the Soviet Government how they would decide.

Mr. KLEIN. Could he have been brought to the U.S. Embassy and told them he is an American, "You take care of him; we don't want him"?

Mr. NOSENKO. It can be done, sure. It can be done, but it wasn't done.

Mr. KLEIN. Instead they elected to allow him to stay indefinitely in the Soviet Union and they have to worry about him every single day, what an unstable American would do, is that correct?

Mr. NOSENKO. They didn't allow, KGB didn't allow. Soviet Government allowed.

Mr. KLEIN. The facts as you have testified to them are that the KGB allowed this mentally unstable person to stay in Russia, and they sent him to Minsk to live and work in a radio factory. Then the KGB allowed this mentally unstable individual to marry a Soviet woman, and then this mentally unstable individual was allowed to join a hunting club where he had access to a gun.

Can you think of any other cases in all the time you worked in the KGB where a mentally unstable person was treated in this manner?

Mr. NOSENKO. I told you I do not know any other cases of mentally unstable, excluding one code clerk, American, was also mentally ill; he was delivered in Soviet Union. I heard it. I never have worked with him, I never have seen him. And the thing is, I am sorry, but you are putting and stressing a number of questioning, and it sounds so peculiar. What does it mean, KGB allow him to marry?

Mr. Klein, in the Soviet Union there is by decree of Presidium of Supreme Soviet U.S.S.R. a law allowing marriage of Soviet citizens with foreign. A foreigner can marry a Soviet citizen, by the law. There is not a thing that KGB can in any way try not to give, not make it possible, but this is in cases when the person who is marrying a foreigner worked in some sensitive place, let's say, in missiles, rocket industry production, was in process of any place of his working seeing classified material. In these cases, KGB will try to put different type of fences. But it is unlawful. In accordance with Soviet law, marriage is allowed; he doesn't need to ask permission of Soviet Government or anyone. And his wife, Marina, wasn't working in any place which was sensitive from the point of view of Soviet security.

Mentally unstable it doesn't mean that he is raving mad; it is mentally unstable.

Mr. KLEIN. You testified that not only was Oswald not spoken to when he first said he wanted to defect but even after the decision was made to allow him to remain in the Soviet Union, still nobody from the KGB spoke to him, is that correct?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. You also testified to the extensive resources that were devoted to put physical and technical surveillance on Oswald. You told us the men involved, the time involved, the facilities involved?

Mr. NOSENKO. Right.

Mr. KLEIN. Do you find great contradiction——

Mr. NOSENKO. No, sir.

Mr. KLEIN [continuing]. In the fact that, on the one hand, you put all these resources into following Oswald around, trying to see who he talked to and what he did and, on the other hand, you didn't even have a person go and talk to him and say, "Tell us your background; tell us about yourself."

Is there any contradiction?

Mr. NOSENKO. Even in the United States, yes, sure, for you, for me just now American citizens, yes, sure, but there, no.

Mr. KLEIN. They don't talk to people there?

Mr. NOSENKO. They can talk and cannot to talk, but I don't see any contradiction there. Anyone, any foreigner who will be staying, even if this defector not on his own, but, let's say, KGB pushed him to stay, to defect, he still will be watched and on him will be put this same type of work that was put on Oswald, not less.

Mr. KLEIN. You talk about their society being different than ours. It is unusual that they allow an American to defect and live there without ever questioning him, to ask him if he is an intelligence agent?

Mr. NOSENKO. On the contrary, no doubt, let's say he was intelligence agent, what he will tell them that he was sent with mission as intelligence agent? Why to scare him? Let him live how he wants. We will be watching him. He will show by his behavior, by his action.

Mr. KLEIN. They purposely don't speak to him; is that your testimony?

Mr. NOSENKO. In this case they didn't speak to him because he didn't present interest for the KGB and because he was mentally unstable.

Mr. KLEIN. You testified that you read the reports of two psychiatrists who examined Lee Harvey Oswald at the hospital after he cut his wrist, is that correct?

Mr. NOSENKO. Right.

Mr. KLEIN. You said both found him mentally unstable?

Mr. NOSENKO. Right.

Mr. KLEIN. You told us in great detail how the decision was made to have these psychiatrists examine him.

I would ask that this document be marked for identification.

Chairman STOKES. The clerk will identify for the record the number appearing on the document.

Ms. BERNING. It will be JFK No. F-4.

[The document referred to was marked as JFK exhibit No. F-4 for identification.]

## JFK EXHIBIT F-4

[Doc. IC 2]

MINISTRY OF HEALTH  
OF THE  
USSR

(Property on receipt)

Botkin Hospital

MEDICAL HISTORY NO. 313

Patient referred from Bldg. No. 26. 23-10-59

[Admitted 13 h. [1 p.m.] 23-10-1959

[Dis]charged 28 Oct. 1959

Dept.: Bldg. 7, "B"

Dept. 1, [36 or 3b ?]

Days spent in the hospital: 7

Name: Oswald, Lee Harvey

Age: 20, Nationality: American

Education: high school

Works independ.

Lives in (address): Moscow

Perm. residence: in the city

Hotel Berlin, Rm. 320

Result of the treatment:

Place of Employment: K - 4 - 19 - 80 Service

Improvement [?] 35.8

Bureau, Radio-technician

Work capacity: Tempor.

[Admitted] For continuation of treatment

disabled

Clinical diagnosis: incised wound of the

left forearm, 1/3 [first third?]

At the time of discharge: Incised wound

of the 1/3 [first third] of the left

forearm.

2d Signature: [Illegible]

T.D. Dmitrieva

COMMISSION EXHIBIT 985—Continued

- 2 -

## Blood Analysis

Oswald

Dept. 7

Erythrocytes	Hemoglob.	Color indicator
In 1 mm <sup>3</sup>	80-100	0.8 - 1.0
4/2-5mm		
500,000	16 [illeg.]	1.07
	36 [illeg.]	

Leucocytes	Basophiles	Eosinophiles
Norm 6-8th.	0-0.5%	3-4%
Norm in absol. fig.	30-40	180-200
5,500	1	6

Neutrophiles					
Myeloc.	Bacill.	Segment	Lymphoc.	Monoc.	Deviation indic.
—	4%	63-57	24-30%	6-8%	0.06
	240-320	4020- 6040	1800- 2400	300- 640	
	4	50	33	6	0.08

Sedimentation of erythrocytes: 14 mm per h.

April 25, 1953

Signature [illegible]



- 3 -

Urine Analysis No. 64

Oswald

For the physician of : 7 - I

Color: light amber

Reaction: acid

Specific gravity: 1025

Transparency: turbid

Albumin: None

Sugar: None

Bile pigments: None

Urobilin: [illegible]

- 4 -

## Sediment Microscopy

## 1. Epithelial cells:

Flat ;

None

## 2. Leucocytes:

one [illegible]

## 4. Cylinders:

Hyaline;

none

## 5. Cells of kidney epithelium: none

## 6. Salts: none [one word illegible]

## 7. Mucus: none

## 8. Bacteria: none

Signature: [Illegible]

- 5 -

Results of temperature measurement and other tests and procedures.

[See chart]

Epicrisis

Oct. 23

The patient does not speak Russian. One could judge only by his gestures and facial expression that he had no complaints.

His general condition is satisfactory. Pulse (illegible) is rhythmic RR  $\frac{120}{70}$  Abdomen soft, painless.

A 2

Observation

Signat.

Signature: Dmitrieva

Oct. [?] No complaints.

361  
35.8History of present illness.

Oct. 21 The patient was brought by ambulance into the Admission Ward of the Botkin hospital and further referred to Bldg. [or wing] No. 26.

According to his statement in the Admission Ward — with the aid of an interpreter — the patient arrived a few days ago in the Soviet Union as a tourist for the purpose of obtaining Soviet citizenship and remaining in Russia. For this reason he had been saving money for 3 years, and applied to the Supreme Soviet of the USSR. He did not receive a definite answer and on Oct. 21 was supposed to leave for his home country. In order to delay his departure he inflicted wounds on the lower third of his left forearm and put it into hot water. He lost consciousness and at 16:00 [4 p.m.] on Oct. 21, was brought to the Botkin hospital where he was examined by the surgeon and bandaged.

He was examined by a psychiatrist. [He spent] three days in the psychiatric ward for observation. According to the conclusion of the expert, the patient is not dangerous to other people and may stay in the somatic department. By order of the assistant to

- 7 -

the chief physician he was transferred to room No. 7. General condition satisfactory. Respiration in the lungs is vesicular. Heart is normal. Pulse is rhythmic [illegible] RR  $\frac{100}{70}$ . Liver and spleen not enlarged.

- 8 -

## Patho-anatomic diagnosis

## a) Basic

A2

Oct. 25 No [illegible]

[2 words illegible]

Organs without change.

[1 tablespoon 3 times/day?]

Surgical examination.

Observation:

Signature: Dmitrieva

## b) Complications

Oct. 26, Internal organs [complic.?]: none

Organs: N[ormal].

Oct. 27, Examination by the surgeon

35.3 Bandage. Stitches [illegible]

36.3 Healing of the wound in the forearm by means of first aid. Aseptic bandage.

May be discharged.

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## Epicrisis

Oct. 28

The patient was brought to the admission ward of the Botkin Hospital by ambulance and was ordered by the assistant to the chief physician [Ikonnikova ?] to be transferred to Ward No. 7. [2 words illegible]. Incised wound of the first third of the left forearm with the intention to commit suicide. In the admission ward sutures were made. On Oct. 27 he was examined by the surgeon. The healing of the wound was done by first intention. With surgeon's permission, discharged from hospital. The interpreter who was with him every day (from the Embassy?) was informed ahead of time. The condition of the patient is satisfactory.

Signature [Dmitrieva]

COMMISSION EXHIBIT 985—Continued

[Doc. IC 3]

MINISTRY OF HEALTH  
OF THE USSR

(4 Rubles 20 kop  
One foreign [2 words illegible]  
Receipt No. 1147)

MEDICAL HISTORY NO. 1977

By whom referred: Ambulance 8087

Dept. [illegible]

Admitted: 16.00 [4 p.m.], Oct. 21 '59

Transf. Oct. 23 to Ward 7

Name: Oswald, Lee Harvey

Age: 20 Nationality: American Education: High School

Address: Hotel "Berlin", Room 320 Works independ.

Employment: Radio-technician

Diagnosis: [illeg.] incised wound  
of the lower third of  
the left forearm.

When admitted: same

Date: Oct. 21, 1959

Signature:  
[Karpov ?]

[one word missing] when discharged: Incised wound in the lower  
third of the left forearm. Suicide attempt.

Operation: Primary surgical treatment of the wound.

Date of the operation: Oct. 21, 1959

Anesthetics: local

Amount of narcotics: [illeg.] Novoc. [illeg.]

Signature [illegible]

- 2 -

1630 [1:30 p.m.] Examination in the Admission Dept.

In his room in the Hotel Berlin in the attempt to commit suicide,  
he cut the lower third of the forearm.

Objectively: In the lower third of the left forearm is a skin  
wound [one word illegible] with injury to the blood vessels.  
The wound is 3 cm. long

Karpov M.V.

- 3 -

22 Oct. 59

URINE ANALYSIS NO. 46

Oswald

Dept. 26

Color: Light amber

Reaction: acid

Spec. gravity [illeg.]

Transparency: turbid

Albumin - none

Sugar - none

Bile pigments - none

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Sediment Microscopy

1. Epithelial cells

flat [illegible]

polymorphic none

2. Leucocytes 4-8 [?]. [illegible]

4. Cylinders

Granulous : none

6. Salts [2 words illegible]

7. Mucus [one word illegible]

8. Bacteria- none

Many [one word illegible]

Signature [illegible]

COMMISSION EXHIBIT 985-Continued

- 5 -

The patient was admitted to Botkin Hospital on Oct. 21, '59. He was brought to the hospital because of an incised wound of the left forearm. The wound is of a linear character with sharp edges.

In the admission department he was given primary treatment of the wound and skin sutures.

The character of the injury is considered light without functional disturbances. The patient is of clear mind, no sign of psychotic phenomena.

He explains his attempt to commit suicide by the fact that he arrived from the USA in the Soviet Union on a tourist visa with the firm intention of staying in the Soviet Union. Not having the opportunity to realize his intention because of circumstances beyond his control, and having to leave the Soviet Union on Oct. 21, 1959, he tried to cut the blood vessels of his left arm on the same day.

During his stay in the [admission] department, his attitude was completely normal. He insists that he does not want to return to the USA.

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MINISTRY OF HEALTH  
OF THE USSR

ACCOMPANYING SHEET NO. 8087

Oswald

Lee Harvey

Age: 20

Taken from a public place

Diagnosis ....

Incised wound in the lower third of the left forearm [one word illegible]

Admitted to Botkin Hospital at 16.00 (4 p.m.) on Oct. 21, 1959, upon request at 15h.14.

Signature [illegible]

Notes of the ambulance staff.

Valuables, documents and watch were left in the hotel.

Signature [illegible]

COMMISSION EXHIBIT 985—Continued

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## BLOOD ANALYSIS

Oswald, Lee Harvey

Ward 26

<u>Erythrocytes</u>	<u>Hemoglobin</u>	<u>Color indic.</u>
in 1 mm <sup>3</sup>	90-10	0.8 - 1.0
4 1/2 - 5 mm		
4,000,000	81 [%]	1.01
	13.51%	

- 8 -

<u>Leucocytes</u>	<u>[illegible] cells</u>	<u>Eosinoph.</u>
4,000	1 [%]	2 [%]

Neutrophiles

<u>Bacillif.</u>	<u>Segment</u>	<u>Lymphoc.</u>	<u>Monocytes</u>	<u>Deviation</u>
3 [%]	69 [%]	19 [%]	6 [%]	$\frac{0.06}{0.04}$

Erythro. sediment. reaction 10 mm per hour

Oct. 22, 1959

Signature [illegible]

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## TEMPERATURE MEASUREMENT

see chart

COMMISSION EXHIBIT 985—Continued

## EPICRISIS

Examined in the department of [plastic?] surgery. He was admitted to the hospital with complaints (according to the interpreter) about [one word illegible] wound in the lower third of the left forearm from the inner side.

Inner organs show no [injuries ?]. [one word missing, one illegible] In the region of the lower third of the left forearm there is [a wound ] of linear character with sharp edges, 5 cm. in length. Performed under local anesthetic 1/4 % [one word illegible] novocaine 3 20 [?] [illegible]. Primary surgical treatment of the wound was performed with 4 stitches and aseptic bandage. The injury does not reach the tendons.

[Signed] Markin

Psychiatric examination

A few days ago [the patient] arrived in the Soviet Union in order to apply for our citizenship. Today he was to have left the Soviet Union. In order to postpone his departure he inflicted the injury upon himself. The patient apparently understands the questions asked in Russian. Sometimes he answers correctly, but immediately states that he does not understand what he was asked.

According to the interpreter, there were no mentally sick people in his family. He had no skull trauma, never before had he made attempts to commit suicide. He tried to commit suicide in order not to leave for America. He claims he regrets his action. After recovery he intends to return to his homeland.

It was not possible to get more information from the patient.

Suicide attempt. Transfer to ward No. 26

Maria Ivanovna Mikhailina [?]



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Oct. 22 According to the translator:

[The patient] arrived from the USA on Oct. 16 as a tourist. He graduated from a technical high school in radio-technology and radioelectronics. He has no parents. He came with the intention of acquiring Soviet citizenship. In this matter he turned to the Presidium of the Supreme Soviet, USSR. He did not receive a definite answer and was supposed to leave in [2 words illegible]. On Oct. 21 he was found unconscious in the bathroom of the Hotel "Berlin". His left arm, injured by a sharp instrument, was lying in hot water. The ambulance was called and he was taken to the Botkin Hospital.

He had saved money for three years to come to the USSR and to remain in the Soviet Union forever.

His mind is clear. His perception is correct. He remembers how he wanted to commit suicide by cutting his veins with a razor blade and putting his bloodstained hand into hot water. Now he is sorry for the attempt to commit suicide.

Gelershtein

COMMISSION EXHIBIT 985—Continued

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SUPPLEMENTAL SHEET TO THE  
MEDICAL HISTORY

Course of illness.	Prescriptions
Oct. 22 Condition satisfactory. [one word illegible] correct. Nutrition slightly decreased. Heart tones: [illegible]. Liver and spleen: not [illegible]	Diet A Urine and blood analysis [illegible] surgical examination Sol. Strych. 0.1% - 1.0
AD = 90/65	[3 words illegible]
The patient was visited by the interpreter and the head of the Service Bureau.	

Roentgenoscopy of the thorax

Oct. 23, '59 Lung areas are without focal [illegible] changes. The lung roots are structural.

The diaphragm is mobile, sinuses are free.

The heart is not enlarged. The pulse is rhythmic, of medium amplitude. Aorta is without change.

Signature [illegible]  
(N.I. Petropavlovskaja)

Transfer epicrisis

Oct. 23 The patient Oswald, Lee, 20 years of age, was admitted to the Psychosomatic Department on Oct. 21, '59 in connection with a suicide attempt. The patient arrived in the USSR from the USA on a tourist visa with a firm desire to remain in the Soviet Union. Not having the possibility <sup>of</sup> /realizing his intention because of circumstances beyond his control and being faced with the necessity of leaving the Soviet Union on the 21st of October '59, he tried the

- 13 -

same day to cut the blood vessels in the lower part of his left forearm with a safety razor blade. After [one word illegible] he kept his arm in hot water until he lost consciousness. The patient is in satisfactory condition. He has no complaints. He revealed in English that he graduated from a technical high school, he works in the field of radioelectronics, in 3 years he saved enough money to come to the USSR. He engages in sports (football, basketball, swimming). He is interested in artistic and [illegible] literature. At home, only his mother is living. In his physical [condition ?] there are no pathological deviations from the norm.

Blood analysis on Oct. 22

000  
Er.-4,000/H - 81 (13.51%), L - 4,000, P - 3%, S - 69%, L - 19%,  
M - 6%, ESR - 10 m/m per h.

Urine analysis Oct. 22

No albumin and no sugar found. L-4-5

In the neurolog. dept. No [illegible] [syndrome ?]

Psychiatric department

His mind is clear. Perception is correct. No hallucinations or delirium. He answers the questions [illegible] and logically. He has a firm desire to remain in the Soviet Union. No psychotic symptoms were noted. The patient is not dangerous for other people. His condition permits him to stay in the somatic department. By order of the assistant to the chief physician Dr. Ikonnikovna, the patient is transferred to the 7th ward.

Gelershtein, I.O.

Mr. KLEIN. Have you ever seen that document before?

Mr. NOSENKO. No, sir. I haven't seen it.

Mr. KLEIN. Were you aware that the Soviet Government provided certain documents to the Warren Commission in 1964?

Mr. NOSENKO. No, sir. I wasn't aware of this.

Mr. KLEIN. Looking at that document in front of you—

Mr. NOSENKO. Right.

Mr. KLEIN [continuing]. Is that a hospital record?

Mr. NOSENKO. Oh, yes, sure. It is a hospital record.

Mr. KLEIN. And whose hospital record? Does it have a name on it?

Mr. NOSENKO. Yes, sir. It is from Botkin Hospital.

Mr. KLEIN. Whose name is it?

Mr. NOSENKO. Lee Harvey Oswald.

Mr. KLEIN. Does it say what date he was admitted?

Mr. NOSENKO. Discharged, admitted 23d, discharged 28th.

Mr. KLEIN. What year is that?

Mr. NOSENKO. October of 1959.

Mr. KLEIN. And does it have on the bottom the diagnosis, why he was in the hospital?

Mr. NOSENKO. Incised wound of one-third of the left forearm.

Mr. KLEIN. And that date, October of 1959, is that when Oswald first came to the Soviet Union and cut his wrist?

Mr. NOSENKO. I cannot tell you dates, sir. I do not remember.

Mr. KLEIN. You have in front of you the other document which tells—number 8—what date he came to the Soviet Union. Is that still there?

Mr. NOSENKO. No, sir. This is admittance to the hospital and dischargement.

Mr. KLEIN. Number 8?

Mr. NOSENKO. Arrival, October 16.

Mr. KLEIN. And the date on the hospital admittance is what date?

Mr. NOSENKO. Twenty-third of October.

Mr. KLEIN. And would you turn to the hospital admittance form, the one I just gave you, to the third page, please?

Mr. NOSENKO. Yes.

Mr. KLEIN. And do you see where it says "History of Present Illness"?

Mr. NOSENKO. No; I don't see.

Mr. KLEIN. On the third page?

Mr. NOSENKO. I have the third page.

Mr. KLEIN. It has number 6 on the top of the page, but it's the third page on the document.

Mr. NOSENKO. Oh, number 6, History of Present Illness. Yes; just a second.

Mr. KLEIN. Would you glance through that and would you tell us if that is the hospital report from when Lee Harvey Oswald cut his wrist and was taken to the Botkin Hospital?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. Now, would you turn to the next to the last page. It has a 13 on the right-hand side.

Do you see that page?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. The next to the last page.

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. And do you see where it says, two-thirds of the way to the bottom, "Psychiatric Department" underlined?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. Would you read what is said under that?

Mr. NOSENKO. "His mind is clear; perception is correct; no hallucination or deliriums. He answers the questions legible and logically; he has a firm desire to remain in the Soviet Union; no psychiatric symptoms were noted; the patient is not dangerous for other people; his condition permits him to stay in Psychiatric Department by an order of the Assistant to the Chief Physicians, Dr. Kornika. The patient is transferred to the seventh ward."

Mr. KLEIN. Is there anything in there to indicate he is mentally unstable?

Mr. NOSENKO. Here I do not see.

Mr. KLEIN. Does that report indicate that he was normal?

Mr. NOSENKO. Here I do not see what I have seen. But this you receive from the Soviet Government, and if you think you received the true things, what was in file, you are wrong, Mr. Klein.

Mr. KLEIN. And that document, according to you, is that not authentic copy?

Mr. NOSENKO. KGB can prepare you any document. Take the material, or ask the doctors who are cooperating with KGB and they will prepare you any document.

Mr. KLEIN. I am not asking you what they can do. Are you testifying that this document is not authentic, it is not the document?

Mr. NOSENKO. This document never was in the file of the KGB.

Mr. KLEIN. So—

Mr. NOSENKO. This I testify.

Mr. KLEIN [continuing]. It is your testimony that the KGB sent us a phony document?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. You testified before this committee that there was periodic physical surveillance of Lee Harvey Oswald which was ordered by Moscow, to be carried out in Minsk?

Mr. NOSENKO. Right.

Mr. KLEIN. And you testified in detail about that, and you told us how the physical surveillance consisted of following Oswald for a month or month and a half at a time, and there were a number of people that would be involved, is that correct?

Mr. NOSENKO. Right.

Mr. KLEIN. It was a big operation?

Mr. NOSENKO. Big operation? No; it's not a big operation.

Mr. KLEIN. There were a number of people involved, weren't there?

Mr. NOSENKO. It is not a big operation. It is routine. In KGB it is a routine, nothing serious. It's not an operation even. It's surveillance, it's not an operation. Mr. KLEIN. And have you ever stated that the only coverage of Oswald during his stay in Minsk consisted of periodic checks at his place of employment, inquiry of neighbors and associates and review of his mail? Have you ever stated that was the only coverage of Oswald in Minsk?

Mr. NOSENKO. I stated before, and I stated it to you yesterday, and I state now, that the order was given, and I have seen it—to cover him by surveillance periodical, to cover him by an agent watching in places of his living, places he is working, control over his correspondence and control of his telephone conversations.

Mr. KLEIN. My question is, have you ever stated that the only coverage was checking at his places of employment and his neighbors and associates, and not say anything about periodic, physical surveillance?

Mr. NOSENKO. Sir, I cannot tell you what I stated. I was for quite a big period of time, quite a few years, interrogated, by hours, and in different types of conditions, including hostile conditions.

Mr. KLEIN. That was by the CIA?

Mr. NOSENKO. Where they asked questions in such form which later my answer will be interpreted in any way, however they want to interrogate us.

Mr. KLEIN. That was by CIA?

Mr. NOSENKO. And I cannot tell you what I did say. I cannot remember dates. You must understand, it's hundreds of interrogations, hundreds.

Mr. KLEIN. This period that you are telling us about, you were questioned by the CIA during that period, is that correct?

Mr. NOSENKO. Yes; sure.

Mr. KLEIN. Were you questioned during that period by FBI?

Mr. NOSENKO. I questioned by FBI in February; yes.

Mr. KLEIN. At this time I would ask that this document be marked for identification and shown to the witness.

Chairman STOKES. The clerk will indicate for the record the number appearing on the document.

Ms. BERNING. Exhibit JFK F-5.

[The document referred to was marked as JFK exhibit No. F-5 for identification.]

## JFK EXHIBIT F-5

Date 3/5/64

On March 3, 1964, YURI IVANOVICH NOSENKO advised that at the time of OSWALD's arrival in the Union of Soviet Socialist Republics (USSR) in the Fall of 1959, he (NOSENKO) held the position of Deputy Chief, First Section, Seventh Department, Second Chief Directorate (counterintelligence), KGB (Committee for State Security). This particular Section, of which he was then Deputy Chief, handled the KGB investigations of tourists from the United States and British Commonwealth countries.

The First Section, at that time, and at present, contains fifteen or sixteen officers, holding ranks of Junior Case Officers, Case Officers and Senior Case Officers. At the time of President JOHN F. KENNEDY's assassination, NOSENKO stated he then held the position of Deputy Chief, Seventh Department, (Tourist Department), Second Chief Directorate, with the rank of Lieutenant Colonel. The Seventh Department, consisting of approximately ninety Case Officers, is responsible for KGB investigations of tourists from all non-communist countries.

Prior to OSWALD's arrival in the USSR he was completely unknown to the KGB, according to NOSENKO. In this connection he pointed out that immediately upon issuance of a visa to a person to visit the USSR, the Seventh Department (Tourist), Second Chief Directorate, KGB, is notified. At that time a preliminary evaluation is made of the individual and a determination made as to what action, if any, should be taken by the Tourist Department. OSWALD's background was not of sufficient importance for the Tourist Department to have any advance interest in him and NOSENKO stated that his first knowledge of the existence of OSWALD arose in about October, 1959, when KIM GEORGIEVICH KRUPNOV, a Case Officer, in his section, reported to him information which KRUPNOV had received from an Intourist interpreter. It was to the effect that OSWALD, an American citizen who had entered the USSR on a temporary visa, desired to remain permanently in the USSR and to become a Soviet citizen. KRUPNOV at this time displayed to NOSENKO a memorandum prepared by KRUPNOV containing information which had been received by KRUPNOV from KGB informants at the Hotel Berlin (which administratively is part of the Hotel Metropole) concerning OSWALD's behavior patterns, an Intourist itinerary for OSWALD, and a two-page report prepared by the Intourist interpreter (a KGB informant) concerning his conversations with OSWALD and his impressions and evaluations of OSWALD. At that time a file was opened in NOSENKO's section incorporating all of the information which KRUPNOV had collected.

On 3/3 & 4/64 at Fairfax County, Virginia File # WFO 105-37111

SAs ALEXSO POPTANICH and  
by W. MARVIN GHEESLING: /mm Date dictated 3/4/64

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NOSENKO and KRUPNOV, on basis of this information, concluded that OSWALD was of no interest to the KGB and both agreed that OSWALD appeared somewhat abnormal. NOSENKO could not specifically state what factors caused him to evaluate OSWALD as being abnormal, but on basis of all information available to him at the time there was no doubt in his mind that OSWALD was not "fully normal." At that time the KGB did not know of OSWALD's prior military service and NOSENKO stated that had such information been available to him, it would have been of no particular interest or significance to the KGB.

On the basis of NOSENKO's evaluation of OSWALD he instructed KRUPNOV to advise OSWALD, through the Intourist interpreter, that OSWALD would not be permitted to remain in the USSR permanently and that he would have to depart at the expiration of his visa and thereafter seek re-entry as a permanent resident through routine channels at the Soviet Embassy in the United States. NOSENKO's instructions were carried out and on the same date or the following day he learned that OSWALD failed to appear for a scheduled tour arranged by his Intourist guide. This prompted Intourist to initiate efforts to locate him and after a couple of hours, inquiry at the Berlin Hotel established that OSWALD's room key was missing, indicating that he was apparently in his room. Hotel employees then determined that OSWALD's room was secured from the inside and when he failed to respond to their request for him to open the door, they forced it open. OSWALD was found bleeding severely from self-inflicted wounds and was immediately taken by an ambulance to a hospital, believed by NOSENKO to be the Botkinskaya Hospital in Moscow. NOSENKO did not know specifically whether OSWALD was bleeding from wounds in his left or right wrist or whether from both wrists and he did not know what instrument was used to cause the wound or wounds. The information regarding OSWALD's wounds was received by NOSENKO from KRUPNOV who in turn received it from Intourist sources. NOSENKO did not know how long OSWALD remained in the hospital but stated it was for several days. OSWALD's attempted suicide was reported by NOSENKO to the Chief of the Seventh Department, Colonel KONSTANTIN NIKITOVICH DUBAS, and NOSENKO believed that DUBAS then reported it to the Office of the Chief of the Second Chief Directorate. NOSENKO's original decision that the KGB would not become involved with OSWALD was approved by the Chief of the Second Directorate, and it was further agreed that he should not be permitted to remain in the USSR.

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A report from the hospital was received which gave the circumstances of OSWALD's admittance to the hospital, treatment received including blood transfusion, and the report stated OSWALD had attempted suicide because he was not granted permission to remain in the USSR. The hospital record also included an evaluation that OSWALD's attempted suicide indicated mental instability. NOSENKO did not know whether this evaluation was based on a psychiatric examination or was merely an observation of the hospital medical staff. NOSENKO also learned that upon OSWALD's discharge from the hospital he was again informed by Intourist that he could not reside in the USSR and OSWALD stated he would commit suicide.

NOSENKO did not know who made the decision to grant OSWALD permission to reside temporarily in the USSR, but he is sure it was not a KGB decision and he added that upon learning of this decision the KGB instructed that OSWALD not be permitted to reside in the Moscow area. NOSENKO suggested that either the Soviet Red Cross or the Ministry of Foreign Affairs made the decision to permit OSWALD to reside in the USSR and also made the decision to assign him to Minsk. NOSENKO attached no particular significance to the fact that OSWALD was settled in Minsk but offered the opinion that since Minsk is a capital city of one of the Republics and is an above-average Soviet city in cleanliness and modern facilities, it was selected in order to create a better impression on OSWALD, a foreigner.

After the KGB was advised of the decision to authorize OSWALD to reside in Minsk it was necessary for KRUPNOV to bring OSWALD's file up to date for purpose of transferring it to the KGB Office in Minsk. This was done and the file was forwarded to Minsk by a cover letter prepared by KRUPNOV. That cover letter briefly summarized OSWALD's case and specifically instructed that KGB, Minsk, take no action concerning OSWALD except to "passively" observe his activities to make sure he was not a United States intelligence agent temporarily dormant. KRUPNOV's letter was read by NOSENKO and signed by DUBAS.

NOSENKO stated that in view of instructions from KGB, Moscow, no active interest could be taken in OSWALD in Minsk without obtaining prior approval from KGB, Moscow. According to NOSENKO no such approval was ever requested or granted and based on his experience, he opined that the only coverage of OSWALD during his stay in Minsk consisted of periodic checks at his place of employment, inquiry of neighbors, associates and review of his mail.

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The next time NOSENKO heard of OSWALD was in connection with OSWALD's application to the Soviet Embassy in Mexico City for a Soviet re-entry visa. NOSENKO did not know how Mexico City advised Moscow of subject's application. His knowledge resulted from an oral inquiry of NOSENKO's department by M. I. TURALIN, Service Number Two, (counterintelligence in foreign countries), First Chief Directorate. NOSENKO recalled that TURALIN had orally contacted VLADIMIR KUZMICH ALEKSEEV, Chief, Sixth Section of NOSENKO's Tourist Department, with respect to OSWALD. NOSENKO's Department had no interest in OSWALD and recommended that OSWALD's request for a re-entry visa be denied. NOSENKO could not recall when OSWALD visited Mexico City in connection with his visa application.

NOSENKO's next knowledge of OSWALD's activities arose as a result of President JOHN F. KENNEDY's assassination. NOSENKO recalled that about two hours after President KENNEDY had been shot he was telephonically advised at his home by the KGB Center of this fact. A short time later he was telephonically advised of the President's death. About two hours later NOSENKO was advised that OSWALD had been arrested, and NOSENKO and his staff were called to work for purpose of determining whether the KGB had any information concerning OSWALD. After establishing OSWALD's identity from KGB files and ascertaining that OSWALD's file was still in Minsk, NOSENKO, on instructions of General OLEG M. GRIBANOV, Chief of the Second Chief Directorate of the KGB, telephonically contacted the KGB Office in Minsk and had them dictate a summary of the OSWALD file. NOSENKO did not personally accept this summary, but it was taken down by an employee of his department. As reported by NOSENKO at the time of his interview on February 26, 1964, this summary concluded with a statement that the KGB at Minsk had endeavored "to influence OSWALD in the right direction." As reported by NOSENKO, this latter statement greatly disturbed GRIBANOV since the KGB Headquarters had instructed that no action be taken concerning OSWALD except to passively observe his activities. Accordingly, GRIBANOV ordered all records at Minsk pertaining to OSWALD be forwarded immediately to Moscow by military aircraft with an explanation concerning the meaning of the above-mentioned statement. NOSENKO read the file summary telephonically furnished by Minsk, the explanation from

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Minsk concerning the meaning of the above-mentioned statement, and thoroughly reviewed OSWALD's file prior to making same available to SERGEI MIKHAILOVICH FEDOSEEV, Chief of the First Department, Second Chief Directorate, who prepared a two-page summary memorandum for GRIBANOV. That memorandum was furnished by GRIBANOV to VLADIMIR SEMICHASTNY, Chairman of KGB who in turn reported to the Central Committee of the Communist Party, USSR, and to NIKITA S. KHRUSHCHEV. According to NOSENKO, OSWALD's file, as received from Minsk, contained no information to indicate that the KGB at Minsk had taken any action with respect to OSWALD contrary to instructions from KGB Headquarters. It did contain information concerning OSWALD's marriage to MARINA OSWALD, background data on MARINA, including fact she had been a member of the Komsomol (Communist Party Youth Organization) but was dropped for nonpayment of dues and the fact that the OSWALDs had departed the USSR for the United States. His file also included a statement that OSWALD had been a poor worker. NOSENKO read FEDOSEEV's summary memorandum and he recalled that it contained the definite statement that from the date of OSWALD's arrival in the USSR until his departure from the USSR, the KGB had no personal contact with OSWALD and had not attempted to utilize him in any manner.

NOSENKO was questioned as to whether OSWALD could have been trained and furnished assignments by any other Soviet intelligence organization including the GRU (Soviet Military Intelligence) or the Thirteenth Department of the First Directorate of the KGB (which deals with sabotage, explosions, killings, terror). NOSENKO stated that he is absolutely certain that OSWALD received no such training or assignments. In this connection he explained that if any other department of KGB wanted to utilize OSWALD, they would have to contact the department which originally opened up the file on OSWALD (NOSENKO's department) and ask permission to utilize him. NOSENKO stated that this would also apply to GRU. NOSENKO further explained that in view of their evaluation that OSWALD appeared to be mentally unstable no Soviet Intelligence Agency, particularly the Thirteenth Department, would consider using him. NOSENKO also advised that further evidence that OSWALD was not of intelligence interest to the KGB is shown by the fact that the KGB Headquarters did not retain a control file concerning OSWALD following his settlement in Minsk. He elaborated by stating that had OSWALD been of any intelligence interest to KGB a control file would also have been maintained at

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KGB Headquarters. This file would have been assigned to a Case Officer at Headquarters with responsibility to direct supervision of the case, including the making of periodic visits to Minsk by the Case Officer. In OSWALD's case the only record maintained at KGB Headquarters in Moscow was an index card bearing OSWALD's name and the identity of the department which originated the file concerning him.

NOSENKO advised that he ascertained from reading OSWALD's file that the Soviet Red Cross had made payments to OSWALD. He stated, however, that it is a normal practice for the Soviet Red Cross to make payments to emigres and defectors in order to assist them in enjoying a better standard of living than Soviet citizens engaged in similar occupations. He learned that OSWALD received the minimum payments from the Soviet Red Cross which he estimated to be approximately 10 rubles per month. He did not know when these payments began and did not know for how long they continued.

NOSENKO stated that there are no Soviet regulations which would have prevented OSWALD from traveling from Minsk to Moscow without police authority. He stated that Soviet citizens likewise are permitted to travel from place to place without having to receive special permission.

Following President KENNEDY's assassination, NOSENKO ascertained from OSWALD's file that he had had access to a gun which he used to hunt game with fellow employees in the USSR. He could not describe the gun used by OSWALD but did remember that it was used to shoot rabbits. NOSENKO stated that Western newspaper reports describe OSWALD as an expert shot; however, OSWALD's file contained statements from fellow hunters that OSWALD was an extremely poor shot and that it was necessary for persons who accompanied him on hunts to provide him with game.

NOSENKO stated that there is no KGB and no GRU training school in the vicinity of Minsk.

According to NOSENKO, no separate file was maintained by the KGB concerning MARINA OSWALD and all of KGB's information concerning her was kept in OSWALD's file. He said that no information

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in that file indicated that the KGB had any interest in MARINA OSWALD either while she was in the Soviet Union or after she departed the Soviet Union. NOSENKO also advised that KGB had no plans to contact either OSWALD or MARINA in the United States.

NOSENKO opined that after OSWALD departed the USSR he would not have been permitted to re-enter that country under any circumstances. He expressed the opinion that MARINA and her children would have been granted permission to return alone had President KENNEDY not been assassinated.

Since the assassination of President Kennedy he does not know what decision would be made with respect to MARINA OSWALD and her children.

NOSENKO had no information that the Soviet Government ever received any contact from the Cubans concerning OSWALD, and he knew of no Cuban involvement in the assassination.

NOSENKO stated that he had no knowledge that OSWALD had made application to re-enter the Soviet Union other than through his contact with the Soviet Embassy at Mexico City. He pointed out in this connection, that had OSWALD applied at the Soviet Embassy in Washington, D. C., or elsewhere, the KGB would not have ever been apprised of the visa request if the visa issuing officer at the Embassy decided on his own authority to reject the visa application.

NOSENKO noted that all mail addressed to the American Embassy in Moscow, emanating abroad or from the USSR itself, is first reviewed by the KGB in Moscow. NOSENKO added that on occasions mail from "significant" persons is not even permitted by KGB to reach the American Embassy. In the case of OSWALD, NOSENKO stated that since he was of no significance or particular interest to the KGB, correspondence from OSWALD would be permitted to reach the Embassy, even though critical. However, NOSENKO had no knowledge that OSWALD ever directed a communication of any type to the American Embassy in Moscow.

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NOSENKO stated that no publicity appeared in the Soviet Press or over the radio regarding OSWALD's arrival or departure from the USSR and no publicity resulted from his attempted suicide. Soviet newspapers and radio have carried numerous statements concerning President KENNEDY's assassination which quoted from Western newspaper stories concerning OSWALD's alleged involvement including the fact that OSWALD had previously visited the USSR.

NOSENKO advised he saw nothing unusual in the fact that OSWALD was permitted to marry a Soviet citizen and later permitted to depart the USSR with her. He noted that Soviet law specifically provides that a Soviet citizen may marry a foreign national in the USSR and depart from the USSR with spouse, provided, of course, the Soviet citizen had not had access to sensitive information.

It was his opinion that President KENNEDY was held in high esteem by the Soviet Government and that President KENNEDY had been evaluated by the Soviet Government as a person interested in maintaining peace. He stated that following the assassination, the Soviet guards were removed from around the American Embassy in Moscow and the Soviet people were permitted without interference to visit the American Embassy to express their condolences. According to NOSENKO, this is the only occasion he can recall where such action had been taken. He said that the orders to remove the guards came from "above." He added that his department provided approximately 20 men who spoke the English language for assignment in the immediate vicinity of the American Embassy in Moscow to insure that no disrespect was shown during this period.

On March 4, 1964, NOSENKO stated that he did not want any publicity in connection with this information but stated that he would be willing to testify to this information before the Presidential Commission, provided such testimony is given in secret and absolutely no publicity is given either to his appearance before the Commission or to the information itself.

Date 3/9/64Other Individuals and Organizations  
Involved or Interviewed1

On March 6, 1964, YURI IVANOVICH NOSENKO inquired if the material he furnished on March 4, 1964, regarding LEE HARVEY OSWALD was given to the appropriate authorities with his request that no publicity be granted the information he furnished. He was advised that this was done.

NOSENKO was asked if an alien residing in the Soviet Union could own a rifle or shotgun. He replied that an alien can own a shotgun, but it must be registered with the Militia. He added that an alien can buy a rifle for hunting only with the permission of the Militia prior to the purchase, and it must be registered with the Militia. He stated that at no time can an alien buy or carry a pistol or a military rifle.

DECLASSIFIED  
E.O. 11652, Sec. 402

By mmg NARS Date 4/2/75

On 3/6/64 at Fairfax County, Va. File # WFO 105-37111  
by SAS MAURICE A. TAYLOR, DONALD E. WALTER  
and ALEKSO POPTANICH AP:lkc Date dictated 3/9/64

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Mr. KLEIN. These hostile interrogations you just alluded to, did they lead you to state other than the truth to these interrogators?

Mr. NOSENKO. I was answering the questions which were put to me.

Mr. KLEIN. Did you ever not tell the truth?

Mr. NOSENKO. No; I was telling the truth.

Mr. KLEIN. I would direct your attention——

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. Just a moment. Before you, you have a Federal Bureau of Investigation report; is that correct?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. I would direct your attention to page 29 of that report.

Mr. NOSENKO. Right.

Mr. KLEIN. The last paragraph, beginning with, "Nosenko stated"—it's underlined. Would you please read that paragraph to us?

Mr. NOSENKO. "Nosenko stated that in view of instruction from the KGB Moscow, no active interest could be taken in Oswald in Minsk without obtaining prior approval from KGB in Moscow. According to Nosenko, no such approval was ever requested or granted, and based on his experience, he opined that the only coverage of Oswald during this stay in Minsk consisted of periodic checks of his places of employment, inquiries of neighbors and associates, and review of his mail."

Mr. KLEIN. Did you make that statement?

Mr. NOSENKO. Yes, sir. What do you find here wrong?

Mr. KLEIN. Does that statement say anything about physical surveillance?

Mr. NOSENKO. No; it didn't.

Mr. KLEIN. Did you forget to tell them about the physical surveillance?

Mr. NOSENKO. Maybe I forget; maybe they didn't put; I do not know.

Mr. KLEIN. Do you recall speaking to agents Poptanich and Gheesling on March 3 and 4, 1964?

Mr. NOSENKO. I cannot tell you. I do remember the date; no. I remember I was speaking with agents from FBI.

Mr. KLEIN. When you spoke to them, did you recall that they spoke to you at that time, March 3 and 4, about Lee Harvey Oswald?

Mr. NOSENKO. I told you, they were speaking with me about Oswald, but I cannot tell you the date when.

Mr. KLEIN. Was it in March 1964?

Mr. NOSENKO. They were speaking with me—February and the beginning of March of 1964.

Mr. KLEIN. And did they tape the conversations?

Mr. NOSENKO. Yes; they were taping all conversations.

Mr. KLEIN. Did the agents make notes when you were talking?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. Did they ever show you those notes?

Mr. NOSENKO. No.

Mr. KLEIN. Were you aware that the statements you were making to them were going to be written down into a report?

Mr. NOSENKO. Sure.

Mr. KLEIN. Did you ever have an opportunity to see the report?

Mr. NOSENKO. No; the only one which was sent to the Warren Commission, this I have seen.

Mr. KLEIN. Were you aware that the report would be put in your file?

Mr. NOSENKO. Must be.

Mr. KLEIN. Were you aware that report would be shown to a committee such as this investigating the assassination?

Mr. NOSENKO. I didn't know that it would be created, the committee, because it was 1964.

Mr. KLEIN. You didn't know that?

Mr. NOSENKO. No; did you know that this committee—in 1964—will be existing in 1978, 1977?

Mr. KLEIN. And were you telling them the truth when you told them that the only coverage of Oswald, and listing these things and not telling them about the physical surveillance, was that the truth you told them?

Mr. NOSENKO. Well, I told them that there was done the work against Oswald; it was ordered, passive type of work, it's called passive. Whenever it's ordered not to make an approachment, not to make a contact, not to make a recruitment, this is passive.

Anything when enters besides whatever is done, contact, approachments, recruitment, attempt to recruit, it is immediately called active.

Mr. KLEIN. Looking at that report, did you tell them about the physical surveillance which you told this committee about yesterday?

Mr. NOSENKO. Sir, I do not see here, but I have no doubts. I do not know. Maybe I didn't mention that this date you said, maybe I didn't mention but I was telling them about surveillance.

Mr. KLEIN. Didn't you tell us that you always told the truth and told everything you knew when you spoke to the FBI and the CIA?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. If they would have asked you, "Was there physical surveillance?"—

Mr. NOSENKO. Yes; I will answer yes, it was.

Mr. KLEIN [continuing]. You would have answered yes?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. You also testified before this committee that in accord with the orders from Moscow that there was technical surveillance, and you told us in detail about how they tapped his phone and recorded it and made copies of it and gave it to a certain person.

Again, drawing your attention to page 29 of that same paragraph, does that say anything about the technical surveillance that you told us about?

Mr. NOSENKO. No, sir.

Mr. KLEIN. Did you forget?

Mr. NOSENKO. But, if you ask, even an agent of FBI, I doubt it, no. In KGB control of correspondence, control of telephone, it's not big deal. It's giving order to control a telephone can be given by Chief of Section, not speaking of Chief of Department, not speaking of Chief of Directorate, and not speaking to receive a warrant from the judge. Control of correspondence can be signed, permission to put control over correspondence can be done by the Deputy Chief of Section even.

Do you understand what I want to tell you, it is absolutely considered, KGB, nothing important.

Mr. KLEIN. Is it a big deal to check periodically at someone's place of employment and talk to their neighbors? Is that a big deal?

Mr. NOSENKO. No.

Mr. KLEIN. But you told them about that, didn't you?

Mr. NOSENKO. I tried simply to describe them what kind of, not to take active—what does it mean, passive type of coverage of the target?

Mr. KLEIN. If they would have asked you was there any technical surveillance, then would you have told them?

Mr. NOSENKO. I would have said they were told, even word for word, in this document said not the technical surveillance. They have a certain terminology. Let's say surveillance, it's called to lead the measurement N/N, and to control telephone to lead the measurement M.

Mr. KLEIN. If they would have said, "Was there any technical surveillance of Oswald?" would you have said "yes"?

Mr. NOSENKO. Sure.

Mr. KLEIN. You also testified to this committee that the KGB would have had to have known about Marina Oswald, you said, by the end of the month they would have a batch of papers?

Mr. NOSENKO. You told me, if she had seen him, you something mentioned, 15, 13.

Mr. KLEIN. Because surveillance was on Oswald, they would have had to pick her up?

Mr. NOSENKO. I cannot tell you it was in the moment when he was seeing her or not. You said assume that he had met her 16 and 13, and it became known to KGB through surveillance. I said by the end of month that at least something will have on her, who is she, where she is working, where she studied, where she work.

Mr. KLEIN. They would know that through the surveillance on Oswald?

Mr. NOSENKO. The fact will be known through surveillance; then through other outfits of KGB they will find whatever possible on her.

Mr. KLEIN. Were you ever asked the following question and did you give the following answer:

"Question. Why wouldn't she—referring to Marina—have been investigated when she first met Oswald?



"Answer. They did not know she was a friend of Oswald until they applied for marriage. There was no surveillance on Oswald to show that he knew her."

Were you ever asked that question and did you give that answer?

Mr. NOSENKO. Sir, I do not remember my questions, and answers.

Mr. KLEIN. I would ask that this document be marked for identification, please, and shown to the witness.

Chairman STOKES. The clerk will identify for the record the number appearing on the document.

Ms. BERNING. JKF F-6.

[The document referred to was marked as JKF exhibit No. F-6 for identification.]

[Document is retained in appropriate files.]

Mr. KLEIN. Looking at that document, have you ever seen it before?

Mr. NOSENKO. No, sir.

Mr. KLEIN. You have never seen that before?

Mr. NOSENKO. I never have seen it before.

Mr. KLEIN. And is that a report that says on the cover, "Memorandum for the Record; Subject: Followup Report on the Oswald Case; Source: [cryptonym deleted]." Was [cryptonym deleted] your code name at one time?

Mr. NOSENKO. I do not know.

Mr. KLEIN. "Date of Interview: 3 July 1964." Does it say that on the cover?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. And turning to the very last page, page 18—

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. Does it say, "James Michaels"?

Mr. NOSENKO. Yes.

Mr. KLEIN. "SR/CI/KGB"?

Mr. NOSENKO. Yes.

Mr. KLEIN. Did you ever hear of a man named James Michaels?

Mr. NOSENKO. No, I do not know a man James Michaels.

Mr. KLEIN. Do you recall speaking to a man named James Michaels?

Mr. NOSENKO. No, sir.

Mr. KLEIN. Would you turn in this document to page 9. On page 9, the last question and answer, would you read the question for us, and read the answer?

Mr. NOSENKO. "Why wouldn't she have been investigated when she first met Oswald?"

"They didn't know she was a friend of Oswald until they applied for marriage. There was no surveillance on Oswald to show that he knew her."

Mr. KLEIN. Were you ever asked that question and did you ever—

Mr. NOSENKO. I do not remember, sir. But if it is, it must be asked and I gave this answer.

Mr. KLEIN. Was that the truth?

Mr. NOSENKO. As far as I remember, those conditions in which I was asked, better ask where I was in this period of time, what conditions I was kept, and what type of interrogations were going on.

Mr. KLEIN. Did you tell us yesterday that you always told the truth?

Mr. NOSENKO. Yes.

Mr. KLEIN. When you spoke about Oswald?

Mr. NOSENKO. Yes.

Mr. KLEIN. Was this question relating to Oswald?

Mr. NOSENKO. I was answering what I could.

Mr. KLEIN. Is that the truth, that they didn't—

Mr. NOSENKO. It's how it is put, how it is put. You see, again, why wouldn't she have been investigated. Here must be question was in this form. The investigation, not the checkup of her, but, let's say, invitation for conversation, something of this kind, it's some kind of here misunderstanding on both parts, that would be mine and interrogator.

Mr. KLEIN. It is an inaccurate transcript?

Mr. NOSENKO. I consider many, many things are inaccurate.

Mr. KLEIN. Is that transcribed accurately?

Mr. NOSENKO. I do not know, sir.

Mr. KLEIN. That answer, do you think it is transcribed accurately, that that's your answer?

Mr. NOSENKO. Well, I can only explain only one thing. Let's say there was KGB found out that he had an acquaintance, Marina Prusakova. They were not married. They didn't know—they didn't apply for marriage. What kind of first

will be investigation? Checkup in archives of KGB of Byelorussia, and on the basis whatever kind of material on her will be found. Let's say, if she was ever on trial by militia, under arrest. If militia had any material, they can expand further. They can also send checkup in the place of her—one, it's in one order, to give us the picture of the character of the target, check on him in place of his work and check in place of his living, in one order.

But more, further investigation, the true investigation—this is called checkup—will be studied and they will start when they see something, let's say, suspicious in behavior of Oswald and this his connection.

In case of Marina, when they found out that they are going to marry, sure, they will be more, farther investigation, thorough investigation; but before it will only be checkup. From this point of view I was answering this question.

Mr. KLEIN. Let me make it simple.

Mr. NOSENKO. Right.

Mr. KLEIN. If the question was asked exactly as it appears here, "Why wouldn't she have been investigated when she first met Oswald?" would this be your answer? Is that a correct answer as it appears here?

Mr. NOSENKO. Well, it appears here, but I do not remember.

Sure, I answered and this was question, but, gentlemen—

Mr. KLEIN. Was this true? This says, "There was no surveillance on Oswald to show that he knew her"—is that right or wrong?

Mr. NOSENKO. This is what I answered, yes. It is right. It is written here.

Mr. KLEIN. You remember answering that?

Mr. NOSENKO. No.

Mr. KLEIN. How do you know you answered that?

Mr. NOSENKO. You are giving me official document.

Mr. KLEIN. You have no recollection of answering this?

Mr. NOSENKO. Sir, I do not have any recollection of interrogations.

Mr. KLEIN. If you answered that, were you telling the truth?

Mr. NOSENKO. I don't know. I answered. Must be. This is how I answered question.

Mr. KLEIN. You testified to this committee that the KGB decided to have Lee Harvey Oswald examined by two psychiatrists. You told us about how it was decided, who decided it, where it was decided. Then they found Lee Harvey Oswald to be mentally unstable?

Mr. NOSENKO. Right.

Mr. KLEIN. Have you ever been asked the following questions and given the following answers:

"Question. Did the KGB make a psychological assessment of Oswald?

"Answer. No; nothing, but at the hospital it was also said he was not quite normal. The hospital didn't write that he was mad, just that he is not normal.

"Question. Did the hospital authorities conduct any psychological testing?

"Answer. I don't think so. There was no report like this."

Mr. NOSENKO. No; I told that there was opinion of psychiatrists that he was mentally unstable.

Mr. KLEIN. Is what I read to you correct?

Mr. NOSENKO. Sir, I do not know whether it is correct or wrong. I am answering you what I know.

Mr. KLEIN. Did you ever make a statement like that?

Mr. NOSENKO. I do not remember statements for 5 years, interrogation.

Mr. KLEIN. I would direct your attention to the Michaels Report.

Mr. NOSENKO. Yes.

Mr. KLEIN. Page 7.

Mr. NOSENKO. Yes.

Mr. KLEIN. Would you read for us the first and second questions and answers, please.

Mr. NOSENKO. "Did the KGB make psychological assessment of Oswald?"

"No, nothing. But at the hospital it was also said he was not quite normal. The hospital didn't write that he was mad, just that he was not normal, mentally unstable."

Mr. KLEIN. Please keep reading.

Mr. NOSENKO. "Did the hospital authorities conduct any psychological testing?"

"I don't think so. There was no report like this.

"What was the Soviets' opinion of Oswald's personality, what kind of man did they think he was?"

"KGB thought he was of no interest for the country or for the KGB, that he is not normal, that he should leave the country."

Mr. KLEIN. Did you say anything in there about two psychiatrists examining Oswald and about reading their reports which said he was mentally unstable? Did you say anything about that there?

Mr. NOSENKO. Sir, I do not remember what I said to them; but I would like you to find out the conditions in which interrogations were done, how it was done, by what procedures, when two interrogators are seated. I never knew any names—they never announced me names—one playing part of bad guy and other good guy, and it starting slapping then, not physically but I mean, psychologically and in conversation, turning question upside down, however they would like, then this leave, another one will start in softer way.

Mr. KLEIN. When did this—

Mr. NOSENKO. And I would not trust any of their documents in those periods of time. Up to 1967 when we started from the beginning, to work, Mr. Bruce Solie. That is the one thing. Second, my knowledge of language was very poor in 1964. I didn't understand many questions, and none of them, excluding Mr. . . . [Y] knew Russian language and Mr. . . . [Y] was asking me only questions concerning my biography and this type of question, but nonoperative questions.

Mr. KLEIN. Do you have any recollection of being asked these questions and giving the answers that you just read to us?

Mr. NOSENKO. Sir, I told you, and I will tell, I do not remember their questions, and I do not remember my answers; but I tried to be truthful with them. Then was period of time when I have seen that they were simply was laughing at me; I rejected to answer questions, and whenever they were asking, I would answer, "I do not remember, I do not know, I do not remember."

Mr. KLEIN. These answers, do they say "I do not know, I do not remember" or do these give responsive answers?

Mr. NOSENKO. Sir, I do not trust this document prepared by people in those years.

Mr. KLEIN. Is it your testimony that these might not be accurate questions and answers?

Mr. NOSENKO. My opinion—I cannot tell you exactly, I say might be.

Mr. KLEIN. You testified—

Mr. NOSENKO. One more thing: If we are going into this, a number of interrogations, I was under drugs, and on me was used a number of drugs, and I know that, and hallucinations and talking during night and sodium and everything, even many others, and a number of things were absolutely incoherent.

Mr. KLEIN. This hostile interrogation that you have been referring to, when did it begin?

Mr. NOSENKO. Arrested me April 4, 1964, started interrogate me in 2 days. They interrupted—I don't know—interrogate a month, two, made break; then again, then again period of no interrogation; then again interrogations, up to 24 hours, not giving me possibility to sleep.

Mr. KLEIN. And this was all after April 4, 1964?

Mr. NOSENKO. Yes, sir.

That is why I will not take as a document anything what concerns interrogations in hostile, absolutely hostile, situation.

Mr. KLEIN. You testified in detail yesterday about the cable which you saw which was sent from Mexico City to the First Chief Directorate in Moscow, and you testified that you actually read that cable and that it told that Oswald was in Mexico City and he wanted permission for a visa to come to the Soviet Union.

Do you remember reading that cable and describing it for us in detail, how long it was?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. Did you ever say to anyone that after Oswald went to Minsk, the next time you heard of him was in connection with Oswald's application to the Soviet Embassy in Mexico City for a Soviet reentry visa, and you did not know how Mexico City advised Moscow of the subject's application; your knowledge resulted from an oral inquiry of your department by M. I. Turalin.

Did you ever say that, that you did not know how Mexico City advised Moscow of Oswald's application?

Mr. NOSENKO. I do not remember. I am telling you what I have seen, cable, what was told through Lieutenant Colonel Alekseev to tell to Turalin the opinion of Second Chief Directorate Seventh Department.

Mr. KLEIN. I draw your attention to page 30 of the FBI report in front of you.

Mr. NOSENKO. I do not have it.

[Pause.]

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. On the top of page 30, read for us the underlined section on the top, beginning "The next time"—

Mr. NOSENKO. "The next time Nosenko heard of Oswald was in connection with Oswald's application to Soviet Embassy in Mexico City for a Soviet reentry visa. Nosenko did not know how Mexico City advised Moscow of subject's application. His knowledge resulted from an oral inquiry of Nosenko's department by Turalin, Service No. 2, Counterintelligence in Foreign Countries, First Chief Directorate. Nosenko recalled that Turalin had orally contacted Vladimir Alexseev, Chief of Sixth Section of Nosenko's Tourist Department, with respect to Oswald. Nosenko's department had no interest in Oswald and they recommended that Oswald's request for reentry visa be denied. Nosenko couldn't recall when Oswald visited Mexico City in connection with visa application."

Mr. KLEIN. Did you ever say this to an FBI agent?

Mr. NOSENKO. Must be I said it, it's here in document.

Mr. KLEIN. It says in here that Nosenko did not know how Mexico City advised Moscow of subject's application. Did you say that?

Mr. NOSENKO. Must be; I said this in this way.

Mr. KLEIN. And did you tell us that not only did you know how they advised them by cable but that you read the cable?

Mr. NOSENKO. This is what I recollection.

Mr. KLEIN. Did you tell them the truth?

Mr. NOSENKO. I was trying to tell what I remembered.

Mr. KLEIN. And this FBI report which you just read from, would you look back on the first page and would you tell us the date of that report?

Mr. NOSENKO. March 5, 1964.

Mr. KLEIN. March 5, 1964. Is that before April 4, 1964?

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. That was before any hostile interrogations began, is that correct?

Mr. NOSENKO. Yes.

Mr. KLEIN. And at that time you said that you did not know anything about the cable, is that right?

Mr. NOSENKO. This is what I answered them, how I remembered.

Mr. Klein, I have a question. Do you understand from what psychological turmoil a person passing who defected, do you understand that it is necessary time, time to settle psychologically, he doesn't know how he will be living, what he will be doing, and at the same time a person feels attitude on the part of those who helped him to come CIA? I felt something going on.

Mr. KLEIN. You testified to us that you didn't know who wrote the summary of Oswald's file in the First Department because you never had an opportunity to read it. Did you ever tell anyone that Fedoseyev and Matveev, F-e-d-o-s-e-y-e-v and M-a-t-v-e-e-v of the First Department, Second Chief Directorate, took the file and wrote a second "spravka," which you told us was a summary?

Mr. NOSENKO. Summary.

Mr. KLEIN. Did you ever tell anybody that?

Mr. NOSENKO. Must be I told, it is again right, because you see, not Fedoseyev—Fedoseyev was Chief of First Department, American Department, and I will repeat what I told you yesterday. Matveev has come to take file, but surely Fedoseyev who is Chief of American Department, he had given call to Chief of Seventh Department. He was involved in this; that is why I mentioned him. He was Chief of First American Department. His deputy, Colonel Matveev, has come, and not alone; with him was a couple of officers, has come and told that Gribanov ordered and Fedoseyev giving call to Department, we must take it, and took. Who of them wrote, I do not know, no doubts that Fedoseyev and Matveev were participated in the preparation of documents. They are responsible for First American Department.

Mr. KLEIN. So you have an idea of who would have written, is that correct?

Mr. NOSENKO. American Department, no doubts that this two will be participating or correcting.

Mr. KLEIN. But you didn't read that summary, is that right?

Mr. NOSENKO. I do not remember reading the summary.

Mr. KLEIN. Did you read it? Do you have any recollection of reading it?

Mr. NOSENKO. No; I haven't seen summary.

Mr. KLEIN. Are you positive that you didn't see that summary?

Mr. NOSENKO. I have seen summaries in the file of Oswald.

Mr. KLEIN. Are you positive you didn't see the summary written by the First Department after they took the file away?

Mr. NOSENKO. I do not remember seeing. As I told you, I haven't seen it.

Mr. KLEIN. You testified that Oswald was considered normal prior to the time he cut his wrist, and even told us that you were surprised, you had no indication he would do something like that.

Were you ever asked the following question, and did you give the following answer:

"Question. In what way was the Oswald case handled differently from cases of other American defectors?"

"Answer. The main difference is that he was not to be allowed to stay. He was considered to be not normal."

Mr. NOSENKO. This is what cases I know, who were staying.

Mr. KLEIN. Did you ever say that he was considered not normal, referring to the period before he tried to commit suicide?

Mr. NOSENKO. I do not remember; but if I said it, it's not right because we didn't know that he was normal or not normal. Up until the moment of he cut his wrist we started to suspect.

Mr. KLEIN. Did you ever say that he was considered not normal?

Mr. NOSENKO. Sir, I do not remember.

Mr. KLEIN. Well, if you would have said it, would it have been correct?

Mr. NOSENKO. No; it would not be correct, because he cannot be considered abnormal. We didn't know anything up till he cut the wrist.

Mr. KLEIN. You testified to this committee that you were present at a meeting with the Chief of the Seventh Department Chief of your section, Major Rastruskin; at that meeting, it was decided that Oswald should not be given permission to defect. You told us where the meeting took place, told us who was there.

Mr. NOSENKO. Right.

Mr. KLEIN. You told us that Krupnov was not even in the Seventh Department at that time?

Mr. NOSENKO. Krupnov appeared a little later.

Mr. KLEIN. Did you ever tell anyone that on the basis of your evaluation of Oswald, you instructed Krupnov to advise Oswald through Intourist interpreter that Oswald would not be permitted to remain in the U.S.S.R. permanently and that he would have to depart at the expiration of his visa?

Did you ever tell anybody that?

Mr. NOSENKO. Sir, I do not remember. If I said it, it was wrong, not right, because Krupnov started participation only in this case when Oswald was allowed to stay. In the moment when Oswald arrived in Soviet Union, when he went in hospital, Krupnov was still not in Seventh Department. He very soon appeared later. Then it was wrong. If I stated it, it was wrong.

Mr. KLEIN. Directing your attention to the FBI report in front of you, I would like to draw your attention to page 28.

Mr. NOSENKO. Right.

Mr. KLEIN. Beginning with the underlined section beginning with the first "On the basis" in the second paragraph, would you read this?

Mr. NOSENKO. "Nosenko and Krupnov on the basis of this information, concluded that Oswald was of no interest to the KGB and both agreed that Oswald appeared somewhat abnormal."

Mr. KLEIN. Not that, the second paragraph, "On the basis of"——

Mr. NOSENKO. "On the basis of Nosenko's evaluation of Oswald, he instructed Krupnov to advise Oswald through the Intourist interpreter Oswald would not be permitted to remain in the U.S.S.R. permanently and that he would have to depart at the expiration of his visa, and thereafter seek reentry as a permanent resident through routine channels at the Soviet Embassy in the United States."

Mr. KLEIN. Did you ever say that?

Mr. NOSENKO. I do not remember saying this. It can be that simply misunderstanding, and, you see, this is not transcription from the tape. It is, I will say a summary, and I do not remember. But, if I said this, it is not right because Krupnov didn't participate in the beginning.

Mr. KLEIN. Also it says——

Mr. NOSENKO. It was participation of Rastrusin.

Mr. KLEIN. Also is it correct when it says in there that you made the decision and—

Mr. NOSENKO. No; I couldn't make decision, being Deputy Chief of Section.

Mr. KLEIN. Does it say anything there—

Mr. NOSENKO. I could say in my opinion; yes.

Mr. KLEIN. Does it say anything there about a meeting to determine what to do, or does it say that on basis of your evaluation, you told Krupnov to do it?

Mr. NOSENKO. It's not right. I said only that Krupnov appeared later. This period, what we are discussing here, was Rastrusin involved, decision cannot be done on my own, being Deputy Chief of Section, decision cannot be done even being Deputy Chief of Section, Chief of Section, at least it must be on the level of Chief of Department.

Mr. KLEIN. So it is incorrect, is that what you are saying?

Mr. NOSENKO. It is incorrect, and Krupnov—I do not remember.

Mr. KLEIN. You told us, when I questioned you about the fact that you didn't tell the FBI that there was physical surveillance, the last question I asked you, if they would have asked you if he was physically surveilled, would you have told them, and you said yes?

Mr. NOSENKO. Yes; sure. I will say.

Mr. KLEIN. Were you ever asked the following question and did you give the following answer:

"Was he physically surveilled" and that is referring to Minsk, and you answered "No; there was none"?

Mr. NOSENKO. It was not right, because it was order given and he was under periodical surveillance.

Mr. KLEIN. I draw your attention to page 9 of the CIA document in front of you, "Memorandum for the Record."

Mr. NOSENKO. I do not have it.

Mr. KLEIN. The Michaels report. I draw your attention to page 9.

Mr. NOSENKO. Yes, sir.

Mr. KLEIN. Would you read the first question and the first answer?

Mr. NOSENKO. "Was he physically surveilled?"

"No; there was none."

Mr. KLEIN. Did you ever give that answer to that question?

Mr. NOSENKO. I do not remember; it's not right, the answer.

Mr. KLEIN. I would ask that this tape, which is marked "3 July '64, Reel No. 66," be deemed marked for identification.

Chairman STOKES. Indicate for the record the marking.

Ms. BERNING. JFK F-7.

[The item referred to was marked as JFK exhibit No. F-7 for identification.]

[Material referred to is retained in appropriate files.]

Chairman STOKES. We will recess for about 5 minutes.

[A brief recess was taken.]

Chairman STOKES. The committee is back in session.

During the recess the witness made a request of the Chair that he be permitted to make a brief statement prior to counsel for the committee resuming interrogation.

The Chair is going to grant that request and recognize the witness at this time for such statement as he would like to make.

Mr. NOSENKO. Thank you very much, Mr. Chairman.

Mr. Chairman, ladies and gentlemen, I arrived in the United States in 1964, 12th of February. I felt something was going wrong because the attitude on the part of the officers from CIA who was dealing with me, I felt was going wrong, by a number of remarks, their behavior. Besides, I was in a psychological process. It's a very big thing, when you are coming to live in a new country. I felt the country where I was born, never mind, my defection was strictly on ideological basis, but still psychologically is very big thing and very serious thing.

A very short period of time, April 4, I was invited on checkup for the doctor, and this checkup turned to be arrest. Arrested was in very rude form, nobody beat me physically, no, but in rude form, trying to put dignity of the person, of human being, down, kept in very hard conditions. I was smoking from 14 years old, never quitted. I was rejected to smoke. I didn't see books. I didn't read anything. I was sitting in four walls, metal bed in the center of the room and that is all.

I was hungry, and this was the most difficult for me because how I tried not to think about food. I was thinking about food because all the time I want to eat. I was receiving very small amount, and very poor food. I was sitting some kind of attic; it was hot, no air-conditioning, cannot breathe; windows—no windows, closed over. I was permitted to shave once a week, to take showers once a week.

From me were taken toothpaste, toothbrush. The conditions were inhuman, conditions in this place; and later transferred in another place, which is now I know where it was, the second place . . . [U.S. Government property outside the Washington area] where certain house and the same very, very Spartan conditions; 3½ years. Besides that, on me were used different types of drugs and sleeping drugs, hallucination drugs, and whatever I do not know, and don't want to know.

What I want to tell you, the arrest was done illegally, without due process of law, without—in violation of Constitution, which was found by the Rockefeller Commission. It wasn't mentioned, my name, but simply nameless defector, who was over 3 years in extremely Spartan conditions.

Interrogations were done sometimes 24 hours, not giving me an hour to sleep. Interrogations were in very hostile manner. Simply, what I would say were rejected. How long I will be, why it is without due process, no warrants; "You will be eternally, 25 years." How long we would want you to keep. That is why I consider all interrogations, all materials, which concerns this period of time are illegal, and I am not recognizing them and don't want to see them. And I am asking you not to ask questions based on this interrogations, including trying to play the tape during this interrogations. For me it's difficult to return back. I passed through hell. I started new life in 1969 only because I was true defector. I never raised this question with correspondents. I never went in press, because I am loyal to the country which accepted me, and I didn't want to hurt the country.

I didn't hurt, even to hurt, the intelligence, the CIA. I didn't consider the whole CIA was responsible. Were responsible several people, for this. Thank God they are not working there anymore. They are out. If I will go in press, if I will be telling about these inhumane conditions, I will hurt not only the agencies, the intelligence service of the United States, I will hurt the interests of the United States. Who would like to defect, reading in what conditions and what treatment defectors is receiving.

Sir, I prefer that you be using materials when it was started humane relations with me, which was started at the end of 1967. I still was under arrest but I was transferred from the extremely Spartan conditions, and with me started to work Mr. Bruce Solie, who passed through the whole life, through all cases, through everything. People who were talking with me before were coming with what they were told, how to approach to me, how to treat me. They have come with made opinion, before whatever I will say yes or no. That is why I consider it is all unlawful documents in the period of interrogations done by anyone in CIA up until the end of 1967.

Chairman STOKES. Is there anything further, Mr. Nosenko?

MR. NOSENKO. No, sir.

[Note: The committee granted Mr. Nosenko's request and the questioning did not continue.]

## II. STATEMENT OF YURI NOSENKO MADE TO HOUSE SELECT COMMITTEE ON ASSASSINATIONS, AUGUST 7, 1978

In accordance with a request of the staff of the committee (House Select Committee on Assassinations), I make the following statement describing the conditions of my imprisonment from April 1964 till the end of 1967.

On April 4, 1964 I was taken for a physical checkup and a test on a lie detector somewhere in a house. A doctor had given me a physical checkup and after that I was taken in another room for the test on a lie detector.

After finishing the test an officer of CIA, John, has come in the room and talked with a technician. John started to shout that I was a phoney and immediately several guards entered in the room. The guards ordered me to stand by the wall, to undress and checked me. After that I was taken upstairs in an attic room. The room had a metal bed attached to the floor in the center of this room. Nobody told me anything how long I would be there or what would happen to me. After several days two officers of CIA, John and Frank, started interrogations. I tried to cooperate and even in evening hours was writing for them whatever I could recollect about the KGB. These officers were interrogating me about a month or two months. The tone of interrogations was hostile. Then they stopped to come to see me until the end of 1964. I was kept in this room till the end of 1964 and beginning of 1965.

The conditions were very poor and difficult. I could have a shower once in a week and once in a week I could shave. I was not given a toothbrush and a toothpaste and food given to me was very poor (I did not have enough to eat and was hungry all the time). I had no contact with anybody to talk, I could not read, I could not smoke, and I even could not have fresh air or to see anything from this room (the only window was screened and boarded).

The only door of the room had a metal screen and outside in a corridor two guards were watching me day and night. The only furniture in the room was a single bed and a light bulb. The room was very, very hot in a summertime.

In the end of 1964 there were started again interrogations by several different officers. The first day they kept me under 24 hours interrogation. All interrogations were done in a hostile manner. At the end of all those interrogations when I was told that it was the last one and asked what I wanted to be relayed to higher ups I said that I was a true defector and being under arrest about 386 days I wanted to be put on trial if I was found guilty or released. I also asked how long it would continue. I was told that I would be there 3,860 days and even more.

This evening I was taken by guards blindfolded and handcuffed in a car and delivered to an airport and put in a plane. I was taken to another location where I was put into a concrete room with bars on a door. In the room was a single steel bed and a mattress (no pillow, no sheet, and no blanket). During winter it was very cold and I asked to give me a blanket, which I received after some time. Except 1 day of interrogation and 1 day of a test on a lie detector I have not seen anyone besides guards and a doctor (guards were not allowed to talk with me).

After my constant complaining that I needed fresh air—at the end of 1966 I was taken almost every day for 30 minutes exercise to a small area attached to this cell. The area was surrounded by a chain link fence and by a second fence that I could not see through. The only thing I could see was the sky. Being in this cell I was watched day and night through TV camera. Trying to pass the time a couple of times I was making from threads chess set. And every time when I finished those sets immediately guards were entering in my cell and taking them from me. I was desperately wanting to read and once when I was given a toothpaste I found in a toothpaste box a piece of paper with



description of components of this toothpaste. I was trying to read it (under blanket) but guards notice it and again it was taken from me. Conditions in both (first and second) locations were analogical.

I was there till November [sic October] of 1967. Then I again was transferred blindfolded and handcuffed to another location. In this new place I had a room with much better conditions. And Mr. Bruce Solie (CIA officer) started questioning me every day (excluding Sundays) touching all questions concerning my biography, carrier in the KGB and all cases of the KGB known to me. I was imprisoned for the whole 5 years. And I started my life in the USA in April of 1969.

August 7, 1978.

NOSENKO, Y. I.

### III. EXCERPTS OF DEPOSITION OF BRUCE SOLIE BEFORE HOUSE SELECT COMMITTEE ON ASSASSINATIONS, JUNE 1, 1978

#### INTRODUCTION

During the period that the committee was speaking with Nosenko, it was also taking depositions from various officials and former officials of the Central Intelligence Agency. One of the first to be questioned was the security officer who conducted the CIA investigation that determined in 1968 that Nosenko was a bona fide defector. This officer was deposed by the committee on June 1, 1978. Part of the questioning concerned the extent of his investigation into the statements Nosenko made about Oswald and his conclusions about the truth of those statements. Significant sections of that deposition follow:

#### EXCERPTS FROM DEPOSITION OF BRUCE SOLIE BEFORE HOUSE SELECT COMMITTEE ON ASSASSINATIONS, JUNE 1, 1978

Mr. KLEIN. Prior to 1967 Nosenko had been questioned about Oswald. Did you read any transcripts of his answers relating to Oswald?

Mr. SOLIE. I did not see all of that. The interviews concerning Oswald, I believe, were partly done by the FBI and partly done by, particularly after April I think, were done by SR. I have seen parts of it. I may have seen more of it in 1967-68.

Mr. KLEIN. Did you ever compare the different transcripts relating to Oswald, what Nosenko said to the FBI as opposed to what he said in July 1964, as opposed to what he said in April of 1964? Did you ever do that?

Mr. SOLIE. No. In the first place, there wouldn't be any transcripts of the FBI anyway.

Mr. KLEIN. Well, the statements. The FBI had statements.

Did you ever compare that, compare that with what—

Mr. SOLIE. No, not word by word or line by line, no.

Mr. KLEIN. Well, did you speak to Nosenko about Oswald?

Mr. SOLIE. No. Well, all I have, you have there. I did a writeup on it. I didn't see that it seriously conflicted with what we had.

Mr. KLEIN. This writeup that you are referring to is a three-page writeup, the first page beginning with the word O-s-v-a-l-d, underlined.

Is that the writeup that you are referring to?

Mr. SOLIE. Yes.

Mr. KLEIN. And how did it come about that Nosenko provided this information?

Did you ask him for it?

Mr. SOLIE. The transcript will reflect I asked him to prepare it in his own words on a previous day, a day or two before.

Mr. KLEIN. You asked him to prepare what in his own words?

I know that the document says something, but I want for the record for you to state what you asked him rather than referring to the document.

Mr. SOLIE Why don't I use the record.

Mr. KLEIN. Sure.

Mr. SOLIE. The record reflects on January 3, 1968, I asked Nosenko to give me an account of everything he did in the Oswald investigation.

Mr. KLEIN. And is that three-page—

Mr. SOLIE. The memo was prepared in his handwritten form and what you have here is a typed copy of the handwritten memo.

Mr. KLEIN. And did you ever question him about what he wrote?

Mr. SOLIE. No, because I had no reason to disbelieve him.

Mr. KLEIN. Did you ever compare what he wrote to what he had said in earlier interrogations by either the FBI or by the CIA?

Mr. SOLIE. All of this information was provided to the FBI. They would be in a much better position for that judgment than I would be. The information was available to the FBI.

Mr. KLEIN. I understand that they had it, so they could have compared it if they wanted to, but did you ever compare it?

Mr. SOLIE. I did not have all the information on the Oswald investigation. That was an FBI investigation.

Mr. KLEIN. Well, was it available to you if you had asked the FBI for their reports of what Oswald had said to them?

Mr. SOLIE. It might, under certain circumstances, but in this case here, as far as our office was concerned, the Oswald matter was an FBI matter.

Mr. KLEIN. Did the Oswald matter have any relevance to the bona fides of Nosenko?

Mr. SOLIE. A factor to be considered.

Mr. KLEIN. So then to that extent wouldn't it be a CIA matter, too?

Mr. SOLIE. I fail to see what you are driving at. You are assuming that Nosenko was dispatched.

Mr. KLEIN. No; that is not correct. My purpose is simply to determine to what extent the Oswald aspect of what Nosenko said was investigated. I have no assumption whatsoever about him being dispatched.

Mr. SOLIE. That he has no more information from what had been obtained from him in various interviews in 1964, and had been furnished to the Bureau.

Mr. KLEIN. That is precisely my question, when you made your judgment in 1967, did you compare what he was saying in 1967 to what he said in 1964? Did you know what he said in 1964?

Mr. SOLIE. There was no conflict as far as I was aware of.

Mr. KLEIN. That was my question.

Mr. SOLIE. As far as I am aware of.

Now, again, the Oswald investigation, I don't know the extent of it. This only concerns one little aspect of Oswald's life.

Mr. KLEIN. Did you ever have an opportunity to compare all the statements made by Nosenko about Lee Harvey Oswald beginning 1962 or 1964, whenever he was first—well, actually not 1962, in 1964, up to the statement which he wrote out for you in 1968? Is that when this statement was written?

Mr. SOLIE. I think about the first of January.

Mr. KLEIN. Did you ever have an opportunity to compare all prior statements with this statement?

Mr. SOLIE. No; I wouldn't say all prior, no.

Mr. KLEIN. After Nosenko wrote this account of his contact with Oswald and his knowledge of Oswald, was he questioned by you about what he had written?

Mr. SOLIE. No.

Mr. KLEIN. Was he questioned by anybody, to your knowledge?

Mr. SOLIE. I don't recall whether at a later date the FBI may have touched on Oswald with him. It is possible, but that would have been at a later date.

Mr. KLEIN. For your report, your 1968 report, he was not questioned.

Mr. SOLIE. Yes.

\* \* \* \* \*

Mr. KLEIN. Do you believe that Nosenko has told the truth in what he said relating to Lee Harvey Oswald?

Mr. SOLIE. Yes; I have no reason to disbelieve him. Again, I am commenting on my specific knowledge. I have not discussed this matter with him. I imagine the committee has discussed this in detail with him. I imagine—

Mr. KLEIN. Considering the fact that you haven't discussed it with Nosenko, would it be fair to say, and if not, correct me, would it be fair to say that you, your belief in Nosenko's credibility as to what he says about Oswald is really based in your belief of his credibility in all the other aspects which you did check out, as opposed to specific knowledge of the Oswald part of the case?

Mr. SOLIE. It has a certain relationship, not necessarily—it is not necessarily conclusive, but if the person tells you the truth about—and you can prove it on this, this, this, and this, and you have this one you can't quite prove because it is not provable, it would have an effect on your opinion. Then you should look to see are there any holes.

Mr. KLEIN. Well, I am really giving you the converse of this. Does the fact that you know or believe that he is telling the truth on A, B, C, and D, did that more or less lead you to say that you believe he is telling the truth about Oswald because you really were not able to check out the Oswald aspect of this case?

Mr. SOLIE. No; I wouldn't quite say that. There were other cases you couldn't quite check out. You have got to believe it or you don't believe it.

Mr. KLEIN. Then if that wasn't it, what specifically leads you to believe that he was telling the truth when he told you his account of Oswald?

Mr. SOLIE. Well, to make me think otherwise, I have got to see some evidence or someone to show me that he is not telling the truth. You have to have some contrary information.

And I have seen no contrary information.

Mr. KLEIN. So you start off with a presumption that he is telling the truth, and that has to be rebutted to some extent in order to question his statement on Oswald.

Mr. SOLIE. Well, your opinion of something is, you know, an opinion is an opinion. Some things are provable and some things are not provable.

Mr. KLEIN. I am not trying to get into a word game. What I am really saying is he has got three pages that he has written out and given to you.

Mr. SOLIE. Right.

Mr. KLEIN. And you have told me that you believe what he says, and I am trying to understand specifically what you base your belief on, that these three pages are correct.

Mr. SOLIE. I didn't have a part in the Oswald investigation. I did not talk to Nosenko in 1964 concerning the Oswald case, or any other case. It is regrettable that this whole situation arises and in 1967 we are trying to resolve something that should have been resolved in 1964. So Oswald was gone over and over and over in 1964 by the FBI and by SR. I see nothing that says it wasn't true. What am I supposed to do, go over this again point by point by point?

Is there anything I have a reason to disbelieve his statement?

Mr. KLEIN. But when you say it was gone over in 1964, the people who were conducting the interrogations for the CIA in 1964 did not believe that Nosenko was credible, is that correct?

Mr. SOLIE. Yes.

Mr. KLEIN. So as far as the CIA was concerned, nobody had ever said that Nosenko was credible when he talked about Oswald.

So my question to you is, you can't base your belief that Nosenko was credible when he talks about Oswald on what the CIA had done.

Mr. SOLIE. And the FBI. The FBI talked to him, too.

Mr. KLEIN. Are you saying that you based your belief in his credibility about Oswald on the FBI, what they found?

Mr. SOLIE. No.

Mr. KLEIN. Let me make it simpler. I am trying to make clear my question. When I read your lengthy report, in many areas you go into long discussions as to why you have accepted a particular claim by Nosenko, why you have accepted he was a KGB officer, why you have accepted he is who he says he is, and why you have accepted that he served in a particular department he says he served.

And you gave specifics. You checked the things out. My question is, on what do you base your belief that he is telling the truth about Oswald; because I have read no specifics in the report or anywhere else explaining that?

Mr. SOLIE. Well, tell me what is there that is checkable?

Mr. KLEIN. I am not saying that there is. I am asking you if there was anything that was checked out, or if there was anything that was done at all to determine whether he was credible when he spoke about Oswald?

Mr. SOLIE. Well, this is one of the factors I had to consider in connection with the entire case. I have accepted it, and I will continue to accept it until someone can show me some contrary evidence, not opinion.

Mr. KLEIN. One of the things that Nosenko states is that the KGB never personally interviewed Oswald. They didn't interview Oswald when Oswald stated he wanted to defect, and they didn't interview Oswald when they decided to allow him to stay in Russia and sent him to Minsk.

In your opinion, based on your knowledge of Nosenko, based on your knowledge of the Oswald case, based on your knowledge of KGB procedures and techniques, do you find Nosenko credible when he says they never interviewed Oswald?

Mr. SOLIE. The question of what is meant by interview, a formal interview, taking him down to the local KGB headquarters, if that is what is meant—

Mr. KLEIN. What I am referring to is a KGB officer speaking face to face with Oswald, maybe not identifying himself as a KGB officer, but speaking to him under whatever identity he chooses, Nosenko says that never happened. My question to you is, do you find this credible?

Mr. SOLIE. Speaking to the best of his knowledge, I will have to—I will accept it.

Mr. KLEIN. Why would you accept that?

Mr. SOLIE. Because it could happen.

Now, that wouldn't say that the KGB didn't have a large book on him.

Mr. KLEIN. Was any work ever done to check out the feasibility of statements such as this? For example, checking to see what the experiences of other defectors were, whether they ever were debriefed by KGB officers? Was that ever done, to your knowledge?

Mr. SOLIE. No; not unless the individual had been interviewed for some other reason, but not to check against the Oswald case because the Oswald investigation was an FBI investigation.

Now, whether there have been some who were in Russia in a proximate period of time and had been interviewed, it is very possible. You would almost have to confine yourself to a proximate period of time because the international situation changed from year to year. So the comparison should be within the approximate period of time.

Mr. KLEIN. Nosenko was given how many lie detector tests, to your knowledge?

Mr. SOLIE. Three.

Mr. KLEIN. Do you consider any or all of these tests to have been valid?

Mr. SOLIE. I consider the last test to be a completely valid test; that is, the 1968 test. I would prefer that you be in actual discussion concerning the polygraph techniques with someone else from our office because I am not an operator.

Mr. KLEIN. I understand that, and I will only confine myself to questions relating to how you incorporated the lie detector information into your report.

The first two tests you do not consider them to be valid, is that correct?

Mr. SOLIE. I consider them not only to not be valid, to be completely invalid.

Mr. KLEIN. Would it be fair to say that Lee Harvey Oswald was a minor aspect of the investigation into Nosenko's bona fides?

Mr. SOLIE. No.

Mr. KLEIN. How would you characterize the Oswald aspect?

Mr. SOLIE. It was an important part to be considered.

Mr. KLEIN. Do you think that it received the full consideration and the time and effort to investigate it, the Lee Harvey Oswald aspect?

Mr. SOLIE. There was a tremendous amount of investigation done in 1964.

Mr. KLEIN. If it were to be proven that Nosenko was not truthful in his relation, in what he said about Lee Harvey Oswald, would that be significant as to the question of whether Nosenko was bona fide?

Mr. SOLIE. It would be something I would have to consider.

Mr. KLEIN. Do you think it is possible that he could be lying about Oswald and still be bona fide?

Mr. SOLIE. I do not consider that he was lying about Oswald.

Mr. KLEIN. I'm sorry?

Mr. SOLIE. I do not consider it.

Mr. KLEIN. If it were proven that he was lying about Oswald, do you think that that would change your opinion as to whether he was bona fide?

Mr. SOLIE. It sure would.

#### IV. EXCERPTS OF DEPOSITION OF DAVID MURPHY BEFORE THE HOUSE SELECT COMMITTEE ON ASSASSINATIONS ON AUGUST 9, 1978

##### INTRODUCTION

Having heard from Nosenko and from an intelligence officer who believed him to be bona fide, the committee spoke to the CIA official who had overall responsibility for the interrogation of Nosenko during the years 1964-67, when Nosenko was kept in solitary confinement. Among other things, he was asked about the reason Nosenko was placed in solitary confinement, about why he questioned Nosenko's credibility, and about Nosenko's charge that his statements to the Agency were inaccurate because he had been drugged by the Agency. Portions of that transcript follow.

##### EXCERPTS OF DEPOSITION OF DAVID MURPHY BEFORE HOUSE SELECT COMMITTEE ON ASSASSINATIONS ON AUGUST 9, 1978

Mr. KLEIN. When Nosenko defected in 1964, when he came to the United States, was he in the custody of the Central Intelligence Agency at that time?

Mr. MURPHY. I don't want to be cute by saying I believe so. I am not exactly sure of the legal—I mean what his legal status was. Insofar as physical facts, he was in the custody of the IC.

Mr. KLEIN. What division or unit of the Central Intelligence Agency had primary responsibility for Nosenko?

Mr. MURPHY. The Soviet Russian Division.

Mr. KLEIN. Of which you were the Chief?

Mr. MURPHY. Yes, sir.

Mr. KLEIN. And what year did you leave the Soviet Russia Division?

Mr. MURPHY. Beginning in 1968.

Mr. KLEIN. And up until what year did the Soviet Russia Division have primary responsibility for Nosenko?

Mr. MURPHY. I don't recall the exact time but it was certainly up until the spring of 1967.

Mr. KLEIN. The investigation by Bruce Solie began at the end of 1967. At that time did the control or responsibility over Nosenko change from the Soviet Russia Division to another division?

Mr. MURPHY. My recollection is that it changed in the spring or early summer of 1967 and the responsibility was turned over to the Office of Security of which Solie was a member.

Mr. KLEIN. As Chief of the Soviet Russia Division, did you have the primary responsibility for what happened to Nosenko? And when I say happened, where he was kept, what he was asked?

Mr. MURPHY. I was responsible for the case.

Mr. KLEIN. OK.

Mr. MURPHY. Although the case was handled by one of the groups within the Division.

Mr. KLEIN. But they would report to you?

Mr. MURPHY. Yes.

\* \* \* \* \*

Mr. KLEIN. There came a time in 1964, April 4, I believe, when the treatment received by Nosenko greatly changed in that hostile interrogations began, is that correct?

Mr. MURPHY. I am not sure I agree with the formulation of the question.

Mr. KLEIN. Well, elaborate.

Mr. MURPHY. No; the previous pattern of voluntary discussion of issues under consideration changed and Nosenko was not permitted to evade questions or to decide when he would or would not want to respond.

Mr. KLEIN. Could you describe for us what the pattern was before, as far as conditions and how it was changed?

Mr. MURPHY. Well, the pattern before was one of pretty much permitting Nosenko to call the shots. In other words, we wanted his cooperation and we wanted to discuss these things in a reasonable manner, but his preference was not to sit still for a full day's briefing, to want to go out socially all the time, which made it difficult the next day to continue to work. And the most important aspect, I think, of the change was the decision to confront him with inconsistencies as opposed to taking what he said and passing it on.

Mr. KLEIN. What about the day-to-day living conditions, were they changed?

Mr. MURPHY. Well, he was not permitted to leave. He was not permitted to depart.

Mr. KLEIN. Other than that, his day-to-day treatment, not the actual interrogation sessions, but his food intake, his recreation, was that changed at that time?

Mr. MURPHY. I don't think so, not that early. I don't remember that.

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Mr. KLEIN. Subsequent to April 4, is it correct that Nosenko was interrogated by people from the Soviet Russia Division?

Mr. MURPHY. That is right.

Mr. KLEIN. And how were the particular subareas on which he was interrogated chosen?

Mr. MURPHY. I am not sure. I don't know. Subject areas? This is a guess, this is a recollection, but I think the decision was made based on what the CIA people thought offered the best opportunity to get an admission and to break on that. In other words, I think it was based on points that they had collateral on. By that I mean other information which said what this man is saying is not the truth or this man does not know about this and, therefore, let us hit him hard on this. And so it was a fully tactical, these were tactical considerations relating to possession of information in the hands of the interrogators which then offered the best opportunity to get through and get the truth.

(One breakthrough it was felt, as is normally the case, gives you other breakthroughs. The decision on what subjects to be interrogated was essentially a factor of the tactics of the debriefing.)

Mr. KLEIN. Would it be fair to say that after April 4 the subject areas were determined by a desire to try to catch him, to break him, as opposed to a desire to gain knowledge that would be of use to you in your role as an intelligence agency? In other words, knowledge of the operation.

Mr. MURPHY. That is an accurate impression. The answer is yes because by the end of April there was a view that the man was not telling the truth, that parts of what he was saying were known to be untrue and that, therefore, made no sense, and although the reasons for his behavior and his statements were not clear, it made no sense then, it did not appear to make sense to accept as valid any data he might provide unless you could be sure that that data was in fact correct, and there were so many doubts about this, leaving aside the motivation for it, the contradictions or the way in which he presented it, that the information was not considered acceptable.

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Mr. KLEIN. Were you aware of the substance of what Nosenko had to say about Oswald?

Mr. MURPHY. From the very first. I mean, when he first said it back in February or March.

Mr. KLEIN. Do you recall now the substance of it?

Mr. MURPHY. No; not exactly, anything I said would be polluted by so much back and forth. I know that the thrust of the message was that Oswald was never of interest to the Soviet Intelligence Services, that he was never debriefed by them, and I can guarantee that because I was personally involved in the affair. There is more detail, but I can't really pin it down.

Mr. KLEIN. Did you accept this statement by Nosenko?

Mr. MURPHY. I did not. I did not believe that it would be possible for the Soviet Intelligence Services to have remained indifferent to the arrival in 1959 in Moscow of a former Marine radar operator who had served at what was an active U-2 operational base. I found that to be strange. It was only later, I think, that as the Nosenko case and its other ramifications began to emerge that it seemed to me that the Oswald story became even more unusual.

I think I mentioned the other day it seems to me almost to have been tacked on or to have been added as though it didn't seem to be part of the real body of

the other things that he had to say, many of which were true. You understand that Nosenko was—much of what he said was true.

Mr. KLEIN. You are talking about other areas?

Mr. MURPHY. Yes, sir. This one seemed to be tacked on and didn't have much relationship, and it seemed to be so totally dependent on not just one coincidence but a whole series of coincidences, for him to have been there and all that sort of thing. That is what I mean.

\* \* \* \* \*

Mr. KLEIN. Do you recall any other specifics about what you could not accept in Nosenko's statements about Oswald?

Mr. MURPHY. Yes, that they just—this is part of the first one—no contact was ever made, that he went up to Minsk and lived happily and well with no contact. The Soviet Union with foreigners don't do that. I mean, he is the only person. Read the accounts of what happened to this poor gentleman, what happened to Jay Crawford in Moscow and their intensive debriefing of him on the layout of the American Embassy. It didn't seem to be possible.

Now, again, that does not constitute proof, doesn't constitute any breakthrough. It seemed to me to be strange.

Mr. KLEIN. Would you distinguish between first the fact that nobody debriefed Oswald when he first came to the Soviet Union, nobody tried to find out what he knew as a marine, as a radar operator, and, second, the fact that once they decided to allow him to stay, nobody debriefed him to find out if he was some kind of a Western security agent or working for CIA?

Mr. MURPHY. Yes, they would be two different points. The first point clearly involves the KGB and GRU. This is simply a chap arriving with this background and no one taking the time just from a military intelligence technical point of view, telling us how it worked when this thing came in at 90,000 feet what did the blips look like. I don't think they had many American radar operators handling operational traffic involving U-2's.

Mr. KLEIN. How would you react to a statement by Nosenko that although the KGB knew Oswald was a marine, they did not bother to question him, and because of that, never knew that he was a radar operator or that he worked at the base from which the U-2's took off and landed?

Mr. MURPHY. I think it would be strange.

My other point, going back to your first question, that is, the first aspect of your question, which is the initial arrival and lack of debriefing. There is no indication here that the GRU was advised, which in the case of a defector, there is no operational interest in a defector. GRU would be properly the outfit that would want to be talking to any marine. They will talk to a marine about close order drill. You follow me? It doesn't require that he be known to have been a radar operator or that he be known to have been a—they would talk to him about his military affiliation just as we would.

I realize that there is a body of thought which says that some people think the Soviets are 10-foot tall. I don't believe they are. I think they are very, very, very much the other way. What I find difficult on the part of many Americans is that they will not ascribe to the Soviets the same elemental competence that we have. That is all I ask. And, therefore, we in Germany will talk to a private in the East German Border Guards, period. The GRU would be interested in talking to a private. He was a corporal in the Marine Corps, who had stated to a consul in a consular office, which is manned by the Soviets, Soviet locals and what have you, fully accessible to the Soviets, unlike the higher floors of the Embassy, that he wanted to talk about his experiences, that he wanted to tell all. I guess I found it difficult to believe this is one of the things that made, or many other aspects of the case, but this is one of the things that created an atmosphere of disbelief that there must be something to this case that is important, vitally important to the Soviet Union and we can't understand it.

Yuri may be right, he may be right, but at the time it was very hard to believe.

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Mr. KLEIN. And on the basis of your experience and knowledge gained over almost 30 years, is that what is giving you trouble with Nosenko's statements about Oswald?

Mr. MURPHY. And other things.

Mr. KLEIN. Do you know of comparable situations where somebody wasn't questioned like this, was just left alone, as Nosenko says Oswald was?

Mr. MURPHY. I honestly couldn't find anyone, or I am not aware of anyone that the division or the CI Staff, that is, those officers concerned with this case, were handling it directly. I don't know of any former Soviet intelligence officer or other knowledgeable source to whom they spoke about this matter who felt this would have been possible. If someone did, I never heard of it.

Mr. KLEIN. During this interrogation period, beginning in April 1964, would it be fair to say that the questions relating to Oswald and the problems which you have just been discussing relating to Oswald constituted a major area for questioning and in interrogating Nosenko?

Mr. MURPHY. Probaby not.

Mr. KLEIN. Why would that have been?

Mr. MURPHY. Because there were many other areas which posed equally interesting aspects yet about which we knew much more and which had occurred abroad and involved collateral knowledge, which obviously is not easy for us to obtain in the Soviet Union.

Mr. KLEIN. Who in the Soviet Russia division made the decision as to who would question Nosenko, subsequent to April 4?

Mr. MURPHY. [CIA employee], chief of the group.

Mr. KLEIN. And do you know of any criteria that he used to pick his interrogators?

Mr. MURPHY. Some knowledge of Russian, as Nosenko's English was not good, the fact that he had been exposed. Well, that is one of the aspects of the CIA interrogation. You try not to use too many people because you then lose. In the first place, you are dealing with a potentially hostile guy who is liable to go back to the Soviet Union, or return to the other side, and so you don't want to expose too many officers, plus the fact it is not a good idea to simply bring a lot of people in. You have to have people who studied the case and became in depth, know it in depth and therefore, so they use the officers that they had available and there were a variety of criteria.

Mr. KLEIN. As I mentioned to you in our conversations about a week ago, it is our information that the person who interrogated Nosenko about the Oswald matter had no background whatsoever in Oswald, he didn't know anything about Oswald's background or really about Oswald at all. Is there any reason that such a person would be used that you can tell us?

Mr. MURPHY. I am not sure I understand. I thought the point was that he had, he was not a man of a lot of background in the CI debriefings or interrogations. I wasn't sure of the point he didn't know about Oswald. I am not sure very many of us knew very much about Oswald than was available at the time.

Mr. KLEIN. Two points—

Mr. MURPHY. The reason that the chap was chosen was because he was level-headed, extremely toughminded, and was going to be with the case for the long pull. He was not going to be changed. That is why he was used. And his career since then has borne out the judgment of many, he is a very good officer.

Mr. KLEIN. But wouldn't—

Mr. MURPHY. I don't know that he didn't, that he wasn't what you are saying, he knew nothing at all about Oswald's case. I find that difficult to believe. But I don't know.

Mr. KLEIN. Well, if I asked you to consider a hypothetical situation, where I told you the officer who interrogated Oswald knew nothing about Oswald other than what he learned from Nosenko, would you think that was unusual that they would not, if they didn't have somebody already who knew about Oswald, at least given somebody a thorough briefing from A to Z, everything that the CIA knew about Oswald, would you think it was unusual, that they didn't do that?

Mr. MURPHY. I would certainly think so.

Mr. KLEIN. The second part of my question was the other point I made to you a week ago when we spoke, to our knowledge, let me be frank, we spoke to the particular officer in a deposition, so that our knowledge is gained from that, it is possible that since I have not seen the typed up deposition that what I say might not be exactly what the deposition says, but my recollection of it is that he also had little or no prior interrogation experience, and my question is would that be—

Mr. MURPHY. That wouldn't surprise me because there were very few people, relatively few people, in the Division or indeed elsewhere who had a lot of interrogation experience. We hadn't done a lot of very many hostile CIA debriefings. People who might have been used were probably otherwise, either abroad,



might have had experience, but I know it might sound strange. There just wasn't squads and squads of highly trained fluent Russian speaking CI experienced interrogators.

Mr. KLEIN. One thing I would point out to you is that I have listened to a number of tapes, and all of the ones I have listened to were totally in English, there was no Russian.

Mr. MURPHY. Yes.

Mr. KLEIN. My question is, was the questioning of Nosenko considered a major operation in the Bureau in 1964?

Mr. MURPHY. It was an important operation, an important case.

Mr. KLEIN. And yet there was nobody with interrogation experience who could be used to interrogate him?

Mr. MURPHY. I am sure some of the people had interrogation experience. I mean [CIA employee] himself had a lot of background in this field. I can't explain why the officer who debriefed him on Oswald did not have prior briefing on Oswald except what I mentioned to you the other day, because it was not a thing that we thought we were going to get through on, because we were weak in that area at that time.

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Mr. KLEIN. Was Nosenko ever given any drugs?

Mr. MURPHY. Not to my knowledge.

Mr. KLEIN. Were there ever any conversations in which you took part about whether to give him drugs in order to get him to tell the truth?

Mr. MURPHY. There were many, many conversations all the time about various things that could be done, all the techniques that are known, to get him to talk, but as far as I know and in discussions with the medical officer who handled the case, there was never any decision made or any attempt made to use these, because none of them appeared to be likely to produce results and they all would be very harmful and, therefore, not produce results.

Mr. KLEIN. Between 1964 and 1967 when you lost control over the case, in those years, it is your statement that if any drugs were given to him, to get him to tell the truth, you would have known about it, and no such thing happened?

Mr. MURPHY. That is correct.

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Mr. KLEIN. Are you aware that Nosenko was given a lie detector test in 1964, in April?

Mr. MURPHY. Yes, sir.

Mr. KLEIN. Do you know the result of that test?

Mr. MURPHY. It indicated he was lying on several key points.

Mr. KLEIN. Do you have any reason to believe that test was invalid?

Mr. MURPHY. No.

Mr. KLEIN. Are you aware that he was given a second lie detector test in 1966?

Mr. MURPHY. Yes.

Mr. KLEIN. Do you know the result of that test?

Mr. MURPHY. Same thing.

Mr. KLEIN. And do you have any reason to believe that test was invalid?

Mr. MURPHY. No; I believe the operator who gave him the test in 1966 was the same operator who gave him the test in 1964.

Mr. KLEIN. That is correct.

## V. EXCERPTS OF DEPOSITION OF JAMES C. MICHAELS AND ALEKSO POPTANICH, AUGUST 11, 1978, BEFORE THE HOUSE SELECT COMMITTEE ON ASSASSINA- TIONS

### INTRODUCTION

In a further effort to clear up the facts surrounding Nosenko's claims that his statements to the CIA should not be used to impeach his present testimony, the committee took depositions from FBI and CIA agents who were present during the 1964 interviews. These agents were

questioned to determine if Nosenko was drugged, whether he was able to understand the questions, and what was the general atmosphere that prevailed during the interviews. Portions of those depositions follow:

EXCERPTS OF DEPOSITION OF JAMES C. MICHAELS BEFORE THE HOUSE SELECT COMMITTEE ON ASSASSINATIONS, JULY 27, 1978

Mr. KLEIN. Are you an employee of the Central Intelligence Agency?

Mr. MICHAELS. Yes; I am.

Mr. KLEIN. How long have you been employed there?

Mr. MICHAELS. Since January 1956.

Mr. KLEIN. I would like to direct your attention to July of 1964. At that time you were employed by the Central Intelligence Agency?

Mr. MICHAELS. Yes; I was.

Mr. KLEIN. At that time did you have occasion to speak to Yuri Nosenko?

Mr. MICHAELS. Yes; I did.

Mr. KLEIN. What was the nature of the conversations that you had with Mr. Nosenko?

Mr. MICHAELS. I was one of the officers who was assigned to debrief Mr. Nosenko on his career in the KGB.

Mr. KLEIN. How many officers were assigned to the debriefing?

Mr. MICHAELS. At that time it was mostly two of us.

Mr. KLEIN. When did you first begin the debriefing of Mr. Nosenko?

Mr. MICHAELS. I don't know the exact date. That it was in April or May of 1964.

Mr. KLEIN. At the time you began debriefing him was he already in what we would call solitary confinement or hostile interrogations?

Mr. MICHAELS. At that time I would say that he was in confinement. The nature of the talks with him at that time was more debriefings than interrogation. Certainly there was interrogation involved in the debriefing but it was not a hostile interrogation.

Mr. KLEIN. What division were you in at the time you began speaking to Mr. Nosenko? What division of the CIA, that is?

Mr. MICHAELS. I was in what was then called the Soviet Russian Division.

Mr. KLEIN. Who was the Chief of that Division?

Mr. MICHAELS. The Chief of the Division at that time was Mr. David E. Murphy.

Mr. KLEIN. How long had you been in that Division at that time?

Mr. MICHAELS. I had been in that division in headquarters for slightly over 1 year.

Mr. KLEIN. Prior to your interviews with Mr. Nosenko had you debriefed any other KGB defectors?

Mr. MICHAELS. I do not believe that I had debriefed any KGB defectors prior to that time.

Mr. KLEIN. Prior to the interview with Nosenko had you been involved in any investigations of any KGB defectors? Investigations into their bona fides?

Mr. MICHAELS. I don't recall that I was involved in any investigation of KGB defectors. I had been involved in the investigation of one East European officer defector.

Mr. KLEIN. At the time that you began debriefing Mr. Nosenko would it be fair to consider you at that time an expert on the KGB?

Mr. MICHAELS. No; I don't think so.

Mr. KLEIN. At that time when you began debriefing Mr. Nosenko had you read files or done any research in order to increase your knowledge about Lee Harvey Oswald?

Mr. MICHAELS. I cannot specifically recall having read any files pertaining to Lee Harvey Oswald. Certainly I had read and heard a lot about him in the newspapers, television, and radio. I may have had the opportunity to read some previous debriefings of Nosenko concerning Oswald but I am not sure of that.

Mr. KLEIN. Did you at any time read any FBI interviews with Nosenko pertaining to Oswald prior to your interviews with Nosenko?

Mr. MICHAELS. I am not sure. I may have.

\* \* \* \* \*

Mr. KLEIN. Concerning the physical appearance, at any time did he appear to have been beaten when you were debriefing him or during that period?

Mr. MICHAELS. No; I never saw him at any time that he appeared to have been beaten.

Mr. KLEIN. Did he ever complain to you or state to you that he had been physically abused in any manner?

Mr. MICHAELS. To the best of my recollection, no.

Mr. KLEIN. Did he always appear to understand what you would say to him during your sessions with him?

Mr. MICHAELS. Essentially he understood quite well. If he did not understand he would indicate that he had not understood.

Mr. KLEIN. Did he speak coherently during those sessions?

Mr. MICHAELS. Yes; very much so.

Mr. KLEIN. Would it be fair to describe him as cooperative during those sessions.

Mr. MICHAELS. Yes; it would.

Mr. KLEIN. Did he ever appear to be drugged during any of the sessions you had with him?

Mr. MICHAELS. No; he did not.

Mr. KLEIN. Did he ever complain of being drugged?

Mr. MICHAELS. I don't believe he ever complained to me about ever having been drugged.

Mr. KLEIN. Do you have any knowledge of his complaining to anybody else about being drugged?

Mr. MICHAELS. Well, I have heard recent comments.

Mr. KLEIN. I mean at the time did anything occur which led you to believe that he was telling the officials at that point that he was being drugged, back in 1964?

Mr. MICHAELS. My recollection is that he had explained or stated that he thought he was being drugged in some fashion on some occasions but I can't recall that this ever happened as early as the period around July 1964 when I was talking to him about Oswald. It may have been sometime later. But as I say, I have no recollection that he ever raised this directly to me.

Mr. KLEIN. To your knowledge, he never raised it with anybody until after the questioning relating to Oswald in July 1964?

Mr. MICHAELS. I could not say that precisely because I do not recall it precisely.

Mr. KLEIN. To your knowledge, was he drugged at any time while you were speaking to him?

Mr. MICHAELS. No; he was not. Not to my knowledge.

Mr. KLEIN. Did he ever exhibit any what we might call symptoms of being drugged when you were debriefing him?

Mr. MICHAELS. No; he never exhibited any symptoms that I would relate to his having been drugged.

Mr. KLEIN. Do you believe that he was hostile to you while you were debriefing him?

Mr. MICHAELS. To me personally?

Mr. KLEIN. Yes.

Mr. MICHAELS. No; I don't think he was hostile to me.

Mr. KLEIN. Did he always answer questions that you asked him to the best of his ability, so far as you could tell?

Mr. MICHAELS. I don't recall that he ever refused to answer any question. He would certainly, on some occasions, indicate that he had no knowledge of the matter about which I was questioning him, but where he claimed to have knowledge it was his normal practice to answer readily and rather completely.

\* \* \* \* \*

Mr. KLEIN. You have seen two question-and-answer transcripts here today. One dated July 3, 1964, and one dated July 27, 1964. To the best of your recollection, did you have any other question-and-answer sessions with Mr. Nosenko on the subject of Oswald?

Mr. MICHAELS. To the best of my recollection, the report that we looked at of the interview of July 3, 1964, was the first substantive discussion or debriefing that I had with Nosenko concerning Oswald. I recall the instance of the interview of July 27, 1964, which was the subject of the second report we

reviewed. I could not say with certainty that I did not discuss Oswald with Nosenko on other occasions. I do not, however, recall specifically any other detailed or in-depth interviews with him on that topic.

Mr. KLEIN. Would it be fair to say that to the best of your recollection, July 1964, that period of time, was the only time that you discussed Oswald with Nosenko, say July, August, somewhere in that area?

Mr. MICHAELS. That is the only time that I recall this type of detailed discussion with him. It is possible that on future occasions when we were together that I could have been given followup questions, specific questions, to ask him or that mention of Oswald may have come into discussion of some other topic.

Mr. KLEIN. But you have no recollection of any other long debriefing sessions about Oswald?

Mr. MICHAELS. No; I do not.

\* \* \* \* \*

Mr. KLEIN. To your knowledge, was there any followup investigation done based on what Nosenko told you about Oswald?

Mr. MICHAELS. I am not aware of any particular followup investigations that were conducted on the basis of my debriefing of Nosenko on Oswald.

Mr. KLEIN. You stated that Nosenko's physical and mental condition appeared constant throughout your debriefings. To the best of your recollection, would the description that you have given earlier in the statement about his physical and mental conditions hold true for these two July sessions which dealt with the subject of Lee Harvey Oswald?

Mr. MICHAELS. Yes; definitely.

Mr. KLEIN. You do not recall him at any time appearing drugged when he spoke about Oswald?

Mr. MICHAELS. No; not at all.

Mr. KLEIN. To the best of your recollection, he was cooperative and friendly when he spoke about Oswald?

Mr. MICHAELS. He was quite alert and responsive.

Mr. KLEIN. Did Nosenko know that you were from the CIA when you spoke with him?

Mr. MICHAELS. I am sure he did.

EXCERPTS OF DEPOSITION OF ALEKSO POPTANICH BEFORE HOUSE SELECT COMMITTEE ON ASSASSINATIONS, AUGUST 11, 1978

Mr. KLEIN. Are you currently a special agent for the Federal Bureau of Investigation?

Mr. POPTANICH. Yes.

Mr. KLEIN. How long have you worked for the Bureau?

Mr. POPTANICH. About 27 years.

Mr. KLEIN. I would like to draw your attention to 1964. Were you working with the Bureau at that time?

Mr. POPTANICH. That is right.

Mr. KLEIN. And what was your job, the division that you were in at that time?

Mr. POPTANICH. Foreign Counterintelligence, the Soviet area.

Mr. KLEIN. And do you speak fluent Russian?

Mr. POPTANICH. I speak Russian. Fluency is marred to a degree.

Mr. KLEIN. And again, drawing your attention to 1964, did you have occasion, in early 1964, to interview Yuri Nosenko?

Mr. POPTANICH. Yes.

Mr. KLEIN. And do you recall approximately when you first began interviewing Mr. Nosenko?

Mr. POPTANICH. Well, probably it was sometime in February 1964. Probably early February sometime.

Mr. KLEIN. And for how long a period did you interview him?

Mr. POPTANICH. Off the top of my head, a couple of months, that is all.

Mr. KLEIN. Approximately how many times would you say you met with him?

Mr. POPTANICH. Well, I think we went out there, off the top of my head, twice a week. If you figure about 8 weeks, about 16 times, maybe. I can't say that for sure.

Mr. KLEIN. When you say you went out there, what are you referring to?

Mr. POPTANICH. Went to the safe house.

Mr. KLEIN. And at that time that you interviewed him was he under the custody of the Central Intelligence Agency?

Mr. POPTANICH. Yes, custody or control, however you want to put it.

Mr. KLEIN. Did you have a particular team of people who would take part in your interviews?

Mr. POPTANICH. Yes. There was myself, Maurice A. Taylor, and then there was Donald E. Walter, and I think at a later date Walter dropped out and Tom Mendenhal helped out. He is retired. So is Taylor.

Mr. KLEIN. And approximately how long would each session with Nosenko last?

Mr. POPTANICH. I think about 2 hours.

Mr. KLEIN. And were they conducted in English or Russian?

Mr. POPTANICH. That depends. Some were in English, some were in Russian and sometimes portions in English and sometimes portions were in Russian.

Mr. KLEIN. And were you able to fully understand what he was saying during these sessions?

Mr. POPTANICH. Yes. I think that he made sure that I translated. If I had any problems with the translation he made sure I was corrected because he understood enough English and we only interviewed him in Russian when he was irritated, that is, fully.

Mr. KLEIN. And by the same token, was it your belief that he understood everything that you were saying or that anybody from our team was saying?

Mr. POPTANICH. Oh, yes, because if there were any questions about his understanding of English, he would ask me in Russian. There was no question about being misunderstood.

Mr. KLEIN. There was full comprehension on both sides?

Mr. POPTANICH. Right.

Mr. KLEIN. Did there come a time when you spoke to Nosenko about Lee Harvey Oswald?

Mr. POPTANICH. Yes.

Mr. KLEIN. And do you recall approximately when that was?

Mr. POPTANICH. The only way I can recall is by the date of this memo, which is February 28.

Mr. KLEIN. I would ask that these two memos, the first dated February 28, 1964, and signed by Mr. Taylor, Mr. Walter, and Mr. Poptanich; the second dated March 5, 1964, signed by Mr. Poptanich and Mr. Gheesling—I should say, their names are typed on these reports, they are not actually signed. I would ask these be marked for identification.

[The above referred to memos were marked as JFK exhibits 1 and 2 for the record.]

Mr. KLEIN. We have marked these exhibits 1 and 2, August 11, 1978, for this hearing.

Looking at these two reports, sir, do you recognize them?

Mr. POPTANICH. Yes.

Mr. KLEIN. What are they?

Mr. POPTANICH. Well, they are 302's which report our interviews with Nosenko on February 26 and 27, 1964, and March 3, 1964.

Mr. KLEIN. To the best of your knowledge, are those interviews that you had with Nosenko about Oswald?

Mr. POPTANICH. To the best of my knowledge; yes. I would say that we probably went out there and interviewed him on the 26th the first time and then went back on the 27th and got the information which verified it all, and then on March 3, Mary Gheesling, who was at headquarters at the time, got together with me and we went out and reinterviewed him.

\* \* \* \* \*

Mr. KLEIN. Did he ever have an opportunity to see the finished report before you actually made it an official report?

Mr. POPTANICH. I think that he had. In order to eliminate any questions as far as accuracy, I think he saw a lot of stuff. Exactly what he saw or what things we took him, but I think anything of importance was gone over with him and discussed with him time and time again to make sure we had it accurate.

Mr. KLEIN. Is there any doubt in your mind that the two reports you have in front of you, JFK exhibits 1 and 2 of this date, are accurate reports of what Nosenko told you during those interviews?

Mr. POPTANICH. If these are the reports which were taken out of the file, the original copies of the original which we had typed and dictated on these particular dates, as far as I am concerned.

Mr. KLEIN. As you look through them is there any reason for you to believe that those are not accurate copies of your own reports?

Mr. POPTANICH. No.

Mr. KLEIN. Why don't you look through them?

Mr. POPTANICH. I am not going to be able to remember what he told me 14 years ago.

Mr. KLEIN. On their face——

Mr. POPTANICH. On their face they look like they are accurate reproductions of the 302 we used to take and dictate on.

On the 28th this appears to be basically the one. These were apparently taken from the same report. This looks like all the same material.

Mr. KLEIN. The record should reflect that in the last few minutes you have had an opportunity to look through the two reports which are marked for identification.

Mr. POPTANICH. Yes.

Mr. KLEIN. So after having an opportunity to look at those reports they do appear to be your records, and it is your belief that these reports are accurate descriptions of what Nosenko told you about Oswald?

Mr. POPTANICH. Yes.

\* \* \* \* \*

Mr. KLEIN. When you spoke with Nosenko, was there any question in your mind as to whether he might be under some kind of drugs at the time you spoke to him, not self-administered. I am talking about drugs administered, say, by the Central Intelligence Agency in order to get him to tell the truth?

Mr. POPTANICH. No; I couldn't answer that, I don't know.

Mr. KLEIN. Did you see any indication that that was the case?

Mr. POPTANICH. No; he seemed to be himself on all occasions.

\* \* \* \* \*

Mr. KLEIN. Did you have any problems with his statement that the Soviet KGB was essentially uninterested in an American defector who, as it turns out, could have given them information pertaining to his work as a radar operator at an air base from which U-2's took off and landed?

Mr. POPTANICH. Not really. They had a good intelligence network and all his information was dated. It would be probably useless to them except for propaganda purposes. If he is plenty unstable or if he had a problem where they felt they couldn't control him or anything, they probably would never touch him with a 10-foot pole. We wouldn't do it either.

Mr. KLEIN. When you say plenty unstable, you are referring to the fact Nosenko told you they believed Oswald was plenty unstable?

Mr. POPTANICH. Yes, that is my recollection.

Mr. KLEIN. Looking at the top of page 28, on the March 5, 1964 report, just that first paragraph underlined. Is that what you are referring to, the reference there to the fact Nosenko believed he was abnormal and they just weren't interested in him as a result of that?

Mr. POPTANICH. Certainly, if the information he had was dated. A lot of intelligence is dated and of interest today, tomorrow it ain't worth a damn.

Mr. KLEIN. Did you essentially believe from whatever knowledge you had, maybe just your experience as an intelligence officer, what Nosenko had to say about Oswald?

Mr. POPTANICH. I accepted it at face value. He gave it to us. We had no reason to not believe him and I accepted it at face value. If I was predisposed to have my own conclusions and I would say to myself I don't think they would have done this or I think the Soviets would have reacted in a different manner, then I wouldn't believe him, and I think this is the wrong premise to start with when you are interviewing somebody like this. You have to start with the basic premise you accept the information and then you go out and you verify it or disprove it, and that is what we did with almost all the information we got from Nosenko.

Mr. KLEIN. That goes back to my earlier question, were you able in any way to do that with the information about Oswald?

Mr. POPTANICH. I didn't work on Oswald, after this was it, I had nothing to do any more with Oswald information as far as I recollect.

Mr. KLEIN. These reports are quite detailed. Nosenko gives names of other officers and there is a lot of information in here about Oswald. Is it your recollection that Nosenko had a good memory of the entire Oswald case at the time you spoke to him?

Mr. POPTANICH. Well, I think all these guys who come out have good memories, such as yours when you leave this job here you will remember a lot of these things for years to come because you are deeply involved in daily events and these things become ingrained to you. I think this is the same thing with these intelligence officers. They come over here and they talk to us and they have excellent memories, especially those who were predisposed to defect and they build a memory because they want to remember these things.

Now, in Nosenko's case, if he worked with it, I am sure he would remember it, or anybody had talked to him about it, because it was that important, because these intelligence officers sit around and they discuss these things and discuss them over drinks and get half drunk, and that is where you get a lot of your information.

Mr. KLEIN. Along that line, do you recollect that he did have a very good memory of the facts in these reports?

Mr. POPTANICH. Well, I think he had a good memory, yes. He had a good memory on a lot of things.

## VI. LETTERS OF CENTRAL INTELLIGENCE AGENCY OF SEPTEMBER 1, 1978, AND FEDERAL BUREAU OF INVESTIGATION OF JANUARY 8, 1979

### INTRODUCTION

In an effort to resolve questions that remained on the official positions of the Central Intelligence Agency and the Federal Bureau of Investigation on Nosenko and the nature of the investigations into the Oswald aspect of the Nosenko case, the committee submitted questions to both the CIA and the FBI. The questions and the answers follows:

LETTER OF CENTRAL INTELLIGENCE AGENCY OF SEPTEMBER 1, 1978

THE DIRECTOR OF CENTRAL INTELLIGENCE

WASHINGTON, D. C. 20505

Office of Legislative Counsel

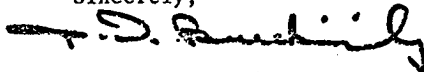
1 September 1978

Mr. G. Robert Blakey  
Chief Counsel & Director  
House Select Committee on Assassinations  
Washington, D.C. 20505

Dear Mr. Blakey:

Forwarded herewith are answers to the interrogatories received at close of business on 28 August 1978.

Sincerely,



S.D. Breckinridge  
Principal Coordinator, HSCA

Attachment

-JFK EXHIBIT F-537-



## Question #1

Enumerate the name of any drug given to Nosenko and the date it was administered -- including those given for "therapeutic" purposes -- from January 1964 to 1968.

<u>Drug</u>	<u>Date Administered</u>
Zactrin	August 24, 25, 1965
Tetracycline	August 24 thru 29, 1965
Thorazine	August 30, 1965
Donnatal	August 30, 31, 1965
Donnatal	September 27, 1965
Tetracycline	December 17, 1965
Tetracycline	May 31 thru June 6, 1967
Antihistamine	September 26, 1967
Cough Syrup	September 26, 1967

## Question #2

Describe in detail Nosenko's living conditions from April 4, 1964 through 1968. The description should include, but not be limited to the following:

- a. where he lived
- b. the degree to which his movements were restricted
- c. his contact with other people
- d. his access to radio, television and reading materials such as newspapers and books
- e. the degree to which his actions were "observed"
- f. restrictions with regard to his food intake

## Answer:

Nosenko was confined at a secure location in the Washington Metropolitan area from 4 April 1964-13 August 1965. From 14 August 1965-27 October 1967, he was confined at an installation on U.S. Government property outside the Washington area. From 28 October 1967-December 1968, Nosenko lived at three secure locations in the Washington Metropolitan area. His movement was completely restricted from April 1964-October 1967. From October 1967-December 1968, particularly after December 1967, there was a gradual relaxation in the control of Nosenko, although during this period he did not have freedom of movement. By the latter

part of December 1968, controls had been relaxed to the point that he was accompanied to restaurants, movie theaters, and other public locations. His contact with other people was limited to Agency personnel only from April 1964-December 1968.

Nosenko did not have access to TV, radio or newspapers from April 1964-October 1967. He was provided with a limited number of books to read from April 1964-November 1965 and from May 1967-October 1967. His reading privileges were suspended from November 1965-May 1967. From October 1967-December 1968, he was provided with an increasing quantity of books and other reading materials. Materials were screened to preclude exposure to current events until mid-1968. In August 1968, Nosenko was given a TV set.

Nosenko was under constant visual observation from April 1964-October 1967. Commencing in October 1967, though Nosenko remained in protective custody, actual visual observation was relaxed. From April 1964-October 1967, Nosenko received a regular diet of three meals a day. Periodically, during this time, his diet was modified to the extent that his portions of food were modest and restricted. After October 1967, Nosenko received a regular diet. From April 1964-October 1967, he was under regular medical observation.

## Question #3

Define Nosenko's present and past employment arrangements with the Central Intelligence Agency. Include:

- a. the dates and nature of his employment
- b. the services rendered by Nosenko
- c. itemized accounting of all compensation received by Nosenko
- d. an account of the roles of Richard Helms and John McCone in authorizing Nosenko's employment and compensation arrangements with the CIA.

Prior to Nosenko's defection on 4 February 1964, he was promised \$50,000 for previous cooperation, \$10,000 for his identification, in 1962, of a particular espionage agent, and \$25,000 a year compensation for future services. Mr. Richard Helms approved the foregoing on 17 February 1964. Although no effort was made to fulfill the promise until some five years after Nosenko's defection, the original promise formed the basis for the eventual employment arrangement and other monetary remunerations.

Following acceptance of Nosenko's bona fides in late 1968, Mr. Helms approved an arrangement which resulted in Nosenko's employment as an independent contractor effective 1 March 1969. This first contract called for him to be compensated at a rate of \$16,500 a year. As of 1978, he is receiving \$35,327 a year (see attached annual compensation table for years 1969-1978).

In addition to regular, yearly compensation, Nosenko was paid for the years 1964-1969 in November 1972, in the amount of \$25,000 a year less income tax. The total amount paid was \$87,052. He also received, in varying increments from March 1964-July 1973, amounts totalling \$50,000 to aid in his resettlement on the private economy (see attached table for breakdown). The total resettlement figure, in effect, satisfied that portion of the above 1964 promise to pay Nosenko \$50,000 for previous cooperation.

In 197<sup>6</sup>~~7~~A Nosenko was paid \$10,000 to satisfy that part of the above promise relating to his identification of an espionage agent. Further, he was compensated in the amount of \$28,500, representing the difference between the \$25,000 a year promised and the actual amount paid to him during the period 1 March 1969-1 March 1975.

Since 1969, the Agency has contributed to Nosenko's hospitalization insurance premiums. The Agency has also compensated him for certain unusual medical and dental expenses.

To date, Nosenko continues to work as an independent contractor, with the compensation provision being periodically amended. His work for the Agency includes consultation with both the Agency and the FBI on certain matters of current interest concerning Soviet intelligence activities and personnel

both in the U.S. and abroad. From time to time he is also consulted by various elements of the Agency on current Soviet developments and requirements. He has been and continues to be used as a regular lecturer at counterintelligence courses of the Agency, the FBI, Air Force OSI, and others.

Our records do not show that Mr. John McCone played any role in authorizing Nosenko's employment and compensation arrangements with the CIA.

## ANNUAL COMPENSATION TABLE

Effective 1 March 1969	-	\$16,500 a year
Effective 1 March 1970	-	\$18,500 a year
Effective 1 March 1971	-	\$19,500 a year
Effective 1 March 1972	-	\$21,000 a year
Effective 1 March 1973	-	\$22,250 a year
Effective 1 March 1974	-	\$23,750 a year
Effective 1 March 1975	-	\$25,250 a year
Effective 1 March 1976	-	\$26,513 a year
Effective 1 October 1976	-	\$28,103 a year
Effective 1 March 1977	-	\$33,000 a year
Effective 9 October 1977	-	\$35,327 a year
1978	-	\$35,327 a year

## RESETTLEMENT FEE TABLE

March 1964	-	\$2,000
April-May 1969	-	\$8,000 (furniture and auto)
June 1970	-	\$25,000 (\$20,000 for down payment on house; \$5,000 for additional furniture, moving expenses, and other costs incidental to the purchase of new home)
July 1973	-	\$15,000 (balance of resettlement figure promised)

4. On what dates and for how long was Nosenko questioned by the CIA about Lee Harvey Oswald--from 1964 to present?

Mr. Nosenko was questioned by CIA about Lee Harvey Oswald on 23 January 1964 and 30 January 1964 in Geneva and on 3 July 1964, 27 July 1964 and 29 July 1964 in the Washington area. The first four debriefings comprised the entire working sessions on the respective days; the fifth debriefing occupied the better part of the day, but not the whole day. In addition, Mr. Nosenko was further debriefed on 3 and 6 January 1968.

5. When Nosenko was questioned by the CIA about Lee Harvey Oswald, who did the questioning?

Mr. Nosenko was questioned about Lee Harvey Oswald by CIA staff officers with broad experience in Soviet counterintelligence matters, in general, and the KGB, in particular.

6. What background, if any, did the interrogator have in interrogations? What knowledge did the interrogator have with respect to Oswald's background?

CIA does not have a separate professional category of interrogator, although it does have activities in which interrogation techniques are employed. CIA operations officers are experienced in questioning and debriefing intelligence sources, and the personnel involved in this questioning were intelligence officers with a background in Soviet and counterintelligence affairs.



7. On the dates that Nosenko was questioned about Oswald does there now exist or did there ever exist:

- a. a tape of the questions asked and Nosenko's answers,
- b. a transcript of the questions asked and Nosenko's answers,
- c. a summary of the questions asked and Nosenko's answers?

a. All five debriefings of Mr. Nosenko, concerning Lee Harvey Oswald, were taped. These tapes were furnished HSCA representatives on 9 and 12 June 1978.

b. We have been able to locate only a few documents that may be described as transcripts. There are, however, detailed memoranda of the debriefings.

c. Summaries of the questions and answers were made and retained.

8. What criteria, if any, was used to determine:

- a. what subjects to question Nosenko about
- b. how much time to devote to each subject

a. The subjects of the questions that were put to Mr. Nosenko were based on the needs and requirements of the intelligence community at that time.

b. Enough time was devoted to the debriefing so that each subject was adequately covered.

9. What significance -- with respect to possible foreign involvement in the assassination as well as to the issue of Nosenko's bona fides-- did the CIA attach during the years 1964-1968 to Nosenko's statements about Oswald?

Of course, Mr. Nosenko's status as a bona fide defector related to the credibility of what he said. And this would bear on the credibility of what he said about Oswald. Whether he was a bona fide defector was the subject of serious reservations during the Warren Commission inquiry. His statements to the effect that Oswald was not a KGB agent were reported by Mr. Helms to Chief Justice Warren, but with the caveat that his bona fides not only had not been established but were suspect. It is our understanding that the Warren Commission decided, on the basis of the stated reservations, not to factor Mr. Nosenko's information into its findings.

CIA did question Mr. Nosenko at great length over an extended period of time. It was unable to resolve satisfactorily the question of his bona fides until well after the Warren Commission had completed its work. From the beginning, it was obvious that if Mr. Nosenko was telling the truth, what he stated about Oswald and the KGB tended to negate the likelihood of Oswald being involved with the USSR, as a KGB agent, in the assassination of President Kennedy. Because of the doubts entertained by CIA about Mr. Nosenko, this information was not acceptable for use in that respect by the Warren Commission.

10. What significance -- with respect to possible foreign involvement in the assassination as well as to the issue of Nosenko's bonafides -- does the CIA attach today to Nosenko's statements about Oswald?

With the acceptance of Mr. Nosenko's bona fides, we believe that the statements he made about Oswald were made in good faith.

11. If the answer to question 9 is different from the response to question 10, when did the change occur and why?

This question is not applicable to the preceding questions and answers.

12. What was the CIA's position from 1964 to 1968 on the question of whether Nosenko is bonafide?

13. What is the CIA's position today on the question of whether Nosenko is bonafide?

The point is that CIA, per se, did not reach an agreed position on Mr. Nosenko until late 1968. Various persons within CIA entertained serious doubts about his bona fides, believing in fact that he was a dispatched agent. Had the Agency, as distinguished from those employees, so concluded he could simply have been turned back. The final conclusion was that he is a bona fide defector, a judgment that has been reinforced convincingly by 14 years accumulated evidence.

14. If the answer to question 12 is different from the response to question 13, when did the change occur and why?

This question is not applicable to the preceding questions and answers.

15. What was the CIA's position from 1964 to 1968 on whether Nosenko was telling the truth in the statement he made to the CIA about Oswald?

See answers to questions 9, 10, 12 and 13.

16. What is the CIA's position today as to whether Nosenko was telling the truth in the statements he made to the CIA about Oswald?

See answer to question 10.

17. If the answer to question 15 is different from the response to question 16, when did the change occur and why?

See previous answers.

Question #18

Why were three polygraph tests given to Nosenko?

Answer:

All of the polygraph examinations of Mr. Nosenko had the same ultimate purpose, i.e., to contribute to the resolution of the question of his bona fides.

## Question #19

What is the CIA's position with regard to the validity of each of the three polygraph tests administered to Nosenko?

## Answer:

The Agency's position in regard to each test is as follows:

Test #1 (April 1964) - This test is regarded as invalid or inconclusive due to the instructions given to the polygraph operator prior to the test. According to the report the examiner was instructed, "that the polygraph interview was part of an overall plan to help break (Nosenko) . . . regardless of whether (Nosenko) passed his polygraph test or not, he was to be informed at the termination of his polygraph interview he was lying, and had not passed his polygraph interview."

Test #2 (October 1966) - This test is considered invalid or inconclusive because the conditions and circumstances under which it was administered are considered to have precluded an accurate appraisal of the results.

Test #3 (August 1968) - This test is considered to be a valid test.

## Question #20

Why was Nosenko asked numerous questions pertaining to Oswald on his 1966 polygraph test and only asked two questions about Oswald on his 1968 test?

## Answer:

The primary purpose of the 1968 polygraph test was to assist in the resolution of the issue of Nosenko's bona fides. Although the 1968 test included only two questions explicitly relating to Oswald, it also included other questions aimed at determining whether or not Nosenko had any secret mission from the KGB, or whether anyone in the KGB was aware of his intention to defect. If Nosenko was not a dispatched agent, he was a bona fide defector. If he was a bona fide defector, he did not have the mission of concealing some connection between Oswald and the KGB. In point of fact, establishment of his bona fides served to reinforce what he had to say about Oswald--even if some of his beliefs may have not been precise in all respects.

## Question #21

Who authorized Bruce Solie to reinvestigate Nosenko's bona fides?

## Question #22

Why was Nosenko's bona fides reinvestigated in 1968?

It is incorrect to say that Nosenko's bona fides were reinvestigated in 1968. As of 1967 the Agency had not adopted an official position on this question and his bona fides were still under review, as they had been since 1962. In 1967, the DCI, Richard Helms, authorized an independent review of the question of Nosenko's bona fides in an effort to resolve this longstanding issue and selected Bruce Solie to be the officer responsible for this independent review.

23. Did either the FBI or the CIA have primary responsibility for investigating Nosenko's statements about Oswald? If neither had primary responsibility, was there any division of responsibility?

While the FBI had primary responsibility for investigations into the assassination of President Kennedy, the traditional division of responsibilities would apply without additional formal arrangements. CIA had primary responsibility for establishment of Mr. Nosenko's bona fides as a defector, and for the investigation of foreign intelligence and counter-intelligence matters abroad. The FBI was responsible for the investigation of domestic intelligence and counterintelligence matters and those matters relating to internal security and law enforcement.

Neither agency had the capability for conducting investigations in the USSR, by way of checking Mr. Nosenko's statements. He could be questioned -- as he was by representatives of both organizations.



24. What communication, if any, existed between the FBI and CIA with respect to evaluating and/or investigating Nosenko's statements about Oswald?

a. A review of CIA's Nosenko/Oswald file reveals that on 6 March 1964 the FBI Director sent a memorandum to the Director of Central Intelligence in which the former requested that the "Bureau be furnished any information in your possession which would tend to corroborate or disprove Mr. Nosenko's information concerning Lee Harvey Oswald". Attached to the FBI memorandum were copies of two memoranda, one dated 23 February 1964 and the other dated 4 March 1964. Both memoranda were captioned "Lee Harvey Oswald."

b. On 28 April 1964, the Agency responded by CI dissemination CSCI-3/780,996 to the Bureau's request. According to this dissemination, Agency files "contain the following information from Mr. Nosenko on Oswald which may amplify or contradict the information forwarded in reference."

c. A copy of CSCI-3/780,996 is attached. This document appears to be the only one between CIA and the FBI dealing with the evaluation and investigation of the validity of Mr. Nosenko's statements on Lee Harvey Oswald. (A copy of CSCI-3/780,996 was released as document number 498 in response to a request submitted to the Agency under the Freedom of Information Act.)

28 April 1964

MEMORANDUM FOR: Director  
Federal Bureau of Investigation

SUBJECT: Yuri Ivanovich NOSENKO, Espionage-Russia

1. Reference is made to your memorandum dated 6 March 1964, subject as above, file (S) 65-68530, in which you requested information which would tend to corroborate or disprove NOSENKO's information concerning Lee Harvey OSWALD. Our files contain the following information from NOSENKO on OSWALD which may amplify or contradict the information forwarded in reference;

a. (1) Source was queried on the OSWALD affair on 25 January 1964. Source reported that his own Department was involved directly with OSWALD because OSWALD came to the USSR as a tourist in 1959. He had not come to special Soviet attention in any way until Source's Department received a report that OSWALD had asked to become a Soviet citizen. It was implied that Source himself examined OSWALD's request. The KGB decided to look into OSWALD's case to see if there was any operational interest, which part of the KGB might have use for him and what was behind the request. It was decided that OSWALD was of no interest whatsoever so the KGB recommended that he merely go home to the U.S. as a returning tourist and there go through the formalities with the Soviet Embassy of requesting to become a Soviet citizen. OSWALD then made the dramatic gesture of suicide when he received this response. He had been supposed to go on a trip with other tourists but failed to show up for the group. At his hotel it was found that his key had not been turned in at the desk, so it was presumed that he was still in his room. The Soviets sent to the room, knocked and got no answer so finally they broke the door down and found OSWALD lying there bleeding to death. Source himself was not present at this phase of the operation but merely read a report of it.

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(2) Now worried about the possibility that OSWALD would do this again if refused asylum, the Soviets decided to give him a temporary residence permit although they had no intention of giving him Soviet citizenship. We asked why he had been sent to Minsk and Source replied that this was merely by chance. They had not wanted OSWALD to stay in Moscow and Minsk was chosen arbitrarily.

(3) Asked about Marina OSWALD, Source said that she was not a confirmed Communist and had been thrown out of the Komosomol for not paying her dues. She had no higher thoughts than to live a good life, have better dresses and such things. She was a stupid woman and had no interest in improving herself. "From the Soviet point of view she already had anti-Soviet characteristics. She was not too smart any way and not an educated person."

(4) Finally OSWALD got tired of living in Minsk and wanted to go back to the U.S. He had married Marina and wanted to take her with him. The Soviets decided to let them go and used Marina's uncle to talk to them and persuade OSWALD not to spread anti-Soviet propaganda after his departure. The uncle pointed out that the Soviet Government had allowed OSWALD to live here, that he had married here and the Government was going to let his wife leave with him, etc.

(5) Asked why the Government had allowed Marina to leave, Source replied that this was perfectly natural. She was legally married and expressed her desire to leave with her husband. Under Soviet law there is no question but what she would be allowed to leave.

(6) The thrust of Source's account was that neither OSWALD nor his wife had at any time been of any interest whatsoever to Soviet authorities, that there had not ever been thought given to recruiting either of them as agents and that, in fact, the Soviets were glad to get rid of them both.

b. (1) During an interview on 30 January 1964, Source commented that "doctors examined (OSWALD)," and "there were no indications that he was completely a psycho." During an ensuing discussion of the possible involvement of the Soviet government in the assassination of President Kennedy, Source stated, "No matter how I may hate anyone, but I cannot speak against my convictions and since I know this case I could unhesitatingly sign off to the fact that the Soviet Union cannot be tied into this (assassination) in any way." He continued that the KGB was frightened of

- 3 -

OSWALD, and would not have discussed such a matter with him. When the possibility of recruiting OSWALD was brought up, the decision was "absolutely not." The only involvement permitted was to arrange for Marina PRUSAKOVA's uncle in the ~~USSR~~ (Col. Ilya PRUSAKOV) to ask OSWALD not to spread anti-Soviet propaganda in the US in view of the fact that he had been allowed to stay in the USSR and was being allowed to leave. Source commented that he was aware that the KGB had no subsequent interest in OSWALD because after the assassination of the President, Source had to make a complete investigation and even sent several KGB staff personnel to Minsk to investigate on the spot, "not trusting official papers."

(2) When speaking of OSWALD's request to return to the USSR, Source remarked that OSWALD "went to Mexico to apply for permission to go to the USSR. Our people asked Moscow and we said absolutely not because he is completely undesirable -- there was no interest in him whatsoever."

(3) Asked his opinion on Cuban involvement in the assassination, Source stated that he had no information on this subject, but he did not believe that the Cuban government was involved. He gave as a reason that if any word of such involvement had leaked out, Cuba would have been crushed by the US.

2. This agency has no information which would specifically corroborate or disprove NOSENKO's statements regarding Lee Harvey OSWALD.

3. The information in paragraph 1.a. above is based on notes taken during the first half of the first meeting with NOSENKO on 23 January 1964. The early portion of the tapes of this meeting could not be recovered because of the level of external noise. The information in paragraph 1.b. is taken from transcripts of subsequent meetings. In addition, just after his defection NOSENKO discussed the OSWALD case on several occasions without adding anything to the information contained in your Bureau's 4 March 1964 report.

FOR THE DEPUTY DIRECTOR FOR PLANS:

(signed: James Angleton)

JAMES ANGLETON

LETTER OF FEDERAL BUREAU OF INVESTIGATION OF JANUARY 8, 1978

OFFICE OF THE DIRECTOR



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

JFK  
GB  
1-18-78

014401

January 8, 1979

HOUSE SELECT COMMITTEE ON ASSASSINATIONS  
U. S. HOUSE OF REPRESENTATIVES (HSCA)

This responds in full to a December 18, 1978, letter to the Attorney General signed by G. Robert Blakey, Chief Counsel and Director, HSCA, which asked that the FBI declassify, in toto, a Secret, September 14, 1978, response made to 16 interrogatories pertaining to Yuri Ivanovich Nosenko which were propounded by the Committee in its letter of September 5, 1978.

Declassification of the September 14, 1978, response required coordination with the Office of Legislative Counsel, CIA, which interposed no objection to declassifying certain portions of that response.

The Committee's attention is invited to the fact that CIA did suggest, with regard to the response to interrogatory number "8", that the FBI "... may wish to correct the dates on which the FBI did not have direct access to Mr. Nosenko, to read 3 April 1964 until 8 December 1968."

For the convenience of the Committee, the following declassified, verbatim reiteration of the September 14, 1978, response is provided.

House Select Committee on Assassinations  
U. S. House of Representatives (HSCA)

This responds in full to the following enumerated interrogatories submitted for consideration in a letter, dated September 5, 1978, to the Attorney General and signed by G. Robert Blakey, Chief Counsel and Director, HSCA.

"1. On what dates and for how long was Nosenko questioned by the FBI about Lee Harvey Oswald—from 1964 to present?"

The files of the FBI indicate that Yuri Ivanovich Nosenko was interviewed regarding Oswald and/or the assassination of President John F. Kennedy on February 26 and 27, 1964, and on March 3, 4 and 6, 1964. The FBI files do not record the specific duration in whole or in part as to topical discussions, of those five interviews; however, summary communications indicate the February 27, 1964 interview was conducted on the afternoon of that date and the March 4, 1964 discussion of Oswald occurred at the outset of an afternoon interview on that date.

"2. When Nosenko was questioned by the FBI about Lee Harvey Oswald, who did the questioning?"

The FBI interviews of Nosenko, during which he was questioned about Oswald and/or the assassination of President Kennedy, were conducted by Special Agents (SAs) Alekso Poptanich, Maurice A. Taylor and Donald B. Walter on February 26 and 27, 1964; by SAs Poptanich and W. Marvin Gheesling on March 3 and 4, 1964; and by SAs Poptanich, Taylor and Walter on March 6, 1964.

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"3. What background, if any, did the interrogator have in interrogations? What knowledge did the interrogator have with respect to Oswald's background?"

There are no retrievable FBI statistics upon which to base a quantification of the interrogatory experiences of the SA personnel who interviewed Nosenko on the five pertinent occasions. Suffice it to say, the techniques of cooperative and hostile interrogations are integral aspects of the training and almost daily duties of SA personnel. In that regard, it is noted that during the February and March, 1964 interviews SA Poptanich had almost 13 years of SA experience; SA Taylor had over 31 years of SA experience; SA Walter had completed almost 17 years of SA experience; and SA Gheesling had over 13 years of SA experience. Further, their respective personnel files disclose the following:

SA Poptanich was then fluent in the Russian language (Nosenko's native tongue). The Annual Report of Performance Rating, dated March 31, 1962, noted that SA Poptanich, during the previous twelve months, had participated in the interrogation of a Soviet defector and his knowledge of the Russian language and mores of the Russian people proved most helpful relative thereto.

SA Taylor, on September 11, 1962, received an incentive award in recognition of the superior fashion his responsibilities were discharged over an extended period of time. The Special Agent in Charge (SAC) of the Washington Field Office, in submitting a recommendation for the incentive award, commented that SA Taylor had demonstrated exceptional ability in the interrogation and debriefing of three Soviet defectors, all of whom were intelligence officers. SA Taylor's Performance Rating for the period April 1, 1963--March 31, 1964, noted he was recognized as the finest interrogator on the Soviet espionage squad in the Washington Field Office, which accounted for his assignments to interview Soviet defectors.

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U. S. House of Representatives (HSCA)

SA Walter was the recipient of a personal letter of commendation, dated October 3, 1963, from the Director, FBI, for his superior work in the handling of a very sensitive, complicated, fast moving, and highly publicized espionage case. Previously (on November 7, 1954), he had received a meritorious salary increase for his outstanding work on another espionage case, successful interrogation being the key aspect of that investigation.

SA Gheesling, at the time of the pertinent Nosenko interviews, served as a Supervisor at FBI Headquarters and had considerable experience in espionage, intelligence and counterintelligence investigations. SA Gheesling supervised the field investigation of Oswald (from the latter's return to the United States on June 13, 1962 until September, 1962, and from November 22, 1963 through mid-1964). He was assigned exclusively to supervisory responsibilities relative to the assassination of President Kennedy.

While the specific knowledge of Oswald's background, possessed by these SAs at the time of the Nosenko interviews, can be answered only by the SAs themselves, SA Gheesling's prior assignment to supervision of the Oswald investigation would tend to indicate that he, at least, was quite knowledgeable of data contained in FBI files concerning Oswald.

- "4. On the dates that Nosenko was questioned about Oswald, does there now exist or did there ever exist:
- a. a tape of the questions asked and Nosenko's answers;
  - b. a transcript of the questions asked and Nosenko's answers;
  - c. a summary of the questions asked and Nosenko's answers?"

As noted in FBI memorandum dated June 19, 1978, captioned as above, and which was prepared in response to HSCA letter, dated June 13, 1978, to the Attorney General, FBI records searches have not located any extant tape recordings



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or verbatim transcripts of FBI interviews with Nosenko that concerned Oswald and/or the assassination of President Kennedy. A document has been located which indicates that FBI personnel did record the February 26 and 27, 1964, interviews of Nosenko, among others. Since no recordings or transcripts have been located, it can be assumed that the recordings were used by the interviewing SAs to check the accuracy of their notes prior to dictating the results of the interviews. It is further assumed that, upon verifying the accuracy of summary reportings of the interviews, the recordings were disposed of since they had served the purpose for which they were made, although no record of such disposition can be found. Summary reportings of the five pertinent interviews are extant, and were delivered to the HSCA on March 21, 1978.

- "5. What criteria, if any, was used to determine:  
a. what subjects to question Nosenko about;  
b. how much time to devote to each subject?"

FBI files do not contain a specific enumeration of criteria used to determine the particular subjects Nosenko was to be questioned about nor the amount of time to be devoted to each subject in the questioning.

- "6. What significance — with respect to possible foreign involvement in the assassination as well as to the issue of Nosenko's bonafides (sic)—did the FBI attach during the years 1964-1968 to Nosenko's statements about Oswald?"

The FBI, during the years 1964-1968, considered Nosenko's statements about Oswald to be very significant elements of his initial reportings, the veracity of which had to be assessed in relation to the totality of information furnished by him. The FBI perceived Nosenko's statements about Oswald, depending upon a subsequent, definitive resolution of Nosenko's bona fides, to be the most authoritative information available indicative of a lack of Soviet governmental involvement in the assassination of President Kennedy.

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"7. What significance — with respect to possible foreign involvement in the assassination as well as to the issue of Nosenko's bonafides (sic)—does the FBI attach today to Nosenko's statements about Oswald?"

The FBI does not perceive any significant evidence of foreign involvement in the assassination of President Kennedy, nor does the FBI perceive any credible evidence that Nosenko's defection was a Soviet ploy to mask Soviet governmental involvement in the assassination. Therefore, the FBI is satisfied that Nosenko reported the facts about Oswald as he knew them.

"8. If the answer to question 6 is different from the response to question 7, when did the change occur and why?"

The FBI had no direct access to Nosenko from April 3, 1964 until April 3, 1969, and therefore was not in a position to make an objective assessment of his bona fides nor of the veracity of information furnished by him. Thus, information provided by him, in early 1964, was accepted at face value and qualified in terms of the source and the conditions under which it was received. On October 1, 1968, the FBI advised the Central Intelligence Agency (CIA) that, based upon a review of material provided by CIA, the FBI found no substantial basis to conclude that Nosenko was not a bona fide defector; however, the FBI did not reach any overall, definitive conclusions regarding his bona fides because of a lack of access to Nosenko and all collateral information pertinent to such an assessment. Effective May 11, 1977, the CIA and FBI concurred that Nosenko was a bona fide defector, based upon an assessment of the totality of information furnished by him.

"9. What was the FBI's position from 1964 to 1968 on the question of whether Nosenko is bonafide (sic)?"

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The FBI, from 1964 to 1968, characterized Nosenko as a Soviet defector whose bona fides had not been established.

"10. What is the FBI's position today on the question of whether Nosenko is bonafide (sic)?"

The FBI currently characterizes Nosenko as a former Soviet Committee for State Security (KGB) officer who has furnished reliable information in the past, and considers Nosenko to be a bona fide Soviet defector.

"11. If the answer to question 9 is different from the response to question 10, when did the change occur and why?"

The answer to question 8 is considered responsive to question 11.

"12. What was the FBI's position from 1964 to 1968 on whether Nosenko was telling the truth in the statements he made to the FBI about Oswald?"

The FBI did not take a position, from 1964 to 1968, on whether Nosenko was telling the truth in the statements he made to the FBI about Oswald. The statements were accepted at face value and qualified in terms of the source and the conditions under which they were received.

"13. What is the FBI's position today as to whether Nosenko was telling the truth in the statements he made to the FBI about Oswald?"

The FBI is satisfied that Nosenko truthfully reported the facts about Oswald as he knew them.

"14. If the answer to question 12 is different from the response to question 13, when did the change occur and why?"

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As indicated in the responses to questions 7 and 8, the FBI, as of October 1, 1968, found no substantial basis to conclude Nosenko was not a bona fide defector; as of May 11, 1977, accepted a CIA assessment that Nosenko was a bona fide defector; and has not perceived any significant evidence, from 1964 to date, that Nosenko reported other than the facts about Oswald as he knew them.

"15. Did either the FBI or the CIA have primary responsibility for investigating Nosenko's statements about Oswald? If neither had primary responsibility, was there any division of responsibility?"

The FBI had primary responsibility for investigating Nosenko's statements about Oswald that pertained to his (Oswald's) activities in the United States, including the assassination of President Kennedy. The CIA had primary responsibility for investigating Nosenko's statements about Oswald's activities abroad.

"16. What communication, if any, existed between the FBI and CIA with respect to evaluating and/or investigating Nosenko's statements about Oswald?"

The FBI forwarded a letter, dated March 6, 1964, from the Director, FBI, to the Director, CIA, enclosing memoranda dated February 28, 1964, and March 4, 1964, captioned "Lee Harvey Oswald," which summarized the results of FBI interviews of Nosenko regarding Oswald on February 26 and 27, 1964, and March 3 and 4, 1964. The results of a CIA interview of Nosenko on January 23, 1964, regarding Oswald were furnished to the FBI in a letter from the CIA dated April 28, 1964. These particular pieces of correspondence, while not setting forth any specific requests or investigative leads, were furnished for purposes of evaluation.

Where information is not provided, it is either not retrievable from FBI Headquarters files or is not being furnished pursuant to the Memorandum of Understanding.

## VII. TESTIMONY OF THE DEPUTY CHIEF, S.B. DIVISION BEFORE THE HOUSE SELECT COMMITTEE ON ASSAS- SINATIONS, NOVEMBER 16, 1978

### INTRODUCTION

At the committee's public hearings, two former officials of the CIA were questioned about the Agency's handling of the Nosenko matter. One, former CIA Director Richard Helms, was also questioned by the committee in an executive session. Helms was a particularly significant witness because he was involved in most of the important decisions made with regard to Nosenko. Basically, Helms testified before the committee that the investigation of what Nosenko said about Oswald was a thankless job, that the CIA did its best to resolve the issue and that, as far as he is concerned, the issue remains unresolved.

The other former CIA official to appear was Mr. John Hart. Hart, the author of a 1976 internal CIA report on the Nosenko controversy and its effects on the CIA, appeared as a result of the committee's invitation to the CIA to send a representative to respond to the committee's staff report. A copy of the staff report had been provided to the Agency prior to the date of the hearings. Mr. Hart spoke for 1½ hours, during which he hardly ever mentioned Lee Harvey Oswald. When asked by the committee to respond to the staff report, he responded that he had nothing to say on the subject, since he was not competent in that area. On further questioning, he did state that the CIA "failed miserably" in its investigation of Nosenko and in its duty to determine Nosenko's credibility with respect to Oswald. He also told the committee that he personally would advise the committee to ignore anything that Nosenko told the committee about Oswald, although he stressed that there was no bad faith on Nosenko's part.

In response to Mr. Hart's testimony, a former official of the CIA who had been in a supervisory position during the Nosenko investigation wrote a letter to the committee and then appeared before the committee in executive session. This official disputed Mr. Hart's evaluation of the CIA's investigation of Nosenko and asserted that the CIA did a competent job.



## EXECUTIVE SESSION

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THURSDAY, NOVEMBER 16, 1978

HOUSE OF REPRESENTATIVES,  
SELECT COMMITTEE ON ASSASSINATIONS,  
SUBCOMMITTEE ON ASSASSINATION OF JOHN F. KENNEDY,  
*Washington, D.C.*

The subcommittee met, pursuant to notice, at 10:20 a.m. in room 2359, Rayburn House Office Building, Hon. Richardson Preyer [chairman of the subcommittee] presiding.

Present: Representatives Preyer, Dodd, Fithian, and Thone.

Mr. PREYER. A quorum being present, the committee will come to order. The clerk, Ms. Berning, is asked to call the names of those authorized to sit on this committee.

Ms. BERNING. You, Mr. Chairman; Mrs. Burke; Mr. Thone; Mr. Dodd; and Mr. Fithian will be substituting for Mr. Sawyer.

Mr. PREYER. Thank you.

At this time the Chair will entertain a motion to close the meeting.

Mr. DODD. I would so move, Mr. Chairman.

Mr. PREYER. You have heard the motion. All those in favor will answer to the rollcall.

Ms. BERNING. Mr. Preyer.

Mr. PREYER. Aye.

Ms. BERNING. Mr. Thone.

[No response.]

Ms. BERNING. Mrs. Burke.

[No response.]

Ms. BERNING. Mr. Dodd.

Mr. DODD. Aye.

Ms. BERNING. Mr. Fithian.

Mr. FITHIAN. Aye.

Ms. BERNING. Three ayes, Mr. Chairman.

Mr. PREYER. Our witness today, the Deputy Chief, S.B. Division, Mr. D. C., served as the deputy chief of the Soviet Bloc Division of the CIA in 1962, at the time of Mr. Nosenko's first contact with the agency in Geneva, Switzerland, and since that time, has assisted in further interrogations of Mr. Nosenko.

I understand you have a prepared statement that you propose to read to the committee and that statement includes a letter dated October 11, 1978, to Mr. Blakey, the chief counsel of the committee. Is it correct that you would like that letter to be made a part of the record?

Mr. D. C. If you would, please.

Mr. PREYER. But you propose to read the first part of your statement.

Mr. D. C. Yes, sir.

(573)

Mr. PREYER. Without objection, the letter dated October 11, 1978, will be made a part of the record.

[The letter referred to above follows:]

OCTOBER 11, 1978.

Mr. G. ROBERT BLAKEY,

*Chief Counsel and Director, Select Committee on Assassinations, House of Representatives, Washington, D.C.*

DEAR MR. BLAKEY: I have read the transcript of the testimony of the CIA's representative, Mr. John L. Hart, before your Committee on September 15, 1978.

As the former deputy chief of the CIA's Soviet Bloc Division, so prominently and so disparagingly featured in that testimony, I may be able to help the Committee to judge CIA's investigation of Lee Harvey Oswald's sojourn in the Soviet Union, as reported by Yuri Nosenko.

Specifically, I can correct certain misleading impressions left by Mr. Hart. I would call to your attention at least twenty errors, fifteen misleading statements, and ten important omissions in his testimony, many of them pertinent to your task and, together, distorting the entire picture.

Having been publicly dishonored by unfounded statements before your Committee, I ask for the courtesy of an opportunity to come before the Committee, publicly if you are to hold more public hearings, to answer not only for myself but also for the Central Intelligence Agency, which has misrepresented its own performance.

I mention below a few of the points of error and distortion, leaving many others to be discussed in person with the Committee. My comments refer to the line numbers in the draft transcript of Mr. Hart's testimony, and are keyed to the Committee's twofold purpose as you defined it: of evaluating the performance of the Agency and of weighing the credibility of Mr. Nosenko.

For clarity I have subdivided these as follows:

- (1) Effectiveness of CIA's performance:
  - (a) in getting the facts about Oswald from Nosenko,
  - (b) in investigating these facts.
- (2) Credibility:
  - (a) of Mr. Nosenko's statements about Oswald,
  - (b) of Mr. Nosenko as a source.

After discussing briefly each of these points, I will make, below, a few general comments on the CIA testimony, and will address myself to the matter of Nosenko's treatment.

#### *CIA's Performance in Getting the Facts From Nosenko*

The committee staff report describes accurately the CIA's performance in this particular aspect of its responsibility. Referring to the Agency's questioning of Nosenko on July 3 and July 27, 1964, it says on page 7 that the CIA's questions "were detailed and specific about Nosenko's knowledge of Oswald. The questions were chronological and an attempt was made to touch all aspects of Oswald's stay in the Soviet Union." Moreover, CIA gave Nosenko a transcript of his own remarks so he could add anything more he knew or correct any errors. (Staff report, pages 8-9.)

Mr. Hart's confusing testimony had the effects of changing the committee's appraisal. Not only giving the Agency a "zero" rating on all aspects of this case, he stated flatly that "There was no effort being made to get at more information he might have." (lines 2848-9) He thus led Mr. Fithian to suggest that the CIA had not even taken "the logical first step" of getting Nosenko's information (3622-8) and led the Chairman to conclude that no investigation of Oswald's activities as known to Nosenko had been made. (4095-8) In this Mr. Hart concurred. (4100)

In fact, CIA got from Nosenko all he had to say about Oswald. CIA's reports contained no less than those of the FBI, who questioned Nosenko as long as they thought they needed to. Your committee seems to have been satisfied that in its 21 to 24 hours with Nosenko it, too, had got everything he had to say. That added only one new fact, about the KGB's voluminous surveillance reports on Oswald, which contradicted Nosenko's earlier reports and, as the staff report notes, in turn contradicted another aspect of Nosenko's story: that the KGB didn't watch Oswald enough to learn of his courtship of Marina.



One wonders, therefore, whether Mr. Hart would give your committee a similar "dismal" or "zero" rating.

In fact, of course, there was nothing more to be got from Nosenko. If there had been, CIA would have gone doggedly after it, just as the FBI and your committee would have. Your staff report said that Nosenko "recited" the same story in each of his three sessions with the committee. The word is apt: Nosenko had "recited" that story before, to CIA and FBI, each of whom questioned him carefully and systematically about it.

It is difficult, then, to accept the new judgment that CIA's performance on this aspect deserved a "zero." It could only be a result of confusion engendered by Mr. Hart.

#### *CIA's Performance in Investigating Nosenko's Reports on Oswald*

By alleging *general* prejudice and misunderstanding on the part of CIA personnel handling this case, Mr. Hart confused the Committee on the *specific* question of CIA's investigation of Nosenko's information.

When Mr. Fithian asked specifically whether the CIA had made any attempt to verify Nosenko's information on Oswald's KGB contacts, Mr. Hart replied yes, but then interjected an irrelevant statement about a "climate" of "sick think"; his aim was presumably to leave the impression that even if another KGB man had confirmed Nosenko's statements on Oswald, these dismal CIA people wouldn't have believed him. (3666) Later Mr. Hart backed off even this degree of approbation, hinting that maybe, after all, CIA didn't investigate at all: "No such file (showing investigation via other defectors) came to my attention." (4177) But Mr. Hart knew very well that no other defectors knew about Oswald's connections with the KGB.<sup>1</sup>

The truth lies in the Warren Commission report, cited in lines 4146-9, that CIA just didn't have other sources in the KGB or elsewhere in the U.S.S.R. in a position to check Nosenko's story. This is not quite the same thing as saying, as the chairman did, that "we now know that the CIA did not investigate what Nosenko did tell them about Oswald in Russia." (4166) The confusion stems from Mr. Hart's testimony.

If CIA's failure to have on tap another spy in the KGB who knew about the Oswald case constitutes "dismal" performance, then that should be so stated. The record as it stands, at least in the transcript, casts an unjustified slur on CIA's performance in this particular aspect of its task.

By the way, the coincidence that the CIA had even one KGB source on Oswald in Russia is worth the committee's notice. Of the many thousands of KGB people throughout the world, CIA had secret relations with only one, and this one turned out to have participated directly in the Oswald case. Not only once, but on two separate occasions: When Oswald came to Russia in 1959 and again after the assassination when the Kremlin leadership caused a definitive review of the whole KGB file on Oswald.<sup>2</sup> How many KGB men could say as much? CIA was thus unbelievably lucky to be able to contribute to the Warren Commission at all. (In view of other suspicions of Nosenko, the key word in that last sentence is "unbelievably.")

#### *Credibility of Nosenko's Statements About Oswald*

The committee's staff report ably pointed out the contradictions between Nosenko's various statements. Mr. Hart admitted, under Mr. Dodd's insistent pressure, that Nosenko's testimony about Oswald was "implausible" and even "incredible." (3431, 4353, 4396) He went so far as to recommend that it be disregarded. (3426, 3438, 3467)

However, Mr. Hart exhorted you to believe in the rest of Nosenko's reporting and to believe in Mr. Nosenko's good faith. (2656, 3252-78, 3348-55) In other words, he assured you that Nosenko's incredible and unusable testimony about Oswald did not come as a message from the KGB but only from the confused mind of CIA's advisor. Therefore, Mr. Hart would have you disregard it rather than read it in reverse.

<sup>1</sup> Defectors knowledgeable of internal U.S.S.R. procedures and controls were queried by CIA concerning the whole story of Oswald in the U.S.S.R., and the results were reported.

<sup>2</sup> If memory serves, there was a third occasion, too. Did not Nosenko happen to be in the room in 1963 when a cable arrived in Moscow concerning Oswald's visa application in Mexico City?

To support this recommendation Mr. Hart said: "I cannot offhand remember any statements which he has been proven to have made which were statements of real substance *other than the contradictions which have been adduced today on the Lee Harvey Oswald matter*, which have been proven to be incorrect." (3253-8)

But the Committee only spoke to Nosenko about this one matter. Even so, the committee detected no less than four or five contradictions. Could this, by extraordinary coincidence, be the only such case?

When it confronted Nosenko with his contradictions, the Committee encountered the range of Nosenko's excuses and evasions—even before the CIA sent Mr. Hart to make these same excuses for Nosenko. Nosenko told the Committee that he'd been misunderstood, that he didn't understand English, that he'd been under stress, drugged, or hallucinating. He would evade the question, saying you shouldn't ask him what he'd said before, but should ask about the conditions he'd been kept in. Mr. Hart's testimony must then have resounded like an echo in the Committee room.

Nosenko even told the Committee staff that he couldn't remember what he had said before. The oddity of this will not have escaped the Committee's notice. It shouldn't matter what he'd said before; he was supposedly talking of things he'd lived through: the KGB files he'd seen, the officers he'd worked with. If these were real experiences he need only recall them and his reports would, all by themselves, come out more or less the same way each time (within normal or abnormal limits of memory, and personality quirks, of which we are all almost as aware as Mr. Hart). As the Committee learned, Nosenko's reports did *not* come out straight, so Nosenko resorted to this bizarre excuse—which makes the story appear more learned than experienced.

Nonetheless the CIA asks the Committee to take its word that this is the only time such things happened, the only such testimony by Nosenko that need be disregarded. But this is particularly difficult to accept on such an important matter. The Oswald affair, after all, was exciting worldwide interest, and at the time of the KGB's file review, Nosenko was already a willing secret collaborator of the CIA. One might expect his powers of retention to work unusually well here. Yet it is precisely on this matter that CIA tells you that Nosenko was uniquely fuzzy.

What the CIA did not tell the Committee, what was hidden behind Mr. Hart's "offhand" inability to remember other such bad performances by Nosenko—the man-of-good-faith, was that *this performance was in no way unusual*. It was simply the way Nosenko reacted whenever he was interrogated in detail on important matters. Not only the contradictions, not only the changes in the story, but the excuses and evasions as well: all were standard Nosenko.

This brings us to the next subject.

### *Credibility of Nosenko as a Source*

This is clearly important to the Committee, which must decide whether Nosenko's contradictory testimony on Oswald was an aberration, as the CIA pleaded, or a message from the KGB.

Here are a few of the errors in the CIA testimony which might affect your decision:

(1) Mr. Hart said, after having reviewed every detail of the case for six months with the aid of four assistants, "I see no reason to think that he has ever told an untruth, except because he didn't remember it or didn't know or during those times when he was under the influence of alcohol he exaggerated." (3352)

*Comment:* Ten years removed from this case, I can still remember at least twenty clear cases of Nosenko's lying about KGB activity and about the career which gave him authority to tell of it, and a dozen examples of his ignorance of matters within his claimed area of responsibility, for which there is no innocent explanation.

Never, before this testimony by Mr. Hart, was drinking adduced as an excuse for Nosenko's false reporting. He had no alcohol in his detention, during which he was questioned, as Mr. Hart reminds us, for 292 days. And not by the wildest excess of faith or credulity can all of the contradictions and compromising circumstances of the Nosenko case (none of which, oddly enough, did Mr. Hart mention) be attributed to Nosenko's faulty memory, which Mr. Hart seemed at such pains to establish

(2) Mr. Hart said that the suspicions of Nosenko arose from the paranoid imaginings and jealousy of a previous defector, whom he calls "X". Mr. Hart told you that "Mr. X's views were immediately taken to be the definitive view of Nosenko and from that point on, the treatment of Mr. Nosenko was never, until 1967, devoted to learning what Mr. Nosenko said." (2404-29, 2488-91)

*Comments:*

(a) It was not X's theories which caused my initial suspicion of Nosenko in 1962. It was the overlap of Nosenko's reports (at first glance entirely convincing and important) with those given six months earlier by X. Alone, Nosenko looked good (as Mr. Hart said, 2375-9, 2397-8); seen alongside X, whose reporting I had not previously seen, Nosenko looked very odd indeed. The matters which overlapped were serious ones, including a specific lead to penetration of CIA (not a general allegation, as Mr. Hart misleadingly suggested on lines 2419-21). There were at least a dozen such points of overlap, of which I can still remember at least eight. Nosenko's information tended to negate or deflect leads by X.

(b) Later, our suspicions of Nosenko were deepened by concrete matters, not paranoid suppositions, and many of these lay outside Nosenko's own story and hence not explicable by his boasting, drinking, or whatnot.

(c) Mr. Hart said that X "was masterminding the examinations in many ways." (2457) In fact X played no role at all in our "examinations" although he submitted a few questions and comments from time to time. The testimony of CIA on this point is inexplicable; its falsity must have been evident in the files Mr. Hart's team perused.

(d) It is simply not true that "the treatment of Nosenko was not devoted to learning what Mr. Nosenko said." In the Oswald matter alone the Committee has the record of careful, systematic questionings in January and July 1964. Similar care was devoted to his other information. The results fill some of those forty file drawers to which Mr. Hart referred.

(3) Mr. Hart stated, "Quantitatively and qualitatively, the information given by Mr. X was much smaller than that given by Nosenko." (2470)

*Comments:*

This breathtaking misstatement hides the fact that Mr. X, paranoid or not, provided in the first months after his defection information which led to the final uncovering of Kim Philby, to the detection of several important penetrations of Western European governments, proof (not allegation) of penetration at the most sensitive level of . . . [allied service] and pointers to serious penetrations of the U.S. Government.

Mr. X gave, before Nosenko, the current organization and methods of the KGB, and it was Mr. X who first revealed both of the two KGB operations which Mr. Hart adduced as proof of *Nosenko's* good faith. (See (4) and (5) below.)

To be charitable to Mr. Hart, he admitted to the Committee (2434) that he is "not an expert on Mr. X's case." His testimony, however, suggests that he has not read the references to X in the Nosenko files.

(4) Mr. Hart stated, "Mr. Nosenko was responsible for the discovery of a system of microphones within the U.S. Embassy in Moscow which had hitherto been suspected but nobody had enough information on it to actually detect it." (2328-32)

*Comments:*

(a) Mr. X had given approximate locations of some of the microphones six months earlier. Neither he nor Nosenko knew precise locations, but both *knew* the mikes were there and both could indicate some specific offices where they could be found. The actual tearing out of walls, which Mr. Hart describes, would have been done, and the microphone "system" found, without Nosenko's information.

(b) Contrary to Mr. Hart's statement (2350-3) the KGB *would* "throw away" already-compromised information to build up a source. Mr. Hart simply hid from you the fact that this information *was* already compromised when Nosenko delivered it.

(c) These microphones were all in the "old wing" of the Embassy. Nosenko also said, and carefully explained why, no microphones were installed in the "new wing." Mr. Edward Jay Epstein, in his book *Legend*, says that 134 microphones were later found there. I think this can be checked, via the State Department. It would seem to have been CIA's responsibility to tell you about this, once they had raised the subject of microphones to support Nosenko's bona fides.

(5) Mr. Hart said, "A very high level KGB penetration in a very sensitive position in a Western European government was, on the basis of Mr. Nosenko's lead, arrested, tried, and convicted of espionage. There is no reason to believe that the Soviets would have given this information away." (2354-62)

*Comments:* Mr. Hart was presumably referring to a man we can here call "Y", although I do not entirely understand his reticence, for this case is very well known to the public.

Mr. Hart has made two misstatements here:

(a) Y's reports to the KGB were known to Mr. X, and the case had thus been exposed to the West six months before Nosenko reported to CIA. The KGB, recognizing this, cut off contact with Y immediately after X's defection. Y's eventual uncovering was inevitable, even though X had not known his name. Nosenko added one item of information which permitted Y to be caught sooner, and that is all.

(b) Therefore, contrary to the CIA testimony, there is a "reason to believe that the Soviets would have given this information away." The reason—that Y was already compromised—was perfectly clear in the files which Mr. Hart's team studied.

(6) Mr. Hart told you that Mr. X had confirmed Nosenko's claimed positions in the KGB. (2431)

*Comment:* Mr. X said, on the contrary, that he had personally visited the American Embassy section of the KGB during the period 1960-61 when Nosenko claimed to have been its deputy chief. X knew definitely that Nosenko was not serving there.

(7) Mr. Hart said that DC/SB "had built up a picture which was based on a good deal of historical research about a plot against the West." (4809)

*Comment:* Like point (2) above, this is part of CIA's effort to belittle the case against Nosenko. My "picture" of Nosenko's role as a KGB provocateur was based on concrete factors, which as I have said above cannot be explained by Nosenko's personality flaws or memory. It was not based on "historical research," as Mr. Hart knew very well—although it is, in fact, supported by a long history of Soviet actions of this sort.

At this point a word may be in order about Mr. Hart's contemptuous reference to "historical research." As I mentioned above, Nosenko's information in 1962 overlapped and deflected leads given shortly before by X, concerning spies in the U.S. Government. Now, a KGB paper of this period, perhaps what Mr. Hart would call a historical document, described the need for disinformation (deception) in KGB counterintelligence work. It stated that just catching American spies isn't enough, for the enemy can always start again with new ones. Therefore, said this KGB document, disinformation operations are essential. And among the purposes of such operations, as I recall the words of the document, the first one mentioned is "to negate and discredit authentic information the enemy has obtained." I believe that Nosenko's mission in 1962 involved just that: covering and protecting KGB sources threatened by X's defection. Does this sound like a "horrendous plot" conjured up by paranoids? It is a straightforward counterespionage technique, perfectly understandable to laymen. But Mr. Hart's purpose was not enlightenment, but ridicule.

The last of the four or five purposes the secret KGB document listed (purposes of counterintelligence disinformation operations) was "to penetrate deeper into the enemy service." By taking on Mr. Nosenko as a counselor, the CIA may have helped the KGB achieve this goal, as well as the first one.

What conclusions can be drawn from these and similar errors in the CIA testimony?

I would submit that despite these efforts to deride and dismiss the arguments again Nosenko, there is, as Mr. Helms testified, a solid case against Nosenko, of which the implications are very serious. The country is not well served by Mr. Hart's superficial and offhand dismissal of that case.

For if Nosenko is a KGB plant, as I am convinced he is, there can be no doubt that Nosenko's recited story about Oswald in the USSR is a message from the KGB. That message says, in exaggerated and implausible form, that Oswald had nothing whatever to do with the KGB, not questioned for his military intelligence, not even screened as a possible CIA plant. Even Mr. Hart finds it incredible and recommends that you disregard it. But his reasons are flawed, and can you afford to disregard it? By sending out such a message, the KGB exposes the fact that it has something to hide. As Mr. Helms told you, that something may be the fact that Oswald was an agent of the KGB.

*The Form and Tone of the CIA Testimony*

It is against this grave background that I will comment on the general tenor of the CIA testimony.

The Committee and the public must have been struck dumb by the spectacle of a government agency falling over itself to cast mud on its own performance of duty.

When Mr. Dodd asked Mr. Hart if CIA had "failed in its responsibility miserably," Mr. Hart replied, in a classic of government advocacy, "Congressman, . . . I would go further than that." (3188)

Mr. Hart's testimony—one-sided, intemperate, distorted—was carefully structured to influence rather than inform the Committee.

Mr. Hart went to special pains to force your thinking into a certain framework. He began his testimony defensively, citing all the factors which might have caused this defector to bear false witness: stresses, bad memory, drunkenness, the traumas of defection (shared, by the way, by all defectors), and even the "unreality of his situation." (2634) And then on to the revelations of mistreatment, which you are to accept as dismissing all evidence against Nosenko. "It is with (these mitigating factors) in mind that we have to approach everything that happened from 1962" (2498-9), plus of course the sheer bumbling incompetence of Nosenko's handling.

On the one hand CIA attacked with venom its own past performance, and on the other hand adopted an almost beseeching tone in defending a Soviet KGB person who, by CIA's own admission, had rendered invalid testimony about the assassin of an American president.

"You should believe these statements of Mr. Nosenko," Mr. Hart said. (3252) "Anything that he has said has been said in good faith." (3350) "I am only asking you to believe that he made (his statements) in good faith." (3275) "I am hoping that once these misunderstandings are explained, that many of the problems . . . which the staff has had with the questions and answers from Mr. Nosenko, and also allegations concerning him, will be cleared up and go away." (2124-31)

Confronted by Mr. Dodd with the specific contradictions which made Nosenko's story unacceptable, Mr. Hart fell back on declarations of faith (3426, 3349)

In the heat of his defense of Nosenko and his attack on Nosenko's questioners, Mr. Hart jumbled together the conditions of 1962 (alleged drunkenness) with those of the confinement, leading Mr. Dodd to lay importance on Nosenko's drinking. (3243-4) He got over to Mr. Dodd the idea that hallucinations "probably" (3241) influenced Nosenko's performance under interrogation (by a subtle turn of phrase, lines 2870-73)—while knowing that hallucinations were never a factor in the question-and-answer sessions. Noting that the CIA medical officer concluded that Nosenko had feigned his hallucinations (in periods of isolation) Mr. Hart could not restrain a knee-jerk defense, "but that was simply one medical officer's opinion." (2864) And finally, by spending his testimony on the handling of Nosenko, and the mistreatment, he succeeded in skirting all the *facts* of the case which are, after all, your concern.

Mr. Hart's emotional closing message (4883) with its catchy word "abomination," epitomizes his whole testimony.

That testimony shows none of the detachment of a self-styled "historian" proud of his high standards of scholarship. (4106) It sounds more like a man pleading a flimsy cause, urgently trying to make a point.

He left with the Committee, and the public, a picture of a small group of irresponsible half-wits, carried away by wild fantasies about horrendous plots, failing even to ask questions, much less to check out the answers, while hiding their vile misconduct and illegal thoughts from a duped leadership.

Since these impressions provide the background for Mr. Hart's description of the handling of Nosenko, they may be worth a closer look.

He created at least three impressions about the handling of the Nosenko case:

(1) *That it was the work of an isolated group of irresponsible people*

Specifically, Mr. Hart repeated that it was a "small group of people . . . a very limited group" (2509) handling the case on the basis of a "belief" held closely by "a very small trusted group." (2518) He gets over strongly the impression that Mr. Helms was not properly informed. (4619, 3996-4019, 4632)

Contrary to Mr. Hart's testimony, every step was discussed with all elements concerned; suggestions were solicited, decisions were worked out in consultation. The leadership did not lose control or confidence.

If, indeed, the group concerned with the suspicions of Nosenko remained "very small" it was because if Nosenko was a KGB plant, there was a KGB spy within CIA. This is not the sort of thing one wants to spread widely.

(2) *That it was the work of incompetents*

Mr. Hart succeeded in getting over to the Committee and the public an image of gross incompetence on the part of Nosenko's handlers. He led Mr. Dodd, for example, to ask if any of "these characters" are "still kicking around the agency, or have they been fired?" (4282) and to suggest that even if there had been a KGB conspiracy, we would not have been competent to detect it. (4199)

Mr. Hart got over this impression of incompetence in three ways:

(a) *By repeating general, intemperately derogatory judgments and labels:* He called the handling of "the entire case" (3189)—including the competent parts noted above—"zero," "miserable," "dismal," "counterproductive," and so forth, and hinted that the handlers were prone to wild fancies and illegal conduct.

(b) *By withholding facts:* Certain information Mr. Hart knew and failed to mention might have caused the Committee to wonder whether, after all, there might be more to this than the simplistic picture Mr. Hart drew. For example, he did not tell Mr. Dodd the following about "these characters":

(1) That the people managing this complex case were senior officers with perhaps the most experience within the entire Agency in handling Soviet Bloc counterespionage matters.

(2) That neither C/SB nor DC/SB tended to see shadows where they weren't. In our many dealings with Soviet Bloc intelligence officers as defectors or agents-in-place, we had, before Nosenko, never judged *any* of them to be KGB plants. If anything, I have been reproached for trusting them too far, as more than one defector will probably be willing to testify.

(3) That in our service in positions of responsibility before, during, and after this affair, our performance was rated as superior, as CIA personnel records will confirm. If memory serves, even Mr. Hart judged my performance (and probably C/SB's) after this case as "outstanding." I was decorated for my service.

(c) *By giving you false and misleading information:* Here are at least four examples:

(1) Mr. Hart told the Committee the outright untruth that the work of C/SB and DC/SB "on this case had been discredited and had caused them to be transferred out of Headquarters to foreign assignments." (2529) We can produce witnesses, if necessary, to prove that this is false. Any "discrediting" came later, by Mr. Hart and others. We had asked, long in advance, for our particular assignments and got them when the posts came open in the normal course of events, both of us after long headquarters tours of duty.

(2) Mr. Hart introduced a red herring about my Russian-language competence, which so misled Mr. Fithian that he spoke, without rebuttal by Hart, about an "English speaking person trying to take notes and writing down what this major potential defector was saying and then transcribing them and giving them to the Agency, right down through the interrogation." (3648-52) He led Mr. Dodd, too, to think there were "no verbatim accounts of some of the interrogations but rather notes taken by people who didn't have a very good knowledge of Russian." (3245-7) Hart could have saved a lot of time and confusion by reminding you of the simple truth that a Russian speaker was present at every meeting except the initial contact. In fact, there never was, after that initial contact, any problem of language, Russian or English, I concur with the FBI officer cited in the Committee's Staff Report, page 37: "There was no question about being misunderstood."

(3) Mr. Hart stated falsely that discrepancies in the transcripts were "very important in the history of this case, because (they) gave rise to charges within the Agency that Nosenko was not what he purported to be." (2296-2302) I know of no lasting misunderstandings and none at all that importantly affected our judgment of Nosenko's bona fides. And why would the transcripts be important after January 1964, when Nosenko himself was on hand to be questioned?

(4) By introducing the question of discrepancies in the transcripts Hart misled you in two other ways:

He attributed them to my language deficiency when in fact the transcripts were made by a native Russian speaker who had participated in

the meetings! How could I know there were errors in the transcripts?

He told you that another defector found 150 discrepancies in the transcripts—but did not mention that it was I who brought that defector into the case, and caused him to review the tapes and transcripts! Mr. Hart falsely hinted that I chose to ignore the defector's findings.

By way of footnote to this theme, the Committee might be interested to learn that the "very thorough, very conscientious" defector cited by Hart in connection with the transcripts, who is indeed thorough and of high professional integrity and unique expertise on Soviet intelligence matters, reviewed the whole Nosenko case and *was convinced that Nosenko was a sent KGB provocateur and had not held the positions in the KGB which he claimed.* Mr. Hart seems to have forgotten to mention this.

(3) *That the case against Nosenko is nothing more than a paranoid notion:* This theme runs clearly through Mr. Hart's testimony. I have already discussed certain aspects of it.

Mr. Hart incorrectly attributed the whole "misunderstanding" to grandiose fantasies of Mr. X. In discrediting X he mixes, in the Committee's mind, a theory about the Sino-Soviet split, a "plot" masterminded "by something called the KGB disinformation directorate," and the role in this imaginary plot of "penetrations at high levels within intelligence services" of the West, a plot in the continuing process of "exaggeration and elaboration." (2410-27)

Taken one by one in a somewhat calmer frame of reference, these points may merit the Committee's attention.

The Disinformation Directorate exists. Every defector from the KGB, including Nosenko, has confirmed this, and it has been steadily increased in size and importance within the KGB over the past decades. It offers a framework for the centralization and exploitation of just such compromise and innocuous information as Nosenko has provided to Western intelligence. It is active and CIA knows it. So why does a CIA spokesman try to present it as part of a paranoid fantasy?

Penetration of American Intelligence was suggested by specific leads given by Mr. X, which were deflected by specific leads given shortly thereafter by Mr. Nosenko. Mr. Hart is quite right to say that penetration is part of the problem. He gives false testimony if he denies these leads and says that we are dealing only with a theory or with general allegations.

Mr. Hart implies that all the doubts about Mr. Nosenko can be dispelled by the factors Mr. Hart cited: bad memory, drunkenness, misunderstanding, bad handling, and the rest. In fact, the defense of Mr. Nosenko uses these factors one by one to cover and explain away each of *hundreds* of specific points of doubt such as had *never* arisen in any of the scores of defections of Soviet Bloc intelligence officers before Nosenko. I have tried repeatedly to build a coherent picture of the entirety of Mr. Nosenko's story, and the circumstances surrounding it, using these excuses. Not only do they fail to explain the most important points, but they tend to contradict each other. Perhaps Mr. Hart's people have never gone through this exercise.

Here, in short, is Mr. Hart's message. The whole case against Nosenko is a theory about a "so-called plot" and is "sheer nonsense." (3920-1) The evidence against Nosenko is "supposed evidence."

#### *The CIA's Handling of Nosenko*

This leads to the subject of Nosenko's treatment, especially his confinement. For if Mr. Hart succeeds in dismissing and deriding the case against Nosenko and all its implications, he robs the detention of its context and purpose, and truly makes it, as Mr. Dodd put it, "outrageous." (3421)

At the risk of repetition I remind you that:

(1) There is a carefully documented body of evidence, not "supposed evidence", against Nosenko, beyond any explanations of bad memory or misunderstandings. It is not juridical proof, but it was taken very seriously by the Agency's professional leadership, who were neither fools nor paranoids.

(2) Among the implications underlying the very real possibility that Nosenko was planted on CIA by the KGB are these two:

(a) That Lee Harvey Oswald may have been a KGB agent.

(b) That there was KGB penetration of sensitive elements of the United States Government.

Here are certain facts that Mr. Hart has hidden or distorted by the manner of his testimony:

(1) Nosenko's treatment for the first two months after his defection was precisely the same as that given any important defector.

(2) During that period Nosenko had ample opportunity to produce information, or to act in a manner, which might reduce or dissolve doubts about him.

(3) During this period Nosenko, unlike genuine defectors, resisted any serious questioning. It was not that he was "drunk around the clock" as Mr. Hart put it; he was unusually sober when he deflected questions, changed the subject, and invented excuses not to talk, even about isolated points of detail. It became clear that if he were to be questioned at all, some discipline had to be applied.

(4) Reasons to suspect Nosenko (not paranoid notions) were growing and the potential implications to American security were becoming clearer. It was our duty to clarify this matter. Anything less would have been, in truth, the sort of dereliction of duty of which Mr. Hart falsely accuses us today.

Please bear in mind that I find this case (not its handling) just as "abominable" as Mr. Hart does. Its implications are ugly. It imposed immense and unpleasant tasks upon us, and strains upon the Agency which are all too visible today in your Committee's hearings. The case has served me ill, professionally and personally. But it was there; it would not go away. The burden fell upon me and I did my duty.

In doing it I was not let down at any time by the Agency leadership. They understood what had to be done and why, and they took the necessary decisions to make it possible.

And so Nosenko was detained.

—If there were reasonable grounds to suspect that he was a KGB plant, his detention was (1) necessary, (2) effective, and (3) a partial success, for it got Nosenko's story and his ignorance pure and unsullied by outside coaching, and this told us much about what lay behind.

—If the case against Nosenko was "sheer nonsense," then the detention was not justified.

Here is how Mr. Hart described the decision: "The next step, since the interrogations conducted by the CIA, which as I say were designed not to ascertain information so much as they were to pin on Nosenko the label of a KGB agent acting to deceive us, since nothing had been proved in the friendly confinement, the people running the operation determined that the next step would be ... a much more spartan confinement ... and a so-called hostile interrogation." (2682-90)

This misstates the case. Those early debriefing sessions were not designed to pin any label on Nosenko. (It is true that they did nothing to assuage our doubts and that during the same period we were learning things outside which tended rather to reinforce them.) If the results had been more promising we might have worked gradually around, in the questioning, to the points of doubt, and might thus have avoided any need of confinement.

The detention of Nosenko was designed initially to give us an opportunity to confront him with certain contradictions in his story. This would alert him to our suspicions and if he were still free he might, we thought, either redefect to the Soviet Union or "go public," either way removing our chances to get the data we needed to assess the truth behind his story of Lee Harvey Oswald and other serious matters.

Our aim was, as Mr. Hart said, to get a confession: either of KGB sponsorship, or of white lies which could, finally, form some believable pattern.

The results of this and subsequent hostile interrogations surprised us. Nosenko was unable to clarify any single point of doubt. Brought up against his own contradictions and our independent information, he admitted that there could be no innocent explanation (not even forgetfulness) or he would remain silent, or he would come up with a new story, only to change that, too, later. He did confess some lies, but they tended to contradict each other, not offer an innocent explanation for the oddities in his story. In fact, the hostile interrogation reinforced and intensified our suspicions.

After this series of confrontations, we had an opportunity, finally, to do something which would normally have been done first, with any cooperative defector: conduct a systematic debriefing, which he had resisted before his detention. We could, as Mr. Hart put it, "ascertain information."



Nosenko was cooperative. He even told his questioners that they were right to have thus removed him from the temptations of drink and women, and to have forced him to work seriously.

And so began months of systematic questioning under neutral, non-hostile, circumstances. Practically the full range of his knowledge was covered. An example is the questioning on the subject of Lee Harvey Oswald in July, 1964, which the Committee's Staff Report called "detailed and specific." As the report states, "an attempt was made to touch all aspects." On each subject Nosenko was given an opportunity, as on the Oswald matter, to review the report and correct or amplify it. He was not drunk, not mistreated, not hallucinating, and there was never the slightest problem of understanding. (We should not confuse, as did Mr. Hart's testimony, the circumstances of one meeting in 1962 (language problem) with the whole operation, nor the conditions of 1962 (alleged drunkenness) with the conditions of confinement, nor hostile with non-hostile questioning.)

Simultaneously we were meticulously checking files and investigating outside, concerning every possible aspect of Nosenko's activities and reports. The results fill many of those file drawers of which Mr. Hart spoke.

What we learned suggested, uniformly, that Nosenko's stories about his career and personal activities in the KGB were not true. To deride these findings, to dismiss them as preconceptions, is to misrepresent facts clear from the files.

We found that the KGB operations Nosenko had reported, for example, were already known or had lost any value they had had to the KGB. This is not true of the reporting of any previous defector. That Mr. Hart, so eager to convince you of Nosenko's good faith, could cite as evidence only cases which had been uncovered by an earlier defector, gives you an idea. Two other KGB spies, an ex-U.S. Army NCO and the well-known case of Sergeant Robert Lee Johnson (the Only courier-vault penetration), both of which Nosenko truly revealed for the first time, were useless: the NCO had never had access to secrets nor truly cooperated, Johnson had lost his access to the vault and was being publicly exposed by a neurotic wife. Such was the pattern, in addition to Nosenko's deflection of at least six specific leads given earlier by the KGB defector X.

Fact piled upon fact, creating a conviction on the part of every officer working on this operation that Nosenko was a KGB plant. Each had his own viewpoint; none was paranoid.

We conducted two more hostile interrogations, always increasing our knowledge, never relieving any suspicions, getting steadily closer to the truth, perhaps. But we got no confession.

All of this took time, and Nosenko stayed in confinement. As to the conditions of his detention, Mr. Hart has given many details. They do not seem directly relevant to the Committee's mission, for contrary to Mr. Hart's thesis, *they did not materially influence Nosenko's reporting one way or the other, nor the question of Nosenko's bona fides*. They cannot truthfully be adduced to dismiss the case against Nosenko. On the contrary these details, in Hart's testimony, tended to confuse the central problem before you: Nosenko's credibility and what lies behind his message to America concerning the KGB's relations with Lee Harvey Oswald.

However, if the detention could be dealt with as a separate and distinct topic, I am prepared to answer any questions I can on the subject.

The original justification for detaining Nosenko had been that he was in the United States under parole and it was the Agency's duty to prevent his harming the security of the United States. This could not last indefinitely. At the end of the efforts described above, we were still without the "proof" a confession would provide. We had only professional, not juridical, evidence.

Finally our time ran out and a decision had to be made about what to do about Nosenko.

### *The Question of "Disposal"*

Here the extent of CIA's irrational involvement with Nosenko becomes blatant. Mr. Hart read (with relish, according to my friends who watched on TV) selected items from some penciled jottings in my handwriting which left with you the impression that I had contemplated or considered (even "suggested" as more than one newspaperman understood him) such measures as liquidation, drugging, or confinement in mental institutions.

I state unequivocally, and will do so under oath, on behalf of myself and anyone I ever knew in or out of the Central Intelligence Agency, that:

(1) No such measures were ever seriously considered.

(2) No such measures were ever studied.

(What "loony bin"? How "make him nuts"? What drugs to induce forgetfulness? I know of none now and never did, nor did I ever try to find out if such exist. The whole subject of "liquidation" was tabu in the CIA for reasons with which I wholeheartedly agreed then and still do.)

(3) No such measures were ever suggested as a course of action, even in intimate personal conversations.

(4) No such measures were ever proposed at any level of the Agency.

I do not remember making any such notes. However, I can imagine how I might have. Responsible as I was for this "abominable" case, I was called upon to help find the best way to release Nosenko—without a confession but sure that he was an enemy agent. In an effort to find something meriting serious consideration, I suppose that I jotted down, one day, every theoretically conceivable action. Some of them might have been mentioned in one form or another by others; I doubt they all sprang from my mind. (I cannot even guess what "points one through four" might have been, the ones Mr. Hart declined to read because they were "unimportant." I guess that means they weren't damning to me.) But the fact that the notes were penciled reveals that they were intended to be transient; the fact that "liquidation" was included reveals that they were theoretical; and their loose, undignified language reveals that they were entirely personal, for my fleeting use only. In fact, none of these courses of action could have been morally acceptable to me, much less conceivable as a practical suggestion to higher authority.

Mr. Hart admitted, or proudly claimed, that he himself discovered these notes in the files. (4270) Although he recognized their purely personal nature, that they were not addressed nor intended for any other person, nor had any practical intent, he chose to bring them to show-and-tell to the Committee and the American public. Did he feel this a moral duty? Or was it simply part of his evident intent to deride and destroy any opposition to Nosenko? Could he have done it for reasons of personal spite? Whatever the answer, the cost seems too high: he was discrediting his own Agency for a matter without substance.

I cannot remember any concrete proposal for "disposal" being made during my tenure. (You understand, of course, that "disposal" is merely professional jargon for ending a relationship.) The course the Agency eventually adopted seems, in retrospect, the only practical one. I think the Agency did well to rehabilitate Nosenko and, as I thought, put him out to pasture.

However, I cannot understand why they then employed him as an advisor, as a teacher of their staff trainees in counterintelligence. The concrete suspicions of Nosenko have never been resolved, and because they are well founded, they never will "be cleared up and go away." Mr. Hart and Admiral Turner may frivolously dismiss them, as they have done before your Committee, but the doubts are still there and it is irresponsible to expose clandestine personnel to this individual.

#### Conclusion

Mr. Hart's testimony was a curious performance. One wonders what could drive a government agency into the position of:

- trying to discredit and bury under a pile of irrelevancies the reasons to suspect that the Soviet Union sent to America a provocateur to mislead us about the assassin of President Kennedy;
- pleading irrationally and misleadingly in favor of a KGB man about whom serious doubts persist;
- misrepresenting, invidiously, its own prior actions;
- denigrating publicly the competence and performance of duty of its own officers;
- dredging up unsubstantial personal notes, left carelessly in a highly secret file folder, to falsely suggest in public the planning by its own people of the vilest forms of misconduct.

As the Congress is conspicuously aware, the veil of secrecy *can* hide irresponsibility and incompetence. But behind that veil the CIA used to maintain unusually high standards of honor and decency and responsibility, and did a pretty competent job, often in the face of impossible demands. The decline of these qualities

is laid bare by Mr. Hart's testimony—to the Agency's discredit, to my own dismay, and to the detriment of future recruitment of good men, who will not want to make careers in an environment without integrity.

The Agency need not have gone so far. After all, Nosenko's bona fides had been officially certified. Those who disagreed were judged at its highest level to have "besmirched the Agency's escutcheon." Not only are they out of the way, but "everything possible" is being done to see that no one challenges Nosenko or his ilk, ever again. (4048) The Agency need only have said this much, and no more.

That Admiral Turner's personal emissary went so much further suggests that the Agency may not, after all, be quite so sure of its position. Perhaps it fears that the Committee, wondering about this defector's strange reporting and unconstrained by CIA's official line, might innocently cry out, "But the emperor has no clothes on!" This might explain the spray of mud, to cloud your view.

The above, I repeat, is but a preliminary statement, and is by no means all I have to say on these subjects.

You can reach me at the address and phone number on the first page.\* I presume, if I am permitted to appear before your Committee, that my travel expenses will be covered by the Committee.

Yours truly,

D. C.

Mr. PREYER. Mr. D. C., after you are sworn, you will be recognized to read your statement. I might suggest, after you are sworn, Mr. D. C., and before you read your statement, that you might, for the record, give us your present occupation and your present residence so that we have that basic information.

Will you stand at this time and be sworn.

Do you swear that the testimony you are about to give this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. D. C. I do.

Mr. PREYER. Thank you, Mr. D. C. I recognize you at this time.

#### TESTIMONY OF D. C., FORMER DEPUTY CHIEF, SOVIET BLOC DIVISION, CENTRAL INTELLIGENCE AGENCY

Mr. D. C. Mr. Chairman and members of the committee, I would like to make a few introductory remarks to introduce myself as the chairman has requested.

I was born in Annapolis, Md., 1925; served in World War II for 3 years in the U.S. Marine Corps; attended Princeton University, University of California, and the University of Geneva, Switzerland, where I received a doctorate of political science. I served in the CIA from 1950 on and specialized there in Soviet and satellite operations. I had worked personally at one time or another with most of the important operations involving these areas over that generation.

In 1962, I became head of the section responsible for counterintelligence against the Soviet intelligence services; and in 1965 or 1966, I was deputy chief of the Soviet Russia Division.

When it was amalgamated with the satellite countries, in 1966—I believe perhaps 1965, I became deputy chief of that amalgamated division.

In 1967, I went to Europe as a station chief in [major city] where I retired in 1972 on the Agency early retirement program, entirely, and

\*Deleted for security reasons.

I repeat entirely, on my own volition. I mention that because these matters of performance and separation of service have been raised in this committee.

I also would note for the record that my performance, which I wouldn't otherwise mention, was consistently rated as outstanding, and at the end of it I received an Agency decoration. Since then I have been a private consultant based in Brussels where I represent American and European companies who don't have formal representation in Europe, in the field of avionics and chemicals, principally.

Now I proceed to my prepared statement, Mr. Chairman.

I have come before your committee to reply to the testimony of Mr. John L. Hart, who represented the Central Intelligence Agency here on September 15, a testimony which misled you and misused me.

As the former deputy chief of the Soviet Bloc Division of CIA and directly responsible for the case of the KGB defector, Yuri Nosenko, from 1962 to 1967, I can reply more accurately to your questions and can bring you a better understanding of this matter.

For one thing, I won't have to rely as did Mr. Hart on archeological digs into those 40 file drawers of information. Mr. Hart's 6-month expedition obviously failed to understand what they dug up, and their leader was highly selective in what he chose to exhibit here. For another, I will not disqualify myself, as he did, from talking about Lee Harvey Oswald, one of the most important aspects of the Nosenko case, nor about the case of the earlier defector here called "X," which is a critical factor in understanding Nosenko.

CIA's selection of Mr. Hart to study the Nosenko case, and later to present it to you, came to me as a great surprise and mystery. He seemed to bring few qualifications to the study of the most sophisticated Soviet counterintelligence operations of our generation. As far as I know, he never handled a single Soviet intelligence officer, and spent his career, as he told you, remote from Soviet operations, in wars and jungles, as he put it. As a result, he was able to tick off 60 years of Soviet deception as a kind of paranoid fantasy, to make contemptuous remarks about "historical research about a plot against the West," and to use the revealing phrase, "I don't happen to be able to share this type of thing"——

Mr. FITZIAN. Mr. Chairman, may I interrupt long enough to suggest we turn off [the witness'] microphone. I think we can hear him well enough.

Mr. PREYER. The fidelity of that is a little too high. It tends to muffle your voice. You may continue.

Mr. D. C. But "this type of thing" is what the Nosenko case is all about.

Mr. Hart did not mention, and perhaps never studied, a number of related cases bearing importantly on the question of Nosenko's credibility. From his testimony you would never guess at the existence of cases apart from but related to the Nosenko case. Mr. Hart apparently did not bother to talk with many of the best-qualified officers on these cases during his 6 months of research. When he came to me in 1976 he had not even read the basic papers of the case and instead of talking substance he asked about an irrelevant phrase from an 8-year-old dispatch I had written—a phrase he later brought up with you, the

bit about "devastating consequences," in distorted form and out of context.

His testimony here seems not designed to enlighten your committee, but to subject Nosenko's critics—Mr. Hart's former colleagues—to vilification and ridicule. He left with the committee a picture of a small group of irresponsible half-wits, carried away by wild fantasies about horrendous plots, failing even to ask questions, neglecting to check on what was said, and all the time hiding their vile misconduct and illegal thoughts from a duped leadership.

Mr. Hart told you a lot about Nosenko's mistreatment but very little about Nosenko's credibility as concerns Lee Harvey Oswald. He called on you to make an act of faith, as the CIA seems to have done, in the good will and truth of a Soviet KGB man who had rendered false and incredible testimony about the assassin of an American President. I quote: "You should believe these statements of Mr. Nosenko," Mr. Hart said, "anything he has said has been said in good faith." Then, avoiding the subject of Oswald, he led you into a maze of irrelevant detail about Nosenko's problems and CIA's earlier misunderstanding and mistreatment of this defector. By spattering mud on Nosenko's earlier handling, and particularly on me, Mr. Hart threw up a cloud which threatens to impede your attempts to get at the answer to the true question before you. And I ask you here to focus on that question, instead of the irrelevancies.

That question, of course, is how and why a senior KGB defector, directly responsible for important aspects of Lee Harvey Oswald's sojourn in the Soviet Union, could deliver testimony to this committee which even the CIA's representative called "implausible" and "incredible."

Mr. Hart even said that if he were in your position, he would simply disregard what Mr. Nosenko said about Lee Harvey Oswald. He seems to have done just that, himself. But Mr. Helms rightly labeled that a copout, and it is not clear to me how Mr. Hart thought you could or would just pretend that the question isn't there.

Of course, you can't. For today you are in the same position I was in back in 1964, trying to make sense of Nosenko's reports. You are investigating and evaluating Nosenko's reporting on Lee Harvey Oswald. I did not think, in my time, that I could just shrug off Nosenko's bizarre story of Oswald with some irrelevant and half-hearted explanation, as Mr. Hart did here, and slide off into some other subject.

Mr. Hart did not explain what he thought you should believe, or how this "incredible" testimony is compatible with the claim that Nosenko has, by and large, told nothing but the truth since 1962.

He said Nosenko's testimony to you was a unique aberration; I quote:

I cannot offhand remember any statements which (Nosenko) has been proven to have made which were statements of real substance other than the contradictions which have been adduced today on the Lee Harvey Oswald matter, which have been proven to be incorrect.

But the committee only spoke to Nosenko about this one matter, and even so, the committee detected at least six or seven contradictions from one telling to another. Could this, by coincidence, be the only

such case? (I can tell you the answer is no; on the contrary, this was typical Nosenko whenever he was pinned down on details.)

While extolling Nosenko's truthfulness, Mr. Hart spent a surprising amount of time giving you reasons why Nosenko might have lied or seemed to lie, such as drunken exaggeration, confusion, emotional stresses, hallucinations, and the impact of mistreatment. But that wasn't helpful to you, for none of these things had anything to do with Nosenko's story about Oswald. After all, Nosenko told the CIA and FBI his story about Oswald before any mistreatment, and he told it to your committee after any mistreatment, and no one thought he was drunk at any one of these times.

So I will go back to the question here and see if I can help you find an answer. There has to be some way to explain how this direct participant in the events delivered incredible testimony about them. There must be some explanation for the differences in Nosenko's story at different times he told it, for his excuses and evasions when confronted with these differences, and for his final refusal to talk any more about them with your committee.

As we seek an answer to these questions, I ask you to keep three things in mind:

First, that at the time he reviewed Oswald's file for the KGB, Nosenko was already a willing secret collaborator of the CIA. Therefore, he must have been alert when dealing with this matter of such obvious importance to the United States and to his own country.

Second, that Nosenko told us of some of these events only 10 weeks after they happened, so there wasn't time for them to become dim in his memory.

Third, that no one has suggested that Nosenko is mentally unfit. Mr. Hart brought in the Wechsler test and other psychological details merely to show Nosenko's relative strengths and weaknesses, not to prove him a mental basket case. On the contrary, Nosenko claims to have risen fast in the KGB, and he is regarded by his current employers as "an intelligent human being" who "reasons well." I am quoting Mr. Hart, of course, who also called your attention to Nosenko's powers of "logical thought" and his high score in "power of abstract thinking."

Aside from the irrelevant details about Nosenko's stresses under mistreatment, and drunkenness, I found two things in Mr. Hart's testimony which might bear on the Oswald story. First and foremost, he spoke about compartmentation, bringing his own experience to show how a person in any organization working on the principle of "need to know" might not be aware of everything going on, even in his own operations. Now, I suppose Mr. Hart intended this as a contribution to Mr. Nosenko's defense; certainly Mr. Nosenko had never mentioned it. The trouble is, it doesn't apply to this story. Nosenko had said repeatedly, to CIA and FBI and recently swore under oath to this committee, that he was right there on the inside of any "compartment." He personally reviewed the application of Oswald to stay in the U.S.S.R. in 1959 and he personally participated in the recommendation that the KGB should not let Oswald stay in the country and in the decision not to notify the KGB sections which might normally be interested in debriefing a man like Oswald. Nosenko

knew that the KGB leadership decided that they "didn't want to be involved" with Oswald—not to question him at all, not even to screen him as a possible enemy plant. Nosenko personally participated in the refusal of Oswald's visa request from Mexico not long before the assassination of President Kennedy. And after the assassination, Nosenko himself was told to review Oswald's KGB file; and did so. He has insisted that if anyone in the KGB ever talked to Oswald, he, Nosenko, would know about it. So "compartmentation" explains nothing. Nosenko's story rests essentially on his personal involvement and authority.

The second and last possible explanation which we can find in Mr. Hart's testimony is Nosenko's odd memory, which Mr. Hart took such pains to establish. After all, Nosenko seems to have changed details of seven or eight aspects of the story at one time or another. The trouble with this is, it doesn't touch the heart of the story, the truly incredible part, Nosenko didn't forget whether or not the KGB questioned Oswald; he remembers sharply and consistently—and insists, whatever other changes he makes in his story—that Oswald was never questioned by the KGB. He knows that and remembers it, for he participated directly in the decision not to.

Now that was all Mr. Hart offered. But I think we should try every conceivable explanation. Here are a couple I can think of.

Maybe Nosenko was merely boasting, exaggerating, building things up a bit, especially his personal role. Maybe, for example, he only overheard some KGB officers talking, didn't hear it right, and then passed on an incorrect story to us as his experience, to make himself look important in our eyes. Maybe, under this interpretation, he honestly thinks his story is true.

Another explanation, going a bit further, might be that he invented the whole story. Perhaps, convinced that the U.S.S.R. wouldn't get involved in the assassination of an American President (which is what we all tend to think), he invented this story as a contribution to American peace of mind and to international amity.

Both of these explanations run into trouble. Nosenko, while in detention, had plenty of time and incentive to back off a mere exaggeration, and did, in fact, admit a few minor lies. But about this story he is adamant. Just recently Mr. Hart tried to get Nosenko to come off it, but even in the current climate of good will and trust, Nosenko refused. And remember, too, that Nosenko volunteered to testify to his incredible tale before the Warren Commission, and he swore to it under oath before your committee.

And there are other problems, too. If we begin to play with the idea of fabrication we will have to ask just what parts of the story were invented: Did Nosenko also invent the high KGB job which gave him "knowledge" of the Oswald case?

Anyway, CIA wouldn't accept this line of speculation. They insist that Nosenko always talks in good faith, even if his Oswald story isn't believable. They surely wouldn't want you to think they had hired a fabricator as their adviser and teacher.

And there is yet another obstacle to this line of thought, and not the least important. We must not forget that the Soviet Government itself has confirmed Nosenko's authority to tell the whole story about

Oswald. In Mr. Edward Jay Epstein's book "Legend" he reports that an attaché of the Soviet Embassy in Washington, named Agu, told him that Nosenko is the person who knows most about Oswald in Russia, even more than the people in Minsk whom Epstein applied vainly to go see.

No; I think we can all agree: Mr. Hart, myself, your committee, Mr. Agu, and Mr. Nosenko: Nosenko was neither exaggerating nor inventing nor forgetting nor was he compartmented away from the essential facts of the story.

So what is left to explain this incredible testimony? I can think of only two explanations.

Maybe Nosenko's story is true, after all. Let's overlook for a moment the fact that everyone (except Mr. Nosenko) believes the contrary, including Mr. Hart and today's CIA, including Mr. Helms, Soviet specialists, and ex-KGB veterans in the West. Let's also overlook the way Nosenko contradicted himself on points of detail from one telling to another. Let's focus only on the essential elements of the story, the ones which remain constant. There are two: First, that the KGB never questioned Oswald, and second, that the KGB never found out that Oswald had information to offer them about interesting U.S. military matters.

Here was this young American, Lee Harvey Oswald, just out of the Marine Corps, already inside the U.S.S.R. and going to great lengths to stay there and become a citizen. The KGB never bothered to talk to him, not even once, not even to get an idea whether he might be a CIA plant (and although even Nosenko once said, I think, that the KGB feared he might be).

Can this be true? Could we all be wrong in what we've heard about rigid Soviet security precautions and about their strict procedures and disciplines, and about how dangerous it is in the U.S.S.R. for someone to take a risky decision (like failing to screen an applicant for permanent residence in the U.S.S.R.)?

Of course not. Let me give you one small case history which illustrates how wrong Nosenko's story is. This is an actual event which shows how the real KGB, in the real U.S.S.R., reacts to situations like this. It was told by a former KGB man named Kaarlo Tuomi, and can be found on page 286 of John Barron's book, "KGB." The story concerns (and from here on I quote) "a young Finnish couple who illegally crossed the Soviet border in 1953. The couple walked into a militia station and requested Soviet citizenship, but the KGB jailed them. Continuous questioning during the next 11 months indicated only that the couple believed Communist propaganda and sincerely sought to enjoy the life it promised. Nevertheless the KGB consigned them to an exile camp for suspects in Kirov province. Because Tuomi spoke Finnish, the KGB sent him into the camp as a 'prisoner' with instructions to become friends with the couple. Hardened as he was to privation, he was still aghast at what he saw in the camp. Whole families subsisted in 5 by 8 wooden stalls or cells in communal barracks. Each morning at 6, trucks hauled all the men away to peat bogs where they labored until dark. Small children, Tuomi observed, regularly died of ordinary maladies because of inadequate medical care.

"Worse still, the camp inmates, who had committed no crime, had no idea when, if ever, they might be released. After only 3 days Tuomi



persuaded himself that the forlorn Finns were concealing nothing, and he signaled the camp administrator to remove him. 'That place is just hell,' he later told Serafim, his KGB supervisor. 'Those people are living like slaves.' 'I understand,' Serafim said, 'but don't get so excited. There's nothing you or I can do about it.' That's the end of the quotation.

So on the one hand we have a young ex-marine, Lee Harvey Oswald, from the United States; on the other hand we have a simple Finnish family. Both say they want to live in Russia. The Finns are questioned for 11 months by the KGB, then consigned indefinitely to a hellish camp for suspects. The American is not even talked to once by the KGB. The Finns' experience fits all we know about the true Soviet Union, from Aleksander Solzhenitsyn and many others, unanimously. Oswald's experience, as Nosenko tells it, cannot have happened.

The second main point of Nosenko's story about Oswald was that the KGB did not find out that Oswald had information to offer about interesting military matters. Nosenko specifically told your committee this. To demonstrate its falsity, I need only quote from page 262 of the Warren Commission report, concerning Oswald's interview with the American Consul Snyder in Moscow on October 31, 1959, when Oswald declared that he wished to renounce his U.S. citizenship. I quote:

Oswald also informed Snyder that he had been a radar operator in the Marine Corps, intimating that he might know of something of special interest, and that he had informed a Soviet official that he would give the Soviets any information concerning the Marine Corps and radar operation which he possessed.

Nosenko didn't mention this. Apparently he didn't know it.

So I think we can safely agree with Mr. Hart that Nosenko's story about Oswald is not credible, not true.

Up to this point we've tried five explanations and still haven't found any acceptable one for Nosenko's story, its contradictions, or his evasive manner when confronted with these contradictions. But because you have to find an explanation, just as I had to in 1964, I will propose here the only other explanation I can think of—one which might explain all the facts before us, including Nosenko's performance before this committee.

This sixth explanation is, of course, that Nosenko's story, in its essence, is a message from the Soviet leadership, carried to the United States by a KGB-controlled agent provocateur who had already established a clandestine relationship of trust with CIA for other purposes a year earlier. The core of the Soviet message is simple: That the KGB, or Soviet Intelligence, had nothing to do with President Kennedy's assassin, nothing at all.

Why they might have sent such a crude message, why they selected this channel to send it, and what truth may lie behind the story given to us, can only be guessed at. If you like, I am prepared to go into such speculation. But even without the answers to these questions, this sixth explanation would make it clear why Nosenko adhered so rigidly to his story. However incredible we might find a message from the Soviet leadership, learned and recited by Nosenko, we would find it difficult to get him to back off it: Discipline is discipline, especially in the KGB.

Now, I'm ready to believe that Nosenko may have genuinely forgotten some details of this learned story. I can also accept that, on his own,

he may have embroidered on it and got caught when he forgot his own embroidery; this seems to fit the facts we have, including Mr. Hart's description of Mr. Nosenko's memory. This could explain Nosenko's differing descriptions of the KGB file, and his accounts of whether there was or wasn't careful surveillance of Oswald which would detect his relations with Marina, and his change of name of the KGB officer who worked with him on the Oswald case—that sort of detail. It would also explain why he told your committee repeatedly that he didn't remember what he'd said previously. This wouldn't have mattered if he'd really lived through the experiences he described; his stories of them at different times should come out straight, all by themselves. When, in fact, they didn't, Nosenko resorted to this strange statement, which made his story appear more memorized than experienced.

Now, I recognize that this is an unpleasant and troubling supposition, a hot potato indeed. But please remember that before coming to it, we had dismissed all the other explanations possible. So we cannot simply slide over this as easily as CIA does. It is a serious possibility, not a sick fantasy. In fact, it is hard to avoid.

What is more, Nosenko's story of Oswald is only one of scores of things that Nosenko said which make him appear to be a KGB plant. If the Oswald story were alone, as Mr. Hart said it was, a strange aberration in an otherwise normal performance, perhaps one could just shrug and forget it. It is not. We got the same evasions, contradictions, excuses, whenever we pinned Nosenko down, the way you did on the Oswald story. Those other matters, while not of direct concern to this committee, included Nosenko's accounts of his career, of his travels, of the way he learned the various items of information he reported, and even accounts of his private life. More important, there were things outside his own reporting and his own performance, which could not be explained away by any part of CIA's litany of excuses for Nosenko (which so strangely resemble Nosenko's own). All of those irregularities point to the same conclusion: That Nosenko was sent by the KGB to deceive us. That is, they point to the same conclusion as our sixth possible explanation of Nosenko's story about Oswald.

The CIA's manner of dealing with those points of doubt about Nosenko's good faith (at least since 1967) has been to take them one by one, each out of context of the others, and dismiss them with a variety of excuses, or rationalizations: confusion, drunkenness, language problems, denial that he ever said it, bad memory, exaggeration, boasting, and coincidence—hundreds and hundreds of coincidences. With any other defector, a small fraction of this number of things would have caused and perpetuated the gravest doubts. For the KGB does send false defectors to the West, and has been doing so for 60 years. And the doubts about this one defector were persuasive to the CIA leadership of an earlier time.

Today, a later CIA leadership chooses to dismiss them. If they only pretended to do so, to justify the release and rehabilitation of Nosenko, that would be understandable. But they must really believe in Nosenko, for they are using him in current counterintelligence work and exposing their clandestine officers to him, and bringing him into their secret premises to help train their counterintelligence personnel.

They go much further to demonstrate the depth of their commitment to Nosenko. They vilify their earlier colleagues who disapproved of him. The intensity of Mr. Hart's attack on me, and the fact that it was done in public, must have surprised you, as it did others with whom I've spoken over the past weeks. As Nosenko's principal opponent, I am made out in public as a miserable incompetent and given credit, falsely, for murderous thoughts, illegal designs, torture, and malfeasance.

The CIA had to go far out to invent these charges, which are not true. Mr. Hart had to bend facts, invent others, and gloss over a lot more, in order to cover me with mud.

In fact, I have detected no less than 30 errors in his testimony, 20 other misleading statements, and 10 major omissions. They seem aimed to destroy the opposition to Nosenko, and they have the effect of misleading your committee on the significance of Nosenko's testimony about Oswald.

I will cite only a few of these points here. Others are to be found in my letter to this committee dated October 11, 1978, which I introduce as an annex to my testimony. I can, of course, go into further detail if you wish. But I discuss below some of the points most relevant to your appraisal of Mr. Nosenko's credibility as concerns Lee Harvey Oswald.

First, Mr. Hart misled you badly on the question of Nosenko's general credibility. It was stunning to hear him say, after reviewing every detail of the case for 6 months with the aid of four assistants (I quote) "I see no reason"—here I repeat, "I see no reason"—"to think that (Nosenko) has ever told an untruth, except because he didn't remember it or didn't know or during those times when he was under the influence of alcohol he exaggerated." Even 10 years away from this case, I can remember at least 20 clear cases of Nosenko's untruths about KGB activity and about the career which gave him authority to tell of it, and a dozen examples of his ignorance of matters within his claimed area of responsibility, for which there is no innocent explanation.

Excuse me just a moment and off the record.

[Discussion off the record.]

Mr. PREYER. Back on the record.

Mr. D. C. The "influence of alcohol" cannot be much of a factor, for as Mr. Hart reminds us, Nosenko was questioned for 292 days while in detention—when he had no alcohol at all. But Mr. Hart jumbled together the conditions of the 1962 meetings (alleged drunkenness) with those of confinement, leading Congressman Dodd to lay importance on Nosenko's drinking. He even got over to Mr. Dodd, by a subtle turn of phrase, the idea that hallucinations "probably" influenced Nosenko's performance under interrogation. Yet Mr. Hart must have known that hallucinations were never a factor in the question-and-answer sessions.

Then, too, Mr. Hart misstated the early roots of our suspicions of Nosenko. Mr. Hart said that they arose from the paranoid imaginings and jealousy of a previous defector, whom he calls "X." Mr. Hart told you, and I quote, that "Mr. X's views were immediately taken to be the definitive views of Nosenko and from that point on, the treatment

of Mr. Nosenko was never, until 1967, devoted to learning what Mr. Nosenko said." This is not true, as a document in the files, which I wrote in 1962, will make clear. It was not "X's" theories which caused my initial suspicion of Nosenko in 1962. It was the overlap of Nosenko's reports—at first glance entirely convincing and important—with those given 6 months earlier by "X." Alone, Nosenko looked good to me, as Mr. Hart said; seen alongside "X," whose reporting I had not seen before coming to headquarters after the 1962 meetings with Nosenko, Nosenko looked very odd indeed. The matters which overlapped were serious ones, including a specific lead to penetration of CIA—not a general allegation, as Mr. Hart misleadingly suggested. There were at least a dozen such points of overlap, of which I can still remember at least eight. Nosenko's information tended to negate or deflect leads from "X."

And this brings me to Mr. Hart's efforts to make you think that the suspicions of Nosenko were based on foolish fancies about "horrendous plots." Let me try to restore the balance here. A KGB paper of this period described the need for disinformation (deception) in KGB counterintelligence work. It stated that just catching American spies isn't enough, for the enemy can always start again with new ones. Therefore, said this KGB document, disinformation operations are essential. And among their purposes was "to negate and discredit authentic information which the enemy has obtained." There is some reason to believe that Nosenko was on just such a mission in 1962: To cover and protect KGB sources threatened by "X's" defection. Does this sound like a "horrendous plot" conjured up by paranoids? It is known counterespionage technique, perfectly understandable to laymen. But as I have said, Mr. Hart's purpose was not enlightenment, but ridicule.

To prove Mr. Nosenko's credibility, Mr. Hart made a breathtaking misstatement about the defector "X": "Quantitatively and qualitatively," said Mr. Hart, "the information given by Mr. 'X' was much smaller than that given by Nosenko." Could Mr. Hart really have meant that? Mr. "X," paranoid or not, provided in the first months after his defection information which led to the final uncovering of Kim Philby; to the first detection of several important penetrations of Western European governments; proof (not general allegations) of penetration at the heart of . . . [allied service]; and pointers to serious penetrations of the United States Government. Before Nosenko, "X" uncovered the current organization and methods of the KGB, and very large numbers of its personnel active in its foreign operations.

And listen to this: It was Mr. "X" who first revealed both of the two KGB operations which Mr. Hart adduced as of Nosenko's good faith! They concerned microphones in the American Embassy in Moscow and a penetration of one of our NATO allies.

As for the microphones, Mr. Hart stated that "Mr. Nosenko was responsible for the discovery of a system of microphones within the U.S. Embassy in Moscow which had hitherto been suspected but nobody had enough information on it to actually detect it." But Mr. "X" had given approximate locations of some of the microphones 6 months earlier. Like Nosenko, he did not know the precise locations.

but he knew the mikes were there and could indicate some specific offices where they could be found. The actual tearing out of walls, which Mr. Hart mentioned, would have been done, and the microphone "system" found, without Nosenko's information. Contrary to Mr. Hart's statement the KGB would "throw away" already-compromised information to build up a source of theirs. Mr. Hart simply hid from you the fact that this information was already compromised when Nosenko delivered it.

Mr. Hart's other proof of Nosenko's credibility was as follows: Mr. Hart said, "A very high level KGB penetration in a very sensitive position in a Western European government was, on the basis of Mr. Nosenko's lead, arrested, tried, and convicted of espionage. There is no reason to believe that the Soviets would have given this information away." End of quote. Now, Mr. Hart was presumably referring to a man we can here call "Y" although his case is very well known to the public. Did Mr. Hart really not know, or did he choose to hide from you, the fact that "Y's" reports to the KGB were known to Mr. "X," the earlier defector? The KGB, knowing this, cut off contact with "Y" immediately after "X's" defection. "Y's" uncovering was therefore inevitable, even though "X" had not known "Y's" name. Nosenko added one item of information which permitted "Y" to be caught sooner; that is all. How, then, could Mr. Hart have said "there is no reason to believe that the Soviets would have given this information away"? The reason, that "Y" was already compromised, was perfectly clear in the files which Mr. Hart's team studied.

Mr. Hart also told you that Mr. "X" had confirmed Nosenko's claimed positions in the KGB. This is not true. Mr. "X" said, on the contrary, that he had personally visited the American Embassy section of the KGB during the 1960-61 period when Nosenko claims to have been its deputy chief, and knew definitely that Nosenko was not serving there.

So these are some of the matters affecting Nosenko's general credibility, which may be important to you when you assess the meaning of Nosenko's incredible testimony on Oswald.

Now, Mr. Hart also distorted the CIA's performance in getting the facts about Oswald from Nosenko. Your committee staff report had it right, before Mr. Hart came forth. Referring to the Agency's questioning of Nosenko on July 3 and 27, 1964, the report says that the CIA's questions "were detailed and specific about Nosenko's knowledge of Oswald. The questions were chronological and an attempt was made to touch all aspects of Oswald's stay in the Soviet Union." Close quote. Moreover, the CIA gave Nosenko a transcript of his own remarks so he could add any more he knew, or correct any errors. This is from your staff report, pages 7-9.

But then came Mr. Hart with his sweeping denunciations of CIA's "miserable" and "dismal" and "zero" performance, and stating flatly that "there was no effort being made to get at more information (Nosenko) might have." Mr. Hart thus led Congressman Fithian to suggest that the CIA had not even taken "the logical first step" of getting Nosenko's information and led the chairman to conclude that no investigation of Oswald's activities as known to Nosenko had been made. In this Mr. Hart concurred.

In truth, of course, there was nothing more to be got from Nosenko, unless it would be later changes of earlier details, as happened when your committee questioned Nosenko. If there had been more, we would have gone doggedly after it, of course. We were not the incompetents Mr. Hart made us out to be. Your staff report said that Nosenko "recited" the same story in each of his three sessions with the committee. The word is apt: Nosenko had "recited" that story before, to the CIA and FBI, each of which questioned him systematically about it. So why did Mr. Hart give his own Agency a "zero" on all phases of the handling of Nosenko? Surely he was seeking to fling mud, not to give serious answers to serious questions. His effect was confusion.

Mr. Hart also suggested to you that CIA just didn't investigate the validity of what Nosenko had said about Oswald. That is equally false. What else, for example, was the purpose of our subjecting Nosenko to hostile interrogation and subjecting his information to meticulous investigation whenever we could? Those 40 file drawers are full of the results.

But, of course, we were not able to check inside the U.S.S.R., as the Warren Commission noted. We didn't have other sources in the KGB who were connected with this Oswald case. But think how lucky we were to have even one inside source on Oswald inside the KGB. Of the many thousands of KGB men around the world, CIA had secret relations with only one, and this one turned out to have participated directly in the Oswald case. Not only once, but on three separate occasions: When Oswald came to Russia in 1959; when he applied for a visa from Mexico to return to Russia; and again after the assassination when the Kremlin leadership caused a definitive review of the whole KGB file on Oswald. How many KGB men could say as much? CIA was thus unbelievably lucky to be able to contribute to the Warren report. In view of other suspicions of Nosenko, the keyword in that last sentence is "unbelievably."

Gentlemen, I hesitate before replying publicly to Mr. Hart's false charges, for a number of reasons:

For one thing, I found it hard to imagine myself in the position of defending myself against the CIA before the Congress. My record should have been ample protection against that.

Then, too, I'm comfortable in the knowledge that my honor and integrity, although torn to shreds by the CIA before this committee and the public, remain intact with those who know the truth.

And of course, my embarrassment, my public dishonor, count for little compared with the reputation of a Government agency which must uphold an image of integrity. To call public attention to the way the CIA misinformed you might cause it embarrassment. I do not want to harm the CIA, which has enough real enemies.

For without the CIA, who would remain to oppose the relentless work of subversion and deception and penetration being directed abroad by the KGB against our country? Who would oppose that arrogant and brutal instrument of repression in the secret, dark places where it works?

Finally, it was this thought, of the KGB, which decided me to come before you. Some of the mud the CIA spattered on me might have clouded your view of the KGB's relations with Lee Harvey Oswald, as

given to you by Yuri Nosenko of the KGB. The flying mud may have screened important aspects of the case. By wiping some of it away I thought I might help you to restore what seemed to me a clear presentation of the facts in your committee staff report—written before Mr. Hart's testimony.

What I seek is to let the facts carry the day, to wipe them clean again for your inspection. You need not accept either the beseechings of Mr. Hart, or any counterargument from me. But my hope is that you will not let the facts get obscured by emotional distortions, or irrelevancies.

Mr. Chairman, my prepared statement continues now with a series of remarks on a series of issues of interest to the committee, which is the detention of Mr. Nosenko. I have already mentioned to you that I think it irrelevant to your concerns, but since it was a matter of considerable concern to you and of interest to the public, I have prepared a few pages here which I can either read or use in response to a few questions you may have.

Mr. PREYER. Let me suggest that you read them.

Mr. D. C. Thank you, sir.

The detention of Nosenko has been described in sensationalist terms by Mr. Hart and, as he clearly intended, has caused some outrage on the part of the committee. I want to deal with it because the committee has been led to consider it, not because it is truly pertinent to your concerns. Mr. Hart and Mr. Nosenko use it, falsely, as an excuse for discrepancies in Nosenko's reporting. But this is a distraction, filling Mr. Hart's testimony in place of discussion of Lee Harvey Oswald.

Mr. Hart's bias must have been evident to all. He expressed his personal view that the treatment of Nosenko was "absolutely unacceptable" and he introduced terms like "bank vault" to imply inhuman treatment. He led Mr. Sawyer to talk of a "torture vault" and "partial starvation" and gave the idea that Nosenko was subjected to unbearable heat, or left shuddering in the wintry cold. He portrayed the conditions in terms leading committee members to use words like "shocking" and "horrible." Yet at the same time Mr. Hart was describing himself as a "historian" bound by known fact. In fact, he misled you about almost every aspect of the detention.

Had he in fact bothered to collect facts from all concerned, you would have gotten a quite different and more rational point of view, one which deserved at least some respect if for no other reasons than that it prevailed within Mr. Hart's own organization for 3 years.

In fact, one overriding flaw in Mr. Hart's version of these "horrible" matters is that the Agency leadership—serious and responsible people—had approved Nosenko's detention and at least the broad outlines of his treatment. Mr. Hart's way around this was to suggest that Mr. Helms was not aware of what was going on. Mr. Helms has belied that and indeed has called into question some of the impressions conveyed by Hart to the committee concerning Nosenko's treatment.

I participated in most of the discussions about the detention and I remember the circumstances pretty well. Let me propose to you the explanation I would have given you had I been the Agency's representative. What I knew may be more valid than what Hart has selected from Agency records and colored in sensationalist hues.

In the first place, let me remind you of the reasons for the detention. Mr. Helms described a few of them, but Mr. Hart did not give you the picture at all. This is important, for if Mr. Hart succeeds in dismissing and deriding the case against Nosenko and all its implications, he robs the detention of its context and purpose, and truly makes it, as Mr. Dodd put it, "outrageous." Here is why Nosenko was confined:

First, during the initial period of freedom after his defection, when his handling was identical to that of any normal defector, Nosenko resisted any serious questioning. It was not that he was "drunk around the clock" as Mr. Hart put it; he was usually sober when he deflected questions, changed the subject, and invented excuses not to talk.

Second, his conduct and lack of discipline threatened embarrassment to the Agency during his parole in the United States. Remember, he had not been formally admitted to this country.

Third, there was a documented body of evidence, not "supposed evidence"—that's a quote from Mr. Hart—beyond any explanations of bad memory or misunderstandings, which made it likely that Nosenko had been sent by the KGB to mislead us. It was not juridicial proof, but it was taken very seriously by the Agency's professional leadership, who were neither fools nor paranoids.

Fourth, the implications underlying this very real possibility were too serious to ignore. Among them were these two: That Lee Harvey Oswald may have been a KGB agent, and that there was KGB penetration of sensitive elements of the U.S. Government.

Fifth, if we were to confront Nosenko with the contradictions and doubts while he was still free, he would be able to take steps to evade further questioning indefinitely.

Sixth, there was a special urgency to get at the truth of Nosenko's reports about Lee Harvey Oswald because of the time limits imposed on the Warren Commission.

The legal basis for the detention has been explained to you by Mr. Helms. It had, as we understood clearly at the time, the approval of the Department of Justice and other Government agencies. We did not think we were doing anything illegal, at least not until the time had stretched out beyond reasonable limits, at which time we began to prepare for his release. Nosenko himself didn't seem to consider it "illegal" at the time, it doubtless seemed a logical intensification of the severity of the screening process which he knew he had to go through. He did not complain of violation of any constitutional rights nor ask for a lawyer. An innocent man might have protested and resisted, but Nosenko was engaged in a contest, and knew that he was failing to convince us—as indeed he freely admitted (he said he was "looking bad" even to himself, but had no way to explain the many contradictions, ignorances, and errors). He complained about cold and heat, but not, as far as I remember, about the fact of detention and interrogation.

There were two basic requirements for the detention: That it be secure and that Nosenko not be able to communicate with the outside—with the KGB or with unwitting helpers. Therefore, we needed a separate, isolated house in a rural or thinly populated area, as far as possible from other houses, with discreet access for the comings and goings which an interrogation would require. The Office of Secu-



rity found a place, but as I remember it was not easy and the rent was high.

The actual conditions of detention within the house were not designed to cause him discomfort—or, for that matter, comfort either. They were to be healthy and clean. He was never touched or threatened and he always knew he wouldn't be; he could always resist a line of questioning by simply clamming up, with a shrug; there was nothing we could do about it.

Nosenko complained about the heat in summer. His window was blocked, not to cause him discomfort but to avoid contact with the outside. A top-floor room was chosen in preference to a basement because it would be dry and healthy, while the basement would be damp. When it became stuffy, Nosenko rightly complained and as I remember, an effort was made to improve the situation; I think a blower was installed to keep the air moving, but perhaps this can be checked in the files.

I don't remember any complaint about cold in the winter. If there had been, I cannot imagine why he would not have been given extra blankets, and I do not believe the complaint is justified.

His diet was planned always in consultation with a medical doctor. To accuse the Agency of trying to subject him to "partial starvation" is unjust; to imply that Nosenko's handlers wanted to, but a medical doctor "intervened" (as Mr. Hart said) is to distort the facts. The doctor was consulted in advance, at every phase of the detention, and checked Nosenko regularly. I can't remember the time period, but I think it was weekly. It might have been every 2 weeks. The diet was made more or less austere depending on the situation at any given phase of the interrogation, but it was always a healthy one.

The time frame has been much distorted here. We did not foresee a long detention—as both Mr. Helms and Mr. Hart have said. The first step, and perhaps the only one which required detention, was to be the confrontation, the hostile interrogation. I do not remember how long we thought it would last; perhaps somewhere between 2 weeks and 2 months. From then on the detention became extended, phase by phase.

First, the hostile interrogation. The results surprised us. Before, we suspected Nosenko might be a plant; afterward, we had come to think moreover that he might never have been a true KGB officer and that he surely had not held certain of the positions in the KGB which he claimed. (This view was reinforced in later questionings.)

At the conclusion of the hostile interrogation, in which Nosenko himself admitted that he "looked bad" even to himself, Nosenko was entirely willing to submit to a systematic debriefing. He said that we had been right to separate him from drink and women and make him work seriously. He did not complain then of the conditions of detention.

So began the second phase, a systematic questioning of the sort which we would have done with any normal defector under conditions of freedom. Nosenko ate quite good food, got books to read, and cooperated without complaint (except when it got too hot).

The third phase was a second hostile interrogation using the new information derived from his questioning and from outside investigations in the meantime. It deepened our suspicions, gave us more insight into what might lie behind him, and produced some confessions of

minor lies—which did not remove the doubts, for the new version contradicted other things he had said. But he did not confess to Soviet control. During this period his diet was made more Spartan, and he was not given reading material.

Nothing was harmful to Nosenko, however. You have only to listen to his complaints (lack of reading material, and other diversions, being about the worse) to realize that this was not “torture” whatever Nosenko’s advantage in making it appear so.

After the second hostile interrogation—I don’t remember the date; I believe it was late 1965—excuse me, late 1964—Nosenko was moved to the second holding area. This we can call the fourth phase.

Much has been made of CIA’s constructing a house to hold Nosenko. But the true explanation is far less lurid than Mr. Hart would make it seem. A new safehouse was needed because time erodes the security of any safe area; it was time to move. There was no thought about how much longer the detention had to last; Nosenko was still in the United States on parole to the CIA; we would not, under any circumstances, have certified to the immigration authorities that we considered him a bona fide immigrant. On the contrary, we had a mass of reasons to believe that he was a KBG agent sent to harm the interests of this country. So what could we do about him? The first thing, in view of the serious implications underlying this suspicion, was to clarify the doubts to the best of our ability. And at that point we still thought there were ways to learn more, enough to justify continuing the effort.

Suitable rural houses near Washington were, of course, hard to find, expensive to rent, and involved leases for minimum period, security hazards, and the threat that breaches of security might make us move again and again. And such holdings areas required a large guard force.

So the Office of Security considered it not only safer and better for our purposes, but also cheaper, to build a place on Government-owned land, than to lease a new house, pay the guards, make the alterations, et cetera, for a period we could not control.

As to the design of that house. Mr. Hart invented the term “bank vault,” which is a catchy phrase but a purposeful misrepresentation, a misrepresentation of his own Agency’s motives. The facts were these. The house was to be separate, but to hold down costs it should be as small as possible. There were certain minimum requirements: an interview room, a room for Nosenko, and a room for the guard or guards. It should require as few guards as possible. It should have an open-air exercise area, but not such as to let him see where he was. And as in the earlier safehouse, he should not be able to communicate with the outside, hence no windows. To prevent tunneling, his room should be of stronger construction. Now, to go from these last two criteria, as Mr. Hart did, and say that “in addition to the vault, which surrounded it,” is to misstate the truth.

The house was designed by the Office of Security, which was responsible for all the physical aspects of holding Nosenko. At no time did any representative of the Office of Security express any dissatisfaction with the manner of Nosenko’s handling, nor disagreement with the suspicions of Nosenko which underlay the detention.

It has been said that Nosenko was kept in solitary confinement and unoccupied, with a special view to influencing him to confess. In fact, there was no alternative to solitary confinement (could we have found him a companion) and it was physically impossible to arrange to question him constantly. One day of interrogation requires at least a day and perhaps more of report writing, and a day or more of investigation, and later sessions take time to prepare. And for almost all the people involved, there were other responsibilities, other tasks; the work went on even outside the Nosenko case. How Mr. Hart could imagine that the Agency leadership (professionals with experience in interrogation) thought Nosenko was under constant questioning is incomprehensible to me. Mr. Hart says we interrogated Nosenko for 292 days out of 1,277. That makes about 1 day in 4, if you let us off for weekends, and that sounds about right and normal. If I once wrote that the time between questionings would make Nosenko ponder, then I was rationalizing inevitable gaps, not planning an unbearable isolation for the man.

The detention had positive results. We got, as we never could have otherwise, the bulk of what Nosenko had to report, pure and free of any outside coaching. We were able to detect just how ignorant he was, and in just what areas. We could probe the limits of his knowledge, and they were rigid, even in connection with things he had claimed to have lived through. (Much like his recited story of Lee Harvey Oswald.) We were able to apply test questions to refine or test our hypotheses, in the absence of a confession. But, limited by morality and the law, we were not able to get a confession. In retrospect, with the benefit of hindsight, I suppose that we would have done just as well to give him better food, more books, music, a big bed, games, and occasional informal conversations. But that was not clear at the time.

But we could hardly, in good conscience under our responsibility under the parole, sponsor him for U.S. immigration. It took a white-wash and pretended belief in his tales to accomplish that.

Now I want to address myself to the question of disposal.

Here the extent of CIA's irrational involvement with Nosenko becomes blatant. Mr. Hart read (with relish, according to my friends who watched on TV) selected items from some penciled jottings in my handwriting which left with you the impression that I had contemplated or considered (even suggested as more than one newspaperman understood him) such measures as liquidation, drugging, or confinement in mental institutions.

I state unequivocally, under oath, that :

First, no such measures were ever seriously considered.

Second, no such measures were ever studied.

(What "loony bin"? How "make him nuts"? What drugs to induce forgetfulness? I know of none now and never did, nor did I ever try to find out if such exist. The whole subject of "liquidation" was taboo in the CIA for reasons with which I wholeheartedly agreed then and still do.)

Third, no such measures were ever suggested as a course of action, even in intimate personal conversations.

Fourth, no such measures were ever proposed at any level of the Agency.

Of course, Mr. Helms, when he testified before you, hadn't heard of those penciled notes; neither had anyone else.

I do not remember making any such notes. And I have had much time to try to remember. However, I can imagine how I might have. Responsible as I was for this "abominable" case, I was called upon to help find the best way to release Nosenko—without a confession but sure that he was an enemy agent. In an effort to find something meriting serious consideration, I suppose that I jotted down, one day, every theoretically conceivable action. Some of them might have been mentioned in one form or another by others; I doubt they all sprang from my mind. (I cannot even guess what "points 1 through 4" might have been, the ones Mr. Hart declined to read because they were "unimportant." I guess that means they weren't damning to me.) But the fact that the notes were penciled reveals that they were intended to be transient; the fact that "liquidation" was included reveals that they were theoretical; and their loose, undignified language reveals that they were entirely personal, for my fleeting use only. In fact, none of these courses of action could have been morally acceptable to me nor conceivable as a practical suggestion to higher authority.

Mr. Hart admitted, or proudly claimed, that he himself discovered these notes in the files. Although he recognized their purely personal nature, that they were not addressed nor intended for any other person, nor had any practical intent, he chose to bring them to show and tell to the committee and to the American public. Did he feel this a moral duty? Or was it simply part of his evident intent to deride and destroy any opposition to Nosenko? Could he have done it for reasons of personal spite? Whatever the answer, the cost seems too high: He was discrediting his own Agency for a matter without substance.

I cannot remember any concrete proposal for "disposal" being made during my tenure. You understand, of course, that "disposal" is merely professional jargon for ending a relationship which began with "acquisition." Those are two words that go together, being "acquisition" and "disposal." The course the Agency eventually adopted seems, in retrospect, the only practical one. I think the Agency did well to rehabilitate Nosenko and, as I thought, put him out to pasture.

However, I cannot understand why they then employed him as an adviser, as a teacher of their staff trainees in counterintelligence. The concrete suspicions of Nosenko have never been resolved, and because they are well founded, they never will "be cleared up and go away." Mr. Hart and Admiral Turner may frivolously dismiss them, as they have done before your committee, but the doubts are still there and it is irresponsible to expose clandestine personnel to this individual.

In conclusion, Mr. Hart's testimony was a curious performance. One wonders what could drive a Government agency into the position of: Trying to discredit and bury under a pile of irrelevancies the reasons to suspect that the Soviet Union sent to America a provocateur to mislead us about the assassin of President Kennedy; pleading irrationally and misleadingly in favor of a KGB man about whom serious

doubts persist; misrepresenting, invidiously, its own prior action; denigrating publicly the competence and performance of duty of its own officers; and dredging up unsubstantial personal notes, left carelessly in a highly secret file folder, to falsely suggest in public the planning by its own people of the vilest forms of misconduct.

As the Congress is conspicuously aware, the veil of secrecy can hide irresponsibility and incompetence. But behind that veil the CIA used to maintain unusually high standards of honor and decency and responsibility, and did a pretty competent job, often in the face of impossible demands. The decline of these qualities is laid bare by Mr. Hart's testimony—to the Agency's discredit, to my own dismay, and to the detriment of future recruitment of good men, who will not want to make careers in an environment without integrity.

The Agency need not have gone so far. After all, Nosenko's bona fides had been officially certified. Those who disagreed were judged at its highest level to have besmirched the Agency's escutcheon. Not only are they out of the way, but everything possible is being done to see that no one challenges Nosenko or his ilk, ever again. The Agency need only have said this much, and no more.

That Admiral Turner's personal emissary went so much further suggests that the Agency may not, after all, be quite so sure of its position. Perhaps it fears that this committee, wondering about this defector's strange reporting and unconstrained by CIA's official line, might innocently cry out, "But the emperor has no clothes!" This might explain the spray of mud, to cloud your view.

Mr. Chairman, I appreciate the opportunity to appear before this committee. My only regard is that I have not had the opportunity to answer publicly charges that have been made in public. And I should also like to point out in closing that in making this presentation and in responding to your questions today I may be limited by the fact that the Agency has denied me access to certain documents which I requested be made available. With that in mind, I will be happy to address any questions you may have.

Mr. PREYER. Thank you, Mr. D. C.

Mr. Fithian, Mr. Klein will be recognized for questioning. Would you prefer to ask questions before Mr. Klein?

Mr. FITHIAN. No.

Mr. PREYER. I recognize Mr. Klein at this time.

Mr. KLEIN. Mr. D. C., you referred in your testimony to the memo that was provided to this committee by Mr. Hart. The actual memo was not provided: a typewritten copy of that account was provided, JFK F-427. I will ask the clerk to show you a copy of that document.

Mr. Chairman, that has already been previously marked into evidence in previous hearings.

In looking at that document, do you recognize the words as being your own?

Mr. D. C. No; as I said in my testimony, I can't remember any such document. However, I wish to point out that I also said it is not at all inconceivable to me that such a document existed, and I did write it.

Mr. KLEIN. Some of the questions I will be directing to you refer to the letter: I believe that is also being put into the record. It is JFK exhibit F-136.

You have testified that you were directly responsible for the case of the KGB defector Yuri Nosenko from 1961 to 1962; is that correct?

Mr. D. C. Yes.

Mr. KLEIN. Was learning what Nosenko knew of Lee Harvey Oswald a major objective of the CIA during those years?

Mr. D. C. This question has arisen in some of the previous questions I have read. There may be some question about the word "major."

I would like to say the question of Lee Harvey Oswald was major indeed in our thoughts. We had in our custody the only witness to Oswald's life in the Soviet Union. So it was certainly important.

The information which Nosenko gave about Oswald was so circumscribed, so rigid that we took it, we questioned him, as you know, and got to what we thought were the limits of his knowledge. It was not expanded to anything he really lived through. It was there. We thought we had it. We questioned him in Geneva, I think twice. It is in the record. We talked to him here about it. The Bureau had him then afterward. In the conditions of detention it was part of the systematic questioning to which I referred in my testimony. It was dealt with seriously. But I don't believe we had much hope of getting any deeper into it. We thought, Mr. Klein, that we had what Nosenko had to say about Oswald. Now whether that's giving it proper importance, it was—well, of course it was important, but we didn't keep going back day after day for 1,000 days to keep asking him, can you think anything more about it?

The answer is yes, it's important; no, we didn't pound on it incessantly as perhaps a major or important subject might be pounded on. But I say even now, having read excerpts of your talks with him and having seen one or two things change, I would say, perhaps we would have made changes in the story.

Mr. KLEIN. Was determining whether Nosenko was telling the truth about Oswald, was that a major objective?

Mr. D. C. Yes; it was.

Mr. KLEIN. And did you believe at that time that if Nosenko was lying about Oswald, that that could have immense implications?

Mr. D. C. Yes; but the lying about Oswald was, in this sense, parallel to the lying about several other things, a lot of other things.

As you saw, when I took this one case, the case of Lee Harvey Oswald, and took it through our or my thought processes, if you like, I couldn't find any logical or any illogical explanation for why he said what he said about Oswald.

So, of course, finding out why he was saying it or whether he was telling the truth was of immense importance. As you see, independent of all the other aspects of Nosenko's bona fides, we could come to a point of extreme doubt of his bona fides solely on the basis of the Oswald case.

Mr. KLEIN. Now, you quoted from our own report about the detail and specificity of the July 3 and July 27 interrogations of Nosenko, when he was asked about Oswald in the Soviet Union.

Do you know of any other sessions when Nosenko was questioned specifically in detail about Oswald and Oswald's—about Oswald in the Soviet Union?

Mr. D. C. I don't know. I can't remember. I cannot remember. I do know that in our office we spent—now, in my office at this time, Mr.

Chairman, I would like to point out, as I mentioned in my opening remarks about my career, that during the period from 1962 to about 1965 I was in charge of counterintelligence within the Soviet bloc—Soviet Russian Division.

We were the operational element probably most closely involved with the Soviet intelligence aspects of what would come out in the Oswald case, along with the counterintelligence staff, as you know.

We did—because we had sources, defectors and experts at our best—we did dig. We thought, well, what can we supply, how can we shed some light on this thing. This was on everybody's mind, and it was extremely important to us.

I remember, for example, the passing out of questions to certain defectors who were working with us from the KGB predecessor organization, and their information, their questions, their comments, were brought into us and to the best of my knowledge were made available to the Warren Commission.

This is not Nosenko, you remember. This is other sources about Oswald.

There were a number of questions which Mr. Epstein got and published in his book as an appendix, through the Freedom of Information Act, which came from my section. He calls it 44 questions, but the way it is organized in the book it is a lot more than 44 questions because each one is a group of questions.

Now, we passed that to the CI staff, which was our channel and liaison to the Bureau, and it was passed to the Bureau, and there was a big back and forth about whether they would or wouldn't service these questions in their dealings with Nosenko.

They were quite detailed questions, as they had to do with Soviet procedures primarily. Those questions were, I gather, never serviced by the Bureau.

I can only say in retrospect—and here my memory fails me slightly—that by giving them in through channels to be put to Nosenko, somehow we dropped them because I don't believe that in the conditions of detention, I don't think those so-called 44 questions were put to Nosenko.

When I look back on it, that is something that I would have to answer did we do absolutely everything, I think it would have been extremely interesting, and I don't quite understand if we didn't why we didn't.

Mr. KLEIN. I lost one point you were making. You said you gave them to the Bureau, and the Bureau did not ask the questions, Bureau meaning—

Mr. D. C. The FBI.

Mr. KLEIN. Didn't the CIA have custody of Nosenko at all times?

Mr. D. C. No. As has been said, custody is not the word here. Responsibility for the questioning of Nosenko on Lee Harvey Oswald was very firmly in the hands of the FBI. Believe me, we were extremely conscious of this, and if my memory is right, I believe we were enjoined at the time not to question him.

Certainly there was no doubt that by giving him the body, the man, Nosenko, into the hands of the FBI for as long as they wanted—I am talking now about conditions of liberty, of course, in this period, immediately after his defection—that the United States—the appropriate

U.S. organization for the inquiry into Nosenko's knowledge of Lee Harvey Oswald, our duty was accomplished.

We had given him, and it was the Bureau's job. They did their questioning.

You know, I don't know to this day exactly what they asked him. I learned more from your staff report than I had known before.

Mr. KLEIN. Is it your testimony that the Agency was constrained from asking Nosenko questions about Oswald's activities in Russia because the FBI had primary jurisdiction in this?

Mr. D. C. Yes; I think so.

Mr. KLEIN. Even Oswald's activities abroad?

Mr. D. C. Oh, yes. That was the only thing that Nosenko could bring to the FBI. That was all Nosenko had, is Oswald in Russia.

Mr. KLEIN. That was the full extent of Nosenko's testimony?

Mr. D. C. Yes; he was allegedly a KGB officer who had dealt with the case within the KGB. Of course, this was all he had to offer. The fact that this was handed—the Bureau had this authority, or this responsibility, it was perfectly clear to us at the time.

Mr. KLEIN. How was this matter made known to you, that the FBI would do all questioning—would be responsible for questioning Nosenko about Oswald's activities in Russia? How was that made known to you?

Mr. D. C. I don't remember. It must have been a result of normal interagency liaison, although nothing was really very normal about anything having to do with the President's assassination.

I would suggest that the best person to answer that question would be someone on the counterintelligence staff which controlled directly our liaison with the FBI.

Mr. KLEIN. Mr. Chairman, I would ask at this time to have——

Mr. FITHIAN. Mr. Klein, may I interrupt just a minute here.

I would like to ask a question on this, and if I ask it later it will be as disjointed as can be.

If the FBI had responsibility for the questioning of Oswald, which I believe you just said——

Mr. D. C. Yes.

Mr. FITHIAN [continuing]. How then could you testify earlier, as I believe I understood you to testify, that the questions you asked and the answers you received from Oswald—from Nosenko about Oswald, I think you said the Oswald case alone disproved Nosenko's bona fides.

Mr. D. C. I didn't say disproved. I said it was a factor in testing of bona fides. I don't think I said disproved because the word "prove" is a tricky one in this case.

Mr. FITHIAN. That is not the burden of my question. The burden of my question is if there was this clear jurisdictional division, are you saying, or aren't you saying, that the CIA did or did not question Oswald—question Nosenko intensely or otherwise about Oswald.

Mr. D. C. Oh, yes; I would be glad to review what I said about that.

During the period when we were dealing with Mr. Nosenko in Geneva, we—this was an active hot operational matter, there was no question of FBI at all—we were face to face with a man who was in the jargon of the Agency, was an agent in place—Nosenko before his



defection, who was meeting us under clandestine circumstances in Geneva. He was telling us about Lee Harvey Oswald.

We, of course, took that and got it as straight and as thoroughly as we could under those circumstances.

After he defected and came to the United States, it was, through the channels that Mr. Klein is interested in—it was made clear that the FBI, as the primary investigative agency on the President's assassination, would manage the further and detailed questioning of Mr. Nosenko in the United States on his knowledge of Lee Harvey Oswald.

Later, after the detention—as I mentioned, we tried to get some sort of admissions from Nosenko by the act of hostile interrogation. Those, as far as I remember—there were no questions involved in there because there were no contradictions about Oswald, and I don't think that was part of our hostile interrogation.

But subsequent to the hostile interrogation, as I say, we were able for the first time because this man had resisted it earlier, we were able to ask him the kinds of questions we would have asked him had he been free, any normal defector.

We got to the questions and back to the questions of Lee Harvey Oswald in the course of that systematic debriefing. That, I think, will explain the dates, Mr. Klein, that are in your report, which I didn't know, I don't remember. They were July 3 and 27.

Again, I learned from the report or I was reminded by the report that the detention and the hostile interrogation began in early April. As I remember it, the systematic questioning continued through the summer, and as a part of the questioning, not with any expectation that there was more to come, that we would have to contribute about Oswald, but because we wanted to do everything we could to get his full story before the Warren Commission closed its doors, we did ask him about these matters.

The result was—

Mr. FITHIAN. Even though at that time you did not have—the FBI still had jurisdiction?

Mr. D. C. The question wasn't—in fact, Mr. Fithian, the question was no longer, I think—we didn't feel any constraint during this period of detention. There was nothing preventing us from talking to Nosenko about Oswald.

The only thing that may have inhibited us was the conviction that he had no more to say about it. Certainly I think the comparison of what we got in Geneva, and the rather systematic questioning in July, there wasn't any more substance to it.

He was making certain statements, and those statements were either true or not true. But, they were certainly very limited. I think we could list the number of facts he gave us about the Oswald case, and they would not be a very long list. They have to do with how he heard about it and what he heard about Oswald's attempt at suicide, about Oswald's psychological assessment they did or did not do in the KGB, or in a Soviet hospital, on Oswald. These facts lined up have not changed and they have not increased by subsequent questionings. And I think by the time we were talking about, while Nosenko was in detention and we could have asked him as many questions as we

wanted to, I think our feeling was that we had his story. And I think subsequent events have borne that out.

The only thing I regret, as I say, is that those 44 questions which we had passed to the FBI, I don't think we should have felt any inhibition about asking Nosenko those at that time. I don't think anybody should have any inhibitions about asking Mr. Nosenko those questions today.

So I hope that answers your question.

Mr. FITHIAN. I was just unclear—

Mr. D. C. While he was in detention, we didn't feel strongly constrained. There was not much thought—the Bureau was always—the FBI was always aware that if they wanted to talk to Mr. Nosenko again, that they could have him at any time they wanted. There was no question of keeping him away from the FBI. With the FBI's knowledge of this case, the FBI's interest in this case, he was always there. If they wanted to come to the CIA and say, "Look, you are custodians of Mr. Nosenko. We would like to talk to him," they would have talked to him again.

Mr. FITHIAN. The reason I raised the question was I inferred from your response to Mr. Klein you somehow felt ruled out jurisdictionally, because that was the FBI's province.

Mr. D. C. I would say prior to the detention, yes.

Mr. FITHIAN. Only for one time frame.

Mr. D. C. Yes. I think from the time of his defection, or the time of his arrival in the United States until the detention. And as I say, the detention was designed to do a hostile interrogation, not to question him systematically. In fact, the hostile interrogation was a confused and confusing operation which didn't succeed, but it was strictly focused on contradictions in his story. And as I state, there were few enough, if any, contradictions visible within his story of Oswald that there was nothing there we could hook onto and use with any impact.

Mr. FITHIAN. Thank you.

Mr. KLEIN. Is it your testimony that whether it be very early or later on that the CIA did make every effort to get all the information from Mr. Nosenko that it could get and to find the truth—all the information from Nosenko about Oswald that it could get, and to determine whether that information was true or not?

Mr. D. C. There are two questions, I think. I separated them in my letter. The question did we get all the information. And then you said—

Mr. KLEIN. You attempted to get all the information from Nosenko about Oswald. You can take that one first.

Mr. D. C. OK. It would be very easy, and I would in good conscience say yes. But over these past weeks I have had a lot of time to think about it, what did we know, what could we have done. And the only thing that sticks in my mind right now that would have been perhaps useful for the record was to ask him those questions which our experts, knowing internal Soviet procedures, had dredged up about—which were not all to do with Oswald, and they had nothing to do with his knowledge of Oswald. They had to do with Oswald's own story, which has to do with his meeting with Marina, his permission to marry Marina, his exit of Marina from the Soviet Union, all of these things

that have to do with Soviet internal procedures, where we consider ourselves particularly well informed, because we had access to some former KGB people who knew these procedures.

By the way, they have said, they said at that time—well, their reaction to the story was quite violent. I understand that you have talked to some defectors on this subject.

But the reaction of the KGB men to the Oswald and Marina story, and most particularly to Nosenko's story about the failure to talk to him, and the ease with which he married this lady and so forth, they believed that this is not possible as given. Strongly they believe that.

Mr. KLEIN. I think my question sort of got lost. But is it your testimony that at some point the CIA did try to get all the information that they could from Nosenko that he knew about Oswald?

Mr. D. C. About Nosenko's knowledge of Oswald, yes.

Mr. KLEIN. And at some point did the CIA try to do its best, do whatever was possible to determine whether the information Nosenko gave about Oswald was true?

Mr. D. C. I would say our efforts in this respect would be on two planes. One is to check out the facts, and those facts, as I think Mr. Helms told you here, can only be found within the files of the KGB. And second, to find out whether Nosenko as such is telling a true story. In other words, is his story—is all of his story true, and therefore is his story of Oswald potentially true. And in that latter respect, I would say we made a heroic but unsuccessful effort. I say unsuccessful, because we didn't prove it.

As I told you today—I hope I got over to you the fact that I am convinced that the story cannot be true.

But that was the result of a long and strenuous effort.

So my answer to your second question is yes, indeed.

Mr. KLEIN. It is also your testimony that prior to the hostile interrogations, the CIA did not concentrate on the Oswald question because the FBI had primary responsibility for that issue, even though it dealt with Oswald's activities in Russia.

Mr. D. C. Correct.

Mr. KLEIN. Mr. Chairman, I would ask that at this time I read into the record page 7 from a document received from the FBI which is responses to questions that this committee posed to the FBI. I cannot put the entire document into evidence because portions of it are secret. But the portion I propose to read is unclassified.

The question posed to the FBI by this committee was:

Did either the FBI or the CIA have primary responsibility for investigating Nosenko's statements about Oswald. If neither had primary responsibility, was there any division of responsibility?

The answer, and I am quoting:

The FBI had primary responsibility for investigating Nosenko's statements about Oswald that pertained to his, Oswald's, activities in the United States, including the assassination of President Kennedy. The CIA had primary responsibility for investigating Nosenko's statements about Oswald's activities abroad.

Mr. D. C. I find that absolutely incomprehensible, because Nosenko could not conceivably have known anything about Oswald's activities in the United States. The FBI would have had nothing to talk to him about.

Mr. KLEIN. In effect, what this document would seem to say is that for everything that Nosenko knew about Lee Harvey Oswald, the CIA had primary responsibility of finding it out and investigating it.

Mr. D. C. Absolutely, that is what that document says to me; yes. Because it couldn't possibly have been the agreement between the FBI and CIA at that time because, as I say, there is no use talking to a Moscow-based internal security officer of the KGB about a man, a former Marine of the United States, who came to the United States—who had lived in the United States before he came to Russia, came back to the United States after he lived in Russia, and at some point along the way killed the President of the United States. How in the world would this man have had anything to say on the subject? In fact, he would have shrugged and said, "No, I don't know anything about it."

Mr. KLEIN. So we draw the conclusion from this that the CIA was of the opinion that the FBI had responsibility in this area and at the same time the FBI was of the opinion that the CIA had the primary responsibility in this area?

Mr. D. C. Certainly not. The FBI talked to this man for days. They could have terminated their so-called responsibility in 5 minutes had they thought that we were responsible, the CIA was responsible for talking to him about everything to do with Oswald in Russia.

Mr. KLEIN. Well, you are disputing that statement; is that right?

Mr. D.C. Oh, yes. And I have a feeling that there is some misunderstanding there. I can't believe that anybody said that seriously.

I have no memory of any such thing being said at the time because—perhaps they meant, you know—it couldn't mean that they felt that the FBI had—no, they were talking about Oswald, not about Nosenko. No, I cannot understand it.

Mr. KLEIN. So, you dispute that.

Mr. D. C. Oh, of course.

Mr. KLEIN. Well—

Mr. D. C. But I suspect it is a misunderstanding, rather than a misstatement.

Mr. KLEIN. You testified earlier that you did not recall any other sessions where Nosenko was asked detailed specific questions about Oswald in Russia, other than the July 3 and July 27 statements, which were mentioned in our report; is that correct?

Mr. D. C. That is correct. One reason I think perhaps you have the whole picture is that there were pretty careful records kept. In response to your questions to the agency, or—I am sure you had got all of the pertinent files, and had there been anything else, it would have been clearly indicated.

Mr. KLEIN. I should state for the record we have read those files, and we know of no others.

Do you have any recollection of how long these two sessions were in time?

Mr. D. C. You mean the July session?

Mr. KLEIN. July 3 and July 27.

Mr. D. C. No. I take it that information came from a document. Did it give any indication of the time? Because—

Mr. KLEIN. I should state for the record the sessions are on tape.

Mr. D. C. Well, then, there must be a way to know.

Mr. KLEIN. How many hours, as an experienced security officer, considering what you have told us was of importance to this question of Oswald—how many hours do you think that the agency should have devoted to questioning Nosenko about Oswald?

Mr. D. C. I would give you a practical answer to that question. When you are faced with a man who is telling you a limited number of facts, which have a very clear limit, you can ask him the questions, and you can write down the answers, and you can ask him the same questions or related questions all day long.

But I think that we felt that we had touched his limits, and we didn't just feel it, we experienced it, and that had we talked more and more and more we wouldn't have gotten anywhere. Therefore, I cannot guess how many hours one should spend asking the same questions.

I would add, by way of comment to your question, that had he lived through the experience as he said, we could have talked with him for days. Because you have a situation where a case officer named Rostrusin, or Krupnov, if this man walks up, and they talk about it, and then they go out and have a drink, or they live through these experiences, that Oswald had been in a hotel, and that there was this Soviet Intourist woman who was in touch with him, what exactly is her relationships with both KGB and what did she think about this guy, and did you talk to her and when—these are things which would go on and on and on had there been a genuine contact?

But the one thing I have noticed is that your complete information about Oswald and ourselves or the FBI's run to a few pages, never more. You can't expand it. You reached the limit. Therefore, my answer to your question is I can't guess how long you can spend on this man, but I don't think it is any longer than we did spend.

Mr. KLEIN. Is it your testimony that 5 or 6 hours would be adequate for this issue?

Mr. D.C. I am sorry. That is a very difficult question to answer.

Mr. KLEIN. I should state for the record that the committee has heard the tapes of these two sessions and they lasted, combined, approximately 5 or 6 hours. That is where the figure comes from.

Mr. D. C. I don't know. You are talking about a matter of hours—was it 6 hours or 12 hours or even 30 hours. Perhaps there could have been more.

Mr. KLEIN. Now, are you familiar with the person who questioned Oswald on July 3 or July 27?

Mr. D. C. No, I can't remember who it was. If you tell me his name, I am sure I would remember. But—it was presumably a member of my division, or my section, I would say—at that time the counter-intelligence section of the Soviet division.

Mr. KLEIN. My only hesitation is—

Mr. D.C. It doesn't matter.

Mr. KLEIN [continuing]. Is the security aspect.

Mr. D. C. Unless you want to ask me about some document. Excuse me for my question.

Mr. KLEIN. What I do want to ask you is do you think if you have Nosenko, as he is speaking about Oswald, and you said it was an

important issue, that the person who questioned Nosenko about Oswald should be somebody who is experienced in KGB—questioning KGB defectors.

Mr. D. C. I don't know. You have people available for questioning, and their manner of questioning is more or less detailed, and more or less competent, depending on their training, and depending on their personal inclinations or capacities.

Everybody has to get his experience somewhere. I think many officers I have known have done brilliant and complete interrogations without any prior experience.

No; I don't think it is necessarily relevant to be systematic about this. There was an implication in one of the reports I read that this man had not carefully studied the matter of Oswald before asking the questions of Nosenko. I think probably more could have been done there.

Mr. KLEIN. When you say that everyone has to get their experience somewhere, do you think this situation would have been a proper place to give somebody experience in questioning a KGB defector, talking about Lee Harvey Oswald?

Mr. D. C. Yes; I think it would—in other words, it is not grotesque, it is not unheard of to have a competent person—I am sure that the man who was sent—as I say, I don't remember who it was—I am sure he was not an incompetent.

When we are talking about questioning anybody about anything, we are talking about a personal capability, personal professional competence, rather than experience, let's say, with a Soviet defector, or with anybody else. He could go down and question a businessman about his business.

Mr. KLEIN. Well, to question a businessman, say, about his business, do you think that he would have been very familiar in the facets of the business—and my question is, would the person who questioned Nosenko about Oswald, would you expect that that person should be very familiar with the facts of Oswald's life and especially everything we knew about Oswald in Russia?

Mr. D. C. Yes.

Mr. KLEIN. And this committee, as is stated in the report, questioned, took a deposition from the particular agent who was assigned to question Nosenko about Oswald, and was the only agent who performed that questioning on July 3 and July 27, and he stated that his knowledge of Oswald came from the media, what he had read as all of us look at the newspapers and hear on television.

Do you think that is a satisfactory way to investigate what Nosenko knew about Oswald?

Mr. D. C. The word "satisfactory" is a difficult one.

Mr. KLEIN. Adequate.

Mr. D. C. Certainly not maximum. Certainly not desirable. No; I would be inclined to think that it was not—it was certainly not maximum.

Mr. KLEIN. Do you think that had the person who questioned Nosenko been very familiar with all aspects of Oswald, and experienced in KGB, and spent more than 5 or 6 hours questioning Nosenko about Oswald, and perhaps the CIA would have come up with more

relevant information in determining whether Nosenko was telling the truth about Oswald?

Mr. D. C. No.

Mr. KLEIN. You state in your report that the chairman of this committee, due to Mr. Hart's confusing testimony—

Mr. FITHIAN. Mr. Klein, are you departing that particular line of questioning now?

Mr. KLEIN. I am going to come back to it. But you certainly can ask a question now.

Mr. FITHIAN. I have had the feeling, subjective, today that perhaps, hearing your testimony and what else we have found out, that it would be fair to characterize your major interest in Nosenko as not being Oswald—either because you touched the limits of his knowledge, information, or for whatever reason—and that it would be fair to say that your real interest in Nosenko, as an individual, was the potential penetration of American Government, potential penetration of your own agency, determining whether he was sent here to mislead your agency, sent here to undermine Mr. X, whatever.

In other words, the intelligence operations that he might be able to lead you to were of a great deal more interest to you than Oswald. Isn't that fair to say?

Mr. D. C. No, no, it isn't, Mr. Fithian.

I would like to correct some of the impressions given in this field by Mr. Hart, among others.

During the period of Nosenko's clandestine meetings with us before his defection, and during the period of his questioning under conditions of freedom in the United States, he was treated—and his information was gone at—precisely as would any other defector.

The most important information he had to offer was got at, priorities were established, he was questioned on everything he knew including Oswald. During the period of confinement, he was also questioned on everything he knew including Oswald.

Now, if the case as a whole seems to bear this counterintelligence flavor, I would like to say that is probably determined by the fact that Mr. Nosenko was an internal security officer of the KGB. He was questioned early on, both in Geneva and here, on his knowledge of anything to do with Soviet politics, Soviet personalities, on the economic or internal relationships with the leadership, any type of policy information that he could give from his knowledge, as a KGB officer.

These are things which some KGB officers have had knowledge of. In other words, we don't write them off. They are not nearly as valuable as sources of intelligence are; for example, officers of the Soviet Army or \* \* \* [others].

But nonetheless, they are not necessarily zero, especially having to do with political information. I would say we made every effort to get what this man had on other things, that we were not just slanting our questions in order to determine whether he was a plant.

However, during that questioning we continually found reason to suspect that he was a plant, but that was not our purpose as it has been stated to this committee.

Our purpose was to get what he knew. He didn't know much. That is a fact. That isn't our preconception, as Mr. Hart—

Mr. FITHIAN. You mean he didn't know much about any area?

Mr. D. C. No, sir. Well, what do you mean by any area?

Mr. FITHIAN. The areas you questioned him on.

Mr. D. C. The areas I mentioned, on Soviet politics, economics and so on, he knew effectively nothing. He had nothing that was of any intelligence value.

Mr. FITHIAN. Well, I had some other questions, but that would kind of lead us far astray.

Mr. KLEIN. I don't have a whole lot more.

You stated in your letter that the chairman of the committee, due to the confusing testimony of Mr. Hart, was led to state that no investigation of Oswald's activities as known to Nosenko have been made.

Mr. D. C. Yes.

Mr. KLEIN. And that that was incorrect?

Mr. D. C. Oh, yes.

Mr. KLEIN. Would you tell us specifically what the CIA did to investigate what Nosenko said about Oswald in Russia?

Mr. D. C. The context of that statement, by the way, as is put in my letter, has to do with the getting—it is in the paragraph of that letter which talks about getting the information from, even though we are talking about investigation.

This is as I read the transcript. It may not be correct. It may have meant indeed the investigation of the information which had been gotten.

Mr. KLEIN. Right. Distinguishing taking a statement from investigation, using investigation in that way, would you tell us what specifically was done to investigate this case.

Mr. D. C. Yes, with pleasure.

First of all, the best way to investigate it is to check parallel sources of information. In this case, the only parallel source of information which could tell us, confirm or deny whether Lee Harvey Oswald had or had not been questioned by the KGB, or had or had not had any relations with the KGB, or some of the other things Nosenko said, could only come from the KGB, or Inturist, or from some of the personalities in contact with Nosenko in Russia. We had no such sources.

Second, we would probably go into—I am not sure what the technical term here is—we would consult experts. We would take Nosenko's information and see whether it made sense in terms of the knowledge, our knowledge of the Soviet Union.

That would not be a reference merely to files. That would be the questioning of all available sources on this subject. That is the point I made, that we did go back to every one of our defectors, not only on Nosenko's story, but on Oswald's story, directly.

That would be about all—except finally the attempt to determine how valid that information was in terms of the man's total credibility, which means investigation under interrogation.

Mr. KLEIN. Now, consulting of experts—you told us that although you spoke to some defectors, that they never used the questions, is that right?

Mr. D. C. No, no, no. They made reports. They made comments and reports about internal Soviet procedures which bore on the Oswald story. Oh, yes, they did that. They made reports.



Mr. KLEIN. So, since, as you say, you could not go to the KGB, the only investigation that the CIA did in this matter was to consult other defectors about procedures in the KGB?

Mr. D. C. Other defectors, other knowledge available to the American intelligence community.

Mr. KLEIN. Well, what specifically?

Mr. D. C. Excuse me?

Mr. KLEIN. I say other than defectors, who else did you specifically talk to, to investigate.

Mr. D. C. Talk to? Oh, let me think. Talk to. May I ask you to be very precise in your question as to what aspects of the story you might be talking about? Is it Nosenko's story of Oswald? Because if it is, it has to do with the procedures of admission to the Soviet Union, the series of events that occurred to Oswald in the Soviet Union, the suicide, and things of that sort.

Mr. KLEIN. And you are saying that you investigated this—these statements by Nosenko how, by speaking to—

Mr. D. C. Well, who would know about, let's say, procedures for the admission of people into the Soviet Union. Who would know about—the main source, the most valued source we have ever had on things from this very closed society, where these regulations and these procedures are in no sense open to the public, the best source we have had, of course, is defectors and that is over a large number of years—many years.

The result has been we have accumulated this information, and have turned out general reports and kept them up-to-date on what certain Soviet procedures are.

Those would be consulted. In other words, written reports, background information. Surely we checked that.

Mr. KLEIN. So in general you checked the reports that had been accumulated over the years, but not specifically written for this case.

Mr. D. C. And then questioned people specifically about this case, those sources we had.

Mr. KLEIN. Who did you question, without saying a name—if you questioned defectors, how many?

Mr. D. C. Defectors.

Mr. KLEIN. How many did you question?

Mr. D. C. Certainly a minimum of three, and as many perhaps as, I would guess—my memory really isn't sure because I wasn't as closely aware of some of these other things—I would imagine that we sought or got reports from more than those three, the three that I know of. How many more, I don't remember.

Mr. KLEIN. And were their records and files of what these—all the people that you questioned, are those records all made, of what they said when asked specifically to comment on this case?

Mr. D. C. I don't know that, Mr. Klein. I don't know.

Mr. KLEIN. And other than the number of defectors, at least three, anybody else that you questioned, or did you do anything else to investigate what Nosenko said about Oswald?

Mr. D. C. The word investigation is bothering me a little. I don't know what you mean. If you mean to look into it, to verify it by whatever information we had about Russia, what other sources are avail-

able? You have overt information, and you have information which has come from covert sources.

Mr. KLEIN. What I am saying is—I am not stating at this time that there are other possibilities. I am just asking what—is that the extent of what you did to investigate it?

Mr. D. C. We are talking about Nosenko's story, which is Oswald in Russia.

Mr. KLEIN. Yes.

Mr. D. C. What you do to investigate that in the United States is go down to the neighborhood and you go talk to people. But we had no such access to people inside the Soviet Union. There was a tremendous limit to our ability to investigate this information.

Therefore, if these outsiders, talking about procedures, or what would or wouldn't be done normally, sounds like a somewhat inadequate means of investigation, it was the only one at our disposal.

Mr. KLEIN. As I say, your statement is that there was investigation. I am just trying to ascertain——

Mr. D. C. I mentioned investigation on those three grounds, the third of those grounds being the attempt by interrogation to get at the veracity of Nosenko in general, and Nosenko as a source on Oswald.

Mr. KLEIN. And we have already discussed the extent of the questioning of Nosenko on the Oswald matter. That was those two sessions.

Mr. D. C. The questioning of Nosenko on the Oswald matter was limited to those two sessions, I believe, because you have told me so—plus the session is in Geneva.

Mr. KLEIN. Do you recollect in Geneva that you spoke in detail with Nosenko about Oswald?

Mr. D. C. The words "in detail" are hard to say because the conditions of a clandestine meeting are never satisfactory. You cannot sit down and be systematic because you don't have that much time. There are other things we talked about.

Mr. KLEIN. Did you ever question Marina Oswald about what happened in Russia when she was with Oswald, and compare that to what Nosenko was giving you?

Mr. D. C. To my knowledge the CIA had no access whatsoever to Marina Oswald, and I have no knowledge of any CIA contact with her at any time.

Mr. KLEIN. Did you ever ask the FBI to question her specifically about the issues you were interested in?

Mr. D. C. Yes.

Mr. KLEIN. Is there a written request for that?

Mr. D. C. I would suspect so; yes.

Mr. KLEIN. And did you get any answer back?

Mr. D. C. No.

Mr. KLEIN. The FBI——

Mr. D. C. No; I don't believe that we would have asked them to ask her something to tell us because this would have been a violation of what the FBI considered its charter in this case.

Mr. KLEIN. So you didn't ask them.

Mr. D. C. We would give them questions to ask her. We would request them or suggest to them that they ask Marina certain questions. That, yes, but not with the idea of reporting back to us because we wouldn't have any right to do that.

Mr. KLEIN. You wouldn't have any right to have the FBI give you their reports on Marina Oswald?

Mr. D. C. Oh, yes; we would have a right to ask them to give the reports. But we didn't say why don't you ask this. This is essentially why we are doing it. We gave them a request for information and said will you go ask these questions.

That is the history of the famous 44 questions I spoke about a moment ago.

Mr. KLEIN. Weren't you interested in the answers to compare it to what Nosenko was telling you?

Mr. D. C. Yes, indeed. But—the answers to——

Mr. KLEIN. That Marina gave the FBI, to compare it to what Nosenko told you what happened?

Mr. D. C. We would have been very happy to have answers from Marina, and asked these questions. But we could not operate through the FBI to do this. I think this is a thing that has come up in previous testimony. I think we were constrained, that the Bureau felt very strongly it was their responsibility.

Mr. KLEIN. Did you ever make any attempt to study files you had on other people who had defected, Americans who had defected to the Soviet Union, and check what happened to them, and compare them to Oswald's?

Mr. D. C. Oh, yes; and the people who were doing that—by the way, I want to stress here that the agency component primarily responsible—I told you about our wholehearted effort and tremendous interest in this. But the agency component handling the agency's requirements on Lee Harvey Oswald were in fact the counterintelligence staff. They indeed did look into the experience of other defectors.

Mr. KLEIN. Were their reports made on this?

Mr. D. C. I don't know.

Mr. KLEIN. I should say for the record, Mr. Chairman, that our committee has seen these files, but has never seen any reports indicating that any kind of study was made to compare these people to Oswald.

Were the results of these studies put in the final report that you people—that the Soviet Russia division published in I believe February of 1977?

Mr. D. C. No. The Soviet Russia—may I speak about that report? The report, the so-called final Soviet Russia division report has also been misrepresented here. What was being done in the so-called 1,000-page report, or whatever one chooses to call it, was to make sense out of an incredible mass of material.

It had gotten to the point, there were so many interrelated cases, so much detail connected with Nosenko, that somebody new coming into the case could probably no longer master it. What I sought to do was to get each and every aspect of the case written up, what Nosenko had said, what investigations had been made of it, perhaps even comments on it, or further things to be done on it.

That I don't remember—the exact format. But I do know the first two things were there, what Nosenko had said and what our investigation, independent knowledge showed.

This was put together with the idea of being a reference of easy access, not as a final report.

Now, exactly what was finally said in it when it got into its eventual form, the so-called 400-page report, I don't know because I wasn't there, and I had certainly not originally intended that compilation had to be a final report.

It has certainly been treated as such, and has been described as such here. Perhaps there were passages in it which had the kind of conclusions which I saw quoted—Nosenko was not this, and was not that, and was trying to deceive, and things of that sort.

Perhaps they appeared even in that 1,000-page report. But frankly, that wasn't its original intent, and I don't remember their being in there.

Mr. KLEIN. Do you specifically remember a report where there was a study of all American defectors to the Soviet Union and a comparison?

Mr. D. C. No; but I can assure you that the person to ask on that would be the counterintelligence staff. That was their responsibility.

Mr. KLEIN. Do you recall any kind of effort to get hold of documents, letters, diary written by Oswald, and compare that to what Nosenko was telling you about Oswald?

Mr. D. C. No, no.

Mr. KLEIN. When I asked you earlier about whether if you thought that a more experienced person questioned Nosenko, somebody who knew more about Oswald did the questioning, and whether there were longer sessions, whether that might have helped to get more information and get to the truth in this matter, you said that you didn't think it would help. And in your letter to us, you told us that you felt the Agency did an adequate job, and you compared what the Agency learned about Nosenko and what this committee learned and said that since we and the FBI didn't learn any more than the CIA, that that shows that the Agency did a good job.

Mr. D. C. Did an adequate job. I didn't say did a good job.

Mr. KLEIN. An adequate job.

Mr. D. C. Yes.

Mr. KLEIN. Did the FBI have the same access to Nosenko that the CIA had?

Mr. D. C. Yes. As I remember, I think he was delivered to them. I think they probably questioned him—I am not 100 percent sure of this, but I seem to remember that they questioned him on their own premises. In other words, I think he was out of our custody in the period he was being talked to by the FBI. It is conceivable that I am wrong and that the FBI people came to the house in which Nosenko was living and talked to him there. But I have some—

Mr. KLEIN. I believe the record will reflect that was the case.

Mr. D. C. I'm sorry. I don't remember.

Mr. KLEIN. Do you recall the FBI having any access to Nosenko after April 4, 1964?

Mr. D. C. No. Nor do I remember their asking for such access.

Mr. KLEIN. So they only were able to question Nosenko for approximately 2 months in 1964; is that right?

Mr. D. C. Correct.

Mr. KLEIN. And you stated in your letter that they questioned him—

Mr. D. C. Wait a minute. Excuse me. You said were able to interrogate him only during 2 months?

Mr. KLEIN. They had 2 months——

Mr. D. C. You used the words “were able.” They were able to talk to him more if they asked for it. I said that earlier today.

Mr. KLEIN. Well, you are saying they could have spoken to him after April 4, 1964.

Mr. D. C. Of course. We would never have denied them access to him.

Mr. KLEIN. And your testimony is that they had questioned him all they wanted, and that is why they didn't question him any more after April 4, 1964.

Mr. D. C. Yes. It is certainly my understanding.

Mr. KLEIN. Mr. Chairman, again I would like to read from the report given to us by the FBI, from page 5. This particular section was read into the record at our earlier hearings. I would like to read it again.

The FBI had no direct access to Nosenko from April 3, 1964, until April 3 of 1969, and therefore was not in a position to make an objective assessment of his bona fides nor of the veracity of information furnished by him. Thus information provided by him in early 1964 was accepted at face value and qualified in terms of the source and the conditions under which it was received.

Does that indicate to you that the FBI felt that they could have interviewed him any time they wanted after April 4, 1964?

Mr. D. C. Yes. The phrase in there was they had, as I understood it—they had no access to him during that period. They didn't suggest, I think, by that phraseology that they were denied it. I know of no case in which the FBI asked for access to Nosenko or that anything was said to the Bureau that suggested to them that they could not have access to him during his period of detention.

Mr. KLEIN. And you also compared the findings of the CIA with the findings of this committee. Do you think the fact that this committee spoke to Nosenko 14 years later might have put the committee at a disadvantage versus the position the CIA was in in 1964?

Mr. D. C. Normally I would say of course. In this case, I see no sign of it.

Mr. KLEIN. You don't think that the committee had any disadvantage——

Mr. D. C. No. I say I don't see any sign of it in the result. On the contrary, I think you got everything and perhaps a bit more. As to whether the 14 years make a disadvantage in this case or not, I would say normally of course it would. Everybody's memory fades, especially of experienced events.

Mr. KLEIN. Do you think that the absence of the investigative and intelligence resources that the CIA had available in 1964, the absence of that for this committee might have also made it more difficult for this committee to conduct its investigation?

Mr. D. C. The absence of what—excuse me?

Mr. KLEIN. The investigative and intelligence resources that the CIA has available, and had available in 1964, that that might have——

Mr. D. C. As I pointed out to you, there were no investigative resources that you would consider serious ones inside the Soviet Union.

Mr. KLEIN. You don't think that the CIA had any advantage over this committee as far as sources available to them?

Mr. D. C. I don't know what your limitations were, Mr. Klein. I would think that the type of sources that I have described would have been made available to your committee had you asked them. In other words, defectors, available background information on the Soviet Union and so forth. I don't think that—well, I don't know what other assets you are talking about or what other capabilities.

Mr. KLEIN. You state in your letter that the committee came up with only one fact.

Mr. D. C. Well, I was talking there about the——

Mr. KLEIN. Surveillance.

Mr. D. C. The surveillance.

Mr. KLEIN. You are aware that the committee came up with numerous inconsistencies in Nosenko's statements?

Mr. D. C. I certainly am. And I found them extremely well presented.

Mr. KLEIN. In the time the CIA had to question Nosenko, can you specifically tell us inconsistencies or untruths that the CIA pinned him to?

Mr. D. C. In the details of the case?

Mr. KLEIN. Yes.

Mr. D. C. The answer is probably no. I don't—and the answer is certainly no, I do not remember any. But as to whether there were or not, I don't remember.

Mr. KLEIN. In the files that I have read I can state that I have not found any. And my question to you is if the Agency did an adequate job, then how is it that 14 years later this committee found inconsistencies, when the Agency never found any at the time?

Mr. D. C. Well, some of those were changes in the story in the interim, aren't they?

Mr. KLEIN. That is correct. But they came about from questioning, from checking prior statements, questioning a number of times about the facts, 25, 30 hours.

Mr. D. C. Yes, prior statements.

Mr. KLEIN. My question basically is did the Agency put the time and resources into this so that if there were inconsistencies that could have been found in 1964 they would have been found.

Mr. D. C. I am not sure that these inconsistencies did exist at that time. And certainly I am not sure that a questioning of him at that time would have produced these inconsistencies. I have no way of knowing that.

Mr. KLEIN. I am not necessarily referring to these particular inconsistencies. What I am suggesting is that if inconsistencies develop in questioning of somebody now, would it be a fair statement that adequate questioning in 1964, although maybe not developing these same inconsistencies, would have probably developed other inconsistencies which could have been investigated and could have been the basis for even further questioning.

Mr. D. C. I think that is unknowable. I don't know.

Mr. FRITHIAN. On that point, if I may add, Mr. Klein—your own professional judgment is that Nosenko is lying about his knowledge

of Oswald in Russia, or that he is intentionally misrepresenting what he knows to be factual about the KGB treatment of Oswald.

Mr. D. C. Yes.

Mr. FITZIAN. I mean those are the only two possibilities.

Mr. D. C. Yes, sir.

Mr. FITZIAN. And that was your conclusion at that time.

Mr. D. C. The conclusion——

Mr. FITZIAN. Let me just ask you. You never would have put your stamp of approval on Nosenko's bona fides, is that correct?

Mr. D. C. No one would put a stamp of approval on somebody's bona fides except as the result of a careful and considerable period of investigation; that is any defector.

Mr. FITZIAN. I understand that.

Mr. D. C. And in his case it is suggested and has been suggested to this committee that conclusions were drawn prior to his—first of all prior to his reappearance in 1964, in other words, after the 1962 meetings, and subsequently during that period, before he was incarcerated, if that is the word. The fact is that at all times in our discussion, regardless of what might—well, let me start again. That at all times we left the door open to him, for him to prove his bona fides. The key period in this, in my opinion, was in that period of freedom, after his defection, where he was treated like anyone else, and we tried to go down and talk to him and so forth. And there were points or questions in our minds which we tried to approach with him during that period.

I would say that we went to the meetings in 1964 with a doubt in the back of our minds. But in no way planning to handle the meetings in a different way than would have been.

Quite a lot was made by Mr. Hart about the duplicity with which we talked about the settlement arrangements that would be made with Mr. Nosenko when he came to the United States. This has been the subject of some controversy since.

My memory tells me that we were not and could not have been authorized to exercise duplicity as such. We were offering him the type of settlement which we would have offered to that man had he established his bona fides. It was not duplicity as such.

Now, if you say at the same time that fellow who is promising these things is also the author of this paper over here which says that we don't trust him, or that there are some odd things here which suggest he was a KGB plant, I would say absolutely yes. But is that duplicity? Because the door was always open for the establishment of his bona fides.

And as for the first hostile interrogation, when we confronted him with these contradictions, I would say to you that we probably suspected that he would not be able to clear up these things. But we didn't do it. And there might conceivably have been some innocent explanation of both contradictions in his own story or oddities, all the things that Mr. Hart or others have mentioned, that there was some—he was perhaps a pathological liar or that he was boasting or he had a very strange memory, a whole lot of things could have come up.

But what we had done in the meantime is to do a lot of investigation on the side, not only about Oswald, and that we presented this

outside information to him, asked him questions about it, and found that he was inexplicably unable to answer the questions.

At what point has one concluded that this man—in other words, dismissed him as a source? I don't think we ever did. I don't think we talked to him about Oswald until much later, during the period we are talking about here. I don't think any less effort was made than would have been made with a serious defector. There were certainly more troubles in getting details from him than from other defectors, but I think our posture, face-to-face to him, probably was not much different than it would have been had we not had the suspicions in the background. It's the word "conclusions" that bothers me. It's the conclusion what he might have said had we not had these preconceptions, as Mr. Hart put it.

Mr. FITHIAN. I was trying to get at a followup to Mr. Klein's questions. Mainly inconsistencies occurred because stories didn't match and so on, but I was trying to ascertain whether or not in your judgment, since you did not believe him, you had reason at that time either because of inconsistencies or lies or whatever you judged them to be, to disbelieve his rendition of the Oswald story in Russia.

Mr. D. C. To the degree we had a suspicion of him at all, the answer is yes; we had that much reason to disbelieve what he said about Oswald in Russia. Plus the fact the story he was telling about Oswald in Russia was absolutely unacceptable to us alone as a story, for all the reasons we have already discussed. It was an incredible story and Mr. Hart and others have stressed that and every Soviet defector has stressed this.

Mr. PREYER. I have to be at a meeting over at the Capitol at 12:45 p.m. If you want to continue some questioning, could you come back? I suggest if it's agreeable with everyone that we recess until 2 o'clock today in this room and we can post a notice on the door if we have to go to another room.

The committee stands in recess.

[Whereupon, at 11:40 a.m., the hearing was recessed, to resume at 2 p.m.]

#### AFTERNOON SESSION

Mr. PREYER. The committee will resume its sitting.

The Chair recognizes Mr. Klein to complete his questions.

Mr. KLEIN. Thank you, Mr. Chairman. I will be exceedingly brief, with only one question.

Mr. D. C., to your knowledge is there any documentation, reports, memos, that fully describe the efforts made by the CIA in 1964, 1965, 1966, 1967, to investigate what Nosenko had to say about Oswald?

Mr. D. C. No; and I would say as of 1966 or 1967, when I cut off, my best guess is that such a document doesn't exist. I don't remember marking one and I am not quite certain what the reason for making one would be.

Mr. KLEIN. Is it normal procedure that during the course of the investigation you wouldn't document the course of the investigation?

Mr. D. C. You would document everything you do, but you certainly need not go back and describe everything you did or everything you propose to do. I don't know who such a document would be directed to,



for example. If one were reporting progress of an investigation there would be reports of what was done and what not. But this was one aspect of one larger investigation and I can't remember any document being made up on the subject.

Mr. KLEIN. Thank you. I have no further questions.

Mr. PREYER. Mr. Fithian.

Mr. FITHIAN. Thank you, Judge.

My first question is less specific. We'll have more specific ones later. But I have always been puzzled since Mr. Hart appeared before us as to why the Director would accept a man who would testify in such a way as to create smashing anti-CIA headlines out of that testimony and that goes beyond what you said this morning as to his own personal knowledge or credentials for making such testimony. Can you shed any light on that at all?

Mr. D. C. It goes without saying, I have thought about this a lot. I think the dates of the Director's takeover of the agency may have something to do with it. He came in from outside, very much outside, and he was faced with what to him was probably repulsive or abominable state of affairs and he turns to what was then the recognized expert, the man who had just before his takeover of the agency conducted this study. I have not seen it; I understand it's bulky and have no doubt as to its conclusion. But I would say from the Director's point of view, this man might appear to be the expert even though he was already retired at the time he did the 1976 study.

Mr. FITHIAN. Going back to Mr. Hart's testimony on page 114 of our record, he says to this committee explaining how he would proceed, he says:

Therefore, what I have before me are a series of notes which were finished about 8 o'clock last night based on guidance which I got at that time from Admiral Stansfield Turner, Director of the CIA.

Mr. D. C. I am mystified and have been asked the question and have asked others the question and no one I know in the Agency during my time or since has come up with any sensible explanation.

Mr. FITHIAN. Your assessment or judgment as to why Mr. Hart was selected then stems from and concurs with what Mr. Hart is saying a little later in his testimony when he says since Admiral Turner has become Director of Central Intelligence he has been quite concerned about this case and he specifically requested I come back to the Agency from which I retired in 1972 and give presentations to agents on the nature of the case.

Now my question is this, since the Nosenko case became a celebrated one long before this committee became interested or long before we even knew he existed, was Mr. Hart's operation such that he would be the logical person within the Agency or immediately retired from the Agency to make the kind of presentations to "senior officials or agents in the case" that we might have expected?

Mr. D. C. No, sir, he was not.

Mr. FITHIAN. May I reiterate in the record at this point what Mr. Dodd so ably did during the questioning that day, and that is to say that kind of testimony didn't in any way square with what this committee had requested of the Agency. We had submitted to the Agency a very detailed list of questions or concerns we had, Mr. Klein can

amplify that, of all our concerns. Then they were sent over to the Agency for a representative to discuss these matters. I might state, in no way did the Department comply with the request. It's worse than I thought in this sense. We were very surprised that day that the subject of Oswald was not discussed after some 30 or 40 minutes of testimony and then all the questions and even the statement that he was not qualified to comment on Oswald, which happens to be the only thing this committee was primarily interested in. So I make that comment at this point in the record.

Now, let me turn to your specific testimony, Mr. D. C., and ask you to refer to page 10 of your testimony.

Prior to asking a question as to this particular page, let me ask a couple of background questions: As a professional in this field, I believe I read into your statement here that it is highly unlikely, perhaps totally improbable, that someone with Oswald's particular background would have been able to move in, do the things he did in the Soviet Union, and move out without being questioned by the KGB.

Mr. D. C. That is absolutely my thought. I would say it's absolutely unthinkable and it's unthinkable for the Soviet defectors I know, it's unthinkable for anyone who knows the automatic procedures of the Soviet Union, there is no way he could have evaded this action.

One described to me that the KGB, as it would face an American swimming into their sea, it would be like a pool of piranhas, insofar as one could make a statement as dogmatic and final as that. I would say it can't have happened as described.

Mr. FITHIAN. Well, then, when Mr. Nosenko told you, told the Agency that story, that would have been as early as Geneva?

Mr. D. C. Yes.

Mr. FITHIAN. Just prima facie, doesn't this raise questions on the part of the Agency as to credibility of this man at all? I mean, even at the very outset, the first or second contact you had with him in Geneva?

Mr. D. C. Yes.

Mr. FITHIAN. Now, staying with the Geneva scene for just a minute, this is a digression, but I was appalled at statements made to us somewhere along the way, Mr. Chairman, as to the techniques of questioning Nosenko in Geneva, that the CIA non-Russian-language person doing the recording and—I have forgotten all the details. I would like some amplification, because I occasionally vote on budgets around here.

Mr. D. C. Yes, sir. A slight correction of dates and the manner in which I entered into this case.

I was in fact stationed in . . . [West Europe], not in headquarters in the Soviet Division at the time this case broke. Therefore, I came into it, if you like, as the Soviet operations expert in that area.

While I had given myself in the course of my career a lot of home learning of Russian to the point where I occasionally served as a low-level translator for the Ambassador or interpreter in some of his contacts with the Soviet Embassy, I was most definitely never fluent or competent in the language. But on the other hand, this shouldn't keep one from operating against the Soviet Union.

The contact made by a member of a Soviet delegation to that area, in this instance a disarmament conference in Geneva, he says "I want a contact with American intelligence," so somebody had to do that. It was quite clear I was the person to contact and I did.

In the course of the first meeting with him, both English and Russian were spoken. I told the man from the outset that I would appreciate his speaking clearly and relatively slowly and I would like to break into English whenever possible, and we tried to reach a language of understanding. At times either from excitement, impatience or whatever, he expressed himself over a considerable number of sentences, fast, in Russian, where my understanding of it was imperfect.

Now, I think at this late date, I told you this at a much earlier date, but very early along our questioning of the man and of our writing reports on him, we were aware of those points where he had said something and I had failed to understand simply because there were taped recordings of these meetings.

During the second meeting—it possibly could have been the third but I think it was the second—there was present in the room a native-speaking Russian officer to accompany me in my dealings with this man.

Although I came into it as a member of the \* \* \* [an overseas] component of the Agency, I was already known as particularly competent and experienced in this field, so it was considered as I think Mr. Helms said in 1964, it was considered a good face for the Agency, a competent qualified face for this extremely valuable source.

But from the second meeting on—even in the first meeting, there were a few misunderstandings which consisted, I believe, of my taking notes on certain things he said about his background. The military school which he attended was cited in your testimony and there were one or two other minor things having to do with the manner of his father's death. I made a mistake, I heard it wrong. So, in my initial report to headquarters there were mistakes. But at least for most of that first meeting I had no doubt there was good understanding and for all subsequent meetings, there was a total understanding.

To take misunderstandings which may have appeared in the first cable and first meeting on insignificant matters and extend them into a judgment as to the manner in which this source was handled from beginning to end is confusing, it misleads you and is unnecessary and has no relevancy at all.

I want to say the so-called drunkenness, the heartfelt statement of Mr. Nosenko to Mr. Hart, "John, I was snookered," he wasn't snookered, he probably had a lot of booze, but he was entirely lucid at all times. There was never a time when communications were broken because of the influence of alcohol.

Therefore, I suggest that element of language misunderstanding that you are speaking of and the element of drinking was artificially introduced as an explanation and excuse for other irregularities in Mr. Nosenko's reporting.

Mr. FITHIAN. Are you then saying that Nosenko used his drinking to make up or cover up or disguise the fact he did not know answers to certain questions or the account of that is erroneous?

Mr. D. C. Yes; later when confronted with that in Geneva in 1962, he simply said, "I was drunk" or "I did not say that," or "There was a misunderstanding."

In one case, Mr. Fithian, a very important case, he described in 1962, his participation in an operation involving an American of which we had a record. In 1964, he denied any knowledge of that operation at all. It wasn't a question of a transcript being ineptly made by some process I don't understand, was not the transcript at all which entered into this confrontation, we brought back a tape. This tape was loud and clear. We said, "You don't remember this operation? Here is your voice." And he hears his voice loud and clear, giving details of the operation. And his explanation was that he was drunk; he had no knowledge of having spoken to it a year and a half earlier. It's my premise that drunkenness doesn't give you second sight.

Mr. FITHIAN. I think Nosenko used the term as to Oswald being an uninteresting target. Mr. Epstein in his book perhaps makes a little too much of Oswald's potential knowledge of the U-2. Am I off base on that?

Mr. D. C. I think not. It makes a good story. It's logical, but after all this is something which escaped American attention. I have had an American friend who has come to me since then and said, "You can't expect me to believe the security review of Oswald failed to pick up the fact he knew about the U-2." I don't think it's even been proven he knew about the U-2, and I think it's the sort of thing that would have slipped by in any instance. He was at a Marine radar base 500 meters from where the U-2 took off, and his radar unit tracked it. Possibly certain things as to speed and altitude might have come to Oswald's attention.

For example, Mr. Oswald's defection to the Soviet Union would have been a part of naval intelligence to see what he knew or didn't know; and I have a hunch the most conscientious investigation you could make about that man might not bring up the fact that his service in that radar shack was in any way related to a highly secret operation which was documented in totally different ways.

I do agree with you that it's unlikely that the U-2 was the special information that Nosenko—excuse me, that Oswald told Snyder. There has been a lot of speculation as to the information of special interest he had. It may be he realized there was a special operation and this was the special thing he had to offer to the Soviets, but it's certainly not provable.

Mr. FITHIAN. One of the central questions which may go unanswered, but I would appreciate your best guess, I am not sure from your testimony whether you believe that Nosenko came to the United States, became available as a defector—I conclude you believe him to be a plant. I am not sure as to what your real belief is as to why he might have become the plant. Some very wrapped up in the assassination would have us believe this was of such tremendous potential disturbing nature for Soviet-American relations that even if Oswald didn't have that much of a role to play with the KGB, they would defuse anything that had to do with Oswald before they sent him over here. Therefore, it might be worthwhile to send someone of Nosenko's caliber.

The other possibility is the one I think you alluded to, that is, they believed the kind of information agent X was giving was of such a potential damaging nature, that they should muddy the water and send a plant calling attention to what he was testifying to.

You call it on page 14, a "crude message." I take it from that you have no definitive information. But I would like to know what your guess is.

Mr. D. C. It would be a pleasure to say.

It seems to be difficult for Mr. Hart or for anybody coming into this case to make distinctions, and one of the big distinctions is between his contact in Geneva in 1962 and his recontacts in coming out in 1964 saying he was going to defect.

In 1962, he made it absolutely clear to us that he would never defect, under no circumstances. He had his family, he liked living in the Soviet Union, but he had certain undefined objections to the Soviet regime. I was reminded in Mr. Hart's testimony, I think that he needed some money urgently and therefore he was coming to us. He not only said he wouldn't defect but he wouldn't accept contact with us inside the Soviet Union. However, he would see us whenever he came out on official duty on Soviet delegations abroad.

In January of 1964 he came out and stupefied us with this statement that now he wants to defect. I can assure you my first question was, "Why? Didn't you tell us you never would?"

His answers were extremely vague. "Well, I think they may suspect me. I have decided to make a new life."

I asked, "How about your family?" He said well, he had decided to start anew and they would be all right.

Now, I detect in that a tremendous change of course. Therefore, I would like to answer your question as to what he might have been about in 1962 and 1964.

In 1962 I say in my letter and testimony he was deflecting information given 6 months before by defector X. This was clear.

There were such connections; there was an astonishing overlap. I have dealt with many Soviet-bloc intelligence officers and, of course, many would know two or three doing the same thing. But the degree his information coincided to certain information given to us by X was simply not unacceptable, but it was noteworthy.

I would guess on that basis, Mr. Fithian, that the purpose in 1962 was that this man was sent out to do a perfectly understandable counterespionage technique. The question has been asked why the tremendous change between 1962 and 1964. His reasons make no sense. They are not convincing. So what is it in the Soviet mind that would cause a man to physically send a man out when they said they never would?

By way of footnote, I would like to say I mentioned in my testimony the insight we got into this man is that he hadn't in fact held the positions he said he had held. Not only was he not a plant but he was not a real KGB officer. The reason we have what we have in this tremendous volume of information is that we have that detention and we were able to take it. We had him sitting—he tried to avoid him sitting down but once we had him sitting down, we could see he did not know about the operations of his colleagues, he did not know about his main target, he did not know those things.

But still in 1962, had he come out to see us in Copenhagen, New York, or Buenos Aires, he could have seen us only for an hour here or there under tense circumstances where there would be no chance to get into details under the controlled conditions I am speaking of.

Therefore I think the Soviets had a good thing going had they left the man where he was. But as a defector they were running a big risk. This is not going away from your question, because it involves the decision to do this, to change the course. This is all assuming under your category we are speculating that he is a KGB plant.

Something made them want us to have him in hand as a defector. One of the possibilities could be the event which happened in the interim, the assassination of President Kennedy, and therefore he was as you say, used for this message because he may have been the only valid, controlled, and trusted secret contact to CIA.

The Soviets have shown a proclivity to use tricky methods like this to give us messages through clandestine means going directly to the President, escaping suspicious desk officers. But it's possible they looked for a way to get a message of their innocence as to President Kennedy's assassination. If it was the best available channel, I can see the non-KGB or let us say a member of the Soviet leadership, like Mr. Khrushchev himself, may have said do it, and the professional might have said, yes, but the fellow might run into trouble, and the reply would be yes, but do it.

This is again in the realm of speculation.

I only know of one other—by way of background—I only know of one potential explanation of this man coming out to see us in short stretches or the man putting himself into our hands as a defector.

That has to do with an unrelated matter. It is very difficult—it is even more speculative than is related to the Kennedy assassination.

In other words, I am not at all sure that the other speculation is any more valid than what I have just said.

So, I would say that in groping for an explanation on the basis of the hypothesis that he is a sent KGB agent, one of the two things, one of the only two that I can think of, is that he was sent to give a message to the Warren Commission.

Mr. FITHIAN. In that 1962 interview, is there any reference made to Nosenko's alleged role in recruiting American tourists?

Mr. D. C. Yes. He said that at that time he had made his career from 1955 until 19—until the end of 1959 in the tourist department, and he spoke about it at that time. In 1962 he had just gone back, after a 2-year period in the section working against the American Embassy in Moscow, he had gone back to that section, working against tourists, with a promotion.

So, needless to say he did talk about operations against tourists.

Mr. FITHIAN. Was there in that interview, in 1962, anything which tends to support his later claims of his position within the KGB?

Mr. D. C. Prior to his contact with us in 1962, he claims to have made a brilliant career as an English-speaking case officer, an operations officer, a man who gets out in the field, a tough guy, as he used to call himself.

He told of certain things he had done. We checked them out. It goes without saying we were fairly meticulous about that. We found only

two operations in which he physically appeared at all prior to 1962, that we could confirm.

In other words, we were getting from him the statement of where he was, and then we were going back to what we knew about those operations, or else going out and interviewing the people involved.

One was as a member of a team of about three, three people in the compromise of a tourist on homosexual grounds in 1956.

The other was a junior officer, a companion of an identified officer, senior officer, of the tourist department of the KGB in meeting with an agent of theirs whom the bureau had interviewed. That agent's testimony—I will say he was a person—this person's testimony showed that Nosenko appeared exclusively as a junior member of the team. He had never appeared alone.

The other man, who was an identified officer of the section, of the tourist directed section, did all the questioning and all the control of the meetings as testified by the agent.

Now, one of the interesting things about that particular case is the meetings with Nosenko playing a junior role continued well into 1960, at a time when Mr. Nosenko said later that he had shifted into the section working against the American Embassy in Moscow.

Mr. FITHIAN. And held an important position in it.

Mr. D. C. The deputy chief of it.

Mr. FITHIAN. And you are saying that according to Soviet structure, that would be highly improbable?

Mr. D. C. Very. I can't imagine why the deputy chief of a section busy working against the American Embassy should accompany a senior tourist department officer in meeting an agent who, while admittedly American, a resident—from time to time a resident in Moscow—but primarily directed to tourist-oriented operations, why he should continue in that capacity.

If we were the senior case officer and had a special relationship with the man he would be acceptable, quite, no reason why not.

They might feel no one else could do it as well, and maybe this man had some potential to talk about members of the American Embassy. I believe by the way that that is the way that Nosenko explained it when we asked him about this.

He knew people in the Embassy, but that doesn't really check with the story as given by the man himself when interviewed by the FBI.

Mr. FITHIAN. Do you have any information on the treatment of Nosenko's family in Russia after his defection?

Mr. D. C. There was a story, as unlikely as the story I mentioned in my testimony, of Mr. Epstein's being told by an official member of the Soviet Embassy in Washington that Nosenko is the best qualified man in the United States, the best qualified man in the world really to talk about Oswald in Russia.

That other story has to do—let me see—with the approach by a Soviet official to a large circulation magazine in this case *Paris Match*, offering a story to them, illustrated by pictures, a story of the pathos of the family of Yuri Nosenko, Colonel Nosenko, I believe is one of the many people who referred to Nosenko as a colonel, having left his family behind, and how this would turn into—there would be a divorce, and these children were left behind.

He offered, by way of illustration of this heartrending article, a picture of two daughters, I think, as I remember—I think we got hold of them—on a boat in a lake somewhere, I suppose in Moscow.

In other words, here was a Soviet official coming and saying here is the family. In other words, they were talking about the family. For the first time in our experience, after a defection, the wife and mother of the defector came to the American Embassy to plead with the Embassy to, I don't know, give their son back or something, I don't know. There had been at that time no precedent. I believe since then there have been one or two similar cases where the family has done this, but I can assure you that no family of any defector is going to be free to go to the American Embassy in Moscow, unless the KGB wants it that way.

So, I find the whole family business, from what we know about the family after the defection, very strange.

As to their faith, I don't think we do know. At least not at the time I left the operation, I don't think we had any really firm information about whether they had suffered or whether they just had gone ahead with a divorce. I am told, by the way, by some sources, that if a man defects, he becomes automatically an enemy of the state and a divorce is granted automatically.

I was told unofficially somewhere in between, after I had left the case, that, if memory serves me, that a divorce had gone through in the Soviet Union.

Now, how that is known, I have no idea. Perhaps through Nosenko; perhaps he was notified in some way.

Mr. FITHIAN. I wanted to turn to what seems to me to be kind of a curious situation. I refer to the questions that you say you submitted to the FBI.

Just glancing over them, there seems to be several questions in which the CIA would have just been vitally interested in—how the KGB works against American tourists, for example, any techniques, any process, any procedure or whatever.

I don't know, Mr. Klein, I have not reviewed the interviews of the 23d and the 27th—I have not had them available to me, so I may just be covering ground that you have already covered.

If that is so, Judge, we could save this time.

But in the second question listed, the second set of questions that you gave to the FBI, among others in that section was, "Describe the routine handling procedure of U.S. tourists to the Soviet Union. Was Oswald's trip handled any differently?"

You alluded earlier this morning to the fact that you were always trying to update your files on procedures. It seems to me that you had a potential, at least, a superb opportunity, a person who had worked in this sensitive area, right in the area of one of the important procedures as far as we would be concerned, and that is safeguarding American tourists from being somehow enticed away to become defectors and so on.

Am I to believe that you submitted these to the FBI, the FBI did or did not use them, you are not sure, and then subsequently you never really returned to this?

Mr. D. C. No. I don't know how it got included in the questions for the FBI for Nosenko because it involves the handling of tourists.



We did a very, very systematic debriefing of Mr. Nosenko on the subject of the KGB's handling of American and other tourists in the Soviet Union. I must say that if I had to list the information which is valuable, that would be at the top of the list.

He had that. He gave it well. We got it out, and we put it into forms which would serve the purposes that you just mentioned, Mr. Fithian.

We circulated widely not only to those elements of the U.S. Government, and even to the American public—I think a version was put out into the public domain. But to foreign liaison services, to our allies who themselves could draw value from knowing the techniques of the KGB control and actions against foreign tourists in the U.S.S.R.

Yes, indeed, we did that. Why it appears there, I don't know.

Mr. FITHIAN. Another is a question which seems logical enough. If you worked so hard at trying to establish Nosenko's authenticity, it would be likely that they would work equally hard on establishing whether Oswald was bona fide or not.

Mr. D. C. Much, much harder.

Mr. FITHIAN. Did you ever ask Nosenko?

Mr. D. C. Of course.

Mr. FITHIAN. Those questions?

Mr. D. C. I can only say the answer is of course. I don't know what the record shows, but there is no doubt that we at some point showed some—perhaps it was in the house—but we must have indicated to Mr. Nosenko our disbelief in this disinterest on the part of the KGB.

I don't know what the record shows on that, but it was blatant. We were aware of it at the time. It seems almost unthinkable to me that we didn't confront Nosenko with it and ask for an explanation.

By the way, I would think that this is one of the many times when he, I won't say clams up, but when he stubbornly opposes the line of questioning by simply repeating what he said before; that is, that it is uninteresting, uninteresting—at which a standard—I am not sure this happened, I am saying this is the way it would have gone—we would have said, "Well, that doesn't answer the question."

This was an American young exmarine coming into your country. He would say, he is unstable. I am sure this was his line of defense against this type of question—that this man was considered personally unstable, and uninteresting—those words are used over and over again, I believe, in the reports.

I think Mr. Klein knows the reports better than I do at this point. But he emphasized that the act of suicide, or attempted suicide, in the first place, showed that the man was unstable, and after that the psychiatric examinations which either were or were not done more or less confirmed this. To believe Mr. Nosenko, this suspended all their procedures.

But that the question was asked to him, how is this possible I have no doubt. It must have been.

Mr. FITHIAN. Do you happen to know, just from your own knowledge of Russian operations, whether a person judged unstable, an American who wanted to defect and so on, would have been permitted under Russian law or procedures to marry a Russian citizen?

Mr. D. C. I don't know the answer to that question. I don't know.

Mr. FITHIAN. Do you have any information at all on Marina and any relationship that she had to the KGB in any way, shape or form?

Mr. D. C. None whatsoever. On the contrary, he said she was an uninteresting girl with no character, nothing. I remember this response about Marina.

Mr. FITHIAN. You mean that is Nosenko's?

Mr. D. C. Nosenko's response, as I remember. I am surely not having a failure of memory here, but I know that he must have addressed himself, and that we must have asked him about Marina.

His reaction, I know, I remember his statement that she was of no interest. I think it may have been in connection with why did they let her go. Well, she was of no value, no interest, it didn't matter, dumb girl, something of that sort.

Mr. FITHIAN. Let me suspend at the moment. I may not have any more questions. I thought I had one or two more as I walked back over, Judge.

Mr. PREYER. Well, I will ask a few, and maybe it will refresh your recollection.

When you first brought Nosenko to this country, there was a free period, as you described it, in which he was treated like any other defector.

Some of the recent news stories, some of the treatment is quite free indeed, I notice.

But you indicated that he resisted normal questioning during the free period. That resistance was more in terms of simply evading your questions? He was not physically trying to evade you?

Mr. D. C. No, no, no, no. It was in terms of evading the questions.

Mr. PREYER. But you felt he wasn't responding the way a normal defector during that free period might respond, in the openness with which he would answer questions?

Mr. D. C. Absolutely.

Mr. PREYER. Then you went into a period of controlled questioning. He was first confined to a safe house, I gather, somewhere in the general area here.

Mr. D. C. Yes.

Mr. PREYER. When was he no longer allowed to use alcohol? Or was there ever any period in which he was never allowed to use alcohol?

Mr. D. C. I would say the entire period of detention. There was never any question of his having any alcohol from April 4 onward.

Mr. PREYER. So as soon as he went from the free period of questioning to the safe house, controlled period, all alcohol was barred from that time on?

Mr. D. C. Yes, sir.

Mr. PREYER. On the question of hallucinations, I think you indicated that he did not suffer from any hallucinations from alcohol. Did he ever have any periods in which he hallucinated, to your knowledge?

Mr. D. C. This is a debated question. You may remember—in the periods when he was alone, not being questioned, he sometimes spoke to himself, and he would tell his guards that, "I see something." That is as I remember the form the hallucinations took.

We were both concerned and interested in it. The doctor went to him. He maintained he was hallucinating. This was, I believe, a very

limited period. It has been made out as if this took place during periods when he was in face-to-face contact with someone in answering questions.

It isn't true. It was strictly noted by the guards and Nosenko himself saying this to them. The doctor, who is a trained psychiatrist, his opinion was that these hallucinations were feigned. I am certainly not qualified to say whether they were or not.

So, the answer to your question is I don't know whether he was actually hallucinating or not. I do know that it had nothing whatsoever at any time to do with the question sessions. It had no impact on his answers to any questions that he was ever asked.

Mr. PREYER. Well, once controlled questioning began, you have described it as somewhat spartan conditions. I think you have helped restore some balance to this nature of that question and confinement.

Now, you mentioned on the diet, your comments on that I gather was that there was a deliberate effort to put him on a lean diet, but that that was checked with a doctor.

Mr. D. C. Yes, sir.

Mr. PREYER. At regular intervals?

Mr. D. C. Yes, sir.

Mr. PREYER. How often did you see Nosenko yourself once he got into a controlled period of questioning?

Mr. D. C. Frequently, during the first period of hostile interrogation. I believe that is all. I participated from the wings in subsequent questioning, but not directly face-to-face with Nosenko.

Mr. PREYER. During the first period, the safe house period, would you see him once a week or once a month?

Mr. D. C. Oh, no. I spoke about the hostile interrogation. That was daily. That was for the period it lasted. I actually can't remember whether that was a matter of 1 or 2 weeks. It wasn't long. It was a very short period.

Then I saw him very frequently indeed at the other side of the table.

Mr. PREYER. Well, when he went into what has been described as the bank vault period of questioning, was that the period when you did not see him very often?

Mr. D. C. Well, yes; I did not see him during the bank vault period at all. I did not see him after the first hostile interrogation. I did not see him face-to-face even in the first holding area.

In other words, during this summer questioning, the questioning that followed the hostile interrogation, and during the second hostile interrogation, I did not see him. I saw him no more after the month of April 1964.

Mr. PREYER. Well, under whose direct control was he at that time, after you no longer saw him face-to-face?

Mr. D. C. Mine. Your question was whether I saw him face-to-face.

Mr. PREYER. Yes.

Mr. D. C. But direct control. I would say, in the sense of responsibility for the interrogation and for the handling of the case—

Mr. PREYER. These are all people in your division who were seeing him and questioning him daily.

Mr. D. C. Yes, sir.

Mr. PREYER. What relation is Mr. Angleton to your division?

Mr. D. C. They are entirely separate. Mr. Angleton's counterintelligence staff has a staff role as against an operational or executive role. The Soviet division was the organization within the Agency specifically operating against the U.S.S.R. and the satellites.

We would run the cases, handle the defectors, plan and carry out, sometimes through people who were not members of the Soviet division, of course, in the stations abroad.

Mr. PREYER. Did Mr. Angleton ever see him face-to-face during this period?

Mr. D. C. No, sir. Mr. Angleton's role was as the overall agency, the seat of Agency expertise in counterintelligence in general. He kept an eye on these things, and he would have an advisory role.

In this particular case, his role was conditioned by the fact that his staff was managing the earlier defector, X.

Mr. PREYER. Were you aware of the two lie detector tests that were given to him?

Mr. D. C. Yes, sir.

Mr. PREYER. Was it two or three?

Mr. D. C. I think three.

Mr. PREYER. Three?

Mr. D. C. Yes, sir. Indeed, I was aware of them.

Mr. PREYER. Is it accurate that they were given to him with the understanding that he would be told he failed the test whether he did or not?

Mr. D. C. After the test, yes. That is true. The first test given, at the time of his confinement, but before he was told he was going to be confined, he was simply taken and given the test.

Now, Mr. Hart has said that there was already an extraneous element added, that somebody, instead of putting on the normal three controls of palm moisture and blood pressure and heart beat, that an additional thing, something to increase his tension, was put on him to allegedly be capable of measuring brain waves.

I don't remember that. It is possible. If he has the record that it was done, fine, but I thought that the first lie detector test was given straight, and there was indeed, sir, the intent to tell him that he had failed it, as the means of opening the hostile interrogation, which would confront him with all the collected contradictions in his story and the data from outside his story which indicated that he wasn't what he said he was.

Mr. PREYER. You mentioned somewhere in your testimony about the word "disposal" being political jargon, CIA jargon. Disposal does not necessarily mean liquidation in jargon, or does it?

Mr. D. C. No, sir. I have never heard of the word being used for liquidation. I would like to just add one—as long as the subject comes up once more—I would really like to say one more thing about liquidation.

I remember some years ago, Mr. Helms saying that not only would there be no assassination, murder, liquidation, any kind of this action which has been in the jargon called executive action, not only would there not be any, but there would not be any discussions or proposals, it would not be a subject fit for human ears within the agency.

I have lived my time in the agency under that belief. Like many other officers of the agency were surprised when the publicity came out.

about someone had contemplated, one or two or three of these political assassinations, they were counter to what I thought was the very specific, explicit policy of the agency.

It was unthinkable that anyone could therefore have thought of disposal in those terms.

Mr. PREYER. Well, the question of disposal in the sense of resolving this issue in some ways must have certainly occurred from—at increasingly frequent intervals, I would think—where you have a man in this controlled custody for some 5 years and where it became, was beginning to become clear that you were not going to get much one way or the other from him.

Which gets back to the question of what you referred to as the duped leadership, and the idea that a small handful of you were aware of this, were aware of his treatment, but that no one else was really very aware of what was going on.

Would you make periodic reports to somebody from time to time of the progress or lack of progress that was being made?

Mr. D. C. Oh, yes, yes; indeed.

First of all, who knew about it is the first thing—the small group we are talking about consisted of everyone on that particular case, that operation, everyone responsible. In other words, for the interrogation of Nosenko and the investigation of his leads, and the use of his information for whatever purpose within our agency, which meant primarily certain elements of the Soviet division, Soviet bloc division.

It involved the counterintelligence staff, as I mentioned, because of their advisory function in counterintelligence matters. In that case it meant the chief of staff and those members that he delegated to be aware of this, and there were several.

It meant the Office of the Chief of the Clandestine Services, known then as the Deputy Director for Plans, and since changed to the Deputy Director for Operations, I believe, the DDO, his office and the assistant DDO office, DDP at that time—the assistant DDP's office, and those members of that office who needed to cope with the paper.

On upward to the office of the, I guess—my dates may be a little fuzzy—but I think the then-Deputy Director of the agency, then-Deputy Director of Central Intelligence, Mr. Helms.

It goes without saying if we are sending the doctor out to check him next week, or if we are planning to interrogate him on a certain subject, or if we are talking about making—giving him or not giving him books to read, or things like that, that we would never go to Mr. Helms about that.

But if we were planning an interrogation session on a certain subject, or planning something that was substantive or if a certain amount of time had passed, and it was just time to check in, Mr. Helms was always available, as I think he has testified.

He was always available. Surely, as I read what he said, I think what he said was a very accurate reflection of what was really going on. In other words, he got some of it, but by no means all of it.

He wouldn't have known that the man was hot or cold. If the man had been—if that had been a matter of policy, to make the man hot or cold, he most surely would have known about it. But the various little

aspects of this holding certainly would not have been brought to his attention routinely. They would have been brought to the attention of whoever was concerned.

There was a lot of consultation in advance. There was a lot of periodic consultation—staff meetings, I suppose you would call it—on the subject. As you say, sir, there was increasing concern as time went on because I felt that Mr. Helms was always aware, (a) that what we were doing was legal but (b) that it became more and more sensitive as time went on and this couldn't go on indefinitely.

He was as interested as he could be because he understood the implications behind this operation, which were immense, and they went way beyond Mr. Nosenko. They went to several other operations, several other \* \* \* people who were in touch with us in one way or another.

The implications underlying it clearly pointed at serious matters. Not only that Mr. Oswald may have been a Soviet agent, but also that there would be penetration in the U.S. Government.

It followed logically as an implication of the fact that Nosenko could have been sent—and by the way, could have told us a false story about his career. I think that is a very menacing little piece of information because if he can lie to us about a key job during a key period, it would suggest to me that the KGB knows that we are unable to check on this, which I find disturbing.

Mr. PREYER. Well, you categorically deny, then, any implication that this was the treatment that Nosenko, and was known to only a handful, five or six people in the agency, and that they were deliberately—I think this is at least an implication from the testimony—deliberately hiding it from the upper echelon of the CIA for fear that the planted agent might get wind of it.

Mr. D. C. I certainly do categorically deny that. There was—it is fiction. Within the agency, it always works on the need to know, and some operations are kept tighter than others. But a defector in our hand, unfortunately by the very nature of things, can't be very tightly held.

The number of people who knew about the case and generally about what was going on were—was appropriate. I would say there were in our division alone, there must have been five or six people directly talking to Nosenko. Plus those that were supporting them at the desk, plus the leadership of the division, plus all these elements of the counterintelligence staff.

We are talking about a multiple of the five or six you are speaking of. It was done as any such operation would be done in the agency.

In other words, all who had any responsibility would know about it. All who had any responsibility for that particular line of work.

Mr. PREYER. This question might be an invasion of privacy. If you don't want to answer it, don't answer it. I am just curious as to your general political views—whether you are a liberal or conservative. I ask that because knowing some of your relatives, and knowing their views, they are hardly what would be known as hard line conservatives.

There has been some implication that this group controlling Nosenko was a very hard line group. I don't know whether you want to comment on what your political views are.

Mr. D. C. Oh, yes, I would welcome that. Insofar as the tradition, family and otherwise, it certainly has been liberal indeed.

My line of work has kept me apart from active political life in the United States, so I haven't identified myself in any way. But, I would certainly consider myself very strongly middle of the road.

Then we came to the whole question of being anti-Soviet or not. To say that I am hard line anti-Soviet, anti-KGB, anti—well, that is enough—Soviet and KGB I most assuredly am. I think—I make remarks here which I think even looking at them now seem fairly firm about what the KGB is up to in terms of deception and subversion.

I have been exposed to the people who are doing it for a very long time, and none of them has ever given any other view of what the KGB is up to. That is just as much 1978 as 1962 or 1958 or 1952, before the death of Stalin. Nothing has changed the basic thrust of the KGB's work against this country.

I found it tremendously rewarding as a career to be able to focus on what was very clearly the enemy of our country—outside enemy of our country—rather than some of these Third World things which have caused such, well, really confusion in the motivation of some of the men that have had to work with them.

I consider not that I would have been—I might have shared some of these feelings, and I might have taken—might have fallen on either side of the fence in those operations where we were supporting a government or a political party in certain Third World areas.

I don't know how I would have felt about it because I didn't have to. So, I consider myself more lucky than anything else to have avoided that. But certainly the group who were exposed to KGB officers day in and day out, whether as adversaries or as defectors, are extremely anti-Soviet.

I believe, by the way, that that permits me to be in American political terms a liberal.

Mr. PREYER. Yes, I think Mr. Moynihan and Ben Wattenberg and a number of people of that sort would agree with you on that.

Did you ever talk to Mr. Epstein?

Mr. D. C. Yes.

Mr. PREYER. About his book?

Mr. D. C. Yes. Mr. Epstein has made that clear publicly and I think there are certain things in the book which make that clear, too.

Mr. Epstein got from others the basic outlines of the Nosenko story, and then made an approach to me, and I of course refused to talk to him.

Later he came back, a few months later, and with a long letter telling me some of the things he knew, which were things which I would never have thought could have gotten into the public domain. At which point I did accept to see him and he, without my saying a word, exposed exactly what he had and what he was doing and showed me what he was going to write, which was in its broad lines the general story of the Nosenko case and in its details full of confusion and inaccuracies.

So, the primary help that I gave to Mr. Epstein on that book was to insure that at least the errors were not in there, and that this book,

which was going to be the first time that the Nosenko story was going to become public, that at least there would not be egregious errors. There are some errors of emphasis which Mr. Fithian has pointed out, which I happen to agree with. But that is entirely Mr. Epstein's business, how he chooses to interpret what he hears.

Several of the things are wrong, and I gather they have even been accepted by the CIA. For example, Mr. Epstein insisted that there was some sort of a cleansing, of purposeful cleansing of the Soviet operations of the CIA, and people like myself and the chief of the Soviet division were got rid of.

I explained to him at the time, I said I didn't think that should get into his book because that was incorrect. I told him how I had gotten my assignment abroad, and how I justified my leaving my headquarters position.

I happen to know the way in which the chief of the division got his overseas assignment. It had nothing to do with any such plot.

I think in retrospect that we would have both done better to stay here and be purged, if purging was in the mill. In fact, it did, our assignments abroad did occur in the normal course of events. Mr. Epstein put it different.

There are two or three things like that, interpretations which I most assuredly don't share. But the facts that Mr. Epstein has in the book are generally accurate.

Mr. PREYER. Thank you.

Mr. Fithian?

Mr. FITHIAN. Thank you, Mr. Chairman.

Mr. D. C., do you think that the CIA did all it could to cooperate with the Warren Commission?

Mr. D. C. Yes, I do, because—my exposure to it was by the way a minor one. I think—I know—on one of these occasions—it hasn't emerged in the record, and perhaps it will, but I thought I had actually gone over once with Mr. Helms to the Commission.

It was at a time when Mr. Helms was making a statement—when Mr. Helms was telling—I think it is one of these things that has come out in all this testimony. My exposure to it was practically nil. I don't know, but the impression I get is that every effort within the agency, in every corner of the agency was to dig out everything we could that could possibly help the Warren Commission in its job.

I am absolutely convinced of that. But I do stress that I am not in a position to judge because it was the counterintelligence staff that centralized the activity and all. But I know that our people dug, and dug, and dug.

For example, in my section at the time, an officer went—we thought what can we do, how can we use the files of the CIA to contribute in any way. We decided to have a look at the photograph file of the agency, which is a rather extensive thing, and see just what Minsk looked like, and what we could see, the places that were in Oswald's life, in Oswald's background.

It was a member of my section who dredged up, out of files of the CIA, a tourist picture which showed Oswald in front of I believe the opera house. It was one of those columned buildings. There was a tourist group, and there was Oswald.



This fellow came up to me and said, look, I have been looking through pictures of Minsk and doesn't this look funny to you, and showed me this picture, and that was him.

That document, of course, is a part of the Warren Commission report. In other words, we were doing everything we could think of to do to help the Warren Commission. Absolutely good faith.

Mr. FITHIAN. I am curious. At the very outset Nosenko appears to be a fraud—that is pretty harsh, but I will let it stand. Assuming that was your interpretation, assuming you didn't get anything to persuade you that you were wrong, isn't 5 years<sup>1</sup> a long investment in somebody that you thought was a fraud?

Mr. D. C. What do you mean by investment, Mr. Fithian?

Mr. FITHIAN. Time, money, resources, commitment.

Mr. D. C. No, sir, for what that meant, that case is potentially the most important and the most interesting operation possible, because as I say the implications underlying it—had we been able to prove, which we never were—we were certainly able to give operational indications and enough to draw—operational conclusions at least as a basis for further activity or investigations. But we were not able to prove that this man was a sent KGB agent.

Had we proved it, all of those implications would have come to the surface and would have been investigated, and I think the security of the United States would have been the better for it. So, I don't think this investment was too great.

By 5 years, you are presumably——

Mr. FITHIAN. Is that longer than you worked with any other defector?

Mr. D. C. Well, it is absolutely unique in the sense that there was no other defector that we gave either that much attention to or that type of attention to.

Mr. FITHIAN. But you concluded, didn't you, that he really wasn't a very important person in the KGB?

Mr. D. C. I conclude that he may never have served properly within the KGB. That he was sent by the KGB to pose as a KGB agent there is no doubt. He is not a fabricator; he is not somebody who pretends to be just on his own. He had detailed knowledge of KGB operations, which he claimed to have been part of his knowledge as an officer.

Mr. FITHIAN. Is he the only person in your whole span that falls in that category?

Mr. D. C. No, sir.

Mr. FITHIAN. That is, he was sent by the KGB?

Mr. D. C. No, sir, he is not.

Mr. FITHIAN. Well, then I kind of repeat, if that is your conclusion, and if you thought him designed to mislead you to start with, you still don't think that much investment of time and resources and so forth is——

Mr. D. C. No, very much not so.

If you know the man or you can make the operational assumption that the man is being sent against you, as we just have for purposes

<sup>1</sup> 1962-67.

of this discussion, you can read it in reverse and find out what really lies behind this mission of the KGB.

Those indications are very, very interesting. They are as good as a look inside the KGB files.

By the way, I won't digress here for very long, but I do want to give you an example to illustrate my answer.

Mr. D. C. In the invasion of Normandy, 1944, there was a large, tremendous investment in deception by which the Germans were led to believe the main thrust of the invasion would fall on the Pas de Calais region instead of Normandy. Under General Patton an invasion unit was set up. All the radio communications which would accompany an army group was set up in trying to fool the Germans in making them think there was a group there. There were landing craft much too far away to participate in the Normandy invasion. The result was the Germans were fooled and when the invasion struck in Normandy, I believe it was the 17 German army groups were held at Pas de Calais because the Germans believed the Normandy invasion was a diversion. They held the force there and as you know, the landing was nip and tuck for 4 days. Had that German force in the north been able to be present at the landing beaches, it's possible the invasion would have failed.

The problem is, had the deception been known to the Germans as a deception, it would have told them that first of all, the 1st U.S. Army group doesn't exist, and second, that the diversion was toward the Pas de Calais to the north, and there was only one other place for the invasion, and that was Normandy.

In other words, the perception of the allied deception would have been a spectacular piece of intelligence for the Germans. I don't necessarily want to put this thing on the same scale as Normandy, but it has all the same effect. If a perception is perceived it can be turned against the deceiver, and that is, in my opinion, what we did so long as we made the operating assumption Nosenko was sent. In other words, I do believe it was a valuable expenditure of time.

Mr. FITHIAN. You think the mistake to depart from that interpretation was a serious one?

Mr. D. C. Very. More important in terms of lost opportunities than the things I speak about in my prepared testimony about the exposure of personnel to him. I think it's bad enough to bring him onto the premises and let him talk to counterintelligence trainees. I think it a very bad mistake to let him talk to our foreign liaison officials without informing them there is a body of evidence suggesting he is no good. I don't know exactly what they are doing, but in Mr. Helms' testimony I found an indication, a statement that he was of value to current counterintelligence investigations. It suggests to me that current information, current activities are being exposed to him. I think that is a mistake.

Mr. FITHIAN. You say in your letter to the committee, in a paragraph you say if Nosenko is a KGB plant there can be no doubt that Nosenko's recited story about Oswald and the U.S.S.R. is a message from the KGB. Then you say by sending out such a message, the KGB exposes the fact it has something to hide.

As Mr. Helms told you, that something may be the fact that Oswald may be an agent of the KGB.

Do you have an opinion, and if so will you provide the basis for your opinion on two things: (1) The likelihood of that; and (2) I am struck by the use of the word "fact"—that conveys to me a very strong impression.

Mr. D. C. That was probably not the very best word I could have chosen. It was meant to be softened by the verb, which was "may"—one of these messages "may" have been the fact that. It was not meant it was a statement of fact. It just follows—perhaps I can put that more felicitously by saying it would hide the possibility—instead of saying the operation would hide the fact, say the message hides the possibility that this man is or could have been a Soviet agent. By a "Soviet agent" I don't mean a Soviet assassination agent. I mean something quite different.

Mr. FITHIAN. I was just asked by Congressman Dodd's staff to follow up on this whether or not you would rule out the possibility that even though the KGB had nothing to do with the assassination that they would spend this kind of energy or effort personally to convince us they had nothing to do with it.

Mr. D. C. I think it entirely conceivable. If you accept the hypothesis, the supposition, the speculation that in fact they had something to hide and that something might have been perhaps he had a code name, perhaps he was a sleeper agent, they obviously couldn't expect as much from him coming back to the United States with a Soviet wife, they couldn't expect him to be elected President, but at the same time, they may have said, "We will get in touch with you in time of war," or they may have recruited him by saying, "We will get in touch with you by the following procedures." This is pure speculation.

But then if he is on their rolls as a sleeper agent or for wartime sabotage or something of that sort, they would be absolutely shocked to hear their man had taken it upon himself to kill the American President. I would think their reaction could very well be of the sort you suggest. They might indeed change the mission of another man of another operation in order to get this message over to us that they really had nothing to do with it.

The only thing I am quite sure of, I don't want to tell you what I think is behind us, because I really don't know, but I am quite sure of one thing, and that is that it's not true. That's all, it's not true; they didn't speak to him, that the KGB didn't speak to Oswald in the Soviet Union, that is not true, by all logic, by everything we know. I can't prove that, and I am not making that as a statement of hard fact, but certainly within the framework of my knowledge of the Soviet Union and the KGB it is not true.

Mr. FITHIAN. Mr. Chairman, you will be happy to know I only have two more questions.

Mr. Hart says rather flat out that there was a direct conflict between the two agencies as to interpretation of whether or not Nosenko was bona fide. He indicates the FBI thought Nosenko was bona fide when he arrived and that the CIA assumed he was a plant when he arrived. Is that accurate?

Mr. D. C. Again, I don't like the word "assumed," but changing that word "assumed" to "suspected" I would certainly say yes.

Now I don't know the FBI part of it, either. They had no basis to make such a judgment and they had no stake in it, as far as I can tell. They had a source coming here who had told them about a few Americans who had been recruited as tourists in the Soviet Union. He had a good knowledge as to how the Soviet Union recruited tourists who have been useful to the FBI. But they didn't get into as many fields as we did because Nosenko was a Moscow-based officer.

Mr. FITHIAN. One other question. Is it totally unreasonable to speculate that the Agency might be in the process of leading Nosenko on at this point, using him even now to pass false information along to the Soviets?

Mr. D. C. May I ask your third word there, I think you said "totally"——

Mr. FITHIAN. "Totally unreasonable."

Mr. D. C. Totally excluded, no, it's not totally excluded because I don't know. I have not been in the Agency and such people within the Agency who have talked with him make me believe it's not so.

Mr. FITHIAN. I was trying to look for other alternatives for the Agency to bristle so intensely as to send over Mr. Hart and sort of throw up the smokescreen and get the Agency in the worst possible light as far as the newspapers are concerned. The whole scenario is so totally unthinkable that I am puzzled.

Mr. D. C. The only thing I can say is if they were working on the basis of a hypothesis or knowledge which is most concretely and specifically represented by myself, it would seem to me not terribly unreasonable to let me know that instead of doing what they did to me here.

Therefore, all my instincts tell me that isn't it at all.

Mr. FITHIAN. You might be expendable?

Mr. D. C. Yes, but they must get some use out of me before they dispose of me.

Mr. FITHIAN. On page 39 of your testimony I would like for you to look at that again. This is my last point, Mr. Chairman.

Down at the last full paragraph, which starts with "However," skipping the first part and dropping down to "Mr. Hart and Admiral Turner may frivolously dismiss them as they have done before your committee but the doubts are still there and it's irresponsible to expose clandestine personnel to this individual."

The doubts you refer to are the doubts about Nosenko's authenticity. I guess my question is, do you want to close out the record standing by that statement?

Mr. D. C. Well, I must admit your calling attention to that—is it the word "frivolously"?

Mr. FITHIAN. Both the words "frivolously dismiss them" and the subordinate charge that they are acting frivolously.

Mr. D. C. I would be happy because of the emotions involved in the word to retract the word "frivolously." Quite happy. But I suppose it has come through my testimony and what I have said in answer to your questions that I find the use of this man, the positive use of this man vis-a-vis innocents, such as trainees, terribly bothersome.

I know—I don't think—I know that the people who are exposed to Nosenko in counterintelligence training are not told—they know there was doubt, but they are being specifically told, as Admiral Turner pointed out in a memo and as Mr. Hart has indicated here, was the work of halfwits. If this man is a Soviet agent and has a mission for the KGB in this country, it's a poor way to have some young man begin his career, to be exposed to him.

Mr. FITHIAN. In an irresponsible way? I am getting to the tremendous charge involved in this paragraph.

Mr. D. C. I appreciate your concern about that and of course to the contrary I think you are being—Mr. Fithian, and may I ask you for a word, because I think you have offered me an opportunity to withdraw my word from the testimony and I'm certainly not going to say no. Knowing now exactly what I meant by that, can you think of—perhaps “I think it wrong to expose”—perhaps that should be the phraseology there.

Mr. FITHIAN. I hate to put words in your mouth, but Mr. Hart and Admiral Turner may dismiss them. To say “frivolously dismiss them” might do the admiral injustice here. Maybe Mr. Hart's statement before the committee may well constitute, you know, frivolous treatment or something; I was pretty provoked by it myself.

Then the second, that it's irresponsible—it's an error to expose.

Mr. D. C. I very definitely will withdraw the word “irresponsible.”

Mr. FITHIAN. That is in my reading such a terribly serious charge against the director—

Mr. D. C. I accept your comment with appreciation.

Mr. FITHIAN. Mr. Chairman, I have no further comments. I would like to say this: I enormously appreciate your witness' time and patience with us in this matter. I think it has been just to me, as an individual Member of the House, just tremendously helpful, perhaps one of the better days I have had on the committee.

Mr. D. C. Thank you.

Mr. PREYER. I might just ask one more question which might be more a comment.

You raise the question of what the explanation of Mr. Hart's testimony was, Mr. Fithian, that where we seem to get a minimum amount of information about Lee Harvey Oswald, which is what we were after, and a maximum amount as to Mr. Nosenko's bona fide in a wide intelligence sense, would one explanation be, could it be it was simply the CIA's answer to Mr. Epstein's book, which was current at the time, very much in the news, and in that book, you are left with the thought there is a mole in the CIA?

If you accept Mr. Epstein's thinking, they may have thought it worth a little bad publicity temporarily if it would kill the idea there was a possible mole in the CIA?

Mr. D. C. I would say no one I have talked to has had that reaction to what Mr. Hart did. But on the contrary they are aghast and confused by it. I don't think it laid anything to rest. Now, it could very well have been the motive. I have even looked at the motive of their, in a sense, punishing me for having helped Mr. Epstein. I have used the analogy of somebody using a blow on the head, shoots himself in the foot. I don't believe they have helped their cause very much by this sort of reaction.

Mr. PREYER. Mr. Klein, do you have any further questions?

Mr. KLEIN. No; I don't, Mr. Chairman.

Mr. PREYER. Mr. D. C., when a witness has concluded his testimony, under our rules, he is entitled to make a statement for 5 minutes on any subject that may have come up that he wishes to clarify or anything further he wishes to say. If there is anything further you wish to add at this point, we will recognize you for 5 minutes for that purpose.

Mr. D. C. Well, Mr. Fithian has made a kind remark and I would like to reciprocate, not as a reciprocation but from the beginning of your work, I got hold of both Mr. Hart's testimony and the staff's work and was deeply impressed with the quality of the work of the committee. I have today been treated with immense courtesy and interest and knowing full well at your regular schedule, at a time when you are pressed with some other things, not the least being the King matter, I am awed, impressed, and deeply appreciative that you should have given me the time.

As you know, I wanted to come and answer those charges, but I also wanted to make some points which I felt important which I do think are pertinent to your mission.

Nevertheless, whether they are or not, you have received me with great courtesy and I appreciate it enormously.

Mr. PREYER. Your testimony has been helpful and your testimony can add to our knowledge in this area. We appreciate your being here.


If there is nothing further, the committee stands adjourned.

[Whereupon, at 4:55 p.m., the committee was adjourned, to reconvene upon the call of the Chair.]

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## CERTIFICATE OF NOTARY PUBLIC

I, Annabelle Short, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in shorthand to the best of my ability and thereafter reduced to typewriting by me; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

  
Notary Public in and for  
the District of Columbia

My Commission expires  
November 14, 1980