

At present, Mr. Helms is a business consultant here in Washington.

Mr. Chairman, it is appropriate to note that the committee's questioning of Mr. Helms today will be based on documents that have been released by the CIA in accordance with the Freedom of Information Act. The select committee has also, in the past week, reached agreement with the CIA for the declassification and release of certain documents not previously available to the public. These newly released documents will also be referred to in today's hearing.

On August 9, however, Ambassador Helms testified at an executive session of the committee, in which many issues of a classified nature were discussed in detail. Because they are still classified, they will not be brought up today.

It would be appropriate at this time, Mr. Chairman, to call Ambassador Helms.

Mr. PREYER. The committee calls Ambassador Helms.

Mr. Helms, will you be sworn at this time. Do you solemnly swear 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. HELMS. I do, Mr. Chairman.

TESTIMONY OF RICHARD HELMS, FORMER DIRECTOR OF CENTRAL INTELLIGENCE, FORMER AMBASSADOR TO IRAN, AND PRESENTLY A BUSINESS CONSULTANT IN WASHINGTON, D.C., AND REPRESENTED BY GREGORY B. CRAIG, OF WILLIAMS & CONNOLLY

Mr. PREYER. Thank you, Mr. Helms. We appreciate your being here today, and the Chair will recognize Mr. Goldsmith to begin the questioning.

Mr. GOLDSMITH. Thank you, Mr. Chairman.

Mr. Helms, as part of your association with the CIA were you required to execute a secrecy oath?

Mr. HELMS. Yes, I was.

Mr. GOLDSMITH. Do you recall testifying before this committee in executive session on August 9 of this year?

Mr. HELMS. Yes, I do.

Mr. GOLDSMITH. At that time, Mr. Helms, were you presented with a series of letters which authorized you to testify fully and truthfully about all information that you had available pertinent to the committee's legislative mandate?

Mr. HELMS. Yes.

Mr. GOLDSMITH. At this time I would ask that Mr. Helms be shown JFK exhibit F-536.

Mr. Chairman, I would indicate for the record that JFK exhibit F-536 consists of two exhibits, A and B. They are both letters dated September 1, 1978, from the General Counsel's Office of the CIA. They are directed to Mr. Helms. [Handed to witness.]

Mr. Chairman, may we have JFK exhibits F-536A and F-536B admitted into the record?

Mr. PREYER. Without objection, so ordered.

Central Intelligence Agency



JFK Exhibit

F-536A

Washington, D.C. 20505

OGC 78-6272

21 September 1978

The Honorable Richard Helms
 Safeer Company
 Suite 402
 1627 K Street, N. W.
 Washington, D. C. 20006

Dear Ambassador Helms:

The Agency has been notified that the House Select Committee on Assassinations has invited you to testify in open session on 22 September 1978.

Please be advised that the Agency agreement with the Committee, a copy of which was attached to Mr. Carlucci's letter to you dated 27 July 1978, deals only with the discussion of classified matters in executive session. It does not constitute a grant of authority to discuss classified matters in public circumstances, nor a waiver of any secrecy oath or agreement that might otherwise be applicable in such circumstances. Therefore, if you are asked any questions in open session requiring the disclosure of classified information, I suggest that you indicate to the Committee your willingness to respond in executive session and that you ask the Committee to convene such a session for that purpose.

Sincerely,

Anthony A. Lapham

Anthony A. Lapham
 General Counsel

JFK EXHIBIT F-536A

Central Intelligence Agency

JFK Exhibit

F-536B-

Washington D.C. 20505

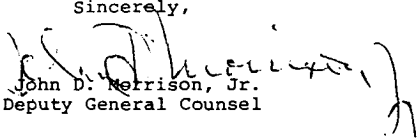
21 September 1978

The Honorable Richard Helms
Safeer Company
Suite 402
1627 K Street, N.W.
Washington, D.C. 20006

Dear Ambassador Helms:

By way of elaboration upon Mr. Lapham's letter to you of this date concerning your testimony in open session before the House Select Committee on Assassinations on 22 September, Mr. Lapham has authorized me to relay the following to you. You are, of course, completely at liberty to discuss unclassified materials, including the materials which have been declassified and made available to your counsel on 20 September 1978. However, in the event a response would involve the disclosure of classified information, whether based on these or other materials, it is the Agency's position that you should so inform the Committee and request that your response be heard in executive session.

Sincerely,


John D. Morrison, Jr.
Deputy General Counsel

Mr. GOLDSMITH. Mr. Helms, have you received the originals of these letters?

Mr. HELMS. Yes, I have.

Mr. GOLDSMITH. Have you had a chance to discuss these letters with your attorney?

Mr. HELMS. Yes.

Mr. GOLDSMITH. Do you understand these letters?

Mr. HELMS. I hope so.

Mr. GOLDSMITH. Do you understand that at today's hearing you are still obliged to testify truthfully before this committee?

Mr. HELMS. I understand that.

Mr. GOLDSMITH. Do you understand, Mr. Helms, that in the event that your testimony touches upon classified information, the alternative would be to request that the committee go into executive session?

Mr. HELMS. I understand that, sir.

Mr. GOLDSMITH. Thank you.

Mr. Chairman, I would indicate for the record that the letters that Mr. Ambassador was shown at the August 9 hearing correspond with JFK exhibits F-94, F-125, F-126, and F-127.

Mr. Helms, what was the organizational function of the Deputy Directorate for Plans in 1963?

Mr. HELMS. The Deputy Director for Plans or the Deputy Directorate for Plans? I was the Deputy Director for Plans and head of an organization which performed certain covert activities overseas.

Mr. GOLDSMITH. Before you proceed I would like to show you JFK exhibits F-94, F-125, F-126, and F-127 from the hearing that we had in August.

[Handed to witness.]

Mr. HELMS. Thank you. [Pause.] I have not read every word of those memoranda, Mr. Goldsmith, but I recall having seen them on August 9.

Mr. GOLDSMITH. At the time did you understand them?

Mr. HELMS. Yes.

Mr. GOLDSMITH. I might ask, for the record, would Mr. Helms' attorney identify himself.

Mr. CRAIG. My name is Gregory B. Craig, of Williams & Connolly.

Mr. GOLDSMITH. Thank you. Returning to my previous question, would you describe the organizational function or purpose of the DDP in 1963 which I believe you headed.

Mr. HELMS. That is one of the most—it contained one of the most highly classified documents in Washington, the description of what the DDP does, and if you have received a specific authority from the Director of Central Intelligence to disclose all these activities, I would be glad to do so.

Mr. GOLDSMITH. I would ask that Mr. Helms be given a copy of the declassified transcript from his executive session testimony.

Mr. Helms, I refer your attention to page 4 of that transcript, specifically lines 111 through 118.

Mr. HELMS. All right, Mr. Goldsmith. Since this has been declassified, I understand, then let me just read what it says:

In 1963, the Deputy Director for Plans was * * * the Deputy Director who was in charge of—I guess the simplest term is—overseas operations. This entity of the CIA received its mandate from NSC documents.

In any event, the responsibility of this unit was to conduct espionage and counter-espionage and covert actions outside the continental limits of the United States.

Some of the lines you will note have been excised.

Mr. GOLDSMITH. I understand.

Mr. HELMS. So if to the press it is not a coherent statement, it is because it is not coherent.

Mr. GOLDSMITH. Mr. Helms, I would ask to the extent you are able to testify without touching upon classified information you make an effort to do so. Have you had a chance to review the declassified transcript that the committee made available to you?

Mr. HELMS. Yes. I have looked through it. I am not sure, though, that I have become aware of all of the things that have been taken out and all the things that have been left in. It is really difficult to read something that has been chopped up the way this has. I have looked through it but I would not say I have in my head what was allowed in and what was taken out.

Mr. GOLDSMITH. Mr. Helms, did the committee make available to you the testimony from your executive session transcript?

Mr. HELMS. Yes, I have in front of me these documents which were made available to me by the committee I think 2 days ago. I went through them.

Mr. GOLDSMITH. I understand that. My question now is, Has the committee made available to you the full transcript from your executive session testimony?

Mr. HELMS. Yes, I believe I could have come and read it at any time, at least I was so assured by the committee.

Mr. GOLDSMITH. Did you ever avail yourself of that opportunity?

Mr. HELMS. I did not.

Mr. GOLDSMITH. Mr. Helms, what role, if any, did the Agency have in the investigation of the assassination of President Kennedy?

Mr. HELMS. At the time that the Warren Commission was formed, the Agency did everything in its power to cooperate with the Warren Commission and with the FBI, the FBI having the lead in the investigation. As best I can recollect, it was the Agency's feeling that since this tragic event had taken place in the United States, that the FBI and the Department of Justice would obviously have the leading edge in conducting the investigation, and that the Agency would cooperate with them in every way it was possible, and the same applied to the Warren Commission.

Mr. GOLDSMITH. So I take it, then, that the Agency perceived its role to be somewhat secondary to the role of the FBI?

Mr. HELMS. That is correct.

Mr. GOLDSMITH. What were your specific responsibilities with regard to the investigation?

Mr. HELMS. As the Deputy Director for Plans, I regarded my responsibility as being one which saw to it that inquiries given to the Agency by the FBI or originated with the Warren Commission, were answered as well and as expeditiously as possible.

Mr. GOLDSMITH. Which staff or unit within the CIA was given primary responsibility for coordinating the investigation?

Mr. HELMS. After I believe maybe 2 or 3 weeks following the assassination, the counterintelligence staff in the Deputy Directorate for Plans was given the job of coordinating and handling the inquiries which came in and the replies which went back, both to the FBI and to the Warren Commission, and as you are aware, the so-called counterintelligence staff had the job in any event of carrying on liaison on covert matters with the FBI for the CIA.

Mr. GOLDSMITH. Would you describe in general terms what the organizational function of the counterintelligence staff was in 1963?

Mr. HELMS. In the organization of the Deputy Director for Plans at that time we had a series of staffs. These staffs were assigned functions in terms of the mission of the entire DDP. There was a foreign intelligence staff which dealt with the acquisition of normal intelligence. There was a counterintelligence staff which provided staff guidance to the rest of the organization in counterintelligence matters.

May I say that the counterintelligence staff's mandate was somewhat wider than the others because the CIA had the mandate within the intelligence community to maintain basic files on counterintelligence cases, counterespionage cases, originating overseas.

Mr. GOLDSMITH. Was the investigation of the death of President Kennedy perceived as a counterintelligence-type case?

Mr. HELMS. It was not perceived in any specific terms at all that I recollect. It was perceived as a great national tragedy, and I think the feeling in the Agency was that anything it or its personnel could do to help resolve the questions that prevailed at the time, we would try to do, whether it was counterintelligence, positive intelligence, or what it was.

Mr. GOLDSMITH. Are you able to state why the CI staff in particular was given this responsibility?

Mr. HELMS. Well, I think one of the more compelling reasons was that since it had had through the years the responsibility for carrying on liaison with the FBI, that it was in a better position and used to dealing with that Agency and therefore it was sensible to have them continue to.

Mr. GOLDSMITH. Now prior to giving the CI staff this responsibility was the chief of one of the Western Hemisphere desks designated to coordinate the flow of information at CIA headquarters?

Mr. HELMS. I believe in the early days after President Kennedy's demise that there was a feeling that the principal point of interest as far as the Agency was concerned was Mexico City, where information had been provided by the CIA to the rest of the Government that someone called Lee Harvey Oswald had been in touch with the Soviet and Cuban Consulates there. Once it was established that this investigation was going to be far more wide ranging than just Mexico City, the responsibility was transferred.

Mr. GOLDSMITH. Did this particular desk officer ever complain to you about interference with Mr. Angleton, who was then chief of the CI staff?

Mr. HELMS. I do not recall any complaint, Mr. Goldsmith.

Mr. GOLDSMITH. Do you recall whether this desk officer had any particular responsibilities with regard to the investigation after the

responsibility for coordinating the investigation was transferred to the CI staff?

Mr. HELMS. I don't have any recollection of the details.

Mr. GOLDSMITH. What role, if any, did Mr. McCone, who was then Director of Central Intelligence, have in the Agency's investigation?

Mr. HELMS. I think that he had the role any Director would have had that was to see to it that sufficient manpower and funds and other resources of the Agency were put to work in support of the Warren Commission and the FBI. And I recall certainly that he maintained a continuing and abiding interest in these proceedings.

Mr. GOLDSMITH. Was he kept regularly apprised of the developments of the investigation?

Mr. HELMS. I would have thought that he was. I can't tell you in precise detail 15 years later, but he had every opportunity 5 days a week at the agency staff meeting to ask any questions on his mind, and we had every opportunity to pass on to him anything that had come up we thought would be of interest.

Mr. GOLDSMITH. Has Mr. McCone ever indicated to you that he was not satisfied with the flow of information from below upstream to him?

Mr. HELMS. In connection with this investigation?

Mr. GOLDSMITH. Yes, sir.

Mr. HELMS. Not that I am aware of, Mr. Goldsmith. I think, if knowing Mr. McCone, if he had been dissatisfied he would have made his dissatisfaction clear and I wouldn't have forgotten it.

Mr. GOLDSMITH. You mentioned earlier that the responsibility for investigating this case was primarily in the hands of the FBI and the CIA saw itself serving as a support function. Do you think this division of responsibility was adequate?

Mr. HELMS. But I think it is the only way the matter could have been handled. I can't conceive of its being handled any differently. There has to be one investigative organization in charge of an investigation, and I can't see how this could have been otherwise. Am I missing something here?

Mr. GOLDSMITH. I am not suggesting that you are missing anything, Mr. Helms.

Mr. Helms, were there any substantive or procedural problems between the Bureau and the CIA in conducting the investigation?

Mr. HELMS. I don't recall any procedural problems. As for questions of substance, my memory is not all that clear. I don't know whether there were some small disagreements about certain aspects of this case or not. Certainly investigators, no matter how well motivated, tend to have different emphases, and it may well be that there were some, but nothing that looms large in my mind today.

Mr. GOLDSMITH. Do you recall specifically whether there was any disagreement in the handling of the Nosenko case?

Mr. HELMS. I don't recall any disagreement about the so-called handling of the Nosenko case. There was I believe a difference of interpretation as to what Nosenko represented. It was my impression that the FBI had passed on what Nosenko had to say about Lee Harvey Oswald to the Warren Commission exactly the way Nosenko had given it to them, and that at a later date it was

necessary to point out to the Warren Commission that the bona fides of Mr. Nosenko had not been established.

Mr. GOLDSMITH. Did the agency's investigation reflect any working hypotheses? By that question I mean, Did any particular aspect of the investigation receive emphasis?

Mr. HELMS. You mean inside the CIA?

Mr. GOLDSMITH. Yes, sir.

Mr. HELMS. Oh, I think there was concern among many officers working on these matters that the Soviets might have been involved in this in some fashion and that the Cubans might have been involved in some fashion. I imagine we shared the concerns of the Warren Commission at the time. After all, there is a lot of give and take and conversation and meetings back and forth and one organization obviously influences the sensations of another organization.

Mr. GOLDSMITH. Did the Agency pay particular attention to the area of foreign conspiracy? You made reference to Soviet involvement and Cuban involvement. Was that the primary focus?

Mr. HELMS. That was obviously a matter of prime concern and since Nosenko was in the Agency's hands this became one of the most difficult issues to face that the Agency had ever faced. Here a President of the United States had been murdered and a man had come from the Soviet Union, an acknowledged Soviet intelligence officer, and said his intelligence service had never been in touch with this man and knew nothing about him. This strained credulity at the time. It strains it to this day.

Mr. GOLDSMITH. Was all information pertinent to the Warren Commission's work promptly given to the Warren Commission, Mr. Helms?

Mr. HELMS. I don't know how to answer that question, Mr. Goldsmith. I thought we made a major effort to be as cooperative and prompt and helpful as possible. But in recent years I have been through enough to recognize that you can't make a flat statement about anything, so I don't know. Maybe there were some places where it wasn't as prompt as it should have been. But I am not in a position to identify them.

Mr. GOLDSMITH. Are you able to state what factors generally governed whether information was made available to the Warren Commission—

Mr. HELMS. I misunderstood the first part of your question.

Mr. GOLDSMITH. Are you able to state what factors governed whether information was made available to the Warren Commission?

Mr. HELMS. I don't think there were any governing factors except the necessity for us to be careful about our sources and methods in certain cases, and I believe that obstacle was gotten over by going down and having conversations with the Warren Commission at various times in order to make these points clear on what the issues were. I don't believe we held anything back.

Mr. GOLDSMITH. As a general rule, did you wait to receive an inquiry from the Commission prior to passing information on to the Warren Commission?

Mr. HELMS. Yes; I believe so.

Mr. GOLDSMITH. Turning to another area now, to what extent, if any, did Mr. Dulles, former Director of the CIA, play a special role on the Warren Commission insofar as the Agency was concerned?

Mr. HELMS. I don't have any sensation that he played any special role. He obviously was in touch with the Agency on two or three occasions, as was only natural under the circumstances. He had been Director of it for a long time and he would obviously feel more comfortable dealing with people in the Agency than he might in other agencies of the Government. But I don't recall this had any particular force and effect as far as the conduct of the Agency was concerned or the conduct of the Warren Commission investigation.

Mr. GOLDSMITH. To what extent did he attempt to represent the interests of the CIA while serving as a member of the Warren Commission?

Mr. HELMS. I have no idea, Mr. Goldsmith.

Mr. GOLDSMITH. At this time I would ask that Mr. Helms be shown JFK F-529.

Mr. Chairman, I move for the admission into the record of JFK exhibit F-529.

[Documents handed to witness.]

Mr. PREYER. If there is no objection, exhibit F-529 will be admitted into the record.

Mr. GOLDSMITH. That's F-529.

[Whereupon, exhibit F-529 was received.]

-JFK EXHIBIT F-529-

8 July 1964

MEMORANDUM FOR: Deputy Director for Plans

SUBJECT: Discussion with Mr. Dulles
Re the NOSENKO Information
on OSWALD

1. Mr. Dulles, with whom I spoke today, recalled his earlier conversation with you on this subject and said that there were still some members of the Commission who were concerned lest they suppress the NOSENKO information now only to have it surface at a future date. They expressed concern that this could possibly prejudice the entire Warren Commission report. I told Mr. Dulles that this concern was understandable but that we still felt the best course by far would be to omit any reference to the NOSENKO information in the final report. While it is conceivable that NOSENKO might someday be in a position to claim that he provided information on the KENNEDY assassination, I said that the difference between NOSENKO's situation and that of other bona fide defectors was such that it would be less likely that NOSENKO would be allowed to surface in this way. I noted that if the NOSENKO information were included as is in the final Commission report and then later the facts of NOSENKO's agent mission became public knowledge, this could have perhaps an even greater negative affect on the standing of the Commission's report. The only way for the Commission to avoid this and still use the information would be for them to indicate that doubt existed regarding the source of the information. We would be opposed to this because it would signal to NOSENKO's principals something of how we viewed this case and could also bring about renewed press and public interest in NOSENKO.

2. Mr. Dulles and I then exchanged views on the possibility of finding language which would allude to the existence of other, unverified information on the OSWALD case. This language would permit the Commission to say if challenged in the future on this issue that it had taken the NOSENKO information into consideration in

the final report but at the same time it would not be presented in a manner which would be at variance with the important operational considerations we have raised.

3. It was agreed that an effort might be made to find such language if Mr. Dulles is again unsuccessful in persuading his colleagues to eliminate any reference to the NOSENKO information from the report. To attempt this, however, we would have to know precisely in what context the Commission intended to make use of the NOSENKO information. This, Mr. Dulles will have to determine from Mr. Rankin. He will do this as soon as possible. He knows that I am leaving this week and therefore, will contact you as soon as he has the information he needs from Mr. Rankin.

4. I have briefed C/SR/CI on these latest developments and since he and CIA officer in my shop are fully cognizant of all the problems involved, they can work out language for your approval which hopefully will be satisfactory. C/SR/CI knows Mr. Dulles and would be the most suitable person to work with him directly if this is indicated.

Chief, SR Division

8 July 67

MEMORANDUM FOR: Chief, SR

1. ~~Answers~~ ^{NOSENKOS} answers to our questions appear to be quite complete. No really new information appears and they are consistent with his previous statements. Their chief value lies in the fact that they elaborate what he has said before concerning OSWALD in the USSR. The details he provides concerning KGB involvement in the OSWALD case eliminate a number of minor obscurities which were present in his earlier statements but they do not change the overall picture of OSWALD's status and activities in the USSR.

2. There are, however, some rather surprising statements in ~~Answers~~ ^{NOSENKOS} replies - and these statements may call into question all or part of his story. For example:

a) he says (paragraph 5) that although the KGB recognised that OSWALD might have been an American agent, no "unusual measures" were taken to check on this possibility since it had already been decided not to let him stay in the USSR.

b) he says (paragraph 16) that the KGB did not consider recruiting Marina to report on OSWALD "because she was his wife and it was considered dangerous to recruit a wife to report on her husband."

/ c) he repeatedly refers


c) he repeatedly refers to KGB recognition that OSWALD "was not normal" as the reason for KGB failure to take various steps, which it could normally be expected to take vis-a-vis a ~~foreigner~~ foreigner like OSWALD. In other words, a lack of normality and the KGB's recognition of it provide the peg for the whole story of KGB handling of the OSWALD matter.

3. Another sequence of events, as related by ~~the~~ ^{NOSENKO} is noteworthy. He states that Marina had no trouble marrying OSWALD because he was a resident of and working in the USSR, and that she had no difficulty leaving the country because she was married to a foreigner. This reasoning seems to overlook the fact that OSWALD had already declared his intention (via mail to the US Embassy) to leave the USSR. If this fact were known to the KGB as we must presume it was, we would expect Marina's marriage request to have been given more than routine consideration.

4. Although I believe that the Commission would be interested in the entire set of questions and answers as a follow up to the information it received earlier from ~~the~~ ^{NOSENKO} via the FBI, perhaps you will think it not advisable to send them on at this late date, especially in view of the continuing doubts concerning ~~the~~ ^{NOSENKO'S} bona fides. There are no

/specific points in

specific points in this latest information that change the OSWALD story or add significantly to it and would therefore warrant separate transmittal to the Commission in my opinion. When the results of our further checks into OSWALD's arrival time in Helsinki are in, we might send along with them ^{NOSENKO's} statement that a 2-4 day delay in obtaining a Soviet tourist visa is not uncommon.


C/SR/CI/Research

Mr. GOLDSMITH. I would ask that you skim through exhibit F-529, Mr Helms, paying particular attention, however, to paragraph No. 3.

Mr. HELMS. Yes; I have read paragraph 3.

Mr. GOLDSMITH. Does this exhibit, Mr Helms, refresh your memory on the extent to which Mr. Dulles may have represented CIA interests while serving as a member of the Warren Commission?

Mr. HELMS. I don't read that memorandum that way Mr. Goldsmith. I read this memorandum to say that since the Agency was not able to, what shall we say, vouch for the bona fides of Mr. Nosenko, that this was going to have an effect on the Commission report and what the Commission had to say and the point at issue here, if I read this correctly, was how best to have the Commission word its report, come to its conclusions without leaving itself hanging on a limb on the basis of the fact that they thought that Mr. Nosenko was bona fide when in fact this had not been demonstrated. That is the way I read this memorandum.

Mr. GOLDSMITH. I certainly understand what the central issue is. My question is whether Mr. Dulles was attempting to represent the Agency views to the Warren Commission.

Mr. HELMS. I don't get that from reading this exhibit. I believe in reading the material that you have made available to me that the gentleman who signed this memorandum made that deposition before you, and I assume that you asked him what he thought about it. Did he give a different answer?

Mr. GOLDSMITH. Mr. Helms, I am sorry but I am not in a position today to answer your questions.

Mr. Chairman, this concludes my initial line of inquiry. I would defer to you at this time, sir.

Mr. PREYER. The Chair recognizes Congressman Stokes for such time as he may consume for the questioning of the witness.

Chairman STOKES. Thank you, Mr. Chairman.

Good morning, Ambasssador Helms.

Mr. HELMS. Good morning, Mr. Stokes.

Chairman STOKES. Mr. Helms, I wonder if you would tell us what role, if any, you played with regard to Mr. Nosenko.

Mr. HELMS. When Nosenko defected in Geneva and came to the United States, or was brought to the United States, in my position as Deputy Director for Plans, I obviously was involved in the basic decisions that were going to have to be made or were made in now and the past involving the interrogation of him, his handling, and what we would do with respect to finding out what he represented and what information he had to purvey.

Chairman STOKES. So would it be fair to say that right from the very beginning of the initial contact with him, right on through his custodial period here in the States, that you were constantly in charge of that situation?

Mr. HELMS. No; I was not constantly in charge of it. In fact, I was not in charge of it from the first day because I do not think any Deputy Director regards himself as being in charge of anything when he has a Director who is really in charge, plus the fact there were other members of the Interagency Defector Committee which is composed of other agencies of Government interested in

these matters. They also have a say in what happens with respect to these things. So I certainly was involved with decisions on Nosenko from beginning to end, but I was not the controlling authority at all times.

Chairman STOKES. There were three major agency reports that were written in regard to the Nosenko case; specifically there was a report in 1968 issued by the Soviet Russia Division, another report later in 1968 called the Office of Security report, and then a third report in 1976, referred to as the Hart report.

Would you tell us whether you are familiar with all three of these reports?

Mr. HELMS. I don't recall any longer whether I read the first two or whether I was simply briefed on their contents. The Hart report I have never seen. I left the agency in early February 1973 and I have had no substantive connections with it since.

Chairman STOKES. During his defection in 1964 and upon his arrival in the United States was Yuri Nosenko in the custody of the CIA?

Mr. HELMS. I am sorry, I missed the question.

Chairman STOKES. I was asking precisely during his defection in 1964 and upon his arrival in the United States, was Yuri Nosenko in the custody of the CIA?

Mr. HELMS. Yes, he was. That was an accepted procedure under the functioning of the Interagency Defector Committee that defectors that came to this country were handled by the CIA, through the interrogation period, resettling period, whatever had to be done to them.

Chairman STOKES. Is that the legal authority under which he was being detained?

Mr. HELMS. No. I think that perhaps, Mr. Chairman, if you would not mind, I would like to answer that question a little bit more fully. If you would indulge me.

Chairman STOKES. Certainly.

Mr. HELMS. Two days ago, on September 20, 1978, I received a transcript of my testimony before this committee in executive session on August 9. While reviewing that transcript I noted that, although I am not a lawyer, I characterized Mr. Yuri Nosenko's legal status with the CIA between 1964 and 1969 in a number of different ways. Since this is an area of obvious interest to the committee, I would like to take this opportunity to describe my understanding in somewhat greater detail as to what Mr. Nosenko's legal status with the Central Intelligence Agency was.

As I say, I am neither a lawyer nor a judge, so I was not prepared to draw any legal conclusions about Mr. Nosenko's tenure with the Central Intelligence Agency. I'm sorry, I am not prepared.

On January 23, 1964, in Geneva, Switzerland, Mr. Nosenko requested that he be permitted to defect to the West. Mr. Nosenko's request, I believe, was accompanied by a claim that he could give a comprehensive report on Lee Harvey Oswald's contacts in connection with the KGB during Oswald's stay in the Soviet Union between 1959 and 1962.

It is difficult to overstate the significance that Yuri Nosenko's defection assumed in the investigation of President Kennedy's assassination. If Mr. Nosenko turned out to be a bona fide defector, if

his information were to be believed, then we could conclude that the KGB and the Soviet Union had nothing to do with Lee Harvey Oswald in 1963 and therefore had nothing to do with President Kennedy's murder.

If, on the other hand, Mr. Nosenko had been programed in advance by the KGB to minimize KGB connections with Oswald, if Mr. Nosenko was giving us false information about Oswald's contacts with the KGB in 1959 to 1962, it was fair for us to surmise that there may have been an Oswald-KGB connection in November 1963, more specifically that Oswald was acting as a Soviet agent when he shot President Kennedy.

If it were shown that Oswald was in fact acting as a Soviet agent when he shot President Kennedy, the consequences to the United States of America and, indeed, to the world, would have been staggering. Thus, it became a matter of the utmost importance to this Government to determine the bona fides of Mr. Yuri Nosenko. Mr. Nosenko arrived in the country in February 1964. By the end of March it was clear to us that the task of evaluating Mr. Nosenko's credibility would not be easy.

On April 2, 1964, as Deputy Director of Plans, I, along with David Murphy, Chief of the Soviet Bloc Division, and Mr. Lawrence R. Houston, the General Counsel to the CIA, met with Mr. Nicholas Katzenbach, then Deputy Attorney General of the United States; Mr. J. Walter Yeagley, Chief of the Internal Security Division of the Justice Department; Mr. William E. Foley, who was then Mr. Yeagley's First Assistant in the Internal Security Division; and Mr. Harold F. Riese from the Office of Legal Counsel in the Justice Department.

The meeting took place in Mr. Katzenbach's office in the Justice Department. The purpose of the meeting was to define Mr. Nosenko's legal status in the United States and to anticipate what kind of legal problems might arise in connection with the Agency's ongoing custody of Mr. Nosenko.

The Agency provided me a copy of the memorandum for the record written by Mr. Lawrence Houston describing this meeting on April 2, 1964, and a second memorandum which reflects the substance of a telephone call from Mr. Foley on the following day, April 3, 1964. These documents were in part declassified by the Agency on September 18, 1978, and I would like to make them part of the record of these proceedings.

During the meeting of April 2, 1964, the Department of Justice was fully informed of Mr. Nosenko's status with the Agency and the Department's opinion was requested as to the scope of the Agency's ongoing authority with respect to Mr. Nosenko.

As Mr. Houston's memorandums relate, Mr. Nosenko's technical status in the United States was one of "exclusion and parole," which means that the Immigration and Naturalization Service had technically excluded Mr. Nosenko from the United States but had also temporarily "paroled him" to the custody of the Central Intelligence Agency.

It is my understanding that the terms of the parole provided that Mr. Nosenko would remain in the custody of the Agency unless it was determined whether Mr. Nosenko should be deported or whether he should be permitted to settle in the United States.

If Mr. Nosenko violated the terms of the parole, he would be deported. As these memorandums indicate, it was the opinion of the Justice Department that the Agency was free "to take any action necessary to carry out the terms of the parole." That opinion was expressed to us in the meeting of April 2, 1964, and repeated to us the following day by way of a telephone call from Mr. Foley, who had been requested by Mr. Katzenbach to check and to confirm the Department's legal opinion.

In addition to the Justice Department, the Interagency Committee on Defectors was also fully informed of Mr. Nosenko's status. The agency and that committee concurred, I believe, with the legal position adopted by the Department of Justice. The Interagency Committee on Defectors was the Government body which was formed in order to preside over the care, feeding, and general treatment of defectors.

That committee is composed of representatives from the Central Intelligence Agency, the Federal Bureau of Investigation, the Defense Intelligence Agency, the National Security Agency, the Department of State, and the Immigration and Naturalization Service.

As the Rockefeller Commission report indicated, Mr. Nosenko's confinement—and I quote from the report, "was approved by the Director of Central Intelligence, the Director of the FBI, the Attorney General, and the U.S. Intelligence Board; selected Members of the Congress were also aware to some extent of the confinement."

End of quotation and end of my statement.

Chairman STOKES. So then, do I understand that based upon that meeting it was your opinion then that this man was being held legally and not in violation of law?

Mr. HELMS. It was our opinion that—I don't know, I am not a lawyer, I have to be careful of my words—but let me just say it was our impression we had the authority to hold him as we were holding him.

Chairman STOKES. At the time you testified to our committee here in executive session, is that what you said to us?

Mr. HELMS. No. I say, when I went through the transcript of my testimony that day on August 9, I found that I characterized his confinement in various ways, so I composed this statement in order to straighten the matter out as we understood it.

Chairman STOKES. Now, can you recall what Mr. Katzenbach said in that meeting? You were present and Mr. Katzenbach was present; right?

Mr. HELMS. Yes.

Chairman STOKES. Can you tell the committee what Mr. Katzenbach said on that occasion about the situation?

Mr. HELMS. What we remember about this, Mr. Stokes, is pretty well encompassed in here, that we shared with him the problem we had in connection with Mr. Nosenko. We identified to him why the problem was very serious. We pointed out that there might be difficulties in connection with holding him. Suppose that Mr. Nosenko got a lawyer; then what did we do about it? How did we ever establish what his bona fides were?

In other words, we had a whole series of problems which we were sharing with the Justice Department in an effort to get some help

or assistance, how we ought to go about this matter and ascertain what our authorities to do it were. That was the purpose of the meeting. But 15 years later I certainly do not remember direct quotations, from either Mr. Katzenbach or myself.

Chairman STOKES. But it would be fair to characterize the situation as saying that he did make comment upon the situation and give you advice?

Mr. HELMS. That is right.

Chairman STOKES. Now, Mr. Helms, yesterday Mr. Katzenbach appeared before this committee and testified in the same hearing room. I want to read to you from the transcript of that testimony and then ask for your comment:

Chairman STOKES. The time of the gentleman has expired.

Mr. Katzenbach, Mr. Sawyer asked you about the decision to sign off for Mr. Nosenko. Can you tell us whom it was that came to you and asked for your permission to begin the interrogation of Nosenko?

Mr. KATZENBACH. I don't recall anybody doing so, Mr. Chairman. I understand that Mr. Helms had a conversation with me or thinks he recalls he had a conversation with me on it. I have no recollection of that conversation, but perhaps his recollection is better than mine. I don't know. I don't recall any such conversation.

Chairman STOKES. Was this your testimony, that you don't recall anyone talking to you about it?

Mr. KATZENBACH. Yes, sir, that is my testimony.

Chairman STOKES. At any time?

Mr. KATZENBACH. At any time.

Chairman STOKES. How did you learn of it?

Mr. KATZENBACH. I learned of it when the gentleman writing a book called me up about 3 or 4 months ago or 6 months ago, and asked me about it. And I said, who is Nosenko?

Chairman STOKES. That would be Mr. Epstein?

Mr. KATZENBACH. Yes, sir, Edward J. Epstein, right. And that was the first time that I heard of it, to my recollection.

Chairman STOKES. So, then, so that the record is patently clear on this point, during your tenure you knew absolutely nothing at all of this situation?

Mr. KATZENBACH. Nothing that I can recall at this time. It was quite a while ago, but I have absolutely no recollection of Mr. Nosenko or anything to do with him during that period of time.

Chairman STOKES. While you held the office that you held, were you at any time requested to give your approval to treating any defector in this manner?

Mr. KATZENBACH. No, sir. The only connections that I can recall with the CIA at all fell into two categories. One was when they wished to wiretap or some electronic device to be put within this country they came to me, and the only other thing was whenever they wanted a book suppressed they came to me and I told them not to do it.

Chairman STOKES. Told them what?

Mr. KATZENBACH. Told them not to do it, that there was not any way you were going to do it. Those were the only ways, at least offhand, when I—none that I recall as Deputy. A little bit I guess at the time of the Cuban missile crisis and perhaps some at the time of the Cuban prisoner exchange, but I had very little connection with the CIA. And I don't recall except for those occasions their ever asking me any legal advice whatsoever, perhaps for good reason.

Chairman STOKES. Are you absolutely certain that you cannot recall any conversation with Mr. Helms about Nosenko?

Mr. KATZENBACH. I am certain that I don't recall it, yes, sir. I can't flatly deny such a conversation occurred, but I have no recollection of it. It is quite a while ago and I believe if it was as dramatic as put by Congressman Sawyer, I would remember it. I was simply informed that somebody was being questioned. There was a potential defector, I might not recall that.

Chairman STOKES. Thank you.

Any other questions?

Mr. Sawyer.

Mr. SAWYER. Yes.

Mr. Katzenbach, I don't know whether you were informed of the details of the situation, but we had testimony by a spokesman for the CIA so that it is not just a

statement of some employee or something. He was designated by the present Director to come here and present the story because he was supposed to be the most familiar with it since he had reviewed it for the CIA.

He stated in substance, Mr. Nosenko was taken into custody in this country by the CIA after defection or after alleged defection, held in a so-called safe house on a diet of tea and porridge twice a day, was allowed no reading material. The guards were instructed neither to talk to him or smile to him. He was subjected to 48 hours at a crack interrogation. This being while they built a separate facility somewhere else in the country; namely, a device described by him as a bank vault, and then built a house around the bank vault to put this man in and then kept him there under the equivalent of some 3 years with that kind of thing, 1,277 days to be specific, at which point they finally gave up and gave him some emolument and put him on their payroll and let him go.

And then they gave as their—I questioned on the authority to do a thing like that. Did they have any kind of process, and they said other than the fact that Mr. Helms had conferred with you and gotten your OK, that this would be legal.

And I just found it awfully difficult to believe that. And that is why—and I don't imagine it would be the kind of thing that you would be asked to OK enough that you would not rather clearly remember the incident if it had occurred.

Mr. KATZENBACH. If the facts that you have just set forth to me, Congressman, had ever been made known to me, I would recollect it, I am certain; and I would hope to goodness I would not have given the legal advice that is claimed.

Mr. SAWYER. It makes me feel better about it. Thank you.

That is all I have, Mr. Chairman.

Having heard Mr. Katzenbach's testimony of yesterday, can you reconcile his testimony to this committee with your statement just read to this committee?

Mr. HELMS. I can only say, Mr. Stokes, that it is very hard to reconcile. I think the basic point at issue here is really whether the meeting with him took place at all. What happened after the meeting is something he was not responsible for as far as I am aware.

Let me read to you the memorandum for the record which Mr. Lawrence R. Houston, the General Counsel of CIA, wrote on April 3, 1964. I have a copy in front of me. It is headed Memorandum for the Record and the subject is the Nosenko case.

It reads:

Mr. Helms, Mr. Murphy, and I met with Mr. Nicholas deB. Katzenbach, J. Walter Yeagley, William E. Foley, and Harold F. Ries, on April 2, 1964. Mr. Helms outlined the problems foreseeable in our future relations with Nosenko and asked the opinion of the Justice representatives on what we could do to control the situation. I pointed out that his technical status is one of exclusion and parole—or more technically, deferment and parole.

Paragraph 2:

After some discussion, Mr. Foley stated it was his opinion that Agency representatives could take any action necessary to carry out the terms of the parole. Mr. Katzenbach asked Mr. Foley to check this and let me know and Mr. Foley later confirmed this position by telephone.

I in turn, after the meeting, reviewed the parole agreement and provided an interpretation thereof for Director of Security, a copy of which is attached hereto. Also, I informed Mr. Foley of this interpretation. Signed, Lawrence R. Houston, General Counsel.

The attachment is a memorandum also dated April 3, 1964. It is signed by Lawrence R. Houston, General Counsel. It is a memorandum for the director of security. That would be the officer who was the director of the security office of the Central Intelligence Agency. The subject is Parole status of defectors:

On 2 April 1964, we had a discussion with the Department of Justice on the status of aliens whose inspection by INS—

that is the Immigration and Naturalization Service, I interpret here so there will not be a lack of clarity—

whose inspection by INS is deferred upon arrival at our request and who are then paroled to this Agency. It was the position of the Department of Justice that we were responsible for taking any action necessary to carry out the terms of the parole.

That, I believe, is paragraph 1 of this memorandum, Mr. Stokes. The balance of the memorandum has been excised and therefore is not on the sheet there.

Chairman STOKES. Then, in light of the document which you have just read and along with your other testimony, then obviously the statement of Mr. Katzenbach to this committee yesterday could not be true, could it?

Mr. HELMS. No; I am afraid it is not.

Mr. PREYER. Chairman Stokes, may I interrupt?

Chairman STOKES. Certainly.

Mr. HELMS. I would like to say, because I would like to be clear with this committee, that I asked my attorney to be in touch with Mr. Katzenbach some weeks ago in connection with this matter. It is reflected in his testimony that it was brought to his attention that I had this meeting with him. I did not want to have this committee think I pulled this as a surprise on Mr. Katzenbach and he came down here innocently and had no opportunity to review the facts if he cared to.

Chairman STOKES. Then he was appropriately advised prior to his appearance here yesterday of the memorandums you just read?

Mr. HELMS. I don't know that he was advised of the memorandums, but he was advised certainly of our recollection of this meeting.

Chairman STOKES. Thank you, Mr. Chairman.

Mr. PREYER. Mr. Helms, I understand that you are requesting that this document be made a part of the record. I would like to ask the clerk if she will mark it as an exhibit so that we can enter it into the record at this point.

Mr. HELMS. Thank you, Mr. Chairman.

Mr. Chairman, as a point of clarity, is it just these memoranda that you want to make a part of the record? My statement is in the transcript so I don't think that is necessary. I think these are the two documents.

Mr. PREYER. The document will be marked as exhibit F-413 and made a part of the record at this point.

[The information follows:]

3 April 1964

MEMORANDUM FOR THE RECORD

SUBJECT: Nossenko Case

1. Mr. Helms, Mr. Murphy and I met with Mr. Nicholas deB. Katzenbach, Mr. J. Walter Yeagley, Mr. William E. Foley, and Mr. Harold F. Reis on the Nossenko case on 2 April 1964. Mr. Helms outlined the problems foreseeable in our future relations with Nossenko and asked the opinion of the Justice representatives on what we could do to control the situation. I pointed out that his technical status was one of exclusion and parole (or more technically deferment of inspection and parole).

2. After some discussion, Mr. Foley stated it was his opinion that Agency representatives could take any action necessary to carry out the terms of the parole. Mr. Katzenbach asked Mr. Foley to check this and let me know and Mr. Foley later confirmed this position by telephone. I, in turn, after the meeting reviewed the parole agreement and provided an interpretation thereof for the Director of Security, a copy of which is attached hereto. Also I informed Mr. Foley of this interpretation.

*LSJ LRA*LAWRENCE R. HOUSTON
General Counsel

Att.

Declassified 19 September 1978
by Anthony A. Lapham, General
Counsel*Anthony A. Lapham*~~SECRET~~ **JFK Exhibit F-413A**

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3 April 1964

MEMORANDUM FOR: Director of Security

SUBJECT: Parole Status of Defectors

1. On 2 April 1964 we had a discussion with the Department of Justice on the status of aliens whose inspection by I&NS is deferred upon arrival at our request and who are then paroled to this Agency. It was the position of the Department of Justice that we were responsible for taking any action necessary to carry out the terms of the parole.

Declassified (paragraph 1 only)
19 September 1978 by Anthony A.
Lapham, General Counsel.

Anthony A. Lapham

/s/ Lawrence R. Houston

LAWRENCE R. HOUSTON
General Counsel~~SECRET~~

JFK Exhibit F-413 B

Chairman STOKES. Thank you, Mr. Chairman.

Now, Mr. Helms, I note that the memorandum does not give any indication from which Mr. Katzenbach would be able to draw the conclusion with reference to the way that the CIA intended to treat this man. That is not in that memorandum, is it?

Mr. HELMS. No, it is not in the memorandum as of the time that the meeting with Mr. Katzenbach was held. Deliberations were still going on inside the Agency as to what exactly to do about Mr. Nosenko, and as things developed over the months, I don't think that Mr. Katzenbach can be held responsible for that and I have no reason to want to involve him in it.

Chairman STOKES. Is it fair also to say that in all probability he was never informed of the way this man was treated?

Mr. HELMS. In all probability, that is correct.

Chairman STOKES. Now, how long did Mr. Nosenko remain in CIA custody?

Mr. HELMS. I think all told, I think it was from 1964 when he defected until he was resettled with the new identity which I believe was in 1969 or 1970.

Chairman STOKES. Can you tell us what unit within the CIA had the primary responsibility for handling Mr. Nosenko in 1964?

Mr. HELMS. My recollection is that the office of security was given the responsibility for his housekeeping, his care, his feeding, his guarding, and that the Soviet bloc division had the responsibility for his interrogation.

Chairman STOKES. Did the Soviet Russia division continue to have responsibility for questioning Nosenko until he was released from CIA custody in 1969?

Mr. HELMS. No. I believe that it was in 1967 that the decision was made or, I made the decision if you would prefer that, that the case simply could not go on in that fashion, it had to be resolved.

Therefore, a change was made. Nosenko was turned over to an officer in the office of security who had made an examination of the case. He felt that he could get along well with Nosenko and that possibly he could, if he couldn't solve the problem of his bona fides, at least he might be able to solve the problem of how we were going to resettle him on the American scene.

I was rather puzzled by some of Mr. Hart's testimony the other day before this committee. He seemed to go into lurid detail about Nosenko's treatment, but when it came time to make his contribution to the purposes of the committee hearing, in other words, what Nosenko knew about Oswald, he had no clarification to make and nothing to contribute.

Yet he was here as the official representative of the Director of Central Intelligence, as I understand it. It was almost as though his purpose was to use his testimony before this committee to excoriate some of his former colleagues for the handling of the Nosenko case.

In any event, I never heard of the note alleged to have been handwritten by the "Deputy Chief of the Soviet Bloc Division" using such sensational terms as "liquidate the man, commit him to a looney bin," et cetera. These options were never presented to me, were never entertained by me, and were never considered.

The problem was to resettle Nosenko in American society and this is what the Agency did. Any other assertions are false as far as I personally am aware. I would not like to see perpetuated on indefinitely into the history of this country that there was any consideration given by senior officials of the Agency to those options that were identified in this lurid, handwritten memorandum. I don't know how the thing happened to get written. I don't know how it happened to be held in the files. I don't know how it happened to be part of Mr. Hart's role to bring it down here, but in any event, I want to put to rest once and for all that this was never considered.

Chairman STOKES. Now you have mentioned a security officer. When did the security officer assume the responsibility for handling Nosenko?

Mr. HELMS. My recollection Mr. Stokes, is that it was about 1967, some time in 1967.

Chairman STOKES. So at that time would they have assumed primary responsibility and taken it away then from the Soviet bloc?

Mr. HELMS. Well, they assumed primary responsibility. I think that is the fair thing. I had asked Adm. Rufus Taylor, who sadly died the other day but who became Deputy Director of Central Intelligence after I was made Director, to make it his personal responsibility to look into all aspects of the Nosenko case in an effort to get it resolved.

He had done a lot of work on this case and one of his recommendations as I recall it was that this be turned over to the office of security and that we try an entirely different approach.

Chairman STOKES. Can you tell us why the responsibility for handling Nosenko in terms of questioning was transferred from the SR people over to the security officer?

Mr. HELMS. It was just another approach we were attempting. In other words, we wanted to take him away from those people who had been interrogating him and see if a quiet, solicitous, and, let's say, favorable approach were used, that we might be able to solve the problem of his bona fides but at least get him in the frame of mind where we could resettle him.

Chairman STOKES. How long a period of time was Nosenko actually held in this status?

Mr. HELMS. Well, during the period of 1964 to 1967 he was held under Spartan circumstances. In 1967 when he was turned over to the office of security he was moved to a safe house where he certainly was in confinement but lived under very comfortable conditions, perhaps as well as anybody in this room.

Chairman STOKES. Now, during that 3-year period, and I suppose you would say it is 3 years he was held in confinement, as a basis of Mr. Hart's testimony a few days ago, I posed the question to him that the man was actually being held in jail, wasn't he. His answer was substantially yes.

How would you characterize the period?

Mr. HELMS. I find no fault with that characterization.

Chairman STOKES. Initially, can you tell us how the individuals who handled Mr. Nosenko for the SR division had been selected?

Mr. HELMS. When the defection took place in Geneva, or at least before it took place, two officers were sent to Geneva to talk to Mr. Nosenko. One was a high officer in the SR division and the other was a case officer who not only spoke fluent Russian but had had a great deal of experience in handling Soviet agent cases and this seemed to be a good team as far as those in charge thought at the time, and so did I.

Chairman STOKES. Can you tell us how knowledgeable or how expert they were in terms of the Oswald case?

Mr. HELMS. I don't have any recollection of that any more, Mr. Stokes. I don't think that we chose them because of their knowledgeability in the Oswald case initially. The issue was to decide about the defection of this man in the first place.

The Oswald matter really hadn't gotten viable until it was indicated he knew something about it, and then when we got him to the United States, what he knew about it. Actually, I think that it may be of interest to the committee that in attempting to establish the bona fides of someone, it is necessary to have information in some depth of the facts about which they are talking.

With respect to Nosenko, we put people who were knowledgeable about the Soviet Union and Soviet mores, and so forth, on the case because we had more information about those things and could check his statements out much better than if we were using something about Lee Harvey Oswald. He had been in the Soviet Union and we knew very little about him, because I would like to remind you, Mr. Stokes, that what is known about Lee Harvey Oswald today was certainly not known in early 1964. This is all material that has been developed since.

I think one has to be fair with history that when we go back to February 1964, the knowledgeability of anybody in the Government on Lee Harvey Oswald was very limited, even more limited than it is now.

Chairman STOKES. Wouldn't I understand that first they did know he was a KGB officer at the time he came to you; correct?

Mr. HELMS. That is what he told us.

Chairman STOKES. You did know that Oswald had been in Russia, did you not?

Mr. HELMS. Yes, we knew that he had been in Russia, certainly.

Chairman STOKES. And a part of your responsibility to the Warren Commission was to give them such information as came to your knowledge regarding Oswald in Russia, was it not?

Mr. HELMS. Certainly, Mr. Stokes.

Chairman STOKES. And in establishing this man's bona fides, would it not be logical that you would want to know everything he knew about Oswald as a part of the interrogation process so that you might establish his bona fides through that?

Mr. HELMS. But I thought that he was asked about what he knew about Oswald. I thought there were four or five interrogations, one by the FBI and some by us during this period. Am I wrong?

Chairman STOKES. Well, he was under the custody of the CIA. You have told us that.

Mr. HELMS. But other people had access to him. The FBI was given access to them. We gave other people access to these people if they requested it. It was the FBI's statement to the Warren Com-

mission quoting Nosenko based on their own interrogation that led me weeks later to go down and talk with the Chief Justice of the United States and point out with him that we could not go bail, we could not vouch for the bona fides of this man, and therefore we could not vouch for his statement.

Chairman STOKES. Yes, and this was the precise problem that you were confronted with. You knew you had an important issue on your hands, didn't you?

Mr. HELMS. Certainly.

Chairman STOKES. And it was extremely important by virtue of the high level conference which you had had, which you referred to this morning, that you had been able to establish his bona fides; isn't that correct?

Mr. HELMS. We were doing our best to do so.

Chairman STOKES. So it is in that area, then, I would think, that you would want to see the top interrogators, not only those expert in interrogating with reference to the Soviet Union, but also about events in the Soviet Union such as Oswald would be important to you to have him interrogated about?

Mr. HELMS. Well, sir, I was not present at these interrogations and I don't know the exact questions. I assume there is a record available someplace. But it seems to me that in posing this question this way, to me it is damned if you do and damned if you don't. You are damned if you hold a fellow too long and treat him badly because you would like to find out what he does know about Oswald, and you are damned the other way if you have not dug his teeth out to find out what he knows about Oswald.

I don't know sir, the answer. If we had to do it over, I don't know what we would do. We would probably do it differently, but I don't know how we would have arrived at the truth in the space of time we had available to us.

You may recall from the record that Mr. Nosenko, at the time he defected and before, was a very heavy drinker. One of the problems we had with him during his first period of time in the United States was he didn't want to do anything except drink and carouse. We had problems with him in an incident in Baltimore where he started punching up a bar and so forth.

One of the reasons to hold him in confinement was to get him away from the booze and settle him down and see if we could make some sense with him. The fact that he may have been held too long was therefore deplorable, but nevertheless we were doing our best.

Chairman STOKES. Well, in light of what you are now saying to us about the fact that you are damned if you do and damned if you don't, was it important to you that you be kept informed regularly of everything that he was saying and everything that he was doing, et cetera?

Mr. HELMS. Mr. Stokes, I felt that certainly I should be kept generally informed, but during the period of the Warren Commission, they are the ones who should be kept informed, the FBI should be kept informed, and that after the Warren Commission had made its report and things then were not guided by their investigation, we still went on with the job of attempting to find out what this man represented.

Chairman STOKES. But if, as you say, as you have just indicated, the Warren Commission needed to be informed and so forth, and wasn't it your direct responsibility to inform the commission?

Mr. HELMS. But I thought I did. I thought I told them that we couldn't establish his bona fides.

Chairman STOKES. Well, in order for you to be able to communicate with the Warren Commission, you had to get information from some source, didn't you?

Mr. HELMS. Yes.

Chairman STOKES. So my question to you is: What direction did you give those under you as to how often you were to be briefed, how often you ought to be given the results of the interrogation or whatever was occurring with this man?

Mr. HELMS. Certainly I stayed current to that extent. If there had been the slightest intimation that we were prepared to vouch for his bona fides or that the interrogation reached that point, it would have been brought to me immediately.

I think that if I don't any longer recall the exact date, but I think it was in June or something of 1964, that after getting the permission of the Director of Central Intelligence, Mr. McCone, I went to see the Chief Justice privately to point out to him what our difficulties in this matter were. It seems to me I was as forthcoming as a man could be.

What else could I do? What else should I have done?

Chairman STOKES. What did you tell him about your difficulties? What were they?

Mr. HELMS. I told him we were not able to satisfy ourselves that the man was what he was purported to be, that the jobs that he had held were the ones that he really did hold, that there were inconsistencies in his testimony, that what he had to say about the Oswald case didn't make sense to us, and that, therefore, I simply wanted to point out to the Chief Justice that I was sorry but whatever the FBI had given him or given the Commission about what Mr. Nosenko had said about Mr. Lee Harvey Oswald, that I felt he should take into consideration the fact that we could not vouch for his bona fides and therefore they should not take at full strength what he said. It was up to them to make their evaluation, but I felt we owed this to him.

Chairman STOKES. In order for you to tell the Chief Justice that, how often had you been briefed?

Mr. HELMS. I have no recollection any longer, Mr. Stokes.

Chairman STOKES. In terms of the interrogation that took place of Oswald, I'm sorry, Nosenko, were the interrogators instructed to pose a large number of questions relative to Oswald to Nosenko?

Mr. HELMS. Mr. Stokes, there was no issue more central in those days than an effort to straighten out this business about Oswald.

But I would submit in evidence, I don't know whether you have been an interrogator, sir, but there are so many questions you can ask about based on the information that was known about Oswald at the time.

If my facts are straight, the information about Oswald that was known was that he had gone to the Soviet Union, that he expressed a desire to give up his citizenship. That is what he told the

American Embassy. He had gone to Minsk, married a Russian girl, which was suspicious in its own right.

He then decided to come back to the United States and virtually disappeared, but it was not the CIA's jurisdiction to keep an eye on him in the United States and the amount of information available at that time based on which one could make an interrogation was pretty thin for the simple reason that how were we going to find out in the Soviet Union what Oswald had done there except from his own statements?

We had no independent means of verification. We didn't have that good an organization inside the Soviet Union. We had no means of following up on these leads.

Chairman STOKES. In light of your statements in this context, let me cite to you the testimony of Mr. Hart to this committee and get your comment on that.

Mr. Hart, with reference to the matter of whether Nosenko was being incarcerated or being questioned, said to this committee this:

Mr. HART. Insofar as I can tell, the assumption among the top leadership of the agency was that during this period of incarceration Mr. Nosenko was being questioned or interrogated.

That is flatly contrary to the facts because although he was incarcerated for 1,277 days, on only 292 days was he in part questioned. We do not, it is difficult to tell just how many hours of questioning there took place on those 292 days when he actually was questioned. The rest of the time, which is 77 percent of the total time of incarceration, he was left entirely unoccupied and was not being questioned. There was, in other words, no effort being made to get at more information which he might have.

Do you agree with that statement?

Mr. HELMS. I have no comment to make on it. Mr. Hart, I gather, was appointed by Director George Bush in 1976 to look into the whole Nosenko case. I have been informed of that in recent times. I assume he looked into it fairly and squarely. I would assume also that this committee has talked thoroughly with all the interrogators and has verified independently whether these facts are true or not. I have no capacity for doing that.

Chairman STOKES. So you take no issue with that statement?

Mr. HELMS. None. I don't know its merits one way or the other.

Chairman STOKES. Then I take it from that you in no way contest the statement of Mr. Hart?

Mr. HELMS. I have no basis for contesting it, Mr. Stokes. I mean, he has a record there. I simply was saying that I have no independent verification of the number of days he was interrogated. I would assume, though, that the committee does have an independent verification because I believe that the interrogators are still alive and I assume the committee has talked to them.

Is this correct?

Chairman STOKES. I think that is substantially correct, yes.

Mr. Helms, in January 1968 when the SR division report concerning Nosenko was issued, what was the Agency's position regarding Mr. Nosenko's bona fides?

Mr. HELMS. There were those in the agency who believed he was bona fide and there were those in the agency who did not. I never recall having resolved the case in my own mind one way or the other. My preoccupation at the time was to get Mr. Nosenko resettled. If there were those who felt there was a reasonable chance he

was bona fide, that was all right with me, but as far as I am aware, I never signed off on any document or made any final decisions about his bona fides.

If you have a document, I would appreciate seeing it because I have not been shown one, and if my recollection is not accurate, I don't want to mislead this committee. I want to be absolutely fair and truthful and forthcoming.

Chairman STOKES. Perhaps it may help refresh your recollection that at the time the committee took your testimony previously, Mr. Goldsmith asked you the question: "Is it not a fact that the SR report of 1968 indicated that in fact Mr. Nosenko was not a bona fide defector?" Your answer at that time was: "I don't remember firsthand what the thrust of the report was."

So I take it, then, that your testimony today is that you still do not recall?

Mr. HELMS. No. But I am sorry, I must have misunderstood your earlier question. I am sorry. I thought that you were asking me what my opinion was about that.

Chairman STOKES. No, no.

Mr. HELMS. I am sorry.

Chairman STOKES. Basically, what we are asking you is this: In January 1968, when this report came out of the SR division, what was the Agency's position regarding Nosenko bona fides?

Mr. HELMS. Well, the Agency's position would not have been reflected in the 1968 report. The Agency's position would have been one that I would have signed off on and I don't recall ever having made personally the decision based on recommendations and various other factors involved, whether he was bona fide or not. I simply was trying to explain that my interest then was different.

Chairman STOKES. Well, then, can you tell us in January of 1968 the Agency's position with regard to the veracity of the information Nosenko had provided concerning Oswald?

Mr. HELMS. I don't think any judgment has ever been made about that. I thought I read in the newspapers—and I assume the newspapers reported accurately—that Mr. Hart, after all his investigation, was not able to tell you that Nosenko was accurate about Oswald or not accurate about Oswald, if he could not do it—

Chairman STOKES. To the contrary. He said to the committee, based upon everything he knew about him, that the testimony he had given this committee, he said I would not use it, so he did have an opinion.

Mr. HELMS. He said he would not use it?

Chairman STOKES. That is what he said.

Mr. HELMS. That confuses me.

Chairman STOKES. Why?

Mr. HELMS. Well, it confuses me because isn't that a cop-out? If you are not going to use it, then it is not true.

Chairman STOKES. That is substantially correct, that would be my own interpretation.

Now let me ask you this: Wouldn't your analysis and the doubt which you had of this man's overall bona fides also bear upon the question of what he was saying to you and through you to the Warren Commission about Oswald, that is, if you doubted his gen-

eral bona fides, wouldn't you have to doubt what he was saying to you about Oswald?

Mr. HELMS. Yes, sir, that is why I went to see the Chief Justice.

Chairman STOKES. Now let me ask you this: After the SR division issued its report in 1968, was the Nosenko case reinvestigated by the security officer?

Mr. HELMS. Oh, I think the ground was gone over not only by that security officer, but I think that through the weeks after that a long interrogation, or if you don't want to call it an interrogation, let's say an elicitation, was carried on with Nosenko to find out what he knew about a whole host of things, including the Oswald case.

I believe it was during that latter period that he had additional contributions to make about the size of the files that the KGB held on Oswald and matters of this kind.

Chairman STOKES. Let me ask you this: In light of what you said to us this morning, would you agree that the consequences of the Nosenko case for the American intelligence community were quite great, particularly if it turned out that he was not a bona fide defector? I think you may have commented on some of that in your first statement.

Mr. HELMS. Yes, I did, Mr. Stokes, but I agree with what you said.

Chairman STOKES. I would like to call your attention to page 137 of the declassified transcript which you have there at the witness table with you. Lines 6 through 20. Do you have that?

Mr. HELMS. Yes, sir.

Chairman STOKES. This, of course, is your testimony before this subcommittee of this committee earlier.

Now, at that time did you testify that you had no recollection of ever signing off on any piece of paper that made Nosenko a consultant to the CIA and that you never agreed to any such thing?

Mr. HELMS. When I made that statement in executive session on August 9, it was my distinct impression that we had made an arrangement or signed a contract with Nosenko which made him an independent contractor. In other words, it was a relationship between him and the Agency whereby he would do research work under controlled circumstances and we would control the environment, what documents he saw, what he did, and in this way we would be justified in seeing if his expertise was of any help to us, and, second, under this document we could pay him so that he could live and eventually get to be resettled.

I was not aware at that time that the independent contractor provision had along with it in the document the word "consultant." If I was aware of it at the time, I never thought about it. I must confess that my thought of what a consultant is has been changed in present times, because I am a consultant to various American businesses now and my relationship to them is not the relationship I contracted for with Nosenko, so this is a semantic problem.

I can only say that I am sorry that I was maybe the slightest bit misleading, but I have now explained it and I hope that satisfies you.

Chairman STOKES. Mr. Chairman, I will ask that an exhibit in the possession of the Clerk be marked as JFK F-531. I will ask that

a copy of it be delivered to the witness and that the exhibit be made a part of the record at this time.

Mr. PREYER. If there is no objection, the exhibit, F-531, will be entered into the record at this point.

[The information follows:]

JFK EXHIBIT F-531

~~_____~~
-JFK EXHIBIT F-531 -
~~_____~~

5 OCT 1972

MEMORANDUM FOR: Director of Central Intelligence

THROUGH : Executive Director--Comptroller

SUBJECT : Retroactive Reimbursement of
Yuriy Ivanovich Nosenko

1. This memorandum suggests action on the part of the Director of Central Intelligence; this action is contained in paragraph 2.

2. Mr. Yuriy Ivanovich Nosenko, a 45-year-old, former Staff Officer of the Committee for State Security (KGB) of the USSR, attended the Institute of International Relations, Moscow, from 1945 to 1950; was affiliated with Russian Naval Intelligence during the 1951-1953 period; and was an officer with the KGB from March 1953 until his defection to the Agency in Geneva, Switzerland, on 4 February 1964, after having worked for CIA for approximately two years.

3. A review of Mr. Nosenko's case reflects that, at the time of his defection, various official commitments were made to him, including a lump sum payment of \$50,000.00 based upon his nearly two years' work inside the KGB; a \$10,000.00 bonus for his work on the ^{defection} case; and a contract as a consultant at a salary of \$25,000.00 per annum. Mr. Nosenko was advised by his Agency Case Officer that Mr. Nosenko was working for the Central Intelligence Agency as of 5 February 1964, and that his salary began from that date. This was a verbal agreement with the Agency Case Officer, and is fully documented in our files.

4. In the early debriefing of Mr. Nosenko, it became apparent that he was a particularly complex individual. To permit extensive and prolonged debriefing, arrangements were made to accommodate Mr. Nosenko under highly secure conditions at *Varsity Station*, where he remained from 1964 to 1967. These tight security arrangements were dictated, during the initial phases at least, by the additional need to provide Mr. Nosenko with continuing personal protection, since there was the distinct possibility that he would be targeted for execution if the Soviets should discover his whereabouts.

5. Since October 1967, the primary responsibility for Mr. Nosenko has been in the Office of Security, which conducted a thorough review of prior developments in the case. Mr. Nosenko was moved to the Washington, D. C. area in late 1967, and the case passed through various stages of phased normalization, as he was given an increased degree of freedom and independence. Mr. Nosenko was actually resettled on the economy in April 1969; he obtained a divorce from his former Soviet spouse in September 1969; *SENSITIVE INFO*

During the period from October 1967 to April 1969, Mr. Nosenko did not receive a salary, but he was provided with a moderate amount of spending money.

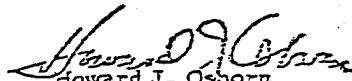
6. As of April 1969, Mr. Nosenko signed a one-year contractual agreement for \$16,500.00, including a clause giving assistance to him in resettlement expenses in the amount of \$8,000.00. In March 1970, Mr. Nosenko signed a new contract for two years at \$18,500.00 per annum. At about this same time he was provided with certain financial assistance, \$20,000.00 being for the down payment on a new house, and \$5,000.00 for other related household expenses. Mr. Nosenko's contract was renewed at the new rate of \$19,500.00 per annum on 1 March 1971, and the contract was again renewed in February 1972, at the salary .. of \$21,000.00 per annum.

7. An analysis of this case clearly indicates that Mr. Nosenko has been an extremely valuable source, one who has identified many hundreds of Soviet Intelligence Officers, and he has otherwise provided a considerable quantity of useful information on the organization of the KGB, its operational doctrine, and methods. *SENSITIVE INFO* have been

forwarded to the Federal Bureau of Investigation based on data from Mr. Nosenko. He has conducted numerous special security reviews on Soviet subjects of specific intelligence interest, and he has proven himself to be invaluable in exploring counterintelligence leads. He recently authored a book which is of interest to the Agency. In effect, Mr. Nosenko has shown himself to be a productive and hard working defector, who is "rehabilitated" and favorably disposed towards the Agency.

8. In the course of a recent meeting with Mr. Nosenko, he brought up the subject of his missing salary, covering the period from April 1964 to March 1969. Mr. Nosenko readily admitted that he is living very well at the present time, but he is not in a position to save any money for the future. He also expressed deep appreciation to the Agency for the financial assistance which was provided him through the years, and he considers this to have cancelled out the original Agency obligation of a lump sum payment in the amount of \$50,000.00. Mr. Nosenko, however, still feels quite strongly that he is entitled to be reimbursed for the salary which the Agency did not provide him over a five-year period. He understands, of course, that income tax would have to be deducted from this back salary of \$25,000.00 per annum.

9. In summary, the original oral agreement with Mr. Nosenko is fully documented and supports his claim; his resettlement since 1967 has been relatively smooth, with no significant security problems having developed; and he continues to function at the present time as a highly productive and useful source of information on the KGB. In view of these various considerations, it is requested that this payment of \$125,000.00 to Mr. Nosenko be approved. These funds would be paid out of unliquidated obligations applicable to lapsed appropriations. Sensitive sources and methods information.


Howard J. Osborn
Director of Security

SUBJECT: Retroactive Reimbursement of
Yuriy Ivanovich Nosenko

CONCURRENCE:

John W. Coffey
John W. Coffey
Deputy Director
for Support

6 Oct 1972
(Date)

* Concern, but recommended as matter of principle that funds given him from Oct. 67 to April 69 be deducted from the \$25,000 amount, and full value obtained.

Thomas H. Karamessines
Thomas H. Karamessines
Deputy Director
for Plans

12 Oct 72
(Date)

disputed by OGC, he obtained

William F. Galby
William F. Galby
Executive Director-Comptroller

18 Oct 72
(Date)

The recommendation in paragraph 9 is approved without DDP limitations.

Richard Helms
Richard Helms
Director

18 OCT 1972
(Date)

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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Howard J. Osborn
Director of Security

EXTENSION

6777

NO.

DATE

TO: (Check designation, room number, and initials)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across columns after each comment.)

1.	General Counsel	3/24/69	3/25/69	JWH/JS
2.	DD/P	3/25/69	3/25/69	RP
3.	DCI			JLH
4.				
5.				
6.				
7.				
8.	D/Security		2 APR 1969	
9.	DD/Sec			
10.	DC/SRS			
11.				
12.				
13.				
14.				
15.				

1 to 2 and 3: With the initiation of this rehabilitation program, it would seem timely to brief the appropriate staff personnel of our congressional subcommittees on the status of this case. If something were to go wrong, resulting in bad publicity without such a briefing, the reaction of our subcommittees would, I believe, be most unfortunate.

L. R. Houston

14

610

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24 MAR 1963

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : Preparations for the Rehabilitation
and Resettlement of Yuri Nosenko

1. This memorandum is for your information and contains a recommendation for your approval in paragraph 5.

2. As you know, since last meeting with you on this subject we have been very slowly easing some of the physical restrictions on Nosenko in an effort to condition him for his ultimate rehabilitation and resettlement in this country if this is the final disposition decision. During this period, both the Federal Bureau of Investigation and this Office have continued to elicit information from him.

3. Nosenko is becoming increasingly restive and desirous of obtaining freedom on his own. After nearly five years of varying degrees of confinement, this desire, including that for feminine companionship, is understandable. We have conformed the pace of privileges allowed him to his attitude and cooperation. At a recent meeting in which the Deputy Director of Plans, Chief, Soviet Bloc Division, Chief, CI Staff, Office of General Counsel and the undersigned participated, it was agreed that we would allow him a two week vacation in Florida accompanied by two Security agents of this Office. He will not be allowed to be alone outside the confines of an adjoining room during this period.

4. There still remains a disagreement as to his bona fides and the Chief, CI Staff is now compiling questions to be used for continued elicitation from Nosenko upon his return. It is clear and agreed by all concerned that the problem of Nosenko's bona fides and his rehabilitation and resettlement can be considered separately if we

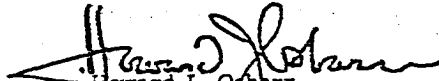
are to keep him in a favorable frame of mind with regard to the Agency. Any treatment which can be regarded by him as retrogression, in terms of physical restraint but not continued elicitation, would make his ultimate disposition extremely difficult. Attached for your approval is a brief summary of the steps we recommend be taken in Nosenko's rehabilitation and resettlement beginning with his return from his vacation in Florida. It is understood that implementation of these steps will be predicated on the following.

His attitude and behavior during his Florida vacation.

We will try to delay each step as long as possible consistent with his attitude and his willingness to cooperate.

This Office will take every possible precaution to prevent contact between Nosenko and KGB representatives in this country. If he is given limited freedom, however, there can be no guarantee of this since he is a professional intelligence officer and could evade surveillance if he so desired. If he is a dispatched agent, it is to be assumed that he was given emergency means of contact.

5. Your approval of these actions, as outlined, is recommended.


Howard J. Osborn
Director of Security

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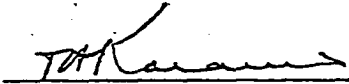
CONCURRENCE:



Lawrence R. Houston
General Counsel

25 Mar 69

Date

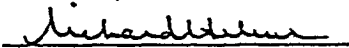


Thomas Karamessines
Deputy Director for Plans

25 Mar. 69

Date

The recommendation in paragraph 5 is approved.



Richard Helms
Director of Central Intelligence

2 APR 1969

Date

STEPS IN THE REHABILITATION AND RESETTLEMENT OF NOSENKO

Step 1. Upon his return from vacation in Florida or soon thereafter, we will begin to negotiate a contractual relationship with Nosenko which will provide him with financial reimbursement not to exceed twenty thousand dollars a year for the period of time he is working with this Agency in a program of information elicitation. This contract, in addition to the standard features, will contain a "quit claim" provision regarding his past relationship with the Agency in the event he should be kidnapped, become recalcitrant or redefect. It will stipulate residence in an area acceptable to the Agency. It will also provide that upon conclusion of his active cooperation with this Agency, we will renegotiate to provide for a modest continued annuity commensurate with his ability to secure employment on his own. There will be no bulk resettlement fund.

Step 2. We will negotiate with Immigration and Naturalization authorities to secure appropriate alien registration for Nosenko in this country under a registered alias. It will be necessary for the Agency to accept continued responsibility for Nosenko until such time as he has established residence long enough to satisfy the ten year citizenship requirement.

Step 3. We will begin to look with him for suitable living accommodations. He accepts the fact that these accommodations will have to be so arranged that we will occupy contiguous quarters and that he will be required for an undetermined period to let us know where he is going and when he leaves these quarters. We will, initially at least, provide for technical coverage of his telephone and living quarters and will, within the extent of our capability, cover him through surveillance when he leaves these quarters.

Step 4. The program of information elicitation based on questions compiled by CI Staff will begin soon after Nosenko's return from Florida. Any significant developments and changes in the handling of Nosenko and the conduct of the interviews will be coordinated with the CI Staff acting on behalf of the DDP. This program of elicitation will be so designed as to prevent broadening further the base of Nosenko's knowledge. Future elicitation from Nosenko will not include new information except on the basis of calculated approved coordination between the Office of Security and the CI Staff about subject matter and Nosenko will be encouraged and allowed to give full responses on each subject. The FBI will be advised about these procedures.

Step 5. When we have favorably resolved disagreement within the Agency as to his bona fides, we will allow him his ultimate freedom, including assistance in finding suitable employment. If disagreement persists, however, as to his bona fides beyond the end of this calendar year, we will consult with other appropriate Government agencies as to whether he may be allowed full freedom as a normal resident alien or whether the security interests of the United States require his deportation.

4 October 1968. P

MEMORANDUM FOR: The Director


SUBJECT : Yuri Ivanovich Nosenko

1. The Director of Security has provided me with a completed report on the re-examination of subject-named individual. He has also provided me with a copy of a summary prepared by the FBI on the same subject in the light of the periodic reports received by them throughout the course of this re-examination. The FBI report was provided in only one copy, personally to Howard Osborn by Special Agent Burt Turner, in consideration of the fact that the FBI had been continuously kept au courant of the results of our re-examination of subject. Presumably the FBI will expect from us a copy of ~~the~~ ^{our} final report and will then officially provide us with a copy of their summary of the case.

2. The FBI summary notes that a minimum of 9 new cases have been developed as a result of this re-examination and that new information of considerable importance on old cases not previously available resulted from this effort. Before we are through with this the FBI just might level official criticism at this Agency for its previous handling of this case. However, because of the finesse and candor with which the Director of Security has handled this re-examination, I am inclined to doubt that the FBI will wish to make an issue of our previous actions.

3. Now to the heart of the matter. I am now convinced that there is no reason to conclude that Nosenko is other than what he has claimed to be, that he has not knowingly and willfully withheld information from us, that there is no conflict between what we have learned from him and what we have learned from other defectors or informants that would cast any doubts on his bona fides. Most particularly, I perceive no significant conflict between the information Nosenko has provided and the information and opinions Golitsyn has provided. Thus, I conclude that Nosenko should be accepted as a bona fide defector.

4. In addition, I recommend that we now proceed with the resettlement and rehabilitation of Nosenko with sufficient dispatch to permit his full freedom by 1 January 1969. This recommendation I feel should be reviewed by the Deputy Director for Plans, the Director of Security and the Inspector General prior to its implementation, whatever your own views may be after examining the case yourself.


Rufus Taylor
Vice Admiral, U. S. Navy
Deputy Director

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ROUTING AND RECORD SHEET

Yuriy Ivanovich Nosenko
(Payment of Certain Funds
Previously Promised)

TO (Officer designation, room number, and address)		DATE	OFFICER'S INITIALS	COMMENTS (Number only, reference to show from whom to whom. Open a line across column after each comment.)
FROM		RECEIVED	FORWARDED	
Sidney D. Stenbridge Acting Director of Security	6777			1 MAR 1975
1. Chief, CI/R & A				From General Counsel to General Walters:
2. <i>CCI/CI Staff</i>				We have reviewed this case in considerable detail. Technically, the release signed by Nosenko could be asserted. In fact, however, on the basis of the record, it appears he is due this final payment and we see no problem in your approving it.
3. DDO		4 MAR 1975		
4. DDA		12 MAR 1975		
5. DDCI		19 March 76	20 March 76	
6. <i>D/Security</i>		23 MAR 1975		
7. <i>DD/PSI</i>				
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John S. Warner
John S. Warner
General Counsel

CCI/CI Staff
CCI/CI Staff

has copy B/B

CCI/CI Staff

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1 FEB 1975

MEMORANDUM FOR: Director

FROM : Sidney D. Stenbridge *SS*
Acting Director of Security

VIA : Deputy Director for Operations
Deputy Director for Administration

SUBJECT : Yuriy Ivanovich Nosenko
(Payment of Certain Funds
Previously Promised)

1. This memorandum submits a proposal for your approval. The proposal is to immediately pay Yuriy Ivanovich Nosenko \$28,500 in back salary in settlement of an Agency commitment to him and to authorize a subsequent one-time payment of \$10,000 to him directly or as a contribution to his retirement for

Sensitive Foreign Case

2. Yuriy Ivanovich Nosenko is a 48-year-old former Soviet intelligence officer who is currently employed as an independent contractor by this Agency. Mr. Nosenko has for some time been of the opinion that he is entitled to \$28,500 in back pay. This amount represents the difference between the salary actually paid to him during the 1 March 1969 to 1 March 1975 period and the \$25,000 per year which was promised to him at the time of his defection in February 1964. At the time of his defection, Mr. Nosenko was also promised the additional \$10,000 for

Sensitive Foreign Case

3. While serving as a KGB security officer with the Soviet Disarmament Commission in Switzerland, Mr. Nosenko contacted an American diplomat in Geneva on 5 June 1962 and requested a small loan to repay official Soviet funds which he had squandered. Based on this contact Mr. Nosenko was recruited shortly thereafter by the Agency and he agreed to

work as an agent in place. On 15 June 1962 Mr. Nosenko returned to the Soviet Union where he resumed his duties as an intelligence officer with the Second Chief Directorate of the KGB in Moscow. Mr. Nosenko worked in place in the Soviet Union until January 1964 when he returned to Switzerland. At that time Mr. Nosenko decided to defect and requested political asylum in the United States.

4. Mr. Nosenko defected in Switzerland on 4 February 1964 and was brought to the United States under Public Law 110 on 11 February 1964. At the time of his defection, certain financial commitments were made to Mr. Nosenko. These commitments were substantiated in a conversation with him on 7 February 1964 and were documented in a 10 February 1964 memorandum to the Acting Deputy Director for Plans from *Employee Name*, Chief, Soviet Russia Division (SR Division). This memorandum stated as follows:

"First, I assured Subject [Mr. Nosenko] that I was satisfied that he was genuine. Based on this and assuming his continued 'cooperation' I said we would proceed to make arrangements to bring him to the States. Second, I confirmed our agreement to pay him \$25,000 for each year in place (\$50,000) plus \$10,000 for ~~Sensitive Foreign Case~~ and our readiness to contract for his services at \$25,000 per year. Third, I explained the polygraph he would be expected to take as final proof of his bona fides."

5. Shortly after his arrival in the United States, the SR Division encountered serious difficulties in attempting to establish the bona fides of Mr. Nosenko. The SR Division concluded that Mr. Nosenko was not what he claimed to be and thus was not a bona fide defector. As noted in paragraph four of Attachment A, Mr. Nosenko was held under highly secure conditions at an Agency installation from April 1964 until October 1967. In October 1967 the primary responsibility for Mr. Nosenko was transferred from SR Division to the Office of Security, which conducted a thorough review of the developments in this case. The conditions of confinement of Mr. Nosenko were progressively relaxed and in October 1968 the bona fides of Mr. Nosenko were established by the Office of Security. At this point it should be noted that the confinement of Mr. Nosenko was cited by the

Rockefeller Commission Report in June 1975 and that Mr. Nosenko is aware of this citation. Mr. Nosenko has, however, made no threats concerning possible damages as a result of this confinement. Also, despite the difficult period through which Mr. Nosenko passed, he has been and continues to be a cooperative and productive source.

SENSITIVE info

7. Prior to 1 March 1969 Mr. Nosenko received no salary for his cooperation with this Agency. Effective 1 March 1969 Mr. Nosenko was employed as an independent contractor at the rate of \$16,500 per year. Because of the previous difficulties and uncertainties involved in establishing the bona fides of Mr. Nosenko, the extent of our commitments and obligations to him were not clear at that time. Mr. Nosenko, therefore, was not initially employed at the rate of \$25,000 per year as he had been promised. Mr. Nosenko's salary was increased annually, however, until 1 March 1975 when he began to receive the stipulated \$25,000 per year. Once the bona fides of Mr. Nosenko were firmly established and the earlier difficulties regarding his status were resolved, the initial commitments took effect and the payment of \$125,000 (less federal income tax) was completed on 16 November 1972 in settlement of salary arrears for the period April 1964 to March 1969 (see Attachment B). On 12 July 1975 a final payment was made on the obligation of \$50,000 due Mr. Nosenko for the period 1962-1964.

8. There remains to be paid \$28,500 (less federal income tax) in salary arrears for the period 1 March 1969 to 1 March 1975 (see Attachment C) and \$10,000 outstanding for case. (He has never requested the latter amount but the obligation still exists.) Although Mr. Nosenko signed a quitclaim for the period prior to 12 July 1975 (see Attachment D) and may have legally waived his right to back salary prior to that date, the earlier payment of \$125,000 for the period 1964-1969 recognized our commitment to Mr. Nosenko to honor all agreements and established a precedent for paying him the total salary difference. We also believe that we have a moral obligation and that this obligation should be met.

9. This matter is being brought to your attention since Mr. Nosenko believes he has a valid claim to cited back salary for the 1969-1975 period and in connection with the current transfer of full responsibility for Mr. Nosenko to the Counterintelligence Staff, Directorate of Operations. It is, therefore, recommended that you approve the expenditure of \$28,500 in full payment of back salary for Mr. Nosenko for the period 1969-1975. Of the \$28,500, \$27,667 can be paid for out of the FY1974 unobligated balance allotted to the Office of Security, with the remainder of \$833 being charged to the Office of Security FY1975 allocation.

10. It is further requested that approval be granted for the \$10,000 ~~SECRET~~ foreign case, which could be paid directly to Mr. Nosenko at a later date or preferably could be incorporated into a retirement program for him, which is being given consideration by the Counterintelligence Staff. If approved, these transactions would represent a fulfillment of all commitments to Mr. Nosenko as of this date and would serve to fulfill outstanding Agency commitments to Mr. Nosenko prior to his transfer to the Counterintelligence Staff.

Attachments

SUBJECT: Yuriy Ivanovich Nosenko
(Payment of Certain Funds
Previously Promised)

CONCURRENCE:

W. E. Nelson
William E. Nelson
Deputy Director for Operations

5 March 1976
Date

J. T. Blake
John F. Blake
Deputy Director
for
Administration

12 April 76
Date

APPROVED : Vernon A. Walker Deputy Director 25 March 1976

DISAPPROVED: _____

Distribution:

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~

Director of Security Headquarters				AGENCY	NO.
DATE				DATE	
(3) For designation, return routing, and reply	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across columns after each comment.)	
	RECEIVED	FORWARDED			
DD/M&S	26 JUN 81			BY HAND 1. For Concurrence	
DD/O Room	4/26 DB			2. For Concurrence	
Executive Secretary CIA Management Cte	6/29/79	7/3		Employee For 4. For Your Approval	
Director of Security				Can this be in connection with a quit-claim of all obligations to date? - UEC	
Ex Sec					
DI/Security					

610 USE APPROPRIATE



SECRET



CONFIDENTIAL

INTERNAL
USE ONLY

UNCLASSIFIED

L. 75-2549 173-3544

25 JUN 1973

MEMORANDUM FOR: Executive Secretary
CIA Management Committee

VIA : Deputy Director for Management and Support
Deputy Director for Operations

SUBJECT : Retroactive Payment to
Yuriy Ivanovich Nosenko

1. Action Requested: This memorandum contains a recommendation for your approval.

2. Basic Data: For your assistance, reference is made to the attached memorandum of the same subject dated 5 October 1972. The provisions of the reference were concluded with Mr. Nosenko, covering back salary from April 1964 to March 1969, in October and November 1972 when he was given the sum of \$87,052.00 covering total salary for this period less Federal income tax. It is estimated that Mr. Nosenko has invested all but approximately \$15,000.00 of this sum in the purchase of property and construction of a new residence/ Sensitive info

Instant memorandum is addressed to the lump sum payment of \$50,000.00 promised to Mr. Nosenko by an Agency representative prior to his defection from the KGB in February 1964. Against this sum in April-May 1969, Mr. Nosenko was given \$8,000.00 as financial assistance for resettlement on the private economy and \$25,000.00 in mid-1970 towards the purchase of a new house and other related expenses. Mr. Nosenko also agrees that he was given approximately \$2,000.00 in March 1964 which should be included as a part of the above \$50,000.00. In essence, \$15,000.00 remains outstanding against the above \$50,000.00.

Recently Mr. Nosenko has rather specifically mentioned the matter of the promises to Mr. Nosenko in 1964 and the remainder of the financial promise which he did not receive. Mr. Nosenko considers the

2 - Report of 007472

amount to be \$13,000.00 but this is based on his recollection that he received \$10,000.00 in April-May 1969 rather than the \$8,000.00 which he actually received. As noted in the reference, as of October 1977 Mr. Nosenko had indicated that the funds previously paid to him would cancel out the 1964 lump sum promise.

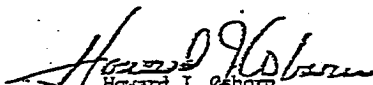
Sensitive info

Mr. Nosenko has requested the previously mentioned \$13,000.00 which will be used for investment purposes in connection with his new property and residence construction and payment of medical bills. He has voluntarily stated that he will sign a document agreeing that the \$13,000.00 is in full and final settlement of the 1964 lump sum payment promise.

As you will note in the reference, another promise made to Mr. Nosenko prior to his defection in February 1964 concerned a \$10,000.00 bonus for his/

Mr. Nosenko has never mentioned the above promise while the responsibility of the Office of Security since October 1967. It is noted that the promise of the above \$10,000.00 was apparently not a matter of discussion with Mr. Nosenko prior to his defection but was in the way of a gratuitous addition by the Agency representative when Mr. Nosenko was advised that following previous discussion he would be given a \$50,000.00 lump sum for resettlement and employment at \$25,000.00 per year. Since none of the above remarks were ever formalized in a document to Mr. Nosenko, it is very possible that Mr. Nosenko does not recall the additional remark concerning payment in connection with, Sensitive foreign 1264

3. Recommendation: In view of the above, it is requested that a payment of \$15,000.00 to Mr. Nosenko be approved, thus settling the specific \$50,000.00 lump sum promise made to Mr. Nosenko in February 1964. If approved, Mr. Nosenko will be advised that the \$15,000.00 figure is based on an accounting of Agency financial records and a signed settlement statement obtained from Mr. Nosenko. It is believed that the additional \$2,000.00 would be very well received by Mr. Nosenko and will partially offset his recent medical expenses not reimbursed from his current health insurance.


Howard J. Osborn
Director of Security

Attachment

SUBJECT: Retroactive Payment to Yuriy Ivanovich Nosenko

CONCURRENCE:

[Signature]

Harold L. Brownman
Deputy Director
for
Management and Services

26 Jun 73
(Date)

[Signature]

William E. Nelson
for Deputy Director
for
Operations

26 June 1973
(Date)

APPROVED: *[Signature]*

5 JUL 1973

DISAPPROVED: _____

Distribution:

- Original - Return to Director of Security
- 1 - Executive Registry
- 2 - DD/M&S
- 2 - DD/O

MEMORANDUM FOR THE RECORD

SUBJECT: Yuriy Ivanovich Nosenko

<u>Year</u>	<u>Was Paid</u>	<u>Should Have Been Paid</u>	<u>Difference</u>
1 Mar 69-30 Nov 69	\$ 12,375.00	\$ 18,750.00	\$ 6,375.00
1 Dec 69-30 Nov 70	17,999.94	25,000.00	7,000.06
1 Dec 70-30 Nov 71	19,249.98	25,000.00	5,750.02
1 Dec 71-30 Nov 72	20,625.00	25,000.00	4,375.00
1 Dec 72-30 Nov 73	21,937.53	25,000.00	3,062.47
1 Dec 73-30 Nov 74	23,374.94	25,000.00	1,625.06
*1 Dec 74-30 Nov 75	<u>24,875.04</u>	<u>25,000.00</u>	<u>312.39</u>
	\$140,437.43	\$168,937.43	\$28,500.00
	Less Estimated Tax Liability		<u>- 8,034.00</u>
	NET PAYMENT		<u><u>\$20,416.00</u></u>

*Rate of \$25,000.00 for period 1 Dec 74 - 28 Feb 1975
 Rate of \$25,250.00 for period 1 Mar 75 - 30 Nov 1975

WHEREAS, Yuriy Ivanovich Nosenko, a former citizen of the Union of Soviet Socialist Republics and an employee of the Committee for State Security (KGB), first cooperated with Officers of the United States Government and then, subsequently, defected to the United States; and,

WHEREAS, Mr. Nosenko was promised certain sums of money for his cooperation and defection, only part of which have previously been paid to him; and,

WHEREAS, there remains a certain balance of money agreed upon by Mr. Nosenko and Officers of the Central Intelligence Agency;

NOW THEREFORE, in consideration of the sum of FIFTEEN THOUSAND and 00/100 Dollars (\$15,000.00) the receipt of which is hereby acknowledged, Yuriy Ivanovich Nosenko for himself and for his heirs, executors, administrators and assigns, hereby releases and forever discharges the United States Government and the Central Intelligence Agency and all of its employees and representatives from any claim for money promised to him for, and/or at the time of his defection, and from any and all other claims demands and liabilities in any form whatsoever arising out of or in any way connected with his cooperation and association with the United States Government and the Central Intelligence Agency prior to the date of this document, 12 July 1973.

WITNESS THE FOLLOWING SIGNATURE AND SEAL:

Yuriy Ivanovich Nosenko (SEAL)
Yuriy Ivanovich Nosenko

WITNESS:
On Behalf of the United States Government

Employee name

Mr. HELMS. I have the document before me, Mr. Stokes, now. It is a document dated October 5, 1972.

Chairman STOKES. That is the document. Can you tell us what that document is?

Mr. HELMS. The subject of it is retroactive reimbursement of Yuri Ivanovich Nosenko. It entails a description of his case, what he was promised in the way of money, and gives at the end a suggestion as to how the moneys might be handled. This in turn was passed up the line in the Agency and was approved on October 18, 1972.

Chairman STOKES. Mr. Helms, I would direct your attention to page 4 of that document and ask you whether or not your signature appears on that document?

Mr. HELMS. Yes, it does, beside the date October 18, 1972. That is my signature.

Chairman STOKES. Now, I will ask you to read three of the paragraphs from this document, paragraphs 6, 7 and 9. Would you do that, please, read it out loud?

Mr. HELMS. Six, seven, and nine?

Chairman STOKES. Yes, sir.

Mr. HELMS. Yes, sir.

As of April 1969, Mr. Nosenko signed a 1-year contractual agreement for \$16,500, including a clause giving assistance to him in resettlement expenses in the amount of \$8,000. In March 1970, Mr. Nosenko signed a new contract for 2 years at \$18,500 per annum. At about the same time he was provided with certain financial assistance, \$20,000 being for the down payment on a new house and \$5,000 for other related household expenses. Mr. Nosenko's contract was renewed at the new rate of \$19,500 per annum on March 1, 1971 and the contract was again renewed in February 1972 at the salary of \$21,000 per annum.

Paragraph 7:

An analysis of this case clearly indicates that Mr. Nosenko has been an extremely valuable source, one who has identified many hundreds of Soviet intelligence officers, and he has otherwise provided a considerable quantity of useful information on the organization of the KGB, its operational doctrine and methods.

Then I find a blank and written in here in somebody's hand is sensitive information. The remainder of the sentence reads:

Have been forwarded to the Federal Bureau of Investigation based on data from Mr. Nosenko. He has conducted numerous special security reviews on Soviet subjects of specific intelligence interest and he has proven himself to be invaluable in exploring counterintelligence leads. He recently authored a book which is of interest to the Agency. In effect, Mr. Nosenko has shown himself to be a productive and hard working defector, who is rehabilitated and favorably disposed to the Agency.

Paragraph 9:

In summary, the original oral agreement with Mr. Nosenko is fully documented and supports his claim; his resettlement since 1967 has been relatively smooth, with no significant security problems having developed; and he continues to function at the present time as a highly productive and useful source of information on the KGB. In view of these various considerations, it is requested that the payment of \$125,000 to Mr. Nosenko be approved. These funds would be paid out of unliquidated obligations applicable to lapsed appropriations.

The sentence stops there and it is written in somebody's handwriting, "sensitive sources and methods information." And the memorandum has the signature below.

Chairman STOKES. Thank you.

In paragraph 9 where it says: "and he continues to function at the present time as a highly productive and useful source of infor-

mation on the KGB," that does not, to you, connote the activities of a consultant?

Mr. HELMS. No, sir.

Chairman STOKES. That's how you would interpret that?

Mr. HELMS. That is the kind of information we get from any agency. I am sorry, but my impression today, and it may not have been 5 years ago, I don't know, but today my impression of a consultant is one that has a closer relationship with the organization for which he is working than an agent does in an intelligence relationship. They are insulated from certain kinds of information, they are insulated from certain access, and insulated from a lot of things.

Consultant is not necessarily so. Consultant is a very wide ranging term which covers all kinds of things in our language. I would just not like to see a reference at that time to his having been a consultant. I have been told since, I don't know how accurately, that Nosenko has been seen in the CIA headquarters building at Langley. I guess if he has access to the building out there, maybe he is a consultant now, but he was not considered one in my time.

Chairman STOKES. I see.

Mr. Chairman, I will ask that the clerk mark another exhibit in her possession, JFK exhibit F-537 and that a copy of it be shown to the witness.

Mr. HELMS. I have the document in my hands. It is JFK exhibit F-537.

Chairman STOKES. Have you had a chance to read that document?

Mr. HELMS. No.

Chairman STOKES. Could you take the time to familiarize yourself with it?

Mr. HELMS. This is an interrogatory which this committee presented to the Agency; is that correct?

Chairman STOKES. That is correct, sir.

Mr. HELMS. I have read the document now, Mr. Stokes.

Chairman STOKES. All right.

Mr. Helms, prior to referring you to that particular document, would you look at page 133 of the declassified transcript before you, beginning at line 11½. It looks like where Mr. Goldsmith poses a question to you and your answer follows.

Mr. HELMS. Is this where Mr. Goldsmith says, "What about at the conclusion of the [security officer's] work?"

Chairman STOKES. That is right.

Would you please read Mr. Goldsmith's question and your answer?

Mr. HELMS [reading]:

Mr. GOLDSMITH. What about at the conclusion of [the security officer's] work when he issued his report, at that time did the Agency have a position with regard to Nosenko's bona fides?

Mr. HELMS. I do not believe so. At least during my time there I do not recall us ever taking a position as an agency.

Chairman STOKES. Now let me ask you, having read that question and your answer to it, is that your best recollection?

Mr. HELMS. That is my best recollection, Mr. Stokes. I notice that in this document which you tell me the Agency has provided, they

say that the final conclusion was that he is a bona fide defector. I simply do not recall participating in any meeting or signing any document which made the final judgment that he was a bona fide defector.

Chairman STOKES. Let me now refer you to the exhibit, F-537 and ask you, now that is a document from the Director of Central Intelligence, is it not?

Mr. HELMS. It is not signed by him, sir, so I don't know.

Chairman STOKES. Well, on the first page it does have a signature on there.

Mr. HELMS. On the first page it just has the signature of Mr. Breckinridge, principal coordinator for the House Select Committee on Assassinations.

Chairman STOKES. Is there a letterhead at the top of it?

Mr. HELMS. Yes, it say, "Office of Legislative Counsel."

Chairman STOKES. And ahead of that?

Mr. HELMS. The Director of Central Intelligence.

Chairman STOKES. Washington, D.C.; right?

Mr. HELMS. Yes, 20505.

Chairman STOKES. Does the first page read as follows:

1 September 1978, Mr. G. Robert Blakey, Chief Counsel and Director, House Select Committee on Assassinations, Washington, D.C.

DEAR MR. BLAKEY: Forwarded herewith are answers to the interrogatories received at the close of business on 28 August 1978.

Signed, S. D. Breckinridge, Principal for HSCA with attachment.

Mr. HELMS. Yes.

Chairman STOKES. Now, would you turn to the next page, commencing where it says question 3, would you read everything from that point forward?

Mr. HELMS [reading]:

Define Nosenko's present and past employment arrangements with the Central Intelligence Agency, include (a) the dates and nature of this employment; (b) the services rendered by Nosenko; (c) itemize the counting 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 for 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 himself approved the foregoing on 17 February 1964. Although no effort was made to fulfill the promise until some 5 years after Nosenko's defection, the original promise formed the basis for the eventual employment and/or 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 to 1978).

In addition to regular yearly compensation, Nosenko was paid for the years 1964 to 1969; in November 1972 in the amount of \$25,000 a year, less income tax. The total amount paid was \$87,000—I beg your pardon—total amount paid was \$87,052.

He also received in varying increments from March 1964 to July 1973 amounts totaling \$50,000 to aid in his resettlement on the private economy (see attached table for the breakdown).

The total resettlement figure in effect satisfied that portion of the above 1964 promise to pay Nosenko \$50,000 for previous cooperation. In 1976, 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 to 1 March 1975.

Since 1969, the agency has contributed to Nosenko's hospitalization insurance premium. 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 was 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 compensation arrangements with the CIA.

Annual compensation table.

Do you want me to go through that?

Chairman STOKES. No.

Having read this answer to the interrogatories posed to the agency, is there anything at all in this interrogatory that you would say is untrue?

Mr. HELMS. The only two statements, Mr. Stokes, that I would cavil with are the one that is "Following acceptance of Nosenko's bona fides in 1968," and I guess it appears on the last page of the document. That is the only point. If these bona fides were established in late 1968, I have no recollection of this having happened, that is all. I am sorry, I just—you want me to tell the truth here. I am doing my best.

Chairman STOKES. So then, if I understand your answer, you are not sticking with your previous testimony with reference to the fact that the agency never arrived at a determination on his bona fides?

Mr. HELMS. I didn't believe they ever did. I think my other testimony is consistent with what I am saying now. If it is not consistent, then you and I are misunderstanding each other, and that I would like to get straightened out right away.

Chairman STOKES. I guess where I am having difficulty is my understanding of how you enter into this financial arrangement. Whether you call it consultant or independent contractor or give it any other name, how you justify entering into a contract where you give taxpayer funds to someone who you say in your opinion is not bona fide.

Mr. HELMS. I think, Mr. Stokes, that I can explain—I trust I can explain this satisfactorily. It has been said, and I believe it is true, that in the latter days of his interrogation Mr. Nosenko provided the agency with useful information with respect to certain Soviet activities. I do not recall that he gave them any additional information that helped to resolve the Oswald case or Oswald status with the KGB.

The reimbursement was for two purposes, one, to get him resettled in the United States. May I say that this was the only viable option left to us at that time. There was no way of deporting him to the Soviet Union; he would have been shot and killed when he got back. He would never have been able to explain to them what he was doing during the period that he was away. So we had only one option and that was to try to resettle him. That was what I had in mind to do, and he needed money and he needed employment.

If you will study the history of Soviet defectors in this country, they have had an extraordinarily difficult time adjusting to our society. They have a very difficult time making money and running businesses and being gainfully employed. I think if you will put an interrogatory to the agency to give you a history of the resettlement of defectors since 1945, you will find what I am telling you is true. Therefore, it was a complex of matters involved in his compensation; part of it was the useful information, part of it was to get him resettled, and part was because we had no choice except to do these things. At least we had no choice in my opinion. Maybe somebody else would have a different opinion, but at least in our opinion we had no choice.

Chairman STOKES. That is your total answer as to why he was being given this kind of compensation?

Mr. HELMS. Yes, sir.

Chairman STOKES. Let me now ask you this—

Mr. PREYER. There is a vote on the floor at this time. The committee will take a 10-minute recess. The committee stands in recess for 10 minutes.

[Recess.]

Mr. PREYER. The committee will come to order.

Mr. GOLDSMITH. Mr. Chairman, there are a number of other documents which relate generally to the subjects of Mr. Helms' testimony, but with respect to which there was not sufficient time to ask specific questions. May they be admitted into the record as JFK exhibit F-532 at this time?

Mr. PREYER. Without objection, so ordered.

[The exhibit referred to follows:]

-JFK EXHIBIT F-532

Effective 1 March 1972 said contract, as amended, is further amended as set forth below:

- ✓(a) The first sentence of paragraph four (4) entitled "COMPENSATION" is revised to read as follows:

(b) Sub-paragraph (a) of paragraph six (6) entitled "NEGOTIATED BENEFITS" is deleted, and in lieu thereof the following is substituted:

"6(a): You presently have a private health insurance plan for yourself and your wife. It is understood and agreed that you will bear a portion of the total premium cost of said plan; this organization will bear the remainder. Your portion is herein established at \$12.50 per month and will be deducted from contractual payments due you. The total annual premium cost of said plan is presently \$603.52. If required, the Government's portion may be paid yearly, in advance."

All other terms and conditions of said contract, as amended, remain in full force and effect.

Please acknowledge by signing in the space provided below.

UNITED STATES GOVERNMENT
As Represented by the
CENTRAL INTELLIGENCE AGENCY
By:

Contracting Officer

ACCEPTED:

/S/

Date:

WITNESS:

/S/

Date:

Certified to be a true copy of the signed original which is on file in the Office of Security.

Dear Mr. ~~_____~~

Reference is made to your contract with the United States Government as represented by the Central Intelligence Agency, effective 1 March 1970.

Effective 1 March 1971 said contract is amended by revising the first sentence of paragraph four (4) entitled "Compensation" to read as follows:

"You will be compensated by the Central Intelligence Agency at the rate of Nineteen Thousand Five Hundred Dollars (19,500.00) per year."

All other terms and conditions of said contract remain in full force and effect.

Please acknowledge by signing in the space provided below.

UNITED STATES GOVERNMENT
As Represented by the
CENTRAL INTELLIGENCE AGENCY
By:

~~_____~~
Contracting Officer

ACCEPTED:

/S/ ~~_____~~

Date: 12 February 1971

WITNESS:

/S/ ~~_____~~

Date: 12 February 1971

Certified to be a true copy of the signed original which is on file in the Office of Security.

~~_____~~
Chief, Budget and Fiscal Branch
Office of Security

10 FEB 1971

Mr. ~~XXXXXXXXXXXXXXXXXXXX~~

Dear Mr. ~~XXXXXXXXXXXX~~

Reference is made to your contract with the UNITED STATES GOVERNMENT, as represented by the CENTRAL INTELLIGENCE AGENCY effective 1 March 1969. Effective 1 March 1970 said contract is herein terminated by mutual consent of the parties thereto, and in lieu thereof the following agreement is substituted.

The UNITED STATES GOVERNMENT, as represented by the CENTRAL INTELLIGENCE AGENCY, hereby contracts with you under the following terms and conditions:

1. STATUS. Your legal status under this contract is that of an independent contractor or consultant. You are not considered an employee of the UNITED STATES GOVERNMENT by virtue of this contract. You will be required to hold yourself available at all times to fulfill requests made of you by the CENTRAL INTELLIGENCE AGENCY or to respond to tasks requested of you by the CENTRAL INTELLIGENCE AGENCY. You will refrain from engaging in other gainful employment or occupation until approval has been received from the CENTRAL INTELLIGENCE AGENCY. Instructions furnished to you pursuant to this contract and within the terms hereof shall be as binding upon you as if included in the written terms hereof.

2. COMMUNICATION. In all relationships with the CENTRAL INTELLIGENCE AGENCY you will accept requests, tasks and relevant instructions from an individual hereinafter referred to as the "Authorized Government Representative." He will be fully authorized to discuss matters with you relating to your responsibilities under this contract including, but not limited to, cover arrangements, place of assignment, conditions of work or any other matters relating to your relationship with the CENTRAL INTELLIGENCE AGENCY.

3. COVER AND SECURITY. In the performance of your responsibilities hereunder, appropriate arrangements will be made regarding cover and general security conditions. You may be required to execute certain documents in the course of establishing cover arrangements but it is to be expressly understood that such documents are solely for the purpose of cover and security and confer no additional legal rights or obligations and that all of your rights and obligations with respect to the CENTRAL INTELLIGENCE AGENCY derive solely from this agreement. In connection with cover and security you will be provided from time to time specific instructions by the Authorized Government Representative and you will be required to adhere precisely to such instructions.

4. COMPENSATION. You will be compensated by the CENTRAL INTELLIGENCE AGENCY at the rate of Eighteen Thousand Five Hundred Dollars (\$18,500.00) per year. Payment of this compensation shall be monthly in accordance with arrangements acceptable to the Authorized Government Representative. This sum is subject to Federal income taxes and to such income tax laws as are applicable to your place of residence. Additionally, this compensation is subject to FICA taxes. The current rates and method of payment will be in accordance with applicable laws and the security instructions issued by the Authorized Government Representative. Payment of all taxes and preparation of necessary tax returns are your personal obligation and responsibility but in accord with appropriate security instructions which will be furnished by the Authorized Government Representative.

5. ALLOWANCES, TRAVEL AND OTHER EXPENSES. If, in the course of fulfilling your responsibilities under this agreement, monetary allowances would be payable under general UNITED STATES GOVERNMENT rules and regulations, you will be paid such monetary allowances in substantial accordance with those laws and regulations. If, in the course of this contract, you are directed to travel or are authorized to incur other expenses, reimbursement for expenses will be made by the CENTRAL INTELLIGENCE AGENCY in substantial accordance with applicable CENTRAL INTELLIGENCE AGENCY regulations.

6. NEGOTIATED BENEFITS.

a. You presently have a private health insurance plan for yourself and your wife paid until late December 1970. Prior to the expiration date of the current policy the CENTRAL INTELLIGENCE AGENCY has the option of paying premiums on the current policy until 1 March 1972 or enrolling you in a health insurance program for selected contract individuals of the CENTRAL INTELLIGENCE AGENCY subject to all the terms and conditions of that program. The CENTRAL INTELLIGENCE AGENCY will pay the premiums on either insurance coverage until 1 March 1972. However, any new contract will include an appropriate clause providing that this organization will bear a portion of the total premium cost of any health insurance and you will bear the remainder.

b. The CENTRAL INTELLIGENCE AGENCY will endeavor to arrange for you to secure a term life insurance policy with a face value of \$15,000.00. This policy contains no additional accidental death benefits. The premiums for the policy will be your personal responsibility. The current premium charge is \$12.00 per month.

contract year to be taken only at times and places approved in advance by the Authorized Government Representative. Vacation time is not accruable and will not be carried over from year to year. Payment for unused vacation time will not be authorized.

(2) If incapacitated for work due to illness, injury and the like, your compensation may be continued for periods not to exceed a total of thirteen (13) working days per contract year. Periods of absence in excess of three (3) consecutive days will require a doctor's certificate. Like vacation time, this benefit is not accruable and will not be carried over from year to year. Cash payment in lieu of this benefit will not be authorized.

7. **SECRECY OBLIGATION.** You will be required to keep forever secret this agreement and all information which you may obtain by reason hereof (unless released in writing by the CENTRAL INTELLIGENCE AGENCY from such obligation), with full knowledge that violation of such secrecy may subject you to criminal prosecution under the espionage laws, as amended, and other applicable laws and regulations. Your relationship with the CENTRAL INTELLIGENCE AGENCY and this contract must be kept secret and you may not discuss any aspect of this relationship and contract with any person other than the Authorized Government Representative or such other person as he may specifically approve.

8. **UNAUTHORIZED COMMITMENTS.** No promises or commitments pertaining to rights, privileges, or benefits other than those expressly stipulated in writing in this agreement or any amendment thereto shall be binding on the CENTRAL INTELLIGENCE AGENCY.

9. **TERM.** This agreement is effective as of 1 March 1970 and shall be for a term of two (2) years. At the end of that period this contract shall be deemed to be renewed for another year unless notice of termination has been furnished to you thirty (30) days in advance. Thereafter the contract will be renewed automatically on similar terms and conditions. This contract may be terminated at any time by either party upon furnishing thirty (30) days advance notice. Upon termination of this contract or renewals thereof, including amendments, if any, the CENTRAL INTELLIGENCE AGENCY will undertake to assist you in obtaining gainful employment or to provide continuing compensation to assure you that you will be able to maintain a reasonable standard of living. This undertaking is contingent upon your fulfilling the terms of

this contract and the continuing compliance with the secrecy obligations imposed on you by paragraph 7 of this contract and the provisions of any secrecy agreement which you have signed with the CENTRAL INTELLIGENCE AGENCY

UNITED STATES GOVERNMENT
As Represented by the
CENTRAL INTELLIGENCE AGENCY
By:

/s/ [REDACTED]

Contracting Officer

Date: 6 March 1970

ACCEPTED:

/s/ [REDACTED]

Date: 6 March 1970

WITNESS:

/s/ [REDACTED]

Date: 6 March 1970

Certified to be a true copy of the signed original which is on file in the
Office of Security.

[REDACTED]
[REDACTED]
Chief, Budget and Fiscal Branch
Office of Security

19 MAR 1970

Dear Mr. ~~XXXXXXXXXX~~:

The UNITED STATES GOVERNMENT, as represented by the CENTRAL INTELLIGENCE AGENCY, hereby contracts with you under the following terms and conditions:

1. STATUS. Your legal status under this contract is that of an independent contractor or consultant. You are not considered an employee of the UNITED STATES GOVERNMENT by virtue of this contract. You will be required to hold yourself available at all times to fulfill requests made of you by the CENTRAL INTELLIGENCE AGENCY or to respond to tasks requested of you by the CENTRAL INTELLIGENCE AGENCY. You will refrain from engaging in other gainful employment or occupation until approval has been received from the CENTRAL INTELLIGENCE AGENCY. Instructions furnished to you pursuant to this contract and within the terms hereof shall be as binding upon you as if included in the written terms hereof.

2. COMMUNICATION. In all relationships with the CENTRAL INTELLIGENCE AGENCY you will accept requests, tasks and relevant instructions from an individual hereinafter referred to as the "Authorized Government Representative." He will be fully authorized to discuss matters with you relating to your responsibilities under this contract including, but not limited to, cover arrangements, place of assignment, conditions of work or any other matters relating to your relationship with the CENTRAL INTELLIGENCE AGENCY.

3. COVER AND SECURITY. In the performance of your responsibilities hereunder, appropriate arrangements will be made regarding cover and general security conditions. You may be required

to execute certain documents in the course of establishing cover arrangements but it is to be expressly understood that such documents are solely for the purpose of cover and security and confer no additional legal rights or obligations and that all of your rights and obligations with respect to the CENTRAL INTELLIGENCE AGENCY derive solely from this agreement. In connection with cover and security you will be provided from time to time specific instructions by the Authorized Government Representative and you will be required to adhere precisely to such instructions.

4. COMPENSATION. You will be compensated by the CENTRAL INTELLIGENCE AGENCY at the rate of Sixteen Thousand Five Hundred Dollars (\$16,500.00) per year. Payment of this compensation shall be monthly in accordance with arrangements acceptable to the Authorized Government Representative. This sum is subject to Federal income taxes and to such income tax laws as are applicable to your place of residence. Additionally, this compensation is subject to FICA taxes. The current rates and method of payment will be in accordance with applicable laws and the security instructions issued by the Authorized Government Representative. To assist you in establishing yourself, the CENTRAL INTELLIGENCE AGENCY will assist you in procuring an automobile and necessary household furnishings, providing funds therefor up to a maximum of Eight Thousand Dollars (\$8,000.00). Payment of all taxes and preparation of necessary tax returns are your personal obligation and responsibility but in accord with appropriate security instructions which will be furnished by the Authorized Government Representative.

5. PLACE OF RESIDENCE. In the interests of security, you will be required to live in such State, area, and house or apartment as is specifically approved by the CENTRAL INTELLIGENCE AGENCY after mutual discussion and due consideration of all circumstances. All of the expenses of such leased house or apartment will be borne by you and the CENTRAL INTELLIGENCE AGENCY will not be obligated to pay any such expenses.

6. ALLOWANCES, TRAVEL AND OTHER EXPENSES. If, in the course of fulfilling your responsibilities under this agreement, monetary allowances would be payable under general UNITED STATES GOVERNMENT rules and regulations, you will be paid such monetary allowances in substantial accordance with those laws and regulations. If, in the course of this contract, you are directed to travel or are authorized to incur other expenses, reimbursement for expenses will be made by the CENTRAL INTELLIGENCE AGENCY in substantial accordance with applicable CENTRAL INTELLIGENCE AGENCY regulations.

7. HOSPITALIZATION AND MEDICAL CARE. The CENTRAL INTELLIGENCE AGENCY will provide you with reasonable insurance covering medical care and hospitalization equivalent to that which could be obtained through standard insurance policies; or, the CENTRAL INTELLIGENCE AGENCY may provide directly such medical care and hospitalization.

8. SECRECY OBLIGATION. You will be required to keep forever secret this agreement and all information which you may obtain by reason hereof (unless released in writing by the CENTRAL INTELLIGENCE AGENCY from such obligation), with full knowledge that violation of such

secrecy may subject you to criminal prosecution under the espionage laws as amended, and other applicable laws and regulations. Your relationship with the CENTRAL INTELLIGENCE AGENCY and this contract must be kept secret and you may not discuss any aspect of this relationship and contract with any person other than the Authorized Government Representative or such other person as he may specifically approve.

9. UNAUTHORIZED COMMITMENTS. No promises or commitments pertaining to rights, privileges, or benefits other than those expressly stipulated in writing in this agreement or any amendment thereto shall be binding on the CENTRAL INTELLIGENCE AGENCY.

10. TERM. This agreement is effective as of 1 March 1969 ²⁴ and shall be for a term of one (1) year. At the end of that period this contract shall be deemed to be renewed for another year unless notice of termination has been furnished to you thirty (30) days in advance of the elapse of one (1) year. Thereafter the contract will be renewed automatically on similar terms and conditions. This contract may be terminated at any time by either party upon furnishing thirty (30) days advance notice. Upon termination of this contract or renewals thereof, including amendments, if any, the CENTRAL INTELLIGENCE AGENCY will undertake to assist you in obtaining gainful employment or to provide continuing compensation to assure you that you will be able to maintain a reasonable standard of living. This undertaking is contingent upon your fulfilling the terms of this contract and the continuing compliance with the secrecy obligations

imposed on you by paragraph 8 of this contract and the provisions of any secrecy agreement which you have signed with the CENTRAL INTELLIGENCE AGENCY.

UNITED STATES GOVERNMENT
As Represented by the
CENTRAL INTELLIGENCE AGENCY
By:


Contracting Officer

Date: _____


ACCEPTED:

Date: _____

WITNESS:

Date: _____

Certified to be a true copy of the signed original which is on file in the Office of Security.


HOWARD J. OSBORN
DIRECTOR OF SECURITY

JUL
1955

5 OCT 1972

MEMORANDUM FOR: Director of Central Intelligence

THROUGH : Executive Director-Comptroller

SUBJECT : Retroactive Reimbursement of
Yuriy Ivanovich Nosenko

1. This memorandum suggests action on the part of the Director of Central Intelligence; this action is contained in paragraph 9.

2. Mr. Yuriy Ivanovich Nosenko, a 45-year-old, former Staff Officer of the Committee for State Security (KGB) of the USSR, attended the Institute of International Relations, Moscow, from 1945 to 1950; was affiliated with Russian Naval Intelligence during the 1951-1953 period; and was an officer with the KGB from March 1953 until his defection to the Agency in Geneva, Switzerland, on 4 February 1964, after having worked for CIA for approximately two years.

3. A review of Mr. Nosenko's case reflects that, at the time of his defection, various official commitments were made to him, including a lump sum payment of \$50,000.00 based upon his nearly two years' work inside the KGB; a \$10,000.00 bonus for his work on the ^{Sensitive} ~~case~~ case; and a contract as a consultant at a salary of \$25,000.00 per annum. Mr. Nosenko was advised by his Agency Case Officer that Mr. Nosenko was working for the Central Intelligence Agency as of 5 February 1964, and that his salary began from that date. This was a verbal agreement with the Agency Case Officer, and is fully documented in our files.

4. In the early debriefing of Mr. Nosenko, it became apparent that he was a particularly complex individual. To permit extensive and prolonged debriefing, arrangements were made to accommodate Mr. Nosenko under highly secure conditions at ISOLATION, where he remained from 1964 to 1967. These tight security arrangements were dictated, during the initial phases at least, by the additional need to provide Mr. Nosenko with continuing personal protection, since there was the distinct possibility that he would be targeted for execution if the Soviets should discover his whereabouts.

5. Since October 1967, the primary responsibility for Mr. Nosenko has been in the Office of Security, which conducted a thorough review of prior developments in the case. Mr. Nosenko was moved to the Washington, D. C. area in late 1967, and the case passed through various stages of phased normalization, as he was given an increased degree of freedom and independence. Mr. Nosenko was actually resettled on the economy in April 1969; he obtained a divorce from his former Soviet spouse in September 1969; Sensitive info
During the period from October 1967 to April 1969, Mr. Nosenko did not receive a salary, but he was provided with a moderate amount of spending money.

6. As of April 1969, Mr. Nosenko signed a one-year contractual agreement for \$16,500.00, including a clause giving assistance to him in resettlement expenses in the amount of \$8,000.00. In March 1970, Mr. Nosenko signed a new contract for two years at \$18,500.00 per annum. At about this same time he was provided with certain financial assistance, \$20,000.00 being for the down payment on a new house, and \$5,000.00 for other related household expenses. Mr. Nosenko's contract was renewed at the new rate of \$19,500.00 per annum on 1 March 1971, and the contract was again renewed in February 1972, at the salary of \$21,000.00 per annum.

7. An analysis of this case clearly indicates that Mr. Nosenko has been an extremely valuable source, one who has identified many hundreds of Soviet Intelligence Officers, and he has otherwise provided a considerable quantity of useful information on the organization of the KGB, its operational doctrine, and methods. Sensitive info have been

forwarded to the Federal Bureau of Investigation based on data from Mr. Nosenko. He has conducted numerous special security reviews on Soviet subjects of specific intelligence interest, and he has proven himself to be invaluable in exploring counterintelligence leads. He recently authored a book which is of interest to the Agency. In effect, Mr. Nosenko has shown himself to be a productive and hard working defector, who is "rehabilitated" and favorably disposed towards the Agency.

8. In the course of a recent meeting with Mr. Nosenko, he brought up the subject of his missing salary, covering the period from April 1964 to March 1969. Mr. Nosenko readily admitted that he is living very well at the present time, but he is not in a position to save any money for the future. He also expressed deep appreciation to the Agency for the financial assistance which was provided him through the years, and he considers this to have cancelled out the original Agency obligation of a lump sum payment in the amount of \$50,000.00. Mr. Nosenko, however, still feels quite strongly that he is entitled to be reimbursed for the salary which the Agency did not provide him over a five-year period. He understands, of course, that income tax would have to be deducted from this back salary of \$25,000.00 per annum.

9. In summary, the original oral agreement with Mr. Nosenko is fully documented and supports his claim; his resettlement since 1967 has been relatively smooth, with no significant security problems having developed; and he continues to function at the present time as a highly productive and useful source of information on the KGB. In view of these various considerations, it is requested that this payment of \$125,000.00 to Mr. Nosenko be approved. These funds would be paid out of unliquidated obligations applicable to lapsed appropriations. *Sensitive Sources and methods information*

0003983

Howard J. Osborn
Howard J. Osborn
Director of Security

SUBJECT: Retroactive Reimbursement of
Yuriy Ivanovich Nosenko

CONCURRENCE:

John W. Coffey

John W. Coffey
Deputy Director
for Support

6 Oct 1972
(Date)

* *Consent, but recommended as matter of principle that funds
given him from Oct. 67 to April 69 be deducted
from the 125,000 amount, and full amount
be paid.*

TH Karamessines
Thomas H. Karamessines
Deputy Director
for Plans

12 Oct 72
(Date) *dropped
by OGC, he
obtained -*
(112)

W E Colby

William E. Colby
Executive Director-Comptroller

18 Oct 72
(Date)

The recommendation in paragraph 9 is approved without DDP limitation. *ac*

Richard Helms

Richard Helms
Director

18 OCT 1972
(Date)

ROUTING AND RECORD SHEET

NOTE: (Optional)

NAME

Howard J. Osborn
Director of Security

EXTENSION

6777

NO.

DATE

(Class designation, room number, and day)

DATE

RECEIVED

FORWARDED

OFFICE'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across columns after each comment.)

General Counsel

7/24/69

7/25/69

JLL/MS

DD/P

25 JUL 69

25 JUL 69

RL

DCI

L.H.

1 to 2 and 3: With the initiation of this rehabilitation program, it would seem timely to brief the appropriate staff personnel of our congressional subcommittees on the status of this case. If something were to go wrong, resulting in bad publicity without such a briefing, the reaction of our subcommittees would, I believe, be most unfortunate.

L. R. Houston
L. R. Houston

D/Security

2 APR 1969

DD/Sec

DC/SRS

0003985

610

USE PREVIOUS EDITIONS



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UNCLASSIFIED

24 MAR 1969

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : Preparations for the Rehabilitation
and Resettlement of Yuri Nosenko

1. This memorandum is for your information and contains a recommendation for your approval in paragraph 5.

2. As you know, since last meeting with you on this subject we have been very slowly easing some of the physical restrictions on Nosenko in an effort to condition him for his ultimate rehabilitation and resettlement in this country if this is the final disposition decision. During this period, both the Federal Bureau of Investigation and this Office have continued to elicit information from him.

3. Nosenko is becoming increasingly restive and desirous of obtaining freedom on his own. After nearly five years of varying degrees of confinement, this desire, including that for feminine companionship, is understandable. We have conformed the pace of privileges allowed him to his attitude and cooperation. At a recent meeting in which the Deputy Director of Plans, Chief, Soviet Bloc Division, Chief, CI Staff, Office of General Counsel and the undersigned participated, it was agreed that we would allow him a two week vacation in Florida accompanied by two Security agents of this Office. He will not be allowed to be alone outside the confines of an adjoining room during this period.

4. There still remains a disagreement as to his bona fides and the Chief, CI Staff is now compiling questions to be used for continued elicitation from Nosenko upon his return. It is clear and agreed by all concerned that the problem of Nosenko's bona fides and his rehabilitation and resettlement can be considered separately if we

are to keep him in a favorable frame of mind with regard to the Agency. Any treatment which can be regarded by him as retrogression, in terms of physical restraint but not continued elicitation, would make his ultimate disposition extremely difficult. Attached for your approval is a brief summary of the steps we recommend be taken in Nosenko's rehabilitation and resettlement beginning with his return from his vacation in Florida. It is understood that implementation of these steps will be predicated on the following.

His attitude and behavior during his Florida vacation.

We will try to delay each step as long as possible consistent with his attitude and his willingness to cooperate.

This Office will take every possible precaution to prevent contact between Nosenko and KGB representatives in this country. If he is given limited freedom, however, there can be no guarantee of this since he is a professional intelligence officer and could evade surveillance if he so desired. If he is a dispatched agent, it is to be assumed that he was given emergency means of contact.

5. Your approval of these actions, as outlined, is recommended.


Howard J. Osborn
Director of Security

Distribution:

CONCURRENCE:

Lawrence R. Houston
 Lawrence R. Houston
 General Counsel

25 Mar 69
 Date

Thomas Karamessines
 Thomas Karamessines
 Deputy Director for Plans

25 Mar. 69
 Date

The recommendation in paragraph 5 is approved.

Richard Helms
 Richard Helms
 Director of Central Intelligence

2 APR 1969
 Date

STEPS IN THE REHABILITATION AND RESETTLEMENT OF NOSENKO

Step 1. Upon his return from vacation in Florida or soon thereafter, we will begin to negotiate a contractual relationship with Nosenko which will provide him with financial reimbursement not to exceed twenty thousand dollars a year for the period of time he is working with this Agency in a program of information elicitation. This contract, in addition to the standard features, will contain a "quit claim" provision regarding his past relationship with the Agency in the event he should be kidnapped, become recalcitrant or redefect. It will stipulate residence in an area acceptable to the Agency. It will also provide that upon conclusion of his active cooperation with this Agency, we will renegotiate to provide for a modest continued annuity commensurate with his ability to secure employment on his own. There will be no bulk resettlement fund.

Step 2. We will negotiate with Immigration and Naturalization authorities to secure appropriate alien registration for Nosenko in this country under a registered alias. It will be necessary for the Agency to accept continued responsibility for Nosenko until such time as he has established residence long enough to satisfy the ten year citizenship requirement.

Step 3. We will begin to look with him for suitable living accommodations. He accepts the fact that these accommodations will have to be so arranged that we will occupy contiguous quarters and that he will be required for an undetermined period to let us know where he is going and when he leaves these quarters. We will, initially at least, provide for technical coverage of his telephone and living quarters and will, within the extent of our capability, cover him through surveillance when he leaves these quarters.

Step 4. The program of information elicitation based on questions compiled by CI Staff will begin soon after Nosenko's return from Florida. Any significant developments and changes in the handling of Nosenko and the conduct of the interviews will be coordinated with the CI Staff acting on behalf of the DDP. This program of elicitation will be so designed as to prevent broadening further the base of Nosenko's knowledge. Future elicitation from Nosenko will not include new information except on the basis of calculated approved coordination between the Office of Security and the CI Staff about subject matter and Nosenko will be encouraged and allowed to give full responses on each subject. The FBI will be advised about these procedures.

Step 5. When we have favorably resolved disagreement within the Agency as to his bona fides, we will allow him his ultimate freedom, including assistance in finding suitable employment. If disagreement persists, however, as to his bona fides beyond the end of this calendar year, we will consult with other appropriate Government agencies as to whether he may be allowed full freedom as a normal resident alien or whether the security interests of the United States require his deportation.

ROUTING RECORD SHEET

SUBJECT: (Optional)

FROM: Chief, SR Division			EXTENSION: [REDACTED]	NO. [REDACTED]
			DATE: 17 February 1964	
TO: (Officer designation, room number, and building)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
	RECEIVED	FORWARDED		
1. DD/P			lit	[REDACTED]
2.				BY HAND
3. Director of Security		19 Feb 1964	PS	153 Assume you working on [REDACTED] case as aggressively as possible. etc.
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				21

FORM 10

USE PREVIOUS EDITIONS

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17 February 1964

MEMORANDUM FOR: Deputy Director for Plans

SUBJECT: [REDACTED] NOSENKO
Current Status and Immediate Plans

1. Recommendations for approval are contained in paragraph 8. For background on events in the case since 3 February 1964, I suggest you read the report of my trip to Germany, 8-10 February, to meet Subject; the statement on conclusions and recommendations drawn up following that meeting; and the chronology of events in the case which took place between 3 and 11 February.

2. None of the events of the past few days including the way in which the Soviets played the pre-confrontation publicity or the confrontation itself changes the substance of the conclusions contained in my 10 February memorandum. However, there is greater evidence now I believe for the view that this operation is designed for long-range goals of utmost importance to the Soviets. One of these is probably a massive propaganda assault on CIA in which Subject, most probably as a "re-defected CIA agent", will play a major but not necessarily the sole role. That this could be the final goal does not detract from the validity of any of the intermediate missions Subject has such as penetration of our operational effort, protection of past or possibly existing sources, part of an effort to discredit [REDACTED] etc., since each of these intermediate tasks is adaptable to and would be quite useful in the final stage.

3. While admitting that Subject is here on a KGB directed mission, it has been generally agreed by both us and the FBI that he still possesses valid information which we would like to obtain. At the same time, we, at least, believe that Subject must be broken at some point if we are to learn something of the full scope of the KGB plan, the timing for its execution, and the role played by others in it. In addition, we must have this information if we are to decide what countermeasures we should take in terms of counter-propaganda, modifications in our security practices, and planning for future operations against the Soviet target. Admittedly, our desire to continue debriefing to obtain additional information may conflict with the need to break Subject. Clearly,

- 2 -

the big problem is one of timing. How long can we keep Subject, or his KG3 controllers, ignorant of our awareness of this operation and how long will it take us to assemble the kind of brief we will need to initiate a hostile interrogation in conditions of maximum control?

4. If we are to proceed along the lines indicated above we should accept in advance the premise that we will not be able to prevent Subject from evading our custody or communicating with the Soviets unless we place him under such physical restraint that it will become immediately apparent to him that we suspect him. This may not be an acceptable risk and if it is not, we should so determine right away and decide on a completely different course of action. If this is to be the case, we should agree to forego additional debriefings, place Subject in escape-proof quarters away from the Washington area under full-time guard and commence hostile debriefing on the basis of the material we already have (although the prospects for success would not be great). Disposal would probably be via Berlin followed by a brief press release to the effect that Subject had confessed to being a plant and had been allowed to return to Soviet control.

5. The above course need not be adopted. We can also opt for a debriefing period during which Subject believes we trust him while at the same time we take the necessary steps to get ready for the final confrontation. To maintain the minimum atmosphere of trust (and conviction on Subject's part that he is moving ahead in his initial goal which is acceptance by CIA as a CI consultant on operations) we believe we should adhere generally to the statements made to Subject during our meetings in Geneva and Frankfurt, recognizing that we can shape this program to our own time table. We should:

- a. Inform Subject that he has been "granted political asylum" and the first phase of which we spoke is ready to begin.
- b. Devise a daily schedule and full agenda for this debriefing phase on matters of urgent interest to us and the FBI (which we think can take about four weeks or more).

- 3 -

- c. Advise Subject that during this phase he will continue to live and work in the safehouse, and will be escorted at all times when on shopping trips, visits to movies, etc., because of his faulty English and unfamiliarity with the country, customs, etc. While we can explain this regime as needed for his security, we cannot keep him locked up in the house 24 hours a day.
- d. Provide Subject with "flash" documentation in another name to be carried on his person during excursions from the house. They may also help persuade him he has been accepted.
- e. Make available to Subject a portion of the \$60,000 promised him which he can use for purchases of clothes, cigarettes, personal effects, etc.
- f. Agree that whenever this first phase is over (four to six weeks) that he be permitted to take a two-week vacation with escort.

6. The vacation period will be of greater benefit to us since it will provide us with an opportunity to review and make judgments on the value of the information already obtained and also to consider the progress made in the other aspects of the case outlined below. During the vacation we can decide on whether we should proceed to the second phase or are ready to commence hostile interrogation under controlled conditions. If it is the former, we will have to reckon with the need to modify the living and working arrangements for Subject in a way which will inevitably give him some additional freedom. At the same time, we would be expected to move forward with Subject's legalization, i. e., final decision on a name he will use, securing an alien registration card, establishing a bank account, etc. Therefore, it will be terribly important to make the proper decision at the end of phase one.

Para 7 Deleted because it refers to other unrelated, sensitive cases.

3. DDP approval is requested for:

- a. The initiation of a first phase debriefing period along the lines described in para 5 above rather than moving to an immediate showdown and hostile interrogation.


Chief, SR Division

cc: ADDP
C/CI

Recommendations Para 3 Approved:

Richard Helms
Deputy Director for Plans

Date _____

0003994

*subject to oral
modification
this date (2/17/64)
0091*

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ONLY

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Retroactive Reimbursement of
Yuriy Ivanovich Nosenko

ROOM		DATE		EXTENSION	NO.
OFFICER designation, room number, and building		RECEIVED	FORWARDED	OFFICER'S INITIALS	DATE
Director of Security Room [REDACTED] <i>AG</i> Headquarters				<i>[Signature]</i>	
1.	DD/Support Room [REDACTED]		<i>6 Oct</i>	<i>[Signature]</i>	<u>BY HAND</u> 1. For Concurrence
2.	DD/Plans Room [REDACTED]		<i>12 Oct</i>	<i>[Signature]</i>	2. For Concurrence
3.	Exec. Dir. - Compt. Room [REDACTED]		<i>10/18</i>	<i>WCC</i>	3. For Concurrence
4.					
5.	Director Room [REDACTED]		<i>10/18</i>	<i>RH</i>	5. For Your Approval
6.					
7.	Director of Security Room [REDACTED]	<i>18 OCT 1972</i>	<i>10/18</i>	<i>[Signature]</i>	
8.	Act. DD / Sec.	<i>19 OCT 1972</i>		<i>[Signature]</i>	
9.	<i>[REDACTED]</i>	<i>19 OCT 1972</i>		<i>[Signature]</i>	
0.	<i>[REDACTED]</i>				
1.					
2.					
3.					
4.					
5.					

IN 2 F10 USE PREVIOUS EDITIONS



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5 OCT 1972

MEMORANDUM FOR: Director of Central Intelligence

THROUGH : Executive Director-Comptroller

SUBJECT : Retroactive Reimbursement of
Yuriy Ivanovich Nosenko

1. This memorandum suggests action on the part of the Director of Central Intelligence; this action is contained in paragraph 2.

2. Mr. Yuriy Ivanovich Nosenko, a 45-year-old, former Staff Officer of the Committee for State Security (KGB) of the USSR, attended the Institute of International Relations, Moscow, from 1945 to 1950; was affiliated with Russian Naval Intelligence during the 1951-1953 period; and was an officer with the KGB from March 1953 until his defection to the Agency in Geneva, Switzerland, on 4 February 1964, after having worked for CIA for approximately two years.

3. A review of Mr. Nosenko's case reflects that, at the time of his defection, various official commitments were made to him, including a lump sum payment of \$50,000.00 based upon his nearly two years' work inside the KGB; a \$10,000.00 bonus for his work on ~~the Agency Case~~ ^{to the Agency Case} and a contract as a consultant at a salary of \$25,000.00 per annum. Mr. Nosenko was advised by his Agency Case Officer that Mr. Nosenko was working for the Central Intelligence Agency as of 5 February 1964, and that his salary began from that date. This was a verbal agreement with the Agency Case Officer, and is fully documented in our files.

4. In the early debriefing of Mr. Nosenko, it became apparent that he was a particularly complex individual. To permit extensive and prolonged debriefing, arrangements were made to accommodate Mr. Nosenko under highly secure conditions at ISOLATION, where he remained from 1964 to 1967. These tight security arrangements were dictated, during the initial phases at least, by the additional need to provide Mr. Nosenko with continuing personal protection, since there was the distinct possibility that he would be targeted for execution if the Soviets should discover his whereabouts.

5. Since October 1967, the primary responsibility for Mr. Nosenko has been in the Office of Security, which conducted a thorough review of prior developments in the case. Mr. Nosenko was moved to the Washington, D. C. area in late 1967, and the case passed through various stages of phased normalization, as he was given an increased degree of freedom and independence. Mr. Nosenko was actually resettled on the economy in April 1969; he obtained a divorce from his former Soviet spouse in September 1969; ~~and he was provided with a moderate amount of spending money.~~ During the period from October 1967 to April 1969, Mr. Nosenko did not receive a salary, but he was provided with a moderate amount of spending money.


6. As of April 1969, Mr. Nosenko signed a one-year contractual agreement for \$16,500.00, including a clause giving assistance to him in resettlement expenses in the amount of \$8,000.00. In March 1970, Mr. Nosenko signed a new contract for two years at \$18,500.00 per annum. At about this same time he was provided with certain financial assistance, \$20,000.00 being for the down payment on a new house, and \$5,000.00 for other related household expenses. Mr. Nosenko's contract was renewed at the new rate of \$19,500.00 per annum on 1 March 1971, and the contract was ~~again~~ renewed in February 1972, at the salary of \$21,000.00 per annum.

7. An analysis of this case clearly indicates that Mr. Nosenko has been an extremely valuable source, one who has identified many hundreds of Soviet Intelligence Officers, and he has otherwise provided a considerable quantity of useful information on the organization of the KGB, its operational doctrine, and methods. ~~and he has provided a considerable quantity of useful information on the organization of the KGB, its operational doctrine, and methods.~~

forwarded to the Federal Bureau of Investigation based on data from Mr. Nosenko. He has conducted numerous special security reviews on Soviet subjects of specific intelligence interest, and he has proven himself to be invaluable in exploring counterintelligence leads. He recently authored a book which is of interest to the Agency. In effect, Mr. Nosenko has shown himself to be a productive and hard working defector, who is "rehabilitated" and favorably disposed towards the Agency.

8. In the course of a recent meeting with Mr. Nosenko, he brought up the subject of his missing salary, covering the period from April 1964 to March 1969. Mr. Nosenko readily admitted that he is living very well at the present time, but he is not in a position to save any money for the future. He also expressed deep appreciation to the Agency for the financial assistance which was provided him through the years, and he considers this to have cancelled out the original Agency obligation of a lump sum payment in the amount of \$50,000.00. Mr. Nosenko, however, still feels quite strongly that he is entitled to be reimbursed for the salary which the Agency did not provide him over a five-year period. He understands, of course, that income tax would have to be deducted from this back salary of \$25,000.00 per annum.

9. In summary, the original oral agreement with Mr. Nosenko is fully documented and supports his claim; his resettlement since 1967 has been relatively smooth, with no significant security problems having developed; and he continues to function at the present time as a highly productive and useful source of information on the KGB. In view of these various considerations, it is requested that this payment of \$125,000.00 to Mr. Nosenko be approved. These funds would be paid out of unliquidated obligations applicable to lapsed appropriations ~~for the fiscal year 1964-1965~~


Howard J. Osgood
Director of Security

SUBJECT: Retroactive Reimbursement of
Yuriy Ivanovich Nosenko

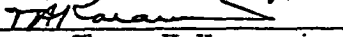
CONCURRENCE:



John W. Coffey
Deputy Director
for Support

6 Oct 1972
(Date)

* Concur, but recommend as matter of principle that funds
given him from Oct. 67 to April 69 be deducted
from the \$125,000 amount, and full quit-
claim


Thomas H. Karamessines
Deputy Director
for Plans

12 Oct. 72
(Date)

dropped
by OGC, but
obtained.





William F. Colby
Executive Director-Comptroller

18 Oct 72
(Date)

The recommendation in paragraph 9 is approved without DDP limitation.



Richard Helms
Director

18 OCT 1972
(Date)

Mr. HELMS. Mr. Chairman and Mr. Stokes, would you indulge me a moment, please. I would like to straighten something out.

Mr. Craig tells me that he feels that I did Mr. Katzenbach an injustice in something that I said, and I would not want to do that, so let me just modify what I said this morning.

Mr. Stokes asked me whether I thought Mr. Katzenbach's statement to this committee regarding our meeting was untrue. I believe I replied in the affirmative. All I meant to say was that I couldn't count on Mr. Katzenbach's memory. I wasn't questioning either his judgment or his integrity. I just want to make this point. The meeting did occur but I didn't mean to imply that he testified untruthfully before this committee.

Mr. PREYER. Thank you, Mr. Helms.

Mr. Stokes.

Chairman STOKES. Thank you, Mr. Chairman. If I could just follow up at this point in an area that gives me some concern, that is, if I understand you correctly, I believe you said you still even today don't really know whether Nosenko is bona fide or not; further, it is your recollection you don't believe the agency ever arrived at that determination, particularly when you were there.

Let me ask you this: If it were clearly proven that Nosenko's statements concerning Oswald were untrue, what significance would you attach to such a finding insofar as the broader question of his overall bona fides are concerned?

Mr. HELMS. I think, Mr. Stokes, that is just the point. This is the issue which remains, as I understand it, to this very day, that no person familiar with the facts, of whom I am aware, finds Mr. Nosenko's comments about Lee Harvey Oswald and the KGB to be credible. That still hangs in the air like an incubus. I think, therefore, this tends to sour a great deal of one's opinion of all the other things that he may have contributed to the knowledge of the intelligence community about Soviet affairs and Soviet agents and so forth.

I do not know how one resolves this bone in the throat. And therefore, if I sit here before you and say, Mr. Stokes, I believe that Mr. Nosenko is a bona fide defector and you can rely on everything he says, I am in effect saying now, Mr. Stokes, you can rely on what he says about Lee Harvey Oswald. And I would not like to make that recommendation to you. That is where this thing lies and it is a most difficult question even at this late date.

Chairman STOKES. Then doesn't this raise a question, then, of a further part of the dilemma, that if he was not bona fide, the only alternative, then, is what the CIA suspected, and that was that he might have been a KGB plant sent here for the purpose of deceiving the United States?

Mr. HELMS. That is correct.

Chairman STOKES. Doesn't that logically follow?

Mr. HELMS. That is certainly true, and that was foremost in our minds.

Chairman STOKES. So it leaves you with the conclusion, then, that if Nosenko was lying about Oswald, that Oswald would in fact be left as being an agent of the KGB?

Mr. HELMS. By implication.

Chairman STOKES. Right. If just the basic Nosenko story were fundamentally disproved without our taking the next step and saying Oswald is a KGB agent, what significance would that have on the overall assessment of Nosenko's bona fides?

Mr. HELMS. Mr. Stokes, I find this extraordinarily difficult to say. As one works this backward and forward, as you have been doing with great skill, it is, I find, rather dangerous for me to sort of jump from one assumption to another assumption and then extrapolate from these things to judgments which might be very alarming and which could not be demonstrated. I am sorry, and I recognize that it is absolutely central to the investigation of this committee, which has worked very long and very hard on this subject to try to resolve this issue. But I can give no more help than I have already given.

Chairman STOKES. Then that leads to to my next question, which is whether you can tell us to what extent, if any, Nosenko's story concerning Oswald changed in 1968 from the story he had been telling earlier about Oswald.

Mr. HELMS. I didn't recall that there was all that much change in his story by 1968. I may be wrong. I have not studied this matter in the depth that would be required to answer that statement accurately. Mr. Hart has been all through the records. He might have found something which may be helpful on this. But I can't be helpful on it. I don't know at what point any longer, at what date Mr. Nosenko began telling us about the additional files which were in the KGB. First he said there was only one file, then he said there were seven or eight files on surveillance, and I believe there were modifications of this story that came later. If that was in 1969, I accept that, I am not arguing about it, I just don't recall.

Chairman STOKES. Are you in a position to tell us today whether any independent investigation ever confirmed Nosenko's story about Oswald?

Mr. HELMS. I don't know of any, sir. There may have been, but I am not familiar with it.

Chairman STOKES. Are you aware of the fact that Nosenko was given three polygraph tests in 1964, 1966 and 1968? Are you aware of that?

Mr. HELMS. I was aware of it and I read it recently in the documentation which I have been shown.

Chairman STOKES. Can you give us some idea as to why he was given a polygraph test on three separate occasions?

Mr. HELMS. I want to be clear, Mr. Stokes, that in testifying in answer to this question that I am not depending on my recollection from 15 years ago. I am depending on what I have read recently.

I believe one polygraph test was designed as a sort of psychological trick on Nosenko to indicate that he wasn't telling the truth. This was early on. I believe the latter two tests were an effort to find out about his credibility, whether he was telling the truth, his questionable behavior.

I must confess when I was reading the results of the second polygraph; there is a statement from some polygraph expert in the United States who was brought in independently, but I didn't understand his quotations, I didn't understand to what they related. I couldn't figure out whether he was saying this was a good

polygraph test or it was a bad one or whether Mr. Nosenko was lying or wasn't lying. I am sorry, but I just couldn't figure it out.

Chairman STOKES. Did you learn that he had failed his first two polygraph tests and that he passed the third?

Mr. HELMS. Yes. This assertion I saw in the record.

Chairman STOKES. Did you learn further that with reference to the test that he passed this test which was given to him approximately 1 month prior to the issuance of the 1968 report by a security officer, and this was where the report concluded that he was a bona fide defector?

Mr. HELMS. Yes, I am aware that there was a relationship between that last polygraph test and the recommendation that we resettle him in the normal way of handling defectors.

I would like to point out though, Mr. Stokes, that I don't believe anyone contends that the polygraph or lie detector is anything more than an aid to interrogation. I don't think when one says one passes or fails a polygraph test this is an accurate description of the phenomenon involved. When you take a polygraph test you are asked various questions and the operator has to make a judgment as to whether you are answering the questions accurately or whether you are lying—I don't mean accurately; whether you are answering the questions to the best of your knowledge and therefore honestly, or lying.

But I don't believe anyone including courts of law accept polygraph examinations as a final judge. They are simply aids in attempting to establish whether a man is telling the truth or not.

Chairman STOKES. I would concur with you in terms of the law, that the law accepts them as merely an investigative tool at best and they have no real reliability in a courtroom. Yet we know that it is an investigative tool that has fairly wide usage. So when we see and our investigation reveals the fact that your agency conducted three polygraph tests, obviously the question is raised by us as to why they polygraphed him on three different occasions. Certainly not just for the fun of it.

Then when we look further we realize that with him having failed two tests and we see that the third one is conducted in 1968 just prior to the issuance of the report which said he was bona fide, obviously it raises the question in our mind someone said: Uh huh, if we're going to come out and say he's bona fide, we better get a test that supports that.

Is that a logical conclusion?

Mr. HELMS. I think the conclusion which is logical is that in trying to wrap up the case and come forward with a recommendation that a polygraph test and all other kinds of investigative techniques would have been brought to bear in an effort to make a good tidy package. In other words, I don't think the officers wanted to come forward with this proposal that he be resettled and then have the question asked: How does he react on the polygraph these days, and so forth. And they would have to say: Well, we never tested him.

But you know, Mr. Stokes, and this is perhaps not relevant to this inquiry, but I think in some respects it may be. I don't know where the polygraph role stands in Mr. Nosenko's case. We discovered there were some Eastern Europeans who could defeat the

polygraph at any time. Americans are not very good at it, because we are raised to tell the truth and when we lie it is easy to tell we are lying. But we find a lot of Europeans and Asiatics can handle that polygraph without a blip, and you know they are lying and you have evidence that they are lying. I don't know in which category—

Chairman STOKES. Mr. Nosenko falls in that category?

Mr. HELMS. In some category.

Chairman STOKES. I am advised that the CIA used polygraph tests on all its employees.

Mr. HELMS. It works very well with Americans.

Chairman STOKES. Let me ask you this. We have learned further through our investigation in the first two polygraph tests, that Nosenko was asked numerous questions, numbering somewhere in the neighborhood of 30 or 40 questions, relative to Oswald. We have learned, further, that in the 1968 tests he was only asked two questions about Oswald on that polygraph test. Can you tell us why that occurred?

Mr. HELMS. I could not answer. I have no idea. In fact, I can't even give you a rational explanation at this late date. I may have been able to give one at the time. I may have known, but I am sorry, my memory is blank.

Chairman STOKES. At any rate, the questions revolved around Oswald wouldn't be any less important in 1968 than they were in 1964 or 1966.

Mr. HELMS. No, sir, they wouldn't have been less important. But by 1968, there was a clear objective in mind of trying to do something about the resettlement of this man, that this case simply had to be resolved. That was determined, and therefore I was prepared to accept many obstructions or obstacles, and so forth, and still probably would have said I think we better go ahead and resettle that man. There is no other option, there is nothing else we can do.

Chairman STOKES. I would like to get to a further comment in this area. From what we have heard from you regarding the polygraph and from what we have heard from Mr. Hart, we have a conflict here that the committee must in some way resolve. Mr. Hart told us when he testified here, representing the head of the CIA, that the polygraph was not utilized for the purpose of ascertaining the truth of this man's statements. It was used to intimidate him, it was a part of the whole process of breaking him. Let me just quote some of the things he said to us so we can then ask you your opinion.

He said:

The agency's activity was devoted to breaking Nosenko, who was presumed, on the basis of the supposed evidence given by Mr. X that Nosenko was a dispatched KGB agent to mislead the United States.

It is with this in mind that we have to approach everything that happened from 1962, after the first contact with Nosenko terminated, and the time Nosenko was turned over to the CIA Office for Security Reinvestigation.

The polygraphs themselves must be evaluated in the light of their use, not to get at truth, because they were not used as an instrument of getting at truth. They were used as an instrument of intimidation of one sort or another, in one way or another.

Now, again on the handling of Mr. Nosenko, the belief among the small group of people running the Nosenko case, a very limited group of people, was that he was

part of a plot of the type outlined by Mr. X, which was so horrendous that therefore not many people could be made privy to this investigation.

Then at another part of his testimony—and I am skipping parts to get at pertinent parts—he said:

In addition to that, the operator was guilty of some provocative remarks. He told, before the polygraph examination, one of the polygraph examinations began, he told Nosenko that he was a fanatic, that there was no evidence to support his legend, and "your future is now zero."

Then, if I recall his testimony correctly, he went on to explain that in a polygraph test obviously you do not make comments of this sort to a man prior to him being given the test.

Then he says in further quotes:

* * * The chief of SB and the Deputy Chief of SB, the fact that the man was, except for extraordinary lengths of time strapped into the chair, all of these add up in the estimation of the CIA examiners who have gone over this series of tests, to an invalid polygraph.

Now in the handwriting of the Deputy Chief, SB, who is a day-to-day supervisor of the activity which I have been describing, it is—there is an admission which is implied fairly clearly that there was no intention that this 1966 series of polygraphs would be valid. I read here a direct quotation which exists in writing and most of it is in the handwriting of the Deputy Chief of SB. Speaking of the aims to be achieved by the 1966 polygraph examinations, he writes, "To gain more insight into points of detail which we could use in fabricating and ostensibly confession insofar as we could make one consistent and believable event to the Soviets, a confession would be useful in any eventual disposal of Nosenko."

Now, he does not clarify what he means in this document by disposal, but it is apparent that—

And then Mr. Sawyer interrupted and said,

Excuse me. Did you use the term eventual disposal of him?

Mr. Hart. I used the term eventual disposal, yes, sir.

Now, Mr. Helms, I think it would be important to this committee to have your comments on Mr. Hart's testimony with reference to why the polygraph was being utilized in light of your own.

My understanding is that the first polygraph examination that he was given was designed not to elicit the truth; it was designed to be used as a pressure tactic on him to see if he would confess.

Mr. HELMS. I thought the only polygraph or the only two polygraphs that were given in the normal polygraph way by examiners who had nothing to do with the interrogation were the last two. I think the first one, it has been admitted, was for the purpose of bringing pressure to bear on him.

As to those lurid comments about the disposal, I have already addressed myself to those. I knew nothing about these comments; I knew nothing about a written confession; I knew nothing about anything of those things at the time. They may have been written down by the Deputy Chief of Soviet Bloc Division, but I have not seen his notes. All I know is that I was never aware of this, and therefore there was never any indication on the part of anybody in a position of responsibility in the management of the Agency to do anything with Mr. Nosenko except to try to establish his bona fides somehow.

Chairman STOKES. So if these things were being done while you were in the capacity which you have described here, it was never brought to your attention?

Mr. HELMS. It was not.

Chairman STOKES. The responsibility for handling Nosenko was initially given to the SR branch or the SR division. Did the SR

division enter into a situation as the neutral party, or did the SR division think from the very beginning that Nosenko was not a bona fide defector?

Mr. HELMS. I think early on their conviction was that he was not a bona fide defector. That is my impression today.

Chairman STOKES. When the security officer began his investigation did he enter the situation in a sort of neutral capacity?

Mr. HELMS. I don't know whether he entered it, sir, in a neutral capacity or whether he felt the SR division fellows had been wrong and that a different treatment with Nosenko would elicit a different result. I am inclined to think that was the status of the affair. In any event, by that time it was clear that the hostile interrogation was getting nowhere.

Chairman STOKES. At that point you were aware, of course, of the hostile interrogation; is that it?

Mr. HELMS. Yes. Since I indicated a decision was made to try that after his behavior—his thinking was such there was no way to get him to talk at all except to confine him.

Chairman STOKES. How would you characterize, by the way, your own reaction to this whole situation? Was this frustrating? Or were you just content to go along with this in this whole period of time?

Mr. HELMS. I don't think there has ever been anything more frustrating in my life. This would have been resolved very rapidly if it involved anything except the assassination of President Kennedy. I don't suppose I would be sitting here today if he hadn't been assassinated either.

Chairman STOKES. I think you testified earlier today that you told or communicated the fact to Chief Justice Warren that this man's bona fides generally could not be established, that he was not believable. When you met with Chief Justice Warren for the purpose of clarification did you tell him specifically the agency had been unable to resolve the issue of Nosenko's bona fides, or did you tell him that the Agency did not think that Nosenko was bona fide?

Mr. HELMS. I believe, and it is my recollection, that what I said to the Chief Justice was that we don't know what this man represents but we cannot vouch for him. In other words, we cannot vouch for him positively, and therefore I think the Warren Commission should take into consideration the fact that we cannot vouch for him and therefore we cannot sign off, if you like, on what he has said as being true, and that in all fairness to the Commission this obviously sets in question the statement which the FBI passed to the Warren Commission about Nosenko's comments right after his defection about Oswald, and that I took as close to a middle position as I could.

In other words, I didn't use any excessive language, I didn't attempt to dramatize this. I just said we can't establish his bona fides. And that is our responsibility and I am sorry.

Chairman STOKES. Yesterday I put into the record an exhibit which was a report to the Warren Commission that had been compiled as a result of testimony taken from Nosenko by the FBI, a fairly extensive document which the Warren Commission had in its files. I did not see such a document with reference to the CIA. Can you tell us what the substance was of what you told the

Warren Commission or Chief Justice Warren of Nosenko's story about Oswald?

Mr. HELMS. Sir, I am not sure I quite understand. Are you asking me is there a document in existence of what I told Chief Justice Warren?

Chairman STOKES. Yes. It can be answered twofold. No. 1, I am asking you, is there such a document? No. 2, tell us what, if anything, was said, whether there is or is not a document.

Mr. HELMS. I don't know; I don't think there is a document. I don't recall ever having written a document about it. Whether Chief Justice Warren himself wrote a document or whether it is incorporated in the proceedings of the Warren Commission, that I don't know either, sir.

Chairman STOKES. Can you give us the benefit of what you told him about the substance of Nosenko's story?

Mr. HELMS. I don't believe that at this meeting, at least as I now vaguely recall it, that I went into the substance. I simply stuck to the fact that I couldn't vouch for the man and therefore whatever he had said they would have to judge in that light.

Chairman STOKES. Can you tell us what Chief Justice Warren's reaction was?

Mr. HELMS. I don't think he was pleased to hear this. He was perfectly reasonable about it and said, thank you, and I will inform my colleagues on the Commission about this; I appreciate your having told us, and we will be guided accordingly.

Chairman STOKES. Did the Warren Commission themselves or staff ever make a request to interview—

Mr. HELMS. I am not aware of it, Mr. Stokes, if they did.

Chairman STOKES. Did you inform the Warren Commission in April of 1964 that Nosenko was then being placed in solitary confinement?

Mr. HELMS. I don't remember any more what the Warren Commission was told about the circumstances of Mr. Nosenko's living conditions or handling. I don't have any recollection of that at all. Whether any of my colleagues sought to provide it, I just don't know. Fifteen years is a long time to remember.

Chairman STOKES. Let me ask you this. Is it something that you think they should have been told about?

Mr. HELMS. I have a hard time answering. I think we were all preoccupied with getting at what Mr. Nosenko knew about Oswald and the details had been given them, and it would seem to me those were the relevant things.

Chairman STOKES. Wouldn't it have been either a responsibility of you or Mr. McCone to advise the Commission of the extraordinary action being taken with reference to this affair?

Mr. HELMS. I don't think there is anything particularly extraordinary about the manner in which the Warren Commission was sitting.

Chairman STOKES. You misunderstood my use of the word "extraordinary." It seemed to me at the point where you are getting ready to put a man in solitary confinement—under conditions under which he was confined is not a normal American situation.

Mr. HELMS. I understand that.

Chairman STOKES. So I put it in that sense. Don't you think they should have been advised of this extraordinary situation?

Mr. HELMS. Maybe my recollection is faulty, but during the time that we were attempting to resolve his bona fides in order to help the Warren Commission, the fact that he was being kept alone and isolated and so forth, I don't think that would have come as a surprise to anybody. This is the way we handled all defectors.

Chairman STOKES. That was standard operating procedure; is that it?

Mr. HELMS. Of course. What would you do with them, put them in the Hilton?

Chairman STOKES. Whose decision was it, Mr. Helms, to place him in solitary confinement?

Mr. HELMS. I think it was the decision arrived at by those involved in the case that this was—well, it was a kind of a decision jointly arrived at, I am sure, on the recommendation of the individuals who were going to do the interrogating, and at the original point of departure obviously he would have been kept alone and an effort would have been made to interrogate him on successive days. The fact he was held so long is something that came afterward. That didn't have much to do with the Warren Commission once their report had come out, but we still were under this necessity to try to resolve the case; but a lot of people were involved in this decision. This is probably not the kind of decision an individual makes all by himself.

Chairman STOKES. What I am trying to do is have the record clear as to who made this decision as of April 4, 1964, to place him in solitary confinement.

Mr. HELMS. I don't know who exactly made the final decision. I assume it went to the Director for his approval. I don't know this as a fact. I would assume that the agency records might show this. If they don't, my recollection is not that clear any more. I was a party to the decision, I am sure of that. I don't want to duck anything around here. I don't want any of you gentlemen to think that like so many witnesses which come before congressional committees nobody can be found who is prepared to stand up and say they were there; but I was there. It would not have been my final decision to make.

Chairman STOKES. So that the committee then, following up on your last words, so they can properly assess it, what specifically was your input?

Mr. HELMS. I assume my input would have been to agree this should be tried, the hostile interrogation should be tried. I obviously had no idea at that time that this was going to drag on so.

Chairman STOKES. Mr. Helms, let me refer you once again to page 147 of the declassified transcript. The question posed to you on that page.

Mr. HELMS. 147, Mr. Stokes?

Chairman STOKES. 147.

Mr. HELMS. Is this where I say, "I certainly agreed to the fact that this should be tried."?

Chairman STOKES. No. I would like you to refer to line 17 and then I want to ask you this question.

Mr. HELMS. I see line 17. It is where Mr. Goldsmith asked me a question.

Chairman STOKES. The question asked of you by Mr. Goldsmith, "Please describe to the best of your knowledge the conditions under which Nosenko was placed when he was put in solitary confinement."

Answer: "He was put into a small house in the countryside where he had a perfectly sanitary and satisfactory living condition. They were just not particularly spacious or padded, let us say. His bed was perfectly adequate, his chair was perfectly adequate, the lighting was perfectly adequate, but it was not particularly comfortable in the normal American sense of the terms."

Was that question asked of you and was that your answer?

Mr. HELMS. Yes. If that is not an accurate description of the first place he was held after his defection, then I was misinformed. I never went to visit the place myself. This is simply what I was told.

Chairman STOKES. So my understanding now is the testimony here today would not be the same as it was on that day. Is that what you are saying?

Mr. HELMS. No, I am not, sir. I am simply saying that I believe he was held in different places in this period of time. As to the first place he was held, it is my understanding this is an accurate description of it. If it is incorrect, I am sorry. But I would just do my best to describe what I understood. Is it not correct?

Chairman STOKES. Let me ask you this. What do you understand; the conditions changed from what you have described?

Mr. HELMS. Some months later when another facility was created specifically to hold Mr. Nosenko, I believe that was somewhat later on—it must have been later on because it had to be arranged.

Chairman STOKES. I am having a little problem understanding. On that occasion if you were under the impression Mr. Goldsmith was asking you about one particular place and you had in mind another place. Why didn't you indicate that at that time?

Mr. HELMS. That is quite conceivable, Mr. Stokes. I am sorry if when he says the place he was in solitary confinement, if that referred to the later installation, I didn't understand it that way. He was in solitary confinement from the time he was brought over.

Chairman STOKES. At the point he was put into solitary confinement, then, can you describe the conditions that existed then?

Mr. HELMS. Now in "solitary confinement," are you referring to the installation in which he was later held, which was constructed for this purpose? Is that the one you are talking about?

Chairman STOKES. Let me put it this way, so that there is no mistake about it: He was put in solitary confinement April 4, 1964; is that right?

Mr. HELMS. He was subjected to hostile interrogation. Is there a magic to solitary confinement, aside from the fact that is kind of buzz word in the United States? I mean, he is living alone in a house; is that solitary confinement, or do you have something else in mind? That is all I am trying to get after.

Chairman STOKES. How many times was his position, where he was headquartered at a house, changed?

Mr. HELMS. I don't know. I don't know where he was first put when he arrived in Washington. I don't know if that is the same

place he was kept until he was moved to a later place. I am not sure of these details anymore at all.

Chairman STOKES. Well, are you able to describe any of these places where he was kept for us?

Mr. HELMS. The place, the installation, which he was later taken to, I saw many years afterward. Have you seen it?

Chairman STOKES. No, I have not.

Mr. HELMS. I guess it still exists.

Chairman STOKES. Can you describe that place for us, the conditions that he experienced there?

Mr. HELMS. I never visited the place when Mr. Nosenko was there. It was quite some years after he had left there that I went to see it. At the time it was constructed, I believe I sent an officer or a couple of officers in whom I had confidence to go down and examine the place and see if it was too rigorous or whether it was proper for the purposes and so forth; and I was assured that it was all right.

Perhaps I should not have taken their word. Maybe I should have gone down myself, but the fact remains that I have seen it once; but I can't describe the conditions under which he was held because I never visited him when he was there.

Chairman STOKES. Mr. Helms, prior to April 4, 1964, when he was put in solitary confinement, hadn't he been on vacation in Hawaii with some of the CIA agents for over 2 weeks?

Mr. HELMS. Well, I knew he was drinking in Baltimore; he was in Hawaii. There were various devices being used to try and take care of him, and talk to him, and so forth; so it may be that it was in April precisely that he was put in solitary confinement or that he was confined. Let's put it that way.

Chairman STOKES. He was confined as of that date?

Mr. HELMS. After all, he was in the custody of these individuals, as soon as he arrived in the United States. I am not sure when he was confined, but if it was in the same house in which he was living in Washington, or whether it was or not, I am sorry, I just don't have these details, Mr. Stokes.

Chairman STOKES. But even the place which you described in your previous testimony—you don't know when that was, do you?

Mr. HELMS. I thought this was the first place he was put when the serious interrogation began. When I was down here before—and I guess it is in this book somewhere—Mr. Nosenko himself, I believe, gave this committee an affidavit, describing the fact that he was held in two different places. That was the basis on which I assumed he was accurate about it; but if this is now coming down to a question of my veracity about this testimony, then I must have misunderstood the question. I would rather withdraw it and not describe at all how Mr. Nosenko was held. I think that would be better for the record.

Chairman STOKES. Is that your preference?

Mr. HELMS. Yes. Then there won't be any question about it.

Chairman STOKES. I ask, Mr. Chairman, that the clerk mark another exhibit in her possession as JFK F-446. I request that the witness be provided a copy of it and that this exhibit be entered into the record at this point.

Mr. PREYER. Without objection, JFK exhibit No. F-446 will be admitted into the record at this point.

[The information follows:]

JFK EXHIBIT F-446

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

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

After finishing the test an officer of CIA [REDACTED] has come in the room and talked with a technician. [REDACTED] 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 [REDACTED] [REDACTED] 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

[REDACTED]
-JFK Exhibit F-446-

given a tooth brush and a tooth paste 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 summer time.

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 3860 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 one day of interrogation and one 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 tooth paste I found in a tooth paste box a piece of paper with description of components of this tooth paste. I was trying to read it (under blanket) but guards noticed it and again it was taken from me. Conditions in both (first and second) locations were analogical.

I was there till November 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 [REDACTED] (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

Rosenko V. I.

Lula A. Wool
Notary Public

3 My Commission expires 5 November 1979



Chairman STOKES. I request further, Mr. Chairman, that in the event I did not request that JFK exhibit F-537 be made a part of the record, that it be made a part of the record at this point.

Mr. PREYER. Without objection, JFK exhibit F-537 is entered into the record at this point.

[The information follows:]

JFK EXHIBIT F-537

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 #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 1976 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)

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.

Mr. HELMS. I have the document.

Chairman STOKES. Mr. Helms, when this committee interviewed Nosenko, during the course of the testimony we took from him I made a special request that he provide this committee with an affidavit which set forth with preciseness exactly the way he was treated while a member—while in custody by the CIA.

I want to read this exhibit at this time:

In accordance with the request of the staff of the committee, the House Select Committee on Assassinations, I make the following statement describing the conditions of my imprisonment from April 1964, to 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 has come in the room and talked with the technician, started to shout that I was a phoney, and immediately several guards entered in the room. Guards ordered me to stand by the wall, to undress and check 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 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 2 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 until 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 to. I could not read. I could not smoke. I even could not have fresh air or to see anything from this room. The only window was screened and boarded. The only door to 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 lightbulb. The room was very hot in the summertime.

In the end of 1964, there was 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 related 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 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. The 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 chain-linked 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 a chess set. 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. Once when I was given a toothpaste, I found in the toothpaste box a piece of paper with description of components of this toothpaste. I was trying to read it under blanket, but guards noticed it and again was taken from me.

Conditions in both first and second location were analogical and illogical. I was there until November 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 CIA officers started questioning me every day, excluding Sundays, touching all questions concerning my biography, career in the KGB and all cases of the KGB known to me. I was in prison for the whole 5 years and I started my life in the USA in April of 1969.

Dated August 7, 1978, signed by Nosenko, Y. I.

This affidavit was taken by counsel for this committee, Kenneth Klein, as a result of my request.

Having heard this affidavit as I read it, can you tell me whether or not that was a bona fide statement of Mr. Nosenko about the way he was treated by the CIA?

Mr. HELMS. Mr. Stokes, I have no means of agreeing or disagreeing. I have no basis for agreeing or disagreeing. I didn't visit him during the time he was being held. After that affidavit was read to me back in August, I inquired of one of my former associates who had to do with the holding of Nosenko. He said that he was certainly held under difficult conditions but I don't think that his testimony about the food that Nosenko has—he made the point that the doctor examined him once a week and that certain of these statements would seem to be somewhat exaggerated. But I have no independent basis for saying that.

You can bring this officer in here anytime you like and ask him. I just don't know whether it is correct or not.

Chairman STOKES. Did anyone working under you ever request permission to give him drugs?

Mr. HELMS. My recollection is that there was a request made to use the kind of drugs that were considered to be aids in interrogation, the truth drugs, such as, I believe, sodium pentothal, is one of them.

I don't recall exactly what was proposed, but I made it clear on that occasion that he was to be given drugs under no circumstances; and I also made it clear from the very outset that he was not to be mistreated physically. To the best of my knowledge, he was never given drugs and never mistreated physically and regu-

larly was checked by doctors to check his state of health. The doctor who did the checking was a medical doctor as well as a psychiatrist.

Chairman STOKES. When Mr. Hart testified here a few days ago, in substantially every detail in Mr. Nosenko's affidavit, Mr. Hart verifies that this is the way this man was treated, and he verifies that from 6 months compilation of records of the CIA, compiled, researched, and studied by him and four assistants, with that knowledge.

Do you still say that your position being what it was with the Agency that you knew nothing of these Spartan conditions?

Mr. HELMS. I knew that he was being held under Spartan conditions. I am simply saying I am unable to attest to the details that he has in here, because I never went to visit him during this time. The reports were made to me that he was being held in Spartan conditions; that is why we had the doctor go down to examine him.

Chairman STOKES. With reference to his diet there, is it your statement that you said that statement was exaggerated?

Mr. HELMS. The gentleman with whom I spoke a few days ago told me the one thing he insisted on was that Mr. Nosenko got enough food. He told me this. I can only attest to what he told me, but he is available if you want to talk to him.

Chairman STOKES. We have the statement of the CIA that periodically during this time his diet was modified to the extent his portions of food were modest and restricted. That is their statement to us.

Mr. Chairman, I think I have maybe just one or two final questions.

The conditions that we have just talked about obviously began April 4, 1964; is that right?

Mr. HELMS. That is what you say, Mr. Stokes.

Chairman STOKES. I am not the witness here.

Mr. HELMS. I am going with your time schedule from now on. There is no sense in my getting all confused and delaying this hearing. I will accept what you say, that it started in April 1964.

Chairman STOKES. You will accept it. The report of the Warren Commission was not issued until December—September of that year.

Mr. HELMS. I am sorry, sir—did you say September or December?

Chairman STOKES. I originally said December, and I was wrong. It was September.

Mr. HELMS. September?

Chairman STOKES. Right. It would seem to me that that would have been ample time for the Warren Commission to have been advised of the conditions under which a defector who professed to have important information about Oswald was being kept.

If I understand your testimony correctly, the Commission was not told of these conditions under which this defector was being kept?

Mr. HELMS. I don't recall their having been told; they certainly knew that we had the defector in our custody, because that was the burden of what I told the Chief Justice. The precise circumstances under which he was being held, if they were identified to the Warren Commission, I am not aware of it.

Chairman STOKES. Thank you, Mr. Helms.

Mr. Chairman, I yield back the balance of my time.

Mr. PREYER. This may be a good place for us to break, if you have completed your questioning, Mr. Chairman.

Let me suggest that the committee recess until 1:30. Would that be agreeable to you, Mr. Helms?

Mr. HELMS. Certainly, Mr. Chairman.

Mr. PREYER. Is that agreeable with the committee?

The committee stands recessed until 1:30 today.

[Whereupon, at 12:18 p.m., the hearing was recessed, the committee to reconvene at 1:30 p.m. of the same day.]

AFTERNOON SESSION

Mr. PREYER. The committee will resume its session.

The Chair recognizes Congressman Dodd for such time as he may consume to resume the questioning.

Mr. DODD. Thank you, Mr. Chairman.

Mr. Helms, before I begin my line of questioning, I would like to ask you if you might not want to clarify one of your statements. I received some calls over the lunch break from some constituents from my home State of Connecticut who were listening to the testimony this morning. They mentioned to me your response earlier regarding Eastern Europeans and Asians with their propensity to be able to pass polygraph tests, and it occurred to me that you might want to rephrase your statement.

I understood you to mean trained agents from those parts of the world rather than Asians and Eastern Europeans as ethnic groups. I thought you might want to take a minute to clarify that.

TESTIMONY OF RICHARD HELMS—(Resumed)

Mr. HELMS. Mr. Dodd, if my generalization caused offense, I had no intention of doing this. What I, in effect, was trying to say was that there is an occasional individual who lives in that part of the world who has spent his life lying about one thing or another and therefore becomes so good at it that he can pass the polygraph test. But this would be 1 individual in maybe 1 million or a 100,000, something of that kind.

I imagine Americans, if they set their minds to it, could do it as well. I meant no offense to Eastern Europeans as a category or any individual Eastern European.

Mr. DODD. I thought I would clear that up.

Mr. HELMS. I am glad you did. I am sorry if any of your constituents felt I was being disrespectful, but I had no intention of being that way.

Mr. DODD. I would like, Mr. Chairman, to ask the clerk to show to the witness JFK exhibit F-413A. This is a letter dated April 3, 1964, from Lawrence R. Houston, general counsel, that Mr. Helms brought with him this morning and had, I believe, inserted in the record.

This is the only copy. Would you please show that to Mr. Helms.

Mr. HELMS. I have it in front of me, Mr. Dodd.

Mr. DODD. Mr. Helms, I noted in looking at the exhibit during the lunch break that there was no signature on that letter. There