

Assassination Records Review Board Final Determination Notification

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ASSASSINATION OF JOHN F. KENNEDY

WEDNESDAY, AUGUST 9, 1978

U.S. House of Representatives

John F. Kennedy Subcommittee
of the Select Committee on
Assassinations

Washington, D.C.

Deposition of

DAVID E. MURPHY

called for examination by staff counsel for the subcommittee,
pursuant to notice, in the offices of House Annex II, Room 3370,
Second and D Streets,, Southwest, Washington, D.C., beginning
at 10:01 o'clock a.m., before Annabelle K. Short, a Notary
Public in and for the District of Columbia, when were present
on behalf of the respective parties:

For the Subcommittee:

KENNETH KLEIN, Senior Staff Counsel

For the Deponent:

(There was no representation by counsel.)

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1 Mr. Klein. My name is Kenneth Klein and I am a senior
2 staff counsel for the Select Committee on Assassinations.
3 Actually I am Assistant Deputy Chief Counsel. The time is
4 10:01 on August 9, 1978.

5 Would you please state your name.

6 Mr. Murphy. My name is David E. Murphy.

7 Mr. Klein. And your address?

8 Mr. Murphy. 1537 Forrest Villa Lane, McLean, Virginia.

9 (Whereupon Mr. Murphy was sworn by Ms Annabelle Short,
10 a Notary Public in and for the District of Columbia.)

11 Mr. Klein. Are you certified to swear witnesses in
12 Washington, D. C.?

13 Ms Short. Yes, I am.

14 Mr. Klein. Mr. Murphy, you have in front of you the
15 Committee Rules and Resolutions. Have you had an opportunity
16 to look through them?

17 Mr. Murphy. I have.

18 Mr. Klein. And, in particular, have you had an opportunity
19 to read Rule 4?

20 Mr. Murphy. I have.

21 Mr. Klein. And you are aware that you have a right to
22 have a lawyer present at any deposition, and are you aware of
23 that?

24 Mr. Murphy. I am.

25 Mr. Klein. Are you here voluntarily?

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1 Mr. Murphy. I am here voluntarily.

2 Mr. Klein. And you are not under subpoena to appear here
3 at all? YOU have not been given any subpoena?

4 Mr. Murphy. Not that I know of.

5 Mr. Klein. As you can see, there is a stenographer taking
6 stenographic notes of what is being said. These notes will be
7 transcribed and a copy will be sent to you and you will be asked
8 to read it, and if there are any errors in the accurate trans-
9 cription of what you had to say, you are to inform us of that,
10 and if it is correct, to sign it, send it back to us and we will
11 then provide you, if you desire, with your own copy.

12 Mr. Murphy. All right.

13 Mr. Klein. In 1962, Mr. Murphy, Mr. Yuri Nosenko made his
14 first contact with the CIA; is that correct?

15 Mr. Murphy. Yes.

16 Mr. Klein. And he then defected to the United States in
17 1964. Would you tell us, beginning in 1962, in general, what
18 your contact was with Nosenko.

19 Mr. Murphy. I am not sure I understand my contact with
20 Nosenko.

21 Mr. Klein. What your position was in the CIA.

22 Mr. Murphy. I follow you. In 1962, I was the Chief of
23 the Eastern European Division of the then DDP, which included
24 in its area of responsibility Switzerland. When Nosenko made
25 contact with CIA in Switzerland the then Chief of the Soviet

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1 Russian Division advised me of this and gave me a general fill-
2 in on the case.

3 In the fall of 1963, I became Chief of the Soviet Russian
4 Division and was Chief of the Division when Nosenko defected.

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

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

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

14 Mr. Murphy. The Soviet Russian Division.

15 Mr. Klein. Of which you were the Chief?

16 Mr. Murphy. Yes, sir.

17 Mr. Klein. And what year did you leave the Soviet Russia
18 Division?

19 Mr. Murphy. Beginning in 1968.

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

22 Mr. Murphy. I don't recall the exact time but it was
23 certainly up until the Spring of 1967.

24 Mr. Klein. The report by Bruce Soley began, or the
25 investigation by Bruce Soley began at the end of 1967. At that

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1 time did the control or responsibility over Nosenko change
2 from the Soviet Russia Division to another division?

3 Mr. Murphy. My recollection is that it changed in the spring
4 or early summer of 1967 and the responsibility was turned over to
5 the Office of Security of which Soley was a member.

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

9 Mr. Murphy. I was responsible for the case.

10 Mr. Klein. Okay.

11 Mr. Murphy. Although the case was handled by one of the group
12 within the Division.

13 Mr. Klein. But they would report to you?

14 Mr. Murphy. Yes.

15 Mr. Klein. And did you report to any specific individual
16 on Nosenko?

17 Mr. Murphy. I reported both to the DDP.

18 Mr. Klein. Who was that?

19 Mr. Murphy. Until '67, until he died in July of '67, it was
20 Desmond Fitzgerald.

21 Initially the DDP was Dick Helms and then sometime in '65, I
22 think it was, I am not sure of the date, '65, he became the
23 Deputy Director of the Central Intelligence "Dez" Fitzgerald
24 became chief, the Director of the Operations Directorate. Then
25 after his death, Tom Karamasines became the Director of the

1 Operations Directorate, he was still DDP and I reported through
2 that chain of command and I reported to the Chief of the
3 Counterintelligence Staff, Mr. Angleton.

4 Mr. Klein. You stated that in the beginning you reported to
5 Richard Helms?

6 Mr. Murphy. He was DDP.

7 Mr. Klein. That was in 1964?

8 Mr. Murphy. 1964.

9 Mr. Klein. When Nosenko defected?

10 Mr. Murphy. Yes.

11 Mr. Klein. Now, in the following years, when different
12 people held that post of DDP, was Helms still involved in the
13 Nosenko case?

14 Mr. Murphy. He was but I don't recall any specific pattern.
15 It would depend I guess.

16 Mr. Klein. Can you tell us if you reported to the DDP?

17 Mr. Murphy. Yes.

18 Mr. Klein. What did he do? If you, for example, went to the
19 DDP, whoever it might have been, and said we have a decision to
20 make with regard to Nosenko, and you gave him the alternatives,
21 did you have any knowledge of whom eh spoke to, what he did, or
22 to whome he spoke?

23 Mr. Murphy. I can't give you a specific instance but the
24 pattern of operations is that the DDP would then discuss it with
25 the Director and Deputy Direcotr. That would be his chain of
command.

1 Or he would make the decision on his own.

2 Mr. Klein. So with regard to Helms, when he was DDP you
3 spoke to him directly. When he became Deputy Director or Direc-
4 tor, which eventually he did become, then the chain of command,
5 although you don't know of any specific instances, would have
6 him still involved in the decisions?

7 Mr. Murphy. It would. In order to be absolutely correct
8 about it, the DDP as one of the Deputy Directors for Operations,
9 made his own judgment as to what he would discuss with the
10 Director, what he would not discuss with the Director.

11 Mr. Klein. There came a time in 1964, April 4, I believe,
12 when the treatment received by Nosenko greatly changed in that
13 hostile interrogations began, is that dorrect?

14 Mr. Murphy. I am not sure I agree with the formulation of
15 the question.

16 Mr. Klein. Well, elaborate.

17 Mr. Murphy. No, the previous pattern of voluntary discussion
18 of issues under consideration changed and Nosenko was not per-
19 mitted to evade questions or to decide when he would or would
20 not want to respond.

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

23 Mr. Murphy. Well, the pattern before was one of pretty much
24 permitting Nosenko to call the shots. In other words, we wanted
25 his cooperation and we wanted to discuss these things in a

1 reasonable manner, but his preference was not to sit still for
2 a full day's briefing, to want to go out socially all the time,
3 which made it difficult the next day to continue to work. And
4 the most important aspect I think of the change was the decision
5 to confront him with inconsistencies as opposed to taking what he
6 said and passing it on.

7 Mr. Klein. What about the day-to-day living conditions,
8 were they changed?

9 Mr. Murphy. Well, he was not permitted to leave. He was
10 not permitted to depart? Other than that, in his day-to-day
11 treatment, not the actual interrogation sessions, but just his
12 food intake, his recreation, was that changed at that time?

13 Mr. Murphy. I don't think so. not that early. I don't
14 remember that?

15 Mr. Klein. The decision to change the type of interro-
16 gations, who made the decision? What were the dynamics?

17 Mr. Murphy. The decision was, the recommendation was made
18 to me, it was ---

19 Mr. Klein. Who made it to you?

20 Mr. Murphy. Bagley, the Chief of the group, because they
21 felt they could not proceed because of the problems I have
22 alluded to, and this was then discussed with both Angleton and
23 the DDP.

24 Mr. Klein. The DDP was Helms?

25 Mr. Murphy. At that time, yes. And the decision to

1 proceed to confrontation rather than continue essentially
2 a debriefing in which you permitted the person under debriefings,
3 in this case Nosenko, to believe that he was being believed when
4 it was considered the issues under consideration were suffi-
5 ciently important and the inconsistencies seemed so glaring,
6 so obvious, that it was thought by confrontation we could resolve
7 the matter and bring it to conclusion. Whereas the other way,
8 no, Nosenko would have rightly demanded full freedom, his
9 regulization of his status, and an office in the building.
10 That was the reationale at that time.

11 Mr. Klein. Who actually made the decision to go ahead with
12 this new mode of interrogation?

13 You said that Bagley recommended it to you?

14 Mr. Murphy. I concurred.

15 Mr. Klein. You consulted with Helms?

16 Mr. Murphy. I passed it on up the line and our recommendatio
17 was agreed to, except with the proviso that Angleton did not
18 believe that we should attempt at this stage to confront him, we
19 ought to spin it out for a long period of time. There were
20 practical and legal security difficulties in that. If you pre-
21 tend to a person that he is okay then you have to be prepared
22 to live with that pretence.

23 Mr. Klein. Did Helms concur with the decision?

24 Mr. Murphy. Yes.

25 Mr. Klein. Now, you told us sometimes the DDP would make

1 decisions on his own. Do you know if that was one of them?

2 Mr. Murphy. I don't know.

3 Mr. Klein. Helms made on his own?

4 Mr. Murphy. I don't know.

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

8 Mr. Murphy. That is right.

9 Mr. Klein. And how were the particular sub-areas on which
10 he was interrogated chosen?

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

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

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

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

17 Mr. Klein. And by the same token, when Nosenko was asked --
18 this is again all subsequent to April 4 -- when Nosenko was asked
19 followup questions, say, on Monday he was asked questions and on
20 Wednesday he was asked followup questions about the Monday's
21 questions, would that again be determined by the fact that
22 someone had made a decision that that area had potential for
23 breaking him and, therefore, followup questions should be
24 asked?

25 Mr. Murphy I believe so.

1 Mr. Klein. As opposed to a desire to gain information
2 of intelligence value, and that might be another reason why you
3 would follow up?

4 Mr. Murphy. well, the people at the time, I mean the judg-
5 ment at the time was it would not have been of intelligence
6 value because you couldn't put any trust in it. In my cases,
7 information was sought to enlarge the base against which you
8 could check things, not necessarily that you would use the
9 information as valid intelligence.

10 Mr. Klein. But, basically, subsequent to April 4th, it was
11 an operation designed to break?

12 Mr. Murphy. It was CI interrogation, it was not an informa-
13 tional acquisition exercise.

14 Mr. Klein. Are you aware that many if not all of the
15 sessions with Nosenko were tape recorded?

16 Mr. Murphy. I know I thought most of them were after April.

17 Mr. Klein. And do you have any knowledge of how, if anybody,
18 listened to these tapes or read the reports of the interrogators
19 about each day's interrogation?

20 Mr. Murphy. Well, the daily take was read by the Chief of
21 the CIA group, Pete Bagley by all the officers, and in reporting,
22 periodic reporting which went to the DDP, extracts or excerpts
23 from these tapes were included, all of which I saw.

24 Mr. Klein. How close were you to this operation?

25 Mr. Murphy. Well, because it was the kind of operation it

1 was, I had the forward and I did forward regular continuing per-
2 iodic reporting, so I was aware of what was going on.

3 Mr. Klein. Were you involved in every major decision made
4 at this time?

5 Mr. Murphy. Well, there were times when I wasn't there,
6 obviously, but I don't recall any major decisions of which I
7 would not have participated, at least in the discussion.

8 Mr. Klein. Basically what I am saying is, would anybody have
9 had the authority to make any kind of a significant decision con-
10 cerning Nosenko without coming to you and letting you know
11 about it, would Bagley for example have had that authority?

12 Mr. Murphy. He would have had that authority if I weren't
13 there.

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1 Mr. Klein. You mean --

2 Mr. Murphy. If I were on TDY, I was away on TDY, a great
3 deal on trips.

4 Mr. Klein. When you would return, would you be briefed on
5 what went on?

6 Mr. Murphy. Yes, and I know, of course, since this never
7 occurred to my knowledge, he must have kept both Angleton and
8 Fitzgerald, DDP aware of what was going on, because they would
9 have required regular reporting.

10 Mr. Klein. But I am more interested in your knowledge.
11 Would it be fair to say that you were close enough to this that
12 if a decision was made of my note you would know about it, if
13 not when it took place, afterwards?

14 Mr. Murphy. Yes, I would become aware of it.

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

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

19 Mr. Klein. Do you recall now the substance of it?

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

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1 Mr. Klein. Did you accept this statement by Noesnko, you
2 personally.

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

11 I think I mentioned the other day it seems to me almost
12 to have been tacked on or to have been added as though it
13 didn't seem to be part of the real body of the other things
14 that he had to say, many of which were true. You understand
15 that Nosenko was -- much of what he said was true.

16 Mr. Klein. You are talking about other areas?

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

22 Mr. Klein. Do you recall any other specifics about what
23 bothered you about the Nosenko statements on Oswald? For
24 example, what incidences bothered you?

25 Mr. Murphy. Well, I didn't remember this very well, but

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1 the one when Oswald tried to commit suicide, Nosenko happened
2 to be on duty or something, and what is how he knew what
3 happened. This is very vague, in my mind, but that is one
4 other thing I recall.

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

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

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

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

23 Mr. Murphy. Yes, they would be two different points. The
24 first point clearly involves the KGB and GRU. This is simply
25 a chap arriving with this background and no one taking the time

1 just from a military intelligence technical point of view,
2 telling us how it worked when this thing came in at 90,000
3 feet what did the blips look like. I don't think they had
4 many American radar operators handling operational traffic
5 involving U-2s.

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

11 Mr. Murphy. I think it would be strange.

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

22 I realize that there is a body of thought which says that
23 some people think the Soviets are ten foot tall. I don't believe
24 they are. I think they are very, very, very much the other way.
25 What I find difficult on the part of many Americans is that

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1 they will not ascribe to the Soviets the same elemental
2 competence that we have. That is all I ask. And, therefore,
3 we in Germany will talk to a private in the East German Border
4 Guards, period. The GRU would be interested in talking to a
5 private. He was a corporal in the Marine Corps, who had stated
6 to a consul in a consular office, which is manned by the
7 Soviets, Soviet locals and what have you, fully accessible to
8 the Soviets, unlike the higher floors of the Embassy, that he
9 wanted to talk about his experiences, that he wanted to tell
10 all. I guess I found it difficult to believe this is one of
11 the things that made, or many other aspects of the case, but
12 this is one of the things that created an atmosphere of dis-
13 belief that there must be something to this case that is
14 important, vitally important to the Soviet Union and we can't
15 understand it.

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

18 Mr. Klein. Have you learned anything since then?

19 Mr. Murphy. No, I have learned nothing new that would
20 account for that, and I don't know whether he
21 said anything new. I presume what you are saying to me, it was
22 a hypothetical, was that a hypothetical?

23 Mr. Klein. Well, I wanted you to just comment on that
24 situation.

25 How many years have you been in intelligence work? How

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1 many years did you work for the CIA?

2 Mr. Murphy. I joined CIA in 1948. Before that, I worked
3 for two years for US Forces Intelligence Division, US Forces,
4 Korea. Before the Korean War, from '47-48. So I would say
5 before that, I was in Germany, a liaison officer with the
6 Soviet forces.

7 Mr. Klein. Over 20 years?

8 Mr. Murphy. Almost thirty. Thirty years I would say.

9 Mr. Klein. And on the basis of your experience and know-
10 ledge gained over almost 30 years, is that what is giving you
11 trouble with Nosenko's statements about Oswald?

12 Mr. Murphy. And other things.

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

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

23 Mr. Klein. During this interrogation period, beginning
24 in April of 1964, would it be fair to say that the questions
25 relating to Oswald and the problems which you have just been

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1 discussing relating to Oswald constituted a major area for
2 questioning and interrogating Nosenko?

3 Mr. Murphy. Probably not.

4 Mr. Klein. Why would that have been?

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

10 Mr. Klein. Who in the Soviet Russia Division made the
11 decision as to who would question Nosenko, subsequent to
12 April 4th?

13 Mr. Murphy. Bagley, Chief of the Group.

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

16 Mr. Murphy. Some knowlege of Russian, as Nosenko's
17 English was not good, the fact that he had been exposed. Well,
18 that is one of the aspects of the CIA interrogation. You try
19 not to use too many people because you then lose. In the
20 first place, you are dealing with a potentially hostile guy
21 who is liable to go back to the Soviet Union or return to the
22 other side, and so you don't want to propose too many officers,
23 plus the fact it is not a good idea to simply bring a lot of
24 people in. You have to have people who studied the case and
25 became in depth, know it in depth and therefore, so they use

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1 the officers that they had available and there were a variety
2 of criteria.

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

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

14 Mr. Klein. Two points --

15 Mr. Murphy. The reason that the chap was chosen was
16 because he was levelheaded, extremely toughminded, and was
17 going to be with the case for the long pull. He was not going
18 to be changed. That is why he was used. And his career since
19 then has borne out the judgment of many, he is a very good
20 officer.

21 Mr. Klein. But wouldn't --

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

25 Mr. Klein. Well, if I asked you to consider a hypothetical

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1 situation, where I told you the officer who interrogated Oswald
2 knew nothing about Oswald other than what he learned from
3 Nosenko, would you think that was unusual that they would not
4 have, if not, if they didn't have somebody already who knew
5 about Oswald, at least given somebody a thorough, from A to Z,
6 everything that the CIA knew about Oswald, would you think that
7 was unusual, they didn't do that?

8 Mr. Murphy. I would certainly think so.

9 Mr. Klein. The second question, part of my question was
10 the other point I made to you a week ago when we spoke, is
11 that to our knowledge, let me be frank, we spoke to the par-
12 ticular officer in a deposition, so that our knowledge is
13 gained from all that, it is possible that since I have not
14 seen the typed up deposition that what I say might not be
15 exactly what the deposition says, but my recollection of it is
16 that he also had little or no prior interrogation experience,
17 and my question is would that be --

18 Mr. Murphy. That wouldn't surprise me because there were
19 very few people, relatively few people, in the Division or
20 indeed elsewhere who had a lot of interrogation experience.
21 We hadn't done a lot of very many hostile CIA debriefings.
22 People who might have been used were probably otherwise, either
23 abroad, might have had experience, but I know it might sound
24 strange. There just wasn't squads and squads of highly trained
25 fluent Russian speaking CI experienced interrogators.

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

Mr. Murphy. Yes.

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

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

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

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

Mr. Klein. You say at that time. Did you become stronger later?

Mr. Murphy. I think everybody became stronger later, so much has been said about it. That is what I meant.

One of the things that I am sure you are aware of is that the investigation, primary CIA contribution to the post-assassination investigative activities and background was coordinated by CI Staff and a lot of things that are spoken

1 about today everybody seems at awe about, the Mexico angle,
2 we knew nothing about, particularly involved Cubans. If it
3 involved one Russian case it was because of the coordination
4 collection was done by CI Staff. They made information
5 available to the Warren Commission and it was not lateral, that
6 is what I meant by saying, I know more about it today than I
7 knew then.

8 Mr. Klein. In 1967, the decision was made to allow Bruce
9 Soley to in effect reinvestigate Nosenko's bona fides?

10 Mr. Murphy. Yes sir.

11 Mr. Klein. And eventually he wrote a report?

12 Mr. Murphy. Bruce had participated in every way in the
13 case from the beginning. He monitored many of the debriefings
14 or interrogations, I can't tell you exactly how many, because
15 I don't know, but I know he was involved, I know I had many
16 discussions with him about the case, and some of the other
17 leads that developed from the case. So he was the logical man
18 for the Office of Security and for CIS management to pick if
19 they wanted another look taken of the case.

20 Mr. Klein. You say that you had many discussions with
21 him?

22 Mr. Murphy. Well, naturally a dozen over the years.

23 Mr. Klein. What was his general viewpoint prior to 1967
24 when he got this assignment? What was his general viewpoint
25 on Nosenko?

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1 Mr. Murphy. He didn't know why Nosenko was saying the
2 things he was saying, but some of the things he said he thought
3 were true.

4 Mr. Klein. The first part you have elaborated?

5 Mr. Murphy. He didn't understand the motivation under-
6 lying the many contradictions which were evident in what
7 Nosenko had to say and yet he said, some of the things he has
8 told us are true, they are leads to people who have indeed
9 been Soviet agents and who have been rolled up and arrested
10 and, therefore, we should simply take it for what it is and
11 as far as the basic resolution of the why, that is your problem.

12 Mr. Klein. How?

13 Mr. Murphy. I don't mean, I am not being sarcastic. He
14 was concerned with leads which had to do with American security
15 and there was a lot Nosenko had to say in those leads which
16 was valid. The purpose of those leads, if you looked at it
17 from the point of view of CI Staff and the CI Groups or
18 Divisions, was that they were not leads which went anywhere
19 because the people had already lost their access, they were
20 already out of play, and that is what I mean when I said that
21 the deeper underlying motivation, the pattern, for what Nosenko
22 was saying, if there was a pattern, was up to CI Staff and
23 the SR Division to figure out. They were the operational
24 people. They were the DDP people. The Office of Security
25 was interested in taking whatever he had to say. I don't mean

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1 that just exactly as I said it.

2 Mr. Klein. Were you surprised that Soley was given the
3 assignment that he was given in '67?

4 Mr. Murphy. No, I was not surprised at all. I thought
5 that the fact, I was not surprised that the responsibility
6 for the case was transferred to the Office of Security, as a
7 practical matter, because I discussed with my deputy at the
8 time, in hte winter of '66, I mentioned this before, I said --

9 Mr. Klein. Who was your deputy?

10 Mr. Murphy. []. He wasn't there very long.
11 He was replaced. He was deputy during, I think, part of '67,
12 when Bagley went overseas, I don't remember the exact dates,
13 that really isn't important. The thing that is important is
14 I said this case is not going to be resolved and something has
15 to be done to find a mechanism for dealing with it, and so
16 the solution which was proposed, and I was not a part of the
17 discussions, but I didn't have any great sense of -- I wasn't
18 unhappy -- I also was anxiously thinking about getting overseas
19 again myself, but I think the fact they gave it to the Office
20 of Security and Bruce Soley became the leader of that reinves-
21 tigation made sense.

22 Mr. Klein. Were you surprised at his ultimate resolution
23 of the matter, the fact that he found or concluded in his
24 report that Nosenko was bona fide?

25 Mr. Murphy. Well, I never read his report and I have

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1 never read it to this day. So I just don't --

2 Mr. Klein. The conclusion you do know?

3 Mr. Murphy. That he was totally bona fide, there were no
4 caveats? I mean, I just don't -- I would be surprised if that
5 were the case. I have not read it, I don't know. If the
6 statement were made this guy is absolutely bona fide from
7 every point. Bona fide doesn't mean he is not a dispatched
8 agent. It is a lousy term, frankly, bona fide. It means
9 either personality problems, are there quirks, are there
10 aspects of the man's background which he has attempted to hide,
11 which, therefore, have produced contradictions? But on balance
12 we do not believe he was dispatched by KGB with a mission
13 against the United States. Those are the kind of conclusions
14 I would expect Bruce's report to have.

15 I don't think Bruce would ever end his report with the
16 conclusion he is fully bona fide. I haven't read it, but I
17 don't think that would be the case. I think there would be
18 some attempt to explain why some of these, you could blame,
19 I suppose you would have to deal with some of the strange
20 contradictions which were evident, quite apart from whether you
21 think he was dispatched or not, and those could be explained,
22 and in a conclusion I think by personality, I don't know.
23 I am just saying, I don't know what he said but I can't believe
24 it would be stated as baldly as that, as simply as that. I
25 think he would have to make some general conclusion about the

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1 man, the personality, then come up with a final decision,
2 which is the most important one, whatever the reasons for
3 inconsistencies, discrepancies and contradictions.

4 If that is what you are saying, I would not be surprised
5 with that conclusion.

6 Mr. Klein. Why wouldn't you be?

7 Mr. Murphy. Because we never were able to develop any
8 hard legal proof which would support the fact he was a Soviet
9 agent.

10 Mr. Klein. Let me ask you this. If you have a situation
11 where you can't develop any hard proof that somebody is
12 dispatched and at the same time --

13 Mr. Murphy. You have reservations.

14 Mr. Klein. You have reservations. Is there any kind of
15 precedent or any kind of criteria for what the intelligence
16 community or what the Agency would do in a situation like
17 that?

18 Mr. Murphy. I cannot cite a specific case. It seems to
19 me -- and this is on the basis of general background as opposed
20 to a specific case -- that in similar cases but not nearly as
21 spectacular, the level of the personal or the data, in many
22 cases; the defectors have been talked to, there have been
23 difficulties with them, there finally has been sort of an
24 inconclusive determination, not sufficient to impede their
25 stay in this country, but there would always be a residual

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1 view, generally in the CI Staff, in the file, that certain
2 aspects of this man's background were never resolved, we suspect
3 this may have been the case. That is all you can do.

4 Mr. Klein. What would be your reaction to learning that
5 the reservations which you and others had concerning what
6 Nosenko had to say about Oswald, were not resolved in any way
7 by Bruce Soley and yet he reached an opinion which, whether
8 it is qualified or not, found Nosenko to be bona fide?

9 Mr. Murphy. I can't comment on that.

10 Mr. Klein. Well, do you think from your knowledge of the
11 case, assuming that there was no additional information or
12 investigation into the statements Nosenko made about Oswald,
13 nothing new came up, say in 1968, that you didn't know about
14 in '64, could this issue of whether he was bona fide be
15 resolved without dealing with this Oswald question?

16 Mr. Murphy. It would certainly seem to me to be difficult
17 to make a final judgment without dealing with that question.
18 Because of the fundamental importance of that question itself,
19 quite a part from its utility as a tactical interrogation
20 device.

21 Mr. Klein. What would be your reaction to a scenario
22 in which the only way that the Oswald matter was dealt with
23 was to list three or four reasons why Nosenko would not have
24 been sent to give false information about Oswald and then leave
25 the subject without ever dealing with the substantive content

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1 of what Nosenko says about Oswald and the difficulties which
2 you have discussed which arise from that?

3 Mr. Murphy. What do you mean by scenarios?

4 Mr. Klein. Everything else as far as the bona fide
5 question. In other words, you have a question of bona fides,
6 you determined that he is bona fide, be it possible with some
7 qualifications, that is the rest, anything else we have
8 been discussing, that question is faced by Bruce Soley, and
9 what would be your reaction to a situation where he faces that
10 question, comes to the conclusion that it is qualified, Nosenko
11 is bona fide and only deals with the Oswald issue by listing
12 three or four reasons why the Russians wouldn't send him to
13 mislead us about Oswald, but never goes into the substantive
14 content of what Nosenko said about Oswald?

15 Mr. Murphy. It is very difficult for me to comment on
16 that. It is a technical professional matter. It seems to me
17 what is being confused here is the overall question of whether
18 Nosenko was sent by the KGB, for whatever purpose, and the
19 individual issue of whether part of or indeed thus the sole
20 reason for his having been sent or fed the information, or
21 whatever, related to the Oswald case, very difficult.

22 Mr. Klein. Can you pass on that question?

23 Mr. Murphy. That is all I can say, it is a tough one.

24 Mr. Klein. Okay.

25 Off the record.

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(Discussion off the record.)

Mr. Klein. Do you know who made the ultimate decision to reinvestigate the case in 1967?

Mr. Murphy. No, I do not. I assume the ultimate decision must have been made by the Director, but as I told you, this whole aspect was never discussed with me.

Mr. Klein. If it were proven that Nosenko lied in the facts that he gave about what happened to Oswald in the Soviet Union, if that could be proven, what significance would that have for you?

Mr. Murphy. Better wait a minute.

Mr. Klein. You want to go off the record?

Mr. Murphy. Yes.

(Discussion off the record).

Mr. Klein. In the situation I have just give you, let me make it clear that when I say if it could be proven that he lied, I don't mean a situation where he himself admits I have lied, but where external facts prove that he lied in his statements about Oswald?

Mr. Murphy. Well, if such facts were to be found or were to exist, it would seem to me that at the very least some effort should be made to determine the true story, because on that would hinge extremely important considerations for both his own case, his bona fides, but indeed, the way the Soviets looked upon or their attitude toward the Kennedy assassination.

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If, for example, Oswald, the Oswald story, were concocted by Nosenko to enhance his own importance, that would be one thing, and would have little significance in the context of what I just have spoken of.

On the other hand, if Nosenko had been given this information by some third person, in the KGB, even though he did not admit that he had been a dispatched agent, it would certainly be important for us to know in terms of the way in which the Soviets looked upon the assassination case.

Mr. Klein. Was Nosenko ever given any drugs?

Mr. Murphy. Not to my knowledge.

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

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

Mr. Klein. Between 1964 and 1967 when you lost control over the case, in those years, is it your statement that if any drugs were given to him, to get him to tell the truth,

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1 you would have known about it, and no such thing happened?

2 Mr. Murphy. That is correct.

3 Mr. Klein. Is there any doubt in your mind that somehow
4 an order could have been given to give him drugs which never
5 would have been transmitted to you?

6 Mr. Murphy. It would certainly surprise me.

7 Mr. Klein. Does the CIA have any procedures when it
8 does administer drugs to subjects, record keeping procedures,
9 for example?

10 Mr. Murphy. I assume so, but I have no personal knowledge
11 of it?

12 Mr. Klein. Do you know?

13 Mr. Murphy. Because it would be done by the technical
14 division.

15 Mr. Klein. What I am getting at --

16 Mr. Murphy. It wouldn't be -- the record keeping would
17 not be done by us.

18 Mr. Klein. Is there some kind of procedure used by CIA
19 whereby you could simply go to some records someplace and
20 check the dates involved and you could know beyond a shadow
21 of a doubt drugs were not administered since they are not in
22 the record?

23 Mr. Murphy. I don't know that.

24 Mr. Klein. Would you dispute testimony given to this
25 Committee, by Nosenko, to the effect that subsequent to April

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1 4th and prior to the summer of 1967, he was drugged by the
2 CIA?

3 Mr. Murphy. That is his perception.

4 Mr. Klein. Would you?

5 Mr. Murphy. I don't agree with him.

6 Mr. Klein. Are you aware that Nosenko was given a lie
7 detector test in '64, in April?

8 Mr. Murphy. Yes sir.

9 Mr. Klein. Do you know the result of that test?

10 Mr. Murphy. It indicated he was lying on several key
11 points.

12 Mr. Klein. Do you have any reason to believe that test
13 was invalid?

14 Mr. Murphy. No.

15 Mr. Klein. Are you aware that he was given a secondly
16 lie detector test in '66?

17 Mr. Murphy. Yes.

18 Mr. Klein. Do you know the result of that test?

19 Mr. Murphy. Same thing.

20 Mr. Klein. And do you have any reason to believe that
21 test was invalid?

22 Mr. Murphy. No. I believe the operator gave him the
23 test in '66 was the same operator who gave him the test in
24 1964.

25 Mr. Klein. That is correct.

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1 Had you worked with that operator prior, or not prior
2 but any other times other than these two tests?

3 Mr. Murphy. I knew he was a fluent Russian speaker and
4 that he was adept and flexible in his use of his machine,
5 but I don't recall -- I knew his record, I think he had been
6 in Germany, I don't recall that I worked with him on any case,
7 I simply knew he was a good guy, appeared to be a good guy.

8 Mr. Klein. Are you aware of the fact that in the second
9 lie detector test there were numerous questions concerning
10 Oswald?

11 Mr. Murphy. I don't remember.

12 Mr. Klein. Many more than, say, in the first lie detector
13 test?

14 Mr. Murphy. Yes.

15 Mr. Klein. And I wondered if you knew of any reason why
16 Oswald should have been given much greater emphasis in the
17 second test?

18 Mr. Murphy. I don't recall the reasons for it.

19 Mr. Klein. Was there ever any discussion about these
20 tests prior to giving them, that you took part in?

21 Mr. Murphy. The only thing that occurs to me is that
22 the second test concentrated much more obviously than the first
23 test on areas of greatest doubt, greatest suspicion, greatest
24 areas of contradiction or inconsistency or what have you, and
25 since, although as I said earlier, we knew less about the

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Oswald case in the Soviet Union, it was surely one of the areas which would fit those criteria, it was not a topic which we believed he was telling the truth.

Mr. Klein. Do you have any statement that you would like to make at this time or anything you want to say?

Mr. Murphy. No.

Mr. Klein. The time is 11:14 and on behalf of the Committee, I would like to thank you very much for taking this time to come here and give us this deposition.

Mr. Murphy. Glad to do it.

(Whereupon, at 11:14 a.m., the deposition was concluded.)

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CERTIFICAT OF NOTARY PUBLIC

I, Annabelle K. Short, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing depositions, was duly sworn by me; that the testimony of said witness was taken by Robert A. Thomas; stenotype reporter, and thereafter reduced to typewriting by him or under his direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Annabelle K. Short
Notary Public in and for
the District of Columbia

My Commission expires November 14, 1980

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