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20 March 1979

MEMORANDUM FOR: Dick Rininger, OGC
 Jack Sullivan, OS
 Russ Holmes
Michael Sednaoui, DC/CI Staff
Dele Sumption, SE/DDO

FROM : S. D. Breckinridge
 Principal Coordinator, HSCA

SUBJECT : Memo Proposed for DDCI to Stokes on Nosenko

finger
not to be sent

Assuming Blakey wants a letter, I submit the attached draft for preliminary review. It will have to be coordinated formally if the letter is desired.

S. D. Breckinridge
 S. D. Breckinridge

Attachment

#6092

DRAFT

Honorable Louis Stokes, Chairman
Select Committee on Assassinations
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This letter is written on the understanding that you welcome a statement on the Agency's view of the issues arising from CIA's handling of Yuri Nosenko, which arose in connection with your inquiry into the assassination of President Kennedy.

First, it should be noted that the reservations in 1964 over Mr. Nosenko's reliability as a witness, along with what he had to say then, was reported personally to Chief Justice Warren by Mr. Helms. Given the questions that existed at that time, the information Mr. Nosenko offered was not factored into the findings of the Warren Commission. Had this information been accepted at the time, it would have served to reinforce conclusions of the Commission rather than alter them. I trust that there is no issue on that point.

There are two critical considerations in the handling of Mr. Nosenko, both of which bear on how he should be viewed. These are the errors in his interrogation and the way he was treated.

A critical aspect of Mr. Nosenko's interrogation at the beginning was a preconception then prevalent in certain elements of the intelligence community. There was concern that he was a dispatched agent, sent to mislead us not only on the status of Lee Harvey Oswald but on other things as well. The issue was not limited to the Oswald issue for, as you know, CIA had been in touch with Mr. Nosenko well before President Kennedy's death and his own later defection, and earlier had received useful information from him. He is not the only man whose bona fides were strongly suspected at that time.

The problem at the time was very real. There was little that could be done to clarify or verify the few things that Mr. Nosenko had to say about Lee Harvey Oswald, however important they might be. If a proper perspective was to be established for considering the case, it would have to be settled first on the issue of whether he was a bona fide defector. The course chosen by those with responsibility for the case was to break him as they were convinced that he was not a bona fide defector. The steps taken to do this were then and remain grossly improper.

Important aspects of Mr. Nosenko's interrogation by those assigned to work with him, was based in significant respects on the transcripts of early questioning of him. The records of those early debriefings were put in transcript form in English, translated from Russian. They contained a number of mistranslations, which came to serve as the basis for testing the consistency of what he said. As he made statements inconsistent with some of those early transcripts, he was cross-examined intensively on these apparent inconsistencies in an effort to force his confession that he was a false defector. It requires little imagination to understand how intensive interrogation of a man, challenging what he was saying in contrast with what he was incorrectly recorded earlier as saying, could compound initial distortions and build a record that could be righted only with some difficulty. When the extended period of detention, under extremely spartan living conditions, was made a part of recurring intensive interrogation, one must recognize the permanent harm done not only to the record, but to the clear and unburdened memory of the man.

We will never really know the extent to which the treatment accorded Mr. Nosenko may have affected his memory on things known clearly to him at the beginning. We now know that much of the record built against him was founded on initial errors extended and compounded by the way in which his interrogation was handled. We have taken steps to ensure that such an occurrence will not be repeated.

Mr. Nosenko was removed from the responsibility of those in the Agency who handled him initially, and was placed with others, who addressed the case afresh. Mr. Nosenko, as a result, ultimately was released to private life and since then has proven himself a valuable asset of the American Government. Now, fifteen years after his defection, there is an accumulated record of the value and reliability of what he has told us. It is impressive indeed. He has proven a unique source of information on Soviet intelligence operations against ourselves and some of our allies; a number of intelligence coups have been based on information from him.

It must be observed that former Agency employees contesting the current Agency assessment of Mr. Nosenko are essentially defending the record of their own stewardship, feeling that they have been wronged by its having been made public. It is their own past revelations to the media, made in violation of their commitments to secrecy, that have placed the matter in the public domain. This led to emergence of the

issue in the context of the present investigation, with the disclosures to which they object. Expressions of injury by these former employees must be viewed with some reservation. Certainly, their treatment of Mr. Nosenko remains a mar on the Agency's record. The Agency must share the fault for that conduct, which cannot be deflected by diversionary argument.

The fact remains that Mr. Nosenko was accorded inexcusable treatment. The original record of his questioning was flawed; its continued uncorrected use served to further mar the handling of the case. It is understood that some of these recorded errors may have had their effect on the Committee as well. That Mr. Nosenko has proven so useful a man subsequently is the final test of the matter.

Any further detailed discussion of this matter would serve only to obscure the central facts. We are satisfied as to the true nature of past errors, and hope to avoid a recurrence. We are satisfied with Mr. Nosenko's contributions over the years, and with his continued value today.

Sincerely,

Frank Carlucci