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Nosenko entire phy filed HSCA

OLC 78-1641

12 May 1978

MEMORANDUM FOR: Deputy Director for Operations
Deputy Director for Administration
Inspector General
General Counsel
Deputy Director for Public Affairs

FROM: Acting Legislative Counsel

SUBJECT: House Select Committee on Assassinations

1. On 27 April 1978, I sent you a projection of issues requiring the development of coordinated positions for consideration and decision by top management. In response to my request, each of you designated representatives to a Task Force assembled for this purpose and the Task Force met on 4 May (Attachment A).

2. Attachment B contains memoranda on sessions with the senior staff of the Assassinations Committee subsequent to the 4 May Task Force meeting, covering Committee complaints and our pre-position bargaining with them on certain key issues, e.g.,:

a. Nosenko: Has refused to be video taped; the Committee staff is pondering this decision. The "formal" session has been slipped from 31 May to 21-22 June.

b. The question of whether the claim of sources and methods can extend to information known to a defector before he is recruited or defected.

3. I understand there has been concern over the range of access by Committee staffers to sensitive information. I think you should know

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that pursuant to an exchange of letters between the Chairman and the Director, coordinated with CIA offices of interest, revised procedures to allow a selected group of staff researchers access to CIA documents with limited sanitization to facilitate the Committee's review of the larger volumes of files involved. Sensitive viable Agency sources, however, are excised and the staff must show relevancy to the investigation if there is any question as to making material available. For example, the Committee's inquiry into [redacted] was resisted until the staff disclosed to us that the purpose was former CIA employee James Wilcott's allegation that Oswald was a CIA agent. Those staffers given this special access have executed special secrecy agreements which run to the Director as opposed to the Committee as is the case with the Senate Select Committee on Intelligence for example. There also has been concerns expressed that the Committee has been given greater access than has ever been done before in a Congressional investigation. Although we are getting into new unchartered waters as a result of the Jay Epstein book, the Church Committee, for example, had wide access to the Oswald 201 file and personnel files.

4. Attached is an agenda for the next Task Force meeting. You may wish to review some of the major issues pending. Positions on these issues, of course, will be fully coordinated and appropriately presented to the DDCI/DCI for determination.

Lyle L. Miller

Attachments

cc: Each Member of HSCA Task Force