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SELECT COMMITTEE ON ASSASSINATIONS

AGENDA

Friday, September 15, 1978

RUSSIA

1. Narration on "Russia" by Chief Counsel G. Robert Blakey

2. Reading of Committee Staff Report, "Oswald in the Soviet Union: Investigation of Yuri Nosenko", by Chief Counsel G. Robert Blakey.

3. Continuation of narration by Chief Counsel G. Robert Blakey.

4. Today's witness: John Hart - CIA (Counsel: Kenneth Klein)

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BLAKEY NARRATION: RUSSIA

Friday, September 15, 1978

Within hours of the arrest of Lee Harvey Oswald for the assassination of President Kennedy, officials began to speculate about the significance of Oswald's defection to the Soviet Union in the fall of 1959 and his activities in that country until returning to the United States in June 1962. Specifically, the troubling question was asked whether Oswald had been enlisted by the Soviet secret police, or KGB.

U. S. - Soviet relations had been turbulent during the Kennedy presidency. There had been major confrontations - over Berlin, where the wall had come to symbolize the barrier between the two super powers; and over Cuba, where the emplacement of Soviet missiles had nearly triggered World War III.

A nuclear test-ban treaty in August 1963 had seemed to signal detente, but in November, tension was building again, as the communists harassed American troop movements to and from West Berlin. And Cuba was as much an issue as ever. In Miami, on November 18, Kennedy vowed the U. S. would not countenance the establishment of another Cuba in the western hemisphere.

The Warren Commission considered Soviet complicity in the assassination and concluded there was no evidence of it. In

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its report, the Commission noted that the same conclusion had been reached by Secretary of State Rusk and Secretary of Defense McNamara, among others. Rusk testified before the Commission on June 13, 1964:

> I have seen no evidence that would indicate to me that the Soviet Union considered that it had any interest in the removal of President Kennedy...I can't see how it could be to the interest of the Soviet Union to make any such effort.

Then, in February 1964, a Russian saying that he was a KGB agent sought asylum in the U. S. and seemed to answer the question by categorically denying Oswald had been connected with the KGB. According to Yuri Nosenko, the self-proclaimed former KGB officer, he had been assigned in 1959 and 1960 to the KGB's American Tourist Section. This assignment, he said, had afforded him an opportunity to review Oswald's KGB file in those years.

But Nosenko's assertion did not end the mystery. In fact, it only tended to complicate it, because some officials of the Central Intelligence Agency doubted Nosenko was a bona fide defector. Some went so far as to suspect his defection was a KGB disinformation mission, an effort to mislead the American government.

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Beginning in April 1964, hostile interrogations of Nosenko were approved and initiated. He was cut off from the world and confined to a single room. Every movement he made was monitored.

The hostile interrogations continued for over three years. Eventually, Nosenko was released from confinement, and a senior official was assigned to interview him anew. This time, interviews were conducted in a more friendly atmosphere. The official ultimately wrote a report detailing his conclusions. At the termination of this year-long process, it was decided that Nosenko was bona fide after all. He was given a substantial sum of money and hired as a CIA consultant, a position he holds to this day.

In its investigation of the Kennedy assassination, the Warren Commission was aware of the Nosenko issue, but it was able to make little of it and opted not to refer to it in its report. News accounts of the Nosenko matter have not been particularly informative, owing to the limited nature of the generally classified information that they were reporting. A book by Edward J. Epstein, Legend, the Secret World of Lee Harvey Oswald, published in early 1978 did raise some questions about

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Nosenko's information on Oswald, though Epstein did not have complete access to all of the FBI and CIA files on Nosenko. Apparently, he depended on second-hand accounts.

The testimony to be taken today is directed toward the Select Committee resolving a twofold issue with regard to Nosenko. First, are his statements about Oswald credible? If so, the issue of Soviet involvement in the assassination is moot. If not, the converse does not necessarily follow. Nosenko can be a bona fide defector and still not be a valid source of information about Lee Harvey Oswald. Deciding not to believe what Nosenko told about Oswald does not necessarily lead - absent other information - to any conclusion about Nosenko's general bona fides or Soviet involvement in the assassination. Nosenko is only one possible source of evidence on this point. If he turns out to be good, he may be decisive; if he turns out to be bad, it may simply mean that there are no good sources of information on the point, and nothing definite can be said about the question. Consequently, because the mandate of the Select Committee was limited to determining the facts and circumstances surrounding the President's death, no examination of the general question of the bona fides of Nosenko has been made. That question properly lies within the jurisdiction of other bodies.

Second, what was the quality of the performance of U. S. government agencies in the Nosenko affair? The agencies,

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whose performance is in issue are the CIA, FBI and the Warren Commission.

Mr. Chairman, Nosenko has been given a new identity by the CIA, and the Agency, as well as the FBI, believes that to compromise it could put him in great personal danger. Consequently, he cannot, of course, testify before the Committee in this public session. He did testify before two closed sessions of the Committee on May 17 and 30. In addition, he was deposed by the staff, and extensive files were read, both at the CIA and the FBI. Interviews and depositions of other principals were conducted by the Committee or the staff. Virtually all of the material reviewed either by the Committee or the staff is classified. But it is possible to tell the essential aspects of the Nosenko story without compromising the national interest.

A summary of the Committee's investigation has been prepared by Assistant Deputy Chief Counsel Kenneth Klein, who was, on the staff level, in overall charge of this aspect of the Committee's work.

Before reading the staff report, Mr. Chairman, I would like to emphasize that the question of Yuri Nosenko as a bona fide defector is not for this Committee to answer. Our twofold purpose is to weigh Nosenko's credibility, as it bears on the career of Lee Harvey Oswald, and to evaluate the performance of federal agencies in the matter.

(narration continues after Staff Report)

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OSWALD IN THE SOVIET UNION:
INVESTIGATION OF YURI NOSENKO

STAFF REPORT
OF THE

SELECT COMMITTEE ON ASSASSINATIONS

U.S. HOUSE OF REPRESENTATIVES

NINETY-FIFTH CONGRESS

Second Session

September 15, 1978

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HOUSE SELECT COMMITTEE ON ASSASSINATIONS

Ninety-Fifth Congress

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PERSONAL HISTORY

Nosenko has testified to the Committee that he was born Yuri Ivanovich Nosenko in the town of Nikolayev in the Ukraine, October 30, 1927. His father, Ivan Isiderovich Nosenko, was Minister of Shipbuilding in the U.S.S.R. prior to his death in 1956.

Continuing with Nosenko's biography:

He attended the Institute of International Relations from 1945 to 1950, then entered Navy Intelligence and served in the Far East and the Baltic region until 1953. On leave in Moscow in 1953, he joined the MVD (later the KGB). He was assigned to the First Department of the Second Chief Directorate, which was responsible for surveillance and recruitment of U.S. Embassy personnel. As a KGB officer, he began studying foreign languages.

In 1955, Nosenko was transferred to the Seventh Department of the Second Chief Directorate, a department newly formed to monitor tourists to the Soviet Union. Surveillance and recruitment remained his duties.

In 1956, Nosenko was promoted to senior lieutenant. In 1957, the year he was accepted as a member of the Communist Party, he was made a captain and named deputy chief of his department.

In January 1960, Nosenko was transferred back to the First Department of the Second Chief Directorate, and in January 1962, he returned to the Seventh Department as chief of his section.

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Again, he was assigned to coordinating the surveillance and recruitment of American tourists. In July 1962, he was promoted to deputy chief of the Seventh Department, Second Chief Directorate.

NOSENKO BECOMES KNOWN TO U.S. INTELLIGENCE

Nosenko came to the attention of U.S. intelligence agencies in June 1962 in Geneva where he was serving as the security escort to a Soviet disarmament delegation. He identified himself to the CIA and offered to sell information for 900 Swiss francs. He explained he needed the money to replace KGB funds he had spent on a drinking spree. (He has since said he did not really need the money but felt an offer simply to give away the information would be rejected, as it had been with similar offers by other Soviet agents.)

The CIA agreed to deal with Nosenko, and he promised to make contact the next time he came abroad. He made it clear he would not defect, however, because he would not leave his family. He also told the CIA never to contact him in the Soviet Union.

NOSENKO DEFECTS

On January 23, 1964, Nosenko was heard from again. Back in Geneva as escort to a disarmament delegation, he informed the CIA this time he wished to defect, giving as his reason disillusionment with his government and doubt that he would be

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able to leave the U.S.S.R. soon again. The CIA was surprised by his sudden decision, but Nosenko was adamant.

On February 4, Nosenko revealed he had received a telegram ordering him to return to Moscow directly. He said he feared the KGB was aware he was working with the West, and his life depended on his being permitted to defect immediately. The CIA agreed, and he was spirited away. (Nosenko later admitted the recall telegram was a fake. He had made up the story to get the CIA to agree to his defection without further delay.)

DOUBTS ABOUT NOSENKO'S BONAFIDES

By April 1964, Nosenko had been in the U.S. for nearly two months. Already, top officials of the Soviet Russia and Counter-Intelligence sections of the CIA had nagging doubts as to whether he was a bonafide defector. Their misgivings were based on a number of points:

1. Many leads provided by Nosenko had been of the "give-away" variety, that is information that is no longer of significant value to the KGB, or information which, in the probable judgment of the KGB, is already being probed by Western intelligence, so that there is more to be gained from having a dispatched agent "give it away" and thereby gain credibility.

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2. A background check of Nosenko -- of his schooling, military career and his activities as an intelligence officer -- had led U.S. officials to suspect Nosenko was telling them a "legend," that is supplying them with a fabricated identity. Certain aspects of Nosenko's background did not "check out," and certain events he described seemed highly unlikely.

3. Two defectors who had preceded Nosenko were skeptical of him. One was convinced Nosenko was on a KGB mission, the purpose of which was to neutralize information he had provided.

4. Information Nosenko had given about Oswald aroused suspicions. The chief of the Soviet Russia Section had difficulty accepting the statements about Oswald, characterizing them as seeming "almost to have been tacked on or to have been added, as though it didn't seem to be part of the real body of the other things he had to say, many of which were true."

INTERROGATION OF NOSENKO BY THE FBI ABOUT OSWALD

Statements by Nosenko at the time of his contact with the CIA in 1964, revealing he had information about Lee Harvey Oswald,

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led to his being questioned by the FBI upon arrival in the U.S. He was interviewed in late February and early March. It is not known if these sessions were tape recorded, but as of today all that exists are statements prepared by the interrogating FBI agents, a four-page report of the February sessions, a nine-page report of those in March.

Nosenko told the FBI about his knowledge of Oswald and the fact the KGB had no contact with him.

The conclusion of the March report reads as follows:

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

The report noted that on March 6 Nosenko inquired if the information he furnished on March 4 regarding Oswald had been given to the appropriate authorities. He was advised that this had been done.

NOSENKO IS PLACED IN ISOLATION BY THE CIA

On April 4, 1964, CIA officials decided to place Nosenko in isolation and to commence hostile interrogations.

First, he was subjected to a polygraph, one designed to insure a proper atmosphere for the hostile interrogations. The CIA polygrapher was instructed to inform Nosenko he had lied.

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regardless of the actual outcome of the test. (In his report, the polygrapher wrote his true conclusion, which was that Nosenko had indeed lied.) The official position now stated by the CIA, is that the test was "invalid or inconclusive."

The conditions of Nosenko's isolation have been described by the Rockefeller Commission as "spartan." Both Nosenko and the CIA were asked by this Committee to describe them.

Nosenko says the room to which he was confined had "a metal bed attached to the floor" and "the only furniture in the room was a single bed and a light bulb."

The CIA states, "Nosenko received a regular diet of three meals a day. Periodically during this time, his diet was modified to the extent that his portions of food were modest and restricted."

Nosenko states he "was not given a toothbrush and toothpaste and food given to me was very poor. I did not have enough to eat and was hungry all the time."

The CIA:

> "Nosenko did not have access to TV, radio or newspapers... He was provided with a limited number of books to read from April 1964 to November 1965 and from May 1967 to October 1967. His reading privileges were suspended from November 1965 to May 1967."

Nosenko:

> "I had no contact with anybody to talk. I could not read. I could not smoke..."

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The CIA states Nosenko was "under constant visual observation from April 1964 to October 1967," the period of his isolation.

Nosenko:

> "I was watched day and night through TV camera...I was desperately wanting to read and once, when I was given toothpaste, I found in the toothpaste box a piece of paper with a description of compound of this toothpaste. I was trying to read it under my blanket, but guards noticed it and again it was taken from me."

Both Nosenko and the CIA agree that conditions improved markedly beginning in the fall of 1967 (the end of the isolation).

THE CIA INTERROGATES NOSENKO ABOUT OSWALD

Nosenko was questioned about Lee Harvey Oswald on five occasions in 1964 -- on January 23 and 30 in Geneva, and on July 3, 27, and 29 in the U.S. The sessions of July 3 and 27 were of particular interest to this Committee, since they were detailed and specific about Nosenko's knowledge of Oswald. The questions were chronological, and an attempt was made to touch all aspects of Oswald's stay in the Soviet Union. Areas of inquiry included Oswald's visa application and his entry into the U.S.S.R.; KGB contact with Oswald; Oswald's request to remain in the U.S.S.R.; the denial of this request and Oswald's subsequent suicide attempt; Oswald in Minsk and his job in a radio factory; Oswald's marriage to Marina; Oswald's attempt to return to Russia via Mexico City in 1963.

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The interrogator, an employee of the Soviet Russia Section, conducted the interviews in English and tape recorded them.

Nosenko related that he was assigned to the Seventh Department of the Second Chief Directorate when Oswald arrived in the Soviet Union in 1959, at which time Nosenko's section had responsibility for counterintelligence operations against American tourists.

At the time Oswald asked to remain in Russia, Nosenko reviewed information the KGB had on the American. Soon after Oswald went to Minsk, Nosenko was transferred and lost contact with him. However, he became reinvolved in the case right after the assassination.

Nosenko said that as soon as President Kennedy's assassin was identified as a man who had lived in the Soviet Union, the KGB ordered that Oswald's file be flown to Moscow and reviewed to determine whether there had been any contact between him and Soviet intelligence. Nosenko said further he was assigned to the review of Oswald's file. Based on that review, as well as his earlier contact with the case, he was able to report positively that Oswald had neither been recruited nor contacted by the KGB.

In his July 27 interview, Nosenko was handed a transcript of a tape recording of the July 3 session. He read each question

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aloud and made corrections or additions. He can be heard clearly doing so on the tape -- reading each question and answer, interjecting "right" after most answers, or simply moving on to the next question. Occasionally, he elaborates on an answer.

NOSENKO'S SECOND POLYGRAPH TEST

At the time of his second polygraph examination -- in October 1966 -- Nosenko was again asked about Oswald. The CIA examiner, the same one who had administered the first test, concluded Nosenko was lying, although the official Agency position now is that the test was:

> "invalid or inconclusive because the conditions and circumstances under which it was administered are considered to have precluded an accurate appraisal of the results."

THE SOVIET RUSSIA SECTION REPORT

The Soviet Russia Section of the CIA wrote a 900-page report based on its interrogations of Nosenko, though it was trimmed to 447 pages by the time it was submitted in February 1968. It came to the following conclusions:

Nosenko did not serve in the Naval reserve, as he had claimed.

He did not join the KGB at the time nor in the manner he described.

He did not serve in the American Embassy section of the KGB at the time he claimed.

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He was not a senior case officer or Deputy Chief of the Seventh Department, as he stated he had been.

He was neither Deputy Chief of the American Embassy section nor a supervisor in that section.

He was not Chief of the American-British Commonwealth section.

He was not a Deputy Chief of the Seventh Department in 1962, as he had claimed.

THE 1968 REPORT

High officials of the CIA, including DCI Richard Helms, were aware of the Nosenko dilemma by the time the Soviet Russia Section report was being drafted. In mid-1967, a career officer in the Office of Security was assigned to write a critique of the handling of Nosenko.

The officer had never met Nosenko, but he had been connected with the case from the outset. As a security officer, he had been briefed on information Nosenko had supplied, and he had devoted considerable time and effort running down leads provided by Nosenko and other KGB defectors.

Although he had been close to the Nosenko case, the reviewing officer had no part in the decision to place him in isolation or treat him in a hostile way. The officer has explained to the Committee he was opposed to the tactic, for he

felt Nosenko had not been thoroughly debriefed and his leads had not been fully checked.

The security officer's 13-page critique was directed primarily at the report of the Soviet Russia Section that listed reasons for doubting Nosenko was a bonafide defector. The officer concluded that Nosenko's bonafides were still an open question, the resolution of which could only be based on further interviews.

The officer's recommendations were approved, and in late 1967 he was assigned to implement them. Three members of the Soviet Russia Section were designated to assist him for about four months.

The officer thereupon interrogated Nosenko from three to five days a week for nine months. FBI agents were furnished transcripts of the leads Nosenko provided.

In January 1968, the officer asked Nosenko to write down what he knew about Lee Harvey Oswald. A three-page statement was submitted, but the officer never questioned Nosenko about it, and at no time later did Nosenko provide the CIA with information about Oswald.

The security officer gradually came to the conclusion that Nosenko was supplying valid intelligence and that he was who he claimed to be, leading to the eventual conclusion that Nosenko was bonafide. The investigation ended in the summer of 1968.

NOSENKO'S THIRD POLYGRAPH TEST

On August 7, 1968, Nosenko was given a third polygraph test. Two of the questions related to information he had supplied about Oswald. Nosenko passed. The CIA, when asked by the Committee to comment on the third polygraph, now states: "This test is considered to be a valid test."

This Committee obtained an independent analysis of the three polygraph tests given Nosenko from Richard Arthur, president of Scientific Lie Detection, Inc. and a member of the American Polygraph Association. In his report, Mr. Arthur expressed the judgment that the second test, the one in which the examiner determined Nosenko was lying, was "the most valid and reliable of the three examinations administered to Nosenko." As for the two questions about Oswald in the third test, Mr. Arthur characterized the first as "atrocious" and the second as "very poor" for use in assessing the validity of Nosenko's responses.

In a report issued in October 1968, the security officer disputed each and every conclusion of the report of the Soviet Russia Section eight months earlier. He wrote:

> Nosenko is identical to the person he claims to be.
> The claimed services of Nosenko in Navy intelligence (Naval reserve) are adequately substantiated.
> Nosenko was an officer of the American Embassy section of the KGB.
> Nosenko was an officer of the Seventh Department and was its Deputy Chief.

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Nosenko was Deputy Chief of the American Embassy section.
Nosenko was Chief of the American-British Commonwealth section.
Nosenko was Deputy Chief of the Seventh Department in 1962.

INVESTIGATION BY THE CIA INTO NOSENKO'S STATEMENTS ABOUT OSWALD

The security officer's report, like the Soviet Russia Section report, paid little attention to the Oswald aspect of the Nosenko case. Neither attempted to analyze the statements made about Oswald. Out of a combined total of 700 pages of report, only 15 deal with the alleged assassin of President Kennedy.

The security officer did reach the conclusion, however, that Nosenko was not dispatched by the Soviet Government to give false information to U.S. officials about Oswald. He listed the reasons for his conclusion in his report:

Nosenko's first contact with the CIA was in June 1962, 17 months prior to the assassination.

Information provided by Nosenko was not sufficient in "nature, scope and content" to convince U.S. authorities of no Soviet involvement in the assassination.

Even if the KGB were involved in the assassination, the Soviets would assume that U.S. authorities would, in turn, believe only a few senior officers of the KGB would be aware of it, and Nosenko would not be one of them.

The Committee investigation developed some additional points regarding the CIA's attention to the Oswald aspect of the Nosenko case.

The CIA employee who interviewed Nosenko on July 3 and 27, 1964, told the Committee in a deposition he was not an expert on the KGB, nor had he any previous experience with KGB defectors. He was asked about his knowledge of Oswald, since it was in these interviews that the most detailed questions about the alleged assassin were asked. He replied:

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

When asked if he ever spoke to Nosenko about Oswald, the security officer who wrote the 1968 report said:

> "No. Well, all I have, you have there (Nosenko's three-page statement). I did a writeup on it. I didn't see that it seriously conflicted with what we had."

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

A. No, because I had no reason to disbelieve him.

Questioned further as to why he did not compare all of Nosenko's statements on Oswald, he replied: "I did not have all the information on the Oswald investigation. That was an FBI investigation."

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

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

Contrasted to these statements is the testimony of former CIA Director Richard Helms to the Committee. Asked if "questions concerning Oswald (did) constitute a major facet of the overall inquiry that was being made of Nosenko," Helms replied, "Yes, no question about it."

THE WARREN COMMISSION AND NOSENKO

The Warren Commission received FBI and CIA reports on Nosenko and his statements about Oswald but chose, in its final report, not to refer to them. And while Nosenko expressed a willingness to testify before the Commission, he was not called as a witness.

Richard Helms told the Committee he met with Chief Justice Warren to emphasize the CIA had not been able to establish Nosenko's bonafides. Helms cautioned Warren of the "contingency that maybe the statements that he had made about Oswald's having no identification with the KGB were not accurate," and "the implication that, if he was not bonafide and had come for the purpose of covering up the tracks of Soviet intelligence, that this had implications which should be weighed on the scales."

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J. Lee Rankin, General Counsel of the Warren Commission, told the Committee it was his recollection that no one from the Commission attempted to interview Nosenko about Oswald. He recalled further that the Commission decided it did not have experience to make a determination about Oswald's credibility. When asked whether he thought the knowledge of the Commission staff about Oswald might provide an advantage in questioning Nosenko, Rankin replied he didn't believe so.

> "We didn't have enough information about Oswald at any time to be informed in depth."

Asked if he believed the CIA had special knowledge of Oswald, Rankin replied:

> "I always had the impression that they knew quite a bit about the history and that they appeared to know about as much as we did about his life."

Q. Were you under any impression as to whether the Agency was specifically trying to check out any of the information given to them by Nosenko about Oswald?

A. I got the impression that they were doing that and were going to do it carefully.

NOSENKO'S STATUS SUBSEQUENT TO THE 1968 REPORT

The CIA has informed the House Select Committee on Assassinations of Nosenko's status subsequent to the 1968 report:

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Following acceptance of Nosenko's bonafides in late 1968, an arrangement was worked out whereby Nosenko was employed as an independent contractor for the CIA, effective March 1, 1969. His first contract called for him to be compensated at a rate of $16,500 a year. As of 1978 he is receiving $35,335 a year. In addition to regular, yearly compensation, in 1972 Nosenko was paid for the years 1964-1969 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 through July 1973 amounts totaling $50,000 to aid in his resettlement in the private economy.

To this day, Nosenko is consultant to the CIA and FBI on Soviet intelligence, and he lectures regularly on counterintelligence.

THE HSCA REVIEWS MATERIALS ON NOSENKO

On 1978, the Select Committee began its investigation of the Nosenko case. It was granted permission to read all documents, to interview principals in the case and to question Nosenko about his knowledge of Oswald.

The materials reviewed are as follows:

1. Nosenko's statements about Oswald to the FBI -- one dated February 27-28, 1964 and one dated March 3-4, 1964 (the Committee reviewed the FBI reports of the interviews only, since no tapes, transcripts, or notes presently exist).

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2. Tapes and transcripts of statements by Nosenko to the CIA about Oswald on January 23 and 30, 1964 and July 3, 27, and 29, 1964.
3. The Soviet Russia Section report of February 1968.
4. The Security Officer's critique of the handling of the Nosenko case, dated June 19, 1967.
5. The security officer's report, dated October 1968.
6. A report written in 1976 by a retired CIA official who documented internal problems at the CIA over the Nosenko controversy.
7. All CIA files on Nosenko which dealt with Oswald or the Kennedy assassination.
8. All FBI files on Nosenko which dealt with Oswald or the Kennedy assassination.
9. The three-page statement on Oswald written by Nosenko in 1968.

Statements taken by the Committee are as follows:

1. The security officer was interviewed on two occasions, on the second of which he gave a 193-page sworn deposition.
2. The two KGB defectors who preceded Nosenko.
3. The Chief of the Soviet Russia Section from 1963 to 1968, who gave a sworn deposition.

4. The member of the Soviet Russia Section who interviewed Nosenko on July 3, 27 and 29, 1964 gave a sworn deposition.

5. An FBI agent who was present at all FBI interviews of Nosenko gave a sworn deposition.

6. Richard Helms, CIA Director from 1966 to 1973.

7. Yuri Nosenko, interviewed on three occasions, on the third of which he gave a sworn deposition: also heard in two executive session hearings of the Select Committee.

NOSENKO'S STATEMENTS TO THE COMMITTEE ABOUT OSWALD

On each of three occasions that the Committee questioned him, Nosenko recited the following story:

He first became aware of Oswald in the fall of 1959, when a subordinate named Rastrusin said an American tourist named Oswald desired to defect to the Soviet Union.

Nosenko asked what information the KGB had on Oswald and was told they had the questionnaire he had filled out when he entered the country, his visa application and reports from interpreters, intourist guides and hotel personnel. None of these sources, according to Nosenko, indicated Oswald could be of any interest to the KGB.

Based on this information, Nosenko, Rastrusin and their section chief reported to the Chief of the Seventh Department where it was decided to refuse Oswald permission to defect.

Nosenko says neither the American Department of the Second Chief Directorate, which would have jurisdiction over all Americans, or the First Chief Directorate, the intelligence department of the KGB, would have been interested in Oswald. Consequently, they were not notified of his request to defect.

A short time later, Nosenko was informed that Oswald, on being notified he could not stay in the Soviet Union, slashed his wrists in a suicide attempt. Nosenko and his associates were surprised by this, because Oswald had given no indication of being unstable.

Nosenko and his superiors concluded that Oswald should be independently examined by two psychiatrists. Nosenko had an opportunity to read both reports and said that both psychiatrists found Oswald to be "mentally unstable."

While in the hospital Oswald threatened suicide again, if he were not allowed to remain in the Soviet Union. The KGB, its position bolstered by the findings of the psychiatrists, "washed its hands" of the matter.

Nosenko does not know who made it, but a decision came down to allow Oswald to remain in Russia, though he wasn't

granted citizenship. A significant factor, says Nosenko, was the fear Oswald would kill himself, and the KGB would be accused of the murder of an American tourist at a time the Kremlin was trying to reduce East-West tensions.

Nosenko learned that Oswald was sent to Minsk to work in a radio factory. In addition to his salary, he was given a monthly stipend of 700 rubles, which Nosenko believes was paid by the Soviet Red Cross.

Oswald's KGB file was sent to Minsk with a letter to Minsk KGB to keep Oswald under surveillance but to have no contact with him. In addition to periodic physical surveillance in which Oswald was followed by KGB agents, his phone was tapped, his mail intercepted. Nosenko explained that the surveillance, which was to continue throughout Oswald's stay in Russia, was not unusual and was to insure Oswald was not a Western agent.

Nosenko says he was transferred soon after Oswald went to Minsk, and he lost contact with the case. Then, in 1963, he was reassigned to the Seventh Department of the Second Chief Directorate. There, he was informed that Oswald had applied at the Soviet Embassy in Mexico City for a visa to travel to Russia. Since Oswald had told embassy officials he had previously lived in Russia, a cable was sent to Moscow asking for guidance.

Nosenko says he personally read the cable.

Nosenko says he was not aware in 1963 that Oswald had married and departed Russia, but he recalled the case due to the unusual circumstances surrounding the decision to allow Oswald to remain in Russia in 1959.

Nosenko says he and his department chief advised that Oswald should not be allowed to return to the Soviet Union.

The next time Nosenko became involved in the Oswald case was immediately after the Kennedy assassination, when he learned that Oswald was the alleged assassin. On instructions, he telephoned KGB headquarters in Minsk, and having been assured there had been no contact with Oswald while he was in that city, Nosenko asked that Oswald's entire file be sent to him in Moscow.

Nosenko was present when the Oswald file arrived at KGB headquarters a few hours later, having been flown in by military aircraft. He recalls it was a large file -- seven or eight volumes -- and that he examined the first one, page by page. It is the critical one, he has told the Committee. If there had been any KGB recruitment of Oswald, evidence of it would have appeared in Volume One. The other volumes consisted mainly of surveillance reports and transcripts.

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From his examination of the first volume, Nosenko claims, he can state unequivocally that Oswald was never recruited by the KGB. In fact, he insists, no KGB officer ever spoke with him.

According to Nosenko's story, the Oswald file was in his possession for about one-and-a-half hours.

Nosenko's last encounter with the Oswald case was a few weeks after the assassination. A friend told him the KGB had conducted an investigation of Oswald's activities in Minsk, in which it was learned he had occasionally gone hunting with members of a gun club. His fellow hunters had considered him such a bad shot, they often had to give him game.

COMMITTEE INVESTIGATION OF NOSENKO'S OSWALD STORY

Nosenko spoke to the House Select Committee on Assassinations on five occasions. During two of these sessions, staff members took notes. In the third, Nosenko gave a sworn deposition and on June 19 and 20, 1978, Nosenko testified before the Committee in executive session. There was no substantive variation in Nosenko's recounting of the facts.

Nosenko has always insisted that the KGB never had any contact with Oswald. He stated in both 1964 and 1978 that the KGB determined that Oswald was of no interest to them and did not even bother to interview him.

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Q. And exactly why did no KGB officer ever speak to Oswald before they made the decision about whether to let him defect?

A. We didn't consider him an interesting target.

When asked if he knew of any other defector who was turned away because he was uninteresting, Nosenko answered, "No."

Nosenko said the KGB not only did not question Oswald when he asked to defect, it also did not interview him later, when it was decided he would be permitted to remain in Russia. At no time, Nosenko told the Committee, did the KGB talk to Oswald.

Q. Now, when it was determined that Oswald was going to be allowed to stay in the Soviet Union and live in Minsk, did any KGB officer speak to him at that time?

A. No, as far as my knowledge, nobody was speaking with him.

Q. Why didn't the KGB speak to him then?

A. KGB once said, we don't have interest. The same was reported to the government, must be by the chairman, that the KGB doesn't have interest. KGB didn't want to be involved.

According to Nosenko, the KGB would have been very interested in the fact that Oswald worked at the Atsugi Air Base in Japan from which the super secret U-2 spy planes took off and landed.

162-34

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

A. Yes, sir, it would be very interested.

But Nosenko maintains that the KGB never spoke with Oswald, so that it didn't know that he had any connection with the U-2 flights.

The head of the CIA's Soviet Russia Section from 1963 to 1968 was asked by the Committee if he knew of comparable situations in which someone was not questioned, was just left alone, as Nosenko says Oswald was. He replied he did not know of any former Soviet intelligence officer or other knowledgeable source to whom they had spoken, who felt this would have been possible. "If someone did," he said, "I never heard of it."

In short, Nosenko's Oswald story is as follows:

The KGB, although very interested in the U-2, never learned anything about it from Oswald, because it didn't know he had knowledge of the aircraft. Why? Because Oswald was never questioned by the KGB, because the decision was made that Oswald was of no interest to Soviet intelligence.

When it was decided Oswald would be sent to Minsk, a letter accompanied his file ordering the Minsk KGB to place him under periodic physical surveillance and full-time technical surveillance, that is, phone tapping and letter opening.

Aside from wanting to monitor Oswald as a possible western agent, the KGB's reason for the surveillance was to keep track of the identities of his friends and acquaintances. Nosenko testified that the KGB would have known about Oswald's acquaintance with Marina soon after they met (on March 17, 1960, according to Oswald's diary).

Q. ...If he met Marina Oswald on March 17, how long would you estimate it would take before the KGB would know about her?

A. In the same March they would have quite a big batch of material on her.

Surveillance came up later in Nosenko's testimony, when he said the Oswald file, when it arrived in Moscow subsequent to the assassination, contained seven or eight thick volumes. Most of them consisted of information relating to the surveillance.

Q. You told us about the volumes in the file that were returned by military plane from Minsk.

A. Right.

Q. That and the other volumes, did it include all the records of the phone surveillance and periodic surveillance...

A. Included, that is why it is so thick file...

Nosenko testified that because the volumes in the file were so thick with surveillance reports, he only had time to read part of the first volume of the file.

Q. Did you have an opportunity to read the entire file at that time (when it arrived from Minsk)?

A. No sir.

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Q. How much of the file did you read?

A. It was simply looking, page by page, first part of the first volume.

Q. Did you go through any of the other volumes?

A. No sir.

Upon reading Nosenko's statements made to the FBI and CIA in 1964, less than a year after the assassination, it is clear that he did not inform them of the physical or technical surveillance which he described to the Committee.

In the FBI report detailing the interview with Nosenko in March of 1964, it states that Nosenko "opined that the only coverage of Oswald during his stay in Minsk consisted of periodic checks at his place of employment, inquiry of neighbors, associates and review of his mail."

Speaking to the CIA on July 3, 1964, Nosenko was specifically asked whether there was any physical or technical surveillance on Oswald and each time he replied "No."

In 1964, after stating to the CIA that there was no technical and physical surveillance of Oswald, Nosenko made the following statement upon being asked whether the KGB knew about Oswald's relationship with Marina before they announced that they were going to be married:

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

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Although in 1978 Nosenko testified that there were seven or eight thick volumes of documents in Oswald's file due to all the surveillance reports and that he could not read the entire file because of them, in 1964 he told the FBI agents that he "thoroughly reviewed Oswald's file." There was no mention of seven or eight thick volumes of surveillance documents.

During the course of the HSCA executive hearings at which Nosenko testified, he was questioned about his prior statements to the FBI and CIA. He was questioned about his 1964 statement to the FBI in which he spoke of monitoring of Oswald, such as review of his mail and periodic checks at his place of employment, but said nothing then about physical and technical surveillance that he had testified about before the Committee.

First, the statement was read to him without identifying where it came from. Nosenko was simply asked if he had ever made such a statement. He answered:

> "Sir, I cannot tell you what I stated. I was for quite a big period of time, quite a few years, interrogated, by hours, and in different types of conditions, including hostile conditions... where they asked questions in such form which later my answer will be interpreted in any way, however they want to interrogate us...And I cannot tell you what I did say. I cannot remember dates. You must understand, it's hundreds of interrogations, hundreds."

At this point, the FBI report was introduced as an exhibit and shown to Nosenko. Upon reading it, he offered the following explanations as to why he did not tell the FBI about the physical and technical surveillance:

"Maybe I forget."

"Maybe they didn't put /It in/."

"It's not big deal...nothing important." (referring to the tapping of Oswald' phone).

Nosenko was then shown a 1964 statement he had made to the CIA in which he stated that the KGB did not know about Marina's acquaintance with Oswald until the couple applied for permission to marry, because "there was no surveillance on Oswald to show that he knew her." When asked if he ever said that, he responded that he did "not remember my questions and answers." When he was shown that the document which contained the statement was a CIA document, he said:

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

This, of course, referred to the period of April 4, 1964 to the end of 1967 when Nosenko was kept in solitary confinement by the CIA.

Nosenko was then referred to his testimony the preceding day, when he was questioned about his prior statements to the FBI and CIA:

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Q. When you spoke to the FBI about Lee Harvey Oswald, did you always tell them the truth?

A. Yes, sir.

Q. Did you always tell them everything you knew?

A. Yes, sir.

Q. When you spoke to the CIA about Lee Harvey Oswald, did you tell them the truth?

A. The same, the same.

Q. Did you always tell them everything you knew?

A. Absolutely.

At this point, Nosenko stated that "it's some kind of here misunderstanding on both parts, that would be mine and interrogator." When he was asked whether it was an inaccurate transcript, he stated: "I consider many, many things are inaccurate."

He then suggested that the real problem was a failure to distinguish between a "thorough investigation" on the one hand and a "checkup" on the other and suggested that his answer was not incorrect because, "from this point of view I was answering the question." A few moments later, he said: "Sure I answered and this was the question..."

Nosenko testified to the HSCA in the 1978 hearings that after Oswald attempted to kill himself, the KGB assigned two psychiatrists to examine him independently. Nosenko stated that he personally read both reports and each concluded that Oswald was "mentally unstable." During the

course of reciting all he knew about Oswald, he interrupted his narrative at one point and said:

> "Gentlemen, I am sorry, I did not mention one vitally important thing. When he was in hospital when he cut his wrist and when he announced that he will repeat the same if they will not allow him to stay, it was decided in the Seventh Department in the presence of me, Chief of Section, Chief of Department to check him through a psychiatrist. And was given command to Officer Rastrusin to arrange it that psychiatrist of the Botkin Hospital will check him and at the same time Rastrusin was ordered to arrange another psychiatrist from another hospital, independent and they will check him in different times, not together and each will write opinion separately. I have seen these both reports... both their opinions coincided that Oswald was mentally unstable."

When Nosenko was questioned by the HSCA as to why the Soviets would allow someone to remain in their country whom they knew to be mentally unstable, he responded with the following explanation:

A. ...He was allowed to stay because KGB and Soviet Government had come to the conclusion that if this person will kill Himself, it will be reaction in newspapers which can in any way hurt the starting, the warming of Soviet-American relations.

Q. The Soviets were worried that he would kill himself in Soviet Union?

A. Right, if they would not allow him to stay.

Nosenko was then questioned as to other alternatives.

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

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

When the possibility of just taking Oswald to the American Embassy and leaving him there was raised, Nosenko stated: "It can be done, sure. It can be done, but it wasn't done."

When he was asked why the Soviets would allow a mentally unstable foreigner to marry a Soviet citizen, Nosenko responded:

> "...in the Soviet Union there is by Decree of Presidium of Supreme Soviet USSR a law allowing marriage of Soviet citizens with foreign. A foreigner can marry a Soviet citizen by the law."

Nosenko added that the only time the KGB could interfere with such a marriage is if the Soviet citizen was working in a sensitive place, like a missile plant.

In statements Nosenko made to the CIA in 1964 with respect to these psychiatric evaluations of Oswald, Nosenko gave the following testimony:

Q. Did the KGB make a psychological assessment of Oswald?

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

Q. Did the hospital authorities conduct any psychological testing?

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

Assuming that Nosenko was distinguishing between psychiatric and psychological reports, he never volunteered that he knew of any psychiatric reports or evaluations.

When questioned at the hearing on June 20, 1978 about this statement, Nosenko said that he did not "know whether it is correct or wrong." Nosenko was asked whether he ever made a statement like that; he said: "I do not remember statements for five years, interrogation." When he was told the statement came from a CIA report, he said: "Sir, I do not remember what I said to them; but I would like you to find out the conditions in which interrogations were done, how it was done, by what procedures, when two interrogators are seated...one playing part of bad guy and other good guy, and it started slapping then, not physically, but I mean psychologically and in conversation, turning question upside down, however they would like, then this leave, another one will start in softer way." Nosenko went on to state: "And I would not trust any of their documents in those periods of time." A few moments later he told the Committee that "my knowledge of language was very poor in '64. I didn't understand many questions..." Finally he stated: "One more thing -- if we are going into this, a number of interrogations, I was under drugs, and on me was used a number of drugs, and I know that, and

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hallucinations..."

In evaluating Nosenko's objections to his statement given to the CIA in 1964, the HSCA considered the following:

1. A sworn deposition was taken from the CIA officer who interrogated Nosenko on the date in question (only one officer was present on that date). He stated that Nosenko was cooperative during the sessions, that Nosenko spoke coherently and essentially he understood quite well. He said that when Nosenko did not understand he would indicate this to the officer. He said that Nosenko never complained to him of being drugged and that Nosenko gave no indication during any of their conversations of being drugged.
2. The staff of the HSCA listened to a tape recording of the session, during which Nosenko was questioned about Oswald by the CIA in 1964.
3. The HSCA requested a full accounting by the CIA of any drugs given to Nosenko during the years he was in CIA custody. The CIA responded that no drugs of any kind were given to Nosenko in 1964, and in later years only drugs of a "therapeutic" nature were administered to him.
4. The HSCA analyzed the statements made to the FBI in February and March of 1964, prior to the commencement of the hostile interrogations to which Nosenko referred. Relevant was Nosenko's

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statement which appeared in the FBI report of March 5, 1964:

> The hospital record also included an evaluation that Oswald's attempted suicide indicated mental instability. Nosenko did not know whether this evaluation was based on a psychiatric examination or was merely an observation of the hospital medical staff.

When Nosenko testified before the HSCA in 1978, he stated that a KGB officer named Rastrusin first informed him of Oswald's request to defect:

> "In the fall of 1959 to me approached senior case officer Major Geroqiy Ivanovich Rastrusin...He told me that an American tourist, Lee Harvey Oswald, applied to interpreter of Intourist with request to stay in the Soviet Union...and I, Chief of Section, Major Rastrusin...went to the Chief of Department, showed him materials..."

Nosenko stated that they decided that Oswald was of no interest to them and they would tell Oswald that he had to go back to the U. S. and apply for permission to stay in the Soviet Union. Nosenko referred to this as giving Oswald the "soft brush."

In March, 1964 Nosenko told the FBI agents who interviewed him that his first knowledge of the existence of Oswald arose in about October 1959. According to an FBI report,"... Kim Georgievich Krupnov, a case officer in his section, reported to him information which Krupnov had received (about Oswald)... On the basis of Nosenko's evaluation of Oswald, he (Nosenko) instructed Krupnov to advise Oswald...that Oswald would not

be permitted to remain in the USSR permanently and that he would have to depart at the expiration of his visa..."

Because Nosenko told the FBI in 1964 that he dealt with a case officer named Krupnov and told the Committee in 1976 that he dealt with a case officer named Rastrusin, he was asked at the hearing:

Q. But you recall that Krupnov was not present at that time?

A. Krupnov was not, because Krupnov appeared a little bit later in the Seventh Department.

Q. He wasn't in the department at that time?

A. He wasn't even in the Seventh Department. He wasn't working. He appeared in a month after it (referring to the decision not to allow Oswald to stay) took place; he was transferred in the Second Chief Directorate in the Seventh Department.

When asked at the hearing whether he ever told the FBI he made the decision himself and that Krupnov was the case officer, he said that he didn't remember but if he did then, it was wrong. Then he offered that "It can be that simply misunderstanding and, you see, this is not transcription from the tape."

In order to evaluate this statement as well as Nosenko's earlier statement to the effect that the FBI summary report failed to include all of his statements with regard to surveillance and psychiatric tests, the Committee took a sworn deposition from the FBI Special Agent, who was present at both the

February and March FBI interview sessions with Nosenko. When asked whether there were any language problems, the agent stated that this was not a problem. The questions, according to the FBI agent, were phrased in both Russian and English and, in his opinion, "there was no question about being misunderstood." He also described how the dual reports were written. The agents would speak with Nosenko and take notes. They then would return to their office, discuss the case, and later they would return to Nosenko and discuss with him any gaps or things they were not sure about. It was his belief that everything of importance was gone over with Nosenko and "discussed with him time and time again to make sure we had it accurate." When asked if Nosenko had an opportunity to see the finished report before it became official, he stated: "I think that he had. In order to eliminate any questions as far as accuracy, I think he saw a lot of stuff."

Thus, Nosenko first stated in 1964 that he alone made the decision not to allow Oswald to defect and that he was working with an officer named Krupnov. In 1978 before the HSCA, he testified that there was a meeting at which he was present when the decision was made and that the case officer was named Rastrusin.

Nosenko told the HSCA that he personally read a cable sent from the Soviet Embassy in Mexico City which asked for guidance in handling a visa application from Lee Harvey Oswald.

Q. You told us there was a cable that you read which was sent from the Mexico City Residentura to the First Chief Directorate; is that right?

A. Right.

Q. How long was the cable?

A. It was a half page.

When Nosenko spoke to the FBI in 1964, he told them that he "did not know how Mexico City advised Moscow of (Oswald's) application." When this statement was read to Nosenko at the hearing and before he was told where it came from, he testified that he did not remember if he had ever said it. When he learned it was an FBI statement, he said then: "Must be I said it, it's here in document," and at that point he was asked whether the FBI statement was given prior to the hostile interrogations which began April 4, 1964. He agreed this was correct and began explaining to the Committee the psychological turmoil that he went through when he came to the United States after defecting from the Soviet Union.

In 1964 when he spoke to the CIA, Nosenko told them that there was a cable, but he gave no indication that he personally read the cable.

Thus, in March of 1964 Nosenko told the FBI that he did not know how the Mexico City Consul advised Moscow of Oswald's application. In July of 1964, Nosenko told the CIA that there was a cable but did not indicate that he had

read it. In 1978 before the HSCA, Nosenko knew there was a cable, personally read it and remembered that it was about half a page long.

After questioning Nosenko on a number of other statements which he made to the FBI and CIA in 1964 and receiving similar responses to those described, the Committee returned to the earlier topics. Nosenko on numerous occasions had complained that the transcripts were inaccurate, that he was drugged, that he was not fairly questioned, etc. Therefore, the Committee prepared to play the actual tapes in which Nosenko made these statements and allow him to comment on them.

Nosenko, earlier in the hearing while explaining why he did not mention the physical and technical surveillance to the FBI and CIA in 1964, testified that if he had been asked, he would have said "yes."

Q. If they would have asked you, was there physical surveillance?

A. Yes, I will answer yes, it was.

Then Nosenko was asked if the question had been put to him: "Was he (Oswald) physically surveilled?" And had he ever answered: "No, there was none."

Nosenko was then shown a statement that indicated that he had indeed been asked that question and given that answer. But Nosenko testified: "I do not remember; it's not right, the answer."

At that time a tape recorder was brought out and the following was stated by the questioner: "I would ask that this tape, which is marked 3 July '64, reel number 66, be deemed marked for identification." A recess was requested to put the tape in the machine. At the conclusion of the recess, Nosenko refused to answer any question dealing with interviews done by the CIA prior to 1967. He stated that all statements prior to that time by the CIA were the result of hostile interrogations and that he was questioned illegally in violation of his constitutional rights. At that time, all questioning dealing with prior statements to the FBI and CIA was suspended by the Committee.

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Mr. Chairman, it is appropriate to note that a draft of the staff report just read was submitted to the CIA for declassification. Within two days, the CIA declassified the entire draft, requiring only a few minor changes and the deletion of the names of Agency personnel and sources.

The Committee provided both the FBI and CIA with copies of the report and asked the agencies if they wished to respond to the report at a public hearing on September 15. The FBI informed the Committee that no response would be submitted. The CIA has sent John Limond Hart as its official representative to state the Agency's position on the Committee's Nosenko report.

Mr. Hart is a career agent with the CIA, having served approximately 24 years. He has held the position of Chief of Station in Korea, Thailand, Morocco and Vietnam, as well as several senior posts at CIA Headquarters. Mr. Hart had considerable experience with Soviet intelligence and counterintelligence activities while serving in various capacities in the United States and abroad. He has written two extensive studies on Soviet defectors, one of which, dated 1976, dealt with the handling of Yuri Nosenko by the CIA.

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ALL PRESS INQUIRIES SHOULD BE DIRECTED TO:

DAWNE MILLER - 225-6587

September 15, 1978 - No Exhibits

EXHIBIT
PUBLIC DISCLOSURE