SSCI Chron

Meeting 21 Jun 78

HSCA

MEMORANDUM FOR: Admiral Turner

Attached is blind memorandum as general background prior to this evening's meeting with Chairman Stokes.

It covers more than the issue of access to agents, and is intended to convey some extra feel should the conversation move from that.

[signature]

Date

FORM 5-75 101 USE PREVIOUS EDITIONS

Copy delivered to Captain McMahon at 1510 19 June. He said would see that DCI would get it.

20433

19 JUN 1978

Possible Downstream Problems With HSCA

1. To date the problems with HSCA have not been major, but some of the difficulties to date may assume increased importance in the remaining period of the investigation. This memorandum undertakes to consider some of them.

2. HSCA Requests and CIA Response. HSCA appears to be following a leave-no-stone-unturned approach to the investigation. Just about every name or reference of the files reviewed becomes the subject of a request. Frequently the names are incomplete and identifying material so limited that research becomes tremendously time-consuming. If HSCA has additional information it has appeared on occasion reluctant to provide it, possibly because it will reveal the direction of the investigation. Two things characterize the present status of HSCA and CIA responses. There are a number of requests that have not yet been answered, and the larger portion of material made available for review has not yet been reviewed by HSCA investigators. CIA recently has made arrangements to improve its responses to requests, but the basic problem will remain. We feel HSCA is falling behind and that it will be critical of the Agency for its own failures in this respect.

3. Access. The FBI reportedly has provided no direct access to its files for HSCA investigators. CIA is providing direct access to its files with very limited sanitization. The result is the investigators have had access to a lot of sources-and-methods material. The criticism that HSCA investigators can make is not in our restrictions, but the effectiveness of our responses. As noted above, steps have been taken to remedy this.

4. Access to Agents. In contrast to very full access to Agency files and documents the line has been drawn on access to agents. One agent was interviewed over CIA objections, following the failure to notify CIA of the intention to interview him as provided for in the working agreements. In one other case of which we are aware we have objected to an agent being interviewed and, in the absence of CIA assistance, he was not contacted nor interviewed. This is the subject of a formal protest by the HSCA chairman. The DDCI has offered a method, alternative to direct access to the agent, for obtaining the answers desired.

5. Defectors. As a result of the dramatic presentations in the Epstein Book Legend the HSCA has focussed on this issue. Staff members have stated recently that they consider this to be one of the two most

important issues that they have, so far as the Agency and the Kennedy assassination are concerned. After considerable exchange we have been advised that the staff no longer is interested in the question of Nosenko's bona fides, per se. The interest is now focussed on what Nosenko knew about Lee Harvey Oswald; questioning on this point apparently is intended to be detailed and intensive. If Nosenko's bona fides are not an issue the need to address the sensitive aspects of his knowledge, and the operational use made of it, may not become a security problem. That information, however, is revealed in varying degrees in some of the material reviewed by the HSCA. While we may have some reservations about how the Nosenko problem is handled by the HSCA, and personally how he is handled, the earlier concerns of security consideration currently are somewhat reduced.

6. Mexico City. The HSCA staffers have stated that CIA coverage in Mexico City is one of the two important issues on which they currently are focussing. The subject matter is classically one of intelligence sources and methods. Additionally, it involves the relationships of the Agency with instruments of a foreign government in a way that would be politically embarrassing to that government were it to become known. (Liaison) relationships are part of the story, as are (illegal joint) operations and undeclared unilateral operations. Publicity could be lastingly harmful to Agency operations in this important post.

7. Final Report. The Committee is faced with the problem of credibility. It functions under the generally reserved atmosphere in Congress towards CIA which creates pressure to write a tough report that shows the independence of the investigators. While a report of Agency coverage in Mexico can be written using euphemisms for how the coverage existed, the pressures will be to spell it out in detail. We foresee some difficulties when the time comes for CIA's review of the report for security considerations.

8. Performance of the Agency. The HSCA charter includes performance of the intelligence agencies. Part of the vulnerability of the Agency to criticism today is that different perceptions have evolved than existed at the time of the Warren Commission investigation. The Agency's performance during the Warren Commission inquiry has already been criticized in the Church Committee report (by Senator Schweiker) in a badly drafted critique. While the Schweiker draft is flawed, the Agency is subject to criticism in some respects, and an internal CIA study so stating has been reviewed by HSCA investigators. We do not know to what extent there will be criticism of the Mexico City Station although critical observations have been elicited from Agency employees about management there during the Warren Commission investigation. HSCA staffers have indicated that they will be critical of the CIA handling of Nosenko (despite their own readiness to give

him a hard time when the question is no longer real). They are aware that the Rockfeller Commission has already reported on this but will probably indulge themselves in a reprise.

9. Style. A number of the HSCA investigators have experience as criminal prosecutors. They are accustomed to dealing with criminals that they intend to convict. In the present instance the testimony that they take is not tested by the usual cross examination; as we do not know some of the lines they have taken, we do not know what research to conduct that may balance the perspectives they may be developing. Some of those who have testified have gained the opinion that HSCA investigators are trying to prove theories, sometime critical of the Agency, as distinguished from gathering all the facts in a balanced picture. Because of the HSCA approach our views on this are for the large part visceral, but are sufficiently firm to give us some concern for the kinds of conclusions that we eventually will encounter and not have time to check out.

10. Security. Due note should be taken at this time that the HSCA, in its reorganized form under Mr. Blakey, has an unusual record for security. We are aware of no leaks. Nevertheless, we are anticipating difficulties at the time of the final report. Beyond that, we are concerned that when Mr. Blakey's discipline is gone some of his staff members--whom he has described as strongly anti-CIA--may feel free to give their own version of things. This of course remains for the future.

Meeting HSCA

OLC: 78-2406/2
20 June 1978

SECRET

OLC RECORD COPY

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with HSCA Chief Counsel G. Robert Blakey

1. In the course of a meeting with Mr. Blakey this morning, we discussed the method by which questions would be put to the agent in Mexico. It developed that he has in mind two agents, the one about whom we knew (Durant 03) and one with which we were not familiar (Manuel Calvillo). I think he was not entirely clear as to these two people, although his alternative approaches place on us a requirement to be sure that we identify them properly for purposes of his questions. They are discussed below:

a. (Durant 03) He recalled that (Durant 03) operated the photographic surveillance post of the Soviet Embassy. I told him that I understood that (Durant 03) was in charge of the Cuban coverage.

b. Manuel Calvillo. He understood that Calvillo ran the Cuban photographic surveillance site. Beyond this, however, Calvillo was of interest to him for other reasons. Elena Garo dePaz told of seeing Oswald at various parties in Mexico City, at the time of his visit there in 1963. She also said that "a couple of days" after the assassination of President Kennedy, Calvillo picked her up, took her to a hotel and interrogated her.

2. Given the possible confusion of who operated the Cuban and Soviet OPs, Mr. Blakey said that he would want the individuals correctly identified and have the questions addressed to them.

3. Additionally, Mr. Blakey wants such information as we have on Calvillo.

S. D. BRECKINRIDGE

OLC:SDB:kjw (21 June 1978)
Distribution: Original - OLC Chrono
PCS/LOC (Shepanek)
OS (Sullivan)
OIG (Young)
OP (Haudesheldt)

SECRET

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VPV

Meeting

OLC #78-2310

HSCA

CONFIDENTIAL

20 June 1978

OLC RECORD COPY

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with HSCA Chief Counsel G. Robert Blakey

At a meeting with the HSCA Chief Counsel and Staff Director this morning, Mr. Blakey discussed approaches as to how HSCA questions can be put to CIA agents in Mexico.

One possible approach is to use recently-new personnel now assigned to the Inspector General. I named for him Captain Niles Gooding and Lt. Col. Lewis Sorley. He asked for resumes, and I arranged with Mr. Waller to provide them to Mr. Blakey. As an alternative possibility, Mr. Blakey suggested that Burton Wides on the IOB staff be used. He pointed out that Mr. Wides was familiar with the subject matter, having worked on it during the Church Committee inquiry, and whose "Congressional roots" would improve the appearance of his handling this mission. As an IOB staff member, he is now a member of the executive branch. I stated that Mr. Wides would be personally acceptable to me but that the basic issue is non-Agency access to an Agency clandestine asset. I added that the IOB may have reservations about Mr. Wides' accepting such a commission if it is offered.

I undertook to report these two questions for consideration.

S. D. BRECKINRIDGE

Distribution:
Original - OLC Subject
1 - DDCI
1 - DDO
1 - IG
1 - GC
1 - OLC Chrono
OLC: SDB: kjw 21 June 1978

CONFIDENTIAL

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OLC RECORD COPY

OLC 77-4719
3 October 1977

HSCA
77-0061

MEMORANDUM FOR THE RECORD

SUBJECT: Visit of Professor G. Robert Blakey, Chief Counsel and Staff Director, House Select Committee on Assassinations (U)

1. (C) On 3 October 1977, Professor G. Robert Blakey, Chief Counsel and Staff Director, House Select Committee on Assassinations, visited the Agency for general discussions on several matters. First, he met with Russ Holmes, DDO, John Walker, O/SA/DO/O, and the undersigned to discuss certain Agency material relating to Mr. Loren E. Hall, who is of interest to the House Select Committee in their investigation of President John F. Kennedy's assassination.

2. (C) Blakey then met with Richard Lansdale and Richard Rininger, OGC, Russ Holmes, DDO, and the undersigned to discuss a letter which he had requested from the Agency to the House Select Committee on Assassinations regarding any affiliation that Hall had had with the Agency. While Blakey had been informed that no such affiliation had ever existed, he wanted this information in writing so that it could be shown to Hall and his attorney. Blakey had reason to believe that Hall would attempt to refuse to answer certain questions put to him by the Committee, claiming that he had a security obligation running back to the Agency. This request from Blakey was a matter of some urgency since the Select Committee was interviewing Hall on 5 October. (This matter was subsequently resolved by a letter request from Blakey and a written response to him signed by the Legislative Counsel. The Legislative Counsel's response was coordinated with the General Counsel.)

3. (C) Subsequent to the meeting in OGC, Blakey met with Dan Godar, OS, to discuss a case of one of his staff employees who did not meet the criteria of DCID 1/14 for clearance purposes. He was shown Headquarters Regulation 10-3 to advise him of the standards we require for CIA employees and, in addition, was given copies of DCID 1/14 and EO 10450. Blakey asked for and received certain advice and guidance from Godar on how to handle this particular problem with his employee.

20436

DOUGLAS T. CUMMINS
Chief, Coordination and Review Staff
Office of Legislative Counsel

cc: OGC (Rininger)
O/SA/DO/O (Walker)
OS (Godar)
1 - OLC/Subj
1 - OLC/Chrono

OLC/DTC/ksn

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E.O. 12356 IMPDET CL BY 455636