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DRAFT

Mr. G. Robert Blakey
Chief Counsel and Director
Select Committee on Assassinations
House of Representatives
Washington, D.C. 20515

Dear Mr. Blakey:

Forwarded herewith are comments on draft reports forwarded by you recently. (U)

These first of those covered in this letter is entitled Cuban-American. It is understood that this is intended for unclassified publication. Our comments will indicate sanitization modifications in the text, as well as corrections of fact. (U)

Similar euphemisms as are suggested in the draft on the Alvarado case should be employed. Similarly, reference to LITEMPO should be deleted where it appears. The LIFIRE reference should also be deleted, as it represents a unilateral operational capability of CIA; a general reference to a sensitive source should suffice. (C)

The name of the subject of the discussion, Lopez, should be deleted, and a general reference to the Cuban-American should suffice. (C)

Page 3. Agree with the indicated deletions referring to operational and liaison sources and activities. Reference to photography of the Cuban-American should be deleted; it comes from a liaison source, which Liaison would recognize in the draft (page 4, as well). (C)

Page 4. Agree with indicated deletions, in addition to those noted above. (U)

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Page 6. References to Monterrey "Station" (on this page) and Monterrey Base on the next page should be deleted, with reference to a source. References to Lopez and Ruiz should be changed. (C)

Same page. It is noted that a cable by the DCOS in Mexico is cited without recording that it is in error. The point is relevant to subsequent observations in the draft. (C)

Same page. The reference to LAM/FI should be changed to "responsible." (C)

Page 6. Discussion of the 1975 review of the 201 file. The draft seems not to understand what the review was. The form was entitled "Review of 201 file on U.S. Citizen," being a form employed in a review conducted in 1975 of all 201 files involving U.S. citizens to determine whether they should be destroyed or whether they could be retained because of counter-intelligence interests. This file was categorized for retention because he was a subject of possible interest in the assassination investigation. The date 1975, apparently questioned by the editor, is correct. (U)

Same page, at bottom and commencing over to next page. The reference to FBI activities re Lopez does not change the reservations about publishing his name. That the FBI did conduct an extensive investigation of the man's background in the U.S. is quite clear, even if the reporting basis for an investigation was dubious. (U)

Page 7. The name of Lopez's cousin should be deleted. Listing it would permit eventual identification of Lopez. (C)

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Page 10. The comment at the bottom of this page, describing as "egregious" CIA's not reporting the man to the Warren Commission, represents a misunderstanding of the handling of reports, as well as the relationships during the investigation. The report that might be seen by some as suggesting that the man had some significance was, on its face, a very poor report. It was inaccurate in nearly every significant fact. It is customary for intelligence analysts to evaluate reports on a continuing basis, and the downplaying of this one was--and remains--a proper professional judgment. In this case, the report routinely was forwarded to the FBI, with its primary responsibility for conducting the field investigation. The Bureau did just that. However, the judgment of the Committee is for it to express, however overstated and however weakly based (U)

Page 11. The draft report errs in relating the treatment in the CIA Task Force Report in 1977. That study pointed out the errors in the Monterrey report about Lopez, and the bearing that this had on the valuation placed on the report. The Senate report never did focus on these basic flaws, and selected those elements of it that fit the working thesis of the staff. The critical evaluation of the Monterrey report seems valid to this date. The present Committee draft accepts the indiscriminating and imprecise treatment of Book V of the Senate report, without undertaking consideration of all the information available. The selected quotation in the Task Force Report should be read in its entire context. (U)

Page 13. Reference to a Mexican police source should be deleted. (c)

Page 13. The HSCA may feel there are sinister implications on this matter, but that is based on the interpretations of the Committee and not on the facts. (u)

Same page. Observations about "documented instances where the CIA decided to forego passing information...out of a desire to not lay bare extremely sensitive sources of intelligence...." reflect an attitude on the part of the staff investigators that may be shared by the Committee. However, it is doubted that a good case can be made for this. For instance, an attempt was made to so describe reporting on telephone conversations, based on a memorandum by Mr. Slawson in April 1964. It was clear that the substance was reported, if the source--as distinguished from the information--was not disclosed on the record. We provided you with information showing that Mr. Helms discussed this with Mr. Rankin in mid-January 1964 and that the basic information was provided a couple of weeks later, still in January. A perusal of that correspondence indicates that Mr. Rankin knew the source as well as the information in it. The erroneous Slawson memorandum appears to be the main "documentation" for the statement in the draft. In any event it is customary in intelligence reporting to provide the information with a source evaluation, without specifying the source. (s)

In the present case, the Monterrey report was a very suspect, on its face. It was passed to the FBI for inquiry, which seems to have concluded in demonstrating just that. (c)

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What the draft indicates is "plausible" to the author, about the Bureau's not reporting it, is speculation and not fact. Had these been a real problem, it would have been worked out. That the Bureau did not complete its investigation until too late in the scheme of things to report to the Warren Commission can mean no more than that. It did the investigation and that cleared up the matter for purposes of responsible and mature evaluation. (C)

Footnotes. Corrections are below:

3/ Classified CIA Document IN 72615, 3 Dec 63

5/ Classified CIA Document IN 72829, 3 Dec 63

6/ Classified CIA Document DIR-86761, 4 Dec 63

9/ Classified CIA Document IN 74227, 12/5/63

11/ Classified CIA Dispatch No. 22579, 12/5/63

14/ Classified CIA Document DIR-87188, 5 Dec 63

16/ Classified CIA Document IN 43194, 19 Mar 64

22/ Classified CIA Document IN 43940, 20 Mar 64

23/ Classified CIA Document, Personality File Action Request,

16 Dec 63

(C)

Oswald, Was He or Was He Not, A CIA Agent?

It is understood that this is intended for unclassified publication, so comments will relate to security and accuracy.

Page 2. The HSCA investigators did not review the "CIA's 144-volume Oswald file." They did read 58 volumes of the CI Staff Oswald file, but they did not read 38 others. There were another 87 so-called "bulky" files not read at CIA, in the CI Staff Oswald file. Of the seven volumes held by the Office of Security, four were reviewed, and part of a fifth. If FOIA materials released by the Agency were read elsewhere, it still would not

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constitute the same thing because of sanitization. Whatever was read, as stated it is incorrect. (U)

Page 4. The statement "nor was there always an independent means of verification that all materials requested by the Agency were, in fact, provided," leaves the gratuitous inference that there may have been some withholding. If files in the Agency were not made available, it simply would have been because they could not be found in response to the less than effective way in which some materials were requested. In any event, before the above statement in the draft can honestly be made, it would have been necessary for the HSCA investigators to have read all the materials made available to them. They did not. The amount of unread material is estimated variously from one quarter to one third (see above comment as it applies to the so-called Oswald file). (U)

Page 5. The reference to "institutional obstacles," must be stated in the context of security standards. Once the Committee accepted the Agency's standards the only remaining problem was one of relevance (under the agreement between Chairman Stokes and the DCI), and the ability of the HSCA investigators to explain what they wanted. (U)

Same page. It would be appreciated if the report did not state that "the vast majority of CIA files made available ...were reviewed in unsanitized form." While the majority of the files made available were reviewed, and the great majority of these were unsanitized, we would prefer not to have it advertised, even if it contributed to the credibility of the Committee's report. (U)

Page 8. Footnote. One officer "claims to believe," as distinguished from "acknowledges" the possibility of a "vest pocket" operation known to no one. That such an operation could be run, known to but a few, would be possible

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only if not in behalf of the Agency. The HSCA investigators have had it explained to them in so many ways that a variety of cross checks and controls, administrative, financial and operational, work against such a development. (u)

Page 9. Not all persons in the legal traveler were college graduates. (c)

NOTE: Although the legal traveler program is inactive at present, it would be preferred that no mention be made to it, as it may be reinstituted at some point in the future. It is an operational technique that should not be publicized. It would be preferred if it were simply stated that none of those going to the Soviet Union, whose cooperation was requested, made contact with Oswald. (c)

Page 10, ff. It seems that Wilcott hardly merits the space devoted to his allegations. The man essentially is discredited, and to satisfy his propaganda aims is questionable. (In any event, his location (in Japan) reveals a post that has not been acknowledged by the U.S. or (the Japanese) governments. It provides the opportunity to have Wilcott speak with apparent authority and credibility as to his work, even having to "unknowingly disbursed payments for Oswald's project using that cryptonym." How he could have, in the first place, having arrived after Oswald left Japan, is dubious (a fact not noted in the draft). But the allegation of operational disbursements there could prove troublesome in a number of ways.) (c)

Lee Harvey Oswald's CIA File (page 15 ff.)

Page 17. The file was opened "purportedly" because of counterintelligence consideration. This has been belabored elsewhere in the drafts. Yes, he did meet the criteria for constituting a possible CI threat, so it was

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permissible to open a file on him if it appeared desirable. The Committee has been advised of the essentially administrative reasons that joined considerations which led to the actual opening of the file. (U)

Why was the file opened...a year after his attempt to defect?

Reiterating explanations given elsewhere, there was no requirement to open a file. The judgment of the officer in question controlled. (U)

Page 19. Top of page. While the cable could provide a proper basis for opening a file, if there was reason for doing so, in the absence of a requirement to do so, it was also quite proper to have decided not to do so. It tends to become a matter of a proper judgment then, against what a novice might think 20 years later, when the subject had killed the President. The basic consideration is that there was no requirement to open files; the administrative objective is to hold down the number of 201 files. There had to be a reason as well as there being information meeting the criteria that constituted a threshold for whether one was even permitted to open such a file. (See comments on draft at pages 2000589-2000590, Issue A - #2, Opening of Lee Harvey Oswald's file.) (U)

Page 20. At the time mentioned, the organization was the Directorate of Plans, not the "DDO." (U)

Page 21. The opening form showed only a place for citing a "source document." It was customary to refer to an organization, when the opening action was taken there. This has been explained often enough to not be misunderstood, whether believed or not. (U)

Page 23. A "seemingly long delay" would seem long only to those not familiar with the procedure for opening 201 files. Perhaps the HSCA

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investigators believe there should have been a requirement, but there was not, and should not be. The implicit criticism reflects a failure to grasp this operation. (U)

Page 25. Has the draft erred in using the name "Lee Henry Oswald" at the end of the first paragraph? Did the author not mean that had records on Oswald been sought in his correct name, Lee Harvey Oswald, it still would have been found although indexed under Lee Henry Oswald? (U)

The letters "AG" on the opening sheet of the Oswald 201 file

Page 26 ff. The draft emphasizes the memory of the witness (a man with quite a good memory on some things). Unfortunately, his memory plays him tricks on the institution of the "AG" symbols. Agency records show that it was in use prior to the assassination of President Kennedy. Perhaps the witness recalls learning of it during the investigation and now believes that it was developed then, but the records show him to be in error. The problem with this subject is that the investigators sought ^{the} answers from people years after the fact rather than asking officially; when they finally did the answer was readily available. The lost time is recorded in the long treatment of a non-issue. (U)

Page 27. Rather than referring to "its records handbook," it would be preferred if the phrase "a records manual" were substituted. (U)

Was There a Dual Filing System on Oswald?

Page 33. What the Committee "was aware of from its outset" about a dual filing system, betrays a preconception rather than a fact. "This awareness (sic) was heightened into concern" by the rough notes when the ...

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ZRRIFLE program was in a planning stage. That someone considered such a thing--and clearly did not employ it--only suggests that such a thing was considered and not carried out. It does not mean that it could have been done successfully. A reference file has to be held in the central filing system, and it will tell where the full file is. There can be no official operation without a record file. The key consideration, if evidence is of any concern to the Committee, is not that Harvey thought about, but that he did not do it. Why? Probably because he could not. A lot is draped over this unexecuted study, and extrapolative speculation covers the lack of supporting evidence. This has been the subject of a previous memorandum from me dated 27 September 1978. (U)

Page 34. Top of page. There is an editorial error, in which reference is made to "an Agency relationship with the CIA." The context is not clear enough to reveal what is intended. (U)

Page 40. It is not at all clear why reference to someone in a CIA file would "raise a question of whether Lee Harvey Oswald was, in fact, involved in some sort of CI project." Depends on who is looking at files they don't understand. Having asked the question, one must assume there is a compulsion to write about it. (U)

Page 44. Please describe Mrs. Egerter by position in lieu of using her name, "The CI Staff officer who opened the Oswald 201 file." (C)

Page 48. Request omit specific reference to "legal travelers program." While the program is inactive at present, it may be activated at some time in

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the future. It is an intelligence method, and publicity on the concept would jeopardize those who may participate in the future. (C)

Page 60. Request that the last sentence in the paragraph ending in the middle of the page end after "Joint Press Reading Service," and that the rest of the sentence be deleted. It represents a working relationship with liaison services. (C)

Same page. Request that second sentence, next paragraph, be solely "The application was withdrawn," the next sentence starting "She acknowledged being debriefed by an Agency employee, etc.etc." There should be no reference to her being denied a security clearance. (C)

Page 66. Delete "at Harvard University," and change next line to read "of his access to others who might be going to the...." This merely tells the story while generalizing the specific operational activity. (C)

Page 67. Following the statement about Dr. Davison's expulsion from the USSR, end the sentence with a period after "...from the Soviet Union." The next sentence would commence, "After the assassination of...." This refers to a specific operation that retains certain CI considerations. (C)

Pages 70-72. Request deletion of all paragraph starting on page 70 with "Davison admitted his involvement," as well as the paragraph starting the next page with "According to his instructions..." and the paragraph starting on page 72 with "Davison denied participating in any other intelligence activity...." The last paragraph on page 72 could stand as written, with deletion for purpose of the word "Accordingly." (C)

Page 73 ff. George de Mohrenschildt. Request J. Walton Moore's name be replaced by description. "DCD local representative." (C)

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Page 78, ff. William D. Gaudet. Mr. Gaudet's name should not be revealed. The summary quoted on page 80 reveals personal details and reference to financial loans and should be deleted. (C)

Page 82. Oswald¹⁰(in Helsinki) en route to USSR. At page 86 reference to the CIA file on Soviet Consul should be deleted, as should the reference to CIA Dispatches¹⁰(from Helsinki)(showing the existence of CIA operations in a sensitive location). On page 87 reference to a CIA dispatch should be deleted; it should suffice if it was simply stated that "a dispatch from the Embassy, dated 9 October 1959,...." The reference to a CIA dispatch on page 88 should be deleted. (C)

Page 90. The absence of a reference to the origin of the communication conceals the location, and there is no objection in this form. (U)

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