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OLC # 78-3153

6 October 1978

MEMORANDUM FOR THE RECORD

SUBJECT : Manuscript of Former COS, Mexico City

1. Yesterday morning Mr. Charles Berk of the HSCA Staff asked to have certain documents transmitted to the CIA work area in the HSCA offices for use in the depositions of James Angleton which were being taken on 5 October 1978. This is the first time that we have received such a request on such short notice, but the responsible DDO elements were asked to assemble the documents and review them for any special sensitivity prior to delivery to the HSCA. This use is under a practice established in April/May of this year whereby documents reviewed at Headquarters could be used under CIA control for depositions.

2. The LA Division representative phoned to inquire as to whether there was a property interest on the part of the estate of Win Scott, former COS, Mexico City, which may affect our delivery of that document to HSCA. I obtained a first opinion from OGC that there might be a property interest that would in some way be affected, subject to the nature of the delivery of the material to the Agency. I undertook to contact John Horton, [redacted] [redacted], now retired, for such info as he may be able to give us. His home phone is (301) 373-2523. I spoke with his wife who referred to me yet another number, (301) 373-2626.

3. While I was trying to locate Mr. Horton and establish contact with him we continued to have a spirited exchange with Mr. Berk. Mr. Rininger of OGC joined us and the discussion continued. Essentially, our position was that we might have a responsibility to protect a proprietary interest on the part of the Estate, and that until we ascertained the facts we did not feel that it was appropriate for us to deliver the documents. Mr. Rininger contacted the General Counsel who expressed the opinion that we did not have a proper basis for withholding the documents from

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the Congress. It was understood in our discussion with Mr. Berk that those portions of the manuscript that contained sensitive operational information would still be subject to the restrictions in our agreement on publication in any final report. As none of the material requested bore a classification mark, although it did contain sensitive information, I classified it and arrangements were made to transmit it forthwith to the HSCA.

4. I did speak with John Horton, asking his recollection of the circumstances under which the Agency came into possession of these papers. He said that [redacted], he made a point of maintaining contact with Win Scott. There was some bitterness on the part of Mr. Scott (the reason was not given) and Horton had hoped to reduce that. In any event, after Scott died Mrs. Scott told Horton that there were a lot of Agency papers in Scott's study. Horton went out to Mrs. Scott's home and with her went through the papers there. Among them were Agency personnel files, operational files, and a variety of documents, including a manuscript with various drafts of the same material of a biography that Scott was writing. This apparently was intended for Readers Digest, and there was correspondence between Scott and John Barron. I asked Horton if there was any expression of interest on the part of Mrs. Scott in the manuscript of the book. Horton replied that she obviously disliked Barron and was anxious to get rid of the papers. He quoted her as commenting that Barron encouraged Scott to "tell all those stories and lies." Horton was clear that there was no interest on the part of Mrs. Scott and that she wants nothing done with the manuscript.

5. While all the foregoing describes the question of the handling of the Scott manuscript, there is a more basic underlying problem. The manuscript contains some dramatic inaccuracies about Lee Harvey Oswald's visit to Mexico City. Agency records, and the recollections of those involved in the matter, are that there was no photography of Oswald during his visit and that other than a telephone call on 1 October 1963 (which led to a routine report to Headquarters) there was no real knowledge of his presence there until after the assassination of President Kennedy. The Scott manuscript has the Agency photographing Oswald coming and going from both the Soviet Embassy and the Cuban Consulate and being under surveillance during the time he was in

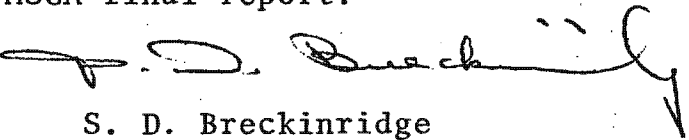
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Mexico City. If HSCA gives credence to the Scott account it would reinforce suspicions entertained in the HSCA staff that CIA suppressed its record of Oswald. It has been fairly clear that some of the investigators have believed from the beginning that there was a tie between CIA and Oswald which the Agency has endeavored to cover up. While we know that such was not the case this could be used to "corroborate"--as Mr. Berk stated to us--other findings in their investigation.

6. I asked Horton if he would comment on Win Scott's condition during his retirement and prior to his death. Horton said he would prefer not to have his comments made public without further thought, but that he had the impression that Scott had "gone to seed." He did not know whether this was a result of drinking or other factors. He said that Scott was like an old soldier, who told stories of his "victories in battles that he never fought."

7. Given the bias of the HSCA staff investigators we can assume that this will be the source of some controversy in connection with the HSCA final report.



S. D. Breckinridge

Distribution:

Orig. - OLC/Subject
1 - OLC/Chrono
1 - SA/DDCI
1 - DDA
1 - DDO
1 - C/LA (Attn: Sturbitts/Hawkins)
1 - PCS/LOC (Mr. Shepanek)
1 - OGC (Mr. Rininger)

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