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FROM : S. D. Breckinridge
Principal Coordinator, HSCA

SUBJECT : Comments on HSCA Report

Attached are comments on selected aspects of the HSCA Report, which we have reviewed in printed proofs. It is requested that you review them and be prepared to comment at a meeting to be held at 9:00 a.m. on Wednesday, 27 June 1979, in room 6E-13. It would be appreciated if you would obtain an official position from your own component so we can be sure that the results can be handled as the Agency views.

/s/ S. D. Breckinridge

S. D. Breckinridge

Attachment

I

Working Arrangements for the Warren Commission Investigation

The HSCA Report fails to describe the working arrangements for the conduct of the Warren Commission inquiry. Such an understanding is basic to any interpretation of what did and did not happen during the inquiry.

Following the assassination of President Kennedy, President Johnson designated the Federal Bureau of Investigation as the principal investigative arm of the Government to investigate the assassination. This was a logical step as the Bureau had the largest body of trained investigators. The role of the Bureau continued in this respect during the Warren Commission inquiry. The Commission, which had a much smaller staff, relied extensively on the Bureau for the exhaustive investigation that was conducted.

As testified to by Mr. Helms, as cited in the HSCA Report, CIA considered itself responsive to Warren Commission initiatives. In addition to Mr. Helms' testimony, however, the record shows that CIA took a number of initiatives on its own in collecting information and reporting directly to the Commission. Consistent with the understood arrangements of the time, however, CIA reported the detailed information that it had to the FBI in the latter's role as ^{principal} investigative arm of the Warren Commission. This involved both quality reporting and a great dross of material that ordinarily

might not be considered worth reporting. A consideration raised here is that intelligence analysts routinely winnow out useless and marginal reports to avoid flooding the recipients with unevaluated trash. That the HSCA has taken issue with so few instances of non-disseminated material indicates that the practice worked well in the course of the Warren Commission inquiry. [In this respect the FBI and the CIA worked closely together.] There are a number of instances in which initial reporting by CIA was the subject of an investigative follow-up by the Bureau, just as CIA responded to Bureau requests. This constituted something of a team operation, providing the available information at that time to the Warren Commission. HSCA investigators seem to have treated the work of the Bureau and CIA as separate from one another, [criticizing CIA for not conducting investigations that obviously were conducted by the FBI.]

As testified to by the Deputy Director of Central Intelligence, in his testimony before the HSCA, CIA is not an investigative agency in the usual sense of the term. While it does collect information abroad, its sources are carefully selected for their potential access to very specialized and sharply focused subject matter. Those resources are not readily subject to redirection for the purpose of police-type investigations. Further, CIA's representatives abroad are under cover and should not expose their true identity by ^{utilizing additional} ~~engaging in the usual police-type~~ investigative techniques. They can seek assistance from those police and security organizations where ^{legal restrictions and} existing arrangements permit, [but

in any general ~~police-type~~ investigation they are limited by cover, training and resources.] ^{As a result,} There were a number of instances in which CIA reports of information possibly related to the assassination of President Kennedy were actually ^{pursued} investigated by FBI personnel ^{shown established} assigned to the ^{liaison w/ foreign govt.} location for that inquiry.] This working arrangement and the results, is overlooked in some of the treatment by the HSCA Report.

While the HSCA did consider the question of how such an inquiry should be conducted in the future, there seemed to be a tendency to treat the Warren Commission inquiry the way HSCA staff investigators felt it should have been done instead of how it was done under the arrangements actually in effect at the time.

II

Comments on Findings of the Committee

At page 12 in the Findings and Recommendations of the Committee, Section I, D.4., there is a stark statement that CIA "was deficient in its collection and sharing of information both prior to and subsequent to the assassination." The unqualified nature of that finding conveys impressions that are subject to disagreement. The Committee is entitled to its conclusions, but by the same token, the Agency is entitled to express its reservations about them. For instance, as a comment at this point, what CIA could be expected to do prior to the assassination is an interesting question in itself, which the stark statement handles simplistically. The fact is that CIA had no advance information of any sort on the assassination of President Kennedy in Dallas.

At page 24 of the Report, in the Section discussing the structure of the investigation, the Committee observes that its access "was unprecedented by any congressional committee." Of course, the permanent oversight committees, which have institutionalized security procedures, have similar access. It is more correct to say that no special investigative committee has had similar access in the past. } ?

35-5

III

Comments on Nosenko

At page 86 the HSCA Report observes that "strangely, while (Nosenko) was interrogated during this period (1964-1968) he was questioned very little about Oswald." Without defending the mistreatment of Nosenko or the mistakes in the handling of his case, this aspect has an easily understandable rationale, which was offered to the Committee. As the Committee omitted reference to it, it is repeated here.

One of the problems with what Nosenko said had arisen out of inconsistencies as to what he knew about Oswald, complicated by the question as to whether he was a bona-fide defector or a dispatched agent. It was not judged profitable to belabor the Oswald issue and the decision was taken to try to resolve the question as to whether or not he was a bona-fide defector. If he was determined to be a bona-fide defector, then the significance of his inconsistent statements was reduced to the question of the reliability of what any defector says in the early days of his defection. If ^{it was determined} he was determined to not be a bona-fide defector, then the significance of those inconsistencies would assume major proportions. The problem was reported to Chief Justice Warren at the time and as the question was not resolved during the Warren Commission inquiry, Nosenko's testimony was not used. Had it been used it would have tended to reinforce the findings of the Warren Commission that there was no evidence of Soviet involvement.

35-6

IV

Comments on AMLASH

At pages 89-94 the HSCA Report discusses what is known as the AMLASH operation. It also discusses a study written in CIA in 1977 referred to in the HSCA Report as the CIA Task Force Report. First, there are certain things that should be understood about the AMLASH operation. While the HSCA investigators read the 1977 CIA Task Force Report, they apparently did not appreciate a key consideration to how the operation was handled during the life of President Kennedy.

Both the Eisenhower and the Kennedy Administrations had major programs aimed at the overthrow of Fidel Castro's government. Not only did this involve support of the Bay of Pigs invasion attempt, it involved economic and political sanctions and government-wide programs directed at subversion and clandestine activities in Cuba. It was in this context that AMLASH/1, as one of a number of Cubans, was contacted to ascertain his attitude. He stated his opposition to Castro, and his willingness to try to mount a coup against him. The reaction of CIA was that, because of the important position held by the man in the Castro government, he represented a contact with considerable potential, which should be exploited if possible. However, the assessment of the man was that he was not stable and not subject to discipline of the sort required for a recruited agent.

The decision was taken that the man could not be dealt with as a principal agent and that an attempt would have to be made to find someone in his organization with whom the necessary agent relationship could be established. The problem thus became one of how to maintain the contact with a man who claimed to have the organization and weaponry to carry out a coup, while at the same time developing a way of taking advantage of whatever eventuated.

The record is unequivocal in the conditional approach that was settled upon for dealing with the man. He would be told that he would be given no advance support and that only if he succeeded in a coup would he receive support. This position was given him on 29 October 1963. Subsequent reporting from FBI and CIA sources made it clear that the man understood that he had been rebuffed and that he was outraged. It was clear that if CIA did not want to loose the contact, which had as yet to be developed into anything tangible, steps had to be taken to mollify him. AMLASH/1 was asked to have a meeting with a CIA representative. A CIA case officer travelled to Europe, arriving the morning of 23 November 1963 and was meeting with AMLASH, possibly at the time of the assassination of the President. 22 Nov 63

The purpose of this summary is simply to point out the tenuous nature of the relationship of AMLASH/1 during the life of the President. This tenuous quality was deliberately because of the assessment of the ability of the Agency to work with

the man. As a matter of fact, the Agency never did develop a firm relationship with the man although it did provide what was intended to appear to him as tokens of its support in the form of weapons.

Consistent with its original assessment of the man, CIA put AMLASH in touch with a Cuban exile leader, with whom the Agency had a viable operational relationship. It was hoped that through the Cuban exile leader and his organization AMLASH/1 might come to fit into some future plan.

V

1977 CIA Task Force Report

At pages 90-92, the HSCA Report misrepresents the 1977 CIA Task Force Report.

As stated in the HSCA Report, CIA responded to Book V of the Church Committee Report by conducting an internal inquiry. Essentially, the key consideration, so far as this internal inquiry was concerned, was the significance of what has come to be known as the "provocation theory," i.e., CIA plotted the assassination of Castro, Castro might have learned of it, he might have dispatched assassins to kill President Kennedy in retaliation. As the provocation theory applied especially to Cuba, the focus of the study was on CIA's Cuban operations.

The provocation theory had not been perceived in 1964 during the Warren Commission investigation. The various aspects of the tensions between the Kennedy Administration and the Castro Regime were recognized in a broad sense as possibly giving cause to extreme action by Castro against the President. However, that specific operations might have a more specific effect simply was not conceived at that time. In fact, the HSCA Report states that the provocation theory was first advanced in 1967 by members of the criminal syndicate. While CIA might be faulted for not perceiving the provocation theory in this form earlier, the fact is that it did not. In any event, the concept is still a theory. 35-10

Statements to the effect that CIA "withheld" information on specific operations directed against Castro have the connotation of a deliberate suppression of the information. If one is to accept the HSCA conclusion that the concept was not developed until 1967, then objective fairness would require a modification of the characterization accorded the absence of reporting.

The 1977 Task Force Report accepted in principle the hypothesis of the provocation theory. The report states, as cited in the HSCA Report, that CIA should have taken broader initiative than it did. Contrary to the HSCA Report, however, the CIA Task Force Report did not fail to say what should be done. What it did was to undertake what was not done in 1964. It reviewed all Cuban operations for any reference to allegations of assassination plotting, or that might have a specially provocative aspect. There are many pages of discussion of instances of reports found in the files on assassination plotting, the persons who were involved, and what relationship if any, CIA had with them. Each was followed with an evaluation as to whether it could have provoked a retaliatory attack on President Kennedy. This extensive discussion was seen by several members of the HSCA staff, but apparently not by the author of the section of the HSCA Report where it is said that CIA did not say what should have been done about it. This assertion in the HSCA Report is in error.

At page 91 the HSCA Report makes the following statement:

"The '1977 Task Force Report' reviewed the question of Agency operations directed at Cuba, including, in particular, the Mafia and AMLASH plots. In every area the report concluded that the Agency's 1963-1964 investigation was adequate and could not be faulted, even with the benefit of hindsight. The Task Force uncritically accepted the Senate Committee's conclusions where they were favorable to the Agency, and critically rejected the Senate Committee's conclusions, as in the case of AMLASH, whenever some possible investigative oversight was suggested."

In the first place, this is not what the 1977 Task Force Report did. It took the provocation theory seriously and as noted, reviewed all those activities that could be identified with the plotting of assassination of Castro. CIA already knew the limited character of the relationship with AMLASH/1 and the difficulties in dealing with him that led to the tenuous nature of the relationship. The report specifically noted that the AMLASH operation was a particularly bad example to support the provocation theory; it treated it in detail because a third of the pages in Book V of the Senate Report dealt with it. The position of the 1977 Task Force Report was that the operation with the syndicate would have been a better case because there was a plan to assassinate Castro, as distinguished from the AMLASH operation. In fact, that view was stated to the Church Committee members concerned

with Book V of its final report at the time Book V was in draft. The 1977 Task Force Report specifically records that view. (See comments concerning page 97 of HSCA Report.)

The 1977 CIA Task Force Report, after presenting its critique of the relevance of the AMLASH operation to the provocation theory, made the following statement concerning the significance of its analysis:

"The result this has on the present comment on the SSC Final Report may seem anomalous. It places CIA in the position of contesting the interpretation given the AMLASH operation in the SSC Final Report, and to that extent the thesis that the presentation was supposed to support. At the same time, however, we are inclined to acknowledge in principle the possibility--not seriously considered as a likelihood during the Warren Commission inquiry--that other operations could have suffered the defects attributed to the AMLASH operation by the SSC Report. In protesting the presentation in one instance, and the specific conclusions it seeks to support, the effect is to disagree with a substantial portion of the report as written. On the other hand we tend to not contest a general thesis that more specific attention could have been given by the Warren Commission to the anti-Castro programs of the U.S. Government, including CIA activities."

The thrust of the Task Force Report is at material variance from the HSCA characterization of it.

55-13

VI

Miami

Page 92 of the HSCA Report states that the 1977 Task Force Report made no inquiry into what was done in the Florida Station. In fact, the 1977 Task Force Report specifically described the frenetic and intensive activity there in connection with the investigation following the assassination of President Kennedy.

The statement that the 1977 Task Force Report failed to document or even discuss the details of efforts, or the responses of stations to CIA headquarters, is in error. There is an entire section in the Report devoted to intelligence reporting disseminated to the intelligence community following the death of President Kennedy and during the investigation of the Warren Commission. In addition, there is a section of several pages discussing the general nature of investigations in the field, and reporting back from the field, with selected examples of that reporting. There is separate treatment of information from Mexico City, where Oswald had visited. The HSCA Report ignores (or the HSCA staff ignored) the detailed presentation in the 1977 Task Force Report.

35-14

VII

The 1977 CIA Task Force Report on the Mafia Plot

At page 97 of the HSCA Report the statement appears that CIA, with the Senate report, held that the plot with the Mafia was irrelevant to the inquiry into President Kennedy's assassination. This misrepresents the Task Force Report and CIA's actual view of the matter.

As stated elsewhere, it was felt that the AMLASH operation was irrelevant to the investigation, simply because the relationship with AMLASH had not materialized into anything involving commitments or agreements during President Kennedy's life. However, in the context of the provocation theory, CIA felt that the operation involving the criminal syndicate came closer to filling the bill. It contained an actual plot, a missing ingredient in the AMLASH operation. Representations to this effect were made to the Church Committee subcommittee that prepared Book V of the Church Committee Final Report. The 1977 CIA Task Force Report contains the following statement:

"This viewpoint (that the AMLASH operation was irrelevant) was conveyed to the Subcommittee prior to publication of the report. At the same time it was observed that theoretically there was greater possibility of leaks from the earlier operations involving the criminal underworld, although there was no known evidence of such leaks. While general, rather than specific, this could have provided more reasonable support

for the Subcommittee's view that there were CIA operations that should have been reported to the Warren Commission. The SSC Subcommittee saw otherwise...."

Further, the 1977 CIA Task Force Report engaged in considerable discussion of the Mafia plots, which, interestingly enough, seems to have been adopted in toto by the discussion in the HSCA report, although the HSCA report would lead one to believe there is no such treatment.

VIII

Gilberto Policarpo Lopez

At page 98 of the HSCA Report there is a discussion of a man named Gilberto Policarpo Lopez, an American citizen of Cuban extraction. This man who flew ^{from New York} to Havana on 27 November. CIA reported on the man's flight, and then over the succeeding days reported additional information concerning his travel through Mexico and his departure. This information was passed to the FBI. Under the arrangements at the time, the FBI conducted extensive investigations of the man in the United States. CIA had no investigative resources in Cuba, and with the exception of interviewing a refugee from Cuba who knew something about Lopez it was unable to add to its earlier reporting.

The confusion in this particular case arises out of a report some months after the man's departure from Mexico. It was filled with erroneous detail on facts already reported accurately, and clearly was a report that could not be accorded any validity. The report was not disseminated because of this, although a CIA cable addressed to the reporting source in the field, made the mistaken comment that the information jibed with that already available. Quite frankly, that cable was in error. There was no reason to do anything further. The decision against its dissemination at that time remains valid today.

35-17

IX

Luisa Calderon

At pages 1-2 DII-PATS, the HSCA report discusses information concerning a Cuban employee by the name of Luisa Calderon. This discussion is based on a memorandum written in 1975 by a CIA employee for the Rockefeller Commission. It cites a field report of a conversation that Calderon had taken place some five hours after the assassination of President Kennedy which quotes her as stating "I knew almost before Kennedy." (emphasis added).

On the basis of this the HSCA perceives it as possible that the statement constitutes an indication of foreknowledge of the assassination of President Kennedy on the part of Calderon.

The HSCA Report does not discuss the full information about the Calderon conversation. The quotation that she "knew" was based on an incorrect translation whereby the more positive "knew" should have appeared as "learned." Further, and to put the entire conversation into perspective, she also said that she had just learned of it, i.e., five hours later.

The HSCA treatment of this subject is based on a memorandum by a CIA employee, in turn stimulated by an unverified mistranslation. It also omits those elements of the reported conversation that place the comment in context, removing the inference placed on the mistranslation.

The evolution of this section of the HSCA Report is interesting to the extent that it reveals attitudes on the part of the HSCA Staff. Calderon had suspected DGI (Cuban intelligence service) connections. An early HSCA draft report alleged that CIA withheld this information from the Warren Commission. This was joined with a presentation that tried to make Calderon out as a CIA agent. The heavy implication of CIA deception was unconcealed. As the evidence proving that these statements were untrue was brought forward, they had to be dropped, not without reluctance. All that was left of the original dramatic presentation was a mistranslation that omits qualifying facts.

X

Elena Garro

At page 3, DII-PATS there is treatment of statements by Elena Garro. Information concerning statements by this person about Oswald's 1963 visit to Mexico City, came into the possession of CIA in late 1964, after the Warren Commission report had gone to press. It was duly reported to the FBI. It is correct to say that there was a tendency to discount the source, but CIA had no direct access to the person in question. It is observed that Footnote 16 at the bottom of page 3 makes it obvious that CIA did collect some information on the subject although the body of the text suggests that it did not. Under the arrangements at the time, FBI headquarters received additional information on the subject.

35-20

XI

Alleged Refusal of CIA to Make Available Sources In Mexico

At page 3, DII-PATS, Footnote 15, the HSCA Report states that the "Committee's investigation in Mexico City was further inhibited by the refusal of the CIA to make available its sources on the Elena Garro allegation."

This statement is incorrect. CIA had no influence over the persons in question (they were not established or controlled contacts) and the Committee had to rely on Mexican authorities who, also, labored under difficulties in locating or compelling contacts by its citizens or residents. The Committee was made aware of this, and this misstatement is despite information to the contrary.

35-21

XII

Contreras Allegations

At page 4, DII-PATS, at footnote 17, the HSCA Report states that "(t) Contreras story . . . was not adequately pursued when it first came to the attention of CIA". Contreras alleged that he met Oswald during his visit to Mexico in 1963. The Contreras allegation was first reported by the American Consul in Tampico, Mexico, in May 1967, two and a half years after the conclusion of the Warren Commission investigation. CIA representatives interviewed Contreras in June 1967. It was felt inappropriate for CIA to be further involved directly, and the Agency recommended that additional inquiry be conducted by Mexican authorities. CIA disseminated the information from its interview, as it did with the report by Mexican authorities.

33-22

XIII

Maurice (Morris) Bishop

At pages 11-13, DII-PATS, the HSCA Report discusses a man by the name of Antonio Veciana Blane^{ch} and a man named Maurice Bishop with whom he says he had contact. Veciana was involved with a Cuban exile group called ALPHA-66. Veciana^{reportedly} told the HSCA he knew the man for over 13 years and ^{had} met with ^{him} the man on over 100 occasions. The HSCA tried to establish the identity of this man Bishop, and his organizational affiliation. The HSCA was concerned that he might be from CIA and the Report leaves the question somewhat up in the air.

^{CIA has} There is a very specific requirement for review and approval of continuing operational contact and ~~on~~ recruitment of agents. A record on this is required to be maintained in detail. Obviously impromptu and one-time contacts may not be subject to such a controlled procedure, but even those usually are reported. There is no way that a CIA employee would have had operational contacts with a man such as Veciana, in the way described by him, without there being a ~~rather~~ full record of it, from approval of the relationship through detailed reports on it. Not only would this be in operational files, but it would be in financial records. Any involvement with his organization would be similarly ^{ALPHA-66} recorded.

Above and beyond this there would have been some record of a man with the name Maurice (Morris) Bishop, if he were from CIA. CIA never had an employee by that name nor has any of its employees ever received approval to use such a name as an alias or a pseudonym. Additionally, Veciana's organization, ALPHA-66, was not ~~one of those organizations~~ supported by the CIA.

35-23

There is no one by the name of Bishop
Maurice (Morris) Bishop (continued)

The former CIA employee who recollected knowing of someone by the name of Maurice Bishop is highly imprecise. He did not know the man personally. He did not know where the man was assigned or what his responsibilities were. He only recollected that someone had pointed him out to him in the hall.

Given the controls and records of Agency employees and the persons with whom they are authorized to deal, *it is clear that* ~~there is~~ no one by the name of Maurice (Morris) Bishop, *anyone* or *using that name,* ~~who~~ had a CIA connection.

XIV

Trafficante-Ruby

At page 25, DII-PATS, the HSCA Report erroneously attributes to a State Department cable information concerning a British journalist who said that in 1959 an American gangster-type named Ruby visited an American gangster in prison in Cuba. The name given the imprisoned gangster was "Santos". This report was passed to the FBI, and (subject to Bureau verification) was included in its reporting to the Warren Commission on Ruby. There was subsequent reporting casting considerable doubt on the stability and reliability of the journalist. Contrary to the statement in the HSCA Report, to the effect that CIA did nothing further on the subject, following a search of Agency sources, a six page report concerning the man was provided the FBI.

Today, it is speculated that the "Santos" mentioned in the report from London may be the same as Santo Trafficante⁽¹⁹⁶⁰⁻⁶¹⁾. No one made the possible connection in 1964, and those who knew about Trafficante's involvement in the Castro plot probably did not see the cabled report.

At page 41, DII-PATS, the HSCA Report states that "Ruby may have met with Trafficante". It goes on to suggest that CIA knew that in 1964 and discounted it; the fact is that the ^{one} report about such an encounter did not name Trafficante, but a man by the name of Santos instead. The treatment by the Committee on this point is misleading.

35-25

XV

CIA Records on Oswald

At page 59 of DII-PATS, the HSCA Report emphasizes the possibility that CIA may have a significant record concerning Lee Harvey Oswald that has not been found. While one must assume that this is a theoretical possibility, it is a most unlikely possibility. There obviously are many casual contacts with persons of no interest, on whom there ~~are~~ will not be a record simply because there was no reason to make a record. However, in instances in which "an individual was affiliated with the Agency", as stated in the HSCA Report, there would be a record. There were records on Lee Harvey Oswald, but they show no contact with him. Further, the Agency has conducted such an extensive search for all manner of records concerning him that it is safe to say that all significant references to him have been found. The Committee's attempt to cover the possibility of there being such a record is more than slightly overstated.

35-26

Oswald's File

At page 62, DII-PATS, the HSCA states that "according to the Agency" the Oswald file was opened because as an American defector he was considered to be of continuing intelligence interest. This comes from a memorandum written in 1975. In fact, the Oswald file was opened as a simple matter of bureaucratic convenience in response to a request from the Department of State, as is shown later in the ^{HSCA} report. The "Agency" so stated it to the HSCA, pointing out the error in the 1975 memorandum.

At page 63, DII-PATS, the HSCA reports that no Agency witness could explain why Oswald's middle name showed as "Henry" instead of "Harvey". ^{on the temporary HSCA file.} The explanation was simple and was given, as stated in the following comments in the HSCA Report. It was a bureaucratic error.

Attention is given to the meaning of ^{the computer symbol} "AG" at page 63, DII-PATS, on the Oswald form. At one point the HSCA investigators pursued the possibility that this might be some sort of abbreviation for "agent". The Committee report elects to accept a recollection of a former employee to the effect that the symbol "AG" was initiated subsequent to the opening of the Oswald file. The memory of the former employee is in error on this point. Although it is not a significant issue, Agency records show that the symbol was in use at least a year prior to the opening of the Oswald file, and HSCA representatives were so advised.

XVII

Possibility of a Dual Filing System

At page 65, DII-PATS, the HSCA Report states that "the Committee was aware of the possibility that a dual filing system" could have been used to disguise the relationship with Oswald. This so-called awareness stems from the fact that an instance came to the attention of HSCA investigators in which two CIA employees contemplated establishing a false file in order to conceal the true records of a sensitive operation.

The HSCA Report failed to acknowledge that what had been contemplated by the two employees was, in fact, not carried out. False or dual files were not used. Any familiarity with the Agency filing system--whatever popular views to the contrary--would make it clear why the contemplated dual files were not employed and why it is not a realistic consideration.

35-28

XVIII

Debriefing Oswald

At pages 67 and 68, DII-PATS, the HSCA reports consideration given to the possibility of debriefing Oswald at the time of his return from the Soviet Union. The HSCA Report is correct in stating that Oswald was not contacted or debriefed. It omitted an interesting aspect of the matter in which the officer who wrote the memorandum on the point commented on the apparent instability of Oswald and the resulting question about the desirability of such a contact.

35-29

XIX

Red-flagging the File of a Foreign Service Officer /

At page 73, DII-PATS, the HSCA Report states that CIA personnel were unable "to explain adequately" the red-flagging of a file belonging to a short time employee of CIA who left the Agency in 1950 for the Foreign Service. An explanation was offered, which would be reasonable to persons familiar with such considerations. Following the individual's departure from CIA, the fact of his earlier brief employment with CIA could impair his future usefulness in the Foreign Service, if it was known that he once was with CIA. It is an appropriate concern of CIA to save former employees from such embarrassment. While this is a reasonable explanation, there is no record today that specifically supports it. If this is an inadequate explanation by HSCA standards, then so be it. That it probably is correct, however, is the point that should be kept in mind.

35-30

XX

CIA Reporting on Oswald Before the Assassination

The HSCA Report criticizes CIA reporting both before and after the assassination of President Kennedy. Because the point is made in that way, it is important to keep in mind that prior to the assassination there was no particular reason to report in depth on a man by the name of Lee Oswald. who was something of a nonentity.

CIA learned that a man calling himself Lee Oswald (not Lee Harvey Oswald, as stated in the HSCA Report at page 98, DII-PATS) contacted the Soviet embassy in Mexico City on 1 October 1963. This was duly reported to appropriate Government agencies in Washington. At that time CIA had additional information about contacts with both the Cuban and Soviet facilities by unidentified persons. This information was in CIA files, but it was not until after the assassination that it was reviewed and some of it was identified, by analysis, as involving Lee Harvey Oswald. The point is that prior to the assassination Oswald's name had been made known only in connection with his contact with the Soviet embassy on 1 October. There had been no research of the files prior to the assassination, and it was only by analysis after the assassination that the other contacts became known. The fact is that CIA did report what it knew at the time. *and that info was dissem in the govt.*

At page 101, DII-PATS, of the HSCA Report, it is stated that "the Committee was unable to determine whether the CIA did in fact come into a photograph of Oswald". The answer, categorically, is that ^{CIA} ~~it~~ did not.

35-31

Reporting to the Warren Commission

At page 102, DII-PATS, of the HSCA Report, there is discussion about reporting to the Warren Commission. In this discussion, a statement by Mr. Helms that CIA responded only to specific requests is joined to a statement that the working level focal point in the Agency for dealing with the Commission did not know about the anti-Castro plotting.

Two points should be made on this. First, Mr. Helms' recollection on this point is partly inaccurate. The record is replete with reporting by CIA to the Warren Commission, on its own initiative and not solely in response to specific requests. Of course, it reported extensively to the FBI which in turn reported to the Warren Commission.

The footnote 8 cited on this page seems to accept the provocation theory as fact. By not reporting operational details, therefore, CIA is judged as failing to meet its responsibility. It is only noted here, as is stated elsewhere in these comments, that the provocation theory did not emerge until 1967 and remains a theory to this date. Those who knew about the assassination plotting did not consider it at that time to bear on the issue confronting the Warren Commission.

A moment's reflection is worthwhile. It was generally known ^{in 1964} that ~~the U.S.G.~~ ^{the U.S.G.} CIA, as well as other Government agencies, had hostile programs directed against Castro and his regime, which might today be considered provocative. Some perspective might be gained from the thought that during the Warren Commission investigation no one thought to have a detailing of those operational activities, which might then have broadened the scope

Reporting to the Warren Commission (continued)

of the inquiries. With the advantage of hindsight, it would have been desirable had the concept been developed then as it was later, according to the HSCA Report, in 1967. And perhaps it would have been useful if HSCA had inquired into ^{all} those ~~other~~ activities as well. CIA conducted its review following articulation of the provocation theory in Book V of the Church Committee final report. The findings of that review are in the 1977 CIA Task Force Report and ^{was} available for review by HSCA investigators.

XXII

Calderon

At page 102, DII-PATS, of the HSCA Report, the view of the Committee on the significance of the Calderon conversation is raised again. This time the report states "the CIA was unable to explain the omission" in not reporting the Calderon conversation. The explanation that the conversation was meaningless by reasonable standards was offered, whether or not it was acceptable to the Committee.

XXIII

Reporting from Sensitive Sources

At page 102, DII-PATS, of the HSCA Report, it is stated that "with the exception of that which was obtained from sensitive sources and methods, CIA information, in general, was accurately and expeditiously provided to the Warren Commission. In cases of sensitive sources and methods, rather than provide the Commission with raw data which would have meant revealing the sources and methods, the substance of the information was submitted in accurate summary form."

This statement constitutes the thin residue of a series of complicated treatments of early drafts in which the HSCA staff first attempted to demonstrate that CIA withheld information in order to protect its sensitive sources. In practically every case, CIA demonstrated that the information was reported, in detail, with evaluations of the validity of the reported information.

The issue really arises from the lack of familiarity of the HSCA staff with intelligence procedures and a certain visceral disfavor on the part of some HSCA staff members for those procedures.

It is normal procedure in the world of intelligence to report collected information, when it is worth reporting, without disclosing its source. If the source were to become known it could be lost, so it is protected. A source may be described and an evaluation may be placed on the information, but it is the information which is critical, and it is provided.

As its "case in point" the HSCA Report, at page 102, DII-PATS, discusses the handling of CIA information on Oswald's contacts with the

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report

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Reporting from Sensitive Sources (continued)

Soviet and Cuban installations in Mexico City. The Warren Commission was not fully organized until the end of 1963. In mid-January 1964, Mr. Helms informed the Staff Director of the Warren Commission about this information. It was provided in considerable written detail the end of that month, with an unusually emphatic endorsement of its accuracy and reliability. That a Warren Commission investigator seems not to have absorbed this information until April 1964 cannot rationally be attributed to the fact that the source was not specified.

In this particular "case", the original HSCA draft on this subject charged that the information was not provided the Warren Commission until April, emphasizing in the harmful effects of the alleged delay, and attributing it to the protection of sensitive sources. As the basis for the criticism collapsed in the face of the facts, the draft of the report was simply modified to provide a new criticism, however thin.

Characterization of AMLASH Operation

At page 163, Volume X of the HSCA Report, the Committee emphasizes the recollections of a former CIA employee called Langosch, to the effect that the AMLASH operation was characterized as an assassination operation during the period preceding the death of President Kennedy.

Langosch was not aware of or privy to the details of the AMLASH operation during the period preceding the assassination of President Kennedy. While he had a staff responsibility, as a counterintelligence officer, for security aspects of the relationship, he had not been made witting of the substantive details of what went on. As has been stated elsewhere AMLASH/1 had been evaluated as an unstable man who did not have the self-discipline to accept directions or to serve in the role of a controlled agent. As a result, the records show that the decision was made to attempt to work through some of his colleagues while retaining a contact with him. As a senior person in the Castro government, his potential seemed great, whatever the difficulties of dealing with him.

The problem was one of how to hold the contact open without getting involved in activities that could not be controlled or influenced.

On 29 October 1963 Desmond Fitzgerald met with AMLASH/1 and told him he would be given no support in preparation for a coup in Cuba. All of the planning papers showed that AMLASH/1 was to be told only that if he succeeded would he receive support, and that after the fact. The report of the meeting shows that the plan was adhered to. Later reporting showed that AMLASH/1 considered this as a turn-down. His strong reaction

Characterization of AMLASH Operation (continued)

was such that the decision was taken to make some gesture that had sufficient tangible appearances to keep the contact alive. This took the form of a pen, designed to contain a syringe to administer poison, which was offered to AMLASH/1 at about the very time of the President's assassination in Dallas.

The point of this sequence of events is that during the President's life, CIA had no commitment to AMLASH/1, and had made no representations of support to him. Reporting showed that he knew this. The significance of this is that--in the context of the provocation theory--he had nothing that he could report or leak concerning U.S. support.

When Langosch testified before the Church Committee, *was reported as* he stated that he could not recall the time frame of the activity. Yet, the time frame was key to the analysis of the operational relationship with AMLASH/1, particularly in the context of the provocation theory. With the HSCA, however, Langosch recalled a time frame for events, as well as facts that are inconsistent with all the evidence about the development of the operation.

The HSCA Report cites an affidavit by a former CIA employee known as Pollock, one of the two people living today who know the details of the AMLASH operation at the time in question. He contradicts the statements made by Langosch as to how the AMLASH operation was characterized during the period preceding President Kennedy's death.

Characterization of AMLASH Operation (continued)

It is of some interest that the HSCA investigators did not elect to call as witnesses the two living persons who knew the details of the AMLASH operation at the time that it was going on. One of them, a retired CIA employee, volunteered an affidavit by way of refuting the recollections of Langosch. The existence of the other one, whose testimony is cited in the Church Committee report, was not secret. An HSCA review of the AMLASH files was not extensive, reviewing only one of the folders of the entire file (14 in number) which was made available for them.

The handling of this phase of the investigation by the HSCA staff serves to confuse rather than clarify the issues.

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1967 IG Report

At page 188 of Volume X of the HSCA Report, there is emphatic criticism of a statement in the 1967 IG Report on the plotting against Fidel Castro. The offending statement is quoted in full:

"The gambling syndicate operation had been taken from him (Colonel Edwards), and, in retrospect, he probably acted properly in briefing the Attorney General on only that aspect of the operation for which he had been responsible and of which he had direct, personal knowledge."

Edwards was the Director of Security, under whom the so-called Phase I of the Castro plot with the criminal syndicate was carried out.

The briefing of the Attorney General was on 7 May 1962. A memorandum on the briefing, sent to the Attorney General at his later request, was dated 14 May. On that same date, 14 May, Edwards wrote another memorandum for the Office of Security file, stating that Harvey (the man taking over what the 1967 IG Report termed Phase II of the operational relation with the syndicate), had told him that he was dropping the contact with the members of the syndicate.

In 1967, when he was interviewed in connection with the IG inquiry, Edwards could not recall that he knew that his assistant was in Miami turning over his contacts to Harvey, at about the same time that Edwards was briefing the Attorney General. This specific point is recorded in the IG Report, although the IG Report expresses the view that Edwards must have known at the time (1962). It was not until 1975, in the

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