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OLC/July

SUBJECT: (Optional)

Dir/FBI Response Re Nosenko Interrogatories

HSCA

FROM:

R.S. Gabrielson OLC/HSCA
6D5317

EXTENSION

1385
1046

NO.

OLC 79/0205/1

DATE

19
~~20~~ January 1979

TO: (Officer designation, room number, and building)

DATE

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

RECEIVED FORWARDED

1. Ray Reardon O/Security
4E13

2. Russ Holmes OLC
2D11

3. M. Sednaoui DDO/CI
2B1405

4. Ed Andrews DDO/SE
4D10

5. R. Rininger OGC
7D07

6.

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11.

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NOTE:

The attached received from FBI.

I bring it to your attention for any thoughts you might have on its substance.

Please call me with your comments.

Rodger

1046 (R)

1385 (R)

Att.

21539



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

OLC # 79-0205

January 8, 1979

HOUSE SELECT COMMITTEE ON ASSASSINATIONS
U. S. HOUSE OF REPRESENTATIVES (HSCA)

This responds in full to a December 18, 1978, letter to the Attorney General signed by G. Robert Blakey, Chief Counsel and Director, HSCA, which asked that the FBI declassify, in toto, a Secret, September 14, 1978, response made to 16 interrogatories pertaining to Yuri Ivanovich Nosenko which were propounded by the Committee in its letter of September 5, 1978.

Declassification of the September 14, 1978, response required coordination with the Office of Legislative Counsel, CIA, which interposed no objection to declassifying certain portions of that response.

The Committee's attention is invited to the fact that CIA did suggest, with regard to the response to interrogatory number "8", that the FBI "... may wish to correct the dates on which the FBI did not have direct access to Mr. Nosenko, to read 3 April 1964 until 8 December 1968."

For the convenience of the Committee, the following declassified, verbatim reiteration of the September 14, 1978, response is provided.

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House Select Committee on Assassinations
U. S. House of Representatives (HSCA)

This responds in full to the following enumerated interrogatories submitted for consideration in a letter, dated September 5, 1978, to the Attorney General and signed by G. Robert Blakey, Chief Counsel and Director, HSCA.

"1. On what dates and for how long was Nosenko questioned by the FBI about Lee Harvey Oswald— from 1964 to present?"

The files of the FBI indicate that Yuri Ivanovich Nosenko was interviewed regarding Oswald and/or the assassination of President John F. Kennedy on February 26 and 27, 1964, and on March 3, 4 and 6, 1964. The FBI files do not record the specific duration in whole or in part as to topical discussions, of those five interviews; however, summary communications indicate the February 27, 1964 interview was conducted on the afternoon of that date and the March 4, 1964 discussion of Oswald occurred at the outset of an afternoon interview on that date.

"2. When Nosenko was questioned by the FBI about Lee Harvey Oswald, who did the questioning?"

The FBI interviews of Nosenko, during which he was questioned about Oswald and/or the assassination of President Kennedy, were conducted by Special Agents (SAs) Alekso Poptanich, Maurice A. Taylor and Donald E. Walter on February 26 and 27, 1964; by SAs Poptanich and W. Marvin Gheesling on March 3 and 4, 1964; and by SAs Poptanich, Taylor and Walter on March 6, 1964.

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"3. What background, if any, did the interrogator have in interrogations? What knowledge did the interrogator have with respect to Oswald's background?"

There are no retrievable FBI statistics upon which to base a quantification of the interrogatory experiences of the SA personnel who interviewed Nosenko on the five pertinent occasions. Suffice it to say, the techniques of cooperative and hostile interrogations are integral aspects of the training and almost daily duties of SA personnel. In that regard, it is noted that during the February and March, 1964 interviews SA Poptanich had almost 13 years of SA experience; SA Taylor had over 31 years of SA experience; SA Walter had completed almost 17 years of SA experience; and SA Gheesling had over 13 years of SA experience. Further, their respective personnel files disclose the following:

SA Poptanich was then fluent in the Russian language (Nosenko's native tongue). The Annual Report of Performance Rating, dated March 31, 1962, noted that SA Poptanich, during the previous twelve months, had participated in the interrogation of a Soviet defector and his knowledge of the Russian language and mores of the Russian people proved most helpful relative thereto.

SA Taylor, on September 11, 1962, received an incentive award in recognition of the superior fashion his responsibilities were discharged over an extended period of time. The Special Agent in Charge (SAC) of the Washington Field Office, in submitting a recommendation for the incentive award, commented that SA Taylor had demonstrated exceptional ability in the interrogation and debriefing of three Soviet defectors, all of whom were intelligence officers. SA Taylor's Performance Rating for the period April 1, 1963--March 31, 1964, noted he was recognized as the finest interrogator on the Soviet espionage squad in the Washington Field Office, which accounted for his assignments to interview Soviet defectors.

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SA Walter was the recipient of a personal letter of commendation, dated October 3, 1963, from the Director, FBI, for his superior work in the handling of a very sensitive, complicated, fast-moving, and highly publicized espionage case. Previously (on November 7, 1954), he had received a meritorious salary increase for his outstanding work on another espionage case, successful interrogation being the key aspect of that investigation.

SA Gheesling, at the time of the pertinent Nosenko interviews, served as a Supervisor at FBI Headquarters and had considerable experience in espionage, intelligence and counterintelligence investigations. SA Gheesling supervised the field investigation of Oswald (from the latter's return to the United States on June 13, 1962 until September, 1962, and from November 22, 1963 through mid-1964). He was assigned exclusively to supervisory responsibilities relative to the assassination of President Kennedy.

While the specific knowledge of Oswald's background, possessed by these SAs at the time of the Nosenko interviews, can be answered only by the SAs themselves, SA Gheesling's prior assignment to supervision of the Oswald investigation would tend to indicate that he, at least, was quite knowledgeable of data contained in FBI files concerning Oswald.

- "4. On the dates that Nosenko was questioned about Oswald, does there now exist or did there ever exist:
- a. a tape of the questions asked and Nosenko's answers;
 - b. a transcript of the questions asked and Nosenko's answers;
 - c. a summary of the questions asked and Nosenko's answers?"

As noted in FBI memorandum dated June 19, 1978, captioned as above, and which was prepared in response to HSCA letter, dated June 13, 1978, to the Attorney General, FBI records searches have not located any extant tape recordings

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or verbatim transcripts of FBI interviews with Nosenko that concerned Oswald and/or the assassination of President Kennedy. A document has been located which indicates that FBI personnel did record the February 26 and 27, 1964, interviews of Nosenko, among others. Since no recordings or transcripts have been located, it can be assumed that the recordings were used by the interviewing SAs to check the accuracy of their notes prior to dictating the results of the interviews. It is further assumed that, upon verifying the accuracy of summary reportings of the interviews, the recordings were disposed of since they had served the purpose for which they were made, although no record of such disposition can be found. Summary reportings of the five pertinent interviews are extant, and were delivered to the HSCA on March 21, 1978.

- "5. What criteria, if any, was used to determine:
a. what subjects to question Nosenko about;
b. how much time to devote to each subject?"

FBI files do not contain a specific enumeration of criteria used to determine the particular subjects Nosenko was to be questioned about nor the amount of time to be devoted to each subject in the questioning.

- "6. What significance — with respect to possible foreign involvement in the assassination as well as to the issue of Nosenko's bonafides (sic)—did the FBI attach during the years 1964-1968 to Nosenko's statements about Oswald?"

The FBI, during the years 1964-1968, considered Nosenko's statements about Oswald to be very significant elements of his initial reportings, the veracity of which had to be assessed in relation to the totality of information furnished by him. The FBI perceived Nosenko's statements about Oswald, depending upon a subsequent, definitive resolution of Nosenko's bona fides, to be the most authoritative information available indicative of a lack of Soviet governmental involvement in the assassination of President Kennedy.

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"7. What significance -- with respect to possible foreign involvement in the assassination as well as to the issue of Nosenko's bonafides (sic)—does the FBI attach today to Nosenko's statements about Oswald?"

The FBI does not perceive any significant evidence of foreign involvement in the assassination of President Kennedy, nor does the FBI perceive any credible evidence that Nosenko's defection was a Soviet ploy to mask Soviet governmental involvement in the assassination. Therefore, the FBI is satisfied that Nosenko reported the facts about Oswald as he knew them.

"8. If the answer to question 6 is different from the response to question 7, when did the change occur and why?"

The FBI had no direct access to Nosenko from April 3, 1964 until April 3, 1969, and therefore was not in a position to make an objective assessment of his bona fides nor of the veracity of information furnished by him. Thus, information provided by him, in early 1964, was accepted at face value and qualified in terms of the source and the conditions under which it was received. On October 1, 1968, the FBI advised the Central Intelligence Agency (CIA) that, based upon a review of material provided by CIA, the FBI found no substantial basis to conclude that Nosenko was not a bona fide defector; however, the FBI did not reach any overall, definitive conclusions regarding his bona fides because of a lack of access to Nosenko and all collateral information pertinent to such an assessment. Effective May 11, 1977, the CIA and FBI concurred that Nosenko was a bona fide defector, based upon an assessment of the totality of information furnished by him.

"9. What was the FBI's position from 1964 to 1968 on the question of whether Nosenko is bonafide (sic)?"

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The FBI, from 1964 to 1968, characterized Nosenko as a Soviet defector whose bona fides had not been established.

"10. What is the FBI's position today on the question of whether Nosenko is bonafide (sic)?"

The FBI currently characterizes Nosenko as a former Soviet Committee for State Security (KGB) officer who has furnished reliable information in the past, and considers Nosenko to be a bona fide Soviet defector.

"11. If the answer to question 9 is different from the response to question 10, when did the change occur and why?"

The answer to question 8 is considered responsive to question 11.

"12. What was the FBI's position from 1964 to 1968 on whether Nosenko was telling the truth in the statements he made to the FBI about Oswald?"

The FBI did not take a position, from 1964 to 1968, on whether Nosenko was telling the truth in the statements he made to the FBI about Oswald. The statements were accepted at face value and qualified in terms of the source and the conditions under which they were received.

"13. What is the FBI's position today as to whether Nosenko was telling the truth in the statements he made to the FBI about Oswald?"

The FBI is satisfied that Nosenko truthfully reported the facts about Oswald as he knew them.

"14. If the answer to question 12 is different from the response to question 13, when did the change occur and why?"

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As indicated in the responses to questions 7 and 8, the FBI, as of October 1, 1968, found no substantial basis to conclude Nosenko was not a bona fide defector; as of May 11, 1977, accepted a CIA assessment that Nosenko was a bona fide defector; and has not perceived any significant evidence, from 1964 to date, that Nosenko reported other than the facts about Oswald as he knew them.

"15. Did either the FBI or the CIA have primary responsibility for investigating Nosenko's statements about Oswald? If neither had primary responsibility, was there any division of responsibility?"

The FBI had primary responsibility for investigating Nosenko's statements about Oswald that pertained to his (Oswald's) activities in the United States, including the assassination of President Kennedy. The CIA had primary responsibility for investigating Nosenko's statements about Oswald's activities abroad.

"16. What communication, if any, existed between the FBI and CIA with respect to evaluating and/or investigating Nosenko's statements about Oswald?"

The FBI forwarded a letter, dated March 6, 1964, from the Director, FBI, to the Director, CIA, enclosing memoranda dated February 28, 1964, and March 4, 1964, captioned "Lee Harvey Oswald," which summarized the results of FBI interviews of Nosenko regarding Oswald on February 26 and 27, 1964, and March 3 and 4, 1964. The results of a CIA interview of Nosenko on January 23, 1964, regarding Oswald were furnished to the FBI in a letter from the CIA dated April 28, 1964. These particular pieces of correspondence, while not setting forth any specific requests or investigative leads, were furnished for purposes of evaluation.

Where information is not provided, it is either not retrievable from FBI Headquarters files or is not being furnished pursuant to the Memorandum of Understanding.