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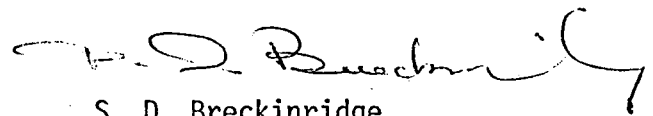
OLC 79-0113/9
5 February 1979

MEMORANDUM FOR: Dick Rininger, OGC
 Bill Sturbitts, LA/DDO
 Jack Sullivan, OS
 Russ Holmes

FROM : S. D. Breckinridge
 Principal Coordinator, HSCA

SUBJECT : Draft Staff Study

1. Attached is a draft staff study on the question of mentioning overseas Stations, with the emphasis on Mexico.
2. It is requested that you get an official position on this with the understanding that a final version, incorporating your comments, will be distributed for coordination and final comment prior to submission to the DDCI and DCI.
3. Your response by Wednesday afternoon would be appreciated.


 S. D. Breckinridge

Attachment

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FROM ATTACHMENT

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OLC 79-0113/8
5 February 1979

MEMORANDUM FOR: Director of Central Intelligence

VIA : Legislative Counsel

FROM : S. D. Breckinridge
Principal Coordinator, HSCA

SUBJECT : House Select Committee on Assassinations References
to Overseas CIA Stations

1. Action Requested: That you approve one of the options set forth in paragraph II.

2. Background: CIA's participation in the investigation of President Kennedy's assassination was limited by the pattern of Lee Harvey Oswald's life. He served in the Marine Corps in Japan, although he did not come to the attention of the CIA at that time. He travelled to the Soviet Union in 1959, returning to the United States in 1962. He did not come to CIA's attention until his defection was reported by the U.S. Embassy in Moscow. He travelled to Mexico City in late September 1963, returning to the United States in early October after a five-day stay. CIA detected his presence and reported it.

3. False allegations by a disaffected CIA employee claiming CIA-Oswald ties in Japan consumed some of the Committee's time and attention. They discredited his testimony, but in the process of discussing it, they talk about the things he said, including his duties in (Tokyo)^{B-3}. We have never confirmed the existence of a (Station 13-3 in Tokyo). We would endeavor to have the Committee sanitize and downplay this section of its report simply because of the discrediting of the witness' testimony, if this unsuccessful, unclassified publication may become an issue.

4. Oswald's entry to the Soviet Union, with a visa given by the Soviet Consul in Helsinki, leads to HSCA discussion in its report of existence of the (CIA Station in Helsinki) and the file held on the

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Consul, who was KGB. We believe this can be remedied by sanitization; if not, it could become an issue if HSCA insists on publication.

5. Oswald's visit to Mexico City and other developments there have produced detailed discussion of certain events in HSCA drafts. One of those intended by the Committee for unclassified publication has to do with a man who made allegations that Oswald received money in the Cuban Consulate for the purpose of killing the President. This considers the investigation of the allegation, with criticisms of the performance of the Agency. It involves detailed reference to the Station in Mexico. The other section intended for unclassified publication has to do with a man who flew to Cuba from Mexico City a few days after the assassination of President Kennedy. Again, there is extensive reference to the role of the Station. The Committee's charter includes evaluation of the intelligence agencies, and it would argue it must publish.

6. The present issue is whether there can be some euphemism for describing CIA personnel in Mexico City for the investigation, without specifying that they were assigned there on a permanent basis, or whether we simply oppose any references. The Committee can be expected to contest our objections to any references to the Station or CIA's presence there for the investigation because the story cannot be told otherwise. To omit such references would mean that these limited sections would probably have to be deleted, or so emasculated as to be rendered sterile and incomprehensible.

7. The Warren Commission report has only limited references to CIA, crediting it with reporting Oswald's visit to Mexico City prior to the assassination, and obtaining by undisclosed means a photograph of an unidentified man. Other information from CIA is not specified in the report, while the press has accurately described those matters; the Agency has never officially confirmed it.

8. The Church Committee report, in Book V, makes 28 separate references to the Mexico Station (not Mexico City Station), or its Chief, or its communications with Washington. While this is not a publication by CIA, it has the quality of official confirmation by virtue of being contained in a Senate report. The Agency did not contest this at the time. Further, the Agency subsequently approved references to the Mexico City Station and its Chief, in the book published by David Phillips, possibly because already public in the Senate report.

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9. Staff Discussion: Since the Church Committee investigation and the approval of the references in the Phillips book, there has been an increase in the sensitivity of the Mexico City Station. The Station has been the subject of a running campaign in the local press. Domestic political controversy has focused attention on the Embassy and the Station, with allegations of bribery and other misdeeds. The interest of the United States in Mexico gas and petroleum has heightened sensitivity concerning anything that may affect the political atmosphere. President Carter will be visiting in Mexico soon. The President himself has instructed the Attorney General that there can be no references to the (Mexico City Station) in its prosecution of the ITT matter. While the President can instruct a member of the Executive Branch on this matter, a formal position from him on this subject, directed to the Congress, does not have the same weight.

10. The agreement between you and Chairman Stokes provides that when we receive an official notice of the intent to publish, you have five days in which to respond to him if you object. At present, we have this information on an informal basis and the five-day period does not apply. Therefore, this is posed to you in anticipation of a disagreement if discussions do not produce a way around the issue.

11. Our options are:

- a. To seek some compromise by discussions;
- b. Accept some euphemism that suggests the presence in Mexico of CIA people in 1964 for purposes of the investigation without specifying that they were assigned there permanently;
- c. Categorically oppose publication of these two sections.

12. Action Requested: We intend to pursue Option a, but prior to doing so, your decision on Options b and c will be necessary to shape how we proceed.

S. D. Breckinridge

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