

HSCA II 9/15/78

really testify as to the credibility of statements he may have made about in the Soviet Union.

And here you realize that I am entering my judgment that anything that he said in this case in which I see no reason to believe is an untruth, except because he didn't say so or during those times when he was exaggerating.

Our difficulty. We are trying to find out if these are true. All right?

In front of you, by the way, the one that I have in front of me.

Could we provide the witness with the copy that we have it with you, sir?

They were given this morning, which is correct, I believe, as the one we received. I don't believe they had some items in this morning that is that correct, sir?

What I read is a partial reading of what was given. It was not given to you before you testified. The report that was given to the public is substantially the report that was given. There have been some grammatical changes in it, but all matters of substance.

I have a complete copy of the report that Mr. Hart has.

Some of them. I don't want to belabor you on the difficulty we have in light of the afternoon, in terms of us trying to determine if we believe from Mr. Nosenko's story. Turn to the report, if you would, please, 27 first. In the middle of the page, and let me begin.

In 1964, Nosenko was specifically asked whether there was technical surveillance on Oswald, and each time he said no.

CIA that there was no technical and physical surveillance on Oswald until they applied for a passport. He made the following statement upon being asked about Oswald's relationship with Marina before they were married:

"How she was a friend of Oswald until they applied for a passport. Surveillance on Oswald to show that he knew her." He testified that there were seven or eight thick volumes of reports on Oswald. As to all of the surveillance reports and that he saw them, in 1964 he told the FBI agents that "There was no mention of seven or eight volumes."

It would have probably started up above, but here, one, he is claiming that there was

no surveillance. Then he is stating there was surveillance. He is telling us that he, on the one hand, didn't have the opportunity or didn't see any reports on Oswald from Minsk and then turns around and says that he did have a chance to look at them.

Which can we believe?

I mean these are two contradictory statements by a man who, according to your testimony, may be acting in good faith, but we are confronted with two different sets of facts.

Which do we believe? Can we in fact believe him, if we accept your testimony this afternoon that he went through this outrageous treatment for a period of more than 3 years?

Mr. HART. Congressman, I think what this boils down to, if I may say so, is a question of how one would, faced with a choice as to whether to use this information or not, would do so. It would be a personal decision. If I were in the position of this committee, I frankly would ignore the testimony of Mr. Nosenko but I wouldn't ignore it because I think it was given in bad faith.

Let me express an opinion on Mr. Nosenko's testimony about Lee Harvey Oswald. I, like many others, find Mr. Nosenko's testimony incredible. I do not believe, I find it hard to believe, although I, as recently as last week, talked to Mr. Nosenko and tried to get him to admit that there was a possibility that he didn't know everything that was going on, I find it very hard to believe that the KGB had so little interest in this individual. Therefore, if I were in the position of deciding whether to use the testimony of Mr. Nosenko on this case or not, I would not use it.

I would like to say, just to conclude my remarks, let me tell you why I don't believe it. I had 24 years of experience in a compartmented organization, and I was chief of several parts of the organization which had done various things at various times which came under investigation, happily not while I was in charge of them. I will make one specific, give you one specific example.

I was once upon a time chief of what we can call the Cuban Task Force, long after the Bay of Pigs, within the Agency. At some point I was asked whether I knew anything, whether I thought there had been an attempt to assassinate Castro. I said in all good faith that I didn't think there had. I had absolutely no knowledge of this. It had been kept from me, possibly because my predecessor several times removed had taken all the evidence with him. I didn't know about it, but I said it in good faith. And I think it is very possible that an officer of Nosenko's rank might have functioned within the KGB and not known everything which was going on in regard to this particular man.

Mr. DODD. So you would suggest to this committee that we not rely at all on Mr. Nosenko for information that could assist us in assessing the activities of Lee Harvey Oswald in the Soviet Union?

Mr. HART. I believe as a former intelligence officer in taking account of information of which there is some independent confirmation if at all possible, and there is no possibility of any information, independent confirmation of this, and on the face of it, it appears to me to be doubtful. Therefore, I would simply disregard it.

Mr. DODD. I would like to, if I could—first of all, do you still maintain your security clearance?