

AN INQUEST INTO A BOOK THAT FAILED--LEGEND BY E. J. EPSTEIN

HW
I'll copy for
GL, JR etc if
you ask me to
Paul

Brad Sparks

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(typed 13 May 1978)

(Random Comments)

Legend is a book that held great promise, but fizzled for lack of stamina by the author. Epstein seems to have sealed a "deal with the devil" in that he accepted the enormous resources Reader's Digest (RD) offered him in (tacit) exchange for adopting RD's viewpoint as to where the investigation would lead. He could have bucked RD and reported exactly what he found, but the fact that his publisher and promoter was RD Press had a chilling effect on him. He might have lost the National Enquirer-style TV commercials announcing the RD condensation of his book. Epstein settled for burying his doubts in an appendix (the one listing questions he had put to the intelligence agencies in 1977). ((13 May 78 Note: The KSAN interview of Epstein on 5 Apr 78 makes it clear that he is fully aware of the obfuscatory role of U.S. intelligence in the Oswald Security Case/JFK Case. It is also clear that Epstein said virtually nothing about this in Legend. From reading the interview excerpts, it seems to me that Epstein is dying to tell all he knows, but feels he musn't. Epstein's tripping up of Helms would have been a major highlight of Legend--if it had been mentioned there. In the KSAN interview, Epstein reports that he told Helms that Nosenko claimed that KGB had had insufficient manpower to debrief Oswald. Helms laughed and said that's crazy, that if the converse situation developed here in the U.S. "we" (CIA) would have found the manpower to debrief the defector. Then Epstein pounced (if that can be believed) on Helms, asking, "But did you debrief him?" (Oswald). Helms gasped, "Oh my God," and realized that he and CIA had always disavowed debriefing Oswald. If only this exchange was on tape! (Maybe it is.) Immensely more interesting than the Nixon Watergate tapes. See KSAN-Epstein interview excerpts in Paul Hoch's Epstein notes at bottom of p. 17.))

My remaining comments will be keyed roughly to page numbers from Legend, which numbers will appear in the left margin of this paper.

xi-xii Nowhere else does Epstein mention DGI (Cuban political intelligence) sealing files and holding officers worldwide, so far as I can determine.

xii A CIA Clandestine Service officer (probably CI Staff) wrote a memo in 1975 (CIA 1188-1000) noting that CIA (deletion--prob. Foreign Intelligence Staff) had opened a 201 (Field Personality) File on Oswald on 9 Dec 1960 because CIA had received the first of 5 pre-assassination documents from other agencies (FBI, State, Navy).

However, there's no explanation as to why the delay from the Oct 1959 "defection" (loose quote from 201 File) to Dec 1960. Moreover, the 201 File contradicts the 1975 memo writer's account: The 201 was a "Field" file--it was sent from some (deleted) station, or base, or field office of the CIA directly to CIA Headquarters (deleted component--prob. FI Staff).

It seems highly unlikely that FBI/State/Navy would send a report on a Marine Corps defector to some outlying CIA station rather than straight to CIA Headquarters. More likely, the 201 File Request origi-

nated with the Moscow Station (one never hears about the Moscow Station, not even from Agee; it seems to be a widespread no-no) as a result of some agent report. Perhaps it was not Moscow Station, but Tokyo Station or Atsugi Base or New York Field Office (CI Staff's mail intercept project).

Epstein reports (para 2) that ONI ignored CIA's request for Oswald's photo and did not volunteer its file on Oswald. Epstein mentions this only once more in the book (p. 325 note 14). This plus ONI's possible destruction or obstruction of a (possible) damage assessment investigation of Oswald suggests ONI complicity. How little we know of ONI and the other military intelligence services as compared to the CIA. Remember that it was ONI that started the contacts with Mafia elements in 1943. See The Luciano Project.

Indeed, the little known history of CIA espionage (broadly lumped with other forms of clandestine collection into a category called Foreign Intelligence, or FI) activities hints of a motive and a mission for an Oswald-ONI agent. Little known even to the Church Committee (apparently) was the fact that the military controlled CIA espionage from 1947 to 1958. According to (moderately reliable) CIA espionage officer Dr. Harry Rositzke, "For almost fifteen years after World War II the CIA's intelligence targets were dictated almost exclusively by the Department of Defense." (CIA's Secret Operations, RD Press 1977, p. xxii.)

When the wartime OSS was abolished in 1945, the clandestine components were transferred first to the Army (the Assistant Secretary of War), then to the Central Intelligence Group where it formed an Office of Special Operations (OSO) in July 1946. But the Army retained almost total control over the CIG/CIA's OSO: The OSO chief was Army Major General Edwin Luther Sibert from 1946 to 1948, Army Colonel "Artemus Galloway" (name plus rank from Miles Copeland; service plus rank from Rositzke) from 1948 to 1950, and Army Major General Willard Gordon Wyman 1950-1951. Note that Major Generals Sibert and Wyman actually outranked the then-CIA Director Rear Admiral Roscoe Henry Hillenkoetter who was legally their superior in the CIA.

Thereafter, the CIA succeeded in progressively weaning its espionage-counterespionage activities out of military control. The first to emerge from the Defense umbrella was James J. Angleton who consolidated all counterintelligence (CI) activities of the plans directorate (Clandestine Service) into a single CI Staff in 1954. (OSO was abolished by merger on 1 Aug 1952 and foreign intelligence functions were assumed by various splintered FI Staffs.)

During the 1950s, the FI Staffs (one staff for the whole Clandestine Service and one in each area division) emphasized clandestine collection by low-level agent infiltration to scout out mundane military installations rather than by high-level recruitment-in-place. This emphasis came from the military domination of CIA's FI. The military wanted quick results from CIA and it decided that military infiltration techniques were the quickest ones to get results. Most of the CIA's secret political intelligence had to come from liaison operations (cooperative contacts with foreign govts.) emphasized by Angleton's CI Staff.

DCI Allen Dulles appointed Lt. General Lucian King Truscott his Assistant for Coordination in 1954; at the same time an ineffectual Office

of Intelligence Coordination headed by ██████████ was abolished because ██████ lacked clout with the military. Truscott's job was to settle CIA-military and CIA-State jurisdictional disputes. Early in 1958, Truscott succeeded in getting NSCID (National Security Council Intelligence Directive) 5 rewritten so that CIA obtained limited management (veto) authority over military espionage activities--reversing roles so that CIA gained the upper hand rather than just neutralizing military meddling in CIA FI. CIA was then reaching its peak in bureaucratic power and influence. Coincident with the NSCID 5 revision, Truscott and CIA forced the State Department to close down its espionage networks (possibly they were turned over to CIA). CIA received primary responsibility for intelligence satellite development (placing Air Force and Navy in secondary roles) in Feb 1958, and assumed some measure of control of military electronic and communications intelligence in 1958 (including the eventual merger of these functions into a unified Signals Intelligence program), mounted major new paramilitary operations in Indonesia, Tibet and elsewhere, etc. etc.

So, for years the Army had dominated CIA espionage. Now, suddenly, the CIA turned the tables. The CIA could intrude into G-2, ONI, and AFCIN clandestine collection operations.

Suppose ONI did not like the change. The first thing to do to keep CIA's nose out of ONI business would be not to tell CIA all about ONI plans and operations. Suppose Oswald was one of these ONI agents omitted from the (CIA-military) Interagency Source Register. The lacuna in the ONI Oswald records and lack of cooperation with CIA are thus explained as concealment of unauthorized ONI operations.

xv

The Marine Colonel James Granger that Epstein found so "invaluable" seems to be Lt. Col. James H. Granger, USMC, who was Chief, Military Law Branch, Judge Advocate Division, USMC HQ, 1975; Chief, Research & Policy Branch, Judge Advocate Division, USMC HQ, 1976-1977; for what it's worth. Seems to be a strange sort of fellow to be helping Epstein.

9, 12

Allen Dulles was not Director of Central Intelligence "until 1962"; he did not "retire" in 1962. He left office 29 Nov 1961. These and other trivial but stupid mistakes about names, titles, dates and existences of intelligence organizations are interesting in light of Epstein's report that CIA tried to deceive him about the number of floors in the CIA Headquarters building (New York article 27 Feb 78 p. 37). For example, on p. 102 of Legend, the likelihood of an Oswald defection damage-assessment in late 1959-early 1960 was discussed by Col. Thomas Fox, "then" chief of "Clandestine Services for the Defense Intelligence Agency." First of all, there has never been such a position within DIA. Secondly, the DIA did not exist until 1961.

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Why should Nosenko have known about V. M. Kovshuk's trip to the U.S. in late 1957 to activate the mole? Epstein says Nosenko was Kovshuk's deputy in the KGB, therefore he was in a "unique position to know." But when was Nosenko Kovshuk's deputy in the 1st Section (American Embassy operations), 1st Department (American operations), 2nd Chief Directorate (Internal Security), KGB (or KGB-II-1-1 for short)??? Nosenko reportedly did not work in the American Embassy Section (KGB-II-1-1) during Kovshuk's 1957 trip, but two years later from Jan 1960 to Jan 1962 (Legend pp. 5, 39-40). Why would Kovshuk blab about the details of his trip two or more

years later? In particular, what was there to boast about in having had difficulty locating the mole (Legend p. 46)? If Kovshuk told Nosenko in 1957, rather than 1960-62, the question is still why? At that time Nosenko was merely a case officer in the 7th Department (Tourists) of KGB-II (KGB-II-7).

Why should Major Anatoli M. Golitsin have known that Kovshuk traveled to the U.S.? He had merely been an officer in the 3rd Department (United Kingdom-Scandinavia-Australia-New Zealand operations), 1st Chief Directorate (Foreign Operations), KGB (or KGB-I-3). Kovshuk had been chief of KGB-II-1-1.

Incidentally, Epstein claimed in New York (27 Feb 78 p. 38) that "Stone" (informal codename for Golitsin) had never been mentioned in print before Epstein's work. But I easily found Golitsin in John Barron's KGB book (RD Press 1974) on p. 430 and indexed on p. 607 (Bantam ed. page nos.), a book Epstein cites (Legend pp. 277 n3, 299 n18).

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I am convinced that Epstein has deliberately underplayed and omitted evidence hinting that JFK's ass'n might have been a KGB operation. First, Epstein everywhere minimized KGB Department 13's ass'n role in the text of his book, but not in his direct questions to the CIA in 1977 (Appendix D): His first mention of V. V. Kostikov is that as a Department 13 officer Kostikov was merely involved with "saboteurs"--no mention of assassination responsibilities (Legend p. 16). Only by p. 30 does Epstein concede that Department 13 was assigned "sabotage and assassination." By p. 237, Epstein says Department 13 was simply involved in "planning" such things as "sabotage" and (he vaguely mentions) "other violent acts." But, in his 1977 correspondence with CIA, Epstein simply and forthrightly describes Department 13 as the unit responsible for "assassinations, sabotage and kidnapping" (Legend p. 364 q12).

In Barron's KGB (p. 430) we learn that according to Golitsin ("Stone" in Epstein's preferred parlance) at least 17 Department 13 officers were fired or demoted following the defection of assassin Bogdan Stashinskiy on 12 Aug 1961. Then we're told, according to Nosenko, that the Soviet leadership ordered KGB to "drastically" curtail assassinations in late 1962 or early 1963. (This seems to be still further evidence that Nosenko was trying to steer U.S. intelligence away from the idea that KGB assassinated JFK--whether or not the Politburo order (Barron p. 452) to the KGB was real. How would Nosenko in KGB-II know about the affairs of a supersecret unit in KGB-I?)

But it was not until the mid-1960s (Barron p. 431) or 1969 (Barron p. 110) that "Western security services" independently "discerned a shift in emphasis in Department 13 operations from assassination to preparations for sabotage." (Barron p. 431)

All in all, it seems that Nosenko is the only source for the claim that KGB began stressing sabotage over murder prior to JFK's assassination. And Nosenko was not even in the same chief directorate as Department 13. (Nosenko had always been in KGB-II; Department 13 was in KGB-I.)

Moreover, Epstein suppressed from his book the vital datum that Golitsin was told by his superior, the chief of the 3rd Department of KGB-I (the ANZUK-Scandinavia Department), that the KGB planned to assassinate the leader of an opposition party in the KGB-I-3's area, and that CIA suspected that the murder had been carried out against Sir Hugh Gaitskell of Britain. (New York 27 Feb 78 p. 31) Another important point omitted by Epstein even in the New York article was the date of Gaitskell's death: 18 Jan 1963.

KGB

Here was an important (alleged)/political assassination in a Western nation closely allied with the U.S. just ten months before JFK's murder. The timing, late 1962-early 1963, seems to fly in the face of Nosenko's claim that the Politburo was then curtailing assassinations by the KGB.

On the other hand, Nosenko may still be right or wrong. Gaitskell's death might have been natural; the Politburo order might have been a lie by Nosenko; and the real KGB assassination in the KGB-I-3 area might still be unknown or it might have been called off after Golitsin's defection in Dec 1961. Or: Gaitskell's death was natural; the Politburo order was true; and the assassination was called off in accord with the order and/or because of Golitsin's defection. Or: Golitsin is the disinformation agent and Nosenko is genuine. Or: Both Golitsin and Nosenko are Soviet plants. In any event, Epstein withheld important relevant information from his book, the effect of which was to minimize KGB complicity in assassinations in general and in JFK's murder in particular.

Oswald's possible or actual contacts with KGB Department 13 are as follows: Golitsin explained "in detail" that Department 13 had primary responsibility for debriefing military defectors (Legend pp. 30-31)--Oswald was a military defector to the Soviet Union. In Minsk, Oswald had been a member of a hunting club. Epstein notes the parallel that a KGB "spy" called "Anton Sabotka" in Barron's KGB book (pp. 434ff) received part of his training at a "sporting club" where he practiced shooting at the silhouette of the upper half of a man (Legend p. 299 n18). But "Sabotka" was not a KGB "spy." He was a KGB Department 13 assassin-saboteur, a fact Epstein could not have failed to notice since "Sabotka" was described in Barron's chapter on the activities of Department 13 and its predecessors/successors. Finally, of course, Oswald met with Department 13 officer Valeri Vladimirovich Kostikov in Mexico City on 28 Sep 1963, less than two months before JFK's assassination.

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Golitsin ("Stone") is supposed to have told Angleton that Nosenko could not have been deputy chief of the Tourist Department (KGB-II-7) "or Stone would have known him." But Nosenko was Deputy Chief/KGB-II-7 from January 1962 to January 1964 (with some gaps for temporary duty in Geneva) (Legend pp. 5, 11, 259, 364; Barron pp. 85, 86). Golitsin defected in December 1961 (Legend p. 27; New York 27 Feb 78 pp. 28, 31). Golitsin was not working for the KGB when Nosenko became Deputy Chief/KGB-II-7. However, Epstein might have gotten Golitsin's statement confused since he speaks erroneously of an "American Embassy Department" in the same paragraph (Epstein knows this should be "American Embassy Section": Legend pp. 5, 27, 33, 35, 36, 39, 40, 41, 46). Golitsin actually might have referred to Nosenko in the position of Deputy Chief, American-British Section (1st Section), Tourist Department (7th Department), KGB 2nd Chief Directorate (or Deputy Chief/KGB-II-7-1 for short), a position Nosenko claimed from June 1958 to January 1960 (Legend p. 5; Barron p. 452).

The organizational details must seem terribly confusing. To clarify, let me point out that the KGB's 2nd Chief Directorate (Internal Security) is divided into twelve numbered departments plus several miscellaneous units. Department 1 is the American Department, and it is divided into five sections--Section 1 is the American Embassy Section (of which Kovshuk was chief). Department 7 is the Tourist Department, and it is divided into six sections--Section 1 is the American-British Section (Canadians too). The American Department (KGB-II-1) concentrates on government officers, while the Tourist Department (KGB-II-7) stresses tourists and visitors. Now, Nosenko's alleged biography or career record is:

1949	Naval intelligence
1953	American Embassy Section/American Dept/2nd CD/ MGB (became KGB 13 Mar 54)
1955	Tourist Dept/2nd CD/KGB
Jun 1958	Deputy Chief/Amer-British Sect/Tourist Dept/KGB-II
Jan 1960	American Embassy Sect/American Dept/KGB-II (It is not clear that Nosenko immediately became deputy chief of this section: By 1961 he claimed he had--Legend pp. 39-40.)
ca 1960-1961	Deputy Chief/American Embassy Sect/Amer Dept/ KGB-II
Jan 1962	Deputy Chief/Tourist Dept/KGB-II (on leave to Geneva ca. Feb-Jun 1962 and Jan 1964).
4 Feb 1964	Defects to CIA Soviet Russia Division

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Nosenko supposedly admitted to CIA that his highest rank in the KGB was Captain, that he lied when he told CIA-Geneva in June 1962 that he was a Major, and that he lied after his defection in 1964 when he claimed he'd been promoted to Lieutenant Colonel. So why did Nosenko tell John Barron in May 1970 et seq. that his rank on defection in 1964 was Major? (Barron pp. xv, 16, 164, 241; reference on p. 188 indicates he was a Major as early as 1960.) What reason was there to make up a third story about his rank? Why didn't he stick to his first story (Lt. Col.) or his second (Capt.)? Perhaps all this really means is that Nosenko's account is coming to us through too many hands, that errors and prejudices are creeping into the details.

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The conflicting reports about Nosenko's rank and position are matched by the equally conflicting accounts of the CIA's principal defector-in-place (or "mole") of the 1950s, an officer of the GRU (Chief Intelligence Directorate of the Soviet General Staff). According to Epstein (Legend pp. 33-34, 47, 117-118, 278 n10; New York 27 Feb 78 pp. 35, 37), this was Lieutenant Colonel Peter Semyonovich Popov who was arrested by the KGB in Moscow in September 1959. It is not clear whether this was Popov's first or last arrest because the KGB sent him to a rendezvous with his CIA case officers after his arrest--of course the KGB kept him under tight surveillance. He was later executed as a spy. But according to Barron (p. 464), the GRU spy for CIA was Lt. Colonel Yuri Popov who was arrested by the KGB in 1958. This case so upset Khrushchev that KGB Chairman Ivan Serov left KGB to take control of GRU in December 1958. And according to Harry Rositzke (pp. 66ff, 146) the GRU officer was a Major recruited in Vienna on 1 Jan 1953, arrested in February 1959 shortly after returning to Moscow, but maintained contact with his CIA case officer (a ^{as} KGB trap) until October 1959 when the CIA man was arrested and expelled. The GRU Major's execution was "announced" soon thereafter.

39-40

The CIA SR Division is supposed to have caught Nosenko in a discrepancy when he said he had received daily reports on the surveillance of the dead-letter drop used by CIA for its agent GRU Colonel Oleg Penkovskiy beginning in early 1961. Nosenko was then deputy chief of the American Embassy Section of KGB. But SR Division interrogators pointed out that the drop had been set up at the end of 1961 when Nosenko transferred to the Tourist Department. CIA said Nosenko was one year out of date. But Rositzke reports that Penkovskiy met two CIA and two British Secret Intelligence Service case officers in London on 20 Apr 1961 and that he sent back regular reports beginning with his return to Moscow (in May 1961). (Rositzke pp. 70-71)(See also The Penkovskiy Papers.)

I think I have caught Nosenko in a discrepancy. In fact, it was something I first noticed on reading Barron's KGB in 1974 and I considered it a major flaw in Barron's research. Barron tells Nosenko's cute story about how they grabbed an American tourist to use in an exchange for a KGB spy who had just been arrested by the FBI in New York on 30 Oct 1963. The "tourist" was Professor Frederick Charles Barghoorn. The head of the KGB 2nd Chief Directorate, General Oleg M. Gribanov, declared Barghoorn a spy. But Nosenko argued that while Barghoorn was once in the State Department he was merely a political scientist, a scholar interested in the USSR, and Nosenko had found ^{no} evidence that Barghoorn was a spy. Gribanov retorted, "Then make him a spy!" (Barron pp. 85-86). Barron forthrightly noted that Nosenko is the "sole source of information" for this story (p. 570).

The fact is that Barghoorn is listed as an "intelligence officer" in the U.S. High Commissioner for Germany (HICOG) Office of Intelligence from 28 May 1950 to early 1952. The HICOG/OI was the transparent cover for the CIA's OSO station in Germany. At the very minimum, the Soviets had to know Barghoorn was an "intelligence officer."

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It is interesting that Epstein identifies Richard E. Snyder as a CIA "intelligence operative." Snyder's background, in fact, was in CIA covert action (political, psychological or paramilitary warfare we do not know as yet). His training had been in the CIA Office of Policy Coordination in Washington, D.C., from 8 Nov 1949 to Mar 1950. OPC was the CIA covert warfare office until it was grudgingly merged with OSO on 1 Aug 1952. Even then problems remained and the two "cultures" (as Colby calls them in Honourable Men) of espionage-counterespionage (OSO-types) and covert action (OPC-types) stayed apart.

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Richard Helms was not CIA Deputy Director for Plans (DDP) in early 1959. He was Assistant DDP for Operations also known as Chief of Operations (COP) for the Clandestine Service. Richard Mervin Bissell had become DDP on 1 Jan 1959; Helms took over from Bissell on 17 Feb 1962.

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Epstein is wrong in claiming the CIA Office of Security "normally" did not handle counterintelligence matters. Certainly Angleton would've liked it that way. The fact is that the OS had a permanent counterintelligence group, the Security Research Staff (SRS). Indeed, the OS case officer for Nosenko, Bruce Solie, is cited in the Church Committee's report on counterintelligence for his expert opinions (Book I p. 168). The OS was heavily involved in Watergate, it started the illegal mail-opening project in 1952, initiated the Mafia contacts for the Castro assassination plots in 1960, and has had its hand in other shady activities.