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Introduction: After examining the evidence of Nosenko's mala fides in the notebook, which I assume to be the best evidence, although not all of it, I am convinced that Nosenko is a bona fide defector. I believe the case against him has arisen and persisted because the facts have been misconstrued, ignored, or interpreted without sufficient consideration of his psychological failings. I recommend that the case be reviewed by a new team of CIA officers.

1. There are several references in the Nosenko notebook to the extent and quality of the intelligence he provided. In the 25 March 1964 memo to DDP, it is asserted that "A comparison of his positive intelligence with that of other Soviet Bloc intelligence officers with whom we have had an operational relationship shows that all of them were consistently better able to provide useful positive intelligence than has been Nosenko." Tab D of this same memo states "His positive intelligence production is practically nil," and later: "viewed overall, however, NOSENKO's positive intelligence production has been so meager for a man of his background, training and position as to cast doubts on his bona fides, without reference to other criteria." All of these statements are incorrect.

2. There are three persons in the Clandestine Service with the background and experience to make this judgment. None was consulted regarding these evaluations of Nosenko's production and access. All agree that they are incorrect. No KGB officer has been able to provide more useful intelligence than Nosenko has; intelligence

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usefulness of all KGB officers (perhaps all CI officers) is "practically nil". Golitsyn's was nil. This is apt to be particularly true if a requirements officer is not directly supporting the case officer, as was true in the Nosenko case. Viewed in the proper context, therefore, Nosenko's intelligence production cannot be used in his defense, but neither can it be said honestly to cast any doubt whatsoever on his bona fides, and the judgment regarding his bona fides must therefore be made on the basis of his counterintelligence information.

3. Before commenting on the counterintelligence case against him, I feel there are some aspects of his personality analysis by the psychiatrist which have a much stronger bearing on the case than is apparent in the notebook. The psychologist's report is only mentioned in passing in the notebook, but it too may shed light on the validity of evaluations of Nosenko's counterintelligence information which bear on his bona fides. The psychiatrist is indirectly quoted (presumably only in part) in the 11 May 1964 status report as follows: "NOSENKO shows significant indications of a serious personality disorder." "The sociopathic aspect of his character apparently explains his inattention to 'objective fact'..." Once these conclusions are reached by competent authority, the interrogator and CI analyst are out of their elements. It is hardly likely that a person with a serious personality disorder, inattentive to objective fact, will be able to provide the sort of substantial information which would inspire faith in him. Neither is it conceivable that he would be

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selected by the KGB to carry out even one of the several vital missions which he is alleged to be on in the West. The substantive evidence that he is not on any mission is given below.

4. The March 1964 memo to DDP concludes that "Those of us who have worked with Nosenko cannot accept that he is other than a KGB plant." This statement is also incorrect. The only officer who worked with Nosenko who has any depth of experience with Soviet agents--Kisevalter--does not accept this. No doubt the psychologist and psychiatrist who worked with him would also dissent. Who, then, accepts this insidious conclusion? Only one of the officers who worked with Nosenko had any prior experience with one of our Soviet agents, and that was not in the field of counterintelligence. None of the officers was experienced in counterintelligence against the USSR. The initial judgment that Nosenko was a plant was made by the officer with the least Soviet experience, a bare two weeks after the initial contact with Nosenko, on the basis of "careful comparison of NOSENKO's information with that provided by Anatoliy Golitsyn..." This is an incredible conjunction of inexperienced personnel and crucial decision.

5. There are three most important items of information in Nosenko's 1962 revelations to us. Only two are discussed in the notebook, so I shall begin my comments on his CI information with the one which was omitted from discussion:

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A. Boris Belitskiy - Nosenko told us that this Soviet agent of ours had been under Soviet control since our recruitment of him. This was startling news to most persons who had worked on this case. We recruited Belitskiy in 1958 and held our second series of meetings with him in London in August 1961. At that time I worked very closely with the case officer and polygraph operator in order to assess Belitskiy's bona fides, which had come under suspicion at Headquarters. Upon our return from London, during discussion of the latest Penkovskiy meetings, CSR informed DDP that Belitskiy was considered bona fide by everyone but me. Belitskiy came out to the U.S. in 1962, several months after Nosenko compromised him, but he has not come out since Nosenko's defection. It is inconceivable that the Soviets would build up Belitskiy, get him past the polygraph, and then compromise him. As I pointed out in my October 1964 paper on Soviet disinformation cases, Belitskiy was the first such sophisticated case run against us, and would hardly be sacrificed needlessly just when it was ready to bear fruit for the Soviets.

B. ANDREY - Nosenko stated that this was the most important U.S. penetration he had heard of in his entire career. The analysis of this case in the notebook is very strange, to say the least. The comparison of Nosenko's information with Golitsyn's shows very clearly that Nosenko's information was remarkably accurate and Golitsyn's was entirely misleading! Golitsyn is said in the notebook to have been desk officer for two years on this case! Nosenko stated quite correctly that this agent was a cipher machine mechanic recruited

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in Moscow in 1949-50 and that he left Moscow in 1950; his information that Kovshuk (alias KOMAROV) had gone to Washington to recontact him in 1955-56 may or may not be true, but it gave the additional clue that Kovshuk traveled alias KOMAROV. It is really surprising that this much information did not lead CI analysts to the agent; the only fact that Golitsyn added to Nosenko's information is that the agent was located in Atlantic City.

The notebook analysis concludes that there was an agent being hidden by Nosenko's information, although most of the evidence given for this is from Nosenko. The opposite conclusion should be reached by objective analysis of Nosenko's statements. Nosenko calls the agent ANDREY and Golitsyn calls him JACK. Obviously, the Soviets had two agents and we have found only one so far: even the notebook analysis agrees. Nosenko had no need-to-know on either of these two cases, and it appears that both Nosenko and Golitsyn have mixed them up because of similarities in the cases. Nosenko's confused version, although less confused than Golitsyn's, is much more important than Golitsyn's, because Nosenko states categorically that as of 1962 the Soviet agent "working in the Pentagon at that time provided valuable information on cipher machines and related matters." Instead of hiding an agent, Nosenko is giving information on the agents, one of whom is at large right now! Golitsyn indirectly gave the opinion that the Soviets still have a code clerk in place when he disagreed with Nosenko about a recruitment attempt in Moscow, but this may be only a dispute about the recruitment time, not the fact.

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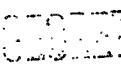
Nosenko's conclusive evidence that there were two cases is his identification of Kovshuk as Komarov, which made it possible for us to check visa lists and determine that "Komarov" visited Washington in 1957. Golitsyn's JACK, on the other hand, confessed that the Soviet had recontacted him in 1955. Although Golitsyn did not know specifically why Kovshuk went to Washington, or his alias, he identified "Komarov's" photo as Kovshuk. The recontact TDY officer in Golitsyn's story was Yuriy Novikov; the notebook does not indicate whether Novikov did come to Washington in 1955.

Nosenko was wrong in one respect--he thought he was identifying one important U.S. penetration, but he actually was telling us about two! No more time should be wasted in the search for this Soviet agent.

C. Surveillance -- The March 1964 DDP memo states that "Nosenko's principal message to us in 1962 and again in 1964 was that the loss of several of our most productive sources in the years 1958 through 1962 was solely the result of a comprehensive and technically advanced system of surveillance in Moscow." Presumably this means the loss of Popov in early 1959 (Nosenko 1962) and Penkovskiy in late 1962 (Nosenko 1964?). In my opinion this "message" is not nearly as important as messages A and B above, although it is important.

Although all available sources in our experience testify to the efficacy of Soviet surveillance in Moscow, with special emphasis on Penkovskiy, the notebook chooses to take issue with this Nosenko information. However, no evidence is presented to prove Nosenko



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wrong. The only argument attempted consists of a grave insinuation about an American citizen and CIA employee, Winters, which was later checked and found to be without foundation. The analysis asserts that the Soviet intelligence documents provided by KGB officer Cherepanov in late 1963 support Nosenko's information about surveillance of Popov. However, instead of reaching the logical and normal conclusion that these two sources confirm one another, the notebook reaches the opposite conclusion--because they support one another, they are both suspect.

If we have no evidence, as is the case here, what grounds are there for contradicting Nosenko? Presumably the same as those for suspecting Winters. If we are proceeding on intuition at this point, it has more than a touch of genuine paranoia in it.

6. Much is made throughout the notebook about inconsistencies and discrepancies in Nosenko's information. This is very important. However, before an experienced interrogator reaches significant conclusions about an agent's bona fides, he must weigh all of the psychological factors involved. By the time Nosenko's inexperienced interrogators were finished with him, they were of course experienced, but by that time they were also heavily committed to condemning Nosenko, and the details which they were covering were already so trivial, antique, or repetitive that no useful results could be expected. In any agent operation, the case officer must be an amateur psychologist, but in dealing with a complex defector, particularly when a professional diagnosis has been made, the

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amateur must step aside.

7. There are several phases or psychological steps which the Nosenko operation must be divided into. There is no direct relationship between them, and it is fruitless to compare information from them. The only thread through all of them is the psychiatrist's assertion that he has a disturbed personality inattentive to objective fact. These primary phases are 1962 meetings, 1964 meetings, and post-defection meetings. The character of the 1962 meeting is conditioned by whatever motivated him to make contact; the information he provided is probably couched in terms of his determination to get what he could out of us, but he was not then thinking in terms of a relationship which would make it possible for us to see through his exaggerated self-importance. The 1964 meetings probably still had some of this attitude behind them, but the positive and negative ramifications of the contact had been fomenting in his disturbed mind for over a year and a half, and the factors which led him to actually make the break would probably have disturbed the content and clarity of his information as well. Once he had defected, the disturbed elements of his personality probably were at a crisis level, as he had added the need to compensate for committing treason and to establish himself in an alien environment; he had not only to rebuild his entire life, but his self-respect, ethics, and other aspects of his disturbed personality. When one adds to this the psychiatrist's findings that he is "brutally egotistic", "with no concern for the feelings and interests of others", "undisciplined, narcissistic, and exhibitionistic," it becomes starkly clear that this is not an

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individual whose information can be judged by routine standards.

8. Throughout the notebook there is reference to our capability to check on Nosenko's information. It is stated that there has been an "enormous flow to the West of detailed information on the Soviet intelligence and security services which resulted from the numerous defections to the West of Soviet intelligence officers and the successful penetrations of the Soviet Intelligence since 1954." The March 1964 DDP memo goes so far as to say that "the West acquired so much information on KGB personnel, organization and modus operandi that there was very little which the KGB would not consider compromised in some way..." While it is true that we have had some good defectors in the past, the latter statement strains credulity. If we examine the KGB sources available to us who could have provided such information, we find that there were several up to 1955 and then none until December 1961. Since Popov and Penkovskiy were GRU officers, they had little detail to contribute on the KGB; Goleniewski was Polish, so his real knowledge of the KGB was accordingly and understandably limited. Therefore, as of January 1962, when Golitsyn reluctantly began to give us information, our enormous "flow of information" on the KGB had been interrupted since 1955, and by far the larger part of it was at least eight years old, as it had come from Rastvorov and Deryabin. Since Deryabin had left Moscow in September 1953, and Rastvorov in July 1950, our best stock of KGB info predated late 1953. Therefore, to say that the KGB would consider almost all of its organization, personnel, and modus operandi

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compromised to the West from January 1934 up to "Penkovskiy's arrest in October 1962", is a considerable exaggeration. A more balanced statement is made in the DCI memo of 9 September 1965, which limits the "enormous" reference to 1954. The only defector or agent who might have been in position to provide us any volume of information on these subjects from 1954 to 1962 was Golitsyn himself. A better indication of the state of our knowledge on these subjects is suggested in the March 1964 DDP memo in the form of a criticism of Nosenko's performance: "...but he has brought out not a fraction of what would have been easily available to him on such subjects as KGB table of organization, which he knew from 1962 to be of interest to us..." It is very unlikely that the KGB would equate our 1954 fund of information with Nosenko's 1964 knowledge; the genuinely relevant question is whether they would equate Golitsyn's knowledge with Nosenko's, and that is discussed below. In fact, the March 1964 memo later contradicts itself on this point, stating that before the Nosenko defection, we had no contact with KGB officials over many years.

9. It is not easy to compare Nosenko's information with Golitsyn's because the latter broke off contact with us before he was fully debriefed, but the comparison made in the notebook should be valid to the extent that the two men reported on the same subject matter. Most of Golitsyn's service in the KGB was spent in school. His actual intelligence experience consisted of two years on the

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American CI desk from 1951 to 1952, about 6 months on the Emigre CI desk, two years in the field, since August 1955, has been as NATO Reports Officer from September 1959 to April 1960, and CI officer on the American desk from that time through his tour in Finland and defection in December 1961. He left Moscow PCS in August 1960. His significant information dates primarily from his service as a reports officer. Nosenko, on the other hand, is unique as a source of information on the KGB. His entire 12 years in the KGB has been in Moscow, except for short TDY trips to Europe and considerable TDY travel through 1962 and 1963 to outlying KGB posts in the USSR. Most of this time he was a CI officer working against tourists, except for 1960-62, against the American Embassy. Therefore, his information on KGB Headquarters is almost four years later than Golitsyn's, and should be correspondingly better.

10. A number of assumptions are made in the notebook about "that specific area of knowledge which NOSENKO should have possessed if he had occupied the particular KGB positions at the particular times he claimed." As outlined in the paragraph above, our insight which would even theoretically permit such assumptions is dated 1954 at best. Does this give us firm grounds for reaching reliable conclusions about the access afforded by a KGB position? The most difficult problem for analysts in the Soviet sphere is to translate themselves into the Soviet environment. Outside the Clandestine Service it is rare to meet an analyst with a realistic concept of the USSR; most of them go on the assumption that American analogies

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are applicable to the Soviet scene. From our own operational experience we have learned to be quite wary of assuming knowledge of specific aspects of the Soviet target. Since our basis for making assumptions about Nosenko's job is ten years old, that would suggest that Deryabin or Rastvorov would be as competent as any of us to judge Nosenko. However Deryabin betrayed his prejudice when he made the snap judgment that Nosenko was "phony" after he had been "briefed on the mere facts of the Nosenko case..." Such horseback judgments do not inspire confidence; Deryabin's competence to sit in judgment of Nosenko is further analyzed below.

Another example of faulty projection into the Soviet situation in the notebook concerns the $250 in operational funds which Nosenko misappropriated in Geneva in 1962. In the March 1964 memo it is stated that the amount of money was "only about $250 and he could certainly have made up this deficit through either of two close friends (another is added elsewhere) who were present in Geneva at the time..." Aside from the fact that the notebook tries to prove elsewhere that neither of these persons was really a close friend, the weakness in this assumption is obvious. As the March 1964 memo states, "loss of ops funds is a terrible offense in Soviet eyes..." Does any of us consider $250 to be a paltry sum? If we had misappropriated such a sum would we want our best friends or superiors to know about it? Even in an emergency, most of us would probably go to extremes to avoid embarrassing a friend by such a request, or exposing our weaknesses to a friend. However, the psychiatrist has already given us evidence that Nosenko was not the kind of person

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who makes friends, so the notebook is probably correct in its alternate finding that the persons in Geneva were not friends in the best sense of the word (the money-lending sense). Nosenko had no place to turn, particularly when one adds his need to indulge himself, which has been confirmed by the psychiatrist, Golitsyn, our own experience with him, our knowledge of Soviet VIP sons, and his own admission. Our ignorance of the specific background is another factor in weighing the significance of the ops funds vulnerability question. How many times had Nosenko misappropriated funds previously? How had he made up the deficit before? What would be the rationalization of the situation in the case of a disturbed personality such as his?

Throughout the memos and other documents in the notebook there is a stream of consciousness discussion of Nosenko's career, first providing evidence and conclusions that he had certain positions, later evidence and conclusions that he did not, and so forth. This uncertainty even goes so far as to suggest, even to conclude, that Nosenko is not even Nosenko! Gradually, the case was built up again that he is in fact Nosenko. There are several ways to read this confusion, but the psychiatrist's findings show the path to the correct understanding of it. It is very difficult to deal effectively with a disturbed personality, and it is not surprising that the SR people working with him found him confusing. However, Golitsyn confirmed that Nosenko worked where he said he did, even that he was a "skirt-chaser", many of his agents confirmed his employment in the

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KGB, and Artamonov could have confirmed that he was Nosenko if he had been asked to do so. The inability of our personnel to see the facts through Nosenko's stories which were "inattentive to objective fact" is not necessarily a reflection on them, but neither can it be used with confidence to support serious accusations against Nosenko. The evaluation of an agent on personality or "eyeball-to-eyeball" grounds is extremely precarious. In fact, the one Nosenko interrogator with Soviet agent experience was involved during the same time period with just such a judgment on another agent, in which he, and another of our best and most experienced case officers, as well as the polygraph, proved to be absolutely wrong in their assessment of the agent. Many of our Soviet agents and defectors have been unbalanced. This observation applies to Penkovskiy, it applies to Nosenko, and it applies to Golitsyn, and to Krotkov; Deryabin's long siege with alcoholism shows that he was not entirely exempt. Treason is indeed a grave decision, even if committed in steps, as Nosenko did it, and the defector does not become 100 percent American and 0 percent Soviet when he crosses the border.

The ultimate conclusions about Nosenko's bona fides, as the notebook indicates, must be based on his production--how much did he hurt the Soviets. The evidence shows that he has damaged the Soviet intelligence effort more than all the other KGB defectors combined. The specific elements of this damage are as follows:

A. Belitskiy--The evidence is stated above; this was the pinnacle of the Soviet disinformation achievement. Once Nosenko had compromised it, as I pointed out in my October 1964 paper, all other

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similar agents are unmasked.

B. ANDREY-JACK--Although Nosenko's information was precise on one of these two agents, and Golitsyn's was largely incorrect, Golitsyn is inexplicably given the credit for our discovering the agent. This agent was no longer active, but this is small consolation, as he had been a cipher machine mechanic, and details of cipher machines have value well beyond their date of manufacture.

More important, Nosenko assures us that another agent is still providing the Soviets such information. All the wrong data Golitsyn provided may actually apply to the agent who has not been apprehended.

C. Vassall--Nosenko is given credit for the apprehension of Vassall--this alone is sufficient to establish his bona fides. Information on Western naval matters, particularly Polaris submarines, is undoubtedly top priority for Soviet intelligence. It is completely out of the question that a source with any potential for reporting on this subject would be terminated even an hour before he had to be. The only substantial clue that Golitsyn gave us on Vassall was that British Admiralty documents were being received in the KGB Reports Office in 1959. It is not surprising that CI officers did not discover Vassall on this slim lead, since it could have been assumed that the documents came from the Lonsdale-Cohen-Houghton net compromised by Goleniewski. It borders on fantasy to reach the conclusion that the Soviets would compromise Vassall to us over 6 months after Golitsyn defected on the assumption that Golitsyn had compromised him. In fact, it is fantastic!

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D. Johnson--Nosenko is quite right in asserting that this is one of the best leads he gave us. If it were not for him, this agent would still be operating against us. The memo to the FBI makes a strenuous effort to demonstrate that this was a troublesome case for the KGB and that there were security weaknesses in it. That is the kind of trouble we would love to have--this agent had access to some of the highest-level information available in NATO, which is to say, U.S. plans for war in Europe. His rank, experience, clearances, and tradecraft ability qualify him as the best possible type of agent. The KGB undoubtedly had great hopes for his future access. If the complication of his wife's disturbed personality had constituted a genuine threat to the operation, the Soviets probably would have arranged for her to have an "accident". They may well have considered this and concluded that she was a valuable component of Johnson's motivation. The only straightforward reason that the memo to FBI gives for the Soviet willingness to compromise this operation apparently is Soviet fear of its being blown to the French. Isn't this pretty weak? Of course. Nosenko's knowledge of this case is questioned on the grounds that it is a violation of the "usually effective KGB security compartmentation", yet we have said earlier that most of Golitsyn's valuable information consisted of things he "had no right to know".

E. The KGB--The March 1964 memo states that "Nosenko's production has been most useful in those areas which the KGB must consider already compromised (KGB organization, general methods and

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techniques, Headquarters personnel) or expendable (names of personnel who do not work abroad, etc.)..." After considering the five cases cited above, it is impossible to agree with this. This sentence is also contradicted by the facts given above on the unique nature of his access and the paucity of reliable information on the KGB since 1954, excepting Golitsyn, who served in an entirely different directorate from Nosenko. In fact the memo states that Nosenko's information on his directorate was far more detailed than Golitsyn's, and most of the 240 names he gave us were previously not known to us. To assume that the KGB would consider Nosenko's information compromised is to find them unaware of their own defectors or grossly wrong about our knowledge of the KGB. The criticism that he does not know (or remember) enough about CIA personnel in Moscow incorporates another large assumption; perhaps we have made some progress in concealing our people from the KGB. They may make errors in identifying AIS officers just as we do on the RIS.

F. Foreign agents--No Soviet defector has identified as many Soviet agents as Nosenko. He identified 73 past, present, or developmental American agents and 97 foreigners in the same categories. The arguments employed in the memo to deprecate Nosenko's list of agents do not provide evidence that he was wrong or that it is incomplete, but lean heavily on the fact that we knew most of them or that they are not important. Thank God for something. However, the fact that we may have known or suspected most of them is irrelevant, particularly when our basis for suspicion was derogatory information. If this were used as a

primary basis for suspecting people of being Soviet agents, several thousand more persons could qualify. The significant element in evaluating these agents is whether the Soviets knew that we were already aware of these agents. The next logical step is to judge whether the Soviets would be willing to give them all up. One way of looking at this aspect is to assume that they are our agents in the USSR, rather than theirs in the West, and then calculate how many of them we would be willing to compromise to the Soviets. Out of the 170 on our list, I doubt that we would surrender more than half a dozen. Unless they are going out of business, neither would the Soviets. On the basis of the table in the memo, there is evidence to indicate that only about 15 of 170 were certainly known by the KGB to be compromised to us. The old argument, that Golitsyn said it first, is repeated in the memo in respect to Nosenko's 1962 information: "There was a remarkable correlation between the two sources, giving the distinct impression that NOSENKO was in fact reporting from the KGB's damage assessment on GOLITSYN's defection." The same claim is not made about the list of agents which Nosenko provided, as only 8 of the 170 were confirmed by Golitsyn's information. If the correlation of Golitsyn's information with Nosenko's 1962 info can be judged remarkable, it is only in the sense that Nosenko reported useful details correctly while Golitsyn is consistently wrong. This is understandable, since most of the 18 points of information fall into the category of things Golitsyn "had no right to know", and which therefore probably would not appear in the damage report after his defection!

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G. Microphones in U.S. Embassy--Of the 3 points of the 18 on which Golitsyn provides better or contradictory information, one concerned Golitsyn's desk directly and was logical for him to know. The other two concern bugs and SIGINT equipment in the American Embassy. The major contradiction deals with bugs, Nosenko stating that the new wing had none and Golitsyn stating that a lot of money had been spent arranging audio coverage of the new wing. Examined carefully, these statements are not contradictory. Lots of plans end up in the trash. Golitsyn goes on to say that Embassy bugs were still active in 1961. It is clear that this statement does not refer specifically to the new wing, which was built in 1960-61, and not occupied until 1962. Although Nosenko was the third source to identify a microphone in the minister-counsellor's office, it was his specific information on locations of numerous other mikes which ultimately led to the discovery of the large number of mikes in the Embassy. Once again, his was the information which was critical to our security, but he does not get the credit. In fact, once he had given us the key data, all other embassies in Moscow with which we are friendly could use our experience to detect mikes in their embassies, thereby denying the Soviets additional intelligence. The Soviets would hardly sacrifice all this! Although we found a few more microphones than we knew of, they were all compromised as soon as we found the first cable and followed it around the building. Nosenko stated that there were no mikes in the renovated north wing, and he was right. Whatever we found in that wing resulted from his information. Nosenko's service in the American Embassy section from 1960-62

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should have made him knowledgeable at least of CI aspects of this subject. The mikes were not the responsibility of his section, nor was the intelligence produced. So far as the entire 18 points go, Nosenko's information is unquestionably more complete and accurate in the main.

The Cherepanov papers, delivered to the American Embassy in November 1963, are said to support Nosenko's story of his career and he vouches for them. Logically, they are both valid, but this is not accepted. Along with considerable innuendo and insinuation, the March 1964 DDP memo calls the papers the "Winters Papers". Since Winters was examined and cleared after this memo was written, the arguments against the validity of these papers lose cohesion, at least, and should be redrafted if they are to make any sense at all (if not for sake of decency). The only other serious argument given against the papers relates to KGB resources for writing and handling documents. Since only Nosenko and Golitsyn are accessible and knowledgeable on such procedures in the modern KGB, Golitsyn's comments would be appropriate, but the comments used presumably are 10 years old, from Deryabin. The conclusion that the papers are of no value to us is irrelevant, as long as the individual who gave them to us thought they were and believed he was hurting the Soviets by handing them over. Penkovskiy's views on the value of what he gave us were often inconsistent with our own. Whatever Nosenko told us, we could not, and did not, pretend to know the identity of every Soviet agent in any country, including the United States.

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His position in the Counterintelligence (Second) Directorate of the KGB certainly would not afford him such access, since the primary intelligence effort of the KGB is in the Intelligence (First) Directorate for which Golitsyn worked. The aspect which Nosenko could observe was the narrow one of Moscow, with an occasional incidental, illegal insight through the compartmentation system, which Golitsyn demonstrated to be rather leaky.

Krotkov, the agent of Nosenko's directorate who defected in London in September 1963, has little bearing on the Nosenko case but is mentioned here because it is cited as evidence against Nosenko, although it also supports Nosenko to some extent. There appears to be good reason to believe, as Nosenko said, that Krotkov was a "little crazy". The book which Krotkov wrote gives evidence of personality disturbance, and the hypertension from which he suffers could not be faked, but could well be organic evidence of mental imbalance. The approach of the KGB officer, Lysov, to the FBI in September 1962 also lacks conviction as circumstantial evidence against Nosenko. If a KGB officer were in financial straits involving mishandling of ops funds, the actions of Nosenko and Lysov presumably are characteristic of the primary steps he would take to extricate himself. There may be an operational suggestion here for us, as well as a warning which is echoed in the Dunlap, Johnson, and Whalen cases. Another question is posed in the memo concerning the Soviets whom Nosenko has recommended to us for recruitment, particularly V.P. Suslov. There is an obvious answer

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to this question, however and that is to recruit Suslov. The objection that this may be a provocation by the Soviets is not valid, since we are already running a Soviet disinformation agent in the UN.

The point is made and emphasized in the notebook that the KGB Disinformation Department was formed in 1959. This is a very misleading fact. As Rastvorov and Golitsyn have reported, there was a Disinformation Service in the KI, and Golitsyn confirmed that the function continued after the KI dissolved in 1951, although there was no separate element for it. Most of the Soviet disinformation agents known to us were run against us before 1959, and the most sophisticated ones, Belitskiy, [redacted]DACRON, and probably [redacted]GLOO, were conceived and executed before 1959. The establishment of a separate Disinformation Department, therefore, appears to have followed the heyday of the disinformation operation, rather than preceded it. Certainly new operations have been conceived since, such as [redacted]TYPHOON in [redacted] and [redacted]FLASK in [redacted] and probably others, as indicated by our memos to CSR on [redacted]DARING and [redacted]MINUS, but the days of the disinformation agent probably have been numbered since Nosenko's exposure of Belitskiy.

There are a number of references in the case against Nosenko to unidentified "knowledgeable sources" who are quoted making damaging assessments of Nosenko. It is apparent from most such references that the knowledgeable sources meant are Deryabin and Rastvorov. However, neither of these two KGB officers can genuinely

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be said to have knowledge of the KGB which is applicable to the Nosenko case, since one left Moscow in 1950 and the other in 1954.

The most serious assumption affecting Nosenko's assessment are those which involve his production. The argument against him falls apart completely without the continuous application of the assumption that he has told us only what the Soviets knew was already in our hands. This assumption, in turn, rests entirely on our estimate of the damage assessment which the Soviets probably wrote on Golitsyn. This is where the argument loses all of its force. We have no basis whatsoever for making a reliable itemization of the things which are included in the KGB damage assessment except for the documents which Golitsyn brought with him. We can guess that the list includes the gist of all documents which Golitsyn saw while in Finland for the 17 months before he defected. It would be impossible for the Soviets to say precisely what Golitsyn remembered of KGB organization, personnel, and activities since he had left Moscow. It would be absolutely impossible for the Soviets to know what Golitsyn had learned illegally by word of mouth, either while he was in Moscow or after he had gone to Helsinki. The March 1964 DDP memo stated that Golitsyn learned many details about sensitive operations "which he had no right to know" in this way. Just as it would be impossible for us to make a parallel itemization on a CIA officer, even with the complete honesty of all persons who knew him. The most serious part of the KGB damage assessment probably would have related to Golitsyn's service as a reports officer on the NATO desk. From what he has told us, it is apparent that he did not know the names of most of the agents whose

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reports he handled. He was able to describe subject matter and had managed to pick up some other operational details, many of them wrong, as in the ANDREY-JACK cases. While the KGB would probably try to minimize the damage assessment in their report to higher authority, they would probably maximize it among themselves, but it defies logic to conclude that they would send us an agent who would be able to provide the details which would lead to compromise of producing assets. Neither would we. We would move very carefully operationally, or even stand down on cases where we thought there was danger of compromise, but if our agents survived for a few weeks, or even months, we would conclude that the storm was past. And the KGB is probably considerably more coldblooded than we are when it comes to collecting intelligence even in the face of perils to their agents. Nosenko summed it up accurately when he said that the KGB "would not really know the extent of my knowledge," "It will take many months to look into these matters, so nothing will change for a long time," and when discussing a case: "they won't have any way of knowing I know. Certainly the people who told me won't volunteer the fact." The problem of the damage assessment, here or there, could not be stated better. Since Deryabin was employed in the Personnel Directorate, he would normally know and remember more about personnel forms and procedures than would operational personnel. The latter generally consider all forms and procedures a nuisance and spend as little time and thought on them as possible. If organizational errors are to be used against Nosenko, they can also be used against Rastvorov, as he was one year off on both the formation and dissolution of the KI and, just as

Nosenko did, left out the GULAG and other extraneous units when drawing up the organization of the KGB, although he had only been away from the Center four years when he defected. The evidence which Deryabin uses to support his assertion that he can deny the truthfulness of various aspects of Nosenko's story consists of the kind of trivia on which few persons could score well. Since Deryabin was engaged in actual intelligence work for less than two years before his defection in February 1954, and had been in the field for the six months just prior to his defection, his tests of Nosenko involve facts at least 11 years old. They are fairly fresh to Deryabin's mind because they relate to his last experience in the USSR, but Nosenko's considerably greater depth of experience naturally has placed so many layers of information over the 1952-53 era that he could not reasonably be expected to recall the things that Deryabin can. This would become clear if we were to have a current CIA CI officer debriefed on the same period in CIA by a former CIA FI employee who resigned in 1953.

It has also become clear in a hurried comparison of Deryabin's original reports with his present criticisms of Nosenko. For example, one of Deryabin's trivial points is that Nosenko claims his working hours to have begun at 1030; Deryabin agrees with the other details Nosenko gave on working hours but insists that 1000 was the starting time. Rastvorov confirms in his reports that Nosenko is correct; Deryabin's own reports in 1954 stated that the working hours were 1100-2100, although he now agrees with Nosenko

that 2400 was closing time. Considerably more interesting is Deryabin's accusation that Nosenko made an "outright mistake" by asserting that there was a tenth directorate of the KGB in 1953 which was called the Directorate of the Kremlin Commandant. Deryabin assures us in his criticism of Nosenko that "This directorate had actually merged with the Guards Directorate in 1947, and the combined directorate was designated the 9th Direc[illegible] in 1952 (and has remained so to this day)." However, Deryabin again contradicts himself in his 1954 reports as follows: "The Kremlin Commandant Directorate existed as a separate organizati[illegible] until August 1953." He made this statement at least three time[illegible] his 1954 debriefings. Deryabin thus disqualifies himself as a knowledgeable and objective examiner of Nosenko. With all the y[illegible] Deryabin spent in the Guards Directorate, this is a point one w[illegible] expect him to remember. These contradictions, and others which would probably turn up in a careful examination of the rest of Deryabin's case against Nosenko, are in the area of Deryabin's supposed greatest competence and usefulness to us. It is only logical to find that Deryabin is also on shaky ground when he pretends to have knowledge which he never had. The most obviou[illegible] example is his comment on the fact that in giving his military mailing address, Nosenko included the town name with the field post number. Deryabin says: "This is yet another mistake, sin[illegible] military postal security procedures prohibit linking the milita[illegible] unit number with the location of the unit on the envelope." No[illegible] could be farther from the truth. When the system was first

established in 1942, this was the concept, but it soon deteriorated, and almost all Soviet internal military mail after the war contains both the FPN number and the place name. If Deryabin really knew the Soviet FPN system, he would have been able to say that the FPN's were assigned in blocks at first, and that the 901XX block from which Nosenko's FPN in Sovetskaya Gavan was taken was in a naval block. If he had this real knowledge, he could then say that military intelligence FPN's commonly contained a zero as one of the five digits. He could then have concluded that the number Nosenko gave was in fact a naval intelligence unit. It is admittedly somewhat easier for us to make such an analysis, as we know from an incontrovertible source that the FPN Nosenko gave was assigned to a naval intelligence unit in the Sovetskaya Gavan area at the time Nosenko said he was there.

Deryabin is not an experienced Soviet intelligence officer. He spent less than two years in intelligence work, 17 months at HQ and 5 in the field, two years in military CI at the end of the war and subsequently served as a personnel security officer; this is not much more than a familiarization tour. He is, of course, qualified to comment on Soviet realities in general better than any of us up to 1954, and to a gradually decreasing extent since that time. He is an adequate, but not fluent, translator. He is a thorough researcher to the extent that he has access to information; his research has the same limitations as any research--what is written in books or reported by agents rarely coincides with the objective facts of human behavior.

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No doubt the motivation, or the evolution of the motivation, which led Nosenko to defect is very complex, in keeping with his personality disturbance. The same was dramatically true with Penkovskiy. The same elements which the rational, normal person would weigh carefully before taking the road to treason were ignored, fortunately for us, by both Nosenko and Penkovskiy, and perhaps by the rest of the few important agents and defectors we have had. Both of them were protected by high-level general officers and had illustrious family names; both appeared to be devoted to their families. This does not mean that their motivations were at all alike, only that the obstacles to changing allegiance were roughly similar. Nosenko's real motivation must be sought in his formative years, when, like the sons of most Soviet leaders, beginning with Stalin's own son, the world was his for the asking and he took all he could get. Yet, there is a motivational element relating to the father in both cases--as an amateur psychologist, I submit that Penkovskiy was revenging his father, and Nosenko defected as the ultimate act of rebellion against his.

Assuming that the Soviets were to conceive an operation against us which involved an RIS officer, what would that officer be like and how would they prepare him? Our experience with disinformation agents indicates that they would not prepare him at all in the sense Nosenko is said to have been prepared in the notebook. They would select a man who could not compromise anything, but who also did not have to invent any significant period or chapter of his life. The

very fact that Nosenko appears to be fabricating his past from kindergarten days is the best evidence that he is not a plant, and good evidence that he is not fabricating anything at all except what is required by his disturbed personality. A disturbed personality cannot be controlled, so he is not a candidate for a disinformation operation. The candidate would have to be a legitimate officer, for otherwise the KGB would not be sure that we did not have a penetration of the KGB or Soviet government who could tell us all about the operation, or that we would not soon have a defector who could tell us that Nosenko's story was fabricated. Actually, one of our best Soviet agents told us that Nosenko was a legitimate defector and knew more damaging information than Penkovskiy, so it is remarkable that the case against Nosenko has gone this far.

As far as the preparation of the KGB officer disinformation agent is concerned, it would be thorough and complete. This rules out Nosenko immediately, as he was not able to pass the polygraph successfully. As stated above in the Belitskiy case, a known disinformation agent, he passed the polygraph successfully in 1961, so it is quite unlikely that the most important disinformation agent would be sent out unprepared for the polygraph. There is surely a need to study why the known agent "passed" the polygraph and the valid defector (Nosenko) did not. What point would there be in "resistance to interrogation" and "how to conduct himself in detention" if he is not trained to beat the box? Another flaw, a serious one, in the theory that Nosenko was prepared by the KGB, particularly on the basis of Golitsyn's information, concerns

the tourist ops document which Golitsyn had brought out with him. Nosenko knew that Golitsyn had taken this document, but was not familiar with it. This would not be possible if he had been prepared by the KGB. Naturally Nosenko did not know Blake had contributed to this document--he had no need to know.

Along with the tendency to identify Nosenko's detractors as "knowledgeable sources", there is a corollary which casts doubt on sources who help to substantiate his story. Five of these are said to confirm Nosenko's identity. Some of these are cited above. Another significant one is the 1959 naval defector, Artamonov. The language used to describe Artamonov's comments on Nosenko is decidedly hostile, but there is no evidence at all to suspect Artamonov. Artamonov made a major contribution to U.S. intelligence, is highly respected by senior U.S. naval officers, and is the most intelligent and well-adjusted Soviet defector in the West. He was Golitsyn's best friend while Golitsyn was here, and Golitsyn called him several times from England, having left both his dog and color television with Artamonov. We have found Artamonov to be highly cooperative with persons who understand the Soviet system and completely impatient with those who pretend to such knowledge. He can probably make much more useful and valid comments on some of the points which Deryabin was asked to review.

Something should be said about Nosenko's memory. All memories are selective, depending on personality, interests, requirements, and other factors. In a sense, nothing is ever forgotten, but in practice we can recall only limited amounts from the sub-conscious.

As Nosenko said: "There are different types of memories." When we consider that Nosenko has identified up to 200 leads for us, over 400 KGB officers and agents, and 127 of 173 Americans in the U.S. Embassy in 1960-62, we must admit that he has exceeded most of us in memory capability. In addition to these, he undoubtedly has the usual fund of information centering on his family and non-career life. Yet, in examining his production and his statements, we expect him to add all manner of trivia to the immense amount of information he has already provided, and we expect him to have it right. Then his memory of flying in lobster and vodka for agent projects is called "little details." We have not asked as much of any other defector. If we did, we would throw them all back. Although we have no place near the agent stable in our past that Nosenko has identified, I would not be able to come close to the number of identifications Nosenko has made, and neither could anyone else. Unfortunately for him, what is trivial to him on the inside is far from trivial to us on the outside, and the same no doubt applies in the opposite direction.

Another factor which affects our evaluation of Rastvorov and Deryabin as judges of Nosenko is their conclusion that Nosenko's history is such that he could never have been employed by the KGB. Times have changed since they were there, since his employment is confirmed by Golitsyn, independently by one of our best agents, and a number of agents whom he handled. Another curious remark, apparently made by both Golitsyn and Deryabin, is that Nosenko

seemed to be giving information from the CIA reports they had provided us. This is curious on several counts, because we do not show defectors' reports to them, so they would have trouble knowing just what they had told us. It is also curious, if accepted at face value, because it would be additional evidence that Nosenko was providing accurate information, to the extent that Golitsyn's and Deryabin's reports agreed with one another. In fact, however, as Deryabin points out correctly, in part, Nosenko's memory is not as complete as Deryabin's, so he does not report as accurately on the KGB up to 1954, when all three of these defectors were serving in the KGB concurrently for a few months. Comparison of Nosenko's and Golitsyn's reporting shows that their reporting overlaps in some respects, but that Nosenko's is superior in every respect except French agents and First Directorate organization.

There are a number of contradictions and discrepancies in the notebook analysis of Nosenko, some of them quite significant. The October 1964 status report, for example, makes the assertion that "Since NOSENKO's falsely-claimed service in the American Embassy Section coincides fairly closely with the period covered by the KGB-concocted CHEREPANOV papers on the same Section's activities, and since GOLITSYN was aware of certain successful or impending operations there in this period, the conclusions reached here imply that both the CHEREPANOV papers and the NOSENKO information are intended to cover up penetrations involving personnel stationed in the U.S. Embassy, Moscow during the period

from approximately 1957-8 to 1963." The quality of Golitsyn's knowledge has been discussed above. The key word in this very critical and final judgment is "coincide". It is completely false. The Cherepanov papers cover the period 1957-8 to 1960, while Nosenko's service in the American Embassy Section was from 1960 to 1962. Possibly some other word was meant, but the fact remains, Cherepanov and Nosenko did not work in the Section during the same period of time. If in fact the two events did coincide, one would have to consider them both more seriously; if the Soviets had sent Nosenko out, they probably would coincide. As it is, the Soviets cannot hope to convince us with some "worthless" papers about surveillance that there were no Embassy penetrations for three years and then feel obliged to send out an agent to convince us there were none for three more years. Another case concerns the assertion that Nosenko tells "pat" stories. This is not illogical for someone who is relating gossip or someone else's jokes. In the March 1964 memo, some 15 such stories are cited "And the odd thing is that practically every time he tells the story, regardless of the context or angle of approach to it, the story comes out in exactly the same form, with exactly the same details given in exactly the same way, no more and no less." This is strong language. However, just a few pages later, with equal vehemence, his stories are described as follows: "However, the number and type of contradictions within NOSENKO's stories go far beyond what could be considered normal." Now, strictly speaking, these two violently opposite assertions could be true,

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when an individual is telling different stories. However the ANDREY story is given as an example in both cases! One tends to lose a little confidence in the analysis at this point, and perhaps doubt its objectivity a bit. Later on, the STORSBERG case, which was included in the list of "pat" stories, is said to have been told 50 times "with at least one contradiction each telling." What are we to believe?
The same question of objectivity is raised by the adoption of the stereotyped phrase "liar's face". This is a subjective observation; all persons have certain standard facial expressions under various circumstances. There are even personalities which constantly employ "false faces," people who are always acting. It is dangerous to allow such a stereotype to enter in and corrupt, or replace, judgment.

In effect, Nosenko stated the case for his own defense very well: "He would lay the blame on his interrogators, saying that he knows better how things are done in the Soviet Union than we do..." I trust that none of us intends to argue this point—Penkovskiy told us this constantly, and it is quite correct. "...that we were twisting his story and making things look different; that we had already decided that he was 'false' and weren't listening objectively." I believe the evidence given above supports Nosenko on these two points; especially when we recall that the memo which labeled him a "plant" was written just two weeks after our first meeting with him in 1962.

"Finally, he would stress the quality and importance of his basic information, telling us that, because his basic facts were correct, it was unimportant how he learned them, whether dates and other details were wrong, or whether we already had the information from other sources." Nosenko has an excellent argument here; when the facts can be checked independently, as his can be, and have been, the sourcing details that one tries to inculcate in a recruited, trained agent pale to insignificance in comparison. Let's take the wheat and leave the chaff.

Having examined the various memos and status reports in the Nosenko notebook, I am satisfied that Nosenko is a bona fide defector. The case against him consists almost entirely of assumptions, subjective observations, unsupported suspicions, innuendo, insinuations regarding his supporters, steady repetition of charges against him, relatively trivial contradictions in his reporting, and negative conclusions about his bona fides which actually are derived from evidence of his disturbed personality. I have analyzed many Soviet disinformation cases and many fabrication cases, and have identified a number of both correctly, both before there were any negative operational indications and in the face of operational evidence that the cases were bona fide, but I cannot find a shred of solid evidence against Nosenko in any of the memoranda or other documents in the Nosenko notebook.

The 30 April 1965 memo status report states: "Subject has repeatedly challenged us to produce proof of his guilt and to try him..." Nosenko has another good argument here—the case would be thrown out of court for lack of evidence. However, what do we lose by taking him up on this? I recommend that we appoint a new judge and jury for the Nosenko case and institute a change of venue. The participants should be persons not involved in the case so far, but with experience pertinent to the case, such as the following:

A. Psychiatrist or psychologist as full-time consultant

B. Rod Kenner of IG (SR experience, objectivity) as judge. He's also a lawyer, by the way.

C. Dick Stolz (Moscow experience)

D. Dick Kovich (KGB defector handler and Soviet agent experience)

E. Bob Lubbehusen (15 years continuous experience with production from every Soviet agent and defector, especially KGB)

F. Ed Juchniewicz (Soviet agent and CI experience)

G. [redacted] (Specialist in Soviet technical collection and equipment)

The detention of a defector is a serious action, but the detention of a bona fide defector on false charges has implicit explosive potential. It is not the question of justice to an individual, but a larger question. First, the handling of his information as disinformation contaminates our CI analysis now,

in past cases, and for a long time in the future. Rather than being disinformed by the enemy, we are deluding ourselves. If we are afraid that word of our suspicions might get back to Moscow, we should be even more concerned that word of our detention of Nosenko will also. How many more Soviet intelligence officer defectors, or even agents, can we then expect? Since [AE]APOGEE knew, KGB officers, and probably GRU as well, have the advantage of knowing that Nosenko is a bona fide defector, but they will not have much respect for us or desire to come over to us, if they learn how we have dealt with him.

The review of the Nosenko case will have to take into account the KGB aims which we have theorized for Nosenko as a disinformation agent. These are stated in the notebook as follows:

A. Penetrate CIA and FBI — One wonders how the KGB would expect this to be done. If it can be assumed that they have some knowledge of the treatment of RIS defectors in the U.S., then they know that such defectors are held at arm's length. Only in the past weeks have we initiated a program to brief RIS defectors even on our dead cases and their production, although Deryabin has been used on some aspects of non-sensitive cases the last two years.

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Most RIS defectors have little qualifications for, or interest in, work other than intelligence, so the desire of Nosenko to aid us is normal and should be accepted to the extent that we are using the others.

B. Redefect, discredit U.S. intelligence, and generate unfavorable publicity about us—If this is the Soviet aim, we have given them a magnificent opportunity! Imagine what would happen if Nosenko were a "plant"—the Soviets could make charges at any moment pointing out that Nosenko had been kidnapped by us, aided by the Swiss and Germans, and that he was now being held against his will. What could we do or say? One wonders if CIA would survive the subsequent furor in the press, Congress, and abroad. Who would believe our protestations that the goods had been planted on us—the boy with his hand in the cookie jar is seldom considered a reliable witness in his own defense. If Nosenko were a plant, the Soviets can get him back whenever they want him, at our expense.

C. Discourage other defectors—How can he do this? If he did not serve in the KGB, as the notebook claims, RIS officers will know that, and what we do with him will not affect their own intentions to defect. If we are wrong (which I am sure we are), and Nosenko did serve in the KGB, the knowledge of the double game he is playing would spread among his past, present, and

future KGB colleagues and likewise have no effect on future defections. The only way the KGB could hope to discourage future defections through Nosenko would be for us to detain him on false charges and for that fact to become known in the RIS. In other words, Nosenko is a bona fide defector, but we have made it possible for the Soviets to gain an unexpected windfall by our treatment of him. There is no other rational explanation of how they could hope to achieve this theoretical aim.

D. Protect existing Soviet agents in the West — There is nothing lulling about Nosenko's list of 200 agents in the West, particularly the key cases cited above. Nosenko's background and experience provide him no basis for reassuring us that no Americans have been recruited outside Moscow, nor does he try to do so. He goes so far as to point out that the most important cases even in his own directorate are taken out of the hands of the working level and handled by the directorate chief personally. How, then, could he conceivably mislead us about the agents recruited in Moscow? We have no evidence that he has—it is Golitsyn's disturbed personality that confuses the cases most, not Nosenko's, including the ANDREY-JACK case on which Golitsyn is said to have been desk case officer for two years! The only suggestion of evidence that Nosenko is misleading us is Golitsyn's hearsay from a section chief who was 99 percent sure he was about to recruit an American code clerk; Nosenko said such a recruitment was tried and failed. Who accepts this as proof? Nosenko told

us that the Soviets were still receiving code machine information in 1964—what more do we need? Is this concealing an agent? Quite the opposite. There is no evidence to support the "protection of agents" theory. We are fortunate that Nosenko could tell us that they still have a high-level agent—it was surely not within his need-to-know.

E. Lure us into operations in the UN—Of all the theories, this one is the most far-fetched. Since we are already running a disinformation agent in the UN, and have been since 1958, the Soviets could pull the plug on this one at any time, and could have done so in the past, either while the agent was on TDY in New York, or by assigning him PCS. If they want to move the UN, they have other means. Since it has proven so useful for their own intelligence operations in the past, it is safe to say that they will leave it in New York for a while. Considering all the agents they have run out of the UN, it is not likely that anyone would take their protest seriously just because we were running one agent there.

So, it is, after all, unreasonable to conceive aims which would justify sending out an experienced intelligence officer as a "plant." Whatever purpose one might theorize, there are better ways to accomplish that purpose. Whenever the Soviets have set out to mislead by giving information, or by giving us agents who are without information, they have succeeded only because they follow the simplest possible formulas, including an

absolute minimum of fabricated legend, and the maximum base of objective fact which is still consistent with their modest aims. The all-accomplishing Great Plot is still generations in the future.

What will it take to convince all of us that Nosenko is bona fide? Nosenko expresses the wish that we will soon get another KGB defector who will vouch for him. So do I. He can say this confidently because he knows that if we already had a KGB penetration that penetration would vouch for his bona fides. Did we tell him that we have no such penetration? If not, he can only know it because he is innocent. It is beyond reality to argue that everyone in the KGB will vouch for Nosenko's story—it is not enough to alter a few organizational documents. The truth comes from life, not from the archives. If we call all that and all those who have already vouched for Nosenko "suspect", everything and everyone vouching for him in the future also as "suspect," what do we have left? This way lies madness. What kind of proof do we need of his innocence, when we call him guilty with none?

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MEMORANDUM FOR THE RECORD

22 September 1967

SUBJECT: Recent Developments in the Review of the Nosenko Case

1. On 2 June I was contacted by the DDCI's Special Assistant, George McManus, and asked to come to his office to discuss Soviet intelligence collection as it related to [redacted] Prior to this call I had become aware that McManus was making inquiries in the SB Division about my position and background. In his office we discussed the SB collection program and the special contribution of defectors. No comment was made by either of us regarding my talk with the DDCI.

2. On 30 June, at my request, I met with the ADDP to express concern at having again been passed over for promotion. He informed me that my promotion had been approved but that it had not been made effective because he and the DDP were puzzled that I had gone over their heads to discuss the Nosenko case with the DDCI. He stated that it was not a crime to visit the DDCI, but that the DDP chain of command should be followed, and all possible points of appeal for such a disagreement should be exhausted before taking a matter to the Director's office. In reply, I stated that my action was prompted by the knowledge that the SB Division paper on Nosenko had been sent to the DDCI, that the DDCI was aware that I had written a dissenting opinion, and that he had expressed interest in that opinion.

3. The ADDP stated that he and the DDP were knowledgeable of the Nosenko case, that they had listened to some of the interrogation tapes, and that they were inclined to accept the Division position. He advised me that there were many facts of which I was not aware, and that it would be best if I would confine myself to requirements matters, leaving counterintelligence analysis to those persons who were responsible for it. He said that we had treated Nosenko in a gentlemanly manner, which was more than the Soviets would do in a similar case.

4. I stated that the Nosenko case and most of the cases which the Division connected with it were cases with which I had been involved, that they were all cases of evaluating production in comparative terms, and that my experience in such evaluations qualified me to have my views heard. He advised me that if I would try again to discuss the subject with CSB that he would now be willing to hear me out. He said that if I still disagreed and wished to discuss the subject with other senior officers, I should first inform CSB of that intent. I called his attention to the negative attitude of the Division toward intelligence opportunities, and the ADDP stated that he and the DDP were entirely aware of that attitude and were watching it closely. This has since become apparent to me.

5. After my return from vacation, on 12 July, CSB called me in to formalize the promotion and emphasize that he was solely responsible for it. It was clear that he had discussed my visit to the DDCI with the latter and that the DDCI had merely confirmed the visit and communicated the gist of my reaction to the paper which the Division had sent him on the Nosenko case.

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6. On 14 August, two Division officers who had been evaluating the Nosenko paper were obliged to write up their critical views and submit them to CSB. He subsequently stated that their criticisms would be useful in tightening up the paper, and advised them to continue to analyze the paper for this purpose. They continue to find major flaws in the case against Nosenko. CSB informed them that the paper forwarded to the DDCI was only a draft, and that there were bound to be discrepancies and inconsistencies in a paper so complex and involving so many authors.

7. On 24 August I was called in by CSB/CI and told that I could no longer discuss the Nosenko case with any of the several officers under his jurisdiction who were working on the case, and that any of those officers who initiated such discussions with me should be asked if they had his permission to do so. I agreed to honor this arrangement but emphasized that my only interest in such discussions was to facilitate a thorough and objective review of the Nosenko case. I then recommended that the two officers be given my December 1965 paper on the case, and this was subsequently done.

8. Since my determined actions to expedite reopening of the Nosenko case have led the Division and the DDP to disown my views and to exclude me from the review of the case, I see no existing forum for my views within the Clandestine Services. Therefore, in spite of the DDP's advice that I either refrain from having an opinion, or express it only within the Division or the CS, I have a sense of urgency that the attached views on the disposition of the Nosenko case be considered at the command level of the Agency where the ultimate decision must be made.


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5 December 1966

MEMORANDUM FOR: [redacted]

SUBJECT : The Clandestine Effort Against the USSR

1. The negative positions taken by the division continue to dominate and negate our efforts to collect intelligence on the USSR by clandestine means. In addition, I believe that this negative environment has done permanent damage to our capabilities against the Soviet target, and that this damage increases with each day that this environment prevails.

2. Following is a summary of recent developments in the division's positions and a list of their effects as I see them.

a. Nosenko is a deception agent, and Soviet deception operations revolve around him.

The psychiatrist has told the division that Nosenko's desperation to change his situation may lead to a false confession.

The dishonesty and bias in the case against Nosenko are still evident in the current review of his bonafides, according to the officer who is doing most of the writing of that paper. Attachment A is an example of this technique.

b. BOURBON is a deception agent.

I believe that BOURBON is bonafide. He has just made his seventh identification of a major Soviet agent in the U.S. (Boeckenhaupt), who is the fourth such agent who was active, unsuspected, and in a position to do the U.S. serious damage.

Any attempt to develop and disseminate BOURBON's information is inevitably blocked by the CI emphasis, as well as failure to provide the case officer close substantive support. BOURBON is providing some significant information which is within his access and appears valid.

Unwarranted and dishonest judgments of BOURBON's information are made without the knowledge of division officers qualified to make such judgments. See Attachment B.

The officers of the division's GRU Branch disagree with the division's evaluation of BOURBON. The paper on BOURBON's bonafides is being dictated to them by the division chief.

c. SCOTCH is a deception agent.

SCOTCH continues to provide requirements and information which I believe to be reliable and appropriate to his access. His information is such that it does not permit a firm conclusion about his bonafides one way or the other, but his CI information is the best basis for judging him.

All important Soviet agents arrested in the U.S. in the past five years or so have been compromised by Nosenko (Johnson, Mintgenbaugh), BOURBON (Dunlap, Whalen, Thompson, Howell, Drummond, Boeckenhaupt, and Cassidy), and SCOTCH (Butenko and others unknown to me). I believe that SCOTCH has proven himself in the CI field, but the case for him is not as foolproof as for the other two. Even so, his bonafides or lack of same has no automatic bearing on Nosenko and BOURBON.

d. Most Soviet activities which have been detected around the world are deception operations, called "disinformation", "screen", or "diversionary" operations by the division.

The keystone of this position is the assumption that the GRU academy class of 1963 which was identified for us by Penkovskiy is a "throwaway" group running deception operations. In fact, only 7 of 51 in the class have been identified in intelligence work.

This theory was prepared as a book dispatch three years ago but not sent out. It is given in briefings of agency and liaison personnel*

Analyses of previous cases, such as the Felfe case, are being written with a bias built in to support this theory.

No walk-ins and few defectors or liaison agents escape the deception label.

* In early January the division begins a course for CT's, and this philosophy will probably be passed on to them.

e. Individuals who provide information which tends to corroborate the reporting or bonafides of the above agents are also deception agents.

Since all RIS defectors and agents in the future are certain to provide such information, all are discredited in advance. This is a particularly crippling position, as our two best positive intelligence sources have been GRU officers.

The only such defector we have had since Nosenko's walk-in in 1962 is Olga Farmakovskaya, whom the division judged a deception agent primarily because she stated her husband attended the GRU academy with Nosenko. See Attachment C.

A number of agents in Satellite intelligence services are being tarred with the same brush.

3. The effects of the above positions are detrimental within the division and the Agency, and I believe they have damaged our reputation with the FBI, MI-6, and other liaison services. Within the Clandestine Services, these positions and theories have generated a widespread feeling of frustration, futility, and impotence. The division practically preaches the superiority of the KGB over the FBI and CIA, using the above theories as "evidence". Old standards of information and source evaluation have been abandoned and even reversed, with bad analysis driving good analysis out of existence. The validity of Soviet area experience is being denied. The effect is paralysis of our Soviet effort.

4. A number of actions have been taken by the division which have also contributed to the decay of the Clandestine Services' Soviet effort.

a. Replacement and downgrading of senior personnel with Soviet experience.

b. Increased dependence on RIS defectors for operational judgments. These defectors are brought into Headquarters and overseas stations and shown Agency documents.

c. Attempted kidnapping of the supposed KGB station chief in Tokyo.

d. Personnel with experience, intelligence, imagination, and initiative are bullied, jeered, and shouted into silence, or into division positions which they are required to accept on faith and without question.

5. These actions are primarily injurious to persons immediately in the division, but the reduction of their individual contributions reduces over-all effectiveness. The kidnapping episode discredited the division and the Agency, and is a blatant example of the disregard of the division chief for the views of his staff. The requirement that division personnel mutely and blindly follow him, abandoning their judgment and self-respect, alienates some of the best people in the division, and has been the direct cause of at least one serious illness and a contributing factor to a number of health problems of others. The motivation of experienced people who still occupy a few responsible posts in the division has been seriously eroded by the unhealthy policies summarized above, and the related lack of intelligence success.

6. What I have stated here are my own sincere and sober views. The concern which I feel for this state of affairs has increased to the point where I am mentally distressed and physically affected by this catastrophic development in my chosen profession. Even if the present insidious trend were to be abruptly ended, it would take many years to rectify the damage, in the minds of our own personnel, in operational files and guidance, and with other agencies and liaison services. I am entirely committed by experience, qualifications, and inclination to work on collection against the Soviet target. Now discouraged in this work, I would find it difficult to regenerate this lost enthusiasm in a new assignment. However, if there is no hope of a thorough review of the positions and methods of the division within the next few months, I feel that both my professional and personal welfare will require that I find some other assignment.

7. In committing these views to paper, I am aware that the positions and actions which I cite as offensive are also the product of experienced and dedicated Agency employees, to whom I impute no dishonorable motives. However, I believe it fair to state that the present operational philosophy of the division is tailor-made to suit the KGB; several present and past SR Division officers have made this observation. It appears to me that the division chief's preoccupation with the KGB and mania for attributing so many of the world's ills to them is a product of his own professional frustration. An example of this outlook is given in Attachment D. He appears to hold the KGB responsible for a long history of personal failures:

a. As head of the [redacted] he had major responsibility for the failure of every such operation which we ran.

b. He was publicly disgraced by the "beer-in-the-face" recruitment failure in Vienna.

c. After he moved to [redacted] Lt. Col. Popov was transferred from Vienna to Berlin and was soon compromised.

d. While he was in [redacted] close cooperation with the [redacted] services resulted in the loss of a large number of our agents who were compromised through Felfe, a Soviet agent in the BND CE Section.

e. MI-6 staff officer was discovered to have been working for the Soviets while in Berlin (Blake).

f. The Berlin tunnel was discovered and closed.

g. Several [redacted] support agents were found to be under hostile control, and all SR cases running in Berlin were rolled up (AE)CANEY, (AE)CYMAR).

h. Shortly after he met [UN]ACUTE in Paris, the latter was called home and shot.

i. He was again publicly disgraced by the kidnapping failure in Tokyo.

While some of these unpleasant events cannot in any way be blamed on him, it is easy to see how he may have acquired a feeling that nothing is bonafide, that nothing works right, and that he must somehow even the score, with the KGB as the enemy. I believe that this becomes too costly when our intelligence goals and officers are both expended in the process.

Leonard McCoy
DC/SB/RR

27 April 1967

MEMORANDUM FOR THE RECORD

SUBJECT: Resolution of the Nosenko Problem

1. Nosenko has now been held in solitary confinement and incommunicado for almost three years. When we first took this course of action, presumably a plan was adopted which would dispose of the case through normal judiciary procedures and relieve the Agency of a penitentiary role. Although the years should have strengthened the case against Nosenko, the opposite trend is apparent. As more qualified, objective, and balanced persons have been exposed to the case, with freedom to express themselves, the case has disintegrated.

2. While the Division continues to belabor its monstrous paper on the case, I suggest that the validity of the case against Nosenko may not even be relevant to the larger problem, which is the need to divest the Agency and the U.S. Government of the risks involved in holding or disposing of Nosenko. In other words, the resolution of the Nosenko case must be just about the same whether or not everyone agrees he is bonafide.

3. It appears to me that the risks inherent in the case become critical as soon as Nosenko's present status becomes known to various elements outside the Intelligence Community. I further believe that these risks grow with time, and that even if the story is not surfaced for many years, the damage will still be serious. While the official assessment of these risks can only be made by top Agency management, those which prompted me to press the Division to undertake a critical review of the Nosenko case are represented by the following:

a. Elements of Congress who are not favorably disposed to the Agency, the Director, or the Executive could use the case politically against those entities. The greatest risk in this category probably begins in early 1968 and runs through national election campaigns.

b. The President could suffer personal embarrassment, having to state whether he was aware of our handling of Nosenko or authorized it.

c. Trial of the case in the press, at home and abroad, probably would not develop in our favor. Fine points of CI logic often are not appreciated within the Intelligence Community, much less outside. (In fact, the FBI is said to disagree with our logic in the Nosenko case

d. The Agency could be accused of violating the Bill of Rights, ignoring the rights of the individual, usurping judicial prerogatives, and arbitrary action under special privilege ("governing invisibly"). Genuine liberals, civil rightists, and fellow travelers would have ammunition to use against us.

e. Our treatment of Nosenko would be used by the Soviets to discourage other defectors and agent candidates.

f. Liaison services are likely to lose some confidence in our competence and our standing in the U.S. Government. (Senior officers of the British Service have expressed disagreement with our views on Nosenko.)

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g. Other U.S. intelligence agencies will gain by our discomfiture, and might use the opportunity to encroach on Agency responsibilities and assets.

4. Resolution of the problem therefore appears to me to be most essential for political reasons. The case is bound to be surfaced eventually. To hold Nosenko under present circumstances indefinitely can only add to the risks. If we were to turn him over to a cooperative totalitarian country like South Africa, the initial damage would be greatest on the morale and self-respect of Agency personnel, but the danger of the whole story becoming known outside the Agency would become greater, so that the scheme would only add to the explosive potential of this case. If he were to die of natural causes while in our hands, the political ramifications of the case seem to me not appreciably less than if we were to kill him. I therefore submit that Nosenko's status should be legalized as soon as possible, and that this course of action should proceed without regard for the refinement of the case against Nosenko which is now in process.

The Solution

5. Nosenko should be released from Agency incarceration and placed in a semi-free status. This change would continue Agency supervision of his activities by maintaining an Agency-appointed officer or officers to serve as interpreter, companion, and advisor for him. We could thus watch him for counter-intelligence purposes and probably prevent some flaps. Nosenko's place of residence should be selected to keep him away from Soviet Bloc citizens, the central U.S. press, and in an area where any personal excesses he commits could be localized and played down. If necessary, such excesses could be used as overt evidence of the need to return him to a more restricted environment. The U.S. is probably the only country where we can maintain such control. He should also be given psychiatric treatment, which could be started now. Rehabilitation would also include language training and perhaps further formal education.

6. In preparing Nosenko for normalization, he should be paid a substantial fee "for his information". We should also take responsibility for his medical treatment , which will afford us a continuing measure of control. As an explanation to him of our handling of him to date, an explanation of the type the Soviets might give should be used. This would include the assertion that such handling was routine for persons with his background, as the need to check out his voluminous information must be apparent to him. We could now assure him that his bonafides had been recently established by a new KGB penetration. In his case, it was also prudent to keep him in a safe place to prevent hostile action against him by his former colleagues. Some of this danger, of course, still persists. If the fact of his former status with us should become known publicly, from him or indirectly, the same explanations could be given, plus the statement that his past behavior showed he could be dangerous to himself and others.

7. In light of the psychologists' evaluation of Nosenko as a weak personality, he will probably seek vindication upon release. It is therefore important that his release be carried out with appropriate sincerity. Another means of satisfying this urge on his part would be to collaborate with him in preparing articles or a book which would tell his story (up to a point). Most important, as a weak personality, Nosenko's ability to sustain his spirits through the last three years testifies to his conviction that he would be vindicated in time. Paradoxically, once that source of strength is removed, by our accepting his bonafides, all the complications of his "seriously disturbed personality" will probably return. For this reason, close support is necessary.

SECRET

28 April 1967

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with CSB on the Nosenko Paper

1. On 4 April 1967, the present senior case officer on the BOURBON case, Jim Flint, who was on TDY at Headquarters, came to my office at my request to discuss the bonafides of BOURBON. In this discussion I mentioned to him other cases now going on which Headquarters has related to BOURBON, and recommended that he ask the GRU Desk for briefings on these cases. I also advised him that a major SB Division paper on Nosenko, which mentions BOURBON, was now well over 700 pages, and that it was being prepared for the Director. In addition, I told him that a number of persons in the Division and outside the Division who had read the Division's earlier papers on Nosenko disagreed with the Division's findings.

2. On 5 April I was told, by an SB Division CI officer who was involved, that CSB had called him in on that date and questioned him regarding the origins of the information which I provided Flint. Later I learned that another officer of the same branch was questioned simultaneously by C/SB/CI, and that immediately after the two meetings were held, the first officer was recalled by CSB for further questioning. Both officers were sternly warned not to divulge to anyone that they had been questioned.

3. On 7 April I was called to the office of CSB at 1630 hours and met with him until 1730

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hours. He stated that he had a memorandum written by Flint which reported a number of statements I had made to Flint. He was particularly concerned about an "impression" Flint got that I had indicated that the DDCI was reviewing the Division's Nosenko paper. I replied that I had no knowledge of such a review, and therefore certainly could not have said such a thing to Flint. I repeated what I had told Flint about the Nosenko paper, as stated above. CSB stated that for my information, the Nosenko paper had been finished and in the hands of the Director for three weeks, which was news to me. He also stated that it was perfectly alright for the DDCI to have a copy of the paper, in his position, and that he would tell appropriate Division personnel that they should not be concerned that the DDCI had a copy of the paper. CSB told me that if I wished to raise the level of my disagreement about Nosenko to the DDP or DDCI, he would be glad to go along with me to discuss the matter in their presence. He said that he had lunched recently with the DDCI and discussed the paper with him, which was not the first such meeting with DDCI on the subject.

4. CSB stated that because of the privileged position I enjoy in regard to Division operational information, he had to be able to trust me in the handling of that information. I agreed, and stated that in my judgment Flint had a need to know items I had mentioned to him. As to the origin of my information, none of which I received officially, I stated that I made a point of maintaining a good listening post in the informal organization. In addition, most personnel who have served in the Division very long always assume that any current case will have been surfaced to me for intelligence exploitation. Therefore they do not hesitate to discuss new cases because they believe I have a need to know. In this respect, I asked CSB why my office was given no opportunity to examine the intelligence potential of Soviet defector Olga Farmakovskaya or the new KGB case in

New York. He stated that the first case had no such value, and that the second was not under his control. Although I disagree with both statements, especially since a Division officer is meeting with the New York walkin, I said nothing.

5. CSB stated that it is essential that personnel in the Division, other divisions and other agency components do not feel that he and I have opposite attitudes toward intelligence collection. He asked if there was a personal factor in my opposition to his views and I assured him there was not. I pointed out that as long as the Division had the negative attitude which was exemplified by the Nosenko, SCOTCH, BOURBON, Farmakovskaya, the New York walkin, the QUCOZY case, and numerous other minor cases, we would not collect any intelligence on the USSR. This was the only point at which he became upset, stating that he could not agree with the Polyannas who say that the US Government is not penetrated and that the Soviets do not know every move we make. I stated that I did not agree with them either, but that I disagreed most strongly with the Division's positions on most of these cases, and would not defend them.

6. I tried to explain that most of the Division personnel who are aware of the cases which are lumped in with Nosenko have doubts about the validity of the Nosenko paper. He said that he met with them and knew their views, and I suggested that his own views, and the deputy division chief's, were stated so vigorously and categorically in those meetings, that other persons were reluctant to contest these views. He did not believe this, but I added that since all of them were at his mercy in their careers, they did not want to get into a vehement argument with him, leaving bruises on both sides. (As I left his office, a branch chief who knew that I had been there for an hour

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asked why I was not bleeding from dozens of wounds, and I said that I had listened a lot.)

7. In closing I stated that I would not tell Flint that I knew of his memo, but CSB said that I should tell him. I said that Flint was ill and needed help, but CSB said he knew Flint and that it was just separation from his family that had been the problem. (I did not tell CSB that Flint asked me privately to get him removed from the BOURBON job, stating that he found it extremely trying. Also, I did not tell Flint that I knew of his memo.)

8. Immediately after my meeting with him, CSB called in all senior CI personnel in the Division. He began by stating that he knew he was pompous and domineering but that it was most important to him to know if any of them had doubts about the Nosenko paper. Of five persons, three admitted, two for the first time, that they had doubts about the paper. Initially surprised, he eventually dismissed these doubts as the reasonable doubt that is always present in the intelligent mind. He then told the group that the DDCI had a copy of the Nosenko paper, and that it was proper for him to have a copy, so that no one should be concerned about that fact. He also told them that someone outside the Division might be coming to talk to them about the paper. Discussion of whereabouts of copies of the Nosenko paper led one person present to believe CSB was trying to determine how a copy of the paper reached DDCI.

9. On 24 April my immediate superior returned from leave, and on 26 April she was called in by CSB and he showed her a memo for the record of his conversation with me. He stated that he did not intend to forward it to anyone. He said that he had discussed the incident with DDP, who was concerned, and with DDCI. He also indicated to her that he intended to continue me in my present position and to "stand by" my promotion recommendation,

which he has again submitted. In the memo, he repeated the assertion that I had told Flint that "a group outside the Division" was going to review the Nosenko paper, which is a slight change from what he told me, and information that I did not previously have to tell anyone. My superior indicated to CSB that I had already described my meeting with him to her.

L.V. McCoy