

JFK ASSASSINATION SYSTEM  
IDENTIFICATION FORM

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1998

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Media Items

MEMORANDUM FOR: Acting Director of Central Intelligence  
FROM : John H. Waller  
Inspector General  
SUBJECT : House Select Committee on Assassinations (HSCA)

1. This memorandum is to alert you to possible future difficulties with the HSCA during the period lying immediately ahead. Some conscious consideration should be given to the problems that could arise as a result of the reported purpose for the two-month extension of the Committee's life. The attached Washington Post story states that the re-establishment of the Committee is: to work out a satisfactory budget, and to justify a full-fledged investigation.

2. The difficulties that HSCA has experienced to date seem to have resulted from the tactics of Mr. Richard Sprague, the Staff Director and Chief Counsel of the Committee, as well as the projected costs of his investigation. He has spoken in uninhibited terms about use of the polygraph and stress-measuring equipment, which has raised Congressional criticism about his lack of concern for civil liberties. From our point of view other statements attributed to him are equally disturbing. For instance, on 15 December 1976 he was quoted in the Los Angeles Times as making it clear that the Committee reserved the right to reveal the identity of undercover CIA agents. The New York Times on 6 January 1977 quoted Representative Edwards' criticism of Mr. Sprague's reported statement that the Committee would make information public, chiefly through hearings, even if the disclosures might affect individuals or government agencies only indirectly connected with the assassination. This presents the classic problem of protecting intelligence sources and methods. It does not reflect well on the responsibility of Mr. Sprague's conduct of the investigation, and is inconsistent with early representations by him to Lyle Miller indicating an intention to respect our sensitivities about intelligence sources and methods.

3. During the period that Mr. Sprague was making his first plan for the investigation, including his budget request, there were a number of newspaper stories attributed to him or to HSCA sources alleging CIA withholding information from the Warren Commission. On 17 January 1977 Jack Anderson and Les Whitten in the Washington Post

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quoted Congressional investigators as saying that "the CIA deliberately lied about some of the details that were furnished to the Commission." The story included the ridiculous allegation that CIA "offered to take over the Committee's security." None of these stories are consistent with what we understand and no attempt was made by HSCA personnel to consider them with us. If we cannot take issue with the lies above, we can express concern over security practices. One of the early stories, of course, was the allegation insinuating that CIA had edited reports of intercepted Oswald conversations in Mexico City to suppress information. The Anderson column on 20 January claimed access to confidential HSCA "transcripts from interviews of witnesses" making it appear that CIA had fabricated evidence.

4. Whatever the reliability of press attribution of these statements to Mr. Sprague and his staff, it is clear that he is responsible for statements contained in the 31 December 1976 report of the HSCA. It repeats the allegation concerning "documents withheld from the Warren Commission" on page 2, the clear inference being some sort of cover-up. Additionally, at page 5 the following statement appears:

"The Committee has been informed that the Central Intelligence Agency alone is in possession of more than 60 cartons of material relating to the assassination of President Kennedy and the activities of Lee Harvey Oswald prior to that assassination."

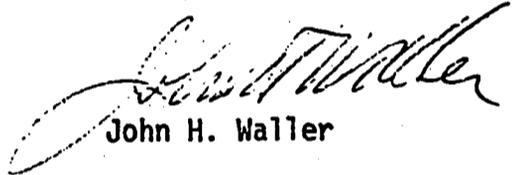
Mr. Sprague was briefed on 57 folders relating to the Warren Commission investigation and Oswald, some 60 cartons of material concerning Cuban operations that had then been identified for review to see if any of it related to the Kennedy assassination, and very small holdings in the Office of Security and the Office of the Inspector General. This was explained to him explicitly. The statement in the HSCA report may be considered as an exercise of some sort of license for the purpose of selling Mr. Sprague's budget, but it is felt that he did not misunderstand what he was told and the statement in the report is a deliberate misrepresentation.

5. It is noted that the large holdings on Cuban operations cover practically everything done in relation to Cuba during the period in question. We are reviewing them solely for the purpose of ensuring ourselves that we have gone the last mile to determine if there was anything on Oswald or the Kennedy assassination that had not been identified previously. Obviously practically none of this is a matter of proper interest for the HSCA, although staff members may insist upon access simply because we reviewed it. By extension similar demands could be made for all operations in Mexico City, because Oswald

visited there for several days in September and October 1963. A similar problem might arise concerning operations in Paris, simply because AMLASH/1 was met there on a number of occasions. Depending on how ambitious and all-encompassing the curiosity of the investigators, we conceivably could be confronted with demands for access to any Agency operations that might attract the interest of an investigator. While this may be a worse-case statement of the problem it is felt necessary to consider the possibility in order to be prepared if the question is presented.

6. None of the requisite arrangements and commitments now exist for the provision of access to and protection of Agency sensitive materials. Indeed, Representative Christopher J. Dodd, a member of the HSCA, in the same 31 December report of the HSCA stated that "to obtain the necessary raw information and documents, the Select Committee should avoid the past experiences of other Congressional bodies which made 'treaties' with Federal agencies about access to information." There is no understanding about the investigative conduct towards former or present Agency employees in the protection of themselves or classified information from the aggressive approach of HSCA investigators. There is no provision for security review of such reports as HSCA may produce, nor commitments about releases to the press of classified information. It is not even clear that HSCA has yet obtained professional security advice on the management of its affairs.

7. On the basis of the past couple of months a rash of dramatic leaks can be expected in the press, aimed at winning support from members of Congress by attacking the Agency and the FBI. Beyond that, if HSCA staff members seek access to Agency personnel and documents, in the rush to "justify a full-fledged investigation," without having established the basis for Agency cooperation, the difficulties can become significant. Such an eventuality must be anticipated, for if such a situation develops the Agency may be subjected to a concerted campaign to make it appear uncooperative.

  
John H. Waller

Attachment:  
As Stated