

11/11/64

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0006659

Report of the U.S. Secret Service
on the Assassination of
President Kennedy

ASSASSINATION

U.S. TREASURY DEPARTMENT
Washington, D.C.

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Charge of the District in which the visit is scheduled. He coordinates all local activities and works out a minute by minute schedule for the President's visit. He coordinates, through the Special Agent in charge of the proposed trip, all arrangements with the White House staff, with field offices of the Secret Service, with political party officials and others directly concerned with the President's visit. He also goes to the destination of the proposed visit and personally takes charge of coordination with local law enforcement agencies and other local officials.

On November 4, 1963, the Secret Service White House Detail was informed that the President planned to make a trip to Dallas on November 22, 1963. Assistant Special Agent in Charge (ASAIC) Roy H. Kellerman was designated to be in charge of the Texas trip and Special Agent (SA) Winston G. Lawson was assigned as advance agent in charge of preparations for the proposed Dallas visit. Final confirmation of the visit plans was received on November 8, 1963. (See Exhibit 1 - Tentative Itinerary for President's Visit on November 21-22).

A. Identification of Individuals Believed Dangerous to the President

The Secret Service has established procedures which are designed to identify in advance individuals in the area who might

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constitute a threat to the person of the President. These procedures are initiated as soon as possible after definite notification of a trip is received. They may be divided into two categories: (1) the activities of the Protective Research Section of the Service, and (2) activities on the scene of the visit under the direction of the advance agent in charge of preparations and the Special Agent in Charge of the District.

(1) Protective Research Investigation

On November 8, the Protective Research Section of the Secret Service, was informed by SA Lawson of the forthcoming visit of the President to Texas on November 21-23 and requested to make a suitable check to see if there were any identified individuals in the Dallas area known to the Service to have either threatened the person of the President or been brought to the attention of the Service as persons dangerous to the President. A search was then made of the files to see if any such individuals were known to be located in the areas where the President was to visit (Exhibit 2). The files of this Section contain information on persons who over the years have come to the attention of the Section as potentially dangerous to the President. The basic criterion for including an individual in

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the PRS file is information which indicates the individual may constitute a threat to the person of the President. The files include among others, individuals afflicted with mental illness manifesting itself in behavior hostile to the President, those who have made overt threats, and those who belong to organized groups which have specifically advocated assassination of U. S. public officials.

The number of names in the PRS files presently approximates 1,000,000, an unknown number of which are dead or inactive. A principal source of names is those who have written letters, sent packages, or made telephone calls to the White House which are thought to be threatening, or who have appeared in the vicinity of the White House making threats or conducting themselves in a way to arouse suspicion of hostile intentions. Other names are submitted to the Secret Service through established liaison procedures by the F.B.I., the C.I.A., and state and local police departments.

From the basic PRS files, certain names of seriously dangerous individuals are selected and also maintained in a trip file. This file contains approximately 100 high risk individuals. It is constantly changing as new names or new information is received.

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-JFK Exhibit F-422-

THOMAS MOSLEY - HOMER ECHEVARRIA INVESTIGATION

Secret Service materials

OPTIONAL FORM NO. 10
5010-104

UNITED STATES GOVERNMENT

Memorandum

TO : Chief - Attn. Deputy Chief Paterni

CO-2-34,104

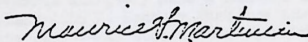
U.S. Secret Service

DATE: December 9, 1963

FROM : ASATC Martineau, Chicago

SUBJECT: Homer S. Echevarria

This will confirm my long distance phone call to Deputy Chief Paul J. Paterni in which the aspects of this case were discussed and in which it was agreed that the nature of this investigation should be discussed with other federal agencies to insure that they do not have a prior case involving these subjects which would be jeopardized by continued investigation by this Service.



Maurice G. Martineau
Acting Special Agent in Charge

ASSASSINATION

6/27/27

FILE NO. 63-2-31,030
FILE NO. 63-2-31,030

President Kennedy
to
Secretary of
State
JAN 27 1961
OFFICE OF THE
ATTORNEY GENERAL

11/29 - 11/29/53

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Informant 2-L-266 has advised that one Thomas Hooley has been in touch with a group of Chicago Cubans who may be involved in the assassination of the late President John F. Kennedy. Also, that this Cuban group is endeavoring to purchase through Hooley a variety of automatic weapons and explosives.

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Reference is made to the office memorandum to the Chief Clerk, Acting Chief Clerk and Mr. Nathan, dated November 26, 1935, with reference to a 2-10-10-10 rate increase, resulting in a long list of persons to be paid a 2-10-10-10 rate. It is noted that the list of persons to be paid a 2-10-10-10 rate is being prepared by the Chief Clerk, Acting Chief Clerk and Mr. Nathan, and that a list of persons to be paid a 2-10-10-10 rate is being prepared by the Chief Clerk, Acting Chief Clerk and Mr. Nathan.

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GENERAL INQUIRIES

On November 26, 1963, at the Chicago Police Department, inquiries were made regarding Thomas Mosley & Son, and Homer S. Echevarria & Homero Samuel Valdivia Echevarria; however, no record could be found for either one of these men.

On November 26, 1963, 2-1-266 advised that he believed that Thomas Mosley and Homer Echevarria, described below, were going to attend a meeting in order to negotiate for the sale of automatic weapons to Echevarria's group.

On the evening of November 26, 1963, 2-1-266 met with Special Agents Joseph E. Noonan and Edward T. Tucker, U. S. Secret Service, and Special Agents Walt Rogers and Bob Baker, FBI, Chicago. 2-1-266 stated that Mosley allegedly had approached Echevarria some time in September 1963 on the possibility of Echevarria's being able to use some machine guns which Mosley could supply, in order that Echevarria's group of Cubans could invade Cuba. 2-1-266 advised that the day before President Kennedy was assassinated Mosley again had approached Echevarria about the purchase of these machine guns, at which time Echevarria allegedly stated, "We now have plenty of money — our new backers are Jaws — as soon as 'we' (or 'they') take care of Kennedy...." 2-1-266 also alleged that Echevarria advised Mosley that before any deal could be consummated, Echevarria's superiors would have to approve Mosley and satisfy themselves that he was not a CIA agent.

2-1-266 advised that Mosley and Echevarria were going to have a meeting on the evening of November 26, 1963, for the purpose of introducing Mosley to Echevarria's superiors. However, it was subsequently learned that Mosley attempted to telephone Echevarria and it was determined that Echevarria was working and Mosley could not get in touch with him.

After 2-1-266 had departed, in a discussion between Special Agent Noonan, Secret Service, and FBI Agents Rogers and Baker, it was concluded by Special Agent Baker that inasmuch as this investigation reflected a threat to President Johnson, who has announced his intention of continuing the late President Kennedy's policies, the Secret Service should have primary jurisdiction in this case but that we should keep the FBI informed of our investigation.

Subsequently, on this same evening, 2-1-266 advised that Thomas Mosley had telephoned Echevarria, and that Echevarria had directed Mosley to meet him at Echevarria's house at 12:00 o'clock noon on November 28, 1963, at which time Mosley and Echevarria were going to meet Echevarria's superiors, who would confer with Mosley.

On November 27, 1963, Special Agents Noonan and Tucker proceeded to the Immigration and Naturalization Service, Main Post Office Building, Chicago, Illinois, to check the files of that agency in the name of Homer S. Echevarria. It was determined that Homero Samuel Echevarria had entered the United States on July 6, 1960 at Miami, Florida, via Cubana Airlines Flight No. 808. This file also reflected that Echevarria's alien number is A 12 336 480.

The file showed that upon entry to the United States, Echavarría had indicated that he was going to work for the G. J. Simpson Drilling Company at Dallas, Texas, and that he intended to live at 10353 Denton Drive, in Dallas.

The file also reflected that Echavarría had been living with one Alejandro Sierus, No. 139 Toga Del Mar, San Vito, Cuba, and that Echavarría's wife's maiden name is Terapeuta Del Rino Jorgus, Castellanos Guiterrez. According to the file, Echavarría has one son named Ruelio Carlos Echavarría, and Echavarría's parents are listed as Father, Brigido and Mother, Clotilde Valdivia. The file also reflected that Echavarría has belonged to the Union of Social de Paces.

The file showed that Echavarría had moved from Miami to Dallas, Texas; from Dallas to 425 Wildwood Drive, Apartment 3, Jackson, Michigan; and then to 410 East Chicago Road, Jackson, Michigan (while in Jacksonville he allegedly worked for the J. B. Wagstaff Company). He then lived at 1204 1/2 Quintard Avenue, Anniston, Alabama. On July 23, 1961, he allegedly was living at 4908 West Superior Street, Chicago, Illinois; he then lived at 2555 North Milwaukee Avenue, Chicago, Illinois. A confidential source advised that Echavarría now resides at 2301 North Albany Avenue, Chicago, Illinois.

Investigation has established that Echavarría's telephone, No. 278-2922, was installed on September 24, 1961. No toll calls have been made from that phone.

On November 27, 1961, Special Agents Noonan and Tucker proceeded to the Chicago office of the FBI and conferred with FBI Agent Walt Rogers. A copy of the photograph of Echavarría, appearing in the files of the Immigration and Naturalization Service, was given to Agent Rogers. During this interview Agent Rogers advised that he knew Ruelio Echavarría prior to this date, and that that very morning he had been introduced to Homer Echavarría. This meeting took place at a grocery store located at 2351 West North Avenue, Chicago, Illinois. Agent Rogers advised that this grocery store was owned by Cubans and was a favorite meeting place for these people. He stated that the meeting with Homer Echavarría was by chance, and that he was introduced as an agent of the Federal Bureau of Investigation.

Agent Rogers believed that since he had met Homer Echavarría that very morning, he, Rogers, should probably stay in the background of this investigation.

Special Agent Rogers stated that from the information provided by him in interview with 2-1-266 on the previous night, it was his belief that the organization to which Echavarría belonged was the Union of Paces, and that this group was primarily interested, at least in the Chicago area, in obtaining money and disseminating propaganda of an anti-Castro nature. From his conversation it appeared that the Bureau had reliable information

regarding the activities of this group. It was also felt by Special Agent Rogers that it was highly doubtful that this John of November group would be involved in illegal activities.

Special Agents Noonan and Tucker pointed out to Special Agent Rogers that, since they had not been briefed on the activities of Cuban groups in the Chicago area, it would be left to his agency to determine if and when this investigation involved matters of domestic security, and that the U. S. Secret Service should be notified if this developed. In the absence of such notification the investigation would continue, if warranted.

On the same date, a confidential source advised that James Earl Schervaria was employed at the Wallis Gardiner Company, 2701 North Milwaukee Avenue, Chicago, Illinois.

On November 23, 1963, Special Agent Tucker telephoned the FBI and advised that 2-1-265 was going to meet agents of this Service at approximately 3:30 p.m. to advise of any meeting between Tom Foster and James Schervaria. Although Special Agent Rogers, FBI, could not be contacted at this time, Special Agent Tucker was subsequently advised that Tom Foster would not be at this meeting with 2-1-265 and that they would rely on this Service and the findings.

On November 28, 1963, at approximately 11:35 a.m., Special Agent Noonan observed suspect Thomas Foster arrive in his personal automobile at the residence of James Schervaria. As previously agreed, the surveillance was discontinued at this point. This action was decided upon because the area in which Schervaria resides is heavily populated, and it is highly probable that if a resident surveillance had been attempted the investigation might have been jeopardized.

Subsequently on November 28, 1963, Special Agents Noonan and Tucker met with 2-1-265, at which time he provided the following account of the meeting between Schervaria and Thomas Foster.

2-1-265 stated that Foster had gone to Schervaria's residence, at which time Foster and Schervaria discussed the policies of President Johnson. Schervaria allegedly described President Johnson as a common person who would get things done. Schervaria stated that President Kennedy was an idealist, and a rich man's son who would give a damn about people. When President Johnson would work with people. In any case, Schervaria stated that President Johnson would not stand in their way.

Schervaria made a telephone call which he could not complete. He allegedly then asked his wife for the correct number, when this was provided, Schervaria supposedly said, "No, I must have been talking the wrong number." After completing the second call, Schervaria and Foster appeared in Foster's car.

CC-2-34,030

Near the intersection of Milwaukee Avenue and Logan Square, Chicago, Illinois, Hernandez told Mosley to pull over and park. After parking, an unknown Cuban, described above, entered the car. This party dominated the conversation from this point.

This unknown Cuban first asked Mosley what he could provide, to which Mosley stated that he had on hand 100 Sten machine guns, Model 2, 9 mm, parabolic. These he would sell for \$100 apiece. He stated he had ten P-38 machine pistols, 9 mm., which would sell for \$175 apiece, and seven 55 caliber anti-tank rifles. The cost of these also was \$175 apiece, and \$1 per round of ammunition.

The Cuban then asked Mosley if he could obtain material for sabotage, and Mosley told him to write down what he wanted and he would attempt to obtain it. This individual made the following list of items in which he was interested:

Handmade
Detonators of all types
C-3 explosives
C-4 explosives
Fountain pen explosives
20 mm. ammunition

W-3 (it is not known what the Cuban meant by this designation)

B-3 (describing automatic rifles)

German (this might possibly refer to the German or the US Navy rifles)

2-1-266 donated this list from Mosley's person and it was turned over to this Service, to be processed for whatever fingerprints might be contained thereon.

The unknown Cuban then told Mosley that he was going to ask him two questions, the answers to which would determine whether or not his organization would do business with him. The first question was, "When do you feel about the assassination of President Kennedy?" to which Mosley shrugged his shoulders and said, "It's no skin off my nose either way." The second question was, "When do you know from Cuba and how can we check up on you?" to which Mosley replied that he knew Michael Pence (phonetic) and that he, Mosley, had been arrested by the Chicago Police Department for this very same activity in which he was now engaged, and that he really this all that had to do with was to check the records of the Chicago Police Department. The unknown Cuban stated that he knew Michael Pence and that the organization to which he belongs would check the records of the Chicago Police Department.

2-1-266 stated that Michael Pence had formerly been a regular Naval aviator in the Cuban Navy under the Dictator Batista and that he knew that Mosley had been involved in gun-running activities with Pence in the City of 1950's.

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2-1-266 stated that the meeting produced the following results. Mosley informed Schaeffer and the unknown Cuban that he was a member of a group of six persons, and that they had a car "burner." Two of the members of the group carried a small screw machine factory. (It should be noted at this point that automatic weapons can readily be obtained as accurately as the barrels have been plugged, and that it is the practice of gun-running to obtain these plugged weapons, take them to an unscrupulous carer remove the objection, and have the barrels reamed out, since the plugging is not very hard.)

Mosley informed the two Cubans that since the assassination of President Kennedy a great deal of money has been collected, and that his group was willing to provide the guns for the Cubans for a nominal down payment if the Cuban group could provide them with a responsible party in the Chicago area who would vouch that the remainder of the money would be paid to them when the deal had been consummated. Mosley informed the Cubans that his group was saving six guns, and should they be doubt-crossed they intended to take retribution.

The unnamed Cuban stated that this deal sounded acceptable to him, and that if Mosley checked out at the police department their organization would get in touch with him through an attorney. This attorney would provide Mosley with a list of equipment which they desired, and all dealings from this point on, between Mosley and the organization, would be handled through the attorney. The unnamed Cuban also stated that the list of equipment would be written in a code which would be taught to Mosley by Thomas Schaeffer.

Mosley was asked how he could be contacted. He stated that in the past he had been his practice to enter an ad in the personal column of a local newspaper, using the code name, "Blackfoot." It was agreed that should this group at any time in the future wish to contact Mosley they would run an ad in the personal column of the Chicago Tribune, which would read, "Blackfoot call (a telephone number would be entered) after (a time would be entered)." The unnamed Cuban stated that the telephone number would be a pay phone, which would be covered by either him or a member of his organization for one-half hour before and one-half hour after the time stated in the ad. It would be Mosley's responsibility to contact them within this time. Mosley agreed to this.

Also discussed at the time was the subject of the backers. It is the feeling of 2-1-266 that at least some of the backers of this group are hoodlum elements, and that the backers are not restricted to Chicago.

2-1-266 stated that the unnamed Cuban allegedly is a member of the Student Federation of Northwestern.

On November 29, 1963, Special Agent Moore was interviewed by Special Agents Herb Rogers, FBI, and Agents Rogers was involved in the investigation reported from 2-1-266 on the previous day. Agent Rogers stated that the

Student Federation of Revolutionaries may very possibly be the Student Revolutionary Directorate; and that the unnamed Cuban fit the description of one Francisco Blanco, a representative of this group whom he met at the grocery store located at 2351 West North Avenue, Chicago, Illinois, shortly after his introduction to Homer Schervaria on November 27, 1963.

It was learned from Agent Rogers that Lee Harvey Oswald had attempted to join the Student Revolutionary Directorate in New Orleans; that while Oswald was under consideration by this group, he was observed by members of the group distributing literature for the Fair Play For Cuba Committee; that, in addition to this, Oswald had taken part in a debate of the Cuban problem against members of the Student Revolutionary Directorate.

Agent Rogers stated, in regard to an attorney who might be working with the Student Revolutionary Directorate, that one Paulino Sierra, an attorney in the Chicago area who became interested in the anti-Castro movement, could possibly be the contact for Tom Mosley. Agent Rogers stated that Sierra has claimed to have a great deal of financial backing and has attempted to organize the great number of anti-Castro movements in this country. There are allegations that the financial backing of Sierra is hoodlum money, but that Sierra has denied this and states that his backers are American businessmen.

Through a confidential source the name of anyone making inquiries at the Chicago Police Department regarding Thomas Mosley will immediately be made available to this Service. It should be noted that this source is extremely reliable and fully aware of the importance of secrecy in this investigation.

SUSPECTS

HOMER S. SCHERVARIA & Homero Samuel Valdivia Schervaria - white; male; Cuban; 32 years; born at Jaticonica, Camagney, Cuba; 5'9"; 160 pounds; black hair; mustache; olive complexion; a bus driver for the Chicago Transit Authority; resides at 2301 North Albany Avenue, Chicago, Illinois; drives a 1957 red Chevrolet; 1963 Illinois license ID 1660.

THOMAS MOSLEY & Tom - white; male; American; 40 years; 6 feet; 180 pounds; black hair; mustache; usually wears a bow tie; a bus driver for the Chicago Transit Authority; resides at 1100 West Sumnerdale Avenue, Chicago, Illinois; drives a 1960 black Thunderbird; 1963 Illinois license #2 966.

UNKNOWN CUBAN - white; male; about 30 to 32 years of age; approximately 5'7"; 170 pounds; black hair; dark; clear complexion; heavy build.

CO-2-21, 1960

INVESTIGATION

It is anticipated that an undercover special agent will be assigned by telephone 2-1-66 to Tom Hoxley, and that this agent will be present at whatever meetings may take place in the future between Hoxley and the Cuban group.

Copies of this report are being sent to the Miami office for a check of investigation files, as there was some uncertainty as to the check of

Additional copies are being sent to Dallas, Detroit, Grand Rapids, and Birmingham with the request that investigation be made at Schaefer's place of residence and employment, as stated above, in the districts of said offices and that background information on the suspect be obtained.

Copies of this report are also being forwarded to the Springfield office with the request that they make an investigation at the Bureau of Motor Vehicles regarding Schaefer's car. If at all possible, the entire history of this car should be obtained.

Investigation is continued in Chicago for further contacts with 2-1-66 relating to additional meetings between the several suspects.

DISTRIBUTION

Chicago 2 cc's
 FBI, Chicago 1 cc
 Springfield 2 cc's
 Birmingham 2 cc's
 Grand Rapids 2 cc's
 Detroit 2 cc's
 Dallas 2 cc's
 Miami 2 cc's
 CHG-2 1 cc

100-2-21, 1960
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NO. 1234 (Revised)
JANUARY 1968
7-1-68

UNITED STATES SECRET SERVICE
TREASURY DEPARTMENT

003842

FILE NO. 100-36830 DATE 12-3-63 EXT. OFFICE Miami, Florida		TITLE OR CAPTION: Leo Harvey Oswald Assassination of President Kennedy
OF CASE Detective Research	STATUS Closed Miami	PERIOD COVERED 12-10/13-63
INVESTIGATION MADE AT Miami, Florida	INVESTIGATION MADE BY Ernest I. Aragon	

SYNOPSIS

The Immigration & Naturalization Service, Miami, Fla. advise the file of Emeterio Samual Valdivia Dehevarria is not in their local office. They stated their Central Office, Washington, D.C. could advise the location of this file. The Francisco Blanco in subject case is someone other than the Francisco Blanco mentioned in CG-2-30,156. The Francisco Blanco of interest in this investigation has been tentatively identified as Juan Francisco Blanco-Fernandes, a member of the Student Revolutionary Directorate at Miami, Fla.

(A) INTRODUCTION:

Reference is made to memorandum reports dated December 3, 1963 by SA Edward J. Tammov, Chicago, requesting further investigation of this case in the Miami area concerning Romero Samuel Teledina Bohavarrillo and Francisco Nizmo.

(c) GENERAL INQUIRIES:

On 12-10-63 inquiry was made of 3-11-14 relative to Tallinn-Schwarria and his is not of record.

On the same date, records of the MISS Miami, Fla. failed to disclose that the file of Valdivia-Echevarria was in this district. SA Charles Challariza, MISS, advised that Valdivia-Echevarria may have been a transient through Miami and his file would have been forwarded to the office where he was to establish residence. Mr. Challariza stated that if this particular file was not in Chicago that their Central Office in Washington D.C. would be able to advise the exact location of this file.

SECTION 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 5

(CONTINUE ON PLAIN PAPER)

B. 3. COVERAGE/REPORTING RATE

CO-2-34,030

2.

On 12-11-63 the reporting agent discreetly interviewed Francisco Blanco mentioned in CO-2-30,156. He is currently residing at 2711 S.W. 15th St., Miami, Fla. Francisco Blanco is described as w/m; Puerto Rican; 5; 5'6"; 140; brown eyes; silver gray hair; dark complexion; arthritic and has resided in Miami since 1927. As will be observed, the Francisco Blanco described above is someone other than the Francisco Blanco of interest in this investigation.

On 12-12-63 through a confidential source inquiry was made of The Directorio Revolucionario Estudiantil (D.R.E.) (Student Revolutionary Directorate) at Miami, Fla., and it was determined that this organization has a member known as Juan Francisco Blanco-Fernandez.

Later on this same date the confidential source made personal contact with Juan Francisco Blanco-Fernandez and, through a discreet conversation with him, learned that he had been in Chicago approximately two weeks ago. Fernandez allegedly is the head of the military phase of the Student Revolutionary Directorate at Miami, Fla.

On 12-13-63 the IAMS file of Juan Francisco Blanco-Fernandez under their No. A12496140 was reviewed and it discloses that Fernandez entered at Miami, Fla. on 10-13-61 through Cuban Passport No. 46784 valid until 10-11-61. He is described as w/m; Cuban; DOB 5-6-39 at Pinar del Rio, Cuba; 5-7; 170; blue eyes; black straight hair parted on one side. At the time of his entry, he was detained for violation of the immigration laws. He was subsequently given an indefinite parole. His FBI number is 240637E. The file further discloses that Juan Francisco Blanco-Fernandez, along with seventeen other members of the D.R.E., participated in a raid on the Miramar section of Havana, Cuba, on 8-25-62.

On 11-13-62 Fernandez enlisted into the U.S. Army and he was assigned to HC 50303110, CGC 3RD Bn, 1st Inf. Regt, Ft. Jackson, S.C. The inclusive dates of his active service in the U.S. Army are not known, nor is the exact date of his discharge. Since his discharge from the U.S. Army, he has been residing in Miami, Fla. except for his recent trip to Chicago and he is currently the head of the military section of the D.R.E.

Photograph of Fernandez was extracted from the IAMS file and exhibited to the confidential source and he identified him as the subject in question. This photograph has been reproduced and copies are attached hereto for use by the Chicago office.

5) CONCLUSION:

Copies of this report are being forwarded to the Washington F.O. in order that inquiry may be made at the Central Office of IAMS in an effort to determine whether the IAMS file of Homero Samuel Valdivia Echavarria, IAMS number A1237400 is located there. For the information of the Washington F.O., Echavarria is also known as Homer S. Echavarria and is described as w/m; Cuban; born at Jajibonico, Cagay, Cuba; 5-9; 160; black hair; mustache; olive complexion. IAMS number A12276403.

ASSASSINATION

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3.

Photographs of Juan Francisco Blanco-Fernandez are attached for Chicago and unless otherwise directed this investigation is closed in Miami.

ATTACHMENTS

Chicago: Photograph of Blanco-Fernandez.

Note; Inasmuch as Blanco-Fernandez is the director of the military branch of the D.R.E. in Miami, his mission to Chicago may have been for the purpose of securing military equipment from Thomas Hoesley. If the Chicago office desires a direct interview with Blanco-Fernandez, please advise.

(7-1-50)

UNITED STATES SECRET SERVICE
TREASURY DEPARTMENT

CO-2-34,104

ORIGIN Field	OFFICE Chicago	FILE NO. (Previously CO-2-34,070)
CLASS OF CASE	STATUS	TITLE OR CAPTION
Protective Research	Closed	Romer S. Echevarria
INVESTIGATION MADE AT	PERIOD COVERED	(Previously titled, Lee Harvey Oswald Assassination of President Kennedy)
Chicago, Illinois	11/29 - 12/10/63	
INVESTIGATION MADE BY Special Agents Edward Z. Tucker, Joseph E. Noonan, Gary M. McLeod, and James S. Gifford		

SUMMARY

Informant 2-1-266 advised of meetings between Thomas Mosley and Romer S. Echevarria, and also between Mosley and one "Mamie" (last name unknown), who allegedly is a leader of all Cuban groups in Chicago. "Mamie" has expressed an interest in obtaining automatic weapons, detonators, and explosives. He further stated that purchase of these items would be on a cash basis and that no credit was desired. 2-1-266 further stated that Mosley had been told that there was going to be an action taken by the Cuban group in 90 days, for which action the Cubans had need of explosives. His investigation has established that there is no apparent violation over which the United States Secret Service has jurisdiction, other Federal agencies which may be concerned are being provided with copies of this report and investigation by the U. S. Secret Service is being terminated.

INTRODUCTION

Reference is made to the report of Special Agents Edward Z. Tucker and Joseph E. Noonan, Jr., dated December 3, 1963.

GENERAL INQUIRIES

On November 30, 1963, confidential informant 2-1-266 advised that Thomas Mosley and Romer S. Echevarria were planning a meeting to be held on December 2, 1963 at the Chicago Transit Authority station, 4221 West Diversey Avenue, Chicago, Illinois. This meeting was to take place between

DISTRIBUTION	COPIES	REPORT MADE BY	1266
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See last page		Edward Z. Tucker, Special Agent	X 2
		APPROVED	12-19-63
		Maurice G. Martin	DATE
		Acting Special Agent in Charge	

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2:00 and 5:00 p.m., and allegedly was to be held because Echevarria had indicated that there was going to "...be a hit in 90 days..." and Echevarria's group was interested in obtaining explosives. The significance of the above statement is not known as of this writing.

On this same date, another check of the Chicago Police Department files of suspect Thomas Mosley revealed a record for Mosley under the alias, Art Rickfsten, and reflected that in April 1959 Mosley, alias Rickfsten, had been arrested for illegal possession of fictitious license plates and that when his car was searched some machine guns were found and Mosley had been turned over to the Alcohol and Tobacco Tax Division of the Internal Revenue Service.

On this same date, Special Agent Walter Rogers of the Federal Bureau of Investigation was apprised of the possible meeting between Mosley and Echevarria on December 1, 1963. Special Agent Rogers was also advised of the possible negotiation for the sale of explosives, and he indicated that to the best of his memory one Marvin Morra, a member of the Directorio Revolucionario, had come North from Miami about eight or nine months ago and had been in Chicago. Morra had expressed an interest in obtaining detonators and had been "...up in Michigan..." trying to buy detonators. Special Agent Rogers was told that this Serrice would keep his agency informed of any developments. Rogers stated that if he learned the names of any particular organizations mentioned by Mosley or Echevarria, the FBI would like to know about them.

On December 1, 1963, at 4:45 p.m., Thomas Mosley was observed sitting in his 1960 Thunderbird in the parking lot behind the Chicago Transit Authority station at 4221 West Diversey Avenue, Chicago, Illinois. At 5:03 p.m. Homer S. Echevarria arrived in his 1957 red and white Chevrolet. He stopped next to Mosley and got into the car with Mosley. At 5:10 p.m., Echevarria got out of Mosley's automobile, got into his own car, parked it, and then walked into the bus station, dressed in his uniform, apparently to go to work.

Basically, the following transpired at this meeting:

Echevarria was late and was worried about being tardy for his bus run. Mosley indicated to Echevarria that Mosley's associates were interested in taking over the financial backing of Echevarria's group, and Mosley indicated to Echevarria that he believed the Cuban group had criminal backing; that if these hoodlums were "...not too big..." Mosley's group could take care of them. Mosley also told Echevarria that if the Cuban group had signed any type of promissory note with any backers or bankers, Mosley's organization could pay off the note. Mosley also told Echevarria that he, Mosley, was only a contact man, runner, and enforcer for Mosley's organization, but if Echevarria could swing the financial backing of the Cubans to Mosley's people, Mosley would assure Echevarria of a share of the profits. Mosley then chided Echevarria about not wanting to go back to Cuba to fight, to which Echevarria replied that the other people could do the fighting, and when the fighting was over Echevarria would then return to Cuba.

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Mosley then told Echevarria that if he could swing the financial backing over to Mosley's group, Echevarria could go back to Cuba with plenty of money.

A check at the Chicago Credit Bureau on December 3, 1963, revealed that a Francisco Blanco, residing at 1838 South May Street, Chicago, Illinois; wife, Madalena, formerly lived on (house number not shown) Chilarton Avenue; employed by Crosame, Inc., Miles, Illinois; had been the subject of a credit inquiry by the Lapin Furniture Company on December 24, 1962.

On this same date, a search of the files of the Immigration and Naturalization Service revealed that one Francisco Blanco, originally from Mexico, was of record. It was noted that the description of this Francisco Blanco was not the same as the subject of the same name referred to in the prior report. However, a photograph was obtained for future reference and possible identification.

On December 4, 1963, informant 2-I-266 advised that Echevarria and Mosley were discussing a meeting between Mosley and a man known only as "Mannie," who was to meet Mosley on the evening of December 5, 1963, at 8:50 p.m., at the Logan Square Terminal Tap Room. Allegedly, this "Mannie" is over the "entire council." "Mannie" was to be sitting in the bar and drinking a bottle of Budweiser beer; he was to have a package of Camel cigarettes on the left side of the bottle and a cigarette lighter to the right. Mosley was to approach this man and ask him, "Are you Mannie?" If the answer was affirmative, Mosley was to state, "I am Black Foot."

On December 5, 1963, 2-I-266 advised that Mosley was going to meet "Mannie" as previously arranged. 2-I-266 was instructed to find out all he could about the meeting between Mosley and "Mannie."

On December 5, 1963, Special Agent Thomas E. Manson, U. S. Bureau of Customs, and Special Investigator Thomas R. Brennan, Alcohol and Tobacco Tax Division, were consulted regarding the alleged dealings in automatic weapons and were confidentially apprised of the investigation as of this date. Copies of the report of the writers, dated December 3, were made available to both of these men and they were requested to keep this information confidential. During discussion with Special Agent Manson, Bureau of Customs, he made available files from that Bureau reflecting some Cuban arms activity in the past. The following information has been extracted from these files:

In August 1961, one John Burken, residing at 535 Besseline Road, Northville, Michigan, and who is employed as a sales representative for the Richmond Arms Company, Blissfield, Michigan, was approached by one William Newton and a Lieutenant General (FNU) Osborne. William Newton, allegedly residing at Miami, Oklahoma, was suspected of being a leader of a Cuban movement but was a person who stayed in the background. The Customs file did not reflect information on Lieutenant General Osborne. Newton and Osborne requested that Burken attempt to obtain 10,000 M-1 rifles for an anti-Castro revolution.

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On August 29, 1961, Newton; a Commander Brelito Duque, allegedly residing at 1228 Northwest Sixth Street, Miami, Florida, and apparently the head, at that time, of the Directorio Estudiante Revolucionario; and one Jose Cardoso met in Kansas City, Missouri to discuss a meeting that was to be held on September 9, 1961 at Chicago. Also present was a man named Martinez, allegedly from Kansas City. Reportedly, Cardoso was acting at the time as the arms procurement officer for this movement. According to Customs files, Cardoso is a naturalized American citizen and was residing at 2317 South Franklin Avenue, Chicago, Illinois.

On September 9, 1961, Burman met at the LaSalle Hotel in Chicago with Cardoso, Duque, and one Dr. Orlando Bosch, representative of the Cuban anti-Communist Army. This meeting was called for the purpose of discussing the sale of such items as M-1 rifles, M-14 rifles, hand grenades, flame throwers, bazookas, and ammunition for the same.

On September 12, 1961, another meeting was held by the same group to discuss the price and type of arms.

Some time later in 1961, exact date unknown, one Martin Moruz (probably the same person mentioned by FBI Agent Rogers), who according to the Customs files is the National Coordinator of the Directorio Estudiante Revolucionario, obtained 3,000 fuse-type blasting caps from Burman and two telegraph sending and receiving sets which allegedly were given to Brelito Duque, who supposedly took them to Miami. According to the Customs file, Moruz had originally submitted his request for blasting caps to Jose Cardoso (mentioned above).

On October 24, 1962, George Marti (probably Jorge Marti Salazar), residing at 1116 Longwood, Palmdale, Illinois, Cuban refugee allegedly working for the CIA, telephoned Burman and inquired into the possibility of obtaining four or five tons of an explosive known as C-4. At about this same time, Burman allegedly supplied Marti & Salazar and Moruz with 1,000 blasting caps, and Moruz and Marti & Salazar reportedly went to Miami. Allegedly, these men had driven to Burman's residence and then allegedly drove on to Miami after receiving these materials.

The files of the Bureau of Customs also reflected that in October 1963, three individuals, all allegedly Cubans, who were identified as Jose Cardoso, (FNU) Sierra, and (FNU) Hernandez, had come to the Willow Run, Michigan airport, where they were met by Burman and then taken to rooms which had been reserved for them at the Mayflower Hotel in Plymouth, Michigan. Allegedly, these Cubans advised Burman that they wanted to purchase .45 caliber pistols, sub-machine guns, Browning automatic weapons, composition C-3 explosives, recoilless rifles, and ammunition for these weapons. They indicated that they had the necessary funds and were impatient to consummate the purchase. Burman was told that the group needed these items for a guerrilla action which was to precede a real attempt at revolution in Cuba. It is not known whether delivery of the items was ever made by Burman. However, the report indicates that Sierra and Hernandez departed Willow Run by plane for Chicago and that Cardoso departed Willow Run alone by automobile.

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Regarding the name, Sierra, mentioned above, it is noted that the Customs file reflects that the Sierra at Willow Run, Michigan was constantly referred to as "doctor" by the other Cubans. A confidential source at Chicago has advised that there is one Paulino Sierra, an attorney, who has been very active in the Cuban movements in Chicago, who claims to have financial backing, and who allegedly wants to unite all anti-Castro groups. It now appears possible that this Paulino Sierra, the "Doctor" Sierra who appeared at Willow Run, and the "Mannie" who met Mosley at the Terminal Lounge on December 5, 1963, may be one and the same person.

Regarding the Evelio Duque mentioned above, it is noted that the local television newspaper guide for the week of December 7 through December 13, 1963, reflected that the local NBC station at Chicago would carry a "White Paper" program on the evening of December 8, 1963, at 9:00 p.m. CST, which would concern itself with the Bay of Pigs invasion of October 1961. It was determined that this program was cancelled and another was substituted for it; however, the brief sketch in the TV guide listed Cuban personalities to be interviewed and one of the names listed was one Evelio Duque, who was described as one of the participants in the Escambray (Cuba) Mountain revolt.

A search of the Chicago office indices failed to make a definite association with any of the names appearing in this report.

On December 5, 1963, informant 2-1-266 advised that Mosley had gone to the meeting with the man known as "Mannie" on that date at the Logan Square Terminal Tsp. A description of "Mannie" will appear below. "Mannie" allegedly advised Mosley that he wanted to meet Mosley's superior, and he indicated to Mosley that the backers of his group were very responsible people in high positions who had ample money. "Mannie" also advised that his group is buying ships which are being purchased in the names of different American citizens. Allegedly, nothing of a detrimental nature was said during this conversation regarding the United States.

Relative to the policies to be followed by President Lyndon B. Johnson, "Mannie" indicated that it made little difference one way or the other as to the policies President Johnson followed. "Mannie" allegedly stated that the late President Kennedy helped "sometimes"; however, he "...played both sides of the fence to save face." "Mannie" also indicated that all of the Cuban groups in Chicago were now united with the exception of one.

According to "Mannie," his movement is headquartered in Miami, and his group wants no credit of any kind extended to it and will make all purchases on a cash basis. "Mannie" indicated that he had been doing a lot of travelling lately—to San Francisco, New York, and other cities. When the subject of New Orleans came up, "Mannie" allegedly avoided any discussion of that city, for unknown reasons.

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"Mannie" indicated to Mosley that by the 9th or 10th of December 1963 he would know what his Cuban group's requirements would be. "Mannie" said he was going to get in touch with Miami and that he definitely wanted to meet the person who Mosley has alleged makes his group's decisions, in order that "Mannie" can place an initial order for demolition explosives.

On December 9, 1963, informant 2-L-266 advised that there is a possibility that Echevarria has contacts in Cuba, as he allegedly is going to obtain commemorative Cuban stamps depicting the flights of the Russian cosmonauts. Echevarria indicated he could get these stamps in about two weeks.

2-L-266 also advised that the Cuban groups are indicating that they desire to step up the sabotage program; however, it is not known if the groups mean the sabotage program in Cuba or elsewhere. 2-L-266 has also determined that there is a desire on the part of the Cuban groups to have any and/or all of the explosives they purchase in Chicago distributed to various parts of Illinois.

On December 9, 1963, it was determined that the former telephone number of Homer Echevarria, ~~WU~~ 9-2907, located at his former address of 2555 North Milwaukee Avenue, Chicago, Illinois, received a collect telephone call from Miami, Florida on December 9, 1962. The call was made from 374-9671 at Miami, and was from one Gonzalez Oselia (phonetic) to James ~~Tran~~ or James ~~Tran~~ (phonetic). Neither of these names could be identified in the Secret Service master index at Chicago.

It was also determined on December 10, 1963, that Homer S. Echevarria formerly lived at 2235 North Wabstenaw Avenue, Chicago, Illinois, in addition to other addresses mentioned in the memorandum report of December 3, 1963, of Special Agents Noonan and Tucker, U. S. Secret Service, Chicago.

On December 10, 1963, 2-L-266 advised that he is positive he can introduce an undercover agent into this group at any time.

SUSPECTS

HOMER S. ECHIVARRIA - previously described.

THOMAS MOSLEY - previously described.

UNKNOWN CUBAN met by Mosley and Echevarria on November 28, 1963 - previously described.

"MANNIE" - white male (Cuban); could be Jewish or Greek; 48 to 52 years; 5'9"; dark, short wavy hair (receding); very sharp dresser; suit and tie; speaks fluent English; very neat and clean.

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 CG-2-31, 101

DISPOSITION

Investigation conducted by the U. S. Secret Service indicates that a group of anti-Castro Cubans is endeavoring to accumulate automatic weapons, ammunition, and explosives for the alleged purpose of overthrowing the Castro regime.

Inasmuch as this activity does not come within the jurisdiction of the United States Secret Service, and as there is no apparent violation which falls within this agency's purview, the investigation of this case by the Secret Service is being discontinued.

Copies of this report are being directed to the Chicago offices of the U. S. Customs Service, the Alcohol and Tobacco Tax Division of the Internal Revenue Service, and the Federal Bureau of Investigation for whatever continued attention is deemed appropriate by these agencies..

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ASSASSINATION

Mr. MATTHEWS. I have no further questions, Mr. Chairman.

Chairman STOKES. At this point the Chair will recognize the gentleman from Tennessee, Mr. Ford, for such time as he may consume, after which the committee will operate under the 5-minute rule.

Mr. Ford.

Mr. FORD. Thank you, Mr. Chairman.

Mr. Rowley, when you became aware of the assassination, you requested that the Immigration and Naturalization Service at the Texas border be alerted. Could you tell us why?

Chief ROWLEY. I just tried to explain that it was a natural instinct or reaction, if you will, to do that, thinking that there might be some avenue of escape in that direction.

Mr. FORD. Were there any thoughts on your mind at the time that there might be an assassin from a foreign government who would then attempt to escape to Mexico?

Chief ROWLEY. No, not at that time; no, sir.

Mr. FORD. You mentioned a minute ago to the counsel that you met with the Director, Mr. Hoover, and in talking with him, did you ever discuss the line of investigation and the exchange of intelligence?

Chief ROWLEY. That was worked out right after the assassination, Mr. Congressman, but we already had their cooperation to the extent that they were able to provide us with intelligence information prior to that time.

Mr. FORD. You mentioned earlier that you assigned Inspector Thomas Kelley—

Chief ROWLEY. Yes, sir.

Mr. Ford [continuing]. To Dallas for the investigation. Again for the record, why did you assign Mr. Kelley, dispatch him to the Dallas-Fort Worth area?

Chief ROWLEY. I assigned Mr. Kelley because he was the nearest inspector to Dallas at that time. As I explained previously since time was of the essence, I wanted to send an inspector as quickly as possible, and Mr. Kelly was the closest one. One of the responsibilities of an inspector is to do precisely what Mr. Kelly did in Dallas, direct the investigation and the activities.

Mr. FORD. Was he there to investigate who may have been involved in the assassination or to review the performance of the Secret Service in connection with the assassination?

Chief ROWLEY. He was there to become involved in the investigation to determine the facts surrounding the assassination.

Mr. FORD. Mr. Rowley, you testified before the Warren Commission June 18 of 1964. At that time in your testimony you were asked by Senator Cooper the following questions, and I quote:

Do you have any information based upon any facts that you know based upon any information given to you by persons who claim to have personal knowledge that there were persons engaged in a conspiracy to kill President Kennedy.

And your response was, "I have no such facts, sir."

He then asked you the following additional question, and I quote:

I address the same question as to whether you have any information that the killing of President Kennedy had any connection with any foreign power.

Your response was, and I quote:

I have no such information.

We have heard testimony from Mr. Kelley indicating that there were assassination plots investigated by the Secret Service in early 1963. Were you aware of those investigations at the time of your testimony before the Warren Commission?

Chief ROWLEY. I would have to look at the reports themselves, Mr. Congressman, to see whether my initials were on them. In the reports that you speak of, it was established that there was not any activity directed against—or of interest to us as it affected the President of the United States.

Mr. FORD. Going back to the first question, you said, "I have no such facts, sir."

The second question you also said, "I have no such information."

I am asking now, were you aware of those investigations at the time you appeared before the Warren Commission?

Chief ROWLEY. Well, if I made that statement, then I was not aware of those facts.

Mr. FORD. I would like counsel to give the witness JFK F-416, F-417, F-418, and ask the witness whether his initials appear upon the face of these reports.

Chief ROWLEY. Yes, sir.

Mr. FORD. Chief Rowley, why did you not call it to the Warren Commission's attention back in 1964 when you appeared before the Commission?

Chief ROWLEY. This information at the time was handled either by the PRS or through Mr. Kelley, and I can only assume, Mr. Congressman, that these reports were furnished to the Warren Commission.

Mr. FORD. The reports in your hand were reported?

Chief ROWLEY. That is right. It was an ongoing investigation, as I see it, in which case there would be a relationship with the FBI and the CIA, and in the ultimate I would think that the report itself would establish whether or not it affected the safety of the President of the United States.

Mr. FORD. But you had initialed these reports or documents prior to the June 18, 1964 appearance before the Warren Commission; is that correct?

Chief ROWLEY. That is correct, sir. This was a year before the assassination. We are talking about 1962.

Mr. FORD. Thank you very much, Chief Rowley. At this time I have no further questions, Mr. Chairman, and yield back the time.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Thank you, Mr. Chairman.

Mr. Rowley, were you here this morning when Mr. Kelley was speaking?

Chief ROWLEY. Yes, sir.

Mr. EDGAR. I had asked him about the process of taking over an investigation such as the assassination of a President of the United States and asked about the investigative plan, whether or not Secret Service would have sat down to put together such a plan.

To your knowledge, was such an investigative plan put together to coordinate the FBI and the Secret Service and other investigative agencies' analysis of the assassination?

ASSASSINATION

Chief ROWLEY. No, sir.

Mr. EDGAR. In your meetings with J. Edgar Hoover, wouldn't it have been logical for you as Chief of the Secret Service and he as head of the FBI to determine what strategy or plan you would have to investigate this death?

Chief ROWLEY. Yes, sir. Your earlier question was that before there was an opportunity for anybody to sit down, the President of the United States directed that the FBI to conduct the investigation and that the Secret Service would cooperate with them in any manner and phase that we could.

Now I did indicate to the Director at such meetings that we would cooperate with them. They had their own strategy as to how they would investigate it.

Mr. EDGAR. But wouldn't it have been appropriate for you as Chief of the Secret Service to say, Mr. Hoover, I understand that the President has designated you as the lead agency in this important investigation, but we have a role to play as well because it was our agents who were attached and assigned to the President for his protection and we have an agent in Dallas by the name of Mr. Kelley and there are others involved who have information. How can we sit down to make sure that the information that we have in our Secret Service files as well as the ongoing and continuing reports that are coming in from our field offices can be analyzed in an appropriate place in your investigative plan?

Wouldn't that have made some sense?

Chief ROWLEY. It would have made some sense, but I think it was all developed subsequently by submitting such reports by both agencies to the Warren Commission and eventually evaluated by their legal staff.

Mr. EDGAR. But in hindsight—and I know it is difficult in hindsight—looking at a situation where there was information available to you, at least out of your Chicago office and your Miami office, relative to threats on the President's life in the files of the Secret Service and that information was available to you prior to the death of President Kennedy, shouldn't you have that information with the FBI as well as the Warren Commission?

Chief ROWLEY. I think Mr. Kelley indicated, and if he hadn't, I will say it now, that the FBI was in on that operation as well as the Agency. So we were exchanging information in the entire thing.

I think you will find in the ultimate that we have found that there was no particular jurisdiction on our part, and that there was nothing of interest to us.

Mr. EDGAR. Let me talk about Mr. Kelley's arrival on the scene in Dallas. If you would have put yourself in Mr. Kelley's place, arrived in Dallas and went to the Dallas Police Department, sat in on several interviews with Lee Harvey Oswald yourself, would you have tape recorded that conversation?

Chief ROWLEY. I don't know whether we had tape recorders, but I think you must recognize under the situation at that time that Mr. Kelley was rushed down there and even if he had the funds to rent a tape recorder, I don't think he would have had the time to do so.

Furthermore, I don't think that he would have anticipated the type of confusion that he encountered as he described it to you, nobody would have.

Mr. EDGAR. Would you have insisted that word for word, verbatim be taken down by a court reporter?

Chief ROWLEY. If you could obtain one, I suppose you could. But in the confusion, no one had an opportunity to ask questions because in addition to the people that he described there, there were also the press right beyond the perimeter trying to ask questions.

Mr. EDGAR. One of the reasons, Mr. Rowley, that I am pursuing both the investigative plan and the activities of the immediate investigation, it just seems to me that the Secret Service and the FBI and the Dallas Police Department, someone should have had their wits about them enough to say, let's sit down and before we interview and before we go running in 1,000 different directions, let's analyze what we have on our hands, tragic as it is, and make sure that the press is secured, the corridors are secured, the alleged assailant is secured, that the information that we receive from that assailant is taken down for possible use in the investigation.

I don't get that sense from looking at the materials that are available to us. The sense that I get, and maybe you can correct me if I am wrong, is that there were three agencies who felt that they either had some jurisdiction or no jurisdiction, that they had some information or no information, and that they had their agents on the scene but not necessarily talking and coordinating with each other and that no one strongly was in charge from the Federal point of view.

Is that a misreading of what actually took place?

Chief ROWLEY. Captain Fritz was in charge, but whether or not he had the command of the situation, I can't say. But that is all very nice if you can lay it out in advance knowing that there would be an assassination, knowing that you would arrest a certain individual and then be able to take him into custody and then set up the guidelines as you just enumerated.

But here was a situation where they arrested Oswald, took him into the police station, photographers, television cameramen, reporters and all were descending on the police headquarters trying to get to the man, trying to obtain his picture, the reporters trying to listen into the conversation and so forth. This is what Mr. Kelley described to me at the time.

In addition, you had the situation with the Dallas Police Department. The State had the responsibility initially. So that as Tom Kelley indicated this morning, you know, they were the host, so therefore you had to respect their jurisdiction.

To carry this a bit further, the FBI kept after me to try to get our man in charge in Dallas, Vernon Sorrels who was the agent in charge, and had a rapport with the Chief of the Dallas Police Department, to get them to release the rifle so that it could be flown to Washington and for ballistic tests. This is the process that I had to go through at the time in order to get them to release it.

So I give you that for what it is worth that there was confusion and difficulty.

Chairman STOKES. The time of the gentleman has expired.

Mr. EDGAR. I thank the gentleman.

ASSASSINATION

Chairman STOKES. The gentleman from Connecticut, Mr. McKinney.

Mr. McKINNEY. No questions.

Chairman STOKES. The gentleman from Ohio.

Mr. DEVINE. Thank you, Mr. Chairman.

I am sorry floor business prevented my being here during the key part of Mr. Rowley's testimony. I do want to welcome you here. I know we have pulled you back from retirement at the beach to testify this morning. I am sure it is not a very pleasant experience to have to go through all these things.

You did testify before the Warren Commission, didn't you?

Chief ROWLEY. Yes, sir.

Mr. DEVINE. Did you testify before any congressional committees in connection with this matter?

Chief ROWLEY. Yes. In 1976, in February, I testified before the Senate Intelligence Committee chaired by Senator Schweiker.

Mr. DEVINE. Do you as the former head of the Secret Service have any thoughts that you would like to impart to this committee inasmuch as the mandate of the House is that we make recommendations to the Congress in the area of possible legislation as it relates to assassinations?

Do you feel that you would have been in better shape to have your agency handle it better if you had had more laws at your disposal or more funds or did you have the authority you felt was necessary to do what was necessary to protect the President?

Chief ROWLEY. I think within the framework of that period, we didn't have the manpower or the equipment that we would have liked to have had. But I must say that since then we have the manpower and the equipment.

Mr. DEVINE. Have you given it any thought, Mr. Rowley, about whether any further Federal legislation is necessary to make your organization more effective or to make the security of the President more effective?

Chief ROWLEY. Well, in all honesty, Mr. Congressman, since I am retired I haven't given that much thought. I would have to say that my successor, Director Knight, undoubtedly would have some views on that.

I am quite sure that there have been considerable improvements in all phases of the Secret Service in the past 5 years under his leadership.

Mr. DEVINE. That is all. Thank you.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Tennessee, Mr. Ford.

Mr. FORD. Thank you, Mr. Chairman. I have one final question.

Mr. Rowley, would it be your opinion that the evidence of possible Cuban involvement was never fully investigated by the Secret Service?

Chief ROWLEY. I don't think I could say that, Mr. Congressman. For one thing, we investigated to the extent we could with the cooperation of the information we got from the CIA and the FBI on the individuals that were earlier mentioned.

Then, further, I would not be privy to what the Warren Commission legal staff did in the course of their investigation to establish something like that.

Mr. FORD. Thank you, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Michigan, Mr. Sawyer.

Mr. SAWYER. There is just one or two questions.

I am interested really in what current procedures are. Do I understand correctly that they now do actual practice runs on this kind of an emergency if it comes up so that everybody knows in advance just what kind of a game plan they have if something extraordinary happens?

Chief ROWLEY. That is now part of the training, Mr. Congressman. We have out at Beltsville an outdoor range and training facility in which we are able to train the agents under all types of conditions and possibilities.

Now whether they have improved that within the past 5 years, I don't know. But I know when I left we had that kind of training.

Mr. SAWYER. Do they start out with a kind of a premise that such a thing is going to happen on each motorcade so that they are mentally attuned to not being caught unexpected but actually expecting this on each time?

Chief ROWLEY. It has greatly improved by 100 percent. We have alternate routes which are patrolled by our agents and the police. There are communications on different channels so that they don't conflict with the main motorcade. We have men posted on roofs and places that were selected as vulnerable places by the advance agents. We have a certain number of advance agents who are supervised, who are assigned certain particular things such as buildings along the route and the type of traffic that runs through the city, et cetera.

The other factor is that there is constantly a helicopter flying above, checking ahead with communications with all the posts on the roofs to advise them of what they see here so that they can take immediate action.

Mr. SAWYER. As I said to a previous witness, I have been very impressed in watching the Zapruder film, the slowness of the reaction of the agents compared to the reaction of Governor Connally. I think for anyone watching that, it is perfectly obvious that they were not really alertly attuned to the possibility of some catastrophic event like that happening.

I just wonder if there has been some effort to in effect instill an approach that instead of it being the unexpected, it is the expected, and they are just waiting for it to happen which might have increased their reaction time and might have saved the President?

Chief ROWLEY. Well, I think there is an exhibit from the Warren Commission that shows that one of the cars had the door swung open apparently after the first shot in which two agents are attempting to get out at about that time which may not have been in the Zapruder film.

But to bring you up to date, the men are trained in precisely the manner that you have indicated, the response, the reaction, et cetera, and where their position is on the car when an incident of that kind happens.

Chairman STOKES. Would the gentleman yield?

Mr. SAWYER. Yes, certainly.

ASSASSINATION

Chairman STOKES. On the point Mr. Rowley just made with reference to the fact that there is an exhibit, during the recess I had discussed with Professor Blakey my concerns and your concerns about this reaction time. At the appropriate time he says he is prepared to show us this particular exhibit which does denote some reaction time which I will ask him to do at the appropriate time afterward.

Mr. SAWYER. Thank you, Mr. Chairman.

Well, they were pretty much out of range of being any help to the President in this kind of a circumstance anyway. But the two agents in the car, by just jamming the accelerator on that first shot, might arguably have done some good. Yet it wasn't until the third shot, which I guess spans a time frame of 7 or 8 seconds, which while it might not sound like a long time, is time enough for somebody to run 75 yards if they are a sprinter, they could have wheeled that car, it seems to me, a lot quicker than they reacted.

I recognize that if you are not expecting a thing, it takes you a little while to gather your wits about what is happening. But if your mental attitude is, as I said before, a sprinter on the starting blocks waiting for the gun, if you are attuned to that, your reaction time is much quicker.

Chief ROWLEY. You have to consider the scene, Mr. Congressman. The driver is concerned, and incidentally it was an armored car which carries considerable weight.

Mr. SAWYER. But with no top.

Chief ROWLEY. No top, no, but it is still heavy in the body. When you are involved in one of those motorcades and there are people shouting and acclaiming the individuals and the motorcycles, you know, at times they slow down and then they have to kick the motor in and it explodes and so forth, these agents have been used to that.

So that when this first or second shot was fired, they assumed, because their concentration in the meantime is on the public and the people there, and they are oblivious to what the noise is that is going on, in other words, it was difficult to distinguish between a backfire and a rifle shot.

So that these things have to be considered when one attempts to evaluate whether there was a reaction in sufficient time or not. Having been through those exercises many times myself, I recognize the problem that they had at that time.

Mr. SAWYER. Well, I am only comparing it to Governor Connally who probably has heard a lot of backfires, too, and he immediately reacted to what he recognized, according to his testimony and quite obviously in the film, as a rifle shot where there was no comparable reaction by the agents for two additional shots.

Anyway, thank you, Mr. Chairman. That is all I have.

Chairman STOKES. The time of the gentleman has expired.

I wonder because of the concern that both Mr. Sawyer and I have had in this area, Professor Blakey, if while Mr. Rowley is still here, you would display that exhibit and comment upon it.

Mr. BLAKEY. Mr. Chairman, I would ask that the clerk display F-126. This exhibit, Mr. Chairman, has already been entered in the record. It is a photograph taken, according to the best evidence in the record, at approximately the time, according to the acoustics, of

the second shot which would be approximately 1.6 seconds after the first shot.

I wonder if the clerk would use the pointer. You can see the Secret Service agents in the followup car have turned their heads. You can see four Secret Service agents. Two of them have turned their heads and are beginning to look back at the depository.

If you look back at the third car, the white car behind the President's limousine, the doors are opening. The evidence in the record would indicate that it is from that car that Secret Service agents came in an effort to protect Lyndon Johnson, the Vice President, who was following the President's car.

So that if the acoustic evidence is correct, the first shot was fired and apparently missed, and 1.6 seconds later, the approximate time of this photograph, you do have the beginning of reactions by Secret Service agents.

In the followup car they are turning around and in the white car the doors are beginning to open and they are making an effort to come out.

The acoustics evidence indicates there is approximately 5.8 or 5.9 seconds between the second and the third shot, and then if the acoustics evidence is to be believed, there would have been a fourth shot five-tenths of a second later, which would make it approximately 7 seconds from the beginning of the process.

My time on that may be a little off. The record would have to speak for itself. So it is approximately 7 seconds between the first shot and the shot that hit the President and surely killed him.

Chairman STOKES. What about in the Presidential car? Is there any reaction being shown to anyone there?

Mr. BLAKEY. The reaction in the Presidential car in this photograph, if you point at the windshield you can just begin to see the President's hand moving up. At least my inspection of this exhibit does not indicate that there has been any reaction by the Secret Service agents in that car. This is 1.6 seconds after the first shot had been fired.

Chairman STOKES. Thank you.

Would there be any further comment on your part, Mr. Rowley, on the explanation given by Professor Blakey?

Chief ROWLEY. When you talk about the two men on the right side, they are covering their span. The front man is just finishing his span so he will come back and the other fellow behind him is covering his span back that way. The others on the other side are finishing theirs. This is when Mr. Hill started off that running board to catch up to jump on the back pedal of the Presidential vehicle. That was a difficult thing to do, to run around in front of the followup or Secret Service car and then jump on that pedal.

You may have read where Mr. Hill missed the step but was able to cling to the hand guard and to pull himself up. They were about to take off as Mr. Sawyer indicated to get out of the area. And he pulled himself up in time to do that, and having done so he was able to push the First Lady back into her seat.

Chairman STOKES. That would have been standard procedure with reference to those two men. While one scanned the crowd in one way, the other would be doing it in the opposite way?

Chief ROWLEY. That is right.

Chairman STOKES. Thank you. My time has expired.

Mr. EDGAR. Mr. Chairman?

Chairman STOKES. The gentleman from Pennsylvania, Mr. Edgar?

Mr. EDGAR. I just have one question.

Looking back at the information that you provided to the Warren Commission, was there any evidence or information that for any reason that was related to the situation that the Secret Service did not provide to the Warren Commission?

Chief ROWLEY. Did not provide to the Warren Commission?

Mr. EDGAR. Yes.

Chief ROWLEY. We provided them with everything that we had. We had no reason to withhold anything.

Mr. EDGAR. So to your knowledge every bit of information relating to the assassination that the Secret Service had was provided to the Warren Commission?

Chief ROWLEY. Yes, sir.

Mr. EDGAR. Thank you.

Chairman STOKES. Is there anyone else seeking recognition? Does counsel have anything further?

Mr. MATTHEWS. Yes, Mr. Chairman.

During the course of these proceedings we have made reference to what has been identified as JFK F-414 through JFK F-418.

Mr. Chairman, these exhibits are now classified secret and are in the process of being declassified. We would ask that they may be made part of the record in the condition that they are now in subject to being declassified. In addition, three additional exhibits, JFK F-450, F-451, and F-452, bear upon the testimony today, and we ask that they be admitted into evidence.

Chairman STOKES. Without objection they may be so ordered.
[The information follows:]

JFK EXHIBIT F-414

F-414

1-16-602.111

Co-2-~~2044~~
30332

April 11, 1961

THE WHITE HOUSE

SUPPLEMENTAL REPORT

President and Mrs. Kennedy's visit to the Pan American Union Building on April 11, 1961, where he will address the Special Meeting of the Council of the Organization of American States.

Mr. J. E. Baughman
Chief, U. S. Secret Service
Washington, D. C.

Sir:

This report is submitted in reference to the above captioned subject and supplements Protective Survey Report dated April 12, 1961.

The President and Mrs. Kennedy, accompanied by Mr. Arthur Schlesinger, departed the White House at 10:51 am this date and motored to the Pan American Union Building, arriving at 10:53 am.

The program proceeded as outlined in the Protective Survey Report.

President and Mrs. Kennedy, accompanied by Mr. Arthur Schlesinger, departed the Pan American Union Building at 11:27 am and motored to the White House, arriving at 11:29 am.

Information received from Mr. Henry C. Reed, State Department, on the afternoon of April 13, 1961, disclosed that the Cuban Delegation to this Meeting would attend. Previous information from the Pan American Union officials said they declined the invitation and would not attend the Meeting.

Mr. Reed stated that the Cuban Ambassador to the Organization of American States was Carlos R. Lechuga; the alternate representative was Quintin Pino Machado; and the adviser was Jose Moleon Carrera. Mr. Reed further stated that both Machado and Moleon were characters of ill repute, both reported to be carrying firearms, and were to be considered dangerous.

Photographs of Machado and Moleon were obtained from the FBI, and were reproduced by PFS and distributed to all personnel participating in the security arrangements. These photographs will be turned over to PFS for future reference.

ASSASSINATION

Chief Baughman

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1-16-602.111

At 8:30 am this date, Mr. Seed called and stated that the Brazilian Ambassador to this Meeting informed him that after paying a visit to the Cuban Ambassador's residence last evening disclosed that it was the plan of Ambassador Lachuga to go to New York City this date, allowing his alternate representative, Machado, to occupy his place with the 21 Ambassadors seated on the stage with the President.

ASAC Campion, SAs Griffith and Parker of this Service and 3 detectives of the Metropolitan Police Department were posted at the entrance to the Pan American Union Building with representatives of the Pan American Union who could identify these subjects in the event they would attend this Meeting.

Neither the Cuban Ambassador nor the two subjects, Machado or Molezon, appeared at this Meeting.

Resulting from the above information, SAs Hill, Chaney and Burke, as well as the 3 Metropolitan Detectives were also added to the security. SA Hill was posted on the balcony near the elevator on the second floor. SA Chaney replaced SA Parker on Post #9. SA Burke replaced SA Griffith on Post #11.

Stewart G. Stout
Stewart G. Stout
ASAC, 1-16

Approved:

James J. Rowley
James J. Rowley
SAIC, 1-16

cc: SAIC Washington (2)

SGS:wb

JFK EXHIBIT F-415

Form No. 1048 (Rev. 6-1-60)
MEMORANDUM REPORT
(7-1-60)UNITED STATES SECRET SERVICE
TREASURY DEPARTMENT

SECRET

(1-1-15-270)

ORIGIN Field	OFFICE Washington, D. C.	FILE NO. CO-2-32,662
TYPE OF CASE Protective Research	STATUS Pending	TITLE OR CAPTION Cuban Plot to Assassinate the President
INVESTIGATION MADE AT Washington, D.C.	PERIOD COVERED Nov. 21-30, 1962	Antonio Rodriguez y Jones
INVESTIGATION MADE BY SAIC H. W. Geiglein; Special Agents J. Grimes, R. Kyanko, N. Hall, P. Faison, and C. Taylor		

DETAILS

SYNOPSIS

A letter in Spanish, postmarked Havana, Cuba, November 14, 1962, and improperly addressed, involving a plot to assassinate the President, was intercepted by this Service. Subsequent investigation disclosed Antonio Rodriguez y Jones as the most logical intended recipient of the letter and the person designated to carry out this plot. Investigation continuing to establish the identity of the co-conspirators of this plot. Collateral investigation requested of various offices as indicated.

For purposes of clarity, this report will be divided into the following sections: (a) Introduction; (b) General Inquiries; (c) Surveillance; and (d) Conclusion.

(a) INTRODUCTION:

There follows a chronology of the development of this case.

Wednesday, November 21

4:50 P.M.

Informant 1-15-45 telephoned the Washington Field Office advising ASAC Dahlquist of the existence of a paper which indicated a plot to assassinate the President by certain Cuban revolutionary factions. This information was immediately relayed to the reporting special agent for appropriate investigation.

DISTRIBUTION	COPIES	REPORT MADE BY	DATE
Chief	Orig.	<i>Charles E. Taylor, Jr.</i>	11/30/62
Miami	2 cc	SPECIAL AGENT C. E. Taylor, Jr.	
Baltimore	2 cc		
Hewark	1 cc	APPROVED <i>Harry W. Geiglein</i>	DATE
New York	2 cc		11/30/62
WH Detail	1 cc	SPECIAL AGENT IN CHARGE Harry W. Geiglein	
Washington	2 cc		

CONTINUING ON FOLLOWING PAGE(S)

THIS DOCUMENT HAS BEEN LOGGED AND ASSIGNED NO. 10-1-15-45-1. IT SHOULD BE RETURNED TO THE CONTROL CLERK.

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6:30 P.M.

At the home of 1-15-45, it was learned that at approximately 10:15 A.M. that day a telephone call was received from Informant 1-15-47 who related that a chauffeur employed for the Venezuelan Delegation of the Inter-American Defense Board had seen a letter which involved a plot to assassinate President Kennedy. Fearing that the Chief of the Delegation, Colonel Hugo Trego, was involved in the plot, the incident was reported to 1-15-47 requesting advice in the matter and what action should be taken to advise the proper United States officials.

After 1-15-47 made appropriate inquiries with U. S. officials, he checked back with the chauffeur to insure that the letter would be given to the U. S. Secret Service for investigation. This chauffeur, Antonio Rodriguez y Gil, stated that the letter was received in the morning mail at approximately 8:00 A.M. that day, and that since contacting 1-15-47 he had made inquiries among members of the Venezuelan Delegation and had decided to turn the letter over to an official of the Delegation for possible referral to the Federal Bureau of Investigation.

7:30 P.M.

Through the Washington City Directory it was ascertained that Antonio Rodriguez y Gil resided at 2335 Ashmead Place, N.W., Washington, D.C., Telephone No. Hobart 2-9170. Rodriguez was called and arrangements were made for an interview later that evening.

[Deleted.]

9:00 P.M.

At the office of the Venezuelan Delegation to the Inter-American Defense Board, 2335 Ashmead Place, N.W., Washington, D.C., Colonel Hugo Trego, Chief of the Delegation, advised he had this letter in his possession. Col. Trego also advised he had notified the FBI and the Metropolitan Police Department to make certain the proper investigative organizations in the United States were apprised of the existence of this letter. He stated that the

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letter was received at the Venezuelan Delegation at 12:00 Noon that day and was opened by Col. Trego at 7:00 P.M. (this differs from the information received from Antonio Rodriguez Gil in that he reported the letter was received at 8:00 A.M. and was opened shortly after being received in the morning mail).

During the course of the evening and interrogation of Col. Trego, Antonio Rodriguez, et al, the following were present: Lt. Jacob Breckman and Sgt. Robert Gray (Detective) of No. 13 Precinct; Special Agents L. B. McDonald and Joseph Sculley of the FBI; and Jose Valado, translator, Venezuelan Delegation.

During the evening, the letter was translated by Col. Trego, in cooperation with Jose Valado and Special Agent McDonald of the FBI. Subsequently, on November 26, 1962, the letter was shown to SA Victor J. Gonzalez of this Service and following is the translation which SA Gonzalez furnished:

"Comrad Rodriguez,

"In accord with the planning and obstinant attitude of Kennedy to invade Cuba carry out the attempt on his life in the terms conceived. I am not giving you more data because it is not necessary since all that you have to know you know, and for its own security and effectiveness of the planning I comply thus with superior orders.

"I have had no other way of communicating this to you by any other safer means, for that reason I had to do it by letter. In the U. States they are not in habit of opening the letters for that reason I trust everything will go well. A good communist has to run these risks. We have to count on our own energieys because USSR has not adopted a solid position with Cuba. These are high level questions that a good communist (card carrying) should not question.

"If he does it in that way it will be for the good of all communist that are in the world. Cuba is not all. Enough already has been done by Cuba.

"I will send you the next news if I am able by a far safer method. Give me a prompt answer. I am embracing you. - Pepe"

The envelope, written in English, was postmarked Havana, Cuba, 9:00 A.M., November 14, 1962, and bore the address 9246 7 N.W. and 11432 St., Washington, USA. The letter, written in Spanish, is dated Havana, Cuba, November 13, 1962.

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During the course of the interrogation of Antonio Rodriguez Gil and members of the Venezuelan Delegation by the reporting special agent and representatives of the FBI and Metropolitan Police Department, efforts were made to determine if any address existed in Washington, D.C., which would in any way tie in with the address on the envelope of this letter. It appeared strange, indeed, that a conspirator involved in a plot to take the life of the President would not know how to contact a co-conspirator. Although the writer of this letter indicates some knowledge of the United States customs, he apparently is confused as to the proper procedure employed by the Post Office in directing mail in view of the fact that two addresses which are non-existent appear on the envelope. No information could be developed during this investigation which would in any way clarify this grossly inaccurate address.

Information was developed from Antonio Rodriguez Gil and Col. Hugo Trego that Gil was born on July 7, 1931, in Galesia, Spain. He is described as white; male; Spanish; 5-6; 154; brown hair (shaved to the scalp with bald patches). Gil left Spain and traveled to Venezuela in 1952, was married there in 1957 to Delores Valado, and worked in Caracas with the Columbian Embassy. In 1956 he became a Venezuelan citizen, Passport #019965, and that same year came to the United States. His citizenship status was temporary and when he traveled to the United States he lost this status and is no longer a citizen of Venezuela. In 1958, in the United States, he obtained a position with the Venezuelan Delegation to the Inter-American Defense Board. Gil claimed he has never traveled to or resided in Cuba.

During the interrogation, it was learned that approximately three months ago Gil received a letter from the Central Office of Safeway Stores, Inc., and, as directed, went to the office and was shown a check payable to Safeway from an Antonio Rodriguez, drawn on Riggs Bank. A micro-film strip of this check was projected and on examining the signature Gil immediately observed that it was not his but probably that of some other Antonio Rodriguez. Gil was of the opinion that the check was drawn at the 18th and Columbia Branch of Riggs Bank.

It was also learned during interrogation, from Jose Valado, that approximately two months ago, while attending the Americanization School, 19th and California Streets, N.W., he recalled a student there by the name of Antonio Rodriguez; that this man was in his early 30's; 5-1 in height; slender build; very light skin; black hair; and married.

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At the conclusion of the interrogation, Col. Trego offered his full cooperation to this Service and the FBI, and advised he would immediately report any information that might come to his attention concerning the intended recipient of this letter.

Thursday, November 22

Full details concerning the development of this case were reported to SAIC Geiglein at 2:00 A.M. As per instructions, SAIC Bouck, PRS, was advised of this letter at 10:00 A.M. He indicated that the White House Detail and White House Police would be alerted.

During the course of this investigation, close liaison has been maintained with the Chief's Office through SAIC Bouck by immediately transmitting any significant developments as they occur.

(b) GENERAL INQUIRIES:

[Deleted.]

1-15-5 further advised that one Antonio Rodriguez Jones had been contacted by pro-Castro Cubans known to have been involved in acts of violence in the United States, and that further details of these incidents would be furnished at a later date.

On November 23, 1962, Mr. Carl Malone, Superintendent, Inquiry and Claims, Dead Letter Section, Main Post Office, Washington, D.C., was contacted through Postal Inspector Joseph Verant. It was pointed out to Mr. Malone that the address, 9246 7 N.W. and 11432 St., USA, on the envelope in question was crossed out in red ink and on the bottom was written No. 953 and the address of Antonio Rodriguez Gil, 2335 Ashmead Place, N.W., Washington, D.C. Mr. Malone explained that the Post Office furnishes a registry service for any mail originating from a foreign country that is improperly addressed. The mail is forwarded to his section for searching and, in this

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particular case, Mrs. Elizabeth Acree looked in the Washington Directory and found the only Antonio Rodriguez listed, and wrote the address, 2335 Ashmead Place, N.W., on the envelope with a note that the postman should try that address.

A search was initiated through the foreign and local Dead Letter Sections of the Post Office for any mail addressed to Antonio Rodriguez, with negative results. As per request, Mr. Malone placed a flag in his files and if any letter is received in his section addressed to Antonio Rodriguez, this Service will be immediately advised.

On November 23, 1962, Mrs. Cora Beasley, D. C. Board of Education, John Quincy Adams School (Americanization School), 19th and California Streets, N.W., Washington, D.C., was interviewed and a search was initiated in an effort to determine whether she had any students by the name of Antonio Rodriguez. Mrs. Beasley advised that no current students by that name are on the rolls of that school; however, in 1959 there was an Antonio Rodriguez listed, age 50, address unknown.

In view of the fact that Antonio Rodriguez is a very common Latin American name, efforts were immediately commenced to determine the number of individuals in the Washington, D.C., area with that name, and whether or not agencies engaged in conducting investigations on individuals involved in subversive activities would show a record for any of these persons.

On November 23 and during the week of November 26, 1962, 1-15-5 furnished information concerning Antonio Rodriguez Jones and his possible association with Jose Moleon Carrera and Quinton Pino Machado. Carrera ostensibly is a Military Adviser to the Cuban Delegation to the Organization of American States and works with the Cuban Delegation through the Inter-American Defense Board. Both he and Machado, who is known as the "hatchet man" for the Cuban Embassy in Washington, have been involved in acts of violence, including beatings and abductions of defectors from Communist Cuba.

According to 1-15-5, in August of 1961, one Felipe Martinez y Rivero was abducted by a group of Cuban Communists in the United States after it was learned that Martinez was severing all ties with Communist Cuba. Martinez was taken to Baltimore, Maryland, and held by this group. Antonio Rodriguez Jones was observed as being a member of the group and standing watch outside of the door during interrogation of Martinez.

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1-15-5 learned that the Cuban Ministry of Foreign Relations, on October 4, 1961, had requested that subject be contacted through the Organization of American States, requesting that he furnish the Cuban Government with information concerning schooling.

It was further learned by 1-15-5 that on June 20, 1961, the subject was observed making pro-Castro remarks to members of his class while attending the Institute of Modern Languages, 1322 M Street, N.W., Washington, D.C.; further, that the subject was quite frequently with Martinez prior to Martinez' defection to the United States. When the subject learned that the Cuban Embassy in Washington, D.C., was interested in the whereabouts of Martinez, he reported whatever information he had to Quinton Pino Machado who was then acting as an alternate representative to the Organization of American States with Jose Moleon Carrera. It was further learned that in December 1960 the subject had a Communist publication delivered to his residence in Washington, D.C. In addition, Jose Moleon Carrera had been in contact with the subject in November 1960 concerning the whereabouts of Martinez.

1-15-5 received information that Captain Jose Moleon Carrera was active in New York City in December 1961 in selecting and training 15 pro-Castro Cubans for undercover work in the United States. Following his activity in New York, Moleon, accompanied by an individual of unknown identity, left the United States for Cuba and they were expected to return to the United States in a very short period of time.

1-15-5 furnished the current address of subject as The Granite State Apartments, 1731 New Hampshire Avenue, N.W., Washington, D.C., Apt. No. 203. Information was also transmitted that photographs of subject and members of his family had been taken and efforts would be made to obtain copies for this Service.

On November 24, 1962, an effort was made to determine the maker of the check with an account at Riggs Bank which had been charged to Antonio Rodriguez Gil's account through the Safeway Store at 18th and Columbia Road, N.W. It was learned that it is the policy of the Riggs Bank not to furnish information concerning depositors without a subpoena. Mr. D. E. Wisecarver, Vice President and Manager of the Riggs Bank at 18th and Columbia Road, N.W., inquired of the Central Depositor Listing and established that the Dupont Circle Branch had two Antonio Rodriguez' listed; however, it would be necessary to obtain information concerning these depositors from the Cashier of Riggs Bank, John C. McCormick, in the absence of a subpoena.

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Mr. McCormick was telephoned and he advised that representatives of 1-15-5 had previously made inquiry concerning this matter and information was furnished them that the Dupont Circle Branch has two Antonio Rodriguez' - one, Antonio Rodriguez Gil (the recipient of this letter) and another Antonio Rodriguez who does not have a Washington, D.C., address but lists an address in a foreign country. Mr. McCormick suggested that since the original contact with the Riggs Bank was made by a representative of 1-15-5, the Riggs Bank be again contacted by 1-15-5 as additional information was in existence concerning the present location of the other depositor named Antonio Rodriguez. 1-15-5 was advised of Mr. McCormick's request.

On November 26, 1962, contact was made with 1-15-9 in an effort to determine the background on Antonio Rodriguez Jones and members of his family. It was learned that the subject's father, Antonio Rodriguez y Echazabal, wished to defect to the United States at the time of the Punta del Esta Conference. He previously had fought with Fidel Castro during the revolution for a period of approximately three years, and after Castro had obtained control of Cuba had been appointed to diplomatic posts in Haiti, Pakistan, and Guatemala. During these periods he had been known to associate with pro-Communist groups frequently. In April 1962, he and his son, Antonio Rodriguez Jones, were observed in Guadalupe, Mexico. Although the subject's father had expressed anti-Castro sentiments recently, 1-15-9 is of the opinion that he cannot be trusted because of his past close association with Communist groups.

Antonio Rodriguez Echazabal resides at 1638 R Street, N.W., Washington, D.C., Telephone 332-6277, which phone was installed on October 2, 1962, in the name of Enrique Pedro Rodriguez y Jones, son.

Informant 1-15-46 disclosed long-distance calls made from that phone since date of installation, as follows:

10-5-62 - New York City, MO 2-2908
 10-5-62 - Hoboken, New Jersey, OL 9-8991.
 10-15-62 - Miami, Florida, FR 1-9394.
 10-15-62 - New York City, TR 7-0700.
 10-17 & 10-23-62 - Miami, Florida, FR 1-9221.
 10-24-62 - Hoboken, New Jersey, OL 9-8991.
 10-25-62 - New York City, MO 2-2908;
 Miami, Florida, FR 1-9221.

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On November 27, 1962, SAIC Geiglein telephonically advised SAIC Whitaker, New York, and SAIC Marshall, Miami, of these calls.

On November 30, SAIC Whitaker telephonically advised this office as follows concerning the identity of the individuals called:

MO 2-2908 - subscribed to Gaston Jumelle, 360 Riverside Drive,
Apt. 2-C, New York City.

TR 7-0700 - subscribed to the Chalfonte Hotel, 200 West 70th St.,
New York City.

OL 9-8991 - subscribed to John Regalado, 129 Hudson St., Hoboken,
N.J. Regalado is described as single; a refrigerator
mechanic for Power Air Conditioning Corp., Long Island
City, New York. He has a good credit rating.

The results of the check of the telephone calls to Miami, Florida, are covered in memorandum report submitted by SA Ernest I. Aragon November 30, 1962.

The subject, Antonio Rodriguez Jones, resides at 1731 New Hampshire Avenue, N.W., Granite State Apartments, Apt. 203. The telephone (unlisted) is subscribed to by Yvonne and Brenda Jones, Columbia 5-1965. Yvonne Jones is the subject's aunt.

Informant 1-15-46 advised that on October 17 a call was placed to Lexington 9-0291, and on November 2, 1962, to Lexington 9-0290, both in Baltimore, Maryland.

SAIC Geiglein telephoned the Baltimore office on November 30, 1962, requesting that these numbers be checked. That same date, the Baltimore office advised that these numbers were listed to the office of the Consulate General of Venezuela, Keyser Building, 207 East Redwood Street, Baltimore, Maryland.

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On November 26, 1962, the Immigration Service file of Antonio Guillermo Rodriguez-Jones, Alien Registration #A12-189-161 and A12-860-029, was personally reviewed by SA Robert R. Kyanko at the Washington Field Office, Travel Control Unit, Immigration and Naturalization Service, Washington, D.C.

The file reflected that the subject was born a Cuban citizen on August 24, 1943, at either LaSalud, Havana, Cuba, or Port-au-Prince, Haiti. He first arrived in the United States at Miami, Florida, on June 8, 1959, and was granted permission to stay until September 8, 1959. He stated that he came to the United States to visit his aunt, Yvonne Jones, 1731 New Hampshire Avenue, N.W., Apt. 203, Washington, D.C. He also claimed that he would be supported in the United States by his aunt as he was formerly a student in Cuba and had no prospective employment in this country.

The file further reflected that he attended Ecole Francaise Internationale, Washington, D.C., having been admitted to the school on September 24, 1960. On June 16, 1961, he transferred to the Institute of Modern Languages, Inc., Washington, D.C., and withdrew from this school on July 14, 1961, to attend Georgetown University. The file contained certifications from the Directors of Ecole Francaise Internationale and the Institute of Modern Languages verifying subject's attendance at the schools; however, there was no certification as to his attendance at Georgetown University. The file also reflected that his last admission to the United States was on June 8, 1962, at New York City (the file did not indicate when he left the United States). At that time, he boarded Pan American Flight No. 220 at Guadalupe, bearing Cuban Passport #47901.

Upon this entry, he stated that his permanent address was 126 Raizet (Rue St. Anne), Guadalupe. He also gave the following previous addresses: Paseoy Linea, Potin (52), Vedado, Havana, Cuba; Cuban Embassy, Haiti; and 101 Bld. gl. Jacques, Brussels, Belgium. He stated that he was seeking admission to the United States for political asylum from the present Cuban regime.

The file reflected the following description of subject: White; male; Cuban; 5-6; 170; brown eyes; brown hair; unmarried; place of birth, LaSalud, Havana, Cuba, or Port-au-Prince, Haiti; date of birth, 8/24/43. His father is Antonio Andres Rodriguez-Echazabal, Alien Registration No. A12-941-442, former Cuban Minister to Pakistan. His address in the United States as of August 21, 1962, is 1731 New Hampshire Avenue, N.W., Apt 203, Washington, D.C.

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The file contained the following summary regarding subject's admissions to the United States: He is a native and citizen of Cuba, born in Havana on 8/24/43, and was formerly a student in Cuba. Cuban Passport No. 47901 was issued 9/1/60 and bears an "F" (Student) visa issued 9/23/60, valid to 9/22/64, and a "B-2" (Visit or Pleasure) visa issued 3/15/62, valid to 3/15/66, both for unlimited admissions. Subject now desires political asylum in U.S. as has his father. Prior to entry into the United States on June 8, 1962, he was residing at F4 #87 Bat. D, Unite 12, Hibiscus, Uieauxbourg, Abimes, Guadalupe.

Subject's file also contained a memorandum from the District Director, Immigration & Naturalization Service, Miami, Florida, to the District Director, Immigration & Naturalization Service, Washington, D.C., transmitting information regarding one Antonio Rodriguez from their Caribbean Index File. The information furnished may or may not relate to the subject. The information was shown as follows:

1. Antonio Rodriguez
Reportedly member of Executive Committee of Retail Stores Employees, Union of Havana, Cuba (Communist union) - no date shown.
2. Antonio Rodriguez
Reportedly fought on side of Republican forces in Spanish Revolution (Communist?).
3. Antonio Rodriguez
Communist PSP member, collaborator of Luis Moreno-Vives.
4. Antonio Rodriguez
President PSP - Barrio Arroyo y Calvario, Calzada de Bojuoal No. 848, Havana, Cuba.
5. Antonio Rodriguez
Active Communist.
6. Antonio Rodriguez
Pedroso, Matanzas, Cuba -
Reportedly subscribed to Cuban Communist Newspaper "Hoy."

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[Deleted.]

The file also contained a photostat of a sample Cuban Election Ballot bearing the name of Antonio Rodriguez as a candidate for Labor Union Foreman in the General Elections of 59-61.

No further information was contained in the file.

On November 27, 1962, the Immigration Service files of members of subject's family, as far as could be determined, were also reviewed by SA Robert R. Kyanko at the Travel Control Unit, Washington Field Office, Immigration & Naturalization Service, Washington, D.C.

Father - Antonio Andres Rodriguez-Echazabal, Alien Registration #A12-941-442, born 8/17/13 Bejucal, Havana, Cuba. The file reflected that he entered the United States at New York City on June 7, 1962, as a political refugee from the Cuban Communist Regime. When he entered the U. S. he held Cuban Passport #6(25169) and a B-2 (Visit or Pleasure) visa. He indicated to Immigration officials in New York City and Washington, D.C., that he was formerly employed by the Cuban Government as Ambassador to Haiti, Guatemala, and Pakistan. His statements reflected that he became dissatisfied with the political condition in Cuba while he was Ambassador to Pakistan. He also said that he considers Fidel Castro a traitor to the Cuban people and that he is also opposed to Francois Duvalier, Dictator in Haiti. In Guatemala he claimed that he prohibited Cuba from doing anything to the Government of Guatemala.

He also stated that he has numerous contacts in the United States, Haiti, Jamaica, and South America to fight Duvalier and Castro. He further indicated that he has never been, nor is he now a Communist, and that his feelings are in accord with a democratic form of government. He stated that he is presently a member of Tereera Fuerze Anti-Comunista por la Liberacion de Cuba.

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The file contained several newspaper clippings regarding Echazabal's defection from the Cuban Government in 1962. Photostats of these clippings are attached and are self-explanatory. The file also contained a statement from him regarding his defection from the Castro regime and his political feelings about Castro, the Cuban Government, and the United States. A copy of the statement is attached and is self-explanatory.

The file reflected that his address in the United States is 1731 New Hampshire Avenue, N.W., Apt. 203, Washington, D.C.

The file also contained medical records regarding an eye operation which he had undergone at Washington Hospital Center from August 30 to September 4, 1962. The attending physician was Seymour Duvaroff, M.D., 1302 - 18th Street, N.W., Washington, D.C. - North 7-1700. It was also noted that Echazabal employed C. L. Caltaldo, Professional Nurse, 2502 Hayden Drive, Silver Spring, Maryland, during his convalescence. He had also consulted a Dr. James Scully, 1835 Eye Street, N.W., Washington, D.C., regarding his eye condition. It was further noted that Echazabal's hospital expense was partially paid by the Government-Wide Indemnity Benefit Plan (Federal Employees Health Benefits Plan), indicating that he is an employee of the United States Government. The file did not reflect the name of his employer.

No other pertinent information was contained in the file.

Mother - Edith Rodriguez-Jones, Alien Registration #A12-943-430, born 3/10/17 in either Haiti or Cuba. She entered the United States at New York City on August 2, 1962, bearing Laisses-Passer #719903 and a B-2 visa. Her last Cuban address was Paseo Linea, Potin (52), Vado, Havana, Cuba. Her address in the United States was listed as 1614 - 17th Street, N.W., Washington, D.C.

Her file contained no further pertinent information other than the fact that she stated upon entry that she is anti-Castro.

Brother (apparent) - Enrique Pedro Rodriguez-Jones, Alien Registration #A12-943-429, born 11/2/37 in Haiti (Cuban citizen). He entered the United States at New York City on 8/2/62 bearing Cuban Passport #13736 and a B-2 visa. The file reflected that he was formerly employed in Cuba as a Military Attache to Haiti. Previous addresses were listed as: Edificio Emb., Haiti; and Potin (52), Vado, Havana, Cuba. He listed his address in the United States as 1614 - 17th Street, N.W., Washington, D.C.

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His file contained information from the Caribbean Index of the Immigration & Naturalization Service regarding one Enrique Rodriguez (no further identifying information was given), as follows:

1. Co-leader of Cienfuegos LV.
2. Member PURC, 1939.
3. Reportedly a Communist, member of Furniture Workers Union, Havana, Cuba.

His file contained no other pertinent information other than the fact that he stated he was anti-Castro upon entry to the United States.

Sister - Edith Elviria Rodriguez-Magel, Alien Registration #A12-941-584, born 12/4/38 at Port-au-Prince, Haiti. She entered the United States at New York City on 5/31/62 bearing Cuban Passport #47617. She is spouse of Hans Magel, Alien Registration #A12-941-978, their last German address being Nakenheim Peid Strasse 23. She indicated her address in the United States as 1731 New Hampshire Avenue, N.W., Apt. 203, Washington, D.C. The file reflected no previous or present employment and no further information was contained in her file.

Brother-in-law - Hans Magel, Alien Registration #A12-941-978, born 8/6/30 in Goettingen, West Germany. He entered the United States at New York City on 4/31/62 bearing German Passport #3410529 issued at Havana, Cuba, 11/14/60. He is described as white; male; German citizen; 5-6 1/2; 130; brown hair; brown eyes; fair complexion. His father is Franz Magel and his mother Else Bilsing. Previous addresses were listed as follows: 5/55 to 8/59, Rue Geffraro 67, Port-au-Prince, Haiti; 8/59 to 11/61, Paseoy 201, Havana, Cuba; 5/62 to present, 1731 New Hampshire Avenue, N.W., Apt. 203, Washington, D.C.

His employment history was listed as follows: 5/55 to 8/59, employed by Antonio Rodriguez as a meat cutter; 3/60 to 11/61, Consolidado Carne, Havana, Cuba; 7/12/62 to present, Auth Brothers, Auth Sausage Company, Inc., Washington, D.C., as a Utility Meat Cutter.

No further information of interest was contained in his file.

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The following individuals are the children of Edith Rodriguez (subject's sister) and Hans Magel:

//Niece - Haidi Magel, Alien Registration #A12-941-582, born 5/9/59 in Haiti. She entered the United States with her parents at New York City on 5/31/62. Her address was listed as 1731 New Hampshire Avenue, N.W., Apt. 203, Washington, D.C. No further information was contained in her file.

//Niece - Ingrid Magel, Alien Registration #A12-941-583, born 3/10/58 in Haiti. She also entered the United States with her parents at New York City on 5/31/62. Her address was listed as 1731 New Hampshire Avenue, N.W., Apt. 203, Washington, D. C. Her file contained no further information.

On November 26, 1962, Immigration Service Files of all persons in the name of Antonio Rodriguez, living in the Washington Metropolitan area, were also reviewed by SA Robert R. Kyanko:

Antonio Rodriguez Gil, Alien Registration #A11-005-711, born 7/7/31 in Orense, Spain. Entered the United States at New York City on 3/25/58 to seek employment. His passport, No. 019965, was issued at Washington, D.C., and expires on 6/14/63. His spouse is Lola de Rodriguez and he has one child, Maria Gosefina Rodriguez. He was previously employed in this country as a chauffeur at the Embassy of Ecuador. He is presently employed as a chauffeur for the Venezuelan Delegation, Inter-American Defense Board, Washington, D.C., at \$150.00 per week.

His file contained no further information.

Antonio Bolanos Rodriguez, Alien Registration #A12-577-204, born 8/17/41 at LaPalma, Canarias, Spain. His present address is 2013 Massachusetts Avenue, N.W., Washington, D.C., and he is enrolled in a full-time English training course at the Institute of Modern Languages, Inc., Washington, D.C. His file reflected the name of a friend, Maria Macdalena, living at the YWCA in Washington, D.C.

No other information was contained in his file.

Antonio Rodriguez Mansfield, Alien Registration #A12-188-602, born 9/19/40 at Port-au-Prince, Haiti. He entered the United States on 1/10/60, bearing Passport #6085 issued at Santo Domingo, Dominican Republic, and Visa #002657. He stated that he came to the United States to pursue his college studies.

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His file reflected that he is attending American University, Washington, D.C., majoring in Political Science. His address was listed as 4904 Belt Road, N.W., Washington, D.C. His file also reflected that he was employed as a delivery boy by the Piano and Organ Foundation, 7215 Wisconsin Avenue, Bethesda, Maryland. He may or may not have been employed by the Inter-American Development Bank in Washington, as his file contained a letter addressed to him in care of that establishment from the Immigration Service. The file also reflected the name of his brother, Mario Rodriguez, living at the same address.

His file contained no further information.

1-15-5 has been requested to determine whether any of the individuals named Antonio Rodriguez, other than the subject, as listed above, is of record.

On November 26, 1962, a name check was made by SA Kyanko through the Central Student File, the Institute of Languages and Linguistics, and the American Language Institute, all of Georgetown University, Washington, D.C., and no record of attendance could be found in the name of Antonio Guillermo Rodriguez-Jones. The subject's attendance at Ecole Francaise Internationale and the Institute of Modern Languages was not personally verified inasmuch as his Immigration Service File contained certificates of attendance from the Directors of both schools.

On November 28, 1962, a mail cover was placed at the subject's apartment, No. 203, 1731 New Hampshire Avenue, N.W., Washington, D.C.; and the subject's father's address, 1638 R Street, N.W., Washington, D.C. These covers were placed through Postal Inspector Joseph A. Verant and were confirmed with a letter to the Postal Inspector in Charge, Washington, D.C., Mr. C. C. Garner.

On November 29, Postal Inspector Verant called and advised that on November 29 a piece of registered mail, Registry No. 4741, which consisted of a short correspondence envelope, was delivered to the Granite State Apartment desk for ENRIQUE RODRIGUEZ JONES, 1731 New Hampshire Avenue, N.W., Washington, D.C. The letter had been postmarked on November 21, 1962, at Havana, Cuba, and bore the following return address:

Enrique Perez Cobian
Libertad 374 Esq ad Stampes
Santos Suarez
Havana, Cuba

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This return address information was relayed to ASAIC Miller, PRS, and he later advised that subject's name is not of record.

The name of subject, Antonio Guillermo Rodriguez-Jones, was also checked through the file of the Protective Research Section, with negative results.

The files of PRS disclosed an incident involving the visit of the President and Mrs. Kennedy to the Pan American Union Building, Washington, D.C., on April 14, 1961, on the occasion of an address to the Special Meeting of the Council of the Organization of American States, which is of interest to this investigation. ATSAIC Stewart G. Stout, White House Detail, furnished a supplemental Protective Survey Report dated April 14, 1961, relative to information which was received in connection with the survey of the above-referred event.

It was learned that Quinton Pino Machado, alternate representative to the Organization of American States for Cuba, and the Cuban Adviser, Jose Moleon Carrera, would be present during the President's address. Information was received from 1-15-5 that both of these individuals are known to carry firearms and have a history of violence and should be considered dangerous. Photographs of the two subjects were obtained and the usual detail was augmented by agents of the Washington Field Office. During the course of the survey, further information was developed that the Cuban Ambassador, Lechuga, was planning to leave Washington for New York City and that during the speech of the President his place on the stage would be occupied by Machado.

All individuals entering the Pan American Union Building on April 14, 1961, were checked and it was ascertained that neither the Cuban Ambassador nor Machado or Moleon appeared at the meeting.

1-15-5 advised that the plan of Ambassador Lechuga was designed to embarrass the United States by having an empty chair on the stage when President Kennedy addressed the gathering.

On receipt of information from 1-15-5 that subject was possibly employed at the Georgetown Inn, the records of that establishment were checked November 22, 1962, under a pretext that the reporting agent was a representative of the Wage Board. It was learned that the subject was employed at the Georgetown Inn, Wisconsin and N Street, N.W., Washington, D.C., during the period, 9/18/62 to 10/28/62, as a bus boy, Social Security #578-60-0661.

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He listed his previous employment as Paul Young's Restaurant on Connecticut Avenue, Washington, D.C., from 1959 to 1960, as a bus boy.

The firm auditor, Mr. Herbert C. Frith, confided that he recalled the subject as a very intelligent young man who was versed in French and Spanish and had taken languages in school in the United States. On October 28, 1962, the subject, whose services were entirely satisfactory, indicated he was resigning and requested his final pay check. While waiting for his check to be prepared, the subject stated that he felt it was necessary for him to devote his full time and energies to Fidel Castro and the Cuban cause in the United States. He stated further that he planned to move to New York City to join the Cuban "Army." Mr. Frith recalled that subject was definitely pro-Castro and, from his conversations, appeared to be a believer in the Communist "line."

(c) SURVEILLANCE:

On November 24, 1962, 1-15-5 furnished this Service with photographic slides of subject and members of his family. SAIC Bouck, PRS, prepared photographs from these slides which have been disseminated to the New York and Miami offices and personnel involved in surveillance on this case.

Surveillance on the subject was commenced on November 24, 1962, and is continuing.

On November 29, 1962, Special Agents Alfred Wong and Paul A. Scanlon of New York reported to the Washington Field Office for special assignment involving surveillance of subject.

With the cooperation of No. 3 Police Precinct, Washington, D.C., Detective Thomas Riley was assigned to reporting special agent for the purpose of obtaining a suitable location from which to maintain surveillance. A preliminary survey of the area surrounding the subject's apartment disclosed that the conditions were very poor for maintaining surveillance with an automobile. Consequently, the owner of the building at 1740 New Hampshire Avenue, N.W., furnished the keys to this empty building for whatever use the Metropolitan Police might deem appropriate in their investigations of burglaries in the neighborhood.

Also, on November 28, 1962, Apartment No. 217, Granite State Apartments, was engaged for one month in the name of James Williams. The manager of this apartment was contacted by the police on a

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pretext that this apartment would be occupied by the police in conducting surveillance in connection with investigations of burglaries in the neighborhood.

The results of the surveillance to date have disclosed that subject is employed at Gusti's Italian Villa, 5th and Morse Streets, N.E., Washington, D.C.; that while he frequently visits his father's apartment at 1638 R Street, N.W., he does not appear to have any male companions.

There follows a chronology of the surveillance maintained to date:

11/24/62, 2:00 P.M.

A survey was made of the entire neighborhood and building. Subject was observed in Apartment 203 and did not leave the apartment during the day. Surveillance was discontinued at 11:00 P.M.

Descriptions:

The subject is described as white; male; 19; light tan complexion; reddish-black kinky hair; 170 pounds; 5' 6"; very muscular build; speaks Spanish and French; wears dark knee-length car coat and a gray herringbone top coat, red plaid peak sport cap, and sport clothes. He has not been observed to wear glasses and does not smoke.

His aunt, Yvonne Jones, described as white; female; 55 to 60 years; 5 ft. tall; 120 pounds; heavy build; pasty gray complexion; black-gray stringy hair; bow-legged; pronounced hooked nose; high broad forehead; wears conical-shaped beige hat, black cloth coat-double breasted, hip length, with black squares and an orange border.

Subject's mother, Edith Rodriguez Jones, described as white female; 45; 5' 6"; 140 pounds; large boned; black hair in a bob; thick full mouth; wears dark lipstick, a dark full-length coat, green conical-shaped hat; well dressed.

11/25/62

Commenced 7:00 A.M. Nothing of an unusual nature was observed in the subject's apartment until 9:30 P.M. when a number

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guests were observed arriving to attend what appeared to be a birthday party. One couple left at approximately 10:00 P.M. and was observed by SA Ned Hall entering 1638 R Street, N.W.,

Discontinued at 11:00 P.M.

11/26/62

SAIC Geiglein arranged with Deputy Chief Scott, Metropolitan Police Department, for assistance in maintaining surveillance. As per agreement, one plainclothes man would work with one Special Agent of this Service during the hours from approximately 7:00 A.M. to 11:00 P.M. This arrangement continued until December 3, 1962.

At 11:00 A.M., the subject, his aunt, Yvonne Jones, and his mother, Edith Rodriguez Jones, were observed leaving the apartment. They proceeded northeast on New Hampshire Avenue to 16th Street, N.W., where they boarded a downtown bus. SA Hall observed the subject returning to the apartment at 4:30 P.M. that date.

The purpose of subject's trip downtown was to prepare necessary papers for Immigration & Naturalization. While subject and his aunt were visiting the headquarters of Immigration & Naturalization, they were observed by SA Kyanko who was in that office to review records of subject and his family.

At 9:15 P.M., the subject was observed leaving his apartment and was followed on foot to 1638 R Street, N.W., where he entered his father's apartment on the 3rd floor. Subject left this building at 11:05 P.M., carrying a magazine, and proceeded directly on foot to his own apartment.

Discontinued 11:20 P.M.

11/27/62

At 10:08 A.M., the subject was observed departing his apartment and proceeding southeast on New Hampshire Avenue, east on R Street, to an address believed to be 1714 R Street, N.W., where he disappeared. SA Hall regained contact with subject at 1:30 P.M. when he was observed returning to his apartment. No further activity relating to the subject was observed.

Discontinued 11:20 P.M.

At 11:05 A.M., SA Taylor and Detective Riley observed subject leaving his apartment at 1638 R

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n/27/62

Description:

Antonio Rodriguez Echazabal is described as white; male; Cuban; 5-9; 185; heavy build; black bushy mustache; wears horn-rimmed glasses; wearing a off-brown olive top coat; graying, receding hair.

He was observed leaving his apartment, proceeding east on R Street to the Chastleton Hotel where he purchased a paper and returned to the front of his apartment. There he met a group in a 1962 steel-gray, Buick LeSabre sedan, bearing New York License Plate 6 Q 5419. After parking the car, the group accompanied the elder Rodriguez to his apartment. This group consisted of four negro males, well dressed.

The license number of this car was checked with the New York State Police and is registered in the name of Dorothy Powell, 271 - 23 Pladome Avenue, Queens Village, New York.

1-15-5 was apprised of this meeting and furnished the following information:

Present at the meeting were: Ramiro Loyf, resident of the District of Columbia, Cuban exile; Marcel Fonbrun, exile from Haiti, residing in Long Island, N.Y.; Gaston Jumelle, exile from Haiti, residing in New York (this person was called by the subject's father on October 5 and October 25, 1962); Louis deJoie, Haitian exile who resides in New York.

The purpose of this meeting was an attempt on the part of the Haitian exiles to obtain support of the Cuban anti-Castro group for a Haitian movement designed to overthrow the rule of President Duvalier of Haiti. The leader of this movement is Paul E. Magloire, a former President of Haiti.

11/28/62

At 10:55 A.M., the subject was observed departing his apartment, proceeding northeast on New Hampshire Avenue, and hailing a Yellow Cab (not otherwise identified).

At 11:48 A.M., the mother and aunt were observed leaving the apartment and entering 1638 R Street, N.W.

At 3:50 P.M., Yvonne Jones appeared on foot at 1731 New Hampshire Avenue, N.W., carrying groceries. At 4:35 P.M.,

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subject's mother was observed entering 1731 New Hampshire Avenue.

At 9:45 P.M., subject returned to his apartment.

Discontinued at 11:30 P.M.

11/29/62

Subject was not observed leaving the apartment; however, he was observed returning at 3:10 P.M. Subject and mother departed the apartment at 3:40 P.M. Subject was dressed in what appeared to be a waiter's uniform - black bow tie; white shirt; black pants; highly shined shoes. Subject and mother entered 2039 New Hampshire Avenue, N.W., and about 10 minutes later departed, the mother returning to the apartment, and the subject hailed a Diamond Cab, No. 298, at the 2000 block of 16th Street, N.W. As the cab pulled out from the curb, it was struck by a panel truck, and subject departed from the cab and hailed a Yellow Cab, No. 363, which proceeded west on U Street.

Inquiry of the Yellow Cab Company disclosed that subject was let out of the cab in front of 1150 Connecticut Avenue, N.W.

At 7:45 P.M., the subject's mother departed the apartment and proceeded to 1614 - 17th Street, N.W., entering that building and visiting a woman in Apartment 406. This apartment is listed for a Florentino Rodriguez. At 9:10 P.M., the mother returned to apartment.

At 11:00 P.M., surveillance was discontinued.

11/30/62

The Washington Detail agents were relived by Special Agents, Wong and Scanlon from New York.

At 10:25 P.M., the subject departed the apartment, boarded a bus at 16th and U Streets, N.W., and was observed entering Gusti's Italian Villa, 5th and Morse Streets, N.E. Discreet inquiry disclosed that the subject was working at this establishment as a waiter.

At 2:50 P.M., the subject was followed back to his apartment. At 3:15 P.M., the subject, his mother, and his aunt departed the apartment and walked one block to 1731 Riggs Place, N.W. An informant later advised that the person subjects visited at this address was probably a Mrs. Baum.

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At about 3:35 P.M., the subject left alone and walked toward New Hampshire Avenue, and shortly thereafter returned to 1731 Riggs Place. Ten minutes later he again left this apartment with a woman believed to be his mother. They went to 1638 R Street, N.W.

At 4:00 P.M., what is believed to be the mother and the aunt departed this address and were not followed. About 25 minutes later the subject departed and surveillance was discontinued at about 17th and Q Streets. It was later determined that he was employed as a waiter at Gusti's Italian Villa that evening.

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At approximately 5:30 P.M., the subject departed his residence with a woman who was either the aunt or the mother. They walked to R and 17th Streets, N.W., at which point the subject took a taxicab alone and was followed to Gusti's Italian Villa and was observed entering the premises. It was later learned that he worked as a waiter at that restaurant until 2:00 A.M. the following day.

12/2/62

No activity was observed involving the subject.

(d) CONCLUSION:

This investigation is being continued in Washington, D.C., in an effort to clearly establish whether Antonio Rodriguez Jones was the intended recipient of this letter and whether or not a plot is in effect to assassinate the President of the United States. Every effort will be made to determine the full circumstances surrounding the preparation of this letter. Liaison is continuing with 1-15-5 and 1-15-9, also with 1-15-46, in an effort to obtain additional information pertinent to this investigation.

Two copies of this report are being forwarded to Miami and New York. SAIC Geiglein confirmed telephone calls with those offices in memoranda dated November 28, 1962. It was requested that they initiate inquiry through reliable informants, by indirect or discreet means, to learn something of the reputation of the subject or his father, and photographs were furnished. Additional photographs are being forwarded to these offices of (1) Jose Molson Carrera, and (2) Quinton Pino Machado. If it is learned that an informant knows the subject, the photographs of Machado and Carrera

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should be shown in an effort to determine whether or not these two individuals have been seen with the subject, or whether or not they can be tied in in any way with the activities of the subject.

Two copies of this report are being forwarded to Baltimore, with photographs of the subject, his father, Jose Moleon Carrera, and Quinton Pino Machado, requesting that inquiry be initiated through reliable informants in an effort to learn whether or not the subject has any connection with the Office of the Consulate General of Venezuela. It is noted that on October 17 and November 2, 1962, calls were made from subject's phone, Columbia 5-1965, to that office. If it can be learned that the subject is known by informants, effort should be made to determine whether or not there is any tie between the subject and Machado and Carrera.

A Lookout for subject remains in effect with the White House Police.

CET:mkd

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Form No. 104a (Rev. 10-1-60)
U.S. GOVERNMENT PRINTING OFFICEUNITED STATES SECRET SERVICE
TREASURY DEPARTMENT

SECRET

SS-1-15-273

ORIGIN	Field	OFFICE	Washington, D. C.	FILE NO.	CO-2-32,682
TYPE OF CASE		STATUS		TITLE OR CAPTION	
Protective Research		Pending		Cuban Plot to Assassinate the President -	
INVESTIGATION MADE AT		PERIOD COVERED			
Washington, D. C.		Dec. 9 - 19, 1962		Antonio Rodriguez y Jones, et al	
INVESTIGATION MADE BY					
Special Agent Charles E. Taylor, Jr.					

DETAILS

SYNOPSIS

Subject interviewed under pretext. Information developed concerning the existence of a third letter postmarked Havana, Cuba, dated 11-5-62, addressed to one Carlos Meneses and signed "Pepe." There is evidence that a pattern has been established which indicates these letters have been purposely misdirected as part of disruptive tactics by the sender. Investigation continues.

DETAILS OF INVESTIGATION

Reference is made to report by the undersigned dated November 30, 1962, relating to the first letter in this case. After being processed at the Protective Research Section this letter was personally delivered to SA Douglas M. Brown of the Federal Bureau of Investigation by SA Robert R. Kyanko (1-15) on November 26, 1962.

Reference is made to report by the undersigned dated December 10, 1962, relating to the second letter. The original of this letter was received from [deleted], Central Intelligence Agency liaison man, by the reporting special agent on December 12, 1962, and personally delivered to the custody of SAIC Robert I. Bouck, Protective Research Section; on December 13, this original letter was transmitted to the Federal Bureau of Investigation with a covering memorandum.

Both of these letters are currently being processed by the FBI for possible association and identity of the sender and also for the possibility of code and writings in invisible ink. This Service will

DISTRIBUTION Chief Miami New York Newark Baltimore WH Detail Washington	COPIES Orig. 2 cc 2 cc 2 cc 1 cc 1 cc 2 cc	REPORT MADE BY <i>Charles E. Taylor, Jr.</i> SPECIAL AGENT C. E. Taylor, Jr.	DATE 12-13-62
		APPROVED <i>Harry W. Geigley</i> SPECIAL AGENT IN CHARGE Harry W. Geigley	DATE 12-15-62

(CONTINUE ON PLAIN PAPER)

U. S. GOVERNMENT PRINTING OFFICE 10-51094-4

be advised of the results of these examinations and, per agreement, the FBI will return these original letters at the conclusion of their processing.

On December 10, 1962, Informant 1-15-45 advised of a letter recently intercepted, dated November 5, 1962, from Havana, Cuba. This letter was addressed to one Carlos Meneses, P. O. Box 347, Guatemala City, Guatemala. 1-15-45 disclosed that a substantial portion of the letter states:

"Prepare for air force uprising to take place 3rd week, this month. Imperative Ydigoras be overthrown. This will be first uprising of series already prepared. Latin America must be totally Communist within one year. Long live World Revolution. On dictating these orders I am carrying out direct orders of Fidel."

There is every indication, from information and reports extant, that Carlos Meneses is not known at P. O. Box 347 in Guatemala City and that, consequently, the letter was intercepted and turned over to a person of authority in the Guatemalan Government. Intelligence sources in Guatemala City indicate that Meneses was a Mayor of the departmental capital of Chimaltenango and was elected and served as a member of the government's Executive Committee. A copy of this letter was turned over to a representative of 1-15-9 and the original letter is being used by the government of Guatemala in their current investigation.

During this current phase of the investigation of Antonio Rodriguez y Jones, information was developed by 1-15-17 concerning the background and reputation of his associates, as follows:

Claude Thomas Desulme (referred to in report dated 12/10/62, page 4), born Dec. 15, 1938, in Port-au-Prince, Haiti; described as 5' 6"; 150 pounds; black hair; black eyes; Social Security No. 095-34-4198. Desulme's last listed address was 1505 Varnum Street, N.W., Washington, D.C. His employment history indicated that he had been employed from Feb. 1960 to Jan. 1961 with the Endnore Plastic Co., and from Sept. 1961 to Feb. 1962 with the Leslyn Products Co., a plastics processor; further information indicated that he had previously been employed with the Television Nationale de Haiti in the capacity of a public relations man and is presently being considered for employment with the United States Information Agency. To date, the security investigation disclosed nothing of a derogatory nature concerning the background of Desulme.

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It is noted in report dated 12/10/62 that the subject had been in contact with one Andrew Jolley in the Moroccan Embassy. 1-15-17 advises that, in all probability, this was the anglicized spelling for the Press Attache of the Moroccan Embassy, a Mr. Abdelhak Jalil. This individual was known by 1-15-17 to have been seeking employees in an effort to cover both sides (pro and con) of the Cuban situation.

In an effort to determine the author of the second letter received for investigation, the files of various government agencies were checked for the name, Jose Menendez, with negative results.

On December 10, 1962, 1-15-17 disclosed that one Jose Menendez y Ramos was associated with the Fair Play for Cuba Committee (FPCC), a pro-Communist group, and that in July 1961 his wife, Carrie Hernandez, who was also associated with that group, was known to have been agitating for her husband's return to Cuba.

Ramos is described as white; male; born 11/11/21 in Havana, Cuba; 5-6; 150; brown eyes; black hair; last known residence in the United States, 1211 1/2 - 17th Avenue, Tampa, Fla.; last employment, as a baker in the Union Bakery, 1506 - 9th Avenue, Tampa, Fla.

According to 1-15-17, Ramos was known to be a member of the Executive Board for the FPCC in Tampa. On October 23, 1961, Ramos and his wife were observed in Cuba and Ramos was described as occupying a "top job" with the Castro Government. Ramos has abandoned his residence in the United States.

A telephone call was placed on December 11, 1962, by the reporting special agent to SA Arnold K. Peppers, Tampa, relating the above information concerning Jose Menendez y Ramos. It was requested that SA Peppers obtain as many specimens of the subject's handwriting and/or handprinting as available and that these specimens be forwarded to the Washington Field Office as soon as possible.

Accordingly, specimens of Ramos handwriting were forwarded to this office December 12, 1962, with report of SA Peppers. Also, specimens of Ramos handwriting and handprinting were uncovered by the reporting special agent at the American Bakery and Confectionery Workers International Union (AFL-CIO), 1120 Connecticut Avenue, N.W., Washington, D.C.

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On December 14, 1962, Mr. Irby Todd of the Office of the Examiner of Questioned Documents, Treasury Department, made a preliminary examination of the first and second letters and disclosed that they were of common authorship. In examining the specimens of the handprinting available, reported to have been executed by Jose Menendez y Ramos, Examiner Todd furnished the opinion that in all probability these were not specimens of Ramos' handwriting but rather that someone had prepared these forms on which the handprinting appears for Ramos. In studying the handwriting of Ramos, Mr. Todd disclosed that Ramos is capable of writing and printing in an above-average style.

A further examination will be made by the EQD in Washington, D.C., when all specimens of Ramos handwriting have been received.

Informant 1-15-48 was contacted and disclosed nothing of interest which would contribute to this investigation. All contacts observed by 1-15-46 between the subject, Antonio Rodriguez Jones, and others have been in connection with the pursuance of better employment and with personal friends on which there is no derogatory information.

On December 12, 1962, Informant 1-15-49 was interviewed concerning the subject and whatever background information could be obtained relative to members of the subject's family.

1-15-49 indicated that subject's father, Antonio Rodriguez E Echazabal, was well known by officials in the Cuban government, both before and after the Castro revolution. He recalled that the subject's father was engaged as a butcher (owned a meat store) in Haiti and that when Castro came into power the elder Rodriguez walked into the Cuban Embassy in Haiti and advised that he was the new Ambassador. In 1959 there were reports that the elder Rodriguez had shot and killed an individual associated with an anti-Castro group. Since that time he has been held in very low esteem by groups involved in anti-Castro activities.

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[Deleted.]

1-15-49 knew of the infamous reputation of Jose Moleon Carrera and Quinton Pino Machado; that both of these individuals were members of the Inter American Defense Board and the Organization of American States; and that Moleon lived and operated out of the Cuban Embassy from January 1961 to January 1962 in a clandestine manner. 1-15-49 knows of no association between the subject and these two individuals.

When 1-15-49 was questioned concerning his knowledge of acts of violence by pro-Castro groups in the United States, he recalled that approximately four weeks ago Dr. Jose Miro Cardona, head of the Cuban Revolutionary Council, was almost killed by a pro-Castro revolutionary group. He had driven his car to his home and approximately one hour after he entered his home his car was blown up by a bomb which was set on the fender. 1-15-49 advised that another government agency involved in investigations of a security nature compared fragments of this bomb with the bomb used by the saboteurs in New York and could not associate the bombs as being of common manufacture. 1-15-49 said that the pro-Castro groups, both inside and outside of the United States, are capable of any acts of violence and have been known to purposely have directed communications to anti-Castro groups for reasons of harassment and to cause difficulty for these individuals.

1-15-49 knew of a Jose Menendez who was employed with the Institute of National Agrarian Reform and is presently occupying a very important position with the Castro government. He could furnish no further information concerning this individual.

1-15-49 offered full cooperation with this Service and stated that when he is able to obtain a visa for the elder Rodriguez' mother he will deliver it in person to 1731 New Hampshire Avenue, N.W., and attempt to obtain as much information as possible concerning the subject. In addition, he indicated that he would contact others having knowledge of current pro-Castro activities in an effort to obtain more background information on the subject.

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Through Mr. James F. Greene, Deputy Associate Commissioner, Domestic Control, Immigration and Naturalization Service, Washington, D.C., arrangements were made for the subject to be called into the Immigration and Naturalization Field Office for reinterview.

On December 12, 1962, the reporting special agent posed as an Immigration and Naturalization investigator and was assisted by William B. Dinwiddie, Jr., Investigator, INS, at which time a signed, sworn deposition was obtained from the subject covering his interrogation. It appeared very unusual that the subject and his father took no steps to obtain clarification of their Immigration and Naturalization status. They are presently both classified as parolees and neither has taken steps to become naturalized citizens. In this status they can be placed in a detention center by the INS if any information is developed that would have a bearing on anti-American activities or that would indicate they were untruthful to INS authorities in matters of an official nature.

During the interrogation, the subject indicated that he knew Felice Martinez Rivero and Jose Moleon; that Pino Machado, whom he also knew, had discussed with him plans for education behind the Iron Curtain. He admitted being contacted by Moleon concerning Martinez and also that he had taken a picture of a home of a Cuban Naval Attache (Miguel Pons) at the request of an officer in the Cuban Embassy; that he had visited the Cuban Embassy on a number of occasions while his father was in the diplomatic corps for Fidel Castro; and that he had purposely lied to officials in the Cuban Embassy in order to protect his father. The subject admitted no present involvement with any group or organization and indicated allegiance to the American principles and his desire to remain in the United States.

On December 13, 1962, the subject was accompanied by his father, to whom he read the deposition. The elder Rodriguez indicated he was in agreement with the statements his son made concerning his allegiance to the United States and offered his assistance to the Immigration & Naturalization Service. He admitted that he was presently working with a group to effect the overthrow of the government in Haiti by peaceful means.

On December 17, 1962, copies of this deposition were furnished SA Joseph Sculley of the Federal Bureau of Investigation.

On December 18, a representative of the State Department Security Section, Mr. Jack Lynch, advised that a dispatch was being

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sent this date to all security offices in the Latin American area, advising of the possibility of additional letters emanating from Havana, Cuba, signed by "Pepe," indicating acts of violence or revolutionary activities. No mention was made in this dispatch of the interest of the Secret Service or that any previous letters were received which indicated the safety of the President was involved.

It now appears that a pattern has been established relating to the addressing and delivery of these letters under investigation. The first letter was so improperly addressed it could not have been directed to any individual in Washington, D. C. The Post Office surmised that the proper recipient was Antonio Rodriguez Gil; however, investigation disclosed that this was in error. The second letter was addressed to a known anti-Communist mail drop in Miami, Florida, and the third letter was addressed to a Post Office box at which the addressee was not known.

Investigation is being continued in Washington, D.C., in an effort to obtain further information and knowledge concerning the sender of these letters.

A request has been made through the State Department and Central Intelligence Agency to obtain a copy or the original of this third letter which was sent to Guatemala City.

Copies of the deposition obtained from Antonio Rodriguez Jones are being forwarded to the Miami, New York, and Newark offices, with this report, for whatever value it may afford in current investigations.

The Chief's Office, through the CIA Liaison, will explore the possibility of further investigation in Havana, Cuba, to determine the identity of the sender of these letters.

The Immigration & Naturalization Service in Washington, D.C., disclosed that the file on Jose Menendez y Ramos, No. A 6190210, is in Miami, Florida. It is requested that the Miami office obtain specimens of Ramos' handwriting and/or handprinting and forward them to Washington, D.C., for examination by the EQD.

Close liaison is being continued with 1-15-5, 1-15-9, 1-15-46, and other informants in an effort to obtain additional information pertinent to this investigation.

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Copies of official reports received from other agencies, and other pertinent data are included as attachments for the Chief's Office only, as follows:

- A. FBI Report on Antonio Rodriguez, Jr., 10/5/61.
- B. FBI Report on Antonio Rodriguez, Jr., 10/25/61.
- C. FBI Report on Antonio Rodriguez Jones, 7/16/62.
- D. Employment Contract Card - Antonio Rodriguez (Jones), Georgetown Inn.
- E. Deposition of Antonio Rodriguez Jones, 11/26/62.
- F. Deposition of Antonio Rodriguez Jones, 12/12/62.
- G. FBI Report of Felipe Martinez Rivero, 11/18/62.
- H. CIA Summary Report on Antonio Rodriguez Echazabal, 2/5/62.
- I. Deposition Antonio Rodriguez Echazabal, 11/19/62.
- J. FBI Report of 7/30/62 on Julio Garceran de Vall y Souza (Phone, Franklin 1-9221, Miami, Fla., called by Antonio Rodriguez (Sr.) 10/17/62, 10/22/62 & 10/25/62).
- K. Report of ATSAIC Stout, 4/14/61, relative to incident involving Moleon and Macnado.
- L. FBI Report titled Dagoberto Molerio Renujo, 1/26/62, mentioning recruiting activity of Moleon (Page 7).

SECRET

Form No. 1040 (Revised)
JANUARY 1962 REPORT
(1-1-62)

SECRET

UNITED STATES SECRET SERVICE
TREASURY DEPARTMENT

VIA AIR MAIL REGISTERED

ORIGIN Washington Field Office		OFFICE Miami, Florida	FILE NO. CC-2-32,682
TYPE OF CASE Protective Research		STATUS Continued	TITLE OR CAPTION Plot to Assassinate the President
INVESTIGATION MADE AT Miami, Florida		PERIOD COVERED November 27-30, 1962	Person Identified: Name : Antonio Rodriguez y Jones Address: 1638 R Street, N. W., Washington, D. C.
INVESTIGATION MADE BY Special Agent Ernest I. Aragon			
DETAILS			
<u>SYNOPSIS</u>			
Discreet inquiries of reliable sources of information in Miami has failed to reveal any information relating to the subject.			
(A) INTRODUCTION:			
Reference is made to long distance telephone call of November 27, 1962 from Special Agent in Charge Harry W. Goiglein, Washington Field Office, to Special Agent in Charge John A. Marshall, Miami, Fla., requesting discreet investigation in this case.			
(a) GENERAL HISTORY:			
Through the period November 27 - 30, 1962, discreet inquiries were made of all reliable sources of information in the Miami area relative to the subject matter. During contacts with these known reliable sources of information, the subject matter was not discussed nor the subject of this investigation. No information of interest was developed during these inquiries, although the nature of the inquiries was extremely removed from the subject matter.			
[Deleted.]			
[Deleted.]			
THIS DOCUMENT HAS BEEN LOGGED			
DISTRIBUTION		REPORT MADE BY	ASSIGNED NO. CC-49-6538
Chief	Orig.	<i>Ernest I. Aragon</i>	DATE
FIS	1 cc		11-30-62
WFO	2 cc	SPECIAL AGENT Ernest I. Aragon	DATE
N. Y.	2 cc		19
Miami	2 cc	APPROVED <i>John A. Marshall</i>	DATE
Managers		SPECIAL AGENT IN CHARGE John A. Marshall	11-30-62

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Further reference is made to long distance telephone call on November 30, 1962 from Special Agent in Charge Geiglein, Washington Field Office, to Special Agent Aragon, Miami, Fla., requesting the results of inquiries in this area and also advising of long distance telephone calls made from Washington, D. C. telephone number 332-6277 listed to Enrique Rodriguez, brother of Antonio Rodriguez y Jones, 163 E. Street, N. W., as follows:

On October 15, 1962 to Franklin 1-9394, Miami, Fla.

On October 17, 1962 to Franklin 1-9221, Miami, Fla.

On October 23, 1962 to Franklin 1-9221, Miami, Fla.

On October 25, 1962 to Franklin 1-9221, Miami, Fla.

On this same date inquiry was made of a confidential source in Miami and it was learned that telephone number Franklin 1-9394 is a pay station listed to the Rice Hotel, 301 North Miami Ave., Miami, Fla., and that telephone number Franklin 1-9221 is also a pay station listed under the name of Julio Carceran, 222 E. S. 17th Terrace, Miami, Fla.

It is noted that the address of Julio Carceran, 222 E. S. 17th Ter., Miami, Fla., is in the vicinity of the address of Informant 3-11-23.

Informant 3-11-23 was contacted relative to Julio Carceran and informant reports that Julio Carceran is well-known. His full name is Julio Carceran de Vall and he is 50 years of age. Informant 3-11-23

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states that Garceran is a former magistrate and professor in Cuba; that Garceran now claims to be the head of the Constitutional Government of Cuba in Exile and has laid his own plans to take over the presidency of Cuba after the overthrow of Castro. Informant states that Garceran is not recognized by legitimate and responsible Cuban organizations in Miami and that he does not have a large following. Informant states that Garceran's ideals are considered "fantasy."

The information relating to the lists of the telephone numbers was relayed to Special Agent Frank G. Stoner, Washington Field Office, Washington, D. C., November 30, 1962 via long distance telephone call, together with the information pertaining to Julio Garceran.

(C) DISPOSITION:

Continued investigation in this case is held in-abeyance pending further instructions from the controlling office:

JFK EXHIBIT F-418

Form No. 1048 (Revised)
MEMORANDUM REPORT
(7-1-60)UNITED STATES SECRET SERVICE
TREASURY DEPARTMENTCONFIDENTIAL

FILE NO. CO-2-32,682

ORIGIN Field	OFFICE Miami, Florida	TITLE OR CAPTION
TYPE OF CASE Protective Research	STATUS Continued	Cuban Plot to Assassinate the President.
INVESTIGATION MADE AT Dade County, Florida	PERIOD COVERED 12-7/12-62	Bernardo Morales
INVESTIGATION MADE BY SA's Robert J. Jamison SAIC John A. Marshall: & Ernest I. Aragon		

DETAILS

SYNOPSIS

A letter written in Spanish, postmarked at Havana, Cuba, November 29, 1962, sent by Jose Mendez, 5th Avenue No. 2611, Reparto Miramar, Marianao, Havana, Cuba, addressed to Bernardo Morales, Apartado 1624, Miami, Florida, was intercepted at Miami by 3-11-14 on December 7, 1962. The letter reveals a plot to assassinate the President of the United States. Traces are being run on Bernardo Morales and persons of similar names as well as other names contained in subject letter. Bernardo Adalberto Morales-Rivero, a remote possibility, is being checked out further.

(A) INTRODUCTION:

On December 7, 1962, 3-11-14 telephoned Special Agent in Charge John A. Marshall at his residence and informed him of the receipt of a letter, written in Spanish, which they had intercepted and which revealed a plot to assassinate the President of the United States.

3-11-14 stated the letter was postmarked at Havana, Cuba, November 29, 1962 and indicated it was sent by Jose Mendez, 5th Avenue 2611, Reparto Miramar, Marianao, Havana, Cuba, addressed to Bernardo Morales, Apartado (Box) 1624, Miami 1, Florida. 3-11-14 advised the letter was delivered to them by a source on December 7, 1962. They further advised that Box 1624 at Miami, Florida, is listed to Radio Libertad La Voz Anti-Comunista de America and the local representatives for Radio Libertad are Olga Inque de Heredia and Aida Mayo Castrera, both currently residing at 152 S.E. Third St., Apt. 37, Miami, Florida. 3-11-14 further advises Radio Libertad is a clandestine organization which broadcasts from Caracas, Venezuela.

DISTRIBUTION	COPIES	REPORT MADE BY	DATE
Chief	Orig.	<i>Ernest I. Aragon</i>	
WFO	1cc		
WRD	1cc	SPECIAL AGENT Ernest I. Aragon	12-14-62
N.I.	1cc	APPROVED <i>[Signature]</i>	DATE
Baltimore	1cc		1-1-63
Miami	2cc	SPECIAL AGENT IN CHARGE John A. Marshall	12-14-62

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16-70708-1

They stated that Post Office Box 1624 at Miami, Florida, serves as a letter drop for correspondents wishing to communicate with the radio station.

They advised that the original letter was being forwarded to the Chief's Office and a copy of the original letter and a translation of the letter were made available to the Miami office.

The contents of the letter were thoroughly analyzed and discussed at the Miami level with 3-11-14 and the opinion has been expressed that the letter may be either provocative type letter or it may possibly contain a message for United States authorities. It appears that the text of the subject letter is prominently explicit and specific with respect to the intent.

Source said they have run traces on Bernardo Morales and have developed one Bernardo Adalberto Morales-Rivero as the possible intended recipient of this letter, although this is only a remote trace. Bernardo Adalberto Morales-Rivera furnished as contacts in Miami one Octavio Ledon of 6083 W. 16th Ave., Hialeah, Florida, as well as Manolo Quilepo and Jorge Morales.

3-11-14 further advised that their traces on Bernardo Morales and the other names appearing on the subject letter are being continued. They have requested that inquiry of Radio Libertad to determine if a Bernardo Morales is working for the radio be initiated through their headquarters in Washington.

They report no traces on Olga Duque de Heredia.

3-11-14 furnished a trace on one Aida Mayo which indicates that as of 1960 her name appeared on a list of names carried in the personal effects of the Cuban Ambassador to the U.N. She was reported to be a member of the 26th of July Movement in New York. She is also reported to be a Cuban agent in the U.S. who resided at 330 Haven Ave., New York City. Aida Mayo is said to be a close friend of Fidel Castro and, although not an official of the Cuban government, she sometimes acted on behalf of the Cuban government.

A trace on Radio Libertad La Voz Anti-Comunista de America, furnished by 3-11-14, indicates that in 1961 José Vasquez Blanco and Mario Altona visited the U.S. Embassy in Caracas, and informed the embassy that they represented a clandestine radio in Venezuela and furnished information relative to their broadcasting schedules. It is reported that they had the means to re-broadcast material to Latin countries, including Colombia, Panama, Venezuela and Jamaica, as well as Cuba. The purpose of their call at the U.S. Embassy was to request broadcast material but they did not otherwise ask for financial support.

3-11-14 stated that they do not know at the Miami level whether they are supporting Radio Libertad.

Special Agent in Charge John A. Marshall, Miami, telephonically advised Special Agent in Charge Geiglein of the Washington Field Office of the interception of this letter in Miami, and its contents and that the original letter would be forwarded to the Chief's Office for a technical check. Special Agent in Charge Marshall further requested that the Washington Field Office endeavor to determine through sources of 3-11-14 whether Bernardo Morales is an employee of Radio Libertad in Caracas and further that they attempt to determine the identity of Jose Menendez, the sender of this letter in Havana, Cuba through their sources in Cuba.

On December 10, 1962, a photostatic copy of the letter addressed to Antonio Rodríguez at Washington, D.C. was received by the Miami office and comparison of the handprinting on that letter with the handprinting on the letter addressed to Bernardo Morales in Miami, Florida, makes it appear evident that both letters were penned by the same person.

A translation of the letter addressed to Bernardo Morales at Miami, Florida, as furnished by 3-11-14 is as follows:

"Havana, 27 Nov. 62. Dear Bernardo. Today Carlos gave me your new P.O. Box. This info was given to him by your friend Miriam. For days I have wanted to write to you as I have to various of our mutual friends, giving them the instructions which follow and which I am sending you. I hope that they will arrive in time. Now to the Matter: I have already communicated to 'your friends' of Miami and Passaic and to those in Washington the precise instructions for the attempt which we are planning against Kennedy in Washington or if that should fail when he visits Brazil. It is necessary to mortally strike imperialism at its very heart. If we are able to kill President Kennedy, it would be a great success, super extraordinary, for Fidel and for the Communist Liberation Movement. We Cubans are the ones who are marching with world-wide Communism. We are consolidating a Marxist-Leninist Regime within 90 miles from the U.S. Get an interview with them (Sic). We have to rely on our own forces. Russia can not do it all. There is enough already. Believe me, if we are able to do this we will paralyze imperialism completely. They will respect Fidel and his Government more. The tactics to follow in the future is

one of constant agitation throughout America in order to frighten or terrorize capitalism. The idea is erroneous that there has to be quiet for the time being. No matter how difficult the situation may be, one must never be afraid of imperialism. Did you not see, thanks to the sabotage in Venezuela, during the past month, that we paralyzed the invasion of Cuba during the blockade? We will also completely paralyze the future plans of the United States if we are successful in killing Kennedy. Certainly in the face of such an act Vice President Lyndon Johnson will not get involved with us for a long time. To this end, get in contact with 'your friends' so that they will give you the instructions which they have received through the appropriate channels. Your tactics should be to continue demonstrating yourself as anti-Communist, more specifically anti-Castro, as you have. Up to now you have played your role very well and you have been successful in completely deceiving the F.B.I. You are an artist. By the way, are you already speaking over the radio against Fidel? How it will make me laugh to hear you. The F.B.I. cannot cope with us. They are embeciles, Cretins. I have decided to send you this by mail since your 'anti-Communist' address certainly will not be 'controlled' by the F.B.I. Furthermore I do not wish to take advantage of other means. The specific and detailed instructions of the plan will be sent by means known to you. Answer by the same means. Fidel is very anxious to know how the plans are progressing. I salute you. Signed: 'Pepe' P.S. How is your wife? Greet her and your brother warmly."

(B) GENERAL INQUIRIES:

On December 10, 1962, on the premise that the subject letter may have been intended for a recipient in Post Office Box 1624 in Post Office branches in the general Miami area, Post Office boxes 1624 in Coral Gables, Miami Beach and North Miami Beach, Florida, were checked through the postal inspector's office. Post Office Box 1624 at Miami Beach 39, Florida, is assigned to Arthur Baron, 1777 Collins Avenue, having been rented in September 1962. The Post Office Box by the same number at Coral Gables 34, Florida, is assigned to Florence Higgs, 277 Minorca, having been rented on February 23, 1962. The Post Office Box by the same number at North Miami Beach 61, Florida, has not been in use since 1958.

The Main Post Office at Miami, Florida, does not maintain a dead letter file for mis-addressed mail.

On December 10, 1962, Special Agent Robert J. Jamison, Miami, checked the files of federal and state investigative agencies in the Miami area for information relative to Bernardo Morales but he was not found of record. On the same date Special Agent Jamison checked the records of the Immigration & Naturalization Service, Miami, and learned that they had a file on one Bernardo Adalberto Morales-Rivero, whose Immigration & Naturalization Service number is AL2903942. Morales-Rivero was born on February 24, 1928 at Sagua, LaGrande, Las Villas, Cuba. He is five feet seven (5'7") in height, 140 pounds in weight, has brown eyes and brown hair, and wears a mustache. Morales-Rivero entered the United States on June 5, 1962, through Miami International Airport under Cuban passport No. 6863 and was admitted for an indefinite period. At the time Morales-Rivero entered the United States he was carrying a fraudulent B-2 visa which he declared was fraudulent. At the time of his arrival in Miami he gave political reasons for defecting from Cuba.

On September 5, 1962, Bernardo Adalberto-Rivero submitted a statement to the Immigration & Naturalization Service, wherein he states in part that he is a citizen of Cuba and that he has never been arrested or deported from the United States and that he has never belonged to any Communist organization. The statement is signed "Bernardo Morales".

Morales-Rivero lists members of his immediate family as Bernardo Morales, father, age 71; Micaela Rivero, mother, age 61; and Manuela de La Caridad Elias Flanellos, wife, age 33. He also lists contacts in the United States as Octavio Ledon of 6083 W. 16th Ave., Hialeah, Florida, and Manuelo Quielo and Jorge Morales, both of Miami, Florida.

In September 1962 Morales-Rivero submitted a change of address to the Immigration service indicating that he is currently residing at 135 Bacon Point Road, Pahokee, Florida, and is currently working for the Ocoola Sugar Mill in Pahokee, Florida. His Social Security number is 265-74-5140, secured under the name of Bernardo A. Morales.

On December 11, 1962, a source of 3-11-21 was interviewed in Miami.
[Deleted.]

This source stated to his knowledge there was no one by the name of Bernardo Morales working for the radio station.

On December 11, 1962, after repeated efforts, Olga Duque de Heredia and Aida Mayo were located and interviewed. Olga Duque de Heredia is also known as Olga Louisa de la Caridad as well as Olga Duque de Lopez. Olga Duque exhibited Cuban Refugee registration card No. 21343 which indicated she entered the United States at Miami, Florida, on October 7, 1961. She is currently residing at 152 S.E. Third St., Apt. 37, Miami, Florida, and receives mail in care of Post Office Box 1624, Miami 1, Florida. Olga Duque works for the Catholic Relief Center at Miami.

Olga Duque stated that her husband, Humberto Lopez Perez, is one of the original founders of Radio Libertad and is currently the director. She said that the radio station in Caracas is a clandestine operation and that they request all mail for the radio be sent to a letter drop in Miami where she receives the mail and later forwards it to her husband in Caracas. She said that she rents Post Office Box 1624 at Miami, Florida, solely for the purpose of receiving correspondence for the radio station. Olga Duque stated that she is not certain whether the radio reaches Cuba and emphasized that she does not receive any mail from Cuba. She said that the majority of the correspondence for the radio emanates from Venezuela and sources in the United States. She said that as representative of the radio in Miami she is authorized to open all mail before it is forwarded to Caracas.

Olga Duque stated that the letter addressed to Bernardo Morales was picked up at the mail drop on Sunday, December 2, 1962. She said that she did not immediately open the letter because it had a Cuban return address and that she initially intended to return it to the post office since she did not know the addressee. Olga Duque said that on December 4, 1962, at her office located at 600 Biscayne Boulevard, she opened the letter and after reading the contents she took the letter to a priest at Gesu Catholic Church, who advised her to immediately surrender the letter to the proper authorities.

Olga Duque said that as she did not know how to get in touch with the proper agencies, on December 6, 1962, she eventually contacted Cesar Gajate, an impeccable friend of long standing, who has been in Miami for the past three months, and who she considers to be of good moral character, an avowed counter-revolutionary, and anti-Communist, in whom she confides whole-heartedly, and surrendered the letter to him, with the request that he deliver the letter to the proper authorities. (The letter was delivered by Gajate to 3-11-14 on December 7, 1962 and a copy was received by this Service on December 8, 1962.)

Olga Duque said that she is certain that Bernardo Morales is not working for the radio station in Caracas. She said that she does not know a Bernardo Morales as such nor the sender of the letter, Jose Mendenez. She also said that Bernardo Adalberto-Morales-Rivero is unknown to her, as well as any of the other names mentioned in the letter.

Olga Duque said that she is of the opinion that the letter was intended to intimidate the operators of Radio Libertad and that the names and addresses of the sender and the intended recipient are fictitious. She said that their office in Caracas had been broken into and a list containing the names of all persons associated with the radio had been stolen.

Interview of Aida Mayo discloses that her full name is Aida Mercedes Mayo Caetana, widow of Vidal Fernandez, deceased. She is of record with the Cuban Refugee Center in Miami under file No. 18412. She entered the United States at Miami, Florida on March 5, 1961 as a Cuban refugee. She exhibited a document which indicates she is one of the founders of the Partido Revolucionario Cubano Autentico (Authentic Cuban Revolutionary Party), an anti-Castro organization. Aida Mayo said that although she is residing with Olga Duque, she is in no way associated with Radio Libertad.

Aida Mayo said that she is oftentimes mistaken for another Aida Mayo, who is a close associate and aide to Fidel Castro. (She evidently is referring to the Aida Mayo known to 3-11-14).

A photograph of Bernardo Adalberto Morales-Rivero was exhibited to Olga Duque and Aida Mayo, and neither was able to identify him as a person known to them or an employee of Radio Libertad.

On December 11, 1962, Octavio Ledon was interviewed at 6083 W. 16th Ave., Hialeah, Florida. His full name is Octavio Ledon Baradania. He was born in Cuba on January 19, 1922 and entered the United States at Miami, Florida, on August 1, 1961. His Immigration & Naturalization number is 112444404. He is presently on indefinite parole status in this country and is currently working at the Talisman Sugar Company, at Talisman, Florida. .

[Deleted.]

Octavio Ledon stated that he has known Bernardo Adalberto Morales-Rivero who works in the Ocoola Sugar Mill at Pahokee, Florida, for over ten years. He says that Morales-Rivero is an honest, respectable man, and to his knowledge has never been involved in politics. He says that Morales-Rivero was forced to leave his employment as a metal-smith in Sagua LaGrande, Cuba, as the result of pressures brought upon him to go work in the cane fields. He said that Morales-Rivero subsequently renounced the Castro regime and fled to Havana where he remained in hiding until he was able to secure a visa, at which time he left for Miami, Florida.

Ledon stated that Morales-Rivero, to his knowledge, has never been associated with any organizations and is an avowed anti-Communist. Ledon stated that as long as he has known Morales-Rivero he has never suspected that Morales-Rivero was a Castro-ite or was sympathetic to the Communist regime. Ledon stated that Morales-Rivero is presently residing with his family at Pahokee, Florida, and to his knowledge, he receives all mail addressed to him direct at his Pahokee, Florida, address.

Arrangements have been made for interview of Morales-Rivero under pretext.

Reference is made to Memorandum Report dated November 30, 1962, submitted by Special Agent C. E. Taylor, Jr., Washington Field Office.

On December 10, 1962, 3-11-21 was interviewed relative to Antonio Rodriguez y Jones and his father, Antonio Andres Rodriguez Echazabal. Photographs were exhibited to them and the sources stated the subjects were unknown to them.

With reference to Jose Moleon Carrera, 3-11-21 stated that Carrera is a former engineering student from the University of Havana and was a member of an organization known as "March 13". This source states that one of the leaders of the above mentioned organization was Faure Chaumont, now a minister in the Castro government and formerly a Cuban ambassador to Russia. Source related that Commander Moleon Carrera was appointed as a military attache to the Inter-American Defense Council in Washington, D.C. The source states that Commander Moleon Carrera was not originally a member of the Communist party and his sympathy was pro-Nationalist; nevertheless, he created great problems in the Inter-American Defense Council, defending the Castro Communist regime. At present he is believed to be in Cuba.

With reference to Quentin Pino Machad, the source states that Machado was a member of the 26th of July Movement. One of his brothers died in a terrorist action in the city of Matanzas. Pino Machado served a prison sentence in Cuba until December 31, 1958. While he was in prison he associated with Armando Hart of the 26th of July Committee and he was indoctrinated into the Communist Party. Machado was alternate ambassador to the United Nations and although he never participated in debates, it is believed that instead he was the organizer of subversive movements in the United States. Machado is said to have worked during the fight against Batista in matters of sabotage.

In addition, with reference to a Colonel Hugo Trego, the source advised that Trego was a principal in the overthrow of the government of Perez Jimenez in Venezuela. Source states that Colonel Trego had great military backing in Venezuela and although he was in accord with the Betancourt government, it was feared that he might instigate the overthrow of Betancourt. As a result, Colonel Trego was given a diplomatic assignment in Washington, D.C. in order to get him out of Venezuela.

On December 10, 1962, 3-11-23 was interviewed relative to the subjects in this case. The source reports that Antonio Rodriguez y Jones and Bernardo Morales are unknown to him.

The source states that Antonio Andres Rodriguez-Echazabel formerly was a resident in Haiti who, after the overthrow of Batista's government, was designated as ambassador to Haiti. It was reported that he had some difficulty with the Haitian government and was subsequently sent to another country in the Americas where he was subsequently declared persona non grata. He subsequently became ambassador to Pakistan. His current whereabouts is unknown but it is believed that he is in Washington, D.C.

The source reports that Commander Jose Moleon Carrera was in Washington representing Cuba in the Inter-American Defense Council. The source states that when Cuba was expelled from the organization Commander Moleon returned to Cuba and his current whereabouts is unknown.

With reference to Quentin Pino Machado the source states that Machado had different diplomatic assignments in Latin America and at the present time he is believed to be representing Cuba in a country behind the Iron Curtain, either in Rumania or Bulgaria.

The source added that in a session of the Organization of American States held on October 25, 1961, the alternate representative of Nicaragua charged Quentin Pino Machado, then Ambassador of Cuba, with interference in the internal politics of Nicaragua. The source related that the Nicaragua representative stated in his commentary that "on January 22, 1960, Ambassador Quentin Pino Machado presented his credentials. Nobody could have suspected that behind the youthful appearance of the Cuban Ambassador was hidden the personality of a terrible conspirator and terrorist. He carried in his briefcase all the instructions, plans and orders to be carried out in Nicaragua. Immediately after being accepted as Ambassador he began to put into effect his sinister activities under the protection of his diplomatic immunity."

"His first step was the foundation of the 'Juventud Patriotica Nacional' (National Patriotic Youth), with youths of high school age. This organization served as a platform for the ulterior subversive activities planned by Pino Machado. He taught the terrorist technique and its dreadful phases of destruction and death."

"The Cuban Embassy became the general headquarters of subversion. The young terrorist under the direction of Pino Machado, received daily training in the manufacture of bombs, cutting of telegraphic lines and how to blow up railroads. The terrorists of the National Patriotic Youth perfected their training with the pamphlets written by General Alberto Bayo (known in file CO-2-31,789), a pernicious Spaniard who teaches the technique of destruction Official and individual automobiles were burned on the streets....."

The source cautions that Quentin Pino Machado should be considered a dangerous person.

Further reference is made to Memorandum Report dated December 11, 1962 from Special Agent Peppers, Tampa, Florida.

CO-2-32,682
10.

On December 12, 1962, the records of the Immigration Service in Miami were checked for Jose Menendez y Ramos. He is of record under INS No. A6190210. He was born on November 11, 1921, at Guanabacoa, Cuba. He is five feet five inches (5'5") in height, 144 pounds in weight, has brown eyes and black hair, ruddy complexion. He lists his occupation as baker and mechanic. He is married to Caridad Hernandez de Menendez. He lists his father as Rufino Menendez, deceased, and his mother, Josefa Ramos.

The INS file reveals that Jose Menendez y Ramos first entered the United States on October 31, 1945, and remained until December 16, 1945.

He again entered the United States on February 3, 1946, with Cuban passport No. 2603, issued on June 29, 1943, which carried visa No. 1317 issued at Havana, Cuba, on January 24, 1946. His residence in the United States is listed as 1211 1/2 17th Avenue, Tampa, Florida.

He departed Tampa, Florida, on November 6, 1952 for a two-week pleasure trip to Cuba, and he was permitted to re-enter the United States on December 23, 1952, with permission to remain until November 6, 1953.

The next notation in this file indicates that Menendez y Ramos submitted a request to return to Cuba and establish residence in that country, and he renounced all his rights and privileges of a resident alien in the United States. He departed the United States on October 8, 1961, and returned to Cuba.

[Deleted.]

[Deleted.]

The report reflects that Menendez was elected an executive member of the FPCC. His wife, Caridad Menendez, is reported to be a U.S. citizen, having been born at Tampa, Florida. Menendez is reported to be "extremely" pro-Castro and defends the Castro regime.

The report of 3-11-15 further reveals that Caridad Menendez was employed by Doctor Torretta at Tampa, Florida, but was dismissed because of a letter she wrote to a Tampa newspaper regarding the FPCC.

Caridad Menendez was reported to be sympathetic to the Castro regime and as of September 6, 1961, she and her children returned to Cuba by way of Mexico.

In report of 3-11-15 dated December 29, 1961, it reveals that as of October 23, 1961, Jose Menendez was known to have a "top job" in Cuba. He is also reported to have been a leader of Communist youth in Cuba before coming to the United States.

COPY OF

CO-2-32,682

11.

Photostatic copies of the handprinting of Jose Menendez y Ramos contained in his INS file are being forwarded to the Chief's Office for analysis. The original handprinting of Menendez y Ramos could not be secured through the local I&NS office and they have suggested that if required, a request be made that his file be forwarded to Washington for analysis there.

The film negative of the photograph of Bernardo Adalberto Morales-Rivero is being forwarded to the Chief's office for reproduction and distribution.

All reliable sources in Miami have been tapped for information relating to this case and investigation is being continued. This case is being coordinated in Miami with 3-11-15 and 3-11-14.

(I) DISPOSITION:

Case continued.

RECEIVED
MAY 11 1964
FBI - MIAMI

F-450

EXCERPTS

Conversation between William Somerset and Joseph Milteer

November 9, 1963:

Informant: Somerset

Subject: Milteer

Informant: I don't know. I think Kennedy is coming here on the 18th, or something like that, to make some kind of speech. I don't know what it is, but I imagine it will be on the T.V. and you can be on the look for that. I think it is the 18th that he is supposed to be here for a speech. I don't know that it is supposed to be about.

Subject: You can bet your bottom dollar he is going to have a lot to say about the Cubans. There are so many of them here.

Informant: Yes. Well, he will have a thousand bodyguards. Don't worry about that.

Subject: The more bodyguards he has, the more easier it is to get him.

Informant: What?

Subject: The more bodyguards he has the easier it is to get him.

Informant: Well, how in the hell do you figure would be the best way to get him?

PROPERTY OF

Subject: From an office building with a high powered rifle, how many people does he have going around who look just like him? Do you know about that?

Informant: No, I never heard that he had anybody.

Subject: He sure has got them.

Informant: He has? . . .

Subject: He has about 15. Whenever he goes any place they (illegible) he knows he is a marked man.

Informant: You think he knows he's a marked man?

Subject: Sure he does. Sure does -- yeah.

Informant: They are really going to try to kill him?

Subject: Oh yeah, it is in the working. Brown, himself. Brown is just as likely to get him as anybody. He didn't say so, but he tried to get Martin Luther King.

Informant: He did?

Subject: Oh yes. He followed him for miles and miles, and couldn't get close enough to him. . .

Informant: I never asked Brown about his business or anything, you know just what he told me, told us, you know. But after the conversation, and the way he talked to us, there is no question in my mind who knocked the church off in Birmingham,

- 3 -

you can believe that, that is the way I figured it.

Subject: That is right, it is the only way you can figure it.

Informant: That is right.

Subject: Not being there, not knowing anything.

Informant: But from his conversation, as you and me know him, but if they did, it is their business, like you say.

Subject: It is up to the individual.

Informant: That is right. They are individual operators, we don't want that within the party. Hitting this Kennedy is going to be a hard proposition, I tell you, I believe, you may have figured out a way to get him. You may have figured out the office building, and all that. I don't know how them Secret Service Agents cover all them office buildings, or anywhere he is going. Do you know whether they do that or not?

Subject: Well, if they have any suspicions, they do that, of course. But without suspicion, chances are that they wouldn't. You take there in Washington, of course. It is the wrong time of year, but you take pleasant weather, he comes out on the veranda, there, and somebody could be in a hotel room across the way there, and pick him off just like -- (fades out).

Informant: Is that right?

Subject: Sure disassemble a gun, get on out. You don't have to take a gun up there. You can take it up in pieces, all those guns come knock down. You can take them apart --

Informant: Boy, if that Kennedy gets shot, we have got to know where we are at. Because, you know, that will be a real shake, if they do that.

Subject: They wouldn't leave any stone unturned there, no way. They will pick up somebody within hours afterwards, if anything like that would happen just to throw the public off.

Informant: Oh, somebody is going to have to go to jail, if he gets killed.

Subject: Just like that Bruno Hauptman in the Lindberg case, you know. . .

RECEIVED
JAN 11 1964
FBI - NEW YORK

OUTLINE

PRINCIPLES
of
PROTECTION OF THE PRESIDENT
and
OTHER ~~PERSONS~~ DIGNITARIES

THE
SECRET SERVICE SCHOOL
JANUARY 4, 1954

~~OFFICIAL USE ONLY~~

Copy No. 00570

Chauffeurs

- (1) Drivers for both the President and the protective detail must be competent operators who have been carefully trained in the specific techniques of protective driving.
- (2) The drivers should also be well versed in the general principles of protection to assure that the automobiles will be maneuvered to facilitate the protective effort.
 - (a) The driver of the President's car should be alert for dangers and be able to take instant action when instructed or otherwise made aware of an emergency.

Examples -

In 1916 an attempt was made to assassinate the Premier of Japan when two bombs were thrown at his car. The Chauffeur saw one bomb about to be thrown and suddenly speeded up so the bomb fell and exploded behind the car. The other bomb failed to explode.

In 1914 Archduke Ferdinand of Austria was assassinated when his chauffeur, through negligence, turned down a wrong street, became confused and stopped the car prior to turning around in the middle of the street. While the car was stopped, the assassin ran up and shot the Archduke.

- (b) The driver of the protective escort cars must be alert to assure that the protective detail is always in close contact with the President's car.

Examples -

In 1933 the ex-premier of Greece was assassinated when the attackers forced their car in between the ex-premier's car and the protective escort vehicle and killed him by firing a hail of shots through the back of his car.

In 1921 the premier of Spain was assassinated when a motorcycle with a sidecar carrying three men was allowed to draw alongside the premier's car and fire a volley of shots through the side of the car.

- (3) The efficiency of the protection is hindered if the protective detail does not have complete confidence in the ability of the drivers to control their vehicles in exact coordination with the protective movements.
- (4) Drivers should have training in auto maintenance and trouble shooting.
 - (a) To permit quick diagnosis and possible correction of minor trouble encountered on the road.
 - (b) To permit their personal determination that equipment is in satisfactory operating condition at all times.
 - (c) To permit recognition of noises or signs of impending breakdown.
 - (d) To permit frequent inspections and recognition of alterations or added accessories that might indicate covert tampering.

c. Mounting and Dismounting Moving Automobiles

- (1) No attempt should be made to mount a rapidly moving vehicle unless it is equipped with running boards or other suitable external standing areas.

JFK EXHIBIT F-452

AFFIDAVIT OF THOMAS J. KELLEY

The following affidavit was executed by Thomas J. Kelley on June 1, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

CITY OF WASHINGTON,

District of Columbia, ss.:

I, Thomas J. Kelley, being first duly sworn do upon oath depose and state:

I am an Inspector in the United States Secret Service assigned to Secret Service Headquarters in Washington, D.C. On November 22, 1963, I was not in the City of Dallas at the time of the assassination of President John F. Kennedy. I was instructed through Deputy Chief Paul Paterni to go to Dallas directly from Lexington, Kentucky, where I had been engaged in a special assignment and arrived on Friday evening in Dallas at approximately 10:30 p.m.

I attended a total of four interviews with Lee Harvey Oswald, all of which were held in the office of Captain J. W. Fritz of the Homicide Bureau of the Dallas Police Department. Three of these interviews occurred on November 23 and the fourth on November 24. (Prior to my arrival in Dallas, Oswald had been interrogated on November 22.)

Subsequent to these interviews I dictated summaries from my notes of the subject matter discussed and these dictated summaries were transmitted to Chief James J. Rowley on November 29 and December 1, 1963.

Copies of these written summaries are attached to this affidavit as exhibit A and incorporated by reference herein and made a part hereof. The summary of my last interview with Oswald which occurred on Sunday, November 24, 1963, was the first portion of a four-page memorandum which included in addition to the report of the interview, my report on the circumstances immediately following the murder of Lee Harvey Oswald.

I hereby certify that the attached memoranda constitute my total written memoranda of the interviews with Lee Harvey Oswald at which I was present. I have no additional recollection at this time which I can add to the attached memoranda. I further certify that these memoranda accurately summarize my notes and recollections from these interviews.

Dated this 1st day of June 1964.

(S) Thomas J. Kelley,
THOMAS J. KELLEY.

AFFIDAVIT OF J. W. FRITZ

The following affidavit was executed by J. W. Fritz on June 9, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,

County of Dallas, ss.:

Before me, Mary Rattan, a Notary Public in and for said County, State of Texas, on this day personally appeared J. W. Fritz, Dallas Police Department, who, after being by me duly sworn, on oath deposes and says: I wish to supplement the evidence given by me on Wednesday, April 20, 1964, before the President's Commission on the Assassination of President Kennedy, as follows:

The Spent Rifle Hulls

Three spent rifle hulls were found under the window in the southeast corner of the 6th floor of the Texas School Book Depository Building, Dallas, Texas, on the afternoon of November 22, 1963. When the officers called me to this window, I asked them not to move the shells nor touch them until Lt. Day of the Dallas Police Department could make pictures of the hulls showing where they

AFFIDAVIT OF RONALD G. WITTMUS

The following affidavit was executed by Ronald G. Wittmus on July 30, 1964.

**PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY**

AFFIDAVIT

DISTRICT OF COLUMBIA, ss:

I, Ronald G. Wittmus, have reviewed the testimony of Sebastian Francis Latona before The President's Commission on the Assassination of President Kennedy and I agree with the conclusions stated therein.

I have conducted independent examinations of the items which were the subject of Mr. Latona's testimony and on the basis of these independent examinations I reached the same conclusions reached by Sebastian Francis Latona.

Signed this 30th day of July 1964, at Washington, D.C.

(S) Ronald G. Wittmus,

RONALD G. WITTMUS.

AFFIDAVIT OF THOMAS J. KELLEY

The following affidavit was executed by Thomas J. Kelley on July 30, 1964.

**PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY**

AFFIDAVIT

DISTRICT OF COLUMBIA, ss:

I, Thomas J. Kelley, being duly sworn say:

1. I am an Inspector in the United States Secret Service assigned to Secret Service Headquarters in Washington, D.C.

2. On November 24, 1963, I attended the interrogation of Lee Harvey Oswald in the Dallas Police Station. Those present included: Captain Fritz; Forrest Sorrels of the United States Secret Service; Postal Inspector Harry Holmes; and several Dallas Police Officers.

3. It is my recollection that during this interrogation, Oswald was not asked about nor did he speak of a trip that he took to Mexico or plans that he had to go to Cuba.

Signed this 30th day of July 1964, at Washington, D.C.

(S) Thomas J. Kelley,

THOMAS J. KELLEY.

AFFIDAVIT OF ROBERT A. FRAZIER

The following affidavit was executed by Robert A. Frazier on July 31, 1964.

**PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY**

AFFIDAVIT

DISTRICT OF COLUMBIA, ss:

I, Robert A. Frazier, Special Agent of the Federal Bureau of Investigation, do hereby state that I have reviewed the testimonies of Cortlandt Cunningham on March 11 and April 1, 1964, before the President's Commission on the assassination of President John F. Kennedy and I agree with the conclusions stated therein.

I do hereby state that I conducted independent examinations of the items which were the subject of Mr. Cunningham's testimonies and that on the basis of these independent examinations, I reached the same conclusions reached by Mr. Cunningham.

Signed this 31st day of July 1964, at Washington, D.C.

(S) Robert A. Frazier,

ROBERT A. FRAZIER.

Chairman STOKES. Is there anything further?

Mr. MATTHEWS. I have nothing further.

Chairman STOKES. Mr. Rowley, at the conclusion of a witness' testimony before this committee the witness is entitled to 5 minutes in which he may explain or comment upon his testimony in any way.

I would like to at this time extend to you 5 minutes for that purpose.

Chief ROWLEY. I am very grateful for the interest shown by the committee and for the opportunity to meet with you in reviewing the assassination and the subsequent investigation.

I have tried to recall facts and activities which took place to the best of my ability. Obviously, time has not helped to make personal recollections clearer and I hope you will understand that certainly my knowledge and recollections are not as precise as they once were.

I would like to add, however, that the investigation of the Warren Commission has been most helpful to the Secret Service and throughout my tenure as Director of the Secret Service, the interest and support and recommendations of the Congress were extremely helpful, and I am certain my successor, Mr. Knight, shares this high regard.

Thank you, Mr. Chairman.

Chairman STOKES. Thank you very much, Mr. ROWLEY. We appreciate your appearing here today and the testimony that you have given to this select committee of the House.

With that, you are excused, sir.

Chief ROWLEY. Thank you, sir.

Chairman STOKES. There will be a meeting of the full committee in executive session at 5 p.m. this evening in H-328. The next public meeting of the committee will be at 9 a.m. tomorrow morning.

The Chair now adjourns the meeting to 5 p.m. this evening in executive session.

[Whereupon, at 3:30 p.m., the committee recessed, to reconvene in executive session at 5 p.m.]

INVESTIGATION OF THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

WEDNESDAY, SEPTEMBER 20, 1978

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON ASSASSINATIONS,
Washington, D.C.

The committee met at 9:18 a.m., pursuant to recess, in room 345, Cannon House Office Building, Hon. Louis Stokes (chairman of the committee) presiding.

Present: Representatives Stokes, Preyer, Dodd, Ford, Fithian, Edgar, Devine, McKinney, and Sawyer.

Staff present: G. Robert Blakey, chief counsel and staff director; I. Charles Mathews, special counsel; James E. McDonald, staff counsel; Robert W. Genzman, staff counsel; and Elizabeth L. Berning, chief clerk.

Chairman STOKES. A quorum being present, the committee will come to order.

The Chair recognizes Professor Blakey.

NARRATION BY G. ROBERT BLAKEY, CHIEF COUNSEL

Mr. BLAKEY. Thank you, Mr. Chairman.

The murder of President Kennedy was probably the most significant crime committed in the 70-year history of the Federal Bureau of Investigation that the Bureau was called upon to investigate. It is, thankfully, the only Presidential assassination of modern times, and for that reason alone, the FBI was presented in its investigation with a monumental task, one complicated further by a rapid succession of events, including: The fatal shooting of the accused assassin at Dallas Police Headquarters on November 24, 1963; and the establishment of a Presidential commission to learn the facts about the assassination, for which the FBI had primary responsibility to do the investigative work.

At the moment word came of the President's death in Dallas, there was confusion in Washington over the FBI's role in the investigation. It was not at that time a Federal felony to assassinate a President, though to threaten harm to him or to conspire to injure any Federal officer, while he was discharging his official duties, did fall within the Bureau's jurisdiction.

Originally, the FBI's entry into the case was predicated on a statute covering an assault on a Federal officer, though there was considerable debate at FBI headquarters over the basis for the investigation. The problem became moot, however, when President Johnson ordered the FBI to enter the case in the interest of national security.

It would be instructive, given this early legal dilemma as well as the controversy that developed over the FBI's investigation, to trace the history of the Bureau from its inception in 1908.

Up until that time, Federal agencies and departments were responsible for their own investigations, and the Department of Justice was primarily a prosecutorial body, although it was given statutory authority to perform investigations in 1871.

In 1907, Attorney General Charles J. Bonaparte proposed an investigative force in the Department of Justice and went ahead with it despite the objections in Congress. His successor, George Wickersham, named the force the Bureau of Investigation.

By the end of World War I, the Bureau was firmly established as the main law enforcement arm of the Federal Government, its size increasing fivefold from 1916 to 1920. The two major influences on this growth were (1) the war itself, which confronted the Bureau with the task of enforcing President Wilson's alien enemy proclamations and with the problems of draft evasion and enemy espionage, and (2) the Mann Act, giving the Federal Government jurisdiction over certain interstate criminal activities, making a marked increase in the demands on the Bureau, as well as calling for additional appropriations.

After the war—in the period 1919 to 1924—two successive Attorneys General abused the power of the Bureau of Investigation.

A. Mitchell Palmer, in his campaign against Bolshevik radicals, acted with questionable legality. After the bombing of his home in June 1919, Palmer created the General Intelligence Division of the Bureau to deal with radicalism, and he named a young Justice Department attorney, J. Edgar Hoover, to head the division. The division used covert as well as overt means to gather information on suspected radicals.

In 1920, Attorney General Palmer also directed the wholesale deportation of members of the American Communist Party and the Communist Labor Party. This led to the controversial "Palmer raids," which, though they diminished the standing of American Communists, came to symbolize for many the abuse of police power for a political purpose.

Then came the Harding administration, which saw Harry Daugherty, the President's campaign manager, named Attorney General. Daugherty, in turn, appointed his friend, William S. Burns, of the detective agency, to run the Bureau. Burns was antiradical and antilabor, as well, and he continued the questionable practices of unlawful wiretapping and illegal surreptitious entry in investigative work.

Although the primary target continued to be Communists, the Bureau is credited during this period with having dealt a heavy blow to the Ku Klux Klan.

Harlan Fiske Stone, a New York attorney and civil libertarian, was appointed Attorney General by Calvin Coolidge in 1924. Stone was a reformer, and he named Hoover Director of the Bureau of Investigation with a clear mandate to clean it up. Hoover created a structure and a set of policies that would endure for nearly 50 years. He also established the independence of the Bureau within the Department of Justice.

The Bureau stayed out of the limelight until the 1930's when the emergence of a resourceful criminal underworld, feeding on public response to prohibition, became a national concern. The Bureau was recognized then as the single law enforcement agency in the country that could cope with crime of such interstate dimensions.

Public outrage over the kidnaping of Charles Lindbergh's infant son led to enactment of the so-called Lindbergh Law in 1933, adding kidnaping to the list of interstate crimes that came under the jurisdiction of the Bureau.

Then, in 1934, there was a major expansion of Federal criminal laws when Congress passed a package of nine new statutes. They dealt with such crimes as killing or assaulting a Federal law enforcement officer, fleeing across a State line to avoid apprehension or prosecution and extortion involving interstate commerce.

That same year, Bureau agents were granted authority to go beyond general investigative power and to serve warrants and subpoenas, to make seizures and arrests, and to carry arms.

The Bureau was renamed in 1935, becoming the Federal Bureau of Investigation, and by the end of the decade, it was able to point to an array of important accomplishments, for example: a Division of Identification with central fingerprint records; an FBI laboratory with up-to-date scientific law enforcement techniques; and a National Police Academy for training State and local law enforcement officers.

The Bureau then had no internal security or counterintelligence functions until they were established, beginning in 1936, by a series of Presidential orders coupled with a secret oral agreement between Hoover and President Roosevelt. The FBI was authorized to store intelligence information collected by Federal agencies.

In 1939, a written directive was issued providing that the FBI take charge of investigative work relating to "espionage, sabotage, and violations of neutrality regulations." Subversive activities were not specifically mentioned until 1950, in an Executive order by President Truman.

The FBI's primary responsibility during World War II was enforcement of laws dealing with espionage, sabotage, and conscription. It also conducted the apprehension of enemy aliens, but Hoover opposed the relocation of Japanese citizens as a violation of their civil rights.

The FBI also conducted foreign intelligence in South America, attempting to gather information on activities detrimental to U.S. interests.

After World War II the fear of communism was such that internal security activities against it was acceptable to most Americans. The FBI's actions were based on a series of statutes that covered membership in the Communist Party, including the Smith Act, the Internal Security Act of 1950, and the Communist Control Act of 1954.

J. Edgar Hoover himself defined as disloyal any acts that could pose a threat to the Government, and even after the anti-Communist fervor of the McCarthy era had subsided, the internal security operations of the FBI continued.

By 1960, Hoover had developed a force of agents who employed sophisticated investigative techniques and enjoyed unusual inde-

pendence. Hoover himself had become a formidable figure who deftly handled Presidents, Attorneys General, and Members of Congress, as he groomed his image as an extraordinary crime fighter. FBI appropriations would pass without serious opposition in Congress after only pro forma hearings.

J. Edgar Hoover's three distinct priorities in those years were the fight against communism, statistics that reflected FBI progress and the positive image of the Bureau. He also had, according to some, two glaring crime spots in the area of civil rights and organized crime that put him at odds with the Kennedy administration.

It has been documented that little priority was given by the FBI to requests by the Civil Rights Division of the Department of Justice. Not all would agree with his choice of words, but his point was widely shared. Historian Arthur M. Schlesinger, Jr., in his recent book, "Robert Kennedy and His Times," writes that Hoover had "the racist instincts of a white man who had grown up in Washington when it was still a southern city."

By 1964, under pressure from the Kennedy Justice Department, the FBI was beginning to alter its stance, but before then, Schlesinger noted that:

"For reasons of policy as well as prejudice, Hoover succeeded in withdrawing the FBI almost completely from civil rights investigations. Internally, he preserved it as a lily-white agency."

Hoover was also reluctant, according to some, to allow the Bureau to join Attorney General Robert F. Kennedy's all-out fight on organized crime. Indeed, as late as the early 1960's, Hoover himself had been quoted as saying that no national coalition of underworld figures dominated organized crime. On that, Schlesinger wrote:

Kennedy had determined to stop the drain of power in America to obscure forces beyond moral and legal accountability. In insisting on the spreading threat of organized crime, he offended J. Edgar Hoover doubly—by dismissing the cherished Red menace and by raising a question the Director had done his best for 40 years to ignore.

The FBI priority here too came under sharp challenge during the new administration. Turning to the investigation of the assassination itself, the Bureau's investigation was of a magnitude unsurpassed in the annals of American law enforcement. In all, 80 FBI personnel were on the scene in Dallas within a few hours of the fatal shots and by the time it was over, 2,300 reports consisting of over 25,000 pages based on 25,000 interviews had been filed, most within weeks of the assassination itself.

The quality of the investigation, however, has been the subject of mounting criticism over the years. At first, taking potshots at the Bureau was an exclusive avocation of critics of the Warren Commission. Eventually, however, doubts and misgivings were being expressed by committees of both Houses of Congress, by former high-ranking officials of the FBI itself, and by members and staff of the Warren Commission, which had relied on the Bureau for its fieldwork.

There are four principal issues that the select committee has considered in its assessment of the quality of the FBI investigation. Not necessarily in the order that they will be discussed in the hearing today, or their relative importance, they are as follows:

One, did the FBI's early conclusion that Oswald alone was the assassin, that he had assistance from no one, hamper the thoroughness of the investigation that followed?

In 1976, the Select Committee on Intelligence issued a report in which it noted that within 3 weeks of the assassination, just as the Warren Commission was beginning its investigation, the FBI prepared a position paper, "concluding that Oswald was the assassin and that he had acted alone." The Senate committee went on to note, "The Bureau issued its report on the basis of a narrow investigation of the assassination focused on Oswald, without conducting a broad investigation of the assassination which would have revealed any conspiracy, foreign or domestic."

Two, did senior FBI officials, wanting to close the case quickly, compromise the proficiency of Bureau field personnel?

Make no bones about it, this charge has been leveled at the late Director of the FBI, J. Edgar Hoover, and against a few of his close personal associates. Evidence of Mr. Hoover's position has been cited from a statement he is said to have made by telephone to President Johnson just hours after Oswald had been shot down by Jack Ruby:

"The thing I am most concerned about * * * is having something issued so we can convince the public that Oswald is the real assassin." In a memorandum dated November 29, 1963, relating a conversation that day with President Johnson: "I advised the President that we hope to have the investigation wrapped up today, but probably won't have it before the first of the week."

Three, was the FBI investigation internally mismanaged?

Just such an allegation has been made by a former Assistant Director who supervised major aspects of the investigation. The criticism has also been directed at the organizational structure of the probe. It was divided between two FBI divisions.

The Central Investigative Division was assigned the task of assembling the facts of the assassination itself, because this is the division that is customarily put in charge of murder investigations. The actual work was supervised by an official who headed the bank robbery desk, because the manual of operations designates that desk to handle assaults on Federal officials.

The Domestic Intelligence Division was assigned the question of possible conspiracy, as well as other aspects of subversion. Domestic Intelligence was also given the job of piecing together the background puzzle of Lee Harvey Oswald, his activities, associates, motivations, and so on. A source of a lack of confidence in the FBI investigation that has developed since 1964 is the realization that 20 members of the Domestic Intelligence Division, including an assistant director, were secretly censured by Director Hoover for their mishandling of a preassassination investigation of the activities of Lee Harvey Oswald.

Four, was the FBI investigation conducted in such a way that the Bureau's specialists on Cuba and organized crime did not actively participate?

The FBI had, prior to the assassination, considered Jack Ruby sufficiently knowledgeable about "criminal elements in Dallas" to contact him as a potential informant on nine separate occasions, and questions have been raised about the failure to probe his

known connections with gangster elements in Chicago, Dallas, New Orleans, Havana and elsewhere.

In addition, the Bureau had specialists on Cuban and Cuban exile activities. They were not called on in the assassination investigation, even though both Oswald and Ruby had suspected ties to Cubans or Cuban exiles.

Mr. Chairman, a former official of the FBI is here today to testify about the investigation of the Kennedy assassination. He is James R. Malley, who joined the Bureau as a special agent in 1937. Mr. Malley was an inspector in the General Investigative Division and principal assistant to Director Alex Rosen. He played an important role in putting together the Bureau's four-volume report on the assassination given to the President in December 1963.

Subsequently, as the FBI liaison officer to the Warren Commission, Mr. Malley was in a position to closely observe the key role in the assassination investigation played by the FBI.

Mr. Malley retired from the FBI in 1971. It would be appropriate at this time to call him.

Chairman STOKES. The committee calls Mr. Malley.

Mr. MALLEY. Where do you want me to sit?

Chairman STOKES. At the witness table right in front of me.

TESTIMONY OF JAMES R. MALLEY

Chairman STOKES. Please stand and be sworn. Do you solemnly swear the testimony you will give before this committee is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MALLEY. I do.

Chairman STOKES. Thank you. You may be seated.

The Chair recognizes counsel for the Committee, Mr. James McDonald.

Mr. McDONALD. Thank you, Mr. Chairman.

Would you please state your full name for the record?

Mr. MALLEY. My full name is James R. Malley.

Mr. McDONALD. And were you employed by the FBI, Mr. Malley?

Mr. MALLEY. From 1937 until 1971.

Mr. McDONALD. And in what capacity did you begin your service with the FBI?

Mr. MALLEY. As a special agent.

Mr. McDONALD. What was your position in November 1963?

Mr. MALLEY. I had been designated as inspector at the time and was working as an assistant or No. 1 man, you might say, to Assistant Director Alex Rosen, in charge of the General Investigative Division.

Mr. McDONALD. What did your duties entail?

Mr. MALLEY. My actual duties were very broad. I was supposed to try to keep track of everything going on in the General Investigative Division, handle routine matters I did not feel was necessary to send into the Assistant Director, also see all mail that was going to him and, in general, to double check on things that were going on in four different sections in the Bureau's General Investigative Division.

Mr. McDONALD. Mr. Malley, let me direct your attention to November 22, 1963. You were employed then as the inspector for Mr. Rosen?

Mr. MALLEY. That is right.

Mr. McDONALD. That was a Friday. Were you working that day?

Mr. MALLEY. I was working that day.

Mr. McDONALD. And when did you learn of the assassination of President Kennedy?

Mr. MALLEY. Returning from lunch I turned on a radio that was available while I was sitting in Mr. Rosen's office in his absence. I turned on the radio to catch, I believe it was the 12:30 news. That was the first time I learned anything about it.

Mr. McDONALD. And what did you do in an official capacity?

Mr. MALLEY. Before I had any opportunities to do anything, and I can't recall the exact time, I was contacted by Associate Director Al Belmont.

Chairman STOKES. Excuse me just a moment. We are having a little difficulty hearing you. Mr. Malley, if you can put that mike a little closer.

Mr. MALLEY. I don't think you want me to talk louder; you merely want it a little closer?

Chairman STOKES. Right. Thank you very much.

Mr. MALLEY. Mr. Belmont was in the same position that everyone else was in. He knew, I knew, that we had no actual jurisdiction. He did indicate to me that he had been in touch with Mr. Shanklin, who was the Special Agent in charge of Dallas, and that he would be back in touch with me as soon as there was more definite information available. That was about it for the time being.

Later in the day, and I presume it must have been close to 3 o'clock, I was either told by telephone or asked to come down to Belmont's office, I cannot recall which, at which time he informed me that the General Investigative Division would be handling the assassination case of President Kennedy.

Following that, and still not having many details to go on, I started lining up personnel that would be available on a round-the-clock basis to handle whatever might develop.

Mr. McDONALD. Were you given any specific instructions as to what your role would be?

Mr. MALLEY. Not at that time.

Mr. McDONALD. And your immediate supervisor was Mr. Rosen?

Mr. MALLEY. That is correct.

Mr. McDONALD. Was he present that day?

Mr. MALLEY. He was not. He was scheduled to go on annual leave that morning and instead of taking off as he had planned to leave the city, he was ill and did not leave the city at all. He eventually came back to the office sometime the following week.

Mr. McDONALD. Did you have any meetings with Mr. Hoover on that day?

Mr. MALLEY. I did not.

Mr. McDONALD. What were the next set of instructions you received on Friday afternoon?

Mr. MALLEY. I don't recall that I received any instructions on that particular afternoon. In reading this statement, Mr. Blakey

has mentioned that there was a lot of confusion. There was. Because up until around 7 o'clock, if my memory is correct, there was a definite uncertainty as to what jurisdiction the Bureau had.

As I understand it, Belmont had instructed the Dallas office to be certain that they stayed in a position where they would know exactly what was going on and what the Dallas police were doing so that possibly nothing would be interfered with in the way of evidence and nothing lost.

Mr. McDONALD. Did there come a time when you proceeded to go to Dallas?

Mr. MALLEY. There was. On Sunday, after the shooting of Ruby, I am sorry, of Oswald by Ruby, I heard it on television. I had been at the office all morning and had just gone home around 12 o'clock. My wife heard it on television while I was changing clothes, mentioned there was going to be a rerun. I listened to that and immediately dressed and started back to the office and arrived around 2 o'clock.

When I arrived there, Courtney Evans was sitting in Mr. Belmont's office, who had not had time to get to the office yet. He was talking to Mr. Hoover. Following that call I was told that I was on my way to Dallas.

Mr. McDONALD. And who is Courtney Evans?

Mr. MALLEY. Mr. Evans at that time was an Assistant Director in charge of the Special Investigative Division.

Mr. McDONALD. Were you given any instructions on going to Dallas?

Mr. MALLEY. There was no time for instructions. I was told to get the first plane that I could and Evans commented that undoubtedly by the time you arrive in Dallas, Belmont will have a number of instructions for you and he probably will be on the phone waiting for you to arrive.

Mr. McDONALD. Did you receive any instructions when you got to Dallas?

Mr. MALLEY. I did. As I recall, I arrived in the Dallas office somewhere near 8 o'clock, possibly a little later, and was immediately told to get in touch with Mr. Belmont, which I did. Mr. Belmont informed me that the Director had been in touch with President Johnson, that the President was very upset about the number of comments being made by certain individuals in Dallas, mainly the district attorney, the chief of police, and the sheriff's office. He requested that I contact each one of them and see if I couldn't put a stop to miscellaneous statements they were making relating to the assassination and what investigation was going on.

Mr. McDONALD. Did Mr. Belmont relate to you anything specific as far as what President Johnson wished to have told to these individuals?

Mr. MALLEY. To the best of my recollection, it was simply a statement that the President was extremely unhappy and desired that the individuals be requested to stop talking about the assassination.

Mr. McDONALD. And did you in fact relay those instructions?

Mr. MALLEY. As soon as I was able to contact each one of them by telephone I did so. I was unable to reach the District Attorney for some time because about 2 minutes before an agent tried to

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reach him in his office, he had left to appear on television, and again for some time related different things that he felt were important to the assassination.

Mr. McDONALD. Mr. Malley, tell us what happened upon your arrival in Dallas and what the status of the investigation was at that time?

Mr. MALLEY. In answering you truthfully I couldn't tell you what the status was. I had so many telephone calls when I arrived there that I had to take care of that it was some time before I had a chance to even ask questions.

Shortly after contacting the three individuals that I have mentioned to you, I had a telephone call from Mr. Belmont telling me that a detailed memorandum setting forth all information that was known concerning the assassination was to be prepared and be back in Washington on Tuesday morning. I was also requested to have prepared the same type of memorandum relating to the shooting of Oswald by Jack Ruby.

It was mentioned that two men from Washington who were familiar with the type of a memorandum that would be necessary would be in Dallas some time that night, probably around 4:30. My instructions were to get hold of the necessary people in Dallas, to accumulate all the data that had been prepared from Friday up to that time on Sunday night, to get it lined up in some kind of sensible order, in order they could start reviewing it and start preparing the two memorandums requested.

Mr. McDONALD. Who was directing the investigation in Dallas?

Mr. MALLEY. It was under the overall direction of the SAC, Gordon Shanklin.

Mr. McDONALD. What role did you play?

Mr. MALLEY. I was supposed to oversee the entire thing, to make sure that the Bureau's interests were properly looked after, to make sure that there were no unnecessary delays on anything, and that everything possible was done to find out exactly what the correct facts were.

Mr. McDONALD. You had been working on the case over the weekend prior to going to Dallas?

Mr. MALLEY. I had been in the office a great deal. When you say working on it, I saw a great many teletypes, a lot of other information, files were being checked in Washington for any possible helpful information there, and I couldn't tell you right now exactly what I did over that weekend before I left for Dallas.

Mr. McDONALD. Did you in fact convey President Johnson's instructions to each of the three men you mentioned?

Mr. MALLEY. I did.

Mr. McDONALD. What was their reaction?

Mr. MALLEY. The Chief of Police was very cordial, said he would be glad to do it but he didn't know how to go about it, and if my memory serves me correctly, I suggested that he had no problem, all he had to do was either say he had no comment to make or the matter is under investigation and I do not care to discuss it.

The Sheriff was extremely cordial and said he didn't recall that he had been making many comments but we would see that he didn't if he had.

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In speaking with Henry Wade it was a little bit different story. He informed me that he had been a former FBI agent, which I was well aware of, that he had been district attorney for a number of years, that he felt that he was qualified to decide what statements he could make and what ones he should not make.

If I remember correctly, I said, you are certainly entitled to your opinion but in this instance the President of the United States is asking you to refrain from such comment, but you do what you want to, but this is what the President wants. That is about it.

Mr. McDONALD. Now, you have testified you arrived in Dallas after Oswald was shot by Jack Ruby?

Mr. MALLEY. That is correct.

Mr. McDONALD. When you arrived at the Dallas FBI office, what was the status of the investigation as far as its moving toward completion?

Mr. MALLEY. I just answered you, Mr. McDonald; from the time I got there I had so many things to do I would have no idea. It was a number of hours after I was there that I was even able to start asking questions.

Mr. McDONALD. Prior to your going to Dallas, what was your perspective as to the case itself?

Mr. MALLEY. I hadn't formed any ideas of any kind. The President had been shot on Friday; Oswald was shot on Sunday; it was much too early to form any ideas.

Mr. McDONALD. Mr. Malley, I am going to read to you from a memorandum that was prepared by Walter Jenkins to President Johnson—Mr. Blakey also referred to it in his narration—the memorandum reflecting a phone call with J. Edgar Hoover, and the memorandum is dated November 24, 1963, two days after the assassination. The pertinent paragraph quoting Mr. Hoover states: "The thing that I am concerned about, and so is Mr. Katzenbach, is having something issued so we can convince the public that Oswald is the real assassin."

What would your comments be on that? We are talking about two days after the assassination. This is probably being written contemporaneously with your arriving in Dallas.

Mr. MALLEY. Not having talked to Mr. Hoover, I certainly am not in a position to say what was going on in his mind. I can give you my interpretation of what he would have meant by it. That would simply mean that because of such a crime of that magnitude, he was talking to either the President or Jenkins, whichever it was, saying that the public needs to be settled down.

As far as saying that Oswald is the man and nobody else, I don't think you can take that interpretation from such a one sentence remark such as that.

Mr. McDONALD. I am looking at a memo dated November 26, 1963, from Mr. Evans to Mr. Belmont and it is titled "The Assassination of President Kennedy," and it says—this is dated 4 days later, "From the facts disclosed in our investigation, there is no question that we can submit in our report convincing evidence, beyond any doubt, showing Oswald was the man who killed President Kennedy."

Then at the bottom of this page there is handwriting, which has been identified as Mr. Hoover's. And in the last line Mr. Evans is

making reference that a case of this magnitude cannot be fully investigated in a week's time. And Mr. Hoover has written underneath, "just how long do you estimate it will take."

Then under that he went on to write, "it seems to me we have the basic facts now."

Again, we are 4 days after the assassination. You were in Dallas at the time.

Mr. MALLEY. I don't recall that I was asked by anyone how long it was going to take. If I had been I would have told them I had no idea because of the magnitude of what needed to be done in Dallas alone, not counting anything that might go on elsewhere. The volume of work was such that no one could estimate the time.

If I recall correctly, it was either Tuesday or Wednesday following the assassination that I was asked if we had sufficient personnel, and I requested that 40 more agents along with clerical help, stenographic help, be sent into Dallas to assist those who were already there. So certainly I did not feel it was going to be completed within any week.

Mr. McDONALD. You were asking for additional agent personnel, and as reflected in these memos, at the top level, at least there was an opinion being formed that the case essentially was wrapped up.

Mr. MALLEY. I won't agree with you because I don't know what they were doing in Washington. I know where I was and I know what had been done, and I think you may be interpreting remarks about wanting to get something out to the public to let them know what had been developed up to that time as a misinterpretation of what the Bureau intended to do later.

Mr. McDONALD. I will quote one more memorandum to you, and that is dated 29 November 1963, which is found in the Senate Intelligence Committee's, the Church Committee's, Book 5 Report on page 34. In it, the memorandum is by Mr. Hoover, recounting a telephone conversation he had that day with President Johnson. And he says, "I advised the President that we hoped to have the investigation wrapped up today but probably won't have it before the first of the week, as another angle had developed. Again we are getting an example of at the top level the case being in a sense completed."

Now, again, from your Dallas perspective does this jibe with what you were doing in Dallas?

Mr. MALLEY. Well, again, I say that when people say that they hoped to have it completed and so on, I don't think for a minute they were talking about having every facet fully and exhaustively investigated. I think what they are saying is that, based on the information that was available at that time, the essential facts of the investigation had been developed. It doesn't mean it was over by any means.

Mr. McDONALD. Mr. Chairman, the memorandums that I have just quoted from have been marked JFK exhibits F-457, F-458, and F-459. I move that they be received into the record at this time.

Chairman STOKES. Without objection, they may be entered into the record at this point.

[The above marked JFK exhibits F-457, F-458, and F-459 follow:]

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November 24, 1963

4:00 P.M.

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#457

Mr. J. Edgar Hoover said as follows:

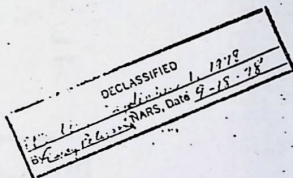
There is nothing further on the Oswald case except that he is dead. Last night we received a call in our Dallas office from a man talking in a calm voice and saying he was a member of a committee organized to kill Oswald. u

We at once notified the Chief of Police and he assured us Oswald would be given sufficient protection. This morning we called the Chief of Police again warning of the possibility of some effort against Oswald and he again assured us adequate protection would be given. However, this was not done. u

They brought him out of the City Jail and were taking him to the County Jail when a man stepped out and shot him in the stomach. This man was arrested at once. He goes under the name of Jack Leon Ruby but his real name is Rubenstein. He runs two night clubs in Dallas and has the reputation of being a homosexual. Immediately after the shooting, he (Oswald) was moved to Parkland Hospital and died about 45 minutes ago. We had an agent at the hospital in the hope that he might make some kind of a confession before he died but he did not do so. u

Ruby says no one was associated with him and denies having made the telephone call to our Dallas office last night. He says he bought the gun about three years ago and that he guarded his grief over the killing of the President made him insane. That was a pretty smart move on his part because it might lay the foundation for a plea of insanity later. u

I dispatched to Dallas one of my top assistants in the hope that he u

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might stop the Chief of Police and his staff from doing so during much talking on television. They did not really have a case against Oswald until we gave them our information. We found the weapon, we identified the handwriting, we identified two fingerprints on the brown bag. u

We were able to identify the bullets as coming from that gun. All the Dallas Police had was three witnesses who tentatively identified him as the man who shot the policeman and then asked him to go home shortly after the President was killed. He put on a suit to go home to; a shirt and the two witnesses found very similar to him as the man who boarded the bus. u

Oswald had been saying he wanted John Allen. His lawyer and Abt, with only that kind of evidence, could have turned the case around. I'm afraid. All the talking downstairs has now required a change of venue on the basis that Oswald could not have gotten a fair trial in Dallas. If they keep on talking, perhaps the same will be true of Ruby. u

Chief of Police Garry I understand came to see Capt. Fritz of the Homicide Squad, who is giving much information to the press. Since we now think it involves the United States on a conspiracy charge under Section 2384, we want to know more. Furthermore, I have ordered the evidence he secured by the Dallas Department. We sent most of the evidence back to them. We still have the bullets that were fired and will keep them. 4

The thing I am concerned about, and so is Mr. Katzenbach, is having something issued so we can convince the public that Oswald is the real assassin. Mr. Katzenbach feels that the President might appoint a Presidential Commission of three outstanding citizens to make a determination. I countered with a suggestion that we make an investigative report to the Attorney General with pictures, laboratory work, etc. Then the Attorney General can make the report to the President and the President can decide whether to make it public. S
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DECLASSIFIED

FCI, RTH, Sept. 1, 1978
By C. J. P. / JARS, Date 9-18-78

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And since this has not yet to do with proof that Oswald committed the murder, I made the suggestion to Mr. Katzenbach that instead of a Presidential Commission, we do it with a Justice Department report based on the FBI's work.

Oswald having been killed today after our warnings to the Dallas Police Department, was inexcusable. I will allow, I am afraid, a lot of civil rights people to raise a lot of hell because he was handcuffed and had no weapon. There are bound to be some elements of our society who will holler their heads off that his civil rights were violated -- which they were. U

We have no information on Ruby that is firm, although there are some rumors of underworld activity in Chicago. Of his two night clubs, one is a strip tease joint and the other is a liquor place. U

WJ:js

DECLASSIFIED

FOI #16 Sept 14, 1979
B7C, B7D, NARS, Date 7-18-79

~~SECRET~~

ASSASSINATION

FACSIMILE

November 24, 1963

SECRET

4:00 P.M.

Mr. J. Edgar Hoover said as follows:

There is nothing further on the Oswald case except that he is dead. Last night we received a call in our Dallas office from a man talking in a calm voice and saying he was a member of a committee organized to kill Oswald.

We at once notified the Chief of Police and he assured us Oswald would be given sufficient protection. This morning we called the Chief of Police again warning of the possibility of some effort against Oswald and he again assured us adequate protection would be given. However, this was not done.

They brought him out of the City Jail and were taking him to the County Jail when a man stepped out and shot him in the stomach. This man was arrested at once. He goes under the name of Jack Leon Ruby but his real name is Rubenstein. He runs two night clubs in Dallas and has the reputation of being a homosexual. Immediately after the shooting, he (Oswald) was moved to Parkland Hospital and died about 45 minutes ago. We had an agent at the hospital in the hope that he might make some kind of a confession before he died but he did not do so.

Ruby says no one was associated with him and denies having made the telephone call to our Dallas office last night. He says he bought the gun about three years ago and that he guessed his grief over the killing of the President made him insane. That was a pretty smart move on his part because it might lay the foundation for a plea of insanity later.

I dispatched to Dallas one of my top assistants in the hope that he

DECLASSIFIED

FBI ltr, September 1, 1978

By Trudy Peterson NARS, Date 9-18-78

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-2-

might stop the Chief of Police and his staff from doing so damned much talking on television. They did not really have a case against Oswald until we gave them our information. We traced the weapon, we identified the handwriting, we identified the fingerprints on the brown bag.

We were able to identify the bullets as coming from that gun. All the Dallas Police had was three witnesses who tentatively identified him as the man who shot the policeman and boarded a bus to go home shortly after the President was killed. He got on a bus to go home to get a shirt and the bus conductor tentatively identified him as the man who boarded the bus.

Oswald had been saying he wanted John Abt as his lawyer and Abt, with only that kind of evidence, could have turned the case around, I'm afraid. All the talking down there might have required a change of venue on the basis that Oswald could not have gotten a fair trial in Dallas. If they keep on talking, perhaps the same will be true of Ruby.

Chief of Police Curry I understand cannot control Capt. Fritz of the Homocide Squad, who is giving much information to the press. Since we now think it involves the Criminal Code on a conspiracy charge under Section 2-11, we want them to shut up. Furthermore, I have ordered the evidence be secured by the Police Department. We sent most of the evidence back to them. We still have the bullets that were fired and will keep them.

The thing I am concerned about, and so is Mr. Katzenbach, is having something issued so we can convince the public that Oswald is the real assassin. Mr. Katzenbach thinks that the President might appoint a Presidential Commission of three outstanding citizens to make a determination. I countered with a suggestion that we make an investigative report to the Attorney General with pictures, laboratory work, etc. Then the Attorney General can make the report to the President and the President can decide whether to make it public. I felt this was better because there are several aspects which would complicate our foreign relations.

(deletion)

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FBI letter, September 1, 1978
By Trudy Peterson NARS, Date 9-18-78

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-3-

(deletion)

And since this has nothing to do with proof that Oswald committed the murder, I made the suggestion to Mr. Katzenbach that instead of a Presidential Commission, we do it with a Justice Department report based on an FBI report.

Oswald having been killed today after our warnings to the Dallas Police Department, was inexcusable. It will allow, I am afraid, a lot of civil rights people to raise a lot of hell because he was handcuffed and had no weapon. There are bound to be some elements of our society who will holler their heads off that his civil rights were violated -- which they were.

We have no information on Ruby that is firm, although there are some rumors of underworld activity in Chicago. Of his two night clubs, one is a strip tease joint and the other is a liquor place.

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DECLASSIFIED
FBI letter, September 1, 1978
By Trudy Peterson NARS, Date 9-18-78

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JFK EXHIBIT F-458

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Belmont

DATE: November 26, 1963

FROM : C. A. Evans

SUBJECT: ASSASSINATION OF PRESIDENT KENNEDY

Deputy Attorney General Katzenbach called with reference to the report which is to be submitted by the FBI in relation to the circumstances surrounding the assassination of President Kennedy.

He noted that a tremendous responsibility had been placed on the FBI in this instance by President Johnson because this report, which is to be publicized, is for the purpose of assuring the American public and the world as to what the facts are in Kennedy's assassination and setting to rest the many, many rumors that have been circulating and speculation both in the United States and abroad.

Katzenbach noted in this regard that we are being called upon to, in many instances, prove the negative. For example, he observed that there has been considerable speculation in the press in the United States and in Europe that the assassination was part of a communist or Castro conspiracy. There have also been allegations that Oswald and Ruby were known to each other and were part of a conspiracy. It has been further alleged that Oswald was killed to silence him.

Katzenbach noted that it is, of course, more difficult to prove that something did not occur than to prove what actually happened. As a consequence, it is his belief there might have to be some so-called editorial interpretation. He noted that the report will be subjected to the closest scrutiny by the world-wide press and foreign governmental representatives, as well as by the American people. He knew that we were keeping this in mind in preparation of the report.

As Katzenbach understood it, the report is to be reviewed by the Justice Department and transmitted to the White House. In this regard, he feels it is his responsibility to do this personally for the Department. To this end, he said if it would be helpful he would be glad to review and discuss any preliminary drafts, since time is of the essence.

- 1 - Mr. Mohr
- 1 - Mr. DeLoach
- 1 - Mr. Rosen
- 1 - Mr. Sullivan

NOT RECORDED
199 DEC 10 1963

JFK EXHIBIT # F-458-

Memorandum to Mr. Belmont

ACTION BEING TAKEN:

From the facts disclosed in our investigation, there is no question but that we can submit in our report convincing evidence beyond any doubt showing Oswald was the man who killed President Kennedy. The problem is to show motive and this, of course, is a condition of Oswald's mind and can be, at best, a speculative conclusion predicated upon circumstantial evidence. Oswald has admitted he was an avowed Marxist. The facts are not clear cut as to his relationship with organized communism, either the Communist Party or the pro-Castro organizations. The Domestic Intelligence Division has been reviewing this very matter so that our report may reflect the factual information we have in this regard. While neither the White House nor the Department should be able to contend that our report does not meet the required purpose, we must be factual and recognize that a matter of this magnitude cannot be fully investigated in a week's time.

*As I know long
you estimate in
Vineville tower*

*It seems to me
we have the
basic facts now*

*Thurston Comm
11/27/63
11/27/63*

PROPERTY OF

-F-459

The following notation appears at the bottom of this memorandum in Director Hoover's handwriting:

The Presidential Report on both matters should not be prepared until all allegations and angles have been completed.⁶⁸

The FBI delivered these reports to the White House and the Attorney General on December 3, 1963.

In a November 29, 1963, memorandum, Hoover recounted a telephone conversation he had that day with President Johnson:

The President called and asked if I am familiar with the proposed group they are trying to get to study my report—two from the House, two from the Senate, two from the courts, and a couple of outsiders. I replied that I had not heard of that but had seen reports from the Senate Investigating Committee.

The President stated he wanted to get by just with my file and my report. I told him I thought it would be very bad to have a rash of investigations. He then indicated the only way to stop it is to appoint a high-level committee to evaluate my report and tell the House and Senate not to go ahead with the investigation. I stated that would be a three-ring circus.

I advised the President that we hope to have the investigation wrapped up today, but probably won't have it before the first of the week as an angle in Mexico is giving trouble—the matter of Oswald's getting \$8,500 from the Cuban Embassy and coming back to this country with it; that we are not able to prove that fact; that we have information he was there on September 18 and we are able to prove he was in New Orleans on that date; that a story came in changing the date to September 28 and he was in Mexico on the 28th.⁶⁹

On December 3, 1963, the UPI wire carried a story reported in various newspapers under the following lead:

An exhaustive FBI report now nearly ready for the White House will indicate that Lee Harvey Oswald was the lone and unaided assassin of President Kennedy, Government sources said today.⁷⁰

When he was informed of these news articles, Director Hoover wrote, "I thought no one knew this outside the FBI."⁷¹ According to William Sullivan, Hoover himself ordered the report "leaked" to the press, in

⁶⁸ Ibid.

⁶⁹ Memorandum from Hoover to Tolson, Belmont, DeLoach, Mohr, Sullivan and Rosen, 11/29/63.

⁷⁰ William C. Sullivan, former Assistant Director in charge of the Domestic Intelligence Division, stated that: "on November 29, 1963, the FBI had no data to support the conclusion that there was no foreign conspiracy." (Staff interview of William C. Sullivan, 2/21/78.)

⁷¹ Washington Evening Star, 12/3/63.

⁷² Hoover handwritten note on UPI ticker of 12/3/63.

ASSASSINATION

-JFK Exhibit F-459-

Mr. McDONALD. When you were in Dallas, Mr. Malley, was active consideration being given to investigating the possibility of a conspiracy?

Mr. MALLEY. That existed from the minute it happened. I can't say that I saw a memorandum to this effect or a memorandum to that effect or a telephone call, but I do know that it was on everybody's mind, was there somebody else involved. It was an essential part of the investigation to find out.

Mr. McDONALD. These discussions of conspiracy, were they active in the Dallas field office?

Mr. MALLEY. You are asking me a question that dates back 15 years ago and I am not in a position to truthfully answer you and say this happened or that happened in the way of some conversation I had.

Mr. McDONALD. In light of Evans memo to Belmont with Mr. Hoover's writing, his handwriting, saying essentially we have got it all wrapped up, in your opinion, would that affect the investigation ongoing in the field, if Mr. Hoover was saying that he felt the investigation was essentially closed? Would that have an effect, in your opinion, on the way the Bureau handled the conspiracy aspects to the case?

Mr. MALLEY. To start off, I was handling 90 percent of the telephone calls between Washington and Dallas after I arrived, there may be a higher percentage. I know that I never received any comments from Belmont, the Director, or anyone else in Washington indicating that Mr. Hoover was saying that we would have the investigation finished in a few days. So I have to answer you by saying that it would have had no effect on anybody that I knew in Dallas unless somebody else got a telephone call and I was not made aware of it. It certainly had no effect on me.

Mr. McDONALD. You stated that you arrived in Dallas after Jack Ruby shot—

Mr. MALLEY. Around 7:30 to 8 o'clock on Sunday night.

Mr. McDONALD. Did this event have any effect on the Bureau's relationship with the Dallas Police Department?

Mr. MALLEY. I do not recall hearing of any friction that developed while I was in Dallas and I don't think there was any friction developed later. I think they remained on the same solid basis they were. I could be wrong.

Mr. McDONALD. Can you recall after the shooting of Oswald, did you yourself participate in any discussions as to the possibility of whether it was a related event, directly related to the murder of the President. In other words, if it involved a larger conspiracy, the possibility of a larger conspiracy?

Mr. MALLEY. Are you referring to other personnel in the Dallas office or what?

Mr. McDONALD. Either in the Dallas office or back at headquarters in Washington?

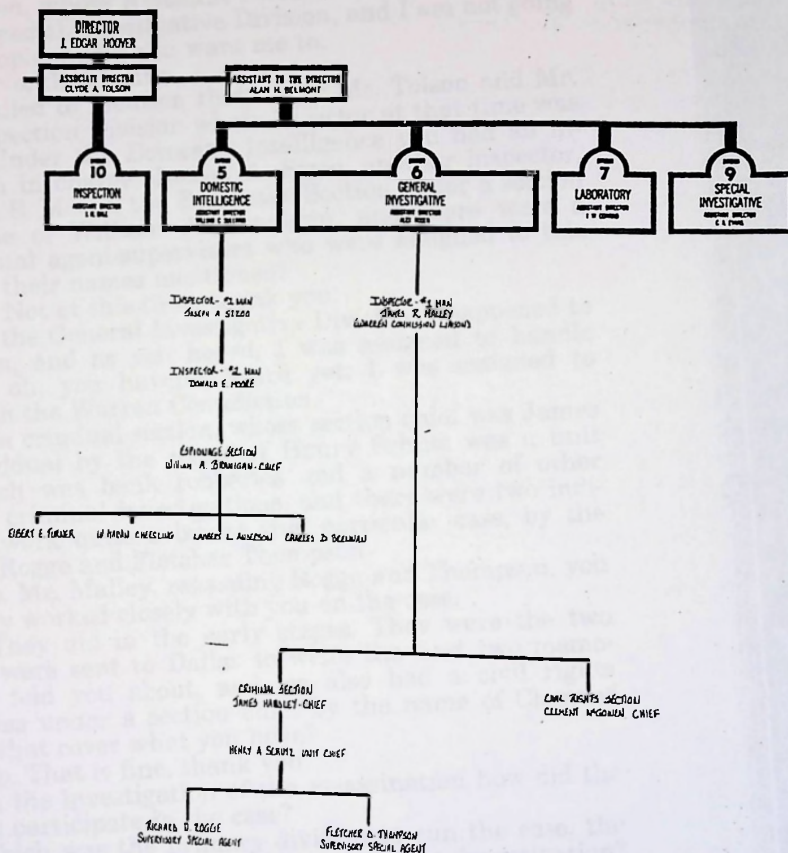
Mr. MALLEY. You gentlemen have had access to the file. I think you will find that teletype, if my memory is accurate, sent by the people at the seat of Government telling the Dallas office to not overlook the possibility and check thoroughly to see whether it could have been any police involvement in the shooting of Oswald by Ruby.

PROPERTY OF

Mr. McDONALD. Mr. Malley, I am going to direct your attention to an organizational chart that we have prepared that I showed you before the hearing. If the clerk could display the organizational chart for us. It has been designated JFK exhibit F-456. If you would walk over to the easel we have a clip-on microphone. If you would give us a rundown of the organizational structure in the Bureau at the time of the assassination.

[JFK exhibit F-456 was received into the record.]

FBI FUNCTIONAL ORGANIZATION CHART



JFK EXHIBIT F-456

Mr. MALLEY. In 1963, at the time of the assassination, J. Edgar Hoover, as you heard previously, was the Director. The Associate Director was Clyde Tolson and one of the Assistants to the Director was Alan H. Belmont. Am I talking loud enough so you can hear me?

Mr. McDONALD. Yes. If you would stand on the other side of the easel.

Mr. MALLEY. Be glad to either way.

Mr. McDONALD. Thank you.

Mr. MALLEY. Under Mr. Belmont was the Domestic Intelligence Division, whose Director was William C. Sullivan; the General Investigative Division, whose Assistant Director was Al Rosen, and a Laboratory and Special Investigative Division, and I am not going to identify those people unless you want me to.

Mr. McDONALD. No, that is fine.

Mr. MALLEY. I failed to mention that under Mr. Tolson and Mr. Hoover was an Inspection Division whose Director at that time was Mr. James Gale. Under the Domestic Intelligence you had an inspector, No. 1 man in charge, Joseph A. Sizoo, another inspector, No. 2 man, Donald E. Moore, the Espionage Section under a section chief by the name of William A. Branigan, and there were a number of individual agent-supervisors who were assigned to this case. Do you want their names mentioned?

Mr. McDONALD. Not at this time, thank you.

Mr. MALLEY. In the General Investigative Division, I happened to be the No. 1 man, and as you heard, I was assigned to handle liaison with the, oh, you haven't heard yet, I was assigned to handle liaison with the Warren Commission.

There was also a criminal section, whose section chief was James Hanley. An individual by the name of Henry Schutz was a unit chief, under which was bank robberies and a number of other rather important criminal investigations, and there were two individuals that did work quite a bit on this particular case, by the name of Richard Rogge and Fletcher Thompson.

Mr. McDONALD. Mr. Malley, regarding Rogge and Thompson, you just said that they worked closely with you on the case.

Mr. MALLEY. They did in the early stages. They were the two individuals who were sent to Dallas to write the first two memorandums that I told you about, and we also had a civil rights section, which was under a section chief by the name of Clement McGowan. Does that cover what you have?

Mr. McDONALD. That is fine, thank you.

Mr. Malley, in the investigation of the assassination how did the various divisions participate in the case?

First of all, which was the primary division to run the case, the assassination case, and who was in charge of that investigation?

Mr. MALLEY. As far as the actual assassination is concerned, it was definitely in the General Investigative Division. When you say who is responsible, are you referring to what section it was being handled and what supervisor was primarily responsible?

Mr. McDONALD. Which person was primarily responsible at the top to begin with?

Mr. MALLEY. Well, because of what happened when I got back from Dallas I would say that I had to be.

PROPERTY OF

Mr. McDONALD. What happened when you got back from Dal

Mr. MALLEY. Well, I had been told before I left Dallas, sometime in the afternoon, that the Warren Commission had been established, they would be functioning almost immediately, and that was to return to Washington on the first plane that I could get out of Dallas. I came back that night, and the next morning I had a little note from the Director that I was to get in touch with Mr. Lee Rankin as soon as possible, with the telephone number on it. I didn't succeed for a day or two but I did make an effort continuously for the next days until I got it.

I then went up to see him and introduced myself. We had a rather long chat about things in general but nothing concerning any real developments because neither one of us were in a position to talk about it.

Mr. McDONALD. On what date was this again?

Mr. MALLEY. Strictly from memory, I think I returned from Dallas on December 12. I may be inaccurate.

Mr. EDGAR. Would the counsel yield?

Mr. McDONALD. Yes.

Mr. EDGAR. Would the witness talk into the microphone?

Mr. MALLEY. I am sorry, beg your pardon.

Mr. McDONALD. So you stated that you returned from Dallas on the 12th. On that day you were notified that you were going to be the liaison with the Warren Commission?

Mr. MALLEY. That is correct.

Mr. McDONALD. What duties were you to do? What were your duties going to be?

Mr. MALLEY. Well, very generally, I was to handle all contacts by telephone or in person with the Warren Commission. I was also to see that every piece of mail that went to the Warren Commission was personally delivered and in that respect I was not only liaison but I was the mailman, and I had specific instructions that nothing was to go to the Warren Commission that I hadn't seen and reviewed thoroughly.

Mr. McDONALD. Now, prior to December 12, the Bureau released its report on the assassination?

Mr. MALLEY. Yes, sir.

Mr. McDONALD. Did you play a role in the preparation of that report?

Mr. MALLEY. In that report I have to say no. I told you that two memorandums were prepared in Dallas which were returned to Washington the Tuesday morning after the assassination. I definitely reviewed those. I went over material that was being utilized in the preparation of them, and I don't know whether the two memorandums are in existence now. But, if you had read either one of them you would say that you saw the comment, this is the information that is available as of the writing of this memorandum.

Mr. McDONALD. When you refer to memorandum, you are referring to the report?

Mr. MALLEY. I am not. I am referring to a piece of paper similar to this, consisting of around 15 pages, I believe, on Mr. Ruby, I mean on the assassination of President Kennedy and around 8 or 9 on the shooting of Oswald by Ruby.

Mr. McDONALD. Well, the report came out in early 1963, prior to the 12th, and the report said in essence that Lee Harvey Oswald killed the President alone.

Do you know why this report was put out so rapidly?

Mr. MALLEY. I can only tell you that based on what I was told in Dallas, they wanted to put it out much faster than it was put out.

Mr. McDONALD. They wanted to.

Mr. MALLEY. It was strictly on the basis of letting the President, the Attorney General and a few others that they felt needed to know immediately what the facts were as of that time.

It was my understanding that information was going to be disseminated long before it was.

Mr. McDONALD. Were you aware—

Mr. MALLEY. I do not know what occurred in Washington that delayed it except one telephone call I had. After they had an opportunity to read the two memos, they said how do we know this is completely accurate. I said, if you can't take my word for it, I said, you have to wait until you get reports. There was nothing else I could say.

Mr. McDONALD. Prior to your return to Washington, when you learned you were going to be liaison with the Warren Commission, you must have been aware that they were discussing the formation of such a commission.

Mr. MALLEY. I don't remember whether I ever heard that there was a possibility of the Warren Commission being formed or not.

I have no way of thinking back and recalling whether I did or didn't.

Mr. McDONALD. Can you recall, as you knew, what the Bureau's reaction to the formation of such a commission was?

Mr. MALLEY. I never heard of anything one way or the other until you showed me a memorandum on it. The last time I talked to you I might have indicated to you the Director was unhappy. I don't interpret that memo that way.

Mr. McDONALD. So, it is your testimony you have no personal knowledge of what the Bureau's reaction, specifically Mr. Hoover's, was to the creation of the Warren Commission?

Mr. MALLEY. I could only give you my reaction when I was called into his office after I returned from Dallas and what he told me at that time. There was certainly no criticism. I was told that the Warren Commission had been established. I was the liaison representative, and he wanted full and complete cooperation with them and no information whatsoever withheld from them. Give them everything.

Mr. McDONALD. Mr. Malley, in the overall investigation of the assassination, what was the interaction between the various divisions in the Bureau, specifically general investigative and domestic intelligence?

Mr. MALLEY. To the best of my knowledge, there was complete cooperation between all the various people working on the assassination or the domestic intelligence aspect, and in the civil rights angle.

Mr. McDONALD. What was your relationship with William Sullivan, the Director of Domestic Intelligence?

Mr. MALLEY. Are you referring to this individual case?

Mr. McDONALD. Yes.

Mr. MALLEY. I don't think I had very many conversations with Sullivan on this particular case. I usually dealt with the section chief, Mr. Brannigan, or the individual supervisor.

Mr. McDONALD. What was the domestic intelligence section, what were they doing regarding the assassination case?

Mr. MALLEY. As you saw, they had five or six supervisors. To go back and tell you exactly what they were doing at this time, I cannot. I do know that they all had specific assignments in it and one of the fundamentals, again, was to prove or disprove whether there was any possibility that they could come up with of a conspiracy. It was also to develop all aspects of Oswald's personal life, where he had been from the time he returned from Russia, what he did before he went to Russia and anything else that might give us any assistance.

Mr. McDONALD. And this division handled the conspiracy aspect within that division?

Mr. MALLEY. There, again, it is difficult to say that they were the only ones doing it. They were primarily, because of their knowledge with various nationality groups, et cetera, and the fact they were looking into his entire personal life, they would have been in a better position to come across something than somebody handling criminal aspects.

Mr. McDONALD. You were in the General Investigative Division?

Mr. MALLEY. That's correct.

Mr. McDONALD. Would you have any direct knowledge or supervision over what was being done in the Domestic Intelligence Division as far as the assassination was concerned, considering your role as liaison with the Warren Commission?

Mr. MALLEY. Yes, I would, in that every report that was sent to the Warren Commission came to me before it went to Assistant Director Belmont and we both were charged by the Director with reading every word of it. In addition to that, there were literally hundreds of teletypes that came in from the field on various aspects of the investigation. Teletypes, which came into our division, regardless of whether they indicated there was anything to do with work going on over at Division 5, copies were made and sent to them.

Mr. McDONALD. When you say Division 5, what are you referring to?

Mr. MALLEY. That's the Domestic Intelligence Division, I beg your pardon. Likewise, any teletypes that came to them, whether it seemed to refer to our work or not, teletypes were sent to the General Investigative Division for information so if there was anything that could be tied in, they could do it.

Mr. McDONALD. Well, I am going to refer to the book 5 of the Senate Intelligence Committee, the Church committee report, where they are speaking of a supervisor in Domestic Intelligence Division who was reported to be the leading Cuban expert within the Bureau at that time, and he testified before the Church committee that he was never informed—first of all, he never even knew of any CIA assassination attempts against Fidel Castro. And this supervisor testified before that committee that he had no recollection of any Bureau investigation of Cuban involvement in

DOMESTIC INTELLIGENCE DIVISION

the Kennedy assassination. He was asked a question: "Were there ever any meetings that you recall where there were discussions as to whether or not the Cubans were involved in the assassination of President Kennedy?"

And he answered, "No; I don't recall. I would say no."

And they questioned, "Do you know if that possibility was investigated?"

Answer: "Well I can't even say that for sure, no, I can't."

Question: "Do you recall at any time ever seeing any memoranda or instructions that Cuban sources be contacted to see if there was any Cuban involvement in the assassination of President Kennedy?"

And he answered, "There were no such communications, to my knowledge, ever sent out from headquarters."

And they asked him: "If they were sent out, in all likelihood, would you have known about it?"

And he said, "Yes."

Now, this was the investigations being conducted, as you say, in Division 5, the Domestic Intelligence, and this is the leading Cuban expert in the Bureau at the time saying that during the assassination investigation, he wasn't even contacted to consider this aspect.

As liaison to the Warren Commission, and you did know the paperwork that was going on, what would your response be to his comments that he wasn't even involved?

Mr. MALLEY. I don't know how good his memory was. I do know that their division had the responsibility for keeping their own people aware of what was going on and if he didn't know what was going on in that section, I would say somebody was remiss.

Mr. McDONALD. I am sorry.

Mr. MALLEY. Somebody was remiss in not keeping him aware. I can't possibly answer what went on over in their division on a day-to-day basis. You know, and I know that there was an investigation concerning the possibility of Cuban involvement, if you reviewed the material. It would be impossible for me to think that he wasn't aware of it.

Mr. McDONALD. Is it your testimony the investigation would have been conducted by Division 5?

Mr. MALLEY. That part of it.

Mr. McDONALD. And we have this statement given in 1976 that the leading Cuban specialist wasn't involved.

Mr. MALLEY. That's his statement. I can't answer for him.

Mr. McDONALD. OK.

Turning now to the Special Investigative Division that you referred to on the chart, what was that division's responsibility?

Mr. MALLEY. I don't think they had any specific assignment. Courtney Evans, at that time, as I mentioned, was an Assistant Director and he was handling liaison with the Department, primarily with Robert Kennedy and other top officials of the Department.

Mr. McDONALD. Was part of their jurisdiction organized crime?

Mr. MALLEY. To the best of my memory, yes.

Mr. McDONALD. Can you recall, after the shooting of Oswald by Ruby, what consideration was given at that point to the possibility of organized crime involvement, either in the Ruby shooting of Oswald or the overall assassination of the President?

PROPERTY OF

Let me ask one question further before you answer that. After Ruby shot Oswald, how long did it take the Bureau to learn about Jack Ruby himself, his background, his associates, the kind of person he was?

Mr. MALLEY. Well, from the standpoint of the type of person he was, I am sure that within an hour or so before we ever got near the investigation, the Bureau was probably well aware of the fact that he was running a night club which amounted to sort of a striptease place. And beyond that, I am not able to tell you when we really developed his full background data except that we did start so-called civil rights investigation on the basis that he had been shot while in custody of the police department, and that did give us the basis for jurisdiction.

Mr. McDONALD. So, this investigation was handled by the General Investigative Civil Rights Division?

Mr. MALLEY. General Investigative Division in the Civil Rights Section.

Mr. McDONALD. What consideration was being given at the time to the possibility of Jack Ruby being involved with organized crime in the commission of either of the shootings?

Mr. MALLEY. I can't tell you what they were doing back in Washington because I wasn't there until after December, the 12th. I do know that they were under instructions in Dallas to consider all possibilities of involvement to the nth degree of anyone, primarily on the basis that Ruby might have had some assistance. So, I can't answer you any more specifically than that.

Mr. McDONALD. As you pointed out, Courtney Evans was the Assistant Director of that division and he has appeared before this committee in deposition and interview. When he was asked whether his division had ever been asked to render assistance in the investigation of Jack Ruby or any organized crime aspects of the case, he said to us, I am quoting from an interview, "They sure didn't come to me. I know they sure didn't come to me. We had no part in that that I can recall."

This committee, in our look at this case, spoke to Mr. Charles Stanley. Do you know who he is?

Mr. MALLEY. Yes; I do.

Mr. McDONALD. He was Evans' principal assistant in 1963. And he was asked whether that division was ever asked to participate in the investigation of the assassination. And he told us:

I don't think we had one thing to do with it. To my knowledge, we were never brought in on that. I don't recall a thing coming through our division on Ruby or Oswald.

And then we spoke to Jack Danahey; do you know who he is?

Mr. MALLEY. I believe he was working in New York for many years. I don't know of him ever being in Washington.

Mr. McDONALD. In 1963, he was the assistant special agent in charge in your New York office. Apparently, he is widely regarded as an expert in organized crime. And he was asked if he or any other Mafia specialists in the Bureau were ever consulted on the investigation of Jack Ruby or any other aspects of the Kennedy assassination. And Danahey answered, and this was in our interview with our committee, "I know damn well I wasn't. No one said anything to me."

And lastly, we spoke to Mr. Al Staffeld, who is another official in the organized crime section and he was asked essentially the same question and he gave essentially the same answer, that he had no recollection of any involvement or any information or request for assistance coming to that division by those handling the assassination case.

With that in mind, could you explain to us how the General Investigative Division would have been handling any organized crime aspects, the possibilities, if there were some, to the assassination?

Mr. MALLEY. As briefly as I can, if any name showed up either in the investigation of the assassination of President Kennedy or in the investigation being conducted by the civil rights section of the shooting of Oswald, there is no question in my mind, and you would have to doublecheck with the supervisors, but if a criminal figure of any known standing had been mentioned or any criminal figure that had a lot of information in the files on him, I don't have any doubt they would have discussed it with the individual supervisors down in the organized crime unit.

That would not necessarily have been called to the attention of either Mr. Stanley or Mr. Evans, and it might not even have been called to the attention of Staffeld. If there was any reason to send any memorandum or letters or anything else through them to be initialed by that division, it certainly would have been done.

I do know that in the civil section—civil rights section—I was told they were in touch with him many times on individual names that came up in connection with possible criminal figures.

Mr. McDONALD. Mr. Malley, after the creation of the Warren Commission, first of all, what was the Bureau's relationship to the Commission, and you being the one essentially in the middle, how would you categorize the relationship?

Mr. MALLEY. Strictly a business relationship. No friendliness, no unfriendliness. Just strictly, you have your work to do, we have ours. If we want something from you, we will call you and ask for it. If we want further explanations, we will get them from you. There was never any animosity shown, that I am aware of.

At least, it didn't rub off on me if there was.

Mr. McDONALD. Prior to the creation of the Commission, the Bureau was handling the case on its own. The directives were coming out from Washington or Dallas, or wherever, to cover leads. Did this change after the Warren Commission was established?

Mr. MALLEY. Not for quite a long, long time. After the Warren Commission had had an opportunity to review the large number of reports that had been sent to them, they eventually started asking a few questions and in many instances, their questions were answered by saying, if you will look at the report of so and so on a certain page, the information is there and you haven't located it yet. In a few instances, they sent us letters or made telephone calls and said we have checked into this aspect; we feel that maybe it would be well to conduct a little further investigation and they would outline what they wanted.

As far as directing the investigation, they did not attempt to take over what we were doing. We continued to do our own investiga-

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tion on everything we thought was necessary the entire time that they were in existence and up until the time I retired in 1964.

Mr. McDONALD. And you are saying that the Bureau continued its own investigation, you did not respond only to leads from the Warren Commission; is that what you are saying?

Mr. MALLEY. That's what I'm saying. We did our own work. Whenever they had any questions, we tried to answer them for them. They did not give us directives, you do this, you do that, you do this. When they had specific items they wanted to check on, they did tell us.

Mr. McDONALD. You stated you were in Dallas when you were told to meet with Mr. Rankin, the general counsel of the Warren Commission. Excuse me, you came back to Washington and we told you were going to be liaison.

Mr. MALLEY. I can't say I was told before I got back from Dallas when I was told, I was going to meet with Rankin. I do know I was told in Dallas I would be handling liaison. I think I told you that I had a memorandum or something on my desk saying I was to get in touch with Rankin as soon as possible after I got back.

Mr. McDONALD. Were you aware of the fact that Mr. Hoover was involved in the, I guess we could say, the blocking of the first choice for the Warren Commission general counsel, a man by the name of Warren Olney. Were you aware of that situation?

Mr. MALLEY. I don't recall that I was ever told that.

Mr. McDONALD. Did you learn of it subsequently?

Mr. MALLEY. I don't remember it. If I did know it, I don't remember it now.

Mr. McDONALD. One of the other items that has come up over the years regarding the Warren Commission and Mr. Hoover was that it has been reported that Mr. Hoover had dossiers or files, on members of the Warren Commission and staffs. Were you aware of this, and I am not referring to security-check files, but just things that we would call a dossier. Are you familiar with that?

Mr. MALLEY. I don't recall that I was ever told. It seems to me it would be a normal procedure if you were dealing with a large number of staff members and committee members, that it would be well to know exactly what was transpiring on each one, from your standpoint of your dealings with him.

If one of them said this on a certain date, contradicted himself on another date, certainly, it would be well to have had a record of what was going on. So, when you refer to a file, a dossier on each one, I can well understand why they might have had such a thing.

Mr. McDONALD. Mr. Malley, I just have one further question. And that is with the benefit of hindsight of 15 years and looking back on what went on, in your opinion, was the overall investigation of both the assassination of the President and the murder of Lee Harvey Oswald handled properly?

Mr. MALLEY. Well, I might turn that around just a little bit and say you have had the benefit of the Church Committee investigations, you have had the benefit of the Warren Commission and you had the benefit of all our files. Maybe you could tell me what you feel we did wrong and I will be glad to answer what you think we did wrong.

Mr. McDONALD. Well, we appreciate you trying to turn the table on us—but, we are here to ask you questions.

Mr. MALLEY. No, I am not trying to turn the tables. I am just asking you what you feel we did wrong and if I am not entitled to that, well, that's that.

Mr. McDONALD. I am not here to answer questions. So with that, Mr. Chairman, I have no further questions.

Chairman STOKES. Thank you, Counsel. The procedure at this point will be that the Chair will yield himself such time as he may consume, after which we will then operate under the 5-minute rule.

Mr. Malley, one thing I would appreciate you clearing up for me that you just stated to Counsel for the committee, do I understand you to say that the Commission did their work and we did ours; is that your statement?

Mr. MALLEY. That is correct.

Chairman STOKES. And by that, what do you mean?

Mr. MALLEY. I meant, Mr. Stokes, exactly what I said, in that we were not asked to be leg-runners or do every little thing that they might think of. If they did have something to come up, we did it. We were operating independently on our own investigation, but definitely under instructions from Mr. Hoover that if they needed any clarification or had any requests to make of us, that we carry them out fully.

Chairman STOKES. Then, for further clarification, anyone having the understanding that in terms of the Commission's investigation that was being directed by them and the FBI was pursuing leads under their direction, that would not be true; is that right?

Mr. MALLEY. It would be true if they asked us. But the numbers of requests they made was minimum. They were reviewing reports, anything else that we sent to them and proceeding on their own to evaluate it and whenever they made a request, we did do it. You can say that we are an investigative arm when they needed us. But beyond that, we were not under their direction.

Chairman STOKES. So, the basic investigation was being completed under the total direction, then, of the FBI itself?

Mr. MALLEY. That's right.

Chairman STOKES. In terms of your responsibilities, what was your relationship with Assistant Director William Sullivan?

Mr. MALLEY. As I mentioned awhile ago, and I don't know whether you understood me, I said I do not recall very many conversations that I had with Sullivan in connection with the assassination and the Oswald case. I did have direct communication with other people in his division.

Chairman STOKES. You know, of course, that Assistant Director Sullivan is now deceased?

Mr. MALLEY. Yes.

Chairman STOKES. Let me read to you some excerpts from an interview with former Assistant Director Sullivan that was conducted by another House committee in 1975 after which I will ask for your comment.

In the interview, Mr. Sullivan was asked to recall Director Hoover's relationship to the Warren Commission. In the interview, Mr. Sullivan stated that Mr. Hoover, and I now quote Mr. Sullivan,

"did not like to see the Warren Commission come into existence, that he did show marked interest in limiting the scope of it or circumventing the scope of it by taking any action that might result in neutralizing it."

In this same interview, Mr. Sullivan went on further and said this, and I again quote "From what I saw and what I heard, what I understood, he, Mr. Hoover, was not pleased about the creation of the Warren Commission, No. 1. No. 2, he was not interested in seeing the Warren Commission conduct an exhaustive investigation of the assassination of President Kennedy because he thought that the FBI investigation was adequate."

Having heard this statement by Mr. Sullivan, would you concur in his observations on this point?

Mr. MALLEY. I would not, because I have no knowledge of what Mr. Sullivan was talking about when he says the Director was opposed to the creation and so on. The only comment I have heard along that line is the one that Mr. McDonald read awhile ago based on the telephone conversation with the White House. And I never personally heard him object to the Warren Commission in any way, shape, or form.

Chairman STOKES. In this same interview, Mr. Malley, Mr. Sullivan was asked whether he had seen anything in the files to indicate that Oswald had any relationship to the CIA. In response to this question, Mr. Sullivan answered in a rather ambiguous manner, and I quote his testimony at that point:

"No, I think that has been discussed. I think there may be something on that, but you asked me if I had seen anything. I don't recall having seen anything like that, but I think there is something on that point. Whether it is valid or not, I don't know. It rings a bell in my mind."

Now, it would seem that Director Sullivan was not giving a clearly negative response to that type of a question. And I wonder, from your investigation of this matter, whether you would make some comment with reference to that point.

Mr. MALLEY. I am not trying to avoid your question. I have difficulty answering it because when I was before the Church Committee, I was asked about some CIA material that had allegedly been delivered to the Bureau and that it had not been furnished by the Bureau to the Warren Commission.

The material they referred to me, I had no recollection of it at the time. Subsequently, I was shown a letter which was sent on November 23d to the President—it may have gone to the Attorney General—where it referred to a source in Mexico giving some information which related to the fact that Oswald had been in Mexico and had been in communication with the Soviet Embassy.

I do not know for sure. I can only assume where it came from. But I had no knowledge of it at the time I was before the Church Committee, that I can recall. Whether Mr. Sullivan had knowledge, he is the only one who could answer the question, or maybe somebody in his division who worked with him. I don't know what Mr. Sullivan did as far as any materials such as this.

Chairman STOKES. On that specific point, that is as much light you can shed on that point?

Mr. MALLEY. That is all I know about it.

Chairman STOKES. Let me now make reference to another segment of the same interview with Assistant Director Sullivan in 1975. This segment relates to what Mr. Sullivan perceived as gaps in the Bureau's investigation into the possibility of whether Lee Oswald was involved with others in the assassination.

Keeping in mind that Mr. Sullivan was the man in charge of directing the Bureau's investigation of any conspiracy aspects of the case, let me refer to these further comments by him.

"To my recollection, we never developed any conclusive evidence that would tie or bind Mr. Oswald to any foreign nation or to the instructions of any foreign nation directly or indirectly in connection with the assassination of President Kennedy. Now, there are gaps here that I would like to make very clear. These gaps certainly bothered the men in my division and they bothered me. And I am sure they bothered some of the men in the Dallas field office.

"For example, there is a gap as to what transpired when Mr. Oswald was in Russia. We really do not have any firm information on this at all."

From your own investigation, did you find the same or similar gaps?

Mr. MALLEY. If my memory is correct, another Government agency, who had access to information about Oswald's activities in Russia, furnished to the Warren Commission—my memory is not good enough to tell you that I had access to every word of it—but I would presume if they furnished it to the Warren Commission, it was given to us. That would have been given to the Domestic Intelligence Division inasmuch as it related to their activities, rather than the actual assassination.

Chairman STOKES. What about Mr. Sullivan's comment that there were other men in the division who found such gaps disturbing?

Mr. MALLEY. The only thing I can tell you, and I repeat what I have said before, there was very, very close coordination between the men, and I say that regardless of what Mr. Sullivan may have said because I know it of my knowledge.

And if there were any such gaps in anyone's mind, they certainly had an obligation to discuss it with the men in both divisions to see to it that they were cleared up, if possible.

Chairman STOKES. You are saying, then that no one discussed those gaps with you?

Mr. MALLEY. No.

Chairman STOKES. Mr. Malley, let me again quote Mr. Sullivan during the course of interview. He says, "It is my understanding from conversations on this subject, that he, Hoover, did not want the Warren Commission to conduct an exhaustive investigation for fear that it would discover important and relevant facts that we in the FBI had not discovered in our investigation. Therefore, it would be greatly embarrassing to him and damaging to his career and to the FBI as a whole."

And then when asked if he believed that the Dallas FBI's secret destruction of a letter from Lee Harvey Oswald could have been one of the things that Mr. Hoover was afraid the Warren Commission might uncover, Mr. Sullivan further stated as follows, and I quote him again: "Well, that could be, but it didn't happen to come

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to my mind when you raised the question. I do think, though, and this is only an opinion, I do think that what he had in mind went beyond that. If he did have that in mind, it went to something more basic, that we might have failed to discover a relationship between Oswald and the Cubans, and if we had failed to discover a relationship between the two and the Warren Commission did, then we would, indeed, as a Bureau be in serious trouble."

Can we ask for your reaction to this point brought up by Mr. Sullivan?

Mr. MALLEY. With regard to the first part, where he is saying the Director was opposed to this, that and the other thing, I don't know if it was the first day I was back in Washington or the second, Mr. Hoover called for Belmont, his associate director, and myself, to come to his office. We were told in very firm conversation by the Director that we were to exhaustively pursue every aspect of any lead that developed, no matter how small it appeared to be, and to leave nothing to doubt.

If that sounds like the Director, who was trying to short-circuit the investigation, I can't understand plain English. I think that is a very, very important thing for you gentlemen to understand, that where I was concerned, Mr. Hoover never said anything except go forward to the *n*th degree on anything that comes to your attention.

Where Mr. Sullivan gets his information, I cannot tell you. He is dead and I am not going to make any statements that I can't back up personally.

Chairman STOKES. Mr. Malley, we have learned in the years since the assassination that Director Hoover secretly disciplined 17 Bureau officials for what he regarded as mistakes and deficiencies in their pre-assassination investigation of Lee Harvey Oswald.

The fact that these Bureau officials were punished for these deficiencies in the Oswald investigation was never revealed to the Warren Commission. It was never, in fact, publicly known until 1976. Let me now read to you a statement by former Assistant Director William Sullivan regarding this area and then I would like to ask for your further comments on this.

And I quote him: "I suggested that the disciplinary action was arbitrary but calculated rather than capricious. It was calculated, it was thought out as a means of Mr. Hoover protecting himself against any indictment that he was at fault in the assassination of President Kennedy. That the FBI, under his direction, had made mistakes and, therefore, he was culpable and apparently his reasoning, as we interpreted it at the time, was that if he ordered disciplinary transfers and letters of censure to a large number of men and then if he was charged with culpability in the assassination of President Kennedy, he could say these men are the ones responsible, and I have already taken disciplinary action against them."

Do you believe that this was true?

Mr. MALLEY. Again, I don't know where Mr. Sullivan got his information. I know that I was not made aware nor did I ever see the memorandum which you are referring to concerning the disciplinary action. I did hear that some had been recommended, but I

was never made aware of what went on. I think you would have to talk to somebody else who had more knowledge about it than I do.

Chairman STOKES. Were you personally familiar with any disciplinary action relative to Mr. Hosty, James Hosty?

Mr. MALLEY. Yes, in that there were certain things that occurred in Dallas that Hosty was involved in where I was told he would probably be recommended for some action based on some loose, unnecessary statements that he made the day of the assassination.

Other than that, I have no recollection of anything else.

One other thing. You mentioned this note. The first time I ever heard about the note was after it appeared in the newspapers. I believe it was a year ago this summer. I was questioned at that time by the Bureau when they were conducting their own investigation to find out who might have known about it at the time, and didn't reveal it.

Chairman STOKES. The first time you heard about the note was a year ago?

Mr. MALLEY. That's correct, when it came out in the newspapers.

Chairman STOKES. Thank you. I have no further questions.

The gentleman from Connecticut, Mr. Dodd.

Mr. DODD. Thank you, Mr. Chairman. Thank you, Mr. Malley, for being here this morning.

I would like to go back to the very first question that Chairman Stokes raised to you. I didn't write down your exact quote when you responded, but it struck me. You talked about the relationship between the Bureau and the Warren Commission. You described it as a business relationship. They asked for things and you would respond and it was a very, well, I guess, business relationship is maybe the best way to describe it. And I was a little struck by that.

It occurred to me that we had a commission that was set up by the President of the United States, that was chaired by the Chief Justice of the Supreme Court of this country, investigating the death of an American President.

I sensed, in your response, and this is my opinion, but I sensed in your response that the creation of the Warren Commission was a source of embarrassment to the Bureau because it, in effect, was saying that we can't rely on the Bureau to do a thorough and complete investigation of this matter, and we have to set up a separate commission.

Would I be incorrect in assuming that that was not an uncommon feeling among upper echelon people within the Bureau that, in fact, the creation of the Warren Commission was, in effect; a black eye; that the very fact it was created was a black eye for the Bureau?

Mr. MALLEY. The only answer I can give you on that is no official—

Mr. DODD. Is no what?

Mr. MALLEY. No official higher than I has discussed their feelings with me about the creation of the Warren Commission. I personally did not consider it any black eye to the Bureau. I felt that on such a matter as important as that, that if they wanted to create a commission to double-check what the Bureau was doing, they had a perfect right to do it, and I went along with the

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Director's feeling that we should cooperate fully and do anything we could to help, which we did.

Mr. DODD. Your answer now has a bit of a different twist to it than it did when you originally answered it.

Mr. MALLEY. No, you are indicating that I felt there was something wrong, that I was not in agreement that the Commission should be created. If I gave that impression, I am sorry because it was none of my business whether they did or did not have a commission.

Mr. DODD. Let me ask you this: You talked about it as a business relationship, and I presume by that you mean that since you, the agency, the Bureau, was the body responsible for the collection of data, evidence and so forth, in effect, the Bureau was the investigating arm of the Commission. The Commission did not have a separate group of investigators. It relied upon the Bureau for the collection of information; isn't that correct?

Mr. MALLEY. That's correct.

Mr. DODD. Am I to assume further from your response to Mr. Stokes' question that unless the Commission asked for something specifically, unless they asked for certain data and evidence, that the Bureau was not forthcoming on its own with information—

Mr. MALLEY. No, that's a completely erroneous impression. We were constantly turning over reports, every time that one was received from the field, to the Warren Commission and gave it to them just as fast as we possibly could.

So, when you say that we were not doing anything unless they asked us, that is completely wrong.

Mr. DODD. The Bureau volunteered information?

Mr. MALLEY. We kept doing it up until the day they disbanded the Commission.

Mr. DODD. Why didn't you give them the Hosty letter?

Mr. MALLEY. Because I didn't know about it. If I had I certainly would have.

Mr. DODD. I am not suggesting you yourself, I am talking about the Bureau. If the Bureau was cooperating in giving information to the Warren Commission, you were aware of the Hosty letter, that is the Bureau was, why didn't the Bureau in the sense of cooperation you are describing, turn over the Hosty letter to the Warren Commission?

Mr. MALLEY. I can't answer the question because not knowing about it, I don't know what the thinking was of the people who had it or knew about it.

Mr. DODD. So, using that example, there was not a full sense of cooperation in terms of making the information available?

Mr. MALLEY. Well, I would have to say, is there a man in this room who never made a mistake in judgment?

Mr. DODD. I am not suggesting that there is a mistake in judgment. You are talking about a letter written in the hand of the man who has been accused of assassinating the President to an FBI agent in Dallas. That is not a mistake in judgment, that is a decision on the part of someone not to turn over a very valid and important piece of evidence.

Mr. MALLEY. I can't answer your question any more than saying what I have already.

Mr. DODD. Did you have any, or to your knowledge, did anyone in the Bureau have any kind of a special relationship with anyone who was a member of the Warren Commission? By that, I am asking you this: Did anyone who served on the Warren Commission, was any member of that Commission requested to provide information to the Bureau, from executive sessions, that would not otherwise have been available to the Bureau?

Mr. MALLEY. Not that I am aware of. There is a possibility that somebody may have been very friendly and talked to them, but I don't know of any special request that was ever made to anyone to keep them advised.

Mr. DODD. You never made any requests?

Mr. MALLEY. I did not.

Mr. DODD. To your knowledge, no one else made any requests of any member of that Commission to report on what the activities of the executive sessions of that Commission were?

Mr. MALLEY. Not that I can recall.

Mr. DODD. Mr. Chairman, I think my 5 minutes may be up. I will come back.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Connecticut, Mr. McKinney.

Mr. MCKINNEY. Thank you, Mr. Chairman.

Mr. Malley, during the original investigation in Dallas, and when you were first brought in, was there a tremendous amount of pressure from the Bureau to get it done?

Mr. MALLEY. It would depend on how you interpret the comment that you have just made. There was all kinds of pressure to get everything under control as fast as you could. Everybody was reading things from the news media, radio, television and so one, questions were being asked, what about this, what about that, and no matter how much pressure you were getting, a group of men can only do so much in a given time in handling investigative work; whereas as far as I am concerned, I repeat again, I was never given any time limit that we had to have anything finished.

Mr. MCKINNEY. In other words, at that stage in your investigation you did not feel that there was pressure being brought to bear that resulted in the investigation being anything but complete?

Mr. MALLEY. Not where I am concerned.

Mr. MCKINNEY. Did you hear through general gossip columns of the FBI or your fellow colleagues, of any inordinate pressure being brought upon the FBI by the Attorney General or by anyone else in the administration, including the Director, to speed it up at any cost?

Mr. MALLEY. No.

Mr. MCKINNEY. After the Warren Commission was established and you became liaison, the Committee is aware of several statements on the part of different people within the administration suggesting that they wanted the Warren Commission wrapped up as quickly as possible. Did you at that point as liaison to the Warren Commission, feel that this type of pressure was in any way hurting your efforts to fully supply the Warren Commission or fully answer any of the questions they had?

Mr. MALLEY. Truthfully, I cannot remember that such comments were made. It wouldn't have had any effect whatsoever on what

the Bureau did at that time regardless of whether they wanted to wind it up or whether they didn't. We were working on something and we would have continued it until we thought we had fully exhausted it.

Mr. McKINNEY. You made a statement earlier that you were sending reports to the Warren Commission right up to their dissolution, so to speak.

Did you feel, as an individual and as a long-term agent, and I gather a specialist in your field which was Communism in the United States, that the Warren Commission was brought to a close too soon, before it had all of the information the FBI had? Or, did you feel that it should have been continued longer?

Mr. MALLEY. The best answer I can give you on that is that the majority of reports that were being sent to the Warren Commission, after probably the middle of the summer, 1964, were rather innocuous reports of miscellaneous allegations and so on that were continuing to come in. I am not in a position to give you examples, but just things that would have to be checked out to see if there was anything to them.

I do think that the Warren Commission in their hearings, exhausted all of the fundamental aspects of the inquiry as I knew it at that time.

Mr. McKINNEY. The Warren Commission had rather a cavalier attitude toward the role of Jack Ruby, in fact almost to the point of suggesting that they could find no real ties between Jack Ruby and organized crime. How did you feel about their handling of the Ruby matter.

Mr. MALLEY. Well, when you say his ties with organized crime, the only comment I could make is from what I remember reading in reports. I do remember reading that there were several individuals, possibly high school associates of Ruby, that did eventually become pretty well known in organized crime. To the best of my—

Mr. McKINNEY. Wasn't it pretty well known to the FBI that Jack Ruby, No. 1, was a member of organized crime, No. 2, he ran a strip joint and has been somewhat commonly referred to as a supplier of both women and booze to political and police figures in the city of Dallas.

Didn't you find it a little difficult to accept the Warren Commission's final output on Ruby with the knowledge that the FBI had put into the Commission?

Mr. MALLEY. You are saying the final findings. All I know is that every effort was made to check out his activities completely and anything that we checked was given to them.

Now, I am not in a position to criticize what the Warren Commission findings were and I can't say that I agree or disagree with what they found, it is too many years ago.

Mr. McKINNEY. Do you think that the push for speed and a resolution to the Warren Commission's deliberations might have been one of the reasons why they were deficient in such areas as following through on Ruby?

Mr. MALLEY. Well, based on my conversations with Mr. Rankin I think if he felt we were shortchanging him on time that he would have made a statement for the record at that time to say so.

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Mr. McKINNEY. I have no more questions, Mr. Chairman.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Tennessee, Mr. Ford.

Mr. FORD. Thank you, Mr. Chairman.

Mr. Malley, yesterday, Mr. Kelly, with the Secret Service, testified that on December 9, 1963, they were instructed to turn over the assassination to the FBI. To what extent was this investigation continued by the FBI?

Mr. MALLEY. Are you referring to what Secret Service was doing or what?

Mr. FORD. No; when they turned the investigation over to the FBI on December 9, after receiving orders from the White House, to what extent was this investigation continued from that point on?

Mr. MALLEY. Well, I don't know whether I interpret your question correctly because we were already doing everything we possibly could. We continued to do so.

Mr. FORD. Mr. Kelly said yesterday that the Secret Service considered the case practically closed when Lee Harvey Oswald was arrested. I think you said earlier that the FBI did not feel that way, and so I am asking at this point what steps or how did you continue the investigation?

Mr. MALLEY. We never changed our position one way or the other. Just because Secret Service was dropping out of it we went right ahead with everything that we could possibly do to definitely establish not only the information we thought was correct, namely, Oswald was probably involved, but to firmly show it and see if there was anyone else involved, which we had in mind constantly.

Mr. FORD. Memos were coming from Director Hoover instructing that the case be wrapped up as soon as possible, is that correct,

Mr. MALLEY. That is what you are telling me. I wasn't in Washington at that time so I don't recall reading them when I got back.

Mr. FORD. One final question.

Could Director Hoover's attitude toward the Kennedys have had any effect or influence on the investigation of the assassination?

Mr. MALLEY. Well, I think I am going to say this for about the third or fourth time. He told me not to stop at anything, to go all out and do everything to thoroughly exhaust every possibility. That certainly wouldn't indicate that any relationship he had would have had any effect on our investigation.

Mr. FORD. Thank you.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you, Mr. Chairman.

I would like to review again exactly the structure of authority in Dallas after you arrived there.

Is it your testimony that you were put in charge and that Shanklin and Hosty reported to you during their days out there?

Mr. MALLEY. Hosty did not report to me directly at any time. As far as Mr. Shanklin's position, he was the agent in charge of the office, I was sent down there to help coordinate the activities, to help him out in any way I could.

There were a number of days where I think that both of us were on the phone close to 16 to 18 hours a day, and beyond that, I don't know whether I know exactly what your question is.

Mr. FITHIAN. Well, who made decisions?

Mr. MALLEY. If there were any decisions to be made, if Shanklin was the one who received the information, he discussed it with me. If we agreed, fine. If we didn't agree, it was up to me to say yes or no.

Mr. FITHIAN. So, in other words, you were the authority in Dallas?

Mr. MALLEY. As far as from the standpoint of making any decisions on that level.

Mr. FITHIAN. OK. At the time you were conducting your investigation, did you know, were you aware that when Oswald killed Officer Tippit, presumably, that he was in about the most direct walking route that one could lay out between his apartment and Jack Ruby's

Mr. MALLEY. I don't recall that I knew it immediately. It did come out because of checks that were made to try and tie in whether or not Ruby and Oswald had ever had any relationship of any kind, friendship, working relationship, or anything else, the Bureau's investigation did not ever reveal the slightest indication of a tieup between Ruby or they were ever—

Mr. FITHIAN. I understand that. I am just asking whether or not you were aware at the time the investigation was—

Mr. MALLEY. Sometime during the investigation I definitely was.

Mr. FITHIAN. And were you aware of a memorandum from Evans to Belmont, or the substance of that memorandum, dated November 26, 1963, which I believe is JFK F-457, in which it is clearly acknowledged, that at least there are rumors, this is not evidence, there are rumors, people want to know and it says "There have also been allegations that Oswald and Ruby were known to each other and were part of a conspiracy. It has been further alleged Oswald was killed to silence him."

Just to clarify for you in the record, I am not now espousing the theory that necessarily Ruby killed Oswald to silence him. What I am doing is this. This data was in the possession of the Bureau, that is, it was no news to you or anybody else that there were rumors that these two men were associated and, therefore, it seems to me rather pertinent that the chief investigative officer there on behalf of the Bureau would have known that, to the layman at least, it appears that Oswald might be walking from his apartment to Jack Ruby's at the time that he inadvertently came upon police officer Tippit.

My question is whether or not you at the time you were conducting the investigation were aware of that?

Mr. MALLEY. There is no way that I can go back 15 years and tell you when I became aware of it. While I was in Dallas I certainly went out and retraced the steps from here to here to here, to the rooming house he stayed in, and so on and so forth.

Mr. FITHIAN. So you were aware of it sometime before December 10th?

Mr. MALLEY. I think I left on the 12th.

Mr. FITHIAN. On the 12th, when you returned, you were aware of it some time?

Mr. MALLEY. I am reasonably sure I would have had to be.

Mr. FITHIAN. Let me move to another question.

I think you testified that you were not aware of a threatening note from Oswald to the Bureau in Dallas, to Hosty, in particular. At the time that the decision was made by someone of that important piece of evidence pertaining to Oswald's relationship with the Bureau and his feelings toward a Bureau agent, isn't that the kind of information that would be discussed between Mr. Shanklin and yourself prior to its destruction?

Mr. MALLEY. Had I known about it I would certainly have done something about it. I am sorry, he didn't tell me.

Mr. FITHIAN. Did you recommend to the Bureau any kind of censure or punishment or reprimand for either Hosty or Shanklin as a result of subsequently finding out that this had been destroyed and that, you while in charge, were not informed?

Mr. MALLEY. First of all, I didn't find out about it until a year ago, when I had been out of the Bureau for some 6 years. So I would not be making any recommendations as to what should be done about it.

Mr. FITHIAN. I ask unanimous consent to proceed for 2 additional minutes, Mr. Chairman.

Mr. FORD [now presiding]. The gentleman is recognized for 2 additional minutes.

Mr. FITHIAN. Were you made aware at any time during your stay in Dallas, or during the existence of the Warren Commission—were you made aware of the extent of Oswald's contacts with the FBI, that there was an actual security file on him? Did you know that when you arrived in Dallas?

Mr. MALLEY. I knew that on Friday, November 22. I had not had a chance to see the file before I left to go to Dallas because of the fact that there were a lot of people who were interested in seeing the file. They were working in the Domestic Intelligence Division. Subsequently numerous copies were made up and were available to anyone that needed one.

Mr. FITHIAN. Thank you.

I would like now to ask a question of a much more general nature and perhaps would call upon sort of your general philosophy and review of your thoughts while you were in the Bureau.

Yesterday we had some interesting testimony here from the Secret Service. One of the important aspects of that testimony was a rather clear indication on the part of the witness that he believed Oswald to be some kind of a nut, and it seemed to have emanated from this witness' view that anybody who attempted the assassination of the President of the United States would have to be psychopathic or he would have to be mentally out of order.

Would you concur with that general line of interpretation?

Mr. MALLEY. I am not in a position to give you a very direct answer. All I can tell you is that there are many people around the country that you would never know what their thoughts were or what they were capable of doing, and that because one does something on a spur of a moment or with a few days of deliberation, I don't know how you can describe the individual.

We do know that Oswald, 6 months before he killed Kennedy, took a shot at Oswald, I mean at General Walker. So the man's mentality must have been one of wanting to either do something where he would feel proud of himself, or something of that nature,

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but that is not a very direct answer to what you have asked me. I just don't know how to answer you.

Mr. FITHIAN. I was just wondering if ever in any of the times when you were talking over coffee and—

Mr. MALLEY. The only thought that I have ever had on the matter is that from the very early stages of Oswald's life he seemed to be a complete loner, completely independent, and resented taking instructions from anyone.

Mr. FITHIAN. What I was trying to get at is whether or not you and the other high officials in the Bureau, when discussing this, either after the Kennedy case, after the Kennedy assassination, or before, generally tend to believe that the only person capable of actually trying to undertake the assassination of a President or a high official in the United States would have to be mentally unbalanced or off or different?

Mr. MALLEY. I wouldn't say that that is a complete necessarily correct situation.

You do know that where Oswald is concerned he did some planning on his own. You can say that he was mentally unbalanced. He was certainly smart enough to do a little figuring on that particular situation. He did manage to get away from the building, not for long, but he did manage to get away. Who is to say whether the man is unbalanced or whether he has just got a temporary point that he wants to make for himself and make some history, whether he is going to be prosecuted, killed or what himself, I don't know.

Mr. FITHIAN. Mr. Chairman, the reason I raise this question, is that I guess that I was increasingly disturbed by yesterday's testimony and I really kind of wanted to go back to that witness or to those witnesses, both of these agencies, and ask whether or not either agency would in retrospect have been able to detect or identify a politically motivated, apart from a pathologically motivated, psychopathically motivated, type of an assassination.

I guess I am not sure that we are fully aware that there are terrorists who for political reasons these days do things which cannot be normally attributed to somebody who is just mentally off. Maybe we would have thought that 15 years ago, that anybody who hijacked a French airliner or who did many of the kinds of sensational terrorist things that have happened in the last 5 years, or so, maybe we would have thought that only someone who was mentally warped could have done that, but my question, which is very ill phrased, and ineptly phrased, is whether or not, either then or now, the Bureau and the Secret Service and other agencies are really thinking in the dimension of today's world in terms of real terrorists, who act for political, not personally unbalanced reasons, and it disturbs me that that kind of thinking might have prevailed then and therefore, the whole investigation by the FBI was put in that direction rather than to immediately question and thoroughly investigate the potential of either a politically inspired collaborative thing or one in which organized crime was involved?

There are two or three other kinds of lines of investigation that seem to me to be rather inadequate by the Bureau and the Secret Service and the Warren Commission, as far as that is concerned, and that is why I was wondering what your philosophy was, where you were coming from?

ASSASSINATION

Mr. MALLEY. Well, the only thing that I can say to you is that at that time and today you have literally hundreds of people walking around the streets that may be capable of violence or terrorist activities at any time. I don't know how the Government could afford to spend the money that would be necessary to keep a surveillance on everyone that they thought had the potential to do something out of the question.

Mr. FITHIAN. Mr. Chairman, I would like to return to this question but I am going to have to run and vote or miss that vote. Thank you very much.

Mr. EDGAR [now presiding]. I yield back to the Chairman and then I will ask some questions.

Chairman STOKES. The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Thank you, Mr. Chairman.

Mr. Malley, who is in charge of the Monday after Oswald's assassination by Jack Ruby, of the FBI's investigation into the death of President Kennedy?

Mr. MALLEY. Who was actually in charge of it? In Washington or in Dallas or where?

Mr. EDGAR. OK, let's start with the Federal Bureau of Investigation.

Mr. MALLEY. Well, I think you would say Mr. Alan Belmont, Associate Director under Mr. Hoover, was actually overseeing the entire investigation.

Mr. EDGAR. Again, would you sit closer to the mike? Mr. Alan Belmont?

Mr. MALLEY. That is correct.

Mr. EDGAR. In your opinion, Mr. Alan Belmont was in charge of the investigation?

Mr. MALLEY. Overall.

Mr. EDGAR. For the Federal Bureau of Investigation.

What was your relationship with him?

Mr. MALLEY. I described my prior position. I was, therefore, working under Belmont and then under Rosen, so there were two people, one person in between myself and Belmont.

Mr. EDGAR. At any time in the days following the assassination of President Kennedy, did you suggest or did you participate in a meeting to develop an investigative plan of where the Federal Bureau of Investigation was going to go in analyzing this particular case?

Mr. MALLEY. To say that that particular question, the purpose of a meeting, I cannot do it. I do know that I had many, many conferences with Mr. Belmont by myself, many with the supervisory staff that was working in the Division that I was from, as well as supervisors from the Domestic Intelligence Division.

Mr. EDGAR. Did the FBI have a plan?

Mr. MALLEY. Well, there was a definite plan, namely, the purpose of the investigation, as we have said five times already, was to find out whether there was any conspiracy involved and to make sure whether or not Oswald did actually kill the President.

Mr. EDGAR. Was that plan written down anywhere?

Mr. MALLEY. If it was, I am not aware of it.

Mr. EDGAR. Now, you have just indicated that the FBI had a plan and that that plan was not written down anywhere but—

Mr. MALLEY. I didn't say it wasn't. I said I am not aware of it.
Mr. EDGAR. You did suggest, though, that the verbal plan was to check out conspiracy?

Mr. MALLEY. Certainly.

Mr. EDGAR. What part did the FBI play in trying to coordinate the information of the CIA and Secret Service?

Mr. MALLEY. If we received any information from the Secret Service or the CIA we would have taken it into consideration in our own investigation.

Following the creation of the Warren Commission, I presume they gave their information to the Warren Commission. Whether they gave it to us, you would have to come up with a specific document and check.

Mr. EDGAR. Why wouldn't you have suggested that the FBI sit down with the CIA and the Secret Service to find out what information they had and to share with them what information you had about Lee Harvey Oswald, Jack Ruby, or anything relating to the assassination?

Mr. MALLEY. With respect to the Secret Service, while I was in Dallas no one was in more constant communication with Inspector Tom Kelly than I was. We talked very frequently on the phone. Following the assassination and back in Washington, I frequently had lunch with Tom Kelly and talked to him on the phone frequently. So I don't think you can say that we weren't aware of one another's problems and that we didn't try to help one another out a bit.

As to CIA relationships, that would have been handled by Mr. Sullivan's division and I can't offhand say what they did with CIA.

Mr. EDGAR. Did you talk to Mr. Kelly about the scope of the FBI's investigative plan?

Mr. MALLEY. I do not remember that I did.

Chairman STOKES. The time of the gentleman has expired.

Mr. EDGAR. Mr. chairman, I ask unanimous consent to continue for 3 additional minutes.

Chairman STOKES. Without objection, the gentleman is recognized.

Mr. EDGAR. Mr. Kelly testified yesterday that his agency checked out Lee Harvey Oswald's rifle in Chicago, and the purchase of that rifle, and discovered that the FBI had already been there and that some information was shared with the proprietor of the shop indicating that the FBI had said don't talk to anyone else about this. Do you know if that is accurate?

Mr. MALLEY. I don't have the slightest idea. I am not ignoring your question, I just don't know.

Mr. EDGAR. Just a few moments ago you said that the purpose of the Warren Commission—and I hope I am correctly quoting your words—was in essence to quote "double check the FBI's investigation."

Was that your testimony?

Mr. MALLEY. I don't recall that I said the purpose. I may have been asked a question where I said I would presume that they were asked to make certain what the FBI did and whether it was complete and thorough and so on.

ASSASSINATION

Mr. EDGAR. Was that the attitude of the FBI at the time of the Warren Commission's formation?

Mr. MALLEY. We just went through this a little while ago, and I can't tell you of anybody that had any attitudes as such. They may have talked among themselves, I don't know what they did. All I know is that nobody tried to convince me that we were to do anything other than a very thorough job and cooperate fully with the Warren Commission.

Mr. EDGAR. But if the prevailing attitude were that of the same phraseology that you have just shared, it would indicate to me that the FBI was a bit paranoid about the Warren Commission in that it was in a sense looking over its shoulder and doublechecking it and looking at its investigation, and that is backed up by some comments that I just read in a report that we have in our folder here, the final report, book V of the investigation of the assassination of President John F. Kennedy reference of the intelligence agencies. It goes through a whole litany of concerns that the FBI had about the overseeing of its investigation and the things that the Warren Commission might find out.

Did it ever occur to you that the Warren Commission may have been formed to provide a coordinated function of putting together a puzzle and that rather than being a doublecheck of the FBI it was in essence using the FBI as its investigative arm, and it was looking at the Secret Service and the CIA and Oswald and Ruby and just trying to figure out what in fact took place in Dallas, and what it could tell the American people about that particular event, with no malice or intention of doing anything to the FBI.

Is that a possibility?

Mr. MALLEY. Well, unless I saw the instructions that were given to Mr. Rankin and the entire Warren Commission, I would certainly have no idea of the exact purpose for which they were established. I do know what I thought they were trying to do, and they were certainly trying to find out all the facts relating to the assassination, and I don't think they cared whether it was good or bad from the standpoint of whether we made mistakes or did something perfect, they wanted to know the correct situation and would bring out what happened. I don't think they were showing any partiality nor do I think they were showing malice.

Chairman STOKES. Time of the gentleman has again expired. The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. Thank you, Mr. Chairman.

Mr. Chairman, in order that the record may be complete—and I welcome Mr. Malley here today—Mr. Malley, you and I have been acquainted for something in excess of 35 years, isn't that right?

Mr. MALLEY. That is correct.

Mr. DEVINE. And you and I were both assigned to the New York office at the same time?

Mr. MALLEY. That is right.

Mr. DEVINE. I believe you were in a supervisory capacity and I was just an ordinary special agent; is that right?

Mr. MALLEY. I wouldn't say an ordinary, Mr. Devine, I would say you were assigned there and were doing your job.

Mr. DEVINE. I believe that Assistant Director Belmont was also assigned to the New York office at that time?

Mr. MALLEY. That is correct.

Mr. DEVINE. And he has since deceased?

Mr. MALLEY. That is correct.

Mr. DEVINE. How long ago did he pass away?

Mr. MALLEY. I believe it was a year ago this spring, but I may be wrong. Time goes by fast.

Mr. DEVINE. Yes.

Mr. Malley, I am sorry that these rollcalls require us to be absent from time to time, and I understand that our chairman and perhaps our counsel questioned you about the statements attributed to Mr. Sullivan.

Are you in a position—you may have answered this—are you in a position to state whether or not Mr. Sullivan was looked upon with disfavor by the majority of your personnel?

I don't mean to put you on the spot.

Mr. MALLEY. I said before—Mr. Sullivan is dead, he can't speak for himself—I will repeat what I have told the two men from your committee, that I said to them, Mr. Sullivan was not an easy man to get along with and on a personal situation. I think I am correct in saying that three out of five telephone calls I ever had with him I ended up hanging up after a discussion where there was no possibility of discussing anything sensibly.

It all comes down to the fact that Mr. Sullivan had a very strong attitude, that if I say something, I am correct, and if you don't agree with me, you are wrong.

Mr. DEVINE. Are you in a position to say the circumstances under which he left the Bureau?

Mr. MALLEY. I had left the Bureau prior to that time so I am really not capable of saying. It would be strictly hearsay on my part. I do know from rumors that there were some difficulties encountered.

Mr. DEVINE. Mr. Malley, I think I know what your answer will be to this but I think it should be made clear for the record.

Did the Bureau have any preconceived notion on who was responsible for the Kennedy assassination and then conducted an investigation to confirm that preconceived idea?

Mr. MALLEY. Other members of your committee have indicated they might feel that we did that. That is not correct. As far as people who were working on the assassination, they had an open mind and still had an open mind up to the time that I left the Bureau in 1971 that there could be somebody else involved.

Mr. DEVINE. So that in this investigation the Bureau followed its time-tested policy of being purely a factfinding organization, seeking facts and not making recommendations, letting the chips fall where they may; is that correct?

Mr. MALLEY. That is correct.

Mr. DEVINE. Finally, Mr. Malley, I would like to refer to the narration our chief counsel, Mr. Blakey, when he was giving pretty much the history of the Bureau. In one place he indicated that J. Edgar Hoover's three distinct priorities were the fight against communism, statistics that reflected FBI progress, and the positive image of the Bureau.

ASSASSINATION

He also had, according to some, two glaring blindspots in the areas of civil rights and organized crimes, which put him at odds with the Kennedy administration.

Are you in a position to make any comment upon the activities of the Bureau in the area of civil rights up to and including this time?

Mr. MALLEY. Yes, I think I am.

Mr. DEVINE. Would you state that, please?

Mr. MALLEY. Personally, while I was in the field, before I was called into the seat of government, I had several occasions where I was asked, not asked, told, to conduct civil rights investigations, which I did.

Back in the late middle-forties, while I was assigned as an assistant agent in charge in Houston, Tex., I attended a number of schools for police and sheriffs, where one of the topics to be discussed was the civil rights statutes, and explained to the police officers who were present the full details of why the investigations were being made on civil rights matters and the necessity of changing their ways, if they were engaging in any activities whereby they would be in violation of the civil rights statutes.

On returning to or coming back to Washington in 1952, there was a civil rights desk set up at the seat of government where they were supervising civil rights cases, and I do know that it was a pretty active desk. So when the comment is made that Mr. Hoover had no interest in civil rights, what his personal feelings were I cannot say, officially he was carrying out all obligations under the civil rights statute.

I also know that some claims were made concerning our attitude and when you say that we didn't take over and do things until the Kennedys came in, I remember one instance, which I would like for your record to show, namely, that certain people in the Civil Rights Division of the Department of Justice felt that they had a perfect right to have agents assigned to them to go out in the field and they would direct all of the agent's activities and not be in a position to do what they felt needed to be done except on the departmental attorney's instructions.

The Director flatly refused to assign personnel under those circumstances but did say, "you tell us the cases you want investigated, we will do them, turn the results over to you, and if you have any problems with our investigation we will do as much more or anything else that you want to ask us to do, but we will conduct our original investigation." Beyond that, I think I have covered it.

Mr. DEVINE. The second part of the question, Mr. Malley, had to do with organized crime and some conflict with the Kennedy administration. Are you in a position to comment on that? I know you were not assigned to the criminal division at that time.

Mr. MALLEY. I am not really in a position to comment about any conflict. I do know that following the Kennedy assassination, I am sorry, the Kennedy administration taking power, more emphasis was placed on organized crime. Beyond that I am not in a position to comment.

Mr. DEVINE. Thank you.

Chairman STOKES. Time of the gentleman has expired.

Mr. Malley, with reference to some of the answers you have just given Mr. Devine with reference to the attitude of the department with reference to civil rights, were you still with the department when the COINTEL program was initiated?

Mr. MALLEY. That was in another division. I did hear references to it. I was not thoroughly familiar with it.

Chairman STOKES. Well, since you have left the department are you now familiar with the COINTEL program?

Mr. MALLEY. Only what I have read in the newspapers. No other way could I be familiar with it since I left the Bureau.

Chairman STOKES. Are you aware of the fact that as a result of a Senate committee uncovering the COINTEL program, it has been described as being one of the most disgraceful activities to ever be conducted by the Federal Bureau of Investigation against people like Dr. Martin Luther King, and other civil rights persons?

Mr. MALLEY. I saw it in the paper that there was a lot of criticism.

Chairman STOKES. And having seen that in the paper, does that in any way impact upon your statements here this morning with reference to the great civil rights attitude of the department?

Mr. MALLEY. I didn't hear your last part.

Chairman STOKES. From what you have read, then, about the COINTEL program initiated by the Bureau, does that in any way impact upon the statements that you have made here about the fine attitude of the department toward civil rights?

Mr. MALLEY. When you say department, are you referring to the Justice Department or do you mean a department in the FBI?

Chairman STOKES. I am talking about the FBI.

Mr. MALLEY. The only thing that I can tell you is what I did say, that we were interested in conducting civil rights investigations. What was handled under the COINTEL program I cannot comment on because I don't know exactly what was going on.

Chairman STOKES. Another point with reference to Mr. Sullivan. It seems to me that the underlying question here is not whether he was a difficult man to get along with. The question, it seems to me, is as you knew him, was he a truthful man?

Mr. MALLEY. I can't cite instances. I would say there are a number of recollections where I felt to myself that that is not the way I understood the situation to be when I read certain things that he had prepared.

Chairman STOKES. That is not my question, sir. My question is, as you knew him, was he a truthful man?

Mr. MALLEY. I wasn't acquainted with him on a social basis. As far as official dealings with him, I did not always believe everything that he tried to convince me of. That still is not a direct answer. That is the only way I can answer it.

Chairman STOKES. Well, let's put it another way. From all that you knew about him, would you disbelieve him under oath?

Mr. MALLEY. I think that if it looked to Mr. Sullivan like it was to his advantage to say what he was thinking, he might say it, and I don't know whether he would even be aware whether he was fabricating or not.

Chairman STOKES. Mr. Malley, I think the question I am putting to you is a fairly simple question and really requires a fairly simple answer. From all you know about him——

Mr. MALLEY. I would not trust him.

Chairman STOKES. Beg pardon?

Mr. MALLEY. I would not trust him, if that is a better answer for you.

Chairman STOKES. There is a difference between trust and credibility.

Mr. MALLEY. Let me say then that I don't think his credibility was as high as most people that I was acquainted with in the Bureau.

Chairman STOKES. You don't care to answer my question, is that correct?

Mr. MALLEY. I can't say that he lied deliberately at any time. All I know is that I had many dealings——

Chairman STOKES. I just asked you sir, from all you knew about him, would you believe him under oath?

Mr. MALLEY. Not necessarily.

Chairman STOKES. Now, Mr. Hoover was a powerful man, wasn't he. Isn't that a fair statement?

Mr. MALLEY. I would regard it as true.

Chairman STOKES. And throughout the Bureau, by the men in the Bureau, he was regarded as being a powerful man, was he not?

Mr. MALLEY. Yes.

Chairman STOKES. And it will be a fair statement to say that in his imposing position he intimidated men who worked in that Bureau, isn't that true?

Mr. MALLEY. I won't agree with that statement. Some fellows may have felt that way. I felt that if I didn't like what Mr. Hoover was doing I had a right to walk out any time I wanted to. He didn't ask me to come to work, I asked him to work there.

Chairman STOKES. Well, with reference to other men in the Bureau, wasn't it commonly known that he intimidated men?

Mr. MALLEY. All I can answer there is to say that if something went wrong your agents knew they would probably be receiving disciplinary action. If you call that intimidation, maybe it is.

Chairman STOKES. And with reference to that disciplinary action, because of the fear of incurring his wrath, wasn't it commonly known in the Bureau that field supervisors would often cover up the mistakes of their men so as not to incur his wrath?

Mr. MALLEY. I don't have knowledge of that. I was a field supervisor for 4½ years and I don't remember that I ever covered up for anybody.

Chairman STOKES. Well, I am not asking you what you did, I am asking, wasn't it common knowledge?

Mr. MALLEY. I can't answer what other people did. When you say common knowledge, I don't know that to be common knowledge.

Chairman STOKES. I have no further questions.

The gentlemen from Indiana, Mr. Fithian.

Mr. FITHIAN. I yield to Mr. Sawyer.

Chairman STOKES. I am sorry. I didn't realize the gentleman had gotten back. The gentleman from Michigan, Mr. Sawyer.

Mr. SAWYER. Thank you, Mr. Chairman.

As I understand your job of liaison entailed reading carefully anything that went from the Bureau to the Warren Commission?

Mr. MALLEY. That is correct.

Mr. SAWYER. At least that was part of the job?

Mr. MALLEY. Yes.

Mr. SAWYER. What was the purpose of your reading carefully everything that went to the Warren Commission before it went there?

Mr. MALLEY. To make certain that everything was properly, thoroughly, and exhaustively run out. Mr. Belmont and I had the same assignment, and in reading reports, et cetera, I know that I did it, and I am sure that Belmont made notes reading reports to double check back and see what the preliminary investigation was on certain matters, whether it had been completely followed through.

If there wasn't a definite answer, to see to it that further investigation was made, check with the supervisors to find out whether more investigation was being conducted.

Mr. SAWYER. Did you have authority to decide, after reading something, that it wasn't going to go to the Warren Commission?

Mr. MALLEY. I did not. There was nothing that came through, as far as the Bureau was concerned, that did not eventually go to the Warren Commission.

Mr. SAWYER. When you say eventually, what do you mean eventually?

Mr. MALLEY. What I am saying is that if a report came through and it was obviously incomplete and had not been thoroughly looked into, we sent it back to the field to get a more complete investigation and then sent over a completed product.

Mr. SAWYER. Did you do that, did you exercise any discretion with respect to things that, in your judgment, might be embarrassing to the Bureau?

Mr. MALLEY. I did not.

Mr. SAWYER. Was that part of your job?

Mr. MALLEY. As I said before, we were told to hold nothing back from the Warren Commission.

Mr. SAWYER. But you were told to read carefully anything before it went?

Mr. MALLEY. And to make sure it was accurate and fully investigated.

Mr. SAWYER. You operated somewhat as a censor, then, between the Bureau and the Warren Commission?

Mr. MALLEY. No, sir. When you say a censor, you are inferring I would have the right to take this out and take that out, and I am saying that my only purpose in reading material was to make certain that the investigation was complete.

Mr. SAWYER. So you only had authority to add in and not take out, is that correct?

Mr. MALLEY. And the additions would only be to get further data to explain what the thing was all about.

Mr. SAWYER. And you never in the course of this saw this Hosty letter either?

Mr. MALLEY. I have said four times I never saw the letter until—I am sorry, you were out, maybe you didn't hear me—I never knew

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anything about the Hosty letter until 1 year ago when it came out in the newspapers.

Mr. SAWYER. Thank you.

I have nothing further, Mr. Chairman.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you, Mr. Chairman.

Now, let me just make sure I am correct. You were the first person assigned, you were initially assigned as the liaison to the Warren Commission, is that correct?

Mr. MALLEY. That is correct.

Mr. FITHIAN. And did anyone else serve as the liaison throughout its existence?

Mr. MALLEY. Not to my knowledge, unless there was some situation where I was ill or might have taken a day off, and I don't recall that occurring.

Mr. FITHIAN. And you told us that you reviewed documents and all matters that went to the Warren Commission, you read them personally?

Mr. MALLEY. That is right.

Mr. FITHIAN. I would now like to direct your attention to the Oswald address book and ask you whether or not you saw that document prior to its going to the Warren Commission?

Mr. MALLEY. To be specific, I can't recall that I saw the address book as such. I saw the results of everything that was in his address book in a report form and I believe that I was shown the actual address book.

Mr. FITHIAN. And did you satisfy yourself that it was authentic and complete; that is, did you look at the report that was going from the Bureau to the Warren Commission, compare that with the address book itself?

Mr. MALLEY. I had to use a little reliance on people who were working with me. To take the time to go through everything that was in Oswald's notebook and compare item by item, I could not take the time to do it.

Mr. FITHIAN. So that we can be completely accurate, then, it would be inaccurate to say that you read everything that was forwarded from the Bureau to the Warren Commission?

Mr. MALLEY. I did make the comment that I read any letters and all reports that went from the Bureau.

Mr. FITHIAN. Are you aware that a particular page from the Oswald notebook was not forwarded and that that page included agent Hosty's name and address and license number?

Mr. MALLEY. I had no recollection of it. I was told by one of your staff members that that occurred.

Mr. FITHIAN. Do you have any comment for the committee as to how that could have occurred?

Mr. MALLEY. No, I am not in a position to answer you because I knew nothing about it.

Mr. FITHIAN. Is it your professional judgment that the book once acquired by the FBI always remained in the possession of the Bureau?

Mr. MALLEY. It would be most unusual if it did not.

Mr. FITHIAN. And, therefore, would it be fair for the committee to conclude—

Mr. MALLEY. May I interrupt you there?

Mr. FITHIAN. Yes.

Mr. MALLEY. I do not know if this is one of the items of evidence that was picked up by the Dallas Police Department prior to the time that it was turned over to the FBI.

Mr. FITHIAN. Who would have given you the book?

Mr. MALLEY. One of the supervisors in Washington or one of the agents in the field office before it was sent into Washington; I cannot recall.

Mr. FITHIAN. Does the Bureau retain some kind of chain of custody within the Bureau?

Mr. MALLEY. Generally speaking, when a piece of evidence is picked up in the field, it is handled by the agent who picked it up until he dictates his material. It is then put in an evidence envelope. If it is coming to Washington, it is marked "evidence" so anyone knows that it is evidence.

Mr. FITHIAN. So it would be reasonable, would it not, to believe that the only possible alteration of the contents of the book would have to have been done by somebody in the Bureau?

Mr. MALLEY. All I can tell you is that we did receive a lot of material from the Dallas Police Department. When that book may have been turned over, if it was turned over by them, I don't know.

Mr. FITHIAN. I should correct this by saying it is the transcription that has the page removed.

Mr. MALLEY. Not from the actual report, and not from the actual notebook.

Mr. FITHIAN. No, I believe it is; I have to check with counsel on this, but I believe it is the transcription of the address book, that which was prepared by the Bureau, the transcription prepared to go through you to the Warren Commission, is that not correct, and so it would be a page of that transcription that is missing.

Mr. MALLEY. I would have no way of knowing.

Mr. FITHIAN. Who would have prepared the transcription and signed off on it?

Mr. MALLEY. It would depend on the agent's name that was on the report or whether it was an insert prepared by an agent.

Mr. FITHIAN. But when it got to you, you would verify that someone had, even if you didn't check it yourself, line by line, you would verify that somebody, some responsible authority in the Bureau, had signed off on the document, wouldn't you, isn't that the way you keep your custody straight?

Mr. MALLEY. Are you referring now to keeping the evidence straight or are you referring to this transcription?

Mr. FITHIAN. You see, I am not a lawyer, but it just seems to me that when the President of the United States is killed and documents are transmitted from one person to another or one agency to another, certainly documents as important as those belonging to the alleged assassin—

Mr. MALLEY. Certainly.

Mr. FITHIAN [continuing]. That there would have to be some kind of clear chain of travel for the document. I don't think it just appears in your hand, and so my question is: Was there not some

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system in the Bureau whereby each person who had that and prepared the transcript and brought it to you as the supervisor, as the liaison to the Warren Commission, would have signed off on it? And your responsibility to the supervisor would have been to ascertain that, in fact, someone had attested to you in one form or another that that was a bona fide document, a complete document before it went to the Warren Commission. Now, is that too much to expect that that is the process?

Mr. MALLEY. You are dealing with an entirely different situation in this instance. It was usually handled in the field; namely, most pieces of evidence went direct from a field office to the U.S. attorney's office. In this instance, anything coming in from the Dallas office in the way of evidence would have had to come in, it would be seen by the supervisor and he, in turn, if it was being handled by an individual letter, would have kept it in a folder marked "evidence" and sent it to myself and then on up to Mr. Belmont.

As far as signing a document of some kind, to say this one handled it or that one handled it, I don't know of any time the Bureau followed that much of a clerical procedure.

Mr. FITHIAN. I ask for unanimous consent to proceed for 2 additional minutes, Mr. Chairman.

Chairman STOKES. Without objection, the gentleman is recognized.

Mr. FITHIAN. Let me review this, then. Since it has now been demonstrated that a page, in fact, of the transcription was missing and since reasonable evidence is that it came to the Bureau complete, the alteration, the omission would have to come either at the Dallas office level, at the Washington supervisor level, or by you or by the Warren Commission prior to publication. That's the only four stops that it made; isn't that correct?

Mr. MALLEY. Correct.

Mr. FITHIAN. And your testimony is that you did not know of the omission. Is that correct?

Mr. MALLEY. That's what I said.

Mr. FITHIAN. Now, there is additional evidence that the page, in fact, was not only missing, but that it was retyped so as to appear to be a complete record. What kind of penalty, what kind of reprimand might be reasonably expected to come down from the top, from you or someone, for the person who had made such an alteration? Wouldn't there be some kind of discipline?

Mr. MALLEY. If it had been known, there would have been a thorough check made and recommendations made.

Mr. FITHIAN. The way it appears to the casual and perhaps to even the careful observer is that the Hosty note was destroyed because it reflected badly on the Bureau, that the Oswald transcription was altered because it reflected badly on the Bureau and a number of other things were done so as to put the Bureau in the best possible light.

Can you give us any hard evidence as to why we should not believe that that is the case; that is, that various things were altered, omitted, or drafted in such a way as to put the Bureau in the very best possible light rather than to give the complete information to the Warren Commission?

Mr. MALLEY. Concerning your second comment, that Hosty's name was left out of this transcription, I know of no good reason that it would have been left out. Hosty, at one time, was handling the investigation of Oswald. The fact he had gone out and talked to his wife would be no reason to try to eliminate Hosty's name that I know of.

So, I am not in a position to say why anyone would eliminate it. I have to let you draw any conclusions you want to as to why these things were done because I do not know about them.

Mr. FITHIAN. And you are not prepared to offer any hard information as to why that kind of conclusion might be drawn by someone reviewing the documents?

Mr. MALLEY. No, I am not; I am not.

Chairman STOKES. The time of the gentleman has again expired. The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Thank you, Mr. Chairman.

Going back to the questioning of our chairman, Mr. Stokes, and the questioning of Mr. Devine about both Mr. Sullivan and Mr. Hoover, could you describe Mr. Hoover's personality to the committee as you understood it?

Mr. MALLEY. With regard to what?

Mr. EDGAR. What was he like to work for as an individual?

Mr. MALLEY. He was a very domineering individual who wanted the job done by everybody that was involved. As far as I am concerned, demanded as much excellence that was possible to obtain.

Mr. EDGAR. In the course of your many years in the FBI, did you see any changes in Mr. Hoover's personality?

Mr. MALLEY. I don't think so.

Mr. EDGAR. So, he was the same in 1955 as he was in 1963 and the same as he was in 1968?

Mr. MALLEY. As far as I am concerned.

Mr. EDGAR. It has been pointed out through a number of documents that we have had access to that Mr. Hoover became concerned at some point that the FBI would not be looked upon favorably by the Warren Commission. Is that your impression of Mr. Hoover's concern during the end of 1963 and early 1964?

Mr. MALLEY. I have previously stated that I saw nothing to indicate that Mr. Hoover was worried about what the Warren Commission came up with. He wanted us to thoroughly cooperate with them, thoroughly go ahead with our investigation.

You say you have these indications; I know nothing about them.

Mr. EDGAR. Well, on an April 3, 1964, memorandum to William Sullivan, he handwrote the note, "Their so-called compliments of the Bureau's work are empty and have no sincerity." It goes on to point out several other memorandums and notes where Mr. Hoover was concerned about how the Bureau would be seen. I do note that there was by one agent—well, here's another quote of Mr. Hoover, "In any event, such gross incompetency cannot be overlooked for administrative action postponed," and this was a handwritten note on the 17 agents that were going to be disciplined secretly.

Did you know of that disciplinary action?

Mr. MALLEY. I knew that Mr. Gale had been requested to conduct an investigation. I didn't know when he completed it, nor did I

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know all details about it. I don't recall that I ever saw the memorandum that recommended it.

Mr. EDGAR. Did you ever bring to the attention of the Warren Commission that there were agents who were reprimanded?

Mr. MALLEY. I just got through telling you that I never saw the note, memorandum. I wasn't aware of all the details and I, therefore, would not have had anything to do with bringing it to their attention.

Mr. EDGAR. It seems to me that what you are saying by that answer is, even though you were the liaison person for the FBI, there was information available to the FBI not available to you that was not transmitted to the Warren Commission.

Mr. MALLEY. As I said, I was not shown the memorandum. I couldn't have made any recommendations about it going any place, not knowing whether it had ever been completed.

Mr. EDGAR. I can respect that. From the indications that I am receiving from reading these documents, Mr. Hoover was angry that those agents did not put Mr. Oswald on the security index and yet Mr. Hoover, at least, did not direct you to transmit that information, and the reasons for that feeling on his part to the Warren Commission; is that correct?

Mr. MALLEY. I can't answer what Mr. Hoover thought.

Mr. EDGAR. Did you ever transmit to the Warren Commission the feeling of the Director that Lee Harvey Oswald should have been on the security index?

Mr. MALLEY. No; not to my recollection.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Michigan, Mr. Sawyer.

Mr. SAWYER. You knew Agent Hosty was suspended or otherwise disciplined for his conduct in connection with the Oswald affair; did you not?

Mr. MALLEY. I don't recall the exact date. I do know that eventually for some time he was suspended, but I don't remember when it was.

Mr. SAWYER. Do you know why?

Mr. MALLEY. Are you referring to the original investigation? Are you referring to the Hosty note or what are you referring to?

Mr. SAWYER. Do you know why he was suspended—Agent Hosty?

Mr. MALLEY. If I knew, I would be glad to tell you. I do not know.

Mr. SAWYER. And it was then, in your view, just happenstance that Hosty was eliminated from this transcription of the notebook?

Mr. MALLEY. I didn't say that. I said I do not know why it would have been because I see no reason for it to have been.

Mr. SAWYER. You don't think that reason could have been connected with the same reason that Hosty was suspended for his activities?

Mr. MALLEY. I really can't say that I would take that attitude because it was very obvious from the reports that were available that Mr. Hosty had been involved in the investigation of Oswald. I don't know why they would want to try to eliminate his name just from a notebook.

Mr. SAWYER. I have nothing further, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired.

Mr. Malley, as a witness before our committee, at the conclusion of your testimony, you are entitled to 5 minutes at which time you may, in any way, explain any portion of your testimony, you may comment upon it, you may expand upon it in any way.

On behalf of the committee, I, at this time, extend to you 5 minutes for that purpose.

Mr. MALLEY. I have no further comments I desire to make.

Chairman STOKES. There being nothing further, on behalf of the committee, we thank you for having appeared here and giving us your testimony today.

Thank you very much. You are excused.

[Witness excused.]

Chairman STOKES. The Chair now recognizes Professor Blakey.

NARRATION BY G. ROBERT BLAKEY, CHIEF COUNSEL

Mr. BLAKEY. Thank you, Mr. Chairman.

The FBI security case on Lee Harvey Oswald was opened on October 31, 1959, after it was learned that he had defected to the Soviet Union and had informed officials at the American Embassy in Moscow that he intended to provide radar secrets to the Russians.

The case was intermittently closed and reopened during the following 4 years as Oswald returned from the Soviet Union and moved from Fort Worth to Dallas to New Orleans and back again to Dallas.

It is the handling of the Oswald case that resulted in a decision by Director J. Edgar Hoover, not made public at the time, to discipline a number of Bureau employees, including an assistant director.

The next witness, Mr. Chairman, is a retired official of the FBI, James H. Gale. Immediately after the assassination of President Kennedy, Director Hoover assigned Mr. Gale to conduct an inspection of the Bureau's performance in the Oswald security case prior to the assassination. Mr. Gale's reports resulted in the censuring of a number of FBI employees.

Mr. Gale was hired as an FBI clerk on November 29, 1939, and became an agent on June 21, 1943. He has served as the assistant special agent in charge and special agent in charge in Anchorage, Alaska, and a special agent in charge in Richmond, Cincinnati, and the Washington field offices, as well as Chicago.

In 1962, Mr. Gale became Assistant Director for the Inspection Division. In 1964, Mr. Gale became Assistant Director of the Special Investigative Division. He retired from the Bureau on October 1, 1971.

Mr. Chairman, before calling Mr. Gale, it may be appropriate to note for the record that the select committee has deposed Special Agent James B. Hosty. His testimony was also taken earlier by other House and Senate committees and the select committee has, through the courtesy of those committees, full access to Mr. Hosty's testimony.

The select committee has also been in recent contact with Special Agent Hosty. Mr. Hosty has now new information to offer this committee. Newspaper stories that have recently indicated otherwise are not founded in fact. Mr. Hosty's role in the Oswald secu-

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urity case and subsequently will, of course, be treated in the final committee report in December. He will not be called to testify here today.

It would be appropriate, Mr. Chairman, at this time to call Mr. Gale.

Chairman STOKES. The committee calls Mr. Gale.

Do you solemnly swear the testimony you give before this committee is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GALE. Yes, I do.

Chairman STOKES. Thank you, you may be seated.

TESTIMONY OF JAMES H. GALE

Mr. GALE. May I approach him, please, the Counsel?

Chairman STOKES. Mr. Genzman you want to see.

The Chair recognizes Counsel for the committee, Robert Genzman.

Mr. GENZMAN. Thank you, Mr. Chairman.

Mr. Gale, would you state your full name for the record?

Mr. GALE. James H. Gale.

Mr. GENZMAN. What was your occupation in 1963?

Mr. GALE. In 1963, I was the Assistant Director in charge of the Inspection Division.

Mr. GENZMAN. Briefly, what were your duties?

Mr. GALE. As Assistant Director in charge of the Inspection Division, I had charge over approximately 7 inspectors and about 25 permanent inspector's aides, and it was my responsibility to make inspections of every seat of government division as well as each of the 56 field offices on at least a one-time-per-year basis.

During that time, we would go into the files, investigative files, administrative procedures, make investigative suggestions, insure that personnel was being utilized at a maximum advantage, make sure that we were not indulging in too much redtape, and check into any investigative deficiencies and make pertinent recommendations for administrative action for any administrative or investigative deficiencies.

Mr. GENZMAN. How long did you perform inspection duties for the Bureau?

Mr. GALE. I was an inspector from 1956 to 1959. And then I was in charge of the Washington field office, thereafter going to Chicago, and then coming back as Assistant Director in charge of the Inspection Division from 1962 until 1964.

Mr. GENZMAN. And when did you retire from the Bureau?

Mr. GALE. I retired from the Bureau on October 1, 1971.

Mr. GENZMAN. In connection with your FBI duties, did you ever investigate the FBI's internal security case on Lee Harvey Oswald?

Mr. GALE. Yes, I did.

Mr. GENZMAN. Have you previously testified about your investigation of the Oswald security case?

Mr. GALE. No, I have not.

Mr. GENZMAN. Mr. Chairman, at this time, I would ask that the exhibit marked as JFK F-460 be entered into the record.

Chairman STOKES. Without objection, it may be entered into the record.

[The above-referred-to exhibit, JFK F-460, follows:]

UNITED STATES GOVERNMENT

Memorandum

TO : MR. TOLSON

Secret

DATE: December 13, 1963

FROM : J. H. GALE

SECRET

SUBJECT: LEE HARVEY OSWALD
INTERNAL SECURITY - RClassified by 6690
Exempt from GDS, Category 2
Date of Declassification Indefinite

Director instructed that complete analysis be made of any investigative deficiencies in Oswald case and analysis made concerning any necessary changes in our procedures re handling cases of this type -- analysis re procedure changes and dissemination policies handled separately.

RESULTS OF FINDINGS RE INVESTIGATIVE DEFICIENCIES:

It is definitely felt subject Oswald should have been on the Security Index (SI) based on following facts: (This is based solely on information in our files, at time of and prior to assassination and does not take into consideration information subsequently developed.) (1) Subject's defection to Russia and statement that he never would return to United States for any reason. (2) Stated he was Marxist and advised Department of State he would furnish Soviets any information he had acquired as Marine Aviation Electronics Expert. Also affirmed in writing allegiance to Soviet Union and said service in Marine Corps gave him chance to observe American imperialism. According to State Department Oswald displayed air of new "Sophomore" Party liner at that time. (3) Upon returning to the United States Oswald displayed cold, arrogant, general uncooperative attitude and refused to take Bureau Polygraph test to determine if he had cooperated with the Soviets or had current intelligence assignment. (4) On 9/28/62 it was learned Oswald was subscribing to "The Worker," east coast Communist newspaper. (5) In April, 1963, learned he had been in contact with Fair Play for Cuba Committee, New York, and passed out pamphlets and had placard around neck reading "Hands Off Cuba - Viva Fidel." (6) Wrote letter June 10, 1963, to "The Worker" asking for literature saying he was forming Fair Play for Cuba Committee in New Orleans and he sent honorary membership to "those fighters for peace" Mr. Gus Hall and Mr. B. Davis (Ben Davis). (7) Arrested August 9, 1963, New Orleans, passing out Fair Play for Cuba pamphlets on street. Shortly thereafter interviewed on radio and said "Russia had gone soft on Communism and Cuba only real revolutionary country in world today. (8) Contact with Soviet Embassy, Mexico September and October, 1963.

Field and Seat of Government employees who handled instant case maintain subject did not come within SI criteria. Inspector does not agree, believing that Oswald came within following category: "Investigation has developed information that an individual though not a member of or participant in the activities of subversive organization, has anarchist or revolutionary beliefs and is likely to seize."

- Mr. Callahan

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Re: Lee Harvey Oswald

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upon the opportunity presented by the national emergency to endanger the public safety as shown by overt acts or statements within the last three years, established through reliable sources, informants or individuals."

Upon subject's return from Russia to Texas on 6/14/62, he was interviewed and displayed a recalcitrant attitude. The only investigation conducted was to interview a number of Government officials, three relatives and check with two Communist Party informants. The case was then closed after a second interview with subject by Dallas report dated 8/30/62. No neighborhood or employment sources developed, wife not interviewed, mail covers or other techniques not used to determine whom Oswald in contact with or whether he had intelligence assignment. Inspector feels this limited investigation inadequate. Dallas Agent responsible for delinquencies until 3/26/63 was [redacted] who is now retired, and no explanations obtained from him.

Dallas reopened case 3/26/63 assigned to Special Agent [redacted] Jr., and supervised by Field Supervisor [redacted]. After sending Bureau a letter on 3/25/63 setting out leads to determine Oswald's employment and consider interviewing Oswald's wife, the Bureau was not furnished any information until 8/23/63 and then only after the Bureau had made inquiry of Dallas. It was not until 9/10/63 the Dallas reported subject Oswald subscribed to "The Worker" on 9/28/62 and on April 2 1963, had been in contact with New York Fair Play for Cuba Committee, advising then that he passed out Fair Play for Cuba pamphlets and had placard around neck reading "Hands Off Cuba - Viva Fidel." Relief Supervisor [redacted] advised he received information from New York concerning subject's subscription to "The Worker" and took no action except to route it to former Agent [redacted]. He advised he did not feel this information warranted reopening case. Inspector does not agree, but feels in light of subject's defection, case should have been reopened at first indication of communist sympathy or activity.

Special Agent [redacted] advised that New York did not report Oswald's 4/21/63 Fair Play for Cuba contact to Dallas until letter sent 6/27/63 and Dallas did not feel it necessary to report it to Bureau until 9/10/63. [redacted] admits it "possibly" would have been better to have reported on this matter earlier.

Special Agent [redacted] New York, handled this matter and states information was received from anonymous source and that because of heavy volume of such material he handled urgent matters first and finished entire processing at approximately the end of June, 1963.

Supervisor [redacted] New York, makes similar explanation. Inspector feels 33-day delay from 4/21/63 to 6/27/63 entirely too long to process such material, particularly inasmuch as New York in no position to determine value of some of this material to other offices who have active cases opened on individuals concerned.

*All Excisions are
Bureau Personnel*

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~~_____~~ advised Dallas considered the most important aspect of this case the interview of Oswald's wife and did not deem it advisable to interview her in March, 1963, because they developed information that Oswald drinking to excess and beat up wife on several occasions. ~~_____~~ stated that they allowed a 50-day "cooling-off period" and then couldn't locate Oswald or his wife until New Orleans located them in New Orleans and advised Dallas on 7/17/63. No instructions given New Orleans to interview Mrs. Oswald.

Certainly an enormous waste of time
~~_____~~ advised that after Oswald's return to Dallas was verified on 11/1/63 no interview was conducted of Mrs. Oswald because Dallas awaiting information from New Orleans. ~~_____~~ advised investigation was designed to avoid having Oswald's wife "gain the impression she was being harassed or hounded because of her immigrant status in order that the interview when conducted might be as productive as possible."

Inspector feels this entire facet of investigation mishandled. Mrs. Oswald definitely should have been interviewed and Inspector feels best time to get information from her would be after she was beaten up by her husband as it is felt she would be far more likely to cooperate when angry at Oswald than otherwise.

This certainly makes sense to
On 11/1/63 Dallas determined from Mrs. Ruth Paine that Oswald working at the Texas School Book Depository (place from which assassination shot fired by Oswald). Mrs. Paine unaware of Oswald's residence but stated Oswald's wife living with her. ~~_____~~ states he made pretext telephone call to Oswald's place of employment and was told Oswald residing with Mrs. Paine. Not recorded in file. On 11/3/63 Mrs. Paine recontacted and unable to furnish information as to Oswald's residence address, but stated Oswald had visited his wife at Paine's house on 11/2 and 3/63. At this point Dallas held investigation in abeyance and no further investigation made until assassination.

~~_____~~ explained that he held investigation in abeyance to be certain he was in possession of all information from New Orleans so he could possibly interview Mrs. Oswald and conduct further investigation. He was aware as of 10/3/63 that Oswald had been in contact with the Soviet Embassy in Mexico City but felt because Oswald was employed in nonstrategic position where he would not have access to information important to national defense that he was justified in holding investigation in abeyance. Inspector definitely does not agree. New Orleans submitted 18-page report 10/31/63 and only leads outstanding in New Orleans were to ascertain Oswald's whereabouts. No indication New Orleans had any further data and New Orleans RUC'd case by form 11/19/63. Even if New Orleans had not reported all information in their possession, Dallas should have intensified investigation in light of Oswald's contact with Soviet Embassy and not held investigation in abeyance. Supervisor ~~_____~~ advised he

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*All decisions are
Bureau Personnel*

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discussed above investigative steps with [redacted] and concurred with the manner in which handled. Both [redacted] and [redacted] did not feel Oswald made Security Index criteria.

[redacted]

Lead set out by Dallas in March 25, 1963, letter for Dallas to determine present employment of Oswald and, thereafter, determine whether wife should be interviewed. This was not followed by Bureau for approximately five months until 8/21/63 when Dallas was asked about this lead after subject arrested in New Orleans for distributing Fair Play for Cuba pamphlets. Seat of Government Supervisor [redacted] states additional investigation not conducted until subject arrested for Fair Play for Cuba activity inasmuch as he reviewed investigation and evaluated that subject was not engaged in activities inimical to the United States. [redacted] states did not feel interview of subject's wife warranted and did not feel case should be reopened at Bureau on 3/25/63 merely to follow Dallas re consideration of interviewing wife. [redacted] advised he did not feel subject's activities came within purview of SI criteria.

It will also be noted that stop placed against subject in Identification Division which was removed by [redacted] on 10/9/63 after subject arrested in New Orleans for Fair Play for Cuba Committee on 8/9/63. [redacted] advised stop was placed in event subject returned from Russia under an assumed name and was inadvertently not removed by him on 9/7/62 when case closed. Inspector feels [redacted] in error in removing stop on subject in Ident on 10/9/63, particularly after arrest on 8/9/63 for Fair Play for Cuba Committee activity in New Orleans. We might have missed further arrests without stop in Ident. Inspector also feels Cheesling erred in not having additional investigation conducted when subject returned to United States and Cheesling wrong in not having subject placed on SI.

Instant case supervised at Seat of Government by Nationalities Intelligence Section regarding Fair Play for Cuba aspects and the Espionage Section regarding defection aspects and contact with Soviet Embassy in Mexico. Seat of Government Supervisor [redacted] supervised the Fair Play for Cuba aspects of this case from 8/16 until 10/31/63. He failed to have Oswald put on the SI in spite of considerable Fair Play for Cuba activity coupled with Soviet defection background. In explanation he claims he did not feel Oswald met criteria for inclusion on SI.

*All Exclusions are
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Third Agency

On 10/10/63 Central Intelligence Agency (CIA) sent teletype to

Bureau [redacted] This was routed to [redacted] of the Espionage Section to whom case then assigned, who initialled same for file and took no action. By cablegram 10/18/63 Legat, Mexico City, advised they received instant information that day from CIA, Mexico City. Legat asked Bureau to send pertinent background to Mexico City and advise interested offices. 10/18/63 cablegram received Bureau Saturday 10/19/63 by [redacted] and reply not made to Mexico City until Tuesday P.M., 10/22/63. Linton advised he routed this material with main file to [redacted] and conferred with [redacted] on 10/21/63. States because of pressure of the other work on [redacted] desk, [redacted] prepared outgoing communication for Mexico City, New Orleans, and Washington Field Office on 10/22/63. [redacted] explains he did not consider Oswald for SI at that time because he did not feel Oswald met criteria. Inspector feels [redacted] shares in responsibility for delay in answering Legat's cablegram of 10/18/63 and is in error for not having Oswald on SI.

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SOC Supervisor [redacted] failed to take any action on CIA teletype of 10/10/63, [redacted] Legat by cablegram 10/18/63 [redacted] received these data from CIA, Mexico, and had to ask Bureau for background information and tell Bureau to advise interested offices. Inspector feels [redacted] should have done this on 10/10/63 and also instructed field to intensify investigation in light of Oswald's contacting Soviet Embassy, Mexico. [redacted] also failed to put subject on SI, stating he did not feel Oswald met criteria. [redacted] advised that although case assigned to him since 10/10/63 he did not review file until after assassination stating he had general idea of background of case. He explained that his preoccupation with Dunlap Espionage Case precluded his reviewing complete file. Section Chief [redacted] advised [redacted] not over-assigned. During October, [redacted] supervising 104 cases with voluntary overtime 2'34". Instant case would have required approximately one to two hours to completely review.

[redacted] handled case in New Orleans from 7/18/63. No report submitted until 10/31/63. Bureau not advised until report of 10/31/63 that Oswald wrote to "The Worker" on June 10, 1963, requesting literature to assist him in establishing Fair Play for Cuba Committee in New Orleans, and sent honorary membership cards for Ben Davis and Gus Hall. Kneak advised that although investigative period extended from 7/23 through 10/25/63, continuous attention was afforded this case.

[redacted] supervised case and shares responsibility for delay in advising Bureau; also failed to put on Security Index, saying they did not feel sub met criteria.

Bureau Personnel

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As indicated above, there were a number of investigative and reporting delinquencies in the handling of the Oswald case. Oswald should have been on the Security Index; his wife should have been interviewed before the assassination, and investigation intensified - not held in abeyance - after Oswald contacted Soviet Embassy in Mexico. It was handled by two different Sections in the Domestic Intelligence Division, i.e., Nationalities Intelligence and Espionage. While Section Chiefs ~~_____~~ did not see instant file or participate in the supervision of this case, it is felt that they have certain over-all responsibility for properly indoctrinating and training subordinate supervisory personnel and should be censured. This also applied to Inspector ~~_____~~ who heads the Espionage Research Branch, and Assistant Director ~~_____~~.

Likewise, ~~_____~~ assigned Dallas until 4/24/63 and ~~_____~~ assigned Dallas since 4/22/63, did not have an opportunity to review instant file. However, it is felt that they have over-all responsibility for properly training and indoctrinating subordinate personnel and should be censured.

Concerning the administrative action recommended hereinafter, there is the possibility that the Presidential Commission investigating instant matter will subpoena the investigating Agents. If this occurs, the possibility then exists that the Agents may be questioned concerning whether administrative action had been taken against them. However, it is felt these possibilities are sufficiently remote that the recommended action should go forward at this time. It appears unlikely at this time that the Commission's subpoenas would go down to the Agent level.

RECOMMENDATIONS:

1. ~~_____~~ (Veteran), Dallas - Censure and probation for inadequate investigation including earlier interview of Oswald's wife, delayed reporting, failure to put subject on Security Index, and for holding investigation in abeyance after being in receipt of information that subject had been in contact with Soviet Embassy, Mexico City. If approved, to be handled by the Administrative Division.

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yes.
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All Excisions are
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2. Field Supervisor ~~██████████~~ (Nonveteran), Dallas - Censure and probation for failing to insure that case more fully investigated and reported, for not placing subject on the Security Index and for concurring in decision to hold investigation in abeyance. If approved, to be handled by the Administrative Division.

3. ~~██████████~~ (Veteran), Dallas - Censure for failing to have Oswald case reopened after Dallas informed that he subscribed to "The Worker," east coast Communist newspaper, 9/28/62. If approved, to be handled by the Administrative Division.

4. ~~██████████~~ (Veteran), New York - Censure for failing to promptly disseminate Fair Play for Cuba information to Dallas concerning subject Oswald. If approved, to be handled by the Administrative Division.

5. ~~██████████~~ (Veteran), New York - Censure for failure to insure that Fair Play for Cuba information concerning Oswald more promptly disseminated to Dallas. If approved, to be handled by the Administrative Division.

All Exclusions are
Bureau Personnel

ASSASSINATION

Memorandum for Mr. T on
Re: Lee Harvey Oswald

SECRET

SECRET

6. ~~██████████~~ (Nonveteran), New Orleans - Censure for delayed reporting and failure to put on Security Index. If approved, to be handled by the Administrative Division.

JLB

V. K. R.

Yes. 1/11/63

7. ~~██████████~~ (both Nonveteran) in San Francisco - ~~██████████~~ in Dallas - Censure for over-all responsibility in this matter. If approved, Administrative Division to handle.

JLB

V. K. R.

Yes. 1/11/63

8. ~~██████████~~ (Nonveteran), New Orleans - Censure for failing to insure that there was no delay in reporting this matter and for failing to put subject on the Security Index.

JLB

V. K. R.

Yes. 1/11/63

9. Seat of Government ~~██████████~~ (Veteran) - Censure and probation for failing to instruct the field to conduct background investigation concerning Oswald, upon Oswald's return from Russia; failing to have Oswald's wife interviewed; also for removing stop on Oswald in Ident on 10/9/63; failing to put Oswald on Security Index and for not reopening Bureau file to follow on Dallas after Dallas sent out letter on 3/25/63 to consider interview of Oswald's wife. If approved, to be handled by the Administrative Division.

JLB

V. K. R.

Yes. 1/11/63

All Espionage
are
Bureau Personnel

- S - SECRET

Memo for Mr. Tolson ()
Re: Lee Harvey Oswald

10. Seat of Government Supervisor ~~_____~~ (nonveteran) -
Censure and probation for failing to take action on CIA teletype 10/10/63; failing to completely review file until after assassination; failing to instruct field to press more vigorously after subject made contact with Soviet Embassy, Mexico, and failure to have subject placed on Security Index. If approved, to be handled by the Administrative Division.

11. Seat of Government Supervisor ~~_____~~ (Veteran) -
Censure for failing to place Oswald on Security Index, in spite of considerable Fair Play for Cuba Committee activity coupled with previous Soviet defection background.

12. Seat of Government Supervisor ~~_____~~ (Veteran) -
Censure for delay in handling incoming 10/18/63 cablegram from Mexico City and for not putting subject on Security Index.

13. ~~_____~~ (all Nonveterans)
Censure for over-all responsibility in this matter.

- 9 - SEE ADDENDUM ON PAGE 11

SECRET SECRET

IDENTITY OF
ASSASSINATION

All Exclusions are
Bureau Personnel

Memo for Mr. Tolson
Re: Lee Harvey Oswald

~~SECRET~~ ~~SECRET~~

With respect to the individuals listed above who are veterans, they have had more than a year of Bureau service. Accordingly, they should be entitled to 30 days' written notice in the event they should be involuntarily separate reduced in grade or salary or suspended for more than 30 days. They would also have a right of appeal to the Civil Service Commission for any of these actions.

Attached and handled separately
Statements of the following individuals are attached: ~~_____~~

~~_____~~ as well as statements of the personnel involved who are assigned to the Dallas Office. In addition, copies of explanations of Lundquist and Hoeg are attached.

PERSONNEL BRIEFS OF ~~_____~~

~~_____~~ ATTACHED

*All Excisions are
Bureau Personnel*

- 10 -

ONE

Secret

Memorandum Mr. Gale to Mr. Tolson
Re: LEE HARVEY OSWALD
INTERNAL SECURITY - R

ADDENDUM: C. D. DeLoach:hif 12/10/63

SECRET

I recommend that the suggested disciplinary action be held in abeyance until the findings of the Presidential Commission have been made public. This action is recommended inasmuch as any "leak" to the general public, or particularly to the communications media, concerning the FBI taking disciplinary action against its personnel with respect to captioned matter would be assumed as a direct admission that we are responsible for negligence which might have resulted in the assassination of the President. At the present time there are so many wild rumors, gossip, and speculation that even the slightest hint to outsiders concerning disciplinary action of this nature would result in considerable adverse reaction against the FBI. I do not believe that any of our personnel will be subpoenaed. Chief Justice Warren has indicated he plans to issue no subpoenas. There is, however, the possibility that the public will learn of disciplinary action being taken against our personnel and, therefore, start a bad, unjustifiable reaction.

Edmond
concur. H *P. 1/10* *12/10*

ADDENDUM (AHH:csh), 12/10/63:

It is significant to note that all of the supervisors and officials who came into contact with this case at the seat of government, as well as agents in the field, are unanimous in the opinion that Oswald did not meet the criteria for the Security Index. If this is so, it would appear that the criteria are not sufficiently specific to include a case such as Oswald's and, rather than take the position that all of these employees were mistaken in their judgment, the criteria should be changed. This has now been recommended by Assistant Director Gale.

Aside from the above, I agree with Mr. DeLoach's observations.

A. B. Belmont

INTERNAL SECURITY OF
ASSASSINATION

Writing a report on this case.
and a copy to Tolson of
Page 1 of this memo last
month for one in full page
in all news columns
can claim that this
disclosure in this report
is a new "leak" it
is a new "leak" it
is a new "leak" it

I do not agree as
delaying Administrative
action
A new claim would
have avoided this
new "leak" it
is a new "leak" it

Secret

DO-7
FROM
OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
TO
OFFICIAL INDICATED BELOW BY CHECK MARK

MR. TOLSON _____
MR. BELMONT _____
MR. MOHR _____
MR. CASPER _____
MR. CALLAHAN _____
MR. CONRAD _____
MR. DELOACH _____
MR. EVANS _____
MR. GALE _____
MR. ROSEN _____
MR. SULLIVAN _____
MR. TAVEL _____
MR. TROTTER _____
MISS HOLMES _____
MISS GANDY _____
SEE ME _____
NOTE AND RETURN _____
PREPARE REPLY _____
SEND MEMO TO ATTORNEY GENERAL _____
FOR YOUR RECOMMENDATION _____
WHAT ARE THE FACTS _____
HOLD _____
REMARKS _____

Handwritten notes in margins:
 MR. TOLSON *See Tolson*
 MR. BELMONT *See Belmont*
 MR. MOHR *See Mohr*
 MR. CASPER *See Casper*
 MR. CALLAHAN *See Callahan*
 MR. CONRAD *See Conrad*
 MR. DELOACH *See DeLoach*
 MR. EVANS *See Evans*
 MR. GALE *See Gale*
 MR. ROSEN *See Rosen*
 MR. SULLIVAN *See Sullivan*
 MR. TAVEL *See Tavel*
 MR. TROTTER *See Trotter*
 MISS HOLMES *See Holmes*
 MISS GANDY *See Gandy*
 SEE ME *See me*
 NOTE AND RETURN *See note and return*
 PREPARE REPLY *See prepare reply*
 SEND MEMO TO ATTORNEY GENERAL *See send memo to attorney general*
 FOR YOUR RECOMMENDATION *See for your recommendation*
 WHAT ARE THE FACTS *See what are the facts*
 HOLD *See hold*
 REMARKS *See remarks*

7-1-61 From NY to FBI

*All Excisions are
Bureau Personnel*

Chairman STOKES. Do you also want it displayed?

Mr. GENZMAN. No.

Mr. Gale, can you identify JFK exhibit F-460?

Mr. GALE. Yes, JFK exhibit F-460 is a memorandum which I prepared on December 10, 1963, to Mr. Tolson, who is the associate director.

Mr. GENZMAN. What was the subject of this memorandum?

Mr. GALE. The subject matter was Lee Harvey Oswald, Internal Security-R.

Mr. GENZMAN. What does the "R" denote?

Mr. GALE. Russian.

Mr. GENZMAN. Can you identify the distinctive handwriting which appears throughout JFK exhibit F-460; on page 3, for instance?

Mr. GALE. On page 3, there are several handwriting statements which were made in the handwriting of J. Edgar Hoover.

Mr. GENZMAN. Thank you.

Mr. Gale, why did you write this report?

Mr. GALE. The day after the President was assassinated, Mr. Hoover called me into his office and told me that undoubtedly a commission would be appointed to check into all facets of the assassination of the President and he indicated that he wanted us, wanted me, to make a thorough scrutiny of all the material which we had on Lee Harvey Oswald to determine whether we had properly fulfilled all of our investigative responsibilities and to make any necessary changes in our procedures regarding the handling of cases of this type.

Mr. GENZMAN. Would you read aloud the first paragraph of this report?

Mr. GALE.

Director instructed that complete analysis be made of any investigative deficiencies in the Oswald case, an analysis made concerning any necessary changes in our procedures; re, handling cases of this type. An analysis, re, procedure changes and dissemination policies handled separately.

Mr. GENZMAN. Does this paragraph adequately reflect the purpose of this report?

Mr. GALE. I think it does.

Mr. GENZMAN. How did you investigate the handling of the Oswald security case?

Mr. GALE. The first thing I did was pull all the files that we had down at the seat of Government. I made a thorough review of all the material which we had on Lee Harvey Oswald, all the cases, investigative cases that we had opened on him.

I thereafter interviewed certain personnel in the Internal Security Division, and I also sent out teletypes and made telephone calls to various field offices which were involved to obtain explanation from pertinent personnel as to what were considered as possible deficiencies in the investigation of Lee Harvey Oswald prior to the assassination.

Mr. GENZMAN. Did you travel to any FBI field offices?

Mr. GALE. No, I did not.

Mr. GENZMAN. Were the steps which you undertook adequate for this type of investigation?

PROPERTY OF
ASSASSINATION

Mr. GALE. The steps which I took, in my judgment, were definitely adequate, and fulfilled the purpose of this investigation.

Mr. GENZMAN. What conclusions did you reach as a result of your investigation?

Mr. GALE. I reached conclusions that there were certain investigative and reporting delinquencies in the investigation for which administrative action should be taken against the responsible personnel.

Mr. GENZMAN. Directing your attention to page 6, would you read the second sentence?

Mr. GALE. "As indicated above, there were a number"——

Mr. GENZMAN. The second sentence, Mr. Gale.

Mr. GALE [continuing]. "Oswald should have been on the security index. His wife should have been interviewed before the assassination and investigation intensified, not held in abeyance, after Oswald contacted Soviet Embassy in Mexico."

Mr. GENZMAN. Does this sentence adequately summarize your conclusions?

Mr. GALE. Yes, it does.

Mr. GENZMAN. Did J. Edgar Hoover agree with your conclusions?

Mr. GALE. Yes, he did.

Mr. GENZMAN. Directing your attention to page 3, can you find any indications there that Mr. Hoover agreed with you?

Mr. GALE. He made several observations concerning excuses made by Dallas personnel that they had not interviewed Mrs. Lee Harvey Oswald. "Oswald had been drinking to excess and beat up his wife on several occasions. The agent indicated there should be a 60-day cooling-off period and Mr. Hoover said that was certainly an asinine excuse."

Mr. GENZMAN. Are you reading his handwriting?

Mr. GALE. Yes, I am.

Mr. GENZMAN. Continue, please.

Mr. GALE. "And also after Oswald returned from Dallas, no interview was conducted of Mr. Oswald because they said that they were trying to avoid giving the impression that she was being harassed or hounded because of her immigrant status."

In order that the interview when conducted might be as productive as possible, Mr. Hoover said I just don't understand such solicitude. Then I indicated I felt this entire facet of the investigation was mishandled. I felt that Mrs. Oswald definitely should have been interviewed, and I felt the best time to get information from her was after she had been beaten up by her husband. It was felt she was far more likely to cooperate when she was angry at Oswald than otherwise, and Mr. Hoover indicated this certainly made sense.

Mr. GENZMAN. Mr. Gale, earlier you testified that Lee Harvey Oswald should have been on the security index. What is the security index?

Mr. GALE. The security index was a list of names of individuals who are participants in activities of subversive organizations, had anarchist or revolutionary beliefs, and were likely to seize upon the opportunity presented by a national emergency to endanger the public safety, as shown by overt acts or statements within the last

3 years established through reliable sources, informants or individuals.

Mr. GENZMAN. Directing your attention to the last paragraph on page 1, would you read that paragraph?

Mr. GALE. Field and seat of government employees who handle instant case maintain subject did not come within the security index criteria. Inspector does not agree claiming that Oswald came within the following category. Investigation has developed information that individual, though not a member of or participant in the activities of subversive organizations, has anarchist or revolutionary beliefs and is likely to seize upon the opportunity presented by a national emergency to endanger the public safety as shown by overt acts or statements within the last 3 years established through reliable sources, informants or individuals.

Mr. GENZMAN. Why did you think Oswald came within this category?

Mr. GALE. I felt that Oswald came within this category because of his contact with the Fair Play for Cuba Committee. He passed out pamphlets; had a placard around his neck reading "Hands off, viva Fidel." He had also engaged in certain other activities which I felt came within the purview of the security index. He defected to Russia. He stated he would never return to the United States for any reason. He stated that he was a Marxist and had advised the Department of State that he would furnish the Soviets any information he had acquired as a Marine aviation electronics expert.

He also affirmed in writing allegiance to the Soviet Union and said the service in the Marine Corps gave him a chance to observe American imperialism. According to the State Department, he displayed the air of a new "sophomore" party liner at the time.

Upon returning to the United States, he displayed a cold, arrogant, and generally uncooperative attitude and refused to take the Bureau polygraph test to determine if he had cooperated with the Soviets or had a current intelligence assignment.

And he also subscribed to the Worker, east coast Communist newspaper, and he had also written a letter to the Worker asking for literature saying that he was forming a Fair Play for Cuba Committee in New Orleans and he sent honorary membership to those fighters for peace, Mr. Gus Hall and Mr. Ben Davis and he was arrested August 9, 1963, for passing out Fair Play for Cuba pamphlets on the street, and shortly thereafter, he was interviewed on radio and said Russia had gone soft on Communism and that Cuba was the only revolutionary country in the world today.

So, for those reasons, I felt he should be on the security index.

Mr. GENZMAN. Thank you.

Did J. Edgar Hoover agree with you that Oswald met the criteria of the security index?

Mr. GALE. Yes, he did.

Mr. GENZMAN. Directing your attention to the routing slip following page 11, can you find any indication there of Mr. Hoover's position? It is the last page.

Mr. GALE. Frankly, the copy I have here, I could read Mr. Hoover's handwriting very well on an original copy, but the handwriting here is such that I am having a difficult time reading it.

Mr. GENZMAN. Let me read it, correct me if I am wrong.

PROPERTY OF -
ASSASSINATION

"If the English language means anything, it certainly included a character like Oswald," at the bottom of the page.

Mr. GALE. Yes, I think that's correct.

Mr. GENZMAN. Did the FBI supervisors and field agents who were actually involved in the Oswald security case think that Oswald met the security index criteria?

Mr. GALE. No, they did not.

Mr. GENZMAN. None of them did?

Mr. GALE. None admitted to me that he did. Of course, if he did, then it would not be a very wise thing for them to do probably because it would be self-serving; it was self-serving for them to maintain that he should not be on the security index because if he should be on the security index and was not, then, of course, they were culpable of not having put him on the security index.

Mr. GENZMAN. What would have been the result if Oswald had been on the security index?

Mr. GALE. I don't think it would have had any result insofar as the assassination was concerned. I don't think it would have prevented the assassination. I don't think it would have had any material effect insofar as the assassination was concerned at all. It was an internal error. They did not have him on there, and I felt he definitely met that criteria and that he should have been on there.

Mr. GENZMAN. Based on your findings, what recommendations did you make?

Mr. GALE. I made recommendations for certain administrative action against the agents involved for the different investigative and reporting delays.

Mr. GENZMAN. How many employees at the FBI were disciplined?

Mr. GALE. There were 17 employees disciplined as a result of my inquiry.

Mr. GENZMAN. Did these 17 employees include supervisors as well as field agents?

Mr. GALE. Yes, they did.

Mr. GENZMAN. Can you explain how they were disciplined in general terms?

Mr. GALE. Some were censured and some were censured and put on probation.

Mr. GENZMAN. Were any employees suspended or transferred at this time.

Mr. GALE. Not to my recollection.

Mr. GENZMAN. Directing your attention to page 6, would you read the middle paragraph, beginning with the word "concerning"?

Mr. GALE. Concerning the administrative action recommended hereinafter, there is a possibility the Presidential Commission investigating instant matter will subpoena the investigating agents. If this occurs, the possibility then exists the agents may be questioned concerning whether administrative action had been taken against them.

However, it is felt these potentialities are sufficiently remote, that the recommended action should go forward at this time. It appears unlikely at this time that the commission subpoena would go down to an agent level.

Mr. GENZMAN. Would you explain what you meant in this paragraph?

Mr. GALE. What I meant was that it was unlikely that any of the agents would be subpoenaed by the Commission——

Mr. GENZMAN. By the Warren Commission?

Mr. GALE [continuing]. By the Warren Commission and there was considerable feeling among some people in the Bureau that the administrative action should not be taken at this time for fear of the fact that it might come out publicly, and I was opposed to that.

I felt the administrative action should be taken and Mr. Hoover agreed that this matter should not be overlooked nor administrative action postponed.

Mr. GENZMAN. Are you reading from his handwriting below the paragraph?

Mr. GALE. I am interpolating that.

Mr. GENZMAN. Thank you.

Mr. GALE. I can't read the copy I have.

Mr. GENZMAN. Would you explain again why you were concerned about this information getting to the Warren Commission?

Mr. GALE. I said here that there is a possibility the Presidential Commission investigating instant matter will subpoena the investigating agent. If this happens, the possibility then exists that the agents may be questioned concerning whether administrative action had been taken against them.

However, whether the Commission would subpoena him and they would testify to that or not, I still felt they should be disciplined.

Mr. GENZMAN. Mr. Chairman, at this time, I would ask that the exhibit marked as JFK F-461 be entered into the record.

Chairman STOKES. Without objection, it may be entered into the record.

[The above-referred-to exhibit, JFK F-461, follows:]

PROPERTY OF
ASSASSINATION

Memorandum - JFK EXHIBIT # F 461

TO : MR. TOLSON

DATE: September 30, 1964

FROM : J. H. GALE *JH*SUBJECT: SHORTCOMINGS IN HANDLING LEE HARVEY OSWALD
MATTER BY FBI PERSONNEL

With regard to Warren Commission report Director noted, "I want this carefully reviewed as pertains to FBI shortcomings by Gale. Chapter 8 tears us to pieces. Also I want memo of what we have done to plug our gaps. I also want to make certain we check and make certain proper disciplinary action has been taken against those responsible for derelictions charged to us."

Memorandum dated December 10, 1963, Mr. Gale to Mr. Tolson, recommended the following administrative action, which was approved, as a result of a review of Oswald's file by Inspector which reflected serious shortcomings:

DALLAS

1. [redacted] (Veteran) - Censure and probation for inadequate investigation including failure to interview Oswald's wife until after assassination, delay reporting, failure to put subject on Security Index, and for holding investigation in abeyance after being in receipt of information that subject had been in contact with Soviet Embassy, Mexico City.
2. Field Supervisor [redacted] (Nonveteran) - Censure and probation for failing to insure that case more fully investigated and reported, for not placing subject on the Security Index and for concurring in decision to hold investigation in abeyance.
3. [redacted] (Veteran) - Censure for failing to have Oswald case reopened after Dallas informed that he subscribed to "The Worker," east coast Communist newspaper, 9/28/62.
4. [redacted] (Nonveteran) - Censure for over-all responsibility in this matter.
5. [redacted] (now in San Francisco) (Nonveteran) - Censure for over-all responsibility in this matter.

NEW YORK

1. [redacted] (Veteran) - Censure for failing to promptly disseminate Fair Play for Cuba information to Dallas concerning subject Oswald.
2. [redacted] (Veteran) - Censure for failure to insure that Fair Play for Cuba information concerning Oswald more promptly disseminated to Dallas.

JHG:wmj (4)

1 - Mr. Callahan

Enclosures

OCT 15 1964

Bureau Personnel

Memorandum for Mr. Tolson
Re: Lee Harvey Oswald

NEW ORLEANS

1. [REDACTED] (Nonveteran) - Censure for delayed reporting and failure to put on Security Index. [REDACTED] is now retired.
2. [REDACTED] (Nonveteran) - Censure for failing to insure that there was no delay in reporting this matter and for failing to put subject on the Security Index.

SEAT OF GOVERNMENT

1. [REDACTED] (Veteran) - Censure and probation for failing to instruct the field to conduct background investigation concerning Oswald, upon Oswald's return from Russia; failing to have Oswald's wife interviewed; also for removing stop on Oswald in Ident on 10/9/63; failing to put Oswald on Security Index and for not reopening Bureau file to follow on Dallas after Dallas sent out letter on 3/25/63 to consider interview of Oswald's wife.
2. [REDACTED] (Nonveteran) - Censure and probation for failing to take action on CIA teletype 10/10/63; failing to completely review file until after assassination; failing to instruct field to press more vigorously after subject made contact with Soviet Embassy, Mexico, and failure to have subject placed on Security Index.
3. [REDACTED] (Veteran) - Censure for failing to place Oswald on Security Index, in spite of considerable Fair Play for Cuba Committee activity coupled with previous Soviet defection background.
4. [REDACTED] (Veteran) - Censure for delay in handling incoming 10/18/63 cablegram from Mexico City and for not putting subject on Security Index.
5. [REDACTED] (all Nonveterans) - Censure for over-all responsibility in this matter.

The Commission has now set forth in a very damning manner some of the same glaring weaknesses for which we previously disciplined our personnel such as lack of vigorous investigation after we had established that Oswald visited the Soviet Embassy in Mexico. The Commission specifically criticizes [REDACTED] for not making more vigorous efforts to locate and interview Oswald regarding unresolved matters and Inspector feels this criticism certainly is valid. [REDACTED] testified that certain information furnished by New York on Oswald's contact with the Fair Play for Cuba Committee was "stale" when he received it and this statement is set forth in the Commission's report. As indicated above, a New York Agent and Supervisor were censured for this delay. [REDACTED] certainly should not have testified that information from New York was "stale." [REDACTED] testified concerning his failure to conduct investigation from November 5, 1963.

Bureau Personnel

PROPERTY OF
ASSASSINATION

Memo for Mr. Tolson
Re: Lee Harvey Oswald

until after the assassination. [redacted] stated that on November 1, 1963, he received a copy of the New Orleans report which reflected that Oswald had given false biographic information and [redacted] stated he knew he would eventually have to investigate this and was "quite interested in determining the nature of his contact with the Soviet Embassy in Mexico City." When asked what his next step would have been [redacted] replied:

"Well, as I had previously stated, I have between 25 and 40 cases assigned to me at any one time. I had other matters to take care of. I had now established that Lee Oswald was not employed in a sensitive industry. I can now afford to wait until New Orleans forwarded the necessary papers to me to show me I now had all the information. It was then my plan to interview Marina Oswald in detail concerning both herself and her husband's background.

"Q. Had you planned any steps beyond that point?

"A. No. I would have to wait until I had talked to Marina to see what I could determine, and from there I could make my plans.

"Q. Did you take any action on this case between November 5 and November 22?

"A. No, sir."

When questioned by Commission concerning why he did not disseminate the information on Oswald to Secret Service, [redacted] testified he interpreted his instructions as requiring some indication that the person planned to take some action against the safety of the President or Vice President before making such dissemination. He testified he participated in transmitting two pieces of information to Secret Service pertaining to President's visit. He further stated he did not realize the motorcade would pass the Texas School Book Depository Building. He testified he did not read the newspaper article describing the motorcade route in detail since he was interested only in the fact that the motorcade was coming up main street "where maybe I could watch it if I had a chance." Inspector feels that [redacted] testimony as quoted in the Commission report makes the FBI look ridiculous and definitely taints our public image for efficiency. If we had made a proper investigation of Oswald we would not have been so vulnerable.

*Bureau
Personnel*

Memo for Mr. Tolson
Re: Lee Harvey Oswald

In connection with interview of Mrs. Ruth Paine on November 1 and 5, 1963, the Commission indicates that Mrs. Paine advised a Bureau Agent that she did not know Oswald's address. She was not asked nor did she volunteer Oswald's telephone number, which she did know. The Commission intimates that Agent should have asked her specifically re phone number so Oswald's current residence could be located. This interview was conducted by [redacted] [redacted] advised he did not ask Mrs. Paine re Oswald's telephone number inasmuch as Mrs. Paine informed [redacted] she did not know Oswald's address or how he could be located. Inspector feels [redacted] should have been more specific in his interrogation and asked Mrs. Paine if she had Oswald's telephone number.

[redacted] also testified that conditions in the Dallas police station at time of detention and interrogation of Oswald were "not too much unlike Grand Central Station at rush hour, maybe like the Yankee Stadium during the World Series games. It is questionable whether [redacted] should have described conditions in such an editorializing and flamboyant manner but rather should have indicated conditions were crowded and if called upon to give an estimate of how many people were located therein, to give said estimate.

The Commission's report reflects that after the assassination a number of boxes which appeared to be used as a gun rest by Oswald in the Texas School Book Depository Building were processed for fingerprints by both the Dallas Police Department and the FBI. Some of Oswald's prints were found thereon, but the Commission noted that "most of the prints were found to have been placed on the carton by an FBI Clerk and a Dallas Police Officer after the carton had been processed with powder by the Dallas police." Special Agent [redacted] advised he instructed [redacted] that the cardboard boxes were evidence, had to be processed for fingerprints, and under no circumstances was he to touch them with his bare hands in wrapping same so [redacted] could personally carry them to the Bureau. [redacted] denies [redacted] told him to wear gloves or any covering on his fingers. He is an experienced Clerk and states he is well aware that his hands are not to come in contact with evidence to be examined for fingerprints. [redacted] advised he has never previously wrapped original evidence but only evidence package

Bureau Personnel

PROPERTY OF
ASSASSINATION

Memo for Mr. Tolson
 Re: Lee Harvey Oswald

which had been prepared with evidence sticker by Agents. He states instant package did not have any label indicating it was going to the Latent Fingerprint Section and only information he had was that it was to be handcarried to Bureau headquarters. Inspector feels Special Agent [redacted] culpable for not more closely handling and supervising this matter to insure that the Clerk's fingerprints were not placed on the evidence, particularly in view of the importance of this case.

The Commission report indicates that we did not have a stop on Oswald's passport with the Department of State and did not know Oswald applied for a passport in June, 1963, to travel to Western European countries, Soviet Union, Finland and Poland. This is another specific example of how this case was improperly investigated. The same personnel are responsible for this example as were previously criticized for not using appropriate techniques and making a more vigorous and thorough investigation, to determine with whom Oswald in contact or whether he had intelligence assignment.

The Bureau by letter to the Commission indicated that the facts did not warrant placing a stop on the passport as our investigation disclosed no evidence that Oswald was acting under the instructions or on behalf of any foreign Government or instrumentality thereof. Inspector feels it was proper at that time to take this "public" position. However, it is felt that with Oswald's background we should have had a stop on his passport, particularly since we did not know definitely whether or not he had any intelligence assignments at that time.

The Commission has criticized the FBI for taking too restrictive a view of its responsibilities in preventive intelligence work and that even though there were Secret Service criteria which specifically requested the referral of Oswald's case, nor was there any requirement to report the names of defectors, there was much material in the hands of the FBI about Oswald, the knowledge of his defection, his arrogance and hostility to the United States, his pro-Castro tendencies, his lies when interrogated by the FBI, his trip to Mexico, and his presence in the school bus depository job and its location on the route of the motorcade which should have been enough to induce an alert agency, such as the FBI, to list Oswald as a potential threat to the safety of the President.

OBSERVATIONS:

We previously took administrative action against those responsible for the investigative shortcomings in this case some of which were brought out by the Commission. It is felt that it is appropriate at this time to consider further administrative action against those primarily culpable for the derelictions in this case which have now had the effect of publicly embarrassing the Bureau. It is felt that SA Hosty had the primary investigative responsibility in this case, [redacted] the primary field supervisory responsibility, and Special Agents [redacted] the primary Bureau supervisory responsibility.

Memo for Mr. Tolson
Re: Lee Harvey Oswald

It is also felt that the information on Oswald should have been disseminated to the Secret Service. Oswald should have been on the Security Index but was not. In this regard it appears that prior to the assassination we were unduly restrictive in making available the names of Security Index subjects to Secret Service. It is felt that Inspector [redacted] who has over-all charge of the Security Index in the Domestic Intelligence Division, should be censured for not having sufficient imagination and foresight to initiate action to have such material disseminated to Secret Service. It is likewise felt Assistant to the Director [redacted] should be censured for the same reason as [redacted] as well as for his over-all responsibility in the entire matter.

In regard to [redacted], the Director said, "I want [redacted] case shown the Civil Service Board since he is a veteran and ascertain whether they will sustain a dismissal since his derelictions have now publicly disgraced the Bureau." The Administrative Division has thoroughly explored this case with its Civil Service Commission (CSC) contact, E. H. Bechtold, head of the Veterans Service Staff. Bechtold feels in all probability we would not be sustained. In his view, [redacted] main offense is his mis-handling of the Oswald investigation, and that this is the only possible basis for a successful adverse action against [redacted]. However, [redacted] was censured and placed on probation 12/13/63 for his grossly inadequate investigation of the case. Bechtold said to take action against [redacted] again for such offense would place [redacted] in double jeopardy. He said CSC has always ruled that after administrative action has once been taken, the same offense cannot serve over again as the basis for further action. He considers it very unlikely that the after-acquired bad publicity would persuade CSC to depart from this precedent.

RECOMMENDATIONS:

1. SA [redacted] (Veteran), Dallas, be censured, placed on probation and suspended for 30 days for his derelictions in this matter. (As noted above, he was censured and put on probation in December, 1963, and removed 3/25/64. He was ordered transferred from Dallas 9/28/64.) If approved, to be handled by the Administrative Division.

2. SA [redacted] (Nonveteran), Dallas - Censure, Probation and transfer from his office of preference for failing to insure that case more fully investigated and reported, for not placing subject on the Security Index and for concurring in decision to hold investigation in abeyance. (It will be noted that [redacted] was removed from supervisory duties on 4/9/64 as a result of his derelictions in the Oswald case.) If approved, to be handled by the Administrative Division.

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ASSASSINATION

JH *Y* *61* *Transferred to Seattle* *Bureau Personal* *only*
10/2

Memorandum for Mr. Tolson
Re: Lee Harvey Oswald

3. ~~██████████~~ (Veteran), Dallas - Censure and probation for failing to have Oswald case reopened after Dallas informed that he subscribed to "The Worker east coast Communist newspaper, 9/28/62. If approved, to be handled by the Administrative Division. ✓

JH

Yes

4. ~~██████████~~ (Veteran), Domestic Intelligence Division - Censure probation, and transfer to the field for failing to instruct the field to conduct background investigation concerning Oswald, upon Oswald's return from Russia; failing to have Oswald's wife interviewed; also for removing stop on Oswald in Ident on 10/9/63; ✓ failing to put Oswald on Security Index and for not reopening Bureau file to follow on Dallas after Dallas sent out letter on 3/25/63 to consider interview of Oswald's wife. It will be noted that on 4/8/64 ~~██████████~~ was ordered transferred, because of his derelictions in the Oswald case, to Indianapolis, which transfer and prospective demotion from GS-14 to GS-13 were subsequently cancelled in view of the opinion of CSC that the demotion would not be sustained if he appealed. The CSC opinion was based on its "double jeopardy" policy above-mentioned in the Hosty case. It is, therefore, recommended ~~██████████~~ transfer not be accompanied by demotion. This kind of action was recently taken with respect to former ~~██████████~~, and ~~██████████~~ of San Francisco. If approved, to be handled by the Administrative Division. (Field should be advised not to use as Supervisor.)

JH

Yes

*Transfer to Detroit
April 1964*

5. ~~██████████~~ (Veteran), Domestic Intelligence Division - ✓
Censure and probation for failing to place Oswald on Security Index, in spite of consid Fair Play for Cuba Committee activity coupled with previous Soviet defection backgro:

JH

Yes

Bureau Personnel

over

Re: Lee Harvey Oswald

6. [REDACTED] (Veteran), Domestic Intelligence Division - Censure and probation for delay in handling incoming 10-18-63 cablegram from Mexico City and for not putting subject on Security Index. If approved, to be handled by the Administrative Division. ✓

7. [REDACTED] (Nonveteran), New Orleans - Censure and continuation on probation for failing to insure that there was no delay in reporting this matter and for failing to put subject on the Security Index, it being noted he was put on probation result of the inspection letter dated 6-22-64 for shortcomings detected during the inspection of the office. If approved, to be handled by the Administrative Division. ✓

8. [REDACTED] (Nonveteran), Dallas - Censure and placed on probation for failing to properly handle and supervise this matter to insure that the Clerk's fingerprints were not placed on the evidence. If approved, to be handled by the Administrative Division. ✓

9. [REDACTED] (Nonveteran), Domestic Intelligence Division - Censure for not exercising sufficient imagination and foresight to initiate action to have Security Index material disseminated to Secret Service. If approved, to be handled by the Administrative Division. ✓

10. [REDACTED] (Nonveteran) - Censure for his over-all responsibility in this entire matter. If approved, to be handled by the Administrative Division.

11. [REDACTED] (Nonveteran), Domestic Intelligence Division - Censure, probation, removal from supervisory duty, demoted from GS-14 to GS-13, and transfer to the field for failing to take action on CIA teletype 10/10/63; failing to completely review file until after assassination; failing to instruct field to press more vigorously after subject made contact with Soviet Embassy, Mexico, and failure to have subject placed on Security Index. If approved, to be handled by the Administrative Division.

JB suggest no demotion.
since we are not discharging
veteran. JB.

12. No action is being recommended against ~~XXXXXXXXXX~~ because he retired as of 5/1/63 which retirement was brought about by his transfer to Springfield as a result of this case. (Transferred 4/10/64).

13. No further action being recommended concerning

who were in charge of the Dallas Office during the pertinent period as they have previously been censured for their over-all responsibility and did not personally see or handle the investigation as it developed prior to assassination. The primary responsibility for the investigative delinquencies rests with the investigating Agents as well as field and Seat of Government supervisors. Also, no action be taken against ~~_____~~, Dallas, for having his fingerprints on the cartons as it is felt this was primary fault of the Agent for not properly overseeing this important assignment.

14. Action with respect to determining if changes Director ordered in disseminating material concerning Security Index subjects and defectors to Secret Service were put into effect and are being handled separately as is inquiry re status of new criteria of Secret Service concerning information to be furnished them. Also being handled separately is determining whether Security Index sufficiently liberal so as to insure Secret Service receiving names of all individuals who may present a danger to President.

J. J. Burrill
Personnel

- 9 -

OK



Memorandum for Mr. Tolson
Re: Lee Harvey Oswald

15. No further action is being recommended concerning Special Agents ~~_____~~ in New York inasmuch as they were previously censured concerning this matter and they were merely disseminating information from a ~~_____~~ where they obtained and photographed approximately 200 pieces of information. Oswald's name had no significance to processing Agent and he processed patently urgent material first. This information obtained by New York on 4/21/63 sent to Dallas 6/27/63 and Hosty did not report same to Bureau until 9/10/63. Hosty previously admitted "possibly" would have been better to have reported earlier. The New York delay did not affect the merits of the investigation.

JH

OK
H

It is noted that SAs Hosty, ~~_____~~ are veterans with more than a year of Bureau service. Accordingly, they should be entitled to 30 days' written notice in the event they should be involuntarily separated, reduced in grade or salary or suspended for more than 30 days. They would also have a right of appeal to the Civil Service Commission for any of these actions.

JH

Enclosures: Attached hereto is memorandum J. H. Gale to Mr. Tolson dated December 10, 1963 re Lee Harvey Oswald reflecting previous inquiry and action taken.

Memoranda to SAC, Dallas, dated September 29, 1964. ~~_____~~

PERSONNEL BRIEFS OF HOSTY, ~~_____~~

OK
JH

JH
aw
K.O.H.

- 10 -

JH

once
10/1
Bureau
Personnel

from 52 p. 1

PROPERTY OF
ASSASSINATION

Mr. GENZMAN. Mr. Gale, can you identify, JFK exhibit F-461, Mr. GALE. Yes; JFK F-461 is a memorandum from me to Mr. Tolson dated September 30, 1964.

Mr. GENZMAN. What is the subject of that memorandum?

Mr. GALE. It is captioned "Shortcomings in Handling Lee Harvey Oswald Matter by FBI Personnel."

Mr. GENZMAN. Why did you write this report?

Mr. GALE. I wrote this report because Mr. Hoover had noted that he wanted this matter carefully reviewed insofar as it pertains to FBI shortcomings by Gale. He said that the Warren Commission report tears us to pieces.

He also wanted a memorandum as to what had been done to plug our gaps, and he also wanted to make certain that we check and make certain that proper disciplinary action had been taken against those responsible for derelictions charged to us.

Mr. GENZMAN. Were you just now reading from the first paragraph of this report?

Mr. GALE. Yes, sir.

Mr. GENZMAN. I direct your attention to the bottom paragraph at page 5. Would you read the first two sentences?

Mr. GALE [reading]:

We previously took administrative action against those responsible for the investigative shortcomings in this case, some of which were brought out by the Commission. It is felt that it is appropriate at this time to consider further administrative actions against those primarily culpable for the derelictions in this case, which have now had the effect of publicly embarrassing the Bureau.

Mr. GENZMAN. What conclusion did you reach concerning the testimony of FBI witnesses before the Warren Commission?

Mr. GALE. The conclusion reached by me was that some of this testimony was not adequately handled. We felt that they were testifying in too flamboyant a fashion and were not confining themselves to the facts and testifying the way they were supposed to as FBI personnel.

Mr. GENZMAN. Directing your attention to page 5, would you read in the middle of the page the three sentences beginning with "The Bureau"?

Mr. GALE [reading]:

The Bureau by letter to the Commission, indicated that the facts did not warrant placing a stop on the passport as our investigation disclosed no evidence that Oswald was acting under the instructions of or on behalf of any foreign government or instrumentality thereof. Inspector feels that it was proper at that time to take this public position. However, it is felt that with Oswald's background we should have had a stop on his passport, particularly since we did not definitely know whether or not he had any intelligence assignments at that time.

Mr. GENZMAN. Why was this public position taken?

Mr. GALE. I don't know. I didn't write that particular letter to the Commission. However, I might say that in analyzing this, this was not something that was black and white. Whether or not we should have had the passport or the stop on his passport was subject to interpretation. In other words, there were shades of gray involved here and apparently those that wrote the letter to the Commission took a different view than I took, and I felt that there should have been a stop placed on that, but apparently the people who wrote the letter to the Commission did not feel that there was a—did not warrant placing a stop on his passport when they sent

that to the Commission, the same as they felt that, I guess, that it was not proper to have him on the security index, and I differed and I felt that he should be on the security index.

Mr. GENZMAN. Would you reread the last sentence of that paragraph?

Mr. GALE [reading]:

However, it is felt that with Oswald's background we should have had a stop on his passport, particularly since we did not know definitely whether or not he had any intelligence assignments at that time.

Mr. GENZMAN. Mr. Gale, according to some individuals, this sentence implies that the FBI did at some point determine that Oswald had connections with some U.S. intelligence agency.

Mr. GALE. That is not what I meant. What I meant in writing that sentence was that we did not know definitely whether he had any intelligence assignments at that time, but I felt in my mind that he possibly could have had intelligence assignments based on his Russian background, his defection to Russia, and the fact that he would not take the polygraph examination, and also because of his activities with the Fair Play for Cuba Committee. However, I had no concrete information to establish any of those possibilities.

Mr. GENZMAN. Thank you.

As a result of your memorandum were additional disciplinary actions taken against various agents?

Mr. GALE. Yes, they were. I want to say at this time that disciplinary action was not unusual in the Bureau. As I said before, I had the responsibility, and inspectors before me had the responsibility, of making inspections of the field as well as the seat of government, and where investigative shortcomings were found, in almost every inspection that was made, there would be administrative action taken against agents in the field or at the seat of government, and very seldom did any inspection go by whereby some administrative action was not taken.

Mr. GENZMAN. Mr. Gale, was there every any internal inspection of the Bureau's investigation of the assassination of President Kennedy?

Mr. GALE. No; I was never called upon to make any investigation of the Bureau's investigation of President Kennedy. All of my investigation here was confined to the presecurity investigation of Mr. Oswald and I conducted no investigation of anything that was done insofar as the investigation of the assassination.

Mr. GENZMAN. Thank you, Mr. Gale.

Mr. Chairman, I have no further questions.

Chairman STOKES. Thank you, counsel.

At this point, the Chair will yield himself such time as he may consume, after which we will operate under the 5-minute rule.

Mr. Gale, I understand you to say that disciplinary action within the Bureau was not unusual?

Mr. GALE. No; it was not.

Chairman STOKES. And would disciplinary action always be taken for, what you have described here today, as deficiencies?

Mr. GALE. Sometimes. We had a rule in the FBI, Mr. Chairman, and some of the orders of censure that were sent out in this case, we had a rule that all leads had to be covered in 30 days and a report had to be submitted in 45 days.

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ASSASSINATION

Now, this particular investigation, a number of instances, as I recall, were not handled properly. It was not obeyed.

Chairman STOKES. How much time did you devote to the investigation that you made that resulted in your report finding these deficiencies?

Mr. GALE. I can't recall exactly, but it must have been approximately 1½ or 2 weeks.

Chairman STOKES. I see. You have made some mention of agents being flamboyant and not—let's see what language you used—not acting as FBI agents should, or testifying as they should.

Tell us what you mean by that?

Mr. GALE. The memorandum reflects that one of the agents testified that conditions in the Dallas police station at the time of detention and interrogation of Oswald were not too much unlike Grand Central Station at rush hour, maybe like Yankee Stadium during the World Series games, and I said it was questionable whether the agent would have described in such an editorialized and flamboyant manner, but rather should have indicated conditions were crowded and if called upon to give an estimate of how many people were located therein to give such an estimate.

Chairman STOKES. Now, can you tell us, Mr. Gale, having conducted this investigation, and having made the kind of findings that you made here, and the conclusions which appear in your report, tell us why these type of deficiencies occurred, how did this type of thing come about?

Mr. GALE. Well, of course, they gave explanations. The agents in their expansions said it was due to the pressure of other work, and so forth.

I might say that, in the light of Presidential assassination, if you were to take any investigation, and a lot of investigations and scrutinize them, you would find errors in them that you wouldn't ordinarily find unless you scrutinized them so carefully.

Chairman STOKES. Did any of the deficiencies come about as a result of a man just disregarding rules and regulations of the Department?

Mr. GALE. Of course, these rules, the 45th day reporting deadline, for example, the 30-day investigative coverage deadline, were disregarded. Also we felt that good judgment was not used in a number of instances in the failure to take prompt investigative action after they had received information. Of course, I cited that in this memorandum that I wrote.

Chairman STOKES. When disciplinary action of this type is taken, does news of that spread throughout the Department pretty rapidly?

Mr. GALE. Sometimes it did and sometimes it didn't. It all depends on what it was. The Bureau, as I indicated before, Mr. Chairman, took disciplinary action with considerable regularity over violations of rules and regulations, over investigative delinquencies, and scarcely any inspection went by without our taking some sort of administrative action against somebody for not doing what we felt should have been done.

We felt, Mr. Hoover felt, and no one likes to be inspected, I might add. I was a clerk, I was an agent, I was assistant agent in charge and a special agent in charge. At no time did I ever relish

being inspected. However, the inspection system, I feel, and even though I disliked being inspected, and when I no longer was an inspector I was in charge of a division, I didn't like being inspected then either.

Nevertheless, it was a catalyst that made the FBI at that time a highly efficient organization because it made you go to that extra step. Rather than go home maybe at 6 o'clock at night, you would stay until 8 o'clock at night to do what you should have done in order to achieve a high degree of efficiency.

Chairman STOKES. Well, would it also be fair to say that no one likes being disciplined?

Mr. GALE. That is exactly right.

Chairman STOKES. And had it not been for your inspection, many of the things which you brought out, perhaps would have never been brought out, relative to deficiencies, isn't that true?

Mr. GALE. They might have been brought out on another inspection. In other words, a routine inspection. If someone picked up this file, if I pick up the file on a routine inspection I am sure I would have picked up some of the same deficiencies. But, of course, you couldn't review ever single file in the FBI. It was a random thing.

Chairman STOKES. Couldn't some of these deficiencies have been detected or picked up by those in a supervisory position over those men?

Mr. GALE. Absolutely. That is why they were disciplined, for not picking them up.

Chairman STOKES. And wouldn't you say that Mr. Hoover was feared by the men in the Department?

Mr. GALE. No; I would say he was respected by the men.

Chairman STOKES. Well, in the field?

Mr. GALE. In the field, I would say that they had a degree of reverence for him when I was there.

Chairman STOKES. But didn't he also have a reputation for being able to bring down his wrath upon anyone whom he felt did not perform in a certain way?

Mr. GALE. Mr. Hoover was a perfectionist. He demanded a very high degree of performance and it was always my contention that if you demand an average performance you will probably get a degree of mediocrity. Mr. Hoover demanded perfection. He never got perfection but he got excellence, and if he had only expected something to be average, he would have gotten mediocrity.

Chairman STOKES. And where he did not get the standard of perfection that he demanded, he dealt with that in a very wrathful manner?

Mr. GALE. He dealt with it in a firm but fair manner. You knew what you were going to get if you didn't do your work right. You knew precisely. The word was around. The agents knew very well from training school on that if they did not handle their investigations in an efficient manner that their promotions would be denied and that they would not receive salary increases, and so forth, which I think is entirely proper. I don't think that those individuals who were not doing their work properly should be given promotions and get salary increases and so forth.

PROPERTY OF
ASSASSINATION

Chairman STOKES. Now, your finding that Oswald had not been placed on the security index was an important finding, was it not?

Mr. GALE. It was. I felt all the findings were important, but that was one of the important findings.

Chairman STOKES. One of the more important ones, I would say.

How would that have changed Dallas, had he been placed on the security index?

Mr. GALE. In my opinion, it would not have changed Dallas at all.

Chairman STOKES. What is the relative importance of it?

Mr. GALE. Because we had a criteria that individuals of this type should have been placed on the security index and, therefore, the agents and employees handling that should have complied with that.

Chairman STOKES. Then had he been on the security index, in your opinion, the Secret Service or no other agency would have looked at him differently in Dallas at that time?

Mr. GALE. I don't think so. We had an awful lot of people on the security index. I don't believe that would have looked at him any differently.

Chairman STOKES. Do we still utilize the security index today?

Mr. GALE. I understand that we do. I don't know. I have been retired for a period of 7 years.

Chairman STOKES. During the course of your investigation of the assassination, did you find any evidence that Oswald had been an FBI informant?

Mr. GALE. Absolutely not. I had all the files pulled on Mr. Oswald when I made my inquiry and I received no files indicating that he had been an informant. If, of course, I had, I would have taken an entirely different attack on this thing.

Chairman STOKES. I see. So the bottom line is that you have no information?

Mr. GALE. Absolutely none of it.

Chairman STOKES. All right. Now, did you come to find out about the threatening note that Oswald had left at the Dallas FBI office?

Mr. GALE. Only after I had left the FBI and I was interrogated about that by an assistant director in my law office.

Chairman STOKES. Now, was James Hosty one of the men that you recommended disciplinary action on?

Mr. GALE. Yes; he was.

Chairman STOKES. Tell us why.

Mr. GALE. I don't recall offhand. I would have to look at this report. For certain investigative and reporting delinquencies, I believe, the late reporting, failure to put subject on the security index. The report states:

For holding, for failure, including the earlier interview of Oswald's wife, for holding investigation in abeyance after being in receipt of information that subject had been in contact with the Soviet Embassy in Mexico City.

Chairman STOKES. Now, I suppose these findings came about as a direct result of direct contact you had with Hosty himself?

Mr. GALE. No, that wasn't how it was done in the Bureau. Almost on a daily basis, every couple of days anyhow, almost all field offices would receive communications from the headquarters asking for explanations. They would come by teletype or else by

airtel, and they would ask for explanations from the agent as to his investigative shortcomings.

They would send back an explanation to the headquarters. It would go to the individual investigative division. Many times the divisions themselves would raise the question. Other times Mr. Hoover would raise the question on an investigation. Why wasn't this done, why wasn't that done, why didn't we do it this way, why did we do it that way.

A teletype would go out to the field or a telephone call would go out to the field, explanations would be required. And in this instance, if I recall correctly, to the best of my recollection, I either telephoned the agent in charge in Dallas or else I sent a teletype out, I am not sure which, or airtel, probably a telephone call or teletype, asking for certain explanations as to how this case was handled. Thereafter memoranda came in to me and the memoranda reflected what the agent said in his defense.

I asked him for explanation as to why he wouldn't do this and why he did that and why he did the other thing. That was the usual inspection procedure, and all matters of that type we would write up the matter itself, set forth what we felt were delinquencies, and ask for a written explanation. Very seldom was the agent ever interviewed in a situation like this personally.

Chairman STOKES. Well, now, you seem to have found Hosty deficient in several areas, then, as a result of the reports that came in to you?

Mr. GALE. Yes sir.

Chairman STOKES. And when did you learn of the note that had been left for Hosty in the Dallas field office.

Mr. GALE. I only learned of that after I had been retired about 4 years.

Chairman STOKES. Had you learned about such a note, what would have been your reaction to that during the course of your investigation?

Mr. GALE. If I had learned that a note had been left and that nothing had been done with it, or what is the question?

Chairman STOKES. That it had been destroyed.

Mr. GALE. If I had learned that a note had been left and it had been destroyed I would have certainly made an inquiry as to the whys and wherefores and who had been responsible for destruction of it.

Chairman STOKES. Would you have probably at that point also talked directly with that agent?

Mr. GALE. No; I probably would not. Very seldom did an official from the headquarters talk to an agent in the field. We dealt with them through their supervisors or through the agent in charge. We very seldom dealt directly with the agent.

Chairman STOKES. I see. Thank you. I have no further questions.

The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you, Mr. Chairman.

Mr. Gale, I want to clarify one thing before I go to the questions I have, and that pertains to JFK exhibit F-460 and not the report that you sent, but a memorandum from you to Mr. Tolson, I believe.

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I understand the heading is correct. In any case, it is dated December 10, 1963, and the memorandum also carries in the blank following it between the dates, D. C. DeLoach. Do you have that with you?

Mr. GALE. Yes sir.

Mr. FITHIAN. It is page 11 of your document.

Now, I draw your attention to the last paragraph. Can you tell me something about that, the one that starts: "It is significant to note"?

Mr. GALE. I am not sure I read the same thing that you are, Congressman.

Mr. FITHIAN. Would counsel assist us a little bit?

Mr. GENZMAN. Mr. Gale—

Mr. GALE. My copy here is very bad. That is why I am having a problem with reading it.

Mr. GENZMAN. On page 11 of your December 10, 1963 report there is an addendum with the initials A. H. B., signifying Alan Belmont?

Mr. GALE. Yes.

Mr. GENZMAN. Do you see that paragraph?

Mr. GALE. Yes, I see it here, right.

Mr. FITHIAN. Just read over that last paragraph.

Mr. GALE [reading]:

It is significant to note that all of the supervisors and officials who came into contact with this case at the seat of government, as well as agents in the field, are unanimous in the opinion that Oswald did not meet the criteria for the security index. If this is so, it would appear that the criteria are not sufficiently specific to include a case such as Oswald, and rather than take the position that all these employees were mistaken in their judgment the criteria should be changed. This has now been recommended by Assistant Director Gale.

Mr. FITHIAN. What does that mean?

Mr. GALE. Well, that meant that the other people did not agree with the fact that the security index did not—that Oswald met the security index, and Mr. Belmont took the position that rather than saying all of these employees were mistaken in their judgment, the criteria should be changed. Mr. Hoover took the position that they were more than mistaken.

Mr. FITHIAN. So, if I interpret this correctly, it is the people who are being disciplined, it is their collective judgment that Oswald did not qualify?

Mr. GALE. That was not unusual. Most people being disciplined took the collective judgment that the inspector was wrong.

Mr. FITHIAN. I suspected as much.

Do they usually go so far as putting that in writing?

Mr. GALE. Mr. Belmont was a high official and, therefore, he had that prerogative.

Mr. FITHIAN. So his putting this in writing in a memo is not unusual?

Mr. GALE. No. I reported directly to Mr. Tolson and Mr. Hoover, and so did he.

Mr. FITHIAN. I direct your attention to the last sentence, "This has now been recommended by Assistant Director Gale."

Mr. GALE. Right.

Mr. FITHIAN. Does that mean that you recommended that the security index criteria be expanded, or that you recommended and concurred with that whole paragraph?

Mr. GALE. That does not mean that I recommended and concurred with the whole paragraph. I recommended that if they want to change, let them go ahead and change it, if they felt it should be changed.

Mr. FITHIAN. You held to your feeling that the discipline should go forth?

Mr. GALE. Yes, sir.

Mr. FITHIAN. Is that correct?

Mr. GALE. Yes.

Mr. FITHIAN. Now, you are something of an expert on discipline, obviously, in inspections and infractions of the rules in the FBI. What did you hope to achieve by this sort of collective disciplining of everybody who might have made another judgment in the preassassination handling of Oswald?

Mr. GALE. Let me point this out. That I wasn't necessarily an expert on discipline or an ogre in the Bureau. I was merely fulfilling the responsibilities—

Mr. FITHIAN. I understand that.

Mr. GALE [continuing]. That I had and that many others who held the same job before and since did in the same fashion what the Inspection Division hoped to achieve and, of course, as I said before, no one liked to mete out discipline. I do not get any pleasure out of meting out discipline, and I am sure Mr. Hoover did not either. I would much rather give an agent commendations. On the other side of the coin, inspectors on occasion would pick up an investigation and find that it was particularly well done and commend the agents or recommend the agents or recommend them for an incentive award. So this was a double-edged sword. We weren't just meting out discipline, we were also recognizing superior performance.

Mr. FITHIAN. I understand that and I apologize for the lack of clarity of my question.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. And the Inspection Division is not necessarily a new division, it wasn't organized following the Kennedy assassination, was it?

Mr. GALE. No, it was not; it has been in existence since Mr. Hoover took over the FBI and, of course, the reason, one of the reasons that he put the Inspection Division in the FBI was because when he took it over it was in such a terrible state of disarray with crooks and so forth permeating its ranks.

Mr. DEVINE. That dates back to 1924?

Mr. GALE. That is right.

Mr. DEVINE. Mr. Gale, I think you earlier stated that the Director sought perfection and demanded excellence among the agents, and those that failed to measure up to those standards or for one reason or another didn't reach that pinnacle faced disciplinary action; is that correct?

Mr. GALE. If their performance was bad enough, yes.

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Mr. DEVINE. Back in my day and I think it continued through your day and probably still yet, you were either censured or reduced in salary and transferred to a much less desirable office.

Mr. GALE. That is correct.

Mr. DEVINE. I know in my time if a fellow was in Miami, he would probably be transferred to Butte, or if he was in Los Angeles, he would go to Sioux Falls.

Mr. GALE. That is right.

Mr. DEVINE. This was part of the overall disciplinary action that was followed back in those days and continued through the Kennedy assassination disciplinary action into today.

Mr. GALE. That is correct.

Mr. DEVINE. So the thing I am trying to bring out is the fact that disciplinary action was taken in this major case, it was not unusual as it relates to any major case, if there were what you as an inspector considered a dereliction of duty?

Mr. GALE. That is exactly right. That is what I was trying to point out insofar as the field inspections we made in the field offices. There was scarcely a field office inspection that went by without somebody not being disciplined as a result of some error in judgment or some violation of the investigative rules or reporting rules. It was not at all unusual.

Mr. DEVINE. Thank you, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Michigan, Mr. Sawyer.

Mr. SAWYER. What happens when somebody is put on the security index; what does that do?

Mr. GALE. It doesn't do much of anything until Congress and the President, in a national emergency would declare a national emergency, and in World War II I can tell what it did. The President and Congress decreed that the individuals on the security index should be detained, and they were detained, picked up for custodial detention at that time, and there were hearings held.

Mr. SAWYER. If a President, let's say, is going to visit an area, such as Dallas in this case, would anybody check the security list for people who were on it in that area?

Mr. GALE. I don't know what was done in that regard. That was not in my particular sphere of expertise, so I don't know.

Mr. SAWYER. You actually don't even know that, whether they do or not?

Mr. GALE. I don't know whether they do it now, I don't know whether they did it then.

Mr. SAWYER. So then whether somebody goes on the security index is just kind of put in the bank against a national emergency or something, and nothing happens, the person isn't—

Mr. GALE. Right. In case we have a national emergency tomorrow, if they weren't on the security index, certain investigative actions would not be taken against them, and it is possible that they could do great damage because they would not be receiving investigative scrutiny in a national emergency and, of course, nobody knows when a national emergency is going to occur.

Mr. SAWYER. But no reference was ever made to the security index absent a national emergency, it was just filed away, nothing was done with—

Mr. GALE. There were certain investigative, as I recall, there were certain investigative requirements if you were on the security index, where they took investigative steps periodically to see where you were and what you were doing. You weren't left in a dormant status. They would keep better track of your activities if you were on the security index than if you were not.

Mr. SAWYER. If I understand you to say before nothing happened, when you went on the security index, I misunderstood, there is a surveillance followup?

Mr. GALE. I told you before, I was not assigned to the Domestic Intelligence Division, my primary background in the FBI was in the criminal field, and I frankly am not the person to be talking insofar as the security index is concerned. I don't have any great expertise in that.

Mr. SAWYER. I am not asking you for great expertise. You spent 32 years in the Bureau. Certainly you can't sit there and tell me you don't know what happens when somebody is on the security index. Are you telling me that?

Mr. GALE. I just told you what happened when they were on the security index. I told you that in the event of a national emergency some action would be taken against them.

I also told you that periodically their cases would be reviewed if they were on the security index. So I did not tell you I did not know anything about it. I told you that when it came down to the fine technicalities of the security index there were others who were more qualified than I to testify about that.

Mr. SAWYER. How often would they be checked if they were——

Mr. GALE. I don't know.

Mr. SAWYER. You don't know?

Mr. GALE. No.

Mr. SAWYER. Would it be as often as once a year?

Mr. GALE. Possibly. I don't know. I think maybe it might have been. I have forgotten since I have been out 15 years, and frankly, I don't remember how often we checked them at that time.

Mr. SAWYER. You said something about checking where they are located. Were they kept track of as to location?

Mr. GALE. I don't recall the details at this time as to how we did that.

Mr. SAWYER. But do you know whether you did that or not?

Mr. GALE. I think we did. To the best of my recollection, I think that was done.

Mr. SAWYER. And you wouldn't have any knowledge as to whether people like the Secret Service would check on people in the localities who were on the security index?

Mr. GALE. I don't know what procedure they were following after the assassination. I can't recall at this time the recommendations that I made. I don't have any memoranda in front of me concerning that. I know I made another inquiry concerning the security index and those procedures, but I have forgotten that now in the 15 years that have elapsed.

Mr. SAWYER. Would they have or would the Secret Service have access to the security index?

Mr. GALE. I don't know whether they would or not.

Mr. SAWYER. Was it disseminated outside of the FBI, or was that something strictly internal in the FBI, the security index?

Mr. GALE. I think it would be disseminated to the Department of Justice, too, I don't recall.

Mr. SAWYER. You don't know whether the Secret Service would have access?

Mr. GALE. I don't recall.

Mr. SAWYER. Thank you.

I have nothing further, Mr. Chairman.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you, Mr. Chairman.

What did you hope to achieve by recommending the disciplining of these 17 people?

Mr. GALE. As I indicated before, disciplinary action was recommended against Bureau personnel from time to time in order to achieve a higher standard of performance in the organization.

Mr. FITHIAN. It had nothing to do—

Mr. GALE. I know from my own experience the fact that disciplinary action was taken for mistakes and for shortcomings made you work harder and made you do the job better because you did not want to be the subject of discipline.

Mr. FITHIAN. Well, I have conducted a few Navy inspections myself, so I understand that part of the philosophy. My basic question drives to the question as to whether or not you thought that by recommending these disciplinary actions the Bureau would in some way look in a better light with regard to its conduct of the post-assassination handling of Oswald?

Mr. GALE. I don't feel that this had anything to do with the post-investigative handling of Oswald.

Mr. FITHIAN. Thank you.

Do you have any idea how many people would have been on the security index in Dallas?

Mr. GALE. No, I have no idea.

Mr. FITHIAN. I asked Mr. Malley earlier this morning about some other kinds of infractions which seemed more serious than the ones you recommended discipline for.

What would you have recommended, had you conducted an investigation and found that a subordinate had concealed from his superior certain pertinent evidence?

Mr. GALE. I have no idea what I would have recommended at this stage of the game. That is a highly speculative question, I think.

Mr. FITHIAN. In all of your inspections—

Mr. GALE. I am sitting here in 1978 and you are asking me what I would have recommended in 1963.

Mr. FITHIAN. I understand that. You had some standards for inspection, didn't you?

Mr. GALE. Of course we had standards, yes sir.

Mr. FITHIAN. In your inspections, in any inspection you ever covered, did you ever uncover a situation in which a subordinate had intentionally concealed from his superior any pertinent evidence?

Mr. GALE. I don't recall anything like that.

Mr. FITHIAN. And did you ever uncover in any inspection you conducted a situation where anyone had destroyed evidence?

Mr. GALE. No, I don't recall ever discovering in any inspection that I conducted anything where anybody destroyed any evidence.

Mr. FITHIAN. And did you ever discover a case where an FBI employee's personnel had altered evidence?

Mr. GALE. I have no recollection of ever discovering anything like that in any of my inspections.

Mr. FITHIAN. So that if you never discovered that in all of your inspections, may we now, 15 years later, say that any one of those actions would be considered very serious?

Mr. GALE. I would say yes.

Mr. FITHIAN. And would we conclude properly that some kind of significant discipline might be in order?

Mr. GALE. Yes, I would say so.

Mr. FITHIAN. Mr. Gale, you are generally familiar with the policies followed by the FBI, aren't you, with regard to the dissemination of information contained in the FBI security index?

Mr. GALE. No, I am not too familiar with that at this time. I do not recall that at this time, I said before.

Mr. FITHIAN. Do you know whether it was the policy of the FBI to share the information contained on the security index with any other Federal agency?

Mr. GALE. I don't recall that offhand, no.

Mr. FITHIAN. You don't know whether it would have been policy to share that with the Secret Service?

Mr. GALE. I don't have any present recollection of that.

Mr. FITHIAN. Is it your judgment that the FBI should have shared that information with the Secret Service when the President was going to Dallas, or at any other time?

Mr. GALE. I think that there should be a free exchange of information between the FBI and the Secret Service concerning any individuals who have a subversive background. I believe that is being done now.

Mr. FITHIAN. So it would not surprise you then that the Secret Service felt that it should have indeed had that information from the FBI?

Mr. GALE. I wouldn't know what the Secret Service would be surprised at or what they wouldn't be surprised at.

Mr. FITHIAN. I have no further questions, Mr. Chairman.

Chairman STOKES. Mr. Gale, is it not conceivable that when we take the deficiencies that you found relating to Oswald, and in particular the deficiencies surrounding the deficient manner in which James Hosty treated the Oswald case, is it not conceivable that had he been handled in accordance with the rules and regulations that Oswald would have been then known he was under close surveillance by the FBI and, therefore, that might have been a deterrant to his actions in Dallas on November 22, 1963?

Is that not conceivable?

Mr. GALE. Well, of course, anything is conceivable, Mr. Chairman, and I think that is strictly speculative as to whether or not that would have taken place. I don't know whether the investigative deficiencies here would have caused him to reach that conclusion or not, because undoubtedly one of the things that you are

doing in making an investigation is trying to handle it in such a way that the person does not know that he is under such intensive scrutiny, and most of the investigations of subversives are done in a manner whereby you do not place them under close surveillance or don't let them know that they are under investigation. You are not advertising to people you have under investigation that they are under investigation.

Chairman STOKES. Yes, but according to Hosty, he said he was waiting until a certain time had elapsed after the beating or whipping, or something.

Mr. GALE. Of his wife.

Chairman STOKES. His wife, before he would contact him further. It is just conceivable to me and since you felt that was improper action, did you not?

Mr. GALE. Yes.

Chairman STOKES. You felt the proper time to have talked with Marina was when she was angry.

Mr. GALE. Yes.

Chairman STOKES. With Oswald, and she might have told them something of value; isn't that true?

Mr. GALE. If they knew anything about it. Whatever she knew, she might have told them, yes.

Chairman STOKES. Whatever she knew, she would have told them, and that is what you felt should have been done?

Mr. GALE. Right.

Chairman STOKES. Is it not also conceivable that had Hosty done his job properly, he would have been able to advise the Secret Service that Oswald was working at the Texas Book Depository which was on the direct parade route.

Mr. GALE. I don't know whether he would have done that. Just the fact that he would have discovered that, I don't know whether he would have advised them of that or not. I don't know what he would have done. In other words, I am not the proper person, I don't think, to ask what Hosty would have done.

Chairman STOKES. You see, I don't think we are dealing entirely in speculative matters because, as a result of J. Edgar Hoover feeling that the FBI had not performed their responsibilities properly, he sent you in and gave you the direct responsibility of ascertaining whether or not they had done their job properly.

Mr. GALE. Correct.

Chairman STOKES. Pursuant to his direction, you investigated, found deficiencies, reported them back to the Director and then your recommendations relative to censure were carried out; isn't that correct?

Mr. GALE. That's right.

Chairman STOKES. So, then the purpose, it would seem to me, of his having taken that action and your having taken your action, was for the purpose of saying what had been done improperly and if it had not been done in this way, things might have been different.

Mr. GALE. No, I don't think that is what we were saying because I reached a conclusion that even if the investigative shortcomings and reporting shortcomings, which I had found, had been carried

out that it would not have made any difference in Dallas. That was my conclusion. That is still my conclusion.

What we were trying to do here was to insure that agents throughout the Bureau and these agents did not make similar mistakes in the future.

Chairman STOKES. Well, then, how do you come to the conclusion that if the Bureau had performed on par with the excellence demanded by the Director that this still would have occurred? I don't understand how you arrive at that conclusion.

Mr. GALE. Of course, if Hosty knew that Oswald was going to go to the book building with a gun, naturally, he would have advised Secret Service. But he didn't know that. We are sitting back here after the fact and it is much easier to see what you would have done after the fact than it is before the fact.

I frankly do not feel that these investigative shortcomings play any part in the Dallas assassination. They were investigative errors—if we felt they had played a part in that, believe me, the disciplinary action would have been much stronger.

Chairman STOKES. Isn't it conceivable that if they had talked with Marina, when they should have talked with Marina, they might have found out that he had shot at General Walker.

Mr. GALE. I don't know what she would have told him.

Chairman STOKES. But it is conceivable, isn't it?

Mr. GALE. Anything is conceivable.

Chairman STOKES. Thank you. The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you, Mr. Chairman. I want to go back to one part of your testimony earlier today where you stated there was no stop put on Oswald's passport; isn't that what you said?

Mr. GALE. Yes.

Mr. FITHIAN. If there had been any suspicion of Oswald somehow being associated with foreign intelligence ties, would that have altered the recommendation on putting a stop on the passport?

Mr. GALE. Yes. Of course, I thought there should have been a stop placed on the passport anyhow.

Mr. FITHIAN. I am sorry.

Mr. GALE. I felt there should have been a stop placed on the passport anyhow.

Mr. FITHIAN. It certainly would have increased the probability they would have put a stop on his passport if they had any thoughts he was somehow associated with either Russia or Cuba, right?

Mr. GALE. Yes, I would think so.

Mr. FITHIAN. What effect would any information that he had ties, let's say, to our own domestic intelligence system, what effect would that have had on your recommendation?

Mr. GALE. Well, that never crossed my mind in any way, shape, manner or form.

Mr. FITHIAN. But it would be kind of inverse of the other?

Mr. GALE. The fact that he would have any ties to any of our domestic intelligence or—of course, I would have known if he had been a Bureau informant because I had that information from the files. But if I had any idea that he had been with any other

agency—I had no idea, it never crossed my mind he possibly would be involved in that and I still don't think he was.

Mr. FITHIAN. One last question, Mr. Chairman. Mr. Gale, are you satisfied with the post-assassination handling of the investigation by the FBI? Basically, we have concentrated on sort of pre-handling of Oswald.

Mr. GALE. I had nothing to do with the post-investigative assassination, whatsoever. I was still assigned to that when Mr. Malley completed that investigation. I was still assigned to the Inspection Division and at no time did Mr. Hoover ever ask me to make any inquiry concerning the post-assassination of Oswald and so, therefore, I was occupied doing other things with regard to my responsibilities as assistant director in charge of the Inspection Division and did not again come in contact with the investigation of the Oswald matter after I had completed this.

Mr. FITHIAN. And have not given any more thought to it?

Mr. GALE. Not particularly.

Mr. FITHIAN. Thank you, Mr. Chairman.

Mr. GALE. I have not read the reports. I have not read the reports that Mr. Malley wrote. I did not read any memorandum. I read certain newspaper accounts, of course. I followed the Oswald and Ruby matter, but from the standpoint of official memorandum, I was not reading that at the time. I had no official interest in that.

Mr. FITHIAN. And before we close, would you repeat for me why you were dissatisfied with Hosty's performance in Dallas? I know what it says in the report. We have gone over that.

Mr. GALE. That's why.

Mr. FITHIAN. Is that it, the whole 9 yards?

Mr. GALE. That is as much as I can recall now. I only can recall why I was dissatisfied with anybody's performance at this point from reviewing the record. I certainly have no personal recollection of anything like this as to an individual agent as to why a certain course of action was taken against him 15 years later.

Mr. FITHIAN. What I am saying is, does your written recommendation reflect your total thinking on Hosty's performance at that time?

Mr. GALE. There possibly—at the time? To the best of my recollection, yes.

Mr. FITHIAN. And you started to say something else.

Mr. GALE. It is possible there is some memoranda, other memoranda in the file concerning this, I don't know. There must be some explanations from him, and I don't know if there is something else written by me or not. All I know right now is what I have here in front of me. That is all I recall about the matter. If there is anything else in the file, it could possibly refresh my recollection, but I don't have any recollection of this other than what I have here.

Mr. FITHIAN. I have no further questions, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Michigan, Mr. Sawyer.

Mr. SAWYER. I am a little puzzled, as I understand your testimony, that these deficiencies in the pre-assassination investigation had really nothing to do with the ensuing result in Dallas.

Mr. GALE. I didn't think so; no, sir.

Mr. SAWYER. And yet, your report devotes itself to some speculation whether the administrative punishment ought to be withheld because it might get to the Warren Commission or whether you should go ahead because the subpoenas probably wouldn't reach down to the agent level and, therefore, they wouldn't find out about it.

If it had nothing to do with the result in Dallas, why were you so concerned about the Warren Commission finding out about it since that was all they were concerned with?

Mr. GALE. I wasn't particularly concerned about it. There were other officials who were concerned about the administrative action being made public, I think, and embarrassing the Bureau.

Mr. SAWYER. You make mention in your recommending or suggesting you go ahead with it, you say the subpoenas of the Warren Commission probably would not reach down to the agent level.

So, apparently, you were concerned, or——

Mr. GALE. I didn't feel it would and I didn't particularly care if it did. I felt the administrative action should go forward and so did Mr. Hoover. No matter who found out about it, I thought the chips should fall where they may, no matter who found out about it.

Mr. SAWYER. Yes, but you were saying they probably wouldn't find out about it which was an argument in favor of going ahead.

Mr. GALE. That is exactly right, because there were others who were opposed to it.

Mr. SAWYER. So, why would it be an argument of going ahead or not going ahead if it had nothing to do with the result in Dallas.

Mr. GALE. Because there were others in the Bureau who were opposed to that.

Mr. SAWYER. Well, then, they apparently felt differently than you did about whether it would have affected the results in Dallas; is that correct?

Mr. GALE. I don't think so. They may have felt the Warren Commission should not have had it because they didn't want it to become public at that time. They were concerned about adverse publicity insofar as our mishandling the case. It was not the practice and policy of the FBI to be airing its dirty linen in public.

Mr. SAWYER. The Warren Commission weren't interested in the procedural operations of the FBI in particular if they were connected with their charge; namely, to investigate the assassination in Dallas; isn't that correct?

Mr. GALE. You might be interested in knowing, Mr. Sawyer, that the Warren Commission found the same deficiencies that I found on the same things and right down the line. As a matter of fact, Mr. Tolson called me on two of the agents in New York that they found had, they felt, were derelict in the way they had reported the matter, and he asked me if we had found those and I told him, the Director wants to know if you found those and I told this, the Director wants to know if you found those and I told him, that, yes, we had found those. And so, the Warren Commission apparently didn't feel that these errors made any difference in Dallas, and I don't feel they did, either.

They had the same errors in front of them. They found the same exact errors that I found.

Mr. SAWYER. Thank you, Mr. Chairman.

Chairman STOKES. I have just one final question, Mr. Gale. A part of the mandate given this committee by the House of Representatives is that we assess and evaluate the performance of the agencies as they related to the assassination of the President. And based upon your testimony here today with reference to the pre-assassination performance of the agency, your findings, your recommendation, if you were asked to rate the performance of the FBI on a scale of zero to ten, with ten representing the highest performance of the agency, what rating would you give the FBI?

Mr. GALE. Of course, insofar as the post-assassination investigation is concerned, as I indicated, I have not read that investigation.

Chairman STOKES. My question to you, I am sorry to interrupt you, my question is with reference to your inspection, your findings relative to the pre-assassination performance of the FBI.

Mr. GALE. Insofar as the investigation of Oswald, insofar as the pre-assassination investigation of Oswald, obviously would not give the agents who conducted the investigation a rating of ten.

I possibly would give them a rating of maybe six or seven, insofar as the investigation of Oswald was concerned, the pre-assassination of Oswald.

Further than that, I cannot comment because I was not involved in any other aspect of the situation.

Chairman. STOKES. Thank you.

Does anyone have anything further?

Mr. Gale, as a witness before our committee, you are entitled at the conclusion of your testimony to have 5 minutes in which you may explain or comment in any way upon your testimony before our committee.

I extend to you at this time 5 minutes for that purpose.

Mr. GALE. I have no further observations or comments to make, and I thank the committee for their courtesy.

Chairman STOKES. We thank you very much for having appeared here and been a witness before our committee. Thank you very much. You are excused.

[Witness excused.]

Chairman STOKES. There being no further business to come before the committee at this time, the committee will adjourn until 9 a.m. tomorrow morning.

[Whereupon, at 1:25 p.m., the committee recessed, to reconvene at 9 a.m., Thursday, September 21, 1978.]

INVESTIGATION OF THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

THURSDAY, SEPTEMBER 21, 1978

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON ASSASSINATIONS,
Washington, D.C.

The committee met at 8:04 a.m. pursuant to recess, in room 345, Cannon House Office Building, Hon. Louis Stokes (chairman of the committee) presiding.

Present: Representatives Stokes, Preyer, Dodd, McKinney, Sawyer, Thone, Fithian, and Edgar.

Staff present: G. Robert Blakey, chief counsel and staff director; Gary T. Cornwell, deputy chief counsel; Elizabeth L. Berning, chief clerk; I. Charles Mathews, special counsel.

Chairman STOKES. A quorum being present the committee will come to order.

The Chair recognizes Professor Blakey.

Mr. BLAKEY. Thank you, Mr. Chairman.

Mr. Chairman, I understand that one of our distinguished witnesses this morning is on somewhat of a tight time schedule. In the interest of time, therefore, I would summarize my normal narration, but I would ask that it be included in the record as if read in full.

Chairman STOKES. So ordered.

NARRATION BY G. ROBERT BLAKEY, CHIEF COUNSEL

Mr. BLAKEY. President John F. Kennedy was the fourth American President to be assassinated, but his death was the first that led to the formation of a special commission for the purpose of making a full investigation into its circumstances.

In the earlier assassinations, the investigations were left to existing judicial bodies:

In the case of Abraham Lincoln in 1865, a military commission determined that John Wilkes Booth was part of a conspiracy, and the Office of the Judge Advocate General of the U.S. Army saw to the prosecution of six defendants, four of whom were hanged.

The assassins of James A. Garfield in 1881 and William McKinley in 1901 were promptly tried in courts of law and executed.

In the aftermath of the Kennedy assassination, it was decided by President Lyndon B. Johnson that a panel of distinguished citizens should be given the responsibility for finding the full facts of the case and reporting them, along with appropriate recommendations, to the American people.

The Commission was authorized by Executive Order 11130 to set its own procedures and to employ whatever assistance it deemed necessary from Federal agencies, all of which were ordered to cooperate to the maximum with the Commission, which had, under an act of Congress, subpoena power and the authority to grant immunity to witnesses who invoked the fifth amendment.

The Chief Justice of the United States Earl Warren was selected by President Johnson to head the Commission. Two senior members of the Senate, Richard B. Russell, Democrat of Georgia, and John Sherman Cooper, Republican of Kentucky, were chosen to serve on the Commission, as were two distinguished members from the House of Representatives, Hale Boggs, Democrat of Louisiana, and Gerald Ford, Republican of Michigan. Two attorneys who had long been in active Government service, Allen W. Dulles, former Director of the Central Intelligence Agency, and John J. McCloy, former president of the World Bank, were also named to the Commission. J. Lee Rankin, former Solicitor General of the United States, was sworn in as general counsel on December 16, 1963, and 14 attorneys were appointed within a few weeks to serve as assistant counsels.

The Commission did not employ its own investigative staff. Instead, it relied on agencies in place—the FBI and Secret Service for domestic aspects, the CIA when activities involving foreign countries required probing.

In September 1964, following a 9-month effort, the Warren Commission published a report that not only included its findings and conclusions, but also a detailed analysis of the case as the Commission perceived it. In addition, in its report the Commission wrote its own description of the challenge it undertook to meet: "... to uncover all the facts concerning the assassination of President Kennedy and to determine if it was in any way directed or encouraged by unknown persons at home or abroad."

In the years since the Warren Commission completed its work, there has been both praise and criticism of the product. The praise came first, and it was based on the obvious enormity of the effort. After all, the Commission had combed through so much evidence that only a part of it could be contained in 26 supplemental volumes, with the rest of it stored at the National Archives. And it had taken testimony, either in person or through deposition, from a total of 552 witnesses.

A Pulitzer Prize-winning journalist, in an introduction to one edition of the Warren Report, wrote:

The Warren Commission spent the better part of a year in an exhaustive investigation of every particle of evidence it could discover. . . . No material question now remains unresolved so far as the death of President Kennedy is concerned. Evidence of Oswald's singlehanded guilt is overwhelming.

It was the determination of Oswald acting alone that opened the Commission to attack from critics. For the most part, they were authors and independent investigators who rounded up numerous clues, some sounder than others, of a conspiracy. Some suggested that the Federal Government, the Warren Commission itself included, was covering up the conspiracy by suppressing evidence.

A result of the criticism was a growing doubt among the American people that the Warren Commission was right, that Oswald

had indeed been the lone assassin. Then, in 1976, it was revealed in hearings before the Senate Intelligence Committee that certain Federal agencies had not been as candid with the Commission as had been thought. The Warren Commission was not accused of being a party to the failure to find the truth, but its victim. The culpable agencies? The FBI and the CIA, both of which, the Senate committee concluded, had withheld significant information from the Commission.

The mandate of the Select Committee on Assassinations calls for an investigation of the performance of Federal agencies assigned to any aspect of the Kennedy case. With the Warren Commission itself, the issue to be considered is whether its procedures, techniques and organization were sufficient to carry out its mandate. In other words, the committee must consider the quality of the conduct of the Commission to judge the reliability of its conclusions.

Mr. Chairman, the three members of the Warren Commission still living have agreed to appear today and testify. They are: Gerald R. Ford, John Sherman Cooper and John J. McCloy.

President Ford received an A.B. from the University of Michigan in 1935 and an LL.B. from Yale Law School in 1941. President Ford practiced law in Grand Rapids from the time of his admission to the Michigan State bar in 1941 until he was elected to Congress as a Republican of Michigan in 1949. President Ford was a Member of the 81st to the 93rd Congresses; he was elected minority leader in 1965 and he became Vice President of the United States in 1973. He served as President of the United States from 1974 to 1977.

It would be appropriate now, Mr. Chairman, to call President Ford.

Chairman STOKES. The committee calls President Ford.

All persons in the room are requested to remain seated when the former President comes into the room. This is for security reasons.

Good morning, Mr. President.

TESTIMONY OF FORMER PRESIDENT GERALD R. FORD

President FORD. Good morning.

Chairman STOKES. May I ask you to please stand and take the oath. Just raise your right hand. You solemnly swear the testimony you will give before this committee is the truth, the whole truth and nothing but the truth, so help you God.

President FORD. I do.

Chairman STOKES. Thank you. You may be seated.

Welcome back to Capitol Hill, Mr. President.

President FORD. Thank you.

Chairman STOKES. Nice to see you here. For security purposes we asked that all persons remain in their seats when you came into the room.

At this time the Chair recognizes counsel for the committee, Mr. Gary Cornwell.

Mr. CORNWELL. Thank you, Mr. Chairman.

Good morning, Mr. President.

President FORD. Good morning.

Mr. Chairman, if I might, I have a very short opening statement which I would appreciate the opportunity to read, then I will be glad to respond to whatever the questions may be of Mr. Cornwell.

Chairman STOKES. Mr. President, we would be glad to receive your statement at this time.

President FORD. Chairman Stokes, members of the committee, it is nice to be home and it is a great honor and great privilege to testify before this committee, and I thank you for the opportunity to appear along with my distinguished former colleagues on the Warren Commission, Senator John Sherman Cooper and the Honorable John McCloy. Each of us who were appointed by President Lyndon B. Johnson to the Warren Commission and who signed the final report of that Commission are prepared to respond to questions as submitted by you or the members of the committee or the staff.

I trust the committee understands my particular situation. I am most willing to respond to any and all questions relating to my service on the Warren Commission and related matters, but I must respectfully refuse to answer questions under the principle of Executive privilege that relate to the period from August 9, 1974, to January 20, 1977, the time that I served as President of the United States.

The Warren Commission was given by President Lyndon B. Johnson the tragic responsibility to investigate the assassination of President John F. Kennedy. No member of the Commission sought the assignment, but each member believed it was a public duty to respond to the request of the President. It was not an easy or pleasant duty because each of us had known President John F. Kennedy. The Commission, under the chairmanship of the Chief Justice, Earl Warren, conducted, in my opinion, a thorough, objective analysis and investigation, with the assistance of an outstanding staff and the help of many, many others within and without the Federal establishment.

The conclusions and recommendations of the Commission were unanimous. We believe the Commission report, despite questions that have been raised over the past 14 years, was an authoritative document covering one of the most tragic episodes in the history of the United States. In my own case, the staff of the committee has submitted a set of questions and requested responses in specific areas of inquiry. I will be glad to respond to the questions as propounded by Mr. Cornwell or members of the committee and I thank you for the opportunity to make my opening statement.

Chairman STOKES. Thank you, Mr. President, and we appreciate your appearance here this morning, and at this time the Chair will recognize Mr. Gary Cornwell for preliminary questions.

Mr. CORNWELL. Thank you, Mr. Chairman.

Mr. President, I would like to initially direct your attention to the fact that in response to the assassination there were a number of basic decisions made, first, of course, to create the Warren Commission, as opposed to relying, hypothetically, for instance, upon such other bodies as the Department of Justice, for the purpose of supervising the investigation.

Second, I would like to focus your attention upon the decision to rely upon the investigative agencies as opposed to perhaps attempt-

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ASSASSINATION

ing to create an investigative staff of the Warren Commission; the question of time constraints that may have been imposed upon the members and their staff because, of course, they were influential and busy men and they did have outside interests which coincided with the operation of the Commission; and such things as the relationship between the Commission and the investigative agencies. I would like to ask you to comment upon that, namely, the effectiveness of the organization and the procedures which were adopted in response to the assassination.

President FORD. In my judgment, Mr. Cornwell, the Warren Commission made a basic decision, which was a proper one. We decided that it was inadvisable for the Commission to recruit a totally new investigating staff, and we felt that it was far better to pursue the procedure which we did, which was to employ a limited group of very outstanding and prestigious lawyers, as I recall 14 in number, who came onto the staff and headed the staff organization. Then that staff under the close supervision and control of the Commission worked with the various investigative agencies of the Federal Government such as the FBI, the CIA, Secret Service, and others.

I must emphasize one point. Although the staff and the Commission utilized the investigative personnel and capabilities of organizations within the Federal establishment, we as a Commission and the staff were never satisfied with what information we got from these Federal organizations. What we did was to use them as a base, and then the staff and the Commission took off from there and handled individually the inquiries, the questions, and any leads that came to the Commission or to the staff.

Mr. CORNWELL. The Senate Select Committee to Study Governmental Operations looked into some of these same areas and in book V of their final report they commented upon them.

It is my understanding that your opinion was not consulted, in fact I don't believe the opinions of the other Warren Commission members were consulted, prior to the publication of that report, so I would like to direct your attention to a limited portion of it and ask you to comment upon its accuracy from your point of view.

At page 6 of the report, the Senate committee concluded that facts which might have substantially affected the course of the investigation were not provided the Warren Commission or those individuals within the FBI or CIA, as well as other agencies of the Government who were charged with investigating the assassination. The FBI was ordered by Director Hoover and pressured by higher Government officials to conclude its investigation quickly. The FBI conducted its investigation in an atmosphere of concern among senior Bureau officials that it would be criticized and its reputation tarnished.

On page 46 the report goes on to note that with only minor isolated exceptions, the entire body of factual material from which the Commission derived its findings was supplied by the intelligence community, primarily the FBI, and on page 47 the report concludes that although the Commission had to rely on the FBI to conduct the primary investigation of the President's death, their relationship was at times almost adversarial, such relationship was not conducive to the cooperation necessary for a thorough and exhaustive investigation.

Would you agree with that, and to what extent, if any, would you think that such factors might have substantially affected the effectiveness of the investigation?

President FORD. Mr. Chairman and Mr. Cornwell, the committee did send to me this question, among others, and the material from the Church committee report. Because I want to be very accurate, since it involves a committee of the U.S. Senate, I would like, if I might, Mr. Chairman, to read a response to the question that Mr. Cornwell has asked, and with your approval I will do so.

Chairman STOKES. You certainly may do so.

President FORD. I concur with the conclusions of the Church committee's final report, book V, page 6, which states, and I quote: "The Committee emphasizes that it has not uncovered any evidence sufficient to justify a conclusion that there was a conspiracy to assassinate President Kennedy."

I categorically deny that the investigation of the assassination was deficient. The Church committee concedes directly or by implication that the Commission's conclusions based on available evidence were correct. To date, I have seen no new evidence that would change my views as a former member of the Commission. The Church committee states that the FBI was pressured by Director Hoover and higher Government officials to conclude its investigation quickly. The committee does not differentiate between the Commission's investigation and the investigations by the FBI and other Federal agencies. The FBI may have hurried its internal investigation, but the Warren Commission sets its own schedule for completion of its work, based on its best estimate of the time required to carry out the mandate of President Johnson.

When the Commission found that July 1964 was insufficient, the time was extended so we could properly conclude. The Church committee erroneously assumed that the main investigation was done by the FBI, when in fact it was undertaken by the Commission and the 14 independent lawyers assembled by the Commission and the rest of the Commission staff. I do find in reading pages 6 and 7 of the Church committee's report, that questions of policy procedures, decisions and so forth are raised but then in many instances the committee report did not come to firm conclusions or make categorical recommendations based on their sources of information.

My response to pages 46 and 47 of the Church committee report are as follows:

1. The Warren Commission did use the intelligence agencies of the Federal Government for the initial factual information and their preliminary analysis. However, the Commission and the staff never accepted this material at face value. From the information supplied from all sources, an independent followup investigation was conducted by the Commission staff, including interviews, interrogations and cross checking. Conclusions by the Commission were based on this independent process and not on Federal agency determinations.

The Commission had an obligation to follow a dual policy, on the one hand, to get maximum voluntary cooperation from all Federal agencies including the FBI, and on the other hand, to be insistent that the agencies respond in cooperation in however the Commis-

sion demanded. The latter requirement may have led some agencies to believe that there was an adversarial relationship. For the Commission to have adopted any other posture would have led the Commission critics to charge that the Commission was not carrying out its Presidential mandate.

Mr. CORNWELL. I would next, Mr. President, ask you if you would direct your attention to the possibility of some outside pressure or concern upon the Commission, and for that purpose I would like to show you two exhibits marked for identification, JFK F-457 and JFK F-443.

The first exhibit, Mr. Chairman, is a memorandum prepared by Presidential Assistant Walter Jenkins, dated November 24, 1963, and containing a resume of comments by FBI Director Hoover made on that date, and the second one is a memorandum reflecting—well, a memorandum from Mr. Evans and the FBI to Mr. Belmont and attaching a memorandum of Deputy Attorney General Katzenbach dated November 25. May we have those admitted into evidence, Mr. Chairman.

Chairman STOKES. Without objection, they may be entered into the record at this point.

[The above-referred-to exhibits, JFK F-457 and JFK F-443, follow:]

[JFK exhibit F-457 was entered previously.]

UNITED STATES GOVERNMENT

Memorandum

TO : MR. BELMONT

FROM : C. A. Evans

DATE: 11/25/63

cc Mr. Belmont
Mr. Evans
Mr. Mohr
Mr. DeLoach
Mr. Rosen
Mr. SullivanSUBJECT: ASSASSINATION OF
PRESIDENT KENNEDY

Deputy AG Katzenbach handed to me this morning the attached memorandum which he has sent to Bill Moyers, who will be the principal assistant to President Johnson in the White House. Katzenbach said that this memorandum was prepared by him after his discussions with the Director yesterday.

It is Katzenbach's feeling that this matter can best be handled by making public the results of the FBI's investigation. He thought time was of the essence, but that the report, of course, had to be accurate. He said he was thinking in terms of its release by the end of the week if at all possible.

Katzenbach further pointed out that he is having no success in selling the White House on the idea that this report should be released there. He understands that President Johnson has expressed himself as feeling this should be handled on a Department of Justice level. It is Katzenbach's belief that it would be most inappropriate for Robert Kennedy to issue this report. Katzenbach asked that the Director be informed of his feeling that, if the report is not released by the White House, then it should be made available publicly by the Director, pursuant to Presidential instructions.

ENCLOSURE

Enclosure
-CAE:CSH (7)

ENCLOSURE

105-82555-UNREC
NOT RECORDED
19 DEC 9 1963

23 DEC 9 1963

JFK Exhibit F-443

November 25, 1963 0-1

MEMORANDUM FOR MR. MOYERS

It is important that all of the facts surrounding President Kennedy's Assassination be made public in a way which will satisfy people in the United States and abroad that all the facts have been told and that a statement to this effect be made now.

1. The public must be satisfied that Oswald was the assassin; that he did not have confederates who are still at large; and that the evidence was such that he would have been convicted at trial.

2. Speculation about Oswald's motivation ought to be cut off, and we should have some basis for rebutting thought that this was a Communist conspiracy or (as the Iron Curtain press is saying) a right-wing conspiracy to blame it on the Communists. Unfortunately the facts on Oswald seem about too pat--too obvious (Marxist, Cuba, Russian wife, etc.). The Dallas police have put out statements on the Communist conspiracy theory, and it was they who were in charge when he was shot and thus silenced.

3. The matter has been handled thus far with neither dignity nor conviction. Facts have been mixed with rumour and speculation. We can scarcely let the world see us totally in the image of the Dallas police when our President is murdered.

I think this objective may be satisfied by making public as soon as possible a complete and thorough FBI report on Oswald and the assassination. This may run into the difficulty of pointing to inconsistencies between this report and statements by Dallas police officials. But the reputation of the Bureau is such that it may do the whole job.

105-82555-5
ENCLOSURE

The only other step would be the appointment of a Presidential Commission of unimpeachable personnel to review and examine the evidence and announce its conclusions. This has both advantages and disadvantages. It think it can await publication of the FBI report and public reaction to it here and abroad.

I think, however, that a statement that all the facts will be made public properly in an orderly and responsible way should be made now. We need something to head off public speculation or Congressional hearings of the wrong sort.

Nicholas deS. Katzenbach
Deputy Attorney General

Mr. CORNWELL. In particular, Mr. President, I would like for you to respond to these portions of those memorandum. With respect to Exhibit 457, the Walter Jenkins memorandum, according to the memorandum, Mr. Hoover stated on page 2, bottom paragraph, "The thing I am concerned about, and so is Mr. Katzenbach, is having something issued so we can convince the public that Oswald is the real assassin," and thanks to the cooperation of the Justice Department, although it is not in your copy right there, Mr. President, today we have received authority to declassify one additional sentence in that paragraph.

That additional sentence reads:

I felt this [not creating a presidential commission] was better because there are several aspects which would complicate our foreign relations.

In the second exhibit, F-443, Mr. Evans writes:

Deputy Attorney General Katzenbach handed to me this morning the attached memorandum which he has sent to Bill Moyers, who will be the principal assistant to President Johnson in the White House. Katzenbach said this memorandum was prepared by him after his discussions with the Director yesterday.

And the attached memorandum at paragraph one and then paragraph numbered two states:

It is important that all of the facts surrounding President Kennedy's Assassination be made public in a way which will satisfy people in the United States and abroad that all the facts have been told and that a statement to this effect be made now.

In paragraph two, it reads:

Speculation about Oswald's motivation ought to be cut off, and we should have some basis for rebutting thought that this was a Communist conspiracy or 'as the Iron Curtain press is saying' a right-wing conspiracy to blame it on the Communists.

And finally, in the materials which we previously provided to you, Mr. President, again the Senate report, at page 41, there is a quotation from a memorandum by Richard Helms, a cable to the CIA's Mexico station chief. Helms states:

For your private information, their distinct feeling here in all three agencies, CIA, FBI, State, that Ambassador is pushing this case too hard and that we could well create flap with Cubans which could have seriously repercussions.

What I would like to ask you is, were you aware of any such pressures at the time, and if so, to what extent, if any, do you think they might have distorted the investigative process?

President FORD. To the best of my recollection, and I remind the committee that the commission did its job 14 years ago, there was no pressure as a consequence of a memo or a statement by Walter Jenkins.

There was no pressure from any actions taken by Mr. Katzenbach. I fully would understand, however, the concern of the White House staff at that time for some early resolution of whatever the Warren Commission would decide. I can understand why the Department of Justice, and other Federal agencies, may have wanted some statement from the Commission at the earliest possible date. But to my best recollection, there was nothing that came from President Johnson or any of his associates in the White House, there was nothing that came to the Commission from the Department of Justice or other Federal agencies to hurry, in an incomplete way, a decision by the Warren Commission.

Now, again, to be very precise, I would like to read from a prepared response I have in reference to the Mexican question that has been raised.

I was not informed at the time of the Helms cable to the CIA Mexican station chief, but to my best recollection, the members of the Commission were familiar with the strong personal feelings of the then-U.S. Ambassador to Mexico. The Ambassador did believe that Castro was somehow involved in a plot to assassinate President Kennedy, and he was forceful in setting forth those views.

This view of the Ambassador obligated the Commission to make a thorough investigation of the Ambassador's charges and the attitude of the CIA, FBI, and State. Although the Helms cable, to my best recollection, was not seen by me, I was familiar with the general views of the three departments as reflected in the Helms cable.

I believe the Commission was carried out to investigate any divergent views between the Ambassador, on the one hand, and the three departments on the other.

Mr. CORNWELL. Mr. President, the committee has received evidence about such things as the destruction of a note within the FBI that caused internal dissension at the time, a note which may have been from Oswald and was delivered to Special Agent Hosty. We have received evidence of such things as the existence of CIA assassination plots, an association between CIA officers and some members of the underworld.

Was the Warren Commission familiar with those type of things and, if not, using the benefit of hindsight, could their existence have distorted the investigation?

President FORD. It is my best recollection that we were not familiar with the alleged destruction of the Oswald note to Hosty. From what I have read of the content, or the alleged content of that note, I don't think the course of the investigation would have been changed by either the note itself or the destruction of that note.

The other question that was raised, the allegation that the CIA considered the possibility of using Oswald as a source of informa-

tion, I am not able to recollect whether we were familiar with that possibility, but, in my opinion, if we had known about it, I do not believe it would have significantly changed the course of or the conclusions of the Warren Commission.

There was a question raised about Mr. Hoover's theory of 1959 that Oswald may have been an imposter.

I personally was not familiar with that attitude of Mr. Hoover, in all honesty, I don't think that attitude on his part would have significantly changed the course of our investigation or the conclusions of the Commission.

You also raised the question as to the connection or possible involvement of the underworld in any assassination plot. I would like to state this for the record: I do not believe that if there was any association between some CIA officers and members of the underworld that that would have changed the conclusion of the Warren Commission.

However, had the Warren Commission known of any assassination plots directed against Castro, this might have affected the extent of the Commission inquiry. In other words, if we had known of these assassination plans or attempts by an agency of the Federal Government, it certainly would have required that the Commission extend its inquiry into those kinds of operations by an agency of the Federal Government.

But from what I have known of those plots, what I have read or heard, I don't think they, in and of themselves, would have changed the conclusions of the Commission.

Mr. CORNWELL. Finally, I would like to show you two exhibits marked for identification as JFK F-464 and JFK F-467, each of which respectively relate to the fact the CIA may have considered, at one point, the possibility of using Oswald as a source of information, and the second one relating to a theory or speculation that Mr. Hoover had at one point, that there may have been an Oswald imposter. May we have those admitted into the record, Mr. Chairman?

Chairman STOKES. Without objection, they may be entered into the record.

[The above referred to exhibits, JFK F-464 and JFK F-467, follow:]

Memorandum from
Jenkins to President
Lyndon B. Johnson, 11.24.63
"Mr. J. Edgar Hoover said as
follows:"

P. 468

Memorandum to
Tolson from Gale, 12.10.63.

P. 514

FBI memorandum
to Tolson from Gale 9.30.64.

P. 531