

INVESTIGATION OF THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

HEARINGS BEFORE THE SELECT COMMITTEE ON ASSASSINATIONS OF THE U.S. HOUSE OF REPRESENTATIVES NINETY-FIFTH CONGRESS SECOND SESSION

SEPTEMBER 22, 25, AND 26, 1978

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INVESTIGATION OF THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

FRIDAY, SEPTEMBER 22, 1978

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

The select committee met, pursuant to adjournment, at 9:10 a.m., in room 345, Cannon House Office Building, Hon. Richardson Preyer (acting chairman) presiding.

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

Staff present: G. Robert Blakey, chief counsel and staff director; Michael Goldsmith, senior staff counsel; Charles Berk, research attorney; and Elizabeth L. Berning, chief clerk.

Mr. PREYER. The committee will come to order.

The Chair recognizes Mr. Blakey.

NARRATION BY MR. G. ROBERT BLAKEY, CHIEF COUNSEL

Mr. BLAKEY. I thank you, Mr. Chairman.

Over the years, the Central Intelligence Agency has conducted a massive investigation of Lee Harvey Oswald, the proof of which is a 142-volume file at the Agency headquarters in Langley, Va. Nevertheless, despite an impressive effort to probe the periods of Oswald's life during which there had been foreign encounters, some questions about the CIA persist. Several principal questions remain:

Was the CIA's post-assassination investigation of Lee Harvey Oswald thorough and reliable, and did the Agency share with others the relevant information it had or learned?

Was there a preassassination relationship between the CIA and Oswald? If so, could that relationship have extended to complicity in the assassination, or short of that, might it have led the Agency to seek to hide the relationship out of fear of being accused of complicity.

Much of the mystery is, of course, the result of the secretive nature of the CIA and its understandable unwillingness to reveal operational information. A brief review of the history of the CIA might afford a better grasp of the problem.

Created by the National Security Act of 1947, the CIA was, in fact, a postwar outgrowth of the Office of Strategic Services. The head of OSS, though never a CIA official, was William J. Donovan who, adapting the British approach, combined the intelligence activities of various agencies into one office.

Toward the end of World War II, President Roosevelt sought Donovan's advice on a permanent intelligence apparatus. Donovan's classified reply, leaked to the press 3 months later, described an "all-powerful intelligence service * * * which would supercede all existing Federal police and intelligence units." The reaction among the heads of existing intelligence and investigative agencies was predictable panic. Few wanted to see the OSS become more powerful.

President Roosevelt's death turned out to be a serious blow to OSS—very nearly a crippling one—for President Truman abolished the wartime OSS without even consulting Donovan or the Joint Chiefs of Staff. As a result, the United States was handicapped by a serious intelligence gap in the postwar international struggles.

Unification of the Armed Forces was the main objective of the 1947 act. But it also created the National Security Council, of which the CIA was to be the intelligence coordinating unit. Under the act, the CIA was charged with four responsibilities:

One, to advise the NSC on intelligence matters relating to national security.

Two, to make recommendations on the coordination of intelligence activities.

Three, to correlate, evaluate, and disseminate intelligence.

Four, to perform additional intelligence activities and national security functions at the direction of the NSC.

In its early years, the CIA was hampered by internal organization difficulties and bad relationships with other agencies. The turnover of directors was rather rapid—Adm. Roscoe H. Hillenkoetter in 1947, Lt. Gen. Walter Bedell Smith in 1950, Allen W. Dulles in 1952.

Dulles, who had been a wartime master spy, had strong opinions as to the type of men who should be named to top posts in the Agency. At Senate Armed Services Committee hearings on the National Security Act, he testified that the CIA:

* * * should be directed by a relatively small but elite corps of men with a passion for anonymity and a willingness to stick to that particular job. They must find their reward in the work itself, and in the service they render their Government, rather than in public acclaim.

In addition, in its formative period, the CIA was subjected to the tirades of Senator Joseph R. McCarthy, who demanded a purge of Agency personnel. The upshot was a severe tightening of employment standards, as well as a restriction within the Agency of the expression of political viewpoints.

Although the CIA is not required to make public its organizational structure, it is publicly known to consist of five main entities—the Office of the Director and four Directorates. The Director and Deputy Director, one of whom must be a military officer, are appointed by the President.

The four Directorates are as follows:

Operations: The clandestine services unit, with 45 percent of its personnel stationed overseas, most of them in cover positions. Subdivisions of operations are foreign intelligence, counterintelligence, and covert action.

Intelligence: Its responsibility is to turn out finished intelligence products.

Science and Technology: It's responsibility for basic research and development, and it operates reconnaissance satellites and analyzes highly technical information.

Management and Services: This is the Agency's housekeeping department.

There are also a number of propriety organizations, front groups and social or political institutions that are run by the CIA or in its behalf. The best known proprietaries are Radio Free Europe and Radio Liberty, both established in the early 1950's. Among the front organizations are airlines and holding companies to support clandestine operations. In early 1967, it was, for example, learned that the CIA had for years been subsidizing the country's largest student organization, the National Student Association. Eventually, it became known that the Agency had channeled money to a number of business, labor, religious, charitable, and educational organizations.

In 1974 and 1975, a commission headed by then Vice President Rockefeller investigated CIA activities in the United States, specifically whether domestic CIA activities exceeded the Agency's statutory authority. The investigation was in response to charges that the Agency had engaged in large-scale spying on American citizens and had compiled dossiers on many citizens. Mail intercepts, infiltration of dissident groups, illegal wiretaps and break-ins were among other charges delved into in the investigation.

The Rockefeller Commission concluded that the "great majority of the CIA's domestic activities comply with its statutory authority * * * nevertheless, over the 28 years of its history, the CIA has engaged in some activities that should be criticized and not permitted to happen again—both in light of the limits imposed on the Agency by law and as a matter of public policy.

It was hardly worth noting at the time, but an event on October 31, 1959, would ultimately become part of the history of the CIA. A 20-year-old ex-Marine radar operator named Lee Harvey Oswald appeared at the U.S. Embassy in Moscow and handed consular official Richard Snyder a note demanding that his American citizenship be revoked. He also intimated to Snyder that he intended to pass radar secrets to the Soviet Union.

This information was sent via the State Department to CIA Headquarters, and the CIA opened a file on Oswald.

Oswald's citizenship was not revoked. He was also permitted to remain in Russia until June of 1962. He then returned to the United States with a Russian wife, Marina, and an infant daughter. As a returning defector, Oswald was of interest to U.S. intelligence agencies. His tracks were picked up once more when, in September 1963, Oswald turned up in Mexico City where he visited the Soviet Embassy and the Cuban Embassy and Consulate. The information that was added to Oswald's CIA dossier in Washington on October 11, 1963, was imprecise—it identified him as being 35 years old—he was 23 at the time—and as Lee Henry Oswald.

It is, of course, now public knowledge that the CIA continued overt operations against Cuba after the Bay of Pigs defeat in 1961. They included plots to murder Fidel Castro by the Agency and American gangsters, who had been operating lucrative gambling casinos in Havana until Castro threw them out of the country.

They also included CIA contact with a high-level associate of Premier Castro, code named "AMLASH," who had expressed a desire to murder Castro. While Castro himself was apparently aware of the American plots on his life, there is no evidence that the Warren Commission knew of the Castro plots.

In 1964, when the Warren Commission determined that Oswald was the lone assassin, it also concluded he had never been associated with, nor employed by, the CIA. Critics of the Warren Commission were quick to challenge the assertion, raising questions about the thoroughness of the Warren Commission's investigation and raising the sinister possibility that intelligence agencies may have been responsible for the assassination itself.

Mark Lane, in "Rush to Judgment," implies, for example, Oswald had ties to the CIA, and in his more recently published code name "Zorro," a book on the assassination of Dr. Martin Luther King, Jr., he writes:

The evidence now available discloses that Oswald worked for the FBI and with the CIA * * *.

The Rockefeller Commission examined the allegation of Oswald's CIA ties and found no credible evidence to support it.

In accord with its mandate, the select committee undertook to assess the quality of the CIA's performance in its investigation of Oswald and its working relationship with the Warren Commission. The investigation covered all periods of Oswald's life when he came in contact with an official entity overseas, either United States or foreign. It included Oswald's hitch in the Marine Corps, his trip through Europe and defection to the Soviet Union, his stay in Russia, his return to the United States, his political activities in the United States as they pertain to foreign affairs; for example, the fair play for Cuba campaign, and finally of course his trip to Mexico in 1963.

Second in the sequence, but by no means subsidiary in importance, the committee considered the charge that Oswald had ties to the CIA. Resolution of this issue was uppermost in the minds of committee investigators, as they poured over CIA reports—not only the 142 volumes on Oswald himself, but hundreds of other volumes as well. Again, the committee was aware that if a relationship was discovered, it did not necessarily mean that the Agency was guilty of complicity in the assassination. Nevertheless the committee reasoned that the CIA might have covered up links to Oswald out of concern for their implications. On the other hand, if the committee found no signs of coverup, it felt it could reach some reasonable judgment on the issue.

Ambassador Helms was serving as the CIA Deputy Director for Plans at the time of the Kennedy assassination. As such, he was responsible for the Directorate of Plans which was the office engaged in covert operations.

In 1964, Ambassador Helms was the senior CIA official who worked with the Warren Commission on a day-to-day basis, and he testified before the Commission on May 14, 1964.

Ambassador Helms was appointed Director of Central Intelligence in 1966, serving in that capacity until 1973. In 1973, he was named Ambassador to Iran.

At present, Mr. Helms is a business consultant here in Washington.

Mr. Chairman, it is appropriate to note that the committee's questioning of Mr. Helms today will be based on documents that have been released by the CIA in accordance with the Freedom of Information Act. The select committee has also, in the past week, reached agreement with the CIA for the declassification and release of certain documents not previously available to the public. These newly released documents will also be referred to in today's hearing.

On August 9, however, Ambassador Helms testified at an executive session of the committee, in which many issues of a classified nature were discussed in detail. Because they are still classified, they will not be brought up today.

It would be appropriate at this time, Mr. Chairman, to call Ambassador Helms.

Mr. PREYER. The committee calls Ambassador Helms.

Mr. Helms, will you be sworn at this time. Do you solemnly swear the testimony you are about to give this committee will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. HELMS. I do, Mr. Chairman.

TESTIMONY OF RICHARD HELMS, FORMER DIRECTOR OF CENTRAL INTELLIGENCE, FORMER AMBASSADOR TO IRAN, AND PRESENTLY A BUSINESS CONSULTANT IN WASHINGTON, D.C., AND REPRESENTED BY GREGORY B. CRAIG, OF WILLIAMS & CONNOLLY

Mr. PREYER. Thank you, Mr. Helms. We appreciate your being here today, and the Chair will recognize Mr. Goldsmith to begin the questioning.

Mr. GOLDSMITH. Thank you, Mr. Chairman.

Mr. Helms, as part of your association with the CIA were you required to execute a secrecy oath?

Mr. HELMS. Yes, I was.

Mr. GOLDSMITH. Do you recall testifying before this committee in executive session on August 9 of this year?

Mr. HELMS. Yes, I do.

Mr. GOLDSMITH. At that time, Mr. Helms, were you presented with a series of letters which authorized you to testify fully and truthfully about all information that you had available pertinent to the committee's legislative mandate?

Mr. HELMS. Yes.

Mr. GOLDSMITH. At this time I would ask that Mr. Helms be shown JFK exhibit F-536.

Mr. Chairman, I would indicate for the record that JFK exhibit F-536 consists of two exhibits, A and B. They are both letters dated September 1, 1978, from the General Counsel's Office of the CIA. They are directed to Mr. Helms. [Handed to witness.]

Mr. Chairman, may we have JFK exhibits F-536A and F-536B admitted into the record?

Mr. PREYER. Without objection, so ordered.

Central Intelligence Agency



Washington, D. C. 20505

JFK Exhibit

F-536A

OGC 78-6272

21 September 1978

The Honorable Richard Helms
 Safeer Company
 Suite 402
 1627 K Street, N. W.
 Washington, D. C. 20006

Dear Ambassador Helms:

The Agency has been notified that the House Select Committee on Assassinations has invited you to testify in open session on 22 September 1978.

Please be advised that the Agency agreement with the Committee, a copy of which was attached to Mr. Carlucci's letter to you dated 27 July 1978, deals only with the discussion of classified matters in executive session. It does not constitute a grant of authority to discuss classified matters in public circumstances, nor a waiver of any secrecy oath or agreement that might otherwise be applicable in such circumstances. Therefore, if you are asked any questions in open session requiring the disclosure of classified information, I suggest that you indicate to the Committee your willingness to respond in executive session and that you ask the Committee to convene such a session for that purpose.

Sincerely,

Anthony A. Lapham
 General Counsel

JFK EXHIBIT F-536A

Central Intelligence Agency

JFK Exhibit

F-536B-

Washington, D.C. 20505

21 September 1978

The Honorable Richard Helms
Safeer Company
Suite 402
1627 K Street, N.W.
Washington, D.C. 20006

Dear Ambassador Helms:

By way of elaboration upon Mr. Lapham's letter to you of this date concerning your testimony in open session before the House Select Committee on Assassinations on 22 September, Mr. Lapham has authorized me to relay the following to you. You are, of course, completely at liberty to discuss unclassified materials, including the materials which have been declassified and made available to your counsel on 20 September 1978. However, in the event a response would involve the disclosure of classified information, whether based on these or other materials, it is the Agency's position that you should so inform the Committee and request that your response be heard in executive session.

Sincerely,


John D. Morrison, Jr.
Deputy General Counsel

Mr. GOLDSMITH. Mr. Helms, have you received the originals of these letters?

Mr. HELMS. Yes, I have.

Mr. GOLDSMITH. Have you had a chance to discuss these letters with your attorney?

Mr. HELMS. Yes.

Mr. GOLDSMITH. Do you understand these letters?

Mr. HELMS. I hope so.

Mr. GOLDSMITH. Do you understand that at today's hearing you are still obliged to testify truthfully before this committee?

Mr. HELMS. I understand that.

Mr. GOLDSMITH. Do you understand, Mr. Helms, that in the event that your testimony touches upon classified information, the alternative would be to request that the committee go into executive session?

Mr. HELMS. I understand that, sir.

Mr. GOLDSMITH. Thank you.

Mr. Chairman, I would indicate for the record that the letters that Mr. Ambassador was shown at the August 9 hearing correspond with JFK exhibits F-94, F-125, F-126, and F-127.

Mr. Helms, what was the organizational function of the Deputy Directorate for Plans in 1963?

Mr. HELMS. The Deputy Director for Plans or the Deputy Directorate for Plans? I was the Deputy Director for Plans and head of an organization which performed certain covert activities overseas.

Mr. GOLDSMITH. Before you proceed I would like to show you JFK exhibits F-94, F-125, F-126, and F-127 from the hearing that we had in August.

[Handed to witness.]

Mr. HELMS. Thank you. [Pause.] I have not read every word of those memoranda, Mr. Goldsmith, but I recall having seen them on August 9.

Mr. GOLDSMITH. At the time did you understand them?

Mr. HELMS. Yes.

Mr. GOLDSMITH. I might ask, for the record, would Mr. Helms' attorney identify himself.

Mr. CRAIG. My name is Gregory B. Craig, of Williams & Connolly.

Mr. GOLDSMITH. Thank you. Returning to my previous question, would you describe the organizational function or purpose of the DDP in 1963 which I believe you headed.

Mr. HELMS. That is one of the most—it contained one of the most highly classified documents in Washington, the description of what the DDP does, and if you have received a specific authority from the Director of Central Intelligence to disclose all these activities, I would be glad to do so.

Mr. GOLDSMITH. I would ask that Mr. Helms be given a copy of the declassified transcript from his executive session testimony.

Mr. Helms, I refer your attention to page 4 of that transcript, specifically lines 111 through 118.

Mr. HELMS. All right, Mr. Goldsmith. Since this has been declassified, I understand, then let me just read what it says:

In 1963, the Deputy Director for Plans was * * * the Deputy Director who was in charge of—I guess the simplest term is—overseas operations. This entity of the CIA received its mandate from NSC documents.

In any event, the responsibility of this unit was to conduct espionage and counter-espionage and covert actions outside the continental limits of the United States.

Some of the lines you will note have been excised.

Mr. GOLDSMITH. I understand.

Mr. HELMS. So if to the press it is not a coherent statement, it is because it is not coherent.

Mr. GOLDSMITH. Mr. Helms, I would ask to the extent you are able to testify without touching upon classified information you make an effort to do so. Have you had a chance to review the declassified transcript that the committee made available to you?

Mr. HELMS. Yes. I have looked through it. I am not sure, though, that I have become aware of all of the things that have been taken out and all the things that have been left in. It is really difficult to read something that has been chopped up the way this has. I have looked through it but I would not say I have in my head what was allowed in and what was taken out.

Mr. GOLDSMITH. Mr. Helms, did the committee make available to you the testimony from your executive session transcript?

Mr. HELMS. Yes, I have in front of me these documents which were made available to me by the committee I think 2 days ago. I went through them.

Mr. GOLDSMITH. I understand that. My question now is, Has the committee made available to you the full transcript from your executive session testimony?

Mr. HELMS. Yes, I believe I could have come and read it at any time, at least I was so assured by the committee.

Mr. GOLDSMITH. Did you ever avail yourself of that opportunity?

Mr. HELMS. I did not.

Mr. GOLDSMITH. Mr. Helms, what role, if any, did the Agency have in the investigation of the assassination of President Kennedy?

Mr. HELMS. At the time that the Warren Commission was formed, the Agency did everything in its power to cooperate with the Warren Commission and with the FBI, the FBI having the lead in the investigation. As best I can recollect, it was the Agency's feeling that since this tragic event had taken place in the United States, that the FBI and the Department of Justice would obviously have the leading edge in conducting the investigation, and that the Agency would cooperate with them in every way it was possible, and the same applied to the Warren Commission.

Mr. GOLDSMITH. So I take it, then, that the Agency perceived its role to be somewhat secondary to the role of the FBI?

Mr. HELMS. That is correct.

Mr. GOLDSMITH. What were your specific responsibilities with regard to the investigation?

Mr. HELMS. As the Deputy Director for Plans, I regarded my responsibility as being one which saw to it that inquiries given to the Agency by the FBI or originated with the Warren Commission, were answered as well and as expeditiously as possible.

Mr. GOLDSMITH. Which staff or unit within the CIA was given primary responsibility for coordinating the investigation?

Mr. HELMS. After I believe maybe 2 or 3 weeks following the assassination, the counterintelligence staff in the Deputy Directorate for Plans was given the job of coordinating and handling the inquiries which came in and the replies which went back, both to the FBI and to the Warren Commission, and as you are aware, the so-called counterintelligence staff had the job in any event of carrying on liaison on covert matters with the FBI for the CIA.

Mr. GOLDSMITH. Would you describe in general terms what the organizational function of the counterintelligence staff was in 1963?

Mr. HELMS. In the organization of the Deputy Director for Plans at that time we had a series of staffs. These staffs were assigned functions in terms of the mission of the entire DDP. There was a foreign intelligence staff which dealt with the acquisition of normal intelligence. There was a counterintelligence staff which provided staff guidance to the rest of the organization in counterintelligence matters.

May I say that the counterintelligence staff's mandate was somewhat wider than the others because the CIA had the mandate within the intelligence community to maintain basic files on counterintelligence cases, counterespionage cases, originating overseas.

Mr. GOLDSMITH. Was the investigation of the death of President Kennedy perceived as a counterintelligence-type case?

Mr. HELMS. It was not perceived in any specific terms at all that I recollect. It was perceived as a great national tragedy, and I think the feeling in the Agency was that anything it or its personnel could do to help resolve the questions that prevailed at the time, we would try to do, whether it was counterintelligence, positive intelligence, or what it was.

Mr. GOLDSMITH. Are you able to state why the CI staff in particular was given this responsibility?

Mr. HELMS. Well, I think one of the more compelling reasons was that since it had had through the years the responsibility for carrying on liaison with the FBI, that it was in a better position and used to dealing with that Agency and therefore it was sensible to have them continue to.

Mr. GOLDSMITH. Now prior to giving the CI staff this responsibility was the chief of one of the Western Hemisphere desks designated to coordinate the flow of information at CIA headquarters?

Mr. HELMS. I believe in the early days after President Kennedy's demise that there was a feeling that the principal point of interest as far as the Agency was concerned was Mexico City, where information had been provided by the CIA to the rest of the Government that someone called Lee Harvey Oswald had been in touch with the Soviet and Cuban Consulates there. Once it was established that this investigation was going to be far more wide ranging than just Mexico City, the responsibility was transferred.

Mr. GOLDSMITH. Did this particular desk officer ever complain to you about interference with Mr. Angleton, who was then chief of the CI staff?

Mr. HELMS. I do not recall any complaint, Mr. Goldsmith.

Mr. GOLDSMITH. Do you recall whether this desk officer had any particular responsibilities with regard to the investigation after the

responsibility for coordinating the investigation was transferred to the CI staff?

Mr. HELMS. I don't have any recollection of the details.

Mr. GOLDSMITH. What role, if any, did Mr. McCone, who was then Director of Central Intelligence, have in the Agency's investigation?

Mr. HELMS. I think that he had the role any Director would have had that was to see to it that sufficient manpower and funds and other resources of the Agency were put to work in support of the Warren Commission and the FBI. And I recall certainly that he maintained a continuing and abiding interest in these proceedings.

Mr. GOLDSMITH. Was he kept regularly apprised of the developments of the investigation?

Mr. HELMS. I would have thought that he was. I can't tell you in precise detail 15 years later, but he had every opportunity 5 days a week at the agency staff meeting to ask any questions on his mind, and we had every opportunity to pass on to him anything that had come up we thought would be of interest.

Mr. GOLDSMITH. Has Mr. McCone ever indicated to you that he was not satisfied with the flow of information from below upstream to him?

Mr. HELMS. In connection with this investigation?

Mr. GOLDSMITH. Yes, sir.

Mr. HELMS. Not that I am aware of, Mr. Goldsmith. I think, if knowing Mr. McCone, if he had been dissatisfied he would have made his dissatisfaction clear and I wouldn't have forgotten it.

Mr. GOLDSMITH. You mentioned earlier that the responsibility for investigating this case was primarily in the hands of the FBI and the CIA saw itself serving as a support function. Do you think this division of responsibility was adequate?

Mr. HELMS. But I think it is the only way the matter could have been handled. I can't conceive of its being handled any differently. There has to be one investigative organization in charge of an investigation, and I can't see how this could have been otherwise. Am I missing something here?

Mr. GOLDSMITH. I am not suggesting that you are missing anything, Mr. Helms.

Mr. Helms, were there any substantive or procedural problems between the Bureau and the CIA in conducting the investigation?

Mr. HELMS. I don't recall any procedural problems. As for questions of substance, my memory is not all that clear. I don't know whether there were some small disagreements about certain aspects of this case or not. Certainly investigators, no matter how well motivated, tend to have different emphases, and it may well be that there were some, but nothing that looms large in my mind today.

Mr. GOLDSMITH. Do you recall specifically whether there was any disagreement in the handling of the Nosenko case?

Mr. HELMS. I don't recall any disagreement about the so-called handling of the Nosenko case. There was I believe a difference of interpretation as to what Nosenko represented. It was my impression that the FBI had passed on what Nosenko had to say about Lee Harvey Oswald to the Warren Commission exactly the way Nosenko had given it to them, and that at a later date it was

necessary to point out to the Warren Commission that the bona fides of Mr. Nosenko had not been established.

Mr. GOLDSMITH. Did the agency's investigation reflect any working hypotheses? By that question I mean, Did any particular aspect of the investigation receive emphasis?

Mr. HELMS. You mean inside the CIA?

Mr. GOLDSMITH. Yes, sir.

Mr. HELMS. Oh, I think there was concern among many officers working on these matters that the Soviets might have been involved in this in some fashion and that the Cubans might have been involved in some fashion. I imagine we shared the concerns of the Warren Commission at the time. After all, there is a lot of give and take and conversation and meetings back and forth and one organization obviously influences the sensations of another organization.

Mr. GOLDSMITH. Did the Agency pay particular attention to the area of foreign conspiracy? You made reference to Soviet involvement and Cuban involvement. Was that the primary focus?

Mr. HELMS. That was obviously a matter of prime concern and since Nosenko was in the Agency's hands this became one of the most difficult issues to face that the Agency had ever faced. Here a President of the United States had been murdered and a man had come from the Soviet Union, an acknowledged Soviet intelligence officer, and said his intelligence service had never been in touch with this man and knew nothing about him. This strained credulity at the time. It strains it to this day.

Mr. GOLDSMITH. Was all information pertinent to the Warren Commission's work promptly given to the Warren Commission, Mr. Helms?

Mr. HELMS. I don't know how to answer that question, Mr. Goldsmith. I thought we made a major effort to be as cooperative and prompt and helpful as possible. But in recent years I have been through enough to recognize that you can't make a flat statement about anything, so I don't know. Maybe there were some places where it wasn't as prompt as it should have been. But I am not in a position to identify them.

Mr. GOLDSMITH. Are you able to state what factors generally governed whether information was made available to the Warren Commission—

Mr. HELMS. I misunderstood the first part of your question.

Mr. GOLDSMITH. Are you able to state what factors governed whether information was made available to the Warren Commission?

Mr. HELMS. I don't think there were any governing factors except the necessity for us to be careful about our sources and methods in certain cases, and I believe that obstacle was gotten over by going down and having conversations with the Warren Commission at various times in order to make these points clear on what the issues were. I don't believe we held anything back.

Mr. GOLDSMITH. As a general rule, did you wait to receive an inquiry from the Commission prior to passing information on to the Warren Commission?

Mr. HELMS. Yes; I believe so.

Mr. GOLDSMITH. Turning to another area now, to what extent, if any, did Mr. Dulles, former Director of the CIA, play a special role on the Warren Commission insofar as the Agency was concerned?

Mr. HELMS. I don't have any sensation that he played any special role. He obviously was in touch with the Agency on two or three occasions, as was only natural under the circumstances. He had been Director of it for a long time and he would obviously feel more comfortable dealing with people in the Agency than he might in other agencies of the Government. But I don't recall this had any particular force and effect as far as the conduct of the Agency was concerned or the conduct of the Warren Commission investigation.

Mr. GOLDSMITH. To what extent did he attempt to represent the interests of the CIA while serving as a member of the Warren Commission?

Mr. HELMS. I have no idea, Mr. Goldsmith.

Mr. GOLDSMITH. At this time I would ask that Mr. Helms be shown JFK F-529.

Mr. Chairman, I move for the admission into the record of JFK exhibit F-529.

[Documents handed to witness.]

Mr. PREYER. If there is no objection, exhibit F-529 will be admitted into the record.

Mr. GOLDSMITH. That's F-529.

[Whereupon, exhibit F-529 was received.]

—JFK EXHIBIT F-529—

8 July 1964

MEMORANDUM FOR: Deputy Director for Plans

SUBJECT: Discussion with Mr. Dulles
Re the NOSENKO Information
on OSWALD

1. Mr. Dulles, with whom I spoke today, recalled his earlier conversation with you on this subject and said that there were still some members of the Commission who were concerned lest they suppress the NOSENKO information now only to have it surface at a future date. They expressed concern that this could possibly prejudice the entire Warren Commission report. I told Mr. Dulles that this concern was understandable but that we still felt the best course by far would be to omit any reference to the NOSENKO information in the final report. While it is conceivable that NOSENKO might someday be in a position to claim that he provided information on the KENNEDY assassination, I said that the difference between NOSENKO's situation and that of other bona fide defectors was such that it would be less likely that NOSENKO would be allowed to surface in this way. I noted that if the NOSENKO information were included as is in the final Commission report and then later the facts of NOSENKO's agent mission became public knowledge, this could have perhaps an even greater negative affect on the standing of the Commission's report. The only way for the Commission to avoid this and still use the information would be for them to indicate that doubt existed regarding the source of the information. We would be opposed to this because it would signal to NOSENKO's principals something of how we viewed this case and could also bring about renewed press and public interest in NOSENKO.

2. Mr. Dulles and I then exchanged views on the possibility of finding language which would allude to the existence of other, unverified information on the OSWALD case. This language would permit the Commission to say if challenged in the future on this issue that it had taken the NOSENKO information into consideration in

the final report but at the same time it would not be presented in a manner which would be at variance with the important operational considerations we have raised.

3. It was agreed that an effort might be made to find such language if Mr. Dulles is again unsuccessful in persuading his colleagues to eliminate any reference to the NOSENKO information from the report. To attempt this, however, we would have to know precisely in what context the Commission intended to make use of the NOSENKO information. This, Mr. Dulles will have to determine from Mr. Rankin. He will do this as soon as possible. He knows that I am leaving this week and therefore, will contact you as soon as he has the information he needs from Mr. Rankin.

4. I have briefed C/SR/CI on these latest developments and since he and CIA officer in my shop are fully cognizant of all the problems involved, they can work out language for your approval which hopefully will be satisfactory. C/SR/CI knows Mr. Dulles and would be the most suitable person to work with him directly if this is indicated.

Chief, SR Division

8 July 67

MEMORANDUM FOR: Chief, SR

1. ~~██████████~~ ^{NOSENKOS} answers to our questions appear to be quite complete. No really new information appears and they are consistent with his previous statements. Their chief value lies in the fact that they elaborate what he has said before concerning OSWALD in the USSR. The details he provides concerning KGB involvement in the OSWALD case eliminate a number of minor obscurities which were present in his earlier statements but they do not change the overall picture of OSWALD's status and activities in the USSR.

2. There are, however, some rather surprising statements in ~~██████████~~ ^{NOSENKOS}'s replies - and these statements may call into question all or part of his story. For example:

a) he says (paragraph 5) that although the KGB recognised that OSWALD might have been an American agent, no "unusual measures" were taken to check on this possibility since it had already been decided not to let him stay in the USSR.

b) he says (paragraph 16) that the KGB did not consider recruiting Marina to report on OSWALD "because she was his wife and it was considered dangerous to recruit a wife to report on her husband."

/ c) he repeatedly refers

c) he repeatedly refers to KGB recognition that OSWALD "was not normal" as the reason for KGB failure to take various steps which it could normally be expected to take vis-a-vis a foreigner like OSWALD. In other words, a lack of normality and the KGB's recognition of it provide the peg for the whole story of KGB handling of the OSWALD matter.

3. Another sequence of events, as related by ~~XXXXXXXXXX~~ ^{NOSENKO} is noteworthy. He states that Marina had no trouble marrying OSWALD because he was a resident of and working in the USSR, and that she had no difficulty leaving the country because she was married to a foreigner. This reasoning seems to overlook the fact that OSWALD had already declared his intention (via mail to the US Embassy) to leave the USSR. If this fact were known to the KGB as we must presume it was, we would expect Marina's marriage request to have been given more than routine consideration.

4. Although I believe that the Commission would be interested in the entire set of questions and answers as a follow up to the information it received earlier from ~~XXXXXXXXXX~~ ^{NOSENKO} via the FBI, perhaps you will think it not advisable to send them on at this late date, especially in view of the continuing doubts concerning ~~XXXXXXXXXX~~ ^{NOSENKO'S} bona fides. There are no

/specific points in

specific points in this latest information that change the OSWALD story or add significantly to it and would therefore warrant separate transmittal to the Commission in my opinion. When the results of our further checks into OSWALD's arrival time in Helsinki are in, we might send along with them ^{NOSENKO's} [REDACTED] statement that a 2-4 day delay in obtaining a Soviet tourist visa is not uncommon.

[REDACTED]
C/SR/CI/Research

Mr. GOLDSMITH. I would ask that you skim through exhibit F-529, Mr Helms, paying particular attention, however, to paragraph No. 3.

Mr. HELMS. Yes; I have read paragraph 3.

Mr. GOLDSMITH. Does this exhibit, Mr Helms, refresh your memory on the extent to which Mr. Dulles may have represented CIA interests while serving as a member of the Warren Commission?

Mr. HELMS. I don't read that memorandum that way Mr. Goldsmith. I read this memorandum to say that since the Agency was not able to, what shall we say, vouch for the bona fides of Mr. Nosenko, that this was going to have an effect on the Commission report and what the Commission had to say and the point at issue here, if I read this correctly, was how best to have the Commission word its report, come to its conclusions without leaving itself hanging on a limb on the basis of the fact that they thought that Mr. Nosenko was bona fide when in fact this had not been demonstrated. That is the way I read this memorandum.

Mr. GOLDSMITH. I certainly understand what the central issue is. My question is whether Mr. Dulles was attempting to represent the Agency views to the Warren Commission.

Mr. HELMS. I don't get that from reading this exhibit. I believe in reading the material that you have made available to me that the gentleman who signed this memorandum made that deposition before you, and I assume that you asked him what he thought about it. Did he give a different answer?

Mr. GOLDSMITH. Mr. Helms, I am sorry but I am not in a position today to answer your questions.

Mr. Chairman, this concludes my initial line of inquiry. I would defer to you at this time, sir.

Mr. PREYER. The Chair recognizes Congressman Stokes for such time as he may consume for the questioning of the witness.

Chairman STOKES. Thank you, Mr. Chairman.

Good morning, Ambassador Helms.

Mr. HELMS. Good morning, Mr. Stokes.

Chairman STOKES. Mr. Helms, I wonder if you would tell us what role, if any, you played with regard to Mr. Nosenko.

Mr. HELMS. When Nosenko defected in Geneva and came to the United States, or was brought to the United States, in my position as Deputy Director for Plans, I obviously was involved in the basic decisions that were going to have to be made or were made in now and the past involving the interrogation of him, his handling, and what we would do with respect to finding out what he represented and what information he had to purvey.

Chairman STOKES. So would it be fair to say that right from the very beginning of the initial contact with him, right on through his custodial period here in the States, that you were constantly in charge of that situation?

Mr. HELMS. No; I was not constantly in charge of it. In fact, I was not in charge of it from the first day because I do not think any Deputy Director regards himself as being in charge of anything when he has a Director who is really in charge, plus the fact there were other members of the Interagency Defector Committee which is composed of other agencies of Government interested in

these matters. They also have a say in what happens with respect to these things. So I certainly was involved with decisions on Nosenko from beginning to end, but I was not the controlling authority at all times.

Chairman STOKES. There were three major agency reports that were written in regard to the Nosenko case; specifically there was a report in 1968 issued by the Soviet Russia Division, another report later in 1968 called the Office of Security report, and then a third report in 1976, referred to as the Hart report.

Would you tell us whether you are familiar with all three of these reports?

Mr. HELMS. I don't recall any longer whether I read the first two or whether I was simply briefed on their contents. The Hart report I have never seen. I left the agency in early February 1973 and I have had no substantive connections with it since.

Chairman STOKES. During his defection in 1964 and upon his arrival in the United States was Yuri Nosenko in the custody of the CIA?

Mr. HELMS. I am sorry, I missed the question.

Chairman STOKES. I was asking precisely during his defection in 1964 and upon his arrival in the United States, was Yuri Nosenko in the custody of the CIA?

Mr. HELMS. Yes, he was. That was an accepted procedure under the functioning of the Interagency Defector Committee that defectors that came to this country were handled by the CIA, through the interrogation period, resettling period, whatever had to be done to them.

Chairman STOKES. Is that the legal authority under which he was being detained?

Mr. HELMS. No. I think that perhaps, Mr. Chairman, if you would not mind, I would like to answer that question a little bit more fully. If you would indulge me.

Chairman STOKES. Certainly.

Mr. HELMS. Two days ago, on September 20, 1978, I received a transcript of my testimony before this committee in executive session on August 9. While reviewing that transcript I noted that, although I am not a lawyer, I characterized Mr. Yuri Nosenko's legal status with the CIA between 1964 and 1969 in a number of different ways. Since this is an area of obvious interest to the committee, I would like to take this opportunity to describe my understanding in somewhat greater detail as to what Mr. Nosenko's legal status with the Central Intelligence Agency was.

As I say, I am neither a lawyer nor a judge, so I was not prepared to draw any legal conclusions about Mr. Nosenko's tenure with the Central Intelligence Agency. I'm sorry, I am not prepared.

On January 23, 1964, in Geneva, Switzerland, Mr. Nosenko requested that he be permitted to defect to the West. Mr. Nosenko's request, I believe, was accompanied by a claim that he could give a comprehensive report on Lee Harvey Oswald's contacts in connection with the KGB during Oswald's stay in the Soviet Union between 1959 and 1962.

It is difficult to overstate the significance that Yuri Nosenko's defection assumed in the investigation of President Kennedy's assassination. If Mr. Nosenko turned out to be a bona fide defector, if

his information were to be believed, then we could conclude that the KGB and the Soviet Union had nothing to do with Lee Harvey Oswald in 1963 and therefore had nothing to do with President Kennedy's murder.

If, on the other hand, Mr. Nosenko had been programed in advance by the KGB to minimize KGB connections with Oswald, if Mr. Nosenko was giving us false information about Oswald's contacts with the KGB in 1959 to 1962, it was fair for us to surmise that there may have been an Oswald-KGB connection in November 1963, more specifically that Oswald was acting as a Soviet agent when he shot President Kennedy.

If it were shown that Oswald was in fact acting as a Soviet agent when he shot President Kennedy, the consequences to the United States of America and, indeed, to the world, would have been staggering. Thus, it became a matter of the utmost importance to this Government to determine the bona fides of Mr. Yuri Nosenko. Mr. Nosenko arrived in the country in February 1964. By the end of March it was clear to us that the task of evaluating Mr. Nosenko's credibility would not be easy.

On April 2, 1964, as Deputy Director of Plans, I, along with David Murphy, Chief of the Soviet Bloc Division, and Mr. Lawrence R. Houston, the General Counsel to the CIA, met with Mr. Nicholas Katzenbach, then Deputy Attorney General of the United States; Mr. J. Walter Yeagley, Chief of the Internal Security Division of the Justice Department; Mr. William E. Foley, who was then Mr. Yeagley's First Assistant in the Internal Security Division; and Mr. Harold F. Riese from the Office of Legal Counsel in the Justice Department.

The meeting took place in Mr. Katzenbach's office in the Justice Department. The purpose of the meeting was to define Mr. Nosenko's legal status in the United States and to anticipate what kind of legal problems might arise in connection with the Agency's ongoing custody of Mr. Nosenko.

The Agency provided me a copy of the memorandum for the record written by Mr. Lawrence Houston describing this meeting on April 2, 1964, and a second memorandum which reflects the substance of a telephone call from Mr. Foley on the following day, April 3, 1964. These documents were in part declassified by the Agency on September 18, 1978, and I would like to make them part of the record of these proceedings.

During the meeting of April 2, 1964, the Department of Justice was fully informed of Mr. Nosenko's status with the Agency and the Department's opinion was requested as to the scope of the Agency's ongoing authority with respect to Mr. Nosenko.

As Mr. Houston's memorandums relate, Mr. Nosenko's technical status in the United States was one of "exclusion and parole," which means that the Immigration and Naturalization Service had technically excluded Mr. Nosenko from the United States but had also temporarily "paroled him" to the custody of the Central Intelligence Agency.

It is my understanding that the terms of the parole provided that Mr. Nosenko would remain in the custody of the Agency unless it was determined whether Mr. Nosenko should be deported or whether he should be permitted to settle in the United States.

If Mr. Nosenko violated the terms of the parole, he would be deported. As these memorandums indicate, it was the opinion of the Justice Department that the Agency was free "to take any action necessary to carry out the terms of the parole." That opinion was expressed to us in the meeting of April 2, 1964, and repeated to us the following day by way of a telephone call from Mr. Foley, who had been requested by Mr. Katzenbach to check and to confirm the Department's legal opinion.

In addition to the Justice Department, the Interagency Committee on Defectors was also fully informed of Mr. Nosenko's status. The agency and that committee concurred, I believe, with the legal position adopted by the Department of Justice. The Interagency Committee on Defectors was the Government body which was formed in order to preside over the care, feeding, and general treatment of defectors.

That committee is composed of representatives from the Central Intelligence Agency, the Federal Bureau of Investigation, the Defense Intelligence Agency, the National Security Agency, the Department of State, and the Immigration and Naturalization Service.

As the Rockefeller Commission report indicated, Mr. Nosenko's confinement—and I quote from the report, "was approved by the Director of Central Intelligence, the Director of the FBI, the Attorney General, and the U.S. Intelligence Board; selected Members of the Congress were also aware to some extent of the confinement."

End of quotation and end of my statement.

Chairman STOKES. So then, do I understand that based upon that meeting it was your opinion then that this man was being held legally and not in violation of law?

Mr. HELMS. It was our opinion that—I don't know, I am not a lawyer, I have to be careful of my words—but let me just say it was our impression we had the authority to hold him as we were holding him.

Chairman STOKES. At the time you testified to our committee here in executive session, is that what you said to us?

Mr. HELMS. No. I say, when I went through the transcript of my testimony that day on August 9, I found that I characterized his confinement in various ways, so I composed this statement in order to straighten the matter out as we understood it.

Chairman STOKES. Now, can you recall what Mr. Katzenbach said in that meeting? You were present and Mr. Katzenbach was present; right?

Mr. HELMS. Yes.

Chairman STOKES. Can you tell the committee what Mr. Katzenbach said on that occasion about the situation?

Mr. HELMS. What we remember about this, Mr. Stokes, is pretty well encompassed in here, that we shared with him the problem we had in connection with Mr. Nosenko. We identified to him why the problem was very serious. We pointed out that there might be difficulties in connection with holding him. Suppose that Mr. Nosenko got a lawyer; then what did we do about it? How did we ever establish what his bona fides were?

In other words, we had a whole series of problems which we were sharing with the Justice Department in an effort to get some help

or assistance, how we ought to go about this matter and ascertain what our authorities to do it were. That was the purpose of the meeting. But 15 years later I certainly do not remember direct quotations, from either Mr. Katzenbach or myself.

Chairman STOKES. But it would be fair to characterize the situation as saying that he did make comment upon the situation and give you advice?

Mr. HELMS. That is right.

Chairman STOKES. Now, Mr. Helms, yesterday Mr. Katzenbach appeared before this committee and testified in the same hearing room. I want to read to you from the transcript of that testimony and then ask for your comment:

Chairman STOKES. The time of the gentleman has expired.

Mr. Katzenbach, Mr. Sawyer asked you about the decision to sign off for Mr. Nosenko. Can you tell us whom it was that came to you and asked for your permission to begin the interrogation of Nosenko?

Mr. KATZENBACH. I don't recall anybody doing so, Mr. Chairman. I understand that Mr. Helms had a conversation with me or thinks he recalls he had a conversation with me on it. I have no recollection of that conversation, but perhaps his recollection is better than mine. I don't know. I don't recall any such conversation.

Chairman STOKES. Was this your testimony, that you don't recall anyone talking to you about it?

Mr. KATZENBACH. Yes, sir, that is my testimony.

Chairman STOKES. At any time?

Mr. KATZENBACH. At any time.

Chairman STOKES. How did you learn of it?

Mr. KATZENBACH. I learned of it when the gentleman writing a book called me up about 3 or 4 months ago or 6 months ago, and asked me about it. And I said, who is Nosenko?

Chairman STOKES. That would be Mr. Epstein?

Mr. KATZENBACH. Yes, sir, Edward J. Epstein, right. And that was the first time that I heard of it, to my recollection.

Chairman STOKES. So, then, so that the record is patently clear on this point, during your tenure you knew absolutely nothing at all of this situation?

Mr. KATZENBACH. Nothing that I can recall at this time. It was quite a while ago, but I have absolutely no recollection of Mr. Nosenko or anything to do with him during that period of time.

Chairman STOKES. While you held the office that you held, were you at any time requested to give your approval to treating any defector in this manner?

Mr. KATZENBACH. No, sir. The only connections that I can recall with the CIA at all fell into two categories. One was when they wished to wiretap or some electronic device to be put within this country they came to me, and the only other thing was whenever they wanted a book suppressed they came to me and I told them not to do it.

Chairman STOKES. Told them what?

Mr. KATZENBACH. Told them not to do it, that there was not any way you were going to do it. Those were the only ways, at least offhand, when I—none that I recall as Deputy. A little bit I guess at the time of the Cuban missile crisis and perhaps some at the time of the Cuban prisoner exchange, but I had very little connection with the CIA. And I don't recall except for those occasions their ever asking me any legal advice whatsoever, perhaps for good reason.

Chairman STOKES. Are you absolutely certain that you cannot recall any conversation with Mr. Helms about Nosenko?

Mr. KATZENBACH. I am certain that I don't recall it, yes, sir. I can't flatly deny such a conversation occurred, but I have no recollection of it. It is quite a while ago and I believe if it was as dramatic as put by Congressman Sawyer, I would remember it. I was simply informed that somebody was being questioned. There was a potential defector, I might not recall that.

Chairman STOKES. Thank you.

Any other questions?

Mr. Sawyer.

Mr. SAWYER. Yes.

Mr. Katzenbach, I don't know whether you were informed of the details of the situation, but we had testimony by a spokesman for the CIA so that it is not just a

statement of some employee or something. He was designated by the present Director to come here and present the story because he was supposed to be the most familiar with it since he had reviewed it for the CIA.

He stated in substance, Mr. Nosenko was taken into custody in this country by the CIA after defection or after alleged defection, held in a so-called safe house on a diet of tea and porridge twice a day, was allowed no reading material. The guards were instructed neither to talk to him or smile to him. He was subjected to 48 hours at a crack interrogation. This being while they built a separate facility somewhere else in the country; namely, a device described by him as a bank vault, and then built a house around the bank vault to put this man in and then kept him there under the equivalent of some 3 years with that kind of thing, 1,277 days to be specific, at which point they finally gave up and gave him some emolument and put him on their payroll and let him go.

And then they gave as their—I questioned on the authority to do a thing like that. Did they have any kind of process, and they said other than the fact that Mr. Helms had conferred with you and gotten your OK, that this would be legal.

And I just found it awfully difficult to believe that. And that is why—and I don't imagine it would be the kind of thing that you would be asked to OK enough that you would not rather clearly remember the incident if it had occurred.

Mr. KATZENBACH. If the facts that you have just set forth to me, Congressman, had ever been made known to me, I would recollect it, I am certain; and I would hope to goodness I would not have given the legal advice that is claimed.

Mr. SAYWER. It makes me feel better about it. Thank you.

That is all I have, Mr. Chairman.

Having heard Mr. Katzenbach's testimony of yesterday, can you reconcile his testimony to this committee with your statement just read to this committee?

Mr. HELMS. I can only say, Mr. Stokes, that it is very hard to reconcile. I think the basic point at issue here is really whether the meeting with him took place at all. What happened after the meeting is something he was not responsible for as far as I am aware.

Let me read to you the memorandum for the record which Mr. Lawrence R. Houston, the General Counsel of CIA, wrote on April 3, 1964. I have a copy in front of me. It is headed Memorandum for the Record and the subject is the Nosenko case.

It reads:

Mr. Helms, Mr. Murphy, and I met with Mr. Nicholas deB. Katzenbach, J. Walter Yeagley, William E. Foley, and Harold F. Ries, on April 2, 1964. Mr. Helms outlined the problems foreseeable in our future relations with Nosenko and asked the opinion of the Justice representatives on what we could do to control the situation. I pointed out that his technical status is one of exclusion and parole—or more technically, deferment and parole.

Paragraph 2:

After some discussion, Mr. Foley stated it was his opinion that Agency representatives could take any action necessary to carry out the terms of the parole. Mr. Katzenbach asked Mr. Foley to check this and let me know and Mr. Foley later confirmed this position by telephone.

I in turn, after the meeting, reviewed the parole agreement and provided an interpretation thereof for Director of Security, a copy of which is attached hereto. Also, I informed Mr. Foley of this interpretation. Signed, Lawrence R. Houston, General Counsel.

The attachment is a memorandum also dated April 3, 1964. It is signed by Lawrence R. Houston, General Counsel. It is a memorandum for the director of security. That would be the officer who was the director of the security office of the Central Intelligence Agency. The subject is Parole status of defectors:

On 2 April 1964, we had a discussion with the Department of Justice on the status of aliens whose inspection by INS—

that is the Immigration and Naturalization Service, I interpret here so there will not be a lack of clarity—

whose inspection by INS is deferred upon arrival at our request and who are then paroled to this Agency. It was the position of the Department of Justice that we were responsible for taking any action necessary to carry out the terms of the parole.

That, I believe, is paragraph 1 of this memorandum, Mr. Stokes. The balance of the memorandum has been excised and therefore is not on the sheet there.

Chairman STOKES. Then, in light of the document which you have just read and along with your other testimony, then obviously the statement of Mr. Katzenbach to this committee yesterday could not be true, could it?

Mr. HELMS. No; I am afraid it is not.

Mr. PREYER. Chairman Stokes, may I interrupt?

Chairman STOKES. Certainly.

Mr. HELMS. I would like to say, because I would like to be clear with this committee, that I asked my attorney to be in touch with Mr. Katzenbach some weeks ago in connection with this matter. It is reflected in his testimony that it was brought to his attention that I had this meeting with him. I did not want to have this committee think I pulled this as a surprise on Mr. Katzenbach and he came down here innocently and had no opportunity to review the facts if he cared to.

Chairman STOKES. Then he was appropriately advised prior to his appearance here yesterday of the memorandums you just read?

Mr. HELMS. I don't know that he was advised of the memorandums, but he was advised certainly of our recollection of this meeting.

Chairman STOKES. Thank you, Mr. Chairman.

Mr. PREYER. Mr. Helms, I understand that you are requesting that this document be made a part of the record. I would like to ask the clerk if she will mark it as an exhibit so that we can enter it into the record at this point.

Mr. HELMS. Thank you, Mr. Chairman.

Mr. Chairman, as a point of clarity, is it just these memoranda that you want to make a part of the record? My statement is in the transcript so I don't think that is necessary. I think these are the two documents.

Mr. PREYER. The document will be marked as exhibit F-413 and made a part of the record at this point.

[The information follows:]

3 April 1964

MEMORANDUM FOR THE RECORD

SUBJECT: Nossenko Case

1. Mr. Helms, Mr. Murphy and I met with Mr. Nicholas deB. Katzenbach, Mr. J. Walter Yeagley, Mr. William E. Foley, and Mr. Harold F. Reis on the Nossenko case on 2 April 1964. Mr. Helms outlined the problems foreseeable in our future relations with Nossenko and asked the opinion of the Justice representatives on what we could do to control the situation. I pointed out that his technical status was one of exclusion and parole (or more technically deferment of inspection and parole).

2. After some discussion, Mr. Foley stated it was his opinion that Agency representatives could take any action necessary to carry out the terms of the parole. Mr. Katzenbach asked Mr. Foley to check this and let me know and Mr. Foley later confirmed this position by telephone. I, in turn, after the meeting reviewed the parole agreement and provided an interpretation thereof for the Director of Security, a copy of which is attached hereto. Also I informed Mr. Foley of this interpretation.

*151 L R 1*LAWRENCE R. HOUSTON
General Counsel

Att.

Declassified 19 September 1978
by Anthony A. Lapham, General
Counsel*Charles G. L...
L...*~~SECRET~~
-JFK Exhibit F-413A

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O
P
Y

3 April 1964

MEMORANDUM FOR: Director of Security

SUBJECT: Parole Status of Defectors

1. On 2 April 1964 we had a discussion with the Department of Justice on the status of aliens whose inspection by I&NS is deferred upon arrival at our request and who are then paroled to this Agency. It was the position of the Department of Justice that we were responsible for taking any action necessary to carry out the terms of the parole.

Declassified (paragraph 1 only)
19 September 1978 by Anthony A.
Lapham, General Counsel.

William O. Lapham

/s/ Lawrence R. Houston

LAWRENCE R. HOUSTON
General Counsel

~~SECRET~~

~~_____~~
JFK Exhibit F-413 B

Chairman STOKES. Thank you, Mr. Chairman.

Now, Mr. Helms, I note that the memorandum does not give any indication from which Mr. Katzenbach would be able to draw the conclusion with reference to the way that the CIA intended to treat this man. That is not in that memorandum, is it?

Mr. HELMS. No, it is not in the memorandum as of the time that the meeting with Mr. Katzenbach was held. Deliberations were still going on inside the Agency as to what exactly to do about Mr. Nosenko, and as things developed over the months, I don't think that Mr. Katzenbach can be held responsible for that and I have no reason to want to involve him in it.

Chairman STOKES. Is it fair also to say that in all probability he was never informed of the way this man was treated?

Mr. HELMS. In all probability, that is correct.

Chairman STOKES. Now, how long did Mr. Nosenko remain in CIA custody?

Mr. HELMS. I think all told, I think it was from 1964 when he defected until he was resettled with the new identity which I believe was in 1969 or 1970.

Chairman STOKES. Can you tell us what unit within the CIA had the primary responsibility for handling Mr. Nosenko in 1964?

Mr. HELMS. My recollection is that the office of security was given the responsibility for his housekeeping, his care, his feeding, his guarding, and that the Soviet bloc division had the responsibility for his interrogation.

Chairman STOKES. Did the Soviet Russia division continue to have responsibility for questioning Nosenko until he was released from CIA custody in 1969?

Mr. HELMS. No. I believe that it was in 1967 that the decision was made or, I made the decision if you would prefer that, that the case simply could not go on in that fashion, it had to be resolved.

Therefore, a change was made. Nosenko was turned over to an officer in the office of security who had made an examination of the case. He felt that he could get along well with Nosenko and that possibly he could, if he couldn't solve the problem of his bona fides, at least he might be able to solve the problem of how we were going to resettle him on the American scene.

I was rather puzzled by some of Mr. Hart's testimony the other day before this committee. He seemed to go into lurid detail about Nosenko's treatment, but when it came time to make his contribution to the purposes of the committee hearing, in other words, what Nosenko knew about Oswald, he had no clarification to make and nothing to contribute.

Yet he was here as the official representative of the Director of Central Intelligence, as I understand it. It was almost as though his purpose was to use his testimony before this committee to excoriate some of his former colleagues for the handling of the Nosenko case.

In any event, I never heard of the note alleged to have been handwritten by the "Deputy Chief of the Soviet Bloc Division" using such sensational terms as "liquidate the man, commit him to a looney bin," et cetera. These options were never presented to me, were never entertained by me, and were never considered.

The problem was to resettle Nosenko in American society and this is what the Agency did. Any other assertions are false as far as I personally am aware. I would not like to see perpetuated on indefinitely into the history of this country that there was any consideration given by senior officials of the Agency to those options that were identified in this lurid, handwritten memorandum. I don't know how the thing happened to get written. I don't know how it happened to be held in the files. I don't know how it happened to be part of Mr. Hart's role to bring it down here, but in any event, I want to put to rest once and for all that this was never considered.

Chairman STOKES. Now you have mentioned a security officer. When did the security officer assume the responsibility for handling Nosenko?

Mr. HELMS. My recollection Mr. Stokes, is that it was about 1967, some time in 1967.

Chairman STOKES. So at that time would they have assumed primary responsibility and taken it away then from the Soviet bloc?

Mr. HELMS. Well, they assumed primary responsibility. I think that is the fair thing. I had asked Adm. Rufus Taylor, who sadly died the other day but who became Deputy Director of Central Intelligence after I was made Director, to make it his personal responsibility to look into all aspects of the Nosenko case in an effort to get it resolved.

He had done a lot of work on this case and one of his recommendations as I recall it was that this be turned over to the office of security and that we try an entirely different approach.

Chairman STOKES. Can you tell us why the responsibility for handling Nosenko in terms of questioning was transferred from the SR people over to the security officer?

Mr. HELMS. It was just another approach we were attempting. In other words, we wanted to take him away from those people who had been interrogating him and see if a quiet, solicitous, and, let's say, favorable approach were used, that we might be able to solve the problem of his bona fides but at least get him in the frame of mind where we could resettle him.

Chairman STOKES. How long a period of time was Nosenko actually held in this status?

Mr. HELMS. Well, during the period of 1964 to 1967 he was held under Spartan circumstances. In 1967 when he was turned over to the office of security he was moved to a safe house where he certainly was in confinement but lived under very comfortable conditions, perhaps as well as anybody in this room.

Chairman STOKES. Now, during that 3-year period, and I suppose you would say it is 3 years he was held in confinement, as a basis of Mr. Hart's testimony a few days ago, I posed the question to him that the man was actually being held in jail, wasn't he. His answer was substantially yes.

How would you characterize the period?

Mr. HELMS. I find no fault with that characterization.

Chairman STOKES. Initially, can you tell us how the individuals who handled Mr. Nosenko for the SR division had been selected?

Mr. HELMS. When the defection took place in Geneva, or at least before it took place, two officers were sent to Geneva to talk to Mr. Nosenko. One was a high officer in the SR division and the other was a case officer who not only spoke fluent Russian but had had a great deal of experience in handling Soviet agent cases and this seemed to be a good team as far as those in charge thought at the time, and so did I.

Chairman STOKES. Can you tell us how knowledgeable or how expert they were in terms of the Oswald case?

Mr. HELMS. I don't have any recollection of that any more, Mr. Stokes. I don't think that we chose them because of their knowledgeability in the Oswald case initially. The issue was to decide about the defection of this man in the first place.

The Oswald matter really hadn't gotten viable until it was indicated he knew something about it, and then when we got him to the United States, what he knew about it. Actually, I think that it may be of interest to the committee that in attempting to establish the bona fides of someone, it is necessary to have information in some depth of the facts about which they are talking.

With respect to Nosenko, we put people who were knowledgeable about the Soviet Union and Soviet mores, and so forth, on the case because we had more information about those things and could check his statements out much better than if we were using something about Lee Harvey Oswald. He had been in the Soviet Union and we knew very little about him, because I would like to remind you, Mr. Stokes, that what is known about Lee Harvey Oswald today was certainly not known in early 1964. This is all material that has been developed since.

I think one has to be fair with history that when we go back to February 1964, the knowledgeability of anybody in the Government on Lee Harvey Oswald was very limited, even more limited than it is now.

Chairman STOKES. Wouldn't I understand that first they did know he was a KGB officer at the time he came to you; correct?

Mr. HELMS. That is what he told us.

Chairman STOKES. You did know that Oswald had been in Russia, did you not?

Mr. HELMS. Yes, we knew that he had been in Russia, certainly.

Chairman STOKES. And a part of your responsibility to the Warren Commission was to give them such information as came to your knowledge regarding Oswald in Russia, was it not?

Mr. HELMS. Certainly, Mr. Stokes.

Chairman STOKES. And in establishing this man's bona fides, would it not be logical that you would want to know everything he knew about Oswald as a part of the interrogation process so that you might establish his bona fides through that?

Mr. HELMS. But I thought that he was asked about what he knew about Oswald. I thought there were four or five interrogations, one by the FBI and some by us during this period. Am I wrong?

Chairman STOKES. Well, he was under the custody of the CIA. You have told us that.

Mr. HELMS. But other people had access to him. The FBI was given access to them. We gave other people access to these people if they requested it. It was the FBI's statement to the Warren Com-

mission quoting Nosenko based on their own interrogation that led me weeks later to go down and talk with the Chief Justice of the United States and point out with him that we could not go bail, we could not vouch for the bona fides of this man, and therefore we could not vouch for his statement.

Chairman STOKES. Yes, and this was the precise problem that you were confronted with. You knew you had an important issue on your hands, didn't you?

Mr. HELMS. Certainly.

Chairman STOKES. And it was extremely important by virtue of the high level conference which you had had, which you referred to this morning, that you had been able to establish his bona fides; isn't that correct?

Mr. HELMS. We were doing our best to do so.

Chairman STOKES. So it is in that area, then, I would think, that you would want to see the top interrogators, not only those expert in interrogating with reference to the Soviet Union, but also about events in the Soviet Union such as Oswald would be important to you to have him interrogated about?

Mr. HELMS. Well, sir, I was not present at these interrogations and I don't know the exact questions. I assume there is a record available someplace. But it seems to me that in posing this question this way, to me it is damned if you do and damned if you don't. You are damned if you hold a fellow too long and treat him badly because you would like to find out what he does know about Oswald, and you are damned the other way if you have not dug his teeth out to find out what he knows about Oswald.

I don't know sir, the answer. If we had to do it over, I don't know what we would do. We would probably do it differently, but I don't know how we would have arrived at the truth in the space of time we had available to us.

You may recall from the record that Mr. Nosenko, at the time he defected and before, was a very heavy drinker. One of the problems we had with him during his first period of time in the United States was he didn't want to do anything except drink and carouse. We had problems with him in an incident in Baltimore where he started punching up a bar and so forth.

One of the reasons to hold him in confinement was to get him away from the booze and settle him down and see if we could make some sense with him. The fact that he may have been held too long was therefore deplorable, but nevertheless we were doing our best.

Chairman STOKES. Well, in light of what you are now saying to us about the fact that you are damned if you do and damned if you don't, was it important to you that you be kept informed regularly of everything that he was saying and everything that he was doing, et cetera?

Mr. HELMS. Mr. Stokes, I felt that certainly I should be kept generally informed, but during the period of the Warren Commission, they are the ones who should be kept informed, the FBI should be kept informed, and that after the Warren Commission had made its report and things then were not guided by their investigation, we still went on with the job of attempting to find out what this man represented.

Chairman STOKES. But if, as you say, as you have just indicated, the Warren Commission needed to be informed and so forth, and wasn't it your direct responsibility to inform the commission?

Mr. HELMS. But I thought I did. I thought I told them that we couldn't establish his bona fides.

Chairman STOKES. Well, in order for you to be able to communicate with the Warren Commission, you had to get information from some source, didn't you?

Mr. HELMS. Yes.

Chairman STOKES. So my question to you is: What direction did you give those under you as to how often you were to be briefed, how often you ought to be given the results of the interrogation or whatever was occurring with this man?

Mr. HELMS. Certainly I stayed current to that extent. If there had been the slightest intimation that we were prepared to vouch for his bona fides or that the interrogation reached that point, it would have been brought to me immediately.

I think that if I don't any longer recall the exact date, but I think it was in June or something of 1964, that after getting the permission of the Director of Central Intelligence, Mr. McCone, I went to see the Chief Justice privately to point out to him what our difficulties in this matter were. It seems to me I was as forthcoming as a man could be.

What else could I do? What else should I have done?

Chairman STOKES. What did you tell him about your difficulties? What were they?

Mr. HELMS. I told him we were not able to satisfy ourselves that the man was what he was purported to be, that the jobs that he had held were the ones that he really did hold, that there were inconsistencies in his testimony, that what he had to say about the Oswald case didn't make sense to us, and that, therefore, I simply wanted to point out to the Chief Justice that I was sorry but whatever the FBI had given him or given the Commission about what Mr. Nosenko had said about Mr. Lee Harvey Oswald, that I felt he should take into consideration the fact that we could not vouch for his bona fides and therefore they should not take at full strength what he said. It was up to them to make their evaluation, but I felt we owed this to him.

Chairman STOKES. In order for you to tell the Chief Justice that, how often had you been briefed?

Mr. HELMS. I have no recollection any longer, Mr. Stokes.

Chairman STOKES. In terms of the interrogation that took place of Oswald, I'm sorry, Nosenko, were the interrogators instructed to pose a large number of questions relative to Oswald to Nosenko?

Mr. HELMS. Mr. Stokes, there was no issue more central in those days than an effort to straighten out this business about Oswald.

But I would submit in evidence, I don't know whether you have been an interrogator, sir, but there are so many questions you can ask about based on the information that was known about Oswald at the time.

If my facts are straight, the information about Oswald that was known was that he had gone to the Soviet Union, that he expressed a desire to give up his citizenship. That is what he told the

American Embassy. He had gone to Minsk, married a Russian girl, which was suspicious in its own right.

He then decided to come back to the United States and virtually disappeared, but it was not the CIA's jurisdiction to keep an eye on him in the United States and the amount of information available at that time based on which one could make an interrogation was pretty thin for the simple reason that how were we going to find out in the Soviet Union what Oswald had done there except from his own statements?

We had no independent means of verification. We didn't have that good an organization inside the Soviet Union. We had no means of following up on these leads.

Chairman STOKES. In light of your statements in this context, let me cite to you the testimony of Mr. Hart to this committee and get your comment on that.

Mr. Hart, with reference to the matter of whether Nosenko was being incarcerated or being questioned, said to this committee this:

Mr. HART. Insofar as I can tell, the assumption among the top leadership of the agency was that during this period of incarceration Mr. Nosenko was being questioned or interrogated.

That is flatly contrary to the facts because although he was incarcerated for 1,277 days, on only 292 days was he in part questioned. We do not, it is difficult to tell just how many hours of questioning there took place on those 292 days when he actually was questioned. The rest of the time, which is 77 percent of the total time of incarceration, he was left entirely unoccupied and was not being questioned. There was, in other words, no effort being made to get at more information which he might have.

Do you agree with that statement?

Mr. HELMS. I have no comment to make on it. Mr. Hart, I gather, was appointed by Director George Bush in 1976 to look into the whole Nosenko case. I have been informed of that in recent times. I assume he looked into it fairly and squarely. I would assume also that this committee has talked thoroughly with all the interrogators and has verified independently whether these facts are true or not. I have no capacity for doing that.

Chairman STOKES. So you take no issue with that statement?

Mr. HELMS. None. I don't know its merits one way or the other.

Chairman STOKES. Then I take it from that you in no way contest the statement of Mr. Hart?

Mr. HELMS. I have no basis for contesting it, Mr. Stokes. I mean, he has a record there. I simply was saying that I have no independent verification of the number of days he was interrogated. I would assume, though, that the committee does have an independent verification because I believe that the interrogators are still alive and I assume the committee has talked to them.

Is this correct?

Chairman STOKES. I think that is substantially correct, yes.

Mr. Helms, in January 1968 when the SR division report concerning Nosenko was issued, what was the Agency's position regarding Mr. Nosenko's bona fides?

Mr. HELMS. There were those in the agency who believed he was bona fide and there were those in the agency who did not. I never recall having resolved the case in my own mind one way or the other. My preoccupation at the time was to get Mr. Nosenko resettled. If there were those who felt there was a reasonable chance he

was bona fide, that was all right with me, but as far as I am aware, I never signed off on any document or made any final decisions about his bona fides.

If you have a document, I would appreciate seeing it because I have not been shown one, and if my recollection is not accurate, I don't want to mislead this committee. I want to be absolutely fair and truthful and forthcoming.

Chairman STOKES. Perhaps it may help refresh your recollection that at the time the committee took your testimony previously, Mr. Goldsmith asked you the question: "Is it not a fact that the SR report of 1968 indicated that in fact Mr. Nosenko was not a bona fide defector?" Your answer at that time was: "I don't remember firsthand what the thrust of the report was."

So I take it, then, that your testimony today is that you still do not recall?

Mr. HELMS. No. But I am sorry, I must have misunderstood your earlier question. I am sorry. I thought that you were asking me what my opinion was about that.

Chairman STOKES. No, no.

Mr. HELMS. I am sorry.

Chairman STOKES. Basically, what we are asking you is this: In January 1968, when this report came out of the SR division, what was the Agency's position regarding Nosenko bona fides?

Mr. HELMS. Well, the Agency's position would not have been reflected in the 1968 report. The Agency's position would have been one that I would have signed off on and I don't recall ever having made personally the decision based on recommendations and various other factors involved, whether he was bona fide or not. I simply was trying to explain that my interest then was different.

Chairman STOKES. Well, then, can you tell us in January of 1968 the Agency's position with regard to the veracity of the information Nosenko had provided concerning Oswald?

Mr. HELMS. I don't think any judgment has ever been made about that. I thought I read in the newspapers—and I assume the newspapers reported accurately—that Mr. Hart, after all his investigation, was not able to tell you that Nosenko was accurate about Oswald or not accurate about Oswald, if he could not do it—

Chairman STOKES. To the contrary. He said to the committee, based upon everything he knew about him, that the testimony he had given this committee, he said I would not use it, so he did have an opinion.

Mr. HELMS. He said he would not use it?

Chairman STOKES. That is what he said.

Mr. HELMS. That confuses me.

Chairman STOKES. Why?

Mr. HELMS. Well, it confuses me because isn't that a cop-out? If you are not going to use it, then it is not true.

Chairman STOKES. That is substantially correct, that would be my own interpretation.

Now let me ask you this: Wouldn't your analysis and the doubt which you had of this man's overall bona fides also bear upon the question of what he was saying to you and through you to the Warren Commission about Oswald, that is, if you doubted his gen-

eral bona fides, wouldn't you have to doubt what he was saying to you about Oswald?

Mr. HELMS. Yes, sir, that is why I went to see the Chief Justice.

Chairman STOKES. Now let me ask you this: After the SR division issued its report in 1968, was the Nosenko case reinvestigated by the security officer?

Mr. HELMS. Oh, I think the ground was gone over not only by that security officer, but I think that through the weeks after that a long interrogation, or if you don't want to call it an interrogation, let's say an elicitation, was carried on with Nosenko to find out what he knew about a whole host of things, including the Oswald case.

I believe it was during that latter period that he had additional contributions to make about the size of the files that the KGB held on Oswald and matters of this kind.

Chairman STOKES. Let me ask you this: In light of what you said to us this morning, would you agree that the consequences of the Nosenko case for the American intelligence community were quite great, particularly if it turned out that he was not a bona fide defector? I think you may have commented on some of that in your first statement.

Mr. HELMS. Yes, I did, Mr. Stokes, but I agree with what you said.

Chairman STOKES. I would like to call your attention to page 137 of the declassified transcript which you have there at the witness table with you. Lines 6 through 20. Do you have that?

Mr. HELMS. Yes, sir.

Chairman STOKES. This, of course, is your testimony before this subcommittee of this committee earlier.

Now, at that time did you testify that you had no recollection of ever signing off on any piece of paper that made Nosenko a consultant to the CIA and that you never agreed to any such thing?

Mr. HELMS. When I made that statement in executive session on August 9, it was my distinct impression that we had made an arrangement or signed a contract with Nosenko which made him an independent contractor. In other words, it was a relationship between him and the Agency whereby he would do research work under controlled circumstances and we would control the environment, what documents he saw, what he did, and in this way we would be justified in seeing if his expertise was of any help to us, and, second, under this document we could pay him so that he could live and eventually get to be resettled.

I was not aware at that time that the independent contractor provision had along with it in the document the word "consultant." If I was aware of it at the time, I never thought about it. I must confess that my thought of what a consultant is has been changed in present times, because I am a consultant to various American businesses now and my relationship to them is not the relationship I contracted for with Nosenko, so this is a semantic problem.

I can only say that I am sorry that I was maybe the slightest bit misleading, but I have now explained it and I hope that satisfies you.

Chairman STOKES. Mr. Chairman, I will ask that an exhibit in the possession of the Clerk be marked as JFK F-531. I will ask that

a copy of it be delivered to the witness and that the exhibit be made a part of the record at this time.

Mr. PREYER. If there is no objection, the exhibit, F-531, will be entered into the record at this point.

[The information follows:]

JFK EXHIBIT F-531

~~_____~~
- JFK EXHIBIT F-531 -

5 OCT 1972

MEMORANDUM FOR: Director of Central Intelligence
THROUGH : Executive Director—Comptroller
SUBJECT : Retroactive Reimbursement of
Yuriy Ivanovich Nosenko

1. This memorandum suggests action on the part of the Director of Central Intelligence; this action is contained in paragraph 2.

2. Mr. Yuriy Ivanovich Nosenko, a 45-year-old, former Staff Officer of the Committee for State Security (KGB) of the USSR, attended the Institute of International Relations, Moscow, from 1945 to 1950; was affiliated with Russian Naval Intelligence during the 1951-1953 period; and was an officer with the KGB from March 1953 until his defection to the Agency in Geneva, Switzerland, on 4 February 1964, after having worked for CIA for approximately two years.

3. A review of Mr. Nosenko's case reflects that, at the time of his defection, various official commitments were made to him, including a lump sum payment of \$50,000.00 based upon his nearly two years' work inside the KGB; a \$10,000.00 bonus for his work on the ^{Sensitive} ~~Relation~~ case; and a contract as a consultant at a salary of \$25,000.00 per annum. Mr. Nosenko was advised by his Agency Case Officer that Mr. Nosenko was working for the Central Intelligence Agency as of 5 February 1964, and that his salary began from that date. This was a verbal agreement with the Agency Case Officer, and is fully documented in our files.

4. In the early debriefing of Mr. Nosenko, it became apparent that he was a particularly complex individual. To permit extensive and prolonged debriefing, arrangements were made to accommodate Mr. Nosenko under highly secure conditions at *Classified Section*, where he remained from 1964 to 1967. These tight security arrangements were dictated, during the initial phases at least, by the additional need to provide Mr. Nosenko with continuing personal protection, since there was the distinct possibility that he would be targeted for execution if the Soviets should discover his whereabouts.

5. Since October 1967, the primary responsibility for Mr. Nosenko has been in the Office of Security, which conducted a thorough review of prior developments in the case. Mr. Nosenko was moved to the Washington, D.C. area in late 1967, and the case passed through various stages of phased normalization, as he was given an increased degree of freedom and independence. Mr. Nosenko was actually resettled on the economy in April 1969; he obtained a divorce from his former Soviet spouse in September 1969; *SENSITIVE INFO*
During the period from October 1967 to April 1969, Mr. Nosenko did not receive a salary, but he was provided with a moderate amount of spending money.

6. As of April 1969, Mr. Nosenko signed a one-year contractual agreement for \$16,500.00, including a clause giving assistance to him in resettlement expenses in the amount of \$8,000.00. In March 1970, Mr. Nosenko signed a new contract for two years at \$18,500.00 per annum. At about this same time he was provided with certain financial assistance, \$20,000.00 being for the down payment on a new house, and \$5,000.00 for other related household expenses. Mr. Nosenko's contract was renewed at the new rate of \$19,500.00 per annum on 1 March 1971, and the contract was again renewed in February 1972, at the salary of \$21,000.00 per annum.

7. An analysis of this case clearly indicates that Mr. Nosenko has been an extremely valuable source, one who has identified many hundreds of Soviet Intelligence Officers, and he has otherwise provided a considerable quantity of useful information on the organization of the KGB, its operational doctrine, and methods. *SENSITIVE INFO* have been

forwarded to the Federal Bureau of Investigation based on data from Mr. Nosenko. He has conducted numerous special security reviews on Soviet subjects of specific intelligence interest, and he has proven himself to be invaluable in exploring counterintelligence leads. He recently authored a book which is of interest to the Agency. In effect, Mr. Nosenko has shown himself to be a productive and hard working defector, who is "rehabilitated" and favorably disposed towards the Agency.

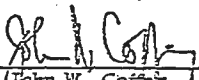
8. In the course of a recent meeting with Mr. Nosenko, he brought up the subject of his missing salary, covering the period from April 1964 to March 1969. Mr. Nosenko readily admitted that he is living very well at the present time, but he is not in a position to save any money for the future. He also expressed deep appreciation to the Agency for the financial assistance which was provided him through the years, and he considers this to have cancelled out the original Agency obligation of a lump sum payment in the amount of \$50,000.00. Mr. Nosenko, however, still feels quite strongly that he is entitled to be reimbursed for the salary which the Agency did not provide him over a five-year period. He understands, of course, that income tax would have to be deducted from this back salary of \$25,000.00 per annum.

9. In summary, the original oral agreement with Mr. Nosenko is fully documented and supports his claim; his resettlement since 1967 has been relatively smooth, with no significant security problems having developed; and he continues to function at the present time as a highly productive and useful source of information on the KGB. In view of these various considerations, it is requested that this payment of \$125,000.00 to Mr. Nosenko be approved. These funds would be paid out of unliquidated obligations applicable to lapsed appropriations. Sensitive sources and methods information.


Howard J. Osborn
Director of Security

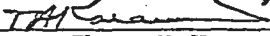
SUBJECT: Retroactive Reimbursement of
Yuriy Ivanovich Nosenko

CONCURRENCE:



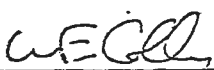
 John W. Coffey
 Deputy Director
 for Support

6 Oct 1972
 (Date)

* Concern, but recommendation as matter of principle that funds
 given him from Oct. 67 to April 69 be deducted
 from the 125,000 amount, and full credit


 Thomas H. Karamessines
 Deputy Director
 for Plans

12 Oct 72
 (Date) *checked by OGC, he obtained*



 William E. Colby
 Executive Director-Comptroller

18 Oct 72
 (Date)

The recommendation in paragraph 9 is approved without DDP limitations
 ac



 Richard Helms
 Director

18 OCT 1972
 (Date)

UNCLASSIFIED INTERNAL ONLY CONFIDENTIAL SECRET

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

ROMs: <i>[Signature]</i> Howard J. Osborn Director of Security	EXTENSION 6777	NO. DATE
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O: (Check designation, room number, and initials)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment by those from whom to whom. Draw a line across columns after each comment.)
	RECEIVED	FORWARDED		
1. General Counsel	3/24/69	3/25/69	JMK/MS	1 to 2 and 3: With the initiation of this rehabilitation program, it would seem timely to brief the appropriate staff personnel of our congressional subcommittees on the status of this case. If something were to go wrong, resulting in bad publicity without such a briefing, the reaction of our subcommittees would, I believe, be most unfortunate. <i>L. R. Houston</i> L. R. Houston
2. DD/P	3/25/69	3/25/69	[Initials]	
3. DCI			[Initials]	
4.				
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8. D/Security		2 APR 1969		
9. DR/Sec				
10. DC/SRS				
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610 USE PREVIOUS EDITIONS SECRET CONFIDENTIAL INTERNAL USE ONLY UNCLASSIFIED

24 MAR 1963

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : Preparations for the Rehabilitation and Resettlement of Yuri Nosenko

1. This memorandum is for your information and contains a recommendation for your approval in paragraph 5.

2. As you know, since last meeting with you on this subject we have been very slowly easing some of the physical restrictions on Nosenko in an effort to condition him for his ultimate rehabilitation and resettlement in this country if this is the final disposition decision. During this period, both the Federal Bureau of Investigation and this Office have continued to elicit information from him.

3. Nosenko is becoming increasingly restive and desirous of obtaining freedom on his own. After nearly five years of varying degrees of confinement, this desire, including that for feminine companionship, is understandable. We have conformed the pace of privileges allowed him to his attitude and cooperation. At a recent meeting in which the Deputy Director of Plans, Chief, Soviet Bloc Division, Chief, CI Staff, Office of General Counsel and the undersigned participated, it was agreed that we would allow him a two week vacation in Florida accompanied by two Security agents of this Office. He will not be allowed to be alone outside the confines of an adjoining room during this period.

4. There still remains a disagreement as to his bona fides and the Chief, CI Staff is now compiling questions to be used for continued elicitation from Nosenko upon his return. It is clear and agreed by all concerned that the problem of Nosenko's bona fides and his rehabilitation and resettlement can be considered separately if we


are to keep him in a favorable frame of mind with regard to the Agency. Any treatment which can be regarded by him as retrogression, in terms of physical restraint but not continued elicitation, would make his ultimate disposition extremely difficult. Attached for your approval is a brief summary of the steps we recommend be taken in Nosenko's rehabilitation and resettlement beginning with his return from his vacation in Florida. It is understood that implementation of these steps will be predicated on the following.

His attitude and behavior during his Florida vacation.

We will try to delay each step as long as possible consistent with his attitude and his willingness to cooperate.

This Office will take every possible precaution to prevent contact between Nosenko and KGB representatives in this country. If he is given limited freedom, however, there can be no guarantee of this since he is a professional intelligence officer and could evade surveillance if he so desired. If he is a dispatched agent, it is to be assumed that he was given emergency means of contact.

5. Your approval of these actions, as outlined, is recommended.


Howard J. Osborn
Director of Security

Distribution:

CONCURRENCE:

Lawrence R. Houston
 Lawrence R. Houston
 General Counsel

25 Mar 69
 Date

Thomas Karamessines
 Thomas Karamessines
 Deputy Director for Plans

25 Mar. 69
 Date

The recommendation in paragraph 5 is approved.

Richard Helms
 Richard Helms
 Director of Central Intelligence

2 APR 1969
 Date

STEPS IN THE REHABILITATION AND RESETTLEMENT OF NOSENKO

Step 1. Upon his return from vacation in Florida or soon thereafter, we will begin to negotiate a contractual relationship with Nosenko which will provide him with financial reimbursement not to exceed twenty thousand dollars a year for the period of time he is working with this Agency in a program of information elicitation. This contract, in addition to the standard features, will contain a "quit claim" provision regarding his past relationship with the Agency in the event he should be kidnapped, become recalcitrant or redefect. It will stipulate residence in an area acceptable to the Agency. It will also provide that upon conclusion of his active cooperation with this Agency, we will renegotiate to provide for a modest continued annuity commensurate with his ability to secure employment on his own. There will be no bulk resettlement fund.

Step 2. We will negotiate with Immigration and Naturalization authorities to secure appropriate alien registration for Nosenko in this country under a registered alias. It will be necessary for the Agency to accept continued responsibility for Nosenko until such time as he has established residence long enough to satisfy the ten year citizenship requirement.

Step 3. We will begin to look with him for suitable living accommodations. He accepts the fact that these accommodations will have to be so arranged that we will occupy contiguous quarters and that he will be required for an undetermined period to let us know where he is going and when he leaves these quarters. We will, initially at least, provide for technical coverage of his telephone and living quarters and will, within the extent of our capability, cover him through surveillance when he leaves these quarters.

Step 4. The program of information elicitation based on questions compiled by CI Staff will begin soon after Nosenko's return from Florida. Any significant developments and changes in the handling of Nosenko and the conduct of the interviews will be coordinated with the CI Staff acting on behalf of the DDP. This program of elicitation will be so designed as to prevent broadening further the base of Nosenko's knowledge. Future elicitation from Nosenko will not include new information except on the basis of calculated approved coordination between the Office of Security and the CI Staff about subject matter and Nosenko will be encouraged and allowed to give full responses on each subject. The FBI will be advised about these procedures.

Step 5. When we have favorably resolved disagreement within the Agency as to his bona fides, we will allow him his ultimate freedom, including assistance in finding suitable employment. If disagreement persists, however, as to his bona fides beyond the end of this calendar year, we will consult with other appropriate Government agencies as to whether he may be allowed full freedom as a normal resident alien or whether the security interests of the United States require his deportation.

4 October 1968.

MEMORANDUM FOR: The Director


SUBJECT : Yuri Ivanovich Nosenko

1. The Director of Security has provided me with a completed report on the re-examination of subject-named individual. He has also provided me with a copy of a summary prepared by the FBI on the same subject in the light of the periodic reports received by them throughout the course of this re-examination. The FBI report was provided in only one copy, personally to Howard Osborn by Special Agent Burt Turner, in consideration of the fact that the FBI had been continuously kept au courant of the results of our re-examination of subject. Presumably the FBI will expect from us a copy of ~~our~~ final report and will then officially provide us with a copy of their summary of the case.

2. The FBI summary notes that a minimum of 9 new cases have been developed as a result of this re-examination and that new information of considerable importance on old cases not previously available resulted from this effort. Before we are through with this the FBI just might level official criticism at this Agency for its previous handling of this case. However, because of the finesse and candor with which the Director of Security has handled this re-examination, I am inclined to doubt that the FBI will wish to make an issue of our previous actions.

3. Now to the heart of the matter. I am now convinced that there is no reason to conclude that Nosenko is other than what he has claimed to be, that he has not knowingly and willfully withheld information from us, that there is no conflict between what we have learned from him and what we have learned from other defectors or informants that would cast any doubts on his bona fides. Most particularly, I perceive no significant conflict between the information Nosenko has provided and the information and opinions Golitsyn has provided. Thus, I conclude that Nosenko should be accepted as a bona fide defector.

4. In addition, I recommend that we now proceed with the resettlement and rehabilitation of Nosenko with sufficient dispatch to permit his full freedom by 1 January 1969. This recommendation I feel should be reviewed by the Deputy Director for Plans, the Director of Security and the Inspector General prior to its implementation, whatever your own views may be after examining the case yourself.


Rufus Taylor
Vice Admiral, U S. Navy
Deputy Director

UNCLASSIFIED INTERNAL USE ONLY CONFIDENTIAL SECRET

ROUTING AND RECORD SHEET

12820 (02-75) Yuriy Ivanovich Nosenko
(Payment of Certain Funds
Previously Promised)

1. (Officer designation, room number, and address)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across columns after each comment.)
	RECEIVED	FORWARDED		
Sidney D. Stenbridge Acting Director of Security			6777	DATE 1 MAR 1976
1. Chief, CI/R & A			[initials]	<p>From General Counsel to General Walters:</p> <p>We have reviewed this case in considerable detail. Technically, the release signed by Nosenko could be asserted. In fact, however, on the basis of the record, it appears he is due this final payment and we see no problem in your approving it.</p> <p style="text-align: center;">/ / / / /</p> <p style="text-align: center;">John S. Warner John S. Warner General Counsel</p> <p style="text-align: center;">CONFIDENTIAL</p> <p style="text-align: center;">has right RB</p> <p style="text-align: center;">cc/CI Staff</p>
2. CI Staff			[initials]	
3. DDO		4 MAR 1976	[initials]	
4. DDO		4 MAR 1976	[initials]	
5. DDA		12 MAR 1976	[initials]	
6. DDA				
7. DDCI	19 March 76	20 March 76	[initials]	
8. DDCI				
9. D/Security		23 MAR 1976	[initials]	
10. D/Security				
11. DD/AS1				
12. DD/AS1				
13. DD/AS1				

FORM 670 USE PREVIOUS EDITIONS SECRET CONFIDENTIAL INTERNAL USE ONLY UNCLASSIFIED

1 FEB 1975

MEMORANDUM FOR: Director

FROM : Sidney D. Stenbridge *SS*
Acting Director of Security

VIA : Deputy Director for Operations
Deputy Director for Administration

SUBJECT : Yuriy Ivanovich Nosenko
(Payment of Certain Funds
Previously Promised)

1. This memorandum submits a proposal for your approval. The proposal is to immediately pay Yuriy Ivanovich Nosenko \$28,500 in back salary in settlement of an Agency commitment to him and to authorize a subsequent one-time payment of \$10,000 to him directly or as a contribution to his retirement for

Sensitive Foreign Case

2. Yuriy Ivanovich Nosenko is a 48-year-old former Soviet intelligence officer who is currently employed as an independent contractor by this Agency. Mr. Nosenko has for some time been of the opinion that he is entitled to \$28,500 in back pay. This amount represents the difference between the salary actually paid to him during the 1 March 1969 to 1 March 1975 period and the \$25,000 per year which was promised to him at the time of his defection in February 1964. At the time of his defection, Mr. Nosenko was also promised the additional \$10,000 for

Sensitive Foreign Case

3. While serving as a KGB security officer with the Soviet Disarmament Commission in Switzerland, Mr. Nosenko contacted an American diplomat in Geneva on 5 June 1962 and requested a small loan to repay official Soviet funds which he had squandered. Based on this contact Mr. Nosenko was recruited shortly thereafter by the Agency and he agreed to

work as an agent in place. On 15 June 1962 Mr. Nosenko returned to the Soviet Union where he resumed his duties as an intelligence officer with the Second Chief Directorate of the KGB in Moscow. Mr. Nosenko worked in place in the Soviet Union until January 1964 when he returned to Switzerland. At that time Mr. Nosenko decided to defect and requested political asylum in the United States.

4. Mr. Nosenko defected in Switzerland on 4 February 1964 and was brought to the United States under Public Law 110 on 11 February 1964. At the time of his defection, certain financial commitments were made to Mr. Nosenko. These commitments were substantiated in a conversation with him on 7 February 1964 and were documented in a 10 February 1964 memorandum to the Acting Deputy Director for Plans from *Employee Name*, Chief, Soviet Russia Division (SR Division). This memorandum stated as follows:

"First, I assured Subject [Mr. Nosenko] that I was satisfied that he was genuine. Based on this and assuming his continued 'cooperation' I said we would proceed to make arrangements to bring him to the States. Second, I confirmed our agreement to pay him \$25,000 for each year in place (\$50,000) plus \$10,000 for *SENSITIVE FOREIGN COST* and our readiness to contract for his services at \$25,000 per year. Third, I explained the polygraph he would be expected to take as final proof of his bona fides."

5. Shortly after his arrival in the United States, the SR Division encountered serious difficulties in attempting to establish the bona fides of Mr. Nosenko. The SR Division concluded that Mr. Nosenko was not what he claimed to be and thus was not a bona fide defector. As noted in paragraph four of Attachment A, Mr. Nosenko was held under highly secure conditions at an Agency installation from April 1964 until October 1967. In October 1967 the primary responsibility for Mr. Nosenko was transferred from SR Division to the Office of Security, which conducted a thorough review of the developments in this case. The conditions of confinement of Mr. Nosenko were progressively relaxed and in October 1968 the bona fides of Mr. Nosenko were established by the Office of Security. At this point it should be noted that the confinement of Mr. Nosenko was cited by the

Rockefeller Commission Report in June 1975 and that Mr. Nosenko is aware of this citation. Mr. Nosenko has, however, made no threats concerning possible damages as a result of this confinement. Also, despite the difficult period through which Mr. Nosenko passed, he has been and continues to be a cooperative and productive source.

SENSITIVE info

7. Prior to 1 March 1969 Mr. Nosenko received no salary for his cooperation with this Agency. Effective 1 March 1969 Mr. Nosenko was employed as an independent contractor at the rate of \$16,500 per year. Because of the previous difficulties and uncertainties involved in establishing the bona fides of Mr. Nosenko, the extent of our commitments and obligations to him were not clear at that time. Mr. Nosenko, therefore, was not initially employed at the rate of \$25,000 per year as he had been promised. Mr. Nosenko's salary was increased annually, however, until 1 March 1975 when he began to receive the stipulated \$25,000 per year. Once the bona fides of Mr. Nosenko were firmly established and the earlier difficulties regarding his status were resolved, the initial commitments took effect and the payment of \$125,000 (less federal income tax) was completed on 16 November 1972 in settlement of salary arrears for the period April 1964 to March 1969 (see Attachment B). On 12 July 1973 a final payment was made on the obligation of \$50,000 due Mr. Nosenko for the period 1962-1964.

8. There remains to be paid \$28,500 (less federal income tax) in salary arrears for the period 1 March 1969 to 1 March 1975 (see Attachment C) and \$10,000 outstanding for case. (He has never requested the latter amount but the obligation still exists.) Although Mr. Nosenko signed a quitclaim for the period prior to 12 July 1975 (see Attachment D) and may have legally waived his right to back salary prior to that date, the earlier payment of \$125,000 for the period 1964-1969 recognized our commitment to Mr. Nosenko to honor all agreements and established a precedent for paying him the total salary difference. We also believe that we have a moral obligation and that this obligation should be met.

9. This matter is being brought to your attention since Mr. Nosenko believes he has a valid claim to cited back salary for the 1969-1975 period and in connection with the current transfer of full responsibility for Mr. Nosenko to the Counterintelligence Staff, Directorate of Operations. It is, therefore, recommended that you approve the expenditure of \$28,500 in full payment of back salary for Mr. Nosenko for the period 1969-1975. Of the \$28,500, \$27,667 can be paid for out of the FY1974 unobligated balance allotted to the Office of Security, with the remainder of \$833 being charged to the Office of Security FY1975 allocation.

10. It is further requested that approval be granted for the \$10,000 ~~Salary~~ ~~Foreign Case~~, which could be paid directly to Mr. Nosenko at a later date or preferably could be incorporated into a retirement program for him, which is being given consideration by the Counterintelligence Staff. If approved, these transactions would represent a fulfillment of all commitments to Mr. Nosenko as of this date and would serve to fulfill outstanding Agency commitments to Mr. Nosenko prior to his transfer to the Counterintelligence Staff.

Attachments

SUBJECT: Yuriy Ivanovich Nosenko
(Payment of Certain Funds
Previously Promised)

CONCURRENCE:

W.E. Nelson
William E. Nelson
Deputy Director for Operations

5 March 1976
Date

J.F. Blake
John F. Blake
Deputy Director
for
Administration

13 April 76
Date

APPROVED : Vernon A. Walker Deputy Director 20 March 1976

DISAPPROVED: _____

Distribution:
[Redacted]

(Optional) Retrospective Payment to Yuriy Ivanovich Nosenko		MESSAGE NO.	
Director of Security Headquarters		DATE	
(3) Office designation, room number, and street		DATE	OFFICER'S INITIALS
		RECEIVE	FORWARDED
DD/MES	28 JUN 70	[Signature]	BY HAND 1. For Concurrence 2. For Concurrence - Employee for 4. For Your Approval Can this be in connection with a quit-claim of all obligations to date? - WEC
DD/O Room	4/26 DB	[Signature]	
Executive Secretary CIA Management Cte	6/27/70 7/3	[Signature]	
Director of Security			
Ex Sec			
D/Security			

L. 75-2549 173-3544

25 JUN 1973

MEMORANDUM FOR: Executive Secretary
CIA Management Committee

VIA : Deputy Director for Management and Support
Deputy Director for Operations

SUBJECT : Retroactive Payment to
Yuriy Ivanovich Nosenko

1. Action Requested: This memorandum contains a recommendation for your approval.

2. Basic Data: For your assistance, reference is made to the attached memorandum of the same subject dated 5 October 1972. The provisions of the reference were concluded with Mr. Nosenko, covering back salary from April 1964 to March 1969, in October and November 1972 when he was given the sum of \$87,052.00 covering total salary for this period less Federal income tax. It is estimated that Mr. Nosenko has invested all but approximately \$15,000.00 of this sum in the purchase of property and construction of a new residence/ Sensitive info

Instant memorandum is addressed to the lump sum payment of \$50,000.00 promised to Mr. Nosenko by an Agency representative prior to his defection from the KGB in February 1964. Against this sum in April-May 1969, Mr. Nosenko was given \$3,000.00 as financial assistance for resettlement on the private economy and \$25,000.00 in mid-1970 towards the purchase of a new house and other related expenses. Mr. Nosenko also agrees that he was given approximately \$2,000.00 in March 1964 which should be included as a part of the above \$50,000.00. In essence, \$15,000.00 remains outstanding against the above \$50,000.00.

Recently Mr. Nosenko has rather specifically mentioned the matter of the promises to Mr. Nosenko in 1964 and the remainder of the financial promise which he did not receive. Mr. Nosenko considers the

2 - REPORT ON 007477

amount to be \$13,000.00 but this is based on his recollection that he received \$10,000.00 in April-May 1969 rather than the \$8,000.00 which he actually received. As noted in the reference, as of October 1972 Mr. Nosenko had indicated that the funds previously paid to him would cancel out the 1964 lump sum promise.

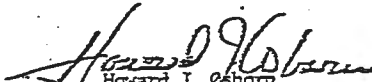
Sensitive info

Mr. Nosenko has requested the previously mentioned \$13,000.00 which will be used for investment purposes in connection with his new property and residence construction and payment of medical bills. He has voluntarily stated that he will sign a document agreeing that the \$13,000.00 is in full and final settlement of the 1964 lump sum payment promise.

As you will note in the reference, another promise made to Mr. Nosenko prior to his defection in February 1964 concerned a \$10,000.00 bonus for his/

Mr. Nosenko has never mentioned the above promise while the responsibility of the Office of Security since October 1967. It is noted that the promise of the above \$10,000.00 was apparently not a matter of discussion with Mr. Nosenko prior to his defection but was in the way of a gratuitous addition by the Agency representative when Mr. Nosenko was advised that following previous discussion he would be given a \$50,000.00 lump sum for resettlement and employment at \$25,000.00 per year. Since none of the above remarks were ever formalized in a document to Mr. Nosenko, it is very possible that Mr. Nosenko does not recall the additional remark concerning payment in connection with Sensitive Foreign 1264

3. Recommendation: In view of the above, it is requested that a payment of \$15,000.00 to Mr. Nosenko be approved, thus settling the specific \$50,000.00 lump sum promise made to Mr. Nosenko in February 1964. If approved, Mr. Nosenko will be advised that the \$15,000.00 figure is based on an accounting of Agency financial records and a signed settlement statement obtained from Mr. Nosenko. It is believed that the additional \$2,000.00 would be very well received by Mr. Nosenko and will partially offset his recent medical expenses not reimbursed from his current health insurance.


Howard J. Osborn
Director of Security

Attachment

SUBJECT: Retroactive Payment to Yuriy Ivanovich Mosenko

CONCURRENCE:

Harold L. Brownman

Harold L. Brownman
Deputy Director
for
Management and Services

26 Jun 73
(Date)

William E. Nelson

William E. Nelson
for Deputy Director
for
Operations

26 June 1973
(Date)

APPROVED:

W. E. Nelson

5 JUL 1973

DISAPPROVED:

Distribution:

- Original - Return to Director of Security
- 1 - Executive Registry
- 2 - DD/M&S
- 2 - DD/O

WHEREAS, Yuriy Ivanovich Nosenko, a former citizen of the Union of Soviet Socialist Republics and an employee of the Committee for State Security (KGB), first cooperated with Officers of the United States Government and then, subsequently, defected to the United States; and,

WHEREAS, Mr. Nosenko was promised certain sums of money for his cooperation and defection, only part of which have previously been paid to him; and,

WHEREAS, there remains a certain balance of money agreed upon by Mr. Nosenko and Officers of the Central Intelligence Agency;

NOW THEREFORE, in consideration of the sum of FIFTEEN THOUSAND and 00/100 Dollars (\$15,000.00) the receipt of which is hereby acknowledged, Yuriy Ivanovich Nosenko for himself and for his heirs, executors, administrators and assigns, hereby releases and forever discharges the United States Government and the Central Intelligence Agency and all of its employees and representatives from any claim for money promised to him for, and/or at the time of his defection, and from any and all other claims demands and liabilities in any form whatsoever arising out of or in any way connected with his cooperation and association with the United States Government and the Central Intelligence Agency prior to the date of this document, 12 July 1973.

WITNESS THE FOLLOWING SIGNATURE AND SEAL:

Yuriy Ivanovich Nosenko (SEAL)
Yuriy Ivanovich Nosenko

WITNESS;
On Behalf of the United States Government

Employee name

Mr. HELMS. I have the document before me, Mr. Stokes, now. It is a document dated October 5, 1972.

Chairman STOKES. That is the document. Can you tell us what that document is?

Mr. HELMS. The subject of it is retroactive reimbursement of Yuri Ivanovich Nosenko. It entails a description of his case, what he was promised in the way of money, and gives at the end a suggestion as to how the moneys might be handled. This in turn was passed up the line in the Agency and was approved on October 18, 1972.

Chairman STOKES. Mr. Helms, I would direct your attention to page 4 of that document and ask you whether or not your signature appears on that document?

Mr. HELMS. Yes, it does, beside the date October 18, 1972. That is my signature.

Chairman STOKES. Now, I will ask you to read three of the paragraphs from this document, paragraphs 6, 7 and 9. Would you do that, please, read it out loud?

Mr. HELMS. Six, seven, and nine?

Chairman STOKES. Yes, sir.

Mr. HELMS. Yes, sir.

As of April 1969, Mr. Nosenko signed a 1-year contractual agreement for \$16,500, including a clause giving assistance to him in resettlement expenses in the amount of \$8,000. In March 1970, Mr. Nosenko signed a new contract for 2 years at \$18,500 per annum. At about the same time he was provided with certain financial assistance, \$20,000 being for the down payment on a new house and \$5,000 for other related household expenses. Mr. Nosenko's contract was renewed at the new rate of \$19,500 per annum on March 1, 1971 and the contract was again renewed in February 1972 at the salary of \$21,000 per annum.

Paragraph 7:

An analysis of this case clearly indicates that Mr. Nosenko has been an extremely valuable source, one who has identified many hundreds of Soviet intelligence officers, and he has otherwise provided a considerable quantity of useful information on the organization of the KGB, its operational doctrine and methods.

Then I find a blank and written in here in somebody's hand is sensitive information. The remainder of the sentence reads:

Have been forwarded to the Federal Bureau of Investigation based on data from Mr. Nosenko. He has conducted numerous special security reviews on Soviet subjects of specific intelligence interest and he has proven himself to be invaluable in exploring counterintelligence leads. He recently authored a book which is of interest to the Agency. In effect, Mr. Nosenko has shown himself to be a productive and hard working defector, who is rehabilitated and favorably disposed to the Agency.

Paragraph 9:

In summary, the original oral agreement with Mr. Nosenko is fully documented and supports his claim; his resettlement since 1967 has been relatively smooth, with no significant security problems having developed; and he continues to function at the present time as a highly productive and useful source of information on the KGB. In view of these various considerations, it is requested that the payment of \$125,000 to Mr. Nosenko be approved. These funds would be paid out of unliquidated obligations applicable to lapsed appropriations.

The sentence stops there and it is written in somebody's handwriting, "sensitive sources and methods information." And the memorandum has the signature below.

Chairman STOKES. Thank you.

In paragraph 9 where it says: "and he continues to function at the present time as a highly productive and useful source of infor-

mation on the KGB," that does not, to you, connote the activities of a consultant?

Mr. HELMS. No, sir.

Chairman STOKES. That's how you would interpret that?

Mr. HELMS. That is the kind of information we get from any agency. I am sorry, but my impression today, and it may not have been 5 years ago, I don't know, but today my impression of a consultant is one that has a closer relationship with the organization for which he is working than an agent does in an intelligence relationship. They are insulated from certain kinds of information, they are insulated from certain access, and insulated from a lot of things.

Consultant is not necessarily so. Consultant is a very wide ranging term which covers all kinds of things in our language. I would just not like to see a reference at that time to his having been a consultant. I have been told since, I don't know how accurately, that Nosenko has been seen in the CIA headquarters building at Langley. I guess if he has access to the building out there, maybe he is a consultant now, but he was not considered one in my time.

Chairman STOKES. I see.

Mr. Chairman, I will ask that the clerk mark another exhibit in her possession, JFK exhibit F-537 and that a copy of it be shown to the witness.

Mr. HELMS. I have the document in my hands. It is JFK exhibit F-537.

Chairman STOKES. Have you had a chance to read that document?

Mr. HELMS. No.

Chairman STOKES. Could you take the time to familiarize yourself with it?

Mr. HELMS. This is an interrogatory which this committee presented to the Agency; is that correct?

Chairman STOKES. That is correct, sir.

Mr. HELMS. I have read the document now, Mr. Stokes.

Chairman STOKES. All right.

Mr. Helms, prior to referring you to that particular document, would you look at page 133 of the declassified transcript before you, beginning at line 11½. It looks like where Mr. Goldsmith poses a question to you and your answer follows.

Mr. HELMS. Is this where Mr. Goldsmith says, "What about at the conclusion of the [security officer's] work?"

Chairman STOKES. That is right.

Would you please read Mr. Goldsmith's question and your answer?

Mr. HELMS [reading]:

MR. GOLDSMITH. What about at the conclusion of [the security officer's] work when he issued his report, at that time did the Agency have a position with regard to Nosenko's bona fides?

Mr. HELMS. I do not believe so. At least during my time there I do not recall us ever taking a position as an agency.

Chairman STOKES. Now let me ask you, having read that question and your answer to it, is that your best recollection?

Mr. HELMS. That is my best recollection, Mr. Stokes. I notice that in this document which you tell me the Agency has provided, they

say that the final conclusion was that he is a bona fide defector. I simply do not recall participating in any meeting or signing any document which made the final judgment that he was a bona fide defector.

Chairman STOKES. Let me now refer you to the exhibit, F-537 and ask you, now that is a document from the Director of Central Intelligence, is it not?

Mr. HELMS. It is not signed by him, sir, so I don't know.

Chairman STOKES. Well, on the first page it does have a signature on there.

Mr. HELMS. On the first page it just has the signature of Mr. Breckinridge, principal coordinator for the House Select Committee on Assassinations.

Chairman STOKES. Is there a letterhead at the top of it?

Mr. HELMS. Yes, it say, "Office of Legislative Counsel."

Chairman STOKES. And ahead of that?

Mr. HELMS. The Director of Central Intelligence.

Chairman STOKES. Washington, D.C.; right?

Mr. HELMS. Yes, 20505.

Chairman STOKES. Does the first page read as follows:

1 September 1978, Mr. G. Robert Blakey, Chief Counsel and Director, House Select Committee on Assassinations, Washington, D.C.

DEAR MR. BLAKEY: Forwarded herewith are answers to the interrogatories received at the close of business on 28 August 1978.

Signed, S. D. Breckinridge, Principal for HSCA with attachment.

Mr. HELMS. Yes.

Chairman STOKES. Now, would you turn to the next page, commencing where it says question 3, would you read everything from that point forward?

Mr. HELMS [reading]:

Define Nosenko's present and past employment arrangements with the Central Intelligence Agency, include (a) the dates and nature of this employment; (b) the services rendered by Nosenko; (c) itemize the counting of all compensation received by Nosenko; (d) an account of the roles of Richard Helms and John McCone in authorizing Nosenko's employment and compensation arrangements for the CIA. Prior to Nosenko's defection on 4 February 1964, he was promised \$50,000 for previous cooperation, \$10,000 for his identification in 1962 of a particular espionage agent, and \$25,000 a year compensation for future services.

Mr. Richard Helms himself approved the foregoing on 17 February 1964. Although no effort was made to fulfill the promise until some 5 years after Nosenko's defection, the original promise formed the basis for the eventual employment and/or monetary remunerations. Following acceptance of Nosenko's bona fides in late 1968, Mr. Helms approved an arrangement which resulted in Nosenko's employment as an independent contractor effective 1 March 1969. This first contract called for him to be compensated at a rate of \$16,500 a year. As of 1978 he is receiving \$35,327 a year (see attached annual compensation table for years 1969 to 1978).

In addition to regular yearly compensation, Nosenko was paid for the years 1964 to 1969; in November 1972 in the amount of \$25,000 a year, less income tax. The total amount paid was \$87,000—I beg your pardon—total amount paid was \$87,052.

He also received in varying increments from March 1964 to July 1973 amounts totaling \$50,000 to aid in his resettlement on the private economy (see attached table for the breakdown).

The total resettlement figure in effect satisfied that portion of the above 1964 promise to pay Nosenko \$50,000 for previous cooperation. In 1976, Nosenko was paid \$10,000 to satisfy that part of the above promise relating to his identification of an espionage agent. Further, he was compensated in the amount of \$28,500, representing the difference between the \$25,000 a year promised and the actual amount paid to him during the period 1 March 1969 to 1 March 1975.

Since 1969, the agency has contributed to Nosenko's hospitalization insurance premium. The agency has also compensated him for certain unusual medical and dental expenses.

To date, Nosenko continues to work as an independent contractor with the compensation provision being periodically amended. His work for the agency includes consultation with both the agency and the FBI on certain matters of current interest concerning Soviet intelligence activities and personnel both in the U.S. and abroad. From time to time he was also consulted by various elements of the agency on current Soviet developments and requirements. He has been, and continues to be, used as a regular lecturer at counterintelligence courses of the agency, the FBI, Air Force, OSI, and others.

Our records do not show that Mr. John McCone played any role in authorizing Nosenko's employment compensation arrangements with the CIA.

Annual compensation table.

Do you want me to go through that?

Chairman STOKES. No.

Having read this answer to the interrogatories posed to the agency, is there anything at all in this interrogatory that you would say is untrue?

Mr. HELMS. The only two statements, Mr. Stokes, that I would cavil with are the one that is "Following acceptance of Nosenko's bona fides in 1968," and I guess it appears on the last page of the document. That is the only point. If these bona fides were established in late 1968, I have no recollection of this having happened, that is all. I am sorry, I just—you want me to tell the truth here. I am doing my best.

Chairman STOKES. So then, if I understand your answer, you are not sticking with your previous testimony with reference to the fact that the agency never arrived at a determination on his bona fides?

Mr. HELMS. I didn't believe they ever did. I think my other testimony is consistent with what I am saying now. If it is not consistent, then you and I are misunderstanding each other, and that I would like to get straightened out right away.

Chairman STOKES. I guess where I am having difficulty is my understanding of how you enter into this financial arrangement. Whether you call it consultant or independent contractor or give it any other name, how you justify entering into a contract where you give taxpayer funds to someone who you say in your opinion is not bona fide.

Mr. HELMS. I think, Mr. Stokes, that I can explain—I trust I can explain this satisfactorily. It has been said, and I believe it is true, that in the latter days of his interrogation Mr. Nosenko provided the agency with useful information with respect to certain Soviet activities. I do not recall that he gave them any additional information that helped to resolve the Oswald case or Oswald status with the KGB.

The reimbursement was for two purposes, one, to get him resettled in the United States. May I say that this was the only viable option left to us at that time. There was no way of deporting him to the Soviet Union; he would have been shot and killed when he got back. He would never have been able to explain to them what he was doing during the period that he was away. So we had only one option and that was to try to resettle him. That was what I had in mind to do, and he needed money and he needed employment.

If you will study the history of Soviet defectors in this country, they have had an extraordinarily difficult time adjusting to our society. They have a very difficult time making money and running businesses and being gainfully employed. I think if you will put an interrogatory to the agency to give you a history of the resettlement of defectors since 1945, you will find what I am telling you is true. Therefore, it was a complex of matters involved in his compensation; part of it was the useful information, part of it was to get him resettled, and part was because we had no choice except to do these things. At least we had no choice in my opinion. Maybe somebody else would have a different opinion, but at least in our opinion we had no choice.

Chairman STOKES. That is your total answer as to why he was being given this kind of compensation?

Mr. HELMS. Yes, sir.

Chairman STOKES. Let me now ask you this——

Mr. PREYER. There is a vote on the floor at this time. The committee will take a 10-minute recess. The committee stands in recess for 10 minutes.

[Recess.]

Mr. PREYER. The committee will come to order.

Mr. GOLDSMITH. Mr. Chairman, there are a number of other documents which relate generally to the subjects of Mr. Helms' testimony, but with respect to which there was not sufficient time to ask specific questions. May they be admitted into the record as JFK exhibit F-532 at this time?

Mr. PREYER. Without objection, so ordered.

[The exhibit referred to follows:]

JFK EXHIBIT F-532

Dear Mr. [REDACTED]

- JFK EXHIBIT F-532

Reference is made to your contract with the United States Government as represented by the Central Intelligence Agency, effective 1 March 1970, as amended.

Effective 1 March 1972 said contract, as amended, is further amended as set forth below:

- (a) The first sentence of paragraph four (4) entitled "COMPENSATION" is revised to read as follows:

"You will be compensated by the CIA at the rate of Twenty-one Thousand Dollars (\$21,000) per year."

- (b) Sub-paragraph (a) of paragraph six (6) entitled "NEGOTIATED BENEFITS" is deleted, and in lieu thereof the following is substituted:

"6(a): You presently have a private health insurance plan for yourself and your wife. It is understood and agreed that you will bear a portion of the total premium cost of said plan; this organization will bear the remainder. Your portion is herein established at \$12.50 per month and will be deducted from contractual payments due you. The total annual premium cost of said plan is presently \$603.52. If required, the Government's portion may be paid yearly, in advance."

All other terms and conditions of said contract, as amended, remain in full force and effect.

Please acknowledge by signing in the space provided below.

UNITED STATES GOVERNMENT
As Represented by the
CENTRAL INTELLIGENCE AGENCY
By:

[REDACTED]
Contracting Officer

ACCEPTED:

/s/ [REDACTED]

Date: February 29, 1972

WITNESS:

/s/ [REDACTED]

Date: February 29, 1972

Certified to be a true copy of the signed original which is on file in the Office of Security.

Dear Mr. [redacted]

Reference is made to your contract with the United States Government as represented by the Central Intelligence Agency, effective 1 March 1970.

Effective 1 March 1971 said contract is amended by revising the first sentence of paragraph four (4) entitled "Compensation" to read as follows:

"You will be compensated by the Central Intelligence Agency at the rate of Nineteen Thousand Five Hundred Dollars (19,500.00) per year."

All other terms and conditions of said contract remain in full force and effect.

Please acknowledge by signing in the space provided below.

UNITED STATES GOVERNMENT
As Represented by the
CENTRAL INTELLIGENCE AGENCY
By:

[redacted signature]
Contracting Officer

ACCEPTED:

/s/ [redacted] Date: 12 February 1971

WITNESS:

/s/ [redacted] Date: 12 February 1971

Certified to be a true copy of the signed original which is on file in the Office of Security.

[redacted signature] 10/19/71
Chief, Budget and Fiscal Branch
Office of Security

4. COMPENSATION. You will be compensated by the CENTRAL INTELLIGENCE AGENCY at the rate of Eighteen Thousand Five Hundred Dollars (\$18,500.00) per year. Payment of this compensation shall be monthly in accordance with arrangements acceptable to the Authorized Government Representative. This sum is subject to Federal income taxes and to such income tax laws as are applicable to your place of residence. Additionally, this compensation is subject to FICA taxes. The current rates and method of payment will be in accordance with applicable laws and the security instructions issued by the Authorized Government Representative. Payment of all taxes and preparation of necessary tax returns are your personal obligation and responsibility but in accord with appropriate security instructions which will be furnished by the Authorized Government Representative.

5. ALLOWANCES, TRAVEL AND OTHER EXPENSES. If, in the course of fulfilling your responsibilities under this agreement, monetary allowances would be payable under general UNITED STATES GOVERNMENT rules and regulations, you will be paid such monetary allowances in substantial accordance with those laws and regulations. If, in the course of this contract, you are directed to travel or are authorized to incur other expenses, reimbursement for expenses will be made by the CENTRAL INTELLIGENCE AGENCY in substantial accordance with applicable CENTRAL INTELLIGENCE AGENCY regulations.

6. NEGOTIATED BENEFITS.

a. You presently have a private health insurance plan for yourself and your wife paid until late December 1970. Prior to the expiration date of the current policy the CENTRAL INTELLIGENCE AGENCY has the option of paying premiums on the current policy until 1 March 1972 or enrolling you in a health insurance program for selected contract individuals of the CENTRAL INTELLIGENCE AGENCY subject to all the terms and conditions of that program. The CENTRAL INTELLIGENCE AGENCY will pay the premiums on either insurance coverage until 1 March 1972. However, any new contract will include an appropriate clause providing that this organization will bear a portion of the total premium cost of any health insurance and you will bear the remainder.

b. The CENTRAL INTELLIGENCE AGENCY will endeavor to arrange for you to secure a term life insurance policy with a face value of \$15,000.00. This policy contains no additional accidental death benefits. The premiums for the policy will be your personal responsibility. The current premium charge is \$12.00 per month.

contract year to be taken only at times and places approved in advance by the Authorized Government Representative. Vacation time is not accruable and will not be carried over from year to year. Payment for unused vacation time will not be authorized.

(2) If incapacitated for work due to illness, injury and the like, your compensation may be continued for periods not to exceed a total of thirteen (13) working days per contract year. Periods of absence in excess of three (3) consecutive days will require a doctor's certificate. Like vacation time, this benefit is not accruable and will not be carried over from year to year. Cash payment in lieu of this benefit will not be authorized.

7. SECRECY OBLIGATION. You will be required to keep forever secret this agreement and all information which you may obtain by reason hereof (unless released in writing by the CENTRAL INTELLIGENCE AGENCY from such obligation), with full knowledge that violation of such secrecy may subject you to criminal prosecution under the espionage laws, as amended, and other applicable laws and regulations. Your relationship with the CENTRAL INTELLIGENCE AGENCY and this contract must be kept secret and you may not discuss any aspect of this relationship and contract with any person other than the Authorized Government Representative or such other person as he may specifically approve.

8. UNAUTHORIZED COMMITMENTS. No promises or commitments pertaining to rights, privileges, or benefits other than those expressly stipulated in writing in this agreement or any amendment thereto shall be binding on the CENTRAL INTELLIGENCE AGENCY.

9. TERM. This agreement is effective as of 1 March 1970 and shall be for a term of two (2) years. At the end of that period, this contract shall be deemed to be renewed for another year unless notice of termination has been furnished to you thirty (30) days in advance. Thereafter the contract will be renewed automatically on similar terms and conditions. This contract may be terminated at any time by either party upon furnishing thirty (30) days advance notice. Upon termination of this contract or renewals thereof, including amendments, if any, the CENTRAL INTELLIGENCE AGENCY will undertake to assist you in obtaining gainful employment or to provide continuing compensation to assure you that you will be able to maintain a reasonable standard of living. This undertaking is contingent upon your fulfilling the terms of

this contract and the continuing compliance with the secrecy obligations imposed on you by paragraph 7 of this contract and the provisions of any secrecy agreement which you have signed with the CENTRAL INTELLIGENCE AGENCY

UNITED STATES GOVERNMENT
As Represented by the
CENTRAL INTELLIGENCE AGENCY
By:

/s/ [Redacted Signature]

Contracting Officer

Date: 6 March 1970

ACCEPTED:

/s/ [Redacted Signature]

Date: 6 March 1970

WITNESS:

/s/ [Redacted Signature]

Date: 6 March 1970

Certified to be a true copy of the signed original which is on file in the Office of Security.

[Redacted Signature]

19 MAR 1970

Chief, Budget and Fiscal Branch
Office of Security

Dear Mr. ~~██████████~~

The UNITED STATES GOVERNMENT, as represented by the CENTRAL INTELLIGENCE AGENCY, hereby contracts with you under the following terms and conditions:

1. STATUS. Your legal status under this contract is that of an independent contractor or consultant. You are not considered an employee of the UNITED STATES GOVERNMENT by virtue of this contract. You will be required to hold yourself available at all times to fulfill requests made of you by the CENTRAL INTELLIGENCE AGENCY or to respond to tasks requested of you by the CENTRAL INTELLIGENCE AGENCY. You will refrain from engaging in other gainful employment or occupation until approval has been received from the CENTRAL INTELLIGENCE AGENCY. Instructions furnished to you pursuant to this contract and within the terms hereof shall be as binding upon you as if included in the written terms hereof.

2. COMMUNICATION. In all relationships with the CENTRAL INTELLIGENCE AGENCY you will accept requests, tasks and relevant instructions from an individual hereinafter referred to as the "Authorized Government Representative." He will be fully authorized to discuss matters with you relating to your responsibilities under this contract including, but not limited to, cover arrangements, place of assignment, conditions of work or any other matters relating to your relationship with the CENTRAL INTELLIGENCE AGENCY.

3. COVER AND SECURITY. In the performance of your responsibilities hereunder, appropriate arrangements will be made regarding cover and general security conditions. You may be required

to execute certain documents in the course of establishing cover arrangements but it is to be expressly understood that such documents are solely for the purpose of cover and security and confer no additional legal rights or obligations and that all of your rights and obligations with respect to the CENTRAL INTELLIGENCE AGENCY derive solely from this agreement. In connection with cover and security you will be provided from time to time specific instructions by the Authorized Government Representative and you will be required to adhere precisely to such instructions.

4. COMPENSATION. You will be compensated by the CENTRAL INTELLIGENCE AGENCY at the rate of Sixteen Thousand Five Hundred Dollars (\$16,500.00) per year. Payment of this compensation shall be monthly in accordance with arrangements acceptable to the Authorized Government Representative. This sum is subject to Federal income taxes and to such income tax laws as are applicable to your place of residence. Additionally, this compensation is subject to FICA taxes. The current rates and method of payment will be in accordance with applicable laws and the security instructions issued by the Authorized Government Representative. To assist you in establishing yourself, the CENTRAL INTELLIGENCE AGENCY will assist you in procuring an automobile and necessary household furnishings, providing funds therefor up to a maximum of Eight Thousand Dollars (\$8,000.00). Payment of all taxes and preparation of necessary tax returns are your personal obligation and responsibility but in accord with appropriate security instructions which will be furnished by the Authorized Government Representative.

5. PLACE OF RESIDENCE. In the interests of security, you will be required to live in such State, area, and house or apartment as is specifically approved by the CENTRAL INTELLIGENCE AGENCY after mutual discussion and due consideration of all circumstances. All of the expenses of such leased house or apartment will be borne by you and the CENTRAL INTELLIGENCE AGENCY will not be obligated to pay any such expenses.

6. ALLOWANCES, TRAVEL AND OTHER EXPENSES. If, in the course of fulfilling your responsibilities under this agreement, monetary allowances would be payable under general UNITED STATES GOVERNMENT rules and regulations, you will be paid such monetary allowances in substantial accordance with those laws and regulations. If, in the course of this contract, you are directed to travel or are authorized to incur other expenses, reimbursement for expenses will be made by the CENTRAL INTELLIGENCE AGENCY in substantial accordance with applicable CENTRAL INTELLIGENCE AGENCY regulations.

7. HOSPITALIZATION AND MEDICAL CARE. The CENTRAL INTELLIGENCE AGENCY will provide you with reasonable insurance covering medical care and hospitalization equivalent to that which could be obtained through standard insurance policies; or, the CENTRAL INTELLIGENCE AGENCY may provide directly such medical care and hospitalization.

8. SECURITY OBLIGATION. You will be required to keep forever secret this agreement and all information which you may obtain by reason hereof (unless released in writing by the CENTRAL INTELLIGENCE AGENCY from such obligation), with full knowledge that violation of such

secrecy may subject you to criminal prosecution under the espionage laws as amended, and other applicable laws and regulations. Your relationship with the CENTRAL INTELLIGENCE AGENCY and this contract must be kept secret and you may not discuss any aspect of this relationship and contract with any person other than the Authorized Government Representative or such other person as he may specifically approve.

9. UNAUTHORIZED COMMITMENTS. No promises or commitments pertaining to rights, privileges, or benefits other than those expressly stipulated in writing in this agreement or any amendment thereto shall be binding on the CENTRAL INTELLIGENCE AGENCY.

10. TERM. This agreement is effective as of 1 March 1969 and shall be for a term of one (1) year. At the end of that period this contract shall be deemed to be renewed for another year unless notice of termination has been furnished to you thirty (30) days in advance of the elapse of one (1) year. Thereafter the contract will be renewed automatically on similar terms and conditions. This contract may be terminated at any time by either party upon furnishing thirty (30) days advance notice. Upon termination of this contract or renewals thereof, including amendments, if any, the CENTRAL INTELLIGENCE AGENCY will undertake to assist you in obtaining gainful employment or to provide continuing compensation to assure you that you will be able to maintain a reasonable standard of living. This undertaking is contingent upon your fulfilling the terms of this contract and the continuing compliance with the secrecy obligations

imposed on you by paragraph 8 of this contract and the provisions of any secrecy agreement which you have signed with the CENTRAL INTELLIGENCE AGENCY.

UNITED STATES GOVERNMENT
As Represented by the
CENTRAL INTELLIGENCE AGENCY
By:


Contracting Officer

Date: _____


ACCEPTED:

_____ Date: _____

WITNESS:

_____ Date: _____

Certified to be a true copy of the signed original which is on file in the Office of Security.


HOWARD J. OSBORN
DIRECTOR OF SECURITY

JUL 7 1965

5 OCT 1972

MEMORANDUM FOR: Director of Central Intelligence

THROUGH : Executive Director-Comptroller

SUBJECT : Retroactive Reimbursement of
Yuriy Ivanovich Nosenko

1. This memorandum suggests action on the part of the Director of Central Intelligence; this action is contained in paragraph 9.

2. Mr. Yuriy Ivanovich Nosenko, a 45-year-old, former Staff Officer of the Committee for State Security (KGB) of the USSR, attended the Institute of International Relations, Moscow, from 1945 to 1950; was affiliated with Russian Naval Intelligence during the 1951-1953 period; and was an officer with the KGB from March 1953 until his defection to the Agency in Geneva, Switzerland, on 4 February 1964, after having worked for CIA for approximately two years.

3. A review of Mr. Nosenko's case reflects that, at the time of his defection, various official commitments were made to him, including a lump sum payment of \$50,000.00 based upon his nearly two years' work inside the KGB; a \$10,000.00 bonus for his work on the ^{SEMININ} ~~SEMININ~~ case; and a contract as a consultant at a salary of \$25,000.00 per annum. Mr. Nosenko was advised by his Agency Case Officer that Mr. Nosenko was working for the Central Intelligence Agency as of 5 February 1964, and that his salary began from that date. This was a verbal agreement with the Agency Case Officer, and is fully documented in our files.

4. In the early debriefing of Mr. Nosenko, it became apparent that he was a particularly complex individual. To permit extensive and prolonged debriefing, arrangements were made to accommodate Mr. Nosenko under highly secure conditions at ISOLATION, where he remained from 1964 to 1967. These tight security arrangements were dictated, during the initial phases at least, by the additional need to provide Mr. Nosenko with continuing personal protection, since there was the distinct possibility that he would be targeted for execution if the Soviets should discover his whereabouts.

5. Since October 1967, the primary responsibility for Mr. Nosenko has been in the Office of Security, which conducted a thorough review of prior developments in the case. Mr. Nosenko was moved to the Washington, D. C. area in late 1967, and the case passed through various stages of phased normalization, as he was given an increased degree of freedom and independence. Mr. Nosenko was actually resettled on the economy in April 1969; he obtained a divorce from his former Soviet spouse in September 1969; ^{SENSITIVE INFO}

During the period from October 1967 to April 1969, Mr. Nosenko did not receive a salary, but he was provided with a moderate amount of spending money.

6. As of April 1969, Mr. Nosenko signed a one-year contractual agreement for \$16,500.00, including a clause giving assistance to him in resettlement expenses in the amount of \$8,000.00. In March 1970, Mr. Nosenko signed a new contract for two years at \$18,500.00 per annum. At about this same time he was provided with certain financial assistance, \$20,000.00 being for the down payment on a new house, and \$5,000.00 for other related household expenses. Mr. Nosenko's contract was renewed at the new rate of \$19,500.00 per annum on 1 March 1971, and the contract was again renewed in February 1972, at the salary of \$21,000.00 per annum.

7. An analysis of this case clearly indicates that Mr. Nosenko has been an extremely valuable source, one who has identified many hundreds of Soviet Intelligence Officers, and he has otherwise provided a considerable quantity of useful information on the organization of the KGB, its operational doctrine, and methods. ^{SENSITIVE INFO} have been

forwarded to the Federal Bureau of Investigation based on data from Mr. Nosenko. He has conducted numerous special security reviews on Soviet subjects of specific intelligence interest, and he has proven himself to be invaluable in exploring counterintelligence leads. He recently authored a book which is of interest to the Agency. In effect, Mr. Nosenko has shown himself to be a productive and hard working defector, who is "rehabilitated" and favorably disposed towards the Agency.

8. In the course of a recent meeting with Mr. Nosenko, he brought up the subject of his missing salary, covering the period from April 1964 to March 1969. Mr. Nosenko readily admitted that he is living very well at the present time, but he is not in a position to save any money for the future. He also expressed deep appreciation to the Agency for the financial assistance which was provided him through the years, and he considers this to have cancelled out the original Agency obligation of a lump sum payment in the amount of \$50,000.00. Mr. Nosenko, however, still feels quite strongly that he is entitled to be reimbursed for the salary which the Agency did not provide him over a five-year period. He understands, of course, that income tax would have to be deducted from this back salary of \$25,000.00 per annum.

9. In summary, the original oral agreement with Mr. Nosenko is fully documented and supports his claim; his resettlement since 1967 has been relatively smooth, with no significant security problems having developed; and he continues to function at the present time as a highly productive and useful source of information on the KGB. In view of these various considerations, it is requested that this payment of \$125,000.00 to Mr. Nosenko be approved. These funds would be paid out of unliquidated obligations applicable to lapsed appropriations. *Sensitive Sources and methods information*

0003983

Howard J. Osborn
Howard J. Osborn
Director of Security

SUBJECT: Retroactive Reimbursement of Yuriy Ivanovich Nosenko

CONCURRENCE:

[Handwritten Signature]

John W. Coffey
Deputy Director
for Support

6 Oct 1972
(Date)

* Concern, but recommend as matter of principle that funds given him from Oct. 67 to April 69 be deducted from the 125,000 amount, and full amount - 125,000 - be obtained.

[Handwritten Signature]

Thomas H. Karamessines
Deputy Director
for Plans

12 Oct 72
(Date) drafted by OGC, be obtained. *[Stamp]*

[Handwritten Signature]

William E. Colby
Executive Director-Comptroller

18 Oct 72
(Date)

The recommendation in paragraph 9 is approved without DDP limitation *ae*

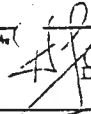
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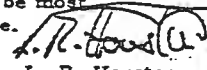
Richard Helms
Director

18 OCT 1972
(Date)

ROUTING AND RECORD SHEET

NOTE: (Optional)

Mr.  Howard J. Osborn Director of Security	DESIGNATION 6777	NO. _____
	DATE _____	

(Chief designation, room number, and title)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
	RECEIVED	FORWARDED		
General Counsel	7/24/69	7/25/69	JW	1 to 2 and 3: With the initiation of this rehabilitation program, it would seem timely to brief the appropriate staff personnel of our congressional subcommittees on the status of this case. If something were to go wrong, resulting in bad publicity without such a briefing, the reaction of our subcommittees would, I believe, be most unfortunate.  L. R. Houston
DD/P	25 JUN 69	25 JUN 69	RP	
DCI			WJ	
D/Security		2 APR 1969		
DD/Sec				
DC/SRS				

0003985

24 MAR 1969

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : Preparations for the Rehabilitation and Resettlement of Yuri Nosenko

1. This memorandum is for your information and contains a recommendation for your approval in paragraph 5.
2. As you know, since last meeting with you on this subject we have been very slowly easing some of the physical restrictions on Nosenko in an effort to condition him for his ultimate rehabilitation and resettlement in this country if this is the final disposition decision. During this period, both the Federal Bureau of Investigation and this Office have continued to elicit information from him.
3. Nosenko is becoming increasingly restive and desirous of obtaining freedom on his own. After nearly five years of varying degrees of confinement, this desire, including that for feminine companionship, is understandable. We have conformed the pace of privileges allowed him to his attitude and cooperation. At a recent meeting in which the Deputy Director of Plans, Chief, Soviet Bloc Division, Chief, CI Staff, Office of General Counsel and the undersigned participated, it was agreed that we would allow him a two week vacation in Florida accompanied by two Security agents of this Office. He will not be allowed to be alone outside the confines of an adjoining room during this period.
4. There still remains a disagreement as to his bona fides and the Chief, CI Staff is now compiling questions to be used for continued elicitation from Nosenko upon his return. It is clear and agreed by all concerned that the problem of Nosenko's bona fides and his rehabilitation and resettlement can be considered separately if we

are to keep him in a favorable frame of mind with regard to the Agency. Any treatment which can be regarded by him as retrogression, in terms of physical restraint but not continued elicitation, would make his ultimate disposition extremely difficult. Attached for your approval is a brief summary of the steps we recommend be taken in Nosenko's rehabilitation and resettlement beginning with his return from his vacation in Florida. It is understood that implementation of these steps will be predicated on the following.

His attitude and behavior during his Florida vacation.

We will try to delay each step as long as possible consistent with his attitude and his willingness to cooperate.

This Office will take every possible precaution to prevent contact between Nosenko and KGB representatives in this country. If he is given limited freedom, however, there can be no guarantee of this since he is a professional intelligence officer and could evade surveillance if he so desired. If he is a dispatched agent, it is to be assumed that he was given emergency means of contact.

5. Your approval of these actions, as outlined, is recommended.


Howard J. Osborn
Director of Security

Distribution:

CONCURRENCE:

Lawrence R. Houston
 Lawrence R. Houston
 General Counsel .

25 Mar 69
 Date

Thomas Karamessines
 Thomas Karamessines
 Deputy Director for Plans

25 Mar. 69
 Date

The recommendation in paragraph 5 is approved.

Richard Helms
 Richard Helms
 Director of Central Intelligence

2 APR 1969
 Date

STEPS IN THE REHABILITATION AND RESETTLEMENT OF NOSENKO

Step 1. Upon his return from vacation in Florida or soon thereafter, we will begin to negotiate a contractual relationship with Nosenko which will provide him with financial reimbursement not to exceed twenty thousand dollars a year for the period of time he is working with this Agency in a program of information elicitation. This contract, in addition to the standard features, will contain a "quit claim" provision regarding his past relationship with the Agency in the event he should be kidnapped, become recalcitrant or redefect. It will stipulate residence in an area acceptable to the Agency. It will also provide that upon conclusion of his active cooperation with this Agency, we will renegotiate to provide for a modest continued annuity commensurate with his ability to secure employment on his own. There will be no bulk resettlement fund.

Step 2. We will negotiate with Immigration and Naturalization authorities to secure appropriate alien registration for Nosenko in this country under a registered alias. It will be necessary for the Agency to accept continued responsibility for Nosenko until such time as he has established residence long enough to satisfy the ten year citizenship requirement.

Step 3. We will begin to look with him for suitable living accommodations. He accepts the fact that these accommodations will have to be so arranged that we will occupy contiguous quarters and that he will be required for an undetermined period to let us know where he is going and when he leaves these quarters. We will, initially at least, provide for technical coverage of his telephone and living quarters and will, within the extent of our capability, cover him through surveillance when he leaves these quarters.

Step 4. The program of information elicitation based on questions compiled by CI Staff will begin soon after Nosenko's return from Florida. Any significant developments and changes in the handling of Nosenko and the conduct of the interviews will be coordinated with the CI Staff acting on behalf of the DDP. This program of elicitation will be so designed as to prevent broadening further the base of Nosenko's knowledge. Future elicitation from Nosenko will not include new information except on the basis of calculated approved coordination between the Office of Security and the CI Staff about subject matter and Nosenko will be encouraged and allowed to give full responses on each subject. The FBI will be advised about these procedures.

Step 5. When we have favorably resolved disagreement within the Agency as to his bona fides, we will allow him his ultimate freedom, including assistance in finding suitable employment. If disagreement persists, however, as to his bona fides beyond the end of this calendar year, we will consult with other appropriate Government agencies as to whether he may be allowed full freedom as a normal resident alien or whether the security interests of the United States require his deportation.

ROUTING SLIP SHEET

SUBJECT: (Optional)

FROM Chief, SR Division		EXTENSION [REDACTED]		NO. DATE 17 February 1964
TO: (Officer designation, room number, and building)		DATE		OFFICER'S INITIALS
		RECEIVED	FORWARDED	
1.	DD/P			<i>not</i>
2.				
3.	<i>Director of Security</i>			
4.				<i>1936 P.S.B.</i>
5.				
6.				
7.				
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11.				
12.				
13.				
14.				
15.				

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

[REDACTED]

BY HAND

153

Assume you working on [REDACTED] case as aggressively as possible.

etc.

21

17 February 1964

MEMORANDUM FOR: Deputy Director for Plans

SUBJECT: ██████████ NOSENKO
Current Status and Immediate Plans

1. Recommendations for approval are contained in paragraph 8. For background on events in the case since 3 February 1964, I suggest you read the report of my trip to Germany, 8-10 February, to meet Subject; the statement on conclusions and recommendations drawn up following that meeting; and the chronology of events in the case which took place between 3 and 11 February.
2. None of the events of the past few days including the way in which the Soviets played the pre-confrontation publicity or the confrontation itself changes the substance of the conclusions contained in my 10 February memorandum. However, there is greater evidence now I believe for the view that this operation is designed for long-range goals of utmost importance to the Soviets. One of these is probably a massive propaganda assault on CIA in which Subject, most probably as a "re-defected CIA agent", will play a major but not necessarily the sole role. That this could be the final goal does not detract from the validity of any of the intermediate missions Subject has such as penetration of our operational effort, protection of past or possibly existing sources, part of an effort to discredit ██████████ etc., since each of these intermediate tasks is adaptable to and would be quite useful in the final stage.
3. While admitting that Subject is here on a KGB directed mission, it has been generally agreed by both us and the FBI that he still possesses valid information which we would like to obtain. At the same time, we, at least, believe that Subject must be broken at some point if we are to learn something of the full scope of the KGB plan, the timing for its execution, and the role played by others in it. In addition, we must have this information if we are to decide what countermeasures we should take in terms of counter-propaganda, modifications in our security practices, and planning for future operations against the Soviet target. Admittedly, our desire to continue debriefing to obtain additional information may conflict with the need to break Subject. Clearly,

- 2 -

the big problem is one of timing. How long can we keep Subject, or his KG3 controllers, ignorant of our awareness of this operation and how long will it take us to assemble the kind of brief we will need to initiate a hostile interrogation in conditions of maximum control?

4. If we are to proceed along the lines indicated above we should accept in advance the premise that we will not be able to prevent Subject from evading our custody or communicating with the Soviets unless we place him under such physical restraint that it will become immediately apparent to him that we suspect him. This may not be an acceptable risk and if it is not, we should so determine right away and decide on a completely different course of action. If this is to be the case, we should agree to forego additional debriefings, place Subject in escape-proof quarters away from the Washington area under full-time guard and commence hostile debriefing on the basis of the material we already have (although the prospects for success would not be great). Disposal would probably be via Berlin followed by a brief press release to the effect that Subject had confessed to being a plant and had been allowed to return to Soviet control.

5. The above course need not be adopted. We can also opt for a debriefing period during which Subject believes we trust him while at the same time we take the necessary steps to get ready for the final confrontation. To maintain the minimum atmosphere of trust (and conviction on Subject's part that he is moving ahead in his initial goal which is acceptance by CIA as a CI consultant on operations) we believe we should adhere generally to the statements made to Subject during our meetings in Geneva and Frankfurt, recognizing that we can shape this program to our own time table. We should:

- a. Inform Subject that he has been "granted political asylum" and the first phase of which we spoke is ready to begin.
- b. Devise a daily schedule and full agenda for this debriefing phase on matters of urgent interest to us and the FBI (which we think can take about four weeks or more).

- 3 -

- c. Advise Subject that during this phase he will continue to live and work in the safehouse, and will be escorted at all times when on shopping trips, visits to movies, etc., because of his faulty English and unfamiliarity with the country, customs, etc. While we can explain this regime as needed for his security, we cannot keep him locked up in the house 24 hours a day.
 - d. Provide Subject with "flash" documentation in another name to be carried on his person during excursions from the house. They may also help persuade him he has been accepted.
 - e. Make available to Subject a portion of the \$60,000 promised him which he can use for purchases of clothes, cigarettes, personal effects, etc.
 - f. Agree that whenever this first phase is over (four to six weeks) that he be permitted to take a two-week vacation with escort.
6. The vacation period will be of greater benefit to us since it will provide us with an opportunity to review and make judgments on the value of the information already obtained and also to consider the progress made in the other aspects of the case outlined below. During the vacation we can decide on whether we should proceed to the second phase or are ready to commence hostile interrogation under controlled conditions. If it is the former, we will have to reckon with the need to modify the living and working arrangements for Subject in a way which will inevitably give him some additional freedom. At the same time, we would be expected to move forward with Subject's legalization, i. e., final decision on a name he will use, securing an alien registration card, establishing a bank account, etc. Therefore, it will be terribly important to make the proper decision at the end of phase one.

Para 7 deleted because it refers to other unrelated, sensitive cases.

3. DDP approval is requested for:

- a. The initiation of a first phase debriefing period along the lines described in para 5 above rather than moving to an immediate showdown and hostile interrogation.



Chief, SR Division

cc: ADUP
C/CI

Recommendations Para 3 Approved:

Richard Helms
 Deputy Director for Plans

Date

0003994

*subject to oral
 modifications
 this date (2/17/64)
 0001*

UNCLASSIFIED

ONLY

ROUTING AND RECORD SHEET

SUBJECT: (Optional) Retroactive Reimbursement of Yuriy Ivanovich Nosenko

NO.	ROOM	DATE		OFFICER'S INITIALS	NO.
		RECEIVED	FORWARDED		
	Director of Security Room [redacted] Headquarters				
1.	DD/Support Room [redacted]		6 Oct	[initials]	<u>BY HAND</u> 1. For Concurrence 2. For Concurrence 3. For Concurrence 5. For Your Approval
2.	DD/Plans Room [redacted]		12/32	[initials]	
3.	Exec. Dir. -Compt. Room [redacted]		10/18	[initials]	
4.					
5.	Director Room [redacted]		10/18	[initials]	
7.	Director of Security Room [redacted]	18 Oct 1972	10/15	[initials]	
8.	Act. DD / Sec.	19 Oct 1972		[initials]	
9.	[redacted]	19 Oct 1972		[initials]	
0.	[redacted]				
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2.					
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5.					

FORM 2 170 USE PREVIOUS EDITIONS SECRET CONFIDENTIAL INTERNAL USE ONLY UNCLASSIFIED

5 OCT 1972

MEMORANDUM FOR: Director of Central Intelligence

THROUGH : Executive Director-Comptroller

SUBJECT : Retroactive Reimbursement of
Yuriy Ivanovich Nosenko

1. This memorandum suggests action on the part of the Director of Central Intelligence; this action is contained in paragraph 2.

2. Mr. Yuriy Ivanovich Nosenko, a 45-year-old, former Staff Officer of the Committee for State Security (KGB) of the USSR, attended the Institute of International Relations, Moscow, from 1945 to 1950; was affiliated with Russian Naval Intelligence during the 1951-1953 period; and was an officer with the KGB from March 1953 until his defection to the Agency in Geneva, Switzerland, on 4 February 1964, after having worked for CIA for approximately two years.

3. A review of Mr. Nosenko's case reflects that, at the time of his defection, various official commitments were made to him, including a lump sum payment of \$50,000.00 based upon his nearly two years' work inside the KGB; a \$10,000.00 bonus for his work on ~~the [redacted] [redacted] Case~~ and a contract as a consultant at a salary of \$25,000.00 per annum. Mr. Nosenko was advised by his Agency Case Officer that Mr. Nosenko was working for the Central Intelligence Agency as of 5 February 1964, and that his salary began from that date. This was a verbal agreement with the Agency Case Officer, and is fully documented in our files.

4. In the early debriefing of Mr. Nosenko, it became apparent that he was a particularly complex individual. To permit extensive and prolonged debriefing, arrangements were made to accommodate Mr. Nosenko under highly secure conditions at ISOLATION, where he remained from 1964 to 1967. These tight security arrangements were dictated, during the initial phases at least, by the additional need to provide Mr. Nosenko with continuing personal protection, since there was the distinct possibility that he would be targeted for execution if the Soviets should discover his whereabouts.

5. Since October 1967, the primary responsibility for Mr. Nosenko has been in the Office of Security, which conducted a thorough review of prior developments in the case. Mr. Nosenko was moved to the Washington, D. C. area in late 1967, and the case passed through various stages of phased normalization, as he was given an increased degree of freedom and independence. Mr. Nosenko was actually resettled on the economy in April 1969; he obtained a divorce from his former Soviet spouse in September 1969; ~~and he was provided with a moderate amount of spending money.~~ During the period from October 1967 to April 1969, Mr. Nosenko did not receive a salary, but he was provided with a moderate amount of spending money.

6. As of April 1969, Mr. Nosenko signed a one-year contractual agreement for \$16,500.00, including a clause giving assistance to him in resettlement expenses in the amount of \$8,000.00. In March 1970, Mr. Nosenko signed a new contract for two years at \$18,500.00 per annum. At about this same time he was provided with certain financial assistance, \$20,000.00 being for the down payment on a new house, and \$5,000.00 for other related household expenses. Mr. Nosenko's contract was renewed at the new rate of \$19,500.00 per annum on 1 March 1971, and the contract was ~~renewed~~ renewed in February 1972, at the salary of \$21,000.00 per annum.

7. An analysis of this case clearly indicates that Mr. Nosenko has been an extremely valuable source, one who has identified many hundreds of Soviet Intelligence Officers, and he has otherwise provided a considerable quantity of useful information on the organization of the KGB, its operational doctrine, and methods. ~~and he has provided a considerable quantity of useful information on the organization of the KGB, its operational doctrine, and methods.~~

forwarded to the Federal Bureau of Investigation based on data from Mr. Nosenko. He has conducted numerous special security reviews on Soviet subjects of specific intelligence interest, and he has proven himself to be invaluable in exploring counterintelligence leads. He recently authored a book which is of interest to the Agency. In effect, Mr. Nosenko has shown himself to be a productive and hard working defector, who is "rehabilitated" and favorably disposed towards the Agency.

8. In the course of a recent meeting with Mr. Nosenko, he brought up the subject of his missing salary, covering the period from April 1964 to March 1969. Mr. Nosenko readily admitted that he is living very well at the present time, but he is not in a position to save any money for the future. He also expressed deep appreciation to the Agency for the financial assistance which was provided him through the years, and he considers this to have cancelled out the original Agency obligation of a lump sum payment in the amount of \$50,000.00. Mr. Nosenko, however, still feels quite strongly that he is entitled to be reimbursed for the salary which the Agency did not provide him over a five-year period. He understands, of course, that income tax would have to be deducted from this back salary of \$25,000.00 per annum.

9. In summary, the original oral agreement with Mr. Nosenko is fully documented and supports his claim; his resettlement since 1967 has been relatively smooth, with no significant security problems having developed; and he continues to function at the present time as a highly productive and useful source of information on the KGB. In view of these various considerations, it is requested that this payment of \$125,000.00 to Mr. Nosenko be approved. These funds would be paid out of unliquidated obligations applicable to lapsed appropriations ~~_____~~

Howard J. Osborn
Howard J. Osborn
Director of Security

SUBJECT: Retroactive Reimbursement of Yuriy Ivanovich Nosenko

CONCURRENCE:

John W. Coffey
John W. Coffey
Deputy Director
for Support

6 Oct 1972
(Date)

** Concern, led. reimbursement as matter of principle that funds given him from Oct. 67 to April 69 be deducted from the 125,000 amount, and full quit-claim obtained.*
Thomas H. Karamessines
Thomas H. Karamessines
Deputy Director
for Plans

12 Oct. 72
(Date) - drafted by OGC, but obtained. (112)

William E. Colby
William E. Colby
Executive Director-Comptroller

18 Oct 72
(Date)

The recommendation in paragraph 9 is approved without DDP limitation. *a*

Richard Helms
Richard Helms
Director

18 OCT 1972
(Date)

Mr. HELMS. Mr. Chairman and Mr. Stokes, would you indulge me a moment, please. I would like to straighten something out.

Mr. Craig tells me that he feels that I did Mr. Katzenbach an injustice in something that I said, and I would not want to do that, so let me just modify what I said this morning.

Mr. Stokes asked me whether I thought Mr. Katzenbach's statement to this committee regarding our meeting was untrue. I believe I replied in the affirmative. All I meant to say was that I couldn't count on Mr. Katzenbach's memory. I wasn't questioning either his judgment or his integrity. I just want to make this point. The meeting did occur but I didn't mean to imply that he testified untruthfully before this committee.

Mr. PREYER. Thank you, Mr. Helms.

Mr. Stokes.

Chairman STOKES. Thank you, Mr. Chairman. If I could just follow up at this point in an area that gives me some concern, that is, if I understand you correctly, I believe you said you still even today don't really know whether Nosenko is bona fide or not; further, it is your recollection you don't believe the agency ever arrived at that determination, particularly when you were there.

Let me ask you this: If it were clearly proven that Nosenko's statements concerning Oswald were untrue, what significance would you attach to such a finding insofar as the broader question of his overall bona fides are concerned?

Mr. HELMS. I think, Mr. Stokes, that is just the point. This is the issue which remains, as I understand it, to this very day, that no person familiar with the facts, of whom I am aware, finds Mr. Nosenko's comments about Lee Harvey Oswald and the KGB to be credible. That still hangs in the air like an incubus. I think, therefore, this tends to sour a great deal of one's opinion of all the other things that he may have contributed to the knowledge of the intelligence community about Soviet affairs and Soviet agents and so forth.

I do not know how one resolves this bone in the throat. And therefore, if I sit here before you and say, Mr. Stokes, I believe that Mr. Nosenko is a bona fide defector and you can rely on everything he says, I am in effect saying now, Mr. Stokes, you can rely on what he says about Lee Harvey Oswald. And I would not like to make that recommendation to you. That is where this thing lies and it is a most difficult question even at this late date.

Chairman STOKES. Then doesn't this raise a question, then, of a further part of the dilemma, that if he was not bona fide, the only alternative, then, is what the CIA suspected, and that was that he might have been a KGB plant sent here for the purpose of deceiving the United States?

Mr. HELMS. That is correct.

Chairman STOKES. Doesn't that logically follow?

Mr. HELMS. That is certainly true, and that was foremost in our minds.

Chairman STOKES. So it leaves you with the conclusion, then, that if Nosenko was lying about Oswald, that Oswald would in fact be left as being an agent of the KGB?

Mr. HELMS. By implication.

Chairman STOKES. Right. If just the basic Nosenko story were fundamentally disproved without our taking the next step and saying Oswald is a KGB agent, what significance would that have on the overall assessment of Nosenko's bona fides?

Mr. HELMS. Mr. Stokes, I find this extraordinarily difficult to say. As one works this backward and forward, as you have been doing with great skill, it is, I find, rather dangerous for me to sort of jump from one assumption to another assumption and then extrapolate from these things to judgments which might be very alarming and which could not be demonstrated. I am sorry, and I recognize that it is absolutely central to the investigation of this committee, which has worked very long and very hard on this subject to try to resolve this issue. But I can give no more help than I have already given.

Chairman STOKES. Then that leads to to my next question, which is whether you can tell us to what extent, if any, Nosenko's story concerning Oswald changed in 1968 from the story he had been telling earlier about Oswald.

Mr. HELMS. I didn't recall that there was all that much change in his story by 1968. I may be wrong. I have not studied this matter in the depth that would be required to answer that statement accurately. Mr. Hart has been all through the records. He might have found something which may be helpful on this. But I can't be helpful on it. I don't know at what point any longer, at what date Mr. Nosenko began telling us about the additional files which were in the KGB. First he said there was only one file, then he said there were seven or eight files on surveillance, and I believe there were modifications of this story that came later. If that was in 1969, I accept that, I am not arguing about it, I just don't recall.

Chairman STOKES. Are you in a position to tell us today whether any independent investigation ever confirmed Nosenko's story about Oswald?

Mr. HELMS. I don't know of any, sir. There may have been, but I am not familiar with it.

Chairman STOKES. Are you aware of the fact that Nosenko was given three polygraph tests in 1964, 1966 and 1968? Are you aware of that?

Mr. HELMS. I was aware of it and I read it recently in the documentation which I have been shown.

Chairman STOKES. Can you give us some idea as to why he was given a polygraph test on three separate occasions?

Mr. HELMS. I want to be clear, Mr. Stokes, that in testifying in answer to this question that I am not depending on my recollection from 15 years ago. I am depending on what I have read recently.

I believe one polygraph test was designed as a sort of psychological trick on Nosenko to indicate that he wasn't telling the truth. This was early on. I believe the latter two tests were an effort to find out about his credibility, whether he was telling the truth, his questionable behavior.

I must confess when I was reading the results of the second polygraph; there is a statement from some polygraph expert in the United States who was brought in independently, but I didn't understand his quotations, I didn't understand to what they related. I couldn't figure out whether he was saying this was a good

polygraph test or it was a bad one or whether Mr. Nosenko was lying or wasn't lying. I am sorry, but I just couldn't figure it out.

Chairman STOKES. Did you learn that he had failed his first two polygraph tests and that he passed the third?

Mr. HELMS. Yes. This assertion I saw in the record.

Chairman STOKES. Did you learn further that with reference to the test that he passed this test which was given to him approximately 1 month prior to the issuance of the 1968 report by a security officer, and this was where the report concluded that he was a bona fide defector?

Mr. HELMS. Yes, I am aware that there was a relationship between that last polygraph test and the recommendation that we resettle him in the normal way of handling defectors.

I would like to point out though, Mr. Stokes, that I don't believe anyone contends that the polygraph or lie detector is anything more than an aid to interrogation. I don't think when one says one passes or fails a polygraph test this is an accurate description of the phenomenon involved. When you take a polygraph test you are asked various questions and the operator has to make a judgment as to whether you are answering the questions accurately or whether you are lying—I don't mean accurately; whether you are answering the questions to the best of your knowledge and therefore honestly, or lying.

But I don't believe anyone including courts of law accept polygraph examinations as a final judge. They are simply aids in attempting to establish whether a man is telling the truth or not.

Chairman STOKES. I would concur with you in terms of the law, that the law accepts them as merely an investigative tool at best and they have no real reliability in a courtroom. Yet we know that it is an investigative tool that has fairly wide usage. So when we see and our investigation reveals the fact that your agency conducted three polygraph tests, obviously the question is raised by us as to why they polygraphed him on three different occasions. Certainly not just for the fun of it.

Then when we look further we realize that with him having failed two tests and we see that the third one is conducted in 1968 just prior to the issuance of the report which said he was bona fide, obviously it raises the question in our mind someone said: Uh huh, if we're going to come out and say he's bona fide, we better get a test that supports that.

Is that a logical conclusion?

Mr. HELMS. I think the conclusion which is logical is that in trying to wrap up the case and come forward with a recommendation that a polygraph test and all other kinds of investigative techniques would have been brought to bear in an effort to make a good tidy package. In other words, I don't think the officers wanted to come forward with this proposal that he be resettled and then have the question asked: How does he react on the polygraph these days, and so forth. And they would have to say: Well, we never tested him.

But you know, Mr. Stokes, and this is perhaps not relevant to this inquiry, but I think in some respects it may be. I don't know where the polygraph role stands in Mr. Nosenko's case. We discovered there were some Eastern Europeans who could defeat the

polygraph at any time. Americans are not very good at it, because we are raised to tell the truth and when we lie it is easy to tell we are lying. But we find a lot of Europeans and Asiatics can handle that polygraph without a blip, and you know they are lying and you have evidence that they are lying. I don't know in which category—

Chairman STOKES. Mr. Nosenko falls in that category?

Mr. HELMS. In some category.

Chairman STOKES. I am advised that the CIA used polygraph tests on all its employees.

Mr. HELMS. It works very well with Americans.

Chairman STOKES. Let me ask you this. We have learned further through our investigation in the first two polygraph tests, that Nosenko was asked numerous questions, numbering somewhere in the neighborhood of 30 or 40 questions, relative to Oswald. We have learned, further, that in the 1968 tests he was only asked two questions about Oswald on that polygraph test. Can you tell us why that occurred?

Mr. HELMS. I could not answer. I have no idea. In fact, I can't even give you a rational explanation at this late date. I may have been able to give one at the time. I may have known, but I am sorry, my memory is blank.

Chairman STOKES. At any rate, the questions revolved around Oswald wouldn't be any less important in 1968 than they were in 1964 or 1966.

Mr. HELMS. No, sir, they wouldn't have been less important. But by 1968, there was a clear objective in mind of trying to do something about the resettlement of this man, that this case simply had to be resolved. That was determined, and therefore I was prepared to accept many obstructions or obstacles, and so forth, and still probably would have said I think we better go ahead and resettle that man. There is no other option, there is nothing else we can do.

Chairman STOKES. I would like to get to a further comment in this area. From what we have heard from you regarding the polygraph and from what we have heard from Mr. Hart, we have a conflict here that the committee must in some way resolve. Mr. Hart told us when he testified here, representing the head of the CIA, that the polygraph was not utilized for the purpose of ascertaining the truth of this man's statements. It was used to intimidate him, it was a part of the whole process of breaking him. Let me just quote some of the things he said to us so we can then ask you your opinion.

He said:

The agency's activity was devoted to breaking Nosenko, who was presumed, on the basis of the supposed evidence given by Mr. X that Nosenko was a dispatched KGB agent to mislead the United States.

It is with this in mind that we have to approach everything that happened from 1962, after the first contact with Nosenko terminated, and the time Nosenko was turned over to the CIA Office for Security Reinvestigation.

The polygraphs themselves must be evaluated in the light of their use, not to get at truth, because they were not used as an instrument of getting at truth. They were used as an instrument of intimidation of one sort or another, in one way or another.

Now, again on the handling of Mr. Nosenko, the belief among the small group of people running the Nosenko case, a very limited group of people, was that he was

part of a plot of the type outlined by Mr. X, which was so horrendous that therefore not many people could be made privy to this investigation.

Then at another part of his testimony—and I am skipping parts to get at pertinent parts—he said:

In addition to that, the operator was guilty of some provocative remarks. He told, before the polygraph examination, one of the polygraph examinations began, he told Nosenko that he was a fanatic, that there was no evidence to support his legend, and “your future is now zero.”

Then, if I recall his testimony correctly, he went on to explain that in a polygraph test obviously you do not make comments of this sort to a man prior to him being given the test.

Then he says in further quotes:

* * * The chief of SB and the Deputy Chief of SB, the fact that the man was, except for extraordinary lengths of time strapped into the chair, all of these add up in the estimation of the CIA examiners who have gone over this series of tests, to an invalid polygraph.

Now in the handwriting of the Deputy Chief, SB, who is a day-to-day supervisor of the activity which I have been describing, it is—there is an admission which is implied fairly clearly that there was no intention that this 1966 series of polygraphs would be valid. I read here a direct quotation which exists in writing and most of it is in the handwriting of the Deputy Chief of SB. Speaking of the aims to be achieved by the 1966 polygraph examinations, he writes, “To gain more insight into points of detail which we could use in fabricating and ostensibly confession insofar as we could make one consistent and believable event to the Soviets, a confession would be useful in any eventual disposal of Nosenko.”

Now, he does not clarify what he means in this document by disposal, but it is apparent that—

And then Mr. Sawyer interrupted and said,

Excuse me. Did you use the term eventual disposal of him?

Mr. Hart. I used the term eventual disposal, yes, sir.

Now, Mr. Helms, I think it would be important to this committee to have your comments on Mr. Hart's testimony with reference to why the polygraph was being utilized in light of your own.

My understanding is that the first polygraph examination that he was given was designed not to elicit the truth; it was designed to be used as a pressure tactic on him to see if he would confess.

Mr. HELMS. I thought the only polygraph or the only two polygraphs that were given in the normal polygraph way by examiners who had nothing to do with the interrogation were the last two. I think the first one, it has been admitted, was for the purpose of bringing pressure to bear on him.

As to those lurid comments about the disposal, I have already addressed myself to those. I knew nothing about these comments; I knew nothing about a written confession; I knew nothing about anything of those things at the time. They may have been written down by the Deputy Chief of Soviet Bloc Division, but I have not seen his notes. All I know is that I was never aware of this, and therefore there was never any indication on the part of anybody in a position of responsibility in the management of the Agency to do anything with Mr. Nosenko except to try to establish his bona fides somehow.

Chairman STOKES. So if these things were being done while you were in the capacity which you have described here, it was never brought to your attention?

Mr. HELMS. It was not.

Chairman STOKES. The responsibility for handling Nosenko was initially given to the SR branch or the SR division. Did the SR

division enter into a situation as the neutral party, or did the SR division think from the very beginning that Nosenko was not a bona fide defector?

Mr. HELMS. I think early on their conviction was that he was not a bona fide defector. That is my impression today.

Chairman STOKES. When the security officer began his investigation did he enter the situation in a sort of neutral capacity?

Mr. HELMS. I don't know whether he entered it, sir, in a neutral capacity or whether he felt the SR division fellows had been wrong and that a different treatment with Nosenko would elicit a different result. I am inclined to think that was the status of the affair. In any event, by that time it was clear that the hostile interrogation was getting nowhere.

Chairman STOKES. At that point you were aware, of course, of the hostile interrogation; is that it?

Mr. HELMS. Yes. Since I indicated a decision was made to try that after his behavior—his thinking was such there was no way to get him to talk at all except to confine him.

Chairman STOKES. How would you characterize, by the way, your own reaction to this whole situation? Was this frustrating? Or were you just content to go along with this in this whole period of time?

Mr. HELMS. I don't think there has ever been anything more frustrating in my life. This would have been resolved very rapidly if it involved anything except the assassination of President Kennedy. I don't suppose I would be sitting here today if he hadn't been assassinated either.

Chairman STOKES. I think you testified earlier today that you told or communicated the fact to Chief Justice Warren that this man's bona fides generally could not be established, that he was not believable. When you met with Chief Justice Warren for the purpose of clarification did you tell him specifically the agency had been unable to resolve the issue of Nosenko's bona fides, or did you tell him that the Agency did not think that Nosenko was bona fide?

Mr. HELMS. I believe, and it is my recollection, that what I said to the Chief Justice was that we don't know what this man represents but we cannot vouch for him. In other words, we cannot vouch for him positively, and therefore I think the Warren Commission should take into consideration the fact that we cannot vouch for him and therefore we cannot sign off, if you like, on what he has said as being true, and that in all fairness to the Commission this obviously sets in question the statement which the FBI passed to the Warren Commission about Nosenko's comments right after his defection about Oswald, and that I took as close to a middle position as I could.

In other words, I didn't use any excessive language, I didn't attempt to dramatize this. I just said we can't establish his bona fides. And that is our responsibility and I am sorry.

Chairman STOKES. Yesterday I put into the record an exhibit which was a report to the Warren Commission that had been compiled as a result of testimony taken from Nosenko by the FBI, a fairly extensive document which the Warren Commission had in its files. I did not see such a document with reference to the CIA. Can you tell us what the substance was of what you told the

Warren Commission or Chief Justice Warren of Nosenko's story about Oswald?

Mr. HELMS. Sir, I am not sure I quite understand. Are you asking me is there a document in existence of what I told Chief Justice Warren?

Chairman STOKES. Yes. It can be answered twofold. No. 1, I am asking you, is there such a document? No. 2, tell us what, if anything, was said, whether there is or is not a document.

Mr. HELMS. I don't know; I don't think there is a document. I don't recall ever having written a document about it. Whether Chief Justice Warren himself wrote a document or whether it is incorporated in the proceedings of the Warren Commission, that I don't know either, sir.

Chairman STOKES. Can you give us the benefit of what you told him about the substance of Nosenko's story?

Mr. HELMS. I don't believe that at this meeting, at least as I now vaguely recall it, that I went into the substance. I simply stuck to the fact that I couldn't vouch for the man and therefore whatever he had said they would have to judge in that light.

Chairman STOKES. Can you tell us what Chief Justice Warren's reaction was?

Mr. HELMS. I don't think he was pleased to hear this. He was perfectly reasonable about it and said, thank you, and I will inform my colleagues on the Commission about this; I appreciate your having told us, and we will be guided accordingly.

Chairman STOKES. Did the Warren Commission themselves or staff ever make a request to interview—

Mr. HELMS. I am not aware of it, Mr. Stokes, if they did.

Chairman STOKES. Did you inform the Warren Commission in April of 1964 that Nosenko was then being placed in solitary confinement?

Mr. HELMS. I don't remember any more what the Warren Commission was told about the circumstances of Mr. Nosenko's living conditions or handling. I don't have any recollection of that at all. Whether any of my colleagues sought to provide it, I just don't know. Fifteen years is a long time to remember.

Chairman STOKES. Let me ask you this. Is it something that you think they should have been told about?

Mr. HELMS. I have a hard time answering. I think we were all preoccupied with getting at what Mr. Nosenko knew about Oswald and the details had been given them, and it would seem to me those were the relevant things.

Chairman STOKES. Wouldn't it have been either a responsibility of you or Mr. McCone to advise the Commission of the extraordinary action being taken with reference to this affair?

Mr. HELMS. I don't think there is anything particularly extraordinary about the manner in which the Warren Commission was sitting.

Chairman STOKES. You misunderstood my use of the word "extraordinary." It seemed to me at the point where you are getting ready to put a man in solitary confinement—under conditions under which he was confined is not a normal American situation.

Mr. HELMS. I understand that.

Chairman STOKES. So I put it in that sense. Don't you think they should have been advised of this extraordinary situation?

Mr. HELMS. Maybe my recollection is faulty, but during the time that we were attempting to resolve his bona fides in order to help the Warren Commission, the fact that he was being kept alone and isolated and so forth, I don't think that would have come as a surprise to anybody. This is the way we handled all defectors.

Chairman STOKES. That was standard operating procedure; is that it?

Mr. HELMS. Of course. What would you do with them, put them in the Hilton?

Chairman STOKES. Whose decision was it, Mr. Helms, to place him in solitary confinement?

Mr. HELMS. I think it was the decision arrived at by those involved in the case that this was—well, it was a kind of a decision jointly arrived at, I am sure, on the recommendation of the individuals who were going to do the interrogating, and at the original point of departure obviously he would have been kept alone and an effort would have been made to interrogate him on successive days. The fact he was held so long is something that came afterward. That didn't have much to do with the Warren Commission once their report had come out, but we still were under this necessity to try to resolve the case; but a lot of people were involved in this decision. This is probably not the kind of decision an individual makes all by himself.

Chairman STOKES. What I am trying to do is have the record clear as to who made this decision as of April 4, 1964, to place him in solitary confinement.

Mr. HELMS. I don't know who exactly made the final decision. I assume it went to the Director for his approval. I don't know this as a fact. I would assume that the agency records might show this. If they don't, my recollection is not that clear any more. I was a party to the decision, I am sure of that. I don't want to duck anything around here. I don't want any of you gentlemen to think that like so many witnesses which come before congressional committees nobody can be found who is prepared to stand up and say they were there; but I was there. It would not have been my final decision to make.

Chairman STOKES. So that the committee then, following up on your last words, so they can properly assess it, what specifically was your input?

Mr. HELMS. I assume my input would have been to agree this should be tried, the hostile interrogation should be tried. I obviously had no idea at that time that this was going to drag on so.

Chairman STOKES. Mr. Helms, let me refer you once again to page 147 of the declassified transcript. The question posed to you on that page.

Mr. HELMS. 147, Mr. Stokes?

Chairman STOKES. 147.

Mr. HELMS. Is this where I say, "I certainly agreed to the fact that this should be tried."?

Chairman STOKES. No. I would like you to refer to line 17 and then I want to ask you this question.

Mr. HELMS. I see line 17. It is where Mr. Goldsmith asked me a question.

Chairman STOKES. The question asked of you by Mr. Goldsmith, "Please describe to the best of your knowledge the conditions under which Nosenko was placed when he was put in solitary confinement."

Answer: "He was put into a small house in the countryside where he had a perfectly sanitary and satisfactory living condition. They were just not particularly spacious or padded, let us say. His bed was perfectly adequate, his chair was perfectly adequate, the lighting was perfectly adequate, but it was not particularly comfortable in the normal American sense of the terms."

Was that question asked of you and was that your answer?

Mr. HELMS. Yes. If that is not an accurate description of the first place he was held after his defection, then I was misinformed. I never went to visit the place myself. This is simply what I was told.

Chairman STOKES. So my understanding now is the testimony here today would not be the same as it was on that day. Is that what you are saying?

Mr. HELMS. No, I am not, sir. I am simply saying that I believe he was held in different places in this period of time. As to the first place he was held, it is my understanding this is an accurate description of it. If it is incorrect, I am sorry. But I would just do my best to describe what I understood. Is it not correct?

Chairman STOKES. Let me ask you this. What do you understand; the conditions changed from what you have described?

Mr. HELMS. Some months later when another facility was created specifically to hold Mr. Nosenko, I believe that was somewhat later on—it must have been later on because it had to be arranged.

Chairman STOKES. I am having a little problem understanding. On that occasion if you were under the impression Mr. Goldsmith was asking you about one particular place and you had in mind another place. Why didn't you indicate that at that time?

Mr. HELMS. That is quite conceivable, Mr. Stokes. I am sorry if when he says the place he was in solitary confinement, if that referred to the later installation, I didn't understand it that way. He was in solitary confinement from the time he was brought over.

Chairman STOKES. At the point he was put into solitary confinement, then, can you describe the conditions that existed then?

Mr. HELMS. Now in "solitary confinement," are you referring to the installation in which he was later held, which was constructed for this purpose? Is that the one you are talking about?

Chairman STOKES. Let me put it this way, so that there is no mistake about it: He was put in solitary confinement April 4, 1964; is that right?

Mr. HELMS. He was subjected to hostile interrogation. Is there a magic to solitary confinement, aside from the fact that is kind of buzz word in the United States? I mean, he is living alone in a house; is that solitary confinement, or do you have something else in mind? That is all I am trying to get after.

Chairman STOKES. How many times was his position, where he was headquartered at a house, changed?

Mr. HELMS. I don't know. I don't know where he was first put when he arrived in Washington. I don't know if that is the same

place he was kept until he was moved to a later place. I am not sure of these details anymore at all.

Chairman STOKES. Well, are you able to describe any of these places where he was kept for us?

Mr. HELMS. The place, the installation, which he was later taken to, I saw many years afterward. Have you seen it?

Chairman STOKES. No, I have not.

Mr. HELMS. I guess it still exists.

Chairman STOKES. Can you describe that place for us, the conditions that he experienced there?

Mr. HELMS. I never visited the place when Mr. Nosenko was there. It was quite some years after he had left there that I went to see it. At the time it was constructed, I believe I sent an officer or a couple of officers in whom I had confidence to go down and examine the place and see if it was too rigorous or whether it was proper for the purposes and so forth; and I was assured that it was all right.

Perhaps I should not have taken their word. Maybe I should have gone down myself, but the fact remains that I have seen it once; but I can't describe the conditions under which he was held because I never visited him when he was there.

Chairman STOKES. Mr. Helms, prior to April 4, 1964, when he was put in solitary confinement, hadn't he been on vacation in Hawaii with some of the CIA agents for over 2 weeks?

Mr. HELMS. Well, I knew he was drinking in Baltimore; he was in Hawaii. There were various devices being used to try and take care of him, and talk to him, and so forth; so it may be that it was in April precisely that he was put in solitary confinement or that he was confined. Let's put it that way.

Chairman STOKES. He was confined as of that date?

Mr. HELMS. After all, he was in the custody of these individuals, as soon as he arrived in the United States. I am not sure when he was confined, but if it was in the same house in which he was living in Washington, or whether it was or not, I am sorry, I just don't have these details, Mr. Stokes.

Chairman STOKES. But even the place which you described in your previous testimony—you don't know when that was, do you?

Mr. HELMS. I thought this was the first place he was put when the serious interrogation began. When I was down here before—and I guess it is in this book somewhere—Mr. Nosenko himself, I believe, gave this committee an affidavit, describing the fact that he was held in two different places. That was the basis on which I assumed he was accurate about it; but if this is now coming down to a question of my veracity about this testimony, then I must have misunderstood the question. I would rather withdraw it and not describe at all how Mr. Nosenko was held. I think that would be better for the record.

Chairman STOKES. Is that your preference?

Mr. HELMS. Yes. Then there won't be any question about it.

Chairman STOKES. I ask, Mr. Chairman, that the clerk mark another exhibit in her possession as JFK F-446. I request that the witness be provided a copy of it and that this exhibit be entered into the record at this point.

Mr. PREYER. Without objection, JFK exhibit No. F-446 will be admitted into the record at this point.

[The information follows:]

JFK EXHIBIT F-446

In accordance with a request of the staff of the Committee (House Select Committee on Assassination), I make the following statement describing the conditions of my imprisonment from April of 1964 till the end of 1967.

On April the 4th of 1964 I was taken for a physical check-up and a test on a lie detector somewhere in a house. A doctor had given me a physical check-up and after that I was taken in another room for the test on a lie detector.

After finishing the test an officer of CIA [REDACTED] has come in the room and talked with a technician. [REDACTED] started to shout that I was a phoney and immediately several guards entered in the room. The guards ordered me to stand by the wall, to undress and checked me. After that I was taken upstairs in an attic room. The room had a metal bed attached to the floor in the center of this room. Nobody told me anything how long I would be there or what would happen to me. After several days two officers of CIA [REDACTED] [REDACTED] started interrogations. I tried to cooperate and even in evening hours was writing for them whatever I could recollect about the KGB. These officers were interrogating me about a month or two months. The tone of interrogations was hostile. Then they stopped to come to see me until the end of 1964. I was kept in this room till the end of 1964 and beginning of 1965.

The conditions were very poor and difficult. I could have a shower once in a week and once in a week I could shave. I was not

[REDACTED]
-JFK Exhibit F-446-

given a tooth brush and a tooth paste and food given to me was very poor (I did not have enough to eat and was hungry all the time). I had no contact with anybody to talk, I could not read, I could not smoke, and I even could not have fresh air or to see anything from this room (the only window was screened and boarded).

The only door of the room had a metal screen and outside in a corridor two guards were watching me day and night. The only furniture in the room was a single bed and a light bulb. The room was very very hot in a summer time.

In the end of 1964 there were started again interrogations by several different officers. The first day they kept me under 24 hours interrogation. All interrogations were done in a hostile manner. At the end of all those interrogations when I was told that it was the last one and asked what I wanted to be relayed to higher ups I said that I was a true defector and being under arrest about 386 days I wanted to be put on trial if I was found guilty or released. I also asked how long it would continue. I was told that I would be there 3860 days and even more.

This evening I was taken by guards blindfolded and handcuffed in a car and delivered to an airport and put in a plane. I was taken to another location where I was put into a concrete room with bars on a door. In the room was a single steel bed and a mattress (no pillow, no sheet, and no blanket). During winter it was very cold and I asked to give me a blanket, which I received after some time. Except one day of interrogation and one day of a test on a lie detector I have not seen anyone besides guards and a doctor (guards were not allowed to talk with me).

After my constant complaining that I needed fresh air - at the end of 1966 I was taken almost every day for 30 minutes exercise to a small area attached to this cell. The area was surrounded by a chain link fence and by a second fence that I could not see through. The only thing I could see was the sky. Being in this cell I was watched day and night through TV camera. Trying to pass the time a couple of times I was making from threads chess set. And every time when I finished those sets immediately guards were entering in my cell and taking them from me. I was desperately wanting to read and once when I was given a tooth paste I found in a tooth paste box a piece of paper with description of components of this tooth paste. I was trying to read it (under blanket) but guards noticed it and again it was taken from me. Conditions in both (first and second) locations were analogical.

I was there till November of 1967. Then I again was transferred blindfolded and handcuffed to another location. In this new place I had a room with much better conditions. And [REDACTED] (CIA officer) started questioning me every day (excluding Sundays) touching all questions concerning my biography, carrier in the KGB and all cases of the KGB known to me. I was imprisoned for the whole 5 years. And I started my life in the USA in April of 1969.

August 7, 1978

Rosenko V. I.

*Lula A. Wood
Notary Public
31 My Commission Expires 3 November 1979*



Chairman STOKES. I request further, Mr. Chairman, that in the event I did not request that JFK exhibit F-537 be made a part of the record, that it be made a part of the record at this point.

Mr. PREYER. Without objection, JFK exhibit F-537 is entered into the record at this point.

[The information follows:]

JFK EXHIBIT F-537

THE DIRECTOR OF CENTRAL INTELLIGENCE

WASHINGTON, D. C. 20505

Office of Legislative Counsel

1 September 1978

Mr. G. Robert Blakey
Chief Counsel & Director
House Select Committee on Assassinations
Washington, D.C. 20505

Dear Mr. Blakey:

Forwarded herewith are answers to the interrogatories received at close of business on 28 August 1978.

Sincerely,

S.D. Breckinridge
Principal Coordinator, HSCA

Attachment

—JFK EXHIBIT F-537—

Question #3

Define Nosenko's present and past employment arrangements with the Central Intelligence Agency. Include:

- a. the dates and nature of his employment
- b. the services rendered by Nosenko
- c. itemized accounting of all compensation received by Nosenko
- d. an account of the roles of Richard Helms and John McCone in authorizing Nosenko's employment and compensation arrangements with the CIA.

Prior to Nosenko's defection on 4 February 1964, he was promised \$50,000 for previous cooperation, \$10,000 for his identification, in 1962, of a particular espionage agent, and \$25,000 a year compensation for future services. Mr. Richard Helms approved the foregoing on 17 February 1964. Although no effort was made to fulfill the promise until some five years after Nosenko's defection, the original promise formed the basis for the eventual employment arrangement and other monetary remunerations.

Following acceptance of Nosenko's bona fides in late 1968, Mr. Helms approved an arrangement which resulted in Nosenko's employment as an independent contractor effective 1 March 1969. This first contract called for him to be compensated at a rate of \$16,500 a year. As of 1978, he is receiving \$35,327 a year (see attached annual compensation table for years 1969-1978).

In addition to regular, yearly compensation, Nosenko was paid for the years 1964-1969 in November 1972, in the amount of \$25,000 a year less income tax. The total amount paid was \$87,052. He also received, in varying increments from March 1964-July 1973, amounts totalling \$50,000 to aid in his resettlement on the private economy (see attached table for breakdown). The total resettlement figure, in effect, satisfied that portion of the above 1964 promise to pay Nosenko \$50,000 for previous cooperation.

In 1976 Nosenko was paid \$10,000 to satisfy that part of the above promise relating to his identification of an espionage agent. Further, he was compensated in the amount of \$28,500, representing the difference between the \$25,000 a year promised and the actual amount paid to him during the period 1 March 1969-1 March 1975.

Since 1969, the Agency has contributed to Nosenko's hospitalization insurance premiums. The Agency has also compensated him for certain unusual medical and dental expenses.

To date, Nosenko continues to work as an independent contractor, with the compensation provision being periodically amended. His work for the Agency includes consultation with both the Agency and the FBI on certain matters of current interest concerning Soviet intelligence activities and personnel

both in the U.S. and abroad. From time to time he is also consulted by various elements of the Agency on current Soviet developments and requirements. He has been and continues to be used as a regular lecturer at counterintelligence courses of the Agency, the FBI, Air Force OSI, and others.

Our records do not show that Mr. John McCone played any role in authorizing Nosenko's employment and compensation arrangements with the CIA.

ANNUAL COMPENSATION TABLE

Effective 1 March 1969	-	\$16,500 a year
Effective 1 March 1970	-	\$18,500 a year
Effective 1 March 1971	-	\$19,500 a year
Effective 1 March 1972	-	\$21,000 a year
Effective 1 March 1973	-	\$22,250 a year
Effective 1 March 1974	-	\$23,750 a year
Effective 1 March 1975	-	\$25,250 a year
Effective 1 March 1976	-	\$26,513 a year
Effective 1 October 1976	-	\$28,103 a year
Effective 1 March 1977	-	\$33,000 a year
Effective 9 October 1977	-	\$35,327 a year
1978	-	\$35,327 a year

RESETTLEMENT FEE TABLE

March 1964	-	\$2,000
April-May 1969	-	\$8,000 (furniture and auto)
June 1970	-	\$25,000 (\$20,000 for down payment on house; \$5,000 for additional furniture, moving expenses, and other costs incidental to the purchase of new home)
July 1973	-	\$15,000 (balance of resettlement figure promised)

12. What was the CIA's position from 1964 to 1968 on the question of whether Nosenko is bonafide?

13. What is the CIA's position today on the question of whether Nosenko is bonafide?

The point is that CIA, per se, did not reach an agreed position on Mr. Nosenko until late 1968. Various persons within CIA entertained serious doubts about his bona fides, believing in fact that he was a dispatched agent. Had the Agency, as distinguished from those employees, so concluded he could simply have been turned back. The final conclusion was that he is a bona fide defector, a judgment that has been reinforced convincingly by 14 years accumulated evidence.

Mr. HELMS. I have the document.

Chairman STOKES. Mr. Helms, when this committee interviewed Nosenko, during the course of the testimony we took from him I made a special request that he provide this committee with an affidavit which set forth with preciseness exactly the way he was treated while a member—while in custody by the CIA.

I want to read this exhibit at this time:

In accordance with the request of the staff of the committee, the House Select Committee on Assassinations, I make the following statement describing the conditions of my imprisonment from April 1964, to the end of 1967.

On April 4, 1964, I was taken for a physical checkup and a test on a lie-detector somewhere in a house. A doctor had given me a physical checkup and after that I was taken in another room for the test on a lie-detector. After finishing the test, an officer of CIA has come in the room and talked with the technician, started to shout that I was a phoney, and immediately several guards entered in the room. Guards ordered me to stand by the wall, to undress and check me. After that, I was taken upstairs in an attic room. The room had a metal bed attached to the floor in the center of this room. Nobody told me anything, how long I would be there or what would happen to me.

After several days, two officers of CIA started interrogations. I tried to cooperate and even in evening hours was writing for them whatever I could recollect about the KGB. These officers were interrogating me about a month or 2 months. The tone of interrogations was hostile. Then they stopped to come to see me until the end of 1964. I was kept in this room until the end of 1964 and beginning of 1965. The conditions were very poor and difficult. I could have a shower once in a week and once in a week I could shave. I was not given a toothbrush and a toothpaste, and food given to me was very poor. I did not have enough to eat and was hungry all the time. I had no contact with anybody to talk to. I could not read. I could not smoke. I even could not have fresh air or to see anything from this room. The only window was screened and boarded. The only door to the room had a metal screen, and outside, in a corridor, two guards were watching me day and night.

The only furniture in the room was a single bed and a lightbulb. The room was very hot in the summertime.

In the end of 1964, there was started again interrogations by several different officers. The first day they kept me under 24-hours interrogation. All interrogations were done in a hostile manner. At the end of all those interrogations, when I was

told that it was the last one and asked what I wanted to be related to higher-ups, I said that I was a true defector and being under arrest about 386 days, I wanted to be put on trial, if I was found guilty or released. I also asked how long it would continue.

I was told I would be there 3,860 days and even more. This evening I was taken by guards, blindfolded and handcuffed, in a car and delivered to an airport and put in a plane. I was taken to another location where I was put into a concrete room with bars on a door. In the room was a single steel bed and a mattress, no pillow, no sheet and no blanket. During winter it was very cold and I asked to give me a blanket, which I received after some time.

Except 1 day of interrogation and 1 day of a test on a lie-detector, I have not seen anyone besides guards and a doctor. The guards were not allowed to talk with me. After my constant complaining that I needed fresh air, at the end of 1966 I was taken almost every day for 30 minutes' exercise to a small area attached to this cell. The area was surrounded by chain-linked fence and by a second fence that I could not see through. The only thing I could see was the sky. Being in this cell, I was watched day and night through TV camera. Trying to pass the time a couple of times, I was making from threads a chess set. Every time when I finished those sets, immediately guards were entering in my cell and taking them from me. I was desperately wanting to read. Once when I was given a toothpaste, I found in the toothpaste box a piece of paper with description of components of this toothpaste. I was trying to read it under blanket, but guards noticed it and again was taken from me.

Conditions in both first and second location were analogical and illogical. I was there until November of 1967. Then I again was transferred blindfolded and handcuffed to another location.

In this new place I had a room with much better conditions, and CIA officers started questioning me every day, excluding Sundays, touching all questions concerning my biography, career in the KGB and all cases of the KGB known to me. I was in prison for the whole 5 years and I started my life in the USA in April of 1969.

Dated August 7, 1978, signed by Nosenko, Y. I.

This affidavit was taken by counsel for this committee, Kenneth Klein, as a result of my request.

Having heard this affidavit as I read it, can you tell me whether or not that was a bona fide statement of Mr. Nosenko about the way he was treated by the CIA?

Mr. HELMS. Mr. Stokes, I have no means of agreeing or disagreeing. I have no basis for agreeing or disagreeing. I didn't visit him during the time he was being held. After that affidavit was read to me back in August, I inquired of one of my former associates who had to do with the holding of Nosenko. He said that he was certainly held under difficult conditions but I don't think that his testimony about the food that Nosenko has—he made the point that the doctor examined him once a week and that certain of these statements would seem to be somewhat exaggerated. But I have no independent basis for saying that.

You can bring this officer in here anytime you like and ask him. I just don't know whether it is correct or not.

Chairman STOKES. Did anyone working under you ever request permission to give him drugs?

Mr. HELMS. My recollection is that there was a request made to use the kind of drugs that were considered to be aids in interrogation, the truth drugs, such as, I believe, sodium pentothal, is one of them.

I don't recall exactly what was proposed, but I made it clear on that occasion that he was to be given drugs under no circumstances; and I also made it clear from the very outset that he was not to be mistreated physically. To the best of my knowledge, he was never given drugs and never mistreated physically and regu-

larly was checked by doctors to check his state of health. The doctor who did the checking was a medical doctor as well as a psychiatrist.

Chairman STOKES. When Mr. Hart testified here a few days ago, in substantially every detail in Mr. Nosenko's affidavit, Mr. Hart verifies that this is the way this man was treated, and he verifies that from 6 months compilation of records of the CIA, compiled, researched, and studied by him and four assistants, with that knowledge.

Do you still say that your position being what it was with the Agency that you knew nothing of these Spartan conditions?

Mr. HELMS. I knew that he was being held under Spartan conditions. I am simply saying I am unable to attest to the details that he has in here, because I never went to visit him during this time. The reports were made to me that he was being held in Spartan conditions; that is why we had the doctor go down to examine him.

Chairman STOKES. With reference to his diet there, is it your statement that you said that statement was exaggerated?

Mr. HELMS. The gentleman with whom I spoke a few days ago told me the one thing he insisted on was that Mr. Nosenko got enough food. He told me this. I can only attest to what he told me, but he is available if you want to talk to him.

Chairman STOKES. We have the statement of the CIA that periodically during this time his diet was modified to the extent his portions of food were modest and restricted. That is their statement to us.

Mr. Chairman, I think I have maybe just one or two final questions.

The conditions that we have just talked about obviously began April 4, 1964; is that right?

Mr. HELMS. That is what you say, Mr. Stokes.

Chairman STOKES. I am not the witness here.

Mr. HELMS. I am going with your time schedule from now on. There is no sense in my getting all confused and delaying this hearing. I will accept what you say, that it started in April 1964.

Chairman STOKES. You will accept it. The report of the Warren Commission was not issued until December—September of that year.

Mr. HELMS. I am sorry, sir—did you say September or December?

Chairman STOKES. I originally said December, and I was wrong. It was September.

Mr. HELMS. September?

Chairman STOKES. Right. It would seem to me that that would have been ample time for the Warren Commission to have been advised of the conditions under which a defector who professed to have important information about Oswald was being kept.

If I understand your testimony correctly, the Commission was not told of these conditions under which this defector was being kept?

Mr. HELMS. I don't recall their having been told; they certainly knew that we had the defector in our custody, because that was the burden of what I told the Chief Justice. The precise circumstances under which he was being held, if they were identified to the Warren Commission, I am not aware of it.

Chairman STOKES. Thank you, Mr. Helms.

Mr. Chairman, I yield back the balance of my time.

Mr. PREYER. This may be a good place for us to break, if you have completed your questioning, Mr. Chairman.

Let me suggest that the committee recess until 1:30. Would that be agreeable to you, Mr. Helms?

Mr. HELMS. Certainly, Mr. Chairman.

Mr. PREYER. Is that agreeable with the committee?

The committee stands recessed until 1:30 today.

[Whereupon, at 12:18 p.m., the hearing was recessed, the committee to reconvene at 1:30 p.m. of the same day.]

AFTERNOON SESSION

Mr. PREYER. The committee will resume its session.

The Chair recognizes Congressman Dodd for such time as he may consume to resume the questioning.

Mr. DODD. Thank you, Mr. Chairman.

Mr. Helms, before I begin my line of questioning, I would like to ask you if you might not want to clarify one of your statements. I received some calls over the lunch break from some constituents from my home State of Connecticut who were listening to the testimony this morning. They mentioned to me your response earlier regarding Eastern Europeans and Asians with their propensity to be able to pass polygraph tests, and it occurred to me that you might want to rephrase your statement.

I understood you to mean trained agents from those parts of the world rather than Asians and Eastern Europeans as ethnic groups. I thought you might want to take a minute to clarify that.

TESTIMONY OF RICHARD HELMS—(Resumed)

Mr. HELMS. Mr. Dodd, if my generalization caused offense, I had no intention of doing this. What I, in effect, was trying to say was that there is an occasional individual who lives in that part of the world who has spent his life lying about one thing or another and therefore becomes so good at it that he can pass the polygraph test. But this would be 1 individual in maybe 1 million or a 100,000, something of that kind.

I imagine Americans, if they set their minds to it, could do it as well. I meant no offense to Eastern Europeans as a category or any individual Eastern European.

Mr. DODD. I thought I would clear that up.

Mr. HELMS. I am glad you did. I am sorry if any of your constituents felt I was being disrespectful, but I had no intention of being that way.

Mr. DODD. I would like, Mr. Chairman, to ask the clerk to show to the witness JFK exhibit F-413A. This is a letter dated April 3, 1964, from Lawrence R. Houston, general counsel, that Mr. Helms brought with him this morning and had, I believe, inserted in the record.

This is the only copy. Would you please show that to Mr. Helms.

Mr. HELMS. I have it in front of me, Mr. Dodd.

Mr. DODD. Mr. Helms, I noted in looking at the exhibit during the lunch break that there was no signature on that letter. There

is an initial. I am not sure it is even Mr. Houston's initial but it was not signed by anyone. I would like to, if I could, address some questions to you with regard to Mr. Houston and the credibility of that statement.

This morning you supplied the committee with this memorandum which was ostensibly written by Mr. Houston, the former CIA General Counsel, regarding meetings with the Justice Department officials about Nosenko. That was the substance anyway, as I understood it, of the memorandum. Is that correct?

Mr. HELMS. Yes, sir.

Mr. DODD. Is this the same Lawrence Houston who on May 7, 1962, along with Sheffield Edwards, also of the CIA, briefed Attorney General Robert Kennedy about the pre-Bay of Pigs CIA Mafia plots?

Mr. HELMS. I believe it was the same Mr. Houston. He was General Counsel of the Agency for many years.

Mr. DODD. I am looking here at the report from the Intelligence Committee on page 131, the bottom paragraph: "Briefing of the Attorney General on May 7, 1962."

An entry in Attorney General Kennedy's calendar for May 7, 1962, states, "1 o'clock Richard Helms. At 4 o'clock the Attorney General met with Houston and Edwards to be briefed on the CIA operation involving Maheu, Rosselli, and Giancana."

Mr. HELMS. That would be the meeting.

Mr. DODD. That satisfies your recollection?

Mr. HELMS. That satisfies my recollection. I have been questioned about that calendar on many occasions. That appointment that I had with the Attorney General that day at 1 o'clock apparently was canceled, so I was never there. But I believe Edwards and Houston did keep their appointment.

Mr. DODD. Isn't it true that at that meeting both Mr. Houston and Mr. Edwards told the Attorney General—on May 17, 1962—that the CIA-Mafia plots no longer were in any existence, were terminated?

Mr. HELMS. That is my understanding of what they told him, Mr. Dodd. I believe—wasn't that contained in a memorandum for the record written after their meeting? Was it written by Colonel Edwards? I don't recall; someone wrote it.

Mr. DODD. I will quote for you the bottom paragraph, bb, on page 132 of this report. It says, "And that Kennedy was told the activity had been terminated as of that time."

Mr. HELMS. I assume that is what they told him.

Mr. DODD. In fact, I will read a direct quote here I have on page 133 of this same report, footnote 4 referring to the italicized paragraph at the top of page 133:

The Attorney General was not told that the gambling syndicate operation had already been reactivated, nor as far as we know was he ever told that CIA had a continuing involvement with U.S. gangster elements.

That is from the Inspector General's report, page 65. That is where the italicized words come from. And then the fourth footnote referring to this general line of questioning, it says, footnote 4:

Houston testified that Kennedy insisted "There was not to be any contact of the Mafia without prior consultation with him."

Isn't it also true to your knowledge that in 1967 the CIA Inspector General's report concluded that Sheffield Edwards had, in fact, lied when they and Houston had told the Attorney General that these plots no longer existed?

Mr. HELMS. Does it appear in the Inspector General's report that Edwards lied?

Mr. DODD. Well, maybe semantically we could—

Mr. HELMS. I'm not caviling, I just don't recall any more.

Mr. DODD. On page 134 of this same report, I am reading from the first full paragraph at the top of page 134, which reads as follows:

As concluded by the CIA itself and the Inspector General's report, Edwards' statement that he was not aware of these developments is implausible.

Do you have any disagreement with that statement?

Mr. HELMS. I don't know how to judge it one way or the other. I did not recall the statement as I was sitting here, and I am just unable to help with it. If the Inspector General thought it was implausible, I guess he thought it was, but I don't think any final judgment was made about it. It was part of a very long report which was directed at some other things as well, and I don't recall this ever became an issue that anybody had attempted to define, or refine, let me put it that way.

Mr. DODD. The reason I raise it is the credibility of Mr. Houston with regard to the memo, and I thought maybe you might be able to shed some light on why that was not signed. Was that a normal operating procedure not to sign something with your name type-written underneath it?

Mr. HELMS. I don't know. What we are dealing with is a Xerox, or if it isn't a Xerox—maybe I shouldn't use a company name—let's say a copy. I don't know whether it is a copy of the original memorandum Mr. Houston wrote or a copy of a copy that was made at the time that he wrote the memorandum. I don't know who put the signed LRH down here. In other words, I think that we need some help from the agency as to the exact circumstances, but I can't conceive that Mr. Houston wouldn't be glad to speak for himself. He is still alive and well and living here in Washington.

Mr. DODD. Thank you very much.

This morning I believe I heard you testify that you gave all of the information you believed pertinent to the Warren Commission's investigation—to the commission promptly. Am I recalling your statement correctly there?

Mr. HELMS. I said—I believe I testified, Mr. Dodd, that I believed this to be the case although I had learned in recent years that one must never make a flat statement about anything, so there may have been certain cases in which they did not get information promptly. But I believe our effort was to give it to them as promptly as possible.

Mr. DODD. Alright, I would like to proceed, if I could, for the next few minutes and ask you to respond to questions surrounding the so-called assassination plots that were ongoing during the period from 1961 on. And so I would like to have you focus your attention on that particular aspect of your inquiry here today.

My first question is, to your knowledge, was any member of the Warren Commission, or its staff, ever informed by the Central Intelligence Agency of the CIA's anti-Castro assassination plots?

Mr. HELMS. I assume that you are referring to the one that is most frequently characterized as an assassination plot which involved the Mafia? Because the other assassination plots I don't accept as assassination plots. And so again we have a definitional problem.

Mr. DODD. Let's start off and ask whether the Warren Commission was ever informed of any of these attempts on the Cuban regime whether on the person of Fidel Castro or an effort to overthrow his government, or an effort to knock him off personally—whatever they fall into. In any of those to areas your knowledge was the Warren Commission, members or their staff, ever informed of these efforts?

Mr. HELMS. I don't know what the Warren Commission knew, Mr. Dodd. I didn't inform them of these things, but they had among them as members Mr. Allen Dulles, who was certainly aware of what had been going on with respect to Cuba; Senator Russell of Georgia, the chairman of the Oversight Committee, who was also aware of what was going on with respect to Cuba; Mr. McCone, who was director at the time, also knew what was happening. What the Commission knew from those gentlemen I don't know. I never spoke to them myself about it.

Mr. DODD. But you never did personally?

Mr. HELMS. I never did.

Mr. DODD. I would like to draw your attention if I could to page 22 of your now declassified August 9, 1978, testimony before this committee written, you stated and I will quote—do you have a copy of the report in front of you?

Mr. HELMS. Yes, I do. What page is this?

Mr. DODD. Page 22.

Mr. HELMS. I am on 22.

Mr. DODD. On line 9. Does your copy read, "The only assassination plot that had any semblance of substance to it"—I am quoting your response now to Mr. Goldsmith's question—"was one involving a couple of Mafia chieftains and which were supposed to have taken place before the Bay of Pigs."

Is that an accurate reflection of your views?

Mr. HELMS. As far as I know, it is an accurate statement. I would make essentially the same statement today.

Mr. DODD. Before proceeding with the line of questioning on that, may I ask who these Mafia organized crime chieftains were?

Mr. HELMS. My recollection—I would like to point out that there were two times in which different people were in touch with the Mafia. One happened before I was aware that this was going on and which was the episode that was referred to by Colonel Edwards and Mr. Houston when they saw the Attorney General.

The second one, which I never characterized as an assassination plot because as far as I knew it never went anywhere, was a second one involving the Mafia, the one which I have on public television apologized for and said it was the greatest mistake of my life to have had anything to do with it and I am sorry about it. But I have

never had any convincing evidence from any human being today that this plot ever went anywhere.

I think just to make myself quite explicit here, I would want to see the information that said that I had any indication from William Harvey that his operation with Rosselli ever produced anything in Havana. I would like some evidence of this. I would like a statement under oath from somebody other than a Mafia chieftain.

Mr. DODD. I will go back to my question again. The first relationship existed prior to your direct involvement, is that right?

Mr. HELMS. That is right.

Mr. DODD. This is prior to the May 7, 1962, meeting referred to by Colonel Edwards and Mr. Houston?

Mr. HELMS. That is right, and therefore I don't know the details of it.

Mr. DODD. Am I correct in assuming that the names referred to in the report Mr. Rosselli, Mr. Giancana, that those were the principals involved. Were there others that you were aware of?

Mr. HELMS. I believe there were others. I thought there was a fellow named Trafficante involved but I am not sure about that. He maybe came into the picture later.

Mr. DODD. I do recognize that you have made a public apology and I preface my questions to you with that in mind. But could you tell this committee who the individuals were that you happened to be involved with on the second set of circumstances involving Mafia chieftains or organized crime figures?

Mr. HELMS. As far as I am aware in that particular situation it was William K. Harvey who was in touch with John Rosselli, and it was Harvey and Rosselli who were attempting to find, if I understood it correctly, some channel from Florida into Havana.

I also understand that there was a question of poison pills which were supposed to be transported to Havana. There was never any evidence they were ever transported there or ever left the United States. There was never any evidence that this plot ever left the Florida mainland. If it was indeed an assassination plot, it was misadvertised to me, because I had understood it was an effort to see if a connection could be made between the Mafia in Florida and the Mafia in Havana. To the best of my knowledge, the connection never was made.

Mr. DODD. Other than Mr. Harvey and Mr. Rosselli, was there anyone else that would fall into the character of being members of organized crime that you had direct contact with?

Mr. HELMS. I had direct contact with none of—the only gentleman I had direct contact with myself was Harvey, who was a staff officer. I never met Mr. Rosselli. I never met Mr. Giancana. If I met a Mafia chieftain, I wasn't aware of it.

Mr. DODD. Am I to understand that Mr. Giancana was also involved in this second—

Mr. HELMS. I don't think he was. It was not my understanding that he was. But then I have no way of demonstrating that, Mr. Dodd. The Mafia has its own internal organization, and who Rosselli talked to I don't know.

Mr. DODD. Going back again to the statement that I read from page 22 of your declassified testimony before this committee, "The only assassination plot that had any semblance or substance was

the one involving a couple of Mafia chieftains." I would like to, refer to JFK exhibit F-527. I would ask the clerk to supply Mr. Helms with a copy of that exhibit.

And I would ask you, Mr. Helms, if you would take a look over this exhibit with particular emphasis on the last paragraph of what is page 2 of the exhibit, page 3, to the top of page 4, ending with the paragraph that ends at the top of page 4. Take a minute to look at that.

I am not asking that you read it out loud but just that you familiarize yourself with the contents of this exhibit.

Mr. HELMS. I have read that now.

Mr. DODD. Is it fair to assume you recognize this document? You have seen it before?

Mr. HELMS. Yes, I have.

Mr. DODD. Am I correct in stating this is the CIA's Inspector General's report done in 1967—

Mr. HELMS. The one that I asked to have done.

Mr. DODD. The one you asked to have done as DCI, Director of the Agency?

Mr. HELMS. Right.

Mr. DODD. I don't intend to read all of this but beginning at the last sentence on page 2 of the Inspector General's report it reads as follows:

We can identify five separate phases in agency assassination planning although the transitions from one to another are not always sharply defined. Each phase is a reflection of the then prevailing government attitude toward the Cuban regime.

Without reading each one of them, the Inspector General's report prepared at your request, then outlines in separate paragraphs, from A to E, five separate phases, as they describe, and using their language again, in "agency assassination planning."

I would like to know, first of all, how you can explain that we have in a report prepared for you in 1967 what appears to me to be five separate areas of assassination planning and how that can be distinguished from your statement to this committee in executive session where you talk about basically one or the semblance of one assassination attempt involving organized crime figures. Can you please enlighten the committee as to how you can reach two separate—

Mr. HELMS. Yes, I can. I think this is rather lurid language that has been used in this report. As I read through it, this looks like the efforts that were made during this time to upset the Castro regime. If one identifies that as assassination planning, I don't think that is a proper description of it, and if somebody will come forth with all the items that are supposed to have been in that planning, I would be delighted to hear it.

Mr. DODD. They identify here one period beginning prior to August 1960. That is the first one. The second one is August 1960 to April 1961. The third is April 1961 late 1961.

Mr. HELMS. Aren't those all the same one?

Mr. DODD. That is my question for you. The Inspector General seemed to distinguish between the various phases here, and according to your testimony before us, is this what you were referring to? Is this what you are calling one, what they call five?

Mr. HELMS. That is right. I became involved with this business sometime in 1962 after I took over as DDP. I've forgotten what month. Anything prior to that I didn't have anything to do with. I would assume this was one plot but maybe there were others. But if there are, in all the time I spent with the Church committee and all the time I have spent endlessly for the last 3 or 4 years, it seems to me, about these matters, I haven't had anything else brought to my attention. And if you gentlemen have something, I would like to know it. But I don't know what it is and I am sorry I can't help.

Mr. DODD. Did you take issue with this report 11 years ago at the time it was issued?

Mr. HELMS. Mr. Dodd, when I got this report I had some problems with respect to reporting to President Johnson about certain points that he was particularly interested in. I did not attempt to parse it or analyze it or get it changed or do anything with it except use it as a fact-finding document.

I want to say right now that I never expected to see the document in the public domain declassified for the appetites of all those who wanted to make the most of it, and therefore if I had known this, I obviously would have edited the report and changed it rather substantially, put it in the hands of lawyers and had it entirely rearranged.

Mr. DODD. I say to you, Mr. Helms, with all due respect, it is not being put into evidence to satisfy the voracious appetites of anyone but merely to try to clear up a point we are trying to resolve here. I hope you don't understand—

Mr. HELMS. What is the point you would like to resolve?

Mr. DODD. As someone who is just confronted, I am not an expert in these matters but I read your transcript and you said, "The only assassination plot that had any semblance of substance was the one involving a couple of Mafia chieftians."

Mr. HELMS. And that is what I believe to this date.

Mr. DODD. I am confronted with an Inspector General's report which was not written to satisfy the appetites of anyone I presume. It is a declassified document which says, "We can identify five separate phases." I am merely asking you to clarify that in light of the earlier statement. That is the only purpose for this being brought into testimony.

Mr. HELMS. I am sorry. For example, it says here that particular scheme—which scheme? Is this the Mafia thing that we are talking about?

Mr. DODD. That is correct.

Mr. HELMS. And was again pushed vigorously in the area of Mongoose and in the climate of intense administration pressure to do something about Castro and Cuba. Are we talking about the same Mafia thing here as well? If that is a lot of plots, I regard it as one and the same operation. And if I am misleading you in some fashion—

Mr. DODD. Maybe I can help you. Is it one and the same in your mind because it involved Cuba and Fidel Castro, and that was one entity?

Mr. HELMS. The only one that I know about that was serious or that seemed to have been taken seriously was the one involving

Rosselli and Harvey. I believe the Church committee brought out—found a wetsuit, a clam shell, various things that were on the shelf in the agency that were regarded as things that might be used in possibly killing Castro, or being used against him, which never came off the shelf, were never used. If that is a plot to have created this, then I will back up and say we ought to enumerate every single item that conceivably had to do with the invasions of Cuba which we were constantly running under government aegis. We had task forces that were striking at Cuba constantly. We were attempting to blow up powerplants, we were attempting to ruin sugar mills, we were attempting to do all kinds of things during this period. This was a matter of American Government policy. This wasn't the CIA alone.

Now, if those things taper over into assassination plots, maybe so. I find the semantics the English incendiary but not very clear and not very clarifying, and not very specific.

Mr. DODD. Mr. Chairman, I would ask unanimous consent that exhibit JFK F-527 be entered into the record at this time.

Mr. PREYER. Without objection, JFK F-527 is entered into the record at this point.

[Whereupon exhibit JFK F-527 was received in evidence.]

JFK EXHIBIT F-527

THE DIRECTOR OF CENTRAL INTELLIGENCE

WASHINGTON, D. C. 20505

Office of Legislative Counsel

20 September 1978

Mr. G. Robert Blakey
Chief Counsel and Director
House Select Committee on Assassinations
Washington, D.C. 20515

Dear Mr. Blakey:

Attached you will find pages 1-8, 14, 17-18, 24-25, 37-39, 62a-63, 94, 118, 130-133 from the report by the Inspector General on plotting against Castro. These pages have been sanitized and declassified in compliance with a request by Mr. Goldsmith, and may be used by you in your hearings.

It should be noted that it is Agency policy to not release reports of the Inspector General outside the Agency, in order to protect the unique fact-finding advisory function that they fulfill within the Agency. Were the internal confidentiality of the reports to be compromised the effectiveness of the function could be impaired. Because so much of the information from the 1967 report was placed officially in the public domain by the interim report of the Church Committee, Alleged Assassination Plots Involving Foreign Leaders, it can be released in this form on this special occasion.

Sincerely yours,



S. D. Breckinridge
Principal Coordinator, HSCA

encl.

25 April 1967

MEMORANDUM

This reconstruction of Agency involvement in plans to assassinate Fidel Castro is at best an imperfect history. Because of the extreme sensitivity of the operations being discussed or attempted, as a matter of principle no official records were kept of planning, of approvals, or of implementation. The few written records that do exist are either largely tangential to the main events or were put on paper from memory years afterward. William Harvey has retained skeletal notes of his activities during the years in question, and they are our best source of dates.

_____ of the Office of Medical Services, has a record of whom he met and when and cryptic references to the subjects discussed. _____ of TSD, has a record of two or three dates that are pertinent. _____ and _____ were involved in only the technical aspects of operational planning, and their participations were short-lived. Although fragmentary, their records are a help in establishing critical time frames. Operational files are useful in some instances, because they give dates of meetings, the substances of which may be inferred from collateral information.

For the most part, though, we have had to rely on information given to us orally by people whose memories are fogged by time. Their recollections of dates are particularly hazy, and some of them

are no longer able to keep the details of one plan separate from those of another. We interviewed everyone whom we could identify as likely to be knowledgeable, with the exceptions of Mr. Dulles and General Cabell. A complete list is attached at Tab A. We did not go on fishing expeditions among the mere possibles. To have done so would have risked making witting a number of employees who were previously unwitting and, in our estimate, would have added little to the details available from those directly involved. There are inconsistencies among the various accounts, but most of them can be resolved by collating the information furnished by all of the identifiable participants in a particular plan and by then checking it against specific dates that can be fixed with fair certainty. We believe that this reconstruction of what happened and of the thinking associated with it is reasonably sound. If there are significant inaccuracies in the report, they are most likely to occur in faulty ordering of the sequence of events. People still remember much of what happened, but they can no longer recall precisely when.

It became clear very early in our investigation that the vigor with which schemes were pursued within the Agency to eliminate Castro personally varied with the intensity of the U.S. Government's efforts to overthrow the Castro regime. We can identify five separate phases in Agency assassination planning, although the transitions from one

to another are not always sharply defined. Each phase is a reflection of the then prevailing Government attitude toward the Cuban regime.

a. Prior to August 1960: All of the identifiable schemes prior to about August 1960, with one possible exception, were aimed only at discrediting Castro personally by influencing his behaviour or by altering his appearance.

b. August 1960 to April 1961: The plots that were hatched in late 1960 and early 1961 were aggressively pursued and were viewed by at least some of the participants as being merely one aspect of the over-all active effort to overthrow the regime that culminated in the Bay of Pigs.

c. April 1961 to late 1961: A major scheme that was begun in August 1960 was called off after the Bay of Pigs and remained dormant for several months, as did most other Agency operational activity related to Cuba.

d. Late 1961 to late 1962: That particular scheme was reactivated in early 1962 and was again pushed vigorously in the era of Project MONGOOSE and in the climate of intense administration pressure on CIA to do something about Castro and his Cuba.

e. Late 1962 until well into 1963: After the Cuban missile crisis of October 1962 and the collapse of Project MONGOOSE, the

aggressive scheme that was begun in August 1960 and revived in April 1962 was finally terminated in early 1963. Two other plots were originated in 1963, but both were impracticable and nothing ever came of them.

We cannot overemphasize the extent to which responsible Agency officers felt themselves subject to the ^{Kennedy} administration's severe pressures to do something about Castro and his regime. The fruitless and, in retrospect, often unrealistic plotting should be viewed in that light.

Many of those we interviewed stressed two points that are so obvious that recording them here may be superfluous. We believe, though, that they are pertinent to the story. Elimination of the dominant figure in a government, even when loyalties are held to him personally rather than to the government as a body, will not necessarily cause the downfall of the government. This point was stressed with respect to Castro and Cuba in an internal CIA draft paper of October 1961, which was initiated in response to General Maxwell Taylor's desire for a contingency plan. The paper took the position that the demise of Fidel Castro, from whatever cause, would offer little opportunity for the liberation of Cuba from Communist and Soviet Bloc control. The second point, which is more specifically relevant to our investigation, is that bringing about the downfall of a government necessarily requires the removal of its leaders from

positions of power, and there is always the risk that the participants will resort to assassination. Such ~~removals from power as the house arrest of a Mossadeq or the flight of a Batista~~ should not cause ~~one to overlook~~ the killings of a Diem or of a Trujillo by forces encouraged but not controlled by the U.S. Government.

There is a third point, which was not directly made by any of those we interviewed, but which emerges clearly from the interviews and from review of files. The point is that of frequent resort to synecdoche--the mention of a part when the whole is to be understood, or vice versa. Thus, we encounter repeated references to phrases such as "disposing of Castro," which may be read in the narrow, literal sense of assassinating him, when it is intended that it be read in the broader, figurative sense of dislodging the Castro regime. Reversing the coin, we find people speaking vaguely of "doing something about Castro" when it is clear that what they have specifically in mind is killing him. In a situation wherein those speaking may not have actually meant what they seemed to say or may not have said what they actually meant, they should not be surprised if their oral shorthand is interpreted differently than was intended.

The suggestion was made to us that operations aimed at the assassination of Castro may have been generated in an atmosphere of stress in intelligence publications on the possibility of Castro's

demise and on the reordering of the political structure that would follow. We reviewed intelligence publications from 1960 through 1966,

The NIE's on "The Situation and Prospects in Cuba" have brief paragraphs on likely successor governments if Castro were to depart the scene.

In each case the treatment is no more nor less than one would expect to find in comprehensive round-ups such as these. We conclude that there is no reason to believe that the operators were unduly influenced by the content of intelligence publications.

Drew Pearson's column of 7 March 1967 refers to a reported CIA plan in 1963 to assassinate Cuba's Fidel Castro. Pearson also has information, as yet unpublished, to the effect that there was a meeting at the State Department at which assassination of Castro was discussed and that a team actually landed in Cuba with pills to be used in an assassination attempt. There is basis in fact for each of those three reports.

a. A CIA officer passed an assassination weapon to an Agency Cuban asset at a meeting in Paris on 22 November 1963. The weapon was a ballpoint pen rigged as a hypodermic syringe.

The CIA officer suggested that the Cuban asset load the syringe with Black Leaf 40. The evidence indicates that the meeting was under way at the very moment President Kennedy was shot.

b. There was a meeting of the Special Group (Augmented) in Secretary Rusk's conference room on 10 August 1962 at which Secretary McNamara broached the subject of liquidation of Cuban leaders. The discussion resulted in a Project KONGOOSE action memorandum prepared by Edward Lansdale. At another Special Group meeting on 31 July 1964 there was discussion of a recently-disseminated Clandestine Services information report on a Cuban exile plot to assassinate Castro. CIA had refused the exile's request for funds and had no involvement in the plot.

c. CIA twice (first in early 1961 and again in early 1962) supplied lethal pills to U.S. gambling syndicate members working in behalf of CIA on a plot to assassinate Fidel Castro. The 1961 plot aborted and the pills were recovered. Those furnished in April 1962 were passed by the gambling syndicate representative to a Cuban exile leader in Florida, who in turn had them sent to Cuba about May 1962. In June 1962 the exile leader reported that a team of three men had been dispatched to Cuba to recruit for the operation. If the opportunity presented itself, the team would make an attempt on Castro's life--perhaps using the pills.

This report describes these and other episodes in detail; puts them into perspective; and reveals, that while the events described by Drew Pearson did occur and are subject to being patched together as though one complete story, the implication of a direct, causative relationship among them is unfounded.

Gambling Syndicate

The first seriously-pursued CIA plan to assassinate Castro had its inception in August 1960. It involved the use of members of the criminal underworld with contacts inside Cuba. The operation had two phases: the first ran from August 1960 until late April or early May 1961, when it was called off following the Bay of Pigs; the second ran from April 1962 until February 1963 and was merely a revival of the first phase which had been inactive since about May 1961.

Gambling Syndicate - Phase 1August 1960

Richard Bissell, Deputy Director for Plans, asked Sheffield Edwards, Director of Security, if Edwards could establish contact with the U.S. gambling syndicate that was active in Cuba. The objective clearly was the assassination of Castro although Edwards claims that there was a studied avoidance of the term in his conversation with Bissell. Bissell recalls that the idea originated with J. C. King, then Chief of WH Division, although King now recalls having had only limited knowledge of such a plan and at a much later date--about mid-1962.

same way. A memorandum for the record prepared by Sheffield Edwards on 14 May 1962 states: "No monies were ever paid to Roselli and Giancana. Maheu was paid part of his expense money during the periods that he was in Miami." (Giancana is "Gold.")

_____ was introduced (in true name) to Roselli as an employee of Maheu, the explanation being that _____ would handle the case for Maheu, because Maheu was too busy to work on it full time himself. No one else in the Office of Security was made witting of the operation at this time. Edwards himself did not meet Roselli until the summer of 1962.

At this point, about the second half of September, Shef Edwards told Bissell that he had a friend, a private investigator, who had a contact who in turn had other contacts through whom syndicate elements in Cuba could be reached. These syndicate elements in Cuba would be willing to take on such an operation. As of the latter part of September 1960, Edwards, _____ and Bissell were the only ones in the Agency who knew of a plan against Castro involving U.S. gangster elements. Edwards states that Richard Helms was not informed of the plan, because Cuba was being handled by Bissell at that time.

With Bissell present, Edwards briefed the Director (Allen Dulles) and the DDCI (General Cabell) on the existence of a plan involving members of the syndicate. The discussion was circumspect; Edwards

deliberately avoided the use of any "bad words." The descriptive term used was "an intelligence operation." Edwards is quite sure that the DCI and the DDCI clearly understood the nature of the operation he was discussing. He recalls describing the channel as being "from A to B to C." As he then envisioned it, "A" was Maheu, "B" was Roselli, and "C" was the principal in Cuba. Edwards recalls that Mr. Dulles merely nodded, presumably in understanding and approval. Certainly, there was no opposition. Edwards states that, while there was no formal approval as such, he felt that he clearly had tacit approval to use his own judgment. Bissell committed \$150,000 for the support of the operation.

(Comment: In the light of this description of the briefing, it is appropriate to conjecture as to just what the Director did approve. It is safe to conclude, given the men participating and the general subject of the meeting, that there was little likelihood of misunderstanding--even though the details were deliberately blurred and the specific intended result was never stated in unmistakable language. It is also reasonable to conclude that the pointed avoidance of "bad words" emphasized to the participants the extreme sensitivity of the operation.)

During the week of 25 September 1960, _____ and Maheu went to Miami where Roselli introduced only Maheu to "Sam Gold" at a meeting

tying it to a recollection that Castro frequently drank tea, coffee, or bouillon, for which a liquid poison would be particularly well suited.

January - February 1961

Despite the decision that a poison in liquid form would be most desirable, what was actually prepared and delivered was a solid in the form of small pills about the size of saccharine tablets. _____ remembers meeting with Edwards and _____ in Edwards' office to discuss the requirement. The specifications were that the poison be stable, soluble, safe to handle, undetectable, not immediately acting, and with a firmly predictable end result. Botulin comes nearest to meeting all of those requirements, and it may be put up in either liquid or solid form. _____ states that the pill form was chosen because of ease and safety of handling.

(Comment: The gangsters may have had some influence on the choice of a means of assassination. _____ says that in his very early discussions with the gangsters (or, more precisely, Maheu's discussions with them) consideration was given to possible ways of accomplishing the mission. Apparently the Agency had first thought in terms of a typical, gangland-style killing in which Castro would be gunned down. Giancana was flatly opposed to the

use of firearms. He said that no one could be recruited to do the job, because the chance of survival and escape would be negligible. Giancana stated a preference for a lethal pill that could be put into Castro's food or drink. Trafficante ("Joe, the courier") was in touch with a disaffected Cuban official with access to Castro and presumably of a sort that would enable him to surreptitiously poison Castro. The gangsters named their man inside as _____ who was then _____

The gangsters said that _____ had once been in a position to receive kickbacks from the gambling interests, had since lost that source of income, and needed the money.)

When Edwards received the pills he dropped one into a glass of water to test it for solubility and found that it did not even disintegrate, let alone dissolve. _____ took them back and made up a new batch that met the requirement for solubility. Edwards at that point wanted assurance that the pills were truly lethal. He called on _____ to make an independent test of them. Edwards gave _____ money to buy guinea pigs as test animals. _____ has a record of a conversation with _____ on 6 February 1961. It may have related to the tests, but we cannot be sure. What appears to have happened is that _____ tested the pills on the guinea pigs and found them ineffective.

Gambling Syndicate - Phase 2

William Harvey, Chief of [redacted] was briefed in February 1961 (by authority of Richard Bissell) on phase one of the gambling syndicate operation. That briefing was in connection with a sensitive operation that Bissell had assigned to Harvey. Harvey describes it thus: Early in the Kennedy administration, Bissell called him in to discuss what Harvey refers to as an Executive Action Capability; i.e., a general stand-by capability to carry out assassinations when required. Harvey's notes quote Bissell as saying, "The White House has twice urged me to create such a capability." Bissell recalls discussing the question of developing a general capability with Harvey. He mentioned the Edwards/gambling syndicate operation against Castro in that context, but he now thinks that the operation was over by then and that reference to it was in terms of a past operation as a case in point. It was on this basis that Harvey arranged to be briefed by Edwards. Harvey's fixing of the date as February was only after review of events both preceding the briefing and following it. He says now that it might have been ^{as} early as late January or as late as March 1961.

After some discussion of the problems involved in developing an Executive Action Capability, Bissell placed Harvey in charge of the effort. Harvey says that Bissell had already discussed certain aspects

of the problem with _____ and with _____. Since _____ was already cut in, Harvey used him in developing the Executive Action Capability, although never with respect to Castro. We did not question _____ on his knowledge of the program for creating an Executive Action Capability, but Harvey's mention of him in this connection may explain a notation by _____ that Harvey instructed _____ to discuss techniques with _____ without associating the discussion with the Castro operation.

Harvey states that after the decision was made to go ahead with the creating of an Executive Action Capability, and while he was still discussing its development with Bissell, he briefed Mr. Helms fully on the general concept but without mention of the then ongoing plan to assassinate Castro.

The Executive Action program came to be known as ZRRIFLE. Its principal asset was an agent, QJWIN, who had been recruited earlier by _____ for use in a special operation in the Congo (~~the assassination of Patrice Lumumba~~) to be run by _____. _____ made a survey of the scene, decided he wanted no part in an assassination attempt, and asked to be released--which Bissell granted.) The project name, ZRRIFLE, first appears in the files in May 1961, although the first recorded approval is dated 19 February 1962. The new DD/P (Helms) on that date authorized Harvey, by

memorandum, to handle the project on a special basis. Accounting for expenditures was to be by general category and on Harvey's certification. The initial approval was for \$14,700, consisting of \$7,200 for QJWIN's annual salary and \$7,500 for operational expenses.

Project ZRRIFLE was covered as an _____ operation (ostensibly to develop a capability for entering safes and for kidnapping couriers). It continued on a course separate from the Edwards/gambling syndicate operation against Castro until 15 November 1961. Harvey has a note that on that date he discussed with Bissell the application of the ZRRIFLE program to Cuba. Harvey says that Bissell instructed him to take over Edwards' contact with the criminal syndicate and thereafter to run the operation against Castro. Harvey adds that, as a completely unrelated development, shortly after this discussion with Bissell he was told by Helms that he was to be placed in charge of the Agency's Cuba task force.

Late 1961 - Early 1962

Harvey recalls that he was very busy with a number of things in the period that followed the discussion with Bissell that led to his taking over Edwards' Castro operation. He was turning over his responsibilities in _____. He was working with NSA on the Martin/Mitchell defection case. He was reading in on Cuba operations and

briefed the DDCI, General Carter, who said he understood the situation and in due time might brief the Director, Mr. McCone. It is not known whether General Carter did or did not brief Mr. McCone. There is no indication that General Carter was further briefed on the full details of the assassination plot against Castro.

May 1962

The Attorney General obviously was told of CIA's operational involvement with gangster elements, because he requested a briefing on the details. On 7 May 1962 Sheffield Edwards and Lawrence Houston met with Attorney General Robert Kennedy and, as Edwards puts it, "briefed him all the way." Houston says that after the briefing Kennedy "thought about the problem quite seriously." The Attorney General said that he could see the problem and that he could not proceed against those involved in the wiretapping case. He spoke quite firmly, saying in effect, "I trust that if you ever try to do business with organized crime again--with gangsters--you will let the Attorney General know before you do it." Houston quotes Edwards as replying that this was a reasonable request. Edwards says that among the points covered was that of Roselli's motivation. The Attorney General had thought that Roselli was doing the job (the attempt at assassination of Castro) for money. Edwards corrected that impression; he was not.

Houston recalls that during the meeting with the Attorney General the latter asked for a memorandum record of the meeting. Edwards believes that the request was made later and by telephone. A memorandum was prepared and was signed by Edwards. Both Edwards and Houston recall having had a hand in writing it. A transmittal buck-slip from Houston to Kennedy notes that the request was made on 11 May, which suggests that Edwards is correct in his belief that the request was made by telephone after the 7 May briefing of the Attorney General. The memorandum is dated 14 May 1962. It was typed in two copies only, with the original being sent to Attorney General Kennedy and the other copy being retained by the Director of Security. It was typed by Edwards' secretary, It does not state the purpose of the operation on which Kennedy was briefed, but it does make it clear that the operation was against Castro and its true purpose may be inferred from the memorandum.

Edwards states that the briefing of the Attorney General and the forwarding of a memorandum of record was carried out without briefing the Director (John McCone), the DDCI (General Carter), or the DD/P (Richard Helms). He felt that, since they had not been privy to the operation when it was under way, they should be protected from involvement in it after the fact. As noted previously, Houston had briefed the DDCI on the fact that there was a matter involving the

out of the meeting, and AMUSH were informed that President Kennedy had been assassinated. [redacted] was visibly moved over the news. He asked, "Why do such things happen to good people?" The contact report does not state the time nor the duration of the [redacted] - AMUSH meeting, but it is likely that at the very moment President Kennedy was shot a CIA officer was meeting with a Cuban agent in Paris and giving him an assassination device for use against Castro. [redacted] states that he received an OPDM cable from FitzGerald that night or early the next morning telling him that everything was off. We do not find such a cable in the AMLASH file. There is a record in the file that [redacted] was due to arrive back in Washington at 1810 hours, 23 November.

The AMLASH project was probably about as widely known within the Clandestine Services as any other project of a similar nature. However, we can identify only four people who know of the just-described episode involving a hypodermic syringe and Black Leaf 40. [redacted] knew all of the story, [redacted] knew most of it, and [redacted] knew much of it. FitzGerald did not mention this aspect of the AMUSH operation when he first briefed us on it. When we went back to him later with specific questions, he said he remembered something about Black Leaf 40, but nothing whatever about a device for administering it. [redacted] said he had the impression that FitzGerald

THE DREW PEARSON STORY

Published Details

The CIA hatched a plot to knock off Castro.

Robert Kennedy may have approved an assassination plot.

Underworld figures were actually recruited to carry out the plot.

Three hired assassins were caught in Havana where a lone survivor is still supposed to be languishing in prison.

Castro learned enough at least to believe the CIA was seeking to kill him. He is reported to have cooked up a counterplot against President Kennedy.

Unpublished Details

Pills were sent to Cuba for use in the assassination.

There was a meeting at the Department of State at which the assassination of Castro was discussed.

The Facts As We Know Them

True.

Not true. He was briefed on Gambling Syndicate-Phase One after it was over. He was not briefed on Phase Two.

True.

Roselli informed Harvey on 21 June 1962, presumably on the basis of information from _____ that a team of three men was inside Cuba. We do not know their identities nor what may have happened to them. We have no proof that they were actually dispatched. None of the announced captures and executions during this period fits this team.

This reportedly has come out in the Garrison investigations. It also was stated by _____ in the Philippines under direct interrogation. We have no independent confirmation of any sort. (Note that Garrison met with Roselli in Las Vegas in March 1967.)

True. At least we were told by Roselli that the pills were sent in during Phase One and again in Phase Two.

True. The subject was raised at a meeting at State on 10 August 1962, but it is unrelated to any actual attempts at assassination. It did result in a MOWGOOSE action memorandum by Lansdale assigning to CIA action for planning liquidation of leaders. The offending phrase was later excised from copies forwarded to CIA, State, Defense, and USIA, but the damage may already have been done.

him on the Pearson story.

d. Pearson, Anderson, and Greenspun (in Las Vegas) are newspapermen with a newsworthy story. Pearson has already published much of it.

e. Maheu does have good reason for not wanting the story aired further. Unfavorable publicity might cause him to lose his lucrative client, Howard Hughes. There might be some value to be gained from endorsing his suggestion that he approach / and perhaps Roselli and urge discretion.

What do other components of Government know about this operation?

Former Attorney General Robert Kennedy was fully briefed by Houston and Edwards on 7 May 1962. A memorandum confirming the oral briefing was forwarded to Kennedy on 14 May 1962. The memorandum does not use the word "assassinate," but there is little room for misinterpretation of what was meant. Presumably the original of that memorandum is still in the files of the Justice Department. It should be noted that the briefing of Kennedy was restricted to Phase One of the operation, which had ended about a year earlier. Phase Two was already under way at the time of the briefing, but Kennedy was not told of it.

As far as we know, the FBI has not been told the sensitive

operational details, but it would be naive to assume that they have not by now put two and two together and come out with the right answer. They know of CIA's involvement with Roselli and Giancana as a result of the Las Vegas wiretapping incident. From the Chicago newspaper stories of August 1963, and from Giancana's own statement, it appears that they know this related to Cuba. When Roselli's story reached them (Roselli to Pearson to Warren to Rowley to the FBI), all of the pieces should have fallen into place. They should by now have concluded that CIA plotted the assassination of Castro and used U.S. gangster elements in the operation.

There is some support for this thesis in the conversation I had with Sam Papich on 3 May 1967 when I told him of the expected meeting between Roselli and Harvey. Sam commented that Roselli and Giancana have CIA "over a barrel" because of "that operation." He said that he doubted that the FBI would be able to do anything about either Roselli or Giancana because of "their previous activities with your people."

Can we plausibly deny that we plotted with gangster elements to assassinate Castro?

No, we cannot. We are reasonably confident that there is nothing in writing outside of the Government that would confirm Pearson's

story of the gambling syndicate operation, but there are plenty of non-gangster witnesses who could lend confirmation.

a. Maheu can confirm that Shef Edwards told Roselli that Edwards had told the Attorney General of Roselli's activities on behalf of the Government.

b. _____ can confirm the pill and three-man team elements of the story.

c. _____ can confirm the pill element of Phase One.

d. If an independent investigation were to be ordered, the investigators could learn everything that we have learned. Such an investigation probably would uncover details unknown to us, because it would have access to the non-CIA participants.

Can CIA state or imply that it was merely an instrument of policy?

Not in this case. While it is true that Phase Two was carried out in an atmosphere of intense Kennedy administration pressure to do something about Castro, such is not true of the earlier phase. Phase One was initiated in August 1960 under the Eisenhower administration. Phase Two is associated in Harvey's mind with the Executive Action Capability, which reportedly was developed in response to White House urgings. Again, Phase One had been started and abandoned months before the Executive Action Capability appeared

on the scene.

When Robert Kennedy was briefed on Phase One in May 1962, he strongly admonished Houston and Edwards to check with the Attorney General in advance of any future intended use of U.S. criminal elements. This was not done with respect to Phase Two, which was already well under way at the time Kennedy was briefed. The Pearson story, which is now causing us so much distress, includes one detail that is found only in Phase Two: the three-man team.

What measures might be taken to lessen the damage?

We see little to be gained from personal approaches now to Maheu, [redacted], or Roselli. Maheu has much to lose and might be able to prevail upon [redacted] and Roselli not to spread the story further. It is questionable whether any such urging would be effective with Roselli, because Roselli stands only to gain from having the story of his CIA connection known and accepted. We cannot now suppress the story, because it is already out and may boil up afresh from the Garrison case. If we were to approach any of the participants and urge discretion upon him, and if this became known, it would merely lend credence to a tale that now sounds somewhat improbable.

Mr. DODD. Mr. Helms, did John McCone, former Director of Central Intelligence Agency and your immediate supervisor, know about—I gather you don't care for the word assassination plots and I am trying to find some words you and I can agree on. Let's call them efforts to get rid of Fidel Castro. Does that satisfy you?

Mr. HELMS. Fine.

Mr. DODD. Did John McCone know about the agency's efforts to get rid of Fidel Castro?

Mr. HELMS. He certainly was on top of all the operations that we mounted against Cuba. He was in the vanguard of this. He attended most of the committee meetings, he pushed certainly as hard as anyone in the administration to see if we couldn't topple the Castro regime. I believe he has testified to the effect that he did not know of what he called specific efforts to kill Castro. I don't know whether he knew about it or not. I will accept his word. I have no reason to argue with him about it. There was a big flareup at the time of the Church committee hearings over whether I had told McCone about this or whether I had told Harvey not to say anything about it. I don't have any clear recollection any more of the events surrounding that particular detail, so I cannot help you on it. I would be glad to if I could.

Mr. DODD. So you don't know when he would have been informed, if he had been?

Mr. HELMS. Then I believe he had Mr. Elder, who was his executive assistant his—

Mr. DODD. I am having a hard time hearing.

Mr. HELMS. I am sorry. During the Church committee hearings Mr. Elder, who had been his executive assistant, swore out an affidavit that he had been instructed by McCone to tell me that anything smacking of assassination was not permissible to Mr. McCone. Mr. Elder gave his testimony under oath. I never had any conversation with Mr. Elder like that, that I ever recall. As I have said on previous occasions and on the record, I have great regard for Mr. McCone. He was my boss. I would have no doubt whatsoever, if he had expressed himself in this fashion through one of his subordinates to me, that I would have remembered it. I think I would have remembered it. So the issue is unresolved.

Mr. DODD. For the purposes of clarity can we talk about these efforts to get rid of Fidel Castro in terms of pre-Bay of Pigs and post-Bay of Pigs? I think for our purposes that might be of some help.

Mr. HELMS. Certainly.

Mr. DODD. Did I understand you to say that you are not sure he knew about either the pre-Bay of Pigs or the post-Bay of Pigs efforts or that he knew about the pre-Bay of Pigs and didn't know about the post-Bay of Pigs or knew about both?

Mr. HELMS. I thought on one occasion I told him about the pre-Bay of Pigs episode because my recollection is that something appeared in a newspaper—I think in the Chicago Sun Times—about it, and I went and spoke to him about it and told him what was involved.

As to the post-Bay of Pigs, I don't know what he knew. You know, Mr. Dodd, I am not looking for refuge in these matters. I am

prepared to stand here and take my beating in any form that you gentlemen want to administer it.

Mr. DODD. We are not out to beat anyone. We are just trying to get at the facts.

Mr. HELMS. I am delighted to hear you say that. But let me just explain as Director of the agency Mr. McCone had every opportunity to find out anything in the agency that he wanted to find out. He had an inspection staff, he had executive assistants, he had all kinds of people around him. So what he knew and what he didn't know on a given date I can't possibly attest to, but I do want to make the point that nobody was stopping him from finding out anything he wanted to find out.

Mr. DODD. In the Church committee report which I have marked here as JFK exhibit F-539, reading at the bottom:

Mr. McCone testified that he was not aware of the plots to assassinate Castro which took place during the years in which he was DCI, Director of Central Intelligence, and that he did not authorize those plots. He testified that he was not briefed about the assassination plots by Dulles, Bissell, Helms, or anyone else when he succeeded Dulles as Director in November 1961.

Do you take issue with that?

Mr. HELMS. No, I am not going to take issue with it. I would simply end up in a lengthy hassle between me and Mr. McCone. I have better ways to spend my time.

Mr. DODD. So you would agree with Mr. McCone's testimony that he was not briefed?

Mr. HELMS. I have no basis for agreeing or disagreeing, Mr. Dodd.

Mr. DODD. Can you think of any reason why you might not have briefed him?

Mr. HELMS. When he came aboard as Director I was not the Deputy Director of Plans. It was Mr. Bissell who was the Deputy Director of Plans, and Allen Dulles was the Director. Dulles left, McCone took his place, and Bissell continued on as Deputy Director of Plans for a time.

Mr. DODD. When you became Deputy Director of Planning in 1962, can you think of any reason why you would not have told Mr. McCone?

Mr. HELMS. The episode, the pre-Bay of Pigs episode, I did talk to him about one day, I know.

Mr. DODD. So you did inform him of the pre-Bay of Pigs effort?

Mr. HELMS. Yes. That was not when he came in 1961; it was after that, so I guess if you parse the statement, the statement is accurate.

Mr. DODD. Mr. Chairman, I would ask that JFK exhibit F-539 be entered into the record at this time.

Mr. PREYER. Without objection, JFK exhibit F-539 is entered in the record at this point.

[Whereupon, JFK exhibit F-539 was received in evidence.]

[The information follows:]

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The evidence indicates that the meeting between Dulles, Bissell, Edwards, and Cabell occurred sometime "in the autumn" of 1960, probably in late September. The minutes of a meeting of the Special Group on November 3, 1960, reflect the following remarks:

Finally, Mr. [Livingston] Merchant (Under Secretary of State for Political Affairs) asked whether any real planning had been done for taking direct positive action against Fidel, Raul and Che Guevara. He said that without these three the Cuban Government would be leaderless and probably brainless. He conceded that it would be necessary to act against all three simultaneously. General Cabell pointed out that action of this kind is uncertain of results and highly dangerous in conception and execution, because the instruments must be Cubans. He felt that, particularly because of the necessity of simultaneous action, it would have to be concluded that Mr. Merchant's suggestion is beyond our capabilities. (Special Group Minutes, 11/3/60)

Exactly what the term "direct positive action" meant to the speaker or those listening is uncertain. Merchant was ill and unable to testify; others present at the meeting could not recall what the words meant at the time they were uttered, although some have testified that they could refer to assassination.¹

Bissell was also asked about the minutes of the November 3 meeting. After reading the reference to "direct positive action," Bissell said, "I find it difficult to understand." (Bissell, 7/17/73, p. 13) He then was asked,

Q. Do you, in light of the November 3 minutes remain firm that Cabell was knowledgeable (of the assassination plots)?

A. It casts some doubt on that in my mind.

When asked if it cast "some significant doubt in light of (Cabell's) character," Bissell answered, "Yes." (Bissell, 7/17/73, pp. 22-23)

(c) *Did John McCone Know of or Authorize Assassination Plots During His Tenure as DCI?*

The CIA considered several assassination plots against Castro during McCone's tenure as Director. Harvey initiated his contact with Rosselli in April 1962, and that operation continued into early 1963. In early 1963 the CIA looked into the possibility of assassinating Castro with an exploding seashell and contaminated diving suit. AM/FLASH was offered a poison pen device in November 1963, and caches of arms were delivered to Cuba for his use in the following years.

(i) *McCone's testimony.*—McCone testified that he was not aware of the plots to assassinate Castro which took place during the years in which he was DCI, and that he did not authorize those plots. (McCone, 6/6/75, pp. 33, 44-45)² He testified that he was not briefed about the assassination plots by Dulles, Bissell, Helms, or anyone else when he succeeded Dulles as Director in November 1961. (McCone, 6/6/75, pp.

¹Q. Do you read . . . direct, positive action . . . as meaning killing (Fidel Castro, Raul Castro and Che Guevara)?

A. I would read it that way, yes. (Lansdale, 7/8/73, p. 108)

²Q. . . . would you agree that the words 'direct positive action' appear to question whether there's been any planning in connection with assassinating (the Castros and Guevara)?

A. I think the phrase 'positive action' could include assassinations, but . . . I'm not sure what was in Mr. Merchant's mind." (Gray, 7/9/75, p. 9.)

³McCone testified that he first learned of the Rosselli operation in August 1963, long after it had been terminated. See discussion *infra*, pp. 107-108.

6-7, 17), and that if he had ever been asked about the plots, he would have disapproved. McCone testified:

"I had no knowledge of any authorized plan or planning that might lead to a request for authorization. Of course, during those days it was almost common for one person or another to say, "we ought to dispose of Castro" . . . [b]ut at no time did anyone come to me, or come to other authorities to my knowledge, with a plan for the actual undertaking of an assassination. (McCone, 6/6/75, p. 3)

McCone also testified:

Senator Hart of Colorado: Did you ever discuss the subject of assassinations with your predecessor, Mr. Dulles?

McCone: No, I did not.

(ii) *Testimony of Helms, Bissell, and other Subordinate Agency Employees.*—Bissell was DDP under McCone for three months from November 1961 until February 1962. Helms assumed the duties of DDP from Bissell and served throughout the balance of McCone's terms as Director.

Bissell testified about McCone's knowledge as follows:

Q. Your testimony is that you never discussed assassinations with Mr. McCone?

A. That is correct.

Q. . . . [D]id you tell McCone anything about that conversation with Mr. Harvey in which you at least told him to take over the relationship with the criminal syndicate?

A. I don't remember so doing. (Bissell, 6/11/75, p. 19)

Helms testified that he did not recall ever having discussed the assassination plots with McCone while the plots were continuing.² When asked whether McCone was aware of the assassination plots against Castro, Helms testified:

No, it isn't my impression that I told him, at least I don't have any impression, unfortunately . . . Mr. McCone is an honorable man. He has done his own testifying, and all I can say is that I do not know specifically whether he was aware or not. (Helms, 6/13/75, pp. 90, 101-102)

Helms further testified:

Senator MONDALE. I believe Mr. McCone testified that he never heard of any of these attempts when he was Director. Would you have any reason to disagree with his testimony?

HELMs. Sir, I have always liked McCone and I don't want to get into an altercation with him. He had access to Harvey and everybody else just the way I had and he had regular access to the Attorney General.

Senator MONDALE. If you were a member of this Committee wouldn't you assume that Mr. McCone was unaware of the assassination attempts while they were underway?

HELMs. I don't know how to answer that, Senator Mondale. He was involved in this up to his scuppers just the way everybody else was that was in it, and I just don't know. I have no reason to impugn his integrity. On the other hand,

¹ Walt Elder, McCone's Executive Assistant, testified that Dulles gave McCone from ten to twelve informal briefings between September and November 1961. He also said that Dulles and McCone traveled together on a briefing trip to Europe to enable McCone to get "up to speed" on CIA activities. (Elder, 8/13/75, p. 13)

² Helms testified that he first informed McCone about the plot using underworld figures in August 1962. See discussion *supra* at p. 107.

Mr. DODD. If I told you August 3 or August 1963 is when Mr. McCone believes that he was informed by you of the pre-Bay of Pigs efforts, would you argue with that date?

Mr. HELMS. Is that when that story came out in the Sun Times? Because that is the only thing I can key it to.

Mr. DODD. That is what he states, and I just wondered if you would argue with that.

Mr. HELMS. No, certainly not.

Mr. DODD. Mr. Chairman, I will ask that JFK F-538 be entered in the record at this time as well.

Mr. PREYER. Without objection, JFK exhibit F-538 is admitted into evidence at this point.

[Whereupon, JFK exhibit No. F-538 was received in evidence.]

[The information follows:]

face that the plot involved assassination, although Bissell and Edwards insist that the real meaning must have been understood. Certain other evidence before the Committee suggests that Dulles and Cabell did know about the assassination plots; other evidence suggests that they did not. (See subsection (b) below.)

(ii) *McCone*.—McCone testified that he did not know about or authorize the plots. Helms, Bissell and Harvey all testified that they did not know whether McCone knew of the assassination plots. Each said, however, that he did not tell McCone of the assassination efforts either when McCone assumed the position of DCI in November 1961 or at any time thereafter until August 1963, when Helms gave McCone a memorandum from which McCone concluded that the operation with underworld figures prior to the Bay of Pigs had involved assassination. The Inspector General's Report states that Harvey received Helms' approval not to brief McCone when the assassination efforts were resumed in 1962. Harvey testified this accorded with his recollection. On other occasions when it would have been appropriate to do so, Helms and Harvey did not tell McCone about assassination activity. Helms did not recall any agreement not to brief McCone, but he did not question the position taken by Harvey or the Inspector General's Report. Helms did say that McCone never told him not to assassinate Castro. (These matters, as well as the various reasons put forward by Harvey and Helms for not briefing McCone, are set forth in Section (c) below.)

(b) *Did Allen Dulles Know of or Authorize the Initial Plots Against Castro?*¹

Both Allen Dulles and General Cabell are deceased. The Committee's investigation of this question relied on the available documents and the testimony of those who served under Dulles and Cabell who are still living.²

(i) *Dulles' Approval of J. C. King's December 1959 Memorandum*.—On December 11, 1959, J. C. King, head of CIA's Western Hemisphere Division, wrote a memorandum to Dulles observing that a "far left" dictatorship now existed in Cuba which, "if" permitted to stand, will encourage similar actions against U.S. holdings in other Latin American countries.

One of King's four "Recommended Actions" was:

Thorough consideration be given to the elimination of Fidel Castro. None of those close of Fidel, such as his brother Raul or his companion Che Guevara, have the same mesmeric appeal to the masses. Many informed people believe that the disappearance of Fidel would greatly accelerate the fall of the present Government.

A handwritten note indicates that Dulles, with Bissell's concurrence, approved the recommendations.³

¹ This evidence relates to the aborted incident in July 1960 and what the Inspector General's Report referred to as the initial phase of the assassination effort involving the underworld. With respect to the "schemes" prior to that operation, the I. G. Report concluded it could "find no evidence that any of the schemes were approved at any level higher than division, if that." (I. G. Report, p. 10)

² The Inspector General questioned neither Dulles nor Cabell in preparing his Report in 1967, although both were then alive.

³ The Committee received this document on November 15, 1975, after printing of the Report had begun. As a consequence, there was no opportunity to question either King or Bissell concerning the meaning of "elimination", what consideration was in fact given to Castro's "elimination", and whether any planning resulting from this document in fact led to the actual plots. In this regard it should be noted that Bissell had a "dim recollection" of a conversation prior to early autumn or late summer 1960 with King (the author of the above memorandum) concerning a "capability to eliminate Castro if such action should be decided upon." (Bissell, 6/9/75, p. 19) See p. 74.

Mr. DODD. Mr. McCone testified he did not know about authorized plots. Helms, Bissell, and Harvey all testified that they did not know whether McCone knew of the assassination plots. Each said, however, he did not tell McCone of the assassination efforts either when McCone assumed the position of DCI in December 1961 or at any time thereafter until August 1963. So that would have been the first time Mr. McCone was aware of any of these efforts?

Mr. HELMS. I think that is plausible. I can accept that.

Mr. DODD. These would have been the efforts that were pre-Bay of Pigs?

Mr. HELMS. That is my recollection of that particular episode, yes.

Mr. DODD. Did you ever talk with the Warren Commission or anyone on the Warren Commission staff about these efforts to get rid of Castro?

Mr. HELMS. No, sir. I might point out in fairness to all concerned that that was not my function in those days. If anybody was going to be briefing the Warren Commission about ongoing operations of any kind in the CIA, it would have been the Director or with the Director's authority.

Mr. DODD. In other words, you talked about these plots to no one who had any connection whatsoever with the Warren Commission?

Mr. HELMS. Not that I know of; no.

Mr. DODD. I would like to, if I could, refer to page 17—I hope we have the same copies—of the now declassified August 9 executive session testimony that you gave before this committee.

Mr. HELMS. Yes, I have page 17.

Mr. DODD. You can read along with me. Mr. Helms is responding to a question by Mr. Goldsmith.

Mr. HELMS. Excuse me, did you say you wanted me to read it?

Mr. DODD. No. I will read it and you may read along with me.

On the bottom of page 16:

Mr. GOLDSMITH. Did the agency's investigation reflect any working hypotheses? By that, did the agency give any particular emphasis to the particular areas, geographic areas?

Mr. HELMS. I think that the entire U.S. Government, not only the CIA, was very concerned as to whether there would be evidence of some foreign conspiracy to assassinate President Kennedy. They were concerned whether the Soviets were involved in this. They were concerned whether the Cubans were involved in this. They were concerned that somebody may have been involved in it.

Then dropping to the next paragraph, second sentence:

There is hardly any question there was more discussed during those days as to who was behind Lee Harvey Oswald, if indeed he was the man who was responsible, what had affected his life, why had he done the things he had done, and so forth.

Then dropping down to the last paragraph here on this page beginning with the sentence:

I think if the Chair would indulge me a minute, I would like to make a comment about the various investigations into the assassination of President Kennedy based on the long years I have spent in the intelligence business, and that is, until the day that the KGB in Moscow or the Cuban intelligence in Havana is prepared to turn over their files to the United States as to what their relationships to these various people were, it is going to be extraordinarily difficult to tidy up this case, finally and conclusively.

It seems to me that the question of possible Cuban complicity was, according to your testimony, on the minds of a lot of people.

This was not something that came up later, but right at the very time. Isn't that correct? In fact, this morning you said in response to a question from Chairman Stokes that you certainly were aware that the alleged assassin Lee Harvey Oswald had sought a visa at the Cuban Embassy in Mexico. Is that correct?

Mr. HELMS. Yes.

Mr. DODD. And you were aware that the alleged assassin Lee Harvey Oswald had lived for more than 2 years in the Soviet Union; is that correct?

Mr. HELMS. Right.

Mr. DODD. And you were aware that Lee Harvey Oswald had passed out Fair Play for Cuba materials in New Orleans; is that correct?

Mr. HELMS. I believe it is.

Mr. DODD. In light of all of that knowledge, in light of the obvious interest and emphasis that the entire U.S. Government had on the possible activities of the Cuban Government, and in light of the fact that you knew that Lee Harvey Oswald had engaged in these activities, why didn't you tell the Warren Commission about the efforts to get rid of Fidel Castro or to overthrow the Cuban Government?

Mr. HELMS. Mr. Dodd, you are singling me out as to why I didn't march up and tell the Warren Commission when these operations against Cuba were known to the Attorney General of the United States, the Secretary of Defense, the Secretary of State, the Assistant to the President for National Security Affairs, the President of the United States himself although he at that point was dead. All kinds of people knew about these operations high up in the Government. Why am I singled out as the fellow who should have gone up and identified a Government operation to get rid of Castro? It was a Government wide operation, supported by the Defense Department, supported by the National Security Council, supported by almost everybody in a high position in the Government.

Mr. DODD. According to your earlier testimony, you have made note of the fact and I think the record indicates that the Attorney General had asked that they be stopped. I presume he was told that they would be. So far as he was concerned, they had ended.

Mr. HELMS. What about some connection with the Mafia? But the efforts to unseat Castro under Operation Mongoose had gone on full blast under the Attorney General's direction and we had the Cuban missile crisis in October of 1962. If the Cuban missile crisis with the connivance of Fidel Castro and the Soviet leaders had been a success, those missiles would have been introduced to Cuba and the United States would have been hostage to those missiles of the Soviets. It would have been the coup of the century.

In December of 1962 the brigade comes back to the United States having been bought off with drug supplies by the Attorney General, et cetera. President Kennedy went to the Orange Bowl in Miami and greeted them in December 1962 and assured them, and this may not be an exact quote, as follows: "I will return this banner to this brigade in a free Havana."

Those operations went on nonstop during 1963. If that doesn't indicate there was bad blood between President Kennedy and Fidel Castro, I don't know what does.

Mr. DODD. But my point is this, according to your testimony, Mr. McCone was not aware of the post-Bay of Pigs efforts and attempts. Robert Kennedy, the then Attorney General, asked that all activities such as that be stopped. Mr. McCone is not aware. I can't ask you why others who had knowledge of this, did not communicate it to the Warren Commission.

But as I read your executive committee testimony, you felt you had, not the link with the Warren Commission but had a very active role in communicating with the Warren Commission. That doesn't help me in trying to understand why you would not have made that information available and known to the Warren Commission.

Mr. HELMS. Well, I am sorry, I didn't.

Mr. DODD. In retrospect, do you think it was relevant?

Mr. HELMS. In retrospect, Mr. Dodd, I would have done a lot of things very differently. I would like to point out something since we are so deeply into this. When one government is trying to upset another government and the operation is successful, people get killed. I don't know whether they are assassinated or whether they are killed in a coup. We had one recently in Afghanistan. The head of the Afghanistan Government was killed. Was he assassinated or killed in a coup? I don't know.

These semantics are all great. I want to say there is not a chief of state or chief of government in the world today who is not aware of the fact that his life is in jeopardy. He takes every possible protection to guard himself. The relevance of one plot or another plot and its effect on the course of events I would have a very hard time assessing and I think you would, too.

Suppose I had gone down and told them and said, yes, you know we tried to do this. How would it have altered the outcome of the Warren Commission proceeding?

Mr. DODD. Wasn't that really for the Warren Commission to determine?

Mr. HELMS. I think that is absolutely correct, but they did not have that chance apparently.

Mr. DODD. That is right.

Mr. HELMS. I don't want to take the sole blame for the fact that they didn't have that chance.

Mr. DODD. I am not asking you to.

Mr. HELMS. Well, the implication of the hearing is to that effect.

Mr. DODD. You have to take these things in the entire context. This is not the only hearing we are having. Prior to the issuance of the Warren Commission's report, did the Agency at any time have any documents or other information which might have indicated that Mr. Castro may have known about some of these efforts to get rid of him?

Mr. HELMS. I don't know that. I have heard these allegations flying around. I don't know whether they are accurate or not. I have heard allegations of newspaper stories that Mr. Castro knew or didn't know. Eminent Senators of the United States have taxed me with the fact they knew that Castro knew Mr. Cubela was a double agent. Mr. Cubela gets up in Havana not long ago and says Mr. Castro did not know he was a double agent; and Mr. Castro

testified to this committee that he didn't know he had any connections with the CIA.

Who is right in all of this?

Mr. DODD. That is what we are trying to find out.

Mr. HELMS. Well, I can't contribute anything.

Mr. DODD. Was there any effort to investigate whether or not Castro or the Cuban Government was aware of these efforts?

Mr. HELMS. Well, I think that we used what few resources we had in Cuba. But after all, you must remember that the whole object of this exercise at the time was to get intelligence on Cuba of any kind and it was turning out to be extraordinarily difficult and the U.S. Government made a major effort to get intelligence on Cuba during this period of months.

Mr. DODD. I am not in any way trying to be harassing, Mr. Helms, when I ask these questions. But you stated earlier that there were other people that were aware of these efforts to get rid of Castro and that they might have had a responsibility as well to communicate that to the Warren Commission.

Mr. HELMS. Well, they might have communicated to the Warren Commission the operations that were being run against Cuba which were certainly advertised to the Cubans because people began getting arrested. I mean, task forces would land. The people would be arrested. I have no doubt they were interrogated. Therefore, Castro knew these efforts were being made against him.

Now, if you want to single out the assassination plot involving the Mafia as one thing and you want to circumscribe it and separate it from all these other things, exactly who knew about it and who might have told the Warren Commission, I am not dead certain.

Mr. DODD. I want to try to determine, if I could, whether or not it was a conscious decision on your part not to inform the Warren Commission or was it just something that you didn't think should be done at the time?

Mr. HELMS. It never occurred to me. We never talked to anybody outside the Agency about covert operations of any kind—that perhaps was a mistake—except to the Senate and House committees to whom we reported.

Mr. DODD. But as I understand your statement, you believe today that that was a mistake?

Mr. HELMS. I think it was a mistake, no doubt about it. I think we should have shoved the whole thing over. I would have backed up a truck and taken all the documents down and put them on the Warren Commission's desk.

Mr. DODD. I notice in your executive testimony and earlier today in previous testimony it was your position that the Agency gave the Warren Commission information only in response to the Commission's requests.

Mr. HELMS. Basically that was the case. I imagine that if anything came into the Agency which seemed to be of fundamental interest to them, we would have volunteered it, but basically we felt our role was to respond to Warren Commission requests and not to try and get out in front of them or to try and second-guess them or anything else. I mean the Commission.

Mr. DODD. But fundamentally it was on a request basis. You were not necessarily volunteering information?

Mr. HELMS. That is right.

Mr. DODD. I would like to refer you to JFK exhibit F-520. I would ask the clerk to give Mr. Helms a copy of that exhibit, so that he has it in front of him.

[The information follows:]

JFK EXHIBIT F-520

11 May 1964

- JFK EXHIBIT F - 520 -

MEMORANDUM FOR: Deputy Director for Plans

SUBJECT:

d Information on
Lee Harvey OSWALD

1. This memorandum is for information and for action. The proposed lines of action are indicated in paragraph 4.

2. [redacted] the Cuban Intelligence Service defector, has produced information of interest to the President's Commission on the Assassination of President Kennedy. Staff learned of [redacted] on 30 April. A questionnaire was submitted by the Staff on 1 May (Attachment A). Mr. [redacted] who is handling the [redacted] debriefing, provided a reply on 5 May (Attachment B). It was clear from Mr. [redacted] summary that [redacted] had information bearing on the OSWALD relationship with the Cuban Embassy and Cuban intelligence personnel in Mexico City, albeit his knowledge was not that of a direct participant in matters affecting OSWALD. A follow-up questionnaire was submitted to [redacted] on 6 May (Attachment C). Mr. [redacted] reply was dated 8 May (Attachment D). Attention is directed particularly to the content of paragraph two of Attachment D.

3. We have the problem of reconciling the operational exploitation of [redacted] and satisfying the responsibilities we have undertaken with Mr. Rankin. [redacted] is such an operational gold mine that Mr. [redacted] wants, at a maximum, two months to work fully. It is palpable, however, that we must furnish to the Commission the substance of [redacted]

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for FOIA Review on

JUN 1976

information on OSWALD before that. On the previous record of our association with the Commission, particularly with Mr. Rankin, it seems possible for the Agency to work out an arrangement with Mr. Rankin personally that would take care of their needs and ours after a frank discussion of the equities.

4. It is recommended that the DDP in person or via a designee, preferably the former, discuss the situation on a very restricted basis with Mr. Rankin at his earliest convenience either at the Agency or at the Commission headquarters. Until this takes place, it is not desirable to put anything in writing.

Attachments

cc:

07 May 1964

MEMORANDUM FOR: |

SUBJECT General : Debriefing of |
 Specific : The Oswald Case

REFERENCE : Blind Memorandum dated 05 May 1964

1. Reference is made to a telephone conversation yesterday with Chief, | Staff concerning this matter.

2. Because I am not aware of the information already available to the Commission investigating the Oswald Case or furnished by the Agency, my debriefing of the Source has been based on the questions prepared by the | Staff and on what the Source answers have suggested. I shall be glad to pursue any other topics suggested by | Staff.

3. The Following information in addition to that in the reference might be of interest:

a. Luisa CALDERON, since she returned to Cuba, has been paid a regular salary by the DGI even though she has not performed any services. Her home is in the Vedado section where the rents are high.

b. Source has known CALDERON for several years. Before going to Mexico, she worked in the Ministry of Exterior Commerce in the department which was known as the "Empresa Transimport". Her title was Secretary General of the Communist Youth in the department named in the previous sentence.

c. Luisa CALDERON was transferred directly from her position in the Ministry of Exterior Commerce to a post in Mexico, a matter of surprize to the Source.

d. Rogelio RODRIGUEZ Lopez (DGI pseudo MORCOS), shortly before he left Cuba for Mexico on or about 16 April 1964, saw CALDERON.

6 May 1964

Proposed Questions on Oswald Case

REFERENCE: Debriefing of [redacted] dated 5 May 1964

1. The source says that prior to October 1963, Oswald visited the Cuban Embassy in Mexico City on two or three occasions. It is public knowledge he was in Mexico during the period 9-26-63 to 10-3-63.
 - A) When did source learn of these visits - before or after the assassination? Please describe in detail the circumstances under which source learned this information and identities of the persons involved.
 - B) Did these visits take place during the aforementioned period or is the source referring to previous visits. If the latter, try to get more specific details regarding these trips and the origin of the source's information.
2. The source states that before, during, and after these visits Oswald was in contact with the DGI, specifically Luisa CALDERON, Manuel VEGA Perez and Rogelio RODRIGUEZ Lopez. This would appear to mean that one or more contacts were made after Oswald returned to the United States i.e., between 10-3-63 and 11-22-63.
 - A) What does source mean by contact?
 - B) Can he break down these contacts by the specific individual named, place and type of contact, and date of occurrence?
 - C) Did Oswald know or have reason to suspect the intelligence connections of these persons?
 - D) What was the purpose of these contacts?

E) If Oswald did not know the intelligence affiliations of these individuals, what pretents, if any, were employed in contacting him?

F) Did source ever see any documentary material on any of these contacts, or any correspondence initiated by or addressed to Oswald?

G) Did the DGI ever employ physical surveillances, technical devices or camera equipment to cover these contacts.

H) The source says he does not know whether the Cuban services used Oswald in any agent capacity or otherwise. This obviously makes it more important to check out what the source meant in question one.

3. Did the DGI ever initiate an investigation of Oswald?
4. What was the reason for packaging files at DGI headquarters and field offices after news of the assassination was received?
5. Source was asked whether any provocative material was deliberately fabricated by the Cubans (Question 9) to confuse the investigation of Oswald. The reply attributed to him was, "the only fabrication known is the special matter by Fidel CASTRO previously mentioned." Please clarify.

08 May 1964

MEMORANDUM FOR: _____

SUBJECT General : Debriefing of/
Specific : The Oswald Case

REFERENCE : A. Blind Memorandum dated 05 May 1964
B. Blind Memorandum dated 07 May 1964
C. Conversations between/ Staff and

1. When the Oswald Case first was discussed with the Source the specific questions prepared by Staff were posed. The answers given by the Source were reported in Reference A. That memorandum which I dictated to a Staff stenographer appears accurate except for sentence #9 which should have said that the only possible "fabrication" known by Source was the specific denial by Fidel CASTRO, on a television program, of any Cuban knowledge of Oswald.

2. On 07 and 08 May 1964 I further discussed the Oswald Case with the Source in order to clarify exactly what he knew and what he had heard. In the light of the explanation given by him, I believe that a clearer understanding of what he knows can be reached if I record his knowledge without using the question and answer format. Accordingly, in the following paragraphs I shall report all the information given by the Source paraphrasing his explanations and comments.

" I have no personal knowledge of Lee Harvey OSWALD or his activities and I do not know that OSWALD was an agent of the Direccion General de Inteligencia (DGI) or any other directorate or department of the Cuban Government.

I first heard of OSWALD after the assassination of President Kennedy when news media carried the name of OSWALD. Personnel in the DGI first commented about the case, so far as I can recall, one day after lunch when a group of officers, of whom I was one, were chatting. The officers present were about ten including Roberto SANTISTEBAN, Norberto HERNANDEZ de Curbelo, Andres ARMONA, Pedro FARINAS Diaz and

CS. ORRY

Manuel VEGA Perez. Manuel VEGA Perez previously had been assigned to Mexico in the Cuban Consulate where he was the principal intelligence officer of the DGI. VEGA mentioned that OSWALD had gone to the Cuban Consulate two or three times in connection with a visa application during the time that VEGA was in Mexico. I gathered, although I do not know that VEGA made any specific statement to this effect, that VEGA personally had seen OSWALD. I well could have reached this conclusion because normally VEGA and his assistant in Mexico for the DGI, Rogelio RODRIGUEZ Lopez, would see persons applying for a visa to go to Cuba. This is because DGI officers are charged with expediting the granting of visas of agents of the DGI. Such agents on appearing at the Consulate use a special phrase to indicate their relationship with the DGI. (I do not know the particular phrase used in every case. I do know that agents from El Salvador in requesting visas always made mention of the name "Mauricio") The DGI officers at a Consulate interview visa applicants to find out if they are agents. If the visa applicant does not use one of the indicated phrases, the DGI officers, instead of granting the visa immediately, tell the applicant to return in a few days. The officer then notifies Habana and requests authority for the visa. I cannot recall if VEGA even made the statement that he had requested permission to issue a visa to OSWALD, but I feel sure that he would have done so because VEGA had said that OSWALD had returned several times and this would be the usual procedure.

I believe that Rogelio RODRIGUEZ Lopez also would have seen OSWALD because he worked with VEGA and also would have screened visa applicants.

I thought that Luisa CALDERON might have had contact with OSWALD because I learned about 17 March 1964, shortly before I made a trip to Mexico, that she had been involved with an American in Mexico. The information to which I refer was told by a DGI case officer named Norberto HERNANDEZ de Curbelo. |

HERNANDEZ had investigated Luisa CALDERON. This was because, during the time she was in Mexico, the DGI had intercepted a letter to her by an American who signed his name as OWER (phonetic) or something similar. As you know, the pronunciation of Anglo-Saxon names is difficult in Spanish so I am not sure of how the name mentioned by HERNANDEZ should be spelled. It could have been "Howard" or something different. As I understood the matter, the letter from the American was a love letter but indicated that there was a clandestine-professional relationship between the writer and Luisa CALDERON. | HERNANDEZ^{said} that after the interception of the letter she had been followed and seen in the company of an American. I do not know if this could have been OSWALD./

The only other person about whom you asked me in connection with this, whom I recall, is Sylvia DURAN and I know very little about her. /

We saw a pretty girl standing at the end of the reception room, and someone asked who she was, and one of the group said it was Sylvia DURAN

I recall that, after the news of the assassination of President Kennedy reached the DGI, orders were issued for all offices of the DGI, at Headquarters and in the field, to sort and package all documents according to whether they were "muy secreto" (very secret), "secreto" (secret), or "importante" (important). The material, once packaged, was to be held pending further instructions. All travel by DGI officers and all DGI pouches were suspended temporarily. In addition, I recall that DGI Headquarters personnel were instructed either to remain in the DGI Headquarters offices or to keep the DGI aware of their whereabouts so that they could be reached immediately. I do not know the reason for these measures but I believe it logical that they were issued because of the possibility that the United States might take some type of action against Cuba and the DGI offices. As nearly as I can recall, we were able to unpackage DGI files and use them normally about the 3rd of December 1963."

3. In brief, the Source does not claim to have any significant information concerning the assassination of President Kennedy or about the activities of OSWALD. If the paraphrased comments of the Source are considered to need further clarification, I suggest that Mr. | who is most familiar with the details of the OSWALD Case, talk to the Source. This can be arranged at any time. //

Mr. DODD. This exhibit, Mr. Helms, is dated May 11, 1964. It is a memorandum that was prepared for your review. The subject of the memorandum is information regarding Lee Harvey Oswald provided to the CIA by a Cuban defector.

Mr. HELMS. Which part of it, Mr. Dodd, would you like me to look at?

Mr. DODD. Do you recall the document? Just looking at it, does it refresh your memory?

Mr. HELMS. I had better look at it a little more carefully. I have no doubt it is in my packet of papers. Yes, sir, I have been through it now.

Mr. DODD. And you recognize this as a memorandum that was prepared for your review and it does involve information regarding Lee Harvey Oswald provided to the CIA by a Cuban defector?

Mr. HELMS. Yes.

Mr. DODD. All right. I will read paragraphs 3 and 4 here if you want to follow along with me, beginning on paragraph 3:

We have the problem of reconciling the operational exploitation of blank—

The name having been sanitized here—

and satisfying the responsibilities we have undertaken with Mr. Rankin, blank is such an operational gold mine that Mr. Blank wants at a maximum 2 months to work fully. It is palpable, however, that we must furnish to the Commission the substance of blank.

It looks like.

Then paragraph 4:

It is recommended that the DDP in turn or via a designee, preferably the former, discuss the blank situation on a very restricted basis with Mr. Rankin at his earliest convenience, either at the Agency or at the Commission headquarters. Until this takes place, it is not desirable to put anything in writing.

Doesn't this language here indicate that in this particular instance anyway, the Agency was contemplating volunteering this defector's information to the Warren Commission without a specific request from the Commission itself?

Mr. HELMS. Yes, I think that is right, sir. That is what it looks like to me.

Mr. DODD. Let me ask you this: Why did you feel in this case that the Commission should be privy to this information? Why did you volunteer this information?

Mr. HELMS. Well, I can only assume from reading this, since I don't have any independent recollection of exactly what this defector was saying, that it was so obvious to all of us that it would be of interest to the work of the Commission that we wanted to get it in their hands.

In saying earlier today that we reacted both to the time and in response to questions, I didn't mean to imply that we never volunteered anything, particularly if it seemed that the Commission ought to have it, at least in our judgment it seemed that the Commission ought to have it.

Mr. DODD. I noticed earlier today in response to Mr. Stokes' question you voluntarily went, I presume, to the Chief Justice at the time and communicated to him about the reliability of Nosenko's testimony with regard to Oswald?

Mr. HELMS. Yes, sir, it was certainly voluntary because we were very concerned at the time.

Mr. DODD. These were pieces of information that the Warren Commission would not on its own have had access to as a result of their own work?

Mr. HELMS. I think that is correct.

Mr. DODD. And certainly it was as well, a conscious decision on the part of the Agency and yourself that both of these pieces of information were relevant to the investigation by the Commission?

Mr. HELMS. That is correct, Mr. Dodd.

Mr. DODD. Now I come back again, Mr. Helms—I suppose it is a constant difficulty I have. I can see and appreciate why you would feel that the defector's information was relevant. I can certainly see why the question of the reliability of Mr. Nosenko with regard to his information with regard to Oswald was relevant.

I have this terrible problem of trying to understand why, albeit today you recognize it was a mistake, but why—when you back in 1964 recognize the relevancy of those two pieces of information—there was a lack of understanding as to the relevancy of attempts on our part to destabilize or get rid of Fidel Castro. That is the difficulty I have.

Mr. HELMS. I can understand your difficulty, Mr. Dodd. I am just sorry. It is an untidy world.

Mr. DODD. Other than the anti-Castro assassination plots, was there any other information pertaining to a possible mode or means or opportunity to kill the President that you are aware of and that Warren Commission was not told about?

Mr. HELMS. I am sorry, I don't get the—

Mr. DODD. Other than the assassination plots. We know about the defector, you volunteered that. We had the voluntary turning over of the opinion with regard to Nosenko. We know today we didn't turn over relevant information with regard to these efforts to get rid of Castro.

Are there other things that you can recall that might have had relevancy—things of importance, to the Warren Commission's investigation of the assassination of an American President.

Mr. HELMS. Well, I don't know of any others. I can't think of what they might have been, but then we might have been guilty of some other errors of omission, I don't know. None come readily to mind. This didn't come readily to mind at the time.

Mr. DODD. You said earlier that you informed President Johnson of the anti-Castro plots or the efforts to get rid of Castro.

Mr. HELMS. Yes, I did.

Mr. DODD. Do you recall when he would have become aware of that?

Mr. HELMS. I guess he became aware of it when I told him, although I believe there were some allegations in a column by Drew Pearson. Yes, I think that is correct, that there was a column by Drew Pearson and then maybe some lawyer in town, a friend of his, made some mention of this to President Johnson. It was responsive to this inquiry from him that I gave him the information.

Mr. DODD. And he was told specifically about the CIA's efforts to get rid of Castro?

Mr. HELMS. Yes, he was.

Mr. DODD. Was he told specifically about the CIA—organized crime connection?

Mr. HELMS. That is the thing we were talking about. It was about the operations to get rid of Castro. They were ongoing even in his administration.

Mr. DODD. Let me ask you when that would have been? I think in your executive testimony you said May 10, 1967.

Mr. HELMS. If that is what I said in the executive testimony, I believe that to be the correct date on which I did this. That is my belief. I did my best to reconstruct when it was, in recent times. If it is a mistake, it is a mistake, but it is an honest one. It is my recollection of when I did this.

Mr. DODD. Is it further your testimony that President Johnson was aware of the so-called AMLASH plot?

Mr. HELMS. I gave him what I recollect is a good fill-in on what we were trying to do. The AMLASH operation was a political action operation to get a political grouping together to unseat Castro. I recognized it in one of the documents, because I noticed it the other day in this group of documents, some officer in the Cuban operations testified to the fact that that was referred to consistently in the group as an assassination operation. That is not my recollection of the case. It was not an assassination operation or designed for that purpose.

I think that I do know what I am talking about here, but there are other witnesses to that. Mr. FitzGerald is dead, but there are other gentlemen who worked with him at the time.

Mr. DODD. As you said in your earlier testimony, it is semantics that we are having trouble with.

Mr. HELMS. If you are the target, there is a great deal of difference whether somebody is thinking of doing something to you 10 miles from here and actually doing something. I don't mean to indulge too much in semantics, but it is a question of whether anything happened or not.

Mr. DODD. That is not the question. We are talking about what was planned to happen.

Mr. HELMS. The AMLASH operation was designed to try and get this man to organize a political action operation and a military operation to get rid of Castro. It was he who kept saying that the fastest way to do this is to kill the man. But this didn't mean that the Agency was interested in that aspect of the thing and the primary reason for being in touch with him was quite the opposite. We were trying to do various things to rein him in.

Mr. DODD. It was not suggested that there be a democratic election to unseat Castro?

Mr. HELMS. I should say not. But if you go through the records of those years, you will find it was the whole U.S. Government was behind this one.

Mr. DODD. Well, could you distinguish this one, then, from the other ones? You didn't want to characterize the other efforts as assassination plots or efforts to single out and get rid of Castro? This one you describe as more of a political operation. I am having a difficult time distinguishing the earlier ones if they are to be distinguished.

Mr. HELMS. Well, I think it goes back, Mr. Dodd, to what I was saying a few minutes ago where one government mounts operations to unseat another government, at what point does what word become what word. You are trying to unseat them and you are trying to unseat them by the means at your disposal. Some may be shooting with guns. Others will take off and go to the hills. Others might be that you could arrest them and put them in jail. You know this as well as I do. It is the history of the world. There are coups constantly going on.

All I am trying to say is the U.S. Government had a policy for many months of trying to mount a coup against Fidel Castro.

Mr. DODD. I would like to draw your attention to JFK-527. I would ask the clerk to show the witness, Mr. Helms, a copy of this exhibit.

Mr. Helms, as they bring it over to you, this is page 94 of the CIA's 1967 Inspector General's report. Do you have a copy of it there?

Mr. HELMS. Yes, I do. I think this is correct. Is this about the AMLASH meeting?

Mr. DODD. There you go; that is the proper one. Again, just to make sure I understood you, your testimony was that you didn't consider AMLASH to be an assassination plot? It was more of a political operation?

Mr. HELMS. That is right.

Mr. DODD. OK. Now let me read the section where you identified the document. I am reading what is underlined here, and I think for the purpose of the record it is important to note that the underlining was done by the Inspector General. It was not done by the committee.

It is likely that at the very moment President Kennedy was shot, a CIA officer was meeting with a Cuban agent in Paris and giving him an assassination device for use against Castro.

Now, again, I am reading from the same report that we read from earlier. They are calling it an assassination device. Are we getting semantical here again?

Mr. HELMS. No. I think the device, that was a hypodermic with some kind of poison in it—

Mr. DODD. I am having a hard time hearing you, Mr. Helms.

Mr. HELMS. I believe it was a hypodermic syringe they had given him with something called Black Leaf-40 in it. This was in response to AMLASH request that he be provided with some sort of a device whereby he could kill Castro. He returned this device on the spot to the case officer. The case officer brought it back to Washington and that was the end of the plot.

Mr. DODD. OK, but for purposes of discussion, the officer gave this Cuban, this agent in Paris, a device with that material you described in it. I presume the material, if injected into a human being, would kill him; is that right?

Mr. HELMS. I would think so, yes.

Mr. DODD. So the officer gives the Cuban agent the device to kill somebody.

Mr. HELMS. I am sorry he didn't give him a pistol, because it would have made the whole thing a lot simpler and less exotic.

Mr. DODD. Well, whether it is a pistol or a needle, if AMLASH is a political plot to destabilize the government, what in the blazes are we giving an agent a device to kill Castro for if it is not an assassination plot?

Mr. HELMS. Well, if you want to have it that way, why don't you just have it that way.

Mr. DODD. It is not what I want.

Mr. HELMS. I think it is what you want.

Mr. DODD. I am reading to you from reports prepared at your request by the Inspector General. I'm not fabricating, I am quoting.

Mr. HELMS. I understand that.

Mr. DODD. Well, it is not a question of what I want. It is a question of what this committee would like to know, and the committee is not satisfied, I don't believe, at this point as to exactly what the characterization of AMLASH was.

Mr. HELMS. Well, I have told you what I believe the characterization of AMLASH to be.

Mr. DODD. What does that have to do with this?

Mr. HELMS. Because we gave him a gun or hypodermic syringe or whatever the case may be at his request because he had aims on Castro. If that is your definition of an assassination plot, then have it that way. It is quite satisfactory with me.

Mr. DODD. But it is your characterization that it would not be—

Mr. HELMS. No; it is not. He didn't accept the weapon. If we gave him a gun and he gave it back, there is no way he was going to make an assassination or murder with that particular device, was there?

Mr. DODD. It is not a question of what he wanted to do. It is what we were trying to do by giving him this device that is important. That is what I am driving at.

Mr. HELMS. Is it important? I thought you had Mr. Cubela testifying that they never even knew he was in touch with the CIA. So how is it relevant to the hearings of this committee, let alone the Warren Commission?

Mr. DODD. I would suggest to you that it might be relevant, if, in fact, Mr. Castro was aware of the fact that we were engaging in an activity designed to cause his early demise.

Mr. HELMS. Well, if he didn't know it, he could have guessed it.

Mr. DODD. To the best of your knowledge, Mr. Helms, was the AMLASH operation, well, I guess called in in-house jargon a secure operation, an operation where to your knowledge there were not any leaks.

Mr. HELMS. The allegations I believe have been made by some officer connected with it that he felt there had been leaks.

Mr. DODD. I am sorry. I didn't hear you.

Mr. HELMS. The allegation I believe has been made by some officer connected with the operation that there were leaks, that it was not a secure operation. The merits of that allegation I do not know. I know that the Senate committee seemed to feel that this was the case and I believe they came to the conclusion that it was a double agent operation.

I never believed that it was a double agent operation. I am now supported by Mr. Castro and Mr. Cubela. I don't know whether that support gives me any solace or not.

Mr. DODD. Just a second ago you said even if he didn't know, he could have guessed anyway.

Mr. HELMS. Sure.

Mr. DODD. I will ask that JFK exhibit F-527 be entered into the record at this point.

Mr. FITHIAN [presiding]. Without objection it is admitted.

[JFK exhibit F-527 was entered previously.]

Mr. DODD. Mr. Helms, I would like to show you JFK exhibit F-512. This is an affidavit that was prepared by an individual who no longer works with the Agency. The name at the top is a fictitious name, not his real name.

Mr. HELMS. That is known in the jargon as a cryptonym.

Mr. DODD. Then, Joseph H. Langosch is a cryptonym. This individual is a person who has extensive experience in counterintelligence matters related to CIA operations against Cuba.

In fact, quoting from his background here, he worked for the Agency from 1955 to 1968. During 1963, he functioned in two capacities as a CIA officer, the first capacity being as Special Assistant to the Chief of the Special Affairs staff, and the second capacity being as the Chief of Counterintelligence for the Special Affairs staff.

During 1963, the Special Affairs staff was the CIA staff responsible for CIA operations directed against the Government of Cuba and the Cuban intelligence services and that as Chief of Counterintelligence for the Special Affairs staff he was responsible for safeguarding the Special Affairs staff against penetration by foreign intelligence services, particularly the Cuban Intelligence Service. So he was directly involved here on page 4.

Mr. HELMS. He is the man I was talking about a few moments ago when I said somebody identified with the operation made the allegation that this was an assassination plot. The gentleman may have heard somebody say this, but I had not heard anybody say it. I had occasion to ask if this was the common talk in the SAS staff from someone else who was there in a high position and I am told it was not.

So, I don't know the merits of the case. I have no reason to put the man down on his affidavit, but on the other hand this was not my understanding of it.

Mr. DODD. Well, for the purpose of the record, for the other committee members who may not be aware of his statement in the affidavit, he says that the AMLASH operation might have been an insecure operation prior to the assassination of President Kennedy because it was highly possible that as of 1962 the Cuban Intelligence Services had knowledge of the CIA's association with persons involved in the AMLASH operation, including AMLASH 1, also known as blank, and that the information which led him to doubt the security of the AMLASH operation prior to the assassination of President Kennedy was available to senior level CIA officials, including Desmond Fitzgerald. And the last paragraph states that the AMLASH operation prior to the assassination of President Kennedy was characterized by the Special Affairs staff, Desmond

FitzGerald, and other very senior CIA officials, as an assassination operation initiated and sponsored by the Central Intelligence Agency.

Mr. HELMS. It is interesting to me that a man who is so close to Mr. FitzGerald spells his name wrong.

Mr. DODD. How do you spell the name?

Mr. HELMS. It has a capital G.

Mr. DODD. That may not be his fault. That may be the stenographer's fault.

Mr. HELMS. But he has all kinds of initials in the margin here in which he made certain corrections. He would have had the opportunity to take note of that, too, I would think.

Mr. DODD. We will take note of that. Obviously, you have had some experience in intelligence work. Would you like to comment on this aside from that?

Mr. HELMS. You know, it is an interesting fact that this committee knows more about the truth of the assertions than I do because you have talked to Cuban officials. The meeting in Cuba at which Cubela testified has occurred within the last 2 or 3 months, and I imagine in the two trips that this committee has made to Havana—at least the newspapers tell me it has been two trips—you have had a chance to satisfy yourself perhaps as to whether the operation was insecure or not.

The Cuban position seems to indicate that it was secure, that they did not know about it. That is why I say it is interesting. I have nothing to contribute myself. I don't know whether it was insecure or not. I can only tell you, though, that intelligence officers are just as human as most people and the fellow who doesn't feel that maybe he was properly appreciated at one time in his career is always glad to get back at his superiors by saying he was the one who was right and they were the ones who were wrong.

Mr. DODD. Fine. Mr. Chairman, at this point I would terminate my line of questioning and turn back the balance of my time.

Thank you, Mr. Helms.

Mr. HELMS. Thank you, Mr. Dodd. Thank you very much.

Mr. FITHIAN. We were not sure, Mr. Dodd, that you had a balance of time, but we do want to thank you for your exhaustive questioning.

I think the plan here, Mr. Helms, is very soon to go back to the counsel, but I am going to exercise the prerogative of the Chair because I have a plane to catch and I want to ask a couple of questions before I leave.

Mr. Helms, the fact that Oswald was in possession of information of some sort on U.S. radar equipment and radar operating procedures at the time he defected or attempted to defect to Russia in 1959 is of some interest to us. Some people claim that he might have had knowledge of the U-2 spy plane performance characteristics as well, although that is less certain.

But we are certain at least about the radar information. He told a State Department official, as you testified this morning I believe, in Moscow in 1959 that he intended to give this information to the Soviets.

My question is: Was the CIA aware of Oswald's defection and the extent of his radar training in 1959?

Mr. HELMS. I don't know, Mr. Fithian. My impression was that we first heard of his defection to the Soviet Union through State Department channels. Having been a marine and therefore a responsibility of the Navy Department, I think the Agency would not have gotten very close to Mr. Oswald. They would not have regarded him as part of our responsibility.

Mr. FITHIAN. So then the Agency, though aware, I would presume there is some procedure for Americans, for your handling or someone handling American attempts to defect?

Mr. HELMS. Yes, sir. He went to the Embassy in Moscow, and the ordinary Consuls would have handled this affair.

Mr. FITHIAN. And you or the Agency would not have been, under a routine arrangement, have been alerted by the State Department?

Mr. HELMS. Well, I think we would have heard from the State Department and I believe that we did hear from the State Department. We would have had no jurisdiction in the case.

Mr. FITHIAN. Would you, would the Agency then not have—as a matter of practice—not have inquired of DOD or someone as to how much damage to our U-2 operation, let's say, theorized, that Oswald might be able to do by the defecting?

Mr. HELMS. I don't know. We might have, but I would have thought that the feeling would be that that was the Navy Department's responsibility.

Mr. FITHIAN. Is it your best assessment that in all probability the Agency did not make any effort to assess the potential damage of Oswald's—

Mr. HELMS. I think that is right. In other words, he was another Marine, but what specialty he had or what he had been involved with, I don't think we would have gone into that unless it were volunteered to us in some form.

Mr. FITHIAN. Then the return of a defector to the United States, as Oswald did in 1962, is that—would that trigger an action by the Agency to interview him?

Mr. HELMS. Normally it would have, except that he would have been regarded by the Agency as a member or a Reserve member from the Defense Department, and therefore it would have been up to the Navy to take him over and talk to him.

Mr. FITHIAN. Now, I thank you for your assessment. I would like your best guess on this. I doubt that you have any specific information, though you may.

Given your work in the whole field of intelligence, is it reasonable for this committee to assume that with Oswald's background and his attempt to defect, that he would be "an uninteresting target" to the KGB?

Mr. HELMS. I simply do not understand that assertion. I would have thought, to begin with, that any American who went to the Russian Government and said, "I want to defect to the Soviet Union" would have immediately been taken over by the KGB to find out what his game was because, after all, the KGB's charter is to protect the Soviet state against infiltration.

How would they know that he was serious about this? How would they know that the CIA had not sent him to make a fake defection and to try to get into Soviet society through this device?

So for that reason, if not for many others, I find it quite incredible, the assertion by Nosenko that Oswald was never interrogated or was never in touch with the KGB while he was in the Soviet Union. This really stretches one's credulity. It goes back to the testimony this morning that this is the hardest thing about the whole Nosenko case to swallow, and I have not been able to swallow it in all these years.

Mr. FITHIAN. Then my own belief that it is highly improbable that the KGB would have so acted, you would not find that too far off base?

Mr. HELMS. No. In other words, I would have thought they would have grabbed him immediately.

Mr. FITHIAN. With all of that, and that is where I sort of come down to, this did not rule out him becoming a bona fide agent as far as the Agency was concerned? That is, it did not rule out coming down favorably on his own as far as the Agency was concerned?

Mr. HELMS. You see, I don't know whether you were here this morning when we were talking about this.

Mr. FITHIAN. Yes, I was.

Mr. HELMS. I realize that the publications are full of sentences saying that the Agency considered or made the judgment that Nosenko was bona fide. When we speak about the Agency, we are speaking about an organization, and normally when an organization is going to take a position, the various people in it decide that this is the position that ought to be taken and there is some record made of this.

I don't ever recall having taken a position in writing or a firm, final position about Nosenko's bona fides. I did make a decision that he was to be resettled. I feel that there is no basis for me to waver in my feelings here.

When I was talking this morning, I omitted to make a point in connection with that memorandum which I signed off on and which is a matter of your record here now in the committee hearings so there is no need to get the document.

But in that April 2 memorandum of 1963, which I signed off on, there were various steps outlined in the attachment to the memorandum about the resettling of Nosenko and I would like to read step 5 for the benefit of the committee because I think it is relevant here.

I said:

When we have favorably resolved this agreement within the Agency as to his bona fides, we will allow him his ultimate freedom, including assistance in finding suitable employment. If disagreement persists, however, as to his bona fides beyond the end of this calendar year, we will consult with other appropriate Government agencies as to whether he may be allowed full freedom as a nonresident alien or whether the security of the United States require his deportation.

I have a note here that I misread the date on the copy I have of the memorandum. Maybe my eyesight is not very good here; 1969 was the date of the memorandum. I am sorry. It is such a bad copy. It is April 2, 1969.

In any event, if the Agency records do not have in them a memorandum which bears my signature which says that this Agency's position is that Nosenko is bona fide, I think that would b

out my recollection that I never made a final decision on the subject.

Mr. FITHIAN. My problem—and this is an opinion rather than a question, Mr. Ambassador—my problem is that as I look over this, I find it extremely difficult, as I have indicated, to accept that they would have—to accept Nosenko's story with regard to the KGB activity or nonactivity.

I find it almost equally impossible to understand why, in the face of this, which was considered by many the crucial question about Nosenko, why we as a Government continued to pay him the kind of money that we went over this morning in testimony.

I find, as a matter of fact, I find both of these about equally implausible, if I can come back to this.

Mr. HELMS. Well, I think, sir, that you must realize, Mr. Fithian, that one has difficulty handling these defectors. What do you do with them? I mean, do you put them on welfare? This is really one of the problems. Defectors are encouraged to come to this country because they do have information that is denied to the United States in these closed societies and otherwise. They have been very useful in the information they have turned over.

I am told that Mr. Nosenko, in certain categories, has made a very useful contribution to American intelligence. But if you have the man on your hands, and even if he is not turning out to be particularly useful, do you want him wandering around as a public charge? I don't think we do.

Now you can get down to the details of whether he is being paid the correct amount or not. I think that is Admiral Turner's responsibility now. I have not had to deal with this matter for 5 years. I prefer that you ask him if he thinks he is worth it now.

Mr. FITHIAN. Thank you very much. I have no further questions.

Mr. PREYER. Mr. Goldsmith is recognized for a few additional questions on direct.

Mr. BLAKEY. Mr. Chairman, I wonder if I could ask a question?

Mr. PREYER. The Chair recognizes Mr. Blakey.

Mr. BLAKEY. Ambassador Helms, I have not, up until this point, asked questions in our hearing before. I had an occasion several years ago in a public forum to ask a question of Mr. Colby along the lines of what I would like to ask you now. I wonder if you would respond to it.

You had a conversation with Congressman Dodd in which you discussed the pre-Bay of Pigs plots involving the Mafia and the post-Bay of Pigs involving the Mafia. You raised some question in your mind as to which of the plots were serious in the sense that they contemplated more than the overthrow of Castro, but more particularly his personal assassination. I found the factual discussion extremely interesting.

Let me change the focus and direction, if I might. Let me ask you a moral question, not a legal question, not a practical question, but a moral question: Would you tell me and the members of this committee and maybe the American people what possibly could have been the moral justification for the CIA entering into an alliance with the Mafia to execute the President of a foreign country?

Mr. HELMS. There was none. I have apologized for this. I can't do any more than apologize on public television that it was an error in judgment on my part. There was great pressure on us at that time to try to find connections in Cuba. For my part in this and to the extent I had anything to do with it, I am heart sorry. I cannot do any more than apologize.

Mr. BLAKEY. I understand you say there was no moral justification for it.

Mr. HELMS. Not that I am aware of.

Mr. BLAKEY. Thank you.

Mr. PREYER. Mr. Goldsmith?

Mr. GOLDSMITH. Thank you, Mr. Chairman.

I would ask that Mr. Helms be shown JFK F-518. I might state for the record that JFK F-518 is a summary, a partial summary, of a conversation involving a woman named Luisa Calderon who was identified as having possible connections with DGI, Cuban Intelligence.

Mr. Chairman, I move for the admission into the record of this exhibit.

Mr. PREYER. Without objection, the exhibit is ordered admitted into the record at this time.

[The information follows:]

SUBJECT : Comments of Luisa CALDERON Carralero

1. A reliable source reported that on 22 November 1963, several hours after the assassination of President John F. Kennedy, Luisa CALDERON Carralero, a Cuban employee of the Cuban Embassy in Mexico City, and believed to be a member of the Cuban Directorate General of Intelligence (DGI), discussed news of the assassination with an acquaintance. Initially, when asked if she had heard the latest news, CALDERON replied, in what appeared to be a joking manner, "Yes, of course, I knew almost before Kennedy."

2. After further discussion of the news accounts about the assassination, the acquaintance asked CALDERON what else she had learned. CALDERON replied that they (assumed to refer to personnel of the Cuban Embassy) learned about it a little while ago.

JFK EXHIBIT F-518

Mr. GOLDSMITH. Mr. Helms, this document was provided to the committee from the CIA and it describes a conversation which raises the possibility that a woman affiliated with DGI, Cuban Intelligence, knew about the assassination before it occurred. In other words, it suggests the possibility of foreknowledge.

I want to be very clear that the committee is not indicating that this definitely does indicate foreknowledge. It simply raises the possibilities of foreknowledge.

Do you recall ever having this conversation brought to your attention?

Mr. HELMS. I really can't remember. I just don't have any idea. I imagine it would have been brought to my attention and I imagine

we would have tried to follow up to find out what it meant, but I don't have a personal recollection of it.

Mr. GOLDSMITH. Do you know whether this particular information was ever communicated to the Warren Commission?

Mr. HELMS. I have no idea.

Mr. GOLDSMITH. Do you think that it should have been?

Mr. HELMS. I would have thought that it would have been one of the things that would have been reported to them, but I don't have any specific knowledge that it was. This did not show up in the Warren Commission report?

Mr. GOLDSMITH. Again, Mr. Helms, I am not in a position to answer questions.

Mr. HELMS. I am sorry. I won't ask you any more questions, Mr. Goldsmith.

Mr. GOLDSMITH. I appreciate that.

Did the Agency ever conduct an investigation to determine whether Lee Harvey Oswald had been connected with the CIA?

Mr. HELMS. Yes, and I believe that Mr. McCone presented to the Warren Commission a sworn affidavit saying that he had no formal connection with the CIA of any kind. I gather that through the years a couple of people have been identified who had once thought that maybe the Agency should have some kind of a contact with Lee Harvey Oswald, but to the best of my knowledge no contact was ever made.

In any event, he was not an agent of the CIA and I was horrified this morning to have Mr. Blakey, as a part of this committee's work coming out with the allegation at this late date that he had some identification with the Agency. Can't this ever be put to rest? What does it take to put it to rest?

Excuse me, I am asking you a question. I will rephrase it. I would hope that at some juncture someone would find some means of putting this allegation to rest.

Mr. GOLDSMITH. Mr. Helms, what did the Agency's investigation involve when it was looking into this matter?

Mr. HELMS. We have records for one thing in the Agency, and then on top of that, I have the recollection that various people were asked whether they knew anything about Oswald or had any connection with him, people like the officers in the contact division, did you ever interview Lee Harvey Oswald; people in the CE staff, et cetera.

I don't remember the exact details. Fifteen years later it would be implausible for me to remember exactly what, but I can assure you that we would not have asked or suggested or allowed Mr. McCone to swear out an affidavit, present it to the Warren Commission, unless we believed the affidavit to be truthful.

Mr. GOLDSMITH. Was there a written report summarizing the Agency's investigation?

Mr. HELMS. I don't know.

Mr. GOLDSMITH. Do you think one should have been filed?

Mr. HELMS. I don't know.

Mr. GOLDSMITH. Why not?

Mr. HELMS. I don't have any idea why it should have. If it manifested itself in the affidavit sworn by Mr. McCone, isn't that evidence enough?

Mr. GOLDSMITH. Are the Agency's files sufficiently accurate to resolve that issue?

Mr. HELMS. I don't know. You know, after this inquiry today, I am reminded of the fact that back in the days of the Continental Congress that intelligence, espionage, and counterespionage were conducted by committees of the Continental Congress. I think maybe the best thing to do would be to return secret intelligence to the aegis of the U.S. Congress and let you fellows run it.

Mr. GOLDSMITH. Mr. Helms, did the Agency ever have an operational interest in Lee Harvey Oswald?

Mr. HELMS. Not that I am aware of.

Mr. GOLDSMITH. I would ask that the witness be shown JFK F-526. I would ask that you read that.

For the record, this is a memorandum dated November 25, 1963.

Mr. HELMS. I have glanced at this memorandum. I have not read it in great detail. Who wrote it?

Mr. GOLDSMITH. You are asking me who wrote it?

Mr. HELMS. Oh, I am sorry. I am supposed to take an anonymous memorandum and make judgments on it. I'll do the best I can.

Mr. GOLDSMITH. I might add that this is a sanitized document and I would hope you would not want me to indicate who wrote it.

Referring you to the first paragraph that makes reference to the laying on of interviews.

Mr. HELMS. The first paragraph makes reference to the laying on of interviews with Lee Harvey Oswald.

Mr. GOLDSMITH. Does the language of this memorandum suggest that the possibility of a contact with Oswald was contemplated?

Mr. HELMS. The memorandum does not say anything about a contact.

Mr. GOLDSMITH. Does the memorandum make reference to the laying on of interviews?

Mr. HELMS. It says I had discussed—some time in summer 1960—with almost a whole line blank, the laying on of interviews through blank or other suitable channels. At the moment, I don't recall if this was discussed while Oswald and his family were on route to this country or was after his arrival.

Mr. GOLDSMITH. I am sorry. I didn't ask you to read the document. I simply asked you to—

Mr. HELMS. I am sorry. I didn't know I was disobeying.

Mr. GOLDSMITH. I simply asked you whether the document makes reference to the laying on of interviews?

Mr. HELMS. Yes, it says someone thought about laying on an interview.

Mr. GOLDSMITH. In light of that, does it suggest that at the very least a contact with Oswald was contemplated by the Agency?

Mr. HELMS. Not by the Agency, by some individual in the Agency. For a lawyer, I think you ought to be more precise.

Mr. GOLDSMITH. Mr. Helms, I am not in a position here today to respond to your criticism.

Mr. HELMS. I am sorry. That was not criticism.

Mr. GOLDSMITH. Mr. Helms, have you testified before at a congressional hearing?

Mr. HELMS. At any time?

Mr. GOLDSMITH. Yes.

Mr. HELMS. Do you mean in my life?

Mr. GOLDSMITH. Yes, sir.

Mr. HELMS. On more than one occasion, yes.

Mr. GOLDSMITH. And during those occasions, sir, was the standard operating procedure for the attorney to ask the questions and for the witness to answer them?

Mr. HELMS. I must confess during my life, Mr. Goldsmith, that I was usually asked questions by the Senators or the Congressmen involved.

Mr. GOLDSMITH. Very well, Mr. Helms. Under those circumstances again, was the procedure for the member of the committee or its staff to ask the questions and to have the witness answer the questions?

Mr. HELMS. Yes.

Mr. GOLDSMITH. Did anyone tell you before you came to testify here today that standard operating procedure would not be followed?

Mr. HELMS. I don't recall discussing it with anyone.

Mr. GOLDSMITH. Fine. Let's follow the standard operating procedure, Mr. Helms.

Mr. HELMS. Certainly, Mr. Goldsmith.

Mr. GOLDSMITH. Do you know what followup there was to this memorandum dated November 25, 1963?

Mr. HELMS. I have no idea.

Mr. GOLDSMITH. I would like to draw your attention to the last line on this memorandum. It makes reference to the Harvey story.

Mr. HELMS. Yes.

Mr. GOLDSMITH. Do you know what Harvey story that is referring to?

Mr. HELMS. No, I do not.

Mr. GOLDSMITH. Did the Agency debrief Lee Harvey Oswald upon his return from the Soviet Union?

Mr. HELMS. I was not aware that it did. I don't believe it would.

Mr. GOLDSMITH. Would standard operating procedure have called for Oswald to have been debriefed?

Mr. HELMS. I would not have thought so, Mr. Goldsmith. I think that the standard operating procedure after he returned to the United States would have been for the Navy to debrief him.

Mr. GOLDSMITH. Why is that, sir?

Mr. HELMS. Because he had been a member of the Marine Corps, and I believe he stayed in the Marine Reserve, if I am not mistaken. But in any event, the understandings were that military officers were handled by the intelligence organs of the Defense Establishment.

Mr. GOLDSMITH. So I take it, then, that the Agency had no interest in finding out whatever information Oswald may have picked up during his work at a radio factory in Minsk?

Mr. HELMS. I think they would have hoped—they would have got that information from the Navy.

Mr. GOLDSMITH. Did the Agency ever obtain that information from the Navy?

Mr. HELMS. I don't know.

Mr. GOLDSMITH. Again, Mr. Helms, would you agree that a memorandum that makes reference to the possibility of the laying on of interviews on Oswald is contemplating a contact with

Oswald? I am not suggesting a contact necessarily occurred, sir, but that it is contemplating a contact.

Mr. HELMS. Apparently someone, and I am sorry but the memorandum is so sanitized that I don't know who it was nor do I know in what part of the Agency he was, apparently had an idea at some point it might be a good idea to interview Oswald. To the best of my knowledge, his thought never came to anything.

Mr. GOLDSMITH. Did the Agency ever interview the author of this memorandum to determine whether there was any followup?

Mr. HELMS. I don't know. I don't know who wrote the memorandum.

Mr. GOLDSMITH. Do you think if there were a written report summarizing what the Agency had done in its investigation of the Oswald allegation, perhaps issues like this might more readily be resolved?

Mr. HELMS. I don't know. I think these issues are very difficult to resolve, particularly 15 years later when I don't even know what I am dealing with.

Mr. GOLDSMITH. Do you think the availability of a written report summarizing the steps that the Agency went through would facilitate resolving this issue today?

Mr. HELMS. Yes, I think probably it would have been, in light of hindsight, might have been very useful if we had had a memorandum for the record of everybody in the Agency who was talked to about Oswald. We should have kept that going for several years.

Mr. GOLDSMITH. If I may have a moment, Mr. Chairman.

Mr. Helms, what is a 201 file?

Mr. HELMS. I believe the 201 file, if memory serves, is simply the number given to a type of file at the Agency in which personality information is placed. In other words, if you open a 201 file on the chairman of this committee, for example, it would simply be information that had come into the Agency which involved that gentleman.

Mr. GOLDSMITH. Why would the Agency have opened a 201 file on Oswald?

Mr. HELMS. Why would it have?

Mr. GOLDSMITH. Yes, sir.

Mr. HELMS. I believe at some point a decision must have been made that Oswald was perhaps a matter of continuing interest and therefore the information which we held on him should be put in the file.

I would like to suggest to the committee that when a Government agency receives mail it has to do something with it, and one of the things that you do with it is to try to categorize the type of information it is and where it would best be filed so that if you need it at some future date you can get it back.

Mr. GOLDSMITH. I would ask that Mr. Helms be shown JFK exhibit F-534. For the record, that is a Department of State telegram dated October 31, 1959.

Would you please read to yourself that telegram.

Mr. HELMS. Yes, Mr. Goldsmith, I have read it now.

Mr. GOLDSMITH. This telegram makes reference to Oswald indicating his intention or desire to defect, and it says that Oswald has offered the Soviets any information he has acquired as an enlisted

radar operator. My question to you is whether information contained in this particular telegram would normally lead to the opening of a 201 file?

Mr. HELMS. I just don't know how to answer the question. I would have thought so but, on the other hand, maybe a decision would be made that this was something that involved the Marine Corps and that this was their concern. After all, the Department of Defense has a very large Defense Intelligence Agency and then it has intelligence units in the Army, Navy, and Air Force and they do have jurisdiction over their people and their security.

Mr. GOLDSMITH. Mr. Helms, I would ask you to refer to your previous testimony to this committee on page 75, specifically to line 15 response to the question posed by me:

Mr. GOLDSMITH. Would the information contained in this telegram normally lead to the opening of a 201 file?

We are referring to the same telegram. Would you please read the response that you gave that day?

Mr. HELMS.

Mr. HELMS. I would have thought so, an American who was defecting to the Soviet Union would have been of counterintelligence interest and that would have been quite sufficient to have caused the Agency to open a file.

Mr. GOLDSMITH. Mr. Chairman, I move for the admission of this exhibit.

Mr. PREYER. Without objection, the exhibit is ordered into the record at this point.

[Whereupon, JFK exhibit F-534 was received in evidence.]

-JFK EXHIBIT F-534-

URGENT TELEGRAM

Department of State

15

35

Action

PPT

Info

L

H

INR

EZR

P

CF

SCWC

TSA

SCS

SY

DCL

IRC

CIA

OSD

NAVY

FROM: MOSCOW

TO: Secretary of State

NO: 1304, OCTOBER 31, 1 P.M.

FOR PG

Control: 20261

Rec'd: OCTOBER 31, 1959

7:59 A.M.

LEE HARVEY OSWALD, UNMARRIED AGE 20 PP 1733242 ISSUED
 SEPT 10, 1959 APPEARED AT EMB TODAY TO RENOUNCE AMERICAN
 CITIZENSHIP, STATED APPLIED IN MOSCOW FOR SOVIET CITIZENSHIP
 FOLLOWING ENTRY USSR FROM HELSINKI OCT 15. MOTHER'S
 ADDRESS AND HIS LAST ADDRESS US 4936 COLLINWOOD ST.,
 FORT WORTH TEXAS. SAYS ACTION CONTEMPLATED. LAST TWO
 YEARS - MAIN REASON "I AM MARXIST". ATTITUDE ARROGANT
 AGGRESSIVE. RECENTLY DISCHARGED MARINE CORPS. SAYS HAS
 OFFERED SOVIETS ANY INFORMATION HE HAS ACQUIRED AS
 ENLISTED RADAR OPERATOR.

IN VIEW PETRULLI CASE WE PROPOSE DELAY EXECUTING RENUNCIATION
 UNTIL SOVIET ACTION KNOWN OR DEPT ADVISES. DESPATCH
 FOLLOWS. PRESS INFORMED.

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 COPY IS PROHIBITED.

JFK EXHIBIT F-534

Mr. GOLDSMITH. Mr. Helms, when, if ever, is it permissible to remove a document from a 201 file?

Mr. HELMS. I don't really know what the regulation of the Agency is any more about the removal of documents. I would have thought it was not a common practice to remove documents from a 201 file, but whether there were specific cases under which this might have been done for some particular reason, I suppose there were.

Mr. GOLDSMITH. When a document is removed from a 201 file, is any record of this event required to be kept?

Mr. HELMS. Normally I would think that an entry would be made that such-and-such a document had left the files, so anybody who was reviewing that file would then realize it was not complete. But I am so far away from these matters anymore, Mr. Goldsmith, that I am really not a good witness on these technicalities, and I am sorry about that. But I am not and I would not like the vagueness of my memory to mislead anybody.

Mr. GOLDSMITH. I would ask Mr. Helms be shown JFK F-523. I might indicate this is a form that is used to initiate the opening of a 201 file.

Mr. Helms, in whose name was this 201 file opened?

Mr. HELMS. The name is Oswald, Lee, and the middle name Henry. Excuse me, I stated December 9, 1960. Is that correct?

Mr. GOLDSMITH. Yes, sir.

Mr. HELMS. I just wanted to be sure I can read it.

Mr. GOLDSMITH. Did the Agency ever initiate inquiry as to why the file on Oswald was opened under the middle name of Henry instead of Harvey?

Mr. HELMS. I don't know the answer to that, Mr. Goldsmith. I believe that it caused a great deal of controversy at the time it was discovered after President Kennedy's death. But what the resolution of the matter was and whether any logical explanation was found, I do not know.

Mr. GOLDSMITH. Did you ever see a written report dealing with this issue?

Mr. HELMS. If there was one I don't recall seeing it, but I have no doubt that somebody must have made an effort to explain it.

Mr. GOLDSMITH. You made reference earlier to the date of this particular document. It is December 9, 1960. The State Department telegram which we showed you earlier was dated October 31, 1959. That is the document that made reference to Oswald intending to defect and to give military information to the Soviets.

Why after the receipt of this State Department telegram in October of 1959 would it have taken more than a year to open a 201 file on Oswald?

Mr. HELMS. I have no explanation for that, Mr. Goldsmith, I am sorry, I just don't know.

Mr. GOLDSMITH. Would a routine name trace for Lee Harvey Oswald have resulted in a reference to the file opened under the name Lee Henry Oswald?

Mr. HELMS. I believe that the procedure in the Agency was when traces were being run of this kind that all the Oswalds would have been run and certainly all the Leo Oswalds would have been run.

It was probably at that time it was discovered there was a mistake here.

Mr. GOLDSMITH. I take it, your answer then, is yes?

Mr. HELMS. Yes.

Mr. GOLDSMITH. I notice under the section in the middle of the page where it says other identification, the initials AG are inserted. Do you know what the initials AG stand for?

Mr. HELMS. I am sorry, I am not with you.

Mr. GOLDSMITH. Please look down the right-hand side of the page. There is a column marked other identification and within that the initials AG appear. Do you know what that term stands for?

Mr. HELMS. I don't know what that is. I am not familiar with it. I am sorry, I just don't know.

Mr. GOLDSMITH. I understand. I note by looking at the bottom of the page that Oswald's file was restricted. Do you know why Oswald's file would have been restricted?

Mr. HELMS. No, I don't.

Mr. GOLDSMITH. Is that unusual in any way?

Mr. HELMS. Maybe because he was an American, but I don't literally know the reason.

Mr. GOLDSMITH. Is it unusual to restrict such files?

Mr. HELMS. I wouldn't have thought so. But the Agency was loaded with different kinds of classifications and classification procedures and special arrangements, and so forth, to take care of unusual circumstances, so I don't think that was unusual.

Mr. GOLDSMITH. Are 201 files ever maintained on a covert basis or is there ever such a thing as a fake 201 file?

Mr. HELMS. I don't know. You brought to my attention the fact that you had discovered one in the Agency. I was not aware of the phenomenon myself prior to your having brought it to my attention. Since you did find one, then I concede that I guess there was such a thing, but I was not aware of the one that you brought to my attention and I am not aware of any others.

Mr. GOLDSMITH. Let's examine that particular one at this point. I would ask that Mr. Helms be given JFK F-522.

What was the ZR rifle project?

Mr. HELMS. My understanding from the hearings of the Church committee, I believe the ZR rifle originally started out as an indicator for a project which was supposed to cover a man who in turn had been taken on to have available an operational capability to kill people. This man was hired before I was aware of these things. I have this in hindsight but I believe that is what the ZR rifle was supposed to be and then I believe later it metamorphosed into something else. But anyway, after I became Deputy Director for Plans, I put on the shelf for good any and all use of his capacity for killing people. We didn't need that, so that was the end of that.

If the ZR rifle continued after that, it was in another context and I don't remember precisely what the context was. I can read what you have given me here, that it was to spot, develop, and use agent assets for Division D operations. My recollection of Division D was that it was the operational staff in the Agency which attempted to procure code and cipher materials overseas for use by the National Security Agency.

Mr. GOLDSMITH. In fact, that form which you were just reading, the reference to Division D, has no bearing at all upon any executive action-type problem, any type of assassination program?

Mr. HELMS. I would not have thought so. If that was in Division D, maybe it was there for convenience. Maybe they didn't know where else to put it, and I can't blame them.

Mr. GOLDSMITH. Is it also possible the person writing these notes was writing that aspect of it to mislead people to cover the fact that this was assassination activity?

Mr. HELMS. I don't know whether that was the idea or not, Mr. Goldsmith.

Mr. GOLDSMITH. Let's take a closer look at this particular document. This document consists of handwritten notes. The notes are in the handwriting of two different individuals.

Mr. HELMS. Yes, I notice here on one of the pages, "It should have a phony 201 to backstop this."

Mr. GOLDSMITH. You are reading from which page, sir?

Mr. HELMS. I am sorry, they are not numbered, Mr. Goldsmith. I am not trying to be difficult. It is 1, 2, 3—this is page 4.

Mr. GOLDSMITH. You are referring to the bottom of the page where it says, "should have phony 201 in RI"?

Mr. HELMS. That is it.

Mr. GOLDSMITH. The document indicates, "should have phony 201 in RI to backstop this. All documents therein forged and backdated. Should look like"—I believe that says a "CE file."

Mr. HELMS. I think that must be what it means.

Mr. GOLDSMITH. Let's refer your attention now to page 6, two pages further.

Mr. HELMS. Right.

Mr. GOLDSMITH. At the bottom right-hand portion of the page approximately five or six lines up, the person wrote in, "Never mention the word assassination." Is that true?

Mr. HELMS. Yes, that is what it says.

Mr. GOLDSMITH. Would you turn to the next page. Does that page say "No projects or papers except for cover"? Does it also say "cover file create from RIS"—the rest of it not really legible? Does it contain that language?

Mr. HELMS. Yes. I don't know, I can't read it either. It is so cut up and excised, and so forth, it really doesn't make much sense.

Mr. GOLDSMITH. In any event, Mr. Helms, do these handwritten notes contain any indication that this particular project contemplated the use of fake files?

Mr. HELMS. That is what it says here. I don't know any more about it than that, if this is the item I mentioned a moment ago that you had brought to my attention and I concede that is what this says. But I find it awfully difficult to deal with these matters so totally out of context and excised and sanitized, and so forth. My recollection is as I have told you, that the ZR rifle project was an individual who was supposed to kill people. He never killed anybody and he was never used for that purpose after I had anything to do with it, and any further business the ZR rifle was involved in was something else's entirely.

Mr. GOLDSMITH. Mr. Helms, I would ask you to refer to page 86 of your prior testimony which is given at a time when you had access to the complete document.

Mr. HELMS. Is the top of that page supposed to have been censored by the Agency or is that somebody else's lining.

Mr. GOLDSMITH. No, sir, that was not intended to be sanitized by the Agency. I believe your lawyer will confirm that.

[Witness conferring with counsel.]

Mr. HELMS. Excuse me, Mr. Goldsmith, I was confused by what I was looking at here.

[Witness reading from prior testimony.]

Mr. GOLDSMITH. The question to you:

Mr. GOLDSMITH. In any event, would you agree that here is a case where at the very least agency personnel were contemplating the use of a fake 201 file and possibly a fake operational file?

Will you please read your answer?

Mr. HELMS [reading]:

Mr. HELMS. Yes, it looks like that. But then his boss would have known about this. He would have had to get permission to do that. Somebody would have known about it.

Is that as far as you want me to read?

Mr. GOLDSMITH. Yes. I have one more exhibit to show you, Mr. Helms. I would ask Mr. Helms be given JFK F-524.

While that is being done, Mr. Chairman, I would ask that JFK F-522, F-524, and F-526 be entered into the record.

Mr. PREYER. Without objection, the exhibits are entered into the record at this time.

Mr. GOLDSMITH. In addition, I would ask that JFK F-525, F-512, and F-523 also be entered into the record.

Mr. PREYER. Without objection, the exhibits are entered into the record at this point.

[Whereupon, JFK exhibits F-512, F-522, F-523, F-524, and F-526 were received in evidence:]

JFK EXHIBIT F-512

— JFK EXHIBIT F-512

A F F I D A V I T

JOSEPH H. LANGOSCH, a former employee of the Central Intelligence Agency, being duly sworn, makes oath as follows:

That this statement is made freely, voluntarily, and without threats, promises, assurances, or remuneration from any source.

That from January 5, 1955 until approximately August 1968 I was employed by the Central Intelligence Agency.

That during 1963 I functioned in two capacities as a CIA officer, the first capacity being as Special Assistant to the Chief of the Special Affairs Staff and the second capacity being as the Chief of Counterintelligence for the Special Affairs Staff.

That during 1963 the Special Affairs Staff was the CIA staff responsible for CIA operations directed against the Government of Cuba and the Cuban Intelligence Services.

That as the Chief of Counterintelligence for the Special Affairs Staff, I was responsible for safeguarding the Special Affairs Staff against penetration by foreign intelligence services, particularly the Cuban Intelligence Services.

That I was further responsible as the Chief of Counterintelligence for the Special Affairs Staff for initiating and supervising counterintelligence operations designed to penetrate the Cuban Intelligence Services.

That during the latter half of April 1964, in my capacity as the Chief of Counterintelligence for the Special Affairs Staff, I became acquainted with an intelligence officer of the Cuban Direccion General de Inteligencia (DGI).

That the Cuban intelligence officer with whom I became acquainted had defected from the DGI while in Canada and subsequently entered the United States and maintained an operational relationship with the CIA under the cryptonym

That ^{CRYPTONYM} after his defection, provided the CIA with certain DGI documents and that none of these documents concerned or referred to either the assassination of President Kennedy or Lee Harvey Oswald.

That during May 1964 ^{CRYPTONYM} reported information to me concerning the reaction of the DGI in Havana, Cuba to the assassination of President Kennedy and that this information is recorded in a memorandum dated May 8, 1964 which I prepared for the Chief of CIA's Counterintelligence Staff and that this memorandum accurately reflects the information reported to me by ^{CRYPTONYM}.

That the above-referenced memorandum of May 8, 1964 recording ^{CRYPTONYM's} information states that Luisa Calderon Carralero, also known as Luisa Rodriguez Calderon, was being paid a salary by the DGI, that she might have had contact with Lee Harvey Oswald, that during the time she was in Mexico the DGI had intercepted a letter to her by an American who signed his name OWER (phonetic) or something similar, that


after the DGI's interception of the letter she had been followed by the DGI and seen in the company of an American and that a DGI officer in Havana, Cuba named Roberto Hernandez de Curbelo believed that Luisa Calderon Carralero had been recruited by the Central Intelligence Agency.


That I do not recall ever reviewing a CIA ^{REPORT} of or being informed about a conversation which transpired on November 22, 1963, approximately three hours after the assassination of President Kennedy, in which Luisa Calderon Carralero may have expressed foreknowledge of the assassination of President Kennedy.

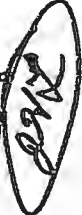
That during 1965 I prepared a memorandum for the Chief of the CIA's Western Hemisphere Division for Cuba, entitled "Allegations," which concerned security problems with the AMLASH operation.

That I prepared the following statement at page 3, paragraph 3A(3) of the memorandum entitled "Allegations": "Assassination, obviously, is a dangerous game, not merely to the plotters in a physical sense, but to a sponsoring government which may suffer severe political repercussions at home and abroad if its involvement is made known." That the government referred to herein is the Government of the United States and that the plotters referred to herein were persons connected with the AMLASH operation.

That the AMLASH operation was initiated and supported by the CIA.

That when I prepared the memorandum entitled "*considered that* Allegations," *will might have* the AMLASH operation ~~had~~ been an insecure operation prior to the assassination of President Kennedy on November 22, 1963. 

That the AMLASH operation *might have* ~~had~~ been an insecure operation prior to the assassination of President Kennedy because it was highly *possible* ~~probable~~ that as of 1962 the Cuban Intelligence Services had knowledge of the CIA's association with persons involved in the AMLASH operation, including AMLASH-1, also known as 

That the *information which led me to doubt the security* ~~insecure~~ nature of the AMLASH operation prior to the assassination of President Kennedy was *available* ~~known~~ to senior level CIA officials, including Desmond Fitzgerald. 


That the AMLASH operation prior to the assassination of President Kennedy was characterized by the Special Affairs Staff, Desmond Fitzgerald and other senior CIA officials as an assassination operation initiated and sponsored by the CIA.

I understand that this affidavit may be introduced and received into evidence by the Select Committee on Assassinations of the United States House of Representatives, and may lead them to make various findings of fact, and the statutes applicable to Congressional investigations, including but not limited to those concerning false statements, obstruction, or misleading, would subject me to criminal penalties for not telling the whole and complete truth in this affidavit.

Further affiant saith not.


JOSEPH H. LANGOSCH

Sworn and subscribed to before me
on this 14th day of September, 1978.


NOTARY PUBLIC
ROBERT F. MITCHELL, JR.
NOTARY PUBLIC
MY COMMISSION EXPIRES MARCH 31, 1982

My Commission Expires:

- JFK EXHIBIT F-522 -

Project ZRRIFLE

1. Identification: The purpose of Project ZRRIFLE is to spot, develop, and use ~~foreign~~ agent assets for Division D ~~operations~~. Agents will be spotted in several areas, including the United States, but ~~with~~ ~~probs~~ for operational security reasons will probably not be used in their countries of residence. Present developmental activity is being conducted in the WF and EE areas, but it is anticipated that this will be extended to other division areas. The project will be operated against third-country installations and personnel.

2. Objective: The objective of this project is the procurement of ~~code and cipher materials~~ ^{and information concerning such materials}, in accordance with requirements levied on the Combatant Services, primarily by the National Security Agency. Since these requirements are subject to frequent revision, no listing of targets would be valid for the duration of the project. Specific operations will be mounted on the basis of need and opportunity. The project will be conducted by Division D with assistance from area divisions and stations as background needed.

3. Background: In response to the increasing requirements for the operational procurement of foreign code and cipher materials, Division D in 1960 began the spotting of agent assets as a developmental activity. During the same

period requirements from NSA became more refined and in many respects more sensitive. Because most stations are not equipped to conduct this type of operation and because of the desirability of completely centralized control over this entire effort, it was determined that Division D, which is in closest touch with NSA on procurement requirements, could best conduct the activity. The ~~first~~ spotting activity has now advanced far enough to justify removing from the OIA category.

4. Operational assets:

(1) Personnel: QJWIN is under written contract as a principal agent, with the primary task of spotting agent candidates.

For a period of a year and a half she was contacted ~~in~~ ^{and} sporadically by Lt S, ~~transmission~~, in behalf of the Bureau of Narcotics. Files of this Bureau reflect an excellent performance by QJwin. In ~~September~~ ^{October} 1960,

1) Legal, ethical \rightarrow morale, operational problems; political: non-attributability.

2) Our own experience (Langhob) (+ effect on DDP) and experience w/ KGB (Crossup, Bardera group, Rhobillo) \rightarrow require asset professional, proven operationally competent, ruthless, stable, CF-experienced opic officers (few available), able to conduct patient search + w/ quite to pull back if mistrust or knowledge tells him he should, ^{with} maximum high regard for operational security assessments are all-important.

3) Maximum security:

5. Cover: planning should include provision for
Mitigating losses or checks in case of blow.

→ 9. Should have phone 201 in R1 to backstop that, all
documents therein forged + backdated. Should look like
a CE file.

35 379 0691

freedom to travel

Legal, operational + ethical → morale problems.

Klosterman case.

- 1) Maximum security + within CIA ^{high level resource enough} only (e.g., how much does Sirovica now know?).
- clerk for enciphering + deciphering. ^{limitation on number code} ^{choice of cryptonym objectives}

Sed 25/1 - Eye (action)
 - "The Magic buttons"

Narcotics Büro ~~Handwritten scribble~~
 "for a living" - RIS 201 cover

Buttons - Bankruptcy - No Star
 eyes - Jim A. / Contradict /
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Apply brakes

Last resort beyond last resort &
 a confirmation of measures. -
 - El. Benefactor - assumptions -

~~Handwritten scribble~~ Example 3 "wrong"

Trademark of is job.
 Elmt R+D - memo - ~~Handwritten scribble~~

"Translating machines" - AE
 basic sounds project -
 phenomena - (1 unkl. CB)

Comment - Fear

Anesthesia -

26/1 - AS - Fairfax - matter -
 No file Review - ~~Handwritten scribble~~

1. Select proper open to run -
2. Place a cover 2
3. Security Rules B-WHM-AS-3
4. Auto lines - Receiv.
5. Last Resort - Brakes - ~~Handwritten scribble~~

7. no projects or papers
except for cones. 1

12. Cover file - create to prove
RTS or old it. - nonser

6 MAR 1963

MEMORANDUM FOR: Mr. William K. Harvey

SUBJECT: Extension of Authorization of ZRRIFLE Agent Activities

REFERENCE: Memorandum dated 19 February 1962, same subject

1. For the purpose of ZRRIFLE activities, you are hereby authorized to retain the services of principal agent QJWIN and such other principal agents and sub-agents as may be required. This authorization will continue to be in force through 31 December 1963 subject to renewal at that time.

2. As established by contract with him, QJWIN's salary will be \$7,200 per annum. Accounting for the expenses of QJWIN and other agents involved in this activity will be in the form of receipts for funds received by them, and these receipts will be retained in the ZRRIFLE covert operational file. Because of the sensitive nature of this activity, accounting for funds will be by general category and by certification. In addition to the salary established for QJWIN, you are authorized the expenditure of \$13,800 through 31 December 1963. If further funds are necessary, they will be provided.

3. This memorandum approves an amendment of reference memorandum increasing funds authorized for the previous period from \$14,700 to \$16,200.

4. This memorandum is to be considered in lieu of project and constitutes authorization for all travel, per diem, operational, and other expenses.

5. It is requested that this activity be handled strictly on an EYES ONLY basis.



RICHARD HELMS
Deputy Director (Plans)

19 February 1962

MEMORANDUM FOR: William K. Harvey

SUBJECT: Authorization of ZRRIFLE Agent Activities

1. For the purpose of ZRRIFLE activities, you are hereby authorized to retain the services of Principal Agent QJWIN and such other principal agents and sub-agents as may be required. This authorization will continue to be in force through 31 December 1962, subject to renewal at that time.

2. As established by contract with him, QJWIN's salary will be \$7,200 per annum. Accounting for the expenses of QJWIN and other agents involved in this activity will be in the form of receipts for funds received by them, and these receipts will be retained in the ZRRIFLE covert operational file. Because of the sensitive nature of this activity, accounting for funds will be by general category and by your certification. In addition to the salary established for QJWIN, you are authorized the expenditure of \$7,500 through 31 December 1962. If further funds are necessary, they will be provided.

3. This memorandum is to be considered in lieu of project and constitutes authorization for all travel, per diem, operational and other expenses.

4. It is requested that this activity be handled strictly on an EYES ONLY basis. C

Richard Helms
Richard Helms
Deputy Director (Plans)

*Step
P.L. Helms
Secured
10-11-62*

-JFK EXHIBIT F-524-

THE DIRECTOR OF CENTRAL INTELLIGENCE

WASHINGTON, D. C. 20505

Office of Legislative Counsel

19 September 1978

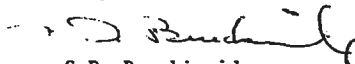
Mr. G. Robert Blakey
Chief Counsel & Director
House Select Committee on Assassinations
Washington, D.C. 20515

Dear Mr. Blakey:

Forwarded herewith is an unsigned memorandum dated 20 February 1964 concerning a machine listing of documents for the Oswald 201 file. This document was not released earlier under FOIA, but has been declassified in the light of new considerations. It formerly bore the classification of Secret and the handling restriction of Eyes Only.

Mr. Goldsmith requested this statement for use of the document in the public hearings, as the classification and handling restriction had been removed when the document was approved for release under FOIA.

Very truly yours,



S.D. Breckinridge
Principal Coordinator, HSCA

encl.

JFK EXHIBIT F-524

20 February 1964

MEMORANDUM FOR: Chief,

SUBJECT: Documents Available in OSWALD's 201 File

1. A machine listing of documents officially recorded as being in OSWALD's 201 file was requested and is attached. The actual machine work of this type was begun in 1963, but a few items of previous dates were also recorded.

2. A comparison of the documents physically available in the 201 file and those recorded as being in the 201 file has shown that 37 documents which should be in the 201 file are not available in it. This total is made up of:

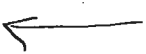
- 2 dispatches
- 7 memoranda from the FBI
- 1 CSCI
- 2 State Department documents
- 25 cables.

3. Machine inquiries for the location of these documents have not been made.

Document Number 563-810
for FOIA Review on JUN 1976

cc
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*keep
lonely in file
the last
volume of
Oswald's
201*



JFK EXHIBIT F-526

Chief,
Chief,

- JFK EXHIBIT F-526 -

Chief of Station,

- Lee Harvey OSWALD

For information

For the record we forward herewith a memorandum by ⁰ *staff employee*
in which he gives his recollections of interest in Subject following *OSWALD*
Subject's return to the United States from the USSR. *Collection*
US

Encl.

Distribution

4 -
3 -

Document Number

435-173A

for FOIA Review on

MAY 1976

12 Dec 1965 DEC 13 1965

25 November 1963

SUBJECT: Mr. Lee Harvey Oswald

TO :

1. It makes little difference now, but I had at one time an interest in Oswald. As soon as I had heard Oswald's name, I recalled that as I had discussed -- sometime in Summer 1960 -- with [redacted] the laying on of interview(s) through [redacted] or other suitable channels. At the moment I don't recall if this was discussed while Oswald and his family were en route to our country or if it was after their arrival.

2. I remember that Oswald's unusual behavior in the USSR had struck me from the moment I had read the first State dispatch on him, and I told my subordinates something amounting to "Don't push too hard to get the information we need, because this individual looks odd." We were particularly interested in the [redacted] Oswald might provide on the Minsk factory in which he had been employed, on certain sections of the city itself, and of course we sought the usual [redacted] that might help develop foreign personality dossiers.

BIOGRAPHIC INFORMATION

3. I was phasing into my next cover assignment [redacted] at the time. Thus, I would have left our country shortly after Oswald's arrival. I do not know what action developed thereafter.

T

Addendum

4. As an afterthought, I recall also that at the time I was becoming increasingly interested in watching develop a pattern that we had discovered in the course of our bio and research work [redacted] : the number of Soviet women marrying foreigners, being permitted to leave the USSR, then eventually divorcing their spouses and settling down abroad without returning "home". The [redacted] case was among the first of these, and we eventually turned up something like two dozen similar cases.

[redacted] became interested in the developing trend we had come across. It was partly out of curiosity to learn if Oswald's wife would actually accompany him to our country, partly out of interest in Oswald's own experience in the U SSR, that we showed intelligence interest in the (Harvey) story.

?

Mr. GOLDSMITH. The first page of JFK exhibit F-524 is a letter from Mr. Breckinridge to Professor Blakey of this committee. I would refer your attention—why don't you read both pages.

Mr. HELMS. I have had a chance to read not only Mr. Breckinridge's covering memorandum to Mr. Blakey but also the attached memorandum which is unsigned and just says "To Chief," I don't know what.

Mr. GOLDSMITH. Does this memorandum make reference to 37 documents being missing from Oswald's 201 file?

Mr. HELMS. Yes, it does. It says that:

In 1964, February 20, a comparison of the documents available in 201 file and those recorded as being those in the 201 file has shown 37 documents which should be in the 201 file are not available in it.

And there is a breakdown of what seems to be missing.

Mr. GOLDSMITH. Was this document ever brought to your attention?

Mr. HELMS. I can never remember it having been brought to my attention.

Mr. GOLDSMITH. Were you ever informed that at some time there were at least 37 documents missing from Oswald's 201 file?

Mr. HELMS. No; I doubt that would have been brought to my attention. I would assume somebody in charge of the registry would have gone looking for the documents.

Mr. GOLDSMITH. Is the information contained in this document particularly sensitive?

Mr. HELMS. You mean sensitive operationally or in a security sense?

Mr. GOLDSMITH. Sensitive in the sense that the Agency normally attributes to that term.

Mr. HELMS. I wouldn't have thought so.

Mr. GOLDSMITH. In light of that, why would this document have carried the classification of "secret" and the restriction "for eyes only" prior to its declassification?

Mr. HELMS. Sir, I am sorry but I don't see "eyes only" on it nor do I see "secret" on it.

Mr. GOLDSMITH. I understand that. I said prior to its declassification.

Please reread the letter to Professor Blakey from Mr. Breckinridge.

Mr. HELMS. I don't know. Maybe it was overclassified. A lot of documents in the agency were.

Mr. GOLDSMITH. Thank you, Mr. Helms. I have no further questions.

Mr. GOLDSMITH. Mr. Chairman, there are a number of other exhibits which relate generally to the subjects of Mr. Helms' testimony, but with respect to which there was not sufficient time to ask specific questions. They have been marked for identification as JFK F-513 through F-517, F-519, F-521, F-525, F-528, F-530, and F-533. May they be admitted into evidence at this time?

Mr. PREYER. Without objection, they may be admitted into evidence.

[The exhibits referred to above follow.]

		ROUTING	
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3		3	1

TO DIRECTOR

63 0074

JFK EXHIBIT F-513

FROM

ACTION

INFO

XX

9 OCT 63 17 36 017

092343Z

DIR CITE

SOURCE ON

1. ACC 1 OCT 63, AMERICAN MALE SAID

NAME: OSCALD

HE AT SOVEMB ON 28

SEPT WHEN SPOKE WITH CONSUL WHOM HE BELIEVED RE: GALERIY VLADIMIROVICH

WOSTIKOV. SUPJ ASKED SOV GUARD IVAN OBYEDKOV, IF THERE

ANYTHING NEW RE TELEGRAM TO WASHINGTON.

NOTHING RECEIVED YET, BUT REQUEST HAD BEEN SENT.

2. HAVE PHOTOS MALE APPEARS RE AMERICAN

APPARENT AGE 35, ATHLETIC BUILD,

CIRCA 6 FEET, RECEDING HAIRLINE, FLATTENING TOP. MORE KHKAKIS

AND SPORT SHIRT.

3. NO LOCAL DISSEM.

Document Number 5-1A
for FOIA Review on APR 1976

15 Oct

Request for photo Oswald,

63 0074

9 Oct 63

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RETYPE

⑥

WTC:mfd

- JFK EXHIBIT F-514 -

MEMORANDUM

March 26, 1964

SUBJECT: Mexico - CIA Dissemination of Information on
Lee Harvey Oswald on March 24, 1964

The CIA directed a memorandum to J. Lee Rankin (Commission Document No. 631) in which it set forth the dissemination of the information on Lee Harvey Oswald. I realize that this memorandum is only a partial answer to our inquiry to the CIA dated March 16, 1964 and I hope that the complete answers will give us ^{the} additional information we requested.

We would like to know just when

we got the information with respect to Lee Harvey Oswald and what was the information and how was it obtained. How did the information get from Mexico to the CIA in Washington, and in what form did it come?

At what point was the information that the Lee Harvey Oswald was probably the Lee Harvey Oswald who had defected and was married to a Russian developed so that when the telegram went from the CIA in Washington to the various agencies it contained such information. In other words, I would like to know whether this was information available in

Mexico or did this additional information get in the message only after it reached Washington and the information was being disseminated to the various agencies.

As you know, we are still trying to get an explanation of the photograph which the FBI showed Marguerite Oswald soon after the assassination. I hope that paragraph 4 of the memorandum of March 24, 1964 sent Mr. Rankin by the CIA is not the answer which the CIA intends to give us as to this inquiry.

We should also determine why the Navy never furnished the CIA with copies of the most recent photographs of Oswald.

— JFK EXHIBIT F-515 —

5 March 1964

(008) Internal Memo in re passage to
 Dick: Warren Commission of Agency material
previously given to Secret Service
 We have a problem here for your determination.

This is responsive to paragraph 3 of Rankin's letter (see reference tab). JA does not desire to respond directly to paragraph 2 of that letter which made a levy for our material which had gotten into the hands of the Secret Service since 23 November. We found that, except for three telegrams, all that the Secret Service had was material we had sent to McGeorge Bundy at the White House. Apparently, he had simply passed it to the Secret Service as a matter of internal information.

Unless you feel otherwise, (*) would prefer to wait out the Commission on the matter covered by paragraph 2. If they come back on the point he feels that you, or someone from here, should be prepared to go over to show the Commission the materials rather than pass them to them in copy. Incidentally, none of these items are of new substantive interest. We have either passed the material in substance to the Commission in response to earlier levies, or the items refer to aborted leads, for example, the famous six photographs which were not of Oswald, and the passenger manifest on an airline which also did not pertain to Oswald.

If you desire to take note of the levy in paragraph 2, we would recommend that you indicate in the attached proposed memorandum solely that we will take care of it separately.

Document Number 579-250 (*) - Staff employee

for FOIA Review of JUN 1976

JFK EXHIBIT F-515

JFK EXHIBIT F-516

CLASSIFIED MESSAGE

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TO: [redacted] 83 COPY

FROM: DIRECTOR

CONF: [redacted] - JFK EXHIBIT F-516 -

INFO: [redacted] ROUTINE

XX

TO: INFO CITE OR 74830

REF: (IN 38017)*

Who CONTACTED Soviet Embassy

1. LEE OSWALD 1 OCT PROBABLY IDENTICAL
LEE HENRY OSWALD BORN 18 OCT 1929, NEW ORLEANS,
 LOUISIANA, FORMER RADAR OPERATOR IN UNITED STATES MARINES.
 WENT DEPARTED TO USSR IN OCT 1959. OSWALD IS FIVE FEET TEN
 INCHES, ONE HUNDRED SIXTY FIVE POUNDS, LIGHT BROWN Wavy HAIR,
 BLUE EYES.

2. ON 21 OCT 1959 HE ATTEMPTED TO RENOUNCE HIS UNITED
 STATES CITIZENSHIP TO THE UNITED STATES EMB IN MOSCOW,
 INDICATING HE HAD APPLIED FOR SOVIET CITIZENSHIP. ON 13 FEB
 THE US EMB MOSCOW RECEIVED AN UNDATED LETTER FROM OSWALD
 POSTDATED MARCH ON FIVE FEB 1961 IN WHICH SUBJ INDICATED
 HE DESIRED RETURN OF HIS US PPT AS WISHED TO RETURN TO USA
 IF "HE COULD COME TO SOME AGREEMENT CONCERNING THE DROPPING
 OF ANY LEGAL PROCEEDINGS AGAINST HE." ON 8 JULY ON HIS OWN
 INITIATIVE HE APPEARED AT THE EMB WITH HIS WIFE TO SEE ABOUT
 HIS RETURN TO STATES. SUBJ STATED THAT HE ACTUALLY HAD NEVER
 APPLIED FOR SOVIET CITIZENSHIP AND THAT HIS APPLICATIONS AT
 (CONTINUED)

RELEASING OFFICER [redacted] AUTHENTICATING OFFICER [redacted]

COORDINATING OFFICERS

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83 COPY

Document Number: 2
 for FOIA Review on: 10/10

10 Oct 63

CLASSIFIED MESSAGE

ORIG :
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EXT :
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TO :

FROM: DIRECTOR

CONF:

INFO :

PAGE TWO

TO :

INFO

CITE DIR

74830

THAT TIME HAD BEEN TO REMAIN IN USSR AND FOR TEMPORARY EXTENSION OF HIS TOURIST VISA PENDING OUTCOME OF HIS REQUEST. THIS APPLICATION, ACCORDING TO OSWALD, CONTAINED NO REF TO SOVIET CITIZENSHIP. OSWALD STATED THAT HAD BEEN EMPLOYED SINCE 13 JAN 1960 IN BELORUSSIAN RADIO AND TV FACTORY IN MINSK WHERE WORKED AS METAL WORKER IN RESEARCH SECT. OSWALD WAS MARRIED ON 30 APRIL 1961 TO MARINA NIKOLAEVNA BUSAKOVA A DENTAL TECHNICIAN BORN 17 JULY 1941 USSR. NO EDQS TRACES HE ATTEMPTED ARRANGE FOR WIFE TO JOIN HIM IN MOSCOW SO SHE COULD APPEAR AT THE FOR VISA INTERVIEW. HIS AMERICAN PPT WAS RETURNED TO HIM. US EMB MOSCOW STATED TWENTY MONTHS OF REALITIES OF LIFE IN SOVIET UNION HAD CLEARLY HAD MATURING EFFECT ON OSWALD.

3. LATEST EDQS INFO HAS REPORT DATED MAY 1962 SAYING HAD DETERMINED OSWALD IS STILL US CITIZEN AND BOTH HE AND HIS SOVIET WIFE HAVE EXIT PERMITS AND DEPT STATE HAD GIVEN APPROVAL FOR THEIR TRAVEL WITH THEIR INFANT CHILD TO USA.

(CONTINUED)

RELEASING OFFICER

COORDINATING OFFICERS

AUTHENTICATING OFFICER

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CLASSIFIED MESSAGE

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TO :

FROM: DIRECTOR

CONF:

INFO :

PAGE THREE

DEFERRED	
ROUTINE	

TC: INFO CITE OIR 74830

4. SHOULD PASS INFO-REF AND PARA ONE

LOCALLY. INFO PARAS

TWO AND THREE ORIGINATES WITH

5. REF AND POSSIBLE IDENTIFICATION BEING DISSEMINATED

PLS KEEP

HDQS ADVISED ON ANY FURTHER CONTACTS OR POSITIVE IDENTIFICATION OF OSWALD.

END OF MESSAGE

WH CMT: *According to 1 Oct, an American male name Lee Oswald (phonetic) stated he at Sov Emb on 28 Sept when spoke with Consul. He discussed sending a telegram to Washington. No local Dissemination had been made.

T. Karacessines
T. KARACESSINES

ADDP
RELEASING OFFICER

COORDINATING OFFICERS

GROUP 1
Excluded from automatic
downgrading and
declassification

CWED
AUTHENTICATING OFFICER

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Copy No.

JFK EXHIBIT F-517

CLASSIFIED MESSAGE

ORIG: UNIT: EXT: DATE: 10 OCT 1963

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12-#
ROUTING

TO : SEE BELOW

FROM : ~~SECRET~~ CENTRAL INTELLIGENCE AGENCY

00 OCT 63 21 12 Z

CONA: [REDACTED]

INFO: - JFK EXHIBIT F-517 -

XX

ROUTINE

TO: DEPARTMENT OF STATE
FEDERAL BUREAU OF INVESTIGATION
DEPARTMENT OF THE NAVY

SUBJECT: LEE HENRY OSWALD

CITE DIR 74873

1. ON 1 OCTOBER 1963 MEXICO REPORTED THAT AN AMERICAN MALE, IDENTIFIED AS LEE OSWALD, CONTACTED THE SOVIET EMBASSY IN MEXICO CITY INQUIRING WHETHER THE EMBASSY HAD RECEIVED ANY NEWS CONCERNING A TELEGRAM WHICH HAD BEEN SENT TO WASHINGTON. THE AMERICAN WAS DESCRIBED AS APPROXIMATELY 35 YEARS OLD, WITH AN ATHLETIC BUILD, ABOUT SIX FEET TALL, WITH A "RECURVED" HAIRLINE.

Handwritten: THIS IS A COPY OF THE INDIVIDUAL WHOSE AFFIDAVIT WAS FILED IN THE OSWALD CASE.

2. IT IS BELIEVED THAT OSWALD MAY BE IDENTICAL TO LEE HENRY OSWALD, BORN ON 18 OCTOBER 1939 IN NEW ORLEANS, LOUISIANA, A FORMER U.S. MARINE WHO DEFECTED TO THE SOVIET UNION IN OCTOBER 1959 AND LATER MADE ARRANGEMENTS THROUGH THE UNITED STATES EMBASSY IN MOSCOW TO RETURN TO THE UNITED STATES WITH HIS RUSSIAN-BORN WIFE, MARINA NIKOLEYVNA PUSAROVA, AND THEIR

RELEASING OFFICER [REDACTED]

COORDINATING OFFICERS [REDACTED]

(CONTINUED)
10 Oct 63
AUTHENTICATING OFFICER

CLASSIFIED MESSAGE

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TO :
FROM : DIRECTOR
CON :
INPC :

DEFERRED
ROUTINE

PAGE TWO

TO : INFO CITE DIR

CHILD

3. THE INFORMATION IN PARAGRAPH ONE IS BEING DISSEMINATED TO YOUR REPRESENTATIVES IN MEXICO CITY. ANY FURTHER INFORMATION RECEIVED ON THIS SUBJECT WILL BE FURNISHED YOU. THIS INFORMATION IS BEING MADE AVAILABLE TO THE IMMIGRATION AND NATURALIZATION SERVICE.

INFO BASED ON (IN 36017)

RELEASING OFFICER

COORDINATING OFFICERS

/

AUTHENTICATING OFFICER

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JFK EXHIBIT F-519

CERTIFIED TRUE COPY-JFK EXHIBIT F-519-

5 May 1964

Subject- General:
Specific: OSWALD CASE

THE SOURCE DOES NOT HAVE DIRECT KNOWLEDGE OF LEE HARVEY OSWALD OR HIS ACTIVITIES BUT WAS ABLE TO PROVIDE ITEMS OF INTEREST ON CUBAN INTELLIGENCE OFFICERS ASSIGNED TO THE DIRECCION GENERAL DE INTELIGENCIA THE INFORMATION APPEARING BELOW WAS FURNISHED BY THE SOURCE AND IS KEYS TO QUESTIONS SUBMITTED BY

1. Prior to October 1963, OSWALD visited the Cuban Embassy in Mexico City on two or three occasions. Before, during and after these visits, OSWALD was in contact with the DIRECCION GENERAL DE INTELIGENCIA (DGI), specifically with Luisa CALDERON, Mammal VEGA Perera and Rogelio RODRIGUEZ Lopez.

VEGA whose Cuban intelligence pseudonym is MARCOS is the current Cuban IS chief in Mexico. He recently has had a tour of duty in Habana, prior to which he held the same post as now as Cuban IS chief in Mexico.

RODRIGUEZ is a Cuban IS staff officer in Mexico. He has three Cuban intelligence pseudonyms, Eduardo, Casimiro and Jose Antonio.

The precise relationship of Luisa CALDERON to the DGI is not clear. She spent about six months in Mexico from which she returned to Cuba early in 1964.

COMMENT: has the following references concerning Luisa CALDERON Carralero: She was assigned to the commercial office of the Cuban Embassy in Mexico City, and she had arrived in Mexico on 16 January 1963 and on 11 December 1963 made a reservation to return to Cuba on Cubana Airlines She left Mexico City for Havana on 15 December 1963 using passport E/63/7 Another reference said that her date of arrival in Mexico was 19 January 1963 and that she had replaced Rosario VAZQUEZ, a Mexican secretary in the commercial office. Other references apparently concerning the subject are which do not appear to add anything of interest to that given above.

2. The source does not know whether or not the Cuban Services used OSWALD in any agent capacity or other manner.

3. A. When news of the assassination of President Kennedy reached the DGI, it caused much comment concerning the fact OSWALD had been in the Cuban

Embassy in Mexico. In addition, orders were issued for all headquarters and field officers of the DGI to sort and package all documents according to whether they were "Muy secreto" (very secret), "secreto" (secret), and "importante" (important). The material once packaged was to be held pending further instructions. In addition, all travel by DGI officers and all DGI pouches were suspended temporarily.

3. When the news that OSWALD was the assassin reached the DGI, there was no immediate comment but, when Fidel CASTRO spoke on television to deny Cuban involvement, there was considerable comment concerning OSWALD's visit to the Cuban Embassy in Mexico. At this time VAGA, who has been mentioned previously, was in Cuba and commented to a group of DGI staff officers that OSWALD had come to the Cuban Embassy in Mexico to request a visa but had been refused. VAGA did not give any details and the subject was not pursued.

4. It is not known whether information on OSWALD's visit to the Cuban Consulate in Mexico in September 1963 was relayed to any Cuban service.

5. It is not known if the Cuban intelligence services had contact with the New Orleans' Fair Play for Cuba Committee.

6. The only Molina who is recalled is "The Hook", the Cuban who was convicted in New York City for the murder of a young girl during a clash between two Cuban groups. The DGI staff officer who had been in the United Nations in New York, SAMTENSTARAN traveled to Cuba with "The Hook" and with another Cuban named ORIBUELA and upon arrival in Cuba tried to obtain employment for both individuals. The names Pedro Charles and Peter have no known significance.

7. The reaction of Soviet officials in contact with the Cuban intelligence services is not known.

8. Nothing is known about Soviet proposals following the news of President Kennedy's assassination.

9. The only fabrication known is the special matter by Fidel CASTRO previously mentioned.

10. Nothing is known about Jack RUBENSTEIN aka Jack RUBY.

11.

12. OSWALD's photo was seen in the newspapers but nothing is known about him other than what appeared in the press.

1 MAY 1964

Proposed Questions on Oswald Case

1. Was Lee Harvey OSWALD known to the Cuban intelligence services before 23 November 1963? If so which services?
2. Were the Cuban services using OSWALD in any agent capacity, or in any other manner, before 23 November 1963?
3. What was the reaction of the Cuban intelligence services to news of President Kennedy's assassination? To the news that OSWALD was the assassin?
4. Was information on OSWALD's visit to the Cuban Consulate in Mexico City in September 1963, relayed to any Cuban service? If so, what action was taken?
5. Was there any contact between the Cuban intelligence services and the New Orleans' Fair Play For Cuba Committee?
6. Has subject ever heard of Mario del ROSARIO Molina, or Pedro Charles known also as "Peter"?
7. How did the Soviet officials in contact with the Cuban intelligence services react to news of the assassination?
8. Did the Soviets propose any type of action or investigation to the Cuban intelligence services following the news of President Kennedy's assassination?
9. Was any provocative material deliberately fabricated by the Cuban services or others and sent to the United States to confuse the investigation of the OSWALD case?
10. Was Jack RUBENSTEIN aka Jack RUBY known to the Cuban intelligence services? If so, in what way?
11. Does subject know a _____ who entered Mexico on November 23, 1963 at Nuevo Laredo, Texas and four days later proceeded to Havana by special plane. He was 23 years old and carried a U.S. passport. He also had a Mexican tourist permit. Develop all information you can on this individual.

12.

JFK EXHIBIT F-521

19 June 1964

TO :
 FROM :
 SUBJ :

- JFK EXHIBIT F-521 -

1. On 15 May 1964, we provided the President's Commission with a summary of our debriefing of Cuban defector [redacted] who had no personal knowledge of Oswald and no information linking him to the Cuban intelligence services in any manner. As a follow-up, Mr. Edward P. Willens of the Commission asked if he could see the questions used in the interrogation.

2. On 18 June, I took the questions and source's responses to the Commission and showed them to Mr. Willens. He studied them and returned the questions to me with the observation that they were very thorough and fully satisfied his requirements. He said that he saw no need to pursue this angle any further. The questions and answers exhibited to Mr. Willens are attached. At no time during our contacts with the Commission did we disclose the source's identity

3. Mr. Willens indicated that the Commission was winding up its investigation. He was highly complimentary of CIA, referring to the agency personnel he encountered here and in Mexico as "real professionals." Mr. Willens asked that I convey his best regards to you.

Document Number

739-319

for FOIA Review of JUN 1976

Attachment: a/s

Orig & 1 -
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681024

SOURCE EVALUATION:

The Source is believed to be very reliable. We have established through independent evidence and cross-checking that the major part of the intelligence information furnished by him is unquestionably true. For example, we knew independent of this Source that Manuel VEGA Perez and Rogelio RODRIGUEZ Lopez were Cuban intelligence officers in Mexico.

6 May 1964

Proposed Questions on Oswald Case

REFERENCE: Debriefing of Cuban Source dated 5 May 1964

1. The source says that prior to October 1963, Oswald visited the Cuban Embassy in Mexico City on two or three occasions. It is public knowledge he was in Mexico during the period 9-26-63 to 10-3-63.
 - A) When did source learn of these visits - before or after the assassination? Please describe in detail the circumstances under which source learned this information and identities of the persons involved.
 - B) Did these visits take place during the aforementioned period or is the source referring to previous visits. If the latter, try to get more specific details regarding these trips and the origin of the source's information.
2. The source states that before, during, and after these visits Oswald was in contact with the DGI, specifically Luisa CALDERON, Manuel VEGA Perez and Rogello RODRIGUEZ Lopez. This would appear to mean that one or more contacts were made after Oswald returned to the United States i.e., between 10-3-63 and 11-22-63.
 - A) What does source mean by contact?
 - B) Can he break down these contacts by the specific individual named, place and type of contact, and date of occurrence?
 - C) Did Oswald know or have reason to suspect the intelligence connections of these persons?
 - D) What was the purpose of these contacts?
 - E) If Oswald did not know the intelligence affiliations of these individuals, what pretexts, if any, were employed in contacting him?
 - F) Did source ever see any documentary material on any of these contacts, or any correspondence initiated by or addressed to Oswald?

ES BUREAU

G) Did the DGI ever employ physical surveillances, technical devices or camera equipment to cover these contacts?

H) The source says he does not know whether the Cuban services used Oswald in any agent capacity or otherwise. This obviously makes it more important to check out what the source meant in question one.

3. Did the DGI ever initiate an investigation of Oswald?
4. What was the reason for packaging files at DGI headquarters and field offices after news of the assassination was received?
5. Source was asked whether any provocative material was deliberately fabricated by the Cubans (Question 9) to confuse the investigation of Oswald. The reply attributed to him was, "the only fabrication known is the special matter by Fidel CASTRO previously mentioned." Please clarify.

Addendum 18 June with reference to #5;

The only possible fabrication known by source was the specific denial by Fidel CASTRO on a TV program of any Cuban knowledge of Oswald.

5 May 1964

Subject - General: Debriefing of Cuban Source
Specific: OSWALD Case

The source does not have direct knowledge of Lee Harvey OSWALD or his activities but was able to provide items of interest based on Cuban intelligence officers assigned to the Direccion General De Inteligencia. The information appearing below was furnished by the source and is keyed to questions submitted.

1. Prior to October 1963, OSWALD visited the Cuban Embassy in Mexico City on two or three occasions. Before, during and after these visits, OSWALD was in contact with the Direccion General De Inteligencia (DGI), specifically with Luisa CALDERON, Manuel VEGA Perez and Rogelio RODRIGUEZ Lopez.

VEGA whose Cuban intelligence pseudonym is MARCOS is the current Cuban IS chief in Mexico. He recently has had a tour of duty in Habana, prior to which he held the same post as now as Cuban IS chief in Mexico.

RODRIGUEZ is a Cuban IS staff officer in Mexico. He has three Cuban intelligence pseudonyms, Eduardo, Casimiro and Jose Antonio.

The precise relationship of Luisa CALDERON to the DGI is not clear. She spent about six months in Mexico from which she returned to Cuba early in 1964.

2. The source does not know whether or not the Cuban Services used OSWALD in any agent capacity or other manner.

3. A. When news of the assassination of President Kennedy reached the DGI, it caused much comment concerning the fact OSWALD had been in the Cuban Embassy in Mexico. In addition, orders were issued for all headquarters and field officers of the DGI to sort and package all documents according to whether they

SECRET

were "Muy secreto" (very secret), "secreto" (secret), and "importante" (important). The material once packaged was to be held pending further instructions. In addition, all travel by DGI officers and all DGI pouches were suspended temporarily.

B. When the news that OSWALD was the assassin reached the DGI, there was no immediate comment but, when Fidel CASTRO spoke on television to deny Cuban involvement, there was considerable comment concerning OSWALD's visit to the Cuban Embassy in Mexico. At this time VEGA, who has been mentioned previously, was in Cuba and commented to a group of DGI staff officers that OSWALD had come to the Cuban Embassy in Mexico to request a visa but had been refused. VEGA did not give any details and the subject was not pursued.

4. It is not known whether information on OSWALD's visit to the Cuban Consulate in Mexico in September 1963 was relayed to any Cuban service.

5. It is not known if the Cuban intelligence services had contact with the New Orleans' Fair Play for Cuba Committee.

6. The only Molina who is recalled is "The Hook", the Cuban who was convicted in New York City for the murder of a young girl during a clash between two Cuban groups. The DGI staff officer who had been in the United Nations in New York, SANTIESTABAN traveled to Cuba with "The Hook" and with another Cuban named ORIHUELA and upon arrival in Cuba tried to obtain employment for both individuals. The names Pedro Charles and Peter have no known significance.

7. The reaction of Soviet officials in contact with the Cuban intelligence services is not known.

8. Nothing is known about Soviet proposals following the news of President Kennedy's assassination.

9. The only fabrication known is the special matter by Fidel CASTRO previously mentioned.

10. Nothing is known about Jack RUBENSTEIN aka Jack RUBY.

11.

12. OSWALD's photo was seen in the newspapers but nothing is known about him other than what appeared in the press.

1 MAY 1964

Proposed Questions on Oswald Case

1. Was Lee Harvey OSWALD known to the Cuban intelligence services before 23 November 1963? If so which service?
2. Were the Cuban services using OSWALD in any agent capacity, or in any other manner, before 23 November 1963?
3. What was the reaction of the Cuban intelligence services to news of President Kennedy's assassination? To the news that OSWALD was the assassin?
4. Was information on OSWALD's visit to the Cuban Consulate in Mexico City in September 1963, relayed to any Cuban service? If so, what action was taken?
5. Was there any contact between the Cuban intelligence services and the New Orleans' Fair Play for Cuba Committee?
6. Has subject ever heard of Mario del ROSARIO Molina, or Pedro Charles known also as "Peter"?
7. How did the Soviet officials in contact with the Cuban intelligence services react to news of the assassination?
8. Did the Soviets propose any type of action or investigation to the Cuban intelligence services following the news of President Kennedy's assassination?
9. Was any provocative material deliberately fabricated by the Cuban services or others and sent to the United States to confuse the investigation of the OSWALD case?
10. Was Jack RUBENSTEIN aka Jack RUBY known to the Cuban intelligence services? If so, in what way?
11. Does subject know _____ who entered Mexico on November 23, 1963 at Neuvo Laredo, Texas and four days later proceeded to Havana by special plane. He was 23 years old and carried a U.S. passport. He also had a Mexican tourist permit. Develop all information you can on this individual.
12. Attached is a photograph of OSWALD,|

S.A. Stern/aw/3-27-64
 cc: Mr. Rankin
 Mr. Stern
 Files ✓

Oswald *3-27-64*
 March 27, 1964

MEMORANDUM

TO : Mr. Rankin
 FROM : S. A. Stern
 SUBJECT: CIA file on Oswald

- JFK EXHIBIT F-525 -

Today, Friday, March 27, 1964, I met at CIA headquarters with Mr. Rocca to review the CIA file on Lee Harvey Oswald. The file contains those materials furnished to us previously by CIA. In addition, it contains the following materials:

a. Cable reports from the CIA station in Mexico of November 22 and 23, 1963 relating to photographs of a person who had visited the Cuban and Soviet Embassies in Mexico City during October and November 1963; and reports on these cables furnished on November 23 by CIA to the Secret Service. These messages are accurately paraphrased in the attachments to the CIA memorandum of March 24, 1964 (Commission Document 5674).

b. Cable of October 10 from CIA Mexico City station to CIA headquarters reporting on Oswald contact at Soviet Embassy, and October 10, 1963 message from CIA headquarters to Mexico City station of background information on Oswald. These messages are accurately reported in the CIA memorandum of January 31, 1964.

I did not review any materials later than November 23, 1963.

Mr. Rocca also showed me the "printout" of the references to Oswald documents in the CIA electronic data storage system. There was no item listed which we have not been given either in full text or paraphrased.

When I evidenced an interest in the CIA electronic data processing system, Mr. Rocca said that he would arrange a detailed explanation at a future visit.

JFK EXHIBIT F-525

JFK EXHIBIT F-528

13 April 1964

-JFK EXHIBIT F-528-

MEMORANDUM FOR THE RECORD

1. | called me in at 0900 and showed me in draft a memorandum recording his conversation with Allen Dulles on Saturday 11 April re CIA assistance to the Warren Commission. In essence, the conversation dealt with questions which the Warren Commission will direct to CIA. Copy follows?

2. | has suggested that nothing further be done re preparation of an analysis of the OSWALD affair pending receipt of the questions from the Commission. Answering these questions might make it unnecessary to prepare an analysis.

3. | asked that we prepare, on a priority basis, a reply to the FBI communication containing two reports on the OSWALD case from Rosenko. | is handling. | and | are to see it in draft.

P.S. | also returned to me the several items of Oswald production borrowed on 11 April.

Document Number 657-831

for FOIA Review on JUN 1976

en:6:6

13 April 1964

MEMORANDUM FOR: Deputy Director for Plans

SUBJECT: MEMO
on Discussions with Mr. Allen W. Dulles
on the Oswald Case on 11 April

1. At the instructions of the DDP, I visited Mr. Dulles on 11 April to discuss with him certain questions which Mr. Dulles feels the Warren Commission may pose to CIA. Mr. Dulles explained that while the Commission wished to clarify certain aspects of the Oswald case in which a response from CIA seemed necessary it was not sure how the questions should be posed nor how CIA should respond. Mr. Dulles hoped that our discussions would enable him to advise the Commission on this matter. He first raised the allegation that Oswald was a CIA agent. He mentioned two sources for this accusation. One was Mrs. Marguerite Oswald, Lee Harvey Oswald's mother, and the other was Mr. Mark Lane, Mrs. Oswald's attorney. He suggested that the Commission, in asking us this question, might well forward a summary or pertinent excerpts of the testimony concerning this matter. He noted, however, that Mrs. Oswald's testimony was so incoherent that it would be difficult to find pertinent excerpts, thus it would be better for the Commission to summarize the testimony.

2. Mr. Dulles then suggested that the response to this question could be in the form of sworn testimony before the Commission by a senior CIA official or a letter or affidavit. He recalled that the Director of the FBI had replied by letter to a similar question. In any event, Mr. Dulles felt the reply should be straightforward and to the point. He thought language which made it clear that Lee Harvey Oswald was never an employee or agent of CIA would suffice. We should also state that neither CIA nor anyone acting on CIA's behalf was ever in contact or communication with Oswald. Mr. Dulles did not think it would be a good idea to cite CIA procedures for agent assessment and handling to show that it would have been unlikely for Oswald to have been chosen as a CIA agent to enter Russia. There are always exceptions to every rule and this might be misunderstood by members of the Commission with little background in activity of this sort. I agreed with him that a carefully phrased denial of the charges of involvement with Oswald seemed most appropriate.

- 2 -

3. The next question concerned the possibility of Oswald's having been a Soviet agent. Mr. Dulles suggested that the Commission's question on this matter be phrased somewhat as follows: "In the knowledge or judgment of CIA was Lee Harvey Oswald an agent of the Soviet intelligence services or the intelligence services of other communist states at any time prior to 22 November 1963, or was Oswald solicited by these intelligence services to become such an agent?" After considering this question, it became apparent that the problem of making a "judgment" as to whether Oswald might have become an agent of a communist power was subject to the same difficulties we would have encountered if we had tried to answer the allegation of CIA affiliation by citing CIA's own procedures. If CIA, in responding to the "judgment" portion of the question, were to say that in light of its knowledge of Soviet Bloc procedures it was unlikely that Oswald would have become their agent, we would have to admit that exceptions are always possible. Mr. Dulles and I felt that it would be better to avoid this and confine our response to a precise statement of fact. This statement, in Mr. Dulles' view, could note that CIA possessed no knowledge either gained independently or from its study of the materials supplied by the Commission tending to show that Lee Harvey Oswald was an agent of the Soviet intelligence services, or the services of any other Communist country, or for that matter of any other country.

4. Both questions were discussed individually but later Mr. Dulles suggested that because they were interconnected it would be better if the Commission posed them in one letter to CIA. I agreed that this might be simpler.

5. After covering these questions of direct interest to CIA, Mr. Dulles mentioned other issues which concerned the Commission. He remarked that members of the Commission could not understand why CIA had not begun an investigation of Oswald as soon as it received word that he had defected. I noted that this question had been discussed with Mr. Rankin and his staff and there seemed to be considerable understanding of the practical circumstances which made it impossible for CIA to undertake such investigation inside the USSR. I expressed the hope that it would not be necessary for CIA to place matters of this sort in the public record. Mr. Dulles agreed.

6. Mr. Dulles then asked if it were normal for the Soviet Government to permit a Soviet woman to marry a foreigner and then allow her to leave with her husband shortly after the marriage. This question perturbed the Commission and they would like to have an answer. I said that whereas the response could have some bearing on whether Oswald was an agent, the problem seemed to lie more in the consular field and I suggested that the best way to obtain an opinion on what constituted "normal practice" in marriage cases in the USSR would be to question the Department of State. Mr. Dulles agreed with this.

7. Mr. Dulles expressed his appreciation for the assistance accorded him and said that he would discuss the framing of the questions for CIA with Mr. Rankin on Monday, 13 April. At this point I did offer a personal opinion in regard to the way in which CIA should respond. Noting that testimony on questions such as these would be difficult to insert in the public record, I suggested that it would be best if the CIA response were in written form. However, much will depend on the form in which the questions are eventually put to us and I imagine that a final decision can be made at that time.

8. At no time during these discussions did Mr. Dulles make any inquiries about Nosenko and I volunteered no information on this score.

28 July 1964

—JFK EXHIBIT F-530—

MEMORANDUM OF CONVERSATION

SUBJECT: Use of NOSENKO Information in Warren Commission Report

PARTICIPANTS: Mr. Allen W. Dulles, Mr. J. Lee Rankin, and Mr. David Slawson of the Warren Commission; Mr. Richard Helms, C/SR and CIA of

DATE: 27 July 1964

PLACE: Offices of the Warren Commission

1. This discussion, following earlier ones on the same subject, was called by Mr. Rankin to discuss proposed drafts for inclusion or non-inclusion of NOSENKO's information in the report of the Commission. Mr. Slawson had prepared a short memorandum with three attachments, offering alternative drafts. A copy of Mr. Slawson's memo, which was an informal one and not for permanent Commission records, is attached.

2. Of these drafts, one (#2) names NOSENKO, admits he had direct knowledge of Oswald's case in the USSR and comments that his reliability is uncertain. Another (#3, parts 1 and 2) includes information from NOSENKO about Oswald which would be included in the report; NOSENKO is not named as the source. A third draft (#4) is for inclusion in the Commission report if no NOSENKO information is used, explaining why certain information was not included in order to protect the Commission from later charges of having failed to use NOSENKO's information.

2.

3. The CIA representatives thought that it would be undesirable to include any NOSENKO information in the report, and after some discussion, there was general agreement on this view. The circumstances which contributed to this conclusion are summarized here:

a. NOSENKO is a KGB plant and may be publicly exposed as such some time after the appearance of the Commission's report. CIA cannot at this time, however, evaluate the accuracy of what NOSENKO has reported on the Oswald case, nor the significance of his having reported it.

b. Even without public discrediting of the source, specific aspects of NOSENKO's information are likely to lead to questions and doubts on the part of perceptive readers.

c. Once NOSENKO is exposed as a KGB plant, there will arise the danger that his information will be mirror-read by the press and public, leading to conclusions that the USSR did direct the assassination.

d. The Agency's greatest contribution to the resolution of the questions at hand would be to break NOSENKO and get the full story of how and why he was told to tell the story he did about Oswald. While we have no certainty that we can ever do this, if we are to succeed we need time and must in the meantime avoid creating pressures which might force us to release NOSENKO to the public domain. (There, articulate and plausible, he would unquestionably be able to establish himself beyond hope of dislodging, since his story cannot easily be pierced even by trained specialists, much less by private citizens however intelligent.) The release of the fact that NOSENKO knew specifically about the Oswald case would, of course, create such pressure, and no hedging on source description could protect his identity.

4. The Commission representatives, particularly Mr. Rankin, felt that some mention of NOSENKO might be inevitable, at least when after the publication of its report,

3.

the press would ask the Commission about him and whether he had had anything to contribute. Mr. Helms suggested that CIA could provide a number of Soviet intelligence defectors to testify to the Commission, and the Commission could then report that "defectors," in general, and without naming NOSENKO, had given information. It was agreed that the Agency had already provided such defector information in its previous reports, and that wording to this effect could be worked into the Commission's Draft #4, which was otherwise quite suitable from the point of view of the Agency and the Commission. At Mr. Helms' suggestion, it was agreed that CIA would undertake to draft a few sentences to this effect.

(Note: The proposed redraft of the Commission's draft #4, consisting only of the addition of one sentence after the opening sentence, is also attached to this memorandum.)

5. Mr. Dulles and Mr. Rankin said that the Commission's report would be published in mid-September, rather than 8 August as estimated earlier.

6. Mr. Dulles reported that a correspondent, had told him that a senior official of the Soviet Embassy in Washington, perhaps the Minister Counselor, had told him two or three weeks ago that Mme Furtseva, then a member of the Presidium of the CC/CPSU, had interceded on Oswald's behalf after the latter had been rejected by another Soviet agency, and as "Minister of Propaganda" had supported him because the Soviets did not want the adverse publicity -- and hampering of future defections -- which would accompany any refusal to accept him in the USSR.

(Note: This story checks with part of NOSENKO's, and like NOSENKO's story, is supported by an entry in Oswald's "Historical Diary" to the effect that after his suicide attempt Oswald was handled by an entirely different set of people.)

4.

7. Chief, SR/CI reported that, in response to the Commission's request, we have tested, in the Soviet Embassies in Stockholm and Helsinki, the time required to get a Soviet tourist visa, and find that 2-3 days is impossible and five days the apparent minimum in both places. In one, however, it was implied that shortage of hotel space might be a contributing factor, so these findings might not be valid for the month of October, when Oswald apparently got his visa in two or three days. We will submit a written report on this.

Chief, SR/CI

Attachments:
As Stated

JFK EXHIBIT F-533

31 Jul 64

-JFK EXHIBIT F-533 - (

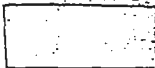
ITEM PREPARED FOR THE WARREN COMMISSION

entitled

"LENGTH OF TIME REQUIRED FOR OBTAINING SOVIET TOURIST VISAS IN
HELSINKI AND STOCKHOLM, 1964"

A memo from the Commission to CIA dated 25 May 1964 inquired after information relating to the relatively short period of time in which OSWALD acquired a tourist visa in Helsinki. The first attached item, a memo to the Commission dated 1 July 1964, provides such information as we could obtain on OSWALD's reconstructed timetables for travel from London to Helsinki. The second attached item, dated 31 July 1964, provides comments on length of time required to obtain a tourist visa in Helsinki and Stockholm.

For further information on these items, see:



31 July 64

31 July 1964

MEMORANDUM FOR: Mr. J. Lee Rankin
 General Counsel
 President's Commission on the
 Assassination of President Kennedy

SUBJECT : Length of Time Required for Obtaining Soviet
 Tourist Visas in Helsinki and Stockholm, 1964

1. In response to a telephone inquiry made in July 1964 concerning the time required for issuance of a Soviet visa for a US businessman, the Soviet consul in Helsinki stated that he could issue a transit visa (valid for 24 hours) in five minutes but that for a longer stay he would need about a week to process a visa application and have Inturist arrange for lodgings. He implied that the main reason for delays in visa issuances was a shortage of hotel space in the USSR.

2. A Finnish travel agency representative said in July 1964 that he is able to obtain Soviet tourist visas for his customers within five days if he pushes the matter.

3. A telephone check with the Soviet consulate in Stockholm in July 1964 revealed that normal visa processing there takes seven days but that this can be shortened to five days "in exceptional cases." The Soviet official receiving the telephone call stated that it was impossible to get a visa within two or three days.

Document Number

781-341

/4. A Soviet official

for FOIA Review on JUN 1975

4. A Soviet official in Stockholm indicated in early 1964 that visa processing for foreigners wishing to visit the USSR normally takes six to eight days in Stockholm but that visas for Swedish businessmen and other personalities of special interest (not defined) can be processed directly by the Soviet embassy in Stockholm without referral to Moscow.

Richard Helms
Deputy Director for Plans

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29 July 1964

Mr. PREYER. It has been a long afternoon and I imagine Mr. Helms would be ready for a recess period. I think we are very close to finishing. We have one other member who wishes to ask questions. I know you are anxious to finish. Would you prefer to take a 10-minute recess at this time or would you like to attempt to finish up?

Mr. HELMS. If you don't mind, Mr. Chairman, I would like to go right along. I would like to finish if we possibly can as soon as we can.

Mr. PREYER. The Chair recognizes Mr Sawyer.

Mr. HELMS. Good afternoon, Mr. Sawyer.

Mr. SAWYER. Good afternoon, Ambassador.

First I would like to clear up what I think was a combination of misstatements about what Mr. Hart testified to vis-a-vis Nosenko. He did not say that we should not believe the veracity of what Nosenko said. He said he believed that but that he felt, because of the size and compartmentalization of the KGB, he would not at all necessarily know whether they had contact with him or not, and for that reason I am quite puzzled with this combination of not having accepted the bona fides of Nosenko and yet putting him on the payroll as a consultant.

How can you possibly get any value out of information supplied with someone when there is a belief or at least a strong possibility that he is a double agent, there for the specific purpose of deceiving?

Mr. HELMS. Well, sir, this is the constant and continuing hazard in all intelligence work of this kind. There isn't a statement that is made by any defector that comes to the United States that goes unchecked. We take all the statements and then they are checked out and there is an effort made to find out if they are true and they are examined and research work is done on them, and so forth, because this is a very difficult and untidy problem, I am sad to say. And it is particularly untidy given the importance of the Nosenko case.

I have been told he gave useful information to an agency of the U.S. Government about certain Soviet operations overseas and certain information about the KGB. I can't personally attest to this, and I am sorry; but I believe that certain of high information was believed to be of value.

Mr. SAWYER. It seems to me, looking at the facts of this thing here he was incarcerated under horrible conditions for a period of some 5 years or approximating 5 years, and then apparently the project was given up as not being able to resolve the question, at least to everyone's satisfaction. There are memorandums indicating it would be now a great catastrophe to release this man presumably after what had been done to him here in the country; it would be devastating if he talked much about it. There was even a memorandum of the director of the Soviet bloc group or division, discussing the possibilities of disposing of him and elaborating on that to mean either liquidation or drugging him to a point where he became incomprehensible so he couldn't tell anybody anything, or just putting him in an insane asylum and just throwing away the key apparently.

It would just seem to me after what you people did to Nosenko here in this country, without any color of law at all, that you really only had two choices: One was dispose of him as suggested—

Mr. HELMS. That was never considered, Mr. Sawyer.

Mr. SAWYER. Well, I am talking about what your division chief of the Soviet bloc wrote down that was being considered at least by him.

Mr. HELMS. He was the Deputy Division Chief and maybe he did write these things down, but I say these things were never brought to my attention, the suggestion was never made to me, this was never an option that was considered.

Mr. SAWYER. You have testified about your considering assassinating people along with the Mafia. It is nothing new to you people apparently to assassinate somebody?

Mr. HELMS. That is your statement, Mr. Sawyer.

Mr. SAWYER. Well, I thought that was what you have been testifying to here about willingly becoming a party to an assassination either by syringe, by gun, or by poison pills of Castro. So once we get in the acceptance of that line, it doesn't seem to me so out of line that would be one of the things you would consider, and apparently your deputy division chief did consider it.

It seems to me the only other option would be to pay him off and handsomely enough so he would keep quiet about this when you let him go. You obviously couldn't deport him very well at this point in time, and it just appears to me as I look at that it is perfectly plain that you exercised the option of paying him off.

Do you dispute that?

Mr. HELMS. Yes; I dispute it.

Mr. SAWYER. You said you paid over a period of time some half a million dollars, is about what it amounts to as I quickly add it up, both in lump-sum payments and in monthly stipends to a guy that the Agency never decided wasn't, in fact, there to mislead it and give it false information. You paid that as a consultant and you say the motivation was not at all to pay him off. Is that your position?

Mr. HELMS. No, sir. I am counting 10. That is what my mother taught me to do under these circumstances.

Mr. SAWYER. You are doing what?

Mr. HELMS. I am counting to 10.

Mr. SAWYER. Well, I will be patient if it takes that long.

Mr. HELMS. The effort in Mr. Nosenko's case and the only option that we had available to us in my opinion was to resettle him and give him a new identity and handle him in such a way he would have a chance to make a life for himself on the American scene.

It has been 5 years since I had anything to do with his case. I don't know what has been done to him since.

Mr. SAWYER. You said you could not just put him out on welfare. What do we do with most immigrants that come in either from Indochina that are refugees or regularly admitted immigrants? We may provide them some educational help in the language, and that sort of thing, but we don't pay them off. Here you are talking about sums of money that wouldn't be mentionable in the same breath as welfare, and I just say as I look at this thing, taking all these facts you have testified to into account, it would just seem to

me on the face of it that it was a payoff. I am surprised to hear you deny it.

Mr. HELMS. I believe that under the Constitution you are entitled to your viewpoint and I am entitled to mine.

Mr. SAWYER. Well, you did, in fact, plead guilty to having withheld information from the Senate committee, didn't you?

Mr. HELMS. No, sir, I did not.

Mr. SAWYER. I thought you had.

Mr. HELMS. I did not. I pleaded nolo contendere.

Mr. SAWYER. So that you just don't contest it, then, which is the legal equivalent of a plea of guilty, is that correct; except that it can't be used as an admission against you in a civil case; right?

Mr. HELMS. I am not a lawyer, Mr. Sawyer.

Mr. SAWYER. But I am sure you were advised by a lawyer before you entered a nolo contendere; were you not?

Mr. HELMS. I was advised by lawyers.

Mr. SAWYER. Something else bothers me. When you put Nosenko into solitary you obviously intended to hold him a very long time; did you not?

Mr. HELMS. I don't think that was the intention at the time. The intention was to hold him no longer than it took to find out whether he was bona fide or not or to satisfy ourselves on this.

Mr. SAWYER. But you invested in building a whole separate vault and building around it, and so forth, for the purpose of accommodating Nosenko; did you not?

Mr. HELMS. I asked this morning if anybody from the committee had looked at the building. It was no vault, as I recollect it. I don't think it was a very expensive building at all.

Mr. SAWYER. Where was it located?

Mr. HELMS. It was located in Virginia.

Mr. SAWYER. Was it on a military base?

Mr. HELMS. I believe those items are classified, and I was told by the agency to go into executive session if you wanted to discuss this.

Mr. SAWYER. Do they still use this?

Mr. HELMS. I don't know.

Mr. SAWYER. Was it ever used for anyone else other than Nosenko?

Mr. HELMS. I don't know. I don't think so.

Mr. SAWYER. Apparently it was a reinforced steel box that was described by Mr. Hart as being like a bank vault, and he then described that a house had been built around it to accommodate the interrogating staff and guards, and what not, and then surrounded by a linked barbed-wire fence.

You wouldn't do that just to put somebody in it for a couple of months, would you?

Mr. HELMS. It would have depended on the circumstances. And after all, this was a very important case to us, so I would think the question of the amount of money that the installation cost really rarely came up.

Mr. SAWYER. What was the purpose of moving him from what was apparently a secure place of confinement into this so-called safe house? What was the purpose of building another facility and moving him out of there into that?

Mr. HELMS. I assume because those safe houses are much more complicated to administer, it take more guards, and things of that kind. I think there were practical considerations involved.

Mr. SAWYER. Wouldn't it be a fair deduction if you went to the trouble of building a separate facility of this type that it obviously was going to be quite a long-term incarceration if that is specifically for what it was built?

Mr. HELMS. Well, I just said, sir, this was not the intention. The intention was to try to find out whether this man was bona fide and that was the objective, and when we had done that we would have let him loose and if this was a mistake in building this house, then I guess it was a mistake.

Mr. SAWYER. You said, too, that you didn't subject Nosenko to physical abuse. As I have both talked to Nosenko and listened to the CIA official spokesmen define it, it was a partial starvation, being subjected to cold weather without being provided a blanket, not being allowed fresh air during the heat of the summer for over a year. Don't you consider that, just those items alone, as being physical torture actually?

Mr. HELMS. I cannot verify those items. I don't know whether they are true or not. You have told me today they are true.

Mr. SAWYER. You were the man in charge when he had been without any legal process or trial, just incarcerated in solitary confinement. You were in charge of the Agency that was doing that, weren't you?

Mr. HELMS. I wasn't in charge at that time.

Mr. SAWYER. During part of that time you were.

Mr. HELMS. I became in charge later. Is there any evidence when I was Director these things happened to him? I didn't know anything about it at the time. I hear conflicting stories about how he was treated. You'll have to use your stories, I'll use mine.

Mr. SAWYER. Mr. McCone could have found out anything in the Agency that he wanted to find out. You said that right here, you remember?

Mr. HELMS. I said that.

Mr. SAWYER. So I presume as one of the people in charge of this having occurred to the man, you could have found out anything about what was happening to him that you wanted to, couldn't you?

Mr. HELMS. I never was told any tales——

Mr. SAWYER. Well, you knew he was in your custody?

Mr. HELMS. That is correct.

Mr. SAWYER. And you never made any inquiry about what was happening to him over this 4- or 5-year period?

Mr. HELMS. Of course I did.

Mr. SAWYER. Did you find out then what they were doing to him, what you were doing to him?

Mr. HELMS. I was never told of these details of his being kept in a room so hot he couldn't stand it, or any of those things. Those were never brought to my attention and I never got those in answer to any inquiry. If this is the truth I am genuinely sorry about it, but I was not aware of it at the time.

Mr. SAWYER. You said about Oswald when he came back from Russia that you wouldn't have had really any particular jurisdic-

tion or interest because he was a marine. As I understand it, he had been discharged from the Marine Corps, and for how long a period of time does military service retain intelligence jurisdiction over a person?

Mr. HELMS. I don't know. I really don't.

Mr. SAWYER. When you were interviewed apparently by a Mr. Lardner, George Lardner of the Washington Post after your executive testimony here, you said in effect to him—the article is in the Washington Post of Thursday, August 10, referring to your appearance here on August 9: "Your questions are almost as dumb as the committee's."

Does that fairly reflect your personal opinion and attitude?

Mr. HELMS. I don't recall talking to Mr. Lardner after the hearing the other time. I was chatting in the hall with a newspaperman around lunchtime. I don't recall such an acerbic remark as that, and of course I withdraw it if I did make it. I never even saw the article, so it must have been the first edition of the Washington Post. The article I saw the next day didn't have anything like that in it. It teaches you never to talk to the press. I mean that's the only lesson, if they quoted me accurately. If they didn't quote me accurately, then I shouldn't have made off-the-cuff remarks.

But I don't feel that way. I think this inquisition has been admirably handled.

Mr. SAWYER. If you didn't read the article, let me give you the benefit of the applicable part of it. It says:

Helms told reporters during a break that no one would ever know who or what Lee Harvey Oswald, named by the Warren Commission as Kennedy's assassin, represented. Asked whether the CIA knew of any ties Oswald had with either the KGB or the CIA, Helms paused and with a laugh said, 'I don't remember.' Pressed on the point, he told a reporter, 'Your questions are almost as dumb as the committee's.'

You don't recall any such statement?

Mr. HELMS. I recall an exchange about Oswald because I don't think we are ever going to find out what Lee Harvey Oswald's role was until we get the Russians' KGB files. That is what I was referring to.

Mr. SAWYER. You did allude to the representation in Mr. McCone's letter or affidavit that there was no formal connection between Lee Harvey Oswald and the CIA. Did the use of the word formal intend to exclude any other type of relationship or contact?

Mr. HELMS. No, Mr. Sawyer. I am sorry. I was trying to use a short cut, I think. But in the documents I was given in preparation before this hearing the actual affidavit of Mr. McCone is there present and I think should be permitted to stand on its own feet. In other words, I would not want to say I was attempting to add or subtract from it.

Mr. SAWYER. But there was no specific connotation?

Mr. HELMS. No, sir. I am sorry if in my effort to make a short sentence I didn't go all through the various points that were made in there, because as I said earlier this afternoon, I never found the slightest evidence that the Agency had anything to do with Lee Harvey Oswald, and I was just hoping that maybe this hearing would put that rumor to rest.

Mr. SAWYER. In your long time with the Agency, have you ever known of any example where anything remotely similar to what was done to Nosenko was done to someone else here in this country?

Mr. HELMS. No; I know of no other case comparable, nor do I know of any case that confronted us where a man might have information having to do with the assassination of the President of the United States.

The answer to your questions specifically is I know of no comparable case and I believe there never was one.

Mr. SAWYER. Whereas I recognize your disclaimer of being a lawyer, you certainly know that the police, even with the assassin himself, could never have done anything like this, would never have been permitted to do anything like this. You understand people's rights enough for that, don't you?

Mr. HELMS. Oh, yes, I understand people's rights.

Mr. SAWYER. Holding a man in solitary confinement under these kinds of conditions without a trial and subjecting him to both physical and mental torture—even with an assassin himself.

There is no way the laws of our country permit that kind of thing. You knew that, didn't you?

Mr. HELMS. Well, I rather thought that the legal status of Mr. Nosenko in those days was in a very gray area and if I am wrong about it I wish you would correct me now, Mr. Sawyer, because I am prepared to be corrected.

Mr. SAWYER. Well, he was a human being, wasn't he?

Mr. HELMS. I believe so.

Mr. SAWYER. You know in most States even treating an animal like this will land you in jail.

I have no further questions. Thank you, Mr. Chairman.

Mr. PREYER. Are there any further questions?

Mr. Dodd.

Mr. DODD. Thank you, Mr. Chairman.

Mr. Helms, you made a point earlier in your testimony today with regard to the testimony of Mr. Hart before this committee. You commented on the fact that he didn't really share with us any specific knowledge about the substance of our inquiry; that is, in connection with whatever connection there may have been between the KGB and Lee Harvey Oswald, and to that extent what information the Agency had with regard to that specific information.

I have to agree. In fact, Mr. Hart mentioned here that he had stated specifically to the Agency that if he were to be expected to talk about Lee Harvey Oswald, then it was pointless of the Agency to send him up here because he had no intention of talking about Lee Harvey Oswald.

If this committee were to ask you who would be a good witness or several good witnesses that we could talk to either presently employed at the Agency or former employees of the Agency who could shed additional light on that particular aspect of our investigation, who would you suggest?

Mr. HELMS. I would suggest the Chief of the Soviet Bloc Division and the Deputy Chief who have been maligned here. I think they might come before this committee and answer for themselves as to

the reasons behind the way the interrogation was conducted. I think that would be good for openers.

Mr. DODD. Who are these people again? I am sorry.

Mr. HELMS. The gentlemen who were Chief and Deputy Chief of the Soviet Bloc Division at the time of the Nosenko interrogation.

Mr. DODD. Could I go back a minute. Counsel asked you some questions about this 201 file that existed on Lee Henry Oswald, I believe.

Mr. HELMS. That is right.

Mr. DODD. There is some confusion I think in the committee's mind as to how that file was opened. What kind of file is it? What is a 201 file?

Mr. HELMS. It is nothing but a personality file. We might open a file—we get pieces of paper like this and if they refer to Christopher Dodd, we would open a file on Christopher Dodd. They just happen to be called a 201 file because we had a numbering category files of different kinds used in different parts of the Agency. There is no arcane significance at all; it is just a number. It might have been called 5-type files or X-type files.

Mr. DODD. You said it takes something to trigger it?

Mr. HELMS. Yes, it takes a form like this to be filled out.

Mr. DODD. I wanted to get clear in my own mind. Can you tell the committee what it was specifically that triggered the opening of the 201 file on Lee Henry Oswald?

Mr. HELMS. I don't know what happened, sir, I don't know how they got the name wrong. I have no idea any more, if I ever knew. I don't know whether it was a clerical error, a mistake, or just what. I recognize in 1978 when you look back 15 years, Lee Harvey Oswald was not a household name. It may have been somebody thought it was Henry and read it wrong and it was Harvey. But I think it got straightened out very quickly, at the time of the dissemination of reports to the Government when he visited the Soviet and Cuban consulates in Mexico City.

Mr. DODD. Mr. Chairman, may I request that we suspend for a couple of minutes.

I think I can get down to the bottom line very quickly. The mere existence of a 201 file does not suggest in any way, does it, that the person who is the subject of a 201 file is in any manner, shape or form an employee, agent, operative of the Agency?

Mr. HELMS. No, sir; it does not. It simply is a device for holding information. When an individual gets into special categories of relationships with the Agency, then the whole file business is changed.

Mr. DODD. So the existence of a 201 file on Lee Henry—or Lee Harvey Oswald in the Agency would in no way indicate that he is in fact a paid employee of the Agency?

Mr. HELMS. It means absolutely nothing. As a matter of fact, there were files in the Agency on Congressmen and Senators, but they had newspaper clippings. If you are going to file a newspaper clipping, you have to put it someplace.

Mr. DODD. Fine.

Thank you, Mr. Chairman.

Mr. HELMS. Thank you for making that point of clarification, Mr. Dodd.

Mr. PREYER. Thank you. I have no questions.

I think the ground has been very thoroughly covered.

I do just want to take my few minutes to make a brief statement about the hearings that we have had today and yesterday. I think the past 2 days of testimony have shown the CIA did things 15 years ago or so which shock us, sometimes shock us profoundly today.

I had someone at the luncheon recess conclude from this testimony that America is a lawless society because one of our institutions broke the law some years ago. Well, this is certainly not a lawless society. Russia is a lawless society, where a handful of people control things and where you cannot change it unless a revolution or a war comes along.

I think the past few days' hearings here have indicated that we can change things. The kind of testimony Mr. Hart of the CIA gave, criticizing his own institution, your testimony today, it is impossible to conceive of a KGB agent, for example, ever admitting that anything they did 15 years ago was wrong.

I don't think it was wrong to bring out these horrors of the past. I think the old adage that "the truth can make you free" is true here. The truth about these things, I think, will free up the CIA from past mistakes and it will free up all of us. And that is the second point I want to make.

I think when we view these actions of some time ago today, we have to realize that at that time when these acts were committed there was a national consensus that this Nation's security was in peril. So I think we would want to be very careful how we make retroactive scapegoats.

There are those who betrayed one trust, their trust of office, the trust of power; but they did so to preserve another trust, the trust of national security.

In all of these hearings, Mr. Helms, in all of the inquiry situations that you have been subjected to lately, I don't think anyone has ever suggested that you ever betrayed that other trust, of the national security. I think in judging the actions of individuals in the past, we want to consider who it was who called up those actions. In large measures, the American people at that time were calling up these measures out of fear that our national security was in peril.

Mr. Helms, we appreciate your being here with us today and answering all of these questions.

At the conclusion of the testimony of our witnesses, we allow each witness 5 minutes to make any statements that he may choose to make. You have testified at some length today, but if there is any matter you wish to clear up, any statement you wish to make, we will be glad to hear from you at this time.

Mr. HELMS. Thank you, Mr. Chairman.

Well, I would like to say I deeply appreciate the remarks you have just made at the conclusion of this hearing. I thank you for them. I thank you for your courtesy as chairman. I have no other comments.

Mr. PREYER. If there is no further business today, the committee stands recessed until 9 o'clock Monday morning.

[Whereupon, at 4:20 p.m., the hearing was adjourned, the committee to reconvene on Monday, September 25, 1978, at 9 a.m.]

INVESTIGATION OF THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

MONDAY, SEPTEMBER 25, 1978

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

The select committee met, pursuant to adjournment, at 9:15 a.m., in room 345, Cannon House Office Building, Hon. Louis Stokes (chairman of the select committee) presiding.

Members present: Representatives Stokes, Devine, Preyer, McKinney, Fauntroy, Sawyer, Ford, Fithian, and Edgar.

Staff present: G. Robert Blakey, chief counsel and staff director; I. Charles Mathews, special counsel; Kenneth Klein, assistant deputy chief counsel; Michael Goldsmith, senior staff counsel; Robert Genzman, staff counsel; Ms. Jacqueline Hess, chief researcher, and Ms. Elizabeth Berning, chief clerk.

Chairman STOKES. The committee will come to order.

At this time I would like to make brief opening remarks.

This morning, the Select Committee on Assassinations begins a final week of public hearings on the death of President John F. Kennedy. As I indicated when the committee opened its public hearings on September 6, 1978, the committee has identified three main issues to investigate in order to fulfill its legislative mandate, which is found in House Resolution 222.

First, who assassinated President Kennedy?

Second, how well did the agencies perform?

Third, did the assassin or assassins have assistance, that is, was there a conspiracy?

In the past several weeks, the committee's hearings have moved through two general phases. First, evidence was received on the facts and circumstances surrounding the President's death and the connection, if any, between those facts and circumstances and the alleged assassin, Lee Harvey Oswald. Second, an effort has been made to evaluate the performance of the various Federal agencies, Secret Service, the FBI, the CIA, and the Warren Commission.

Today, and the rest of this concluding week, the committee will hear evidence focused directly on the third question: Was there a conspiracy?

But let me first make one point explicit. The committee will be hearing testimony this week dealing with what the committee has found. In presenting this evidence to the committee, the staff will not be trying to prove or disprove any particular theory. The purpose of these hearings is not to try to establish or refute particular theories, but to consider the evidence available on the various

points. That evidence may either prove it, disprove it, or be insufficient to make a judgment either way. Nevertheless, because these hearings are legislative in character, and not a judicial trial, the committee has a duty to make what it has learned public, even if it falls short of what everyone might wish to know on the crucial question: Was there a conspiracy involved in the assassination of President Kennedy?

Let me make another point. The evidence that the committee has heard in these past several weeks—and will hear this week—in fact bears on more than one question. For example, when the committee heard testimony dealing with its neutron activation analysis project, the results dealt with the question to whose gun the bullets found in the car and at Parkland Hospital might be linked, the performance of the FBI in conducting such tests in 1964, and the possibility that more than one assassin may have fired at President Kennedy. In fact, the committee will have held 17 days of hearings on each of the three key questions, even though the principal focus of a particular phase of the hearings or of an individual day may have been some aspect of one of these questions. Let me say it another way. Although these hearings have been structured in an organized fashion, we have not compartmentalized them in a restrictive way, as if to indicate this is only conspiracy week, last week was only agency performance week, and so on. As I said, in each day of hearings we are attempting to settle all three questions in our mandate.

Let me make another important point. It may be helpful for those following our hearings if something is also said here about the quality and quantity of evidence available to the committee as it has moved through each of these three phases of its deliberations and the need to recognize how to use each kind of evidence. In general, during the first phase of our hearings—what happened in Dallas—the committee has had available to it the hard stuff of science. The quality and quantity of the evidence available to the committee was, therefore, unusually high. As the committee turned to assessing the performance of the agencies, less scientific evidence was available to the committee, and it was necessary to rely more on documents and human memories, principally those of public officials. Now, as the committee's attention turns directly to the question of conspiracy, it will be necessary to move further away from the hard evidence of science and documents and consider more and more oral testimony. We do have available to us the aid of science and documents here, but the shifting nature of the balance ought to be explicitly noted and commented on. Those who follow our hearings must, therefore, recognize the difference in the quality and quantity of the evidence available to resolve issues in this most difficult area. Human perception and memory, to say nothing of bias or motive to lie, sharply qualify human testimony, making it less reliable than scientific analysis or documents written, not for litigation, but as an accurate record of actual events.

Granted, when we examine conspiracy, science has something to say, and documents are available to us. But much of our deliberations this week will depend on recorded conversations. While they may well be reliable, they must be carefully interpreted, lest erro-

neous conclusions be drawn from them. I would note that we are also dealing in many instances with remembrances now 15 years old, so I would caution that great discrimination is required in making final judgments.

Finally, those who follow our hearings might also find helpful some comment about the law of conspiracy and the special difficulties associated with its proof. Mr. Justice Holmes once succinctly defined a conspiracy as "a partnership in criminal purposes." That definition serves well enough here. Unless evidence is adduced, from which "a partnership in criminal purposes" can be inferred, a conspiracy cannot be said to exist. A suspicion suspected must always be distinguished from a fact found.

Let me say concretely what I mean. Basically, the Warren Commission concluded that Lee Harvey Oswald was the lone assassin of President Kennedy because it concluded that he was a loner. In short, because he had no significant associations, it was not possible, the Commission found, to conclude that there was a conspiracy involved in the assassination. What the Warren Commission rightly recognized was that conspiracy is first rooted in association. But no association, no conspiracy.

Because the Commission concluded there was no association, it was not forced to deal with the difficult questions posed by evidence of conspiracy, for it is a fundamental principle of American law that guilt cannot be inferred from association alone. To be sure, conspirators seldom shout their intentions from the roof tops or publish their thoughts in the newspaper. Conspiracy must, therefore, usually be inferred from circumstantial evidence: associations, plus. But herein lies the difficulty in all conspiracy investigations, whether they are trials or legislative hearings dealing with conspiracy questions.

Mr. Justice Jackson once observed of conspiracy trials:

A defendant in a conspiracy trial occupies an uneasy seat. There generally will be evidence of wrongdoing by somebody. It is difficult for the individual to make his own case stand on its own merits in the minds of jurors who are willing to believe that birds of a feather flock together. If he is silent, he is taken to admitting and if, as it often happens, codefendants can be prodded into * * * contradicting each other, they convict each other.

What Mr. Justice Jackson said about a conspiracy trial applies even more strongly in the context of a congressional hearing. As I mentioned in my opening statement, these proceedings are not a criminal trial. There is no indictment, and there is no defendant. There is no prosecutor, and there is no defense counsel. The normal rules of evidence do not apply. Because none of the elements are here present, a special burden is imposed on this committee as evidence is introduced before it, and on those who follow our proceedings, not to take the evidence so introduced beyond what it fairly establishes or to sensationalize it.

This caution is particularly apt when evidence of association is introduced. I repeat: Conspiracy is founded in association, but more than association is required to establish conspiracy. Reasoning that guilt goes hand in hand with association—the principle of guilt by association—is to be abhorred in a free society. Let me give two examples of just how that mode of reasoning can be misused:

Jacqueline Kennedy, the President's wife, had a passing acquaintanceship with George DeMohrenschildt, a friend of Lee Harvey Oswald.

Would anyone seriously suggest that because Jacqueline Kennedy was somehow associated with Lee Harvey Oswald that she was, therefore, somehow involved in the assassination?

The Volkswagen was a centerpiece in Hitler's Nazi Germany. It was to be the people's car, a proud product of national socialism. Today, thousands of Americans drive Volkswagens.

Would anyone seriously suggest that by so doing they have become somehow associated with the aims and goals of Nazi Germany?

I would caution, therefore, those who follow our hearings or read our record, evaluate the evidence that we will hear this week as carefully as the committee itself will, reserve judgment until all the evidence is in, and do not reach conclusions beyond what the evidence itself fully justifies. Anything else would be bad logic. It could only lead to what none can easily contemplate: more suspicion and doubt in an area already much too much troubled. It would also be unfair to all concerned.

The committee calls Mr. McNally.

Mr. McNally, you have previously been sworn in this hearing and the Chair would admonish you that you are still under that oath.

Mr. McNALLY. Yes, sir.

FURTHER TESTIMONY OF JOSEPH McNALLY

Chairman STOKES. The Chair recognizes Mr. Ken Klein, counsel for the committee.

Mr. KLEIN. Thank you, Mr. Chairman.

Mr. McNally, you testified before the committee on Thursday, September 14; is that correct?

Mr. McNALLY. I did.

Mr. KLEIN. What is your occupation?

Mr. McNALLY. I am an examiner of questioned documents, that is more commonly referred to as a handwriting expert.

Mr. KLEIN. Are you testifying today as a representative of the handwriting panel?

Mr. McNALLY. I am.

Mr. KLEIN. What would you estimate to be the total number of documents examined by the members of the panel during the course of your careers as questioned document examiners?

Mr. McNALLY. I would judge somewhere in the tens of thousands.

Mr. KLEIN. Could you approximate for us the total combined years of experience that the three members of the panel have as questioned documents examiners?

Mr. McNALLY. Considering the other two are contemporaries of mine, I would assume we have more than 100 years' experience.

Mr. KLEIN. Is each person's handwriting unique to that person?

Mr. McNALLY. It is.

Mr. KLEIN. Mr. Chairman, I would ask that the document JFK F-399 be received as a committee exhibit and shown to the witness.

Chairman STOKES. Without objection, it may be received and made a part of the record at this point.

[Whereupon, JFK exhibit F-399 was received.]

JFK EXHIBIT F-399

INDEX OF MATERIALS
REVIEWED BY FINGERPRINT PANEL MEMBERS

JFK Exhibit F-399

Name of Item	Location of Item	Committee Exhibit No.	Date Item Signed
Record of Emergency Data	DOD	F-478	Oct. 24, 1956
Enlistment Contract and Record (original)	DOD	F-479	Oct. 24, 1956
Enlistment Contract and Record (duplicate)	DOD	F-479a	Oct. 24, 1956
Examination of applicant by Recruiting Officer	DOD	F-480 F-480a (blowup)	Oct. 24, 1956
Loyalty Certificate	DOD	F-481	Oct. 24, 1956
Fingerprint form USMC	FBI	F-482	Oct. 24, 1956
Miscellaneous Information and Index Form	DOD	F-483	Oct. 24, 1956
"Lee H. Oswald" on Identification card of U.S. Forces Japan	Archives	F-505a	May 8, 1958
Passport #1733242	Archives	F-486	Sept. 10, 1959
Security Termination Statement and Index	DOD	F-484	Sept. 11, 1959
Notice of Obligated Service Discharge	Archives	F-485	Sept. 11, 1959
Selective Service Registration Form	Archives	F-487	Sept. 14, 1959
"Lee H. Oswald" on Selective Service Card	Archives	F-505c	Sept. 14, 1959
Declaration requesting U.S. Citizenship be revoked	Archives	F-488 F-488a (blowup)	Nov. 3, 1959

Name of Item	Location of Item	Committee Exhibit No.	Date Item Signed
Account of interview with Aline Mosby	Archives	F-489	Nov. 15, 1959
Script writing on stationery of the Holland American Line	Archives	F-490	1960
Historical Diary (12 pages)	Archives	F-491	1961
Affidavit of Support to American Embassy in Moscow	Archives	F-492	Jan. 17, 1962
Self-Questionnaire	Archives	F-402 (blowup) F-402a	1962
Scrap of lined paper with writing from "Alek" to Marina and June (Russian language)	Archives	F-493	Feb. 20, 1962
Letter to "The Worker"	Archives	F-494	June 10, 1962
Application for Rental of Post Office Box	Archives	F-496a F-496 (blowup)	Oct. 9, 1962
Money Order (USPO) to Klein's	Archives	F-509 F-509a (blowup)	March 12, 1963
Microfilm reproduction of Klein's order form for rifle plus envelope addressed to Klein's	Archives	F-504 F-504a (blowup)	March 12, 1963
deMohrenschildt Photo	Committee	F-183 F-184 F-382 (blowup) F-383 (blowup)	May 1963

Name of Item	Location of Item	Committee Exhibit No.	Date Item Signed
Letter to Fair Play For Cuba Committee	Archives	F-497	May 26, 1963
"Lee H. Oswald" on Fair Play For Cuba card - A.J. Hidel Chapter President	Archives	F-505b	June 15, 1963
Passport Application	Archives	F-401 F-401a and b (blowup)	June 25, 1963
New Orleans Police Department Fingerprint Card	FBI	F-400 (blowup) F-400a	Aug. 9, 1963
Letter to Communist Party of USA	Archives	F-498	Aug. 28, 1963
Photoreproduction of a Hotel Registry	Archives	F-499	Sept. 27, 1963
Photoreproduction of Application for Cuban Visa	Archives	F-407 F-407a (blowup)	Sept. 27, 1963
Cuban Copy of Visa Application	Committee	F-408 F-408b (blowup)	Sept. 27, 1963
Letter to Russian Embassy	Archives	F-500	Oct. 1963
Application for Employment - face sheet - and letter to Leslie Welding	Archives	F-503 F-503a (blowup)	Oct. 15, 1963
Form W-4	Archives	F-501	Oct. 16, 1963

Name of Item	Location of Item	Committee Exhibit No.	Date Item Signed
Application for Rental of Post Office Box	Archives	F-495a F-495 (blowup)	Nov. 1, 1963
Dear Mr. Hunt Letter	Committee	F-506	Nov. 8, 1963
Letter to Russian Embassy	Archives	F-502	Nov. 9, 1963
"Lee H. Oswald" on Dallas Public Library card expiring 12/7/63	Archives	F-505d	
Scrap of lined paper with writing from "Alek" (Russian language)	Archives	F-507	
Speech (9 pages)	Archives	F-508	
Walker Note (Russian language)	Archives	F-510 F-510a (blowup)	

Mr. KLEIN. Mr. McNally, do you recognize that document?

Mr. McNALLY. I do.

Mr. KLEIN. Does that document contain a listing of all the documents examined by the panel that were allegedly written or signed by Lee Harvey Oswald?

Mr. McNALLY. It does.

Mr. KLEIN. Mr. Chairman, at this time I would ask that the documents marked JFK F-478 through JFK F-510 be received as committee exhibits and shown to the witness.

I should state for the record these documents are either the originals or the best existing copy of the documents listed on JFK F-399 and were obtained from the Navy Department, the Archives, the committee offices, and the FBI.

Chairman STOKES. Without objection, they may be entered and made part of the record at this point.

[Whereupon, JFK exhibits F-478 through F-510 were received.]

JFK EXHIBIT F-478

RECORD OF EMERGENCY DATA SEE INSTRUCTIONS ON REVERSE BEFORE MAKING ENTRIES			
1. DESIGNATOR'S LAST NAME—FIRST NAME—MIDDLE NAME OSWALD, Lee Harvey		2. SERVICE NO. 1653230	3. GRADE OR RATE Pvt
4. SERVICE USMC		5. MARITAL STATUS Not Married	6. FULL NAME OF SPOUSE
7. ADDRESS (Number, street, city, zone, and State)			
8. CHILDREN (List each child of any marriage. If none, so state)			
FIRST NAME—MIDDLE NAME—LAST NAME None		ADDRESS	MARITAL STATUS SEX DATE OF BIRTH
9. NAME OF <input type="checkbox"/> FATHER OR <input type="checkbox"/> MALE GUARDIAN Robert E. Lee OSWALD		10. ADDRESS IF LIVING—IF DECEASED SO STATE Deceased	
11. NAME OF <input checked="" type="checkbox"/> MOTHER OR <input type="checkbox"/> FEMALE GUARDIAN Marguerite (Claverie) OSWALD		12. ADDRESS IF LIVING—IF DECEASED SO STATE 4936 Collinwood St., Fort Worth, Texas	
IN THE EVENT THAT I AM NOT SURVIVED BY A SPOUSE OR ELIGIBLE CHILD I DESIRE THAT PAYMENT OF 6 MONTHS' DEATH GRATUITY BE MADE TO THE RELATIVE SHOWN BELOW. (The name of father or mother must be repeated if it is desired that he or she receive payment)			
13. FIRST NAME—MIDDLE NAME—LAST NAME Marguerite OSWALD		14. RELATIONSHIP Mother	15. ADDRESS 4936 Collinwood St., Fort Worth, Texas
16. ALTERNATE RELATIVE John Edward PIC		17. RELATIONSHIP Step-Brother	18. ADDRESS 4936 Collinwood St., Fort Worth, Texas
19. IN THE EVENT THAT I AM LISTED AS MISSING OR OTHER MILITARY CIRCUMSTANCES PREVENT ME FROM TRANSMITTING FUNDS TO MY DEPENDENTS, IT IS MY DESIRE THAT			
FIRST NAME—MIDDLE NAME—LAST NAME Marguerite OSWALD		RELATIONSHIP Mother	
ADDRESS 4936 Collinwood St., Fort Worth, Texas		RECEIVE EACH MONTH 100 PERCENT OF MY PAY	
20. I REQUEST THE FOLLOWING COMMERCIAL INSURANCE COMPANIES BE OFFICIALLY NOTIFIED IN CASE OF MY DEATH IN ACTIVE SERVICE			
NAME OF COMPANY None		ADDRESS OF HOME OFFICE	POLICY NO.
21. DESIGNATION OR CHANGE OF BENEFICIARY—SERVICEMEN'S INCENTIVITY (P.L. 83, 284 Cong.) (Does not operate as a designation or change of beneficiary of any insurance contracts issued by United States Government) ALL PREVIOUS DESIGNATIONS OF PRINCIPAL AND CONTINGENT BENEFICIARIES, IF ANY, UNDER SERVICEMEN'S INCENTIVITY ACT OF 1951, ARE HEREBY CANCELED, AND IT IS DIRECTED THAT SAID INCENTIVITY BE PAID TO:			
NAME Marguerite OSWALD		RELATIONSHIP Mother	SHARE OR AMOUNT TO EACH BENEFICIARY Full Amount
WITNESSED BY (Signature on all copies) <i>Alfonso</i>		SIGNATURE OF SERVICEMAN (Sign all copies) <i>Lee Harvey Oswald</i>	
GRADE OR RATE OF WITNESS Captain		SERVICE NO. 052083	DATE SIGNED 24 October 1956

DD FORM 1 FEB 52 93

Replaces DD Form 93, 1 Jul 50, which may be used.

16-478-1

- JFK EXHIBIT F-478 -

INSTRUCTIONS

(Items for which no instructions are printed below are self-explanatory)

This form will be completed and maintained current by all officer and enlisted personnel in accordance with Navy: BuPers Manual Art B-2312; Marine Corps Manual Par 11223; USCG Pers Cir No. 30-50; AFR 35-38; ANGR 35-38.

All items must be completed. In the event you, the designator, become a casualty the persons named in items 6, 8, 9, and 11 will be notified. If notification is not desired due to health or other reason state in remarks. If there are no living relatives, the name and address of a friend may be entered in remarks. Continue any item in remarks if necessary.

Item 4.—Enter one of the following: USN, USNR, USMC, USMCR, USCG, USCGR, USAF (for Air Force add "Res" or "ANG" as appropriate only if not in active military service).

Item 5.—Enter single, married, widowed, divorced, or legally separated.

Item 6.—Spouse to whom alimony or support is legally payable must be shown even if divorced or legally separated.

Items 9 and 11.—If the person entered is in the class of guardian, indicate whether stepparent, foster parent, loco parentis, guardian, or adoptive parent.

Items 13 and 16.—If you do not desire to designate anyone enter "I decline to designate any person to receive this pay" in your own handwriting. Only designated relatives are eligible to receive payment without proof of dependency.

Item 19.—The "Missing Persons Act" provides that pay and allowances continue to accrue to the pay account of any service member for the period he is missing or captured and may be paid to the dependents for support. This item reflects your desires and is used as a guide in disposition of your pay. Allotments to dependents and insurance companies initiated prior to entering a missing status are continued in effect unless unusual circumstances indicate changes.

Item 20.—Completion of this item will insure that insurance companies listed are promptly notified when necessary. Accuracy in entering policy numbers will facilitate prompt settlement.

Item 21.—The indemnity is payable only to persons within the following classes:

(1) Spouse (husband or wife).

(2) Children.—The term "children" includes natural children, stepchildren, adoptive children. Illegitimate children are included only if designated.

(3) Parents.—The term "parents" includes natural parents, stepparents, adoptive parents or persons who stood in loco parentis to the insured at any time prior to entry into the active service for a period of not less than one year. Unless designated otherwise by the serviceman the term "parent" includes only the mother and father who last bore that relationship to the serviceman.

(4) Brothers and sisters.—The term "brothers and sisters" includes those of the half blood and those through adoption.

If the designated beneficiary or beneficiaries do not survive the insured, or if none has been designated, the indemnity will be paid to the first eligible class of beneficiaries according to the order set forth above and in equal shares if the class is composed of more than one person. If this order is in accord with your wishes state "No Designation." If the order is not in accord with your wishes you should name the person or persons in the class to receive the indemnity. Any person so named will be considered a principal beneficiary unless specifically designated as a contingent.

DISPOSITION INSTRUCTIONS

NAVY: Original to BuPers, Washington 25, D. C. Attn: Casualty Branch.

Duplicate—same as original.

Triplicate—file in service record at duty station.

MARINE CORPS: See Marine Corps Manual Par 11223.

COAST GUARD: See Personnel Circular No. 30-50.

AIR FORCE: See AFR 35-38 or ANGR 35-38.

REMARKS



UNITED STATES MARINE CORPS
ENLISTMENT CONTRACT AND RECORD

NAVIC 111 (2-78) (REV. 1-63)
COMPOSITE FORM NO. 13-78
(20a-100) (MAY 1954 1st EDITION)

24 Oct 1956
AFM-6 58 III

1. LAST NAME—FIRST NAME—MIDDLE NAME OSWALD, Lee Harvey			2. RACE Cauc	3. SERVICE NO. 1650230	4. COMPONENT USMC
5. DATE OF BIRTH DAY / MONTH / YEAR 18 / Oct / 39	6. PLACE OF BIRTH (City) (State or country) New Orleans Louisiana	7. RELIGION Lutheran	8. CITIZENSHIP US	9. SEX M	

10. NAME OF RECORD AT TIME OF ENLISTMENT		11. EFFECTIVE DATE OF ENLISTMENT		12. CONTRACT LIMITATION (If any)	
STREET AND NUMBER OR R. F. D. NUMBER 4936 Collinwood Street		CITY OR TOWN Fort Worth		COUNTY OR PARISH Tarrant	
STATE OR COUNTRY Texas		13. PLACE AT WHICH ENLISTED (City, county, and State) USMC RD Dallas, Texas		14. DAY / MONTH / YEAR 24 / October / 1956	
				None	

ENTRIES AS TO PREVIOUS SERVICE

14. DATE ENLISTED	15. DATE DISCHARGED	16. REASON	17. TIME LOST		18. BRANCH OF SERVICE	19. SERVICE NO.	20. TYPE OF DISCHARGE
			DAYS	MONTHS			
None Claimed							

21. RANK TO WHICH APPOINTED OR REAPPOINTED Pvt	22. TRANSFERRED TO USMC RDep, San Diego, California
--	---

23. Examining Surgeon's Certificate. (This certification no longer used.)
 24. For and in consideration of the pay or wages due in the grades which may from time to time be assigned me during the continuance of my service, I do hereby acknowledge to have voluntarily enlisted in the (strike one) (1) United States Marine Corps (2) Reserve of the United States Marine Corps, as a private, and I agree to and with R. K. JONES (Name of recruiting officer) an officer of the United States Marine Corps (Reserve) as follows:

25. To enter the service of the United States Marine Corps and to report to such post or station of the Marine Corps as I may be ordered to join, and to the utmost of my power and ability discharge my several services or duties and be in everything conformable and obedient to the several requirements and lawful commands of the officers who may be placed over me.
 26. I oblige and subject myself to serve unless sooner discharged by proper authority

WORD Three	YEARS	FIGURE 3	YEARS
----------------------	-------	--------------------	-------

(Word and figure to be in applicant's handwriting.)

27. In the event of war or national emergency declared by the President to exist during my term of service, I oblige and subject myself to serve until 6 months after the end of that war or national emergency if so required by the Secretary of the Navy unless I voluntarily reenlist or extend my enlistment.
 28. I am of legal age to enlist; I have never been found guilty of a crime except as stated by me to the recruiting officer; I have never deserted from any of the Armed Forces of the United States, and have never been discharged therefrom for any reason other than recorded herein.
 29. I understand that upon enlistment in the Reserve of the United States Marine Corps, or upon transfer or assignment thereto, I may not be ordered to active duty without my consent except in time of war, or when in the opinion of the President a national emergency exists, or when otherwise prescribed by law, and that I may be required to perform active duty during such periods.
 30. I HAVE HAD THIS CONTRACT FULLY EXPLAINED TO ME. I UNDERSTAND IT, AND CERTIFY THAT NO PROMISE OF ANY KIND HAS BEEN MADE TO ME CONCERNING ASSIGNMENT TO DUTY, OR PROMOTION DURING MY ENLISTMENT.
 31. Oath of Enlistment: I do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice. And I do further swear (or affirm) that all statements made by me, as now given in this record, are correct.

SIGNATURE Lee (First name) Harvey Oswald (Middle name) (Last name)
 Subscribed and sworn to before me this 24th day of October, A. D. 1956
 SIGNATURE AND RANK OF RECRUITING OFFICER R. K. Jones R. K. JONES, Capt., USMC, ARO

U. S. GOVERNMENT PRINTING OFFICE 16-64283-9

- JFK EXHIBIT F-479

JFK EXHIBIT F-479



UNITED STATES MARINE CORPS
ENLISTMENT CONTRACT AND RECORD

NAVMC 111 (2-50) (REV. 1-50)
DISCONTINUED NAVMC 111 (2-50)
COPY 1-40, WHICH SHALL BE USED

NOV 27 1956

24 Oct 1956
AECT 6 53 III

1. LAST NAME—FIRST NAME—MIDDLE NAME
OSWALD, Lee Harvey

2. RACE
Cauc

3. SERVICE NO.
1659230

4. COMPONENT
USMC

5. DATE OF BIRTH
DAY: **18** MONTH: **Oct** YEAR: **39**

6. PLACE OF BIRTH (City) (State or country)
New Orleans Louisiana

7. RELIGION
Lutheran

8. CITIZENSHIP
US

9. SEX
M

10. HOME OF RECORD AT TIME OF ENLISTMENT
181039

11. HOME OF RECORD AT TIME OF ENLISTMENT
CITY OR TOWN: **Fort Worth** COUNTY OR PARISH: **Tarrant** STATE OR COUNTRY: **Texas**

12. EFFECTIVE DATE OF ENLISTMENT
DAY: **24** MONTH: **October** YEAR: **1956**

13. CONTRACT LIMITATION (If any)
None

14. PLACE AT WHICH ENLISTED (City, county, and State)
USMC RS Dallas, Texas

ENTRIES AS TO PREVIOUS SERVICE **241936**

14. DATE ENLISTED	15. DATE DISCHARGED	16. REASON	17. TIME LOST		18. BRANCH OF SERVICE	19. SERVICE NO.	20. TYPE OF DISCHARGE
			DATE	CAUSE			
None Claimed							

21. TRANSFERRED
FROM: **Pvt** TO: **USMC RDen, San Diego, California**

23. Examining Surgeon's Certificate. (This certification no longer used.)

24. For and in consideration of the pay or wages due in the grades which may from time to time be assigned me during the continuance of my service, I do hereby acknowledge to have voluntarily enlisted in the (strike one) (1) United States Marine Corps (2) Reserve of the United States Marine Corps, as a private, and I agree to and with **R. K. JONES** (Name of recruiting officer) an officer of the United States Marine Corps (Rank) as follows:

25. To enter the service of the United States Marine Corps and to report to such post or station of the Marine Corps as I may be ordered to join, and to the utmost of my power and ability discharge my several services or duties and be in everything conformable and obedient to the several requirements and lawful commands of the officers who may be placed over me.

26. I oblige and subject myself to serve unless sooner discharged by proper authority

WORD: **Three** YEARS FIGURE: **3** YEARS (Word and figure to be in applicant's handwriting.)

27. In the event of war or national emergency declared by the President to exist during my term of service, I oblige and subject myself to serve until 6 months after the end of that war or national emergency if so required by the Secretary of the Navy unless I voluntarily reenlist or extend my enlistment.

28. I am of legal age to enlist; I have never been found guilty of a crime except as stated by me to the recruiting officer; I have never deserted from any of the Armed Forces of the United States, and have never been discharged therefrom for any reason other than recorded herein.

29. I understand that upon enlistment in the Reserve of the United States Marine Corps, or upon transfer or assignment thereto, I may not be ordered to active duty without my consent except in time of war, or when in the opinion of the President a national emergency exists, or when otherwise prescribed by law, and that I may be required to perform active duty during such periods.

30. I HAVE HAD THIS CONTRACT FULLY EXPLAINED TO ME. I UNDERSTAND IT, AND CERTIFY THAT NO PROMISE OF ANY KIND HAS BEEN MADE TO ME CONCERNING ASSIGNMENT TO DUTY, OR PROMOTION DURING MY ENLISTMENT.

31. Oath of Enlistment: I do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will support the same honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice. And I do further swear (or affirm) that all statements made by me, as now given in this record, are correct.

SIGNATURE: **Lee Harvey Oswald**
(First name) (Middle name) (Last name)

Subscribed and sworn to before me this **24th** day of **October**, A. D. **1956**

SIGNATURE AND RANK OF RECRUITING OFFICER: **R. K. JONES Capt USMC APO**

U. S. GOVERNMENT PRINTING OFFICE 16-54393-2

PROCESSED BY: **AP**

-JFK EXHIBIT F-479a

JFK EXHIBIT F-480

EXAMINATION OF APPLICANT BY ROUTING OFFICER
 FORM 18 (REV. 4-54)
 SUPERSEDES NAVMC 18 (REV. 4-54) WHICH WILL NOT BE USED

INSTRUCTIONS

After the applicant's answers to the questions in PART I have been typed in, the applicant will read over and sign the form in the presence of the Routing Officer. If an applicant admits having ever been arrested, that fact must be affirmatively shown, regardless of the triviality of the offense. If an applicant has answered "YES" to one or more of the questions in PART I, the Routing Officer should consult the applicable section of the Marine Corps Manual and (1) Recommend waiver by completion of PART II and submit, in duplicate, to the Commandant of the Marine Corps (Code: DC) prior to admitting enlistment or reenlistment; or (2) Explain circumstances under item 21, if offense consists solely of traffic or parking violation or other minor nature not triable in Federal or State Courts, and waiver is not required by the Commandant of the Marine Corps; or (3) Refuse applicant for failing to meet the moral requirements. If applicant is enlisted or reenlisted, this form will be forwarded with the duplicate of the Enlistment Contract and bound to the Commandant of the Marine Corps (Code: DC&C).

1. ORGANIZATION USMC RS Dallas, Texas						2. DATE 24 Oct 1956	
3. NAME OF APPLICANT (in full) OSWALD, Lee Harvey						4. DATE OF BIRTH 18 Oct 39	
5. APPLICANT FOR ENLISTMENT IN <input checked="" type="checkbox"/> 1. OFFICER <input type="checkbox"/> 2. SERGEANT		6. HIGHEST GRADE PROMOTED IN SERVICE 9th		7. RACE Cauc		8. JURY SCORE 58	
				9. MEDICAL GRADE III		10. SERVICE NO. (When assigned) 1653230	
PART I							
11. HAVE YOU EVER BEEN SELECTED FOR ENLISTMENT OR ANY BRANCH OF THE ARMED FORCES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
12. HAVE YOU EVER BEEN ARRESTED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
13. HAVE YOU EVER BEEN ARRESTED BY A COURT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
14. HAVE YOU EVER BEEN ARRESTED BY ANY MILITARY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
15. HAVE YOU EVER BEEN IN JAIL, A REFORMATORY OR PENITENTIARY, OR INSTITUTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
16. HAVE YOU EVER BEEN ARRESTED A SUPERVISOR, PROBATIONER, OR OTHER FORM OF CIVIL RESTRAINT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
17. HAVE YOU EVER BEEN ON PROBATION, PROBATIONER, SUPERVISOR, OR OTHER FORM OF CIVIL RESTRAINT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
18. HAVE YOU EVER BEEN ON PROBATION, PROBATIONER, SUPERVISOR, OR OTHER FORM OF CIVIL RESTRAINT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							

19. I have been cautioned to answer the above questions truthfully; that any false statement detected prior to enlistment will constitute a bar to my enlistment, and that any false statement detected subsequent to enlistment will be processed as a fraud against the Government and may ultimately result in my discharge from the Marine Corps under other than honorable conditions.

Lee Harvey Oswald
 (Signature)

LOYALTY CERTIFICATE FOR PERSONNEL OF THE ARMED FORCES

1. PROVISIONS. The Department of Defense has the authority to establish procedures implementing the national policy relating to loyalty of persons entering on duty with the Armed Forces. This has been determined by proper authority to include restrictions as to certain standards of conduct and membership in, or sympathetic association with, certain organizations.

STANDARDS OF CONDUCT

1. Conduct which may be considered as establishing reasonable grounds for imposing appropriate penalties shall include but is not limited to, one or more of the following:

- (a) Sabotage, espionage, or attempts or preparations thereof, or intimate and sympathetic associations with or voluntary assistance to persons who the subject of investigation has reasonable cause to believe may be spies or saboteurs.
- (b) Treason, sedition, or writings and acts which can reasonably be considered as intended to encourage seditious or treasonable opinions or actions.

(c) Advocacy of revolution or of force or violence to alter the existing constitutional form of government of the United States; advocacy of revolution or of force or violence to bring about economic, political, or social change.

(d) Intentional unauthorized disclosure to any person under circumstances which may indicate disloyalty to the United States, of documents or information of a classified or nonpublic character.

(e) Acting, attempting to act, or knowingly failing to act when such conduct is calculated to serve the interests of another government in preference to the interests of the United States of America.

MEMBERSHIP IN OR ASSOCIATION WITH CERTAIN ORGANIZATIONS

2. Associations which may be considered as establishing reasonable grounds for imposing appropriate penalties include but are not limited to membership in, affiliation with, or sympathetic association with, any foreign or domestic organization, association, movement, group or combination of persons having the following characteristics:

(a) Which practices, seeks to practice, or advocates either:

- (1) Denial, to any person, group of persons, or class of persons within the United States or territory subject to its jurisdiction, of any right or rights which the Federal Constitution guarantees or protects against encroachment by either or both Federal and State Govern-

ments when such denial is attempted by force, violence, or intimidation, or

- (2) Alteration of the existing form of government of the United States or territory subject to its jurisdiction, or of the existing economic, social, or political order within it when such alteration is through or with the aid of force, violence, or intimidation.

(b) Which is disclosed by investigation, or is designated by the Attorney General of the United States to be totalitarian, fascist, communist, or subversive, or is having adopted a policy of advocating or supporting the commission of acts of force or violence to deny persons their rights under the Constitution of the United States, or in seeking to alter the form of government of the United States by unconstitutional means, regardless of practice, advocacy, or nonadvocacy of any of the tenets set forth in 1 (a) and 1 (b) above.

3. Organizations designated by the Attorney General, pursuant to Executive Order 10450, are listed below:

Communist Party, U. S. A., its subdivisions, subsidiaries and affiliates.	American Polish Labor Council.	Cervantes Fraternal Society.
Communist Political Association, its subdivisions, subsidiaries and affiliates, including—	American Polish League.	Chow Welfare Agency, Inc.
Alabama People's Educational Association.	American Rescue Ship Mission (a project of the United American Spanish Aid Committee).	Chopin Cultural Center.
Florida Press and Educational League.	American-Russian Fraternal Society.	Citizens Committee to Free Earl Browder.
Oklahoma League for Political Education.	American-Russian Institute, New York (also known as the American Russian Institute for Cultural Relations with the Soviet Union).	Citizens Committee for Harry Bridges.
People's Educational and Press Association of Texas.	American Russian Institute, Philadelphia.	Citizens Committee of the Upper West Side (New York City).
Virginia League for People's Education.	American Russian Institute of San Francisco.	Citizens Emergency Defense Conferenc.
Young Communist League.	American Russian Institute of Southern California, Los Angeles.	Citizens Protective League.
Abraham Lincoln Brigade.	American Slav Congress.	Civil Liberties Sponsoring Committee of Pittsburgh.
Abraham Lincoln School, Chicago, Illinois.	American Women for Peace.	Civil Rights Congress and its affiliated organizations, including:
Action Committee to Free Spain Now.	American Youth Congress.	Civil Rights Congress for Texas.
American Association for Reconstruction in Yugoslavia, Inc.	American Youth for Democracy.	Western Action Discrimination of Civil Rights Congress of New York.
American Branch of the Federation of Greek Maritime Unions.	Armenian Progressive League of America.	Colombians.
American Christian Nationalist Party.	Assisted Klans of America.	Committee Coordinator Pro Republica Espanola.
American Committee for European Workers' Relief.	Association of Georgia Klans.	Committee to Abolish Discrimination in Maryland.
American Committee for Protection of Foreign Born.	Association of German Nationals (Reichsbund der Deutschen in Litauen).	Committee to Aid the Fighting South.
American Committee for the Settlement of Jews in Birobidjan, Inc.	Association of Lithuanian Workers (also known as Lietuvos Darbininku Susivienijimas).	Committee to Defend the Rights and Freedom of Pittsburgh's Political Prisoners.
American Committee for Spanish Freedom.	Austland-Organization der NSDAP, Overseas Branch of Nazi Party.	Committee for a Democratic Far Eastern Policy.
American Committee for Yugoslav Relief, Inc.	Baltimore Forum.	Committee for Constitutional and Political Freedom.
American Committee to Survey Labor Conditions in Europe.	Benjamin Davis Freedom Committee.	Committee for the Defense of the Pittsburgh Six.
American Council for a Democratic Greece, formerly known as the Greek American Council.	Black Dragon Society.	Committee for the Negro in the Arts.
American Council for National Unity.	Boston School for Marxist Studies, Boston, Massachusetts.	Committee for Peace and International Festival in Philadelphia.
American Council on Soviet Relations.	Bulgarian American People's League of the United States of America.	Committee for the Protection of the Bill of Rights.
American Crossian Congress.	California Emergency Defense Committee.	Committee for World Youth Friendship and Cultural Exchange.
American Jewish Labor Council.	California Labor School, Inc., 321 Divisadero Street, San Francisco, California.	Committee to Defend Marie Richardson.
American League Against War and Fascism.	Carpatho-Russian People's Society.	Committee to Uphold the Bill of Rights.
American League for Peace and Democracy.	Central Council of American Women of Croatian Descent (also known as Central Council of American Croatian Women, National Council of Croatian Women).	Commonwealth College, Meigs, Arkansas.
American Lithuanian Workers Literary Association (also known as Lietuvos Lietuviu Darbininku Literariu Draugija).	Central Japanese Association (Betsuho Club Nipponjin Kai).	Congress Against Discrimination.
American National Labor Party.	Central Japanese Association of Southern California.	Congress of the Unemployed.
American National Socialist League.	Central Organization of the German-American National Alliance (Deutsche-Amerikanische Einheitsfront).	Connecticut Committee to Aid Victims of the Smith Act.
American National Socialist Party.		Connecticut State Youth Conference.
American Nationalist Party.		Congress of American Revolutionary Writers.
American Peace Crusade.		Congress of American Women.
American Peace Mobilization.		Council on African Affairs.
American Poles for Peace.		Council of Greek Americans.
		Council for Jobs, Relief, and Housing.
		Council for Pan-American Democracy.

- Christian Brotherhood Fraternity.
 Dai Nippon Bunkyo Kai (Military Virtue Society of Japan or Military Art Society of Japan).
 Daily Worker Press Club.
 Daniels Defense Committee.
 Danish Aliphert Society (Between 1935 and 1940).
 Dennis Defense Committee.
 Detroit Youth Assembly.
 East Bay Peace Committee.
 Emergency Conference to Save Spanish Refugees (Saving the life of the North American Spanish Aid Committee).
 Families of the Baltimore Smith Act Victims.
 Families of the Smith Act Victims.
 Federation of Italian War Veterans in the U. S. A., Inc. (Associazione Nazionale Combattenti Italiani, Federazione degli Stati Uniti d'America).
 Finnish-American Mutual Aid Society.
 Frederick Douglass Educational Center.
 Friends Stage, Inc.
 Friends of the New Germany (Freunde des Neuen Deutschlands).
 Friends of the Soviet Union.
 Garibaldi American Fraternal Society.
 George Washington Carver School, New York City.
 German-American Band (Amerika-deutscher Volkband).
 German-American Republican League.
 German-American Vocational League (Deutscher-Amerikanische Berufsgemeinschaft).
 Guardian Club.
 Harlem Trade Union Council.
 Hawaii Civil Liberties Committee.
 Heimauska Kai, also known as Nokubei Heiki Gimusha Kai, Zabei Nihonin, Heihsu Gimusha Kai and Zabei Heimusha Kai (Japanese Residing in America Military Comrades Association).
 Hellenic-American Brotherhood.
 Hinoda Kai (Imperial Japanese Reservists).
 Hiomaru Kai (Rising Sun Flag Society—a group of Japanese War Veterans).
 Hokubei Zeigo Shoko Dan (North American Reserve Officers Association).
 Hollywood Writers Mobilization for Defense.
 Hungarian-American Council for Democracy.
 Hungarian Brotherhood.
 Independent Party (Seattle, Washington).
 Independent People's Party.
 Independent Socialist League.
 Industrial Workers of the World.
 International Labor Defense.
 International Workers Order, its subdivisions, subsidiaries and affiliates.
 Japanese Association of America.
 Japanese Overseas Central Society (Kaigai Doko Chuo Kai).
 Japanese Overseas Convulsion, Tokyo, Japan, 1940.
 Japanese Progressive Association (Reforming Organization).
 Jefferson School of Social Science, New York City.
 Jewish Culture Society.
 Jewish People's Committee.
 Jewish People's Fraternal Order.
 Jiyuoku Lin Kai (The Committee for the Crisis).
 Johnson-Forever Group.
 Johnsonites.
 Joint Anti-Fascist Refugee Committee.
 Joint Council of Progressive Italian-Americans, Inc.
 Joseph Weydemeyer School of Social Science, St. Louis, Missouri.
 Kibei Seinen Kai (Association of U. S. citizens of Japanese ancestry who have returned to America after studying in Japan).
 Knights of the White Camellia.
 Ku Klux Klan.
 Kythaeuser, also known as Kythaeuser League (Kythaeuser Bund), Kythaeuser Fellowship (Kythaeuser Kameradschaft).
 Kythaeuser War Relief (Kythaeuser Kriegshilfswerk).
 Labor Council for Negro Rights.
 Labor Research Association, Inc.
 Labor Youth League.
 League for Common Sense.
 League of American Writers.
 Lictor Society (Italian Black Shirts).
 Macedonian-American People's League.
 Marco Morgantini Circle.
 Maritime Labor Committee to Defend Al Lannon.
 Maryland Congress Against Discrimination.
 Massachusetts Minute Women for Peace (not confused with the Minute Women of the U. S. A., Inc.).
 Maurice Beaverman Defense Committee.
 Michigan Civil Rights Federation.
 Michigan Council for Peace.
 Michigan School of Social Science.
 Nanka Teikoku Gonyudan (Imperial Military Friends Group or Southern California War Veterans).
 National Association of Mexican Americans (also known as Association National Mexican-American).
 National Blue Star Mothers of America (not to be confused with the Blue Star Mothers of America organized in February 1942).
 National Committee for the Defense of Political Prisoners.
 National Committee for Freedom of the Press.
 National Committee to Win Amnesty for Smith Act Victims.
 National Committee to Win the Peace.
 National Conference on American Policy in China and the Far East (a Conference called by the Communist Party of the United States).
 National Council of Americans of Croatian Descent.
 National Council of American Soviet Friendship.
 National Federation for Constitutional Liberties.
 National Labor Conference for Peace.
 National Negro Congress.
 National Negro Labor Council.
 Nationalist Action League.
 Nationalist Party of Puerto Rico.
 Nature Friends of America (Since 1935).
 Negro Labor Victory Committee.
 New Committee for Publications.
 Nichibei Kogyo Kaisha (The Great Fujii Theatre).
 North American Committee to Aid Spanish Democracy.
 North American Spanish Aid Committee.
 North Philadelphia Forum.
 Northwest Japanese Association.
 Ohio School of Social Sciences.
 Oklahoma Committee to Defend Political Prisoners.
 Original Southern Klans, Incorporated.
 Pacific Northwest Labor School, Seattle, Washington.
 Palo Alto Peace Club.
 Partido del Pueblo de Panama (operating in the Canal Zone).
 Peace Information Center.
 Peace Movement of Ethiopia.
 People's Drama, Inc.
 People's Educational Association (Incorporated under name Los Angeles Educational Association, Inc.), also known as People's Educational Center, People's University, People's School, People's Institute of Applied Religion, Peoples Programs (Seattle, Washington).
 People's Radio Foundation, Inc.
 People's Rights Party.
 Philadelphia Labor Committee for Negro Rights.
 Philadelphia School of Social Science and Art.
 Photo League (New York City).
 Pittsburgh Arts Club.
 Political Prisoners' Welfare Committee.
 Polonia Society of the IWO.
 Progressive German-Americans, also known as Progressive German-Americans of Chicago.
 Protectorian Party of America.
 Prostate War Veterans of the United States, Inc.
 Prussian Committee of Citizens for Peace, Southwestern Area.
 Prussian Committee on Latin American Affairs.
 Provisional Committee to Abolish Discrimination in the State of Maryland.
 Puerto Rican Comite Pro Libertades Civiles (CLC).
 Puerto-Ricenses Unidos (Puerto Ricans United).
 Quad City Committee for Peace.
 Queensridge Tenants League.
 Revolutionary Workers League.
 Romanian-American Fraternal Society.
 Russian American Society, Inc.
 Sakura Kai (Patriotic Society, or Cherry Association, composed of veterans of Russo-Japanese War).
 Samuel Adams School, Boston, Mass.
 Santa Barbara Peace Forum.
 Schappes Defense Committee.
 Schneiderman-Dixey Defense Committee.
 School of Jewish Studies, New York City.
 Seattle Labor School, Seattle, Washington.
 Serbian-American Fraternal Society.
 Serbian Vidovdan Council.
 Shimo Tompkins (Himself to State Statute abolished in 1945).
 Silver Shirt Legion of America.
 Sioux Council of Southern California.
 Slovak Workers Society.
 Slovenian-American National Council.
 Socialist Workers Party, including American Committee for European Workers' Relief.
 Socialist Youth League.
 Sokolon Kai (Futuristic Society).
 Southern Negro Youth Congress.
 Suiko Sha (Reserve Officers Association, Los Angeles).
 Syracuse Women for Peace.
 Tom Paine School of Social Science, Philadelphia, Pennsylvania.
 Tom Paine School of Westchester, New York.
 Trade Union Committee for Peace.
 Trade Unions for Peace.
 Tri-State Negro Trade Union Council.
 Ukrainian-American Fraternal Union.
 Union of American Croissants.
 Union of New York Veterans.
 United American Spanish Aid Committee.
 United Committee of Jewish Societies and Landsmanshaft Federations, also known as Coordination Committee of Jewish Landsmanschafts and Fraternal Organizations.
 United Committee of South Slavic Americans.
 United Defense Council of Southern California.
 United Harlem Tenants and Consumers Organization.
 United May Day Committee.
 United Negro and Allied Veterans of America.
 Veterans of the Abraham Lincoln Brigade.
 Voice of Freedom Committee.
 Walt Whitman School of Social Science, Newark, New Jersey.
 Washington Bookshop Association.
 Washington Committee to Defend the Bill of Rights.
 Washington Committee for Democratic Action.
 Washington Commonwealth Federation.
 Washington Pension Union.
 Wisconsin Conference on Social Legislation.
 Workers Alliance (since April 1936).
 Workers Party (Unfading Socialist Youth League).
 Yiddish Kultur Farband.
 Yugoslav-American Cooperative Home, Inc.
 Yugoslav Seaman's Club, Inc.

THE FOLLOWING ADDITIONS TO AND DELETIONS FROM THE ABOVE LIST ARE ANNOUNCED:

ADD:

ELSINORE PROGRESSIVE LEAGUE
 EVERYBODY'S COMMITTEE TO OUTLAW WAR
 IDAHO PENSION UNION
 MASSACHUSETTS COMMITTEE FOR THE BILL OF RIGHTS

THE FOLLOWING ADDITIONS TO AND DELETIONS FROM THE ABOVE LIST ARE ANNOUNCED: (CONTINUED)

II. DECLARATION. (Concealment of, misrepresentation as to, or failure to divulge in full, conduct or associations of the character set forth in the provisions at the time of execution of this certificate may constitute grounds for court martial, discharge, separation, or other disposition of personnel. Penalties for making a false statement may be very severe. If Federal Constitutional privilege against self-crimination, i. e., the making of a statement which will expose you to criminal trial, is claimed about all or any part of any conduct, membership, or association in question, you may so claim under Remarks below. "Federal Constitutional privilege is claimed" or "Federal Constitutional privilege is claimed as to . . ." describing the specific part of any conduct, membership, or association about which claim is made.)

CERTIFICATION

I certify, as regards the standards of conduct, or membership in or association with, certain organizations, that:

1. I have read the provisions applying to standards of conduct and membership in or association with certain organizations and I understand them.
2. If I have engaged in any such conduct, I have so indicated the nature thereof under Remarks below.
3. I have entered under Remarks below, the name(s) of the organization(s) from the above list of which I am or have been a member, or by which I am or have been employed, or which I have attended or been present at, or engaged in, or organizational or social activities or activities which they sponsored, or for which I have sold, given away or distributed written, printed, or otherwise recorded matter published by them, or with which I have been identified or associated in some other manner.
4. If I have not engaged in any such conduct, or have not been associated in any manner with listed organizations, or have never been a member or participated in the activities of any pro-communist, pro-Nazi, or pro-Fascist organizations in foreign countries, I have so indicated by writing "NONE" or "None to my knowledge" under Remarks below.
5. I understand that if what I state below is found to be incorrect, incomplete, or misleading in any important particular, I may be subject to prosecution and punishment under the appropriate laws of the United States.
6. I understand the meaning of the statements made in the certifications above.

REMARKS (Use the space provided below and attach additional sheets, if necessary, for a full detailed statement. If associated with any of listed organizations, specify nature and extent of association with each including dates, places, and credentials now or formerly held)

none

TYPED FULL NAME OF PERSON MAKING CERTIFICATION	SERVICE NO. (if any)	SIGNATURE OF PERSON MAKING CERTIFICATION
OSWALD, Lee Harvey	1653230	<i>Lee Harvey Oswald</i>
GIVEN UNDER MY HAND THIS	24th	DAY OF October 19 56 AT USMC RS Dallas, Texas
TYPED NAME, GRADE AND ORGANIZATION OF WITNESSING OFFICER	SIGNATURE OF WITNESSING OFFICER	
R. K. JONES, Captain, USMC, ARO	<i>R. K. Jones</i>	

DD FORM 98
1 APR 53

PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE.

U. S. GOVERNMENT PRINTING OFFICE: 1955-O-353265

JFK EXHIBIT F-482

ARMED FORCES		LEAVE THIS SPACE BLANK		RACE	
327 100		LAST NAME		FIRST NAME	
SIGNATURE OF PERSON FINGERPRINTED MASTER		SERIAL		HEIGHT (Inches)	
PLACE OF ENLISTMENT, APPOINTMENT, ETC. MC REG DALLAS, TEXAS		- JFK EXHIBIT F-482		DATE OF BIRTH	
DATE OF ENLISTMENT, APPOINTMENT, ETC. 24 OCTOBER 1956		SERVICE NO. 1653200		PLACE OF BIRTH New Orleans, Louisiana	
SCARS AND MARKS		COLOR OF EYES azel		LEAVE THIS SPACE BLANK DEAD	
SIGNATURE OF OFFICIAL TAKING FINGERPRINTS <i>J. W. McLean</i>		COLOR OF HAIR Brown		CLASS L-1	
DATE SHOWN BY OFFICIAL TAKING FINGERPRINTS 15 October 1956		WEIGHT 135		REF.	
SEX Male					
1. RIGHT THUMB	2. RIGHT INDEX	3. RIGHT MIDDLE	4. RIGHT RING	5. RIGHT LITTLE	
6. LEFT THUMB	7. LEFT INDEX	8. LEFT MIDDLE	9. LEFT RING	10. LEFT LITTLE	
LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY		LEFT THUMB	RIGHT THUMB	RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY	

IDENT DIV. 32
OCT 29 1956
RECORDED

Date.....
11-5-59

Dear Sir:

..... who claims to have resided at

NOV 16 1959

REC-1030
752

..... to and whose fingerprints and personal description are recorded hereof, is an applicant for enlistment in the United States It is requested that the following information be furnished from your files. A return envelope is inclosed for your convenience.

Very truly yours,

1 Inclosure
Return Envelope

AUG 15 1959

(Reenlisting Officer)

POLICE RECORD CHECK		CITY AND STATE	DATE
HAS APPLICANT A POLICE OR ARREST RECORD (other than minor traffic violation) <input type="checkbox"/> YES <input type="checkbox"/> NO IF "YES," WHAT WAS THE OFFENSE OR CHARGE, DISPOSITION, AND SENTENCE			
IS APPLICANT NOW UNDERGOING COURT ACTION OF ANY KIND? <input type="checkbox"/> YES <input type="checkbox"/> NO IF "YES," GIVE DETAILS			
DOES CIVIL CUSTODY EXIST? <input type="checkbox"/> YES <input type="checkbox"/> NO IF "YES," SPECIFY			
IS APPLICANT <input type="checkbox"/> MARRIED <input type="checkbox"/> SEPARATED <input type="checkbox"/> DIVORCED <input type="checkbox"/> WIDOWED <input type="checkbox"/> SINGLE <input type="checkbox"/> MARITAL STATUS UNKNOWN			
REMARKS George Lutz Jr. 10-2-59			
TITLE		SIGNATURE	

DD FORM 369
1 AUG 50

MISCELLANEOUS INFORMATION AND INDEX

MISCELLANEOUS INFORMATION Social Security No. 422-24-2027

AGE: 28 SEX: MALE HEIGHT: 135 LBS: Hazel COLOR HAIR: Brown DATE: 24 Oct 1956

PHYSICAL PROFILE ANNUAL ADMINISTRATIVE AUDIT COMPLETED

DATE	P	M	L	H	E	S	CODE	SIGNATURE	DATE	INITIALS AND DATE
24 Oct 58	/	/	/	/	/	/	A	<i>[Signature]</i>	30 Oct 58	1st Lt. USMC
	/	/	/	/	/	/	A	<i>[Signature]</i>		2nd Lt.

TOTAL SEA AND FOREIGN DUTY: _____

REASONS: (a) Paid \$ None reenlistment bonus for _____ reenlistment.
 (b) Prev pd \$ None total amt of re-enl bonuses to include _____ reenlistment.

DATE IDENTIFICATION CARD ISSUED: _____ SIGNATURE: *[Signature]* By direction of: _____ DATE: 28 MAY 57

DATE ID TAGS ISSUED: _____ DATE: 15 OCT 54

BLOOD TYPE: A ARTICLES UCMJ explained to me this date as required by Article 157, UCMJ.

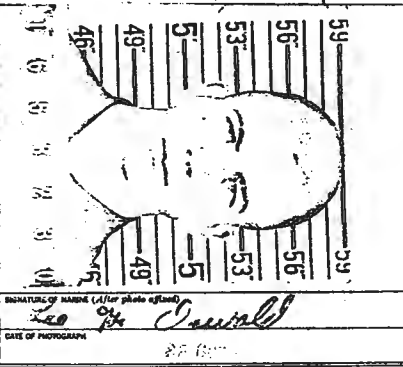
GAS MASK SIZE: M-L ARTICLES UCMJ explained to me this date as required by Article 157, UCMJ.

DEPOSIT RECORD BOOK NO.: _____ SIGNATURE: *[Signature]*

CLASS SYMBOL: 20 SIGNATURE: *[Signature]*

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FITNESS REPORTS SUBMITTED	NAVMC 118(1)-PD			
PROMOTION AND REDUCTION	NAVMC 118(1)-PD	X		
TIME LOST: ALLYOTMENT; WEAPONS FIRING	NAVMC 118(1)-PD	X		
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COMBAT RECORDS—MEDALS	NAVMC 118(1)-PD	X		
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RECORD OF INDIVIDUAL RSPL	NAVMC 118(1)-SD	X		
DEPENDENT TRAVEL RECORD	NAVMC 118(1)-SD	X		
DOCUMENTS INSERTED		INITIAL		
Statement of <i>[Signature]</i>		<i>[Signature]</i>		
Parents Consent		<i>[Signature]</i>		
SA Action		<i>[Signature]</i>		
SIGNATURE OF MARINE (After photo of face)		<i>[Signature]</i>		
DATE OF PHOTOGRAPH		28 MAY 57		



NAME: (Last) OSWALD (First) Lee (Middle) Harvey SOCIAL SECURITY NO. 1632230

NAVMC 118(1)-PD (REV. 10-54) (REPLACES PREVIOUS EDITION, WHICH IS OBSOLETE AND WILL NOT BE USED) 16-71188-1 U. S. GOVERNMENT PRINTING OFFICE

JFK EXHIBIT F-484

SECURITY TERMINATION STATEMENT
OF NAV FORM 5511-14HEADQUARTERS AND HEADQUARTERS SQUADRON
U. S. MARINE CORPS AIR STATION
EL TORO (SANTA ANA) CALIFORNIA

1. I hereby certify that I have conformed to the directives contained in the U. S. Navy Security Manual for Classified Matter and Registered Publication Manual in that I have returned to the Naval Establishment all classified matter which I have had in my possession.
2. I further certify that I am not retaining or taking away with me from my place of employment (duty) any document or thing containing or incorporating information affecting the National Defense of other matter Classified, Top Secret, Secret, or Confidential to which I obtained access during my employment (duty), in any manner whatsoever.
3. I shall not hereafter in any manner reveal or divulge to any person any information affecting the National Defense, Classified, Top Secret, Secret, or Confidential, or which I have gained knowledge during my employment (duty), except as may be hereafter authorized in writing by officials of the Naval Establishment empowered to grant such authority.

(If any of the above statements cannot truthfully be made, the word "not" shall be stricken out of the appropriate sentence and a full statement attached hereto indicating in detail the circumstances which prevent the making of the statement in its original form, including the names of the persons authorizing the particular handling of classified matter)

4. I, LEE HARVEY OSWALD 1653230 have been informed and am aware that 18 U. S. C., 1946 ed., Sup. IV, 792-797 and the Internal Security Act of 1950 prescribe severe penalties for unlawfully divulging information affecting the National Defense. I certify that I have read and understand appendices B, D, E, F, and H of the U. S. Navy Security Manual for Classified Matter, I have been informed and am aware that certain categories of Reserve and Retired personnel on inactive duty can be recalled to duty, under the pertinent provisions of law relating to each class for trial by court-martial for unlawful disclosure of information. I have been informed and am aware that the making of a wilfully false statement herein renders me subject to trial therefore, as provided by 18 U. S. C., 1946 ed., Sup. IV, 1001.

A. C. AERS JR., 1stLt., USMER 072172
(Witness) (File of Ser No)

Lee Harvey Oswald 1653230
(Full Name) (Ser No)

Officer in Charge Separation Section

11 September 1959

(Date)

-JFK EXHIBIT F-484-

NOTICE OF OBLIGATED SERVICE

NAVMC REG-PO (REV. 10-58)
(SUPERSEDES FORM 2-58) EFFICIENCY NOTICE
MAY BE USED FOR 1-YEAR OBLIGATIONS

INSTRUCTIONS

Prepare in quadruplicate
Original to Service Record Book
Duplicate to CNC (Code DGN)
Triuplicate to member
Quadruplicate to district director concerned
X out those words which do not apply

NAME OF MEMBER OSWALD, Lee Harvey	SERVICE NO. 1653230	GRADE PFC E-2	ISSN 6741
---	-------------------------------	-------------------------	---------------------

1. You, having assumed the 6-year military service obligation prescribed by law upon your ~~(induction)~~ (enlistment) in the U. S. Marine Corps ~~(State)~~, on 24 October, 19 56
(Branch of Armed Forces initially entered)

and having served in the United States Marine Corps ~~(Reserve)~~ from 24 October, 19 56, to 11 September, 19 59, are hereby (released from active duty and transferred to the Marine Corps Reserve)

~~(released from active duty and transferred to the Marine Corps Reserve)~~ for the remainder of that 6-year period which ends on 8 December, 19 62

unless sooner discharged. During that period you are deemed by law to be a member of the Marine Corps Reserve and will be subject to such training and service as is now or may hereafter be authorized by law for members of the Marine Corps Reserve.

2. You are (assigned to) ~~(ready to)~~ (the Ready) ~~(standby)~~ Reserve, Class (III) (III). You are further (transferred to) ~~(assigned to)~~ the Marine Air Reserve Training Command
(Unit or district)

address of which is: Naval Air Station, Glenview, Illinois
(Unit or district address)

You have given your future mailing address as: 3124 West 5th Street
Forth Worth, Texas

3. This Notice of Obligated Service executed for and on behalf of the United States Marine Corps at: _____ on 11 September, 19 59

HEADQUARTERS AND HEADQUARTERS SQUADRON
MARINE CORPS AIR STATION
EL TORO (SANTA ANA), CALIFORNIA

By *[Signature]*
(Signature and rank of officer executing notice)
OSWALD, JR., Lt., USMCR

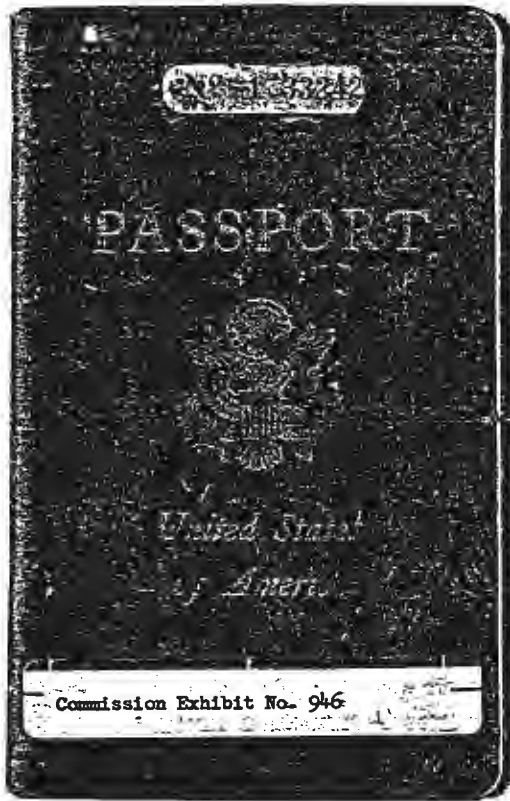
4. I hereby acknowledge receipt of this Notice of Obligated Service.

SIGNATURE OF MEMBER *Lee Harvey Oswald*

This is to certify that a copy of this Notice of Obligated Service was ~~(inducted)~~ (delivered to) the man named above.

SIGNATURE *[Signature]*
A. G. AYERS, JR., 1st Lt., USMC

E 4 5 4 1 1



NO. 1-33242

Passport



United States of America

Department of State

IMPORTANT

This passport is NOT VALID until signed by the bearer on page two. PLEASE fill in names and addresses below.

BEARER'S NAME AND ADDRESS IN THE UNITED STATES:

Name: *LEE H. COYAL*
728 BAYVIEW ST

RESIDENT FOREIGN ADDRESS:

NEW YORK HOTEL 50 N. W. ST
U.S.A.

IN CASE OF DEATH OR ACCIDENT NOTIFY:

Lee H. Coyal
Address: *2515 DAVENPORT ST. FORT WORTH TEXAS*

EXPIRATION AND RENEWAL:

Unless limited to a shorter period, this passport expires two years from the date of issue shown on page two. You can renew it for not more than two additional years for a fee of five dollars to mature when you are 16 years of age. It is valid to mature when you are 16 years of age. The passport MUST be presented with your renewal application. Renewal is shown by a stamp placed on the passport.

NEW PASSPORT

When this passport expires and you want a new one, this passport should be presented with your application for the new passport.

(See OTHER IMPORTANT INFORMATION ON INSIDE OF BACK COVER)

419 DD

*Renewal, extensions, amendments,
limitations, and restrictions*

This passport, properly visaced, is valid for travel in all countries unless otherwise restricted. It is not valid for travel to or in any foreign state for the purpose of entering or serving in the armed forces of such a state.

This passport is not valid for travel to the following areas under control of authorities with which the United States does not have diplomatic relations: Albania, Bulgaria, and those portions of China, Korea and Viet-Nam under Communist control.

**THIS PASSPORT IS NOT VALID
FOR TRAVEL IN HUNGARY.**

Photograph of bearer



DEPARTMENT OF STATE
LOS ANGELES, CALIF.

Vias

SURETENTONALE
R. GLE HAYRE
-8 OCT 1959
G. ENTREE P.

SOLE HAYRE
-8 OCT 1959
SOTTIE
PE

VISIT UP TO THREE MONTHS

IMMIGRATION OFFICER
(128)
-9 OCT 1959
SOUTHAMPTON

OFFICER
(144)
EMBAEED
10 OCT 1959
LONDON AIRPORT

10 X 1959
INDONESIA

*Renewal, extensions, amendments,
limitations, and restrictions*

Embassy of the United States of America
at Moscow, U.S.S.R. JULY 10, 1961.

THIS PASSPORT IS VALID ONLY FOR
DIRECT TRAVEL TO THE UNITED
STATES.

RICHARD E. SNYDER
AMERICAN CONSUL

Richard E. Snyder

SEE PAGE-15

Туристская *Кана*

ВИЗА № 403339

27.11.1959 *с 20.11.59*

ВЫЕЗД, БЕЗ ДИАП-ВЫЕЗДНОЙ,

~~И С Ш П~~

Освальд и Карвей

15 ОУИД 1959
15 ОУИД 1959

15 ОУИД 1959
15 ОУИД 1959
15 ОУИД 1959
15 ОУИД 1959

Для прибытия в СССР и для выезда из СССР через погран. пункт *В.И.И.И.И.* в течение *14* суток с момента пересечения границы.
Исполн. СССР *Д.В.В.В.В.*



20.11.59

Кана

ЛАНТЕНУТ
115 X 1959
VAINKKALA

Освальд и Карвей

Зарегистрирован в Отделе Виз и Регистрации

УВД Мосгоссовета
Москва

для проживания в г.

до *22 октября* 1959 г.

Начальник *Д.В.В.В.*
и *В.И.И.И.*
№ *80886* *10/1959*



гор. Москва

Виза № 403339
сроком до 22 октября 1959 года

Д.В.В.В.
и *В.И.И.И.*
Министерства
иностран. дел



Квас



ВИЗА № 305002

Выдана 22 июля 1962г.

владельцу паспорта № 12332 У2

г.р. С П К А С О Б А С О В

виза эксп. в. с. р. (1) В В В В В

ДЕЛСТВОУЮЩАЯ АДМ. СЛУЖБА КРАСНОДАРСКОГО РАЙОНА

по 1296 Киевского шоссе, 68/601

через пограничный пункт

г.р. Москва - Воронеж

С. П. К. А. С. О. Б. А. С. О. В.

С. П. К. А. С. О. Б. А. С. О. В.

С. П. К. А. С. О. Б. А. С. О. В.

С. П. К. А. С. О. Б. А. С. О. В.

С. П. К. А. С. О. Б. А. С. О. В.

С. П. К. А. С. О. Б. А. С. О. В.

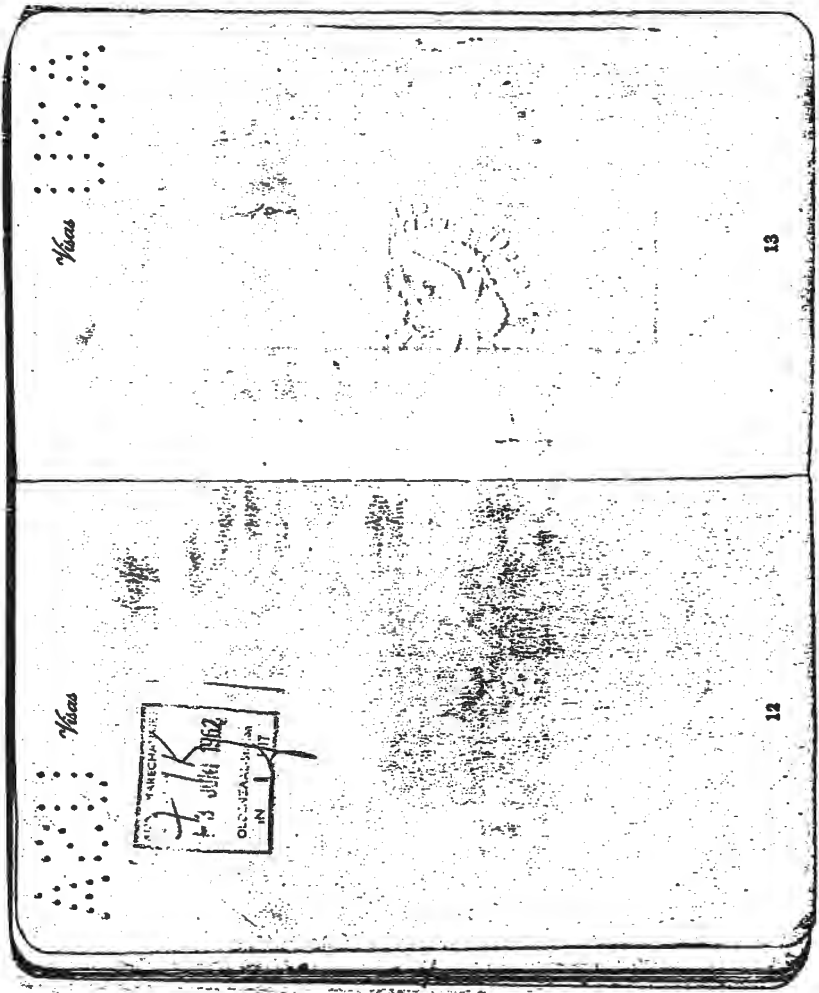


Квас



AMERICAN EMBASSY
MOSCOW
U.S.S.R.
RENEWED MAY 4, 1962
EXPIRES SEPTEMBER 9, 1963
JOSEPH A. MORSE
AMERICAN CONSUL
U.S. \$2.00

CANCELLED



Nicas

13

Nicas

MECHAP...
 4-3 JUL 1962
 OLDSMALL AN
 IN IT

12

Embassy of the United States of America
at Moscow, U.S.S.R. MAY 24, 1962.
THIS PASSPORT IS AMENDED TO
INCLUDE DAUGHTER JUNE LEE.



Joseph B. Norbury, Jr.
Joseph B. Norbury, Jr.
Consul of the United States of America

IMM. & NATZ SERVICE
NEW YORK, N. Y. 33
ADMITTED

JUN 13 1962

AMERICAN EMBASSY,	CLASS
MOSCOW,	TO
U.S.S.R.	
RENEWED MAY 24, 1962	
EXPIRES JUNE 24, 1962	
Service No. 1152091	JOSEPH B. NORBURY
Tariff Item No. 4	AMERICAN CONSUL
Fee paid: US \$ 2.00	
Local CV code: 4.50 Dollars	

SEE PAGE -6

WARNING—ALTERATION OR MUTILATION OF ENTRIES IS PROHIBITED

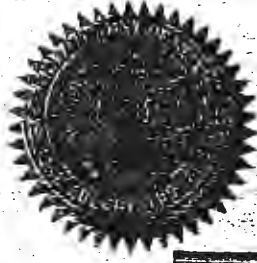
DESCRIPTIVE DATA SEE PAGE XXX 6 AND 15

NAME LEE HARVEY OSWALD			
WIFE X X X			
MINORS X X X SEE PAGE -14			
HEIGHT 5 FT. 11 IN.	HAIR BROWN	EYES GREY	VISIBLE MARKS X X X
BIRTHPLACE NEW ORLEANS, LA.			
BIRTH DATE OCT. 18, 1939		OCCUPATION SHIPPING EXPORT AGENT	
ISSUE DATE SEPT. 10, 1959		SIGNATURE OF BEARER <i>L. H. Oswald</i>	

THIS PASSPORT IS NOT VALID UNLESS SIGNED BY
THE PERSON TO WHOM IT HAS BEEN ISSUED

*I, the undersigned, Secretary of State of the United States of America,
hereby request all whom it may concern
to permit safely and freely to pass,
and in case of need to give all lawful
aid and protection to the above named
citizen(s) of the United States.*

*Given under my hand and the
seal of the Department of State.*



Christian A. Smith



POUCZENIE WYDANE

WYDANE W M. MOSKOWIE

WYDZIAŁ PRACZASOWY Nr 10000

Wydanie z dnia 10.11.1933

Uprawnia OSWALD

LEE HARVEY

do jedynego krajowego przedstawiciela przez obywateli
Polskiej Agencji Rozpoznawczej Ludowej
do USA

prezycie granic i innych przepisach

Przejeżdżając przez granicę z dnia 10.11.1933

Wskaz, data 10.11.1933

Kierownik Wydziału Konsularnego
Stanisław Kowalecki
II Sekretarz Ambasady



Wskaz



JFK EXHIBIT F-487

1. NAME IN FULL Last First Middle OSWALD Lee Harvey			SELECTIVE SERVICE NUMBER 41 114 39 532
2. PLACE OF RESIDENCE Street and Number or RFD Route 3124 West 5th St.			3. DATE OF BIRTH Oct 18, 1939
City, Town, or Village Fort Worth		Zone 7	Country State Tarrant Texas
4. MAILING ADDRESS (if different from place of residence) Street and Number or RFD Route			5. PLACE OF BIRTH New Orleans, La.
City, Town, or Village		Zone	Country State
6. NAME AND ADDRESS OF PERSON WHO WILL ALWAYS KNOW YOUR ADDRESS Robert Oswald, 7313 Davenport St., Ft. Worth (Brother)			
7. OCCUPATION Unemployed		8. NATURE OF BUSINESS, SERVICE RENDERED, OR CHIEF PRODUCT	
9. FIRM OR INDIVIDUAL BY WHOM EMPLOYED			
10. PLACE OF EMPLOYMENT OR BUSINESS			
Form Approved Budget Bureau No. 33-R099.7.			SELECTIVE SERVICE SYSTEM REGISTRATION CARD

SSS Form No. 1 (Revised 6-11-58)

(over)

D-18

11. Active duty in the Armed Forces of the United States or a cobelligerent nation since Sept. 16, 1940: 41 114 39 532 ✓

BRANCH OF ARMED FORCES OR COUNTRY USMC	SERVICE NO. 1653230	DATE OF ENTRY 24 Oct 56	DATE OF SEPARATION 11 Sep 59
---	------------------------	----------------------------	---------------------------------

12. Present membership in a reserve component of the Armed Forces:

BRANCH OF ARMED FORCES USMCR	SERVICE NO. 1653230	DATE OF ENTRY 11 Sep 59	GRADE Pfc
---------------------------------	------------------------	----------------------------	--------------

ORGANIZATION: ARTC INS
Glenview, Ill

I affirm that I have verified the foregoing answers and that they are true:
[Signature]
(Signature of registrant)

DESCRIPTION OF REGISTRANT

13. Color of eyes Blue Color of hair Brown Complexion Red Height (approx) 5' 11" in
Weight (approx) 150 Other obvious physical characteristics that will aid in identification

None

I certify that my answers are true; that the person registered has read or has had read to him his own answers; that I have witnessed his signature or mark and that all of his answers of which I have knowledge are true, except as follows:

None to my knowledge

Sep 14, 1959
(Date of registration)

Registrar for Local Board 114
(Number)

Fort Worth
(City or county)

Texas
(State)

[Signature]
(Signature of registrar)

Nov. 3 1959

I, Lee Harvey Oswald, do hereby request that my present United States citizenship be revoked.

I appeared in person, at the consulate office of the United States Embassy, Moscow, on Oct 31st, for the purpose of signing the formal papers to this effect. This legal right I was refused at that time.

I wish to protest against this action, and against the conduct of the official of the United States consular service who acted on behalf of the United States government.

My application, requesting that I be considered for citizenship in the Soviet Union is now pending before the Supreme Soviet of the U.S.S.R..

In the event of acceptance, I will request my government to lodge a formal protest regarding this incident.

Lee Harvey Oswald

23

A. RAY

SWEENEY

INTERVIEW WITH MISS MOSBY NOV. 15, 1959

MISS MOSBY INTERROGATES me and asks down
 I START BY SAYING. I wish it understood THAT I WISH TO
 SEE THE STORY BEFORE IT IS SENT. "AN RIGHT" she says "ITS ALL
 THE SAME TO ME WHAT YOU DO IN REWARDS TO YOUR LIFE,
 IF I JUST TAKING DOWN YOUR WORDS" O.K. I SAY, FIRST THE
 REASONS FOR MY COMING. SHE ASKS ABOUT MILITARY SERVICE
 I ANSWER QUESTIONS ABOUT MY MILITARY SERVICE AND THEN
 YOU SHE ASKS WHY DID YOU APPLY FOR SOVIET CITIZENSHIP?
 WHAT ARE YOUR REASONS FOR COMING HERE? I HAVE UNITED
 FOR TWO YEARS IN ORDER TO DISCARD MY AMERICAN
 CITIZENSHIP I HAVE SEEN TOO MUCH HATE AND INJUSTICE
 IN THE U.S. I HAD SERVED IN THE OCCUPATION FORCES
 IN JAPAN AND OCCUPATION OF A COUNTRY IS IMPERIALISM,
 WHAT THE RUSSIANS WOULD CALL "IMPERIALISM" I HAD
 CHOSEN A SOCIALIST COUNTRY SINCE THESE ARE ONLY TWO
 MAIN SYSTEMS IN THE WORLD. "WHY THE U.S.S.R." she asks
 "WHY NOT CZECHOSLOVAKIA, WHERE THE HOUSING PROBLEM IS
 NOT SO BAD" I HAD CHOSEN THE U.S.S.R. SINCE IT WAS
 THE LEADER OF THE SOCIALIST CAMP AND THE SYMBOLIC
 CHAMPION OF THE CAUSE OF COMMUNISM. "WHAT OTHER
 REASONS LED YOU TO CHANGE YOUR LOYALTY." IN THE
 U.S., AS WE KNOW THERE ARE MANY STATEMENTS, RACIAL
 SEGREGATION AND THE REPRESSION OF THE UNDER DOG, U.S.
 COMMUNIST PARTY. HOW LONG HAVE YOU BEEN STUDYING
 MARXISM. "I FIRST STARTED READING" MARXISM WHEN
 I WAS 15. "I ALWAYS HAD TO DIG FOR MY BOOKS IN
 THE LOCK, DUSTY, SHELF OF LIBRARY AND OLD AUTATED
 BOOKS WERE THE LOCK BOND OF MY READING, BOOKS ON
 MARXISM, POLITICAL ECONOMY, ETC." IN MY LIBRARY IN
 THE MOST OBVIOUS PLACES THERE ARE THE PROMINENT
 ANTI-COMMUNIST BOOKS WE KNOW SO WELL BUT AS
 I SAY I ALWAYS HAD TO DIG FOR MY BOOKS. "WHAT
 WERE SOME IMPRESSIONS YOU GOT SERVING IN THE OCCUPATION
 FORCES." I SAW THE AMERICAN MILITARY BEHAVING COMMON
 UP A WINDING SIDE OF THE TOWN OF WAR AND OCCUPATION I
 SHOULD TO HATE THE U.S. IMPERIALISTIC MILITARY. (RAY'S DISC)

HANDWRITTEN ACCOUNT OF INTERVIEW WITH MISS MOSBY, UPI REPORTER,
 FOUND AMONG OSWALD'S PERSONAL EFFECTS.
 (OSWALD'S HANDWRITING)

JFK Exhibit F-489

Commission Exhibit 2717

JFK EXHIBIT F-490A

Commission Exhibit #25

123
COMMISSION EXHIBIT
#25

...offer, assumed, and put in the
 ...concerns, committed, and ...
 ...in ...
 ...retreats toward the ...
 ...people, if not, the ...
 ...This ...
 ...to its little destruction of all
 ...
 ...in quick succession the people will
 ...not only its government but
 ...culture, traditions, history
 ...people itself, and yet they
 ...and proudly pronounce themselves
 ...disputing their war with the
 ...in conflicts between
 ...themselves.
 ...what would happen if ...
 ...stand up and say he was ...
 ...opposed not only to the government, but to the
 ...people, to the entire land and complete
 ...foundations of the society.

Exhibit 25, for Identification.

123
COMMISSION EXHIBIT
#25



I have heard and read of the
 Americanism in the US, not the ultra
 right type, but rather the political
 middle Americanism expressed by the
 so-called "American Free Group" of
 foundation.

and yet even in these fields, under
 patriotic pretenses, there is the obvious
 "safe being ground" by the ~~transmission~~
 invited interests of the sponsors of
 these expensive undertakings.

To where can ~~the~~ ~~the~~ turn? To
 factional mutants of both systems,
 to odd ball ~~philosophical~~ ~~ideals~~
 out of touch with reality, too
 religious groups, to revisionist or
 absurd anarchists, no!

123

COMMISSION EXHIBIT

#25

3

... however, both systems
 ... accessories, they can be
 ... between the systems,
 ... as they exist to-day and what
 ... must be opposed to their
 ... foundations and representatives
 ... and yet it is essential to take the
 ... sort of attitude which says "a card on
 ... both your sides!"
 ... their be two great representatives of
 ... power in the world, simply expressed
 ... left and right, and their effort
 ... and concave.
 ... any practical attempt at an attempt
 ... must have as its nucleus the treatment
 ... both of both systems, and yet be entirely
 ... opposed to both systems.
 ... for not system can be entirely
 ... new, that is where most revolutions
 ... ~~revolutionary~~ industrial or political, go
 ... ~~extraordinary~~ Card. yet the new system must
 ... be opposed unequivocally to the old that
 ... ~~also~~ is where revolutions go wrong

123
 COMMISSION EXHIBIT
 #25

history in over
 industrial revolution
 enterprise triumphed
 offered a new,
 efficient and promising future while
 still observing the ~~old~~ idealistic
 democratic ideals of its overthrown
 predecessors, ^{i.e.} ~~and~~ rural small
 enterprises.

and at about the same time in
 Russia the aristocracy was
 overthrown by the peasants and workers
 and the road laid open for the gaining
 of power by the Bolsheviks because they
 too, offered a bright new future without
 violating historical traditions of Russian
 working class life.

therefore in history there are many
 such examples of the nucleus of
 the new order rooted in the idealistic
 traditions of the old.

the industrial revolution ^{has} ~~has~~ ^{been} ~~been~~
 the present atomic age and yet it has
 developed as a ~~subsequent~~ ^{subsequent} part of its system
 its own ~~evolution~~ ^{evolution}

123

COMMISSION EXHIBIT

#25

P.M.S.

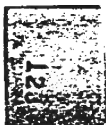
11/5

...insistence
 ...or compared to the
 ...displays so many
 ...obvious it is
 ...rather it is the much
 more subtle aspects of industrialization
 and mechanization which bring the
 greatest hardships upon the people
 a general decay of class's into shapeless
 societies without real cultural functions
 regeneration; not so much of people
 since industrialization actually provides
 for more free movement of class's
 around each other, but rather of ideals.
 although these regenerated ideals have
 more freedom of expression throughout
 all the class's.

123

COMMISSION EXHIBIT

#25



EMA 6

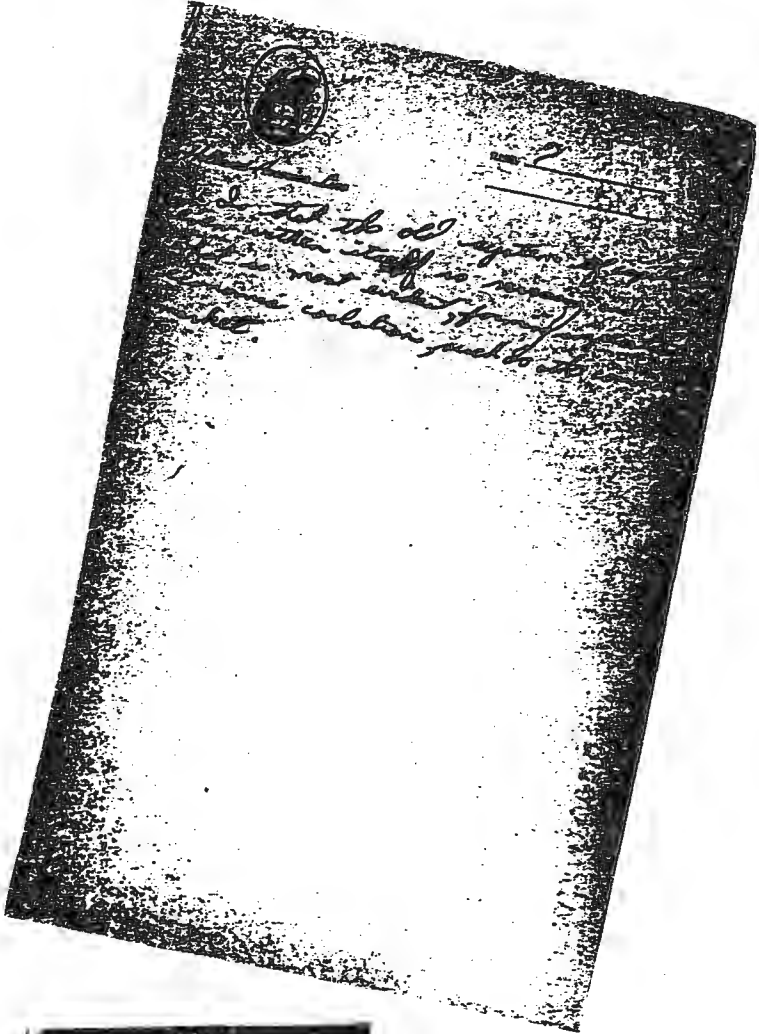
W. L. L. L. L. L.

The biggest ^{key} development ^{of our} ~~of our~~ ^{is} ~~is~~ ^{the} ~~the~~ ^{fight} ~~fight~~ ^{for} ~~for~~ ^{markets} ~~markets~~
 between the imperialist powers ~~that~~ ^{is} ~~is~~ ^{itself} ~~itself~~, which lead to the wars, crises and
 oppressive friction which you have all
 come to regard as part of your lives.
 And it is this ^{the} ~~the~~ ^{most} ~~most~~ ^{prominent} ~~prominent~~ ^{factor} ~~factor~~
 of the capitalist system which will
 undoubtedly eventually lead to the common
 destruction of all the imperialistic powers
~~not so~~ ^{already} ~~many~~ ^{from} ~~imperialist~~ ^{countries} ~~have~~ ^{become} ~~dependent~~ ^{upon}
 other, ^{rather} ~~rather~~ ^{than} ~~than~~ ^{domination} ~~domination~~ ^{of} ~~of~~
^{colonial} ~~colonial~~ ^{forces} ~~forces~~ ^{colonies} ~~colonies~~ ^{through} ~~through~~
^{force} ~~force~~, they have been devoured by their
 former colonies by the ~~the~~ ^{great} ~~great~~ ^{imperialist} ~~imperialist~~
^{power} ~~power~~ ^{countries} ~~countries~~ or in some cases even
 given up their colonies ^{themselves} ~~themselves~~ as
 unprofitable and ^{now} ~~now~~ ^{other} ~~other~~ ^{cases} ~~cases~~ ^{the} ~~the~~ ^{oppressed} ~~oppressed~~
 peoples rose up and physically ^{struggled} ~~struggled~~ ^{to} ~~to~~
 colonial ^{age} ~~age~~ and this process is continuing
 even today as we all can see.
 But what is important to ~~remember~~

123

COMMISSION EXHIBIT

#25



123
 COMMISSION EXHIBIT
 #25

The first mistake is fairly well known
 as the step in the correct path
 the entire way of the state is
 towards a more ^{or less} uniform
 system which is the result of
 the ^{state} ^{power} ^{which} ^{has} ^{been} ^{long} ⁱⁿ ^{the} ^{process} ^{of} ^{being} ^{reduced} ^{to} ^a ^{single} ^{unit} ^{and} ^{integrated}

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123

COMMISSION EXHIBIT

#25

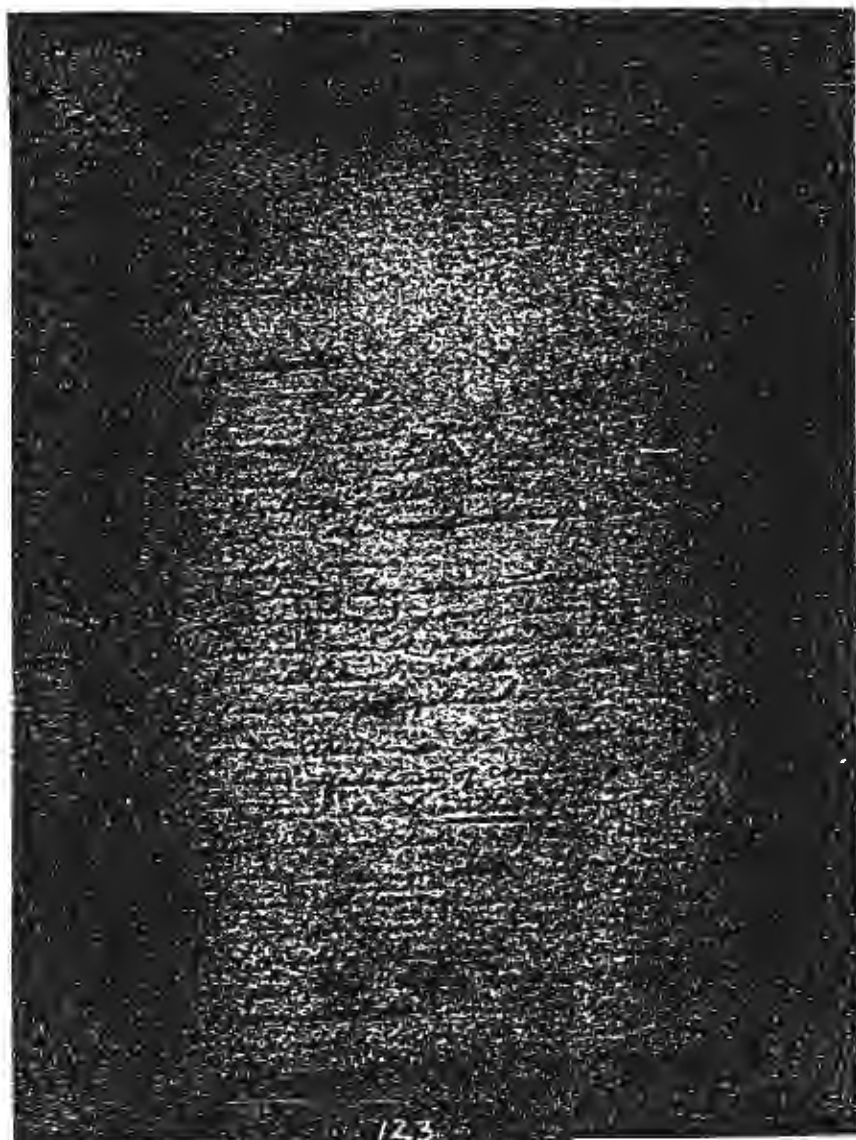
123



9

in dividing power you multiply units
 and in everyday life you become
 more and more dependent on these organs
 of state power, ~~the more~~
 the more you need them and the
 more, ~~and~~ new ~~becoming~~
 rather than a withering away of the
 state. In Prussia it has been too
 years there has been a shift of
 power from the capital of Prussia to
 the so-called "republics" but states
 do not simply grow into a greater
 size throughout state republics they
 make the capital of Belgium
 the ministry of Defense becomes separable
 from the ministry of the interior, the
 ministry of the interior of life's work to
 have the USSR formally the official
 properties of Moscow also but now that
 the state ministry in Moscow has
 been it becomes all the more difficult to
 get an outfit since since now we have to
 go to the area, city and republican states

173
 COMMISSION EXHIBIT
 #25



123

COMMISSION EXHIBIT

#25

R.M.S. 1st

Holland-America Line

I have already seen a few
 organizations who have declared that
 they shall become effective only after conflict
 between the two world systems leaves its
 world country without defense or foundation
 of government, organizations such as the
 minute men for instance, however they
 intend are preparing to simply defend
 the present system and reinstate
 its influence after its mutual defeat
 of both systems [mutually] which is
 more or less taken for granted.

These armed groups will represent
 the remaining hard core of fanatical
 American capitalist supporters.

There will undoubtedly be similar
 representatives of this kind by communist
 groups in communist countries.

There will also be many divided
 religious segments of putting forward



R.M.S.

37.

Holland-America Line

will be steeped in the traditions of those systems they will never accept a "new order" complete beyond their understanding, ^{any more than they would expect the} logically, ^{experts they} they would deem it necessary to oppose the old systems but ~~to~~ support at the same time ~~and~~ their cherished traditions.

I intend to put forward just such an alternative.

~~In the United States it would mean~~

In making such a declaration I must say that in order to make this alternative effective, supporters must prepare now ~~for it~~ in the event the situation presents itself for the practical application of this alternative in this way the ^{majority} ~~majority~~ men and their narrow support of capitalism have been most for rights however they present only a ^{minor} ~~resistance~~ force whereas ~~we would consist~~ ~~of~~ ~~an~~ ~~alternative~~ ~~we~~ ~~would~~ ~~consist~~ ~~of~~ ~~a~~ ~~practical~~ ~~group~~ ~~of~~ ~~persons~~ ~~desiring~~ ~~peace~~ what is needed is a constructive and practical group of persons desiring peace

R.M.S. 4th

Holland-America Line

but stand firmly opposed to the
revelal of forces who have led millions
of people to death and destruction and
in a dozen wars ~~that~~ and have now
~~at~~ at this moment led the world
into unannounced danger.

We have lived into a dark generation
of tension and fear.

But how many of you have
tried to find out the truth behind
the cold-war chices!!

~~But~~ ~~to~~ ~~see~~ having lived
under both systems, I had sought
the answers and although it
would be very easy to dup myself
into believing one system is better
than the other, I know they are
not.

I despise the representatives
of both systems whether they
be socialist or christian democrats.
Whether they be labor or conservative
they are all products of the two systems.

JFK EXHIBIT F-491

Historic Jimmy

30

From Oct. 16 1959 ARRIVAL -

LEAVING

1959

1ST PAGE

OCT. 16. ARRIVE FROM HELSINKI BY TRAIN. AM MET BY INDIVIDUAL
 HERE. AND IN CAR TO HOTEL "BERLIN". REBEL AS "STUDENT". 5 DAY
 (U.S. TOURIST TICKET.) MEET MY INTORIST GUID RIMMA STEERMAN
 I EXPLAIN TO HER I WISH TO APPL. FOR RUS. CITIZENSHIP. SHE
 IS FIMBARBASSED BUT AGREES TO HELP. SHE CHECKS WITH HER BOSS
 MAIN OFFICE INTOR. MAN HELPS ME ADD. ALTHOUGH TO SUP. SOVIET. ASKING
 FOR CITIZENSHIP MEAN WHITE BOSS TELEPHONS PASSPORT & VISA OFFICE
 AND NOTIFIES THEM ABOUT ME.

OCT. 17- RIMMA MEETS ME FOR INTORIST SIGHTSEEING SAYS WE
 MUST CONTIN. WITH THIS ALTHOUGH I HATED RUSSIA SHE IS SURE
 SHE HAVE AN ANSWER. SOON. ASKS ME ABOUT MYSELF AND MY
 REASONS FOR BEING THIS I EXPLAIN I AM A COMMUNIST. OCT.
 SHE IS NOTIFY SYM. BUT UNWITTINGLY NOW. SHE TRIES TO BE A
 FRIEND TO ME. SHE FEELS SORRY FOR ME I AM SOMEONE. U.S.
 OCT. 18. MY 20th BIRTHDAY. WE VISIT EXHIB. IN MORNING AND
 IN THE AFTER NOON THE LEARN-STATION TOUR. SHE GIVES ME
 A PRESENT BOOK "IDEOT" BY DESTOEVSKI.

OCT. 19. TOURISM. AM ANXIOUS SINCE MY VISA IS GOOD FOR
 FIVE DAYS ONLY AND STILL REQUIRED FROM AUTH. ABOUT MY REQUEST

OCT. 20 RIMMA IN THE AFTER NOON SAYS INTORIST WAS
 NOTIFIED BY THE PASS. VISA DEPT. THAT THEY WANT TO SEE ME
 I AM EXCITED GREATLY BY THIS NEWS.

OCT. 21. (MOR) MEETING WITH STATE OFFICIAL. DALLING STOUT, BLACK
 SUIT FINELY GOOD ENGLISH. ASKES WHAT DO I WANT? I SAY
 SOVIET CITIZENSHIP. HE ASK WHY I GIVE VARIOUS ANSWERS
 ABOUT "GREAT SOVIET UNION" HE TELLS ME "USSR ONLY GREAT
 IN LITERATURE WANTS ME TO GO BACK HOME" I AM STURDIED
 I REITERATE. HE SAYS HE SHALL CHECK AND LET ME KNOW
 WHETHER MY VISA WILL BE EXTENDED IT ENTERS TODAY)

EVE. 6.00 REVIVE WORD FROM POLICE OFFICIAL. I MUST
 LEAVE COUNTRY TONIGHT AT 8.30 PM AS VISA EXPIRES. I AM
 SHOCKED!! MY DREAMS! I RETURN TO MY ROOM. I HAVE
 SICO. LEFT. I HAVE WAITED FOR 2 YEARS TO BE ACCEPTED

MY FONDLY DREAMS ARE SHATTERED BECAUSE OF A PETTY OFFICIAL BECAUSE
 OF BRU FINANNING I FINANCED SO MUCH! 7.00 AM. I DECIDE TO
 END IT. SOAK RIT IN COLD WATER TO NUMB THE PAIN. THAN SLASH
 MY LEFT WRIST. I AM FINNED WRIST INTO BATHTUB OF HOT WATER
 I THINK WHEN RIMMA COMES AT 5. TO FIND ME DEAD IT WILL
 BE A GREAT SHOCK. SOMEHOW...

31 DIARY 2nd Nov

3.7.21 (Sun) - with MY LIFE WHIRL AWAY. I THINK TO MYSELF "HOW EASY TO LIVE" AND "A SWEET DEATH, (TO VIOLENS) ABOUT 400".
 Rimma finds me unconscious (BATHING WATER A RICH RED COLOR) - SHE SCREAMS (I REMEMBER THAT) and runs for help. AMBULANCE COMES, AM TAKEN TO HOSPITAL. WHERE FIVE STICKS ARE PUT IN MY WRIST. POOR RIMMA STAYS BY MY SIDE AS INTERPRETER. (MY RUSSIAN IS STILL VERY BAD) [DARK INTO THE NIGHT, I TELL HER "GO HOME" (MY BLOOD IS BAD) BUT SHE SAYS, SHE IS MY FRIEND" SHE HAS A STROKE WILL ONLY AT THIS MOMENT I NOTICE SHE IS PRECISE]

Oct. 22. HOSPITAL I AM IN A SMALL ROOM WITH ABOUT 12 OTHERS (SICK PERSONS.) 2 DOCTORS AND A NURSE THE ROOM IS VERY DARK AS WELL AS THE BENCHES. ONLY AFTER PROLONGED (2 HOURS) OBSERVATION OF THE OTHER PAT. DO I REALIZE I AM IN THE INSANITY WARD. THIS REALIZATION DISGUSTS ME. LATER IN AFTERNOON I AM VISITED BY RIMMA, SHE COMES IN WITH TWO DOCTORS AS ENTER SHE MOST ASK ME MEDICAL QUESTIONS. DID YOU KNOW WHAT YOU WERE DOING? ANSW. YES DID YOU BLACK OUT? NO. ECT. I THANK COME ABOUT FOUR FOOD THE DOCTORS LAUGH APA THIS IS A GOOD SIGN LATER THEY LEAVE I AM ALONE WITH A. IMMA (AMONGST THE MENTALLY ILL) SHE ENCOURAGES ME AND SCOLLS ME. SHE SAYS SHE WILL HELP ME GET TRANSFERRED TO ANOTHER SECTION OF HOS. (NOT FOR INSANE) WHERE FOOD IS GOOD.

Oct. 23. TRANSFERRED TO ORDINARY WARD, (BETTER, GOOD FOOD.) BUT NURSES SUSPICIOUS OF ME. [THEY KNOW] AFTERNOON I AM VISITED BY ROSA ANA FANOM OF THE HOTEL ^{TOURIST OFFICE} WHO ASKES ABOUT MY HEALTH, VERY BEAUTIFUL, EXCELLENT ENG., "VERY HEAVY AND KIND, SHE MAKES ME VERY GLAD TO BE ALIVE. LATER RIMMA VISITS

Oct. 24 HOSPITAL ROUTINE, RIMMA VISITS ME IN AFTERNOON

Oct. 25. " "

Oct. 26 AN OTHER AMERICAN AT THE HOSPITAL GROW SUSPICIOUS ABOUT ME FOR SOME REASON. PROBABLY BECAUSE AT EMBASSY I TOLD HIM I HAD NOT REGISTERED AS HOST TOURIST AND I AM INDIVIDUAL. EMBASSY ABOUT MY PRESENCE IN MOSCOW AND AT HOSPITAL. ^{AFTERNOON RIMMA VISITS.}

Oct. 27. STICKS ARE TAKEN OUT BY DOCTOR WITH "DULL" SCISSORS

Oct. 28. I LEAVE HOSPITAL IN INTEREST CAR. WITH RIMMA FOR HOTEL "BERLIN" LATER I CHANGE HOTELS TO "METROPOLE", ALL CASHES HACKED AND MONEY TAKEN BY 1.5000 IN THE LAST KOPEEK) RETURNED AS WELL AS WATCH WHICH COLLECTOR SIMPILWA (INDUSTRIAL OFFICE HEAD) AND ROSA I WRITE ME TO - ONE MORE VISIT AND TAKE WITH THEM AND TOGETHER I GET LEAVESOME AT NEW HOTEL. THEY FEEL SORRY FOR ME.

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DIARY 2nd page

OCT. 28 (CON.) RIMMA NOTIFIES ME THAT PASSA REGISTRATION OFFICE WISHES TO SEE ME ABOUT MY FUTURE. LATER RIMMA AND CAR PICK ME UP AND WE ENTER THE OFFICES TO FIND FOUR OFFICIALS WAITING FOR ME (ALL UNKNOWN TO ME). THEY ASK HOW MY MARRIAGE IS, I SAY OK. TAEVISA "DO YOU WANT TO GO TO YOUR HOMETOWN. I SAY NO I WANT SOVIET CITIZENSHIP I SAY I WANT TO RESIDE IN THE SOVIET UNION. THEY SAY THEY WILL SEE ABOUT THAT. THEN THEY ASK ME ABOUT THE LONG OFFICIAL WITH WHOM I SPOKE IN THE FIRST OFFICE (BARBAR). HE DID NOT PASS ALONG MY REQUEST AT ALL BUT THOUGHT TO SIMPLY GET RID OF ME BY NOT EXTENDING MY SOVIET VISA. AT THE TIME I REQUESTED IT I DESCRIBE HIM THEY MAKE NOTES (WHAT PAPERS DO YOU HAVE TO SHOW WHO AND WHAT YOU ARE) I GIVE THEM MY DISCHARGE PAPERS FROM THE MARINE CORPS.

THEY SAY WAIT FOR OUR ANSWERS. I ASK HOW LONG? NOT SOON. LATER RIMMA COMES TO CHECK ON ME. I FEEL INVITED AND ENJOY HER.

OCT. 29. HOTEL ROOM 214 METROPOLE HOTEL. I WAIT. I WORK. I EAT ONCE, STAY NEAR TO PHONE WORK I KEEP FULLY DRESSED.

OCT. 30. HOTEL ROOM I HAVE BEEN IN HOTEL THREE DAYS IT SEEMS LIKE THREE YEARS I MUST HAVE SOME SORT OF A SHUTDOWN!

OCT. 31. I MAKE MY DECISION. LETTING PASSPORT AT 12:00 I MEET AND TALK WITH RIMMA FOR A FEW MINUTES SHE SAYS: STAY IN YOUR ROOM AND EAT WELL I DON'T TELL HER ABOUT WHAT I INTEND TO DO SINCE I KNOW SHE WOULD NOT APPROVE. AFTER SHE LEAVES I WAIT A FEW MINUTES AND THEN I CATCH A TAXI "AMERICAN EMBASSY" I SAY 12:30 I ARRIVE AMERICAN EMBASSY, I WALK IN AND SAY TO THE RECEPTIONIST "I WOULD LIKE TO SEE THE CONSULAR" SHE POINTS AT A LARGE HALL AND SAYS "IF YOU ARE A TOURIST PLEASE REGISTER". I TAKE OUT MY AMERICAN

PASSPORT AND SAY "I IN THE DESK, I HAVE COME TO DISCUSS MY AMERICAN CITIZENSHIP. I SAY MATTER-OF-FACTLY SHE ALSO AND ENTERS THE OFFICE OF RICHARD SNEYD, ONE LEGAL HEAD CONSULAR IN MOSCOW AT THAT TIME HE INVITES ME TO SIT DOWN. HE FINISHES A LETTER HE IS TYPING AND THEN ASK WHAT HE CAN DO FOR ME. I TELL HIM I HAVE DECIDED TO TAKE SOVIET CITIZENSHIP AND WOULD LIKE TO BE ABLE TO RESIDE IN MY U.S. CITIZENSHIP. HIS ASSISTANT (NOW RIMMA) CONSULTS WITH HIS BOSS AFTER HIS WORK. SNEYD ~~then~~ then I take some personal information, ask questions

See
Oct
31st
INT
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W

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1959

U.S. DIARY

PAGE

SAT. OCT 31. COM WARNED me not to ~~take~~ ^{take} any steps before
 the sovets suspect me, says I am a "fool", and says the
 dissolution PAPERS ARE ALREADY IN PREPARING (AN OTHER
 WORDS REFUSES TO ALLOW ME AT THAT TIME TO DISSOLVE U.S.
 CITIZ. I STATE "MY MIND IS MADE UP" FROM THIS DAY FORWARD
 I CONSIDER MYSELF NO CITIZEN OF THE U.S.A. I SPEND 40
 MINUTES AT THE EMBASSY BEFORE SNOYER SAYS "NOW UNLESS
 YOU WISH TO EXPOUND ON YOUR MAXIST BELIEFS YOU CAN GO"
 I WISH TO DISSOLVE U.S. CITIZ. NOT TODAY HE SAYS IN EFFECT. I
 LEAVE EMBASSY ELATED AT THIS SHOWDOWN, RETURNING TO
 MY HOTEL I FEEL NOW MY ENERGIES ARE NOT SPENT IN
 VAIN. I'M SURE RUSSIANS WILL EXCUSE ME AFTER THIS
 SIGN OF MY FAITH IN THEM. ZDO ARKOV, A REPORTER
 BY THE NAME OF GORSTEN WANTS AN INTERVIEW I'M
 FIREDERASSSED & HOW DID YOU FIND OUT? THE EMBASSY CALLED
 U.S. HE SAID. I SENT HIM AWAY I S'THINK RELIZE THIS
 IS ONE WAY TO BRING PRESSURE ON ME. BY NOTICING MY
 RELATIONS IN U.S. THROUGH THE NEWSPAPERS. ALTHOUGH THEY
 WOULD SAY "IFS FOR THE PUBLIC RECORD" A HALF HOUR LATER
 ANOTHER REPORTER MISS MOSBY COMES. I ANSWER A FEW
 QUICK QUESTIONS AFTER REFUSING AN INTERVIEW. I AM
 SURPRISED AT THE INTEREST. I GET PHONE CALLS FROM
 "TIME" AT NIGHT A PHONE CALL FROM THE STATES I REFUSE
 ALL CALLS WITHOUT FINDING OUT WHO'S AT FOON. I FEEL
 1 non-depressed because of the attention 10:00 I RETIRE

NOV. 1 - MORE REPORTERS, 3 PHONE CALLS FROM BRITAIN & OTHER
 NOW I FEEL SLIGHTLY EXHAUSTED, NOT SO UNLY.

NOV-2-15 DAYS OF UTTER LONELINESS I REFUSE ALL REPORTS
 PHONE CALLS I REMAIN IN MY ROOM, I AM RAKED WITH ROYALTY

NOV 15 - I DECIDE TO GIVE AN INTERVIEW, I HAVE MISS
 MOSBY CALL SO I CALL HER. SHE DRIVES RIGHT OVER I GIVE
 MY STORY, ALLOW PICTURES, LATER STORY IS DISTORTED, SENT WITHOUT
 MY PERMISSION, THAT IS; BEFORE I EVER SAW AND CUCED HER
 STORY. AGAIN I FEEL SLIGHTLY BETTER BECAUSE OF THE ATTENTION

NOV. 16. A RUSSIAN OFFICIAL COMES TO MY ROOM ASKES HOW
 I AM. NOTIFIES ME I CAN REMAIN IN USSR TILL SOME SOLUTION
 IN FOUND WITH WHAT TO DO WITH ME, IT IS CONFUSING NEWS
 FROM.

See:
 NOV
 15th
 INTERVIEW

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D. AMY.

PAGE 5

NOV 17 - DEC 30 I HAVE BOUGHT MYSELF TWO SELF-TEACHING RUSSIAN LANG. BOOKS I FORCE MYSELF TO STUDY 4 HOURS A DAY I SIT IN MY ROOM AND READ AND MEMORIZE WORDS. ALL NIGHTS I TAKE IN MY ROOM. RIMMA ARRANGED THAT IT IS VERY COOL ON THE STREETS SO I HARLEY GO OUTSIDE AT 11 AM FOR TWO MONTH AND A HALF I SEE NO ONE SPEAK TO NO ONE ACCEPT EVERYBODY AND THEN RIMMA, WHO CALLS THE MINISTRY ABOUT ME. HAVE THEY FORGOTTEN? DURING DECEMBER I PAID NO MONEY TO THE HOTEL, BUT RIMMA TOLD HOTEL I WAS EXPORTING A LOT OF MONEY FROM U.S.A. & I HAVE

28. LEFT THIS MONTH I WAS CALLED TO THE PASSPORT OFFICE AND MET 3 NEW OFFICIALS WHO ASKED ME THE SAME QUESTIONS I HAD A MONTH BEFORE. THEY APPEAR NOT TO KNOW ME AT ALL.

DEC 31. NEW YEAR'S EVE, I SPEND IN THE COMPANY OF ROSA BRATSKAYA AT THE HOTEL BERLIN, SHE HAS THE DUTY. I SIT WITH HER UNTIL PAST MIDNIGHT, SHE GIVES ME A SMALL 'BORATIN' COIN, FOR A NEW YEAR'S PRESENT SHE IS VERY NICE I FOUND OUT ONLY RECENTLY SHE IS MARRIED, HAS A SMALL SON WHO WAS BORN CRIPPLED, THAT IS WHY SHE IS SO STRANGELY TENDER AND COMPELLING.

JAN 1 - 4 NO CHANGE IN ROUTINE

I AM CALLED TO PASSPORT OFFICE AND FINALLY GIVEN A SOVIET DOCUMENT NOT THE SOVIET CITIZENSHIP AS I SO WANTED, ONLY A RESIDENCE DOCUMENT, NOT EVEN FOR FOREIGNERS BUT A PAPER CALLED "FOR THOSE WITHOUT CITIZENSHIP" STILL I AM HAPPY.

THE OFFICIAL SAYS THEY ARE SENDING ME TO THE CITY OF MINSK I ASK "IS THAT IN LIDERIA"? NO, MINSK. HE ALSO TELLS ME THAT THEY HAVE ARRANGED FOR ME TO RECEIVE SOME MONEY THROUGH THE RED CROSS TO PAY MY HOTEL BILL AND EXPENSES. I THANK THE GENTLEMEN AND LEAVE LATER IN THE AFTERNOON I SEE ANNA "SHE ASKS ARE YOU HAPPY" "YES"

JAN 5. I GO TO RED CROSS IN MOSCOW FOR MONEY WITH DURAKHTER (A NEW ONE) I RECEIVE 5000 RUBLES A HUGE SUM!! LATER IN MORN I GO TO EARN IN LIDERIA AND VITH AT THE FACTORY.

JAN 7. I LEAVE MOSCOW BY TRAIN FOR MINSK BELORUSSIA. MY HOTEL WILL HAVE MORE RUBLES AND A TRAIN TICKET TO MINSK ETC. I WILL GO TO MINSK PART OF MY MONEY IS HERE. I WASTE IT, I WRITE A NUMBER LETTERS IN WHICH I SAID "I DO NOT WANT TO SAY TO YOU AGAIN" I AM BEGINNING FEELING LIFE MORE INTERESTING AND MY PART OF THE JOB.

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DAILY

MINSK.

PAGE

JAN. 7. ARRIVE in MINSK, MET BY 2 WOMEN RED CROSS WORKERS. WE GO TO HOTEL "MINSK" I TAKE ROOM, and MEET ROSA and SPENDING TWO PERSONS FROM INSTITUTE in HOTEL who SPEAK ENGLISH. STALLING is in 40's NICE MARRIED YOUNG CHIN, ROSA ABOUT 23 BROAD ATTRACTIVE UNUSUAL EXCELLENT ENGLISH, WE ATTRACT EACH OTHER AT ONCE.

JAN. 8. I MEET THE CITY MAYOR, COMRADE SHARPOF, who WELCOMES ME TO MINSK PROVIDES A RENT-FREE APARTMENT "EVEN" AND TALKS ME ABOUT "UNDESIRABLE PERSONS" who sometimes INSULT FOR, engage MY INTEREST: RICHARD BETHOF, HEAD FOR. TECH. INSTIT. NEXT DOOR.

JAN. 10. THE DAY TO MYSELF I WALK THROUGH CITY, VERY NICE. JAN. 11 I VISIT MINSK RADIO FACTORY WHERE I SHALL WORK. THERE I MEET ARGENTINIAN IMMIGRANT ALEXANDER ZEGER BORN A POLISH JEW. EMIGR. TO ALGER. IN 1938 AND BACK TO P.O.'s HOMETOWN (NOW PART OF BELG.) IN 1955 SPEAKS ENGLISH WITH AMER. ACCENT HE WORKED FOR AMER. COM. IN BERLIN. HE IS HEAD OF A DEPT. A QUALIFIED ENGINEER, IN LAST

40'S HAD MARRIED LIKE ME. HE SEEMS TO WANT TO TALK ME SOMETHING. I SHOW HIM MY TEMPOR. DOCU. AND SAY, SOON I SHALL HAVE RUSS. CITY. JAN. 13-1956 I WORK AS A "CHECKER" METAL WORKER, PAY: 700 RUB. A MONTH. WORK VERY EASY I AM LEARNING RUSSIAN QUICKLY. NOW, EVERYONE IS VERY FRIENDLY AND KIND. I MEET MANY YOUNG RUSSIAN WORKERS MY OWN AGE THEY HAVE VARIOUS REASONABLE ALL WISH TO KNOW ABOUT ME EVEN OFFER TO HOLD A MASS MEETING SO I CAN SAY. I REFUSE POLITELY. AT NIGHT I TAKE ROSA TO

THE THEATER, MUSIC CD played about every day. I'm living BIG AND AM VERY SATISFIED. I RECEIVE A CHECK FROM THE RED CROSS EVERY 5TH OF THE MONTH TO HELP. THE CHECK IS 700 RUB. THEREFORE EVERY MONTH I MAKE 1400 R. ABOUT THE SAME AS THE DIRECTOR OF THE FACTORY! ZEGER CASES ARE DURING THIS TIME I DON'T LIKE: PICTURE OF LENIN WHICH WATCHES FROM IS ABOVE OF HONOUR AND PH. TRAINING AT 11-400 GRM MORNING (COMPLAINT) FOR ALL (SHADES OF H.G. WELLS!!)

MARCH 16. I RECEIVE A SMALL FLAT ONE-ROOM KITCHEN-BATH NEAR THE FACTORY (8 MIN. WALK) WITH SPLENDID VIEW FROM 2 BALCONIES OF THE RIVER. AMUST RENT FREE (60. RUB A MONTH) IT IS A RUSSIAN DREAM.

MARCH 17 - APRIL 21. - WORK, I HAVE LOST CONTACT WITH ROSA AFTER MY HOUSE MOVING. I MEET FRAYL GOLICHALA. A YOUNGER THAN MY AGE FINANCIALY VERY INTELLIGENT & EXAMANT RADIO TECHNICIAN HIS FATHER IS GEN. GILSOVSKY COMMANDER OF HEALTH IN THE ARMY. TURNED HERO OF USSR IN WWII. ...

DAILY PAGE

MAY 1 - MAY DAY CAME AS MY FIRST HOLIDAY AND PARADE ECT. CLOSED AFTER SPECTACULAR MILITARY PARADE AND WORKERS PARADE PAST REVIEWING STAND WAVING FLAGS AND PICTURES OF MR. KENNEDY ECT. I FOLLOW THE AMER. CUSTOM OF MARKING A HOLIDAY BY SLEEPING IN IN THE MORNING. AT NIGHT I DINE WITH THE ZEBERS CHILDREN AT AN PARTY THROU BY THEM ABOUT 40 PEOPLE LONG MANY OF ARGENTINE ORIGIN WE DANCE AND PLAY AROUND AND ORIGIN UNTIL 2 AM. WHEN PARTY BREAKS UP LEONARA ZELER DINES TON. 26 FORMALLY MARRIED NOW DIVORCED A TALENTED SINGER. ANITA ZELER SO VERY GAY, NOT SO ATTRACTIVE BUT IN HER OFF. HER BOY-FRIEND AFRAND'S ZELER ADVISES ME TO GO BACK TO USA, ITS THE FIRST VOICE OF OPPOSITION I HAVE HEARD. I RESPECT ZELER, HE HAS SEEN THE WORLD HE SAYS MANY THINGS, AND RELATES MANY THINGS I DO NOT KNOW ABOUT THE U.S.S.R. I BEGIN TO FEEL UNEASY INSIDE, ITS HARD!

JUNE-JULY SUMMER MONTHS OF GREEN BEAUTY, PINE FOREST VERY BEER. I ENJOY MANY SUNDAYS IN THE ENVIRONMENT OF MOUNTAINS WITH THE ZEBERS WHO HAVE A CAR, MAS, WITH ALFREDO ALWAYS GOES AWAY WITH ANITA. LEONARA SEEMS TO HAVE NO PERSONAL BOY-FRIEND BUT MANY ADMIRERS. SHE HAS A BEAUTIFUL SPANISH FINE LOW BLACK HAIR, LIKE ANITA I NEVER PAY MUCH ATTENTION TO HER SHE TOO OLD FOR ME SHE SEEMS TO DISLIKE MY LACK OF ATTENTION FOR SOME REASON. SHE IS NIGHT STRONG I HAVE BECOME UNCOMFORTABLE TO A SMALL CAFE WHICH IS WHERE I DINE IN THE EVENING THE FOOD IS GENERALLY POOR AND ALWAYS EXACTLY THE SAME, EVEN IN MY CAFE AT ANY POINT IN THE CITY. THE FOOD IS CHEAP AND I DON'T REALLY CARE ABOUT QUALITY AFTER THREE YEARS IN THE U.S.A.

AUG-SEPT AS MY RUSSIAN IMPROVES I BECOME INCREASINGLY CONSCIOUS OF JUST WHAT SORT OF A SOCIETY I LIVE IN. MASS GYMNASIUMS, COMPULSORY AFTERWORK MEETING, HEALTHY POLITICAL INFORMATION MEETING. COMPULSORY ATTENDANCE AT LECTURES AND THE SENDING OF THE ENTIRE SHOP COLLECTIVE (EXCEPT ME) TO PICK POTATOES ON SUNDAY, AT A STATE COLLECTIVE FARM. A PATRIOTIC DUTY TO BRING IN THE HARVEST. THE OPIONS OF THE WORKERS (UNVOICED) ARE THAT ITS A GREAT PAIN IN THE NECK, THEY DON'T SEEM TO BE ESPECIALLY ENTHUSIASTIC ABOUT ANY OF THE "COLLECTIVE" ACTIVITIES. NATURAL FEELING FADING INCREASINGLY AWARE OF THE PRESENCE, I WILL THING, OF LEIBIZEN, SHOP PARTY SECRETARY, FOR FEELING, I WILL THING, ON THE OUTSIDE HE IS A NO-SENSE PARTY REGULATOR.

DAIRY

Page 8

Oct. The coming of Fall, very spread of a new Russian winter. The melon and in splendid colors and reds of Fall in colorless. Apples peaches apricots and cherries abound for these first few weeks I am a healthy brown color and stuffed with fresh fruit. (At other times of the year unattractive)

Oct. 18 My 21st Birthday sees Rosa, Paul, Ella ~~and~~ at a small party at my PAPA's Ella a very attractive Russian girl I have been going walking with LUTY, works at the Radio Factory also. Rosa and Ella are jealous of each other it brings a warm feeling to me. Both are at my dinner for the first time. Ella and Paul both give me trays (I don't smoke) we are in a way

NOV. Feels the approach of winter now, following loneliness overtakes me in spite of my conquest of EMMA TACHINA. A girl from Riva, studying at the music conservatory, in which Red ~~street~~ offer an office which last a few weeks we meet

NOV. I make the acquaintances of four girls room at the Sov. Inst. Dormitory in room 212. NEIL is very interesting, so is TOMKA, TOPA and ALMA, I usually go to the Institute Dormitory with a friend of mine who speaks English very well, ERASH T. YOU is in the factory

Year at the medical institute, very bright fellow at the dormitory we 6 sit and talk for hours in English. I am having a light affair with NEIL KOROKA.

JAN. New Year I spend at home of ELD GERMAIN. I think I'm in love with her. She has refused my more dishonourable advances, we drink and eat in the presence of her family in a very hospitable atmosphere. Later I go home drunk and happy. Passing the river home wards, I decide to propose to ELD.

JAN. 2. AFTER A PLEASANT HANDSOME WALK TO THE LOCAL CINEMA we come home, standing on the doorstep I propose. She hesitates then refuses, my love is real but she has none for me, her reason besides lack of love; I am American and someday might be arrested simply because of that example of Polish Intervention in the 20's. led to arrest of all people in the Soviet Union of Polish origin "you understand the world reputation there is too much against you and you don't even know it" I am stunned still snickers at my awkward in following to go (I'm too stunned to think) I realize she was there, reason with me but only exploited my being an American in order to get the envy of the other girls who consider me different from the Russian boys. I am miserable!

D.R.I.V. PAGE 9

JAN 3. I AM MARRIED ABOUT 5 L.A. I LOVE HER BUT WHAT CAN I DO
 THE STATE OF CALIF. WHICH WAS BORN IN THE SOVIET UNION.
 JAN 4. ONE YEAR AFTER I RECEIVED THE RESIDENCE DOCUMENT I
 AM CALLED IN TO THE PASSPORT OFFICE AND ASKED IF I WANT
 CITIZENSHIP (RUSSIAN), I SAY NO SIMPLY EXTEND MY RESIDENTIAL
 PASSPORT TO AGREE AND MY DOCUMENT IS EXTENDED UNTIL JAN 4, 1962

FEB - 4 - 31 I AM STARTING TO RECONSIDER MY DESIRE ABOUT STAYING
 THE WORK IS DRAB THE MONEY I GET HAS NOWHERE TO BE SPENT
 NO NIGHTLIVES OR BSWINGO NIGHTS NO PLACES OF RECREATION ABOUT
 THE TRADE UNION OFFICES I HAVE MADE INTO ENOUGH.
 FEB. 15 I MAKE MY FIRST REQUEST TO AMERICAN EMBASSY, MOSCOW
 FOR RECONSIDERING MY POSITION, I STATED "I WOULD LIKE TO GO BACK TO
 F.B.I. 2800 receive letter from Embassy. Richard E. STREYDORF
 STATES "I COULD COME IN FOR AN INTERVIEW ANY TIME I WANT"
 MARCH 1 - 15 I NOW LIVE IN A STATE OF EXPECTATION ABOUT
 GOING BACK TO THE U.S. I CONFIDED WITH ZECHE HE SUPPORTS
 MY JUDGMENT BUT WARNS ME NOT TO TELL ANY RUSSIAN ABOUT
 MY DESIRE TO RETURN. I UNDERSTAND NOW WHY.

MARCH 17 - I AND ERICH WENT TO TRADE UNION DANCE DANCING
 BUT AT THE LAST HOUR I AM INTRODUCED TO A GIRL WITH
 A FRENCH HAIR-DO AND RED-DRESS WITH WHITE SHOES I DANCE
 WITH HER. THEN ASK TO SHOW HER HOME I DO, ALONG WITH 5
 OTHER ADMIRERS HER NAME IS MARRIWA. WE LIKE EACH OTHER
 RIGHT AWAY SHE GIVES ME HER PHONE NUMBER AND DEPARTS
 HOME WITH AN APT-30-NEW FRIENDS IN A TAXI I WALK HOME

MARCH 18 - 21 - WE WALK & TALK A LITTLE ABOUT MYSELF AND
 TALKS ALOT ABOUT HERSELF. HER HOME IN MARIWA. PROBABLY

APR. 14 - 30 WE ARE GOING STEADY AND I DECIDE I WANT HER
 HER, SHE PUTS ME OFF SO ON APRIL 15 I PROPOSE, SHE ACCEPTS

APR 13, AFTER A 7 day delay at ITD MARRIAGE BUREAU
 BECAUSE OF MY UNUSUAL PURSUIT THEY ALLOW US TO REGISTER
 AS MAN & WIFE TWO OF MARRIAGE TOGETHER GIRL FRIENDS AND
 UNDERMAIDS. WE ARE MARRIED. AT HER AUNT'S HOME WE HAVE
 A DINNER, RECEPTION FOR ABOUT 20 FRIENDS AND REBOILERS WHO
 WISH US HAPPINESS (IN SPIRIT OF MY ORIGIN I ACCEPT) WHICH
 TAKES IN GENERAL SUTTY, ARGUMENTS TO MY RUSSIAN SENSE FOR.
 THE VERY WARE IN THE SOVIET UNION EVEN TONIGHT. AFTER
 AN EVENING OF SUTTY, C&K DRUNKENLY IN WHICH UNCLE MOOSEY
 STARTED A BRIGHT AND THE FINE BLOW ON AN OVERLOADED CIRCLE
 WE TAKE OUR LEAVE AND WALK THE 15 MINUTES TO OUR HOME
 WE LIVED NEAR EACH OTHER. AT MIDNIGHT WE WERE HOME.

DIARY PAGE 10

MAY DAY 1951. FOUND US THINKING ABOUT OUR FUTURE. IN FACT I MARRIED MARIANA TO MEAT ELLA I FOUND MYSELF IN LOVE WITH MARIANA.

MAY - THE TRANSITION OF CHANGING FULL LOVE FROM ELLA TO MARIANA WAS VERY PAINFUL ESP. AS I SAW ELLA ALMOST EVERY DAY AT THE FACTORY BUT AS THE DAYS WENT BY I ADJUSTED MORE AND MORE MY WIFE MENTALLY. I STILL HADN'T TOLD MY WIFE OF MY DECISION TO RETURN TO THE U.S. SHE IS MADLY IN LOVE WITH ME FROM THE VERY START. SHE RIDES ON LAKE MINSK WALKS THROUGH THE PARKS EVENING AT HOME OR AT AUNT VALIE'S PLACE NEAR MINSK.

JUNE - A CONTINUENCE OF MAY, EXCEPT THAT WE DROVE CLOSER AND I THINK VERY LITTLE NOW OF ELLA. IN THE LAST DAYS OF THIS MONTH I LOVE MY WIFE TO RETURN TO AMERICA. MY WIFE IS SLIGHTLY SICK BUT THEN SUGGESTS ME TO DO WHAT I WISH TO DO.

JULY - I DECIDE TO TAKE MY TWO WEEK VACATION AND TRAVEL TO MOSCOW (WITHOUT POLICE PERMISSION) TO THE AMERICAN EMBASSY TO SEE ABOUT GETTING MY PASSPORT BACK AND MAKE ARRANGEMENTS FOR MY WIFE TO ENTER THE U.S. WITH ME.

JULY 8 - I FLY BY PLANE TO MINSK ON A IL-20. LATER AFTER TAKING A TEARFUL AND ANXIOUS PARTING FROM MY WIFE I ARRIVE IN MOSCOW DEPARTING BY BUS FROM THE AIRPORT I ARRIVE IN THE CENTER OF THE CITY. MAKING MY WAY THROUGH HEAVY TRAFFIC I DON'T COME IN SIGHT OF THE EMBASSY UNTIL 3:00 IN THE AFTERNOON. ITS SATURDAY WHAT IF THEY ARE CLOSED? ENTERING I FIND THE OFFICES EMPTY BUT MANAGE TO CONTACT SNIYDER ON THE PHONE (SINCE HE HAS EMBASSY PERSONAL LINE ON THE SAME BUILDING) HE COMES DOWN TO greet me shake my hand after interview he advises me to come in first thing mon.

(see - July 8-13.)

JULY 8. INTERVIEW JULY 9 REVIS PASSPORT. CALL MARIANA TO MOSCOW.

JULY 14. I AND MARIANA RETURN TO MINSK.

JULY 15. MARRIAGE AT WORK, SO SHOCKED TO FIND OUT THEY EVERYONE KNEW SHE ENTERED THE U.S. EMBASSY. THEY WERE CALLED AT HER PLACE OF WORK FROM SOME OFFICIAL IN MOSCOW. HE HAD A ROOSTER AND GIVE HER A BROWN BREAD. THE FIRST OF MANY.

25

W.I.A.S. *Third page*

JULY 15 - AUG 20. We have found out which ~~papers~~ and certificates are necessary FOR TO ARRIVE FOR A EXT VISA THEY NUMBER ABOUT 20 PATENT BIRTH CERTIFICATES AFFIDAVITS MARRIAGE ect. ON AUG 20th we put the papers out they say it will be 3 1/2 months before we know whether itself let us go or not. in the meantime MARRINA HAS HAD TO TAKE A DIFFICULT MEETING AT THE PLACE OF WORK HELD BY HER BASS AT THE direction of "someone" by phone. The young com. leave headquarters also called about Jan - she had to go she then for 1 1/2 hrs. The purpose (apparently) is to dissuade her from going to the U.S.A. NET EFFECT: MAKE HER MORE STUBBORN ABOUT WANTING TO GO. MARRINA IS DETERMINED. WE ONLY HOPE THAT THE VISAS COME THROUGH SOON.

AUG 21 - SEPT 1. I MAKE EXPECTED THINGS TO THE PASSPORT & VISA OFFICE ALSO TO MINISTRY OF FOR AFFAIRS IN MINDK, ALSO MIN. OF INTERNAL AFFAIRS, ALL OF WHICH HAVE A SAY IN THE GRANTING OF A VISA. I EXTRACTED PROMISES OF QUICK ATTENTION TO U.S.

SEPT - OCT 18. NO WORD FROM MARRINA. ("THEY'LL CALL US") MARRINA LEAVES MINDK BY TRAIN ON VACATION TO THE CITY OF KHAROV IN THE URALS TO VISIT AN AUNT for 2 weeks. DURING THIS TIME I AM LONELY BUT I HAD ERICH GO TO THE GARDEN AND PURCH. PLANTS FOR ENTERTAINMENT. I WANT NONE THIS IN QUITE A FEW MONTHS NOW.

I SPEND MY BIRTHDAY ALONE AT THE OFFICE WATCHING MY FAVORITE "QUEEN OF SPAINLES" I AM 22 YEARS OLD.

NOV 2 MARRINA ARRIVES BACK, RADIANT, WITH SEVERAL STARS OF PROMERSES FOR ME FROM HER AUNT & NYPKOV.

NOV - DEC. NOW WE ARE BEGINNING TALKS ABOUT THE BELONG MARRINA IS BEGINNING TO WAVE ABOUT GOING TO THE U.S. PROBABLY FROM THE STRIKE AND HER BEING PROBABLY STILL WE GUARANT AND SO THINGS ARE NOT TO BR. INT. U.S.P. WITH THE APPROX OF THE WINTER RUSSIAN WINTER.

DEC 25th WITH MY TUES. MARRINA IS CALLED TO THE PASSPORT & VISA OFFICE. SHE IS TOLD WE HAVE BEEN GRANTED SOME EXT. VISA. SHE FINE SET THE COMPLETING BLANK AND THING DOWN. I THINK WITH IN ABOUT ITS GREAT (I THINK I) NEW YEAR. WE MET AT THE CLUB AT A BIRTHDAY PARTY AT NIGHT. ATTENDING MY OTHER FRIENDS.

JAN 4. I AM CALLED TO THE PASSPORT OFFICE SINCE MY RESIDENTIAL PASSPORT EXPIRES TOMAY. SINCE I NOW HAVE A U.S. PASSPORT IN MY POSSESSION I MAY BECOME A VERY NEW RESIDENT. THE OFFICE OFFERED ME A VISA. THEY HAVE GIVEN US PERMISSION TO LEAVE, AND WE WOULD BE ABLE TO GO TO JULY 5 1962.

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O-T-R-V PAGE 12

Jan 15. Days of cold Russian winter. But we feel fine
 Feb. 15. MARINA is supposed to have baby on March 12.

Feb. 15 - Dawn. MARINA wakes me. its her time. at 9:00 we
 arrive at the hospital I leave her in care of nurses and
 leave to go to work. 10:00 MARINA HAS A BABY GIRL. When I
 visit the hospital at 5:00 after work, I am given news
 we both wanted a boy. MARINA feels well, baby girl, ok

Feb. 23 MARINA LEAVES HOSPITAL I see Gure for first time

Feb. 28 I go to REGISTRA (AS REQUIRED BY LAW) THE BABY
 I WANT HER NAME TO BE Gure maria Oswald. But
 those bureaucrats say her middle name must be the
 same as my first. A RUSSIAN CUSTOM SUPPORT BY
 A LAW. I REFUSE TO HAVE HER NAME WRITTEN AS "Gure Lee".
 They promise to call the city ministry (city hall) and
 find out in this case since I do have an U.S. passport

Feb. 29. I am told that nobody knows what to do except, but
 everyone agrees "Go ahead and do it." "PO. RUSSKI". Name: Gure Lee

March. The last commiques are exchanged between myself
 and embassy. letters are always arriving from my mother
 and brother in the U.S. I AMKE STILL NOT TOLD ERICH who
 is my oldest existing acquaintance, that we are going to
 the state, he's ok. But I'm afraid he is too good a
 young Communist League member so I'll wait till late June.

MARCH 28 - MARINA QUITS HER JOB IN THE FORMER FASHION

MARCH 28 I receive a letter from IMMIGRATION & CUSTOMS
 SERVICE AT SAN ANTONIO, TEXAS, THAT MARINA HAS HAD HER
 VISA EXTENSION TO THE U.S. (APPROVED!!) THE LAST DOCUMENT. NOW
 we ONLY HAVE TO WAIT FOR THE U.S. EMBASSY TO RELIVE THEIR
 COPY OF THE APPROVAL SO THEY CAN OFFICIALLY GIVE THE GO AHEAD.

MARCH 28 I receive a letter from MR. PHILLES (A ...)
 OF MY MOTHER, PLEDGING TO SUPPORT MY WIFE IN CASE OF NEED.

APRIL -

American Embassy
Moscow, U.S.S.R.

Lee H. Oswald
Kalinina St.
House 4, Apt. 24
Minsk, U.S.S.R.
January 17, 1962.

affidavit of support

I, Lee H. Oswald, affirm that I have the ability and desire to support my wife, Marina N. Oswald, from such time as she shall become a resident of the U.S.A..

I have no obligations of support to any other person and I have no other debts, expenses or obligations to my firm or individual.

I am fully employable in the occupational fields of metals and electronics.

Plans have been made for my wife to reside with me in Vernon, Texas at the residence of my mother Mrs. M. Oswald.

Lee H. Oswald

Feb 20

Поправь Марку
Мне не востановит ли тебе
хорошо

Как жебы тебе хорошо?
Сезон не падать же на пол
содержит тебе же и ты же на пол
она не так же не так же на пол
тебе же не так же не так же на пол
или же не так же не так же на пол

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COMMISSION EXHIBIT
#57

JFK EXHIBIT F-493

JFK EXHIBIT F-493

JFK EXHIBIT F-494

Exhibit No. 1
 on Elimination
 of "Niggers,"
 23 W 26th St. Johnson
 4/11/64

LA Esquivel
 25, 201 30061
 New Orleans, La

J.P.M.
 [Signature]

Dear Sir,

As a long time subscriber to the Worker I know I can ask a favor of you with full confidence of its fulfillment

I have formed a "Fair Play for Cuba Committee" here in New Orleans, I think it is the best way to attract the brown mass of people to a popular struggle.

A. Johnson
 Exhibit #1

I ask that you give me as much literature as you judge possible since I think it would be very nice to have your literature among the "Fair Play" leaflets (like the one enclosed) pamphlets in my office.

Also please be as kind as

to convey the enclosed "honorary
membership" cards to those
fighters for peace Mr. Ken Wall
and Mr. C. Davis.

Yours faithfully,
Leo H. Gurnea
June 10, 1962

A. Johnson
Exhibit #1

HANDS OFF CUBA!

**Join the Fair Play for
Cuba Committee**

**NEW ORLEANS CHARTER
MEMBER BRANCH**

Free Literature, Lectures

LOCATION:

A. Johnson
Exhibit #1

EVERYONE WELCOME!

FOR POST OFFICE USE ONLY	POSTMASTER	DATE BOX OPENED	DATE BOX CLOSED	BOX NO.
		NOV - 1 1963		6225

APPLICANT PLEASE NOTE: Completion of this application signifies your willingness to comply with all postal rules relative to the renting and use of Post Office boxes.

NAME OF APPLICANT (Print or type)
LEE H. OSWALD

NAME OF FIRM OR CORPORATION (If box is rented for use of either)
FAIR PLAY FOR CUBA COMMITTEE
AMERICAN CIVIL LIBERTIES UNION

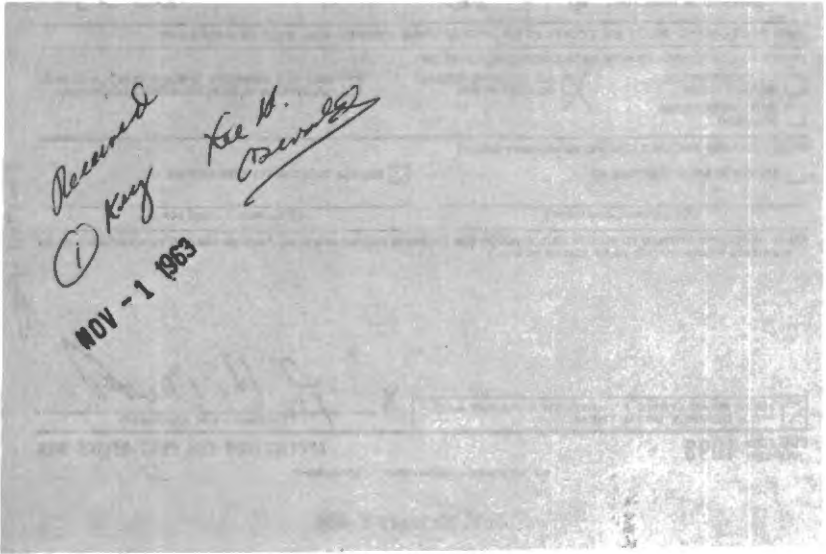
KIND OF BUSINESS
None Profit.

BUSINESS ADDRESS (No., street, and some)

HOME ADDRESS (No., street, and some)
3610 N. Beckley

SIGNATURE OF APPLICANT X <u>Lee H. Oswald</u>	DATE OF APPLICATION <u>Nov. 1, 1963</u>
--	--

11-22-63



FOR POST OFFICE USE ONLY	POSTMASTER N. B. 1953	DATE BOX OPENED OCT 9 - 1952	DATE BOX CLOSED MAY 14 1953	BOX NO. 2915
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APPLICANT PLEASE NOTE: Completion of this application signifies your willingness to comply with all postal rules relative to the renting and use of Post Office boxes.

NAME OF APPLICANT (Print or type)
LEE H. OSWALD

NAME OF FIRM OR CORPORATION (If box is rented for use of either)

KIND OF BUSINESS

BUSINESS ADDRESS (No., street, and zone)

HOME ADDRESS (No., street, and zone)

3519 FAIRMORE AVE. N. Orls 7

SIGNATURE OF APPLICANT X Lee H. Oswald DATE OF APPLICATION Oct 7, 1952

11-22-63

11-22-63

For Post Office Use Only ENTERED IN DIRECTORY	INITIALS OF CLERK ve	INITIALS OF CARRIER	BOX NO. 6225
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THE FOLLOWING MUST BE COMPLETED AND SIGNED BEFORE P.O. BOX IS ASSIGNED

DELIVER MAIL IN ACCORDANCE WITH INSTRUCTIONS CHECKED BELOW

ALL EXCEPT SPECIAL DELIVERY IN BOX
 ALL INCLUDING SPECIAL DELIVERY IN BOX
 ONLY MAIL ADDRESSED TO BOX IS TO BE PLACED IN IT. ALL OTHER MAIL TO BE DELIVERED AS ADDRESSED.
 OTHER INSTRUCTIONS (Explain)

SPECIAL DELIVERY MAIL ONLY (Deliver as checked below)

DELIVER TO LOCAL RESIDENCE AT (No., street, and zone)
 DELIVER TO LOCAL BUSINESS ADDRESS AT (No., street, and zone)

NAMES OF PERSONS ENTITLED TO RECEIVE MAIL THROUGH BOX (If box is rented to a firm, include the full name of each of its members whose mail is to be placed in box.)

HAVE READ ITEMS 1 THROUGH 5, ABOVE AND WILL COMPLY WITH THEM. X Lee H. Oswald (Signature of applicant)

POD FORM JULY 1950 1093 APPLICATION FOR POST OFFICE BOX D-17

JFK EXHIBIT F-497

Exhibit NO 2
 on deposits of U.T. May 26
 Lee, 4117164 at New
 York, N.Y. J. L. R.
 V. T. Lee

I am requesting formal
 membership in your organization.
 In the past I have received
 from you pamphlets etc., both
 bought by me and given to me
 by you.

Now that I live in New
 Orleans I have been thinking
 about renting a small office
 at my own expense for the
 purpose of forming a F.P.C.C.
 branch here in New Orleans.

could you give me a
 charter?

also I would like information
 on buying pamphlets etc. in
 large lots, as well as blank
 F.P.C.C. applications etc.

V. T. Lee
 Exhibit #2

also, a picture of Fidel,
 suitable for framing would be

22. Welcome Tour.

4 Offices down here rent for 30. a month and if I had a steady flow of literature I would be glad to take the expense.

Of course I work and could not supervise the office at all times but I'm sure I could get some volunteers to do it.

Could you add some advice or recommendations?

I am not saying this project would be a roaring success, but I am willing to try.

an office, literature, and getting people to know you are the fundamentals of the F.P.C.C. as far as I can see so here's hoping to hear from you.

yours respectfully
Lee Howard

W. H. Carroll
121 N. 30061
San Antonio, Tx

A. Johnson
Exhibit #4

Central Committee
et, U.S.A.

August 28, 1963

Amid
please
reply

W. H. Carroll
121 N. 30061
San Antonio, Tx

Please act on me upon a
question of personal tactics.

I have lived in the Soviet
union from Oct. 1958 to July 1962.

I had, in 1959, in Moscow, tried
to legally dissolve my United
States citizenship in favor of Soviet
citizenship, however, I did not
complete the legal formalities for this.

Upon my coming back to the U.S.
in 1962 and thrown myself
into the struggle for progress
and freedom in the United
States, I would like to know
exactly, in your opinion, I can
continue to fight, handicapped as
it is, by my past record, can
I still, under these circumstances, compete

the - progressive force, above-
ground or whether in your opinion
I should always remain in the
background, i.e. underground.

Our opponents could not say
background of work as with
U.S.S.R. against any cause which
I join, by association, they could
say the organization of which I
am a member, is Russian controlled
act. I am sure you see my
point.

I could of course openly proclaim,
if pressed on the subject that
I wanted to denounce my American
citizenship as a personal protest
against the policy of the U.S. government
in supporting dictatorships, etc.
But what do you think I should

is it correct in the next to be
in general?

Should I discontinue my work from
all progressive activities?

When in New Orleans, I am
secretary of the local branch of
the "Miss Mary Foster Committee",
a position which, frankly, I have
to hide the fact, communist intent.
On a local radio show, I was
attacked by Cuban life's organization
representatives for my residence at,
in the Soviet Union. I D

I feel I may have compromised
the C.P.C., so you see that
I need the advice of trusted,
long time fighters for progress.
Please advise.

With Grateful greeting
Sincerely
Lee H. Arnold



Viernes. 27 de septiembre 1853

No.	Nombre	Procedencia	Calidad
1	Jr. Isabel Salsar	Procedencia Oaxaca	Propietaria
2	Agustina Guzman	Luzman de E. Pineda	Propietaria
3	Rafael Durango	Mazatlan Dgo. Propietario	Propietario
4	Antonio Abila	Apacualtlan Oaxaca	Propietario
5	Montes Guzman	D. F.	Propietario
6	Fernando Valenzuela	U. Laredo Tlax. Oaxaca	Propietario
7	Angelina Fernandez	Saltillo Coah. Oaxaca	Propietaria
8	Francisca Marquez	Tehuacan Tlax. Oaxaca	Propietaria
9	Martha Amador	S. L. Potosi Oaxaca	Propietaria
10	José Luis Amador	Obispano Oaxaca	Propietario
11	Pedro Amador	Tehuacan Oaxaca	Propietario
12	María Santos	Saltillo Coah. Oaxaca	Propietaria
13	Rafael Pacheco	Tehuacan Oaxaca	Propietario
14	Juan Antonio Contreras	O. Amador Coah. Oaxaca	Propietario
15	Juan Antonio Contreras	San Juan Coah. Oaxaca	Propietario
16	Rafael Contreras	Obispano Oaxaca	Propietario
17	Rafael Contreras	Obispano Oaxaca	Propietario
18	Jose Maria Amador	U. S. Tlax. Oaxaca	Propietario
19	Pedro Amador	S. L. Potosi Oaxaca	Propietario
20	Antonio Amador	Leona Coah. Oaxaca	Propietario
21	María Amador	Saltillo Coah. Oaxaca	Propietaria
22	Roberto Lopez	D. F.	Propietario
23			
24	Juan Antonio Pacheco	Durango Coah. Oaxaca	Propietario
25	Agustina Lopez	Monterrey Coah. Oaxaca	Propietaria
26	Alfredo Garcia	Guadalupe Oaxaca	Propietario
27			
28	José Amador	Guadalupe Oaxaca	Propietario
29	Manuel Serrano	Monterrey Coah. Oaxaca	Propietario
30			

~~Exhibit (?) for identification~~

Commission Exhibit 103

Dear Sirs.

This is to inform you of ~~my~~ ^{my} interviews with consular ~~person~~ ^{person} in the Embassy of the Soviet Union Mexico City, Mexico.

I was unable to remain in Mexico City ~~to~~ ^{to} ~~conduct~~ ^{conduct} indefinitely because of my ~~own~~ ^{own} Mexican visa restrictions ~~which~~ ^{which} was for 15 days only, ~~which~~ ^{which} I could not apply for an extension unless I used my real name as I returned to the U.S. I and my ~~name~~ ^{name} ~~Michael~~ ^{Michael} are now living in Dallas, Texas, ~~and~~ ^{and} ~~not~~ ^{not} ~~at~~ ^{at} ~~the~~ ^{the}

The FBI is not now interested in my activities in the progressive organization, F.P.C.C. of which I was secretary in ~~the~~ ^{the} ~~state~~ ^{state} ~~of~~ ^{of} Louisiana since I am no longer ~~connected~~ ^{connected} ~~with~~ ^{with} that state.

~~From~~ ^{From} ~~the~~ ^{the} ~~FBI~~ ^{FBI} ~~has~~ ^{has} ~~advised~~ ^{advised} me that the FBI has advised us here in Texas on Nov. 1st. a agent of the FBI James P. ~~Stacy~~ ^{Stacy} warned me that if I attempt to ~~engage~~ ^{engage} in F.P.C.C. activities in Texas the FBI will appear ~~in~~ ⁱⁿ an "interest" in me. ~~Stacy~~ ^{Stacy} also "suggested" that my wife could remain in the U.S. under FBI protection, that is, she could ~~defeat~~ ^{defeat} ~~from~~ ^{from} ~~the~~ ^{the} ~~Soviet~~ ^{Soviet} ~~Union~~ ^{Union}. Of course I and my wife strongly ~~opposed~~ ^{opposed}

D-441321 AX Q449



PAYEE MUST ENDORSE BELOW ON LINE MARKED "PAYEE"

OWNERSHIP OF THIS ORDER MAY BE TRANSFERRED TO ANOTHER PERSON OR FIRM IF THE PAYEE WILL WRITE THE NAME OF SUCH PERSON OR FIRM ON THE LINE MARKED "PAY TO" BEFORE WRITING HIS OWN NAME ON THE SECOND LINE. MORE THAN ONE ENDORSEMENT IS PROHIBITED BY LAW. BANK STAMPS ARE NOT REGARDED AS ENDORSEMENTS.

PAY TO THE ORDER OF **CAUTION IDENTIFICATION NUMBER**

The First National Bank of Chicago

PAY TO

50 91144

KLEIN'S SPORTING GOODS, INC.

<i>RHS</i>	<i>11-23-63</i>
<i>JHM</i>	<i>11-23-63</i>
<i>DEP</i>	<i>11-23-63</i>
<i>QAY</i>	<i>11-24-63</i>



THIS ORDER BECOMES INVALID AFTER 20 YEARS.
THEREAFTER NO CLAIM FOR PAYMENT WILL BE CONSIDERED.

THE FIRST NATIONAL BANK OF CHICAGO

FORM W-4 (Rev. July 1961)
Internal Revenue Service

EMPLOYEE'S WITHHOLDING EXEMPTION CERTIFICATE

Print full name LEE HARVEY OSWALD Social Security Account Number 433-5-4-3932
Print home address 2515 WEST 5TH ST City IRVING State TEXAS

EMPLOYEE:
File this form with your employer. Only one form must withhold U. S. income tax from your wages without exemption.

EMPLOYER:
Keep this certificate with your records. If the employee is believed to have claimed too many exemptions, the District Director should be so advised.

HOW TO CLAIM YOUR WITHHOLDING EXEMPTIONS

- If SINGLE, and you claim an exemption, write the figure "1".
- If MARRIED, one exemption each is allowable for husband and wife if not claimed on another certificate.
 - (a) If you claim both of these exemptions, write the figure "2".
 - (b) If you claim one of these exemptions, write the figure "1".
 - (c) If you claim neither of these exemptions, write "0".
- Exemptions for age and blindness (applicable only to you and your wife but not to dependents):
 - (a) If you, or your wife will be 65 years of age or older at the end of the year, and you claim this exemption, write "1"; if both will be 65 or older, and you claim both of these exemptions, write "2".
 - (b) If you or your wife are blind, and you claim this exemption, write the figure "1"; if both are blind, and you claim both of these exemptions, write the figure "2".
- If you claim exemptions for one or more dependents, write the number of such exemptions. (Do not claim exemption for a dependent unless you are qualified under instruction 4 on other side.)
- Add the number of exemptions which you have claimed above and write the total. 2
- Additional withholding per pay period under agreement with employer. See Instruction 1. 4
- Additional withholding exemptions claimed on this certificate does not exceed the number to which I am entitled. 3

(Date) April 16, 1963 (Signed) Lee Harvey Oswald

JFK EXHIBIT F-501

01-25

FROM: LEE H. OSWALD, P.O. BOX 6225, DALLAS, TEXAS
MARINA NICHILAYEVA OSWALD, SOVIET CLOSURE

TO: CONSULAR DIVISION
EMBASSY U.S.S.R.
WASHINGTON, D.C.
NOV. 9, 1963

612515
20-XI-63

Dear sirs;

This is to inform you of recent events since my meetings with comrade Kostin in the Embassy Of the Soviet Union, Mexico City, Mexico.

I was unable to remain in Mexico indefinitely because of my Mexican visa restrictions which was for 15 days only. I could not take a chance on requesting a new visa unless I used my real name, so I returned to the United States.

I had not planned to contact the Soviet embassy in Mexico so they were unprepared, had I been able to reach the Soviet Embassy in Havana as planned, the embassy there would have had time to complete our business.

Of course the Soviet embassy was not at fault, they were, as I say unprepared, the Cuban consulate was guilty of a gross breach of regulations. I am glad he has since been replaced.

The Federal Bureau of Investigation is not now interested in my activities in the progressive organization "Fair Play For Cuba Committee", of which I was secretary in New Orleans (state Louisiana) since I no longer reside in that state. However, the F.B.I. has visited us here in Dallas, Texas, on November 1st. Agent James P. Hasty warned me that if I engaged in F.P.C.C. activities in Texas the F.B.I. will again take an "interest" in me.

This agent also "suggested" to Marina Nichilayeva that she could remain in the United States under F.B.I. "protection", that is, she could defect from the Soviet Union, of course, I and my wife strongly protested these tactics by the notorious F.B.I..

Please inform us of the arrival of our Soviet entrance visa's as soon as they come.

Also, this is to inform you of the birth, on October 20, 1963 of a DAUGHTER, AUREY MARINA OSWALD in DALLAS, TEXAS, to my wife.

Respectfully,
Lee H. Oswald

Oswald, Lee H. 2515 W. 5th St. Irving

43628 433-54987 23 150 59

New Orleans, La. continuously
11th Home School Arlington Heights Ill. 2/28/44

no SINGLE () HOW MANY DEPENDENTS 2 dependent

U.S.M.C. (three year) NATURE OF WORK air-wing

Honorable discharge

three years

yes NATURE OF WORK Practical nurse

CHURCH U.G. C.P.

no

no DO YOU LIVE WITH PARENTS no

clearing (accounting) work in military service, experienced with Dittie, adding and some typing mechanical and filing system

Oct. 15, 1963

[Signature]

2
D-8



JFK EXHIBIT F-504

U.S. FORCES, JAPAN (在日本) IDENTIFICATION CARD (身分証明書)	
Name (姓名)	OSWALD, LEE H.
Grade (階級)	PVT
SM. (番号)	1653230
Organization (所属部隊)	MAGS-1 MAG-11 IBCMAN
Signature (署名)	<i>Lee H. Oswald</i>

FEC. INT. 317
48-118 Army-AG Adjud. Com. AFTR 3004

Nationality (国籍)	American
Date of Birth (生年月日)	18 October 1939
Identity Card No. (身分証明書番号)	
Date of Issuance (発行日)	006/6
	8 May 1958
Signature of Issuing Officer (発行官署名)	<i>R. E. Lewis</i> Adjutant

JFK EXHIBIT F-505A

FAIR PLAY FOR CUBA COMMITTEE
NEW ORLEANS CHAPTER

L. H. OSWALD

Name

L. H. Oswald

Signature

JUN 15 1963 *O. J. Hittell*

Issued

Chapter President

(Reverse side is blank.)

JFK EXHIBIT F-505B

**SELECTIVE SERVICE SYSTEM
REGISTRATION CERTIFICATE**

Form No. 2
Rev. 1-21-54
Service required

THIS IS CERTIFY THAT IN ACCORDANCE WITH THE SELECTIVE SERVICE LAW

Lee Harvey OSMALD (LAST NAME)

(FIRST NAME) (MIDDLE NAME)

SELECTIVE SERVICE NO. 111 114 37 532

REFERENCE AT REGISTRATION 3124 West 5th St.

Fort Worth 7 Tarrant Tex.
(CITY OR VILLAGE) (COUNTY AND STATE OR U.S. TERRITORY)

Aug. 18, 1939 (DATE OF BIRTH) New Orleans, La.
(CITY OR VILLAGE) (STATE OR TERRITORY)

WAS DULY REGISTERED ON THE 14 DAY OF Sept. 19 59
(MONTH) (DAY) (YEAR)

(Signature)
(SIGNATURE OF REGISTRANT)

COLOR OF EYES Blue COLOR OF HAIR Brn.

COMPLEXION Med.

HEIGHT 5 FT. 11 IN. WEIGHT 150

TEXAS LOCAL BOARD NO. 114
SELECTIVE SERVICE SYSTEM
RM 2423 36. N. F. ALLEN ST.
FORT WORTH 7, TEXAS

(LOCAL BOARD STAMP)

THE LAW REQUIRES YOU TO HAVE THIS CERTIFICATE IN YOUR PERSONAL POSSESSION
AND TO HAVE YOUR IDENTIFICATION AND TO NOTIFY YOUR LOCAL BOARD OF ANY
CHANGE OF ADDRESS.
SFD-106-O-101008

JFK EXHIBIT F-505C

YOU WILL WANT TO KNOW

- 1. This card may be used at any agency of the library system and must be presented when taking any materials out of the library. Ten cents will be charged for a temporary identification form if the borrower's card is not presented.
 - 2. Each borrower is held responsible for all materials drawn on his card and for all charges accruing on the same.
 - 3. Borrowers will please notify the library of any change of address.
- THE BORROWER IS ADVISED NOT TO LEND HIS CARD TO ANYONE.**

Name Oswald, Mr. Lee Harvey
 M. Address 602 Elabath
 City Dallas Zone _____ Phone _____

Signature [Handwritten Signature]
 Address Same
 City _____ Zone _____ Phone _____

School or Business Jagers-Chiles-Stoval
 Name Jack L. BOWEN
 Home Address 1916 Stevens Forest Dr.
 Phone WH8-8997 Expires 12-7-65

DALLAS PUBLIC LIBRARY OF
 (See Reverse Side)

JFK EXHIBIT F-505D

Nov. 8, 1963

Dear Mr. Hunt,

I would like information
concerning my position.

I am asking only for information.
I am suggesting that we discuss the
matter fully before any steps are
taken by me or anyone else.

Thank you.

Lee Harvey Oswald

[Faded handwritten text, likely a list or notes in Cyrillic script, including names like "Mama", "Dad", and "Sister".]

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 COMMISSION EXHIBIT
 #40

JFK EXHIBIT F-507

Commission Exhibit 97

Exhibit (7) for identification

The COMMUNIST PARTY OF THE UNITED STATES HAS BETRAYED ITSELF!

IT HAS TURNED ITSELF INTO THE TRADITIONAL INSTRUMENT OF A FOREIGN POWER TO OVERTHROW THE GOVERNMENT OF THE UNITED STATES, NOT IN THE NAME OF FREEDOM OR HIGH IDEALS, BUT IN SERVICE CONFORMANT TO THE WISHES OF THE SOVIET UNION AND IN ANTICIPATION OF SOVIET RUSSIA'S COMPLETE DOMINATION OF THE AMERICAN CONTINENT.

The FORSTERS and ~~THE~~ ^{THE} FLYNN'S OF THE UNITED STATES HAVE SHOWN THEMSELVES TO BE WILLING, GULLIBLE MESSAGERS OF THE KREMLIN'S INTERNATIONALIST PROPAGANDA.

THERE CAN BE NO INTERNATIONAL SOLIDARITY WITH THE ARCH-BETRAYERS OF THAT MOST SUBLIME IDEAL.

THERE CAN BE NO SYMPATHY FOR THOSE WHO HAVE TURNED THE IDEA OF COMMUNISM INTO A VILE CURSE TO WESTERN MAN.

THE SOVIETS HAVE COMMITTED CRIMES UNSURPASSED EVEN BY THEIR EARLY DAY CAPITALIST COUNTERPARTS, THE IMPRISONMENT OF THEIR OWN PEOPLES, WITH THE MASS EXTERMINATION SO TYPICAL OF SERIAL, AND

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 and the individual suppression and regimentation
 under Khrushchev.

The deportations, the purposeful starvation
 of diet in the consumer oriented population
 of Russia, the murder of history, the prohibition
 of art and culture.

The Communist movement in the U.S.,
 personalized by the Communist Party U.S.A.,
 has turned itself into a "valuable gold coin"
 of the Kremlin. It has failed to denounce
 any actions of the Soviet Government when
 similar actions on the part of the U.S. Government
 bring picks protest. Examples:

Denounced:

United States

Atom Bomb Test

CUBA

NATL. MANUEVERS

U-2

USSR

no one lynching

NOT DENOUNCED:

RUSSIA

ATOM BOMB TEST

HUNGARY

WARSAW PACT MANUEVERS

SCBEL

EASTERN GERMANY

GENOCIDE

3
 CAN BE SECURING ITSELF TO BE, NOT
 ONLY NOT DEPENDENT UPON, BUT OPPOSED TO,
 SOVIET DOMINATION AND INFLUENCE, CON-
 DORNMENT AND DISILLUSIONED PERSONS HOPE TO
 UNITE TO FREE THE RADICAL MOVEMENT FROM
 ITS INERTIA.

THROUGH THE REFUSAL OF THE COMMUNIST
 PARTY U.S.A. TO GIVE A CLEAR CUT CONDEMNATION
 OF SOVIET PUNITIVE T.T.S, PROGRESSIVES HAVE
 BEEN WEAKEN INTO A STATE CLASS OF FIFTH
 COLUMNIST OF THE NORTHERN.

IN ORDER TO FREE THE HESITATING AND
 JUSTIFIABLY UNCERTAIN, FUTURE ACTIVIST FOR
 THE WORK AHEAD WE ~~WANT~~ ^{MUST} REMOVE THAT
 OBSTACLE WHICH HAS SO EFFICIENTLY RETARDED HIM,
 NAMELY THE QUESTION OF COMMUNIST PARTY U.S.A.
 TO THE SOVIET UNION, SOVIET GOVERNMENT,
 AND SOVIET COMMUNIST INTERNATIONAL MOVEMENT.

IT IS ~~REALLY~~ ^{REALLY} FURTHERMORE THAT A COARING
 ECONOMIC, CRITICAL AND MILITARY CRISIS, INTERNAL
 OR EXTERNAL, WITH CRISIS ABOUT THE FINAL
 COLLAPSE OF THE CAPITALIST SYSTEM, REQUIRING
 COOPERATION AND THE ^{INCORPORATION} ~~WANT~~ IN A SPECIAL
 PARTY LEADING THE WAY IN INDEPENDENT COURSE OF
 ACTION TO BE TAKEN, ESPECIALLY AN AMERICAN COURSE.

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4.
 STEADFASTLY OPPOSED TO INTERVENTION BY OUTSIDE,
 RELATIVELY SIMILE FOREIGN POWERS, NO MATTER
 FROM WHERE THEY COME, BUT IN PARTICULAR,
 AND IF NECESSARY, VICIOUSLY OPPOSED TO
 SOVIET INTERVENTIONS.

NO PARTY OF THIS TYPE CAN ~~ATTRACT~~
 ATTRACT INTO ITS HANDS MORE THAN A
 NOMINAL NUMBER OF FUNDAMENTAL RADICALS.
 IT IS NOT THE ^{NATURE} ~~NATURE~~ OF SUCH AN ORGANIZATION
 TO ATTRACT SUCH MEMBERSHIP, AS LETS SAY,
 THE REPUBLICANS OR EVEN THE SOCIALIST
 PARTY, BUT IT IS POSSIBLE TO ENLIST THE
 AID OF ^{DISSENTING} ~~DISSENTING~~ MEMBERS OF THE SOCIALIST
 PARTY AND EVEN SOME FROM MORE "RESPECTED"
 (FROM A CAPITALIST VIEWPOINT) PARTIES.

BUT WORKING CLASS IDENTIFIABLE ENEMIES
 160
 THIS LEADY AND THEY HAVE NO CONCEPT OF
 WHAT IS AN ORGANIZATION.

THE ^{FACTION} ~~FACTION~~ WHICH HAS THE GREATER BASIS
 IN SUPPORT AND THE MOST SYMPATHIES HAS
 RUSS ^{THE MAJORITY} ~~THE MAJORITY~~ OF THE WAY TO FUTURE, WILL
 BE THE ^{MAJORITY} ~~MAJORITY~~ FACTOR.

IN THIS ^{CONTEXT} ~~CONTEXT~~ IS CLEARLY
 APPARENT THAT ^{THE MAJORITY} ~~THE MAJORITY~~ WHY SHOULD WE
 BELIEVE THAT THERE ARE

5
 FAR GREATER FORCE, AT WORK, TO BRING ABOUT
 A FALL OF THE UNITED STATES GOVERNMENT, THAN
 WE COULD EVER POSSIBLY MUSTER.

WE DO NOT HAVE ANY INTEREST IN DIRECTLY
 ASSUMING THE REINS OF GOVERNMENT IN THE EVENT
 OF SUCH AN UNEXPECTED CRISIS. AS DISSENTERS
 THROUGHOUT WE ARE SECRETLY INTERESTED IN
 BRINGING ABOUT INTERVENTION WHICH IS
 A ^{EASILY} ~~REASONABLE~~ ^{DRAWN} COALITION IF
 ONE BELIEVE IN THE THEORY OF CRISIS.

THE ANTIM GOALS OF A SEPARATE, DEMOCRATIC,
 PURE COMMUNIST SOCIETY IS OUR GOAL, BUT
 ONE WITH WHICH COMMUNISTS, DEMOCRATIC
 SOCIALIZING OF PRODUCTION AND WITHOUT
 RESORT TO THE UNDESIRABLE ^{MARXIST} ~~MEANS~~
 COMMUNISM BY THEIR POWERS.

THE RIGHTS OF PRIVATE PERSONAL ^{PROPERTY}
 RETENTION, MOVEMENT AND FREEDOM OF TRAVEL
 (WHICH HAVE ALL BEEN VIOLATED UNDER PRESENT
 COMMUNIST GOV) MUST BE STRICTLY OBSERVED.

OUR POLICY IS TO MOVE TOWARDS
 THE GOALS AND IDEALS OF THE COMMUNIST PARTY
 WITHOUT THE VIOLATION OF THE RIGHTS OF INTEREST.

OUR POLICY IS TO MOVE TOWARDS
 THE GOALS AND IDEALS OF THE COMMUNIST PARTY
 WITHOUT THE VIOLATION OF THE RIGHTS OF INTEREST.

BUT THESE PREFERRED TACTICS NOW, MAY PROVE
 TO BE TOO LIMITED IN THE NEAR FUTURE, THEY
 SHOULD NOT BE CONFUSED WITH SLAVERY,
 INDECISION OR FEAR, ONLY THE INTELLECTUALLY
 FEARLESS COULD EVEN BE REMAIN ATTRACTED
 OUR DOCTRINE, AND YET THIS DOCTRINE REQUIRES
 THE ~~UTMOST~~ ^{UTMOST} RESTRAINT, A STATE OF BEING
 IN ITSELF UNJUST IN POWER.

THIS IS STOICISM, AND YET STOICISM
 HAS NOT BEEN AFFECTED FOR MANY YEARS,
 AND NEVER FOR SUCH A ~~PURPOSE~~ ^{PURPOSE}.

THERE ARE ORGANIZATIONS ALREADY
 FORMED IN THE UNITED STATES, WHO HAVE DECLARED
 THEY SHALL BECOME OFFENSIVE ONLY AFTER
 THE MILITARY SUCCESSION OF THE UNITED STATES
 ORGANIZATIONS SUCH AS THE MINUTE MEN,
 OR THE LEAGUE OF A NATIONAL ORGANIZATION
 BUT THESE PROCLAIMERS ARE SIMPLY PREPARING
 TO REEFEND IN THEIR OWN BACK YARD, A SYSTEM
 WHICH THEY TAKE FOR GRANTED & WILL BE DEFEATED
 MILITARILY ^{elsewhere} BY SOMETHING TO BEAR FROM PATRIOTS.

THESE SO-CALLED "PATRIOT" REPRESENT VARIOUS LOCAL
 AMERICAN CAPITALIST SUPPORTERS. THERE WILL ALSO
 BE SMALL MIND COMMUNIST AND INHERENT ^{FASCIST} ~~FASCIST~~ ^{LAGUES} ~~LAGUES~~
 THERE WILL ALSO BE MANY LEFT AND RELIGIOUS

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GROUPS AT WORK

HOWEVER, THE ~~BULK~~ ^{MAJORITY} OF THE POPULATION WILL NOT BELONG TO ANY OF THESE GROUPS BECAUSE THEY WILL NOT BE INCUBATED TO FIND ANY OF THE OLD FASHIONS WITH WHICH WE ARE ALL SO FAMILIAR

BUT THE PEOPLE WILL INCUR, EXCEPT A NEW LEADER, ^{RELIGIOUS & OPPORTUNIST} PRESENTED BY ~~THE~~ ^{THEM} ~~THE~~ ^{THEM} ~~THE~~

~~LEGALLY~~, THEY WILL ~~BE~~ ^{NECESSARY} ~~NECESSARY~~ TO OFFER ~~THE~~ ^{THE} ~~THE~~ ^{THE} SYSTEM OF GOVERNMENT AGAINST WHICH THEY HAVE BEEN EDUCATED, BUT THEY WILL BE ~~FOR~~ ^{FORMER} ~~AGAINST~~ ANYTHING RESEMBLING THEIR ~~FORMER~~ ^{FORMER} CAPITALIST PRACTICE ALSO.

STEADFASTLY APPLIED TO THE RECOVERY OF THE ~~NEW~~ ^{THE} FEELING THEY WILL BEK FAWD FORE THE WILL BE THE SENTIMENT OF ~~VAINNESS~~ ^{THE} ~~THE~~ ^{THE} ~~THE~~ ^{THE} MANNERS OUT ANY EXAGGERATION TENDERLY ~~THE~~ ^{THE} ~~THE~~ ^{THE} WORDS ^{MAY} ~~THE~~ ^{THE} ~~THE~~ ^{THE} THE MASSES

154 THIS IS WHERE A SAFEGUARD IS NECESSARY AND SECURITY A SAFEGUARD, BUT A SAFETY CRISIS, AND MUST BE AT STAFF FROM WITHIN, AND BEING WITH FROM WITHOUT.

THERE CAN BE NO ~~RESTING~~ ^{FOR} ~~RESTING~~ ^{FOR} ORGANIZATION AND ~~RECONSTRUCTION~~ ^{RECONSTRUCTION} WORK, ~~RECONSTRUCTION~~ ^{RECONSTRUCTION} TOWARDS TO ~~RECONSTRUCTION~~ ^{RECONSTRUCTION} AND ~~RECONSTRUCTION~~ ^{RECONSTRUCTION} GOALS.

WORK IN THE KEY TO THE ~~THE~~ FUTURE DEED, BUT
 FAILING TO ACT IN THE KEY BECAUSE OF POSSIBLE
 OTHER POSITIONS IN OUR HYPOTHETICAL, BUT VERY
 PROBABLE WORLD, IS AS USELESS AS TRYING TO
 USE FORCE NOW TO ANNOY DOWN THE DEED.

~~A SAFETY FROM THE FUTURE~~
 ARMED LEAGUES OF SURVIVORS MUST BE
 ORGANIZED ^{IN THE} AFTER THE CRISIS, JUST
 AS NEW RELATIONS FROM ANY DEMONSTRATION
 OF FORCE MUST BE DETERMINED IN THE
 MEANTIME.

NO MAN, HAVING KNOWN, HAVING LIVED, UNDER
 THE RUSSIAN COMMUNIST AND AMERICAN
 CAPITALIST SYSTEMS, COULD POSSIBLY MAKE
 A CHOICE BETWEEN THEM, THERE IS NO CHOICE
 ONE OFFER OPPRESSION THE OTHER POVERTY.
 BOTH OFFER IMMENSE SOCIAL INJUSTICE, TINKERED
 WITH TWO BRANDS OF STUPIDITY.

BUT NO RATIONAL MAN CAN TAKE THE ATTITUDE
 OF "A CHOICE BY NON-EXISTENCE". THERE ARE TWO
 WORLD SYSTEMS, ONE TINKERED BEYOND RECOGNITION
 BY ITS INSURE, THE OTHER IMMINENT AND DYING
 IN ITS FINAL CONDITIONS.

A TRULY DEMOCRATIC SYSTEM WOULD COMBINE THE BETTER
 QUALITIES OF THE TWO OPEN TO AMERICAN.

0117

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foundational support for a world system

NO TALK OF THE WORLD SYSTEM OR THE FOUNDATIONAL SUPPORT

THIS IS THE ONLY WAY TO A WORLD SYSTEM

THE ONLY WAY TO A WORLD SYSTEM IS THROUGH THE

DISTRIBUTION OF INFORMATION ABOUT THE

WORLD AND THE INSTITUTIONS IN PLACE

THE ONLY WAY TO A WORLD SYSTEM IS THROUGH THE

DISTRIBUTION OF INFORMATION ABOUT THE

WORLD AND THE INSTITUTIONS IN PLACE



PAYEE MUST ENDORSE BELOW ON LINE MARKED "PAYEE"

OWNERSHIP OF THIS ORDER MAY BE TRANSFERRED TO ANOTHER PERSON OR FIRM IF THE PAYEE WILL WRITE THE NAME OF SUCH PERSON OR FIRM ON THE LINE MARKED "PAY TO" BEFORE WRITING HIS OWN NAME ON THE SECOND LINE. MORE THAN ONE ENDORSEMENT IS PROHIBITED BY LAW. BANK STAMPS ARE NOT REGARDED AS ENDORSEMENTS.

CAUTION IDENTIFICATION NUMBER

PAY TO THE ORDER OF

The First National Bank of Chicago

PAY TO

50 91144

~~KLEIN'S SPORTING GOODS, INC.~~

<i>RHS</i>	<i>11-23-63</i>
<i>JHM</i>	<i>11-23-63</i>
<i>DEP</i>	<i>11-23-63</i>
<i>QAY</i>	<i>11-24-63</i>



THIS ORDER BECOMES INVALID AFTER 20 YEARS. THEREAFTER NO CLAIM FOR PAYMENT WILL BE CONSIDERED.

138 4159798 → *21/15
 DOLLARS CENTS
 2,202,130,462

U. S. Postal Money Order PAY TO THE ORDER OF **WARNING**

MAXIMUM VALUE ONE HUNDRED DOLLARS 19-119 **DO NOT**
 NOT VALID OR MORE THAN **THIRTY DOLLARS** 000 **CASH IF**

PURCHASER—FILL IN INFORMATION BELOW **ALTERED**

PAY TO	<i>Kleins Sporting Goods</i>
FROM	<i>A. Heidell</i>
<small>IF C.O.D. ENTER NO. HERE</small>	<i>P.O. Box 2915</i>
	<i>Dallas, Texas</i>

DALLAS, TEX
MAR 12 1963
P.O.

DO NOT FOLD, STAPLE, SPINDLE OR MUTILATE INITIAL OF ISSUING OFFICE

D-30pc

1. Эта КЭЧ похоти Ялькы
 почман Уавилев, находится зоподу,
 на ульке ЭРВАУ ман не ульке эге
анек эге таб везде стала. 4 слоков
ом анек на эту ульке и почману
ман Навилл Налл Ялькы. Я нламан
за Ялькы продел недел так тб
не перекриваелл об эмо.

2. ночлан ночлеме увоп наман
чмо со нтои сг улач и моке
ом реган из зогата (вечу 8 зогата
чмо-нубуд о нне нullem) и
д уна зо чмо ночлеме с буч тпес
меде ночлеме когда зита зо
всё.

3. Я нламан за док на 20 у чело
так не перекриваелл об эмо

4. За боду и гиз токи нламан не доби

5. возмож чмо дел и с работы
б удем, оме ночлеме Налл Ялькы
на почман. ночлеме Сатт и

по-прежнему ищем на Дельзи

6. ~~мать~~ одеждеда т.д. то можно
 спросить или отдать не сохр...
 то мой суппорт лички (военной, заводской
 и т.д. Я предпочитаю млн деру.

7. Некоторые мои документы
 находятся в сумке маленькой
 Ченодате,

8. адрессаво я КИЗли на мою
 столе Кадунетю. иди тебе
 надо

9. Тут ест у нас друзей
 и Красный Крест тоже тоже
 помощам. (Red Cross (но-английский))

10. Я оставал тебе Дельзи как
 много так я мол, 60% на 200
 число, и ты и Акут почит
 иди на 10. Неделю. еще
 2 недели

11. Я иди и иди и взяли иди
пешком, городком Горуби
 находится на конце том мост
 через который мы всегда ехали,
 когда ехали в город (самый начало
 город через мост)

Mr. KLEIN. For the record, there are certain documents in that group of documents which have already been introduced as committee exhibits, and they are JFK committee exhibits F-183, F-184, F-400A, F-401, F-402, F-407, and F-408.

Mr. McNally, do you recognize those documents?

Mr. McNALLY. Yes; I do.

Mr. KLEIN. Did the entire panel have an opportunity to view those documents?

Mr. McNALLY. They did.

Mr. KLEIN. Did the panel members after examining those documents come to any conclusions with respect to those documents?

Mr. McNALLY. Yes; they did.

Mr. KLEIN. Would you please tell the committee what they concluded.

Mr. McNALLY. The conclusion of the panel was that the writing on all of these original documents was all done by the same individual. That also included a number of photographs and photo reproductions. We also concluded these were done by the same individual. However, a word of caution must be introduced here because there are four or five of these documents which were only photo reproductions or photographs examined and compared with the other writings. These photographs of course cannot be examined with the same detail that the original document can be, and there is always some possibility that there are some alterations or something on these particular photographs which cannot be determined because they are not the original document.

There is only one document on which we jointly could not arrive at any specific conclusion, and that is the so-called note, JFK exhibit F-506. That particular document is a very fuzzy reproduction and that particular reproduction we could not make any definite determination as to whether or not it was the same writing as all the other writings examined and compared and determined to be from the same individual.

Mr. KLEIN. Mr. Chairman, I should state for the record that in every case the staff attempted to get an original document for the panel, and only in those cases where no original existed or an original could not be located were photocopies used.

Mr. McNally, is it the conclusion of the panel that in all cases where original documents were provided they were written by the same person?

Mr. McNALLY. It is.

Mr. KLEIN. At this time, Mr. McNally, I would like to draw your attention to the following documents. In each case I would ask that you take the document out of the group of documents before you. First the examination of the applicant by the recruiting officer, which is marked JFK F-480 and dated October 24, 1956.

Mr. McNALLY. Right.

Mr. KLEIN. Second, the declaration requesting U.S. citizenship be revoked, JFK F-488, dated November 3, 1959.

Mr. McNALLY. Right.

Mr. KLEIN. Third, the New Orleans Police Department fingerprint card, JFK F-400, dated August 9, 1963.

Mr. McNALLY. Right.

Mr. KLEIN. Four, the application for Cuban visa, JFK F-408, dated September 27, 1963.

Mr. McNALLY. Right.

Mr. KLEIN. Last, the application for employment, JFK F-503, dated October 15, 1963.

Mr. McNALLY. Right.

Mr. KLEIN. Mr. McNally, the first document was signed when Lee Harvey Oswald joined the Marines in 1956. The second document was written and signed when he was in the Soviet Union in 1959. The third document was signed when he was arrested in New Orleans in August of 1963. The fourth document was signed when he was in Mexico City in September of 1963, and the fifth document was signed when he returned to Dallas in October of 1963.

All of the documents are signed either Lee Harvey Oswald or Lee H. Oswald. In the opinion of the panel, were all of these documents signed by the same person?

Mr. McNALLY. It is.

Mr. KLEIN. Mr. Chairman, I would ask that the following blowups marked JFK F-480A, F-488A, F-400A, F-408A, F-503A be received as committee exhibits and shown to the witness.

Chairman STOKES. Without objection, they may be received.

[JFK exhibits F-480A, F-488A, F-400A, F-408A, and F-503A are enlargements of JFK exhibits F-480, F-488, F-400, F-408, and F-503 which were previously entered.]

Mr. KLEIN. Mr. McNally, perhaps if you walked over to the easel it would be easier for you to see these blowups. Do you recognize these blowups, Mr. McNally?

Mr. McNALLY. I do.

Mr. KLEIN. Are they fair and accurate representations of the original documents examined by the panel?

Mr. McNALLY. They are.

Mr. KLEIN. Would you please explain to the committee, using the blowups, why the panel concluded that these five documents were written by the same person.

Mr. McNALLY. We examined and compared the signatures on all five of these particular documents. In the examination comparison of these particular signatures the first part of the examination was a determination as to whether or not all of these signatures agreed in their general characteristics. That would be insofar as the skill of the writing is concerned, the slant of the writing, the proportions of the letters one to each other, particularly the small letters, in height as to the capital letters, the lateral placement of the letters within the names which make up the particular signatures, the alinement of the various names of the signatures in relationship to each other.

What is more, specifically, we examined and compared the individual letters which make up the signatures, Lee Harvey Oswald and Lee H. Oswald as to whether or not they agree essentially in design, form, and their configuration.

Throughout all of the signatures we found that, first of all, insofar as the general writing pattern of the signatures was concerned, those characteristics that were mentioned, all of these signatures agreed.

In the second part of the signature comparison, a much more specific examination as to individual letter design, we found also that the signatures agreed.

There are some variations which occur among all of these signatures, and this is to be expected in normal handwriting, particularly handwriting written over a period of time that stretched from 1956 all the way over here on this particular document from 1959 and 1963.

There is a slight variation which occurs, of course, as I mentioned, indicating normalcy, but the writings are consistent one with the other.

The writing of the first name Lee on the 1956 document and here the writing of "Lee" in 1959, one is the same as the other.

The fluent writing pattern that we have in 1956 is repeated in 1959, repeated in 1963, and again over here in 1963.

There is some slight variation between the capital "H" of Harvey here and the capital "H" of Harvey in the 1959 document. However, the basic construction of the "H" in the interior formation here, particularly at the lower right in 1956 and 1959 agreed. The same construction of "H" in 1963 in the New Orleans fingerprint form, and this is similar to the writing of the "H" on the 1959 document.

We have that same construction of "H" over here on the Cuban visa in 1963, and the same construction back over here in 1963 on the employment application.

On two of these documents we have the name Harvey written out, that is in 1956, and in 1959 and the interior construction of "a-r-v-e-y" of the 1956 document and the 1959 document agrees. There is some slight variation here in the 1956 document. We have a comeback on the lower loop of the "y" and here in the 1959 document the "y" just goes straight down, but this is a normal variation, nothing inconsistent about it.

In the writing of Oswald on the 1956 document the construction here in the writing of that particular word agrees with those in 1959. Again, a slight variation in the fact that the "o" continues on to the "s" in the 1956 document, and there is a slight hiatus between the "o" and "s" in the 1959 document.

When we come to the fingerprint form, here we have the same construction on this fingerprint form. The "o" joins the "s", flows right into the "s", as found on this form in 1956.

We have that followed through, the same as the 1956 form, the "o" joins the "s" on the Cuban visa, and the same thing occurs on the employment application. The slight hiatus between the "o" and "s" on the 1959 form is a normal variation of the individual's handwriting.

In all of these you will note the ending "l-d" combination. On all five of these combinations the "l" is always smaller than the "d". The "d" is an odd form in 1956. Here the "d" comes back a little farther down to the line of writing, again a normal variation. Here we have the "d" in 1963 in a fingerprint form akin to the "d" over here in the 1956 form.

The writing of the "d" again here agrees with the "d" as written on the fingerprint form in 1956, and here we have an affectation on the employment application where there is a little flourish on

the "d" but again the basic construction of this "d" is taller than the preceding "l" and largely agrees with the other four signatures.

Since all of these signatures conformed in both general and specific characteristics—there are no significant differences among them—we came to the conclusion that all five of these signatures were written by one and the same individual.

Again with that slight caveat here, that this is a photograph of an original signature. We did not have the opportunity to examine and compare the original. However, from this photograph and the examinations that can be conducted of it, the writing pattern is free, fluent, easy, no indications of abnormalities, no hesitation, no tremor, is in basic agreement with the other four signatures, and therefore we conclude that all five signatures emanate from the same individual.

Mr. KLEIN. For the record, the caveat you are speaking of was applicable to the Cuban visa application?

Mr. McNALLY. That is right, because it is not an original document and cannot be examined microscopically.

Mr. KLEIN. Is there any evidence to indicate any of these documents were forged or altered?

Mr. McNALLY. There is none.

Mr. KLEIN. At this time would you please be seated, Mr McNally. I would now direct your attention to exhibit JFK F-504, which is a microfilm reproduction of an order form to Klein's Sporting Goods Co. for a rifle, plus the envelope in which the order form was sent; and JFK F-509, which is a money order made out to Klein's Sporting Goods Co., both of which documents have the name Hidell on them.

Mr. McNALLY. I have both of them.

Mr. KLEIN. JFK F-504 and F-509; do you recognize those documents?

Mr. McNALLY. I do.

Mr. KLEIN. Did the entire panel have an opportunity to examine those documents?

Mr. McNALLY. They did.

Mr. KLEIN. Did the panel reach a conclusion with respect to those documents?

Mr. McNALLY. They did.

Mr. KLEIN. What was that conclusion?

Mr. McNALLY. That JFK exhibit F-504 and F-509 were written by the same person, again with the caveat. JFK exhibit F-504 is a photo reproduction of a microfilm.

Mr. KLEIN. The document, which is marked F-509, the money order, is an original document; is it not?

Mr. McNALLY. It was; yes.

Mr. KLEIN. And your conclusion is they were written by the same person who wrote the other documents?

Mr. McNALLY. That is right.

Mr. KLEIN. I would ask at this time, Mr. Chairman, that blowups marked JFK F-504A and F-509A be received as exhibits and shown to the witness.

Chairman Stokes. Without objection, they may be received in the record at this point.

[JFK exhibits F-504A and F-509A are enlargements of JFK exhibits F-504 and F-509 which were previously entered.]

Mr. KLEIN. Once again, Mr. McNally, would you go to the easel, please. Do you recognize these blowups, sir?

Mr. McNALLY. I do.

Mr. KLEIN. What are they blowups of?

Mr. McNALLY. These are blowups of the original photo reproduction. In the case of this particular blowup here, this is an enlargement of JFK exhibit F-504, and this enlargement of the postal money order in an enlargement—

Mr. KLEIN. Is that the money order?

Mr. McNALLY. Yes; F-504, and the money order is F-509.

Mr. KLEIN. Are these blowups fair and accurate representations of the documents examined by the panel?

Mr. McNALLY. They are.

Mr. KLEIN. Using the blowups, would you explain why the panel reached its conclusion?

Mr. McNALLY. We examined and compared the writings on the microfilm reproduction with the original postal money order issued as payable to Klein's Sporting Goods. The same process, of course, was involved, an examination and comparison of the general writing characteristics which appear on this microfilmed reproduction, versus the writing which appears on the U.S. postal money order.

The writing pattern on both of these documents is the same, the same degree of skill, the same slant pattern. The writing has a continuity and a cohesion, a continuous flow in the formation of "Hidell", "Dallas, Texas," "Klein's," "Chicago, Illinois." It flows right along in the same manner, as we have in the writing flow on the postal money order.

The individual letter designs that occur in the writing of the name and the address and the names and addresses on the microfilm reproduction and the writing of the various letters on the postal money order correspond.

In both instances on the microfilmed reproduction here we have a parallel, the writing of "Hidell" here in the top of the microfilm and the "A. Hidell," which occurs over here on the postal money order. The writing construction in both instances is the same, just a slight variation in the "H" in "Hidell" in the microfilm reproduction, but the rest of the writing conforms to the writing "A. Hidell" on the U.S. postal money order.

In the writing of "Dallas, Texas," this particular writing pattern here in the upper left-hand corner agreed with the writing of "Dallas, Texas," over here on the U.S. postal money order.

The variation occurring here is that in the return address on the postal money order a small "t" has been used versus a capital "T" utilized down here.

In this "Texas" here in the writing of the "x-a-s" right in this portion here just following the "x" there is a slight hitch almost like a small undotted "i". That same formation occurs over here just before the "a" here a little hitch in the writing pattern.

The overall writing on both the microfilm and on the postal money order correspond to the extent that we came to the conclusion both were written by the same individual, again with that caveat that this is a reproduction. As a matter of fact, this if from

a microfilm, and it has been blown up from the microfilm itself so that it lacks clarity and detail. But the impression gotten from examining this particular document and comparing it with the writing of the original document, the postal money order, is that the writing flows. The line quality of that on this document and that on the postal money order corresponds; the letter designs correspond. There is no significant difference between the writing on the microfilm and the writing we have in the money order or the writing we have here, for instance, on the employment application.

Further, the hand printing on this particular form here, which was laid over the envelope when it was recorded, this hand printing, "A. Hidell, Post Office Box 2915, Dallas, Texas," corresponds to that which we have in this employment application and also a letter which backed up this employment application, specifically some writing in the lower left-hand corner of that letter.

We did conclude again (with that slight caveat) that the writing of the microfilm in both the script writing here and the hand print here were written by the same individual who wrote out the postal money order and the employment application.

Mr. KLEIN. Was there any evidence to indicate that either of these documents were forged or altered?

Mr. McNALLY. From the examinations that could be made, absolutely no evidence.

Mr. KLEIN. At this time I would again ask that you be seated.

I would direct your attention to the document marked JFK F-506, dated November 8, 1963.

Mr. McNALLY. I have it.

Mr. KLEIN. Do you recognize that document?

Mr. McNALLY. I do.

Mr. KLEIN. For the record could you read that document, please?

Mr. McNALLY. In the upper right-hand corner is the date November—N-o-v 8, 1963: "Dear Mr. Hunt: I would like information concerning"—c-o-n-c-e-r-d-i-n-g—"concerning my position. I am asking only for information. I am suggesting that we discuss the matter fully before any steps are taken by me or anyone else. Thank you. Lee Harvey Oswald".

Mr. KLEIN. Mr. Chairman, I should state for the record that a copy—not the original but a copy—of the document was sent in 1975 to an author of a book on the Kennedy assassination. It was sent anonymously and he allowed the panel to see the copy that he had of that document. I would ask that the blowup marked JFK F-506A be received as a committee exhibit and shown to the witness.

Chairman STOKES. Without objection, it has been received as a committee exhibit and entered into the record at this point.

[JFK exhibit F-506A is an enlargement of JFK exhibit F-506 which was previously entered.]

Mr. KLEIN. Is that a fair and accurate representation of the document you have before you?

Mr. McNALLY. It is.

Mr. KLEIN. Once again I would ask that you walk over to the easel, please.

Using the blowup, will you explain why the panel could not reach a conclusion with respect to that document?

Mr. McNALLY. The reason we could not reach any conclusion regarding this particular document is, number 1, this of course is a photo reproduction. It is a peculiar type of photo reproduction in the fact that we have a photo reproduction, yet at the same time it has some of the characteristics of being photo reproduced from a microfilm enlargement which was originally out of focus. So that on this particular document here—and I made the original slide from which this enlargement was made—the photo reproduction was quite fuzzy. This is an extremely good reproduction of that particular fuzzy original photo reproduction.

In this particular case it is so fuzzy that an accurate examination could not be made of it. The feature about this document—as it relates to the other documents as written containing the name Lee Harvey Oswald and all the other writing that we have here—is that this document itself, although the writing pattern or the overall letter designs are consistent with those as written on the other documents, this is much more precisely and much more carefully written.

There is no great deviation from the writing of Oswald insofar as individual letter design forms are concerned. However, it is the method of writing that is so precise and so careful, it is a little bit out of the ordinary from most of the writing that I have seen.

Strangely enough, getting down to the signature of this particular document, a part of the signature agrees with the signature of Oswald or the other writings we have signed "Lee Harvey Oswald," and part of it does not agree with his. Insofar as the original or the beginning writing "Lee", that corresponds to "Lee" as written by Lee Harvey Oswald throughout the bulk of the signatures we have seen.

In the writing of the middle name Harvey, to begin with, the "H" comes way over here to the left-hand side and is sort of pointed. It comes to a type of triangle which is flattened at the top, and that particular type of "H" we do not find in any of the signatures of Lee Harvey Oswald.

Another peculiar feature here also is the fact that though not all of the signatures of Mr. Oswald are signed "Lee Harvey Oswald," there are seven or eight where we do have the name "Lee Harvey Oswald" signed in full and in none of them do we have a misspelling. In this particular signature "H-a" and we have a little slurring off here and a "v" and a "y". So that part of this signature is missing, and that does not occur in any of the other Oswald signatures.

Again in the writing of the latter part of "Oswald," very unusual in all of the Oswald signatures that we have seen. In this particular instance the "d" is smaller and much more precise than the preceding "l." This is another characteristic which does not occur consistently in the other Oswald signatures. So a suspicion is aroused by the fact that this is an extremely precise type of writing even though it does agree basically with the overall writing characteristics of the previous Oswald writings. And a suspicious circumstance in the fact that that middle name "Lee Harvey" differs significantly in the "H," in the misspelling of the word, and a

slight aberration in the lower part of the "y" and in the latter part of the signature "Oswald." And for these reasons we were unable to come to any firm conclusion regarding this particular document. It is suspicion, although we are not able to accurately determine that it is specifically a forgery and at the same time not able to accurately determine whether or not it corresponds to all of the other writings that we have identified.

Mr. KLEIN. Thank you.

Mr. Chairman, I have no further questions.

Chairman STOKES. Thank you, counsel.

The Chair recognizes the gentleman from Michigan, Mr. Sawyer, for such time as he may consume.

Mr. SAWYER. Well, I assume with the exception of the document that is now being displayed, the Hunt letter, the committee, or the panel, was unanimous on all of these other decisions.

Mr. McNALLY. They were.

Mr. SAWYER. Were there some of the panel who felt that that Hunt letter was written by the same person as the others were?

Mr. KLEIN. No; we were pretty much in agreement on that; not sure of it, suspicious of that particular document. It stood out, quite frankly, like a sore thumb.

Mr. SAWYER. There was unanimity in the suspicion, I assume?

Mr. McNALLY. There was.

Mr. SAWYER. I think that is all I have. Thank you, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired. The gentleman from North Carolina, Mr. Preyer.

Mr. PREYER. No questions. Thank you, Mr. Chairman.

Chairman STOKES. The gentleman from the District of Columbia, Mr. Fauntroy.

Mr. FAUNTROY. Thank you, Mr. Chairman.

Mr. McNALLY, I simply have two questions. The first is: In the handwriting analysis which you have done on the first three documents you have pointed up, to what extent might handwriting machines reproduce signatures that would defy detection?

Mr. McNALLY. I do not think they defy detection. What you get with a handwriting machine is actually an imitation—

Mr. FAUNTROY. Certainly.

Mr. McNALLY [continuing]. Where you get—it has to have a model to follow, so that actually what would occur is that you get a slavish imitation of, say, an original signature. But with all of these writings we have a normal variation, there is no slavish imitation. As a matter of fact, you don't even get a situation among these particular signatures, where if you wrote like 5 or 10 signatures in a row you get a very, very close similarity. In these particular cases here we have a very good sample of an inconsistent pattern of handwriting which is actually very consistent. It all tends to follow a certain theme of writing. There is no—none of these signatures, which are actually very much like the other signature in the fact that they fit together—there is no deviation whatsoever. There is always that slight variation there, which is strongly indicative of normality and authenticity.

Mr. FAUNTROY. So that your conclusion is that it could not have been done using machines, otherwise you would have detected the precise copying of the signatures as on all three documents?

Mr. McNALLY. Right. It has in there a carelessness about it which you do not see in any machine-made signature.

Mr. FAUNTROY. All right, thank you.

The second question has to do with the Hunt letter there. Assuming that that is a forgery, how would you put together such a forgery? Is it possible for a person to so analyze the writing of another person as to reproduce it in reasonable facsimile?

Mr. McNALLY. Oh, yes. As a matter of fact, we had a famous case some years ago where there was pages and pages of writing reproduced in the so-called Irving-Hughes situation back in the seventies. It was very difficult at that time to determine whether it was good or bad.

Mr. FAUNTROY. What is the peculiar capability required to do that? Are there persons who are particularly skilled at forgery in that kind of detail, that kind of length?

Mr. McNALLY. Yes, there are. As a matter of fact, they exist all over. You have them in the criminal field where, let's say with a quick study you could turn out something like this, particularly since Oswald's general writing pattern is simple and tends to be rather legible, and to turn out something like that would be not particularly difficult. The strange feature is that if you turn out something like that, then to get down into one of the more important aspects of the signature and turn up with a misspelling.

Mr. FAUNTROY. Yes. Thank you, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Connecticut, Mr. McKinney.

Mr. MCKINNEY. Thank you, Mr. Chairman.

I will be very brief. I just wanted to emphasize the points you made on the signature. Looking at the various different exhibits that we have that show the signature Lee Harvey Oswald, most of them from the Marine Corps, loyalty oaths, so on and so forth, Harvey is always spelled correctly. Right?

Mr. McNALLY. It is.

Mr. MCKINNEY. And in full. And in fact in looking at them as a novice in this, there isn't even really a runoff from one letter to the other. Each letter is quite distinct.

Mr. McNALLY. Generally there is, yes, sir.

Mr. MCKINNEY. Isn't it also true that in almost every signature that we have, when Oswald is written the "d" is at least, say, a fourth higher than the "l" at the very end, at the crown of the "d," or whatever you call it?

Mr. McNALLY. Yes; it tends to rise disproportionately above the "l".

Mr. MCKINNEY. Whereas it does not appear—

Mr. McNALLY. It is quite smaller.

Mr. MCKINNEY. That is all I have.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you.

I have but one question. On balance, this Hunt letter, do you find more similarities or dissimilarities overall in comparison to the

other writings or letters, words that all seem to agree in the other documents?

Mr. McNALLY. The peculiar feature about this is in the situation—which arouses suspicion—is that it is better than most of the others. It really is, like almost a classic example, particularly the body of the letter, the writing on the other Oswald letters, except written much better and much more precisely. In effect, what I am trying to say is that what you have here is a great deal of care was taken in the writing of this particular document, whereas most of the writings that I find in all of the other previous writings, they are quite carelessly and sloppily written. There are no significant dissimilarities in the body of this particular letter, the context, until you come down to the signature.

Mr. FITHIAN. And are you saying, then, you are unable to render a decision on this?

Mr. McNALLY. That is right. In this particular case the original would necessarily have to be checked. It could very well be a situation where this thing has been patched together from original writing of Oswald. It can be done using a photo reproduction process.

Mr. FITHIAN. Is it your opinion that it is a fake?

Mr. McNALLY. No; I am not certain on this particular document.

Mr. FITHIAN. Thank you, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired.

Mr. McNALLY, now as you are concluding your testimony before this committee, you are entitled under our rules to a period of 5 minutes, if you so desire, to explain or expand upon your testimony in any way. I extend to you such time, if you desire it at this time.

Mr. McNALLY. I will take only a minute.

Chairman STOKES. Sure.

Mr. McNALLY. What we have here and what we have examined and compared was writing which covered a period from 1956 until 1963. And over that period of time in all of these particular documents and just to restate what I have said before, it was our considered opinion, all three members of the panel, that all of the original documents were written by one and the same individual. The photo reproductions with the exception of the so-called Hunt letter, in our opinion again, with the caveat that they are photo reproductions and cannot be microscopically examined, that we feel that these letters were written by the same individual; in other words, Lee Harvey Oswald. The Hunt letter, because of the circumstances surrounding it, it is extremely poor reproduction, and also because of the circumstances surrounding—the suspicion surrounding the signature we were unable to make any definite decision regarding that particular letter.

Chairman STOKES. Thank you very much, Mr. McNally. On behalf of the committee, I want to express our appreciation both to you and to the other members of this distinguished panel on which you served for the services that you have rendered to the House and to this committee. We thank you very much for your service.

Mr. McNALLY. Thank you, sir.

Chairman STOKES. Thank you.

The Chair recognizes Professor Blakey.

Mr. BLAKEY. Thank you, Mr. Chairman. Another way the committee has tried to shed light on the so-called two-Oswald mystery is by comparing photographs taken over the years of the man identified as Lee Harvey Oswald, photographs taken when he was in the Marines, after his return from the Soviet Union, and during the period he was detailed at the Dallas police headquarters on November 22 to November 24, 1963.

To try to determine if the photographs in question show the same person, the committee asked a panel of anthropologists to study them, to see if the shape and structural features of the face match from photo to photo. Mr. Chairman, before proceeding with an analysis of the photographs, it is necessary that we note and take testimony on an issue that has been raised about one of them, the photograph of Oswald when he was in the Marines. In it, the head, appearing before a height chart, appears to be disproportionate in length, leading some critics to claim it had been doctored. Sergeant Cecil Kirk, director of the mobile crime lab of the Metropolitan Police Department in Washington, D.C., is here to discuss that aspect of the photo in question.

Sergeant Kirk will also address alleged differences in Oswald's height as he appeared in different photographs. The committee will recall that Sergeant Kirk has already testified in these hearings. It would be appropriate at this time, Mr. Chairman, to call Sergeant Kirk.

Chairman STOKES. The committee calls Sergeant Kirk.

Good morning, Sergeant Kirk. You have previously testified and you have been sworn—

Sergeant KIRK. That is right.

Chairman STOKES [continuing]. In these proceedings and you understand you are still under the same oath?

Sergeant KIRK. Yes, sir; I do.

Chairman STOKES. Thank you. The Chair recognizes counsel Michael Goldsmith.

Mr. GOLDSMITH. Thank you, Mr. Chairman.

FURTHER TESTIMONY OF SGT. CECIL KIRK, DIRECTOR, MOBILE CRIME LABORATORY, METROPOLITAN POLICE DEPARTMENT, WASHINGTON, D.C.

Mr. GOLDSMITH. Sergeant Kirk, I would ask you to refer to what has been marked as JFK Exhibit F-166, which is the enlargement showing Lee Harvey Oswald on the left, and I would like to ask you, what issue did this photograph present to the photographic evidence panel?

Sergeant KIRK. Yes, sir. This is the photograph that was taken by the U.S. Marine Corps induction center at the time Lee Harvey Oswald was inducted into the Marine Corps. And the photographic panel was asked to examine the photograph to see if: (1) It could be determined whether it was a faked or composite photograph; and (2) to make a determination of whether the apparent disparity in the height chart and the head length, could be explained.

Mr. GOLDSMITH. I would ask you at this time. Sergeant Kirk, to refer to what has been marked as JFK F-564, which is the exhibit on the right, and I would ask you to explain how the photographic

evidence panel addressed the issue of Oswald's purported 13-inch head.

Sergeant KIRK. Well, the exhibit on the right is a demonstration conducted at Metropolitan Police Headquarters. It depicts a Metropolitan Police officer, W. W. Lee. The photograph on the extreme left of the three photos shows Officer Lee with his back against a height chart. It indicates that he is a little over 69 inches tall.

The second photograph shows Officer Lee, who has walked away from the wall, a mere 7 inches. The height scale to Officer Lee's right, your left as you look at it, shows that Officer Lee still stays 69 inches tall but the height scale in the background, which is 7 inches away from the gentleman, shows he is starting to grow in height. Indeed, in this photograph he has a 13-inch head, if you count the inches in the background, but when you count the inches that are next to his head, his head size stays the same.

The photograph on the right of the exhibit, Officer Lee has now moved out 14 inches away from the height scale, he has grown considerably taller, if you look at the height scale in the background, and his head has also increased in length, but as the height scale that has moved out with Officer Lee shows he remains at 69 inches tall and his head size has not changed.

Mr. GOLDSMITH. I realize you have indicated that the subject in the photographs has moved away from the height chart. Are you able to explain in more detail what factors account for the apparent 13-inch head in one of these photographs and also for the disparity in his indicated height?

Sergeant KIRK. Yes, sir. It was determined that at the time these photographs were taken, an ID camera, much used in the military as well as other types of the Government, was a type of camera that was mounted on a dolly, with the lights and the camera and the numbering chart affixed where it could be pushed out of the way when not in use. So if Mr. Oswald was brought into the induction center to be photographed and told to stand next to the height chart, it didn't really make any difference to the photographer whether or not Mr. Oswald was standing next to the height chart or not, because he could move the camera up or away from Oswald to get the photograph that he wanted.

This chart on the right demonstrates the fact that unless Mr. Oswald was standing directly with his back against the wall and the camera was at the correct distance, it would not be an accurate recording of his true height.

Mr. GOLDSMITH. I am sorry, I did not catch your last sentence.

Sergeant KIRK. It is unreasonable to assume that this photograph is the actual recording of his true height. I should add if it is an actual recording of his true height, then it would be an inaccurate recording of his head size.

Mr. GOLDSMITH. How common is the use of height charts in pictures today, mug shots today?

Sergeant KIRK. It is very uncommon, mainly because law enforcement plus industrial security work, where they take these types of photographs, they have found very often the photographer, rather than the following the rules and making sure the subject is standing in the right place, that the camera is at the right height, the photographer either tilts the camera to compensate for the

person not standing in the right place or changes focus, and so forth.

Mr. GOLDSMITH. Did the photographic evidence panel find any evidence of composition with regard to the photograph of Oswald?

Sergeant KIRK. No; we did not.

Mr. GOLDSMITH. Sergeant Kirk, you work for the Metropolitan Police Department in its crime lab section; is that correct?

Sergeant KIRK. Yes.

Mr. GOLDSMITH. And as part of your work you are associated with the records identification division of the police department?

Sergeant KIRK. Yes, sir.

Mr. GOLDSMITH. Let me ask you this, then: Is it unusual for official records to report disparate heights for any particular individual?

Sergeant KIRK. No; it is not.

Mr. GOLDSMITH. Why not?

Sergeant KIRK. We have found—and the Air Force has conducted studies to bear out the same point—that people are almost an inch taller in the daytime, in the morning, than they are in the afternoon. Also, studies conducted both by the Air Force and by law enforcement people, when they would ask people to describe their height, roughly one-third of those interviewed said they were 2 inches taller than they actually are, and the other two-thirds said that they were at least 1 inch taller than they actually are. In other words, the American male sees himself as being from 1 to 2 inches taller than his actual height if he is asked.

Mr. GOLDSMITH. I have one final question, Sergeant. In a mug shot, is it possible for the length of the head to appear to be the same and yet for there to be a significant difference in the indicated height as reflected in the height chart? I am positing now a situation where you have a series of photographs.

Sergeant KIRK. Certainly. We don't know if the subject is barefooted, wearing 1-inch or 2-inch heels, we don't know if he has some type of back condition that makes him stand in a slouchy position. Certainly this wouldn't change the head size itself. Certainly his stature, the skeleton, the way he is standing would make it appear he is shorter or taller than he actually is.

Mr. GOLDSMITH. Are you willing to provide this committee with an exhibit demonstrating that the head size can remain the same in the photograph while the length of the body is different?

Sergeant KIRK. Yes; I am.

Mr. GOLDSMITH. Thank you, Sergeant. I have no further questions.

Chairman STOKES. Thank you, counsel.

The Chair recognizes the gentleman from Indiana, Mr. Fithian, for such time as he may consume.

Mr. FITHIAN. Sergeant, I would like to just ask, reask, a similar question to that of counsel. Is it my understanding that you said that because of these variations in most cases in industry and law enforcement agencies and others have gotten away from the photo with the height chart?

Sergeant KIRK. Yes, sir.

Mr. FITHIAN. Mr. Chairman, I have no further questions of this witness.

Chairman STOKES. The time of the gentleman has expired. The gentleman from North Carolina, Mr. Preyer.

Mr. PREYER. I would only say that we have always heard that statistics don't always lie but they seldom voluntarily tell the truth, and I think we can add photographs to that now also.

Thank you, Sergeant, for your testimony.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Connecticut.

Mr. MCKINNEY. No questions.

Chairman STOKES. The gentleman from Pennsylvania.

Mr. EDGAR. No questions.

Chairman STOKES. Sergeant Kirk, I believe this now concludes your testimony before our committee. Under our rules, as a witness, we can now extend to you the 5 minutes if you so desire to make any comment upon your testimony before our committee. I extend to you that time if you so desire.

Sergeant KIRK. Thank you. I would just like to acknowledge the input of the 19 other members of the photographic panel and to express the feelings of the photographic panel to thank you for your confidence that you expressed in us, and we hope we have served you well.

Chairman STOKES. You certainly have, and on behalf of the committee we certainly appreciate the time and energy and expertise provided this committee by both you and the other members of this distinguished panel of photographic experts with which you served. So we thank you very much for the help you have given us.

Sergeant KIRK. Thank you.

Chairman STOKES. The Chair recognizes Professor Blakey.

Mr. BLAKEY. Thank you, Mr. Chairman.

The anthropology panel was asked to address two additional issues that involved photo identification. Early in its existence the Warren Commission was presented with a problem by an Associated Press photograph taken head-on of the presidential limousine in Dealey Plaza at about the very instant of the first shot.

Standing in the doorway of the Texas School Book Depository was a man whose facial characteristics were markedly similar to those of Lee Harvey Oswald, so much so that at least one major metropolitan newspaper captioned the photo with a question: Is it Oswald?

Obviously if Oswald had been in the doorway at that moment, he could not have been the assassin. The Warren Commission determined that the man in the doorway was Billy Nolan Lovelady, another School Book Depository employee. Lovelady himself, the Commission reported, confirmed it. But many critics refused to accept the explanation. Mark Lane, in his *Rush to Judgment* said:

There was insufficient basis for the Commission's statement. Lovelady did not appear before the Commissioners and no evidence suggests that his picture was ever shown to them.

Sylvia Meagher, in her "Accessories After the Fact":

The Commission presents no supporting visual evidence by which one can appraise the resemblance between Lovelady and the man in the doorway, although nothing less hangs on the accurate identification of the doorway man than Oswald's innocence in the assassination.

The committee asked the anthropology panel to compare the AP photo with pictures of Lovelady and pictures of Oswald, and to try to come to a decision as to which one it is.

Now on the two other photographic issues that will be addressed by the anthropology panel. Shortly after the assassination, an arrest was made by Dallas police of three shabbily dressed men who had been discovered in a railroad car not far from the grassy knoll that was to become famous for the fact that many witnesses thought they had heard shots coming from its vicinity.

Press photos were taken of the tramps, as they came to be called, and publication of the photos caused considerable controversy, especially since the tramps had been released without being booked or otherwise identified. For years the "tramps" photos were little more than conversation pieces, but in 1975, in a book called "Coup d'Etat in America," Michael Cranfield and Alan J. Webermann proposed that two of these three tramps were none other than Howard Hunt and Frank Sturgis who had been involved in the Watergate prosecutions. An identification of the third tramp, one who has earned the nickname "Frenchy" due to the European look of the cut of his clothing, has also been suggested by critics connecting him to individuals whose names have come up in private investigations. Critics have dug up another AP photo taken on the date of the assassination and found an elderly white-haired man they alleged to be a well-known right-winger named Joseph Milteer. In a tape recording of a conversation with a police undercover agent in Miami on November 9, 1963, Milteer was heard explaining how an assassination of President Kennedy could be accomplished:

Milteer: From an office building with a high-powered rifle.

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

Milteer: Oh, yes, its in the working.

Milteer, who is now deceased, was questioned by the FBI but was never known to be an actual suspect in the Kennedy assassination. The implications of these questions is enormous, about a Watergate burglary and a former long-time CIA officer who directed the 1972 break-in might have been involved in the assassination or that a militant conservative who had talked of killing President Kennedy was standing along the motorcade route. These implications are, of course, of a conspiracy. The committee therefore asked its panel of anthropologists to compare the photos in question with known photos of the men they allege to show.

The members of the anthropology panel are Ellis Kerley, professor of anthropology, University of Maryland; Steven Rosen, associate professor of anthropology, University of Maryland; Clyde Collis Snow, Chief of Physical Anthropology Research, Civil Aeronautical Institute, Federal Aviation Administration Aeronautical Center, Oklahoma City, Okla.

Dr. Snow, who will be our witness this morning, received a B.S. degree in zoology from Eastern New Mexico University in 1950, an M.S. in zoology from Texas University in 1955, and a Ph. D. degree in physical anthropology from the University of Arizona in 1967.

It would be appropriate at this time, Mr. Chairman, to call Dr. Snow.

Chairman STOKES. The committee calls Dr. Snow.

Good morning. Would you please stand and raise your right hand and be sworn. 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?

Dr. SNOW. I do.

Chairman STOKES. Thank you. You may be seated. The Chair recognizes counsel Robert Genzman.

Mr. GENZMAN. Thank you, Mr. Chairman.

TESTIMONY OF DR. CLYDE COLLINS SNOW, CHIEF OF PHYSICAL ANTHROPOLOGY RESEARCH, CIVIL AEROMEDICAL INSTITUTE, FEDERAL AVIATION ADMINISTRATION AERONAUTICAL CENTER, OKLAHOMA CITY, OKLA.

Mr. GENZMAN. Dr. Snow, would you state your full name and occupation for the record.

Dr. SNOW. Clyde Collins Snow. I am a physical anthropologist.

Mr. GENZMAN. Would you briefly state the purpose of your testifying today.

Dr. SNOW. Yes. I am here as a spokesman for the anthropological consultants to the committee to address certain identification issues posed by photographs of various figures involved in the Kennedy assassination.

Mr. GENZMAN. Dr. Snow, would you define forensic anthropology.

Dr. SNOW. Forensic anthropology is a subdiscipline of physical anthropology, in which we attempt to apply the physical anthropologist's knowledge of human biological variation, age variation, sex variation, stature, physique, to problems of legal medicine.

Mr. GENZMAN. How many forensic anthropologists are there in the United States?

Dr. SNOW. Approximately 30.

Mr. GENZMAN. Are each of the panel members forensic anthropologists?

Dr. SNOW. Yes, sir; they are.

Mr. GENZMAN. Could you estimate the combined years of experience of all three panel members?

Dr. SNOW. I would say fairly close to somewhere between 40 and 50 years.

Mr. GENZMAN. Would you briefly describe the kinds of studies forensic anthropologists undertake.

Dr. SNOW. They generally revolve around the issue of human identification. A large proportion of our cases involve the identification of skeletal remains that come to the attention of police or medical examiners, and then also from time to time we are asked to compare living individuals to see whether or not they are one and the same person.

Mr. GENZMAN. What kinds of determinations can you make from examining the human remains of skeletons?

Dr. SNOW. The skeletal remains, we can look at the bones and determine such features as age at death, sex, stature, physique, old diseases, injuries, abnormalities—all the things that are more or less embedded in the bone that serve to make each individual unique and hopefully lead to identification.

Mr. GENZMAN. What method did the panel follow in its studies for the select committee?

Dr. SNOW. We were presented with a number of photographs of, as I indicated before, various individuals. And based on our measurements of these photographs of the faces shown, we attempt to compare them in terms of the morphological features, such features as the shape of the ears, nose, mouth, things of that sort—wrinkles, scars, and other features. Then we also, in addition to the morphological traits that we study, we also take a series of measurements from the facial dimensions of the individual and compare those.

Mr. GENZMAN. How exact is this approach?

Dr. SNOW. It can vary largely. The exactness of the approach depends to a large extent on the quality of materials that we are given. If the photographs are of poor quality or if there is variation in the subject's pose or the apparent age and features of that sort, we are apt to be less firm in our conclusions than we are if we are given good quality photographs of the individual and uniform poses.

Mr. GENZMAN. How certain can you be of your findings?

Dr. SNOW. Again, it varies with the kind of materials we are given. In some cases, for example, if we are given photographs of individuals to compare with very little variation in the position of the subject's head in the photograph and of good quality, we can, in some cases, come up with positive identification, or positively exclude the individual beyond reasonable doubt. In other cases we have to qualify our opinions, using such language as probable or possible.

Mr. GENZMAN. For example, what if you were given photographs of identical twins; could you differentiate between them?

Dr. SNOW. I doubt very seriously whether we could. There are undoubtedly differences, even in identical twins, but whether our measuring techniques are refined enough to discern such differences, I would doubt.

Mr. GENZMAN. Mr. Chairman, at this time I would ask that the exhibits marked as JFK F-556, F-557, and F-558 be entered into the record.

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

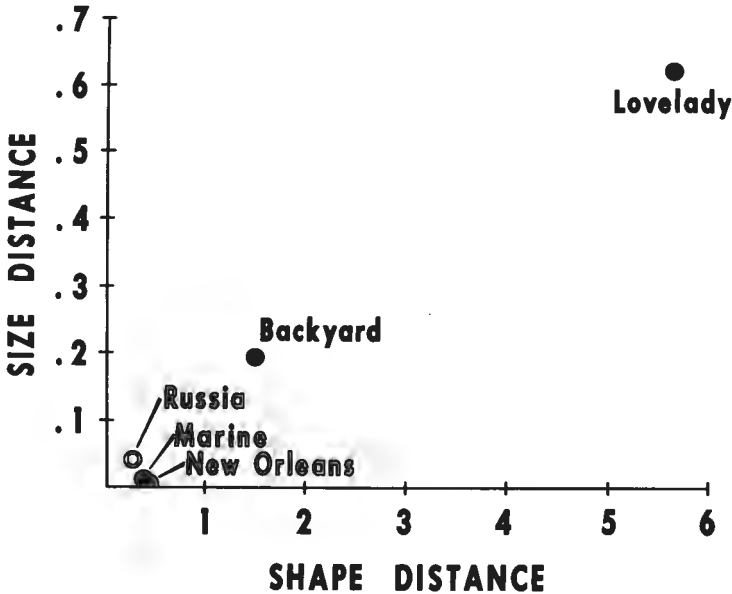
[The exhibits follow:]



JFK EXHIBIT F-556



JFK EXHIBIT F-557



JFK EXHIBIT F-558

Mr. GENZMAN. Dr. Snow, would you walk over to the exhibits.
Dr. SNOW. Yes, sir.

Mr. GENZMAN. Dr. Snow, would you briefly identify these exhibits.

Dr. SNOW. Yes, sir. These two exhibits are a series of 11 photographs of Lee Harvey Oswald arranged roughly in chronological order from the time he entered the Marine Corps, the three here taken while he was in Russia, two taken sometime in the spring of 1963, there are enlargements of the famous backyard photographs, two, later that summer when he was arrested in New Orleans, and three taken on the day on the apprehension of Mr. Oswald in Dallas. We included a 12th photograph here of Mr. Lovelady who, as indicated, bears a strong physical resemblance to Mr. Oswald, and we wanted to enter that in for comparison.

Mr. GENZMAN. What was the issue before the panel of anthropologists?

Dr. SNOW. The issue given us was to morphologically and metrically analyze these photographs to see if we could determine whether there was any indication that they were not photographs of one and the same individual, whether or not one or more of these people could represent a double or an imposter.

Mr. GENZMAN. What is the panel's conclusion?

Dr. SNOW. Our conclusions were that there was no evidence that there was an imposter or a double involved on the basis of what we could measure from the photographs; that they are consistent with the photographs of a single individual.

Mr. GENZMAN. Would you briefly explain the graph marked as JFK exhibit F-558.

Dr. SNOW. Yes, sir. I indicated that we take a number of measurements on the photographs. It is convenient to be able to reduce those, that mass of numbers into some single entities that allow us to compare the overall similarities in shape and size that we see. We have done this. It is a rather involved statistical technique developed by a British biometrician named Penrose back in the 1940's, and it is widely employed in other areas of anthropology. Essentially what we have done here is, using the measurements of the three Dallas photographs as our base line, quantitatively compared the other sets of Oswald photographs here.

Theoretically, if everything were perfect—which it never is—we would find that two objects or sets of photographs exactly duplicated in every detail in terms of the measurements. The Dallas photographs, the points when they are plotted would be down here at the zero point of the graph. You can see that they do cluster very closely to that zero point. This variation reflects differences, we feel, in measurement error and technique.

Mr. FITHIAN. Let me ask you to move that chart about a foot to the right. It is blockout out—we can now see it. I am not sure the panel members on the left-hand side can.

Dr. SNOW. Yes, sir. Would it help to move it back here?

Mr. FITHIAN. Yes. Thank you.

Mr. GENZMAN. Thank you, Dr. Snow.

At this time please refer to exhibits F-559 and F-127. Exhibit F-127 was previously entered into the record.

Mr. Chairman, I would ask that exhibit F-559 be entered into the record at this time.

Chairman. STOKES. Without objection, it may be entered into the record at this time.

[The exhibit follows:]



JFK EXHIBIT F-559

Mr. GENZMAN. Dr. Snow, would you identify these exhibits.

Dr. SNOW. Yes, sir. This is a photograph referred to by Mr. Blakey of the motorcade taken shortly after the first shots, or the shots, were fired, showing this figure standing in the textbook depository entranceway and who has been alleged to be Lee Harvey Oswald.

Mr. GENZMAN. Would you identify the second exhibit marked F-558.

Dr. SNOW. Yes, sir. This is an enlargement given to us by the committee of that figure in the doorway. On this side we have a photograph, one of numerous photographs of Mr. Oswald that we examined, and then here are two of Mr. Billy Lovelady, taken—these two Lovelady photographs were taken, this one a few months I believe before the assassination, this sometime after the assassination, within a few months.

Mr. GENZMAN. What was the issue before the panel of anthropologists?

Dr. SNOW. The issue was to analyze the photographs to determine whether or not the figure in the doorway was indeed Lee Harvey Oswald or Mr. Lovelady.

Mr. GENZMAN. What is the panel's conclusion?

Dr. SNOW. Our conclusions were that it is highly improbable that this individual is Lee Harvey Oswald. It is considerably more probable that it is Mr. Lovelady.

Mr. GENZMAN. Can you give an example of the observations which led to this conclusion?

Dr. SNOW. Yes, sir. We based it primarily on the hairline. As you can see, this photograph permits very little in the way of accurate measurements. We do see one facial feature, however, if you will compare Mr. Lovelady with Mr. Oswald. He tends to have a somewhat longer face in relation to its breadth, and rather prominent breadth across the cheekbones here. We can get an indication of that configuration in this photograph. In other words, the general facial outline resembles Mr. Lovelady more than it does Mr. Oswald.

Another feature we noticed was that in photographs of Mr. Oswald taken about the time of his arrest, he had begun a little insipient lateral pattern of baldness, but in Mr. Lovelady this same type of baldness was more extensively developed at that time. And judging from the hairline in the photograph, the general pattern resembles that seen in Mr. Lovelady more than it does in Mr. Oswald.

Another feature we noted was that Mr. Lovelady has a widow's peak, an extension of the hair beyond the main hairline here, and it is sort of eccentrically located, shifted to the right. And we also get a suggestion of that, this widow's peak displaced to the right in the figure in the doorway.

Mr. GENZMAN. Thank you, Dr. Snow.

At this time would you please refer to exhibits F-131, F-172, F-173, and F-174. Exhibit F-131 was previously entered into the record.

Mr. Chairman, I would ask at this time that exhibits marked as JFK F-172, F-173, and F-174 be entered into the record.

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

[The exhibits follow:]

TRAMP A



VALLEE

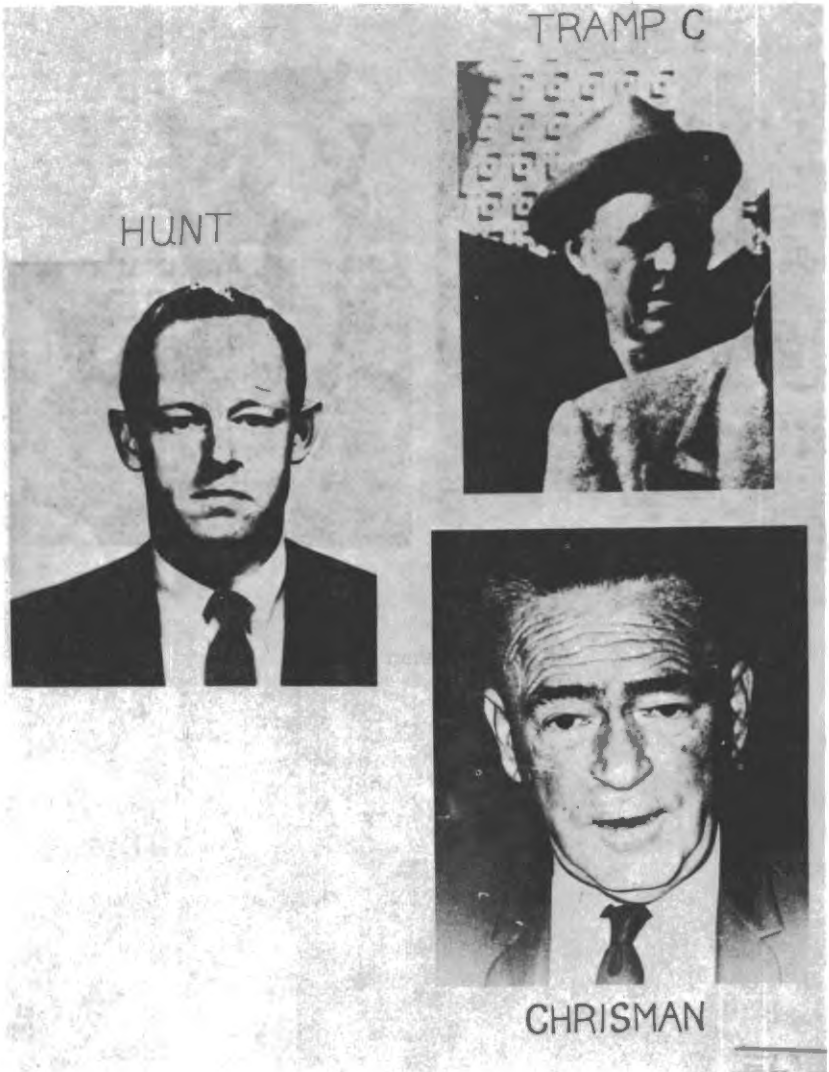


CARSWELL

JFK 1172



JFK EXHIBIT F-173



JFK EXHIBIT F-174

Mr. GENZMAN. Dr. SNOW, would you briefly identify these exhibits.

Dr. SNOW. Yes, sir. This first set of photographs are some of the several supplied to us by the committee showing the three vagrants, the three tramps who were apprehended close to the site of the assassination sometime very shortly after it happened and are being led away by the Dallas Police officers. These tramps we have arbitrarily identified as tramp A, B, and C, according to their position in the line.

These exhibits compare enlargements of the heads of the three tramps with certain figures who have been alleged to have been involved in the various conspiracy theories at one time or another.

Mr. GENZMAN. What were the issues before the panel of anthropologists?

Dr. SNOW. We were asked, again, using the best available information and the best available materials, to metrically and morphologically compare these photographs with those of the tramps to see whether or not any of these individuals could be identified as one or more of the tramps.

Mr. GENZMAN. What are the panel's conclusions?

Dr. SNOW. Our conclusions were that none of the individuals who have been alleged to have been tramp A are indeed tramp A; that the individual alleged to have been tramp B is not that tramp; and of the two individuals alleged to be tramp C, this one, Mr. Hunt, is not the tramp, but this one, Mr. Chrisman, his measurements are consistent with the face of tramp C.

Mr. GENZMAN. Are you able to make a positive determination as to whether Mr. Chrisman is tramp C?

Dr. SNOW. We cannot positively identify him as tramp C.

Mr. GENZMAN. Thank you, Dr. Snow.

At this time would you please refer to exhibits JFK F-124, F-560, F-561, F-562, and F-563. Exhibit F-124 was previously entered into the record.

Mr. Chairman, I would ask that those exhibits marked as F-560, F-561, F-562, and F-563 be entered into the record.

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

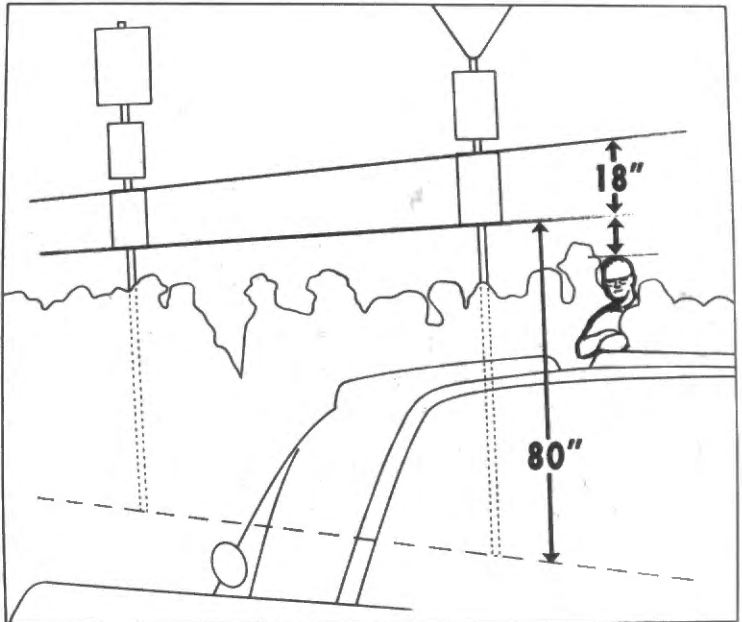
[The exhibits follow:]



JFK EXHIBIT F-560



JFK ЕХНІВІТ F-561



JFK ЕХНІВІТ F-562



JFK EXHIBIT F-563

Mr. GENZMAN. Dr. SNOW, would you identify these exhibits and explain the issues involved.

Dr. SNOW. Yes, sir. These exhibits, starting here, is another photograph of the motorcade in Dallas as going down Houston Street shortly before the Presidential limousine made the left turn onto Elm Street.

A figure, whose head appears here immediately next to a somewhat taller man in a black hat, is the figure that some people have claimed to have a strong resemblance to Mr. Joseph Milteer. The other photographs show various enlargements of the spectator photograph, compared to photographs made available to us of Mr. Milteer. And these refer to some analysis of heights that we did, calculating the height of the spectator in order to compare it to the height of Mr. Milteer.

Mr. GENZMAN. Is the enlargement of the individual in exhibit F-560 the original enlargement or is that a flip version?

Dr. SNOW. Yes; we found that this is a reverse of the print. He is facing to his left, whereas—it is a reversal of the print. We did that deliberately in order to show the relative strong resemblance in general facial configuration to this photograph of Mr. Milteer, to show that there is a fair degree of resemblance in the general facial shape.

Mr. GENZMAN. What has the panel of anthropologists concluded?

Dr. SNOW. We concluded that the individual in question is not Mr. Joseph Milteer.

Mr. GENZMAN. What was the basis of this conclusion?

Dr. SNOW. The basis of our conclusion was that, first, although you can see this is very little material to work with, we found one feature of interest, in that there is a suggestion here that this individual had rather full lips, whereas in this photograph and others of Mr. Milteer we found that he is relatively thin-lipped. We also found a series of photographs of Mr. Milteer, some taken before the assassination, this one I believe in 1957, others several years later, that show that he, at least in 1957, was abundantly endowed with hair and as late as the early 1970's he also has hair, whereas in the photograph of the spectator we see an indication of extensive balding with an almost fully exposed crown here. So unless it could be demonstrated, I believe that Mr. Milteer habitually wore hairpieces, I think we could rule him out on that basis.

Mr. GENZMAN. Did the panel take any additional steps on this issue?

Dr. SNOW. Yes; we did. Looking over the photograph, we found that the alleged Milteer appears to be standing on a curb here, arrayed along Houston Street, alongside a number of other spectators. In comparing his apparent stature with those of the other spectators, we felt like we would be able to take information from that photograph and develop some statural estimates of Mr. Milteer. We approached this in two ways. We had some information supplied to us by the staff that Dallas City regulations in 1963 specified that these signs that you see in the photograph here, the lower edge of these signs, were to be placed 80 inches above the sidewalk.

After analysis of the perspective, we were able to extend, in our imaginations, of course, the signs up here to where such a sign would be if Mr. Milteer was standing directly in front of it. We know the dimensions for the signs, 18 inches, here, 80 inches from the pavement. And using that, it becomes a matter of simple proportions to calculate this distance, subtract it from 80 inches, and we concluded that the figure is approximately 5 foot 10, plus or minus an inch, tall. We were able to compare that estimate with an estimate furnished us by the committee from an FBI investigative report of Mr. Milteer which indicated that he was rather short. It gives his stature as 5 foot 5 inches. So there is a 6-inch discrepancy here.

We took this a little further, since the signs are no longer there and the actual signs can no longer be measured, by comparing him in relation to other figures arrayed along the sidewalk on either side of him. We have some good information on the average stature of U.S. adults during this period. And using that and looking at the photograph, as we have done here and you see on this overlay, we selected a segment of the spectator line consisting of 7 males, aside from the alleged Milteer, and 16 adult females. And we asked our question then, or we posed the hypothetical of: What are the probabilities that a 5 foot 4 inch man would, by chance, find himself in a crowd of 16 adult females and 7 males? Of the adult females he is clearly taller than all 16 of them and he is clearly taller than at least 4 of the 7 males. And using the population of the statural statistics that we have available, and assuming that this is sort of a random collection of Dallas spectators, we concluded that the prob-

abilities of this man being 5 foot 4 inches taller—the odds against it are several thousand to one.

Mr. GENZMAN. Would you demonstrate how the overlay was made?

Dr. SNOW. Sorry. This is an enlargement of the motorcade photograph. And we simply made the overlay here to display the spectators that we compared.

Mr. GENZMAN. Thank you, Dr. Snow. Would you please return to your seat?

Mr. Chairman, I have no further questions.

Chairman STOKES. The Chair recognizes the gentleman from Indiana.

Mr. FITHIAN. I wonder if Dr. Snow would remain at the easel for a few questions before he sits down. I would like the staff to put back up the picture of the three tramps.

While they are doing that, Dr. Snow, just for clarification. Are the terms insipient lateral evidence of balding and my own problem of receding hairline the same thing?

Dr. SNOW. Yes, sir. But it refers to a type of balding that begins down here at the side of the head rather than in the middle.

Mr. FITHIAN. From just a quick glance at that picture of Sturgis and tramp B, from here there doesn't seem to be all that much difference. I wonder if you could tell me a little more specifically how you went about arriving at your conclusion that they were in fact different people?

Dr. SNOW. OK.

Mr. FITHIAN. Would you provide Dr. Snow, with a pointer?

Dr. SNOW. I think we should point out that in addition to this photograph, we examined about two dozen other photographs of Mr. Sturgis and also several photographs of tramp B. Some of the features that we noticed were that in terms of the overall facial configuration, Sturgis—and this is much more apparent on some of the other paragraphs—is fairly typical of what anthropologists would classify as a Mediterranean type, whereas this individual is more typical of individuals of northern European extraction.

Among other features noted, tramp B has slightly wavy hair, and in all the photographs we have seen Mr. Sturgis' hair has a very crisp curl. The hair color of tramp B shows up as rather light and in the photographs of Sturgis show him as deeply brunette.

The hairline of Mr. Sturgis is fairly low, giving him a low forehead, whereas in this and other photographs of the tramp B we see a fairly high hairline.

Mr. Sturgis has a massive lower jaw, whereas the lower jaw of the tramp is relatively narrow. Also, Sturgis has a very massive square chin, whereas this individual's chin is smaller and more pointed.

Those are some of the morphological features that we found that served to distinguish Sturgis and tramp B as different individuals.

Mr. FITHIAN. Could you give me a quick summary of why you ruled out Hunt and tramp C, or whatever basic measurements led you to the conclusion you have there?

Dr. SNOW. Yes; again working with not only this photograph but others, we find that Mr. Hunt differs in facial configuration. His nose, especially seen in profile, is very sharp and angular, whereas

that of the tramp is large and more bulbous. There is a difference of lip thickness, Mr. Hunt being rather thin-lipped, the tramp being thicker lipped.

Also there are some differences in the configurations of the ear.

We also noticed that there is a small scar over the right eye of tramp C, and we were unable to find such a scar in any of the Hunt photographs we examined.

Mr. FITHIAN. If you would, just the last one, tramp A, and his counterparts.

Dr. SNOW. Tramp A and Mr. Vallee we ruled out primarily on the basis of the upwardly flaring nostrils of Mr. Vallee. We do not see this trait in tramp A. There is also an indication that Vallee had a concave nasal profile. The nasal profile of tramp A is straight.

Comparing tramp A with Mr. Carswell, the latter has a longer narrower face and a somewhat narrower nose. The antihelix of Carswell's ear is poorly developed whereas there is a strong antihelix in tramp A. There are also differences in the form of the lobe. Mr. Carswell's ear lobes are what we call "welded", that is, directly attached. Whereas tramp A has a slightly free lobe.

Mr. FITHIAN. Are you confident that the three tramps that you just described are not by your measurements and analysis any one of the three characters we have been talking about here?

Dr. SNOW. Yes, sir, I am.

Mr. FITHIAN. And the only one that you have any uncertainty about is Chrisman?

Dr. SNOW. Yes, sir.

Mr. FITHIAN. Is that because there are sufficient similarities of measurements?

Dr. SNOW. Yes. Of course, we only have one photograph of Mr. Chrisman for analysis, and it was taken several years after the assassination. However, the few measurements that we could take from this photograph do seem to be consistent with the corresponding measurements of tramp C.

Mr. FITHIAN. It is my understanding that the CIA and the FBI conducted their own analyses of the tramp photos that attempt to identify the individuals. Did you get into that?

Dr. SNOW. We didn't participate in either of those analyses. However, after being called in as consultants to this committee, we were furnished copies of the reports of the CIA and FBI analyses.

Mr. FITHIAN. Did you then study those reports?

Dr. SNOW. Yes, we have looked them over and we found that although they varied in method from our approach to some extent, they came to the same conclusions: That Mr. Sturgis was not tramp B nor was Mr. Hunt tramp C.

Mr. FITHIAN. Thank you.

Let me ask the staff if we have any other information on Chrisman that I am not aware of.

Mr. GENZMAN. For the record, Mr. Chrisman, now deceased, was implicated by the Jim Garrison probe into the Kennedy assassination, and it was claimed that he had CIA connections. It was later determined that Chrisman was a confidence man who frequented the New Orleans area around 1962 and 1963.

Mr. FITHIAN. Thank you.

Let's stay with the Dallas scene for a minute on the Milteer issue.

You seem to have assumed the individual in JFK exhibit F-124 was standing on the same level with the spectators around him. What basis do you have for that?

Dr. SNOW. We were supplied information by the committee based on other views of this same scene, specifically I think frames taken from either the Muchmore or Bell films that show the same array of spectators before they are obscured by the Presidential limousine at a much greater distance, so we cannot use it for analysis. But they do show that the alleged Milteer and the spectators arrayed immediately on either side of him were standing along the edge of the curb.

Mr. FITHIAN. And the person that has been alleged to be Milteer—

Dr. SNOW. The alleged Milteer.

Mr. FITHIAN. They are all standing on the sidewalk?

Dr. SNOW. Yes.

Mr. FITHIAN. No Coke boxes around?

Dr. SNOW. I don't know about Coke boxes or beer boxes.

Mr. FITHIAN. What evidence do we have—I wasn't sure that I caught that—that Milteer was as short as you said he was.

Dr. SNOW. This comes from an FBI investigative report that was furnished to the committee, and that is all the information that I personally have.

Mr. FITHIAN. Let's turn now to the analysis that you made of the Oswald photographs. On the basis of your measurements and your analysis, can you positively identify or state that the series of Oswald photographs shown on exhibits JFK F-556 and F-557 are indeed those of Oswald?

Dr. SNOW. No, sir; we cannot. We cannot on the basis of the measurements alone positively state that all of those photographs are indeed of Oswald. However, we can say that they are all consistent with the hypothesis that all of the photographs are of Lee Harvey Oswald.

Mr. FITHIAN. Would the staff put back up the chart and graph which I was blocked from seeing at the first part of the questioning.

In your work how do you compensate or adjust for plastic surgery that might be done on an individual?

Dr. SNOW. In the Oswald photographs specifically we saw no evidence of any plastic surgery. But this does not mean that there might not have been some there.

Mr. FITHIAN. You say you saw no evidence of it?

Dr. SNOW. We saw no evidence of plastic surgery in the Oswald photographs.

Mr. FITHIAN. Any other evidence of any kind of disguises that might have been used?

Dr. SNOW. We saw one interesting feature in Mr. Hunt. Comparing his photographs apparently taken in the midfifties with some taken later in the sixties, there is some indication that Mr. Hunt underwent some plastic surgery. He has rather protruding ears and in later photographs they have been brought back closer

to his head, and that suggests some sort of surgical correction. Of course, we don't know the date.

Mr. FITHIAN. Would you direct your attention to the chart. The first three right down where the two lines intersect, or very close to it, all seem very tightly arrayed. But the backyard photo seems to have slipped out of orbit somehow or other.

Dr. SNOW. Yes, sir. It is most divergent from the cluster. However, if you will recall those photographs of Oswald, with the exception of the backyard photographs most were of good quality with fairly crisp images. The backyard photographs differ from the rest of the series in that they are rather fuzzy and also they vary in the lighting. They are the only two photographs of the series where the lighting is coming from overhead, and we feel that this introduces measurement errors using our technique and would account for this discrepancy.

Mr. FITHIAN. What are you trying to tell us by putting the Lovelady dot?

Dr. SNOW. We used Mr. Lovelady's measurements and plotted them to serve as a sort of control and demonstration of the other results of the technique. In Mr. Lovelady we have a person who admittedly has a strong physical resemblance to Mr. Oswald, so we felt it would be interesting to take his measurements and see how they compared with Oswald's using this method. So here we have a point for Mr. Lovelady that falls far outside the Oswald cluster, and yet is a point of a person who is very similar in facial configuration to Mr. Oswald.

Mr. FITHIAN. I am not sure I followed that. He shows up far outside of the Oswald cluster. Does that tend to prove that he does look like Oswald?

Dr. SNOW. No. The further away, the less he resembles Mr. Oswald. As I say, we plotted it just as a demonstration of the sensitivity of the method to see where a person who was not Oswald would fall. Probably if we used your face or my face and plotted our measurements it wouldn't even be on the graph.

Mr. FITHIAN. So it proves at one and the same time there is enough distinction that you are comfortable that the two faces are distinctly different but enough similarities that they at least end up on the same chart; is that what you are saying?

Dr. SNOW. Yes, sir.

Mr. FITHIAN. I have just one more brief line of questioning. Would you put up JFK exhibits F-556 and F-557.

Dr. SNOW, as I understand it, the two backyard photos, the center and lower right of exhibit—what is that, F-556, for the record?

Would you explain again in a sentence or two why those photos would, when you get through measuring, put the spot or the dot outside that very tight cluster on your chart.

Dr. SNOW. Again, I believe when you look at the photographs you see, compared to the rest of the photographs of Mr. Oswald that we analyzed there, that these two are much fuzzier and blurrier and also there is a variation in the direction of the light. This is going to influence the errors that are going to be introduced in our measurements that we take off the photographs. In other words, we simply cannot measure these photographs with the same degree of accuracy that we can in the better quality photographs.

Mr. FITHIAN. Dr. Snow, as to the results of all these measurements and analyses, and so forth, you are submitting a report for our record; is that correct?

Dr. SNOW. Yes, sir. We will be preparing a detailed report on the photograph analysis on all of these issues.

Mr. FITHIAN. I am sure you realize that scientific evidence that is presented to the committee will be a great deal of interest to others who have studied the assassination of President Kennedy, and in fact over the years created quite a school or quite a number of schools of thought.

Will other individuals in years to come be able to duplicate your methodology?

Dr. SNOW. Yes, sir. I believe in our final report we will be able to present our method here in such a way that it could be replicated by other scientists, provided with the same materials.

Mr. FITHIAN. These methods of measurement that you use have come to be the standards of measurement?

Dr. SNOW. The facial measurements that we employ are quite uniform throughout the discipline area of physical anthropology.

Mr. FITHIAN. Thank you, Mr. Chairman. I have no further questions.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Thank you, Mr. Chairman. I have just a few questions. Actually, these questions I think probably go to counsel at this point.

Do we have any evidence of the identities of any of the three tramps?

Mr. GENZMAN. Not to my knowledge, Mr. Edgar.

Mr. EDGAR. Have we reviewed pictures in the Dallas area in terms of photographs of people who have been arrested? I recognize these three tramps were not booked. But has there been analysis by staff of that?

Mr. GENZMAN. Mr. Edgar, this is an ongoing project of the staff. It is continuing at this time.

Mr. EDGAR. So we are continuing to review and to analyze those pictures to try to come up with their identities?

Mr. GENZMAN. Correct.

Mr. EDGAR. Even as a result of our sharing these now as evidence in these public hearings, someone might step forward and identify themselves as being one of the three individuals.

Mr. GENZMAN. That is possible.

Mr. EDGAR. Dr. Snow, it has been interesting to listen to your analysis of the pictures here and to review the chart, and I look forward to your final report. Are there any special characteristics of the Oswald face that stand out as being unique or different?

Dr. SNOW. None in terms of features that you would really consider abnormal. In my opinion he has a fairly average face in terms of the measurements and the morphological features.

Mr. EDGAR. There is nothing that stands out as a distinctive feature that would in essence be unique to Lee Harvey Oswald?

Dr. SNOW. I don't believe so, sir.

Mr. EDGAR. The earlier witness, Sergeant Cecil Kirk, testified it is quite common for records of an individual's height to vary by

several inches. As a physical anthropologist, Dr. Snow, what have you observed on this issue of height?

Dr. SNOW. I have had a wide experience in examining skeletal cases where we estimate the unknown individual's height from his bones then compare those with police records of missing individuals.

In reviewing many police records, I find that it is not uncommon to have discrepancies plus or minus 1 or 2 inches in height reported between one arrest record and another.

Mr. EDGAR. Would that also vary in the type and method of determining the height of the particular prisoner?

Dr. SNOW. Yes, sir. It varies a great deal with the technique used to measure him, the time of day, and many other variables that influence the height.

Mr. EDGAR. Thank you. I have no further questions.

Chairman STOKES. Are any other members seeking recognition?
[No response.]

Chairman STOKES. Dr. Snow, at the conclusion of the testimony of many witnesses before this committee, under our rules he is entitled to 5 minutes in which he may comment upon his testimony or in any way change his testimony or expand upon it. I would extend to you at this time 5 minutes for that purpose if you so desire.

Dr. SNOW. I would just like to point out that the anthropology consultants will be presenting a detailed final report on our findings for publication by the committee. Also I would like to say—and I speak for my colleagues too—it has been a pleasure to work with the very fine young people that you have on your staff; and that if their energy, efficiency, competence, and enthusiasm is any indication of the kind of talent you can draw on in the Congress, then I think the country is in a lot better shape than a lot of people think it is.

Chairman STOKES. Thank you very much, Dr. Snow. On behalf of the committee, we certainly thank you and all of your panel for the work you have done for this committee, and we look forward to your final report.

The Chair recognizes Professor Blakey.

STATEMENT OF MR. BLAKEY

Mr. BLAKEY. Thank you, Mr. Chairman.

There are other photographs, both still and motion picture, that were taken at the scene of the assassination that suggest to critics a conspiracy. These don't show alleged accomplices or masterminds who possibly could be identified. Rather, they show shapes or blurred images that critics have contended are gunmen. Most of these gunmen are in the vicinity of the grassy knoll.

In the years since the assassination, significant progress has been made in the field of photographic enhancement. New chemical and computer processes have been developed that record and improve picture quality.

The select committee assembled a group of photographic consultants to conduct a thorough analysis of photographic materials to see if there is, in fact, visual evidence of gunmen in Dealey Plaza. The members of this panel are scientists from leading educational

institutions and private corporations whose field of specialization is photographic enhancement.

Representing the panel today is Dr. Bob R. Hunt of the University of Arizona. Dr. Hunt received a B.S., cum laude, in aeronautical engineering from Wichita State University, an M.S. in electrical engineering from Oklahoma State University, and a Ph. D. in systems engineering from the University of Arizona. He has been an adjunct professor of electrical engineering and computer science at the University of New Mexico and an alternate group leader at the University of California's Los Alamos Scientific Laboratory. Currently, he is an associate professor of systems and industrial engineering and optical sciences at the University of Arizona.

Dr. Hunt is a member of the Optical Society of America and the American Society of Photogrammetry. He was the recipient of the NEDA Fellowship in 1964 and a NASA Traineeship in 1966.

Dr. Hunt is the author of numerous publications.

It would be appropriate at this time, Mr. Chairman, to call Dr. Hunt.

Chairman STOKES. The committee calls Dr. Hunt.

Will you please raise your right hand?

Do you solemnly swear the testimony you will give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

TESTIMONY OF DR. BOB R. HUNT

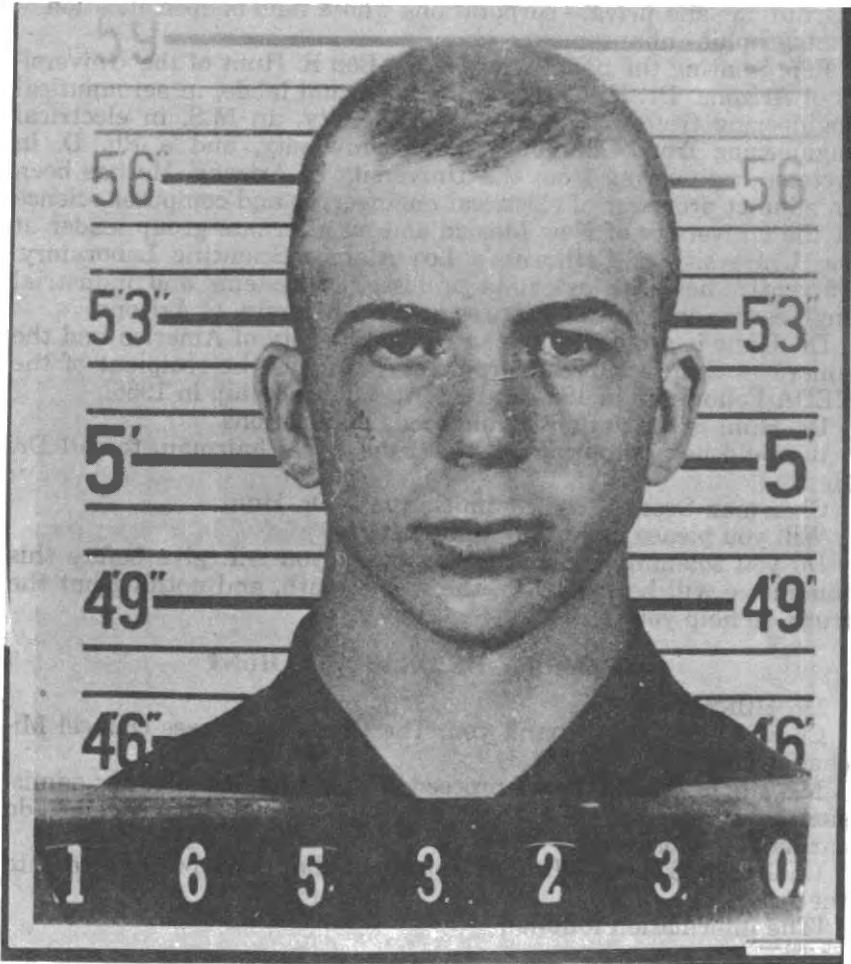
Dr. HUNT. I do.

Chairman STOKES. Thank you. The Chair recognizes counsel Michael Goldsmith.

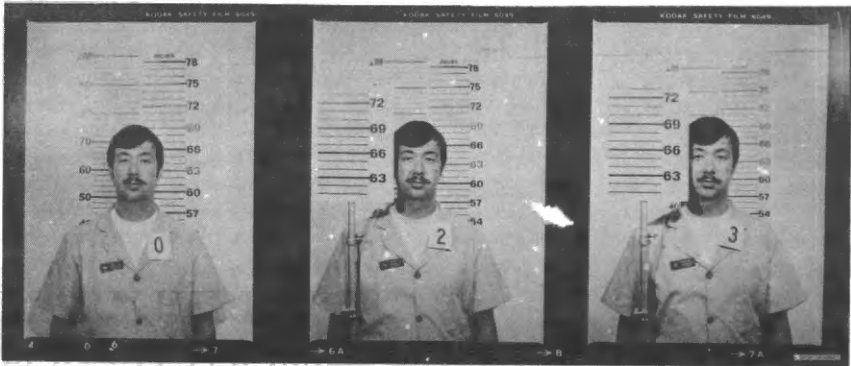
Mr. GOLDSMITH. Before I proceed, I would like to offer for admission into the record JFK F-166 and F-564, which I neglected to do earlier this morning.

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

[The information follows:]



JFK EXHIBIT F-166



JFK EXHIBIT F-564

Mr. GOLDSMITH. Dr. Hunt, what was the photographic evidence panel asked to do with the various pictures and films that have been alleged to show gunmen in Dealey Plaza?

Dr. HUNT. We were given two tasks. The first task was to apply modern technology in the enhancement of imagery. The second task, of course, was to interpret the results of that processing and to bring results of our interpretations and conclusions to the select committee.

Mr. GOLDSMITH. What methods were used to clarify the available photographic evidence so that the best possible images could be used for analysis and interpretation?

Dr. HUNT. There were three different methods utilized by the photographic panel. The first method was common photographic enhancement or photo-optical enhancement, sometimes referred to as darkroom techniques.

The second method of technology utilized was that of digital image processing, and a third area, that of autoradiographic enhancement?

Mr. GOLDSMITH. Would you go into detail as to the photo-optic enhancement?

Dr. HUNT. This process refers to the printing or recopying of the negative by different types of copying papers or films, using different darkroom developers and times, and which results in a feature which was more detailed by expanding the dark and light regions of the image.

Mr. GOLDSMITH. I would ask at this time Dr. Hunt be shown JFK exhibit F-149.

I would ask that you step to the easel to examine this particular exhibit.

You made reference earlier to the term "digital image processing." Using this exhibit, please explain what you meant by this term.

Dr. HUNT. The first obstacle is to overcome the difference in what a computer uses and what an image is. An image is a representation of light which we see with our eyes, but a computer only works with numbers, sequences of digits. So the basic problem is to convert that representation of light into a sequence of numbers.

The way of doing that is to first of all have a source of light. That source of light is imaged through an opaque mask onto a photographic negative. Light passes through the negative and it is then observed and collected by a photocell, which is really no different than you would see guarding the doors of an elevator, except it is a scientific instrument.

From the photocell, we generate electric current, which is measured by the computer.

That photocell is then measured by the computer. The computer converts that electric current into numbers and the numbers are then manipulated in the computer.

The end result of all this is a set of numbers which measure brightness or the darkness of the image in the particular position where the spot is at and then we reposition the spot everywhere

over the photographic negative of the image itself so as to extract all pertinent information.

Mr. GOLDSMITH. Are you able to state, when a negative or piece of film is scanned, how many spots are actually scanned—let me rephrase that: How many spots actually receive assignment of numbers to them?

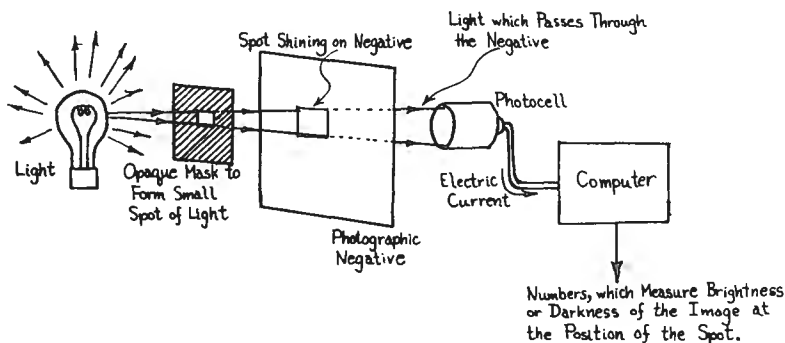
Dr. HUNT. The number of spots to which you have assigned numbers is a thing that is governed in a fairly precise mathematical way by the nature of the image itself. For example, of the photographic material we dealt with and which was provided to us by the committee, the number varied from, say, 16,000 to 20,000 different numbers all the way up to as many as a quarter of a million to a million numbers.

Mr. GOLDSMITH. Mr. Chairman, I move for introduction into the record of JFK exhibit F-149.

Chairman STOKES. Without objection it may be entered into the record.

[JFK exhibit F-149 follows:]

Simple Diagram of Computer Scan of Image



JFK EXHIBIT F-149

Mr. GOLDSMITH. Now you made reference earlier to digital image processing as an enhancement technique, a technique to improve the quality of the photo image. How are the numerical values that you obtained used to improve the quality of the image?

Dr. HUNT. Well, every type of image formation process, even one which results in degradations of the image, every type of image formation process can be described by mathematical models, mathematic equations which, if you substitute the numbers into them which represent the image, can be solved and the solutions of those equations gives you an enhanced or improved version of the image.

Mr. GOLDSMITH. Once a negative has been subjected to digital image processing, how is the resulting image actually displayed?

Dr. HUNT. There are two different methods by which you would display or recreate the numbers and bring forth an image out of the numbers as they exist in the computer.

One of those methods could be exemplified by the diagram I have here except that, instead of putting a negative in the position which I show here on the chart, we would put an unexposed piece of film there. We would then simply reexpose that piece of film by varying the strengths of the light which is shining through onto the film. That one method is referred to as hard copy because it produces a tangible thing, namely, a piece of film which has been exposed and can then be developed.

A second method of recreating imagery for the purposes of viewing it is to use what is referred to as soft copy. In soft copy the numbers which exist in the computer are not used to generate film. In soft copy those numbers are written into a computer memory, the nature of that being such that you can use it to position a beam of light on a TV tube and by very rapidly scanning that TV monitor screen, a display screen is what it is usually referred to, you would get a display of the image which appears for all intents and purposes just like your home television set, with one exception; it is of much higher quality.

Mr. GOLDSMITH. Does the computer display that you refer to as soft copy lend itself in any way to analytical work?

Dr. HUNT. Yes; because if you can use the computer to manipulate the numbers which are in the memory which are causing that TV picture to be created, as you manipulate those numbers you can see the results of it instantaneously and bring what is usually referred to as human feedback, begin to achieve better and better enhancements without having to wait for the process of film development and wet chemistry, as it is usually referred to.

Mr. GOLDSMITH. When you manipulate the numbers, does the image on the computer display actually change in any way?

Dr. HUNT. Yes. You can see it change as you manipulate the numbers.

Mr. GOLDSMITH. And can you describe generally what ways it might change?

Dr. HUNT. For example, you might be able to change the overall brightness and darkness of the image so that things which were in deep shadows become very visible by bringing up the deep shadows into something that would be brighter and then they would show up on your original negative.

Mr. GOLDSMITH. When the committee's photographic evidence panel examined materials that had been subjected to digital image processing, did they rely upon soft copy or hard copy for their analytical work?

Dr. HUNT. Most of our analytical work was done with soft copy.

Mr. GOLDSMITH. And where was that analytical work actually done?

Dr. HUNT. There were three different contractors which carried out the analytical work: the University of Southern California-Los Angeles; Los Alamos Scientific Laboratory in New Mexico, and the Aerospace Corporation, also in Los Angeles.

Mr. GOLDSMITH. Did each of those facilities have soft copy facilities available for analytical purposes?

Dr. HUNT. Yes, they did. In fact they had some of the finest equipment in the world for those purposes.

Mr. GOLDSMITH. Is there any change in the quality of the enhanced photographic image when it is taken off the computer display and converted into hard copy?

Dr. HUNT. Yes; there is a change.

Mr. GOLDSMITH. What is the nature of that change, Dr. Hunt?

Dr. HUNT. The nature of the change is usually that soft copy will look better than will hard copy. The reason for that is modern technology, in cathode ray tube displays, what we usually refer to as TV monitors. That modern technology is so good that you can produce more light, more vivid colors, and equally as good resolution as you would expect on a piece of photographic film.

Mr. GOLDSMITH. How has this change in quality affected the hard copy exhibits that will be discussed today?

Dr. HUNT. We will show some hard copy exhibits today which will probably lack some of the colors and the vividness of the colors which we would see if we were able to bring a cathode-ray tube display or TV monitor into this room.

We would also see, because of the processes of reenlarging some of these images, some loss in sharpness as well.

Mr. GOLDSMITH. But again for purposes of clarification, the photographic evidence panel's analytical work was based largely upon the computer display?

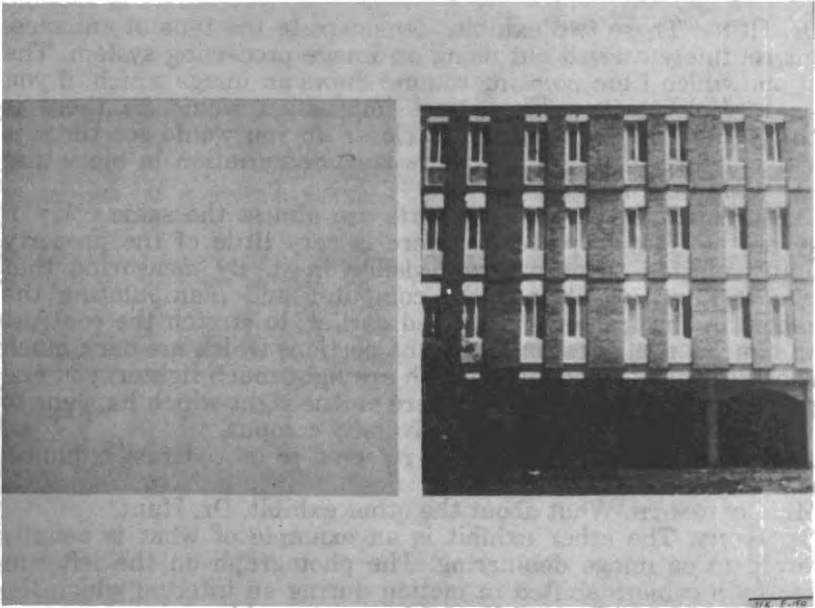
Dr. HUNT. That is correct.

Mr. GOLDSMITH. I would ask you at this time, Dr. Hunt, to refer to JFK F-150 and F-151.

Mr. Chairman, I move for the admission of these two exhibits.

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

[The information follows:]



JFK EXHIBIT F-150



JFK EXHIBIT F-151

Mr. GOLDSMITH. Dr. Hunt, what are these two exhibits designed to demonstrate?

Dr. HUNT. These two exhibits demonstrate the type of enhancement routinely carried out using an image processing system. The first one which I am pointing to now shows an image which, if you were to look at it, your distinct impression would be there is nothing there. If you could see it closer up you would see there is some structure in it, namely there is some variation in black and white within the image.

The problem is the blackest parts are almost the same color of gray as the lightest parts. So there is very little of the property usually referred to as contrast visible in it. By measuring that image and putting it into the computer and manipulating the numbers in the fashion I described earlier, to stretch the contrast of the image, that is to say make the portions which are dark much darker, to make the portions which are light much lighter, you end up with the image you see over here on the right which happens to be a dormitory building on the university campus.

That is an example of what is referred to as contrast enhancement.

Mr. GOLDSMITH. What about the other exhibit, Dr. Hunt?

Dr. HUNT. The other exhibit is an example of what is usually referred to as image deblurring. The photograph on the left was taken by a camera shifted in motion during an interval which the shutter was open. The result of this is quite a bit of distortion and blur.

For example, none of the letters which you see in the upper portion of this exhibit are visible. You would have, I think, a great deal of difficulty recognizing any of the letters. What we do, after converting that picture into numbers, is put together a set of equations which describe the process of blurring, solve that set of equations, and the new numbers which come out are represented by the picture on the right.

You can see how we have sharpened up the edges of all the letters and, most importantly, the fine details in the letters at the tip of the picture are quite visible. You can read things, for example, that this is a project financed by the Zion First National Bank of Salt Lake City.

Mr. GOLDSMITH. Dr. Hunt, are there any limitations on the extent to which the quality of an image can be improved through digital image processing?

Dr. HUNT. Yes; there are. There are fundamental limitations essentially referred to by the engineers as noise.

Mr. GOLDSMITH. Let me show you JFK F-152 and I would ask you to describe those limitations in some detail for us.

Dr. HUNT. Certainly. Anybody who has ever lived in a fringe television reception area realizes that if he turns on his TV set he is likely to see a picture cluttered by quite a bit of salt and pepper effect. The colloquial terminology for that is snow.

The upper picture in this exhibit represents an image in which we have a very poor quality of the image and it is cluttered by a great amount of this noise which we refer to as snow. We try to enhance the quality of that image by, first of all, if you wish, smoothing out the snow or noise which exists in it and trying also to sharpen up the edges and details in it in a fashion very similar to the previous exhibit. We were not able to do that with any great

success. Some things are more visible in the image. But by and large, the limits of noise, or snow if you wish, have stayed with us throughout the enhancement process and we are not nearly as satisfied with the enhanced image as we would like to be.

Mr. GOLDSMITH. Does the ability to improve the quality of an image depend at all upon the initial quality of the film or negative?

Dr. HUNT. Oh, yes. For example, if you are not presented with an original negative, suppose somebody hands you a copy on a piece of paper, the process of copying itself will cause a loss of information of a kind that will be detrimental to the process of enhancing it.

Mr. GOLDSMITH. Is the quality of the enhancement affected at all by the quality, for example, of the motion picture?

Dr. HUNT. Oh, yes; yes, that too. In fact it is possible to degrade an image beyond which it cannot be recovered, the information in it cannot be recovered.

Mr. GOLDSMITH. If a film has good quality to begin with, in other words a relatively clear picture, is it easier to enhance that film than a film which was of relatively poor quality to begin with, one that is fuzzy and shaky to begin with?

Dr. HUNT. It is; yes.

Mr. GOLDSMITH. What would the reason for that be?

Dr. HUNT. The reason for that would be that there would probably be less severity of the extent of the blur or fuzziness with respect to the amount of noise which had been included in it by the process of forming the image.

Mr. GOLDSMITH. Fine.

You made reference to the term "autoradiographic enhancement." Would you define that process for us?

Dr. HUNT. Yes. Autoradiographic enhancement is the use of a radioactive chemical which fixes itself to the image surface. Every photographic image is composed of small silver grains, literally grains of silver, the same silver we would know as a jewelry component. What we would do is to affix to the silver grains a chemical, which is radioactive and consequently emits a small amount of radiation such as X-rays. You place that radioactive film next to a piece of X-ray film and the picture literally takes an X-ray of itself, which is the source of the term autoradiography.

Mr. GOLDSMITH. I would ask you to refer to JFK F-154. Please describe the effects of autoradiographic enhancement.

Dr. HUNT. Certainly. There is a picture prepared by Stanford Research Institute, which is the corporation which has developed the autoradiographic process, and pioneered most of it.

The upper picture shows an aerial photograph, that is to say a picture taken from a plane flying overhead and looking down at the ground. That aerial photograph has been underexposed by a factor of 12, that is to say there is 12 times less light available in that exposure than there should have been in the optimum case.

The lower image shows the result of using this radioactive chemical to intensify the image and then taking an X-ray of itself. You can see quite a bit of features have shown up; some of it looks like a harbor area, tanks, airplanes, and so on.

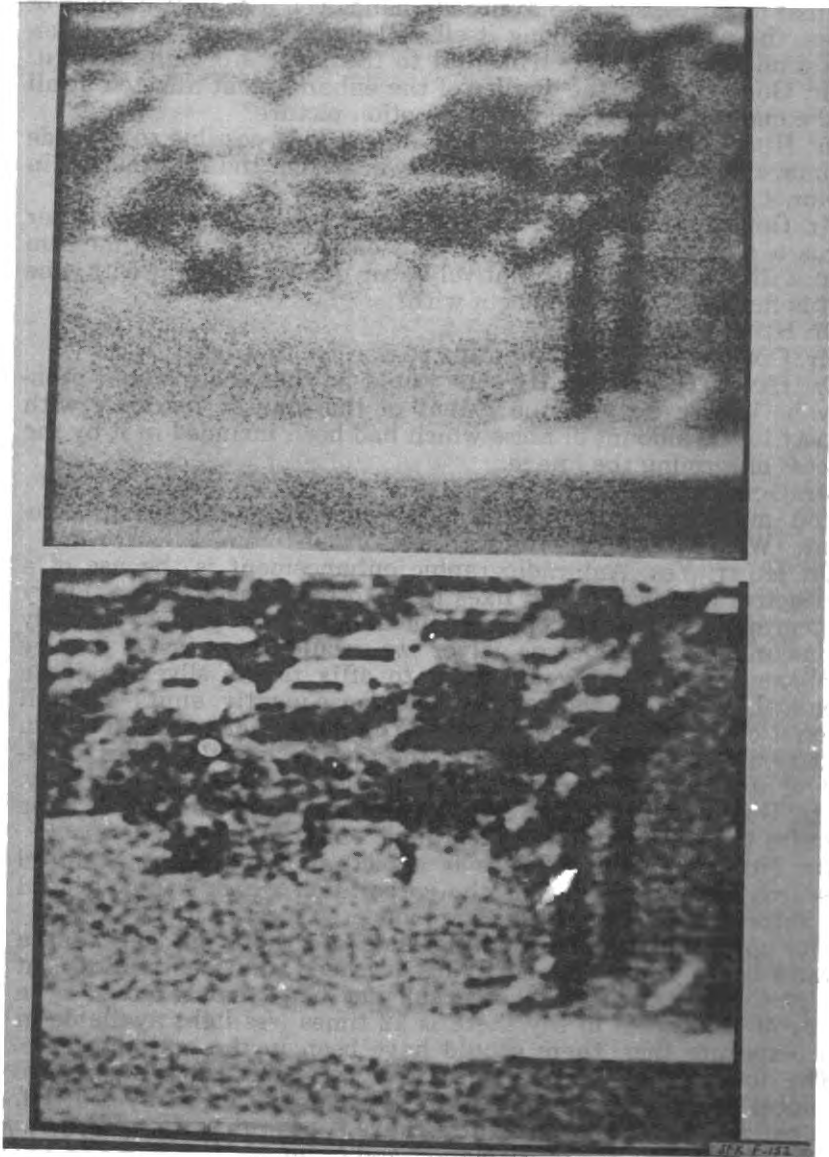
Mr. GOLDSMITH. What types of photographic materials can this process be applied to?

Dr. HUNT. It can only be applied to black and white film. Color film is not applicable.

Mr. GOLDSMITH. Mr. Chairman, I move for the admission into the record of JFK F-152 and JFK F-154.

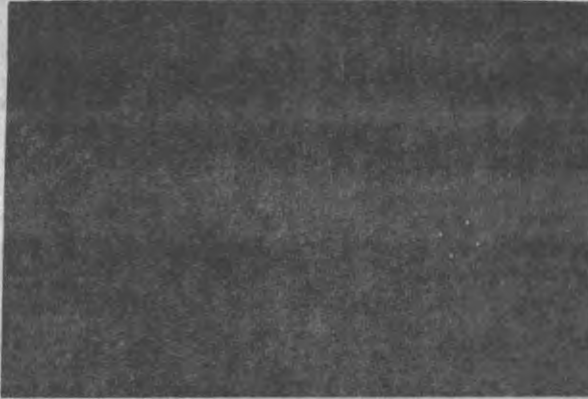
Chairman STOKES. Without objection they may be entered into the record at this point.

[The information follows:]

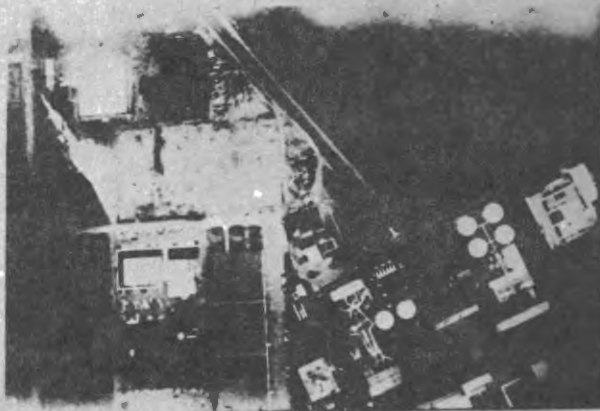


JFK EXHIBIT F-152

SRI INTERNATIONAL AUTORADIOGRAPHIC
ENHANCEMENT OF PHOTOGRAPHIC IMAGES



(a) AERIAL PHOTOGRAPH, UNDEREXPOSED BY A FACTOR OF 12



(b) AUTORADIOGRAPHIC INTENSIFICATION OF AERIAL SCENE
SHOWN IN (a)

Type R x-ray film, 48-hr exposure.

MP-31000-83A

JFK EXHIBIT F-154

Mr. GOLDSMITH. Dr. Hunt, in general what types of photographic materials did the panel subject to these various types of enhancement methods?

Dr. HUNT. We subjected original color slides, black and white negatives, a black and white Polaroid print and color motion pictures.

Mr. GOLDSMITH. What was the reason for limiting your work, your enhancement efforts to original materials?

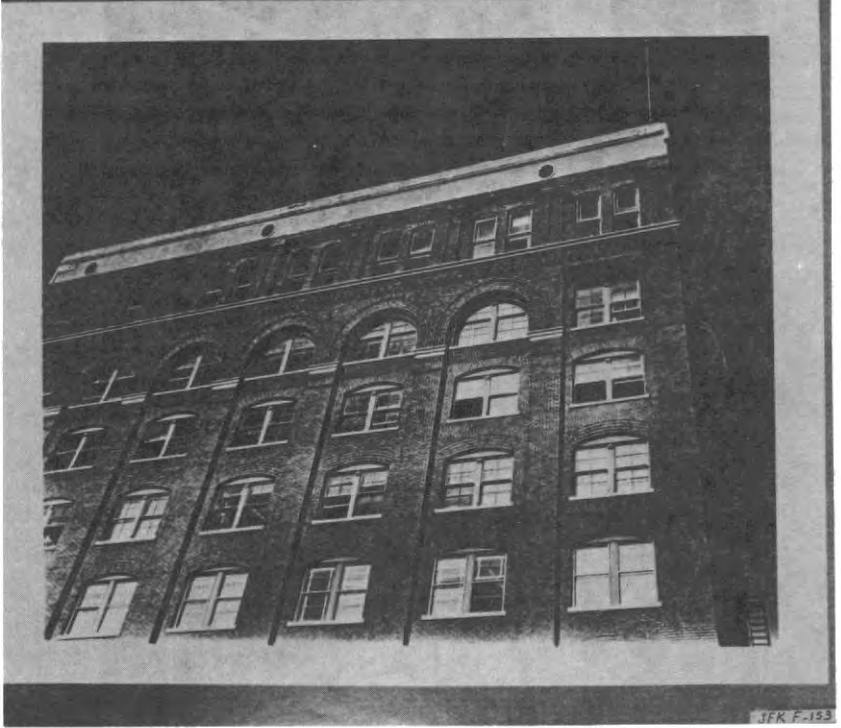
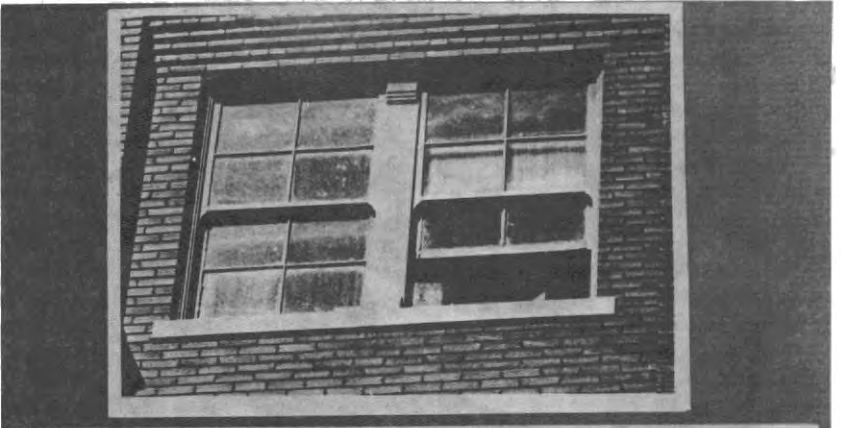
Dr. HUNT. As I stated earlier, every time you carry out a copying process you lose information. Therefore, we wanted to have the best information available to go into the enhancement process to make sure we got the best product coming out.

Mr. GOLDSMITH. I would ask you at this time to refer to JFK exhibits F-121, F-153 and F-157.

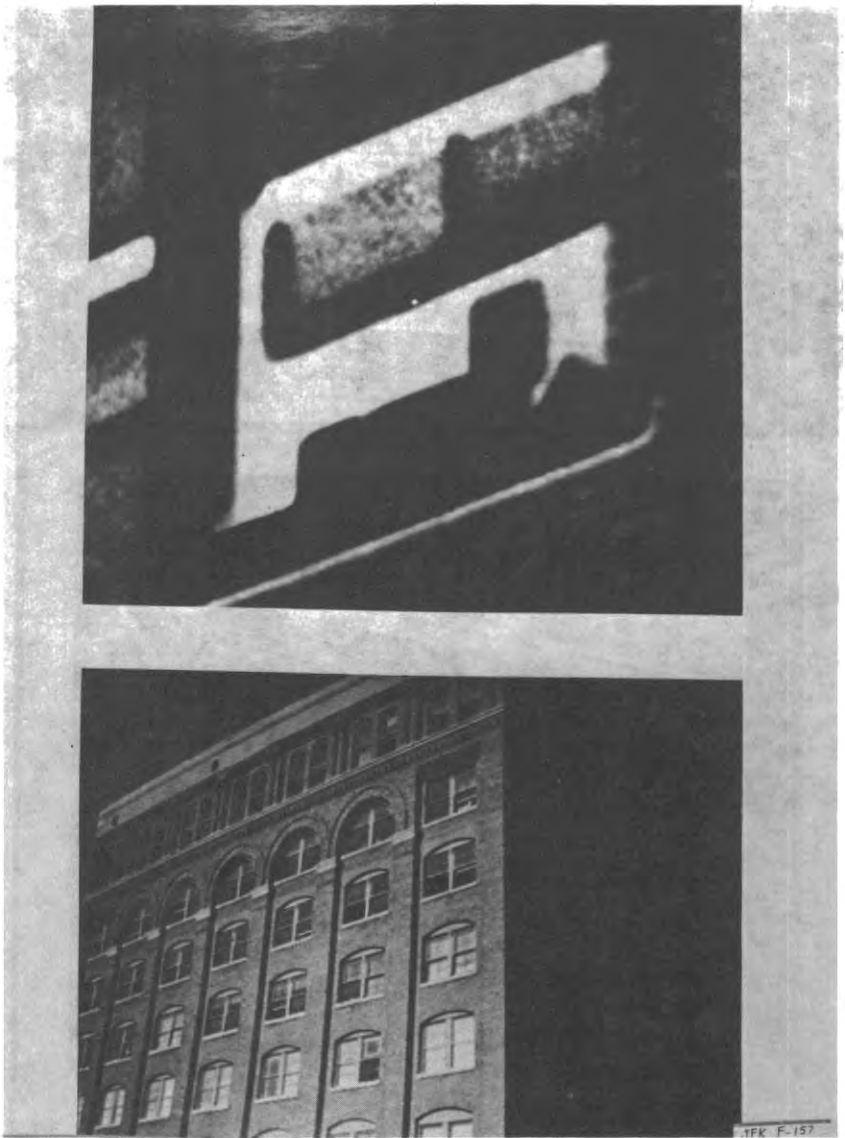
Mr. Chairman, 121 has already been admitted into the record. I move for the admission of JFK F-153 and F-157.

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

[The information follows:]



JFK EXHIBIT F-153



JFK EXHIBIT F-157

Mr. GOLDSMITH. Thank you. Dr. Hunt, would you identify these exhibits?

Dr. HUNT. Yes. F-121 is a split view in which the upper portion shows the sixth floor of the Texas School Book Depository, the lower portion of it being an enlargement of the open sixth floor window. This is taken from an 8 millimeter motion picture film which is usually referred to as the Hughes film.

Exhibit F-153 also shows the School Book Depository but it is a black and white image taken by a photographer by the name of

Dillard. The lower portion of the photograph as it was originally on the negative, the upper portion is the increased or enlarged scale of that centering on the sixth floor window.

Exhibit—I can't see the number—F-157 is a third photograph of the Texas School Book Depository. Again the object of interest is the open sixth floor window in the lower portion. This is the original 35 millimeter slide, the print made from the 35 millimeter in the lower portion. The upper portion is the result of a computer enhancement of the contrast as well as computer recoloring the information to bring out extra detail.

Mr. GOLDSMITH. Of these three exhibits, the only one that shows enhancement work I take it is JFK F-157.

Dr. HUNT. That is correct.

Mr. GOLDSMITH. And there only the top photograph has been enhanced, is that correct?

Dr. HUNT. That is correct.

Mr. GOLDSMITH. Do you know the time sequence that separates these three photographs?

Dr. HUNT. Yes. The Hughes film, for example, from which exhibit F-121 was taken, that is a motion picture film which follows the Presidential caravan as it proceeds down the street and makes a left turn directly in front of the School Book Depository. That is about, not about, exactly 88 frames of 8 millimeter motion picture imagery. We know from the position of where the Presidential car turned that it terminates approximately 5 seconds prior to the first, what is believed to be the first shot, and that therefore gives us a time span for those 88 frames of about 10 seconds before the first shot to about 5 seconds before the first shot.

Now the second picture, the Dillard picture, was taken from a press car which was following the Presidential caravan. I believe testimony that Dillard gave before the Warren Commission indicated that he took that picture just a few seconds, his own term I believe, after the last shot was fired.

And finally this third image, taken by Mr. Powell, is believed to have been taken, on testimony by Mr. Powell, 1 to 2 minutes after the last shot was fired.

Mr. GOLDSMITH. What issues were raised by these photographic materials?

Dr. HUNT. The issues principally concern themselves with what is visible within the sixth floor School Book Depository window. I am pointing to the window on the sixth floor and there is evident there a rectangular shape. If you view this motion picture, the Hughes film, for example, as I am pointing to now, if you view this in a motion picture sequence, one notices several things.

First of all, the image formed at this window positions itself near the top left edge of the frame and then, as the camera pans, following the Presidential car, that image begins to drift and move in toward the center. As you watch it do that, you get the distinct impression there is some sort of motion or a change of the object within the window. So the issue, of course, is exactly what are we looking at there? Is that the potential assassin? That is the issue presented by the Hughes film.

Mr. GOLDSMITH. Dr. Hunt, before you proceed to the Dillard photograph, was any other issue presented by the Hughes film aside from the motion in the alleged assassin window?

Dr. HUNT. Yes. There is another set of windows over here immediately to the left and off of this particular print which was made which shows another set of windows in the School Book Depository and there have been assertions or allegations that something can be seen with respect to a person or persons in that window looking out.

Mr. GOLDSMITH. Please proceed now to the Dillard exhibit.

Dr. HUNT. OK.

The Dillard exhibit, since it has been taken presumably just a few seconds after the last shot was fired, if we look at an enlargement of that image, the question we concern ourselves with is the following: There are some objects very definitely visible in front of that window. There is a box, what we interpret to be a box, another box sitting over there. But behind the window there is a great deep shadow. The question is, within that deep shadow is it possible to see things by contrast enhancement techniques of the kind that I described earlier?

Mr. GOLDSMITH. That is essentially the same issue that exists for the Powell photograph?

Dr. HUNT. That is correct, essentially the same issue, namely to look inside, what is the deep shadow in that window.

Mr. GOLDSMITH. What type of enhancement method was applied to the Hughes film?

Dr. HUNT. The Hughes film was enhanced in the following way: We took the 88 frames which were available to us from the original film recorded by Hughes and the process of digitizing those 88 frames, as I described earlier, was carried out. After it was carried out, the following things were done: We recognized there was a change in contrast in each frame of the film. By that we mean that the overall brightness and darkness of the image seemed to change from frame to frame which, incidentally, is not an uncommon thing to have occur. So the first thing we did was to use the computer to equalize the contrast in each frame. By that we mean that the same values of brightness and darkness were forced on the image by the computer.

The second thing we noticed was there was a change in focus from frame to frame occasionally as the camera takes its picture and the film moves around slightly in the focal point. We changed those scales slightly to compensate for the change in focus. Once that work was done, we then went into the process of trying to determine what was happening in the way of motion. The way we did that was to put this picture on a soft copy computer TV display of the kind that I described.

Once it was on that display, an operator has the ability to position the small dot anywhere in the picture which is given on that display. He positions that dot in the center of the object which we see and then, once the dot is positioned, the computer records the coordinates of that dot and from that sequence of dot positions we can ask ourselves the question what motion is seen or not seen.

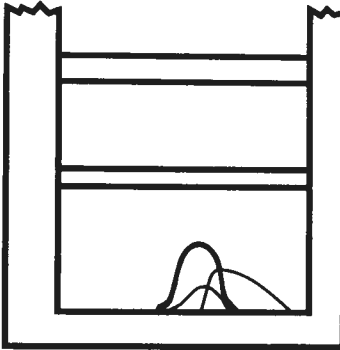
Mr. GOLDSMITH. At this time I would ask that Dr. Hunt be shown JFK F-159 and F-159A.

Mr. Chairman, I move for the admission into the record of these two exhibits.

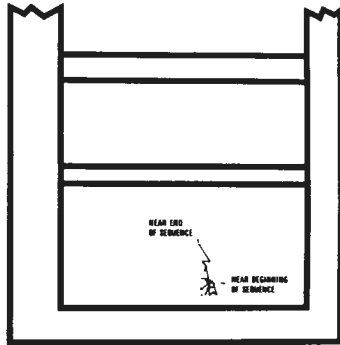
Chairman STOKES. Without objection they maybe entered into the record.

[The information follows:]

HUGHES FILM
6TH FLOOR END WINDOW



CHANGES IN SHAPE AND POSITION AT 1/8 SEC INTERVALS
FRAME SEQUENCE: 165, 167, 169 01

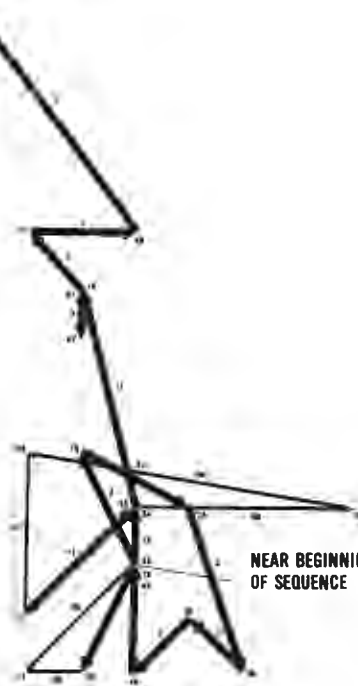


CHANGES IN POSITION OF CENTER OF SHAPE OVER ENTIRE
FILM SEQUENCE

JFK EXHIBIT F-159

JFK. F-159

NEAR END
OF SEQUENCE



NEAR BEGINNING
OF SEQUENCE

JFK EXHIBIT F-159A

Dr. HUNT. These two exhibits try to depict graphically the actual form of the motions perceived as a result of this computer processes which were carried out. It is a very cluttered exhibit and we apologize for it, but I think the fact that this exhibit is cluttered indicates something about it.

What we have tried to show here is the direction of motion of the center of this object as it was perceived in each frame, and also the length of the arrow indicates the rough extent of the motion itself.

For example, we start here in the beginning of the motion sequence, we move up like so, over to the right and down, to the right and down some more, like so around, and it goes around like that until it ends up finally at the 85th frame where the motion perceived, position of the object perceived is right there.

Mr. GOLDSMITH. What does the length of each line in that exhibit F-159A indicate?

Dr. HUNT. The length of the line exhibits the extent of the motion of the object in the window.

Mr. GOLDSMITH. Before I ask you to describe JFK F-159, I want to have it moved a little bit so that it is in better view.

Dr. HUNT. This exhibit combines the same information on the large blowup of 159A. But in addition to that, we have isolated on three or four frame sequences, frames 55, 57, 59, and 61 in that film, and show you the change in position at $\frac{1}{8}$ -second intervals. To most graphically demonstrate that, we put that in color. Red indicates the shape of the object in the window at frame 55, green at 57, blue at 59, and yellow at 61.

I guess the important point is you see quite a great degree of motion change occurred at $\frac{1}{8}$ -second intervals.

Mr. GOLDSMITH. Was the panel able to attribute that motion to any human object?

Dr. HUNT. No, we were not able to do that; at $\frac{1}{8}$ second intervals we are seeing quite drastic changes in shape and if you look at them they are not all that consistent.

For example, from red we move to the green to a position there, we immediately pop down in the blue and then pop way back up again in the yellow.

Mr. GOLDSMITH. In that case, to what was the motion attributed?

Dr. HUNT. The panel's conclusion was that the motion which is perceived if you view the movie is attributable to photographic artifacts, namely the change in contrast frame to frame, the change in focus as the image of the window moves around in the frame of the film.

Mr. GOLDSMITH. Is it possible there was a human object in that window but it simply was not perceptible on the film?

Dr. HUNT. It is very possible that there was a human object there, but it would be beyond the perceptibility of the imagery as recorded on film, is the panel's conclusion.

Mr. GOLDSMITH. What would be the reason for that?

Dr. HUNT. The reason is that it was simply—well, there are several reasons.

First of all, at the edge of a film frame the image is never as good, never as sharp or as crisp or conveys as much information as at the center. Unfortunately, most of these images are captured at the edge of the film frame. That is the position where you have a

number of optical distortions that occur which cause a loss of sharpness and information.

Mr. GOLDSMITH. Is that also explainable in part by the quality of the camera?

Dr. HUNT. Yes, that is, a real high quality motion picture camera of the type that would be used by commercial photography would have much better image retention features in the edge of the frame than would a sort of off-the-shelf hobbyist home product.

Mr. GOLDSMITH. What did the panel conclude about the presence of motion in the adjacent window on the sixth floor?

Dr. HUNT. Those adjacent windows were examined also even though they are not visible on this particular blowup we have. We found no perceptions in motion or even forms in those windows.

Mr. GOLDSMITH. Now the ITEK Corp. reported that, in that adjacent window, there was something that they characterized as a transient anomaly; in other words, motion of some kind. To what would that type of motion be attributed?

Dr. HUNT. First of all, the ITEK Corp. did not carry out any of the elaborate procedure for controlling the contrast that we did, which means they were much more subject to a false perception of motion as a result of contrast failures. By that I mean the following: What you see as an object, if it is in both shadow and light, is strictly dependent upon the photographic processes resulting in the contrast of that object being recorded on film. If there were changes in contrast there would be a much greater probability of motion being perceived. We, of course, tried to hold the contrast constant by our processing.

Mr. GOLDSMITH. Are you saying then that such motion would be characterized as caused by photographic artifact?

Dr. HUNT. Photographic artifact, photographic anomaly.

Mr. GOLDSMITH. What type of enhancement method was applied to the Dillard pictures?

Dr. HUNT. The Dillard pictures being in black and white, being in black and white negative, and one in which we had a deep shadow which we wanted to examine, was an ideal picture to use the autoradiographic enhancement technique on. It was given to Stanford Research Institute, to apply that technique to it.

Mr. GOLDSMITH. Let me show you at this time JFK F-156. Please describe the results of that analysis.

Dr. HUNT. F-156 shows two versions of an autoradiographic enhancement of the image as seen by the panel after the work at SRI. The lower image is one in which the work has been carried out for 17 hours, the upper one, for 138 hours. That is the time in which the radioactive film was in contact with the X-ray film.

It is unfortunate we do not see what the panel was able to perceive on the enhanced negatives themselves. In this open fifth-floor window the enhancement process was quite successful in seeing into the dark shadow. On the enhanced negatives you can actually see a light fixture which is hanging from the ceiling of this fifth-floor window. You can perceive the light bulb which is mounted in the middle of that light fixture.

Mr. GOLDSMITH. In light of the presence of that light fixture in the fifth-floor window, is that the reason why the sixth-floor window was studied under the technique?

Dr. HUNT. That is correct. Once we were able to perceive the enhanced detail within that fifth-floor window, we believed we were justified in using this technique in the open sixth-floor window as well.

Mr. GOLDSMITH. Was the panel able to make a finding as to the presence of someone at the sixth-floor window?

Dr. HUNT. Yes. The enhancement of the sixth-floor window shows there was no one at the window.

Mr. GOLDSMITH. What type of enhancement work was done with the Powell slide?

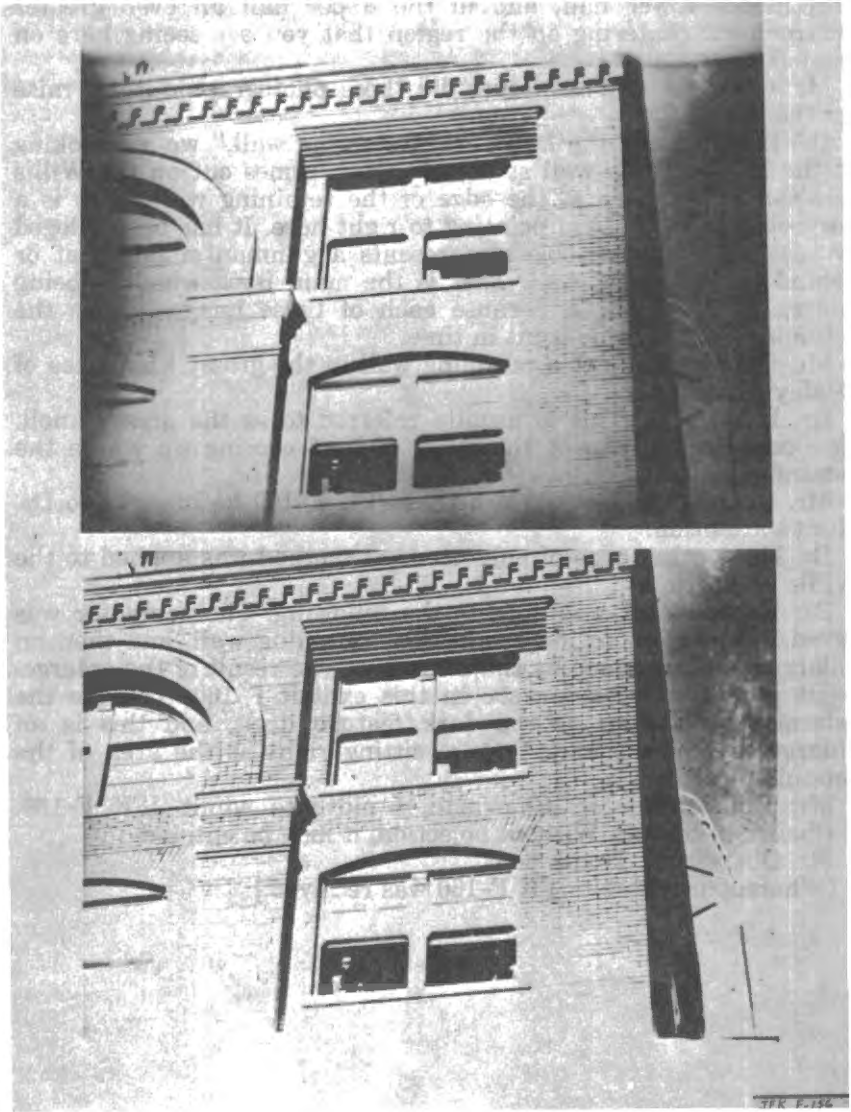
Dr. HUNT. The Powell slide, being a color slide, was enhanced by a computer contrast enhancement technique which would be very similar to the one I showed a previous exhibit on, yet it was done in color. We had a color film so we applied the contrast enhancement in color. You can turn the colors inside out in some cases.

What was a very deep or black area has become a white area in the enhancement. The important point is the following. Again, looking within that window, you see no details of a human form or face.

Mr. GOLDSMITH. I ask that Dr. Hunt be shown F-155, F-129, and F-161. While that is being done I would request that F-156 be admitted into the record.

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

[Whereupon, exhibit F-156 was received.]



JFK EXHIBIT F-156

Mr. GOLDSMITH. Dr. Hunt, would you identify these exhibits?

Dr. HUNT. Yes. F-155 is an enlargement from a slide taken by a gentleman by the name of Willis. It is looking down towards the caravan from the back as the caravan proceeded down the street. It is a 35 millimeter color slide.

The next exhibit, F-129, shows an enlargement from a black-and-white Polaroid print, usually referred to as the Moorman film. The third exhibit, F-161, shows a segment, one print if you wish, from a film made by a gentleman named Nix. You are showing an enlarged piece of that film cropped out from the original 8 millimeter

film in the lower half, and in the upper half an even greater enlargement centering on the region that you are seeing here on the left.

Mr. GOLDSMITH. What issues did these photographic items raise for the panel?

Dr. HUNT. Using the label, "the retaining wall," we are looking at the Dealey Plaza wall structure which comes out on the Willis film, and right here at the edge of the retaining wall there is a dark object, which I am pointing to right here. It has been alleged or asserted the dark object represents a gunman standing at or behind the retaining wall. That is the main issue which is being addressed in all these, because each of these images shows the retaining wall at some point in time.

Mr. GOLDSMITH. Is this retaining wall in the grassy knoll area of Dealey Plaza?

Dr. HUNT. Yes. This is usually referred to as the grassy knoll. You can see the rise of the slope of land coming up where the retaining wall sits.

Mr. GOLDSMITH. I would ask that JFK F-160 be brought to Dr. Hunt's attention.

Dr. Hunt, what type of enhancement method was applied to the Willis photograph?

Dr. HUNT. What was done is the following. The computer was asked to scan this region around the retaining wall, and then an enlargement was made by the computer. The result of the enlargement process is what we see in this exhibit F-160. You see the retaining wall. Here is the dark feature itself, and this is an enlargement of the dark feature sitting right at the area of the retaining wall.

Mr. GOLDSMITH. Mr. Chairman, I move to admit JFK F-160.

Chairman STOKES. Without objection, it may be entered.

Mr. GOLDSMITH. Thank you.

[Whereupon, exhibit JFK F-160 was received.]



JFK EXHIBIT F-160

Mr. GOLDSMITH. Dr. Hunt, in attempting to identify this image, what analytical work, if any, was done?

Dr. HUNT. We did two things. The first thing we did was to attempt to remove some of the evident blur in the image. If you look at the original and concentrate upon the freeway sign, you see a blur. We hoped to remove that blur. That attempt was carried out at the University of Southern California. It was not successful.

Mr. GOLDSMITH. Are you able to say why it was not successful?

Dr. HUNT. Yes. The picture was just simply not that good. There is quite a bit of blurring when you look at this gross enlargement

of the kind we have here. There was, in addition, when the picture was received by the panel, a grayish coating of some kind on it. This was probably another thing that was detrimental to the effort.

Mr. GOLDSMITH. What analytical work was done to determine whether that image is a human object?

Dr. HUNT. When we look at this image upon a soft-copy display, we display it on a color CRT. This is where the soft copy is superior to the hard copy I have here on the exhibit. The perception is quite dramatic and distinct, that there are flesh tones within the region of what appears to be the head of this object at the wall, and that there are more flesh tones in what appears to be the hands of this object at the wall. What we tried to do was to make analytical and numerical measurements of those flesh tones and compare those with the flesh tones of another individual in the photograph.

What we did for comparison purposes was measure flesh tones upon the legs and face of this woman standing next to Mr. Zapruder, his secretary.

Mr. GOLDSMITH. What was the panel's conclusion?

Dr. HUNT. Based upon the flesh-tone measurements which we took off of the object at the wall, and comparing those to similar measurements on the flesh tones on Zapruder's secretary, we concluded this was a person standing at the wall.

Mr. GOLDSMITH. Did the panel make any effort to determine whether that person was holding a rifle?

Dr. HUNT. Yes. We tried to examine the nature of this linear feature which you see right here. If you look at this object you perceive something like a head or face with flesh tones, shoulders and arms, with flesh tones in the region I am pointing to here, and then you perceive this linear object which runs out of the hands roughly at a 45-degree angle. We would have liked to deblur the image. Since we couldn't, the only thing we could do was to ask ourselves: what is the probability of this being a rifle? We could not make a conclusion on that because there is another evident blur at the 45-degree line throughout this image. This linear object we perceive runs at the same direction as the blur which is apparent in the image. It is equally likely, therefore, that this is either a real object of some kind, or simply a small dark object in the image which was stretched out by the motion blur of the camera during the period in which the picture was taken.

Mr. GOLDSMITH. Dr. Hunt, I would ask you to refer now to JFK F-129 which was the Moorman enlargement at the far left. I would ask what type of enhancement method was applied to this photograph.

Dr. HUNT. This photograph in its original form was a black and white Polaroid print. As such, it was not well suited to being scanned by computer. There is in the region of the retaining wall a great amount of dark area. What we did, therefore, was to use contrast enhancement techniques of the photo-optic kind.

We tried to bring out, through photo enhancement, details against the retaining wall.

Mr. GOLDSMITH. What conclusion, if any, did the panel reach concerning this photograph?

Dr. HUNT. We found no evidence of the person that is visible in the Willis photograph in the Moorman photograph.

Mr. GOLDSMITH. What is the time sequence among these three photographs?

Dr. HUNT. Willis came first, approximately 5 seconds later came the Moorman photograph, and the Nix photograph spans most of those times plus some time later.

Mr. GOLDSMITH. Why is that?

Dr. HUNT. Because the Nix picture is a motion picture film. The picture started running prior to the fatal shot and kept running during and after.

Mr. GOLDSMITH. Drawing your attention to JFK F-129 in the upper left-hand region of that exhibit, there is a stockade fence. Perhaps you could point to it for the committee. Was any effort made to study that area to see if there was any evidence of a gunman there?

Dr. HUNT. No. No effort was applied to it. First of all, the results carried out in this region were negative.

Mr. GOLDSMITH. You are pointing now to the retaining wall?

Dr. HUNT. Yes. The print was of quite poor quality. As I said, this is a black and white Polaroid print and it had been manhandled quite a bit during the years. We concluded the results over here would be probably the same. When we look at the quality of the image in this region it seems even poorer than the quality where we already had negative results.

Mr. GOLDSMITH. The region you were just referring to is the region of the stockade fence?

Dr. HUNT. That is correct.

Mr. GOLDSMITH. Referring your attention to JFK F-161, what type of enhancement work was applied to the Nix film?

Dr. HUNT. This particular frame out of the Nix film was subjected to an enhancement operation at Aerospace Corp. in Los Angeles in which the nature of the enhancement was to bring the image more into focus. We know there is a slight blur in it, from the nature of the camera's image system. We tried to remove that blur.

Mr. GOLDSMITH. Was the panel able to reach any conclusion as to the presence of a gunman by the retaining wall?

Dr. HUNT. Over here at the retaining wall area we see some pattern of light and dark, shaped roughly like a triangle. You see that better in the enlargement, which we have shown here. The panel could not conclude this was a person. We see no flesh tones associated with that region of the sort we find over here on Zapruder and his secretary.

Mr. GOLDSMITH. Was this particular photograph subjected to digital image processing?

Dr. HUNT. Yes.

Mr. GOLDSMITH. Was the panel able to discern any sign of a flash or puff of smoke?

Dr. HUNT. No. They found no flash or puff of smoke in that retaining wall area of this film.

Mr. GOLDSMITH. The retaining wall area in this particular frame seems to be on the periphery of the frame. What effect, if any, does that have on the quality of the image?

Dr. HUNT. Well, it is in fact on the periphery of the frame. If you look on the frame itself it cuts off a little to the right where the photograph was printed.

By and large, the edge of a frame is the region of greatest degradation in the photo, a region where you are likely to find ragged edges of the frame, a region where you will find misfocusing of different colors, a region where you will find the greatest amount of blurring.

Mr. GOLDSMITH. Might that account for claims made by some that in that area of the photograph a flash or puff of smoke was perceived?

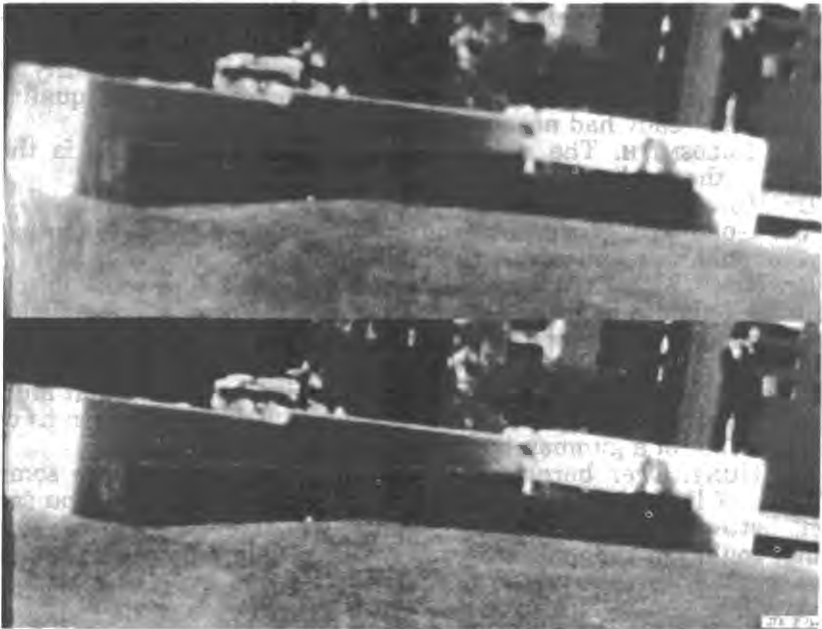
Dr. HUNT. Certainly it could. For example, an object in the background which might have been perceived as something easily recognizable in the center might be out of focus at the edge and simply not properly perceived.

Mr. GOLDSMITH. I would ask Dr. Hunt be shown JFK F-162.

Mr. Chairman, I move for the admission of this item.

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

[Whereupon, exhibit JFK F-162 was received.]



JFK EXHIBIT F-162

Mr. GOLDSMITH. Would you identify this exhibit, Dr. Hunt.

Dr. HUNT. Yes. We are looking at another frame out of the Nix film. The upper version is the original version and the lower version is the enhancement, which I will talk about in greater detail in a moment.

We are looking at the region of the Nix film which shows the retaining wall area, where Zapruder and his secretary are at the right of this area which we are examining at the left.

Mr. GOLDSMITH. What issue was raised by this particular frame?

Dr. HUNT. This has what is referred to as the classic gun man. You will perceive in the region that I am pointing to, which is an

area above the retaining wall itself, something which looks like the way an individual firing a fairly large rifle would be positioned. By that I mean, I would be holding the stock out in front of me with the left arm essentially dropping down at the angle you see, and with my right arm abruptly out from the body at about a 90° angle from the vertical, and the rifle therefore would be presumably pointing somewhere toward the plaza. The rifle would have to be pointing directly at the lens of the camera across Dealey Plaza.

Mr. GOLDSMITH. What type of enhancement work was applied to the Nix film or to this particular film?

Dr. HUNT. This frame was enhancement—I should say eight frames were enhanced. The eight best frames were chosen and digitized at Los Alamos. Once they were digitized, we did the following:

Each frame was registered. "Register" is a term we use to indicate that we superimpose one frame on top of another, by computer, to line up common points of the frame with all other common points. Once they were registered, each point in an image was identical in a frame right next to it; we then added all those together. The purpose of adding those together was to reduce the noise in the image; that portion of the image which is random noise will tend to be suppressed by the addition. That portion which is constant will tend to be reinforced. Once the noise is reduced we then use another enhancement technique, that I described earlier, of putting the image back into focus, refocusing by the computer, if you wish.

Mr. GOLDSMITH. After performing this enhancement analysis, what conclusion, if any, did the panel reach concerning the image at issue?

Dr. HUNT. We concluded that this was not a gunman.

Mr. GOLDSMITH. What was the reason for your conclusion?

Dr. HUNT. There were several reasons for that. First of all, the result of the enhancement processing. If you compare the region to the right and above the so-called classic gunman, you see a great amount of clarity has been introduced by the processing and you are able to perceive what this region is. It appears to be shadow patterns on a wall structure behind the plaza as a result of sun shining through the trees in the adjacent region.

The panel, looking at that, believed what we were seeing was just a particular shadow being created on the back wall. Furthermore, when we tried to make measurements to arrive at flesh tones to compare with flesh tones over here on Zapruder, the flesh tone analysis was not similar. We found no relationships between the colored regions here and the colored portions on Zapruder or his secretary.

Mr. GOLDSMITH. Did the panel come to a conclusion of any sort?

Dr. HUNT. No, with one exception. In a couple of frames this right position, which would be the arm extended horizontally, vanished in a couple of frames. If we were looking at a real individual, it would be impossible for that to abruptly disappear and reappear again. That was another thing that led us to believe it is a possibility of some variation of shadow, caused by leaves.

Mr. GOLDSMITH. Was there any evidence of a rifle?

Dr. HUNT. There was no evidence of a rifle.

Mr. GOLDSMITH. Was there any evidence of a flash or puff of smoke, Dr. Hunt?

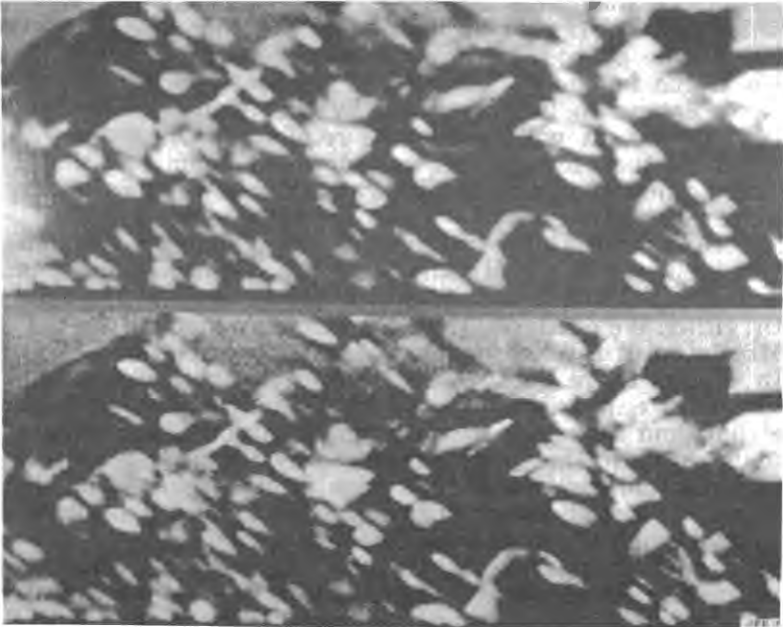
Dr. HUNT. No, there was not. We were being particularly sensitive to that. What we did, besides the enhancement and the averaging technique I described, we subtracted each frame from its neighbor. The business of subtraction has the property of enhancing anything which is distinctly different from its neighbor because everything which is common in the two images goes to zero. That which is not common stands out like a sore thumb. There was no visibility of flash or smoke.

Mr. GOLDSMITH. At this time I would ask Dr. Hunt be shown JFK F-164.

Mr. Chairman, I move for the admission of this item.

Chairman STOKES. Without objection, it may be entered into the record.

[Whereupon, exhibit JFK F-164 was received.]



JFK EXHIBIT F-164

Mr. GOLDSMITH. Would you identify this exhibit, Dr. Hunt.

Dr. HUNT. Yes. This is a section out of the Zapruder motion-picture film. This is one frame out of that film. In particular, it is frame 413, using the numbering sequence which was established by the Warren Commission. The top half of this exhibit shows the original frame as it was received by the photographic panel. The lower half of it shows the result of enhancing it.

Mr. GOLDSMITH. What issue was raised by this particular frame?

Dr. HUNT. The issue raised by this particular frame is the visibility of this head. If you look in front of and behind this frame, you will see Zapruder is following the limousine as it exits the plaza. A

bush becomes visible in the right side of the frame, moving toward the left. Visible also in the bush is this head or this head-like object which we see here. What is important with respect to it is the following feature. If you look at the head, you can see a linear feature starting where I show my pointer, a very narrow feature, running through the leaves of the bush, so to speak. There is a darker feature here which is much thicker. And if you line them all up, it is alleged that what you are seeing is the barrel of a rifle and the stock of a rifle, and this of course is the man who is holding the rifle.

Mr. GOLDSMITH. What type of enhancement technique was applied to this frame?

Dr. HUNT. This frame was enhanced by a technique that had the property of bringing the whole frame more into focus, using a computer to focus the camera, after the fact. The result of that, I think, is quite visible because if you look at the barrel of the rifle, as you see it in the lower picture, it is much more distinct, it is better outlined and is easier to follow.

Mr. GOLDSMITH. In examining this frame for evidence of a person with a gun, what analytical work was done?

Dr. HUNT. The important analytical work which we can do in examining the frame, first of all, I will use the topograph—

Mr. GOLDSMITH. Excuse me. Dr. Hunt has referred to JFK F-133.

Dr. HUNT. This is an overhead survey map of Dealey Plaza. The black outlined area is the retaining wall we have been looking at in other photos. Mr. Zapruder was standing at roughly this portion of the wall. By examining the film and letting the U.S. Geological Survey do analytical plots, we were able to place the limousine in its path down the street at approximately this position.

Zapruder's camera was centered roughly on the limousine, so if we were to draw a line from Zapruder to the limousine we would be able to see what we were looking at in the line of sight of the camera. You can see that it crosses the center of this sidewalk, this concrete walk which leads down from the top of the knoll to the street level. That is roughly the positions you would have involved.

Mr. GOLDSMITH. You are drawing a line in effect between Mr. Zapruder and the position of the vehicle in frame Z413?

Dr. HUNT. Yes.

Mr. GOLDSMITH. Having done that, what conclusion did you reach?

Dr. HUNT. We did that, and then after having done that we went one step further. We looked at the relative sizes of the head which we perceived in the bush and the heads which we perceived out in the automobile. For example, we see here the head of a Secret Service agent who is just climbing into the back of a limousine. There is a principle of camera optics that states you can relate the size of the head which we see in the bush to the size of the head which we see out here in the street, and you can use those two relative sizes to determine relative distances between the camera, the head in the street, and the head which we see in the bush.

By measuring the width of these heads and carrying out that calculation, we were able to do the following. I made three different measurements, and if I were to place again that line between Zapruder and the car and then position the heads, I would find

that the closest that I am able to calculate that the head in the bush would lie to Zapruder would be exactly in that sidewalk. The farthest away would be about 10 or 15 feet on the other side of the sidewalk.

Mr. GOLDSMITH. You are referring to the sidewalk that runs from the retaining wall down to Elm Street?

Dr. HUNT. That is correct.

What that means is the following. We find that the head must be at the sidewalk or beyond it. If we go back to the original exhibit itself and look at what we perceive about this rifle barrel, which has been asserted to be a rifle barrel, we notice that in this bush the rifle barrel actually falls in front of several different leaves we see in the bush. It is a geometrical and physical impossibility to appear in front of leaves in the bush if the individual himself is physically located far beyond the bush. The bush actually exists in this region about 10 or 15 feet from Zapruder, right near the point of the retaining wall. Consequently we conclude that this was not a head in the bush. This was literally a man standing out near this area of the sidewalk in the plaza.

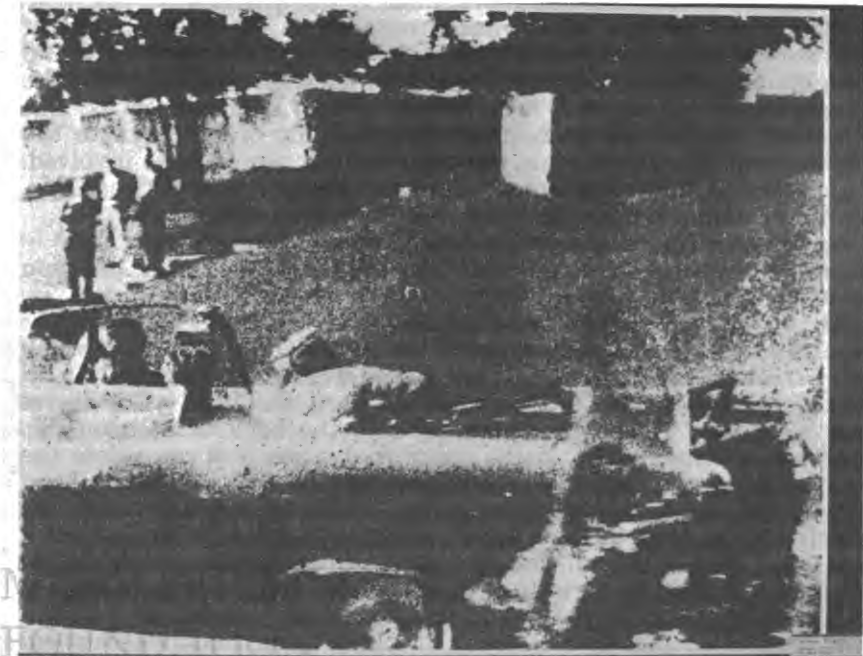
Mr. GOLDSMITH. Thank you very much, Dr. Hunt.

I have no further questions.

Mr. GOLDSMITH. Mister Chairman, I move the entry of JFK F-129, F-155, F-161, and F-163.

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

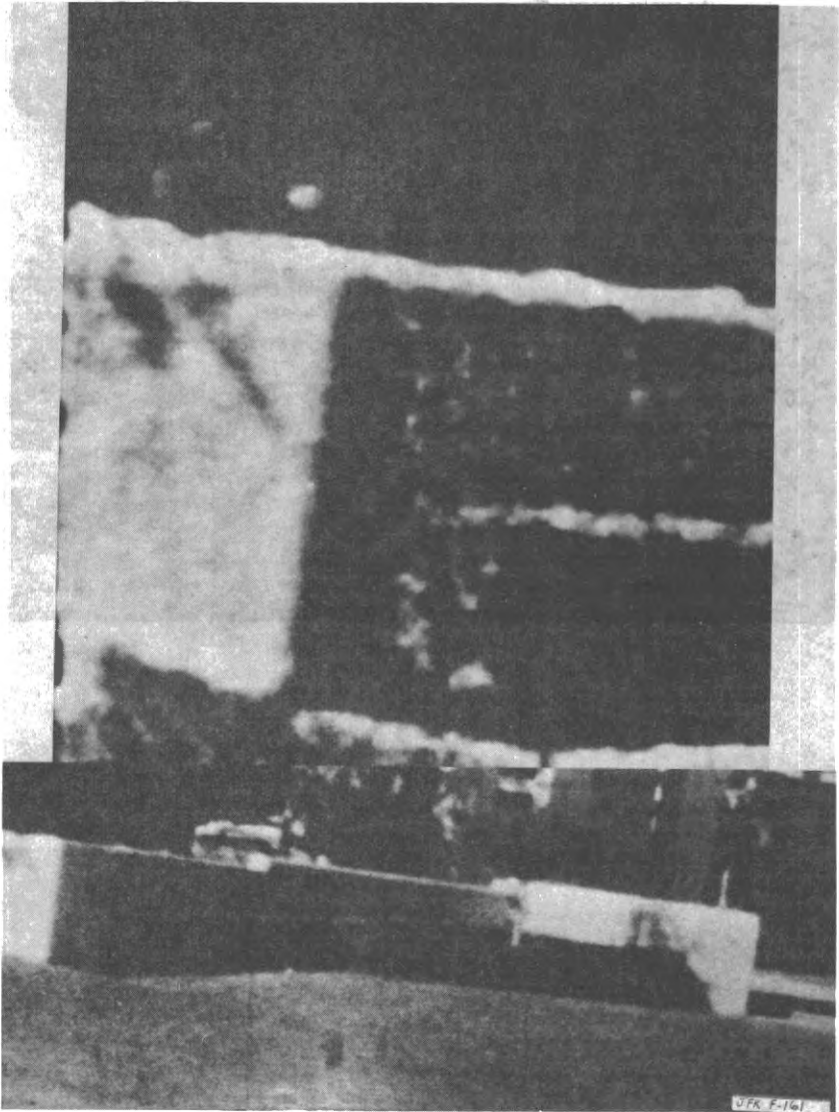
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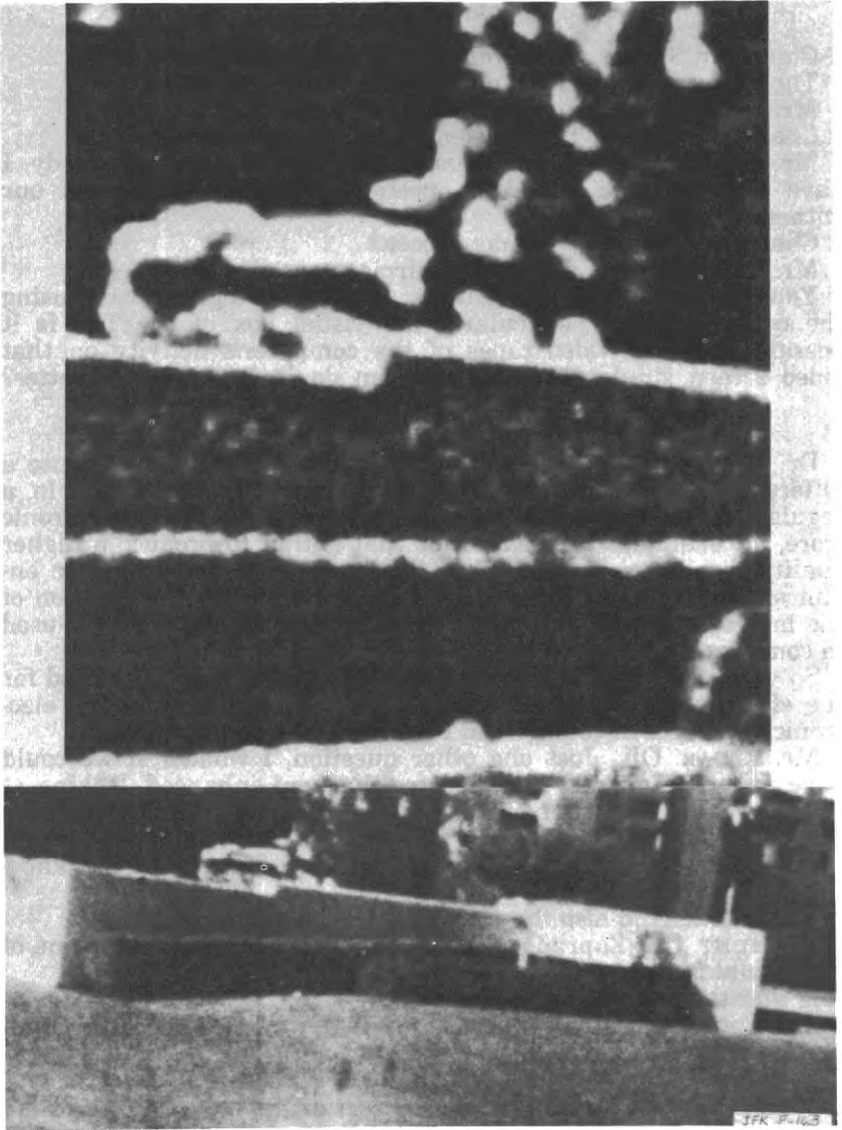
JFK EXHIBIT F-129



JFK Exhibit F-155



JFK Ехнівіт F-161



JFK EXHIBIT F-163

Chairman STOKES. It is now 12:30. This is an appropriate time for us to take a recess.

Accordingly, the committee will stand in recess until 2 p.m. this afternoon.

[Whereupon, at 12:32 p.m., the hearing was recessed, to resume at 2 p.m.]

AFTERNOON SESSION

Chairman STOKES. The committee will come to order.

The Chair recognizes the gentleman—

Mr. EDGAR. Mr. Chairman.

Chairman STOKES. The gentleman from Pennsylvania.

Mr. EDGAR. While Mr. Fithian is getting the questions ready, I have two relatively innocent questions I would like to ask our witness.

Chairman STOKES. You may proceed.

Mr. EDGAR. Thank you, Mr. Chairman.

You were describing the processes of the photography and using the computer, and particularly the visual box of the TV. Is it possible to make video tapes of the computer's activity on that video screen similar to what you can do in home TV cassettes?

TESTIMONY OF DR. BOB R. HUNT—Resumed

Dr. HUNT. The answer to that is "yes". But you have to use a different type of video taping system than you would find in a regular off-the-shelf thing you could buy from your local electronic store, for example. The reason for that is that to produce a higher quality display on the TV sets that were used for computer enhancement, we use a different electronic format for the creation of the image on the TV tube than the electronic format which is used in commercial broadcast television standards.

So you would have to have a box, so to speak, which is suited for the electronic standards of our TV display, rather than the electronic standards of commercial broadcast television.

Mr. EDGAR. OK. Just one other question. I wonder if we could have put up on display the pictures that you enhanced, looking at the figure on the corner of the wall in the grassy knoll that looks like a person.

Dr. HUNT. OK. That would be Willis No. 5, I guess. I don't know the exhibit number.

Mr. EDGAR. And also the picture of the bush and the hat.

Dr. HUNT. OK. Zapruder frame 413 that would be. That is one of the retaining wall photos.

Is that the one you are interested in?

Mr. EDGAR. Yes. This was the one I am particularly interested in.

In your description—and we had also a chart up there of the fact that that hat was probably somewhere near the steps, and the bush was closer to Zapruder, I believe, when he took that picture; is that correct?

Dr. HUNT. Yes; that's correct.

Mr. EDGAR. Put that up.

The question is a relatively innocent one. It seems to me that we had some pictures of Zapruder taking the famous film. Did you analyze or look at any of those pictures to see if there is anyone with that kind of a hat standing anywhere near the steps?

Dr. HUNT. First of all, what you perceive as a hat the panel did not conclude was a hat; they concluded there is not an individual with a hat there. But what you see, the perception of a hat with the brim turned down, is actually just a coincidental appearance of

leaves in that bush near the edge of the head, in such a way that it looks like the brim of a hat.

Now with respect to——

Mr. EDGAR. But there is a head under that——

Dr. HUNT. There is definitely a head; and you can tell that, for example, by some of the pink flesh tones on the ears and the back of the neck when you look at them on a computer display.

Now the head there itself, you can see, for example, in the picture which Mrs. Downey just put up, three individuals standing on the steps there. All three of them appear to be fair-haired or with hair cropped short, perhaps balding or beginning to bald, which would be very much the same perception you would receive from looking at this individual's head which is seen in Zapruder 413, namely, that of a balding or fair-haired individual with the hair cropped short.

Mr. EDGAR. I just wanted to make clear on the record that there were some people standing in the proximity of where you suggest someone might have been standing to cause the optical illusion that appears, that the gentleman—person—is in the bushes.

Dr. HUNT. That's correct. In fact, they appear to be standing just about on the steps where that line that I drew on the survey map would indicate, on a distance measurement from the geometry of the imagery that they would have to be.

Mr. EDGAR. Thank you, Mr. Chairman. I yield back my time.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you, Mr. Chairman.

Dr. Hunt, just theoretically, hypothetically, if someone in your profession, someone with your talents, wanted to arrive at a certain thing, a certain kind of object out of computer enhancement of a photo, would it be possible to fake that?

Dr. HUNT. In some cases it probably could be. I would qualify it in the following way:

For example, if I wanted to distort an object to appear to look like some other object, I could do that if the object that I wished to start the distortion operation on had certain characteristics which were probably similar to the object that I wished to arrive at when I did this distortion, whatever it might be. But——

Mr. FITHIAN. Could you, for example, if you set out to do it, take what has been alleged to be a head in the bush and with the right adjustment of height and computer assistance make that into a person?

Dr. HUNT. How would you judge the criterion of making it into a person?

Mr. FITHIAN. Enough so that you could convince the average layman that that was, in fact, a person in the bush.

Dr. HUNT. Yes, I believe that could be done.

What you would probably go about doing would be to add more color to it, so that more skin tones would be visible, perhaps using the machine in some artistic way, putting in more of a hairline than is immediately visible in the raw imagery, and so on.

Mr. FITHIAN. Dr. Hunt, let's turn to the analysis of the Hughes film that you talked about this morning——

Dr. HUNT. OK.

Mr. FITHIAN [continuing]. Which shows the Texas School Book Depository building. Did the photo panel look for motion in other areas of the picture than this sixth floor open window, southeast window?

Dr. HUNT. Yes. There is an adjacent set of windows also on the sixth floor, where it has been alleged that motion occurs, or there is a visibility of something like a human form in that region.

That area was also analyzed at the same time we analyzed the open window.

Mr. FITHIAN. And what were the results?

Dr. HUNT. The conclusions were negative. We found nothing that we would attribute to real motion of any object that was recognizable by the panel.

Mr. FITHIAN. Referring to the autoradiographic enhancement of the Dillard photo, which is JFK F-156—I don't know that we have to have it back up there, but I wanted to clarify something you said this morning that left me a little uncertain as to what you meant. You said that you were unable to detect any human presence in the window.

Now, as a point of clarification, you were referring, were you not, to the photographic image of the window. You would have no way of saying whether there was an individual further inside the window than that?

Dr. HUNT. That's correct. Our conclusions related strictly to that negative image which we had on hand. Within that negative we could see no human form or shape.

Mr. FITHIAN. The conclusion, therefore, is that if Oswald shot the President from the window, that at the time that photograph was taken, the shot that you were working with, at the time that was taken he had sufficiently removed himself from the window inside, that all the photo-enhancement could not bring him out to light; is that correct?

Dr. HUNT. That would be my supposition; that, in fact, if he is there, he is beyond the line of sight, not just in the shadows but outside of the line of sight visible through the window.

Mr. FITHIAN. I would like to ask the staff to put up JFK F-153. As I understand it, Doctor, this is a picture that was taken a few seconds after the shot; is that correct?

Dr. HUNT. I am not sure until I see the picture. Which one are you referring to?

Mr. FITHIAN. I believe that is the one of the—the TSBD?

Dr. HUNT. Oh, yes, right. Yes; in answer to your question, that was taken a few seconds after the last shot was fired. At least that is Dillard's testimony to the Warren Commission, I believe.

Mr. FITHIAN. Now, directing your attention to that particular exhibit, the photograph in the area of the sixth floor window, the open window, there seems to be a change in the configuration of the boxes. How did the photo panel account for this?

Dr. HUNT. The change in configuration of the boxes with respect to what, with respect to another window view?

Mr. FITHIAN. No, with respect to other photos that you analyzed.

Dr. HUNT. OK. Probably the one most pertinent to that would be the exhibit which is showing next to it at the moment—I am not aware of the exhibit number for it—but that shows the same

window, taken approximately one to two minutes after the first picture which we talked about, the one taken by Dillard on the right, the one by Powell on the left.

You are correct in perceiving that there is something which we could ascribe to a change in the configuration of the boxes.

For example, the picture on the right, we see only two boxes, one at the left of the windowsill and just a corner of the one peeping up at the right of the windowsill. Whereas, in the picture, the enlarged picture, for example, on the left, we see not just the two boxes; you can still see, for example, on the left there is the same small box at the left, there is the same corner peeping up at the right. But now we have two or three other boxes, apparently rising up in between them.

There are two possible explanations, I guess, for that, that the panel considered. One is that we are seeing boxes which are in the room, but because of our perspective, our line of sight, is different, we are seeing different boxes than were visible in the other picture.

The second explanation is that there has been physically a movement of the boxes in the room during the time which elapsed between the taking of those pictures.

Mr. FITHIAN. All right. Now there is no way that we can know which it is?

Dr. HUNT. There are ways of eliminating or narrowing down the possibilities between those two choices. For example, given the geometry at which you are viewing, and given the apparent sunlight on the boxes, you could probably guess how far into the room those boxes do lie.

For example, if you look at the two boxes which appear to have been introduced in the picture on the left, they appear to be in full sunlight, which means they must not lie too far inside the room because this was high noon, in November; the sun angle is simply not that low in Dallas at high noon in November to shine sunlight very deep into the room. So they can certainly not be too far behind the plane of the window; and that would therefore tend to rule out the possibility that we are looking at the box which lies in one position in the room and is simply tended to be viewed in different perspective from two different viewing points.

Mr. FITHIAN. You say it rules that out?

Dr. HUNT. It tends to rule it out, yes. It does not rule it out completely, because we lack what is usually referred to as the analytical information, from the position of the two photographers to precisely plot the positions of those boxes by stereoanalysis techniques.

Mr. FITHIAN. Well, if it generally tends to rule that out, then it seems this committee would be left with only one conclusion, and that is, that a box was actually moved.

Dr. HUNT. That would be my only personal conclusion, that somebody or something moved boxes around in that room during the time of taking of those two pictures.

Mr. FITHIAN. I would like to move to the next film, and perhaps we don't have to have it up there. I think we remember pretty clearly what that is.

But in Aerospace's enhancement of the dark image in what would then have been your enhancement photo which, I believe, shows above that, the image seen at the retaining wall, these bright spots in the area of that image which were made even more significant in the upper portion?

Dr. HUNT. Right, that's it.

Mr. FITHIAN. I didn't quite get how you accounted for those.

Dr. HUNT. Our explanation would be that we are seeing some shadow shining through. There is a large stand of trees which you do not immediately see in that frame, of course, lying to the left of the frame. And there is a wall, a structural wall, back behind this whole region. And at various places the sunlight is shining through the trees, and you are seeing little bits of light speckling on the pattern of the wall behind it.

Another explanation would be just that there are simply three bright spots of paint on the wall back there, for example, which are visible even in the deep shadow that they lie in.

Mr. FITHIAN. Now, while we are referring to this particular section of the photos, there has been a great deal made of this business of somebody seeing a puff of smoke or something they thought was a puff of smoke in the area. As I remember your testimony this morning, you said there was no photographic evidence of that?

Dr. HUNT. That's correct.

Mr. FITHIAN. Is there anything that you could tell me that would clarify whether or not your techniques would tend to increase the prospect of seeing it if it were there? Or is there something in your computer enhancement that would actually tend to filter—for lack of a better term—would tend to filter that smoke out of the picture when you go to blowing it up and putting it on a computer?

Dr. HUNT. The techniques which we applied in the analysis were specifically those which we hoped would enhance details or features of that type. In other words, we were careful to guard against using any kind of technique which would have the prospect of—and your term of “filtering it out” is a technically proper one—which would tend—we avoided techniques which would filter out any such type of artifacts. We were using techniques which would bring those details out.

Mr. FITHIAN. So you set out actually to increase the prospect of seeing any smoke that would appear in the picture?

Dr. HUNT. Well, not just smoke. It is not to say we were concentrating on just smoke, but we used techniques which would bring out details of any kind, whether they be smoke or people standing at walls, whatever. Those techniques tend to be fairly universal in their application for the enhancement for restoration of details.

Mr. FITHIAN. Let me ask the clerk to put up JFK-155.

This is the Willis slide. I don't think that is up there now.

Now, obviously, the human eye doesn't give us the full story; we have discovered that, if we have discovered anything, in the last 2 to 3 weeks. Any viewing of this picture indicates that that is a pretty good quality photograph, given a lot of the other things we have been trying to work with and that you have been trying to work with; and, therefore, my layman's judgment is that if it is

that good a photograph, why couldn't you get more information from it in regard to the dark image on the retaining wall?

Dr. HUNT. First of all, from the distance that you are viewing it—is not accurate.

The human eye has an inability to resolve details, and that inability, of course, is governed by how close you are to an image. You have to, first of all, look at the image close up in the region to the areas or the features that you are trying to deal with; and then, second, if you do do that under the magnification—and by magnification I mean the small sampling of individual numbers, such as I described in my earlier testimony—if you do that under magnification which is consistent with the details you are trying to resolve, you find indeed that the blur, the extent to which some of those features are blurred, are almost the magnitude of things you are trying to resolve.

In other words, if I were to put a measure of one inch on the film of some object I were looking at, I would find it had been blurred by almost a distance of my hypothetical one inch. So that from your viewing point it is difficult to conclude whether that is a good or bad image. It is the kind of thing that you can really conclude, or a photoanalyst can conclude, only by looking at it under the proper magnification.

Mr. FITHIAN. Now correct me if I am wrong, but isn't that a blowup of a 35 millimeter slide?

Dr. HUNT. It is—I think it is roughly about a full frame print. By that I mean I don't think it is much of a blowup; it tends to show much of the original frame, with the original slide.

Mr. FITHIAN. And is this the slide that you had difficulty with because of the coating on it?

Dr. HUNT. Yes. When it was received by the contractors who were performing the work for the committee to be scanned and digitized, it was noticed at that time that there was some kind of grayish coating on it.

Mr. FITHIAN. Some what?

Dr. HUNT. Some kind of grayish coating, a gray coating, grayish coating.

Mr. FITHIAN. Was this in the processing of the film?

Dr. HUNT. We are not aware of the source of that coating. We don't know how it got on there.

Mr. FITHIAN. Dr. Hunt, did the photo panel make use of any information that came from prior studies done on the photographic materials? Because there have been a great many.

Dr. HUNT. We made use of two different—I beg your pardon—three different studies which were performed by ITEK Corp. in the year 1967, which were performed for Life magazine at that time, and then another study performed in 1976 for CBS Television.

Mr. FITHIAN. And did you—I am now talking about your technique—did you take what they had developed as basic knowledge and go from that? That is, did you rely upon that data, or how did you—

Dr. HUNT. We tended to operate in an independent mode of the ITEK studies. There are two reasons for that. First of all, technology has advanced considerably from the time of the 1967 studies. More is known about those processes now than was known then. A

second reason was that we were not entirely in agreement with ITEK. That is not to say we faulted the ITEK study. Simply, there were other options to be explored.

Mr. FITHIAN. So you were satisfied, then, that you and your group explored all the options open to you, given the data and the material you had to work with and the state of the art now?

Dr. HUNT. That is correct. We think the sum total of the things we did and the things ITEK did represent a very broad spectrum of the options available to any person taking up this technology and applying it to that information.

Mr. FITHIAN. Are there any cautionary notes that you would give, either ourselves or somebody reading this report 5 or 10 years down the way, any cautions to be observed in the efforts to enhance poor quality photographs?

Dr. HUNT. Yes; I think the cautions that I would give would be what everybody working with this technology already knows. In anything you do in enhancing an image it is important to interpret the results which you achieve, and interpret them strictly in terms of what you see on the film. My favorite cliché in this regard—people who work with me on the panel have heard me use it before—is that a low quality image is very much like a Rorschach ink blot; people will look at it and see a lot of things under different circumstances. My main caution is to be sure you don't fall into traps by drawing more conclusions than are necessarily warranted by the hard evidence on the film itself.

Mr. FITHIAN. I have sometimes looked at some of the pictures and the quality of them. And until somebody pointed out this was a tree, or whatever, I had not seen that. I sort of concluded it is like the ink blot test. You pass this out to 10 people and the person tends to bring out of that very subjective photo or conglomeration what he takes to it. I don't know whether I am making myself clear or not.

Dr. HUNT. I have the same impression. Vision is the most subjective of the five human senses because it conveys the most information, and consequently that subjectively will always be employed.

Mr. FITHIAN. With regard to that one particular one that has been sensational, that is the seeing of the form in the bush and the rifle presumably, and there is tremendous argument back and forth as to what people are seeing when they look at that. As I understood your testimony this morning, you did a pretty tough analysis of it. But I did not hear anything that satisfied me—I don't mean any severe criticism—as to how you dispensed with the idea that long, black, thin 45-degree object was not a rifle.

Can you tell me what kind of tests you did or didn't do on that particular question?

Dr. HUNT. Yes; perhaps it would be better if I went to the display itself.

Mr. FITHIAN. Would you.

Dr. HUNT. It is a very good question. Because of the placement of the figure out in the plaza, the conclusion that this is a rifle in the figure's hands makes it geometrically impossible for it to be lying in front of the bushes. We also did some very precise measurements on what I referred to earlier as the rifle stock, namely this thick linear portion I am pointing to here.

The measurements were analytical in nature. Since this is a color picture we can measure red, green, and blue out of this picture. Those color measurements were then processed by a technique which was originally developed by NASA for the isolation of geographic and vegetation features on the ground from satellites. That technique is one of taking the individual colors which are measured, the red, green, and blue, looking at the numbers measured by them, and dividing the one into the other and making a picture of the results of that division. When we did that we had the relative balance of one color to another in the region of what I refer to as the stock of the rifle. Those color ratios were consistent with the same measurements taken back here in the limousine, which you see in a hole in the bushes as it is passing through.

Our conclusion is: All you are seeing in this region of so-called rifle stock is nothing but a chance hole in the bushes, and you are really looking at the limousine through the hole in the bushes. The color measurements bear that out.

A second thing we did was to simply look at the bush in the enhanced version. In this version since we have tended to deblur the image, you will see a lot of features running at 45 degrees, the same as for this feature purported to be a rifle barrel. It was the conclusion of the panel that all we are looking at in this case is just twigs of the bush, and what we are seeing is nothing more than a common growth pattern of a bush itself. If each of these is a rifle, you can count seven or eight rifles down there, which we considered to be an absurdity.

Mr. FITHIAN. What you are saying, the paint or the coloration of that alleged form that was the rifle matches precisely that of the side of the limousine?

Dr. HUNT. That is correct.

Mr. FITHIAN. And it is your conclusion then, what, that we are looking at is a little piece of the limousine through a bush?

Dr. HUNT. That is correct. It just happens to be a hole in the bushes at this point of a strange shape, sort of a rectangular 45° shape, which has the same color reflectance value as the back side of the limousine.

Mr. FITHIAN. Thank you.

I just have one concluding question, if you want to return to your material. I take it all your findings and the analysis and the methods in which you arrived there will be a part of the report to this committee?

Dr. HUNT. That is correct.

Mr. FITHIAN. Would it be possible once that is all in, for someone who is interested in this particular phase of it to duplicate the study that you made, and would they come out with the same answer, or is there enough subjectivity that it is kind of what you bring to it is what you take from it?

Dr. HUNT. To answer your first question, yes, it would be entirely possible for someone to duplicate that effort. The reason it would be possible is that all the data which was used in the computer analysis is recorded on magnetic tape and will be made available to the National Archives as a permanent record for the future.

Furthermore, the report which will be written will describe the actual details of the processes which were carried out, so if some-

one wished to take up that issue and use the same techniques they can do it.

To answer your first question, that would be my reply.

The second question, would they come to the same conclusion? I believe they would.

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

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Connecticut, Mr. McKinney.

Mr. MCKINNEY. Mr. Chairman, I have no questions. I just want to thank Dr. Hunt.

I think you have been one of the most lucid and clear witnesses we have had, and we have had a great many fantastic expert witnesses.

As a member of this committee, I am deeply concerned over a lot of the questions you have answered today. I want to thank you for the thoroughness and the openness in your comments. None of what you said was prejudiced nor opinionated. To me, your scientific testimony is amongst the best I have listened to as a Congressman in this Congress.

Chairman STOKES. The time of the gentleman has expired.

Is anyone seeking further recognition?

[No response.]

Chairman STOKES. Doctor, at the conclusion of a witness' testimony before our committee he is entitled to a period of 5 minutes in which time he can make any further comment he so desires relative to his testimony. I would extend to you 5 minutes for that purpose at this time if you so desire.

Dr. HUNT. Thank you. The only comments I would have would be to echo those of Sergeant Kirk earlier and Dr. Snow, thanking the committee for its interest, its support, its enthusiasm.

Chairman STOKES. Thank you very much. I am sure all of our committee would concur in the remarks made by the gentleman from Connecticut, Mr. McKinney, regarding your excellent presentation.

The Chair recognizes Professor Blakey.

Mr. BLAKEY. When the Zapruder film of the Kennedy Assassination was made public, critics and people generally were fascinated by the sight of a man with a black umbrella standing just a few feet from the Presidential limousine. It was a sunshiny day so what purpose could anyone have for an umbrella?

The theories about the umbrella man, for the most part, attributed to him some sinister intent. At the very least, he was a signalman for the actual gunmen, although one critic proposed the idea that a firing device concealed in the umbrella was the weapon used to assassinate the President.

It also appeared curious that the umbrella man was one of the few spectators in Dealey Plaza who was not later identified. In fact, his identity has remained a secret to this day.

When it studied all of the photographs taken in Dealey Plaza on November 22, 1963, the committee discovered one, taken by a Life photographer, in which the umbrella man could be seen from the front. It is moments after the President has been shot, and the man is sitting on the curb, his umbrella by this time lying at his

feet. The only problem was that he is off to the corner of the picture, and the image is tiny, unrecognizable in fact.

Nevertheless, through photographic enhancement techniques, the committee was able to obtain a blowup of the photo in which the umbrella man appeared clearly enough to be identified.

The committee released the picture to the press, asking anyone who recognized the umbrella man to contact the committee. The committee was contacted, and, as a result, the umbrella man was located by the committee.

It would be appropriate at this time, Mr. Chairman, to call Louie Steven Witt.

Will you please stand and raise your right and be sworn. Do you solemnly swear the testimony you will give before this committee will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. WITT. I do.

TESTIMONY OF LOUIE STEVEN WITT

Chairman STOKES. Thank you. You may be seated.

The Chair recognizes counsel for the committee, Mr. Genzman.

Mr. GENZMAN. Thank you, Mr. Chairman.

Mr. Witt, would you state your full name for the record.

Mr. WITT. Louie Steven Witt.

Mr. GENZMAN. Mr. Witt, I would like to direct your attention to November 22, 1963. Were you in Dealey Plaza on November 22, 1963?

Mr. WITT. Yes, I was.

Mr. GENZMAN. Did you witness the assassination of President Kennedy?

Mr. WITT. Yes, sir.

Mr. GENZMAN. Have you previously testified about the assassination of President Kennedy?

Mr. WITT. No.

Mr. GENZMAN. Have you ever given information to any law enforcement bodies concerning the assassination?

Mr. WITT. No.

Mr. GENZMAN. Mr. Witt, what did you do on the morning of November 22, 1963?

Mr. WITT. I guess I went to work in the usual manner about 8 or 8:30.

Mr. GENZMAN. Where did you work at that time?

Mr. WITT. Rio Grande Insurance Co.

Mr. GENZMAN. What did you do at lunchtime on that day?

Mr. WITT. Well, I went out as I usually did every day when the weather was decent for a walk.

Mr. GENZMAN. Were you carrying anything?

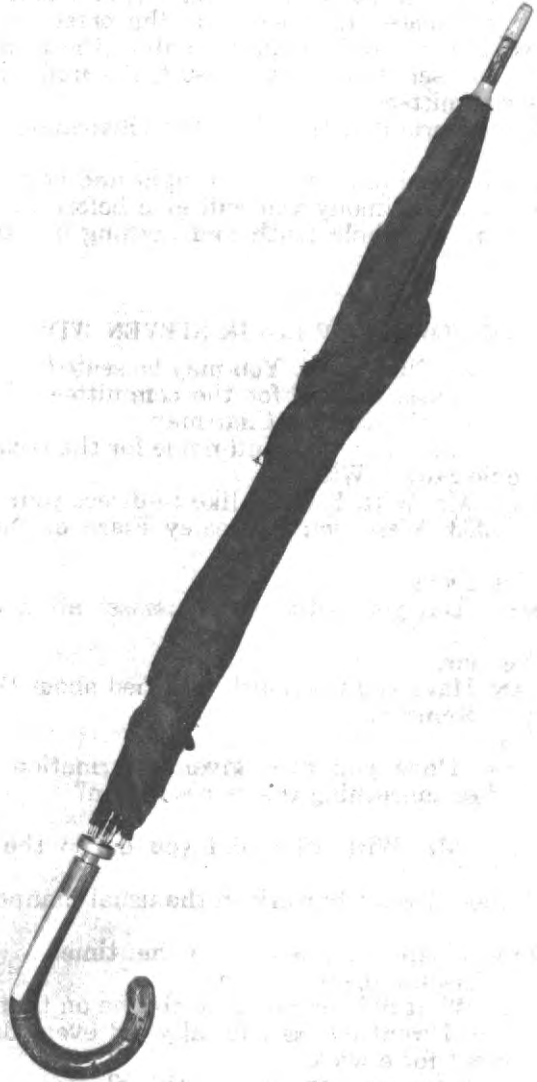
Mr. WITT. Yes. On this particular day I was carrying a black umbrella.

Mr. GENZMAN. Mr. Chairman, at this time I would ask that the exhibit marked as JFK F-405 be entered into the record.

Chairman STOKES. Without objection, it may be entered into the record.

[Whereupon, exhibit JFK F-405 was entered and photographs included for the record.]

Faint, mirrored text from the reverse side of the page is visible through the paper, appearing as bleed-through.





Mr. GENZMAN. Mr. Witt, can you identify Exhibit 405?

Mr. WITT. I would say that is the umbrella I was carrying.

Mr. GENZMAN. Why were you carrying an umbrella that day?

Mr. WITT. Actually, I was going to use this umbrella to heckle the President's motorcade.

Mr. GENZMAN. How had you gotten this idea?

Mr. WITT. In a coffee break conversation someone had mentioned that the umbrella was a sore spot with the Kennedy family. Being a conservative-type fellow, I sort of placed him in the liberal camp and I was just going to kind of do a little heckling.

Mr. GENZMAN. Are you saying you were going to use the umbrella as a symbol for the purpose of heckling?

Mr. WITT. I think that would cover it.

Mr. GENZMAN. On November 22, 1963, were you aware of the motorcade route?

Mr. WITT. No. Not really. I knew that they would be going down the center part of town somewhere noontime.

Mr. GENZMAN. What route did you follow during your walk?

Mr. WITT. Well, when I left the building which was located at the corner of Elm Street and Field Street, I went south on Field Street over to Main Street. This was where the crowds of people were, where the people were lining the sidewalks on either side.

Mr. GENZMAN. When you reached Main Street, in which direction did you head?

Mr. WITT. I traveled west. This would put me turning right from the direction that I came.

Mr. GENZMAN. West on Main Street?

Mr. WITT. Yes.

Mr. GENZMAN. Why did you continue in that direction?

Mr. WITT. Well, every day I walk someplace, and looking back the only reason I can account for my going that direction as

opposed to the other direction would be since I was carrying that stupid umbrella, intent to heckling the President, and not being a person who was given to—prior to this time—doing things that would bring myself into notice, the only thing I can say is that I went down the street where I assumed there would be fewer people, because the buildings on the west end of the street, or the lower end, were either low buildings or low buildings where there were not a lot of people.

Chairman STOKES. Would you be kind enough to pull that microphone closer to you. We are having difficulty hearing you.

Mr. GENZMAN. How far did you go on Main Street?

Mr. WITT. I walked all the way down Main Street to the courthouse records building area and on to Houston Street.

Mr. GENZMAN. Which way did you travel on Houston?

Mr. WITT. At this time I think I must have been planning to go back to the street that I worked on, Elm Street, which would be 1 block over. I traveled north over toward Elm Street.

Mr. GENZMAN. What did you do when you arrived at Elm Street?

Mr. WITT. Well, I ended up turning left and going down into what is known as Dealey Plaza. The only reason I can think that I ended up down there was possibly I looked down there and saw an area where there were not a large group of people. There were people in that area but there was also in this area which later became known as the grassy knoll, there was no one out in that area in any great number.

Mr. GENZMAN. What did you do when you reached the grassy knoll?

Mr. WITT. I think I went sort of maybe halfway up the grassy area, somewhere in that vicinity. I am pretty sure I sat down.

Mr. GENZMAN. Were you waiting for the motorcade?

Mr. WITT. Yes.

Mr. GENZMAN. Do you recall how long you waited?

Mr. WITT. I really couldn't say. I don't think I was there very long. Since I was not that all-fired determined to carry out what I set out to do, I am sure I didn't wait a great length of time.

Mr. GENZMAN. Did the motorcade come soon thereafter?

Mr. WITT. Yes, it apparently did.

Mr. GENZMAN. What did you do when you saw the motorcade coming into the area?

Mr. WITT. Well, as I recall, the motorcade had already made the turn and was coming down Elm Street going west on Elm before I became aware it was there, and it would have been from a straight-line position off to my left about like this [indicating] when I saw it.

Mr. GENZMAN. What did you do when you saw it approaching you?

Mr. WITT. I think I got up and started fiddling with that umbrella trying to get it open, and at the same time I was walking forward, walking toward the street.

Mr. GENZMAN. You testified that you were opening the umbrella to use it as a symbol hoping to catch the President's eye?

Mr. WITT. Yes, sir.

Mr. GENZMAN. Could you elaborate further as to the type of symbol you thought you were applying?

Mr. WITT. I just knew it was a sore spot with the Kennedys; I just knew the vague generalities of it. It had something to do with something that happened years ago with the senior Joe Kennedy when he was Ambassador to England.

Mr. GENZMAN. What happened next?

Mr. WITT. I beg your pardon?

Mr. GENZMAN. What happened next? I believe you testified that you were moving forward opening your umbrella as the motorcade was approaching you?

Mr. WITT. Yes. As I moved toward the street, still walking on the grass, I heard the shots that I eventually learned were shots. At the time somehow it didn't register as shots because they were so close together, and it was like hearing a string of firecrackers, or something like that. It didn't at that moment register on me as being shots.

Mr. GENZMAN. Did you react in any way?

Mr. WITT. No. I continued to move forward and finally got this umbrella up in the air. I think by the time I got the thing up in the air I was over and possibly standing on the retaining wall.

Mr. GENZMAN. Did President Kennedy see your umbrella?

Mr. WITT. I have no way of knowing. I really don't.

Mr. GENZMAN. What do you next recall happening?

Mr. WITT. Let me go back a minute. As I was moving forward I apparently had this umbrella in front of me for some few steps. Whereas other people I understand saw the President shot and his movements; I did not see this because of this thing in front of me. The next thing I saw after I saw the car coming down the street, down the hill to my left, the car was just about at a position like this [indicating] at this angle here.

At this time there was the car stopping, the screeching of tires, the jamming on of brakes, motorcycle patrolman right there beside one of the cars. One car ran upon the President's car and a man jumped off and jumped on the back. These were the scenes that unfolded as I reached the point to where I was seeing things.

Mr. GENZMAN. What did you hear at that time? Did you hear any voices?

Mr. WITT. I don't recall any voices at that particular time. After I finally became aware that something had happened, you know, something terrible had happened, I just sat down. I was standing on the retaining wall, and I just sat down, just right straight down, and apparently—I don't know if I had laid the umbrella down or dropped it or what I did. Nevertheless, I think it ended up on the sidewalk, and I just sat there.

Some of the things that I recall, one of the things I remember seeing while standing, there was a couple. I looked down to the right and there was a man and a woman, and they were covering some children, they were lying down and they were covering the children with their bodies and this may have caused me to sit down or I may have just sat down because I was stunned. Because there for a few minutes or for a few seconds at least I didn't seem to be able to collect my thoughts.

Sometime later after the cars moved out, this is when all this activity in the cars stopping and the cars moved out, I recall a man

sitting down to my right and he said something like: They done shot them folks.

He repeated it two or three times but it was repetitious of him saying the same thing.

Mr. GENZMAN. What was he saying?

Mr. WITT. They done shot them folks—something to this effect.

Mr. GENZMAN. Can you describe this man?

Mr. WITT. I remember him as being a Negro man. I don't know if I ever actually looked at him for any length of time or not.

Mr. GENZMAN. Did you hear any other voices?

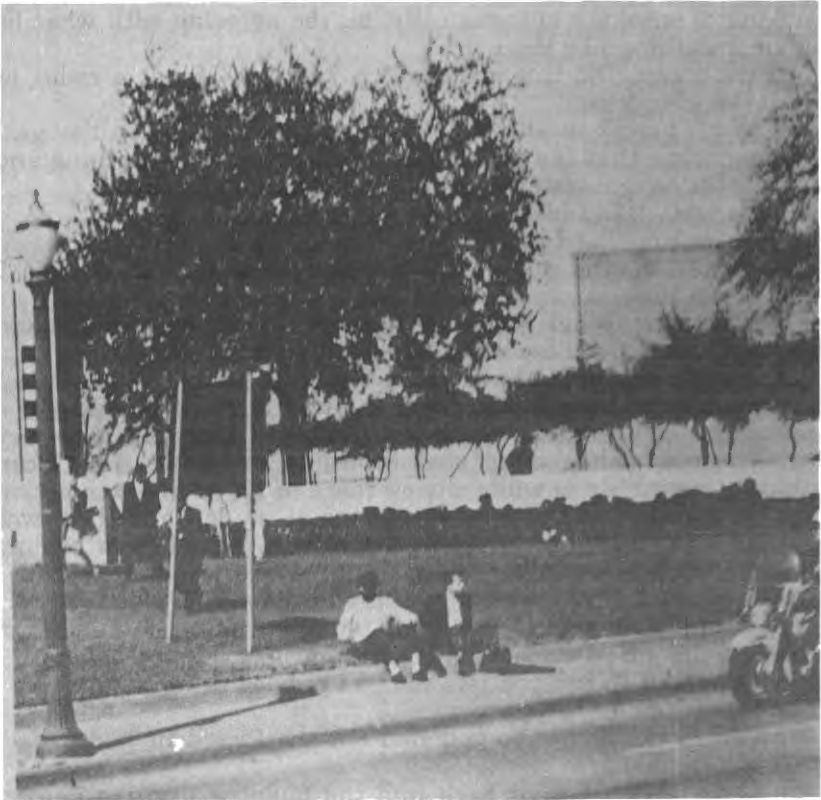
Mr. WITT. Well, there was sort of a pandemonium all around. The other thing that stands out in my mind, there was a woman or a girl, a female voice up behind me shrieking and crying, and she again repeated the same thing several times. She said something to the effect: They shot those people right before my eyes, or something like this. Anyway, there was repetition in what she said. She said it two or three times.

Mr. GENZMAN. Mr. Witt, at this time please refer to JFK exhibits F-130 and F-404. JFK exhibit F-130, which is already on the easel, was previously entered into the record.

Mr. Chairman, I would ask at this time that JFK exhibit F-404 be entered into the record.

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

[Whereupon, JFK exhibit F-404 was entered.]



JFK EXHIBIT F-404

Mr. GENZMAN. Mr. Witt, can you identify the photographs on JFK exhibit F-130 on the left?

Mr. WITT. Can I identify them in what—

Mr. GENZMAN. Can you identify for instance the two pictures of the man in the top two photographs of that exhibit, with the arrows pointing?

Mr. WITT. Yes. That seems to be me.

Mr. GENZMAN. In the bottom left corner there is an item in red. Can you identify that?

Mr. WITT. That would be the umbrella.

Mr. GENZMAN. In the bottom right corner can you identify the person sitting?

Mr. WITT. I am sure that is me. I would have to say that is me.

Mr. GENZMAN. In the other exhibit, which is JFK F-404, can you identify either of those men sitting?

Mr. WITT. Yes. The one on the right is definitely me.

Mr. GENZMAN. Is the one on the left the man whom you were talking about earlier?

Mr. WITT. I really don't know. It could be or it might not be. I really don't know. I don't recall ever actually looking at this person. I don't know if I ever replied to what he said. I could have,

just kind of speaking automatically, maybe agreeing with what he said or something like this.

Mr. GENZMAN. Did this man have a walkie-talkie, or a radio, or any device of any sort?

Mr. WITT. I don't recall the person carrying anything, although I would say this, that they could have been carrying something and it would not have registered on me at this particular time.

Mr. GENZMAN. Did he act in any peculiar manner?

Mr. WITT. Not that I recall.

Mr. GENZMAN. Did you ever see him before or after that day?

Mr. WITT. No.

Mr. GENZMAN. What happened next, after you were seated and after you had heard these voices?

Mr. WITT. I continued to sit there for some period of time and I don't know how long I was there. I don't know if it was say a minute or 2 or 3 minutes or longer. I doubt if I stayed there very long. The only other thing that comes to my mind that I can definitely remember is while sitting there in all of this commotion going on around me, I just recall looking at my left and there was a policeman standing up there with a drawn gun. He was holding the barrel of the gun up in the air.

Mr. GENZMAN. How long did you stay in the area?

Mr. WITT. There again, I really do not know as to the number of minutes. I am sure I did not stay there very long.

Mr. GENZMAN. When you left, did you go back to work?

Mr. WITT. Yes.

Mr. GENZMAN. When did you find out the President had in fact been assassinated?

Mr. WITT. When I went back into the building into the department where I worked. Someone in there had a transistor radio. The first thing that was said when I walked in, "Did you hear about the President being shot?" I said something to the effect of I was down there in all that.

Mr. GENZMAN. Mr. Witt, some assassination critics have alleged your actions with your umbrella were a signal to an assassin or to assassins to fire or a signal that the President had in fact been hit.

Were you signalling to anyone besides the President?

Mr. WITT. No; no one.

Mr. GENZMAN. Mr. Chairman, I would ask the exhibit marked as JFK F-406 be entered into the record.

Chairman STOKES. Without objection, it may be entered into the record.

[The information follows:]

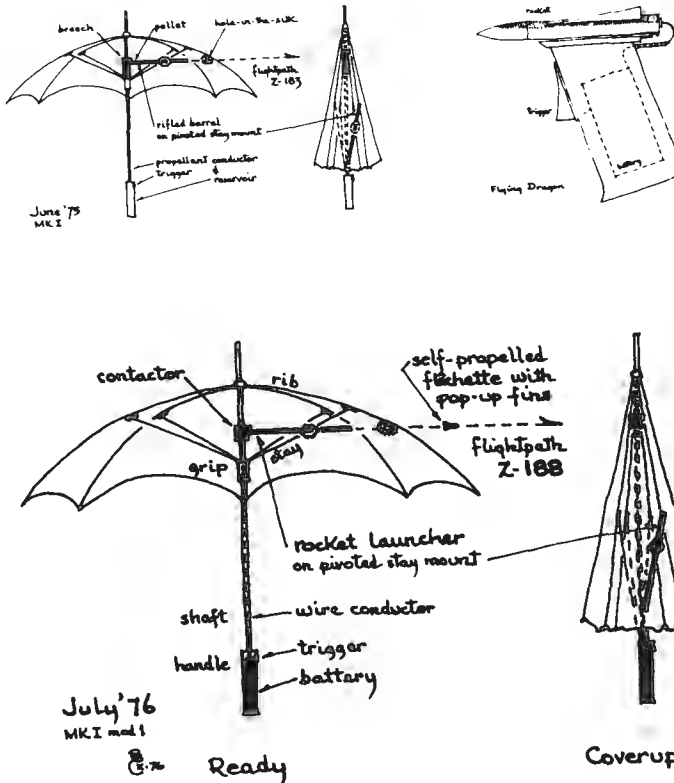


Figure
63

THE PIECE

JFK EXHIBIT F-406

Mr. GENZMAN. I would like to correct that to exhibit 406.

Chairman STOKES. It may be so corrected.

Mr. GENZMAN. Mr. Witt, exhibit 406 is a copyrighted diagram drawn by assassinations critic Robert B. Cutler which shows two umbrellas with rocket and flechette attachments. Mr. Witt, do you know what a flechette is?

Mr. WITT. I do now. I did not prior to our interview yesterday evening.

Mr. GENZMAN. Did the umbrella in your possession on November 22, 1963, contain a flechette, or a rocket or a dart?

Mr. WITT. No, it did not.

Mr. GENZMAN. Has exhibit 405, the umbrella, ever contained a flechette, rocket, or dart?

Mr. WITT. No. Not since it's been in my possession.

Mr. GENZMAN. Did the umbrella in your possession on November 22, 1963, contain a gun or weapon of any sort?

Mr. WITT. No.

Mr. GENZMAN. Has exhibit 405 ever contained a gun or weapon of any sort?

Mr. WITT. This umbrella?

Mr. GENZMAN. Yes.

Mr. WITT. No.

Mr. GENZMAN. Thank you very much, Mr. Witt.

Mr. Chairman, I have no further questions.

Chairman STOKES. The Chair recognizes the gentleman from the District of Columbia, Mr. Fauntroy, for whatever time he may consume.

Mr. FAUNTROY. Will you tell us where you lived November 22, 1963?

Mr. WITT. My home address?

Mr. FAUNTROY. Yes.

Mr. WITT. 7209 Embassy Street. I still live there.

Mr. FAUNTROY. And where did you work at that time?

Mr. WITT. I was working for the Rio Grande National Life Insurance Co. They were located at 51 Northview Street, at the corner of Elm and Beal.

Mr. FAUNTROY. Do you still work there?

Mr. WITT. No, sir; that company merged with a company in Kentucky in 1968, and that is when I left the insurance company.

Mr. FAUNTROY. Do you recall what kind of day it was on the 22nd in terms of its—the weather in the morning when you woke, when you got up at home?

Mr. WITT. I don't recall the early part of the day. I only know what the weather was around the noontime area.

Mr. FAUNTROY. I see.

Did you keep your umbrella at home or did you keep your umbrella at work?

Mr. WITT. I don't—the umbrella could have been either place. I tried to keep an umbrella in the car, or it would either be at work. Unfortunately it always seemed if I was in the car in the parking lot and it was raining the umbrella was at work. And I never seemed to have it at the right time. That morning I don't know if I took it from the car to work or if it was already at my place of employment.

Mr. FAUNTROY. Now, when you left—so you don't know whether you took the umbrella from home to work and thence to the motorcade, or whether the umbrella was at work. You don't recall that?

Mr. WITT. I don't recall; no, sir.

Mr. FAUNTROY. All right. Now, when you left—let's assume that it was at work. When you left for lunch, is it your testimony that it was your intent to utilize the umbrella to heckle the President?

Mr. WITT. Yes; that is true. That was the only reason I was carrying it.

Mr. FAUNTROY. So that you weren't just going for a walk at lunch?

Mr. WITT. Well, I did go out for a walk every day.

Mr. FAUNTROY. I see.

Mr. WITT. Every day that the weather was not extreme, either raining or excessively hot. This day I took the umbrella along and

going out, if it was handy for me to do my little act of heckling, then that was my plan, yes.

Mr. FAUNTROY. So it was your intent to use the umbrella if you happened to be on the route that the President was traveling during that day?

Mr. WITT. That is correct.

Mr. FAUNTROY. But you did not know exactly what that route was?

Mr. WITT. I knew in general because all of the parades and this type of thing usually went down Main Street.

Mr. FAUNTROY. I wonder if you would care to tell us a little more about your understanding of the significance of the umbrella, and why you felt that it would heckle the President to raise the umbrella?

Mr. WITT. I know the generalities of the thing. It had something to do with the—when the senior Mr. Kennedy was Ambassador to England, and the Prime Minister, some activity they had had in appeasing Hitler. The umbrella that the Prime Minister of England came back with got to be a symbol in some manner with the British people. By association, it got transferred to the Kennedy family, and, as I understood, it was a sore spot with the Kennedy family, like I said, in coffee break conversations someone had mentioned, I think it is one of the towns in Arizona, it is Tucson or Phoenix, that someone had been out at the airport or some place where some members of the Kennedy family came through and they were rather irritated by the fact that they were brandishing the umbrellas. This is how the idea sort of got stuck in my mind.

Mr. FAUNTROY. Is it true that what you felt was that Mr. Kennedy would be sensitive because of the appeasement image of the umbrella as related to his father?

Mr. WITT. Not the appeasement thing. It was just—excuse me—I just understood that it was sort of a sore spot with them and this was just one thing. I personally never thought too much of liberal politics in general. In this case the Kennedy family just happened to be in office.

Mr. FAUNTROY. I see. And it had no relationship in your own thinking between Mr. Kennedy's posture with; say, the Russians?

Mr. WITT. No. No. No. That was not it at all.

Mr. FAUNTROY. But someone had—no—you had read in the paper that someone had used an umbrella to heckle the President and that it was a sore spot, and that was the reason—

Mr. WITT. Not read in the papers.

Mr. FAUNTROY. Someone told you?

Mr. WITT. Yes. This was in a conversation somewhere at work. I wish that I could remember now who brought the subject up and put this idea in my head. I am sure that I would have taken that umbrella and clouted him over the head somewhere in this last 2 or 3 weeks.

Mr. FAUNTROY. OK. Now, Mr. Witt, I wonder if you would again show us what happened, what you did?

As I understand your testimony, you found your way into Dealey Plaza because there were not many people there, and you thought you would have an opportunity to in fact see the President and perhaps even heckle him.

Now, do you recall seeing the motorcade approach Dealey Plaza?

Mr. WITT. Yes. As a matter of fact, it was only—it was traveling west at the time I saw it.

Mr. FAUNTROY. All right. Now, where were you at that time?

Mr. WITT. I was sitting somewhere in the grassy area there in Dealey Plaza.

Mr. FAUNTROY. All right. May we suspend for just a moment?

[Discussion off the record.]

Mr. FAUNTROY. Thank you, Mr. Chairman, for the brief interlude here.

Mr. Witt, I was—as we suspended momentarily, I was asking you to recall the turning of the motorcade, and the car in which President Kennedy sat, into Dealey Plaza. Can you recall that?

Mr. WITT. Yes, sir.

Mr. FAUNTROY. And you at that time, you were telling me, were sitting down probably on the grassy knoll?

Mr. WITT. Yes, sir; that is correct.

Mr. FAUNTROY. Now, describe to us what happened and what you did when the car turned into the Dealey Plaza?

Mr. WITT. Well, after I became aware of its presence, I got up and took the umbrella and started walking toward the street and opening the umbrella at the same time.

Mr. FAUNTROY. So that to the best of your recollection you—as you approached the sidewalk, you were opening the umbrella?

Mr. WITT. Yes, sir; that is correct.

Mr. FAUNTROY. All right. And the car is now passing and you—describe to us what happened.

Mr. WITT. Well, as I was moving forward opening this umbrella, it was somewhere at—excuse me—it was somewhere at this point that I heard the shots, and I continued to move forward and eventually brought the umbrella up over my head. I think by this time I had already—by the time I got the umbrella up over my head, I was at the retaining wall and standing on it.

Mr. FAUNTROY. All right. Now, the car is moving beyond you now. Are you aware that the President has been hit at this point—after you hear these firecracker-like shots?

Mr. WITT. No, sir. I—my view of the car during that length of time was blocked by the umbrella being open. And my—the next time I saw the car after I saw it coming down on my left traveling west, the next time I saw the car was when this activity of the car stopping, one car rushing up on another, the motorcycle patrolman stopping, there was this screeching of tires, this sort of thing.

One thing I recall there was a movement in the President's car. By this time—I don't recall seeing the President. He must have—I am sure he was down.

The only thing I recall was the—there was a sort of a pink movement, and it was—that was Jackie Kennedy, I think, wearing a pink dress or something. This pink thing stood out in my mind, and all of this happened in very rapid order. The—as soon as the one car ran up behind this one, a man jumped off and I think the first car was pulling out about the time he had jumped on the back.

Mr. FAUNTROY. Your testimony is that you then sat down where you are pictured there?

Mr. WITT. Yes, sir.

Mr. FAUNTROY. In the exhibit?

Mr. WITT. At this point I was aware that something terrible had happened.

Mr. FAUNTROY. Something terrible had happened?

Mr. WITT. Yes. At the time that I was moving forward with this umbrella in front of me, I was not aware of what was happening, even though I had heard the shots, until the movement, all this activity with the cars. That was my first awareness, and it was at this point that I just sat down.

Mr. FAUNTROY. And as you sat, you recall that—two things. One, that you recall seeing a couple covering their children, you say, off to the side?

Mr. WITT. Yes, off to my right.

Mr. FAUNTROY. And you recall the presence of someone sitting beside you, is that true?

Mr. WITT. That is correct.

Mr. FAUNTROY. Any someone from behind you saying something?

Mr. WITT. Yes. I don't know which of these came first, but the person sitting to my right said something to the effect that "They done shot them folks," something like that. I think it was repeated about two or three times. It was repetitious. I don't know if they meant to be talking to me, or if they were just talking out loud to themselves.

As I testified before, I don't think I ever actually looked directly at this person. I don't recall ever, say, just turning and taking a good look at the person.

I think what I was doing, I was—at this point I was somewhat stunned, and I just heard this while sitting there. At about this same time—I don't know if it was before I heard this or after—about this same time there was this female voice up behind me shrieking and saying, "They have shot those people. They shot those people."

I think she may have said "They shot those people before my eyes" or something like this. There were a number of people—I could hear crying in the background, this sort of thing.

Mr. FAUNTROY. So that your description of your emotions after sitting down would be that you were stunned. Is that true?

Mr. WITT. Yes. Once the realization—the realization that something—

Mr. FAUNTROY. Terrible had happened?

Mr. WITT. Had happened, yes, I was stunned.

Mr. FAUNTROY. I must admit that my reaction to the picture by which you were ultimately identified was one of a very cool cat. That is, you look rather cool there to me. But you were—

Mr. WITT. I can assure you I was not all that cool. I think one of my reactions was knowing that I was there with this stupid umbrella and heckling the President and—of course, I didn't know that the President had been killed. As a matter of fact, I didn't know he had been shot. I just knew that something had happened by the activity and what seemed to be in the air around me.

But I think my own thinking may have been at the time that—I would have to describe it as a—kind of like a bad joke that had

gone sour, or a practical joke you pulled on someone that had gone sour, since I was there with this thing, and for that purpose.

Mr. FAUNTROY. Mr. Witt, is it your testimony that at no time did the Dallas police or the FBI contact you about your presence at Dealey Court Plaza at this time?

Mr. WITT. No. In later years—after all this came up, I have always wondered why they didn't, but no one ever—so far as I know, no one ever made any attempt to find out who I was or why I was there.

Mr. FAUNTROY. When did you find out that you were a subject of suspicion; that is, that the umbrella man was somehow involved in the assassination?

Mr. WITT. When the committee sent these things to the newspapers, and it was printed in the local papers, in the Dallas paper there. As a matter of fact, I didn't see it on the day that it came out. We take the afternoon paper, the evening paper. I didn't see it on the day that it came out. I saw it later, after I had taken the newspapers to work, because I wrapped small parts in it for shipping, and it was at this point that I saw the thing and read the thing, and was then aware that someone was looking for me, so to speak.

Mr. FAUNTROY. So that—is it your testimony that you did not learn that somebody was concerned about the umbrella man until 10 or 15 years after, until 1978—only in 1978 were you aware?

Mr. WITT. Well, as far as I know, no one was concerned with me.

Mr. FAUNTROY. So that explains, therefore, why you did not yourself contact the FBI or the police—Dallas Police Department, because you did not—you were not aware that someone with an umbrella in Dealey Plaza was an object of interest?

Mr. WITT. No. As a matter of fact, I wasn't aware that I was an object of interest. As a matter of fact, I have found out since—within the last few weeks, that there have been countless numbers of books and all sorts of controversies over this thing. But I drifted along all of these years and I have never seen one of these books because I have never been a fan of this assassination thing. I don't go out of my way to read anything about it.

So it sort of all has gone over my head up until the last few weeks.

Mr. FAUNTROY. Now, is it your testimony that you did in fact see this picture in the papers in July of this year?

Mr. WITT. I saw this picture right here, the blurred picture in the lower right-hand corner.

Mr. FAUNTROY. And did you recognize it as yourself?

Mr. WITT. After I read it, yes.

Mr. FAUNTROY. Why didn't you come forward then?

Mr. WITT. Quite frankly I didn't at this point—I certainly didn't want anybody to know who I was.

Mr. FAUNTROY. Uh huh.

Mr. WITT. And I would say further that, had you never found me, I would have been far happier than I am right at this moment.

Mr. FAUNTROY. Mr. Chairman, I will suspend at this time in the event there are other members who have questions for the witness. I should like to reserve just a little time.

Chairman STOKES. The Chair will protect the gentleman's time.

Mr. Witness, the umbrella which lies before you on the witness table, did you bring it here today?

Mr. WITT. I brought it from Dallas and I turned it over to Mr. Genzman yesterday.

Chairman STOKES. And has that umbrella been in your possession from November 22, 1963, until today,

Mr. WITT. Yes; it has.

Chairman STOKES. It has never left your possession for any reason—

Mr. WITT. Well, I would have to—

Chairman STOKES. Other than here when you gave it to Mr. Genzman?

Mr. WITT. No. As a matter of fact, the day that I went back to work this umbrella was just tossed back on the rack where the raincoats and other umbrellas would have been. It could have been used by any number of people. There were quite a number of people who worked in this department, young boys who went out on errands, they could have taken this umbrella any number of times in or out.

Chairman STOKES. OK.

Now, I note that when Congressman Fauntroy was questioning you, it had been his intent to ask you to demonstrate the way in which you had held the umbrella on that specific date, but he was informed by counsel for the committee you had made a specific request that you not be asked to make such a demonstration; is that correct?

Mr. WITT. That is correct.

Chairman STOKES. OK.

And is that still your request to this committee?

Mr. WITT. Yes, sir. I—my line of thinking is that since we are not in the same area, we couldn't exactly duplicate what I did there. The only thing my doing that, it would just be more fodder for an overeager press back in Dallas to show this off and continue to embarrass me and my family, more so than we have already been embarrassed.

Chairman STOKES. Certainly.

Mr. WITT. We—I would add at this point that we have been through quite a bit. I brought it on myself, but nevertheless, we have been through quite a bit already.

Chairman STOKES. Well, I certainly understand that, and I am sure this committee is going to respect your wishes in that respect.

I have one concern though, and that is that if the committee does not cause the umbrella to be opened up, it may lend once again to more speculation that the reason we didn't open it was because there was such a dart gun in it. For that reason I am not going to ask you to do it, but I think that it is important that committee staff open this umbrella so we can ascertain there is no dart gun in it.

Mr. WITT. As far as I am concerned, they are certainly welcome to.

Chairman STOKES. All right.

Can we have someone from the staff do that? Miss Cynthia Cooper of the committee staff.

Maybe you ought to turn that way with it [indicating toward press and cameras]. [Laughter.]

[Photograph depicts what occurred when Miss Cynthia Cooper opened umbrella.]



Chairman STOKES. I guess there is no gun in it.
Thank you very much.

The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. Mr. Witt, we understand your reluctance to be here. We appreciate very much your coming forward. Just for the record, would you tell the committee what you did when you saw your picture in the paper? To whom did you report, or what did you do?

Mr. WITT. When I saw the picture?

Mr. DEVINE. Yes.

Mr. WITT. I didn't do anything at that time. I was working at the time I saw it and was aware that I was wanted for questioning by this committee. I didn't do anything. I didn't make any effort to contact this committee or anyone else. I just did nothing.

Mr. DEVINE. How did you become revealed publicly as the person with the umbrella?

Mr. WITT. As I understand it, one of my good friends went to the press. As a matter of fact, a couple of guys—reporters—came to where I work and started barraging me with questions, and I knew it was just a matter of time until they would have my name in the paper and then it would be known. For me it was just a matter of waiting until somebody came along and said, "I want to talk to you."

Mr. DEVINE. Getting back to the time and the place. I think in your original testimony in response to a question from counsel you said you heard a shot or something when you were sitting or standing there by the grassy knoll. Could you tell where this

disturbance or this shot came from in relation to where you were standing?

Mr. WITT. No, sir, really couldn't. Of course, there were a number of shots and they all seemed to be just rapid—just very close spaced. As to the direction, I couldn't say.

Mr. DEVINE. You do not know, you cannot recall from what direction they may have come?

Mr. WITT. No, sir. I am sorry, I can't be of any help there.

Mr. DEVINE. We recognize it has been 15 years nearly. Can you tell this committee how many shots you thought you heard?

Mr. WITT. I really couldn't say. Just remembering—I would have to say three or more.

Mr. DEVINE. Three or more. Were they in rapid succession?

Mr. WITT. Very. As I recall, very rapid.

Mr. DEVINE. Unless you have some objection, would you demonstrate by rapping your knuckle on the table about the time interval you feel you remember the shots were fired.

Mr. WITT. I don't know if I could really give you a good example, but it was just [witness wraps three times rapidly on table].

Mr. DEVINE. As I recall, when the President's motorcade was moving toward you, you were standing. Did you run the umbrella up and down as a symbol of Neville Chamberlain or did you just hold it up or did you point it in his direction? What did you do, specifically?

Mr. WITT. I really don't recall. I could have moved the umbrella up and down but I just don't recall.

Mr. DEVINE. Then when the disturbance occurred and the Presidential motorcade moved out, you sat down?

Mr. WITT. Yes, sir.

Mr. DEVINE. And there was someone beside you as indicated by that lower right-hand picture?

Mr. WITT. Yes. I still don't know if they were sitting there when I sat down or if they moved to that point later. I don't remember.

Mr. DEVINE. Did you say you saw people running then, after you were seated?

Mr. WITT. No; at one point the person that I mentioned before as running was a man who jumped off the second car and ran and jumped on the President's car.

Mr. DEVINE. I am talking primarily about spectators. Was there any movement among the spectators that you noticed?

Mr. WITT. Not as I recall spectators. There were people who seemed to run up from the street to that grassy knoll, but somewhere along the way I heard these were Secret Servicemen or plainclothesmen.

Mr. DEVINE. When you say running up the grassy knoll, you mean in the direction away from the President's car?

Mr. WITT. Away from the street, and it would be up to the side of that schoolbook depository building.

Mr. DEVINE. You mentioned you saw a police officer with a revolver, or a handgun, in a raised position?

Mr. WITT. This was after some time had elapsed.

Mr. DEVINE. Are you talking about seconds or minutes?

Mr. WITT. More in minutes. This was after I had sat down. As a matter of fact, it was somewhere about the point where I guess I was getting ready to leave.

Mr. DEVINE. After the motorcade moved out and the crowd was milling around you, you just casually went back to your place of employment?

Mr. WITT. I don't know if casually describes it. I did pick up the umbrella and go back to the building where I worked. One end of the building was on Elm Street.

Mr. DEVINE. That is the first time you learned the President had been shot?

Mr. WITT. After I got back in the building, yes.

Mr. DEVINE. That is all, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Tennessee, Mr. Ford.

Mr. FORD. Thank you, Mr. Chairman. I am going to be very brief.

Mr. Witt, in light of what Mr. Fauntroy and the chairman have mentioned to you earlier, I would like to know if for the last 15 years you have kept that umbrella at your home and your business place or some other place?

Mr. WITT. Yes.

Mr. FORD. You know, just looking at it, even though I know it flapped over when the young lady opened it up a minute ago, that umbrella is in pretty good shape, wouldn't you say?

Mr. WITT. I suppose.

Mr. FORD. Other than flipping on the wrong side. You can buy a new one and it will flip over. Why did you keep it 15 years? Did you have any reason for keeping that umbrella that long?

Mr. WITT. Not particularly. The only thing that the umbrella survived that long—like I say, this was in use because it was thrown in there with all the others—the only reason I can figure out it lasted this long is because of the size. You take this thing out and it's big and it's clumsy, whereas I had other umbrellas and would wear a raincoat and wouldn't use this one.

Mr. FORD. How many others do you have?

Mr. WITT. I have no idea. Over the years I have no idea.

Mr. FORD. Do you think you could have picked up the wrong one and brought it here from Dallas?

Mr. WITT. It is quite possible. The only reason I believe with almost 100 percent that is the very same umbrella is the fact that it's a big umbrella, and I am almost positive that is the one.

Mr. FORD. You said some of the other office people used the umbrella when you carried it to your job. Could they have walked out with your umbrella and brought this one back, a completely different umbrella from the one you used on the day John Kennedy was assassinated?

Mr. WITT. That is entirely possible, but I really don't think that happened.

Mr. FORD. In your house there are two, three, or four umbrellas; is that correct?

Mr. WITT. I wouldn't know how many are there. There are some in the back closet. I usually have one in the car. The other day I stumbled over one in the garage.

Mr. FORD. You did not identify that one 15 years ago and say, "I am going to keep this umbrella here"?

Mr. WITT. No; at that particular time I placed no significance on that umbrella.

Mr. FORD. When this committee's staff made contact with you, did you go to your closet and identify "This is the one I had on November 23, 1963"? Were you able to say that to yourself?

Mr. WITT. Yes; when Mr. Moriarity was at my house there in Dallas he asked me if I still had the umbrella. I said, "Yes, I have an umbrella that I believe is the exact same umbrella."

Mr. FORD. You didn't have to look at the other umbrellas in your closet?

Mr. WITT. No; the other umbrellas I believe are little stubby things. Some of them may be folded up. Anyway, they are not big and clumsy like this thing.

Mr. FORD. So you buy a lot of umbrellas; is that correct?

Mr. WITT. No; not particularly. I am 53 years old. You collect a lot of stuff in that period of time. Umbrellas are not a particular hobby of mine. It is just that over the years—although God knows, it may seem it is.

Mr. FORD. My final question, Mr. Chairman.

Mr. Witt, what do you think an umbrella is used for? Is it used to keep the sun off you, the rain, or just to carry along with you to match a topcoat or something?

Mr. WITT. Well, an umbrella sure can be used for many things. I am sure you would use it to keep the rain off, keep the sun off, and in this case you can use it to—as I did for that purpose that I named.

Mr. FORD. Why are you using it today? Why did you come to Washington today with the umbrella? For what purpose?

Mr. WITT. Why did I?

Mr. FORD. Yes.

Mr. WITT. Because I was subpoenaed.

Mr. FORD. Thank you.

I yield back the balance of my time.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you, Mr. Chairman.

Mr. Chairman, for the record, I would like to ask permission of the Chair to write a two-page historical memorandum on the tenure of Ambassador Kennedy in England and the Neville Chamberlain episode. I am afraid perhaps some might not get the clear significance of the umbrella as the symbol. Ambassador Kennedy took a rather merciless treatment subsequent to his placing his own belief in Neville Chamberlain's policies. These of course came in great disrepute after Winston Churchill became Prime Minister and after the Munich Conference broke down. I think it might be helpful if at this point in the record we had a somewhat clearer historical explanation than we have. I won't burden you with it now but I would like permission to write such.

Chairman STOKES. We would be happy to take advantage of the gentleman's expertise in the area of history and have it for the benefit of the committee's files.

Mr. FITHIAN. It is very hard 30 years hence to understand how much the symbol of Neville Chamberlain became associated with an umbrella.

Mr. Witt, in 1963, you said you were a conservative and you did not care much for liberal policies and you didn't care much for liberal politicians; is that correct?

Mr. WITT. Yes.

Mr. FITHIAN. Do you remember what groups or organizations you belonged to in 1963?

Mr. WITT. None.

Mr. FITHIAN. Not even any civic organizations or clubs?

Mr. WITT. At that time; no.

Mr. FITHIAN. Have you ever belonged to organizations such as the White Citizens Council or Ku Klux Klan?

Mr. WITT. No; I am just not a joiner of organizations in general. I am certainly not a joiner of organizations either to the left or the right.

Mr. FITHIAN. I just wanted to make sure. I think Mr. Devine questioned on the shots but you really at this date, even thinking about it all this time trying to reconstruct it, as I am sure you must have many times, you can't help the committee at all as to either the direction the shots came from or the number of shots fired?

Mr. WITT. No; I really can't. The only thing that I can recall is the rapid fire, their close spacing.

Mr. FITHIAN. I have no further questions.

Chairman STOKES. The time of the gentleman has expired. Is anyone else seeking recognition?

The gentleman from Connecticut, Mr. McKinney.

Mr. MCKINNEY. Mr. Witt, it is a pleasure to see you in person. I know it is not a pleasure for you to be here and I really don't blame you, but I have been looking at that picture for so many years. It is a pleasure to see you in person.

You did hear gunfire, correct, and you saw several shots in rapid succession?

Mr. WITT. No, sir. I really can't place them at any particular place.

Mr. MCKINNEY. You mentioned a policeman standing beside you on the grassy knoll with a gun, I guess sort of pointed up this way [indicating]. Did you notice anything more than normal activity of police or anyone running around looking for people or as if they were looking for people?

Mr. WITT. No. Not that I recall.

Mr. MCKINNEY. I never disagree with my colleagues on this committee, particularly the member from the District of Columbia, since I am one of his most ardent supporters. But I think you have a rather stunned look on your face in the picture in the lower right-hand corner. You are just sort of staring across the street. You testified, you didn't even look at the guy next to you?

Mr. WITT. Yes. This is correct. One of the gentlemen up there described me as being very cool. I am afraid—

Mr. MCKINNEY. I think your jaw is a little too low to look cool.

Mr. WITT. I was definitely stunned. This is why there are some things I don't remember. The things that I do remember are the

things where there was repetition, the multiple shots, this person repeating themselves, the woman repeating herself. Naturally the activity of the cars, that sticks with me. If I said anything to the person sitting to my right, I don't recall what it was.

Mr. MCKINNEY. One of the strange things about this assassination is that a few people were right about the picket fence or the retaining wall, and the committee has had to spend hundreds of thousands of dollars to find out what went on. They have made a lot of money out of a few words and we have spent a lot of money trying to figure out whether what they said is true or not.

Did you notice anyone or anything going on by the picket fence or by the retaining wall in Dealey Plaza up at the top of the grassy knoll? Did you see anyone peering over the fence or jumping over the fence or chasing anyone, or did you hear or see anything from that particular area?

Mr. WITT. No, sir, I did not, because at no point was I ever facing that direction.

Mr. MCKINNEY. Since that area was quite close to you in comparison to the book depository, do you feel in your own mind that if a shot had come from the grassy knoll picket fence retaining wall area, that you would have been aware of where that shot had come from? In general, you were not aware of where any of the shots came from but that area was quite close to you?

Mr. WITT. I don't know if I would have been aware of a shot that would have come from the area that you mention or not.

Mr. MCKINNEY. It is an unfair question because it asks for an assumption. I am not a lawyer, so I am allowed to get away with that sort of thing.

Did you notice the reaction or the movement, or anything else, of any of the other eyewitnesses across the street or around you?

Mr. WITT. No, sir, I did not.

Mr. MCKINNEY. In fact, you really didn't turn around to look at the guy who sat down next to you?

Mr. WITT. No, sir, I didn't.

Mr. MCKINNEY. You stated earlier that you did not look at the picket fence or at the retaining wall. So obviously if I ask you, did you observe anyone behind them, it is a slight redundancy. But did you observe anyone at any time wandering around that fence or wall before you opened the umbrella or before you left the grassy knoll?

Mr. WITT. No, I did not. The only time that I would have looked in that direction, if I even looked at all, would be when I was walking out into the middle of this grassy area. At no other time would I, because it would have been to either my back or my side. I really don't know how it is laid out down there. The picket fence, I don't even know where it is.

Mr. MCKINNEY. I really think this is very unfair for me to do this for you because I have trouble summarizing my own thoughts. But I would like to, if I could, summarize what I think you have said and, get you to agree with me or not. That is, you were sitting there waiting for the President to come by in an area where you were somewhat by yourself so that you could be noticed and so you could brandish the umbrella. As you opened the umbrella, your visibility of the scene was obstructed. When you held the umbrella

up, you became aware that something and something pretty bad, had happened. You had heard shots, you had seen a Secret Service man leap on the back of the other car, you had seen the pink blur of Mrs. Kennedy sort of scrambling on the back of the car. You closed the umbrella, sat down, dropped the umbrella on the sidewalk and realized that what had started out as a, quote, "joke," somehow or other had turned into something that hadn't worked, that was sour. Is that a pretty fair summary?

Mr. WITT. Yes; that is correct. I think that sums it up.

Mr. MCKINNEY. Mr. Witt, I thank you very much for coming. I know you are an extremely private person and that this has been an extremely painful situation for both you and your family, and I for one, who feels quite often that my privacy and my family's privacy gets invaded for no good reason, sympathize with you and admire your willingness to answer questions that have been hanging around for 15 years.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Thank you, Mr. Chairman.

As I have been listening to Mr. McKinney's conversation with you about your recollection, I am reminded of the fact that my wife just a few weeks ago witnessed a very tragic accident and her first impression or expression was of shock when she saw the accident occur. But after the shock subsided she had the presence to go and say to the policeman who eventually arrived that she would be willing to act as a witness, give whatever testimony she could about who was or was not involved and exactly how the accident occurred for purposes of later investigations.

Did it ever occur to you, as someone who literally sat down in front of where the President was assassinated, that you might have a bit or piece of evidence that might be a contribution to the authorities looking into the death of President Kennedy?

Mr. WITT. I don't really know if this ever occurred to me or not. Had it occurred to me, I seriously doubt that I would have gone forward to volunteer any information.

Mr. EDGAR. Were you frightened about the fact that you had deliberately set out to cause a scene or an embarrassment to the President?

Mr. WITT. Not frightened as such, but at that time there was a great deal of what I would have to describe as hysteria in the Dallas area about the President being killed. It could have been extremely unwise for me to have volunteered and become known at that time. It could have been dangerous to me or my family.

Mr. EDGAR. In what way would it have been dangerous to you or your family?

Mr. WITT. Well, you would have had to have lived in the city to be aware of how things were then, in that everyone—I really wouldn't know how to describe it. I really don't know, but nevertheless I would say that I would not have made it known.

Mr. EDGAR. Were you afraid to go privately to the Dallas Police Department and share the information of what you saw with a police officer in the privacy of a room at the police station?

Mr. WITT. I really don't know. I really think if I had any real thought on this—and I can't recall one way or the other—it would

be my guess that my line of thinking was I really had nothing to offer other than just having done a foolish thing.

Mr. EDGAR. Were you concerned about the foolishness of your act or were you concerned about the retribution that might come to you?

Mr. WITT. I don't know what my line of thinking was. But I think it would have been both.

Mr. EDGAR. I appreciate the fact that you have come forward now in response to the picture that we have shown. It is difficult many years later to piece together all of what happened in Dealey Plaza. You do have a contribution to make, as has been exhibited by your presence here today. I hope that others who may see various events like this stop and think about making a contribution by notifying whatever authorities are there of what they see even if it isn't very important to them or if it looks insignificant to them. It may play a part in unraveling a very complicated story.

That is all, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Michigan, Mr. Sawyer.

Mr. SAWYER. Mr. Chairman, I would just like to request that when the gentleman from Indiana submits his historical analysis of the attribution of the umbrella as a symbol of Neville Chamberlain and the senior Mr. Joseph Kennedy, who was then Ambassador to the Court of St. James, I be allowed to submit one page on the subject of Scotch.

Mr. FITHIAN. If the gentleman would yield, I meant to say for the benefit of the witness more than anyone else the sensitivity of the late Kennedy on this point stems not only because of the close family relationship but because he was secretary to his father the ambassador during a part of that tenure, and I think it was all the more kind of a personal thing, and he went on, of course, to write the award-winning thesis at Harvard entitled "While England Slept," and a lot of people believe that was again sort of his own trying to wrestle with this bad taste that was left in the mouth of the American people because of Ambassador Kennedy's interpretation of the German-British pact at Munich.

Mr. SAWYER. I have nothing further, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from the District of Columbia, Mr. Fauntroy.

Mr. FAUNTROY. I have one more question for Mr. Witt: You have indicated that you have learned over these years now that the umbrella man was considered a factor; that even someone has suggested the umbrella was a gun and that it may have been a signal. You may want also to know and, therefore, to help us, that the person sitting beside you has been alleged to have been a Cuban and that other pictures taken in the plaza suggested that he may have been talking on a two-way radio while he was sitting beside you. It would have been of great interest to us to identify who that person sitting beside you was. For that reason I simply ask, is there anything that you can recall about the person that would enable us to find him, even as we found you, because your story sounds plausible?

Mr. WITT. I wish that I could give you more information, but I am sorry I can't. Now, as for him talking on a——

Mr. FAUNTROY. Two-way radio.

Mr. WITT. Two-way radio, while sitting beside me, I feel sure that I would have been aware of that even though I was stunned and I don't recall ever looking directly at the man, but I believe that anyone who was sitting that close, as the picture shows him, I feel sure that I would have known if they were holding—because those walkie-talkie things are fairly large, they are certainly bigger than a person's hand. I feel like I would have remembered that. I can't say with 100 percent certainty that I would have remembered that, but somehow I just feel like I would have.

One thing—there are two things in having been shown these pictures where my memory was different from what the pictures showed. No. 1, the couple that was covering the children, I remember them as being up close to me, as being fairly close, because I saw them doing this, and in later years I have thought how ridiculous it was of me standing up with gunfire going on, and standing there like a tourist, and here these people had the presence of mind to cover these children.

The other thing is in my memory I don't remember a person sitting that close to me. The person that I remember as saying what he did and repeating it a number of times, I don't remember having been that close. I don't know if these pictures are taken at an angle that makes it look like that or if my memory is playing tricks on me.

Mr. FAUNTROY. Thank you, Mr. Chairman.

Chairman STOKES. The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. Thank you, Mr. Chairman. I have just one question for the purpose of the record, Mr. Witt.

This appears to have been somewhat of an impulsive act on your part. Is there anything in your history that you have been a demonstrator or picket or engaged in symbolic acts in the past, or is this a single incident in your life that you wish had never happened?

Mr. WITT. Never before. This is the only time. True, I wish it had never happened. I am not a person who wishes to bring himself into notice, and I think this very fact is what put me down there in this area, in this street I went down. There were all those people. Had I broke out this big oversize umbrella, there would have been people standing on either side of me and probably questioning what the heck was I doing.

By continuing my little walk, I do not know how long I continued to maintain the idea I was going to do this, but I have the feeling when I was headed back in the direction of where I work, that I saw this area down there and an open space where there were not all this many people around. So I would think it would be my particular personality of not wanting to be questioned by people or putting on a show in front of people that led me into that particular location.

Mr. DEVINE. For the record, this is the first and probably the last time you have engaged in a demonstration such as this?

Mr. WITT. Indeed; the first and the last.

Mr. DEVINE. Thank you, Mr. Chairman.

Chairman STOKES. Mr. Witt, I would just like to say what is probably equally tragic with the event which occurred on that date

has been the rumors and theories which have grown up around such a tragic event in our history. Indeed, one of the reasons this particular committee was constituted by the House of Representatives is so that we might once and for all investigate all the facts and circumstances surrounding the death of President Kennedy and report to the American people the true facts as we have found them.

It is in that respect that even though this has been perhaps an unfortunate event for you, one that has caused you and your family some concern and indeed some embarrassment, I want to say that I think you have performed for the American people a real service today, by coming forth and dispelling another one of the rumors which have for now some 15 years caused great uneasiness in the American people.

Indeed, over the years many people have profited in continuing to form rumors around one of the most tragic events in our history.

Additionally, since it has been in a rather somber vein, you have been a very candid witness and one who has lent some degree of levity to our proceeding to give us some relief from this. I indeed applaud you for coming forth and giving us your testimony today.

Additionally I would extend to you 5 minutes for any comments you may wish to make, to which you are entitled under our rules.

Mr. Wrrr. I do not think I have any comment. I cannot really think of anything else that I could offer the committee which would be of any help to them. If I could, I certainly would. I would like to thank everyone for their courtesy. The only two people I have had direct dealings with was Mr. Moriarty who interviewed me in Dallas, and Mr. Genzman, who interviewed me last night. Both of these men have been very thorough, I would say, in their questioning, very businesslike, but at all times very courteous, and I do appreciate that.

The only other thing that I would care to say is that I think if the Guinness Book of World Records had a category for people who were at the wrong place at the wrong time, doing the wrong thing, I would be No. 1 in that position, without even a close runner-up.

Chairman Srokes. Thank you very much, Mr. Witt. You are excused now, sir.

The Chair recognizes Professor Blakey.

Mr. BLAKEY. A widely held belief that has been fostered by some of the critics is that the death rate of individuals connected in some way to the assassination has been improbably high.

The editor of a weekly newspaper in Midlothian, Tex., Penn Jones, started it all by publishing his mysterious death theory in a book, "Forgive My Grief", in 1966. Jones assembled details of the deaths and of the connections of the deceased to the assassination—an attorney for Jack Ruby, Oswald's landlady, newsmen who had covered the assassination, a noted columnist who had interviewed Ruby, and so on.

Other critics picked up on Jones' thesis. In *Accessories After the Fact*, Sylvia Meagher writes:

Viewed subjectively, the witnesses appear to be dying like flies. But an authoritative opinion on the mortality rate of those involved directly or marginally in the assassination and attendant events remains to be rendered by some actuarial

expert. It may be that the deaths are within the normal rates, despite the appearance of an epidemic, or it may be that they are radically out of line.

Mr. Chairman, Jacqueline Hess, the committee's chief of research for the Kennedy assassination investigation, has been in charge of the mysterious deaths project. Her report, on which she is prepared to testify today, contains the findings of the project.

It would be appropriate at this time, Mr. Chairman, to call Ms. Hess.

Chairman STOKES. The committee calls Miss Hess.

Stand and raise your right hand and be sworn.

Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

TESTIMONY OF JACQUELINE HESS

Ms. HESS. I do.

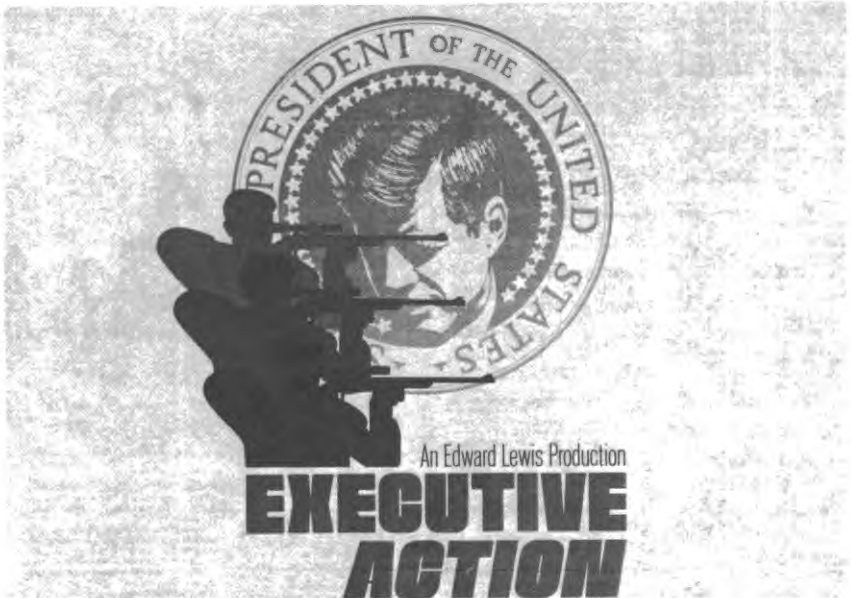
Chairman STOKES. Thank you. You may be seated.

Ms. HESS. Mr. Chairman, members of the committee. The issue of mysterious deaths, that is, that a statistically improbable number of individuals with some direct or peripheral association with the Kennedy assassination died as a result of that assassination, thereby raising the specter of conspiracy, was first brought to national attention as the result of a promotional campaign for the movie "Executive Action" which was based on Mark Lane's novel, "Rush to Judgment."

Mr. Chairman, I would direct your attention to JFK exhibit F-544 and ask that it be admitted into the record at this time.

Chairman STOKES. Without objection.

[The information follows:]



FACTS BEHIND THE MAKING OF THIS FILM

Introduction

"EXECUTIVE ACTION" is a film of fiction—based on fact.

Ten years ago—on Friday, November 22, 1963, at 12:30 P.M.—President John F. Kennedy rode in an open limousine through the streets of Dallas. At a place known as Dealey Plaza, he was shot to death.

This event, which abruptly and severely altered the course of history, has been the source of intense and continuing controversy. The haunting questions still remain. "Who did it?" "Why did they do it?" "How was it done?"

The official answers have never satisfied a majority among us. A Gallup Poll on the Warren Report asked, "Do you think one man alone was responsible for the assassination of President Kennedy or do you think others were involved?"

64% of those polled believed that others were involved.

This film dramatizes the story of how a conspiracy to assassinate President Kennedy could have taken place.

This background material came from many sources. Exhibits and testimony gathered by the Warren Commission, the FBI, the CIA, the State Department, the Secret Service, the Dallas Police Department and Sheriff's office. Newspaper and magazine articles. Radio and television tapes. Evidence uncovered by private investigators.

This does not purport to be a definite document on the assassination of JFK. It is solely a bibliography for the film which deals with only limited aspects of the event.

The dialogues in the film are, for the most part, fictional. However, substantial portions are based upon the documented material.

References to the Warren Commission Report (WCR) its testimony and exhibits, will be made by citing the number of the Volume (there are 26 in all) and the page number. For example, 19H102 would refer to Volume 19 of the Hearings' published record, page 102.

Further citations will use Commission Exhibit numbers (for example, CE 399) or Commission Document numbers (e.g. CD 7). Many of these documents are available in the Archives. Some are still classified. Only declassified evidence available to the public will be cited in these pages.

Additional source materials cited are available in public libraries and newspaper files.

Scenes in the motion picture based on historical facts are noted. Other scenes taken from actual films of events are noted as 'matters of historical record.'

PRESIDENT JOHNSON DOUBTS WARREN REPORT CONCLUSION

David Wise, author of *The Politics Of Lying* made the following statement: "Three interviews were filmed for CBS at the LBJ ranch in Texas in September and October, 1969. When the third Johnson interview was shown on May 2, 1970, it included this message about thirty seconds into the program: 'Certain material has been deleted from this broadcast at President Johnson's request, not on the grounds of national security.' During the filming of the interview Johnson had expressed some misgivings about the Warren Commission's central finding that Lee Harvey Oswald, acting alone, had killed President Kennedy. Johnson indicated to Cronkite that he still retained some doubts and that possibly, a conspiracy had been involved."

Later Johnson apparently thought the better of these remarks, but he did not ask to delete them until several weeks had gone by. Cronkite, backed by Richard S. Salant, president of CBS News, opposed the deletion, arguing that the request had come too late, but they were overruled, possibly by CBS president Frank Stanton.

Cronkite, a newsmen of great integrity and high professional standards, had been unhappy from the start with Johnson's right to edit the tapes. In this case he felt that Johnson was invading his right to make decisions, since it was difficult to see how, six years after the assassination, any national security was involved. (1)

Leo Janos, former aide to President Johnson, now a correspondent for *Time Magazine*, said that Johnson told him in a conversation at the LBJ ranch a few months before he died, "I never believed Oswald acted alone." (2)

PRESIDENT KENNEDY ARRIVES AT EL PASO, TEXAS

President Kennedy's arrival at El Paso Airport June 3, 1963 is a matter of historical record.

THE MEN OF THE VIRGINIA "GROUP"

The characters of the group of men who assemble in a Virginia mansion are fictitious, their personalities and professions in no way based upon actual living persons. Portions of their dialogue are based

upon supportive material which will be treated below.

JFK'S ADMINISTRATION

President Kennedy's administration was regarded as a strong contender for reelection in 1964. His intention to review the Oil Depletion tax allowance with the plan to reduce it, his opposition to certain mergers under the anti-trust act, his intention to shut down domestic military bases and some overseas, his support of the Black Movement, his support of a Nuclear Test Ban Treaty and subsequent establishment thereof, and his intention to remove all U.S. forces from Vietnam are all matters of historical record. (3)

PREVIOUS ASSASSINATIONS

Discussion of previous assassinations and attempted assassinations of President's Lincoln, Garfield, McKinley, Theodore and Franklin Roosevelt, are all a matter of historical record.

PROTECTION OF PRESIDENT AND OTHER HEADS OF STATE

Reference is made to the protection of President de Gaulle during his motorcade. These details are true as described by the Director of the French Secret Service (4) The conditions of protection during the motorcade of President Kennedy in Dallas on November 22, 1963 are indicated by the records of the U.S. Secret Service for that trip (5) and observed as readily less secure than with the de Gaulle motorcade from the photograph supplied by the French Secret Service (right) when compared with the photograph of James Allgren, Associated Press, of the Presidential motorcade in Dallas.

THE "INTELLIGENCE" COMMUNITY

The mood of the Central Intelligence Agency after the Bay of Pigs fiasco was bitter and, according to Roger Hillman, Assistant Secretary of State, the President caused many changes to take place including the resignations of the Director and the Assistant Director of the CIA. (6) The characterization of the spy world is described according to the disclosures of former intelligence agents and others. (7)



THE PRESIDENT GOES TO TEXAS

President Kennedy was extremely reluctant to go to Texas, but was convinced he had to go in order to mend warring political factions within his own party, namely Governor Connally and Senator Yarborough, or risk losing the State in the next elections (8). Kennedy went over the objections of his closest advisers. Connally dispensed these accounts in an article, stating he objected to the trip (9).

JFK MOTORCADE AND APPEARANCE AT AMERICAN UNIVERSITY IN WASHINGTON

A matter of historical record. (10)

LEE HARVEY OSWALD— BACKGROUND

The descriptions of Lee Harvey Oswald are all supported by documents which were published in the report of the Hearings and Exhibits of the Warren Commission.

Apart from the biographical data (11) it is significant that Oswald did have a "CONFIDENTIAL" security clearance (12) and was authorized to handle Confidential material while in the Marine Corps less than a year. He was sent to Ansei, Japan where he had access to radar and radio codes and also new MPS-16 height

finding radar (13). Oswald's commanding officer, Capt. John E. Donovan, suggested that he (LHO) even had a higher "secret" clearance.

Oswald was courtmartialed twice in the Marine Corps, once for possession of a weapon (14) when he was found guilty but his sentence and loss of rank were suspended and the second time for curbing an officer (15).

He later requested a "harshship" discharge due to illness of his mother (16) and based this upon a letter which a doctor wrote on September 3, 1959 saying he had been treating Mrs. Oswald since Sept. 3, 1959 (17).

Instead of aiding his sick mother, Oswald was discharged and immediately applied for a passport (18) Oswald received his passport shortly on September 30, 1959 (19). Although he gave such reasons for applying for the passport that he wanted to attend Albert Schweitzer College in Europe, he traveled instead to Russia, with the State Department's approval (20).

Analysis of Oswald's financial situation shows no record of large savings and estimates indicate he had no more than \$350 (he 9, 1959 he declared cash in his possession of \$700.00 (22)).

Oswald arrived in Moscow on October 16, 1959 (23) and upon being ordered to leave the USSR (24) attempted suicide by cutting his wrist and was taken to Borikovsky Hospital. He was released a week later (25) in an effort to remain in the USSR Oswald visited the U.S. Embassy on October 31, and stated his determination to remain there and revoke



AP

(1) David Wise, *The Politics Of Lying* (Random House, Inc. 1973).
(2) *Atlantic Monthly*, July, 1973, UPJ, 6/17/73.
(3) Arthur Schlesinger, Jr. *A Thousand Days* (Boston, Houghton, Mifflin Co. 1965).
(4) Theodore C. Szoreman, *Kennedy*, (New York, Harper & Row, 1965).
(5) Roger Hillman, *To Move A Nation*, (New York, Doubleday & Co., Inc., 1967).
(6) Pierre Salinger, *With Kennedy*, (New York, Doubleday & Co., Inc., 1966).
(7) David Wise and Thomas B. Ross, *The Invisible Government*, (New York, Random House, Inc. 1964).
(8) Andrew Tully, *CIA—The Inside Story*, (New York, Fawcett Crest, 1962, p. 214).
(9) *ibid.*
(10) William Manchester, *Death of a President*, Harper and Row, New York, 1967, p. 131.

(11) Interview with Director Andre Ducret by Stephen Jaffe, June, 1968.
(12) 1781593-600, 1781601-617, CD 3, CD 8, 14, 16.
(13) Roger Hillman, *To Move A Nation* (New York, Doubleday & Co., Inc., 1967, p. 80).
(14) David Wise and Thomas B. Ross, *The Invisible Government*, (New York, Random House, Inc. 1964).
(15) Andrew Tully, *CIA—The Inside Story*, (New York, Fawcett Crest, 1962, p. 214).
(16) *ibid.*
(17) William Manchester, *Death of a President*, Harper and Row, New York, 1967, p. 131.

Pierre Salinger, *With Kennedy*, p. 39 (Fawcett).
(18) Evelyn Lincoln, *Kennedy & Johnson*, (New York, Holt Rinehart & Winston, 1968) p. 205.
(19) *U.S. News & World Report* 1/2/67, *New York Times* 1/3/67, p. 1.
(20) *New York Times* 1/9/67, p. 47.
(21) *New York Times* 1/11/67, p. 10.
(22) *Life Magazine*, "Why Kennedy Went to Texas" by John Connally, 11/24/67.
(23) June 16, 1963.
(24) *CD* 107, p. 7, 41.
(25) *CD* 978, 1916665.
(26) 1956666, *CD* 16, p. 6, *CD* 8, p. 655; *CD* 1024, p. 2.

(14) 1981707, *WCR*, pp. 683-684.
(15) 1981706, *WCR*, pp. 683-684.
(16) 1987224, *WCR*, pp. 683-689.
(17) 1981737.
(18) 1981289.
(19) 1981269-270.
(20) 1981269-270; 1981257, *CD* 882, p. 12, *CD* 901, p. 5; *CD* 735, p. 461.
(21) *Sylvia Mosher, Accusations After the Fact*, (Dobson-Merrill) Co., Inc., New York, 1967) pp. 329-330.
(22) *CD* 130.
(23) *CD* 1, p. 57.
(24) *CD* 1967, p. 66.
(25) 1981289.
(26) 1981961.

American citizenship as well as turning "Classified" information over to the Russians. (20)

Oswald's Marine Corps Commanding Officer, Capt. John E. Donovan, testified about the Classified information. He said, "We received word by IJHO had showed up in Moscow. This necessitated a list of change of aircraft call signs, codes, radio frequencies. He had the access to the location of all bases in the West Coast area, all radio frequencies for all squadrons, number and type of aircraft in a squadron, who was the commanding officer, the identification code of existing and existing IADIZ, which stands for Air Defense Identification Zone. (27)

From October 31, 1959 until April 9, 1960 there were no U-2 flights over the USSR. Francis Gary Powers, U-2 pilot whose flight was shot down on May 1, 1960, strongly implies that Oswald's knowledge thus transferred to the Russians may have resulted in the incident (28). One CIA document explored Oswald's access to information regarding the U-2 (29). Other documents which might shed light on this remain sealed off from researchers at the National Archives in Washington, D.C. (30).

Oswald wrote to the U.S. Embassy requesting revocation of his citizenship. (31) The information was then transmitted to the State Department which notified the Office of Naval Intelligence, the FBI and the CIA. (32)

On January 4, 1960, Oswald received permission to remain in the USSR. His permission to remain was extended in 1961. (33)

On January 5, 1960, Oswald was given 1,000 rubles and assigned to work at the Belorussian Radio and Television Factory in Minsk. (34)

On January 8, 1960 Oswald was welcomed by the Mayor of Minsk. (35)

On March 17, 1960 Oswald met Marina Nikolaevna Prusakova, a graduate phar-

macist, age 19. Six weeks later they were married and on February 15, 1962, their daughter, June Lee Oswald was born in Minsk. (36)

Although he had first written to his brother that he would never leave Russia and hated the United States, Oswald later wrote that he had to return to the U.S. (37) The State Department informed the Embassy that for "security reasons" Oswald should be given a passport, provided the Embassy was convinced he had legally abandoned his American citizenship which was, in fact, the Embassy's conclusion. (38)

On February 28, 1962, the U.S. office of Immigration and Naturalization notified Oswald that Marina's visa petition was approved. (39)

The U.S. Embassy gave Oswald a passport good only for the United States and lent him \$435 for traveling expenses (40) and the Oswalds passed through United States Immigration on June 13, 1962, en route to Fort Worth, Texas. (41)

When the Oswalds landed a representative of the Traveler's Aid Society, Professor Spat T. Rankin, met them. (42)

The FBI had an extensive pre-arrival dossier on Oswald (43). In fact, when Oswald was arrested in New Orleans, instead of asking for an attorney, he requested to be interviewed by the FBI. (44)

It was noted in the book, *Portrait of the Assassin*, by the honorable Congressman Gerald Ford (R-Mich.) that the Warren Commission's first "shock" was an emergency session called on January 22, 1964, by Mr. J. Lee Rankin, General Counsel for the Commission, to deal with a most important report. (45)

The Attorney General of Texas, Waggoner Carr, telephoned them to report that he, and the District Attorney of Dallas, Henry Wade, had information that Lee Harvey Oswald was an "undercover agent" (on the payroll of the FBI). (46)

The two Texas officials were summoned

to Washington, D.C. to meet with Rankin and Commission staffers. They informed the Commission that "Lee Oswald was actually hired by the FBI that he was assigned the under-cover agent number 179; that he was on the FBI payroll at \$200 a month starting in September 1962 and that he was still on their payroll the day he was apprehended in the Texas Theater (on November 22, 1963). . . (47)

A Secret Service Report supported the disclosure of Congressman Ford and cited another source. *Houston Post* reporter, Alton H. Hudkins, was interviewed and told the investigator that he had received the same information from the Chief of the Criminal Division of the Dallas Sheriff's Office. (48)

On January 27, 1964, someone using the alias "A. J. Hidel" mail-ordered a 38 Smith & Wesson pistol from Seaport Trades, Inc., a mail order company in Los Angeles. The return address on the order was P.O. Box 2915, Dallas, Texas, the post office box of Lee Harvey Oswald. (49)

In March, a similar order—this time for a rifle—was received at Klein's Department Store in Chicago. Again, the alias Hidel was used, and again, the return address was P.O. Box 2915, Dallas, Texas. (50)

In April of 1963, Lee Harvey Oswald was distributing Fair Play For Cuba literature in Dallas, Texas. (51)

On June 24, 1963, Lee Harvey Oswald applied for a new passport in New Orleans. (52)

Despite the fact that Lee Harvey Oswald appeared at the American Embassy in Moscow at the end of October, 1959 and handed Consul Richard E. Snyder his passport and a written statement to the effect that he wished to renounce his U.S. Citizenship and affirm his allegiance to the Soviet Union as well as offer them all the information he had in his possession on

radar operations that he had acquired while in the Marine Corps, Oswald's new passport was issued 24 hours after the application was filed in New Orleans on June 23, 1963. (53 & 54)

No review or consideration of denying Oswald this passport was made despite the fact that he indicated on the application that his previous passport had been cancelled by the State Department (55), although Oswald's renunciation of citizenship and disclosure of "confidential" military information was serious enough for the Marine Corps to change his Honorable Discharge to "Undesirable."

On July 1, 1963, Lee Harvey Oswald wrote a letter to the Soviet Embassy requesting visas for both himself and Marina. (56)

On August 9, 1963, Lee Harvey Oswald, who was later to seek a visa to Cuba, was handing out "Fair Play For Cuba" leaflets on Canal Street in New Orleans. (57)

The address on one of the leaflets listed as the office for the "Fair Play For Cuba Committee" was 544 Camp Street, New Orleans, Louisiana. (58)

Another pro-Cuban FPCC organization was the target of criticism and Oswald himself was to get into a fight that day for which he was arrested. (59)

The FBI learned that an anti-Castro organization, "The Cuban Revolutionary Council," worked out of an office at 544 Camp Street (59) and that Guy Banister, a former FBI agent, associated with anti-Castro Cubans, had an office at 531 Lafayette St., New Orleans (60).

Due to the FBI's misleading reports, the Warren Commission never discovered that both addresses, 544 Camp St. and 531 Lafayette St., were for the same building on the corner of Camp and Lafayette Streets. Oswald's FPCC office and Banister's office, thus, were in the same building. (61)

On August 16, 1963, Lee Harvey Oswald hired two men at \$2.00 per hour a piece to help him distribute the Fair Play For Cuba Committee literature. (62)

Following this distribution of literature Oswald appeared on radio and television newscast clips. The footage in the film is taken from a serial interview with Oswald. (63)

When Oswald was in jail, after his arrest on August 22 for fighting with anti-Castro Cubans, he requested the FBI interview which was granted. (64)

FREEDOM MARCH ON WASHINGTON D.C. - AUGUST 28, 1963

250,000 Americans marched on Washington and formed in front of the Lincoln Memorial on August 28, 1963 to hear the famous speech "I have a dream . . ." by Rev. Martin Luther King, Jr. After the gathering President Kennedy met with the leaders of the march at the White House telling them, "This nation can properly be proud." (65)

TEST BAN TREATY WITH USSR DEBATED

President Kennedy made several speeches during August, 1963 urging Congress to pass the Test Ban Treaty with the USSR.

Many authorities from the military and scientific communities appeared before the Senate Committee considering the Treaty in August to argue, vehemently, President Kennedy's words of support for the measure. (66).



This building at 544 Camp Street in New Orleans housed the detective agency of Guy Banister and the headquarters of Sergio Aracacha Smith's anti-Castro organization. It was also the address shared by Lee Harvey Oswald for his Fair Play for Cuba group.

- (20) 189229.
(27) 88297-298.
(28) Francis Gary Powers, *Operation Overflight* (New York: Tower Books, p. 364).
(29) CD No. 91, "Oswald's Access to Information About the U-2."
(30) President Johnson ordered some documents classified until 2039 A.D.
(31) CD 1122.
(32) WCR p. 749.
(33) 189205.
(34) WCR p. 697, CD 1, p. 51.
(35) WCR p. 697, CD 1, p. 51.
(36) CD 1, p. 31.
(37) 2281120, 2281748, 1891602, 2281407

- (Oswald meets Marina): 1893, 2177, 1891338, 1891606, 2281748, 26184 (Marina's Birth of Oswald child).
(37) CD 206, p. 136, CD 206, p. 352.
(38) 228182, 2281845.
(39) 228183.
(40) 228147, 2281152, 2448335, 1891182, 26184.
(41) 2281206.
(42) 26184.
(43) CE 134 (FBI Dossier).
(44) 48438, 189138, 228189.
(45) Gerald Ford, *Portrait of the Assassin*, (Ballantine Books, New York, 1965, p. 18).

- (46) Ibid.
(47) Ibid.
(48) CD 120, US secret number: 767.
(49) 184851, 228116, 2687709, WCR pp. 178-174.
(50) 781395, 781266, 1716153, 1781677, 228115, 234449, 2581906, WCR pp. 118-122.
(51) 208351, 108187-88, 2281796.
(52) 228118, 248509, 2681877.
(53) WCR, Chapter VII, Appendix XIII and Appendix XV, 28311.
(54) 248509.
(55) 199283, WCR p. 710.
(56) 168310.
(57) 2681148, 2281820, WCR pp. 728-729.

- (58) 2687783, p. 10.
(59) 2281820, FBI Report 11/23/63, by SA Ernest C. Wall, Jr., New Orleans Bureau Office.
(60) Ibid.
(61) Rosamary James and Jack Wardlow, *Plot or Politics?* (Pelican Publishing House, New Orleans, 1967, p. 118, (phonograph).
(62) 10866, 228118.
(63) August 31, New Orleans, LA, WDCU.
(64) 248599, WCR p. 497.
(65) Arthur M. Schlesinger, Jr., *A Thousand Days*, p. 96.
(66) A matter of historical record.

FIRST ANNOUNCEMENT OF JFK'S PLANNED DALLAS VISIT

On September 13, 1963 the Dallas Times Herald newspaper announced that President Kennedy would visit the city but made no details of the forthcoming visit available other than the cities to be visited.

On September 26, 1963, both Dallas newspapers indicated that the President would visit the city on November 21 or November 22, (67)

OSWALD STARTS WORK AT BOOK DEPOSITORY

Lee Harvey Oswald started work at the Texas School Book Depository on October 16, 1963, (68)

MOTORCADE ROUTE PLANNED FOR DALLAS LUNCHEON AT TRADE MART

President Kennedy's "advance man" was concerned with planning the trip and his main objective was often to produce large crowds to demonstrate the popularity of the President. (69)

Jerry Bruno, who was the White House aide filling that position, was also concerned with security since his plans were often those ultimately accepted and employed by the Secret Service. (70)

The most direct route through Dealey Plaza was down Main Street, which was the street the motorcade would already be taking through downtown Dallas. This route enabled the motorcade to travel in the Trade Mart over headquarters (71) instead of by the Stemmons Freeway, therefore giving more people a chance to see the President and satisfying the objective of Mr. Bruno by having more crowds along the streets to show the President's strength among the people. The travel time difference between the two routes was negligible.

Initially, there were two locations under consideration for the luncheon speech of the President, one was the Women's Building, a "sprawling auditorium which could seat four thousand," Bruno states, and the other was the Trade Mart which presented serious security risks in comparison, was closed off and did not fit the desires of the President. (72)

"There was another point about the Women's Building site that didn't seem important to anyone at the time. If Kennedy had been going there instead of to the Trade Mart, he would have been traveling two blocks farther away from the School Book Depository—and at a much faster rate of speed. At that speed and distance, it would have been almost impossible for a sniper to hit him from the Depository." Bruno states. (73)

Bruno wrote that there was a political difference over the selection of the luncheon site and therefore the final decision was left open until later than it would have normally been planned.

The Women's Building was a better choice from the standpoint of security and Kennedy's desire to speak to as many of the people of Dallas as possible, including different factions including labor groups, Catholics, Women and Blacks all of which would have been able to be present in the larger auditorium. The Connally-Johnson supporters wanted the smaller Trade Mart site which would restrict the luncheon to Dallas' wealthy party backers.

Bruno decided to use his influence and the argument of better security to get the Secret Service to finally rule that the Women's Building would be the site.

"I asked Jerry Behr, the head of the Secret Service at the White House, to pass the word to the Texas agents to wrap it up.



View of the Grassy Knoll



View from behind the fence on the Grassy Knoll

But somehow or other that word never got through. We heard back from Texas that the Secret Service had O.K.'d the Trade Mart as acceptable from a security point of view." Bruno said (74).

On November 18, 1963 Bruno got the news from Kenny O'Donnell, the President's Special Assistant, that they would let the Trade Mart be the site. Reluctantly, O'Donnell told Bruno, "We're going to let Dallas go, Jerry." (75)

"It struck me at the time that this was one of the few fights like this I had had. I was no inner counselor to John Kennedy or anything like that, but usually, if I fought hard enough, I could generally get my way about what sites he would do best at politically. On things like this my judgment was usually taken. This time it wasn't." (76)

OSWALD AT PARKLAND HOSPITAL

Oswald went to Parkland Hospital on October 21, 1963 to see his wife and their new baby being the previous night. (77)

OSWALD AT GENERAL EDWIN A. WALKER RALLY

Oswald attended General Walker's "USA Day Rally" on the evening prior to Ambassador Adlai E. Stevenson's scheduled address in the same auditorium for "United Nations Day." The audience was well attended by people who were extremely conservative in their political views according to the signs which were carried by some of them and the text of General Walker's talk. (78)

UNREST IN SAIGON

Amid riots, immoderation, and terror in Saigon, President Diem struggled to calm the agitated people. There were demonstrations, police attacks on Buddhist protesters, several of whom were killed, and one immolated himself in protest. (83)

"OSWALD" REQUESTS RIFLE REPAIRS

Two ladies, Mrs. Gertrude Hunter and Mrs. Edith Whitworth testified that Oswald, his wife and two daughters had come into the Furniture store of Mrs. Whitworth looking for a gunsmith, as a result of having seen a sign in the window which said "Gunsmith." Mrs. Whitworth had forgotten to remove the sign when a gunsmith, indeed, formerly worked there. (84) "Oswald" said that his daughter had seen bars on October 20 and, according to the testimony, wanted to repair the firing-pin or "plunger" of his rifle. He was carrying an object 15 inches long. She directed him to the Irving Sports Shop. (85) Mrs. Hunter corroborated Mrs. Whitworth's account of the incident. (86)

GlenSmith Dial Ryder worked at the Irving Sports Shop. (87) He and the owner of the shop, Mr. Charles Greenlee, could not recall Oswald from his photographs but they did have a repair ticket with the name Oswald on it in their store. The ticket had no date on it but they estimated the date to be November 4th to November 8th. They do not recall making the kind of repairs that from photographs were made on the sights of the Mannlicher-Carcano which was allegedly Oswald's rifle. (88)

An anonymous phone call to a television newscaster saying that "Oswald had had a rifle sighted on Thursday, November 21, at a gun shop on 211 or 212 Irving Boulevard in Irving," had led Detective F. M. Turner to the pushup of Mr. Greenlee. (89)

If this was Oswald it would mean that Marina Oswald committed perjury when she testified during the court proceedings. (90) It would further suggest the culpability, if not the complicity, on her part in a case which Oswald, in Dallas, had known the knowingly accompanied him on an expedition to repair a rifle, after the stated attempts on the White House and Richard Nixon and her testimony that she threatened to turn Oswald in if he ever showed signs of repeating such adventures. (91) If it was Oswald (who was at work at the Texas School Book Depository all the afternoons of the month) then the alternative is that someone was impersonating Oswald, thereby incriminating him by linking him directly to the rifle prior to the assassination.

OSWALD ATTENDS STEVENSON UNITED NATIONS DAY SPEECH

In contrast to Oswald's activities of the night before, he allegedly attended the United Nations Day Speech on October 24, 1963 of Ambassador Stevenson where Stevenson was actually struck by one of the picket signs carried by a demonstrator and several others had to be forced to leave by police. (79)

OCTOBER, 1963 "VIETNAM TROOP PULL-OUT" ANNOUNCEMENT

A White House statement announced in October that President Kennedy was going to withdraw 1,000 U.S. military personnel from South Vietnam which was, perhaps, his last formal executive order, thus reducing the U.S. troop strength there to approximately 14,300 men. (80)

"ALL GIs OUT OF VIETNAM BY XMAS"—JKF

Secretary of Defense McNamara made a public statement that all American personnel would be brought back home from Vietnam by 1965. His announcement came from the White House. (81) President Kennedy told Kenneth O'Donnell in the Spring of 1963 of his determination to withdraw American forces from Vietnam, risking unpopularity after his reelection. "In 1965," the President said, "I'll be damned everywhere as a Communist appeaser, but I don't care." (82)

THE ITALIAN MANNLICHER-CARCANO RIFLE

The rifle that is linked to Lee Harvey Oswald by the sites A. J. Haldi, an Italian Mannlicher-Carcano 5.5 mm rifle, is, according to FBI rifle expert Sebastian Latona, a "Cheap old weapon." (92)

This inferior weapon was described in more detail by rifle expert Walter H. B. Smith in *The Basic Manual of Military Small Arms* as "poor military weapons in comparison with United States, British, German, or Russian equipment." (93) And by a magazine which specializes in such equipment, the Mannlicher-Carcano was described as "rudely made, poorly designed, dangerous and inaccurate." (94) The Mannlicher-Carcano, according to the Italian soldiers who used it during World War II, was known as "the humanitarian rifle" on the grounds that it could not hurt anyone on purpose. (95)

(67) WCR p. 40.

(68) WCR p. 738, 38214, 228162.

(69) Jerry Bruno and Jeff Greenfield, *The Advance Man*, (William Morrow and Company, Inc., New York, 1971, p. 28).

(70) *Ibid.*, p. 22.

(71) San Dallas Street Map.

(72) Bruno, *The Advance Man*, pp. 89-92.

(73) *Ibid.*

(74) Bruno, *The Advance Man*, p. 92.

(75) *Ibid.*

(76) *Ibid.*

(77) CD 216, p. 5, 228120, 2281746, 39460.

(78) 118291, 2081694.

(79) 234403, 2081272, 381396, 1418401.

(80) CD 213, p. 10, WCR p. 318.

(81) 284122.

(82) Historical record.

(83) Kenneth O'Donnell and David Powers,

Johnny We Hardly Knew Ye (Little Brown, New York, 1972) p. 16.

(84) Historical record.

(85) 118262-275, 1181279.

(86) *Ibid.*

(87) 116253-261.

(88) 248, 252-254.

(89) 29222, 231449, 2493228, CD 1066, p. 238.

(90) Sylvia Maguire, *Accessories After The Fact*, p. 167.

(91) 118285.

(92) Sylvia Maguire, *Accessories After The Fact*, pp. 367-368.

(93) 4829.

(94) Mark Lane, *Road To Johnson*, (Holt, Rinehart & Winston, New York, 1966, p. 122).

(95) *Books Illustrated*, October, 1964.

(96) Sylvia Maguire, *Accessories After The Fact*, p. 101.

"OSWALD" AT THE USED CAR LOT—DALLAS—NOVEMBER 9, 1963

Someone identifying himself as Lee Harvey Oswald appeared at the automobile sales and used car lot of Downtown Lincoln Mercury on November 9, 1963, according to an employee there, Albert Guy Bogard (96). Bogard identified the man as Lee Oswald and said that Oswald tested a car with him driving at high speeds on the Simmons Freeway. Sales Manager, Frank Pizzo, suggested that the hairline of Oswald, according to photographs shown him, did not match that of the man who was at the lot (97).

The story of Bogard was supported in part by Pizzo and by Olan Brown and Eugene Wilson, salesman at the lot, Brown wrote the name "Oswald" on a paper which both he and his wife remembered as being in his possession prior to the assassination (98).

Bogard took a lie-detector test, or a polygraph test as it is otherwise known, and his answers were consistent with someone who was telling the truth (99).

According to Robert C. Russett, a comment about returning to Russia and also said that he would be coming into some money shortly, and was evidently to buy the car he was considering (100).

OSWALD PHOTOGRAPH WITH RIFLE AND HANDGUN

An incriminating piece of evidence in the case against Lee Harvey Oswald was a photograph discovered by police among the possessions which were allegedly Oswald's at the home of Ruth Paine. This photograph was not listed on the report by the Dallas Police terminating all of the persons (101) even though a number of items, including photographs, were described in the testimony of the officers regarding who discovered the photographs (102).

The photograph was published as the cover of Life Magazine on February 21, 1964 several months before the initial investigation of the Warren Commission was completed (103). It was published, in fact, in magazines and newspapers all over the world described as "Lee Harvey Oswald with the weapons he used to kill President Kennedy and Officer Tippit" (104).

The photograph apparently supplied more than simply the evidence to link Oswald with the weapons allegedly used in both homicides, it provided evidence of a motive since the newspapers in the hands of the person allegedly photographed as Oswald, were the radical publications of "The Worker" and "The Militant" (105).

Testimony was introduced to show that the photograph had been retouched prior to publication (106) and it was alleged that the photograph was a composite, or a false photograph as well (107).

Research has been done since the time this photograph, and another similar photograph were allegedly found (both designated as Commission Exhibits 133 A & B) (108) which indicates that both photographs are composites, falsely portraying Oswald.

Oswald, himself was asked about the photographs while he was being interrogated by Dallas Police Captain Wil Fritz, (109).

"I showed Oswald an enlarged picture of him holding a rifle and wearing a pistol. This picture had been enlarged by our Crime Lab from a picture found in the garage at Mrs. Paine's home. He (Oswald) said the picture was not his, that the face was his face, but that his picture had been made by someone superimposing his face, the other part of the picture was not him at all and that he had never seen the picture before." (110)

OSWALD INTERROGATION

Captain Fritz did not call for a stenographer, court reporter, or tape recorder to have Oswald's invaluable interrogation properly recorded (111). Fritz kept notes, and his notes are the best evidence of what Oswald told him before others who observed the interrogation, including FBI agent Jim Bookbinder, Homicide officers, and Inspector Kelly, of the Secret Service. (112)

Captain Fritz continued, "He (Oswald) told me that he understood photography real well, and that in time, he would be able to show that it was not his picture, and that it had been made by someone else. At this time he said that he did not want to answer any more questions and he was returned to the jail about 7:15 p.m." (113)

MOTORCADE ROUTE FOR NOVEMBER 22, 1963 VISIT OF PRESIDENT DISCLOSED

On November 16, 1963 the Dallas Times-Herald and Dallas Morning News, announced the November 22nd visit of the President, details of the motorcade route and indicated it would pass through Dealey Plaza, and continue on to the Trade Mart (114)

"OSWALD" AT THE RIFLE RANGE

Someone who was recognized immediately following the assassination as being identical with Lee Harvey Oswald appeared at the Sports Drome Rifle Range in Dallas on several occasions in September, October and November 1963 (115).

Mr. Gerald C. Slack testified, along with others, that a man who he identified as Oswald was at the Sports Drome Rifle Range on November 10, 1963 and that he became involved in an altercation with "Oswald" because he was firing at his "Oswald" target. (116)

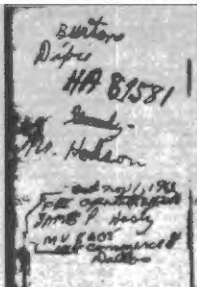
OSWALD'S ADDRESS BOOK CONTAINED FBI AGENT'S NUMBER

Although the Secret Service had no record of Lee Harvey Oswald in its files, particularly in the Protective Research Section which determined whether or not a person might be a threat to the President, (117) Oswald was well known to the FBI.

The name, auto license number and telephone number of FBI agent James P. Hosty appears in Lee Harvey Oswald's address book (118) and Hosty had interviewed Marina Oswald and Ruth Paine (119) as close to the date of the assassination as October 29, November 1st, and November 5th as well as their neighbors. The Warren Commission was not able to explain how Oswald learned of Hosty's auto license or why he had this information in his address book. Apparently none of the FBI's extensive information on Oswald was passed on to the U.S. Secret Service (120).

WHITE HOUSE SECRET SERVICE CHIEF REMAINS IN WASHINGTON, D.C.

White House Secret Service Detail Chief, Gerald A. Behn remained in Washington, D.C. during the President's Texas trip and Special Agent in Charge Roy Kallerman went to Dallas with the President instead. (121)



Agent listed in Oswald book

PROTECTIVE RESEARCH SECTION OF SECRET SERVICE IN DALLAS

As of November 8, 1963, a check of the Secret Service Files revealed there was not one person considered to be a threat to the life of the President in the entire Dallas-Fort Worth area, despite the earlier assault on Ambassador Stevenson (122).

DALLAS MOTORCADE LEAD CAR

The lead car of the President's motorcade assigned Dallas Police Chief Jesse E. Curry, Secret Service SAIC Forrest Sorrells, SAIC Winston C. Lawson Sheriff Bill Dinkler (123). Preceding them was the pilot car, also a lead car, carrying Deputy Police Chief G. L. Lamplin, Detective F. M. Tamm, Detective S. L. Scudell, advance man Jack Putsbaugh, and Army Lt. Col. George Whitman (124).

SECRET SERVICE AGENTS AT FORT WORTH BAR UNTIL LATE HOURS

Nine special agents of the Secret Service were according to their own reports (125) and that of the Secret Service Agency (126) in charge of the Presidential detail in Texas, present at The Collar nightclub in Fort Worth, some of them until 3:00 a.m., the night before the assassination of the President, to specific violations of the Secret Service's own regulations (U.S. Secret Service Manual, Section 10, Chapter I, page 7, 127) some of the agents did assemble and consume intoxicating beverages (128).

"WANTED FOR TREASON": JOHN F. KENNEDY

This poster was widely distributed throughout the city of Dallas on the day of President Kennedy's visit, by anti-Kennedy persons. (129)

PRESIDENTIAL PLANE ARRIVES AT LOVE FIELD, DALLAS

According to the records of the Secret Service, public accounts and journals, President Kennedy's plane, Air Force One, touched in Dallas at Love Field at 11:40 a.m. C.S.T. on Friday, November 22, 1963 (130).

- (96) 621840-452, 1011352-356.
- (97) WCR 320-321.
- (98) Sylvia Moolgob, *Arresting After the Fact*, p. 352.
- (99) WCR, p. 840.
- (100) CE 3078, CE 3091, CE 3902, 1011352-356, 2481854.
- (101) 2481322-246, Search Exhibit B.
- (102) 701209, 701215, 701214, 701231, 1011352.
- (103) WCR, CE 336.

- (104) Life Magazine, 2/21/64, 218457, 218458, 218460.
- (105) 218460, WCR 225, 287, 289.
- (106) 218449, 218450, 218455, 218438.
- (107) 281434.
- (108) 102510.
- (109) 2481864-210.
- (110) 248289.
- (111) WCR 160.
- (112) 248289.

- (113) 248268.
- (114) WCR pp. 39-40.
- (115) 1011375-373, 2481304.
- (116) 1011376, 261660.
- (117) 248120, WCR 318.
- (118) 101664, CE 18, p. 767.
- (119) 248456, 48149, 481453.
- (120) 281109.
- (121) 2863, 281105.
- (122) 281108, 179550-553.

- (123) 2481209, 2481326, 701335, 2481285.
- (124) 2181578.
- (125) 1011682-690, 1018606-604, CE 1019.
- (126) 1011682.
- (127) 1018665.
- (128) 1018682-690.
- (129) CE 596, 1010646, 1702027.
- (130) 2867.



THE SHOOTING: THREE ASSASSINS SHOT AT JFK FROM THREE DIRECTIONS

Arlen Specter, District Attorney of Philadelphia, was the attorney who handled the investigation of the shooting for the Warren Commission. He made the statement (131) that all of the witnesses at the scene of the shooting which numbered in the hundreds, "Governor Connally was perhaps the most important witness. To accept the conclusion that Governor Connally and President Kennedy were hit by separate bullets is synonymous with saying there was more than one assassin." (132) And yet that conclusion, that the two men were hit by separate bullets, was precisely the conclusion that Governor Connally testified to before the Warren Commission. Mrs. Connally has always corroborated her husband's testimony (133).

Connally testified: "It is not conceivable to me that I could have been hit by the first bullet." (134)

Connally further testified: "Well, in my judgment, it just couldn't conceivably have been the first one because I heard the sound of the shot. In the first place, I don't know anything about the velocity of this particular bullet, but my rifle has a velocity that exceeds the speed of sound, and when I heard the sound of that first shot, that bullet had already reached where I was, or it had reached that far, and after I heard that shot, I had the time to turn to my right, and start to turn to my left before I felt anything." (135)

The reason Governor Connally's testimony is so crucial to the determination of how many assassins there were is that he could determine best whether or not he was hit by the first bullet which was fired. It is not, as his testimony indicates, then the assassination was the result of a conspiracy.

The legal definition of a "conspiracy" is simply, "two or more persons acting in concert to commit an illegal act."

The FBI determined that the 6.5 Mannlicher-Carcano rifle had a minimum time of 2.3 seconds (136). That is, the minimum time during which the rifle could be fired, the bolt opened and closed (thereby opening the shell and pushing a new bullet into the chamber), and fired again was 2.3 seconds when he tested it although he fired not at a moving target, as Oswald was alleged to have done, but at a stationary target. When asked what would have happened with his ability to fire the rifle that fast had he used moving targets as Oswald was alleged to have done, Frazier responded, "It would have slowed down the shooting." (138)

Oswald, it should be noted, was no match for the experts who tested the rifle since he was qualified only one point above the minimum for the Marine Corps (139). Oswald was further described by Marine Corps Lt. Col. A. G. Folsom, Jr., head Records Branch, Personnel Dept. Headquarters U.S. Marine Corps, as "a rather poor shot." (140)

Breaking down the number of shots which were fired at the two victims, President Kennedy, and Governor Connally, by the evidence to support the number which could be accounted for, there were possibly five shots, enumerated as follows:

FIRST SHOT: Struck President Kennedy in the back, exited through his chest after shattering his fifth rib, penetrated his right wrist and ultimately lodged in his left thigh (142)

THIRD SHOT: Struck President Kennedy in the neck (143)

FOURTH SHOT: Struck the Main St. curb ricocheting up and cutting the face of James Tague (144)

FIFTH SHOT: Struck President Kennedy in the head, causing him to throw violently backward and to the left (145)

Governor Connally testified that he heard the first shot but was not hit, therefore the first shot either missed or hit President Kennedy. Since Secret Service Agent Roy Kellerman testified that the President cried, "My God, I am hit," (146) after the first shot, and he could only have done so if he had not been harmed by a later shot which struck him in the throat, it is likely to assume that President Kennedy was struck by the first bullet in the back (see autopsy diagram) (147) as described by the two FBI Agents who witnessed the autopsy of the President (148)

The second shot struck Governor Connally as described above and he so testified.

The third struck the President in the front of the neck (149)

The "miss" which hit the curb on Main St. and ricocheted upward cutting James Tague's cheek came at some point during the sequence of the shots which, it was determined, lasted from 4.8 to 5.6 seconds (150). For the sake of explanation only, we will treat it as the fourth shot although it might have come at any time after the first shot and before the last.

The final shot, as graphically depicted in the Zapruder film and according to the testimony of witnesses, struck President Kennedy in the head, driving him backward and to his left. His head movement, according to medical specialists, was faster than can be explained as a neuro-muscular reaction. (151)

It is not clear if there were two shots which hit the President in the head almost simultaneously or not, although there is

some evidence to support that contention (152)

According to the FBI reports on the capability (the minimum operation) of the weapons, the five shots would require 9.3 seconds. Since the entire span of time covered by the actual shots was determined to be a maximum of 5.6 seconds, the only possible conclusion is that there was more than one gunman, firing from positions in front of the President to cause his anterior neck wound and shot in the head which propelled him backward, as well as two gunmen firing at the President and Governor Connally from the rear (153)

The Zapruder film shows the entire span of the shots as a sequence of timed photographs which compose it. It was determined by the FBI that the camera ran at 18.3 frames per second (154). Therefore the 2.3 second minimum operating time of the rifle would be equivalent to 42.09 frames in order to fire two shots.

Governor Connally specifically identified his earliest possible hit as Zapruder film frame #234 (155), and it was officially accepted that President Kennedy was hit #210 (156). Therefore there was an interval (57) of 24 frames or approximately 1.3 seconds, or enough time to establish that the two men could not have been hit by the same bullet (58) as indicated by Governor Connally's sworn testimony, but far too short a period of time for the weapon to fire two shots with the 2.3 second minimum time.

There is support for only one conclusion: there were at least two gunmen firing from behind the President and the Governor (59). From the angle of trajectory established for the wounds it is probable that one of the assassin shot from the Texas School Book Depository and another from the roof of the County Records Building (160)



Dealey Plaza

(131) "A Matter of Reasonable Doubt", LIFE Magazine, 11/23/66.
(132) Ibid, p. 38; Norman Redlich, Assistant Counsel, Inquest, p. 43.
(133) 48133-126.
(134) Ibid.
(135) 481316.
(136) WCR #7, 38111, 38407.
(137) Ibid.
(138) 38407.
(139) WCR 191.
(140) Ibid.

(141) CE 397, CD 7, FBI Report of Agents Francis N. O'Neill, Jr. and James W. Gilbert, 11/28/63, 21951.
(142) 48138, CD 381, CD 3, FBI Report 11/29/63.
(143) Statements by Dr. Malcolm Perry, CBS, Los Angeles Times 11/23/63.
(144) Interview with Dr. Cyril Weebe, by Jonah Thompson, May 28, 1967, 66156, 17829, Alton, 38370, 38368, 6842, 48133, 48160, 4856, 48440.

55602, 58139-60.
(144) 218478-483.
(145) 10811-78 (Z Frame 313).
(146) 28173, 1882724.
(147) 17845, CE 397.
(148) CD 7, 381067 (O'Neill, FBI, 149) N.Y. Times, 11/23/63, 17844, N.Y. Times 11/27/63.
(150) WCR 117.
(151) Thompson, Six Seconds In Dallas, p. 42-43.
(152) Thompson, Six Seconds In Dallas,

p. 82-114.
(153) Life Magazine 11/23/66; Thompson, Six Seconds In Dallas, p. 115-140, 1881-79.
(154) 28160.
(155) Life Magazine 11/23/66.
(156) Ibid, 158049-697; Thompson, p. 111.
(157) Ibid.
(158) Egan, Inquest, p. 43.
(159) Ibid.
(160) 48138, CD 827, Thompson, p. 126-133.

POLICEMEN RUSH INTO THE BOOK DEPOSITORY BUILDING

Immediately following the shot Dallas Policeman M. L. Baker rushed into the Texas School Book Depository and, with Roy Truly, confronted Lee Harvey Oswald drinking a coke on the second floor. (161).

PARKING LOT BEHIND THE GRASSY KNOLL—ESCAPE

A key witness in the assassination was Lee J. Bowers, Jr, who testified that he saw "something occurred in this particular spot" pinpointing the spot behind the fence on the Grassy Knoll behind which he watched from his tower (162). He continued:

"At the time of the shooting, in the vicinity of where the two men I have described were, there was a flash of light, so far as I am concerned, something I could not identify, but there was something which occurred which caught my eye in this immediate area on the embankment." (163).

S. M. Hoffman, an employee of the Texas Terminal Company (in charge of the railroad track area behind the Grassy Knoll) gave an interesting description of what he saw behind the fence:

"And I got over to the spot where I saw the smoke come from and heard the shot; I was looking for empty shells or some indication that there was a rifleman or someone over there. Well, you know it'd been raining that morning and behind the station wagon from one end of the bumper to the other, I expect you could've counted four or five-hundred footprints down there. And on the bumper, oh about twelve or eighteen inches apart, it looked like someone had raked their shoes off. There were muddy spots up there, like someone had been standing up there." (164).

Holland continued:

"Just in the west of the station wagon, there were two sets of footprints that left . . . I noticed these two footprints leaving, now they could have stepped out between the second and third cars on the gravel or they could've got in the trunk compartment of this car and pulled the lid down, which would have been very, very easy." (165).

J. C. Price who saw the assassination from the roof of the Terminal Annex building across Dewey Plaza said in an affidavit filed November 22, 1963 (166):



JFK Anatomic diagram CB 397

- (161) 8H249, 17H224, 17H501.
- (162) 6H288.
- (163) Filmed and taped interview by Mark Lane, 5/21/76. *Truth To Judgment*.
- (164) Joseph Thompson interview, Nov. 20, 1965. 6H243-246.
- (165) Thompson interview, 11/30/66.
- (166) 19H482.
- (167) Lane, *Truth To Judgment*, p. 33.



Dallas Police Station — Main St. ramp

"I saw one man run towards the passenger car on the railroad siding after the volley of shots. This man had a white dress shirt, no tie, and khaki colored trousers. His hair appeared to be long and dark and his gait running could be about 25 years of age. He had something in his hand. I couldn't be sure but it may have been a hand piece."

He later said: "the man was carrying something in his right hand" which "could have been a gun." (167).

OFFICERS RUSH TO THE GRASSY KNOLL AREA

Two motorcycle officers rushed up the Grassy Knoll after the shooting, apparently in pursuit of gunmen (168). The officers, Hertzog and Haywood testified that they thought that was the direction from which shots had been fired. (169).

MEN POSING AS SECRET SERVICE AGENTS SHOW IDENTIFICATION

The Secret Service and the official report indicate that there were no Secret Service agents in the area of Dewey Plaza after the shots were fired (170). And yet, three police officers were given Secret Service identification by men who were on the Grassy Knoll and in front of the Texas School Book Depository Building (171). These alleged Secret Service Agents were never accounted for in Secret Service reports and were never seen again.

THE PHONES GO OUT IN WASHINGTON D.C.

In a crucial and disturbing breakdown in communications systems the telephone system went out immediately after the shots were fired in Texas, but the breakdown didn't occur in Texas, it occurred in Washington D.C. Senator Ted Kennedy, brother of the President, was forced to go from house to house asking to use strangers' phones before he realized that the phone system was out. (172)

CABINET PLANE OVER THE PACIFIC-CODE BOOK MISSING

Another crucial coincidence was that most of the members of the Cabinet were on their way to Japan when the assassina-



Jack Ruby

tion occurred. Some of the most powerful men in the administration were out of touch including, Secretary of State Dean Rusk, Treasury Secretary Douglas Dillon, Interior Secretary Stewart Udall, Labor Secretary W. Willard Wirtz, the Chairman of President Kennedy's Council of Economic Advisors, Arthur Heller, and Presidential Press Secretary Pierre Salinger. (173).

When the teletype aboard the plane of the Cabinet members carried the earliest wire notice that the President had been shot in Dallas, there was a moment of panic but then, fearing an international plot, and with specific codes and procedures to take effect in such an emergency, the Secretary of State and Press Secretary to the President attempted to contact the White House to confirm the shocking report. They were able to do so, but prohibited from making certain confirmation of data because the official Code Book was not aboard the plane. After a long period of searching for it and not finding it, the Secretary of State was forced to break procedures designed specifically to protect against such interference with official communications, break the code and communicate with the White House in plain English. (174)

LEE HARVEY OSWALD DECLARED PUBLICLY HE WAS A PATSY

As the world watched on television, Lee Harvey Oswald got one of his rare chances to speak publicly during a transfer down a hallway in the Dallas jail in Police Headquarters. He was asked if he had shot the President, which he denied, saying at 7:55 p.m. on Friday, November 22, 1963, "I'm just a patsy." (175)



"I'm just a patsy"

- p. 193-195, p. 224. Pierre Salinger, *With Kennedy, Good Housekeeping Magazine*, p. 61.
- (175) 20H264, Katter, Et. A., (176) 5H181-211, 14H594-570.
- (177) 12H357-373.
- (178) Interview of M. J. Daniels by Stephen Jaffe, August, 1973. 12H222-224.
- (179) Lane, *Truth To Judgment*, pp. 251-256.
- (180) Penn Jones, Jr., *Forgive My Obit*,

JACK RUBY IS PERMITTED TO ENTER BASEMENT AND SHOOT OSWALD

Jack Ruby testified that he entered the basement of the Dallas Police Station on November 24, 1963 and shot Lee Harvey Oswald to death (176). He said that he entered through the Main St. ramp although there was an officer of the Dallas Police specifically stationed in that ramp, which was a little wider than a car width, to keep anyone who hadn't been able to present the proper identification of being either police or press, expressly out of that basement (177). M. J. Daniels, himself a former police officer on the Dallas Police Force, happened to be in the area and stopped to see his friend, Officer Vaughn, who was guarding that entrance. Shortly before the shooting, Daniels saw Officer Vaughn acknowledge a man and allow him to pass into the basement without stopping him or asking him for his credentials. This man appeared to Daniels to be holding a hard object like a gun, in his pocket, yet Vaughn did not stop him. A few minutes, if not seconds later, Oswald was shot. Daniels later identified the man who he had seen walk past Vaughn and into the basement as Jack Ruby. (178)



THE DEATH OF 18 MATERIAL WITNESSES IN A SHORT TIME

In the past decade more than 40 people who were directly, or indirectly connected with the assassination either as witnesses or participants in the lives of those involved, have died tragically (179). A list of 18 "material witnesses," that is, people who could have been called to testify in the event that Lee Harvey Oswald had stood trial, perished in a shorter period of time. The list, and the methods which caused the death of these witnesses, provides some important data.

"Of the 18 witnesses, 3 died of natural deaths, and 13 were the victims of accident, suicide or murder. The unnatural causes constitute 71.5 per cent of the total. There were 6 murders, 1 manslaughter, 2 suicides, 3 motor vehicle accidents, and 1 presumed accident (or suicide) by a fall through a plate-glass window." (180)

An attorney of the London Sunday Times computed the life expectancy of 15 of the deceased witnesses and concluded that on November 22, 1963 the odds against all 15 being dead by February 1967 were 100,000,000,000,000,000 to 1 (181)

- J. H. Hill, *Millennium Press*.
 - (180) *Manchester, Arcadians After The Fall*, p. 279.
 - (181) *London Sunday Times*, Feb. 76, 1967.
- Approval of supplementary material by Stephen Jaffe.
Special research by Martin Gates and Davis Litton.

In the three-year period which followed the murder of President Kennedy and Lee Harvey Oswald, eighteen material witnesses died — six by gunfire, three in motor accidents, two by suicide, one from a cut throat, one from a karate chop to the neck, three from heart attacks, and two from natural causes.

An actuary, engaged by the London Sunday Times concluded that on November 22, 1963, the odds against these witnesses being dead by February, 1967, were one hundred thousand trillion to one.



BURT LANCASTER
ROBERT RYAN
WILL GEER

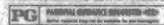
They are the conspirators in the plot to assassinate an American President.



An Edward Lewis Production
EXECUTIVE ACTION

Probably the most controversial film of our time!

Screenplay by DALTON TRUMBO Based on Novel by MARK LANE and DONALD FREED Co Produced by DAN BESSIE and GARY HODROWITZ Produced by EDWARD LEWIS Directed by DAVID MILLER COLOR A National General Pictures Release



Ms. HESS. It is a blowup of an advertisement for the movie Executive Action. As you can see, it states that an actuary engaged by the London Sunday Times concluded that on November 22, 1963, the odds against 18 material witnesses being dead within a 3-year period were 100,000 trillion to 1. Since the publication of that figure, it has turned up in articles, letters, books, and conversation as anywhere from 1,000-to-1 to 1 billion-to-1. Very few people seem to know what it is that they are quoting, but they do have a sense of some enormous odds existing with respect to the deaths of a group of Kennedy-assassination-related witnesses. Illustrative of the widespread concern over this issue is the query President Fidel Castro made during the interview of him by this committee in Cuba on April 3, 1978:

If I may ask you, is there anything true, or how much could be true about those publications which state that many people who could have had a part in Kennedy's death have died in accidents and things like that?

On April 27, 1978, the committee obtained a copy of an article printed in the London Sunday Times on February 26, 1967. Mr. Chairman, at this time I ask that the article be admitted into the record as JFK exhibit F-541, and I direct your attention to the enlargement of the article which is on the easel. The chart in the article lists 19 individuals as being the victims of mysterious deaths, including Lee Harvey Oswald and Jack Ruby. The article states that the London Sunday Times asked an actuary to compute the life expectancy of 15 of these individuals. It further states that the actuary concluded that on November 22, 1963, the odds against all 15 being dead by February 1976 were about 1 in 10 to the 29th power, or 100,000 trillion to 1.

On April 28, 1978, the committee sent a letter to the London Sunday Times requesting a copy of the actuarial study and of all documents used in the preparation of the study. I would now ask that that letter, JFK exhibit F-542, be admitted into the record.

Chairman STOKES. Without objection JFK exhibits F-541 and F-542 may be entered into the record. [The information follows:]

THE SUNDAY TIMES, 26 FEBRUARY 1967

Billions to one odds in the Kennedy deaths

THE SUICIDE last Wednesday of David Ferris, an airman pilot and private investigator, has reinforced the anxiety of the public here of mysterious deaths which have followed the Kennedy assassination. Ferris was allegedly the key figure in a new investigation into the possibility of a conspiracy in Dallas, being conducted by the New Orleans District attorney.

Ferris's suspicion has rested on the fact that several people connected with the assassination and its aftermath—namely the 16 witnesses before the Warren Commission, 16 witnesses in some other way—have been reported to the FBI between 20 and 30 years after the assassination.

The statistics are not ground-breaking for any sinister conclusion. The odds against a randomly selected sample of 16 Americans all dying in a similar period of time would be much the same. However, the fact is that those particular 16 did die, did lose some very roughly odds, and were taken by a connection with the assassination.

The actuary worked from the United States Population Statistics tables, and showed for age, sex and other factors that those who died would normally be expected to live for between 20 and 30 years more.

Dallas, after all, has one of the highest murder rates of any city in the world, and most of the deaths were in Dallas. The actuary's report simply introduced an element of odd chance into a very stressful situation.

Name	Year of Birth	Actual date of his disappearance on the day Kennedy died				
		Year	19	20	25	30
Lee Oswald	1939	000000	000000	000000	000000	000000
Jack Ruby	1924	000000	000000	000000	000000	000000
William Weaver	1925	000000	000000	000000	000000	000000
Dorothy Elizabeth	1928	000000	000000	000000	000000	000000
Tom Howard	1928	000000	000000	000000	000000	000000
William Whaley	1929	000000	000000	000000	000000	000000
J. D. Tippit	1930	000000	000000	000000	000000	000000

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SAMUEL L. DEVINE, OHIO
 STEPHEN B. MCWHIRTER, CONN.
 CHARLES THONE, NEBR.
 HAROLD S. SAWYER, MICH.

(202) 225-4424

Select Committee on Assassinations

U.S. House of Representatives
 2331 HOUSE OFFICE BUILDING, ANNEX 2
 WASHINGTON, D.C. 20515

April 25, 1978

Librarian
 London Sunday Times
 P. O. Box 7
 200 Gray's Inn Road
 London, England WC1X 8E2

Dear Sir:

In connection with its investigation into the circumstances surrounding the death of President Kennedy, the Select Committee on Assassinations of the U. S. House of Representatives requests a copy of the actuarial study referenced in the attached February 26, 1967 London Sunday Times article and of all documents relating to the preparation of the study.

Thank you for your prompt attention to this request.

We appreciate the cooperation of your Washington and New York offices, particularly that of Ms. Katherine Grayson of the Washington Office.

Sincerely,



G. Robert Blakey
 Chief Counsel and Director

GRB:jhd

Enclosure

cc: Katherine Grayson

JFK EXHIBIT F-542

Ms. HESS. On May 19, 1978, the committee received a response from the London Sunday Times. I direct your attention again to the easel, to JFK exhibit F-543, an enlargement of that letter. I would now like to read that letter into the record. It is directed to Mr. G. Robert Blakey, chief counsel and director, Select Committee on Assassinations, and it is entitled, Kennedy deaths statistics—The Sunday Times, February 26, 1967.

The Editor has passed me your letter of 25th April.

Our piece about the odds against the deaths of the Kennedy witnesses was, I regret to say, based on a careless journalistic mistake and should not have been published. This was realized by The Sunday Times' editorial staff after the first edition—the one which goes to the United States and which I believe you have—had gone out, and later editions were amended.

There was no question of our actuary having got his answer wrong: It was simply that we asked him the wrong question. He was asked what were the odds against 15 named people out of the population of the United States dying within a short period

of time, to which he replied—correctly—that they were very high. However, if one asks what are the odds against 15 of those included in the Warren Commission index dying within a given period, the answer is, of course, that they are much lower. Our mistake was to treat the reply to the former question as if it dealt with the latter—hence the fundamental error in our first edition report, for which we apologize.

None of the editorial staff involved in this story can remember the name of the actuary we consulted, but in view of what happened you will, I imagine, agree that his identity is hardly material.

Yours sincerely, Antony Whitaker, Legal Manager.

Even though the London Sunday Times had not structured its actuarial inquiry properly and, therefore, the 100,000 trillion to 1 odds were invalid, the committee staff looked into the possibility of conducting a valid study, contracting with our own actuarial firms here in the District of Columbia: Edward H. Friend & Co., Towers, Perrin, Forster & Co., and the Wyatt Co., We then had meetings with representatives of each company and each subsequently submitted a proposal, addressing both the general issue of which actuarial principles did or did not apply, and the specific issue of the practical problems which would be encountered in attempting to apply those principles to this particular case. As a result of these conversations and of a review of the proposals, we determined the following facts concerning the validity and feasibility of attempting to apply actuarial odds to the group of deaths.

One, to compute valid actuarial statistics, one must be able to determine to a reasonable degree of specificity, the universe of individuals to which the specific group is being compared. In other words, we would have to determine the total number of individuals who exist in each of the categories into which those individuals who have mysteriously died, fall. This means that we would need to establish the number of individuals who in any manner could be considered witnesses to the assassination of President Kennedy and Lee Harvey Oswald, the number of individuals who had any contact with Oswald or Ruby or with Ruby's nightclubs, the number of individuals who professed to have material knowledge of the case or of the major figures in the case, all news reporters who had expressed interest, taken interviews or investigated the case, and all Members of Congress who sought to introduce legislation concerning the investigation of the case. This, as you can imagine, would have been an impossible task.

Two, in addition, for each of the individuals identified in the groups I have just listed, we would have to establish age, sex, race, occupation, geographical location, and any other extraordinary factors which have to be taken into consideration in order to compute mortality rates. Again, this was judged to be an impossible job.

Three, we would need to determine the number of individuals in these categories who have, in fact, died and the number of individuals who, according to actuarial mortality rates, should have died.

We had thus established the impossibility of attempting to establish, through the application of actuarial principles, any meaningful implications about the existence or absence of a conspiracy. Despite the fact that an inference of conspiracy, as here postulated by the critics, did not exist, we nevertheless decided not to dismiss the cited deaths out of hand, but rather, to look more closely at the nature of certain specific deaths to determine whether or not they

could individually be considered mysterious or in some other manner, a reflection of some sort of conspiracy.

In an attempt to investigate the circumstances of the deaths individually, we did several things. First, we compiled a more comprehensive list of those individuals whose deaths were considered by the critics to be mysterious. In some cases, it proved difficult to determine which deaths the critics considered mysterious. In many cases, instead of statements of fact, we found unsubstantiated inference and innuendo, with little concrete information provided. For example, David Goldstein and FNU Levens are both included in Sylvia Meagher's book, "Accessories After the Fact," as mysterious deaths. Goldstein is described as having helped the FBI trace the revolver used in the murder of Officer Tippit. Levens is described as a Fort Worth burlesque theater operator who employed some of the same entertainers as Jack Ruby. Meagher notes that both of their deaths have been officially ascribed to natural causes and lists the places of death as unknown. No conspiracy theory which would include Goldstein and Levens is put forth; it is unclear why their deaths are to be considered mysterious. And while Ms. Meagher may have had no way of knowing it, the FBI's file on the Kennedy case includes dozens of reports and letters from citizens offering clues in the identification of the revolver in question, as, of course, there are undoubtedly a number of persons who would have employed some of the same entertainers as Ruby.

Penn Jones, in his book, "Forgive My Grief," volume I, states that Earlene Roberts, the manager of the roominghouse in which Lee Harvey Oswald lived at the time of the assassination, died. He then states that she had important evidence to contribute. The implication is that Mrs. Roberts' death is mysterious. While it is clear that Mrs. Roberts did indeed have important evidence to contribute, there is no indication in the records relating to her death, or in Mr. Jones' book, as to what exactly was mysterious about a 61-year-old woman with large calcium deposits and a case of pneumonia, dying of acute heart failure. The same is the case with other deaths cited in the same book, for example, Dr. Nicholas Chetta, the coroner who served at David Ferrie's death, and Thomas Howard, Jack Ruby's attorney, both of whom died of heart attacks.

Despite this problem, we compiled a list of individuals from the books and articles of Meagher, Jones, Bernard Fensterwald, David Martindale, and David Welsh. We added to the list Sam Giancana and John Roselli, both of whom had died too recently to be included in most of the critical literature.

We then asked the Library of Congress to compile all newspaper articles which had appeared concerning any and all of the individuals. We further asked them to give us their evaluation of the critical literature and the press accounts on each individual and to make recommendations with respect to further investigation in each case. Independently, we sent requests to the Bureau of Vital Statistics, the medical examiners' offices and the police departments in the jurisdiction in which each death was believed to have occurred, for the death certificates, medical records, police reports, and any other documents which might exist concerning the death. Because there were many cases in which there was no information

indicating the appropriate jurisdiction, we sent letters to the pertinent offices in Dallas and Fort Worth, Tex., in New Orleans, La., and in Miami, Fla., listing all the names on which we desired information. In the case of some of the individuals, information was requested from Federal investigative agencies. In the cases of Roselli and Giancana, we requested and received a briefing on the Justice Department investigations of those deaths. In the cases in which further investigation was deemed necessary, it was initiated.

Our final conclusion on the issue is that the available evidence does not establish anything about the nature of these deaths which would indicate that the deaths were in some manner, either direct or peripheral, caused by the assassination of President Kennedy or by any aspect of the subsequent investigation.

Chairman STOKES. Is your report completed?

Ms. HESS. Yes; it is.

Chairman STOKES. The gentleman from Tennessee, Mr. Ford.

Mr. FORD. I have no questions. I will yield back my time to the Chair.

Chairman STOKES. The gentleman from Indiana.

Mr. FITHIAN. Just one question. Miss Hess, is it your feeling, having gone through this, there is no statistical significance to this? Is that what I am to understand?

Ms. HESS. That is correct.

Mr. FITHIAN. Is it possible, then, that any death which is remotely related to this gets reported more than others, therefore there is an appearance of a kind of unusual gathering of deaths?

Ms. HESS. It is possible. That is one of the bases for the development of the issue; yes. You understand the problem in establishing the statistical inference is that you cannot establish any type of universe. While it may seem like these people come from a very small group of people, they come from a very, very large universe of people.

Mr. FITHIAN. I have no other questions, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. No questions, Mr. Chairman.

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

Mr. EDGAR. Will you provide for the record a detailed listing of the 21 names and the evidence you have found relating to their deaths?

Ms. HESS. Yes. Do you want me to read them for the record?

Mr. EDGAR. It might be helpful.

Ms. HESS. Edward Benairdes, Albert Guy Bogard, Hale Boggs, Lee Bowers, Jr., Bill Cheshier, Nicholas J. Chetta, David Goldstein, Thomas Hale Howard, William Hunter, Clyde Johnson, Dorothy Kilgallen, Thomas Henry Killam, Jim Koethe, FNU Levens, Nancy Jane Mooney, Teresa Norton, Earlene Roberts, Harold Russell, Marilyn April Walle, a.k.a. Betty McDonald, William W. Whaley, James R. Worrell, Sam Giancana, John Roselli.

Mr. EDGAR. Thank you. I think it very helpful for the record that those names be included.

Can you indicate why Mr. DeMohrenschildt's name was not included?

Ms. HESS. His was one of those which deemed further investigation and became part of a great investigative effort.

Mr. EDGAR. That was not part of the exact study?

Ms. HESS. It was in terms of the compilation of data. I compiled the data on his death and any police reports, et cetera, as part of this project. But then in terms of subsequent investigation that was done by the investigators.

Mr. EDGAR. I think it would be helpful in terms of our final analysis to have a chance to review the material you compiled. I thank you for your report.

Chairman STOKES. The time of the gentleman has expired.

Mr. Sawyer.

Mr. SAWYER. No Questions.

Chairman STOKES. There being nothing further, Miss Hess, thank you very much for your testimony. You are excused.

The Chair will suspend for just a moment.

[Brief recess.]

Chairman STOKES. Because of a heavy schedule tomorrow of witnesses, along with the fact the committee must vacate the room at an early hour for an affair to be held in this room later tomorrow evening, the committee today will adjourn until 8:30 tomorrow morning.

[Whereupon, at 4:30 p.m., the committee was adjourned, to reconvene at 8:30 a.m., Tuesday, September 26, 1978.]

INVESTIGATION OF THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

TUESDAY, SEPTEMBER 26, 1978

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

The committee met at 8:50 a.m., pursuant to recess, in room 345, Cannon House Office Building, Hon. Louis Stokes (chairman of the committee) presiding.

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

Staff present: G. Robert Blakey, chief counsel and staff director; Gary T. Cornwell, deputy chief counsel; Elizabeth Berning, chief clerk; James E. McDonald, staff counsel; Donald A. Purdy, Jr., staff counsel; I. Charles Mathews, special counsel; and Howard Shapiro, attorney.

Chairman STOKES. The committee will come to order.
The Chair recognizes Professor Blakey.

NARRATION BY G. ROBERT BLAKEY, CHIEF COUNSEL AND STAFF DIRECTOR

Mr. BLAKEY. Thank you, Mr. Chairman.

As you noted yesterday, the question of conspiracy has been with us since the beginning of these hearings which opened nearly 3 weeks ago, although it was addressed more specifically here yesterday. It can be argued that the theories examined yesterday seem to break down under careful inspection, but that is one of the purposes of these hearings—to weigh the validity of the evidence.

Today, however, other more substantial theories will be examined, if only briefly.

But before the committee continues to look into various conspiracy theories, it may be helpful to note that none of them wholly originated with this committee's investigation. Most of the leads or allegations that the committee has examined have heretofore been the subject of some public discussion, the subject of earlier investigations or of books and articles. No claim is advanced here to originality or special insight.

What the committee has done is to apply in its own investigation hopefully more sophisticated techniques of examination than those used or available to those who have preceded us or themselves raised the questions, some of which were demonstrated yesterday.

Beyond scientific analysis of the evidence, the committee has also employed investigative tools that were disregarded in earlier investigations of the Kennedy assassination.

The committee, for example, has made an extensive use of immunity grants and interrogation under oath in executive session. Files have also been widely read, using only the most tenuous theories of relevance.

Another approach that must be mentioned here is the use of a carefully thought-out investigative plan that employed a detailed reconstruction of conspiracies that might have occurred, in order to determine if, in fact, they had any bearing on the actual events in Dallas. The committee did not just run out leads in hand, the typical law enforcement approach and the one principally utilized by the FBI in 1963 and 1964.

Over the next 3 days, we will be looking into a couple of conspiracy theories that the committee felt warranted its fullest attention. This is not to say that these are possible plots that are the most likely ones to have led to the assassination, if, indeed, any of them did.

What is being said is simply this: There are a couple of conspiracy theories that cannot be readily dismissed, as those we considered yesterday may possibly be, and this is the way in which they were investigated. This is, therefore, a status report on the investigation, the full findings and conclusions of which will be detailed in the final report. Obviously, all that was done cannot be adequately portrayed here.

First, the theory that anti-Castro Cubans conspired to kill the President will be examined and summarized in this narration. Then, it may be appropriate to hear testimony on an aspect of the concern that other, perhaps more sinister forces, may have been behind the assassination.

Mr. Chairman, in light of the time pressures the committee is operating under today, I would like to ask permission that the narration on the anti-Castro Cubans be inserted in the record as if read.

Chairman STOKES. With objection, so ordered.

Mr. BLAKEY. Why anti-Castro Cubans? For several reasons. From the evidence available to them in 1964, two staff attorneys for the Warren Commission, David Slawson, and William Coleman, went so far as to speculate that Lee Harvey Oswald, despite his public posture as a Castro sympathizer, was actually an agent of anti-Castro exiles. Pressing for further investigation of the possibility, they wrote a memorandum which, in part, said:

The evidence here could lead to an anti-Castro involvement in the assassination on some sort of basis as this: Oswald could have become known to the Cubans as being strongly pro-Castro. He made no secret of his sympathies, and so the anti-Castro Cubans must have realized that law enforcement authorities were also aware of Oswald's feelings and that, therefore, if he got into trouble, the public would also learn of them.

Second, someone in the anti-Castro organization might have been keen enough to sense that Oswald had a penchant for violence.

On these facts, it is possible that some sort of deception was used to encourage Oswald to kill the President when he came to Dallas.

The motive of this would, of course, be the expectation that after the President was killed, Oswald would be caught or at least his identity ascertained, the law enforcement authorities and the

public would then blame the assassination on the Castro government and a call for its forceful overthrow would be irresistible.

Some critics of the Warren Commission have termed the period Oswald lived in New Orleans, the summer of 1963, the "Cubanization of Oswald," implying there were sinister motives for his inserting himself into the Cuban controversy. They point out that, aside from letters he wrote to the Fair Play for Cuba Committee in New York, Oswald's known Cuban contacts in the United States were with anti-Castroites.

There are other reasons the committee's attention has been drawn to the anti-Castro area. The Warren Commission files reveal, for instance, that there were numerous reports from Dallas and Miami immediately after the assassination which linked Oswald with Cuba. Yet, when the FBI checked out the reports, in almost all cases they had come from anti-Castro sources, some militant enough to deserve suspicion themselves.

It comes down to this: In a homicide investigation, any individual or group is suspect, if it has the motive, opportunity, and means to commit the crime. There is no doubt that certain anti-Castro groups had all three.

It is difficult, these many years later, to appreciate the political and emotional impulses of the Cuban exile communities—in Miami, New Orleans, and Dallas—when John F. Kennedy was President.

The hopes and expectations of the exiles had been on a roller coaster ride; their relationship with the U.S. Government had deteriorated. They were puzzled by the often conflicting policies of various Federal agencies toward them and their objectives, the main one being to get rid of Castro. The anti-Castro groups were frustrated, bitter, and angry. And the focal point of their resentment was President Kennedy.

It began with the disastrous Bay of Pigs invasion in April 1961. Since January 1959, when Castro marched triumphantly into Havana, the more than 100,000 Cubans who had fled the revolution lived in anticipation of its overthrow. These Cuban exiles were not only encouraged in this hope by the U.S. Government, they were organized, directed, and almost totally funded by its agencies. The training camps, the arms and weapons, the instructors, the ships and landing craft were all supplied by the U.S. Government. The invasion plan itself was formulated by the Government. The Cuban exiles came to feel that the Government not only promised them success, it guaranteed it.

When what has been touted as "the glorious march on Havana" turned into a tragic rout, the Cuban exiles, unappreciative of President Kennedy's inherited role in the invasion, reacted with incredulous disbelief and anger that he would allow the operation to fail.

Intensifying the exiles' reaction was the fact that Kennedy himself insisted on taking the blame. In executive session before this committee, Manuel Antonio Varona, in 1961 the head of the united exile organization, the Revolutionary Democratic Front, told of a tense and emotional encounter with President Kennedy at the White House as hope for the invasion as fading.

We were not charging Mr. Kennedy with anything. We knew he was not in charge of the military effects directly. Nevertheless, President Kennedy told us he was the one—the only one responsible.

Varona may have sympathized with Kennedy's position, but most anti-Castro Cubans didn't. The noted attorney, Mario Lazo, in his book, "Dagger in the Heart," put it very directly:

The Bay of Pigs defeat was wholly self-inflicted in Washington. Kennedy told the truth when he publicly accepted responsibility * * *. The heroism of the beleaguered Cuban Brigade had been rewarded by betrayal, defeat, death for many of them, long and cruel imprisonment for the rest. The Cuban people * * * had always admired the United States as strong, rich, generous—but where was its sense of honor and the capacity of its leaders?

The mistake of the Cuban fighters for liberation was that they thought too highly of the United States. They believed to the end that it would not let them down. But it did * * *.

President Kennedy was well aware of the bitter reaction to the Bay of Pigs debacle. Far from abandoning the Cuban exiles, he set out to convince them of his loyalty to their cause. Perhaps the most ironic event of his relationship with the Cuban exiles occurred on December 29, 1962, at the Orange Bowl in Miami. He had come to welcome the survivors of Brigade 2506, the 1,200 men who had been ransomed from Cuba after almost 20 months in prison. The President was presented with the brigade flag in a dramatic and emotional scene.

But the euphoria was false and misleading. Although the Cuban exiles cheered President Kennedy that day, there also coursed through the crowd a bitter resentment among some who felt they were witnessing a display of political hypocrisy. Later, it would be claimed that the brigade feeling against President Kennedy was so strong that the presentation nearly did not take place, and it would be alleged, incorrectly, as it turns out, that the brigade flag given to Kennedy was actually a replica.

That intensity of anti-Kennedy feeling by Cuban exiles was the result of events between the time of the Bay of Pigs invasion and the ceremony in the Orange Bowl.

It is not possible to know fully how the Bay of Pigs defeat changed President Kennedy's attitude toward Cuba, but when journalists Taylor Branch and George Crile wrote in Harpers magazine about a massive infusion of U.S. aid to clandestine anti-Castro operations in the wake of the Bay of Pigs, they titled their article, "The Kennedy Vendetta."

What is known is that the period between the Bay of Pigs and the Cuban missile crisis in October 1962 can be accurately characterized as the high water mark of anti-Castro activity. Miami, the center of the exile community, became a busy staging ground for armed infiltrations into Cuba. While not every raid was supported or even known about in advance by Government agencies, the United States played a key role in monitoring, directing, and supporting the anti-Castro Cubans. Hundreds of Cubans were set up in proprietary corporations established by the U.S. Government to support the massive covert operation. And although this effort was cloaked in secrecy, there were very few Cubans in the exile community who did not know what was happening and who was supporting the operation.

That was a time of great activity and exhilaration in the Cuban exile community. American arms and weapons flowed freely through south Florida. Miami's "Little Havana" was a beehive of gossip about the latest infiltration operations or paramilitary missions. Raiding parties that left from small secret islands in the Florida Keys had the "green light" from the U.S. Government.

Then came the Cuban missile crisis and negotiations that ended it. The anti-Castro groups felt as if the rug had been pulled out from under them.

The Cuban exiles were initially elated by the possibility that the crisis would provoke a showdown with Castro. But President Kennedy made a deal for the removal of the missiles. Only later did the exiles come to feel full force the impact of Kennedy's agreement with Khrushchev and Castro.

The word was soon passed; newspapers reported a basic turnaround in the Kennedy policy. For example, the raids that were being conducted by Alpha 66, one of the most aggressive exile organizations, were abruptly condemned by Washington. The State Department asserted that it did not sanction such attacks.

In December, 2 months after the missile accord, 13 anti-Castro guerrillas were arrested at a training camp in the Florida Keys and their arms and explosives were seized by U.S. Customs agents. In March 1963, another Alpha 66 raid brought a statement from President Kennedy himself. "The raids," he said, "served no useful purpose." An attack on a Soviet ship in Cuban waters led to the formal issuance of a policy pronouncement on March 31. Kennedy said, in no uncertain terms, "We intend to take every step necessary to assure that such raids are not launched, manned or equipped on U.S. territory."

On April 5, the New York Times noted that the United States was throwing more planes, ships, and men into its effort to police the straits of Florida against anti-Castro raiders.

Throughout the spring and summer of 1963, the crackdown on guerrilla activity continued, causing frustration and resentment on the part of the exiles. They could not grasp how they could be supported and aided by one U.S. agency and then be slapped down by others.

In August, the FBI seized a cache of explosives at an anti-Castro training camp in Louisiana. Just weeks later, the U.S. Coast Guard cooperated with the British Navy in a raid on an exile base in the Bahamas.

Then, U.S. Customs cracked down on a group of anti-Castro pilots in Miami. The Secret Service arrested a Cuban exile leader for conspiring to counterfeit Cuban currency, destined for forces inside Cuba.

The brunt of that anger fell on President Kennedy. The Cuban exiles came to think of the missile crisis deal as a "betrayal." Mario Lazo called it a "soul-shattering blow." Jose Miro Cardona, the head of the Cuban Revolutionary Council, an exile organization put together by the U.S. Government to unite fragmented exile groups, resigned in disgust.

In the major enclaves of anti-Castro Cubans—in Miami, New Orleans, and Dallas—the once glittering image of President Kennedy had turned dark.

So, the motivation for anti-Castro Cuban involvement in the Kennedy assassination was based not only on a schism in political and ideological viewpoints, but also on a disposition growing out of a pragmatic realization that Castro probably would survive.

Despite the recommendations of Slawson and Coleman, the Warren Commission largely ignored the mood of the exiles in its final report. It distilled the subject down to a nine-paragraph review entitled, "Alleged Association With Various Mexican or Cuban Individuals."

This committee opted to approach the possibilities in a more open-minded way. It decided to examine in depth those exile groups which, besides motivation, had the capability and resources to be involved in an assassination—in other words, the action groups.

The committee also attempted to determine if Oswald sought to utilize or exploit resources of the exile groups or if they may have tried to use him.

The first step was, of course, to define the action groups. The committee examined public records; it instituted requests for file reviews from every Federal agency in contact with the groups, including the CIA, the Department of Defense, the U.S. Customs Service, the FBI, the Drug Enforcement Agency, the Secret Service, and so on; it delved into the records of local law enforcement agencies in Miami, New Orleans, and Dallas. The committee also sent field investigators into Cuban exile communities on an exploratory mission, to talk to former members of the action groups.

From these sources, the committee discovered there were a few hundred militant anti-Castro exile organizations founded between the Castro revolution and the Kennedy assassination. Most did not stay in operation for long, but at one time, 105 of them could be identified from local police files alone. The committee finally boiled the list down to 20 key anti-Castro Cuban groups which had the motivation, capability, and resources to assassinate the President.

They will be named and discussed in detail in the committee's final report. Suffice it to say now that the committee closely scrutinized the history of the groups and it looked very carefully at the activities and associations of their key leaders.

The committee conducted dozens of field interviews, it took depositions, and it cross-examined witnesses in executive session.

In its investigation of two of the main action groups, the committee found indications of a possible connection with figures named in the Kennedy assassination, specifically with Lee Harvey Oswald.

The two anti-Castro Cuban exile organizations of special interest to the committee are Alpha 66 and a group named Junta Revolucionaria Cubana, or JURE.

Alpha 66 was founded in Puerto Rico in the summer of 1962 by Antonio Veciana Blanch, a soft-spoken, mild-mannered former Havana accountant, a church-going family man who had fled Cuba in 1961. Two months after he left, Cuba's government-controlled press named Veciana as the ringleader of an unsuccessful assassination attempt on Castro.

On founding Alpha 66, Veciana declared he was forming the group because the Cuban exiles needed a new, coordinated effort to topple Castro and to counteract the do nothing attitude of Presi-

dent Kennedy toward the Castro regime. Dramatic action was required, he said, announcing there would soon be a series of significant hit-and-run attacks on Cuba.

Although most of the original members of Alpha 66 were also former accountants, Veciana put together a tough commando unit. Veciana, as the chief spokesman, fundraiser and coordinator, claimed no political aims other than the overthrow of Castro. Alpha 66 was uniquely independent, generally having little to do with other exile groups whose members were often at odds over the hierarchy that would follow Castro's overthrow.

When Alpha 66 acted, it did so with a flourish. One of its first faults was the shelling and machine-gunning of a British ship and two Cuban vessels off the north coast of Cuba. At a press conference following the raid, Veciana issued a "declaration of war" against Castro and any ships that were carrying Cuban goods. The British Government filed a strong complaint with the State Department, but Veciana promised more raids.

Throughout the rest of 1962 and into the summer and early fall of 1963, Alpha 66 struck often, quickly gaining the reputation as the most militant of the exile groups. In the middle of the missile crisis, it had the audacity to pull a raid. By March, 1963, the Alpha 66's unceasing hit-and-run attacks provoked direct public criticism by President Kennedy. Veciana was not cowed. "We are going to attack again and again," he declared.

Veciana had made an old friend, former Castro army major, Eloy Gutierrez Menoyo, the military leader of Alpha 66. But Veciana himself was the strategic organizer, the public spokesman and fundraiser of the organization. At least, that's what a review of the newspaper files of the time has reflected.

Yet, in September 1962, the New York Times attributed to Veciana a cryptic statement. He had called a press conference to announce five raids in 60 days. Then, in the body of the story, Veciana was quoted as saying that all the planning for the raids was done by leaders "I don't even know."

As the years went by and the military operations of the Cuban exile groups, including those of Alpha 66, lapsed, Veciana himself remained very active in anti-Castro operations in Latin America. From 1968 to 1972, he used La Paz, Bolivia, as his base. There, he was ostensibly working as a banking consultant, though he spent most of his time planning anti-Communist subversive operations. He was, in fact, on the U.S. Government payroll. Nevertheless, in 1971, he organized an attempt on Castro's life.

Then, in March 1976, a staff investigator for Senator Richard Schweiker, a member of the Senate Select Committee on Intelligence, approached Veciana in Miami to talk about the relationship of U.S. intelligence agencies to anti-Castro activities. The Kennedy assassination was not mentioned.

Veciana told the investigator of his anti-Castro activities. Then, when asked, he said that, yes he had been in touch with certain Americans on those activities. In fact, he said, there was one American who had directed him in all his activities, including the Castro assassination attempts in 1961 and 1971.

Veciana said the man told him, when they first met in the Havana bank in which Veciana was working in 1960, that his

name was Maurice Bishop. Veciana believed that to be a false name.

Veciana said Bishop never told him he was an agent of a U.S. intelligence agency and, in fact, avoided a direct answer when asked. But, Veciana recounted, Bishop was obviously a man with strategic contacts, both in the United States and Latin America.

Veciana said that Bishop had broken contact with him in 1973, that down through the years he had never initiated contact with Bishop, and he didn't know how that could be done. Bishop had always contacted him. He had met with Bishop at various locations, on the average of several times a year, between 1960 and 1973.

He met him in Miami often, in Las Vegas once, in Puerto Rico many times, in Washington, D.C., in La Paz, in Caracas and in a few other cities. And, yes, said Veciana when asked, he had met Maurice Bishop a few times in Dallas. As a matter of fact, he recalled one meeting there in August 1963, when he was scheduled to rendezvous with Bishop in the lobby of a large office building.

When he arrived, Bishop was there talking with a young, slightly built American. Veciana did not recall whether he was introduced to the man by name, but after the Kennedy assassination, he immediately recognized Lee Harvey Oswald as the man with Maurice Bishop that day in Dallas.

Antonio Veciana's story has been of considerable interest to this committee, which has gone to great lengths to assess it. The committee has spent many hours with Veciana, who has provided it with details of his relationship with Bishop. There are still leads which cannot now be revealed, but which the committee is pursuing.

The committee has, of course, taken sworn testimony from Veciana and other key witnesses. Its investigators have tapped sources from as far as Venezuela and Cuba. Numerous files which have been requested from the CIA, the FBI, and the Department of Defense are still being reviewed and analyzed. In addition, the committee is probing the possibility that Bishop may not have been associated with a U.S. intelligence agency. On July 30, 1978, the committee released a composite sketch of Bishop, produced from a detailed description provided by Veciana.

The committee cannot be conclusive, but it can say that Veciana's allegations remain undiscredited and that the committee has obtained an indication of the existence of a Maurice Bishop, or someone using that name. The meaning of this story remains, as yet, indeterminate.

The other anti-Castro group of special interest to the committee was JURE. JURE was formed in September 1962, as an outgrowth of a split in another anti-Castro group, the Revolutionary Movement of the People, or MRP. The founder of JURE was Manolo Ray Rivero. JURE was considered a relatively "leftist" Cuban exile organization, and many of its detractors accused it of "Fidelism without Fidel." Ray and his group were mistrusted by the right-wing elements of the exile Cuban community.

Although JURE was supported by the CIA, the Agency had to prod other exile organizations to accept JURE into the Cuban Revolutionary Council, their umbrella organization. Ray kept his

group in the CRC for only 3 months, during the period of the Bay of Pigs invasion.

The largest and most active JURE chapters were in Miami and Puerto Rico, but other chapters were located throughout the United States and in Latin American countries. One was in Dallas, and one of the members of the Dallas chapter was Silvia Odio, a 26-year-old, recently divorced mother of four, whose husband had abandoned her in Puerto Rico. Educated in the United States and raised in an upper class Cuban environment, Mrs. Odio was the eldest daughter of Amador Odio, once one of Cuba's top trucking executives.

In 1961, Castro's officers, arrested Silvia Odio's mother and father for harboring a confederate of Antonio Veciana in the October Castro assassination attempt. The Odio children had left Cuba, and several of them lived in Dallas.

One of Silvia Odio's sisters, Serita, attended the University of Dallas and was acquainted with a socialite named Lucille Connell, who was active in civic and charitable activities. Mrs. Connell made arrangements in early 1963 for Silvia to come to Dallas, and further arranged for her to receive psychiatric treatment at Southwestern Medical School, where she became a patient of Dr. Burton C. Einspruch. According to Mrs. Connell, Silvia suffered from a condition which caused blackouts when reality became oppressive.

Silvia Odio testified to the Warren Commission that a man she identified as Lee Harvey Oswald, in the company of two Latin men, visited her apartment in Dallas in late September 1963. The two Latin men identified themselves as members of JURE.

It should be noted that Silvia Odio was not unknown in the Cuban community of Dallas. She had attended JURE meetings, and in the summer of 1963, a large photograph of her sisters, Annie and Serita, had appeared on the front page of the Dallas Morning News, along with a human interest story about the Odio family. Silvia's name was mentioned.

Mrs. Odio testified before the Warren Commission in September 1964. She said that one of the men identified himself as Leopoldo, and she assumed from his accent that he was Cuban. A second man, possibly named Angelo, was also Spanish speaking, but, she said, he looked Mexican. The third, a white American male, was introduced to her as Leon Oswald.

Later, Annie Odio, who was at her sister's apartment that evening, would corroborate Silvia's story to the FBI. She said she opened the door for the visitors.

Silvia Odio, who said she declined to help the men because she didn't trust their credentials, said that Leopoldo called her 1 or 2 days later. In this telephone conversation, she said, he mentioned his American friend, and said that Leon had remarked that the Cubans should have killed Kennedy after the failure of the Bay of Pigs invasion.

When Mrs. Odio learned of Kennedy's assassination, she had one of her blackouts. She regained consciousness in a hospital room where her sister Annie soon visited her. Earlier, watching Oswald on television, Annie had independently recognized as someone she had seen before. When she mentioned it to her older sister, Silvia reminded her of the first of the three men to her apartment.

Emotionally shaken, the women decided not to mention the incident to anyone. They did, however, tell their sister Serita, and Serita mentioned it to Lucille Connell. On December 12, 1963, the FBI interviewed Silvia Odio. She admitted the visit and positively identified Lee Harvey Oswald as the Leon who had come to her apartment with the two Latin-looking men. A week later, the FBI interviewed Dr. Einspruch who said, that, although Silvia had had some emotional problems, she was a thoroughly credible person.

Silvia Odio's story ran contrary to other evidence which the Warren Commission had compiled. The had documentation that Oswald had traveled to Mexico City by bus and had registered at a hotel there on the morning of September 27.

The Warren Commission ordered an investigation, to be conducted principally by the FBI, of Mrs. Odio's allegation. It represented a glaring inconsistency in the movements of Oswald, as the Commission was prepared to report them.

In the summer of 1964, the Warren Commission pressed the FBI to dig more deeply into the Odio allegation. On July 24, Chief Counsel J. Lee Rankin, in a letter to FBI Director J. Edgar Hoover, stated:

* * * the Commission already possesses firm evidence that Lee Harvey Oswald was on a bus traveling from Houston, Tex., to Mexico City, Mexico, on virtually the entire day of September 26 * * *

This so-called firm evidence was based on an analysis of Oswald's travel during the time period of September 24-27 by Assistant Counsel David Slawson. J. Wesley Liebler, the assistant counsel who had interviewed Mrs. Odio, disagreed with this analysis and sent a memo to Rankin citing fallacies in the Slawson analysis.

On August 23, Rankin again wrote to Hoover and said, "It is a matter of some importance to the Commission that Mrs. Odio's allegations either be proved or disproved." Rankin requested that the FBI attempt to learn the identities of the three visitors, by contacting members of anti-Castro groups active in the Dallas area, as well as leaders of the JURE organization.

He asked the FBI to check the possibility that Oswald had spent the night of September 24 in a hotel in New Orleans, after vacating his apartment.

Portions of this investigation, which were inconclusive in supporting the Warren Commission's contention that Odio was mistaken, were not sent to Rankin until November 9, at which time the final report had been completed.

Back on September 19, Liebler was extorting Howard Willens, another Warren Commission attorney, to tone down the write-up of the Odio incident. Liebler contended in that memo: "There are problems. Odio may well be right. The Commission will look bad if it turns out that she is."

The FBI did attempt to alleviate the problems. In a report dated September 26, it produced the story of Loren Eugene Hall, who claimed he had been in Dallas in September 1963, accompanied by two men fitting Odio's general description, and that it was they who had visited Silvia Odio. Oswald, Hall said, was not one of the men.

Within a week of Hall's statement, the other two men Hall had named, Lawrence Howard and William Seymour, had been inter-

viewed. They denied ever having met Silvia Odio. Then, later, Hall himself retracted his statement.

Despite the fact that the Commission could not prove Oswald took a bus to Mexico City, and despite the fact that Loran Hall's story was an admitted fabrication, the Warren report was published, with this explanation of the Odio incident:

While the FBI had not yet completed its investigation into this matter at the time the report went to press, the Commission has concluded that Lee Harvey Oswald was not at Mrs. Odio's apartment in September 1963.

This critics of the Warren Commission have been quick to pounce on this conclusion.

In her book, "Accessories After the Fact," Sylvia Meagher wrote:

The Commission's failure to get to the bottom of this affair, with its inescapable implications, is inexcusable. If the Commission could leave such business unfinished, we are entitled to ask whether its members were ever determined to uncover the truth.

Indeed, the Commission did not even give an honest account of such facts as were established. Its own exhibits expose the evidence presented in the report as a tissue of evasion and deception which discredits more than it justified the conclusion that Oswald could not have visited Mrs. Odio.

The committee is continuing to investigate the Odio allegation. The approach has been two-pronged. First, the committee has endeavored to interview everyone connected with the allegation. Additionally, the committee has made intensive efforts to identify the two Spanish-speaking men who visited Mrs. Odio.

Interviews and depositions have been conducted with the principals: Silvia Odio, Annie Odio, Amador Odio, Lucille Connel Light, and Dr. Burton Einspruch. The staff also arranged a conference telephone call between Dr. Einspruch in Dallas and Silvia Odio in Miami, during which they recalled the period when Mrs. Odio was under the doctor's care and related to him the visit of the three men.

Mrs. Odio and Dr. Einspruch concurred that the relation of this event came shortly after its occurrence and prior to the President's assassination.

Loren Hall testified before this committee in executive session on October 5, 1977, and Howard and Seymour were interviewed by the investigative staff.

From a review of the FBI files, the committee secured a list of persons who belonged to the Dallas chapter of JURE, and the committee is continuing its attempts to locate and interview these individuals. Additionally, staff investigators interviewed the leader of JURE, Manolo Ray, now residing in Puerto Rico.

Further, the committee secured photographs of scores of pro-Castro and anti-Castro activists in 1963 who might fit the descriptions of the two Latins who Mrs. Odio says visited her. The committee also utilized the services of various Government agencies to run a computerized check on all individuals who used the war names of Leopoldo and Angelo, or names basically similar.

An extensive search produced the names and photographs of three men who might possibly have been in Dallas in September of 1963. These photographs were shown to Mrs. Odio, but she was unable to identify them as the men she had seen.

The committee has determined, as did members of the Warren Commission staff, that Silvia Odio's story still is credible. Over the period of the past 15 years, only minor details have changed, and one important one remains consistent—Silvia and Annie Odio are adamant that "Leon" was Lee Harvey Oswald.

While this committee has gone much beyond the Warren Commission's investigation of the Odio story, it, too, has, as yet, an undetermined meaning.

I would note that it summarizes those factors which led the committee to conclude that perhaps some groups within the anti-Castro community may have had the motive, opportunity and the means to be concerned with the death of the President in Dallas. It also outlines several specific instances which may tend to show some link between Lee Harvey Oswald and particular groups.

Let me turn now to a second area of concern, the so-called Cubanization of Lee Harvey Oswald occurred during the time he lived in New Orleans in 1963. It is a puzzling period and a mysterious career, moreso for the gaps in the record of his activities, as the Warren Commission was able to document it.

New Orleans was Oswald's hometown. He was born there October 18, 1939. In April 1963, he moved back, having lived in Fort Worth, in Dallas since his return from the Soviet Union the previous June. He spent the first 2 weeks job-hunting, staying with the Murrets, Aunt Lillian, and Uncle Charles or "Dutz," as he was called, the sister and brother-in-law of Oswald's mother, Marguerite.

After being hired at the Reiley Coffee Co., as a maintenance man, he sent for his wife, Marina, and their baby daughter, and they moved into an apartment on Magazine Street.

In May, Oswald wrote to Vincent T. Lee, national director of the Fair Play for Cuba Committee, expressing a desire to open an FPCC chapter in New Orleans and requesting literature to distribute. He also had handouts printed, some of which were stamped "L. H. Oswald, 4907 Magazine Street," others with the alias, "A. J. Hidell, Post Office Box 30016", still others listing the FPCC address as 544 Camp Street.

Mr. Chairman, it would be appropriate to enter into the record and display at this time JFK exhibits F-595, F-597 and F-596.

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

[Whereupon, the above-referred-to exhibits, JFK F-595, JFK F-597 and JFK F-596, follow:]

HANDS OFF CUBA!

Join the Fair Play for Cuba Committee

NEW ORLEANS CHARTER MEMBER BRANCH

Free Literature, Lectures

LOCATION:

L. H. OSWALD
4907 MAGAZINE ST
NEW ORLEANS, LA.

Handwritten: 11-22-63

EVERYONE WELCOME!

Commission Exhibit 2966 A

HANDS OFF CUBA!

Join the Fair Play for Cuba Committee

NEW ORLEANS CHARTER MEMBER BRANCH

Free Literature, Lectures

LOCATION:

A J HIDEELL
P. O. B'X 30016
NEW ORLEANS, LA.

Handwritten: 11-22-63

EVERYONE WELCOME!

Commission Exhibit 2966 B

JFK EXHIBIT F-595

National Guardian, 197 East 4th Street, New York 9, N. Y. (especially see dispatches from *Guardian* Editor-in-Exile, Cedric Belfrage, Havana).

New York Times, Times Square, New York, N. Y.

I. F. Stone's Weekly, 5618 Nebraska Avenue, N.W., Washington 15, D.C.

Petition to the President of the United States and the Attorney General, by American Lawyers, and supporting Memorandum of Law concerning the Policy of the American Government relating to Cuba under the Neutrality Laws, Treaties with Cuba, and International Law, New York, 1961. (Copies may be obtained from Mr. Jesse Gordon, 333 Sixth Avenue, New York 14, N. Y. Price \$1.00 to cover cost of printing and mailing.)

F O O C
544 CAMP ST.
NEW ORLEANS, LA.

39

BASIC PAMPHLETS-14

**The
Crime
Against
Cuba**

Commission Exhibit No. 3110

by **Corliss Lamont**

Commission No. 1495a

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JFK EXHIBIT F-597



JFK EXHIBIT F-596

Mr. BLAKEY. These exhibits illustrate Mr. Oswald's activity at this time.

The Camp Street address has been a riddle to investigators, official and otherwise, over the years, because the only Cuban activity known to have been based there was an anti-Castro sort.

Oswald lost his job in July, and his efforts to find another were futile. It is known through the rest of the summer he filed claims at the Unemployment Compensation Office.

The FPCC campaign, however, attracted attention, since Oswald was perhaps the sole overt supporter of Castro in a city where the Cuban community was strongly opposed to his regime. It also got him into a fight with three anti-Castro Cubans, resulting in Oswald spending a night in jail, but earning him some publicity, nevertheless. On August 17, he was interviewed on the radio and on August 21, he appeared in a television debate.

Oswald virtually passed out of sight, however, from August 21 until September 17, the day he applied for a visa to Mexico. He is known to have written letters to left-wing political organizations and he and Marina visited the Murrets on Labor Day. Marina has claimed he spent his free time reading books and practicing with his rifle.

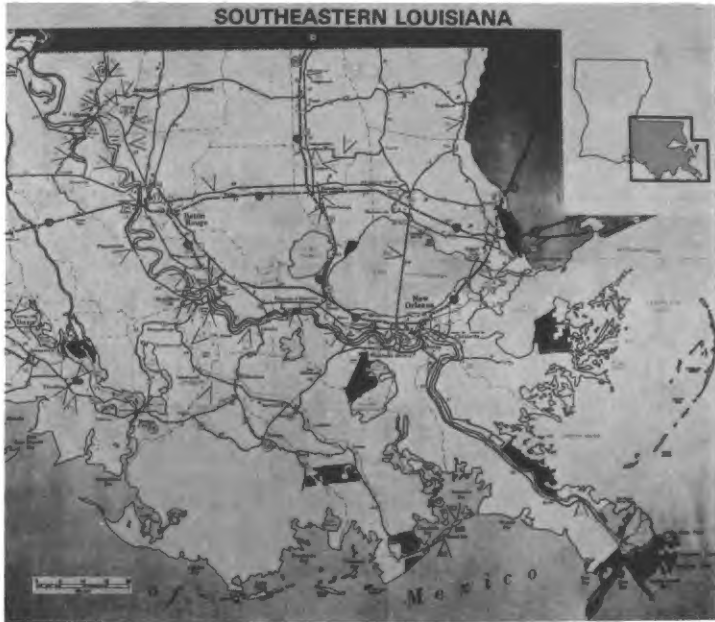
There is evidence, however, that Oswald was busier than Marina has admitted, or perhaps was even aware, and that in his activities, he was perhaps possibly associated with some highly improbable individuals. Six witnesses in all, each corroborating the others, have testified before this committee in executive session that Oswald was in Clinton and Jackson, La., in late August and early

September, seeking employment at the East Louisiana State Hospital.

At this time, Mr. Chairman, it would be appropriate to enter into the record JFK F-598 and JFK F-599, which is the map of Louisiana and a display of David Ferrie.

Chairman STOKES. Without objection, they will be entered into the record.

[Whereupon, the above-referred to exhibits, JFK F-598 and JFK F-599 follow:]



JFK EXHIBIT F-598



JFK EXHIBIT F-599

Mr. BLAKEY. Some of that testimony about Clinton and Jackson place Oswald there with two men, both now deceased, who had been charged by New Orleans District Attorney Jim Garrison with conspiracy in the Kennedy assassination. One of them, David W. Ferrie, represented by JFK exhibit F-599, died before he was brought to trial. The other, Clay L. Shaw, was acquitted.

The fashion in which the Garrison investigation was conducted, and the character of the Shaw trial, have served to complicate an already complex case. It may be that the full story of Oswald in New Orleans will never be told, for added to the problem of deceased witnesses and fading memories is the unfortunate fact that

the evidence has been tarnished by the way in which it was handled in the Shaw prosecution.

Nevertheless, the critics of the Warren Commission have argued that there was more to be learned about what Oswald was up to in New Orleans and with whom he was associated. There may be something to this, and the committee will have the opportunity in its final report to lay out in full the details of the New Orleans situation.

The committee can, for example, present its conclusions about Oswald's alleged association with David Ferrie. It has been suggested that the testimony that Oswald and Ferrie were together in Clinton and Jackson is, despite the Garrison prosecution, impressive.

The implications of such an association may be serious, at least on the level of association, for David Ferrie worked as an investigator for Carlos Marcello, who has been identified over the years as the organized crime boss of Louisiana and Texas.

On the day of the assassination, he was with Marcello in a Federal court room in connection with legal proceedings against the alleged mafia leader.

Of the forces that may have conspired to assassinate the President, organized crime, itself, therefore, deserves great scrutiny, and the committee has indeed examined organized crime for its motive, opportunity and means to assassinate President Kennedy. It has also studied in depth the alleged mafia associations of both Oswald and Jack Ruby.

Mr. Chairman, it would be appropriate at this time to view the single greatest justification for this effort to look anew at organized crime.

Mr. Chairman, I would ask that the next exhibit, JFK F-594 be viewed at this time and entered into the record.

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

[Whereupon, the above-referred to exhibit, JFK F-594, was received into the record.]

[JFK exhibit F-594, a film clip, is retained in committee files.]

Mr. BLAKEY. I would also note this film clip was obtained through the courtesy of the NBC's live coverage of the events in Dallas. If we could have the lights, please.

[Film clip presentation:]

Mr. BLAKEY. Mr. Chairman, that film clip, in the most simple, direct and forceful way, explains why, understandably, the American people are disturbed by the Kennedy assassination. They might well accept one lone assassin in November in Dallas, but two surely asks for more than many have been willing to accept.

When Ruby shot Oswald in the basement of the Dallas Police Department on November 24, 1963, the Nation was shocked by a nationally televised murder of the accused assassin of the President. In addition, the American people and history were deprived of the best single source of evidence in the case. When evidence was so put beyond reach, as it was in the assassination of Oswald, the first order of an investigation is to seek the motive for that killing.

First, what do we know about Jack Ruby? Is there anything in his background that sheds light on why he murdered Oswald?

Ruby grew up in Chicago in a lower middle-class surrounding. His early life was disrupted by family disputes. In 1923, after his parents had separated, he was placed in a foster home, when a court found that he, two brothers, and a sister were not receiving proper care.

He moved to California in 1933, then returned to Chicago in 1937 to become a union organizer. He moved to Dallas in 1947, where he operated a string of nightclubs. The last one he owned, the Carousel, was a burlesque house.

Ruby was known as idiosyncratic, a man of contradictions, given to occasional bursts of violent temper.

When President Kennedy was assassinated, Ruby was at the Dallas Morning News, arranging for an advertisement for the Carousel. In a swirl of activity that culminated in the shooting of Oswald, Ruby, it has been alleged, seemed to be shadowing, or possibly stalking the accused assassin. He was present when Oswald met the press on Friday evening and he was at the Dallas County Jail on Saturday afternoon, waiting for Oswald to be transferred there.

The transfer was postponed until Sunday. Ruby telephoned several friends to express his grief over the murder of the President. Some of them reported he would lapse into periods of sobbing. He prowled the streets at night, lamenting the decision of nightclub owners to stay open in the aftermath of tragedy.

The Carousel was closed, out of respect. On Sunday morning, Ruby went to the Western Union office on Main Street, next door to the Dallas Municipal Building and police headquarters. At Western Union, he sent a \$25 money order to an employee and then, 4 minutes after the money order was time-stamped, he somehow entered the basement of the police headquarters. As Oswald was being led to the awaiting car, as the committee has just seen, Ruby fired one fatal shot into him.

Ruby was tried and convicted of first-degree murder and sentenced to death. An appellate court, however, reversed the conviction on evidentiary grounds and a new trial was ordered. Before it could begin, he contracted cancer and died of a blood clot in January 1967.

Our objective here today is to learn more about Jack Ruby, his character, career, and associations, as they might pertain to a motive for shooting Oswald. For that purpose, we have three witnesses who knew Ruby, each of them, a close relative, a police officer and perhaps tomorrow a gambler, encountered a distinct facet of the Jack Ruby character.

The first witness is Earl Ruby, Jack's younger brother. He was born in 1915 and has spent his career as a businessman.

Mr. Ruby is, at present, the proprietor of Cobo Cleaners in Detroit. He is a resident of Birmingham, Mich.

Mr. Chairman, it would be appropriate before calling Mr. Ruby to take a short sit-down recess while the film is reset since there is a clip that we would like to show Mr. Ruby during the course of his testimony.

[Prepared statement of Prof. G. Robert Blakey follows:]

PREPARED NARRATION OF PROF. G. ROBERT BLAKEY, CHIEF COUNSEL AND STAFF
DIRECTOR

As you noted, Mr. Chairman, the question of conspiracy has been with us since these hearings opened nearly 3 weeks ago, although it was addressed more specifically here yesterday. It can be argued that the theories examined yesterday seem to break down under careful inspection, but that is one of the purposes of these hearings—to weigh the validity of the evidence. Today, other, more substantial theories will be examined, if only briefly.

Nevertheless, before the committee continues to look into conspiracy theories, it may be helpful to note that none of them wholly originated with this committee's investigation. Most of the leads or allegations that the committee has examined have heretofore been the subject of some public discussion, the subject of earlier investigations or of books and articles. No claim is advanced here to originality or special insight.

What the committee has done is to apply in its own investigation more sophisticated techniques of examination than those used or available to those who have preceded us or raised questions, some of which were demonstrated yesterday. Beyond scientific analysis of the evidence, the committee has also employed investigative tools that were disregarded in earlier investigations of the Kennedy assassination. The committee has made extensive use of immunity grants and interrogation under oath in executive session. Files have been widely read, using only the most tenuous relevancy theories. Another approach has been mentioned here before is the use of a carefully thought out investigative plan that employed a detailed reconstruction of conspiracies that might have occurred, in order to determine, if, in fact, they had any bearing on the actual event in Dallas. The committee did not just run out leads in hand, the typical law enforcement approach.

Over the next 3 days, we will be looking into a couple of conspiracy theories that the committee felt warranted its fullest attention. This is not to say these are the plots that are the most likely to have led to the assassination, if indeed any of them did. What is being said is this—here are a couple of conspiracy theories that cannot be readily dismissed (as those we considered yesterday can be), and this is the way they were investigated. This is a status report on the investigation, the full findings and conclusions of which will be detailed in the final report. Obviously, all that was done cannot be portrayed here.

First, the theory that anti-Castro Cubans conspired to kill the President will be examined and summarized in this narration. Then it will be appropriate to hear testimony on an aspect of the concern that other forces may have been behind the assassination.

Why anti-Castro Cubans? For several reasons. From the evidence available to them in 1964, two staff attorneys for the Warren commission, David Slawson and William Coleman, went so far as to speculate that Lee Harvey Oswald, despite his public posture as a Castro sympathizer, was actually an agent of anti-Castro exiles. Pressing for further investigation of the possibility, they wrote a memorandum which, in part, said:

"The evidence here could lead to an anti-Castro involvement in the assassination on some sort of basis as this: Oswald could have become known to the Cubans as being strongly pro-Castro. He made no secret of his sympathies, and so the anti-Castro Cubans must have realized that law enforcement authorities were also aware of Oswald's feelings and that, therefore, if he got into trouble, the public would also learn of them * * * Second, someone in the anti-Castro organization might have been keen enough to sense that Oswald had a penchant for violence * * * On these facts, it is possible that some sort of deception was used to encourage Oswald to kill the President when he came to Dallas * * * The motive of this would, of course, be the expectation that after the President was killed Oswald would be caught or at least his identity ascertained, the law enforcement authorities and the public would then blame the assassination on the Castro government and a call for its forceful overthrow would be irresistible * * *"

Some critics of the Warren Commission have termed the period Oswald lived in New Orleans, the summer of 1963, the "Cubanization of Oswald", implying there were sinister motives for his inserting himself into the Cuban controversy. They point out that, aside from letters he wrote to the Fair Play for Cuba Committee in New York, Oswald's known Cuban contacts in the United States were with anti-Castroites.

There are other reasons the committee's attention has been drawn to the anti-Castro area. The Warren Commission files reveal, for instance, that there were numerous reports from Dallas and Miami immediately after the assassination which linked Oswald with Cuba. Yet, when the FBI checked out the reports, in almost all

cases they had come from anti-Castro sources, some militant enough to deserve suspicion themselves.

It comes down to this: In a homicide investigation, any individual or group is suspect, if it has the motive, opportunity, and means to commit the crime. There is no doubt that certain anti-Castro groups had all three.

It is difficult, these many years later, to appreciate the political and emotional impulses of the Cuban exile communities—in Miami, New Orleans, and Dallas—when John F. Kennedy was President. The hopes and expectations of the exiles had been on a roller coaster ride; their relationship with the U.S. Government had deteriorated. They were puzzled by the often conflicting policies of various Federal agencies towards them and their objectives, the main one being to get rid of Castro. The anti-Castro groups were frustrated, bitter and angry. And the focal point of their resentment was President Kennedy.

It began with the disastrous Bay of Pigs invasion in April, 1961. Since January 1959, when Castro marched triumphantly into Havana, the more than 100,000 Cubans who had fled the Revolution lived in anticipation of its overthrow. The Cuban exiles were not only encouraged in this hope by the U.S. Government, they were organized, directed and almost totally funded by its agencies. The training camps, the arms and weapons, the instructors, the ships and landing craft were all supplied by the U.S. Government. The invasion plan itself was formulated by the Government. The Cuban exiles came to feel that the Government not only promised them success, it guaranteed it.

When what had been touted as “the glorious march on Havana” turned into a tragic rout, the Cuban exiles, unappreciative of President Kennedy’s inherited role in the invasion, reacted with incredulous disbelief and anger that he would allow the operation to fail. Intensifying the exiles’ reaction was the fact that Kennedy himself insisted on taking the blame. In executive session before this committee, Manuel Antonio Varona, in 1961 the head of the united exile organization, the Revolutionary Democratic Front, told of a tense and emotional encounter with President Kennedy at the White House as hope for the invasion was fading. “We were not charging Mr. Kennedy with anything,” Varona said. “We knew he was not in charge of the military effects directly. Nevertheless, President Kennedy told us he was the one—the only one responsible.”

Varona may have sympathized with Kennedy’s position, but most anti-Castro Cubans didn’t. The noted attorney, Mario Lazo, in his book, “Dagger in the Heart,” put it very directly:

“The Bay of Pigs defeat was wholly self-inflicted in Washington. Kennedy told the truth when he publicly accepted responsibility * * * The heroism of the beleaguered Cuban Brigade had been rewarded by betrayal, defeat, death for many of them, long and cruel imprisonment for the rest. The Cuban people * * * had always admired the United States as strong, rich, generous—but where was its sense of honor and the capacity of its leaders?

“The mistake of the Cuban fighters for liberation was that they thought too highly of the United States. They believed to the end that it would not let them down. But it did * * *

President Kennedy was well aware of the bitter reaction to the Bay of Pigs debacle. Far from abandoning the Cuban exiles, he set out to convince them of his loyalty to their cause. Perhaps the most ironic event of his relationship with the Cuban exiles occurred on December 29, 1962, at the Orange Bowl in Miami. He had come to welcome the survivors of Brigade 2506, the 1,200 men who had been ransomed from Cuba after almost 20 months in prison. The President was presented with the Brigade flag in a dramatic and emotional scene.

But the euphoria was false and misleading. Although the Cuban exiles cheered President Kennedy that day, there also coursed through the crowd a bitter resentment among some who felt they were witnessing a display for political hypocrisy. Later, it would be claimed that the Brigade feeling against President Kennedy was so strong that the presentation nearly did not take place, and it would be alleged (incorrectly, as it turns out) that the Brigade flag given to Kennedy was actually a replica.

That intensity of anti-Kennedy feeling by Cuban exiles was the result of events between the time of the Bay of Pigs invasion and the ceremony in the Orange Bowl.

It is not possible to know fully how the Bay of Pigs defeat changed President Kennedy’s attitude toward Cuba, but when journalists Taylor Branch and George Crile wrote in Harper’s magazine about a massive infusion of U.S. aid to clandestine anti-Castro operations in the wake of the Bay of Pigs, they titled their article, “The Kennedy Vendetta”.

What is known is that the period between the Bay of Pigs and the Cuban missile crisis in October 1962 can be accurately characterized as the high water mark of anti-Castro activity. Miami, the center of the exile community, became a busy staging ground for armed infiltrations into Cuba. While not every raid was supported or even known about in advance by government agencies, the United States played a key role in monitoring, directing and supporting the anti-Castro Cubans. Hundreds of Cubans were set up in proprietary corporations established by the U.S. Government to support the massive covert operation. And although this effort was cloaked in secrecy, there were very few Cubans in the exile community who did not know what was happening and who was supporting the operation.

That was a time of great activity and exhilaration in the Cuban exile community. American arms and weapons flowed freely through South Florida. Miami's "Little Havana" was a beehive of gossip about the latest infiltration operations or paramilitary missions. Raiding parties that left from small secret islands in the Florida Keys had the "green light" from the U.S. Government.

Then came the Cuban missile crisis and negotiations that ended it. The anti-Castro groups felt as if the rug had been pulled out from under them.

The Cuban exiles were initially elated by the possibility that the crisis would provoke a showdown with Castro. But President Kennedy made a deal for the removal of the missiles. Only later did the exiles come to feel full force the impact of Kennedy's agreement with Khrushchev and Castro.

The word was soon passed. Newspapers reported a basic turn-around in the Kennedy policy. For example, the raids that were being conducted by Alpha 66, one of the most aggressive exile organizations, were abruptly condemned by Washington. The State Department asserted that it did not sanction such attacks. In December, 2 months after the missile accord, 13 anti-Castro guerrillas were arrested at a training camp in the Florida Keys and their arms and explosives were seized by U.S. Customs agents. In March 1963, another Alpha 66 raid brought a statement from President Kennedy himself. "The raids," he said, "served no useful purpose." An attack on a Soviet ship in Cuban waters led to the formal issuance of a policy pronouncement on March 31. Kennedy said, in no uncertain terms: "We intend to take every step necessary to assure that such raids are not launched, manned or equipped on United States territory." On April 5, The New York Times noted that the United States was throwing more planes, ships, and men into its effort to police the straits of Florida against anti-Castro raiders.

Throughout the spring and summer of 1963, the crackdown on guerrilla activity continued, causing frustration and resentment on the part of the exiles. They could not grasp how they could be supported and aided by one U.S. agency and then be slapped down by others. In August, the FBI seized a cache of explosives at an anti-Castro training camp in Louisiana. Just weeks later, the U.S. Coast Guard cooperated with the British Navy in a raid on an exile base in the Bahamas. Then, U.S. Customs cracked down on a group of anti-Castro pilots in Miami. The Secret Service arrested a Cuban exile leader for conspiring to counterfeit Cuban currency, destined for forces inside Cuba.

The brunt of that anger fell on President Kennedy. The Cuban exiles came to think of the missile crisis deal as a "betrayal". Mario Lazo called it a "soul-shattering blow". Jose Miro Cardona, the head of the Cuban Revolutionary Council, an exile organization put together by the U.S. Government to unite fragmented exile groups, resigned in disgust.

In the major enclaves of anti-Castro Cubans—in Miami, New Orleans and Dallas—the once glittering image of President Kennedy had turned dark.

So, the motivation for anti-Castro Cuban involvement in the Kennedy assassination was based not only on a schism in political and ideological viewpoints, but also on a disposition growing out of a pragmatic realization that Castro probably would survive.

Despite the recommendations of Slawson and Coleman, the Warren Commission largely ignored the mood of the exiles in its final report. It distilled the subject down to a nine-paragraph review entitled, "Alleged association with various Mexican or Cuban individuals".

This committee opted to approach the possibilities in a more open-minded way. It decided to examine in depth those exile groups which, besides motivation, had the capability and resources to be involved in an assassination—in other words, the "action groups".

The committee also attempted to determine if Oswald sought to utilize or exploit resources of the exile groups or if they may have tried to use him.

The first step was, of course, to define the "action groups". The committee examined public records; it instituted requests for file reviews from every Federal

agency in contact with the groups, including the CIA, the Department of Defense, the U.S. Customs Service, the FBI, the Drug Enforcement Agency, the Secret Service, and so on; it delved into the records of local law enforcement agencies in Miami, New Orleans and Dallas. The committee also sent field investigators into Cuban exile communities on an exploratory mission, to talk to former members of the "action groups".

From these sources the committee discovered there were a few hundred militant anti-Castro exile organizations founded between the Castro Revolution and the Kennedy assassination. Most did not stay in operation for long, but at one time 105 of them could be identified from local police files alone. The committee finally boiled the list down to 20 key anti-Castro Cuban groups which had the motivation, capability and resources to assassinate the President.

They will be named and discussed in detail in the committee's final report. Suffice it to say now that the committee closely scrutinized the history of the groups and it looked very carefully at the activities and associations of their key leaders. The committee conducted dozens of field interviews, it took depositions, and it cross-examined witnesses in executive session.

In its investigation of two of the main action groups the committee found indications of a possible connection with figures named in the Kennedy assassination, specifically with Lee Harvey Oswald.

The two anti-Castro Cuban exile organizations of special interest to the committee are Alpha 66 and a group named Junta Revolucionaria Cubana, or JURE.

Alpha 66 was founded in Puerto Rico in the summer of 1962 by Antonio Veciana Blanch, a soft-spoken, mild-mannered former Havana accountant, a church-going family man who had fled Cuba in 1961. Two months after he left, Cuba's government-controlled press named Veciana as the ringleader of an unsuccessful assassination attempt on Castro.

On founding Alpha 66, Veciana declared he was forming the group because the Cuban exiles needed a new, coordinated effort to topple Castro and to counteract the "do nothing" attitude of President Kennedy towards the Castro regime. Dramatic action was required, he said, announcing there would soon be a series of significant hit-and-run attacks on Cuba.

Although most of the original members of Alpha 66 were, also, former accountants, Veciana put together a tough commando unit. Veciana, as the chief spokesman, fund-raiser and coordinator, claimed no political aims other than the overthrow of Castro. Alpha 66 was uniquely independent, generally having little to do with other exile groups whose members were often at odds over the hierarchy that would follow Castro's overthrow.

When Alpha 66 acted, it did so with a flourish. One of its first assaults was the shelling and machine-gunning of a British ship and two Cuban vessels off the north coast of Cuba. At a press conference following the raid, Veciana issued a "declaration of war" against Castro and any ships that were carrying Cuban goods. The British Government filed a strong complaint with the State Department, but Veciana promised more raids.

Throughout the rest of 1962 and into the summer and early fall of 1963, Alpha 66 struck often, quickly gaining the reputation as the most militant of the exile groups. In the middle of the missile crisis, it had the audacity to pull a raid. By March 1963, the Alpha 66's unceasing hit-and-run attacks provoked direct public criticism by President Kennedy. Veciana was not cowed. "We are going to attack again and again," he declared.

Veciana had made an old friend, former Castro Army Major, Eloy Gutierrez Menoyo the military leader of Alpha 66. But Veciana himself was the strategic organizer, the public spokesman and fundraiser of the organization. At least that's what a review of the newspaper files of the time has reflected. Yet, in September 1962, the New York Times attributed to Veciana a cryptic statement. He had called a press conference to announce five raids in 60 days. Then, in the body of the story, Veciana was quoted as saying that all the planning for the raids was done by leaders, "I don't even know".

As the years went by and the military operations of the Cuban exile groups, including those of Alpha 66, lapsed, Veciana himself remained very active in anti-Castro operations in Latin America. From 1968 to 1972, he used La Paz, Bolivia, as his base. There he was ostensibly working as a banking consultant, though he spent most of his time planning anti-Communist subversive operations. He was, in fact, on the U.S. Government payroll. Nevertheless, in 1971, he organized an attempt on Castro's life.

Then in March 1976, a staff investigator for Senator Richard Schweiker, a member of the Senate Select Committee on Intelligence, approached Veciana in

Miami to talk about the relationship of U.S. intelligence agencies to anti-Castro activities. The Kennedy assassination was not mentioned.

Veciana told the investigator of his anti-Castro activities. Then, when asked, he said that, yes, he had been in touch with certain Americans in those activities. In fact, he said, there was one American who had directed him in all his activities, including the Castro assassination attempts in 1961 and 1971. Veciana said the man told him, when they first met in the Havana bank in which Veciana was working in 1960, that his name was Maurice Bishop. Veciana believed that to be a false name.

Veciana said Bishop never told him he was an agent of a U.S. intelligence agency and, in fact, avoided a direct answer when asked. But, Veciana recounted, Bishop was obviously a man with strategic contacts, both in the United States and Latin America.

Veciana said that Bishop had broken contact with him in 1973, that down through the years he had never initiated contact with Bishop, and he didn't know how that could be done. Bishop had always contacted him. He had met with Bishop at various locations, on the average of several times a year, between 1960 and 1973. He met him in Miami often, in Las Vegas once, in Puerto Rico many times, in Washington, D.C., in La Paz, in Caracas and in a few other cities. And, yes, said Veciana when asked, he had met Maurice Bishop a few times in Dallas. As a matter of fact, he recalled one meeting there in August 1963, when he was scheduled to rendezvous with Bishop in the lobby of a large office building. When he arrived, Bishop was there talking with a young, slightly built American. Veciana did not recall whether he was introduced to the man by name, but after the Kennedy assassination, he immediately recognized Lee Harvey Oswald as the man with Maurice Bishop that day in Dallas.

Antonio Veciana's story has been of considerable interest to this committee, which has gone to great lengths to assess it. The committee has spent many hours with Veciana, who has provided it with details of his relationship with Bishop. There are still leads which cannot now be revealed, but which the committee is pursuing.

The committee has, of course, taken sworn testimony from Veciana and other key witnesses. Its investigators have tapped sources from as far as Venezuela and Cuba. Numerous files which have been requested from the CIA, the FBI and the Department of Defense are still being reviewed and analyzed. In addition, the committee is probing the possibility that Bishop may not have been associated with a U.S. intelligence agency. On July 30, 1978, the committee released a composite sketch of Bishop, produced from a detailed description provided by Veciana.

The committee cannot be conclusive, but it can say that Veciana's allegations remain undiscredited and that the committee has obtained an indication of the existence of a Maurice Bishop, or someone using that name. The meaning of this story remains, as yet, indeterminate.

The other anti-Castro group of special interest to the Committee was JURE. JURE was formed in September 1962 as an outgrowth of a split in another anti-Castro group, the Revolutionary Movement of the People, or MRP. The founder of JURE was Manolo Ray Rivero. JURE was considered a relatively "leftist" Cuban exile organization, and many of its detractors accused it of "Fidelism without Fidel". Ray and his group were mistrusted by the right-wing elements of the exile Cuban community.

Although JURE was supported by the CIA, the Agency had to prod other exile organizations to accept JURE into the Cuban Revolutionary Council, their umbrella organization. Ray kept his group in the CRC for only 3 months, during the period of the Bay of Pigs invasion.

The largest and most active JURE chapters were in Miami and Puerto Rico, but other chapters were located throughout the United States and in Latin American countries. One was in Dallas, and one of the members of the Dallas chapter was Silvia Odio, a 26-year-old, recently divorced mother of four, whose husband had abandoned her in Puerto Rico. Educated in the United States and raised in an upper-class Cuban environment, Mrs. Odio was the eldest daughter of Amador Odio, once one of Cuba's top trucking executives.

In 1961, Castro's officers arrested Silvia Odio's mother and father for harboring a confederate of Antonio Veciana in the October Castro assassination attempt. The Odio children had left Cuba, and several of them lived in Dallas.

One of Silvia Odio's sisters, Serita, attended the University of Dallas and was acquainted with a socialite named Lucille Connell, who was active in civic and charitable activities. Mrs. Connell made arrangements in early 1963 for Silvia to come to Dallas, and further arranged for her to receive psychiatric treatment at

Southwestern Medical School, where she became a patient of Dr. Burton C. Einspruch. According to Mrs. Connell, Silvia suffered from a condition which caused blackouts when reality became oppressive.

Silvia Odio testified to the Warren Commission that a man she identified as Lee Harvey Oswald, in the company of two Latin men, visited her apartment in Dallas in late September 1963. The two Latin men identified themselves as members of JURE.

It should be noted that Silvia Odio was not unknown in the Cuban community of Dallas. She had attended JURE meetings, and in the summer of 1963, a large photograph of her sisters, Annie and Serita, had appeared on the front page of the Dallas Morning News, along with a "human interest" story about the Odio family. Silvia's name was mentioned.

Mrs. Odio testified before the Warren Commission in September 1964. She said that one of the men identified himself as "Leopoldo" and she assumed from his accent that he was Cuban. A second man, possibly named Angelo, was also Spanish speaking but, she said, he "looked" Mexican. The third, a white American male, was introduced to her as "Leon Oswald".

Later, Annie Odio, who was at her sister's apartment that evening, would corroborate Silvia's story to the FBI. She said she opened the door for the visitors.

Silvia Odio, who said she declined to help the men because she didn't trust their credentials, said that Leopoldo called her 1 or 2 days later. In this telephone conversation, she said, he mentioned his American friend, and said that "Leon" had remarked that the Cubans should have killed Kennedy after the failure of the Bay of Pigs invasion.

When Mrs. Odio learned of Kennedy's assassination, she had one of her blackouts. She regained consciousness in a hospital room where her sister Annie soon visited her. Earlier, watching Oswald on television, Annie had independently recognized Oswald as someone she had seen before. When she mentioned it to her older sister, Silvia reminded her of the visit of the three men to her apartment.

Emotionally shaken, the women decided not to mention the incident to anyone. They did, however, tell their sister Serita, and Serita mentioned it to Lucille Connell. On December 12, 1963, the FBI interviewed Silvia Odio. She admitted the visit and positively identified Lee Harvey Oswald as the "Leon" who had come to her apartment with the two Latin-looking men. A week later, the FBI interviewed Dr. Einspruch who said that, although Silvia had some emotional problems, she was a thoroughly credible person.

Silvia Odio's story ran contrary to other evidence which the Warren Commission had compiled. It had documentation that Oswald had traveled to Mexico City by bus and had registered at a hotel there on the morning of September 27.

The Warren Commission ordered an investigation, to be conducted, principally by the FBI, of Mrs. Odio's allegation. It represented a glaring inconsistency in the movements of Oswald, as the Commission was prepared to report them.

In the summer of 1964, the Warren Commission pressed the FBI to dig more deeply into the Odio allegation. On July 24, Chief Counsel J. Lee Rankin, in a letter to FBI Director J. Edgar Hoover, stated, " * * * the Commission already possesses firm evidence that Lee Harvey Oswald was on a bus traveling from Houston, Tex. to Mexico City, Mexico, on virtually the entire day of September 26 * * * " This so-called "firm" evidence was based on an analysis of Oswald's travel during the time period of September 24-27 by Assistant Counsel David Slawson. J. Wesley Liebeler, the Assistant Counsel who had interviewed Mrs. Odio, disagreed with this analysis and sent a memo to Rankin citing "fallacies" in the Slawson analysis.

On August 23, Rankin again wrote to Hoover and said, "It is a matter of some importance to the Commission that Mrs. Odio's allegations either be proved or disproved". Rankin requested that the FBI attempt to learn the identities of the three visitors, by contacting members of anti-Castro groups active in the Dallas area, as well as leaders of the JURE organization. He asked the FBI to check the possibility that Oswald had spent the night of September 24 in a hotel in New Orleans, after vacating his apartment. Portions of this investigation, which were inconclusive in supporting the Warren Commission's contention that Odio was mistaken, were not sent to Rankin until November 9, at which time the final report had been completed. Back on September 19, Liebeler was extorting Howard Willens, another Warren Commission attorney, to "tone down" the write-up of the Odio incident. Liebeler contended in that memo: "There are problems. Odio may well be right. The Commission will look bad if it turns out that she is."

The FBI did attempt to alleviate the "problems." In a report dated September 26, it produced the story of Loran Eugene Hall, who claimed he had been in Dallas in September 1963, accompanied by two men fitting Odio's general description, and

that it was they who had visited Silvia Odio. Oswald, Hall said, was not one of the men. Within a week of Hall's statement, the other two men Hall had named, Lawrence Howard and William Seymour, had been interviewed. They denied ever having met Silvia Odio. Then, later, Hall himself retracted his statement.

Despite the fact that the commission could not prove Oswald took a bus to Mexico City, and despite the fact that Loran Hall's story was an admitted fabrication, the Warren report was published, with this explanation of the Odio incident: "While the FBI had not yet completed its investigation into this matter at the time the report went to press, the commission has concluded that Lee Harvey Oswald was not at Mrs. Odio's apartment in September 1963."

The critics of the Warren commission have been quick to pounce on this conclusion.

In her book, "Accessories After the Fact", Sylvia Meagher wrote:

"The Commission's failure to get to the bottom of this affair, with its inescapable implications, is inexcusable. If the Commission could leave such business unfinished, we are entitled to ask whether its members were ever determined to uncover the truth. Indeed, the Commission did not even give an honest account of such facts as were established. Its own Exhibits expose the 'evidence' presented in the Report as a tissue of evasion and deception which discredits more than it justifies the conclusion that Oswald could not have visited Mrs. Odio."

The committee is continuing to investigate the Odio allegation. The approach has been two-pronged. First, the committee has endeavored to interview everyone connected with the allegation. Additionally, the committee has made intensive efforts to identify the two Spanish-speaking men who visited Mrs. Odio.

Interviews and depositions have been conducted with the principals: Silvia Odio, Annie Odio, Amador Odio, Lucille Connell Light and Dr. Burton Einspruch. The staff also arranged a conference telephone call between Dr. Einspruch in Dallas and Silvia Odio in Miami, during which they recalled the period when Mrs. Odio was under the doctor's care and related to him the visit of the three men. Mrs. Odio and Dr. Einspruch concurred that the revelation of this event came shortly after its occurrence and prior to the President's assassination.

Loran Hall testified before this committee in executive session on October 5, 1977, and Howard and Seymour were interviewed by the investigative staff.

From a review of FBI files, the committee secured a list of persons who belonged to the Dallas Chapter of JURE, and the committee is continuing its attempts to locate and interview these individuals. Additionally, staff investigators interviewed the leader of JURE, Manolo Ray, now residing in Puerto Rico.

Furthermore, the committee secured photographs of scores of pro-Castro and anti-Castro activists in 1963 who might fit the descriptions of the two latins who Mrs. Odio says visited her. The committee also utilized the services of various Government agencies to run a computerized check on all individuals who used the "war" names of Leopoldo and Angelo, or names basically similar. An extensive search produced the names and photographs of three men who might possibly have been in Dallas in September of 1963. These photographs were shown to Mrs. Odio, but she was unable to identify them as the men she had seen.

The committee has determined, as did members of the Warren commission staff, that Silvia Odio's story still is credible. Over the period of the past 15 years, only minor details have changed, and one important one remains consistent—Silvia and Annie Odio are adamant that "Leon" was Lee Harvey Oswald.

While this committee has gone much beyond the Warren commission's investigation of the Odio story, it, too, has as yet an undetermined meaning.

The so-called "Cubanization of Lee Harvey Oswald" occurred during the time he lived in New Orleans in 1963. It is a puzzling period in a mysterious career, more so for the gaps in the record of his activities, as the Warren Commission was able to document it.

New Orleans was Oswald's home town—he was born there October 18, 1939. In April 1963 he moved back, having lived in Fort Worth and Dallas since his return from the Soviet Union the previous June.

He spent the first 2 weeks job hunting, staying with the Murrets, Aunt Lillian and Uncle Charles, or "Dutz", as he was called, the sister and brother-in-law of Oswald's mother, Marguerite. After being hired by the Reily Coffee Co. as a maintenance man, he sent for his wife, Marina, and their baby daughter, and they moved into an apartment on Magazine Street.

In May, Oswald wrote to Vincent T. Lee, national director of the Fair Play for Cuba Committee, expressing a desire to open an FPCC chapter in New Orleans and requesting literature to distribute. He also had handouts printed, some of which

were stamped "L. H. Oswald, 4907 Magazine Street", others with the alias, "A. J. Hidell, P.O. Box 30016", still others listing the FPCC address as 544 Camp Street.

The Camp Street address has been a riddle to investigators, official and otherwise, over the years, because the only Cuban activity known to have been based there was of the anti-Castro sort.

Oswald lost his job in July, and his efforts to find another was futile. It is known that through the rest of the summer he filed claims at the unemployment office.

The FPCC campaign attracted attention, since Oswald was perhaps the sole overt supporter of Castro in a city where the Cuban community was strongly opposed to Castro. It also got him into a fight with three anti-Castro Cubans, resulting in Oswald spending a night in jail, but earning him some publicity. On August 17, he was interviewed on radio, and on August 21, he appeared in a television debate.

Oswald virtually passed out of sight from August 21 until September 17, the day he applied for a visa to Mexico. He is known to have written letters to left-wing political organizations, and he and Marina visited the Murrets on Labor Day. Marina has claimed he spend his free time reading books and practicing with his rifle.

There is evidence, however, that Oswald was busier than Marina has admitted, or even may be aware, and that in his activities he was associating with some highly improbable individuals. Six witnesses in all, each corroborating the others, have testified before this committee that Oswald was in Clinton and Jackson, La., in late August and early September, seeking employment at East Louisiana State Hospital.

Some of the testimony about Clinton and Jackson place Oswald there with two men, both now deceased, who have been charged by New Orleans District Attorney Jim Garrison with conspiracy in the Kennedy assassination. One of them, David W. Ferrie, died before he was brought to trial. The other, Clay L. Shaw, was acquitted.

The fashion in which the Garrison investigation was conducted, and the character of the Shaw trial have served to complicate an already complex case. It may be that the full story of Oswald in New Orleans will never be told, for added to the problems of deceased witnesses and fading memories is the unfortunate fact that evidence has been tarnished by the way in which it was handled in the Shaw prosecution.

The critics of the Warren commission have argued, however, that there is more to be learned about what Oswald was up to in New Orleans and with whom he associated. There may be something to this, and the committee will have the opportunity, in its final report, to lay out in full detail the situation in New Orleans.

The committee can, for example, present its conclusions about Oswald's alleged association with David Ferrie. It has been suggested that the testimony that Oswald and Ferrie were together in Clinton and Jackson is, in a word, impressive. The implications of such an association may be serious—at least on the level of association.

David Ferrie worked as an investigator for Carlos Marcello, who has been identified as the organized crime boss of Louisiana and Texas. On the day of the assassination, he was with Marcello in a Federal courtroom in connection with legal proceedings against the alleged Mafia leader.

Of the forces that might have conspired to assassinate the President, organized crime itself deserves great scrutiny, and the committee has examined organized crime for its motive, opportunity and means to assassinate President Kennedy, and it has studied in depth alleged Mafia associations of both Oswald and Jack Ruby.

Mr. Chairman, it would be appropriate at this time to view the greatest single justification for this effort to look into organized crime.

[Film Clip.]

Mr. Chairman, understandably, the American people might well accept one lone assassin in November in Dallas, but two surely asks for more than many have been willing to accept.

When Ruby shot Oswald in the basement of the Dallas Police Department on November 24, 1963, the Nation was shocked by a nationally televised murder of the accused assassin of the President. In addition, the American people were deprived of the best single source of evidence in the case. When evidence is put beyond reach, as it was in the assassination of Oswald, the first order of an investigation is to seek the motive for that killing.

First, what do we know about Jack Ruby? Is there anything in his background that sheds light on why he murdered Oswald?

Ruby grew up in Chicago in lower middle class surroundings. His early life was disrupted by family disputes. In 1923, after his parents had separated, he was placed

in a foster home, when a court found that he, two brothers and a sister were not receiving proper care.

He moved to California in 1933, then returned to Chicago in 1937 to become a union organizer. He moved to Dallas in 1947, where he operated a string of nightclubs. The last one he owned, the Carousel, was a burlesque house.

Ruby was known as idiosyncratic, a man of contradictions, given to occasional outbursts of violent temper.

When President Kennedy was assassinated, Ruby was at the Dallas Morning News, arranging for an advertisement for the Carousel. In a swirl of activity that culminated in his shooting Oswald, Ruby, it has been alleged, seemed to be shadowing, or possibly stalking, the accused assassin. He was present when Oswald met the press on Friday night, and he was at the Dallas County Jail on Saturday afternoon, awaiting for Oswald to be transferred there. The transfer was postponed until Sunday.

Ruby telephoned several friends to express his grief over the murder of the President. Some of them reported he would lapse into periods of sobbing. He prowled the streets at night, lamenting the decision of nightclub owners to stay open in the aftermath of tragedy. The Carousel was closed, out of respect.

On Sunday morning, Ruby went to the Western Union office on Main Street, next door to the Dallas Municipal Building and police headquarters. At Western Union, he sent a \$25 money order to an employee, and then—4 minutes after the money order was time stamped—he somehow entered the basement of police headquarters. As Oswald was being led to an awaiting car, Ruby fired one fatal shot into him.

Ruby was tried and convicted of first-degree murder and sentenced to death. An appellate court reversed the conviction on evidentiary grounds, however, and a new trial was ordered. Before it could begin, he contracted cancer and died of a blood clot in January 1967.

Our objective today is to learn more about Jack Ruby, his character, career and association, as they might pertain to a motive for shooting Oswald. For that purpose, we have three witnesses who knew Ruby, each of whom—a close relative, a police officer, a gambler—encountered a distinct facet of the Jack Ruby character.

The first witness is Earl Ruby, Jack's younger brother. He was born in 1915, and he has spent his career as a businessman. Mr. Ruby is, at present, the proprietor of Cobo Cleaners in Detroit. He is a resident of Birmingham, Michigan.

It would be appropriate at this time, Mr. Chairman, to call Mr. Ruby.

As well as Earl Ruby might have known his brother in their early years, they spent much of their adult life apart. Earl Ruby is particularly limited when it comes to commenting on Jack's life in Dallas, since Earl was not there.

To learn more about Jack Ruby's life in Dallas, the committee has turned to the Dallas Police Department. It has for two reasons: Ruby was on friendly terms with many officers of the DPD; and because there are questions still about the shooting of Oswald at Dallas Police Headquarters.

Our next witness is Captain Jack Revill of the Dallas Police Department. He has been a member of the DPD since 1951 and is currently in charge of the Internal Affairs Division of the Department.

In 1963, Captain Revill was a lieutenant assigned to the Criminal Intelligence Section of the Special Service Bureau. Later, he was a member of a special investigative unit charged with determining how Ruby entered the police headquarters basement on November 24, 1963.

It would be appropriate at this time, Mr. Chairman, to call Captain Revill.

The question of whether Jack Ruby acted alone in the shooting of Oswald has not been answered by his own assurances that he did. This is what he told the Warren commission, which subjected him to a polygraph test for verification. But when this committee asked its panel of experts on polygraphs to examine the results of Ruby's test, it declined to come to a conclusion, explaining the polygraph procedures of 1964 were of such poor quality as to preclude a judgment.

In addition, many critics of the Warren commission insist it did not go far enough in examining Ruby's associations, to see if any of them give support to the suspicion that he was part of a conspiracy. Noting that the Warren commission had discovered that Ruby had been in contact with an array of less than respectable characters—gamblers, ex-cons and henchmen of some underworld bigwigs, the committee decided to investigate these connections further, to find out if they might support a conspiracy finding. There were three steps in the committee approach:

First, the files on the individuals under investigation were reviewed, files from Federal, State, and local law enforcement agencies.

Second, selected individuals were interviewed, deposed or questioned at executive session hearings.

Third, Jack Ruby's 1963 long-distance phone calls to his associates were analyzed. The Warren commission had access to long-distance telephone records, but it did not make the fullest use of them. The committee took the records the Warren commission had, gathered additional ones, and then analyzed all of them, using a House Information Systems computer. The objective was to categorize Ruby's phone contacts with an eye to discerning patterns.

During the Warren commission investigation, on February 24, 1964, staff attorneys Burt Griffin and Leon Hubert recommended that immediate steps be taken to obtain and preserve the phone records of Jack Ruby and numerous associates. In a lengthy memorandum, Hubert and Griffin recommended that the FBI be instructed to secure the records, and that commission chairman Earl Warren address a letter to telephone companies to secure preservation of existing records. Some records that were specified in the Griffin-Hubert request were obtained, but the extensive preservation they had envisioned was not carried out, an investigative step that Hubert and Griffin ultimately agreed to. Griffin has said that commission General Counsel J. Lee Rankin vetoed the recommendation on grounds that it was too far-reaching and would create too great a burden. In another memorandum, dated April 4, Griffin and Hubert said they needed additional assistance in evaluating the phone records that were available. Though it was suggested by Rankin that Chief Justice Warren's security guard might be able to devote some time to the project, the project envisioned by Griffin and Hubert was never conducted. In a subsequent memorandum dated May 14, the adequacy of the Ruby investigation was discussed, but ultimately compromises were worked out and the commission's work was completed.

Utilizing various phone records still available, including those of Jack Ruby's phone calls in 1963, the select committee has developed a computer project for the purpose of detailed analysis of them.

Using the computer technology of the Legislative and Committee Systems Division of the House Information System, House Administration Committee, the phone records analysis took shape. An Amdahl 470 V-5 computer was utilized, backed up by two IBM 370-158 central processing units. Various programs were run, using the master data base developed from the various phone records obtained by the committee. Additional programs are still continuing.

The telephone calls of Jack Ruby in 1963 were given top priority in the project. In recent years, Ruby's alleged associations with organized crime have been raised anew. In particular, it has been said that he was in repeated contact with a number of underworld figures in the months just before the assassination of President Kennedy. A response to these charges has been, however, that any contact by Ruby with such people may well have resulted from his attempts to seek assistance in a labor dispute.

In programming a chronological consolidation of the telephone calls made by Ruby from five business and home telephones, the committee discovered a significant upsurge in the number of calls in October and November 1963. As can be seen from the month by month plotting of these calls on the graph in exhibit F-545, the number of calls soared from an average of 25 to 35, in May through September, to 75 in October, and 96 in November. (That is, 96 calls up to November 24, the day he was imprisoned for shooting Oswald.)

To fathom the possible meaning of the upsurge in Ruby's calls in October and November, the committee closely evaluated his activities during that period. It considered who it was Ruby was calling and being called by; why he was in contact with these people; whether or not he had contacted them previously. The committee was also careful to examine the circumstances surrounding Ruby's labor problems in 1963.

The labor dispute involved Ruby's competition with other owners of clubs in the Dallas area. Specifically, he was involved quarreling with other owners over whether amateur striptease dancers—nonunion girls from the local area—could perform in Dallas nightclubs. Ruby had been prohibited by the American Guild of Variety Artists from featuring nonprofessional local strippers in his club. The hiring of local girls in weekend shows, in what were usually billed as "amateur nights", was a source of profit for him. Ruby was further angered by the fact that at least one of his competitors reportedly had been allowed to use nonunion talent.

The exact circumstances of Ruby's labor difficulties in 1963 are too complex to be dealt with in detail, but one aspect is relevant. In analyzing the dramatic upsurge in calls in October and November 1963, the committee was able to isolate a significant number from the main body of calls. It determined that these particular calls were made in conjunction with Ruby's efforts to seek acceptable mediation or settlement of his dispute with AGVA.

As can be seen from the second line of the graph in exhibit 545, which plots the calls made by Ruby in connection with his efforts to solicit advice from AGVA, the increase in these union-related calls corresponds, to a considerable degree, with the increase in the total body of Ruby's calls during the same period. The analysis shows that Ruby's labor difficulties were in fact related to much of the increase in calls made by Ruby in October and November 1963.

But in going one step further, it became apparent that to attribute all of Ruby's increased telephone activity in October and November to his AGVA dispute might be an inaccurate oversimplification, for a closer look at the specific calls he made in 1963 raised questions that could not be readily or easily dismissed: Ruby had, in fact, placed calls to a number of individuals who have been identified as being in some way associated with organized crime. Exhibit F-546 is a printout of these calls.

Although it may again be noted that these particular calls also correspond somewhat to the upsurge in the main body of Ruby calls in the weeks prior to the assassination, and even though some of the individuals in question have said that Ruby was in contact with them to seek help in his labor difficulties, the committee felt that more detail on the backgrounds of these persons was essential. Extensive file reviews were therefore conducted, and the following picture emerged.

Between June and August of 1963, Jack Ruby placed seven long distance calls to one Lewis J. McWillie. McWillie was a close Ruby associate, as Ruby told the Warren commission. In 1959, Ruby had visited Lewis McWillie in Havana, where McWillie was working in an organized crime controlled casino.

Jack Ruby's phone calls to McWillie occurred on June 27, September 2 (two calls), September 4, September 19, September 20, and September 22. The first two calls were placed to McWillie's home number, the remaining five calls were to McWillie's place of business, the Thunderbird Casino in Las Vegas.

On the afternoon of October 26, 1963, Jack Ruby placed a long distance phone call to Irwin S. Weiner in Chicago, with whom he spoke for 12 minutes. Weiner was and is a prominent bondsman in Chicago, who has been closely linked with such figures as James Hoffa, Santos Trafficante, Sam Giancana, Paul and Allen Dorfman. Weiner, according to Federal and State law enforcement files, is alleged to have served as a key functionary in the longtime relationship between the Chicago Mafia and various corrupt union officials, particularly during Hoffa's reign as President of the Teamsters Union.

Additionally, Weiner has been involved in a business relationship with two men long identified as executioners for the Chicago Mafia—Felix "Phil" Alderisio and Albert "Obie" Frabotta.

In the immediate days following President Kennedy's murder, the FBI sought to question Weiner about the call he had received from Ruby on October 26. According to an FBI teletype of November 28, 1963, Weiner refused to respond to questioning by FBI Agents in Chicago with regard to his contact with Ruby, and he declined to assist the investigation in any way. Other information received by the FBI during the investigation indicated that Weiner had been acquainted years earlier in Chicago with Ruby's brother Earl.

Though the Warren commission was aware of Ruby's phone call to Weiner, the commission never sought to have him questioned. Additionally, neither Ruby nor his brother, Earl, were ever asked by the commission about their relationship with Weiner.

In executive session testimony before this committee, Weiner was questioned about his contact with Ruby. He testified that he had gone to high school with Ruby's brother, Earl, and had been distantly acquainted with Jack. Weiner said he had little or no contact with Ruby in later years, and had not heard from him in at least 10 years at the time Ruby called him in late October 1963.

Weiner declared the purpose of Ruby's call was to seek assistance in the labor dispute he was having with his Dallas nightclub competitors. Ruby asked for aid in putting up a bond related to his attempt to file for an injunction against his competitors. Weiner testified that he declined to assist Ruby, and had no further contact with him.

The committee has examined testimony and documentation relating to Ruby's labor difficulties, in particular his dispute with AGVA. Nevertheless, the committee has not found another reference to an effort by Ruby to put up a bond in connection with seeking an injunction against his competitors.

In his appearance before the committee, Weiner further testified that he had lied to a reporter when he said in a taped interview that Ruby's phone call to him on October 26, 1963 had had nothing to do with labor problems.

Weiner testified he had refused to submit to FBI questioning about Ruby in the weeks following the assassination because he believed Bureau agents had harassed

his daughter by implying he might be connected to the assassination. Weiner stated he could not specifically recall where he was on the day of the assassination, or on the day Ruby shot Oswald, though he believed he was on a visit to Miami.

At 9:13 p.m., October 30, 1963, 4 days after his call to Irwin Weiner, Jack Ruby placed a call to the Tropical Court Tourist Park, a trailer park in New Orleans. The number Ruby called, 242-5431, was listed as the business office of the Tropical Court, and the duration of the call was one minute. In a partial compilation of numbers called by long distance by Ruby, transmitted to the Warren commission by the FBI in early 1964, a notation was made indicating that this Ruby call to the Tropical Court went to N. J. Pecora. The Warren commission did not, however, interview or investigate Pecora and made no reference to him in its Report.

Nofio J. Pecora, alias Joseph O. Pecoraro, was the owner of the Tropical Court Tourist Park. He ran the park from a one-man office located on the premises, the office Ruby had called on October 30. Pecora, a former heroin smuggler, was alleged to be a close associate of Carlos Marcello. The FBI, Justice Department, and Metropolitan Crime Commission of New Orleans have identified Pecora as one of Marcello's three most trusted aides. Law enforcement surveillance reports have indicated a particularly close Marcello-Pecora relationship during the early 1960's, with Pecora always close at hand at Marcello's Town and Country Motel headquarters on the outskirts of New Orleans. In fact, it was noted in the select committee's computer phone project that Marcello himself placed a call to Pecora on June 24, 1963, at the same trailer office number that Ruby called four months later.

Earlier this year, when committee investigators sought to question Pecora about the October 30, 1963 telephone call from Ruby's office to his own, Pecora declined to respond. Earlier this month, however, Pecora did agree to respond to questions put to him by committee investigators.

Pecora stated that he does not recall receiving any telephone call from Ruby. He said he did not know Ruby or have any knowledge of him. Pecora stated that he believes that he was probably the only person who had access to his Tropical Court telephone in 1963, but that he may well have taken a phone message, suggesting the call from Ruby may have been for someone else in the trailer park.

The committee has established that Ruby did in fact have an associate who lived at the Tropical Court Tourist Park in 1963. He was a New Orleans nightclub manager named Harold Tannenbaum, now deceased, who was himself a friend and colleague of Pecora, having run several Bourbon Street clubs controlled by the Marcello interests. In his recent interview with Committee investigators, Pecora stated he had been acquainted with Tannenbaum, that Tannenbaum was a neighbor in the trailer court. Pecora said he was not aware that Tannenbaum had been a friend of Ruby.

Harold Tannenbaum met Ruby in the summer of 1963 and discussed going into business with him. The computer telephone project has established that Ruby and Tannenbaum were in frequent contact from June to October 1963.

The project has also established that an hour after the October 30 call was placed from Ruby's office to Pecora's office, Tannenbaum placed a call to Ruby.

On November 7, 1963, Ruby received a collect call from Robert G. (Barney) Baker of Chicago. The call lasted 17 minutes.

Baker is said to have been a top lieutenant and reputed "enforcer" for Teamster President James Hoffa. A former boxer and ex-convict, Baker was perhaps Hoffa's best known assistant during the McClellan committee investigation of labor racketeering in the late 1950's. The Senate investigation, coordinated by then chief counsel Robert F. Kennedy, had detailed Baker's role as Hoffa's personal liaison to various leading Mafia figures. In his McClellan testimony, Baker recited a long list of Mafia hit men with whom he had been associated. In 1960, Robert F. Kennedy wrote of Baker, "Sometimes the mere threat of his presence in a room was enough to silence the men who would otherwise have opposed Hoffa's reign."

Barney Baker was questioned by the FBI in Chicago on January 3, 1964, regarding his contact with Ruby. Baker stated that Ruby was a complete stranger to him until the very day he spoke with him, November 7, 1963. Baker explained that Ruby had called him earlier that day and that, in his absence, his wife had taken a message to call Ruby's nightclub in Dallas. Baker told the FBI that Ruby had not used his real name, but had instructed him to ask for "Lou", which he did, placing a collect call to Ruby's number. (It might be noted that this is the only instance the committee has come across in which Ruby has used a false name or alias.)

In his 1964 interview with the FBI, Baker stated that the purpose of Ruby's call was to seek assistance in the labor dispute. According to the FBI report, Baker said he had " * * * concluded the conversation by firmly declining to offer any assistance in this matter." While in his FBI interview Baker "advised that * * * he had many

friends (who) were * * * high-ranking hoodlums", he stated that he had had no prior association with Ruby, and he had no knowledge of any Ruby connection to such hoodlums.

On November 8, 1963, the day after he received the call from Barney Baker, Ruby placed a call to Murray W. (Dusty) Miller at the Eden Roc Hotel in Miami. The call lasted four minutes.

Dusty Miller was another key lieutenant of Teamster President James Hoffa, and as head of the powerful southern conference of the union, he was regarded as a possible successor to Hoffa. Miller, who had been a teamster leader in Dallas, was associated with numerous underworld figures.

In a recent interview with this committee, Miller stated that he had no contact with Ruby prior to being called by him on November 8, 1963. Miller said Ruby complained of labor problems and asked Miller for help. Miller testified that Ruby said something to the effect, "Barney Baker gave me your number and told me that maybe you could help me out." Miller stated that on hearing the reference to Baker, he quickly ended the conversation, explaining he viewed Baker as a man with questionable associations.

At 5:22 p.m., November 8, 1963, 31 minutes after he called Dusty Miller, Jack Ruby placed a call to Barney Baker in Chicago. This call lasted 14 minutes. It occurred on the day after Baker telephoned Ruby in Dallas.

As noted earlier, Baker told the FBI on January 3, 1964 that he had terminated his November 7 conversation with Ruby by " * * * firmly declining to offer any assistance" to Ruby. In his FBI interview, Baker made no mention of the fact that Ruby had called him back on November 8, 1963. In fact, he indicated that he had no further contact with him.

The committee has extensively questioned Baker about his past contacts with Jack Ruby. When asked why he did not tell the FBI of his second lengthy conversation with Ruby, Baker said he must have forgotten about the second call.

The committee has noted several other areas of telephone contact or relationship that are of probative interest. Three examples:

1. In testimony before the Warren commission, Jack Ruby's sister, Eva Grant, said that her brother had called Lenny Patrick in Chicago sometime during the summer of 1963. Mrs. Grant stated that Ruby had had some difficulty in locating Patrick's number, but he had told her he had finally found it and had, in fact, called Patrick in Chicago.

Patrick is said to have been one of the Chicago Mafia's leading assassins, responsible, according to Federal and State law enforcement files, for the murders of over a dozen mob victims. Patrick had grown up in the same Chicago neighborhood as Ruby and had been slightly acquainted with him. Later, Patrick became, it is said, senior lieutenant of Chicago Mafia leader, Sam Giancana.

2. A call made on September 24, 1963 by an investigator for New Orleans Mafia leader Carlos Marcello to a woman in Chicago, who was present with Ruby on the night before the assassination. The committee found that David W. Ferrie had called the number of Jean Aase West and had spoken for at least 15 minutes. On November 21, 1963, Miss West visited Ruby in Dallas, accompanied by a mutual friend, Lawrence Meyers. Miss West and Meyers had drinks with Ruby shortly before midnight on November 21 at the Cabana Motel.

3. The committee found that Barney Baker had placed a telephone call to another onetime associate of Jack Ruby on the evening of November 21, 1963. The person Baker called was David Yaras of Miami. Yaras was a close friend and partner of Lenny Patrick. He had also been acquainted with Ruby during their early years in Chicago. Like Lenny Patrick, Dave Yaras has served, it is alleged, as a key lieutenant of Chicago Mafia leader Sam Giancana, reputedly as an executioner. In an FBI interview in 1964, Yaras stated that he had last seen Ruby over 10 years prior to the assassination.

Once again, the ultimate meaning of these facts and circumstances remains as yet indeterminate.

Chairman STOKES. OK.

Mr. BLAKEY. It would be appropriate, now, Mr. Chairman, to call Mr. Ruby.

Chairman STOKES. The committee calls Mr. Earl Ruby.

Would you please raise your right hand to be sworn. 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. RUBY. I do.

Chairman STOKES. Thank you. You may be seated. The Chair recognizes counsel for the committee, Mr. James McDonald.

Mr. ADELSON. My name is Alan Adelson, South Field, Mich.

Mr. McDONALD. Thank you, Mr. Chairman.

Mr. Ruby, for the record, would you please state your full name?

TESTIMONY OF EARL RUBY

Mr. RUBY. Earl Ruby.

Mr. McDONALD. And are you represented by or are you accompanied by an attorney today?

Mr. RUBY. Yes, I am.

Mr. McDONALD. Sir, would you, for the record state your name?

Mr. ADELSON. Alan Adelson.

Mr. McDONALD. Thank you.

Mr. Ruby, what is your address and your present occupation?

Mr. RUBY. My address is 4380 Stony River Drive, Birmingham, Mich.

Mr. McDONALD. And Mr. Ruby, for the record, are you the brother of Jack Ruby?

Mr. RUBY. Yes, I am.

Mr. McDONALD. Would you please give us a brief description of some of your other brothers and sisters in the Ruby family?

Mr. RUBY. Well, my oldest brother, Hyman, died several years ago of cancer. He passed away. Approximately 4 weeks ago, my oldest sister passed away from a heart attack.

Mr. McDONALD. How many brothers and sisters did Jack Ruby have?

Mr. RUBY. Four sisters and three brothers, making a total of eight.

Mr. McDONALD. Would you move the microphone a little closer to you? Thank you.

And where did you and your brother Jack spend his youth? What city did he grow up in?

Mr. RUBY. Chicago, Ill.

Mr. McDONALD. And would you please tell the committee the kind of relationship you had with your brother Jack? In other words, did you associate in the same circle of friends when you were growing up in Chicago?

Mr. RUBY. No, not really, because Jack was 4 years older than I was at the time and he traveled with fellows that were older than I was.

Mr. McDONALD. So, did you have an opportunity to associate with anyone—did you know who Jack's friends were during those years?

Mr. RUBY. Yes, some of them.

Mr. McDONALD. Mr. Ruby, directing your attention to 1947, did Jack leave Chicago and move to Dallas?

Mr. RUBY. Yes, he did.

Mr. McDONALD. What caused him to do that?

Mr. RUBY. Jack, my brother Sam, and myself were equal partners in a company called Earl Products Co., a company that organized after I came out of the service, and as they came out of the service I made them equal partners. In any event, Jack was with

us for a year or so and we had a disagreement and we decided to buy Jack out.

During that time, my sister Eva, who was at that time living in Dallas, was in touch with Jack and had been asking him to come down to Dallas. We did give Jack at that time approximately \$14,500 as his share and he left for Dallas.

Mr. McDONALD. To your knowledge, had Jack ever been to Dallas before 1947?

Mr. RUBY. I don't think so.

Mr. McDONALD. During the ensuing years between 1947 and 1963, what kind of contact did you have with your brother Jack, in other words, how often did you see him?

Mr. RUBY. Can you repeat that again?

Mr. McDONALD. During the years after Jack moved to Dallas, and before the events of November 1963, how often and what kind of contact did you have with Jack?

Mr. RUBY. Well, we were in somewhat friendly contact because we were on a friendly basis and he visited Chicago on more than one occasion, I think, and I visited him in Dallas once or twice.

Mr. McDONALD. Mr. Ruby, we have a technical problem, that is, our cameras can't focus on you properly. If you could switch places with your attorney. Perhaps both of you could move a little bit more to my left and to your right.

OK, thank you.

So, you say you visited Dallas how many times during those years?

Mr. RUBY. Twice, I think.

Mr. McDONALD. And you say Jack visited you in Chicago on a number of occasions?

Mr. RUBY. Well, he had to visit or come to Chicago at least two times that I remember.

Mr. McDONALD. Well, what I am driving at, over those years, were you close to Jack, did you keep up contact?

Mr. RUBY. More or less, yes.

Mr. McDONALD. Did you telephone each other?

Mr. RUBY. Yes.

Mr. McDONALD. Write letters?

Mr. RUBY. Occasionally. I don't think we corresponded much. Most of our contacts were by telephone.

Mr. McDONALD. Would you say you lost contact with Jack during those years, or you kept pretty good contacts up over the distance involved?

Mr. RUBY. I would say I never lost contact with him.

Mr. McDONALD. To your knowledge, during the years leading up to 1963, how was Jack doing financially?

Mr. RUBY. Well, at one time in the fifties he wasn't doing very well at all and he returned to Chicago very depressed and at that time I tried to help him out financially, even to try to find him a business in Chicago, but I don't remember, but for some reason he went back to Dallas again because Eva was there.

Mr. McDONALD. Did you have occasion to make loans to Jack?

Mr. RUBY. Yes, I did.

Mr. McDONALD. How many times?

Mr. RUBY. Several times.

Mr. McDONALD. And how much did you loan him?

Mr. RUBY. Well——

Mr. McDONALD. Total?

Mr. RUBY. The total was approximately \$15,000, but the last amount that I sent him was \$6,000. That was to be an investment more than a loan in a nightclub.

Mr. McDONALD. Do you recall the nightclub?

Mr. RUBY. I think it was the Carousel. At that time though, it was the Sovereign. They changed the name.

Mr. McDONALD. When you made the investment you were investing in the Sovereign Club?

Mr. RUBY. I think so. Before I knew it they were bankrupt. I think they overspent the money on furnishings and business just didn't materialize as they had planned, and so then I was more or less out of the picture.

Mr. McDONALD. When you say they, who are you referring to?

Mr. RUBY. I think Jack and a gentleman by the name of Slayton and probably Ralph Paul.

Mr. McDONALD. And you say the Sovereign Club went of of business?

Mr. RUBY. Well, it was reorganized, I think.

Mr. McDONALD. Reorganized into the Carousel Club?

Mr. RUBY. I think so.

Mr. McDONALD. The same physical plant?

Mr. RUBY. I think, I am not sure, but I think it was the Carousel then.

Mr. McDONALD. Did you ever get paid back for the loan?

Mr. RUBY. No, I never in fact received any of the amounts of money that I had loaned or invested.

Mr. McDONALD. Did you press Jack for payment? If he closed the Sovereign Club and opened up the Carousel Club, did you express a desire to have an interest in that club in order to get your funds back?

Mr. RUBY. No, I did not, and he had other investors from what I understand in opening of the Carousel.

Mr. McDONALD. And you say, Mr. Ruby, you went to Dallas how many times during the years?

Mr. RUBY. I remember at least twice.

Mr. McDONALD. It it possible you went more than that, twice in 16 years?

Mr. RUBY. It could be one or more at the most but I am not sure.

Mr. McDONALD. And where did you stay when you went to Dallas to visit with Jack?

Mr. RUBY. I stayed with Jack in his apartment.

Mr. McDONALD. And while in Dallas did you have occasion to frequent his club?

Mr. RUBY. Oh, yes, many occasions.

Mr. McDONALD. How many times would you say?

Mr. RUBY. Well, I am sure every day that I was there I more or less went wherever he went. When he went to the club I went with him because I had nothing else to do.

Mr. McDONALD. When you went to Dallas did you take any other members of your family with you?

Mr. RUBY. On those visits, no.

Mr. McDONALD. How about on other visits?

Mr. RUBY. Well, the other visits were during during the trial. That is what I am speaking of.

Mr. McDONALD. Did you have occasion when you were with Jack in Dallas to meet any of his friends, acquaintances, or business associates?

Mr. RUBY. Yes, I did.

Mr. McDONALD. Can you recall who were?

Mr. RUBY. I remember meeting Ralph Paul.

Mr. McDONALD. Anyone else?

Mr. RUBY. He introduced me at one time to a prizefighter, a heavyweight champ of Texas, but I don't remember his name.

Mr. McDONALD. Mr. Ruby, the loan you made to Jack, to the Sovereign Club, was it in 1959; is that correct?

Mr. RUBY. I think so. I am not even sure.

Mr. McDONALD. Well, that is the year. In general, can you recall what was Jack's financial situation in that year?

Mr. RUBY. Well, he seemed to be getting along. He needed the money to refurbish the club or hire entertainment.

Mr. McDONALD. So you made the \$6,000 loan but then the club went out of business, the Sovereign?

Mr. RUBY. Yes.

Mr. McDONALD. And then Jack reopened the same business premises and it was called the Carousel Club?

Mr. RUBY. Yes.

Mr. McDONALD. You were not included among the group of controlling owners?

Mr. RUBY. Correct.

Mr. McDONALD. What kind of protest did you register with Jack?

Mr. RUBY. Well, I complained but he said he had no alternative but to make these arrangements, new arrangements.

Mr. McDONALD. In 1959, were you aware of your brother Jack taking a trip to Cuba?

Mr. RUBY. Yes, I was.

Mr. McDONALD. How did you become aware of that?

Mr. RUBY. Jack told me about it.

Mr. McDONALD. What did he say?

Mr. RUBY. He said he was going to visit a good friend of his by the name of Lew McWillie.

Mr. McDONALD. Did he say how he was going to get there? How was he going to travel to Cuba?

Mr. RUBY. As far as I know he flew there in a plane.

Mr. McDONALD. Did he have any other comments, was he going there strictly for vacation?

Mr. RUBY. Yes.

Mr. McDONALD. Now, this was in 1959 when you advanced him the \$6,000 loan. Did you have any questions in your own mind as to how he was going to finance a trip to Cuba? In other words, at the time did it strike you as unusual for him to be going to Cuba?

Mr. RUBY. No, because I don't think I learned about it until after he had returned.

My counsel tells me that the trip was paid for by Lew McWillie.

Mr. McDONALD. And it is your testimony that he went to visit McWillie as a personal vacation?

Mr. RUBY. Yes. He thought very highly of McWillie and it was more or less of a friendship visit.

Mr. McDONALD. Do you know, did Jack often take vacations?

Mr. RUBY. Yes, on occasion he would go to Vegas, I know.

Mr. McDONALD. And how often would he go there, do you know?

Mr. RUBY. I really don't know.

Mr. McDONALD. Thinking back on Jack, do you remember, was he a smoker, did he smoke cigarettes, pipes, cigars?

Mr. RUBY. Very seldom would he smoke a cigarette.

Mr. McDONALD. How about drinking, did he drink.

Mr. RUBY. Drank very little, if any.

Mr. McDONALD. How about gambling, did he gamble?

Mr. RUBY. He gambled a little bit at Vegas; yes.

Mr. McDONALD. What did he tell you about the trip after he got back?

Mr. RUBY. You mean the trip to Cuba?

Mr. McDONALD. Yes.

Mr. RUBY. Nothing.

Mr. McDONALD. Do you know how long he stayed?

Mr. RUBY. No, I don't even know how long he stayed.

Mr. McDONALD. Now, you were deposed by this committee, is that correct, Mr. Ruby, we took a deposition of you in Chicago a few months ago?

Mr. RUBY. Yes sir.

Mr. McDONALD. On page 83 of that deposition you told the committee that you knew of McWillie, Lewis McWillie in 1959, but you have never met him until a few years ago, is that correct?

Mr. RUBY. That is correct.

Mr. McDONALD. Precisely how did you come to learn of this person, how did you know about this guy McWillie?

Mr. RUBY. Jack had told me about his friend in Cuba.

Mr. McDONALD. And he told you about him in 1959?

Mr. RUBY. I don't remember exactly when he told me but he mentioned his name on more than one occasion.

Mr. McDONALD. What was the perception or understanding of who McWillie was?

Mr. RUBY. Just a good friend of his.

Mr. McDONALD. You are saying that Jack talked to you about him over the telephone or when?

Mr. RUBY. I don't remember how the conversation came up but I know he mentioned his name to me on more than one occasion.

Mr. McDONALD. Why would he do this? Why would he mention a friend you had never met to you over the phone on more than one occasion? In other words, let's recall—

Mr. RUBY. Probably because he had gone to Cuba to visit him and that was a long trip, I would think.

Mr. McDONALD. What else did Jack say about the trip to Cuba? Can you recall any specific comments, did he talk, did he like the weather or—

Mr. RUBY. No; he mentioned to me that he was going to visit his good friend McWillie.

Mr. McDONALD. That is all he said?

Mr. RUBY. Well, that is the gist of it.

Mr. McDONALD. When was the first time you learned of Mr. McWillie, before Jack went to Cuba or afterward?

Mr. RUBY. I don't recall—it was so long ago.

Mr. McDONALD. Did you or McWillie ever have any mutual business associates or friends?

Mr. RUBY. No; I had never met McWillie until last year.

Mr. McDONALD. How did you finally meet McWillie?

Mr. RUBY. The wife and I were driving to California. We stopped in Vegas and I looked him up and talked to him for a few minutes.

Mr. McDONALD. And where did you look him up?

Mr. RUBY. He works in one of the gambling casinos there.

Mr. McDONALD. And how did you know he was working there?

Mr. RUBY. I had talked to either Toni Zoppi or a fellow we called Stoney who had been a friend of the family for many years and one of them told me where he was working.

Mr. McDONALD. What is Stoney's name?

Mr. RUBY. I have got it written down. I can't think of it. We always called him "Fat Stoney." I would have to look it up.

Mr. McDONALD. How about Toni Zoppi, who is he?

Mr. RUBY. He was the good friend of Jacks in Dallas. He wrote a night club column for one of the newspapers in Dallas, and, of course, Jack was in touch with him for that reason and they were very close friends. Toni Zoppi also testified at the trial in behalf of Jack and I saw Toni on many occasions during the trial.

Mr. McDONALD. And you have maintained contact with him since the trial?

Mr. RUBY. Yes.

Mr. McDONALD. So it was Zoppi that told you where McWillie was?

Mr. RUBY. Zoppi or Stoney, either one.

Mr. McDONALD. And when was this trip?

Mr. RUBY. The summer of 1977. The spring or summer.

Mr. McDONALD. What happened when you met McWillie, what transpired?

Mr. RUBY. Well, we talked for 5 minutes, he mentioned all the problems he had because of Jack, and that the gun Jack had sent him, which he never even picked up, and that was about it.

Mr. McDONALD. What gun are you referring to?

Mr. RUBY. Jack had one time sent him a gun, he was threatened or something, he asked Jack to send him a gun, and Jack mailed him a gun from what he told me, he was afraid to go and pick it up at the post office, or whatever.

Mr. McDONALD. And what casino did you locate McWillie at, what casino in Las Vegas?

Mr. RUBY. I have that written down. I can give it to you later, if you want it.

Mr. McDONALD. Have you been to Las Vegas often, do you go there often?

Mr. RUBY. No, not really. I hadn't been there for sometime prior to that and I haven't been there since then.

Mr. McDONALD. What caused you to try to look up McWillie when you were there?

Mr. RUBY. Well, I realized he was involved with Jack and so much had been said about the gun Jack had sent him I thought I would stop and say a hello to him.

Mr. McDONALD. Mr. Ruby, directing your attention to 1963, were you then the owner of Cobo Cleaners?

Mr. RUBY. Yes, I was.

Mr. McDONALD. Cobo Cleaners is where, in what city?

Mr. RUBY. The address is 18135 Livernoys, northwest part of Detroit.

Mr. McDONALD. During that time and up to the present, especially at that time, and some of the questions I am going to ask you, you have already given us in deposition, but we are going to go through them again today, at that time, did you normally utilize telegrams in the course of your business?

Mr. RUBY. On occasion; yes.

Mr. McDONALD. What would the occasions generally be to use telegrams? I think you testified at the deposition, congratulatory notes, things of that nature.

Mr. RUBY. Yes.

Mr. McDONALD. During the last 15, 16 years, approximately how many times do you think you have sent a telegram?

Mr. RUBY. Probably—I have no idea. I would say five or six times.

Mr. McDONALD. Five or six would be at the outside?

Mr. RUBY. Yes.

Mr. McDONALD. You are aware that on April 1, 1962, a telegram was sent from Cobo Cleaners to Havana, Cuba, and you testified during the deposition when I asked you was that a normal occurrence, or it was not a normal occurrence, and your testimony was no; correct?

Mr. RUBY. I didn't understand you.

Mr. McDONALD. In other words, sending a telegram to Havana, Cuba, is not a normal occurrence?

Mr. RUBY. That's correct.

Mr. McDONALD. And also in your testimony during the deposition at page 86, you stated that you would have been the person sending such telegram or any telegram, for that matter; is that not correct?

Mr. RUBY. I don't—

Mr. McDONALD. In other words, if anyone sent a telegram from Cobo Cleaners, it would have been you, not a shirt presser or someone out in the back doing the laundry. In other words, you would have been the one to have sent the telegram?

Mr. RUBY. Not completely.

Mr. McDONALD. Perhaps the bookkeeper?

Mr. RUBY. Bookkeeper, the manager, I always have a manager. Could have been one of the office help.

Mr. McDONALD. During the deposition, it was your testimony that at that time, you said you would normally—

Mr. RUBY. Normally, yes.

Mr. McDONALD. I think as we went on in the deposition, you also said, I think it was agreed in 1962, no one else in Cobo Cleaners would have sent a telegram, especially to Cuba.

Mr. RUBY. Correct.

Mr. McDONALD. Again, I am referring to the deposition at page 87, again, speaking about this telegram to Cuba in 1962, which we noted was 1 year after the Bay of Pigs incident, in April of 1961, and this was a time when the United States has broken diplomatic relations with Cuba and you said during the deposition that such a telegram certainly "looks suspicious," that's a correct reflection of what occurred at the deposition.

Mr. RUBY. Yes.

Mr. McDONALD.. And also at the deposition, you said you couldn't explain it, couldn't explain the telegram.

Mr. RUBY. Correct, because I never remembered sending the telegram because I couldn't explain it.

Mr. McDONALD. Subsequent to the deposition in Chicago, you sent us a letter?

Mr. RUBY. Yes.

Mr. McDONALD. Just give me a minute. It is a letter dated August 17, 1978, addressed to this committee, which we have given JFK No. F-554. I am going to quote from your letter in part, where you said, "Regarding telegram alleged sent to Cuba in 1962, I", referring to yourself:

checked with post office here and learned that there are six Cubas in the United States, and now I am sure the telegram in question was sent to a Cuba here in the United States and not to Havana, Cuba, or any other place in Cuba. I, therefore, must go on record as stating that at no time did I ever send a telegram to Havana, Cuba, or any place in Cuba. There is a Cuba in each of the following States: Alabama, Illinois, Kansas, New Mexico, New York, and Ohio.

Does that accurately reflect your letter?

[Witness nodded head.]

Mr. McDONALD. Mr. Ruby, have you ever had any business contacts or accounts from Cobo Cleaners in Cuba, Ala.; or Cuba, Ill.; or Cuba, Kans.; Cuba, N. Mex.; Cuba, N.Y.; Cuba, Ohio?

Mr. RUBY. No. However, if I remember correctly, on the billing, telephone bill, I don't think it said Havana, Cuba. It read Cuba with a "T", after it.

Mr. McDONALD. Cuba with a "T".

Mr. RUBY. Followed by a "T", which would indicate that it was a telegram.

Mr. McDONALD. Unfortunately, we don't have a copy of that telegram. But I am going to read to you from JFK exhibit F-565, which was also introduced into the Warren Commission record and it was given the number C.E. 2978. 2978 is a copy of an IRS, Internal Revenue Service, audit report reflecting an IRS audit of you in 1964.

I am going to read some pertinent portions of that record to you because this IRS report, which is the best record that we have now, since the telegram doesn't exist, specifically speaks to a telegram being sent not to Cuba in any other State, but Havana, Cuba. This is a report dated January 7, 1964, and it was prepared by and IRS revenue agent, and then his report was incorporated into this one. And it reads as follows:

Internal Revenue Agent, R. Anstet, has completed checking the books and records of the taxpayer's novelty and drycleaning business. With exception of a telegram to Havana, Cuba, on April 1, 1962, his examination has disclosed no other leads. Up to January 6, 1964, no attempt was made by Agent Anstet to question Earl Ruby about the Havana telegram or the various long distance calls in 1962 and 1963, first,

because his audit concerns only the years 1961 and 1962, and, second, any questions on this line may have disrupted the cooperative attitude and caused an unnecessary delay. However, on January 6, 1964, an opportunity arose for Agent Anstet to question Earl Ruby about certain partnership deductions which had the appearance of possible personal expenses, included among the questionable items were various long distance toll charges in 1962. Concerning these, the taxpayer made the following comments.

The report then lists in one column to the left "Area Called" and then on the other side, it has "Taxpayer's Comments," and they have quotes around the comments because, as I understand IRS policy, when they interview a taxpayer, they also bring along a tape recording machine and they record the complete interview, that way they have a complete record of what has been said.

Mr. ADELSON. At that time, I was present at all these interviews. There were no tape recording machines, nor would—

Mr. FITHIAN. I am sorry, Mr. Chairman, would the attorney use the mike, please?

Mr. ADELSON. In 1964, there were no tape recording machines used by the Internal Revenue or were tape recording machines available as they were today. I was present at those meetings and there was no tape recording done.

Mr. McDONALD. Nevertheless, the agent then took notes, we know that, because we have his report in front of us. His report reflects the taxpayer's comments on what was said about the various different toll records and he goes down, he starts out with a call to Evanston, Ill., and the taxpayer's comments, "That's where my partner used to live. He moved about 6 months ago to Glenview."

And the agent said, "Rochester, N.Y." Again, we are referring to telephone calls. And the taxpayer's comments: "That's where our superintendent used to live and work."

Then Havana, Cuba. "That's a telegram, isn't it?"

Then the report indicates dot, dot, dot, dot, "I don't remember." And then it goes on, Van Nuys, Calif.; Ansonia, Conn., a number of other ones.

What is rather curious is his comments after. He has a series of these telephone charges.

The interview regarding the toll charges was in the form of an informal discussion while paging through the telephone bills. Comments were offered easily and freely until the item of the Havana telegram. After a brief pause in the conversation, Agent Anstet specifically requested a comment on this item. After another pause, the above-mentioned comment was made.

Do you recall that interview, Mr. Ruby?

Mr. RUBY. I think so. It is so long ago.

Mr. McDONALD. When the agent asked you about, according to his report, he just said as he was going down the list of telephone calls, he said Havana, Cuba, and you said, "That's a telegram, isn't it," and then you couldn't remember.

Mr. RUBY. The reason I said it was a telegram is because a "T" followed Cuba and that indicates it is a telegram.

Mr. McDONALD. And you said to him, then, you couldn't remember?

Mr. RUBY. Correct.

Mr. McDONALD. Did you send a telegram to Havana, Cuba?

Mr. RUBY. As I stated before—

Mr. ADELSON. Mr. McDonald, at the time, Mr. Ruby was examining the bills with the agent. I also was present at that time, and he was looking at the various telephone bills as they come on a separate sheet and it did have a "T", after it, and Mr. Ruby was only asking, "Isn't that a telegram," or "That's a telegram, isn't it," with a question mark.

So, the knowledge of it was not known to Mr. Ruby at that time, and he merely indicated that's a telegram because the bill had indicated it was a telegram.

Mr. RUBY. In answering your question, I never sent a telegram to Havana, Cuba.

Mr. McDONALD. On page 91 of the deposition, we discuss this point, and you said that Jack might have asked you to send it, but you didn't remember whether Jack asked you to send it, is that correct?

Mr. RUBY. That's possible.

Mr. McDONALD. So, it is possible, you are saying it is possible then, that Jack might have asked you to send a telegram to Havana?

Mr. RUBY. No, that's not what I mean. In addition, concerning this telegram, I took it upon myself to call Western Union.

Mr. McDONALD. When did you do this?

Mr. RUBY. After the deposition, and learned that during that time, since we were on such unfriendly terms with Cuba, it was practically impossible to send a telegram directly to Cuba and that they were channeled through London, also.

I think that had I had any reason to send a devious type of telegram to Cuba, I surely wouldn't have sent it from my own phone number.

Mr. McDONALD. Is it possible that Jack might have sent the telegram and charged it to your number for some reason unknown to you?

Mr. ADELSON. Once again, Mr. McDonald, the telephone bill indicated the telegram originated from the telephone number of Cobo Cleaners. It was not charged from another number. It would indicate that on the bill.

Mr. McDONALD. You raise an issue which you say you went and checked with Western Union after the deposition 2 months ago in Chicago, but one of the puzzling things about this is that you said in deposition that after the telegram was brought to your attention in January 1964, you never went back and checked out if it was a valid telegram, whether it was a mistake, whatever.

I would like to quote you from deposition at page 92, and the question was put to you, "After the agent showed it to you back in 1963-64, did you go back and check with your employees?"

You answered: "No, I didn't think anything of it. Couldn't imagine any of my employees sending it because they never talked about going to Cuba."

Then, the question was: "Did you take any steps after leaving the IRS agent to go back and check your records at your company?"

"No, because I thought it was a mistake or something. I just couldn't imagine what it was."

And the question was put to you, "But didn't you check to see?" And the answer was, "No."

In other words, it is a telegram that appears completely out of the ordinary at a time when telegrams, as you just said, were not being sent regularly, probably not at all, and the issue, when raised to you 14 years ago, you did not check it.

Mr. RUBY. Because I was questioned about it by the Warren Commission and I assumed they were going to check it out, and I realized that I didn't send the telegram. There was no reason for me to check it out.

Mr. ADELSON. Mr. McDonald, I also want to point out, according to the terminology used by the telephone company and the telegraph company, a telegram is a domestic letter as opposed to a cablegram. Anything that would go overseas on a bill would be called a cablegram. It appears this telegram probably was a domestic item.

Mr. McDONALD. Mr. Ruby, directing your attention to November 1963, when did you first learn of your brother's involvement in the murder of Lee Harvey Oswald?

Mr. RUBY. I was at my plant on that Sunday morning with an electrician and one of my drivers, and the reason the electricians were there on Sunday because, at that time, we were working 6 days a week and he had to perform some electrical work and it couldn't be done on the other days, so he came in Sunday morning and one of my best friends, Mike Nevsen, was in the hospital having had a serious operation and I thought since I was there and waiting while they were working on the electrical work, I called him and as I was talking to him, he suddenly said, "I have to hang up now; somebody just shot Oswald," and he hung up.

And I told my people what had happened, and shortly thereafter, Jim Stewart, one of the drivers that was there, and I left in my station wagon, and as we were driving, taking him home, I had the radio on, the news came through that Jack Ruby had just shot Oswald.

Mr. McDONALD. Did you have any contact with Jack over the days after the President's assassination but before he shot Oswald?

Mr. RUBY. Yes. Yes.

Mr. McDONALD. What kind of contact did you have?

Mr. RUBY. Well, I actually heard that he had—he hadn't talked to me, he called me and I wasn't home and he called my sister and told her how upset he was, and something to the effect that he was so upset and so disgusted with what happened in Dallas that he even considered leaving there, for some reason.

Mr. McDONALD. Leaving Dallas?

Mr. RUBY. Yes.

Mr. McDONALD. Which sister did he talk to?

Mr. RUBY. Eileen.

Mr. McDONALD. Eileen. What was her last name?

Mr. RUBY. Kaminsky.

Mr. McDONALD. Did you personally speak with Jack during those days?

Mr. RUBY. No.

Mr. McDONALD. Upon learning that Jack shot Lee Harvey Oswald, what did you do?

Mr. RUBY. Well, as I told you, I was in the station wagon, I dropped off Jim Stewart at his home, and then I went home, and

shortly thereafter I think I called Chicago, where all my family lived, and then Loyola and they were all upset, and by that time it seemed that they were being or trying to be contacted by the news media, and they asked me to come there that day. I did go there that afternoon.

My brother, Hyman, as I mentioned before, who since passed away, picked me up at the airport, and we went to the house, and if I remember correctly, in front of the house was surrounded by news people, and we saw them from the corner. We parked and I think we went in the back door. Of course they were ringing the bell trying to get an interview.

However, shortly thereafter, someone knocked at the door and said they were FBI, and I said something to the effect that I would like to have proof, because they wanted to come in and talk to us, and he said, if I remember correctly, his name was Mr. White, "we will go up to the corner and we will make arrangements so that we will be verified," and I think someone called me from downtown and said to let these people in, they have authorization to come and interview you from the Government.

Mr. McDONALD. This was on the day you learned that Jack had shot Oswald?

Mr. RUBY. This was Sunday evening of the shooting.

Mr. McDONALD. After Jack was arrested, did you speak with him over the telephone?

Mr. RUBY. Yes.

Mr. McDONALD. Where were you?

Mr. RUBY. Many times. It seems he was permitted to make collect calls from the police station.

Mr. McDONALD. What was said the first time that he called you?

Mr. RUBY. I don't remember exactly except—

Mr. McDONALD. Well, in general then, if you think back on—

Mr. RUBY. How bad he felt and this was a problem and things of that sort and—

Mr. McDONALD. Well, how bad he felt about what?

Mr. RUBY. About the shooting.

Mr. McDONALD. Which one, which shooting are we talking about?

Mr. RUBY. The shooting of Oswald.

Mr. McDONALD. Did he say why he did it?

Mr. RUBY. No; not at that time.

Mr. McDONALD. What else did he say?

Mr. RUBY. He not only talked with me at that time, he talked with I know my oldest brother, Hyman, and I don't remember each word or—

Mr. McDONALD. Did you ever ask him when you talked to him over the telephone why he did it?

Mr. RUBY. Not over the phone. When I saw him personally in Dallas I did ask him and he said when Oswald walked out of that doorway he had a silly smirk on his face as though it seemed to Jack that he really felt good about it, and that is when Jack lost control of himself and shot him.

Mr. McDONALD. Did you ask Jack what he was doing in the basement that morning of the Dallas Police Department?

Mr. RUBY. We talked about it and he said he had gone to send a telegram and he saw the commotion in front of the police station and went over to see what was doing and went down in there, that is how it happened.

Mr. McDONALD. Did you believe what he was telling you about the shooting?

Mr. RUBY. I had no reason not to believe him.

Mr. McDONALD. Did you ever ask him if he was involved with anyone else?

Mr. RUBY. Yes.

Mr. McDONALD. What did you say to him?

Mr. RUBY. At one time when he was in the hospital, because it was much easier to talk to him there, we weren't talking through the cell, and I asked him point blank if he had ever known or met Oswald before, and his words were absolutely not, "are you nuts." Those were his words to me.

Mr. McDONALD. Did you take that as an accurate response by Jack?

Mr. RUBY. Yes.

Mr. McDONALD. Did you ask him anything further, did you probe on it?

Mr. RUBY. No; not that I can think of right now. We talked at length many times but so many conversations about the trial and the attorneys and many times he was worried about my family and myself as to our well being and, in fact, one time he was surprised I even answered the phone. He thought I had been killed, for some reason or another.

Mr. McDONALD. This was after he was in jail?

Mr. RUBY. Yes; later on.

Mr. McDONALD. You knew your brother pretty well?

Mr. RUBY. I would say yes.

Mr. McDONALD. Would you say he was an open type of person? In other words, let his feeling show?

Mr. RUBY. Definitely.

Mr. McDONALD. Would Jack be the kind of person who could keep a secret?

Mr. RUBY. Not really. Because even Toni Zoppi at one time told me that it would be impossible for Jack to keep a secret of any kind because he was always bragging about what he did or was doing, so I would think that he would not keep secrets.

Mr. McDONALD. Well—

Mr. RUBY. He would tell somebody what he was doing.

Mr. McDONALD. In your opinion, if Jack had been involved with anyone in shooting Oswald, do you think it would have been likely that it would have come out in conversation when you were alone with him or when he was with members of the family?

Mr. RUBY. Well, he knew he was going to die when he learned he had cancer and if he had known anything it is possible he would have told me, because he said words to the effect that you have spent all this money and time getting me a new trial and now I have cancer. I can't think of the term he used, jumping from the frying pan into the fire, was the words he used.

Mr. McDONALD. Did he ever give you any hint that he was involved with someone else in the killing of Oswald?

Mr. RUBY. Absolutely not.

Mr. McDONALD. It is your testimony because he was the kind of person that couldn't or wouldn't keep that kind of secret, or generally would he keep secrets or was he open with you?

Mr. RUBY. I would say he was more open, as you state.

Mr. McDONALD. OK.

Do you think it is possible that Jack did things that you weren't aware of that he didn't tell you?

Mr. RUBY. Oh, sure, I am sure he didn't tell me everything he did.

Mr. McDONALD. You mean you think it is possible he didn't tell you much about his trip to Cuba other than—

Mr. RUBY. Except that he went to visit his good friend Lew McWillie and Lew McWillie was a great guy and he went to visit him.

Mr. McDONALD. And that is about all he told you of the Cuban trip?

Mr. RUBY. Yes.

Mr. McDONALD. Mr. Ruby, we are going to show you a film clip of your brother, Jack, making a statement. It was taken sometime prior to his incarceration. It is a film clip assembled by BBC, British Broadcasting Co., and we are going to show it to you right now and I would like you to view it on that screen. It is over there. Can you see?

Mr. RUBY. Yes.

Mr. McDONALD. After the lights go back on I want you to comment on it.

Excuse me 1 second before we run it. If we could have the lights, when the lights are out, the projector.

Mr. Chairman, may we have JFK exhibit F-555 entered into the record?

Chairman STOKES. Without objection, it may be entered and shown at this time.

[Thereupon, a short film clip was shown.]

Mr. McDONALD. If we could have the lights, please.

Mr. Ruby, could you understand what was being said? It was not good sound, at least from up here it wasn't that good. Could you hear what was being said?

Mr. RUBY. I got the gist of it.

McDONALD. Jack is in a sense saying that there are things that he is not telling, he has got a secret and he is not telling anybody, no one will ever know. You heard what he said?

Mr. RUBY. Yes.

Mr. McDONALD. What is your comment on that?

Mr. RUBY. I can't answer. I can't imagine what he had in mind when he said that. Perhaps he was confused, I don't know.

Mr. ADELSON. Mr. McDonald, I represented the family of Jack Ruby from the inception of the shooting and actually I took over the matter after Jack died. In our investigation, our trial of the will contests in Dallas, many things came to light that were picked up by the Warren Commission because it was after the fact. Jack was still facing a trial at the time of the Warren investigation and after his trial and the problems that existed as a result of the trial

and his realization of the magnitude of what he had done, he developed what the psychiatrists called a paranoid state.

He did not have psychomotor epilepsy, as Melvin Belli tried to put forward, but he did develop something after the trial and while he was languishing in jail. He believed that—

Mr. McDONALD. Sir, I appreciate your comments but you are not under oath.

Mr. ADELSON. Well, I will take an oath, if you want me to. I think I can assist this commission, this committee, considerably. I think that I probably know as much about Jack Ruby as anybody in this country.

Mr. McDONALD. Well, that is up to the chairman, sir.

Do you wish counsel to continue, Mr. Chairman?

Chairman STOKES. Would counsel approach the bench?

[A short conference between Mr. Cornwell, Mr. McDonald, Mr. Blakey, and the Chairman.]

Chairman STOKES. Counsel for the witness may proceed with his statement.

Mr. ADELSON. Thank you, Mr. Stokes.

After the trial, as I said, Jack Ruby developed this paranoid state. I merely want to point out one significant aspect. When Jack Ruby was taken before the Warren Commission the second time he made statements to the effect "take me to Washington, I want to leave Dallas, can you take me out of here, can I go to Washington and talk to the President."

Now, this involves, as we saw on this film—this involves things that were going on in Ruby's mind at the time. This psychological or psychiatric problem he was having developed possibly from his reading a book called "Exodus." He was kept on the, I believe, the sixth floor of the jail in Dallas, whereas the fifth floor was the mental ward, and at night he would hear screams and even during the day.

He developed this thinking that all the Jews in the United States were being taken into Dallas and systematically disposed of, where maybe he saw in Dallas the Warsaw ghetto from "Exodus," and he believed that the Jews were being disposed of, and he believed that because of his paranoid state.

He thought he had lost the trial, he had lost the concept that he had done something not right, but he had done something wrong. We are not saying he had done something right when he shot Lee Harvey Oswald. Certainly he did something wrong. But he didn't believe that until after the trial and he believed President Johnson at the time was ordering this systematic elimination of Jews because of him, and that he was the last one that was going to be eliminated, the last Jewish person to be eliminated, as Earl Ruby had testified here this afternoon, this morning.

He said that he didn't expect him to be alive when he called, and Earl answered the phone. He didn't expect Earl to be there because he was being eliminated with the rest of the Jews in the country.

The problem, as I said, he went before the Warren Commission, he wanted to go to Washington, to come here to Washington and speak to the President and tell him he was not involved in any conspiracy and to stop eliminating the Jews, in effect. That was basically what was on his mind.

Now, this was a type of thing that was picked up by the critics of the Warren Commission. They said, here he is trying to tell somebody something but he won't do it in Dallas. The same with the film clip we played. He wanted to say something. Remember, he was always incarcerated after the shooting. He wanted to tell people, not people, he wanted to tell the President to stop this elimination of, systematic elimination of Jewish people. It was a paranoid state that he was in.

Chairman STOKES. Thank you, Counsel.

Mr. ADELSON. Thank you.

Chairman STOKES. You may proceed, Mr. McDonald.

Mr. McDONALD. Thank you.

Mr. RUBY, I just have one more question and that is, getting back to the Cuban telegrams. Do you have any records at Cobo Cleaners pertaining to this telegram, any phone records still in your possession?

Mr. RUBY. No, I do not.

Mr. McDONALD. And is there anything you can say that will enlighten us. You can see the problem we face. We have an incident that has just not been explained and we are trying to find out exactly what happened.

Mr. RUBY. I can only—

Mr. McDONALD. Do you have anything further to say about that?

Mr. RUBY. Again, I wish to state under oath I never sent the telegram. I have no idea what took place. It wouldn't be the first time that there was an error in billing on our telephone. As counsel brought up something that I didn't even think of, he said if it had been a telegram to Havana, Cuba, that it would have been listed as a cablegram.

Also, again I wish to state that I had no idea or any thought of sending a devious type of telegram to Cuba for some reason or another. I would be very foolish to send from my own telephone, I could have gone to a local Western Union and done something like that. So, again I wish to state under oath I never sent a telegram to Havana, Cuba. I don't know how it happened. That is about it.

Mr. McDONALD. Thank you, Mr. Ruby.

I have no further questions, Mr. Chairman.

Chairman STOKES. The committee will take a 5-minute recess before we start questioning by the committee.

[Short recess.]

Chairman STOKES. The committee will come to order.

Mr. McDonald?

Mr. McDONALD. At this time, I would like to move JFK exhibits F-554 and F-565 into the record.

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

[The above referred to exhibits, JFK exhibits F-554 and F-565 follow:]

010904 8-17-78

Select Committee on Assassinations
 U. S. House of Representatives
 3331 House Office Building, Annex 2
 Washington, D. C. 20515

Attention: Jim McDonald

Dear Mr. McDonald:

Enclosed are expenses incurred during my trip to Chicago to have my deposition taken.

Total miles driven to Chicago and return to Detroit: 600 miles
 Motel: one night \$ 25.00
 Telephone calls - attached 12.11
 Food 7

Regarding telegram allegedly sent to Cuba in 1962, I checked with post office here and learned that there are six Cubas in the U. S. and now I'm sure that the telegram in question was sent to a Cuba here in the U. S. and not to Havana Cuba or any other place in Cuba.

I therefore must go on record as stating that at no time did I ever send a telegram to Havana Cuba or any place in Cuba.

There is a Cuba in each of the following states: Alabama,

Page II

Illinois, Kansas, New Mexico,
New York and Ohio.

I added the record "The Controversy
which is about the Kennedy
assassination and soon as
I receive it, I'll send some
to you.

Sincerely,

Carl Ruby
18135 Livonia Ave.
Detroit, Mi. 48221
Tel: 313-863-0400

35 379 0852

PAGE 3		AUG 08 - SEP 03		DUE AUG 24, 1978		313 863 0400	
		BILLING PERIOD		BILLED NUMBER			
LONG DISTANCE CALLS				TIME MIN DISCOUNT			
CALL DETAIL FOR 863 0401							
7 6	D1	REDMOND WA	206 885 9400	223PM	4		92
713	D1	WASHINGTON DC	202 225 1910	925AM	4		150
717	D	NORTHVILLE MI	313 348 2950	107PM	11		79
717	D1	WASHINGTON DC	202 225 4624	1057AM	5		184
717	D	AUBURN HTS MI	313 852 4014	917AM	4		57
718	D	BAD AXE MI	517 269 6724	748AM	1		30
718	D1	CHICAGO IL	312 465 3280	238PM	3		110
724	D3	LAS VEGAS NV	702 734 6922	251PM	1	32	20
724	D	BENTON HBR MI	616 926 2186	324PM	4		142
724	D	AUBURN HTS MI	313 852 4014	1016AM	1		09
724	D	PONTIAC MI	313 334 2444	1010AM	2		16
724	D	NORTHVILLE MI	313 348 1700	939AM	2		16
726	D	BENTON HBR MI	616 926 2186	742AM	2		72
726	D	BENTON HBR MI	616 926 2185	954AM	1		37
726	D	COMMERCE MI	313 698 3261	335PM	1		13

See other side for billing explanations, discounts, key to calls, etc.

Please return enclosed card with payment.

Thank you.



PAGE 9		AUG 08 - SEP 03		DUE AUG 24, 1978		313 863 0400	
		BILLING PERIOD		BILLED NUMBER			
LONG DISTANCE CALLS				TIME MIN DISCOUNT			
CALL DETAIL FOR 863 0401							
720	D	PONTIAC MI	313 682 9580	1001AM	1		09
722	D4	ROCHESTER MI	313 651 4803	504PM	1	03	06
722	D4	UTICA MI	313 731 3278	415PM	1	03	06
722	D4	ROCHESTER MI	313 375 9261	935AM	1	03	06
722	D4	UTICA MI	313 731 2583	425PM	1	03	06
722	D4	HARTLAND MI	313 632 5189	936AM	1	03	06
722	D4	UTICA MI	313 731 0168	915AM	1	03	06
722	D4	COMMERCE MI	313 363 1212	952AM	4	14	52
722	D4	ROCHESTER MI	313 375 9649	920AM	2	05	11
722	D4	PONTIAC MI	313 335 1160	1140AM	1	03	06
722	D4	HOLLY MI	313 634 9669	428PM	1	03	06
722	D4	AUBURN HTS MI	313 852 3572	959AM	1	03	06
722	D4	HOLLY MI	313 634 4169	355PM	1	03	06
724	D	ROCHESTER MI	313 651 0820	1141AM	1		09
724	D1	WASHINGTON DC	202 225 4624	233PM	13		456
724	D	AUBURN HTS MI	313 852 5245	1226PM	1		09

See other side for billing explanations, discounts, key to calls, etc.

Please return enclosed card with payment.

Thank you.



PAGE 5		JUL 04 - AUG 03		DUE JUL 24, 1978		313 863 0400	
		BILLING PERIOD		BILLED NUMBER			
LONG DISTANCE CALLS				TIME MIN DISCOUNT			
CALL DETAIL FOR 863 0401							
616	D2	MORTON GRV IL	312 967 5069	507PM	1	17	29
616	D	PONTIAC MI	313 335 7762	1231PM	6		28
617	D3	MIAMI FL	305 672 1900	1028AM	1	32	40
617	D3	MIAMI FL	305 350 2111	1024AM	3	75	89
621	D	ROCHESTER MI	313 651 7810	1001AM	1		09
621	D	PONTIAC MI	313 335 9800	953AM	2		16
624	D3	URAYDONPLS MI	313 674 4167	107PM	2		24
7 1	D3	CHICAGO IL	312 465 3280	546PM	12	239	159
7 1	D2	MIAMI FL	305 756 5277	1109AM	8	183	121
7 1	D2	AMN ARBOR MI	313 971 1114	1233PM	16	82	192
7 1	D3	SAN FRAN CA	415 922 4713	1105AM	3	78	83
424	D1	WASHINGTON DC	202 225 1910	933AM	4		339
4 2	D3	SKOKIE ILL	312 673 2733	425PM	34		1
616	D3	FROM MAYFR MCH	313 851 3070			596	591
616	D3	SKOKIE ILL	312 673 2733	450PM	39		1
616	D3	FROM MAYFR MCH	313 851 3070			692	655

See other side for billing explanations, discounts, key to calls, etc.

Please return enclosed card with payment.

Thank you.




PAGE 4		JUL 04 - AUG 03		DUE JUL 24, 1978		313 863 0400	
		BILLING PERIOD		BILLED NUMBER			
LONG DISTANCE CALLS				TIME MIN DISCOUNT			
CALL DETAIL FOR 863 0401							
610	D3	LOSANGELES CA	213 749 9351	1210PM	1	33	21
612	D	PLYMOUTH MI	313 459 3051	912AM	2		14
612	D	BENTON HBR MI	616 926 2166	1112AM	3		107
614	D	NORTHVILLE MI	313 348 2950	213PM	1		09
614	D	HT CLEMENS MI	313 465 2826	305PM	1		09
614	D1	LAURE MO	314 991 3600	1129AM	1		50
615	D	HOWELL MI	517 546 9886	1231PM	2		48
622	D	NORTHVILLE MI	313 348 1700	250PM	1		09
624	D	LAKE ORION MI	313 693 4725	1249PM	2		36
627	D	PONTIAC MI	313 335 7762	1228PM	10		72
630	D1	WASHINGTON DC	202 225 1910	318PM	2		08
7 1	D4	NORTHVILLE MI	313 348 2950	1239PM	1	03	08
SUBTOTAL 863 0401 MICH				5.58 ALL CALLS		9.06	

See other side for billing explanations, discounts, key to calls, etc.

Please return enclosed card with payment.

Thank you.





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1.50
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4.56
3.39
.82
1 2.11 *

-JFK #F-554 FACSIMILE

FACSIMILE

8/17/78

Select Committee on Assassinations
 U.S. House of Representatives
 3331 House Office Building, Annex 2
 Washington, D.C. 20515

Attention: Jim McDonald

Dear Mr. McDonald:

Enclosed are expenses incurred during my trip to Chicago to have my deposition taken.

Total miles driven to Chicago and return	
	to Detroit: 600 miles
Motel: one night	\$25.00
Telephone calls - attached	12.11
Food	?

Regarding telegram alledged sent to Cuba in 1962.

I checked with post-office here and learned that there are six Cubas in the U.S. and now I'm sure that the telegram in question was sent to a Cuba here in the U.S. and not to Havana Cuba or any other place in Cuba.

I therefore must go on record as stating that at no time did I ever send a telegram to Havana Cuba or any place in Cuba.

There is a Cuba in each of the following states: Alabama

Page II

Illinois, Kansas, New Mexico, New York and Ohio.

I ordered the record, "The Controversy" which is about the Kennedy assassination and soon as I receive it, I'll send same to you.

Sincerely,

Earl Ruby
18135 Livernois Ave.
Detroit, Mi. 48221
Tel: 313-863-0400

JFK EXHIBIT F-565

CE-2978

SENSITIVE CASE REPORT

(Route in Sequence)	<input type="checkbox"/> District Director Detroit District <input type="checkbox"/> ARC Cincinnati Regional Office <input type="checkbox"/> Director, Intelligence Division National Office, Washington, D. C.	INSTRUCTIONS: Submit through channels to ARC concerned in an original and seven copies.
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1. NAME OF CASE OR IDENTIFICATION OF SITUATION EARL F. RUBY 29825 Woodland Southfield, Michigan	ASSISTANT REGIONAL COMMISSIONER INTELLIGENCE JAN 10 1968	2. CLASS OF TAX 3. TAXABLE PERIOD 4. AMOUNT OF TAX 5. DOCKET NO., IF ANY
--	--	---

3. PRINCIPAL ISSUES INVOLVED

Developing Information

- JFK F-565 -

4. REASONS FOR SENSITIVITY

The taxpayer is a brother of Jack Ruby, Dallas, Texas, who allegedly assassinated Lee Harvey Oswald, the alleged assassin of President John F. Kennedy.

5. ACTION TAKEN OR PROPOSED

I have completed an analysis of long distant telephone calls originating from the Earl Ruby residence in Southfield, Michigan and from the Earl Ruby and George Marcus partnership, Cobo Cleavers, Detroit, Michigan. The period covered was from October 24, 1961 to December 2, 1963. A copy of the analysis is enclosed with this report for reference purposes.

The analysis was compiled from information furnished by the Michigan Bell Telephone Company and from available records of the Internal Revenue Service, Detroit, Michigan.

Each telephone number called was scheduled as to origin, duration and time.

SUBMITTED BY (Director's Signature) <i>Special Agent</i>	TITLE <i>Special Agent</i>	POST OR DUTY <i>Detroit, Mich</i>	DATE 1-7-1968
REVIEWED (District Director's Signature) <i>V. Brown</i>	DISTRICT DETROIT		DATE 1-8-1968
REVIEWED (ARC's Signature)	TITLE		DATE

Subscribers were identified and in some instances the occupation and/or type of business was determined.

Tax returns of seventy-five of the one hundred and twenty Michigan persons called were checked. Corporate returns were not included. They failed to disclose any personal transactions with Earl Ruby. However, some of the returns disclosed deductions for interest payments to J. L. Hudson Company on charge accounts. Some showed employment by Hudson's; by Earl Ruby and George Marcus, d/b/a Cobo Cleaners; or by firms handling cleaners supplies or equipment. The balance primarily disclosed various professional or skilled occupations.

Internal Revenue Agent R. Anstett determined that Cobo Cleaners has an exclusive contract with J. L. Hudson Company, Detroit, Michigan, to furnish custom cleaning services for their customers. Hudson's, being one of the largest department stores in the midwest, furnishes this service to nearly all of the areas called by Cobo Cleaners.

In view of the Cobo - Hudson business relationship, coupled with the information reported on the available tax returns, it appears that the Michigan calls originating from Cobo Cleaners were in connection with that business.

In my last report, dated December 11, 1963, I indicated that I would attempt to determine the following individuals background and/or relationship with Earl Ruby:

1. Harry C. Putterman
7207 E. Prairie
Lincolnwood, Skokie, Illinois
2. Oscar A. Ruby
58 Lakeshore Drive
South Haven, Michigan
5538 N. Bernard
Chicago 45, Illinois

With the exception of checking the tax filing record of Oscar A. Ruby in the Detroit district where no record was disclosed, I made no request for any collateral investigations in this matter. It is my understanding that I am not to initiate any third party inquiries relative to this case.

The November 1963 billing from Cobo Cleaners (UN-3-0400), discloses that four telephone calls were made to Dallas, Texas. The calls originated in Chicago and were charged to the Cobo Cleaners number.

<u>Date</u>	<u>Number Called</u>	<u>Type of Call</u>	<u>Duration</u>	<u>Subscriber</u>
11-24-63	LA.6-6258	Credit Card	10 Minutes	Eva L. Grant
11-29-63	LA.6-6258	Credit Card	3 Minutes	3929 Rawlins, Apt. 1 (Ruby's sister)
11-29-63	RI.6-3324	Credit Card	3 Minutes	Colley Sullivan 1934 Main (Attorney)
11-30-63	LA.8-4775	Credit Card	17 Minutes	Oscar A. Robinson 4411 Buena Vista Apt. 102

Oscar A. Robinson is unidentified. However, he and Oscar A. Ruby from South Haven, Michigan and Chicago, Illinois, may be the same person. It is suggested that a check on this person be considered, since there appears to be no business connection with the taxpayer's novelty or cleaning businesses.

According to Revenue Agent R. Anstett, the following persons or companies also do not appear to have any business connection with Earl Ruby's businesses, but have received calls and may be of some significance:

1. James Welch Company (Candy Manufacturer)
Cambridge, Massachusetts
(previously reported)
2. Dominico Scorta
1205 W. Grand
Chicago, Illinois
3. Ansan Tool & Mfg. Co. (Auto Accessories)
4750 N. Ronald
Chicago, Illinois
Owners: Anani and Mario Umberto
4. Arvin Futterman
1637 W. Fargo
Chicago, Illinois
5. Kirk Dubul
2331 Sheridan Road
Fraternity House
Northwestern University
Chicago, Illinois

6. Elliot Schwartz
20026 - 39th Avenue
New York, N. Y. (Queens)
7. Triangle Mfg. Company
714 Division Street
Oshkosh, Wisconsin
(Previously reported)
8. Francis Lynch
109 South Land Drive
Rochester, New York
9. Kerry C. Futterman
720 E. Prairie
Lincolnwood, Skokie, Illinois
(previously reported)

In view of the nature of this case, the selection of the above parties for suggested background investigations and importance, is discretionary.

Internal Revenue Agent R. Anstett has completed checking the books and records of the taxpayer's novelty and dry cleaning businesses. With the exception of the telegram to Havana, Cuba on April 1, 1962, his examination has disclosed no other leads.

Up to January 6, 1964, no attempt was made by Agent Anstett to question Earl Ruby about the Havana telegram or the various long distance calls in 1962 and 1963. First, because his audit concerns only the years 1961 and 1962; and secondly, any questions on this line may have disrupted the cooperative attitude and caused an unnecessary delay.

However, on January 6, 1964, an opportunity arose for Agent Anstett to question Earl Ruby about certain partnership deductions, which had the appearance of possible personal expenses. Included among the questionable items were various long distance toll charges in 1962. Concerning these, the taxpayer made the following comments:

<u>Area Called</u>	<u>Taxpayer's Comments</u>
Evanston, Illinois	"That's where my partner used to live. He moved about six months ago to Glenview."
Rochester, New York	"That's where our superintendent used to live and work."

<u>Area Called</u>	<u>Taxpayer's Comments</u>
Havana, Cuba	"That's a telegram isn't it? ----- -----I don't remember."
Van Nuys, California	"I don't remember."
Ansonia, Connecticut	"We were thinking of buying some key chains, -- Cook Mfg. I think, but we ended up buying calendars."
Skokie, Illinois	"That's where my family lived until finally moving to Detroit."
Chicago Area	"Suppliers"
Ohio Area	"Suppliers - We try and buy all our supplies direct from the manufacturers rather than through a distributor."
Broken Arrow, Oklahoma	"I don't remember."
Marion, Indiana	"My partner's other plant."
Benton Harbor, Michigan	"My partner's other plant."
Grand Rapids, Michigan	"Another plant - and a dry cleaning convention."
New York, New York	"Suppliers"
Detroit Suburbs	"Our cleaning customers."

The interview regarding the toll charges was in the form of an informal discussion while paging through the telephone bills. Comments were offered easily and freely until the item of the Havana telegram. After a brief pause in the conversation Agent Anstott specifically requested a comment on this item. After another pause the above-mentioned comment was made.

Aside for some nominal technical adjustments, the audit examination has disclosed no apparent understatement of income or other indications of fraud.

I propose no further investigation in this case, inasmuch as there is no criminal potential and all avenues for leads at the taxpayer's office have been checked. Unless informed otherwise, I propose to close this

case to the files of the Intelligence Division, with the recommendation that Internal Revenue Agent R. Anstett close his case on a civil basis.

During this investigation I had no personal contact with the taxpayer or his representatives. All the interviews were conducted by Agent Anstett in relation to his audit.

This is the final sensitive case report in this case.

Chairman STOKES. The Chair recognizes the gentleman from Indiana, Mr. Fithian, for such time as he may consume.

Mr. FITHIAN. Thank you, Mr. Chairman. Mr. Ruby, I am sure the committee's questions today and the counsel's questions today and, in fact, the deposition which was taken, reminds you, or has restored to your memory a very difficult time for you and your family.

Mr. RUBY. Yes.

Mr. FITHIAN. As I recall, the first thing you did when you received the word on the radio that your brother had shot the alleged assassin of the President was to immediately fly out to Chicago to try to give some sort of help or some kind of consolation, whatever, to your family in Chicago and sort of help them stave off the press and all the unwanted publicity; isn't that correct?

Mr. RUBY. Yes.

Mr. FITHIAN. And then you got a call from your wife in Detroit and she was having the same problems with the glare of the press lights at your home, and she pleaded with you to come back there and sort of help her keep the door shut; is that correct?

Mr. RUBY. That's true.

Mr. FITHIAN. As I interpret from your testimony at the Warren Commission and your testimony in our deposition, which we have on file, and even the comments you made this morning, is that you and your brother were reasonably close as brothers go?

Mr. RUBY. Yes.

Mr. FITHIAN. And in your own way, you felt indebted to him for your having gotten a job initially. When his luck was down, you bailed him out and really never asked him any questions about where the money was going that you loaned him or took a note or took a mortgage on his car or his club or anything else. You just did that as a brotherly act to him; is that correct?

Mr. RUBY. That's correct, except for the last payment, of course, the last sum I sent him which, as I stated before, I understood was supposed to be an investment in a club that never materialized.

Mr. FITHIAN. You are one of the few people in America that can help this committee get a better picture, biographical picture, of one of the key figures in this whole scenario that this committee is looking into, and we would like to know as clearly as you can help us, we would like to know more about Jack Ruby, what made him tick, what motivated him, what kind of person he was. So, let's just start with the range of emotions that people have.

Was Jack a sensitive person?

Mr. RUBY. I would say exceptionally so.

Mr. FITHIAN. Did he bruise easily, I guess, psychologically speaking?

Mr. RUBY. Yes, and I say he was definitely sensitive. He took offense on any derogatory remark made about the Jews, also the Presidents of the United States, especially Roosevelt, and we know of one incident that took place in Dallas where a customer made an insulting remark about Kennedy's wife and Jack threw him out of the club bodily. This was, of course, before the assassination. I heard, not from Jack mainly, but from many of his friends through the years, of different fist-fights he had in the service and out of the service regarding the Jewish people.

And he was quick to fight on any insult made about the Jews. And he was also involved in the 1930's, he and his friends, in breaking up the Nazi bund meetings in Chicago. I didn't go out on those because, as I say, I was 4 years younger and he went round with fellows that were older than I was, but I know he went on several of these meeting-breaking-up missions, or whatever you want to call them.

Mr. FITHIAN. Would you characterize Jack as kind of a loner?

Mr. RUBY. I would say no, because he had so many friends.

Mr. FITHIAN. Was he gregarious, did he like to have people around him all the time, sort of keep things bubbling, so to speak?

Mr. RUBY. I would think so.

Mr. FITHIAN. Did he ever really care a lot for anybody? Was he a man of compassion and love?

Mr. RUBY. Well, I know he dated a young lady in Dallas that he liked very much. He spoke of her many times. In fact, I met her once when I went to visit him in Dallas. I know he liked her a great deal.

Mr. FITHIAN. After the President's assassination and after Oswald's assassination, did you have conversations with Jack then from that time on down to the trial?

Mr. RUBY. Yes.

Mr. FITHIAN. Think back, painful as it may be, to those conversations and tell me why you think your brother killed Lee Harvey Oswald?

Mr. RUBY. Well, I know he was quick-tempered and, as I mentioned before, I did ask him in the hospital when he knew he had cancer and, in fact, he told me he was going to die, after all the money I had spent getting a reversal from the death sentence, again, I did ask him pointblank, when he was lying there in the bed, and he said—I asked him first, "Did you know Oswald at all?"

And again, as I said before, he said, "Absolutely not. What, are you nuts?" And I asked him, "Why did you shoot him?" on one occasion, and he said, "Well, when I saw him coming through there with that smirk on his face as though he was very happy that he had killed the President, I just couldn't control myself."

Mr. FITHIAN. Did he ever tell you why he went to the police station in the first place?

Mr. RUBY. Yes, as we know, he went to send a telegram to one of his entertainers, Little Lynn, and it was only a block or so from the police station. And when he looked that way and saw all the commotion over there, he walked over.

Mr. FITHIAN. Did he tell you then why he had been over there before when he thought they were going to move Lee Harvey Oswald, I believe, at a different time, and he had gone down to the police station; isn't that correct?

Mr. RUBY. I am not familiar with that.

Mr. FITHIAN. That is not correct?

Mr. RUBY. I know that he did see Oswald the previous Friday night at the showup.

Mr. FITHIAN. Why would he have gone to the showup?

Mr. RUBY. Well, I imagine it was the thing to do if you could get into there and he, having so many friends on the police force, that they let him in. That also leaves me to believe that he did not

really have any preconceived notions about killing Oswald because on Sunday, because when he saw him Friday, he had no idea that he was going to see him again on Sunday.

So, it just don't add up that there was any plan in Jack's mind to actually kill Oswald, to my way of thinking.

Mr. FITHIAN. So, it is your impression, then, that Jack went first to the showup because it was a magnetic sort of thing to do, and because he had certain connections with the police and he could get in and so on?

And, second, that he went down on Sunday, again, just because of the attraction of the excitement—

Mr. RUBY. No; he went to send a telegram on Sunday.

Mr. FITHIAN. Well, I know, but he did go from the Western Union office on down to the police station; there is a little distance there.

Mr. RUBY. Yes.

Mr. FITHIAN. He went—let me just finish this, if I may. He went on Sunday sort of the spur of the moment, because I think you said in your deposition he never got up on Sunday morning usually until late in the afternoon, and he only got up because he got a desperate telephone call from a little girl who was out of money, whatever. Then, he got down to the Western Union office and saw this commotion at the police department and walked on down there and somehow or another got inside the police station and that remains something of a mystery, but that the actual decision to shoot Oswald came only after he saw Oswald sort of smirking as though he was happy he killed the President, and so on, sort of an urge or a spontaneous action, he just pulled out his revolver and shot him, is that your best understanding?

Mr. RUBY. Would you state that again? I got lost.

Mr. FITHIAN. In other words, however, he got to the police station, it was more or less by accident, if I understand your deposition, not preconceived, didn't decide in advance he was going to try to be down there when they moved Oswald; managed to get into the police station and then, if I understood you just a moment ago, it was the case of him, once he saw Oswald with the smirk on his face, he just kind of flipped out and out of anger or love for the President or some other very strong emotion, decided to shoot Oswald on the spot; is that your testimony?

Mr. RUBY. Yes; I would think that's correct. Also, I might like to add something to that that wasn't brought to my attention, actually, until just a few days ago by my counsel, Alan Adelson, that Jack used to practice shooting with the revolver. Yet, when he shot Oswald, he shot him in the stomach and, of course, I never thought to ask him because I didn't know at that time, it seemed that he was aiming for his stomach, if the photos prove, because he seems to be aiming in a downward motion, and if he meant to kill him, he would have aimed, hit in the chest or the heart or the head.

It's never been explained and I just didn't understand that. If somebody had brought that to my attention, I would have asked him. It is possible, then, in my thinking that maybe he didn't plan to kill Oswald. He just meant, or wanted to wound him or make him suffer. Maybe that's why he aimed for his stomach.

Mr. FITHIAN. I believe counsel wanted to say something a moment ago.

Mr. ADELSON. Thank you, Mr. Fithian. The morning of the killing of Oswald, Jack received a phone call from Fort Worth. His telephone bill, it was a collect call, and his telephone bill reflected that telephone call from this Little Lynn. She was behind in her rent. If you recall, Jack had closed his club on Friday night and that was payday and these girls who were working for him didn't have the money to pay the rent. She called him Saturday night, then again Sunday morning—he wasn't there Saturday night—for him to wire her some money. Chief Curry of the Dallas Police Department had told the newspapers the night before, the media people, that if they would return around 10 o'clock, they would be able to see the removal of Oswald.

Jack drove downtown and was checked in, stamped in at the Western Union at 11:14, I believe, was the exact time, 13 or 14. And he sent that moneygram to Fort Worth.

Taking into consideration the fact Chief Curry had said, be back at 10 o'clock and we will move Oswald at that time, if Jack had to be there for any purposes, he would have been there by 10 o'clock. However, and what I was trying to point out, the Western Union office is attached to the same building that the police station is in, and there is just a sort of alleyway between them, and as he walked out of the telegraph office, he looked down the block and there was a commotion.

Now, the police station where he would see it, all there was was a ramp and that was a down ramp that he would see. There was a police officer out there by the name of Napoleon Daniels, who was supposed to be directing traffic in and out of that ramp. At the moment Jack walked—and mind you, I made that walk many, many times to time it; it took approximately 4 minutes to walk from the telegraph office down the ramp—at that exact time, Patrolman Daniels walked out into the street because Lieutenant Pierce was removing a car that was in the way of the car that was going to move Oswald, and Jack just at the very moment walked down the ramp and he waved to Lieutenant Pierce, who he knew, and continued down the ramp.

But it was just a matter of what have you. He just happened to be there at the moment Daniels was out in the street and was unable to stop him and he just walked out on the ramp.

Mr. FITHIAN. Thank you. Mr. Ruby, in the conversations you had with your brother, did he ever indicate that any other person or persons had reason to hope that Oswald was dead?

Mr. RUBY. I don't understand your question.

Mr. FITHIAN. Did he ever recount to you any conversation that he had with anybody else who suggested that the country would be better off, or for any other reason, made a suggestion that things would be better if Lee Harvey Oswald were dead?

Mr. RUBY. He never mentioned that to me.

Mr. FITHIAN. Do you have any reason to believe that your brother contacted anyone pertaining to Lee Harvey Oswald after the shooting of President Kennedy?

Mr. RUBY. I don't understand that question, either.

Mr. FITHIAN. Your conversations with your brother and your own understanding of this story, is there anything in either of those that would lead you to believe that your brother contacted anyone about Lee Harvey Oswald after Oswald shot the President and before the Dallas Police Station incident?

Mr. RUBY. There is no conversation that I ever remember about that at all.

Mr. FITHIAN. Mr. Chairman, I would like to reserve some time a little later after other panel members have had their opportunity, but prior to doing this, I would like to ask the counsel, though he isn't sworn, I am just curious, if I may, I would like to engage the counsel in a little dialog and then I have one comment to make that will not require any questions. But did you ever meet Jack Ruby?

Mr. ADELSON. No.

Mr. FITHIAN. And so, how did you come to know about Jack Ruby's so-called paranoid behavior?

Mr. ADELSON. I represented Earl prior to the time of the shooting and I was in touch with Earl throughout the trial and throughout the whole period. As a matter of fact, I was involved in negotiating or preparing documents for the original byline story that was allegedly written by Jack Ruby that appeared in the newspapers and we had dialog throughout the entire matter.

However, when Jack died, I then became counsel for the family and represented the family in the dealings in Dallas and Detroit. I made it my business to talk to each person that I could that had anything to do with Jack Ruby in Dallas and learned as much as I could about the entire matter. I have met with, on national television and debated with, Mr. Mark Lane on the subject, if we can talk about that. I have made it my business to read every bit of materials that exists in this matter.

Mr. FITHIAN. Well, to your knowledge, was any information on Jack Ruby's psychiatric condition that you now describe provided to the court?

Mr. ADELSON. Yes; Jack Ruby had prepared several wills and we had a will contest hearing in Dallas before Judge Robertson. At that time, we had psychiatric testimony and Dr. Jolian West, from the University of Oklahoma at that time was the psychiatrist, the last psychiatrist to deal with Jack Ruby and I had extensive conversations with him in both Detroit and Dallas.

Mr. FITHIAN. Was that after the trial?

Mr. ADELSON. This was before the trial of the will contest but, of course, after the trial of Jack Ruby.

Mr. FITHIAN. I am asking merely to sort of back your story up to the time Jack Ruby was on trial?

Mr. ADELSON. Dr. West was not involved. There were several other psychiatrists that were involved in the trial. They were dealing with psychomotor epilepsy.

Mr. FITHIAN. Refresh my memory. What legal steps were taken to avail the psychiatric defense?

Mr. ADELSON. There was a psychiatric hearing before Judge Brown in Dallas. He was the trial judge of the murder case, and it was determined that Jack Ruby was not insane at that psychiatric trial hearing. However, Mr. Belli, who conducted the trial on

behalf of the defense, set forth the theory of psychomotor epilepsy and there was six or seven psychiatrists or psychologists who testified at the trial, the full trial of Jack Ruby.

Mr. FITHIAN. Well, I am neither a lawyer nor a psychiatrist. You are a lawyer. Have you had psychiatrist training as well?

Mr. ADELSON. No; I haven't had psychiatric training as such but I have done extensive studies in that area, as far as a lawyer might do.

Mr. FITHIAN. Just as a layman, I don't mean to be critical, it sort of strikes me as though we are putting together a psychological defense of Jack Ruby after the trial is over and perhaps he is dead. That is just my observation.

One more observation, Mr. Chairman. Mr. Ruby, can you tell us anything that would bear out what the counsel is saying about your brother's psychological situation?

Mr. RUBY. Well, I know we hired several psychiatrists who examined Jack and they all testified at the trial, or most of them did, and that is all I can tell you, because I am not familiar with psychiatrists as such myself.

Mr. FITHIAN. Mr. Chairman, there is one thing that troubles me but I see no reason to further question the witness on it. But I just must make a quick summary of the telegram issue. I have read the testimony in the Warren Commission, I have read Mr. Ruby's statements in the deposition to our attorney, Mr. McDonald, taken in Chicago, and I listened with care this morning prepared to intensively question Mr. Ruby on this. I see no reason to do this, but Mr. Ruby, I am sure you will understand my quandary when I find so many different responses to the telegram issue at different times.

I find that in the Warren Commission days you simply said when asked if someone else could have charged it, you doubted it, and then you said this morning that you thought the Warren Commission was looking into it so you didn't look into it, and you never questioned this at the time of the income tax as to whether it was legitimate or not. It was a curious situation.

Then, finally, more curious is your letter to the committee, in which you attest that it might have been a Cuba, New York, or Cuba somewhere else, when quite clearly the question was Havana, Cuba. As a matter of fact, if it had been a Cuba somewhere else in the United States it wouldn't have raised any question in the first place because, as I looked over your telephone calls, you got calls from all over the United States where you do business, and there is nothing unusual about that.

The letter to the committee, Mr. Chairman, seems to me contrived. In answer to the counsel this morning, where the question was did you ever do any business in any of those Cuba, United States, the answer was no. I am having a great deal of difficulty squaring the variety of responses to the telegram issue, but I doubt that we will clarify it here this morning, so I yield back the balance of my time.

Chairman STOKES. The gentleman yields back the balance of his time.

The gentleman from North Carolina, Mr. Preyer.

Mr. PREYER. I have just a few questions of Mr. Adelson to make sure I understand your testimony?

I understand you never met Jack Ruby personally?

Mr. ADELSON. That is correct.

Mr. PREYER. And you never talked with him about his paranoia?

Mr. ADELSON. No.

Mr. PREYER. But that you learned of this from talking with members of the family who had talked to him?

Mr. ADELSON. Yes.

Mr. PREYER. And from psychiatrists who had talked with him?

Mr. ADELSON. Yes, sir.

Mr. PREYER. You mentioned a Dr. West, is that right?

Mr. ADELSON. Yes, sir.

Mr. PREYER. Is there any other psychiatrist or medical doctor that you talked to about his paranoia?

Mr. ADELSON. Yes; at the will contest there were several doctors, I don't recall their names at this point, but I do recall Dr. West who did testify then, too.

Mr. PREYER. From your conversations with them, when was it that the paranoia developed?

Mr. ADELSON. It was a slow process, as I understand, but it developed after his trial. Now, after the trial, and Jack Ruby was found guilty, this was a tremendous blow to him. He actually through throughout the trial he had done a very courageous thing and all of a sudden it dawned on him that he was now sentenced to death as a result of the trial.

Another factor, probably, according to psychiatrists, had a strong effect was his own attorneys, who represented him at the trial, were afterward taking pictures of him in jail, and we understand that this was for purposes of selling to Life magazine.

Additionally, it was found out after the trial that the trial judge, Judge Brown, was also writing a book about Jack Ruby, and all of these things taken together gave him, as I understand it, a feeling that what is the use, nobody cares about him anymore, and he was very upset.

Mr. PREYER. When did he read the book "Exodus"? Was that after the trial or was this earlier in his career?

Mr. ADELSON. He was reading that book at the time of the assassination. He read it, he continued reading it while he was in jail.

Mr. PREYER. Just one final question. His paranoia took the form of a belief that the Jews were being disposed of in Dallas because of his action, and you have made the statement that the reason he said, "Take me to Washington, to the Warren Commission," was that he was to get that idea across to the President. Did he ever tell anyone specifically that that was the nature of his paranoia? did he ever say to anyone, "I think the Jews are being gathered together in Dallas to be disposed of." Is that a conclusion from the psychiatrists?

Mr. ADELSON. No; quite certainly he told that to members of his family, he was surprised that they were still alive when he saw them come to visit him, and he thought that they were annihilated the day before, in his mind he believed he saw Earl annihilated.

Mr. PREYER. And did he tell that to anyone of the psychiatrists that you have talked to?

Mr. ADELSON. Only Dr. West.

Mr. PREYER. Thank you, Mr. Chairman.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. Thank you, Mr. Chairman.

I would like to direct a question to counsel. You have mentioned several times that you represented the family in the will contest. I presume the will contest had something to do relative to Jack Ruby's competence to draw a will, is that correct?

Mr. ADELSON. Yes, sir. Apparently there were two or three wills. I prepared one of them, and I say two or three because the one I prepared was never signed. There was a will that was written in the early 1950's, a holographic will that he personally wrote out and named one Julius Mayer as his executor. Then there was a second will that he wrote while he was in prison where he gave his watch, his ring, his suit of clothes, to a jail guard by the name of Hooten.

The competency to write the second will was the issue of the will contest. Could he write that second will giving whatever he had to this Mr. Hooten, and we had an extensive trial in Dallas over that issue, and that is why the psychiatric testimony was necessary at that time to show that he was not at that time competent to make a last will and testament.

Mr. DEVINE. I think it is very pertinent to these hearings with the question of whether or not he was paranoid and so forth. What was the result of the will contest?

Mr. ADELSON. He was determined to be paranoid and not able to write that second will.

Mr. DEVINE. Incompetent at the time it was written?

Mr. ADELSON. Yes, sir.

Mr. DEVINE. And you did not prepare that will?

Mr. ADELSON. No; that was again a holographic will written by hand.

Mr. DEVINE. Who assisted in the preparation of that will in the jail?

Mr. ADELSON. We believe it was the jailer Hooten.

Mr. DEVINE. No attorney involved in that that you know of?

Mr. ADELSON. No attorney involved.

Mr. DEVINE. He was found incompetent to have executed that will at that time?

Mr. ADELSON. Yes, sir.

Mr. DEVINE. By the court in Dallas?

Mr. ADELSON. Yes, sir.

Mr. DEVINE. The probate court?

Mr. ADELSON. The probate court, Judge Robertson.

Mr. DEVINE. Was there a written decision?

Mr. ADELSON. No; there was no written decision. The probate court in Dallas was not a court of record so it was just an oral decision that the original will was admitted to probate and the second will was removed. An appeal was filed and the appeal then was withdrawn on the Hooten will.

Mr. DEVINE. The appeal was not ruled upon by the judge?

Mr. ADELSON. No, it was withdrawn, it never went any further than just the filing of the claim of appeal.

Mr. DEVINE. Do you know, counselor, whether or not the judge that made the oral decision is still alive?

Mr. ADELSON. I don't know. He was a young man, I might say that, if that means anything. I don't know if he is still alive.

Mr. DEVINE. No further questions.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Tennessee, Mr. Ford.

Mr. FORD. Mr. Chairman, I yield back the time to the Chair.

Chairman STOKES. The gentleman yields back his time.

The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Thank you, Mr. Chairman.

I would like to address my question to Mr. Ruby. I apologize for not being here during some of your testimony, but coming in at the tail end when Mr. Fithian was asking you some questions, I am a little bit confused and disturbed by some of your responses. I have the feeling, and it is just a personal feeling on my part, that some of what we're hearing is somewhat of a posthumous way of justifying an act of your brother. I would like to try to clarify it a little bit.

You indicated, I believe, that you thought that your brother was aiming for the stomach and, therefore, he was not intending to kill Lee Harvey Oswald, is that correct?

Mr. RUBY. Yes; in my thinking it is possible. I am not saying that that is what he did but actually my counsel here brought it to my attention just a few days ago. Had I known about it, as I said before, while Jack was alive or even thought about it myself, I would definitely have asked Jack, but of course——

Mr. EDGAR. Isn't it true that the police had to physically restrain your brother from attempting a second and a third shot?

Mr. RUBY. I don't think so because I also learned from my sister Eva, who was familiar with the gun that Jack used, that it was a defective gun, and it would only shoot once before it had to be set again, or whatever you call it.

Mr. EDGAR. Well, we have the physical evidence of the gun and we have the opportunity of ballistic analysis and the ability to check that particular weapon as to its ability to fire and how rapidly it can fire, but as I understand it, there was some physical restraint of your brother after the first shot and that there was some eyewitness report of that first shot that your brother was intent on completing the act through a second and third shot.

We will probably receive some evidence later and we have some depositions that we have taken, but you are still convinced in your mind that the possibility exists that he was not aiming to kill with the deadly weapon he had in his hand?

Mr. RUBY. I am saying it is possible. I had no chance to question Jack on that possibility.

Mr. EDGAR. You had also indicated that as a young person Jack would frequently go to disrupt Nazi meetings in the Chicago area.

Mr. RUBY. That is true.

Mr. EDGAR. Did Jack ever give you the indication that he saw Lee Harvey Oswald as a representative of that political ideology?

Mr. RUBY. No.

Mr. EDGAR. Did he ever indicate to you what he envisioned that Lee Harvey Oswald was doing in shooting the President?

Mr. RUBY. Not to my knowledge.

Mr. EDGAR. If your brother was as sick as your counsel has begun to indicate he was after the trial, why do you think that some of the beginning signs, the symptoms of this sickness were not prevalent during the actual trial of your brother?

Mr. RUBY. Well, in my humble opinion I think that they did begin to appear, because he was making the statements not too long after the shooting incident of the Jews being persecuted and eliminated.

Mr. EDGAR. When you visited your brother in prison, and later in the hospital, did you ever tape record those sessions?

Mr. RUBY. We tape recorded only one session.

Mr. EDGAR. Which session was that?

Mr. RUBY. That is, I think that is on this tape, if I am not mistaken, but I am not sure because it was put into the form of a record and the record is called the controversy and we asked him many questions, if I recall correctly, about whether he knew Oswald and things of that sort. I didn't ask the questions.

We had present at that meeting Phil Bureson, one attorney from Dallas, and I think the other attorney was Elmer Gertz from Chicago.

Mr. EDGAR. Is this tape in the possession of our committee?

Mr. RUBY. Yes; I brought it here for that reason. Mr. McDonald asked me to get him a copy.

Mr. EDGAR. Thank you.

Has our staff had an opportunity to listen to the tape as of yet?

Mr. McDONALD. It is being introduced this morning.

Mr. EDGAR. That was the only time in which you used the tape recording to tape record your brother's comments?

Mr. RUBY. Yes, that I was involved with. I don't know about any other tape at all. This is the only one that I am aware of at any time.

Mr. EDGAR. And that is the only one that is in your possession at this time?

Mr. RUBY. Yes, I have the record at home and this is a taping of the complete record.

Mr. EDGAR. I see.

Let me ask you a couple of additional questions, if my time is still with me.

Chairman STOKES. Time of the gentleman has expired.

Mr. EDGAR. May I have two additional moments?

Chairman STOKES. Without objection, the gentleman is recognized.

Mr. EDGAR. Just let me ask you a couple of quick questions.

Did your brother Jack Ruby call you at all between Friday, November 22 and Sunday, the day of the assassination of Lee Harvey Oswald?

Mr. RUBY. No, he did not talk to me. However, he did talk to my sister Eileen. He tried to call me but I wasn't at home.

Mr. EDGAR. Getting back to my comment about the second and third shot, I am reminded by our counsel that there was testimony at the trial of Jack Ruby that the second and third shot comes

from trial testimony of policemen, who say Jack was contracting on the trigger while being constrained. I will just share that for the record and just ask one final question.

As you think back on the life of your brother and on the events leading up to his action of shooting Lee Harvey Oswald, is there anything that you can share with this committee that might be a help in our investigation and further investigation in getting at the motive of why your brother, Jack Ruby, would assassinate Lee Harvey Oswald?

Mr. RUBY. I can't add any more to what I already stated, what he told me. He saw Oswald walk out of the hallway, the area there, with a smirk on his face as though he were proud of having killed our President, and that's what he told me. That's when he lost control of himself and shot him. Those are his words to me.

Mr. EDGAR. I yield back my time, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired.

Mr. ADELSON. Mr. Stokes, can I ask you a question?

Chairman STOKES. Yes, Counsel.

Mr. ADELSON. Mr. Edgar indicated you have the pistol that Jack Ruby used; is that correct?

Chairman STOKES. It is in the possession, has been in the possession of the committee; that is correct.

Mr. ADELSON. Thank you.

Chairman STOKES. Mr. Ruby, as a witness before our committee, when you have concluded your testimony, which you have just done—I am reminded by the gentleman from Connecticut, he has yielded back the balance of his time. Now that you have concluded your testimony, you are entitled at the end of your testimony, under the rules of this committee, to make a statement in any way clarifying or explaining your testimony, and I extend to you at this time, or to your counsel, 5 minutes for that purpose, if you so desire.

Mr. RUBY. Yes, I would like to say something. Our family wishes to thank all of you. If possible, we would like—if the gun belongs to our family, we would like to donate the gun to the National Archives.

Some question has been brought up on several occasions why was it, or why did it seem so easy for Jack to enter the jail, why was he so friendly with so many policemen?

Well, I would like to relate an incident, and I think it is in the Warren Commission. At one time, two officers of the Dallas police force were being attacked by several hoodlums. Jack went to the aid of the policemen and helped them subdue these hoodlums. And in that fight, one of the hoodlums actually bit off part of one of Jack's fingers, and a statement from one of the officers involved later on said that Jack actually fought like a tiger to help them.

Those were his words. And I would think from an incident of this that this is why or how Jack developed such a friendly relationship with the Dallas police force. That's about all I have to say, Mr. Chairman.

Chairman STOKES. Thank you.

I might say with reference to your statement involving the gun, the gun was, we found, in the possession of an attorney in Dallas and through the process of subpoena and other legal process, we

were able to obtain that gun, and it was actually brought to the committee by Congressman Mattox, of Dallas, who the attorney was willing to relinquish it to for the purpose of bringing it to us.

After the committee had performed the work they wanted to do with reference to the gun, we have now caused the gun to be returned to Congressman Mattox, to be returned to the attorney who has legal possession of it in Dallas.

So, I suppose your lawyer would have to look into the process of procedure by which it could be obtained from the attorney in Dallas and donated as the family so desires.

Thank you, sir. We have nothing further. You are excused.

Mr. RUBY. Thank you.

[Witness excused.]

Chairman STOKES. The Chair recognizes Professor Blakey.

**NARRATION BY G. ROBERT BLAKEY, CHIEF COUNSEL AND
STAFF DIRECTOR**

Mr. BLAKEY. Thank you, Mr. Chairman.

As well as Earl Ruby might have known his brother in their early years, they, in fact, spent much of their adult life apart. Earl Ruby is particularly limited when it comes to commenting on Jack's life in Dallas, since Earl was not there.

The question of whether Jack Ruby acted alone in the shooting of Oswald, moreover, has not been answered by his own assurances that he did. That is what he told the Warren Commission, which subjected him to a polygraph test for verification. But when this committee asked its panel of experts on polygraphs to examine the results of Ruby's test, the panel declined to come to a conclusion, explaining the polygraph procedures of 1964 were of such poor quality as to preclude a judgement.

In addition, many critics of the Warren Commission insist that it did not go far enough in examining Ruby's associations, to see if any of them give support to the suspicion that he was part of a conspiracy. Noting that the Warren Commission had discovered that Ruby had been in contact with an array of less-than-respectable characters—gamblers, ex-cons and henchmen of some underworld bigwigs, the committee decided to investigate these connections further, to find out if they might support a conspiracy finding. There were three steps in the committee approach:

First, the files on the individuals under investigation were reviewed, the files from Federal, State, and local law enforcement agencies.

Second, selected individuals were interviewed, deposed, or questioned at executive session hearings.

Third, Jack Ruby's 1963 long-distance phone calls to his associates were analyzed. The Warren Commission had access to long-distance telephone records, but it did not make the fullest use of them.

The committee took the records the Warren Commission had, gathered additional ones, where they were available, and then analyzed all of them, using a House information systems computer. The objective was to categorize Ruby's phone contacts with an eye to discerning patterns.

During the Warren Commission investigation, on February 24, 1964, staff attorneys Burt Griffin and Leon Hubert recommended that immediate steps be taken to obtain and preserve the phone records of Jack Ruby and numerous associates in a lengthy memorandum, which, Mr. Chairman, I ask be incorporated into the record at this point.

Chairman STOKES. Without objection, it will be entered into the record.

Mr. BLAKEY. As JFK F-448.

[The above referred to exhibit, JFK exhibit F-448, follows:]

JFK EXHIBIT F-448

JFK F-448

February 24, 1964

Exhibit # 5

MEMORANDUM

TO: Mr. Howard P. Willens

FROM: Mr. Leon D. Hubert
Mr. Burt W. Griffin

SUBJECT: Further Telephone Records to be Obtained for the Commission.

In furtherance of your conversation with Mr. Griffin on February 20th and our joint memorandum of February 19, the following steps are suggested to be taken as soon as possible for obtaining and preserving telephone records which may be pertinent to the work of this Commission.

Some of the suggestions may impose burdens upon private parties which are not justified by the possible results to be obtained. If so, they should be rejected and the reason for such rejection recorded in order to assure future critics that such efforts were carefully considered.

Paragraphs one, two and three seek telephone numbers of phones "reasonably available" to Ruby plus records of calls placed from phones under Ruby's direct control.

Paragraph four seeks telephone numbers of all phones reasonably available to certain persons.

Paragraph five seeks only phones listed to or under the control of certain people.

Paragraph six to ten are designed to lay a basis for further investigation.

1. The FBI should immediately obtain the telephone numbers, names of subscriber, location and type of service of all phones reasonably available to Jack Ruby. "Reasonably available" should include, but not be limited to, subscriber and pay telephones at the All Right Parking Garage, Adolphus Hotel, the Egyptian Lounge, Phil's Delicatessen, Cabana Motel, Sol's Turf Bar, Dallas City Hall and Jail, Dallas Morning News, Radio Station KLIF, together with any pay phones within reasonable walking distance of said places or any other places which Ruby frequented. Numbers and information concerning phones "reasonably available" to Ruby in Dallas may be obtained by personal contact with subscribers or the telephone company. Information as to phones available outside Dallas should not involve contact with non-residents of Dallas.

Mr. Howard P. Willens

February 2, 1964

2. The FBI should immediately obtain with respect to Jack Ruby, for the period August 1 to November 25, 1963, copies of all original telephone company records bearing upon the dates, time, length of call, calling number, billing number, person calling and number called with respect to all telephone calls (including local calls) utilizing any telephone listed to Jack Ruby or any of his Clubs, including pay phones on or near the premises. If the telephone company has no records which would provide information concerning local calls, the FBI should so state.

It is unnecessary at this point to obtain call records from all phones "reasonably available to Ruby" since analysis of calls from such phones would be impossible without further information. However, we contemplate that if we establish a list of suspected intermediaries between Ruby and Oswald, it would be valuable to check telephones "available" to Ruby against calls to the "intermediaries". In addition, it may be valuable to examine records of telephones listed to or used regularly by suspected "intermediaries" for calls to phones "available" to Ruby.

3. With respect to all records requested in paragraph two, the FBI should indicate in its report what telephone company personnel were questioned, the questions asked and the answers received, in all investigations which were conducted, so that it may be determined that the records obtained are complete and accurate. We believe that the method of searching for records must be detailed since telephone information forwarded so far has been spotty and inaccurate.

4. To the extent not already provided, the FBI should be requested to obtain for the Commission a list of all telephones (but not call records) reasonably available to the following persons since March 1, 1963:

Andrew Armstrong, 3821 Dickson Circle, Apartment C, Dallas, Texas.

Karen Bennett Carlin, aka Karen Bennett Karlin, aka "Little Lynn", 3809 Meadowbrook, Fort Worth, Texas.

Bruce Carlin, aka Bruce Karlin, 3809 Meadowbrook, Fort Worth, Texas.

Marion (aka Marian) Rubenstein Carroll, 1044 W. Loyola, Chicago, Ill.

Eileen Rubenstein Kaminsky, 6724 N. Tolman, Chicago, Illinois

Lewis J. McMillio, Las Vegas, Nevada

Hyman Rubenstein, 1044 W. Loyola, Chicago, Illinois

Sam (Rubenstein) Ruby, 11616 Janestown Road, Dallas, Texas.

Mr. Howard P. Willens

February 23, 1964

Earl (Rubenstein) Ruby, 2925 Woodland Drive, Southfield, Michigan
 Eva Rubenstein (Magid) Grant, 3929 Rollins, Dallas, Texas.

Ralph Paul, Arlington, Texas

o/o Bert Dorman, Copeland Road, Arlington, Texas (home)
 Podmuh's Restaurant, Arlington, Texas (access)
 John W. Jackson, 1602 Browning, Arlington, Texas (access)
 Hull Pen Drive-In, 1936 East Abram, Arlington, Texas (business)

Anna Rubenstein Volpert, 1044 W. Loyola, Chicago, Illinois.

The date March 1 is chosen because it establishes a safe margin for inquiry prior to Oswald's trip to New Orleans. With respect to each of the above persons, the FBI should provide numbers, to the extent possible, not only of home telephones but nearby pay phones, telephones of any businesses in which the individual is employed, telephones of business partners or other similar close business associates, telephones of friends and relatives visited frequently, and telephones at restaurants and other businesses which the individual is known to frequent. For each telephone the FBI should indicate the type of service (pay phone, subscriber phone, limited service telephone), name of subscriber, location of phone, and reason for concluding the phone was accessible to the individual under investigation. This information should be obtained primarily by examining records which will not involve personal contact with persons outside of the telephone companies and without communicating the names of suspects to persons outside the FBI. We realize that such a means of investigation will not provide a complete answer to our questions, but we believe other modes of inquiry would be unwise at this time. As to each individual under investigation, the FBI report should indicate what sources were checked and what other information as to possibly accessible phones might be available by direct contact with individuals.

5. The FBI should obtain from a telephone company records check the personal, family and business phones of the following persons during the period March 1, 1963 to present:

Barney Baker, 5900 Sheridan Road, Chicago, Illinois (home)

Chicago Loop Auto Refinishing Co., Inc.
 3216 South Shields Ave., Chicago, Ill. (business)

Curtis LaVerne Crafard, aka Larry Crafard (including phones available to him on his "flight from Dallas to Michigan").

Mr. Howard P. Willens

February 21, 1964

San Gordon, 755 Crescent Drive, Palm Springs, Calif.

Alex Gruber, 5222 W. Olympic, Los Angeles, Calif. (WE 5-1082)

Frank Goldstein, 640 Teresita Boulevard, San Francisco, Calif.
(HU 7-7674)
(SU 1-7343)

Lawrence Meyers, 3950 N. Lake Shore Drive, Chicago, Illinois (Name)

Ero Mfg. Co., 714 West Monroe, Chicago, Ill. (business)

Ray William Pike, aka Hickey Ryan, 2344 Connecticut Lane, Apt. C.,
Dallas, Texas

Ansel Umberto, Chicago, Illinois

Mario Umberto, Chicago, Illinois

Abe Weinstein, 11028 Westmore Circle, Dallas, Texas.

6. The FBI should confer with the appropriate officials of telephone companies in Chicago, Dallas, Detroit, New York, San Francisco, Los Angeles, and New Orleans to determine what means, if any, are available for obtaining information as to incoming long distance telephone calls to any particular number if the name of the caller is unknown. It is conceivable, for example, that connecting or trunk-line telephone carriers may have automatic recording devices which record the calling exchange and the dialed number with respect to calls which they transmit. Or, it may be that most telephone companies in large cities are now so fully automated that such information is contained on their IBM cards and these IBM cards could be run through a computer or other device for every telephone subscriber in the area so that such information could be derived mechanically without undue expense or personal effort. Information as to city or telephone company from which a long distance call originated could conceivably be meaningful in light of other data which we have.

7. The FBI should confer with telephone company officials of each company serving Jack Ruby and the persons listed in paragraph four and five to ascertain if that company has any means of providing information, concerning local calls to or from the phones of those persons. Even if no records are maintained by such companies in the ordinary course of business, it may be that certain electronic, mechanical or other entries are routinely made either by telephone transmitting equipment or in connection with business records ordinarily maintained by the telephone company so that by careful examination of such data information concerning local telephone activity on a particular telephone could be obtained. To whatever extent information can be obtained concerning local telephone activity, the Agent should report to the Commission the nature of the information which can be obtained and the means by which it would be obtained. This data should be secured without mentioning particular names or telephone numbers.

Mr. Howard P. Willens

February 24, 1964

8. The FBI should obtain a list of all telephone companies and the Chief Executive Officer serving the following areas:

- Texas
- Nevada
- Los Angeles, California
- San Francisco, California
- Chicago, Illinois
- Detroit, Michigan and adjacent suburbs in the Detroit metropolitan area, including Southfield, Michigan
- Boston, Massachusetts and adjacent suburbs, including Belmont, Mass.
- New York metropolitan area, including suburban Long Island, Connecticut and New Jersey
- Miami, Florida
- Washington, D. C. and adjacent suburbs
- New Orleans, Louisiana

9. Mr. Rankin should address a letter to the Chief Executive of each of the telephone companies mentioned in paragraph eight requesting that such companies not destroy until June 1, 1964 any records they may have with respect to telephone service of all subscribers. The letter should request that the source of this policy not be disclosed.

Retention of records on a blanket basis would preserve security as to the thinking of the Commission and will afford the maximum assurance that telephone records will be preserved with respect to persons not yet suspect. We realize that blanket retention may be so burdensome or expensive as to make our request seem unreasonable. If there is any suggestion along these lines, a conference to work out a reasonable system should be suggested.

10. As soon as possible after the Ruby trial and after consultation with the Commission, the FBI should obtain copies of original telephone records uncovered as a result of the investigations requested in paragraphs four and five. These records should be analyzed to determine possible links to Ruby or Oswald. Thereafter, if deemed advisable, records of phones "reasonably available" to Ruby would be analyzed for possible calls to phones "reasonably available" to suspected intermediaries between Ruby and Oswald.

Mr. BLAKEY. In a lengthy memorandum, Hubert and Griffin recommended that the FBI be instructed to secure the records, and that Commission Chairman Earl Warren address a letter to telephone companies to secure preservation of existing records.

Some records that were specified in the Griffin-Hubert request were obtained, but the extensive preservation they had envisioned was not carried out, an investigative step that Hubert and Griffin ultimately agreed to.

Griffin has said that Commission General Counsel J. Lee Rankin vetoed the recommendation on grounds that it was too far reaching and would create too great a burden on private companies. In other memorandum, which I would ask be incorporated in the record at this point as JFK F-590.

Chairman STOKES. Without objection, it may be entered into the record.

[The above referred to exhibit, JFK F-590, follows:]

JFK EXHIBIT F-590

-JFK F-590

MEMORANDUM

April 4, 1964

TO: Mr. Howard Wilcox

FROM: Leon D. Robert
Durt V. Griffin

1. You will recall that after the Staff Meeting on Friday, we stayed on with Mr. Rankin to discuss the matter of giving us assistance in Area V. Three sub-areas are involved:
 - a. A check-out of names, telephone numbers, addresses, etc. found on Ruby's papers. (See Area "E")
 - b. A check-out of all names relative to possible associations between Ruby and Oswald; and between Ruby and the gangster element. (See area "F")
 - c. An analysis of telephone calls by Jack, Eva and Earl Ruby and by Ralph Paul.
2. Mr. Rankin told us to get Mr. Lembrandt (Chief Justice Warren's guard) to do this work. Because of the press of time and because we did not really put our minds to it at the moment, we failed to say to Mr. Rankin that each sub-area will require a man working full time for a month. There is no possibility that this work can be properly done so as to be useful in writing a report even if it had a deadline date of June 15.
3. In connection with the above and for the other reasons stated below, we do not think the Ruby aspect of the case should be included in the Commission's report.
 - a. To do an acceptable job on Ruby, it would be necessary to make public statements concerning his character, his background, the possibility that he was lying about his entry into the basement, his motivation and state of mind, etc.
 - b. If Ruby's conviction is refused and our report is in any way hostile to Ruby, the Commission could be justly criticized for issuing a report which impaired his right to a fair trial. On the other hand, if the report gave support to Ruby's already stated version, the Prosecution would be justified in criticizing us.

- c. Aside from this, is it proper for a Commission of the high rank and prestige of this Commission to comment extensively about a person whose case is on appeal and will surely get to the United States Supreme Court?
2. We think that the Commission's report could very properly state that conclusions relative to any aspect of Ruby or his activities are considered improper because of his pending appeal and that a report will be made later.

Hubert/Griffin/Jv/4-4-64
CC: Hubert chron file
Mr. Rankin
Mr. Willens

Mr. BLAKEY. In another memorandum dated April 4, Griffin and Hubert said they needed additional assistance in evaluating the phone records that were available. Though it was suggested by Rankin that Chief Justice Warren's security guard might be able to devote some time to the project, the project envisioned by Griffin and Hubert was never conducted. In a subsequent memorandum dated May 14, the adequacy of the Ruby investigation was discussed, but ultimately compromises were worked out and the Commission's work was completed.

Mr. Chairman, I would ask that at this point, these memorandums, to which I have just referred, be incorporated in the record as JFK 591, 592, and 593.

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

[The above referred to exhibits, JFK F-591, JFK F-592, and JFK F-593 follow:]

JFK EXHIBIT F-591

MEMORANDUM

May 14, 1964

To: J. Lee Rankin
 From: Leon D. Hubert, Jr.
 Burt W. Griffin
 Subject: Adequacy of Ruby Investigation

1. Past Recommendations. In memoranda dated February 19, February 24, February 27, and March 11, we made various suggestions for extending the investigation initiated by the FBI in connection with the Oswald homicide. Shortly after March 11, 1964, we began preparation for the nearly 60 depositions taken in Dallas during the period March 21-April 2; after we returned from Dallas we took the deposition of C. L. Craftard (two days) and George Senator (two days), worked on editing the depositions taken in Dallas, and prepared for another series of 30 other depositions taken in Dallas during the period April 13-17. On our return from Dallas we continued the editing of the Dallas depositions, prepared the Dallas deposition exhibits for publication, and began working on a draft of the report in Area V. As a consequence of all of this activity during the period March 11-May 13, we did not press for the conferences and discussions referred to in the attached memoranda. The following represents our view at this time with respect to appropriate further investigation.

2. General Statement of Areas Not Adequately Investigated. In reporting on the murder of Lee Oswald by Jack Ruby, we must answer or at least advert to these questions:

- a) Why did Ruby kill Oswald;
- b) Was Ruby associated with the assassin of President Kennedy;
- c) Did Ruby have any confederates in the murder of Oswald?

It is our belief that, although the evidence gathered so far does not show a conspiratorial link between Ruby and Oswald, or between Ruby and others, nevertheless evidence should be secured, if possible, to affirmatively exclude that:

- a) Ruby was indirectly linked through others to Oswald;
- b) Ruby killed Oswald, because of fear; or
- c) Ruby killed Oswald at the suggestion of others.

3. Summary of Evidence Suggesting Further Investigation.
The following facts suggest the necessity of further investigation:

a. Ruby had time to engage in substantial activities in addition to the management of his Clubs. Ruby's night club business usually occupied no more than five hours of a normal working day which began at about 10:00 a.m. and ended at 2:00 a.m. It was his practice to spend an average of only one hour a day at his Clubs between 10:00 a.m. and 9:00 p.m. Our depositions were confined primarily to persons familiar with Ruby's Club activities. The FBI has thoroughly investigated Ruby's night club operations but does not seem to have pinned down his other business or social activities. The basic materials do make reference to such other activities (see p. 27 of our report of February 18), but these are casual and collateral and were not explored to determine whether they involved any underlying sinister purpose. Nor were they probed in such a manner as to permit a determination as to how much of Ruby's time they occupied. part #1

b. Ruby has always been a person who looked for money-making "sidelines." In the two months prior to November 22, Ruby supposedly spent considerable time promoting an exercise device known as a "twist board." The "twist board" was purportedly manufactured by Plastelite Engineering, a Fort Worth manufacturer of oil field equipment which has poor credit references and was the subject of an FBI investigation in 1952. We know of no sales of this item by Ruby; nor do we know if any "twist boards" were manufactured for sale. The possibility remains that the "twist board" was a front for some other illegal enterprise.

c. Ruby has long been close to persons pursuing illegal activities. Although Ruby had no known ideological or political interests (see p. 35 of our report of February 18), there is much evidence that he was interested in Cuban matters. In early 1959, Ruby inquired concerning the smuggling of persons out of Cuba. He has admitted that, at that time, he negotiated for the sale of jeeps to Castro. In September 1959, Ruby visited Havana at the invitation of Las Vegas racketeer, Louis J. McWillie, who paid Ruby's expenses for the trip and who was later expelled from Cuba by Castro. McWillie is part #2

described by Ralph Paul, Ruby's business partner, as one of Ruby's closest friends. Ruby mailed a gun to McWillie in early 1963. In 1961, it is reported that Ruby attended three meetings in Dallas in connection with the sale of arms to Cubans and the smuggling out of refugees. The informant identifies an Ed Brunner as Ruby's associate in this endeavor. Shortly after his arrest on November 24, Ruby named Fred Brunner as one of his expected attorneys. Brunner did not represent Ruby, however. Insufficient investigation has been conducted to confirm or deny the report about meetings in 1961. When Henry Wade announced to the Press on November 22, 1963 that Oswald was a member of the Free Cuba Committee, Ruby corrected Wade by stating "Not the Free Cuba Committee; The Fair Play for Cuba Committee. There is a difference." The Free Cuba Committee is an existing anti-Castro organization. Earl Ruby, brother of Jack Ruby, sent an unexplained telegram to Havana in April 1962. We believe that a reasonable possibility exists that Ruby has maintained a close interest in Cuban affairs to the extent necessary to participate in gun sales or smuggling.

d. Bits of evidence link Ruby to others who may have been interested in Cuban affairs. When Ruby's car was seized on November 24, it contained various right-wing radio scripts issued by H. L. Hunt and a copy of the Wall Street Journal bearing the mailing address of a man who has not yet been identified. In May 1963, Earl Ruby, operator of a dry cleaning business, is known to have telephoned the Welch Candy Company (owned by the founder of John Birch Society). The purpose of the call is unknown. Jack Ruby's personal notebook contained the Massachusetts telephone number and address of Thomas Hill, former Dallas resident, working at the Boston headquarters of the John Birch Society. Although it is most likely that all of those bits of circumstantial evidence have innocent explanations, none has yet been explained.

e. Although Ruby did not witness the motorcade through Dallas, he may have had a prior interest in the President's visit. A November 20 edition of the Fort Worth Telegram showing the President's proposed route through Fort Worth, and the November 20 edition of the Dallas Morning News showing the President's route through Dallas, were found in Ruby's car on November 24.

f. On November 16 Jack Ruby met at the Carousel Club with Bertha Cheek, sister of Mrs. Earlene Roberts, manager of Lee Oswald's rooming house. Mrs. Cheek said that she and Ruby discussed her lending Ruby money to open a new night club.

Ruby was not questioned about this matter. On November 20, 1963, a woman, who may be identical to Earlene Roberts, was reported to be in San Antonio at the time of President Kennedy's visit. The possible identification of Mrs. Roberts in San Antonio has not been checked out. In addition, the link formed by Mrs. Roberts between Oswald and Ruby is buttressed in some measure by the fact that one of Ruby's strippers dated a tenant of the Beckley Street rooming house during the tenancy of Lee Oswald. We have previously suggested the theory that Ruby and Mrs. Check could have been involved in Cuban arms sales of which Oswald gained knowledge through his efforts to infiltrate the anti-Castro Cubans. Our doubts concerning the real interest of Mrs. Check in Jack Ruby stem from the fact that one of her four husbands was a convicted felon and one of her friends was a police officer who married one of Ruby's strip-tease dancers. We have suggested that Ruby might have killed Oswald out of fear that Oswald might implicate Ruby and his friends falsely or not in an effort to save his own life. We think that neither Oswald's Cuban interests in Dallas nor Ruby's Cuban activities have been adequately explored.

g. Ruby made or attempted to make contacts on November 22 and 23 with persons, known and unknown, who could have been co-conspirators. Ruby was visited in Dallas from November 21 to November 24, 1963 by Lawrence Meyers of Chicago. Meyers had visited Ruby two weeks previously. Ruby also made a long distance call shortly after the President's death to Alex Gruber in Los Angeles. Gruber had visited Ruby about the same time as Meyers in early November. Both Gruber and Meyers give innocent explanations. Meyers claims he was in Dallas enjoying life with a "dumb but accommodating broad." Gruber claims Ruby called to say he would not mail a dog that day, as he had promised to do. Finally between 11:35 p.m. and 12 midnight, Saturday, November 23, Ruby made a series of brief long distance phone calls culminating with a call to entertainer Breck Wall at a friend's house in Galveston. Wall claims Ruby called to compliment him for calling off his (Wall's) act at the Adolphus Hotel in Dallas. Background checks have not been made on these persons.

h. In short, we believe that the possibility exists, based on evidence already available, that Ruby was involved in illegal dealings with Cuban elements who might have had contact with Oswald. The existence of such dealings can only be surmised since the present investigation has not focused on that area.

1. We suggest that these matters cannot be left "hanging in the air." They must either be explored further or a firm decision must be made not to do so supported by stated reasons for the decision. As a general matter, we think the investigation deficient in these respects:

- (1) Substantial time-segments in Ruby's daily routine from September 25 to November 22 have not been accounted for.
- (2) About 46 persons who saw Ruby from November 22 to November 24 have not been questioned by staff members, although there are FBI reports of interviews with all these people.
- (3) Persons who have been interviewed because of known associations with Ruby generally have not been investigated themselves so that their truthfulness can be evaluated. The FBI reports specifically do not attempt evaluation. The exception has been that where the FBI has been given incriminating evidence against Ruby, it has made further investigation to determine whether others might also be implicated with Ruby. In every case where there was some evidence implicating others, those other persons were interviewed and denied the incriminating allegations. Further investigation has not been undertaken to resolve the conflicts.
- (4) Much of our knowledge of Ruby comes from his friends Andrew Armstrong, Ralph Paul, George Senator, and Larry Crafard. Investigations have not been undertaken to corroborate their claims.

4. Specific Investigative Recommendations

a. We should obtain photos of all property found on Ruby's person, in his car, or at his home or clubs, now in possession of the Dallas District Attorney. We already have photos of Ruby's address books, but no other items have been photographed or delivered to the Commission. These items include the H. L. Hunt literature and newspapers mentioned in paragraphs 3d and 3e.

b. We should conduct staff interviews or take depositions with respect to Ruby's Cuban activities of the following persons:

- i. Robert Ray McKeown. Ruby contacted McKeown in 1959 in connection with the sale of jeeps to Cuba. The objective of an interview or deposition of McKeown would be to obtain information on possible contacts Ruby would have made after 1959 if his interest in armament sales continued.
- ii. Nancy Perrin. Perrin claims she met with Ruby three times in 1961 concerning refugee smuggling and arms sales. She says she can identify the house in Dallas where meetings took place. Perrin now lives in Boston. Ruby admits he was once interested in the sale of jeeps, at least, to Cuba.

c. We should obtain reports from the CIA concerning Ruby's associations. The CIA has been requested to provide a report based on a memorandum delivered to them March 12, 1964 covering Ruby's background including his possible Cuban activities, but a reply has not been received as yet.

d. We should obtain reports from the FBI based on requested investigation of allegations suggesting that Earlene Roberts was in San Antonio on November 21.

e. The Commission should take the testimony of the following persons for the reasons stated:

1. Hyman Rubenstein

Eva Grant

Earl Ruby

All are siblings of Jack Ruby. Hyman is the oldest child and presumably will be the best witness as to family history. He talked to Jack on November 22, reportedly visited Jack the week before the assassination, and participated in Ruby's twist board venture. Eva lived with Jack for 3 years in California prior to World War II, induced Jack to come to Dallas in 1947, and managed the Vegas Club for Jack in Dallas from 1959 to 1963. Earl was a travelling salesman with Jack from 1941-1943; a business partner 1946-1947, and made phone calls before November 22, 1963 and afterwards which require explanations.

ii. Henry Wade. This person can testify to the development of the testimony by Sgt. Dean and Det. Archer against Ruby and of seeing Ruby on November 22 in the Police Department building

iii. Jack Ruby

f. We should take the depositions of the following persons for the reasons stated:

i. Tom Howard. This person is one of Ruby's original attorneys, and is reported to have been in the police basement a few minutes before Oswald was shot and to have inquired if Oswald had been moved. He filed a writ of habeas corpus for Ruby about one hour after the shooting of Oswald. He could explain these activities and possibly tell us about the Ruby trial. We should have these explanations.

ii. FBI Agent Hall. This person interviewed Ruby for 2½ hours on November 24 beginning at approximately 12 noon. His report is contradictory to Sgt. Dean's trial testimony. He also interviewed Ruby on December 21, 1963.

iii. Seth Kantor. This person was interviewed twice by the FBI and persists in his claim that he saw Ruby at Parkland Hospital shortly before or after the President's death was announced. Ruby denies that he was ever at Parkland Hospital. We must decide who is telling the truth, for there would be considerable significance if it were concluded that Ruby is lying. Should we make an evaluation without seeing Kantor ourselves?

iv. Bill DeMar. This person claims to have seen Oswald at the Carousel Club prior to November 22, and this rumor perhaps more than any other has been given wide circulation. Should we evaluate DeMar's credibility solely on the basis of FBI reports?

g. The FBI should re-interview the following persons for the purposes stated:

1. Alex Gruber. To obtain personal history to establish original meeting and subsequent contacts with Ruby; to obtain details of visit to Dallas in November 1963, including where he stayed, how long, who saw him, etc. The FBI should also check its own files on Gruber.
- ii. Lawrence Meyers (Same as Gruber)
- iii. Ken Dowc. (KLIF reporter) To ascertain how he happened to first contact Ruby on November 22 or 23; (Ruby provided information to KLIF concerning the location of Chief Curry), and whether KLIF gave any inducements to Ruby to work for it on the weekend of November 22-24.
- iv. Rabbi Silverman. To establish when Silverman saw Ruby at the Synagogue and obtain names of other persons who may have seen Ruby at the Synagogue on November 22 and 23. Silverman states that he saw Ruby at the 8 p.m. service on November 22 and at the 9 a.m. service on November 23; but both of these services lasted at least two hours and we do not know whether Ruby was present for the entire services. Silverman (and others) could "place" Ruby, or fail to do so, during critical hours.
- v. Mickey Ryan (Same as Gruber plus employment in Dallas.)
- vi. Breck Wall. This person was an entertainer at the Adolphus Hotel, Dallas, at the time of President Kennedy's assassination. Ruby called him in Galveston at 11:47 p.m. Saturday, November 23, 1963. He also visited Ruby at the County jail. A background check should be conducted as to this person.
- vii. Andrew Armstrong, Bruce Carlin, Karen Bennett Carlin, Curtis Laverne Craford, Ralph Paul, George Senator.

These six persons were deposed at length because of their friendship with Ruby, familiarity with Ruby's personal and business life, and contacts with Ruby on November 22, 23, and 24. In general, each has professed to have had no knowledge of Ruby's activities during those three days.

Andrew Armstrong was very active in the operation of the Carousel and worked closely with Ruby for 18 months. His deposition covers Ruby's activities and emotional state generally and particularly several hours on November 22 and 23. A background check should be conducted as to this person and selected parts of his testimony should be checked out to test his veracity.

Karen and Bruce Carlin were the recipients of a \$25 money order bought by Ruby approximately 5 minutes before Ruby shot Oswald. Marguerite Oswald testified that she believed she knew Karen Carlin. Background checks should be conducted on the Carlins.

Crafard fled Dallas unexpectedly on Saturday morning November 23. Although we tend to believe his explanation, we believe a background check on him plus verification of some of his activities on November 23 are warranted.

Paul is Ruby's business partner. A background check should be conducted as to him and his telephone calls during November should be checked out.

George Senator, Ruby's roommate, alleged by Crafard to be a homosexual, claims not to have seen Ruby except at their apartment Sunday morning and for a few hours early Saturday morning. Senator's background and own admitted activities on November 22, 23, and 24 should be verified.

5. Other areas of Ruby Investigation which are not complete.

a. Various rumors link Ruby and Oswald which do not appear to be true; however, the materials we have are not sufficient to discredit them satisfactorily. Such rumors include:

- i. Communist associations of Ruby;
- ii. Oswald's use of a Cadillac believed to belong to Ruby;

111. After the depositions of Nancy Perrin, Robert McKeown, and Sylvia Odio have been taken, further investigation may be necessary with respect to Ruby's Cuban associations.

b. Ruby's notebooks contain numerous names, addresses, and telephone numbers. Many of these persons have either not been located or deny knowing Ruby. We believe further investigation is appropriate in some instances; however, we have not yet evaluated the reports now on hand.

c. We have no expert evidence as to Ruby's mental condition; however, we will obtain transcripts of the psychiatric testimony at the Ruby trial.

6. Other Investigative Suggestions. We have suggested in earlier memoranda that two sources of evidentiary material have been virtually ignored:

a. Radio, TV and Movie Recordings. Two Dallas radio stations tape recorded every minute of air time on November 22, 23, and 24. We have obtained these radio tapes for all except a portion of November 24, and the tapes include a number of interviews with key witnesses in the Oswald area. In addition, the tapes shed considerable light on the manner in which Dallas public officials and federal agents conducted the investigations and performed in public view. We believe that similar video tapes and movie films should be obtained from NBC, CBS, ABC, UPI, and Movietone News, and relevant portions should be reviewed by staff members. Wherever witnesses appear on these films who have been considered by the Commission in preparing its report, a copy of such witnesses' appearance should be made a part of the Commission records by introducing them in evidence. If one person were directed to superintend and organize this effort, we believe it could be done without unreasonable expenditures of Commission time and money.

b. Hotel and motel registrations, airline passenger manifests, and Emigration and Immigration records.

Copies of Dallas hotel and motel registrations and airline manifests to and from Dallas should be obtained for the period September 26 to December 1, 1963. Similarly, Emigration and Immigration records should be obtained for the period October 1, 1963 to January 1, 1964. We believe that these records may provide a useful tool as new evidence develops after the Commission submits its report. We do not suggest that these records necessarily be examined by the Commission staff at

the present time. But, for example, it is likely that in the future, persons will come forward who will claim to have been in Dallas during the critical period and who will claim to have important information. These records may serve to confirm or refute their claims.

LHHubert/smh

cc: Mr. Hubert

June 1, 1964

MEMORANDUM

TO: Messrs. Leon D. Hubert, Jr. and Burt W. Griffin

FROM: Howard P. Willens

SUBJECT: Adequacy of Ruby Investigation.

As we all know, your memorandum dated May 14, 1964, bearing the above title has been the subject of considerable discussion among the two of you, Mr. Rankin, Mr. Redlich and me.

As a result of those discussions steps have been taken to implement most of the specific investigative recommendations set forth in section 4 beginning on page 4. In fact, it appears to me that all of these requests are in the process of being implemented through subsection g vi entitled Breck Wall, with the exception that no background investigation has been requested regarding Mr. Wall. As to the recommendation in subsection g vii that background investigation be conducted regarding the six named persons, it has been decided that no such general investigation is warranted. It was agreed, however, that any investigative requests submitted by you regarding specific testimony of these persons, in order to test veracity, might be appropriate.

On May 27, 1964 I discussed with Mr. Griffin the status of the investigation in Area 5. This discussion was prompted not only by your memorandum dated May 14, but also the discussion held in Mr. Rankin's office on the prior day, May 26, dealing with the initial draft submitted by you relating to Ruby's background. I requested Mr. Griffin to stop his current work on the first draft and submit to me within the next few business days every single investigative request which he believes is necessary to complete the investigation in his area. Mr. Griffin agreed to this and I have today received approximately 10 such investigative requests, which have either been sent forward to Mr. Rankin for approval and signature or, after discussion with Mr. Griffin, are being revised. If any additional requests are contemplated, I would like to be advised today.

MEMORANDUM

June 1, 1964

TO: Mr. Howard P. Willcox

FROM: Leon D. Hubart, Jr.
Burt S. Griffin

In response to your memorandum of June 1, 1964, we expect that by Wednesday June 3, 1964, all of the investigative requests which are now appropriate will have been delivered to you.

With respect to Breck Wall, we believe that it may later be appropriate to question him, Joe Peterson, and Ralph Paul through the FBI or by deposition concerning the telephone calls Ruby made between 11:16 p.m. and 11:45 p.m. on Saturday November 23. However, we do not wish to undertake such questioning until the results of our other requests have been examined. In addition, it should be emphasized that further investigative requests may become appropriate in the course of reading the Ruby trial transcript, examining further evidence to be produced by Ruby or his attorneys, writing a final draft, and foot-noting.

Nonetheless, we believe the investigative requests now underway will cover to correct all the matters specified in our memorandum of May 14. To presume that our suggestions for obtaining radio tapes, television tapes, hotel and motel records, and airline passenger manifests are of such a broad nature as to be outside the scope of any requests by way of letters to the FBI; but we understand that consideration has been given to those suggestions and that a decision will be made in the future as to whether or not those suggestions will be implemented.

Griffin/jv/6-1-64
CC: Griffin chron file
Mr. Rankin

JFK EXHIBIT F-593

Mr. BLAKEY. Utilizing various phone records still available, including those of Jack Ruby's phone calls in 1963, the select committee has developed a computer project for the purpose of detailed analysis of them.

Using the computer technology of the legislative and committee systems division of the House information system, House Administration Committee, the phone records analysis took shape.

An Amdahl 470 V-5 computer was utilized, backed up by two IBM 370-158 central processing units. Various programs were run, using the master data base developed from the various phone records obtained by the committee. Additional programs are still continuing.

The telephone calls of Jack Ruby in 1963 were given top priority in the project. In recent years, Ruby's alleged associations with organized crime have been raised anew. In particular, it has been said that he was in repeated contact with a number of underworld figures in the months just before the assassination of President Kennedy. A response to these charges has been, however, that any contact by Ruby with such people may well have resulted from his attempts to seek assistance in a labor dispute.

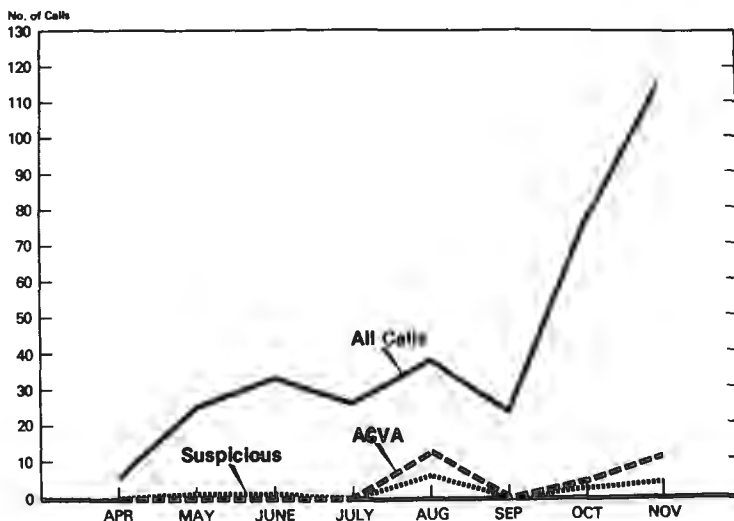
In programing a chronological consolidation of the telephone calls made by Ruby from five business and home telephones, the committee discovered a significant upsurge in the number of calls in October and November 1963.

Mr. Chairman, I would ask that JFK F-545 be entered into the record and displayed at this point.

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

[The above referred to exhibit, JFK F-545, follows:]

JACK RUBY - TOLL CALLS - 1963



JFK EXHIBIT F-545

Mr. BLAKEY. As can be seen from the month-by-month plotting of these calls on the graph in exhibit F-545, the number of calls soared from an average of 25 to 35, in May through September, to 75 in October, and 96 in November. That is, 96 calls up to November 24, the day he was imprisoned for shooting Oswald.

To fathom the possible meaning of the upsurge in Ruby's calls in October and November, the committee closely evaluated his activities during that period. It considered who it was Ruby was calling and being called by; why he was in contact with these people; whether or not he had contacted them previously. The committee was also careful to examine the circumstances surrounding Ruby's labor problems in 1963.

The labor dispute involved Ruby's competition with other owners of clubs in the Dallas area. Specifically, he was involved quarreling with other owners over whether amateur striptease dancers, that is, nonunion girls from the local area, could perform in Dallas nightclubs.

Ruby had been prohibited by the American Guild of Variety Artists from featuring nonprofessional local strippers in his club. The hiring of local girls in weekend shows, in what were usually billed as amateur nights, was a source of profit for him. Ruby was further angered by the fact that at least one of his competitors reportedly had been allowed to use nonunion talent.

The exact circumstances of Ruby's labor difficulties in 1963 are too complex to be dealt with in detail here, but one aspect is relevant. In analyzing the dramatic upsurge in calls in October and November 1963, the committee was able to isolate a significant number from the main body of calls. It determined that these particular calls were made in conjunction with Ruby's efforts to seek acceptable mediation or settlement of his dispute with AGVA.

As can be seen from the second line of the graph in JFK exhibit F-545, which plots the calls made by Ruby in connection with his efforts to solicit advice from AGVA, the increase in these union-related calls corresponds, to a considerable degree, with the increase in the total body of Ruby's calls during the same period. The analysis shows that Ruby's labor difficulties were, in fact, related to much of the increase in calls made by Ruby in October and November 1963.

But in going one step further, it became apparent that to attribute all of Ruby's increased telephone activity in October and November to his AGVA dispute might be an inaccurate oversimplification, for a closer look at the specific calls he made in 1963 raised questions that could not be readily or easily dismissed.

Ruby had, in fact, placed calls to a number of individuals who have been identified as being in some way associated with organized crime.

Mr. Chairman, I would ask that JFK exhibit F-546 be entered into the record at this point and displayed.

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

[The above-referred to exhibit, JFK exhibit F-546, follows:]

SUMMARY OF TELEPHONE CALLS

DATE	TIME CALL PLACED	DURATION OF CALL	TELEPHONE NO PLACING CALL	PERSON CALLED	TYPE CALL	AUDIT NUMBER	SUBSCRIBER	AUDIT NUMBER
05/12/63		006 MIN	THUNDERBIRD		STATION	7702 FR	R172362 CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043
06/27/63		007 MIN	MCWILLIE LEWIS		STATION	7702 FR	R172362 CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043
08/02/63		006 MIN	MCWILLIE LEWIS		STATION	7703 FR	R172362 CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043
08/02/63		003 MIN	THUNDERBIRD		STATION	7703 FR	R172362 CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043
08/04/63		005 MIN	THUNDERBIRD		STATION	7701 FR	MH15601 JACK RUBY 223 S EMING APT 207 DALLAS TX	7030
08/15/63		001 MIN	THUNDERBIRD		STATION	7701 FR	MH15601 JACK RUBY 223 S EMING APT 207 DALLAS TX	7030
08/20/63		002 MIN	THUNDERBIRD		STATION	7701 FR	MH15601 JACK RUBY 223 S EMING APT 207 DALLAS TX	7030
08/22/63		007 MIN	THUNDERBIRD		STATION	7701 FR	MH15601 JACK RUBY 223 S EMING APT 207 DALLAS TX	7030
10/26/63	12:07	012 MIN	WEIHER IRWIN	WEIHER	PERSONAL	7707 FR	R172362 CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043
10/30/63	21:13	001 MIN	TROPICAL COURT		STATION	7708 FR	R172362 CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043
11/07/63	14:12	017 MIN	CAROUSEL CLUB		PERSONAL	7711 FR	R84031 ROBERT B BAKER	7020

SUMMARY OF TELEPHONE CALLS

DATE	TIME CALL PLACED	DURATION OF CALL	TELEPHONE NO PLACING CALL	PERSON CALLED	TYPE CALL	AUDIT NUMBER	SUBSCRIBER	AUDIT NUMBER
11/08/63	14:47	004 MIN	EDEN ROC HOTEL	DUSTY MILLER	PERSONAL	7711 FR	5900 MERIDIAN ROAD CHICAGO IL	7043
11/08/63	17:22	014 MIN	BAKER ROBERT		STATION	7712 FR	R172362 CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043

JFK EXHIBIT F-546

Mr. BLAKEY. JFK exhibit F-546 is a printout of these calls. Although it may again be noted that these particular calls also correspond somewhat to the upsurge in the main body of Ruby calls in the weeks prior to the assassination, and even though some of the individuals in question have said that Ruby was in contact with them to seek help in his labor difficulties, the committee felt that more detail on the backgrounds of these persons was essential. Extensive file reviews were, therefore, conducted, and the following picture emerged.

Between June and August of 1963, Jack Ruby placed seven long-distance calls to one Lewis J. McWillie. McWillie was a close Ruby associate, as Ruby told the Warren Commission. In 1959, Ruby had visited Lewis McWillie in Havana, where McWillie was working in an organized crime-connected casino.

Jack Ruby's phone calls to McWillie occurred on June 27, September 2, two calls, September 4, September 19, September 20, and September 22. The first two calls were placed to McWillie's home number; the remaining five calls were to McWillie's place of business, the Thunderbird Casino in Las Vegas.

On the afternoon of October 26, 1963, Jack Ruby placed a long-distance phone call to Irwin S. Weiner in Chicago, with whom he spoke for 12 minutes. Weiner was and is a prominent bondsman in Chicago, who has been closely linked with such figures as James Hoffa, Santos Trafficante, Sam Giancana, Paul and Allen Dorfman. Weiner, according to Federal and State law enforcement files, is alleged to have served as a key functionary in the longtime relationship between the Chicago Mafia and various corrupt union officials, particularly during Hoffa's reign as president of the Teamsters Union.

Additionally, Weiner has been involved in a business relationship with two men long identified as executioners for the Chicago Mafia—Felix "Phil" Alderisio and Albert "Obie" Frabotta.

In the immediate days following President Kennedy's murder, the FBI sought to question Weiner about the call he had received from Ruby on October 26. According to an FBI teletype of November 28, 1963, Weiner refused to respond to questioning by FBI agents in Chicago with regard to his contact with Ruby, and he declined to assist the investigation in any way.

Other information received by the FBI during the investigation indicated that Weiner had been acquainted years earlier in Chicago with Ruby's brother Earl.

Though the Warren Commission was aware of Ruby's phone call to Weiner, the Commission never sought to have him questioned under oath. Additionally, neither Ruby nor his brother, Earl, were ever asked by the Commission about their relationship with Weiner.

In executive session testimony before this committee, Weiner was questioned about his contact with Ruby. He testified that he had gone to high school with Ruby's brother, Earl, and had been distantly acquainted with Jack. Weiner said he had little or no contact with Ruby in later years, and had not heard from him in at least 10 years at the time Ruby called him in late October 1963.

Weiner declared the purpose of Ruby's call was to seek assistance in the labor dispute he was having with his Dallas nightclub competitors. Ruby asked for aid in putting up a bond related to his attempt to file for an injunction against his competitors. Weiner testified that he declined to assist Ruby, and had no further contact with him.

The committee has examined testimony and documentation relating to Ruby's labor difficulties, in particular his dispute with AGVA. Nevertheless, the committee has not found another reference to an effort by Ruby to put up a bond in connection with seeking an injunction against his competitors.

In his appearance before the committee, Weiner further testified that he had lied to a reporter when he said in a taped interview that Ruby's phone call to him on October 26, 1963, had nothing to do with labor problems.

Weiner testified he had refused to submit to FBI questioning about Ruby in the weeks following the assassination because he believed Bureau agents had harassed his daughter by implying he might be connected to the assassination. Weiner stated he could not specifically recall where he was on the day of the assassination or on the day Ruby shot Oswald, though he believed he was on a visit to Miami.

At 9:13 a.m., October 30, 1963, 4 days after his call to Irwin Weiner, Jack Ruby placed a call to the Tropical Court Tourist Park, a trailer park in New Orleans. The number Ruby called, 242-5431, was listed as the business office of the Tropical Court, and the duration of the call was 1 minute. In a partial compilation of numbers called by long distance by Ruby, transmitted to the Warren Commission by the FBI in early 1964, a notation was made indicating that this Ruby call to the Tropical Court went to N. J. Pecora. The Warren Commission did not, however, interview or investigate Pecora and made no reference to him in its report.

Nofio J. Pecora, alias Joseph O. Pecoraro, was the owner of the Tropical Court Tourist Park. He ran the park from a one-man office located on the premises, the office Ruby had called on October 30. Pecora, a former heroin smuggler, was alleged to be a close associate of Carlos Marcello. The FBI, Justice Department, and Metropolitan Crime Commission of New Orleans have identified Pecora as one of Marcello's three most trusted aides.

Law enforcement surveillance reports have indicated a particularly close Marcello-Pecora relationship during the early 1960's, with Pecora always close at hand at Marcello's Town and Country Motel headquarters on the outskirts of New Orleans.

In fact, it was noted in the select committee's computer phone project that Marcello himself placed a call to Pecora on June 24, 1963, at the same trailer office number that Ruby called 4 months later.

Earlier this year, when committee investigators sought to question Pecora about the October 30, 1963 telephone call from Ruby's office to his own, Pecora declined to respond. Earlier this month, however, Pecora did agree to respond to questions put to him by committee investigators.

Pecora stated that he does not recall receiving any telephone call from Ruby. He said that he did not know Ruby or have any knowledge of him. Pecora stated that he believes that he was probably the only person who had access to his Tropical Court telephone in 1963, but that he may well have taken a phone message, suggesting the call from Ruby may have been for someone else in the trailer park.

The committee has established that Ruby did in fact have an associate who lived at the Tropical Court Tourist Park in 1963. He was a New Orleans nightclub manager named Harold Tannenbaum, now deceased, who was himself a friend and colleague of Pecora having run several Bourbon Street clubs controlled allegedly by the Marcello interests.

In his recent interview with committee investigators, Pecora stated he had been an acquaintance of Tannenbaum, that Tannenbaum was a neighbor in the trailer court. Pecora said, however, he was not aware that Tannenbaum had been a friend of Ruby.

Harold Tannenbaum met Ruby in the summer of 1963 and discussed going into business with him. The computer telephone project has established that Ruby and Tannenbaum were in frequent contact from June to October 1963.

The project has also established that an hour after the October 30 call was placed from Ruby's office to Pecora's office, Tannenbaum placed a call to Ruby.

On November 7, 1963, Ruby received a collect call from Robert G. (Barney) Baker of Chicago. The call lasted 17 minutes.

Baker is said to have been a top lieutenant and reputed enforcer for Teamster president James Hoffa. A former boxer and ex-convict, Baker was perhaps Hoffa's best known assistant during the McClellan committee investigation of labor racketeering in the 1950's. The Senate investigation, coordinated by then chief counsel Robert F. Kennedy, had detailed Baker's role as Hoffa's personal liaison to various leading Mafia figures.

In his McClellan testimony, Baker recited a long list of Mafia hit men with whom he had been associated. In 1960, Robert F. Kennedy wrote of Baker:

Sometimes the mere threat of his presence in a room was enough to silence the men who would otherwise have opposed Hoffa's regime.

Barney Baker was questioned by the FBI in Chicago on January 3, 1964, regarding his contact with Ruby. Baker stated that Ruby was a complete stranger to him until the very day he spoke with him, November 7, 1963. Baker explained that Ruby had called him earlier that day and that, in his absence, his wife had taken a message to call Ruby's nightclub in Dallas.

Baker told the FBI that Ruby had not used his real name, but had instructed him to ask for Lou, which he did, placing a collect call to Ruby's number. It might be noted that this is the only incident the committee has come across in which Ruby has used a false name or an alias.

In his 1964 interview with the FBI, Baker stated that the purpose of Ruby's call was to seek assistance in the labor dispute. According to the FBI report, Baker said that he had " * * * concluded the conversation by firmly declining to offer any assistance in the matter." While in his FBI interview, Baker "advised that * * * he had many friends (who) were * * * high-ranking hoodlums," he stated that he had no prior association with Ruby, and he had no knowledge of any Ruby connections to such hoodlums.

On November 8, 1963, the day after he received the call from Barney Baker, Ruby placed a call to Murray W. (Dusty) Miller at the Eden Rock Hotel in Miami. The call lasted 4 minutes.

Dusty Miller was another key lieutenant of Teamster president James Hoffa, and, as head of the powerful Southern Conference of the union, he was regarded as a possible successor to Hoffa himself. Miller, who had been a Teamster leader in Dallas, was associated with numerous underworld figures.

In a recent interview with this committee, Miller stated that he had had no contact with Ruby prior to being called by him on November 8, 1963. Miller said Ruby complained of labor problems and asked Miller for help. Miller testified that Ruby said something to the effect, "Barney Baker gave me your number and told

me that maybe you could help me out." Miller stated that on hearing the reference to Baker, he quickly ended the conversation, explaining he viewed Baker as a man with questionable associates.

At 5:22 p.m., November 8, 1963, 31 minutes after he called Dusty Miller, Jack Ruby placed a call to Barney Baker in Chicago. This call lasted 14 minutes. It occurred on the day after Baker telephoned Ruby in Dallas.

As noted earlier, Baker told the FBI on January 3, 1964, that he had terminated his November 7 conversation with Ruby by " * * * firmly declining to offer any assistance" to Ruby. In his FBI interview, Baker made no mention of the fact that Ruby had called him back on November 8, 1963. In fact, he indicated that he had had no further contact with him.

The committee has extensively questioned Baker about his past contacts with Jack Ruby. When asked why he did not tell the FBI of his second lengthy conversation with Ruby, Baker said that he must have forgotten about the second call.

The committee has noted several other areas of telephone contact or relationship that are of particular interest. Three examples:

One, in testimony before the Warren Commission, Jack Ruby's sister, Eva Grant, said that he brother had called Lenny Patrick in Chicago sometime during the summer of 1963. Mrs. Grant stated that Ruby had had some difficulty in locating Patrick's number, but that he had told her he had finally found it and had, in fact, called Patrick in Chicago.

Lenny Patrick is said to have been one of the Chicago Mafia's leading assassins, responsible, according to Federal and State law enforcement files, for the murders of over a dozen mob victims. Patrick had grown up in the same Chicago neighborhood as Ruby and had been slightly acquainted with him. Later, Patrick became, it is said, senior lieutenant of Chicago Mafia leader, Sam Giancana.

Two, a call made on September 24, 1963, by an investigator for New Orleans Mafia leader Carlos Marcello to a woman in Chicago, who was present with Ruby on the night before the assassination.

The committee found that David W. Ferrie had called the number of Jean West and had spoken for at least 15 minutes. On November 21, 1963, Miss West visited Ruby in Dallas, accompanied by a mutual friend, Lawrence Meyers. Miss West and Meyers had drinks with Ruby shortly before midnight on November 21 at the Cabana Motel.

Three, the committee found that Barney Baker had placed a telephone call to another one-time associate of Jack Ruby on the evening of November 21, 1963. The person Baker called was David Yaras of Miami. Yaras was a close friend and partner of Lenny Patrick. He had also been acquainted with Ruby during their early years in Chicago.

Like Lenny Patrick, Dave Yaras has served, it is alledged, as a key lieutenant of Chicago Mafia leader Sam Giancana, reputedly as an executioner. In an FBI interview in 1964, Yaras stated that he had last seen Ruby over 10 years prior to the assassination.

Once again, Mr. Chairman, unfortunately, the ultimate meaning of these facts and circumstances remains as yet indeterminate.

The possible implication of these phone calls may be more fully explored in tomorrow's proceeding but first, it may be helpful to

return to look at Jack Ruby in Dallas. To learn more about Jack Ruby's life, the committee has turned to the Dallas Police Department. It has done so for two reasons. One, Ruby was on friendly terms with many officers of the DPD, and two, because there are still questions about the shooting of Oswald in the Dallas police headquarters.

Our next witness is Captain Jack Revill of the Dallas Police Department. He has been a member of the DPD since 1951 and currently is in charge of the Internal Affairs Division of the department. In 1963, Captain Revill was a lieutenant assigned to the Criminal Intelligence Section of the Special Service Bureau.

Later, he was a member of the special investigative unit charged with determining how Jack Ruby in fact entered the police headquarters basement on November 24, 1963.

It would be appropriate at this time, Mr. Chairman, to call on Captain Revill.

Chairman STOKES. At this time, before calling the witness, the committee will take a 10-minute recess.

[A short recess was taken.]

Chairman STOKES. The committee will come to order.

The committee calls Captain Revill. Please raise your right hand. 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?

Captain REVILL. I do.

Chairman STOKES. Thank you, sir. You may be seated.

The Chair recognizes counsel for the committee, Mr. Donald Purdy.

Mr. PURDY. Thank you, Mr. Chairman.

What is your full name and where do you live?

TESTIMONY OF JACK REVILL, CAPTAIN OF POLICE, DALLAS POLICE DEPARTMENT

Captain REVILL. My name is Jack Revill. I live in Dallas, Tex., at 5204 Elk Ridge Drive.

Mr. PURDY. What is your present occupation and rank?

Captain REVILL. I am employed by the Dallas Police Department. I am a captain of police, currently commanding the Internal Affairs Division.

Mr. PURDY. What was your occupation, rank, and duties in the 1950's and early 1960's in Dallas?

Captain REVILL. I was a lieutenant of police, assigned to the Criminal Intelligence Section of the Dallas Police Department.

Mr. PURDY. What was the responsibility of the Criminal Intelligence Section in the 1950's and early 1960's?

Captain REVILL. Our primary function was the gathering of information on individuals and organizations involved in criminal activities and extremist group individuals, and organizations.

Mr. PURDY. Was the vice squad part of this unit?

Captain REVILL. The vice squad was a part, an integral part of the Special Services Bureau which consisted of vice, narcotics, and intelligence, each unit commanded by a lieutenant of police.

Mr. PURDY. To what extent did members of the intelligence unit have access to information concerning criminal activity generally in Dallas in the 1950's and early 1960's?

Captain REVILL. We had complete access to recorded information of criminal elements.

Mr. PURDY. When did you join the intelligence division?

Captain REVILL. In February of 1958, I believe.

Mr. PURDY. What division did you work in prior to that time?

Captain REVILL. Prior to that I was a lieutenant commanding the narcotics unit.

Mr. PURDY. In your work with the intelligence division, did you gain access to information concerning all types of criminal activity or just specific types?

Captain REVILL. All types of criminal activity.

Mr. PURDY. Do you have any knowledge of specific criminal activities by Jack Ruby?

Captain REVILL. Nothing specific. I knew Jack Ruby by reputation.

Mr. PURDY. Was prostitution common in the clubs in Dallas?

Captain REVILL. It was not common. The Dallas Police Department has always had an aggressive enforcement policy toward prostitution; but prostitution was available in certain clubs.

Mr. PURDY. Did prostitution occur in any clubs run by Jack Ruby, to your knowledge?

Captain REVILL. Not to my personal knowledge.

Mr. PURDY. Was there any narcotics activity common in Dallas, in general, and the clubs in particular, in the fifties and early sixties?

Captain REVILL. Narcotics were available in the clubs, nothing specific as far as any organized groups or efforts on the part of the people to sell or dispense drugs in the clubs.

Mr. PURDY. Did you have any information concerning the presence of narcotics activity in any clubs run by Jack Ruby?

Captain REVILL. No, sir, I did not.

Mr. PURDY. Was gambling common in Dallas, in general, and in nightclubs, in particular?

Captain REVILL. Not general. Some bookmaking activities were conducted in clubs but again this was not an open thing.

Mr. PURDY. To your knowledge, did gambling go on in any clubs run by Jack Ruby?

Captain REVILL. I have no personal knowledge of Jack Ruby being involved in gambling or in his clubs.

Mr. PURDY. Were organized criminal elements present in Dallas in the 1950's and early 1960's?

Captain REVILL. I am sure they were.

Mr. PURDY. To your knowledge, was Jack Ruby associated with such activity, generally, and in Dallas, in particular?

Captain REVILL. Are you referring to organized crime, Jack Ruby's involvement?

Mr. PURDY. Yes.

Captain REVILL. I have no information that Jack Ruby was involved in organized crime in Dallas.

Mr. PURDY. Did you have any knowledge of Jack Ruby's associations with any gamblers or anyone else involved with illegal activity?

Captain REVILL. Jack Ruby was the type of person who would have been acquainted with persons involved in gambling activities and other criminal activities, but as far as Jack Ruby being actively engaged or a member of any groups, no, nothing to indicate this.

Mr. PURDY. Did you have knowledge of any particular close associations between Jack Ruby and anyone associated with criminal activity?

Captain REVILL. No information that would indicate that he was actively engaged. I am sure that he was acquainted with certain individuals who would have been involved in these type activities due to the nature of his nightclub business.

Mr. PURDY. Did you know Lewis McWillie?

Captain REVILL. I know Lewis McWillie by name.

Mr. PURDY. What was his reputation in Dallas?

Captain REVILL. Professional gambler, a bookmaker.

Mr. PURDY. Were you aware of his relationship with Jack Ruby?

Captain REVILL. Not at that time.

Mr. PURDY. When did you learn of that relationship?

Captain REVILL. Since this particular committee has been in session.

Mr. PURDY. You didn't learn of it pursuant to the investigation by the Dallas Police Department into the assassination?

Captain REVILL. No, sir.

Mr. PURDY. Did you know Jack Ruby personally?

Captain REVILL. Yes, sir, I had known Jack Ruby since 1953.

Mr. PURDY. What was the nature of your relationship with Jack Ruby?

Captain REVILL. No relationship whatsoever other than a professional relationship of a police officer to an individual such as Jack Ruby.

Mr. PURDY. Did you ever visit any of his clubs?

Captain REVILL. I was in one club in 1953, the old Silver Spur Club in South Dallas. That was the only occasion I was ever in one of his clubs.

Mr. PURDY. What was your personal impression of Jack Ruby?

Captain REVILL. Jack Ruby was a baffoon. He liked the limelight. He was highly volatile. He liked to be recognized with people, and I would say this to this committee: if Jack Ruby was a member of organized crime, then the personnel director of organized crime should be replaced.

Mr. PURDY. Why do you say that?

Captain REVILL. Knowing Jack Ruby to be a baffoon.

Mr. PURDY. Was your impression of Jack Ruby shared by other members of the Dallas Police Department?

Captain REVILL. It was shared by members of the intelligence unit.

Mr. PURDY. What was the source of your impression that Jack Ruby was a hothead?

Captain REVILL. Reputation.

Mr. PURDY. Were there any specific instances that you were told about that led you to believe that the reputation was accurate?

Captain REVILL. Where he had become involved in altercations at his clubs, where he had physically ejected people. Jack Ruby was hot tempered and was quick to fight or become involved in altercations.

Mr. PURDY. What was Jack Ruby's reputation among the business community in Dallas?

Captain REVILL. I don't know that he had a reputation among the business community per se. He was probably known among the club owners who operated similar operations but as far as being known among the business community, I dare say that he was not known.

Mr. PURDY. Would you say the Jack Ruby had an unusually close relationship with members of the Dallas Police Department?

Captain REVILL. Listening to testimony here this morning, it would indicate that Jack Ruby was known by all of the police officers. I take exception to that in that I have been there almost 28 years and my particular unit was housed in the Special Services Bureau section. Jack Ruby would have had to come to that office to renew licenses such as a cabaret license, beer license, et cetera, and I dare say that I would see him no more than maybe twice a year and I don't recall seeing Jack Ruby in the Police and Courts Building that often.

Mr. PURDY. Did Jack Ruby receive any benefits or favors from members of the police department in their treatment of him?

Captain REVILL. I sincerely hope not.

Mr. PURDY. Was there any problem with members of the Dallas Police Department performing or receiving favors from club owners?

Captain REVILL. No, none that I know of.

Mr. PURDY. Was there any problem with Jack Ruby in this respect?

Captain REVILL. No, sir, I have no knowledge of Jack Ruby bestowing gifts and favors upon police officers.

Mr. PURDY. Was Jack Ruby ever used as an informant by the Dallas Police Department?

Captain REVILL. He was not used as an informant by the intelligence unit. Whether or not Jack Ruby was used as a source of information, and there is a difference, this I don't know.

Mr. PURDY. To what extent is it possible that Jack Ruby was the source of information to units other than yours?

Captain REVILL. Jack Ruby could have provided information to the members of the vice section who called upon his club, who conducted surveillances or visits into his clubs, but I have no knowledge, personal knowledge of this occurring.

Mr. PURDY. Have any officers told you that this exchange of information took place?

Captain REVILL. No, sir.

Mr. PURDY. Did the FBI provide the Dallas Police Department with the identities of or information concerning the FBI informants in the 1950's and early 1960's?

Captain REVILL. No, sir, they did not.

Mr. PURDY. Were you aware that the FBI had contact with Jack Ruby in 1959 to try to develop an informant relationship with him?

Captain REVILL. No, sir.

Mr. PURDY. Would you expect that you would know that information?

Captain REVILL. No, sir. They would have not known my informants and I would not have known theirs.

Mr. PURDY. Approximately how many officers would you say knew Jack Ruby? You say they all didn't. Approximately how many did know him?

Captain REVILL. In 1963, we had approximately 1,200 officers with the Dallas Police Department. I would say that those officers who knew Jack Ruby were nonuniform personnel, with the exception of the officers assigned to the various beats where his clubs were geographically located. Consequently, we are talking about members of the vice section, narcotics section, the intelligence section, approximately 60 men in that bureau. Members of the burglary and theft unit would probably have known Jack Ruby. Some members of homicide and robbery may have known him. So we are probably speaking in the area of 100 to 150 people, officers, who would have known Jack Ruby, and this includes uniform officers also.

Mr. PURDY. As I am sure you know, Jack Ruby was present in the police headquarters on a number of occasions during the weekend following the assassination of President Kennedy. To your knowledge, was his presence ever challenged by any member of the Dallas Police Department?

Captain REVILL. Not to my knowledge.

Mr. PURDY. Why do you think this was the case? Do you think it was because he was known to so many officers?

Captain REVILL. I have no way of knowing why he was not challenged except that the police and courts building was not secured during the day of the assassination of Mr. Kennedy. The following day, which was Saturday, November 23, it was not secured, and on the date of Ruby's assassination of Lee Harvey Oswald, the only area that I have knowledge of that was supposed to be secured was the basement area where the transfer of Mr. Oswald was to take place.

Mr. PURDY. Was anyone punished for the lax security present in the police department headquarters during that weekend?

Captain REVILL. Not to my knowledge. One man who currently serves as my administrative sergeant feels that he was maligned due to his activities. This is Sgt. Roy Gene Vaughn, who at that time was a uniform patrolman who was assigned to the ramp on Main Street leading into the basement of the city hall, and Sergeant Vaughn has told me that he feels that he was punished in that his efficiency, his personal evaluation, numerical score, was cut a couple of points, and that is the only thing I have ever heard.

Mr. PURDY. So other than the issue of Jack Ruby's access to the police basement on this Sunday morning, no one else was punished for the lax security that was in effect in police headquarters during that whole weekend?

Captain REVILL. I have no knowledge of anyone being punished.

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

Chairman STOKES. Thank you, counsel.

The Chair recognizes the gentleman from Michigan, Mr. Sawyer, for such time as he may consume.

Mr. SAWYER. Thank you very much, Mr. Chairman.

I am really substituting for Mr. Dodd, who has to be over testifying before the Rules Committee at this moment, so I have a list of questions he was going to ask and I will do my best to handle them.

One thing I am particularly interested in, or Mr. Dodd is, is the access or how Ruby came to get into the basement of the police station at the time of the assassination. Do I understand correctly that the three officers in a car right at the ramp did not see him come down the ramp?

Captain REVILL. If I recall correctly, I believe there has been previous testimony from those particular officers. Sir, if I might explain something here or elaborate. As counsel said, I was assigned by Chief Curry to an investigative team to determine how Ruby gained access to the basement of the city hall, to determine if there was any complicity on the part of any officers as to their involvement, and if I may elaborate on the findings of this particular group, I would be happy to do so at this time.

Mr. SAWYER. Yes, I would like to have that.

Captain REVILL. I believe the committee has a chart. This particular chart represents a facsimile of the basement of the police and courts building and at the top left you will see what appears to be a ramp.

Mr. FITHIAN. Would it be possible to have him—

Captain REVILL. This will be much better.

Mr. FITHIAN. There is a microphone over there.

Chairman STOKES. Also, may we have counsel identify the exhibit?

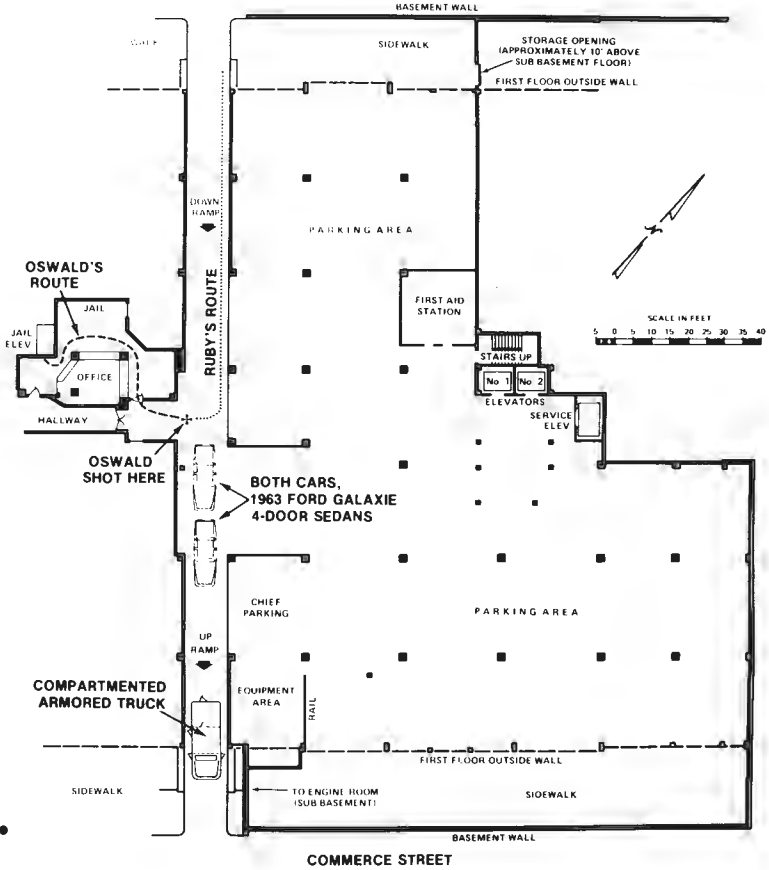
Mr. PURDY. Mr. Chairman, I would like to ask at this time that this photographic blowup of the Warren Commission diagram of the police basement be entered into the record at this time as JFK exhibit F-568.

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

[The above-referred-to JFK exhibit F-568 follows.]

BASEMENT

Dallas Police Department, Dallas, Texas
MAIN STREET



COMMISSION EXHIBIT NO. 2179

JFK EXHIBIT F-568

Mr. PURDY. It would be appropriate also at this time to enter into the record as JFK exhibit F-567 the report of the special unit on which Captain Revill served.

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

[The above-referred-to JFK exhibit F-567 follows:]

JFK EXHIBIT F-567

Revill - p. 12

0070

JFK F-567

December 19, 1963

Mr. J. E. Curry
Chief of Police

Sir:

Pursuant to your instructions of November 29, 1963, the unit assigned has completed an investigation of the Operational Security involving the transfer of Lee Harvey Oswald on November 24, 1963.

A summary of the investigation, along with an indexed complete investigative report, plus exhibits is forwarded under separate cover.

Respectfully submitted,

O. N. Jones
O. N. Jones
Captain of Police

OAJ:nw

December 16, 1963

Mr. J. E. Curry
Chief of Police

Subject: Investigation of the Operational Security
Involving the Transfer of Lee Harvey Oswald
on November 24, 1963.

Sir:

The investigative team which you appointed on November 29, 1963, to make this investigation wishes to submit the following report:

Security was set up in the basement parking area of the City Hall at approximately 9 a.m. on Sunday, November 24, 1963. (See attachments)

The basement was searched and guards placed at all entrances. All unauthorized personnel were removed from the area. Security personnel and news media were then allowed to enter the basement.

An armored truck was ordered and arrived at the Commerce Street ramp at approximately 11:00 a.m. It was backed onto the ramp. The truck did not have sufficient clearance to be taken to the bottom of the ramp. The driver believed the truck might stall due to the weight if it was placed on the incline. It was then decided to leave the truck at the top of the Commerce Street ramp with the rear wheels on the incline and the front wheels on the sidewalk of the Commerce Street side of the City Hall.

The Jail Office corridor outside the Jail Office and the ramp area South of the Southeast corner of the Jail Office was cleared of everyone except security officers.

Plans were changed and Lieutenant R. S. Pierce drove a squad car out of the basement area and out the Main Street ramp. He was accompanied by Sergeants J. A. Putnam and B. J. Maxey. They made a left turn on Main Street, a left turn on Harwood Street and a left turn on Commerce Street. They were intending to lead the armored truck to the County Jail. The armored truck was to be a decoy and the prisoner was to be transferred in a plain car.

Detective Charles Brown drove a plain car on the Commerce Street ramp toward the armored truck. Detective C. N. Dhority then drove another plain car on the ramp behind Detective Charles Brown's car.

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Detective C. N. Dhority was in the process of backing the car he was driving into position adjacent to the Jail Office entrance, when the prisoner was brought out of the Jail Office by Detectives J. R. Leavells and L. C. Graves, preceded by Captain J. W. Fritz and Lieutenant R. E. Swain. They were followed by Detective L. D. Montgomery. The prisoner had taken a few steps toward the car.

Jack Ruby apparently was standing about 10 or 12 feet from the Southeast corner of the Jail Office, at the bottom of the Main Street Ramp near the pipe railing. Ruby lunged forward from a position between acting Detective W. J. Harrison and Robert S. Huffaker, Jr., a newsman for KRLD-TV. Ruby approached Lee Harvey Oswald with a revolver extended and fired one shot into Oswald below the rib cage on the left side.

The shot was fired at approximately 11:20 a.m. Ruby was immediately arrested. Lee Harvey Oswald expired at Parkland Hospital at 1:07 p.m.

This group interrogated 123 persons during the course of this investigation. This included 20 patrolmen, 21 reserves, 30 detectives, 19 supervisors, 13 reporters, 11 cameramen and 9 civilians. Most of the officers were assigned to provide security and the reporters and cameramen were in the basement at the time of the transfer. Only one of the civilians interrogated was in the basement at the time and this was Jack Ruby.

We have obtained the names of 10 newsmen that were in the basement that we have not been able to interview. We were able to determine there were approximately 10 members of the news media in the basement whose identity we have not been able to determine. It is believed these are newspaper correspondents representing publications from other areas of the country and even other countries. Time and money made the running down of these people inadvisable at this time, particularly since it is not believed that any of them could throw additional light on this matter.

Numerous side investigations which grew out of this investigation were also made. A separate report covering these incidents will be submitted.

We are convinced that our investigation has established to a reasonable certainty that Jack Leon Ruby entered the basement from the Main Street ramp and that no collusion existed between

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him and any police officer or member of the press; that his entrance into the basement at this particular time was the result of a series of unfortunate coincidences which caused a momentary breakdown in the security measures adopted. We are also convinced that Ruby was in the basement for a maximum of 2 minutes with a strong possibility that it was only 5 to 10 seconds prior to the shooting of Lee Harvey Oswald.

The following evidence led us to the above conclusion:

I. Exhibit BB

- A. Lieutenants Jack Revill and P. G. McCaghren interviewed Mr. Doyal Lane of 6549 Lake Circle, TAL-0560 at the Western Union Telegraph Company located at Main and Pearl Expressway in Dallas, Texas.
1. Mr. Lane is a supervisor for the Western Union Telegraph Company and was on duty at this location on November 24, 1963. At 11:16 a.m. Jack Ruby sent a \$25.00 Money Order to an employee, Karen Bennett, Ft. Worth, Texas and was given a receipt which was stamped with the time (11:16 a.m.)
 2. Mr. Lane was shown several photographs and he readily picked the photograph of Jack Ruby from these and stated that he knew Jack Ruby inasmuch as Ruby had sent several telegrams in the past.

II. Exhibit DD

- A. Shows a distance of 339'6" from the Westernmost doorway at the Western Union Office to the center of the ramp leading into the basement of the City Hall from Main Street.
- B. Shows a distance of 99' from the center of the sidewalk down the Main Street Ramp to a line running East from the Southeast corner of the Jail Office.

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- C. Shows a distance of 16' from the Easternmost point of line mentioned in B above to point where Lee Oswald was shot.
- D. Total minimum distance Ruby would have to travel to arrive at spot of shooting from doorway of Western Union equals 454'6".

III. Exhibit BB

- A. Lieutenants Jack Reville and P. G. McCaghren on November 29, 1963, checked the time required to walk from inside the Western Union Office to the spot of the shooting in the basement of the City Hall.
 - 1. It takes 1 minute and 13 seconds to walk this distance to the entrance of the Main Street ramp.
 - 2. It requires another 22 seconds to walk down the ramp from Main Street to the location where Oswald was shot.
 - 3. Total time required was 1 minute and 35 seconds.

IV. Exhibit CC

- A. Lieutenants C. C. Wallace and P. G. McCaghren used a stop watch checking time required to walk from entrance of Western Union to location of Lee Oswald at time of shooting. Time required was 1 minute and 16 seconds.
- B. It requires 10 seconds or more to go from the desk in the Western Union Office to the sidewalk outside the office.
- C. Total time required was 1 minute and twenty-six seconds.

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V. Time of Shooting

A. Patrolman Willie B. Slack (Attachment 91) called dispatcher for doctor and ambulance.

1. Dispatcher called O'Neal Funeral Home on "Hot Line" for ambulance.

(a) Funeral Home logged call at 11:21 a.m., November 24, 1963.

(b) Funeral Home advised dispatcher to radio Ambulance 605 who was on the air.

2. Dispatcher notified Ambulance 605 at 11:22 a.m. November 24, 1963. (Exhibit BB) (Exhibit EE)

B. Statements by Ruby -- Attachment 90.

1. To Lieutenants Jack Revill and F. I. Cornwall that he sent a telegram at 11:16 and did not speak to anyone in the basement prior to the shooting.

2. To Detective D. R. Archer (Attachment 2).
 "At this time P. T. Dean asked the suspect, Ruby, 'Jack, how did you get in the basement?' Ruby replied, 'You guys'll never believe this, but a little girl who works for me had called and asked that I send her some money to Ft. Worth. I had left my apartment, gone to Western Union at Main and the Expressway, and wired her \$25.00. I left there and noticed the crowd around the City Hall. I walked up that way, thinking I might get a chance to see Oswald. As I reached the ramp that leads to the basement, I noticed Sam Pierce pull up from the ramp in a black car. The officer standing there turned to either answer a question or say something to Sam. - I don't know. As he did this, I walked down the ramp'."

Mr. Forrest Sorrells of the U. S. Secret Service was believed to be present at the time this statement was made to Sergeant Dean.

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3. To Detective B. S. Clardy (Attachment 17).
 "When asked why he shot Lee Oswald, Ruby replied, 'Somebody had to do it, Ya'll couldn't'. He said it was a spur of the moment thing and it was a million to one chance that he got down there at the actual time Oswald was brought down."
4. To Sergeant P. T. Dean (Attachment 27).
 "After Mr. Sorrells interrogated the subject I questioned Ruby as to how he had entered the basement and the length of time he had been there. Ruby then stated to me in the presence of Mr. Sorrells that he had entered the basement through the ramp entering on Main Street. He further stated that he would estimate his total time as about 3 minutes before the detectives brought Oswald into his view, then he immediately shot him (Oswald)."
5. To Detective T. D. McMillon (Attachment 74).
 "We talked to him when we got to the fifth floor. On the fifth floor Ruby was asked how he got to the basement. He replied that he came from the Western Union Office where he wired a girl in Ft. Worth some money. He said he saw Rio Pierce drive out of the basement. He walked past the policeman standing there. He said a policeman hollered at him, but he ducked his head and kept going. He said that he knew he could always act like a reporter. He also said, 'Ya'll wont believe this, but I didn't have this planned. I couldn't have timed it so perfect.' He said just as he got there, Oswald was coming out."
6. To Patrolman W. J. Harrison (Attachment 45)
 "You all know me, I'm Jack Ruby'. One officer asked him why he did it, and he answered 'I hope I killed the S.O.B.'"

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VI. Car driven wrong way up Main Street Ramp.

- A. Lieutenant R. S. Pierce, Sergeant Putnam and Sergeant Maxey were in car. (Attachments 85, 86 and 69.)
 - 1. All statements state shooting occurred between time car left Main Street Ramp and arrival at Commerce Street Ramp.
- B. Lieutenants C. C. Wallace and P. G. McCaghren interviewed Mr. Fritz Kuler of KRLL-TV. (Attachment 62) Mr. Kuler stated the video tape was continuous. The time recorded on the video machine of elapsed time from passage of Lieutenant Pierce's car in front of the TV camera until the sound of the shot was 56 seconds. This was checked twice.

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Putnam
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VII. Officer R. E. Vaughn - Attachment 102.

- A. Assigned to Main Street Ramp of City Hall.
- B. Instructed by Sergeant P. T. Dean to guard the North Ramp.
- C. Officer Vaughn questioned several people and admitted a city mechanic and 1 reporter.
- D. Stepped out into Main Street to stop traffic and allow Lieutenant Pierce to make left turn onto Main Street.
- E. Saw former Officer N. J. Daniels at Main Street Ramp.
- F. Saw former shine-boy from locker room, Wilbert Ray Jones at Main Street Ramp.
- G. Polygraph test showed truthful answers on all pertinent questions.

VIII. Statement of N. J. Daniels - Attachment 23.

- A. Saw man enter Main Street Ramp.

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- B. Gave description of man.
- C. Said man entered between himself and Officer Vaughn and the officer looked at him but did not stop him.
- D. Polygraph test showed untruthfulness on all pertinent questions that were answered.

IX. Statement of Wilbert Ray Jones - Attachment 57

Had gone to parking lot at Commerce and Harwood at time of shot.

X. Statement of Reserve Officer W. J. Newman - Attachment 79.

Reserve Officer Newman saw someone running down the Main Street Ramp but could not definitely say the time. He believes it was about 1 minute before the shooting.

XI. Statement of Reserve Officer Sergeant Kenneth Croy - Attachment 21.

This officer gives description of man he believes to have been Jack Ruby, that was at foot of Main Street Ramp a while before the shooting. (Investigating Officers have determined that Robert Huffaker, KRLD-TV newsman was in this area at the time, and his clothes were identical to the clothing described by this officer.)

XII. Statements of Detectives B. L. Beaty and J. D. Hutchinson - Attachments 4 and 52.

These two detectives were stationed at the double doors leading into the City Hall from the basement parking area for more than 10 minutes before the shooting. They both knew Jack Ruby and neither saw him in the basement prior to the shooting. They say Ruby

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did not enter the basement area from the double doors from the Jail Office of the Police and Courts Building.

- XIII. Statements of Sergeant Putnam, Reserve Captain Arnett and Reserve Lieutenant McCoy. - Attachments 86, 3 and 72.

These officers statements are regarding the search of the basement parking area and ramps and screening of personnel in area.

- XIV. Newspaper article in Dallas Times Herald, Sunday, December 8, 1963. Statements of Darwin Payne, David Hughes and Sergeant P. T. Dean. - Attachments 82A, 50A and 27.

~~The article alleged that a Dallas Police Officer saw Jack Ruby as he came down the Main Street Ramp.~~

~~Sergeant Dean denied the allegation and the statements of the reporters and their notes show a presumption of the fact not confirmed by the evidence.~~

- XV. Statement of Officer W. J. Harrison - Attachments 45 and 84-B.

Jack Ruby came from this officer's left side when he plunged forward to shoot Oswald.

Polygraph test by Detective P. L. Bentley shows that Officer Harrison did not see Ruby prior to the exit of Oswald from the Jail Office and did not recognize Ruby until instant shot was fired.

- XVI. Security check of newsmen who entered the basement.

All members of the press who were interviewed stated their credentials were checked upon entering the basement, or that they knew the officers personally that admitted them to the basement.

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XVII. Use of Press Pass by Jack Ruby.

- A. Statement by Eva Grant that she believed her brother had a Press Pass. See Exhibit 39-A.
- B. Statement by Mr. Thad Ricks (Attachment 90) that no State Fair Pass was issued to Ruby.
- C. Negative report from all officers and news media regarding seeing Ruby with a Press Pass.
- D. An introductory card was found in Ruby's automobile glove compartment from former Judge Glen Byrd introducing the bearer as Jack Ruby and expressing appreciation for any help given bearer. (In Property Room)

XVIII. Conclusion:

- A. This investigative team believes that Jack Ruby entered the Main Street ramp as the car driven by Lieutenant Rio Pierce was leaving the basement. Patrolman R. E. Vaughn was the only officer guarding the Main Street ramp at this time, and he had stepped into Main Street to halt traffic in order that Lieutenant Pierce could make a left turn onto Main Street.
- B. We also feel it should be noted that no officer interviewed knew the time that Oswald was to be brought to the basement. The car that was to be used for the transfer was still in process of backing into position when Oswald was led from the Jail Office (Attachments 37 and 77)
- C. The still pictures (Attachments 6-A and 53-A) show many of the detectives with their eyes on Oswald at the moment of the shooting, and not watching the viewers who were across the North Ramp and on the East side of the ramp.

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The bright lights illuminating area for the TV-cameras were centered on the area adjacent to the Jail Office, making it difficult for the officers who were facing the lights and cameras to observe any movements originating from the Northeast side of the ramp.

- D. These officers had been instructed to form two lines from the Jail Office door to the vehicle to be used for the transfer and to close in behind the prisoner. (See Attachments 4, 16, 18, 41, 52, 66, 87 and 104)
- E. Exhibits 24-A, 43-A, GG & HH are sound films taken from video tape of the shooting.
- F. Exhibit 84 is a silent film of the shooting.

The other members of this Unit, Lieutenants C. C. Wallace, Jack Revill, F. I. Cornwall, P. G. McCaghren and Detective H. M. Hart concur with the statements in this report.

Respectfully,

J. G. Sawyer
J. G. Sawyer
Inspector of Police

W. R. Westbrook
W. R. Westbrook
Captain of Police

O. A. Jones
O. A. Jones
Captain of Police

JHS:nw

Mr. SAWYER. Proceed.

Captain REVILL. This particular committee was comprised of Inspector Herbert Sawyer, Captain Westbrook, Capt. O. A. Jones, myself, a Lt. Paul McCaghren, Lt. Frank Cornwall, Lt. Cecil Wallace, and initially a detective, one of my subordinates in the intelligence unit, H. M. Hart, and as I said, it was our function to investigate the shooting of Mr. Oswald by Mr. Ruby.

One phase of the particular investigation indicated that at 11:16 a.m. on the date of the shooting of Oswald, Ruby had sent a wire to Fort Worth—11:16 a.m. It is my understanding that the shooting of Mr. Oswald by Ruby was 11:20 a.m., some 4 minutes later. The Western Union Building is to the east of the police and courts building. The distance from the counter or table where he sent this wire to the young lady in Fort Worth was approximately 454 feet from that counter to the location where he shot Mr. Oswald.

Using a tape measure and a stop watch, we determined that it involved approximately 1 minute and 35 seconds to cover the distance from the Western Union to the location of the shooting. So it was pretty close timing there for Ruby to have gained entrance to the basement of city hall.

If he sent the teletype or telegram or wire at 11:16 a.m. and the shooting occurred at 11:20 a.m. some 4 minutes elapsed, and we can account for approximately 1 minute and one half, 1 minute and 30 seconds from the time he left Western Union.

Now, I will bring something up at this time. I personally conducted that investigation, Lieutenant McCaghren and I. We are basing the times on the statement of the Western Union employee, who says that Ruby sent this wire at 11:16, and this is verified by a date time stamp.

In talking to this individual, McCaghren and I questioned him as to whether or not he actually date time stamped it automatically or immediately. He said, yes; he did because that was procedure. But that doubt was always in my mind. It is possible there was some time lapse in that maybe he didn't do this at the time because this was a part of the procedure, yes, he said he did it. So who knows?

But using the physical evidence that we found, using the date time stamp of 11:16, and Mr. Oswald being shot at 11:20, you have a period of 4 minutes.

Mr. SAWYER. Can you show us where the automobile containing the three officers was located?

Captain REVILL. Yes, this automobile had already cleared the ramp. It went the wrong way. This is Main Street here, and the normal course of travel, it is one-way ramp into the basement of the city hall off of Main Street, and you exit one way on to Commerce Street.

Officer Roy Vaughn was assigned at the ramp to prevent anyone entering the ramp.

Now, something else that came to my attention in June, and it took me by surprise. Roy Vaughn, I have complete confidence in his integrity, and credibility. He was assigned to that ramp. As part of the investigation, I submitted Roy Vaughn to a polygraph examination. He passed the polygraph examination. He did not

knowingly permit Jack Ruby entrance into the basement of the city hall. This is verified by polygraph.

In June of this year, one of the staff investigators was in Dallas and Roy Vaughn, who is Sergeant Vaughn, who I mentioned, is now my administrative sergeant, told me that he had talked to a Sgt. Don Flusche, who is still with the Dallas Police Department. Don Flusche was a sergeant assigned to the Northeast at the time of the assassination. Sergeant Vaughn reported to me that Don Flusche on that Sunday morning, had parked across the street from the police and courts building, stood outside his car with the door open monitoring the radio, just watching.

He further told me that Flusche says that he knew Jack Ruby, knew him personally, that Jack Ruby did not come down Main Street and enter the ramp of the city hall. That took me by surprise.

Mr. Moriarty, one of the staff investigators, was there, I called Sergeant Flusche to my office and he relayed that same information to both of us. So if that be true, then maybe Mr. Ruby did not enter the basement that way. It tends to dispute the findings of the investigative team I was assigned to. I don't know. That is the truth.

Mr. SAWYER. That would be consistent with the testimony of the three officers that drove up that ramp, too.

Mr. REVILL. Yes, sir; it would.

Mr. SAWYER. They had not seen him, either?

Mr. REVILL. There are also two other alternatives, and it is a possibility. After determining that information from Sergeant Flusche, Mr. Moriarty and I personally, walked to the basement of city hall and I found some more steps. I have been there in that building off and on almost 28 years, and I didn't know the steps were there; never paid any attention to them. There is another set of steps here that lead into the basement of city hall.

Mr. SAWYER. From where?

Mr. REVILL. From the first floor of the municipal building. The municipal building, at that time, was the city hall. The city hall, or municipal building and the police and courts building are two separate buildings, although they are connected.

Mr. SAWYER. Is there a door, there, too?

Mr. REVILL. There is a door leading out of the basement into some steps. You can go to the first floor of the municipal building.

Mr. SAWYER. And the first floor of the municipal building, I presume, was not secured at all?

Mr. REVILL. On Sundays, or weekends, it is normally locked. Now, whether or not it was secured on that day, sir; I do not know. But the Western Union Building is here. Midway between Harwood Street and Central Expressway South, the Western Union Building sits on the corner of Main and Central Expressway South. The police and courts building sits up at the corner of Harwood and Main. There is an alleyway that runs parallel to Harwood.

Midway between Commerce and Main Street, there is an entrance to the Municipal Building. Today, that door has a dead bolt lock. Now, what it had in 1963, I don't know. It could have had a panic lock; who knows. I don't know.

Another alternative is rather than coming down Main Street at all, Ruby could have come Central Expressway to an alleyway that runs midway between Commerce and Main Street and walked right into the area and it would not affect the timing at all. So, it still falls within the time frame of 4 minutes.

Mr. SAWYER. Was that door and steps from the municipal building secured or guarded in any way?

Mr. REVILL. At one time, I am told by members of the staff, there had been a police reserve officer here, but prior to Mr. Oswald being brought out, this officer had been reassigned. I am just quoting one of your staff members. I was not present at the location that day.

Mr. SAWYER. Was there any other way he could have had access to the basement other than the two you have shown us?

Mr. REVILL. Yes, sir; he could have come through the police and courts building into the main hallway, but it is my understanding that this was secured by uniformed officers and plain clothes personnel.

Mr. SAWYER. Did you ever ask Jack Ruby following this how he got into the basement?

Mr. REVILL. Yes, sir; I did. On December 1, Lieutenant Cornwall and I went to the Dallas County jail and interviewed Jack Ruby.

Jack refused to discuss with us his entrance or access into the basement. He told us this would be a part of his defense tactics. Again, on December 3, I interviewed Jack Ruby and he repeated the same thing. He refused to discuss how he gained entry into the basement.

Mr. SAWYER. Do you have any hypothesis or any reason that you could conceive why he would't discuss this with you?

Mr. REVILL. None other than his statement to me that this was to be used as part of his defense.

Mr. SAWYER. Might it be that he was protecting the identity of some people that might have let him in?

Mr. REVILL. That entered my mind at the time, sir.

Mr. SAWYER. And he never said, he never said at any point that he did go down the ramp—

Mr. REVILL. Not to me; no, sir.

Mr. SAWYER. To your knowledge, did he tell anyone else that?

Mr. REVILL. I think I read some accounts in the newspapers that he had reported and he went down the ramp. But he never made this statement to me, sir.

Mr. SAWYER. Where some of these officers that went up the ramp in the car given polygraph tests?

Mr. REVILL. No, sir—

Mr. SAWYER. Or otherwise checked out?

Mr. REVILL. No, sir. The three officers who went up the ramp were not given polygraphs. An additional officer was polygraphed. An Investigator Harrison who was standing in this area here, and the reason for the examination of Mr. Harrison was, in reviewing the films of the actual shooting of Oswald, it appeared as though Harrison looked over his left shoulder and Mr. Ruby was standing just to his left. So, with that in mind, we decided that he had to have seen him. We examined Harrison on the polygraph and he passed the polygraph.

This is possible, too, because major network stations had set up, I believe the correct terminology is klieg lights, bright TV lights here in this area. We re-enacted the scene and those particular lights completely blinded anyone who looked in their direction.

Mr. Harrison did pass the polygraph examination that he did not see Jack Ruby to his immediate left just prior to the shooting of Mr. Oswald.

Mr. SAWYER. Were any of the other officers given polygraphs?

Mr. REVILL. Those were the only two that I personally was involved in polygraphing, sir. In answer to your question, I don't know of any other officers.

Mr. SAWYER. Did any of them, who were given polygraphs, fail the polygraphs?

Mr. REVILL. There was one other officer who took a polygraph examination. I had nothing to do with that. A former Dallas officer, Napoleon Daniels, was standing at the top of the ramp. It is my understanding he made a statement that he saw Ruby enter the basement by the ramp and that Roy Vaughn, who was assigned to that post, looked at him, nodded to him and permitted him to enter.

Mr. Daniels was subsequently administered a polygraph examination and he flunked the examination.

Mr. SAWYER. Was that ever followed up with any further questioning of him?

Mr. REVILL. I did not question him, no, sir.

Mr. SAWYER. To your knowledge, did anyone else?

Mr. REVILL. No, sir, not to my knowledge.

Mr. SAWYER. But it was a conclusion, then, of your special investigative unit that Ruby had come down the ramp, but I infer now you have some reservations.

Mr. REVILL. The conclusion, at the time, was that Mr. Ruby had entered the ramp of the city hall here. Based on information that just came to my attention in June of this year from Sergeant Flusche—there might be a doubt. As I said, I have complete confidence in Mr. Flusche's integrity and credibility.

Mr. SAWYER. There have been some statements that some guards were removed from the interior door about 20 to 30 minutes before the shooting had occurred. Were you aware of that?

Mr. REVILL. I found that out yesterday, sir.

Mr. SAWYER. Just yesterday?

Mr. REVILL. Yes, sir.

Mr. SAWYER. Do you know anything about that?

Mr. REVILL. Nothing other than what one of your attorneys told me. I was not present at this location on the date of November 24. I was home.

Mr. SAWYER. Had there been any public announcement or any public information about the intention to transfer Oswald at the time?

Mr. REVILL. As I recall, the chief of police at that time, Jess Curry, publicly stated over the radio and TV that at 10 a.m. on Sunday the 24th, that Mr. Oswald would be moved.

Mr. SAWYER. When you did find out that these guards were removed or had information to that effect, do you know who would have done that, or do you have any information?

Mr. REVILL. I now know who did it, but I didn't at the time because I didn't know they had been moved.

Mr. SAWYER. Do you know who did it? Can you tell us?

Mr. REVILL. Yes, sir, I am told Sgt. P. T. Dean, a retired sergeant, removed them.

Mr. SAWYER. Do you know why he removed them?

Mr. REVILL. No, sir, other than, again, going back to your counsel, he said they were moved or relocated to a position outside to work vehicular traffic. Again, that is based on your counsel.

Mr. SAWYER. Was there ever any kind of finding as to negligence or otherwise on the protection of this area made by your unit?

Mr. REVILL. I think it is a foregone conclusion that there was negligence; we let the man get killed. But as far as being able to identify any one individual as being responsible or negligent, no, sir.

Mr. SAWYER. And your special unit conducting the investigation made no finding of negligence on behalf of anyone?

Mr. REVILL. No, sir, in that the entire department was negligent.

Mr. SAWYER. Did the Warren Commission, so far as you know, rely on your report to that effect?

Mr. REVILL. I don't know, sir.

Mr. SAWYER. But they were aware—

Mr. REVILL. Yes, sir, they had copies of all of the reports.

Mr. SAWYER. I have nothing further at this time, Mr. Chairman.

Chairman STOKES. You may resume your seat at the witness table, Captain.

Mr. REVILL. Thank you.

Chairman STOKES. Captain Revill, did you attend the trial of Jack Ruby in Dallas?

Mr. REVILL. Yes, sir. The district attorney of Dallas County, Mr. Henry Wade, had myself and five of my investigators assigned to his office during the trial of Jack Ruby to assist him in preparing for prosecution.

Chairman STOKES. In the course of the trial, was it not necessary to establish how Ruby had gotten into the basement of the police station?

Mr. REVILL. I never testified to that effect, sir.

Chairman STOKES. No; but in terms of the prosecutor proving the crime, didn't he have to offer evidence of that?

Mr. REVILL. I am sure he did. I was under the rule, and I was not inside the courtroom for the actual testimony. I do not recall who actually testified or addressed that particular facet.

Chairman STOKES. In your capacity of helping the prosecution, you were kept out of the courtroom during the course of the trial?

Mr. REVILL. Yes, sir.

Chairman STOKES. And then I assume, then, that you are not familiar with what the evidence was in the case relating to how he got into the police station?

Mr. REVILL. That is correct, sir, I am not familiar.

Chairman STOKES. Are you familiar with whether or not a statement was taken from Jack Ruby by the police at the time of his arrest for the crime?

Mr. REVILL. A written statement or a verbal statement, sir?

Chairman STOKES. Well, either one.

Mr. REVILL. It is my understanding that shortly after the shooting of Mr. Oswald, Ruby made some type of statement to members of the police department in the fifth floor jail, but I was not there, sir, and I don't know exactly what he did say.

Chairman STOKES. I see.

Mr. REVILL. It was a spontaneous statement, or something to that effect.

Chairman STOKES. Let me ask counsel of the committee if they have a statement from Mr. Flusche for the record? I understand that Mr. Flusche's statement to our committee was on June 7, 1978 and has been identified as JFK exhibit F-569; is that correct? I ask unanimous consent that Mr. Flusche's statement be entered into the record at this point.

Without objection, so ordered.

[The above-referred-to exhibit, exhibit JFK F-569, follows:]

KENNEDY

- JFK F-569 -

INVESTIGATION INTERVIEW SCHEDULEIdentifying Information:

009588

Name DON F. FLUSCHG Date 6-7-78
 Address 2321 GLOBE AVE. Place INTERNAL AFFAIRS OFFICE
 City/State DALLAS, TEXAS (214) 327 5777-H
 Telephone 670 4405-W
 Date of Birth _____ M or S _____
 Social Security _____ Spouse _____
 Children _____

Physical Description:

Height 5'10" Color Eyes BLUE Hair RED
 Weight 180 Special Characteristics _____
 Ethnic Group CAU.

Personal History:

- a. Present Employment: DPD (INSPECTORAL SERVICES)
 Address HEADQUARTERS BLDG
 Telephone 670 4405
- b. Criminal Record
1. Arrests _____
 2. Convictions _____

Additional Personal Information:

- a. Relative(s): Name _____
 Address _____
- b. Area frequented: _____
- c. Remarks: _____

Investigator

Jack M. Minty

Date

6-7-78

Form #4-B

KENNEDY

SELECT COMMITTEE ON ASSASSINATIONS

Name Don F. Flusche Date 6 7 78 Time 1400
 Address 2321 Globe Avenue Place on the job
Dallas, Texas 214 670 4405 (work)
214 327 5777

Interview: Interviewed Sgt. Flusche on the job today as he is assigned to the Inspectional Services Section of the Dallas Police Department, at which time he advised he was standing alone on the Main Street sidewalk diagonally across the street from the DPD basement ramp. It was some time before noon and he observed Officer Roy Vaughn, whom he knew, at the ramp's entrance on 11/24/6

The sergeant had his cruiser parked to the curb with the right front door opened on to the sidewalk area. He was listening to the Police Department radio (he was on duty). Although assigned to the "Northeast District" at the time, he was also working as the Watch Commander and had driven to Main Street to see if he could see Lee Harvey Oswald as he was moved to the Sheriff's Office.

He stood there long enough to see (Lt.) Rio Sam Pierce drive up the "in" ramp and Vaughn step towards the street.

He was still there when the obvious commotion told him something was amiss in the basement.

The street was void of pedestrians in the downtown

Interviewer Signature

Jack Moriarty

Typed Signature Jack Moriarty

Date transcribed June 28, 197

By: Ross

in the downtown section on this Sunday morning and he knows beyond any doubt in his mind, that Jack Ruby, whom he had known many years, did not walk down Main Street anywhere near that ramp.

Asked why he hasn't mentioned this before, he advised he did as soon as he found out what had happened. He immediately notified his superior, Lt. Knox. He didn't hear any more about it until yesterday talking with Vaughn who asked him to mention it to me.

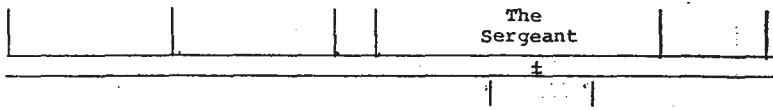
Captain Jack Revill was present during this interview.

I accompanied the Captain and Vaughn to the basement of this building where the LHO/Ruby scene is located and we examined the scene carefully.

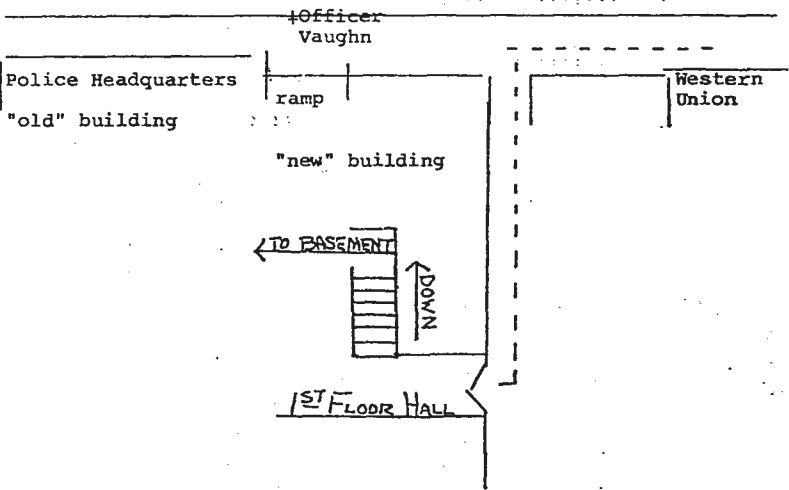
Close inspection reveals an alley separating the Police Headquarters building and the next building and the adjoining building which ends the block. This last or third building also houses (and did in 1963) the Western Union office used by Ruby that Sunday morning. It is quite plausible that Ruby - or anyone else - could walk from the corner building (Western Union) past the second building, turn left into the alley alongside the Police Headquarters and enter the Dallas Police Department by way of a side door, which leads to a stairway directly to the basement area where the shooting took place.

While this possibility doesn't alter any facts, it's an alternate route which could have been utilized by Ruby and would have made a much less conspicuous entry possible.

The timing and the distance would be within feet and seconds of the "ramp" version.



Main Street



Chairman STOKES. The gentleman from North Carolina, Mr. Preyer.

Mr. PREYER. Did you ever see Jack Ruby in jail after the trial?

Mr. REVILL. No, sir, not after the trial.

Mr. PREYER. So, you didn't see him again after the trial?

Mr. REVILL. No, sir, I saw him during the course of the trial, but I never had occasion to see him after the trial.

Mr. PREYER. The only other question I wanted to be clear in my mind on, I understood you to say that he only, or you only saw Jack Ruby in your bureau, your office, say, twice a year?

Mr. REVILL. Yes, sir, this is correct. And I might explain that. The intelligence section was a part of the special service bureau which consisted of vice, narcotics and intelligence. We were located in room 217 of the police and courts building.

In 1960, due to space limitations, the intelligence unit was physically moved to a building located in the State fairgrounds. My daily activities would require that I make trips to and from the police and courts building, but my office was actually in the building in the fairgrounds.

Prior to that time, I was assigned to that bureau in 1954, August of 1954 I was assigned as detective to the narcotics unit and from 1954 to 1960, I seldom saw Jack Ruby in that office except when he was in the process of renewing a license.

Mr. PREYER. The only point I was getting at, I had the impression that Ruby often visited police headquarters and brought sandwiches to officers. Are you telling us that he didn't do that, or are you telling us that he only visited your particular department that you knew about a couple of times?

Mr. REVILL. I am telling you that I have no knowledge of Ruby's frequent visits to the police and courts building of delivering sandwiches, et cetera.

Mr. PREYER. You are just telling us you don't have knowledge of that; you are not saying that didn't happen?

Mr. REVILL. Yes, sir, I might also add my normal duty hours were daytime hours, that Ruby was probably a night-time person, and he could have done this during the evening hours. I have no personal knowledge of it.

Mr. PREYER. Thank you, Captain.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. I just want to inquire in one area, Captain. This sergeant, Don Flusche—

Mr. REVILL. Flusche.

Mr. DEVINE. I understand he was standing outside his cruiser with the door open listening or monitoring—

Mr. REVILL. His radio.

Mr. DEVINE [continuing]. His radio. Was he standing on the offside, the right side of the vehicle?

Mr. REVILL. Yes, sir, he would have been standing on the right side of the automobile parked across the street from the police and courts building.

Mr. DEVINE. So that his automobile was between the officer and the entrance to the ramp?

Mr. REVILL. Yes, sir, he was standing on the curb.

Mr. DEVINE. Yes; I believe you said he knows beyond any doubt in his mind that Jack Ruby, whom he had known many years, did not walk down Main Street anywhere near that ramp?

Mr. REVILL. This is what he told me, sir.

Mr. DEVINE. Was he questioned as to whether he consistently and continuously and without interruption observed the ramp area or was his back at any time turned to it?

Mr. REVILL. He was questioned by Mr. Moriarity of this committee extensively about what transpired and he contends that his vision was not blocked at any time, that Ruby did not walk from the alleyway in front of the municipal building into the ramp of the police and courts building.

Mr. DEVINE. At least he didn't see him.

Mr. REVILL. He didn't see him.

Mr. DEVINE. Was he assigned there specifically for that purpose or was he there just on an off-chance he may have an opportunity to see Oswald depart?

Mr. REVILL. I think the latter is the correct version. He, on that particular day, was the acting watch commander for the northeast division and due to a lack of activity in his particular sector, he had driven to the downtown area to see, in essence, what was going on, and he was parked there when the murder of Oswald took place.

Mr. DEVINE. Do you know, Captain, why he didn't make this information available to the Dallas police in November of 1963 or the Warren Commission in 1964?

Mr. REVILL. He told me he did, that he had related this information to a Lt. Earl Knox, who was his superior, and what Lieutenant Knox did with it, I don't know. I think he is now deceased.

Mr. DEVINE. Do you know whether or not this information came out during the trial of Jack Ruby in Dallas?

Mr. REVILL. Not to my knowledge.

Mr. DEVINE. Thank you, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Tennessee, Mr. Ford.

Mr. FORD. Thank you, Mr. Chairman. I have one question of the witness.

Captain, did you say earlier that the investigating team, consisted of seven, eight different officers?

Mr. REVILL. Yes, sir.

Mr. FORD. In your final report of the investigation you did not include any information regarding the stairway in the municipal building, is that correct?

Mr. REVILL. That's correct, I am saying we didn't submit any information about the stairway.

Mr. FORD. It is just until recently that the stairway in the municipal building was discovered; is that correct?

Mr. REVILL. That's correct.

Mr. FORD. Mr. Chairman, I yield back the balance of my time.

Chairman STOKES. The gentleman yields back the balance of his time. The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you, Mr. Chairman. Captain, did you ask Jack Ruby if he went down the ramp?

Mr. REVILL. Yes, sir, I did.

Mr. FITHIAN. And he said he refused——

Mr. REVILL. He refused to respond to that saying this would be a part of his defense tactics. What he meant by that, I do not know, sir.

Mr. FITHIAN. I believe Congressman Sawyer referred to this, but I didn't quite understand all the answer, and that's the polygraph test that was administered to Mr. Daniels.

Mr. REVILL. Yes.

Mr. FITHIAN. The information I have and the documents we have is that on the crucial questions about whether he saw somebody go down the ramp and the description of the person, et cetera, he failed every one of those questions.

Mr. REVILL. I am not personally familiar with Mr. Daniels' polygraph examination, other than the fact he was administered one and he did fail the particular test. The pertinent questions, I do not know.

Mr. FITHIAN. Can you tell the committee something more about Mr. Daniels than we now know? What kind of a person was he? How reliable as officer?

Mr. REVILL. I didn't know the gentleman, sir.

Mr. FITHIAN. Let me turn, then, to another area. At the time of the transfer, you said that you were not in the building?

Mr. REVILL. That's correct.

Mr. FITHIAN. But this must have been in the long course of your review and investigation of this, a very, very pertinent topic and, therefore, am I wrong to assume that you are really pretty familiar with what the mood of the action and the activities in the building were?

Mr. REVILL. I had no knowledge of the proposed move of Mr. Oswald. Those were decisions made by the chief of police and the captain commanding the homicide and robbery unit at that time.

Since the incident involving the shooting of Oswald by Ruby, in talking to other people, I formed ideas. But having personal knowledge, no, sir, I have none.

Mr. FITHIAN. Let me ask you another way, then. Isn't it true that there was a real effort to provide security for this transfer?

Mr. REVILL. Yes, sir, there was an effort to provide security. As I have testified earlier, the basement of the city hall, and I am advised of this——

Mr. FITHIAN. I wonder if you could move the microphone over in front of you a little more, Officer.

Mr. REVILL. I am advised that the security survey was made, or a sweep of the basement of the city hall was made prior to the actual movement of Mr. Oswald, that this sweep involved looking into automobiles, under automobiles, behind any possible barricades, and that prior to the actual movement of Mr. Oswald, that the all-clear was given.

As I say, I was not there; this is what I am told.

Mr. FITHIAN. Then, in light of the fact that a fairly significant effort was made to provide security for Oswald and to transfer him to the county sherriff's quarters, what was your finding with regard to Chief Curry's making a public announcement of the time this would take place?

Mr. REVILL. We really did not address that particular aspect,

Mr. FITHIAN. It just seems to me, as a layman—I am not a police officer—to take a celebrated prisoner that had just assassinated the President of the United States and then to announce to the world that at 10 o'clock, you are going to move him from point A to point B—

Mr. REVILL. I agree with you, sir, it is strange.

Mr. FITHIAN [continuing]. Is a remarkable development.

Mr. REVILL. Very strange.

Mr. FITHIAN. Second, was there ever any question as to whether or not the decision to allow the media and the klieg lights and all the commotion that would bring into the basement, was there ever any question, have you conducted that investigation as to why that decision was made?

Mr. REVILL. Yes, sir, we attempted to address that question, and we were advised that, the understanding was made with the network stations that they would not illuminate the klieg lights which were used by the TV stations which tended to blind the participants in the basement of the city hall.

Mr. FITHIAN. Captain, is it your professional opinion that had the commotion and the additional people, the media and the cameras not have been present, that Lee Harvey Oswald would not have been shot?

Mr. REVILL. They contributed to the killing of Oswald, yes, sir.

Mr. FITHIAN. That is, in creating this commotion in the basement—

Mr. REVILL. Mass confusion.

Mr. FITHIAN. Well, then, in your final findings—you were in charge of investigating this whole thing?

Mr. REVILL. No, sir, I was not in charge. I was one of the people assigned to the unit to conduct the investigation.

Mr. FITHIAN. You were one of the people assigned—

Mr. REVILL. Yes, sir.

Mr. FITHIAN. Were your findings critical of these two decisions, one, to make the public announcement, and, two, to allow the media in so you—

Mr. REVILL. No, sir, I don't think we addressed that particular subject in the investigation report. They did contribute to the confusion, but the decision had been made by the chief of police and possibly some of the city fathers to do this in an effort to cooperate with the news media to assure the world that we had not mistreated Lee Harvey Oswald while he was in our custody.

Mr. FITHIAN. Mr. Chairman, I only have a closing observation. It seems unusual that the two elements, besides Jack Ruby, that seems to have been the source of the event, or the cause of it, would not be addressed in the investigation of it. I guess that is 20-20 hindsight.

I yield back the balance of my time.

Chairman STOKES. The gentleman yields back the balance of his time. The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Thank you, Mr. Chairman.

Captain, who was in command on the Sunday morning of the Oswald shooting?

Mr. REVILL. The chief of police would have been in command of the police department that morning; he was on the premises.

Mr. EDGAR. I had some extensive experience over a 3- or 4-year period in riding with something called the police clergy unit. I also rode in the command car, which, in the city of Philadelphia, was the lieutenant's car. He tried as best he could to be on the scene of any major incident and be on top of the situation and be in control of the situation. Do you know who was in charge?

Mr. REVILL. Yes, sir, the chief of police was in the building the morning of the transfer. As to his physically being present in the basement of the city hall, I have no information to that effect. It is my understanding the assistant chief at that time, Charles Batchelor, and the deputy chief of CID, W. M. Stevenson, were or had been physically present in the basement. But ultimately, responsibility must lie with the chief of police.

Mr. EDGAR. How would you grade his command, A, B, C, D, F, in terms of grading the quality of it on that day?

Mr. REVILL. Sir, I was not present, and again, this is hindsight. I don't feel it would be proper for me to comment—or attempt to evaluate his performance.

Mr. EDGAR. Let me comment for a second because I have been very interested in a couple of things that you have said and a couple of other important things that we have gotten over a period of time. We have analyzed and asked witnesses from the Secret Service and FBI, now the Dallas Police, whether any tape recording or any verbatim of Oswald's testimony was taken, and the answer came back no. We now find out that in terms of security arrangements, centered around the movement of Oswald, from the police station, as to whether or not the security arrangements were really adequate and good, and the answer comes back no, there were mistakes.

Even in the investigative report that you did, you have admitted this morning there was an officer who was not far from the ramp, who had testimony to give, and yet your investigative committee, looking into how Jack Ruby got into the basement, was not analyzed.

You admitted further that an access that would be a possible route of entry into the basement was not brought to your attention until recently.

We could go through a number of other specific events centered around the control of Lee Harvey Oswald, the control of the press, the control of the area, and the security, et cetera. And find a number of mistakes had been made.

Can you identify for the committee why no member of the Dallas Police Department was even reprimanded even slightly for their activities or actions surrounding the death of President Kennedy?

Mr. REVILL. No, sir, I cannot personally address myself to that. That decision would have been made by the chief of police.

Mr. EDGAR. Could it have been part of the kind of the environment of police thinking that it is very difficult to publicly criticize any of its own members for mistakes, or part of the environment of the thinking of the Dallas Police Department that they would not want to admit a mistake?

Mr. REVILL. Sir, at that time, I don't think we would have hesitated one bit to admit mistakes because we became, you might

say, a laughing stock, keystone cops, due to the inadequate security that we provided for Mr. Oswald.

Mr. EDGAR. But the record indicates that you took no action to reprimand any of your officers for any of the activities that they were involved in.

Mr. REVILL. Had the investigation proved that any particular officer was involved with Mr. Ruby, I would hope that he would have been disciplined.

I can assure you that this would occur today.

Mr. EDGAR. Let me just have one final question. I was surprised at your very quick characterization of Jack Ruby as a baffoon and your indication if you were or if there was a personnel director of the underworld, that Jack Ruby would not be someone to hire. But couldn't the speculation also go that the underworld needs a number of people to act in different capacities other than professionally involved in roles of the underworld, and that Jack Ruby could have been used by organized crime in a particular way, and that the speculation that the underworld never uses baffoons might be too quick of an analysis of underworld activities?

Mr. REVILL. This is a possibility. Again, Mr. Ruby may have been playing a role, but this is the image that he projected to me and this is my personal opinion, having observed Ruby on infrequent occasions.

As I testified, I never went to his clubs, I would see him on the streets. He was the type person who would run up to you to be identified. He sought attention. This is my interpretation of Ruby, a loud mouth.

Mr. EDGAR. I yield back my time.

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

Mr. DODD. Thank you, Mr. Chairman.

I want at the outset to thank my colleague from Michigan, Mr. Sawyer, for filling in for me on some of those questions. I had to be over in the House Rules Committee.

I would like to ask the witness, did the special unit on that day, on November 24, ever consider the possibility after the fact that Jack Ruby had entered the basement through a route other than through the ramp? Did you examine other alternative routes that he could have come in?

Mr. REVILL. No, sir. After a determination of the physical evidence, by this, the timing, the distances involved, and the fact that Mr. Ruby had reported to other officers that he entered by the ramp, we zeroed in on that particular entry.

Mr. DODD. And didn't examine any other possible alternative?

Mr. REVILL. No, sir.

Mr. DODD. Yet based on the testimony you have given here today, what I have been able to read as a result of previous statements you have given to this committee: one, Ruby in fact did not tell you that this was the way he got in, down the ramp—I will enumerate four or five factors that I have listed in my notes—there was an alleyway route and an entrance on the side; information that the alleyway entrance door was unguarded; the additional fact that three officers in the car on the ramp said that they did not see Ruby; and that Officer Vaughn did not see Ruby; and that Sergeant Flusche, who was on the other side of the street, on Main

Street, he didn't see Ruby walking down the street. Here we have all of this evidence that seems to contradict the statement or the fact that has been believed for so long, that Jack Ruby came down the ramp.

We can conclude in light of all this evidence that he probably didn't come down the ramp? Wouldn't you agree with that?

Mr. REVILL. No, I cannot conclude positively he did not come down the ramp. As I said earlier, the information from Sergeant Flusche came to my attention in June of this year. The three officers who exited the building up the ramp onto Main Street, it is possible that they would not have seen Ruby.

It is also possible that Roy Vaughn in stepping out onto the sidewalk from the entrance to check for oncoming traffic, talking about eastbound traffic on Main Street, to enable the police car to make a left turn across traffic, Jack Ruby could have slipped into the basement at that time.

But I am satisfied that Roy Vaughn did not see Jack Ruby nor did he knowingly permit him to enter the basement.

Mr. DODD. You would have to agree this day that there exists a strong possibility, in light of all the evidence that has come to light since that time, that Jack Ruby could just as easily have entered the basement, in fact more easily, entered the basement through that alleyway and that unguarded door?

Mr. REVILL. This is possible, if that particular door leading to the alleyway was unlocked.

Mr. DODD. Prior to the shooting of Lee Harvey Oswald, in fact only minutes before, Jack Ruby sent a money order from the Western Union office. Did the special unit consider the possibility that Jack Ruby had utilized the sending of this money order to make his entrance to the basement and that the subsequent shooting of Oswald seemed a fluke or coincidence of timing?

Mr. REVILL. We discussed it, yes, sir.

Mr. DODD. What did you conclude?

Mr. REVILL. If that be the case, then Ruby had to have had assistance from someone in the police department. To know exactly what time Oswald was to be transferred.

Mr. DODD. Did the inspection unit assume that for Jack Ruby—I guess you have answered that by your response to your last question—you would have assumed he would have had to have assistance? Did you examine or how thoroughly did you examine whether or not there was a possibility of such assistance?

Mr. REVILL. We interviewed everyone that had been assigned to the basement. We interviewed members of the news media in an effort to determine if there was complicity between Ruby and any member of the police department or anyone else for that matter, and we were unsuccessful in that endeavor.

Mr. DODD. We will suspend for one moment.

Counsel informs me of another possibility. I guess for the 15 years we have always assumed that word would have had to come out to Ruby from the police station, to inform him as to exactly when Lee Harvey Oswald was going to be transferred. Did the special unit ever consider the possibility that the arrival of Jack Ruby triggered the decision to then move Lee Harvey Oswald?

Mr. REVILL. No sir, because it would have taken longer. If you can believe the fact that he did send a telegram or a wire to Fort Worth at 11:16, you have got a time lapse of 4 minutes from the time the operator date stamped the wire until his shooting of Oswald in the basement. That is a 4-minute period. That would have taken time—timing would have had to be perfect and knowing the elevator situation in the jail I can't see that they would have played it that close.

Mr. DODD. I would like to pursue just one other line of questioning, if I could.

You testified before the Warren Commission, is that correct?

Mr. REVILL. Yes, sir.

Mr. DODD. And you stated there that you knew James Hosty?

Mr. REVILL. I knew him well.

Mr. DODD. Could you tell this committee, without going through an elaborate questioning process, in your own words, tell us of your encounter with James Hosty on November 22, 1963, where it occurred, and what James Hosty told you when you ran into him, approximately the time you ran into him?

Mr. REVILL. Of course, this will be based on memory. Basically, what occurred on that date, after searching the School Book Depository, finding the weapon and other evidence, I departed the Depository and returned to the Police and Courts Building accompanied by three detectives who worked in the intelligence unit. As I entered the ramp off of Main Street into the Police and Courts Building—

Mr. DODD. This is the same ramp?

Mr. REVILL. The same ramp.

I was followed, or either I followed James Hosty, a member of the FBI. We both parked our cars—

Mr. DODD. You weren't following him specifically, he just happened to be coming into the building?

Mr. REVILL. He just happened to be coming into the building. We both parked our cars. He approached me, and again from memory, he commented to the effect that Lee Harvey Oswald, a Communist, had killed President Kennedy.

Mr. DODD. What time of day was this? If I told you that in your testimony in 1964 you had said it was approximately 2:30 in the afternoon, would you argue?

Mr. REVILL. I wouldn't argue. It was at a time after Oswald had been taken into custody at the Texas Theater but before his arrival at the Police and Courts Building.

Mr. DODD. Were you aware of the fact that Lee Harvey Oswald had been arrested?

Mr. REVILL. No, sir, not at that time.

Mr. DODD. Were you aware that Mr. Hosty knew that Lee Harvey Oswald had been arrested at that time?

Mr. REVILL. No, I assumed he did based on his statements to me.

Mr. DODD. You said, and I will quote, you said in 1964, I will quote your response to Mr. Rankin, just so you can refresh your memory and you can correct it if you would like, this is your testimony: "And Mr. Hosty ran over to me and he says, Jack, as I recall these words, a Communist killed President Kennedy.

"I said, What?

"He said, Lee Oswald killed President Kennedy.

"I said, Who is Lee Oswald?"

"He said, He is in our Communist file. We knew he was here in Dallas.

"At that time Hosty and I started walking off, and Detective Bryan as well as I recall, sort of stayed back and so forth."

Then he also states to you that at that time, according to your testimony in 1964, that they knew, that he knew, Jim Hosty knew, that Lee Oswald was capable of killing the President. You became upset at that?

Mr. REVILL. Yes, sir.

Mr. DODD. Is that a fair——

Mr. REVILL. That is a fair——

Mr. DODD [continuing]. Assessment of the conversation and your reaction?

Mr. REVILL. Yes, sir.

Mr. DODD. Why were you upset?

Mr. REVILL. Because we had worked with the Bureau on identifying people who posed not so much physical threats to Mr. Kennedy but those people who would attempt to embarrass him, and also those who would harm him. We had shared information but on this particular person, for some reason, Mr. Hosty had not shared the information with us.

Mr. DODD. This was not normal operating procedure. In fact he had in the past——

Mr. REVILL. Well, in dealing with the FBI, local law enforcement, most of it is of a personal relationship with the agents and my relationship with Mr. Hosty was that we shared information but in this particular case he had not.

Mr. DODD. Did he tell you why he—how he drew the conclusion that Mr. Oswald was a Communist?

Mr. REVILL. No, sir. What happened, after making this statement or these remarks to me, I asked him what he was going to do with the information, and he said he wanted to talk to Will Fritz, who was the Captain of Homicide. I asked him if he knew Captain Fritz and his response was no, so with that I accompanied Agent Hosty to the third floor homicide and Captain Fritz was not present at the time, some of his staff were.

I left Mr. Hosty in that office and returned to the second floor, to the Special Service Bureau office.

Mr. DODD. You are sure of that?

Mr. REVILL. Yes, sir, I am sure.

Mr. DODD. There was extensive questioning as to which route you took.

Mr. REVILL. Yes, sir. I don't walk up three flights of stairs when there is an elevator.

Mr. DODD. This was all about 2:30?

Mr. REVILL. Yes, sir.

Mr. DODD. In the afternoon?

Mr. REVILL. Yes, sir.

Mr. DODD. Prior to the time Lee Harvey Oswald had arrived at the police station?

Mr. REVILL. Yes, sir.

Mr. DODD. Can we just suspend for 1 minute?

Could I ask you if in fact later at a subsequent time in your conversations with Jim Hosty, you ever explored with him how it was that he happened to have drawn the conclusions he had, how he happened to develop a file on Lee Harvey Oswald?

Mr. REVILL. No, sir. After, I believe, that night, Chief Curry went on TV and announced that the FBI had information to this effect.

Later, it is my understanding that the statement was—he made a retraction, and from that day I don't recall ever talking to Jim Hosty again. I may have but I don't recall. And I do know that we never discussed it.

Mr. DODD. You said you wrote up a report?

Mr. REVILL. Yes, sir.

Mr. DODD. Pertaining to the Hosty conversation?

Mr. REVILL. Yes, sir.

Mr. DODD. You signed it that afternoon according to your testimony in 1964 and you state then, you said, "yes sir, at the time I was hoping it would never come up."

Mr. REVILL. This is true.

Mr. DODD. Would you tell this committee why you hoped it would never come up?

Mr. REVILL. Because Jim Hosty was a friend of mine and I knew that Hoover would crucify him.

Mr. DODD. Crucify him for what?

Mr. REVILL. For making that statement. Whether or not it was true or not, Hosty made the statement to me and I relayed the information to my captain at the time, Pat Ganaway, shortly after our conversation, and he instructed me to reduce it to writing.

At that time I told him if I do, Jim Hosty will be crucified or penalized by the Bureau, and to that he said, "I don't care, you put it on paper." I put it on paper.

Mr. DODD. Which, is he going to be, crucified for telling you or crucified for not following in the normal operating procedures of sharing that information with the Dallas Police Department?

Mr. REVILL. It is not normal operating procedure for the FBI to share that information with you. As I mentioned to you earlier, the information local law enforcement gets from the Federal Bureau of Investigation is primarily based on personal contact between an agent and the officer.

Mr. DODD. So he more than likely would have been crucified by the Director for admitting to the Dallas Police Department that they had information in the security file on someone who they perceived as capable of assassinating the President?

Mr. REVILL. I can only assume that, sir.

Mr. DODD. Thank you.

Thank you, Mr. Chairman.

Chairman STOKES. Any further questions?

Mr. Cornwell?

Mr. CORNWELL. Just one very brief matter, Captain Revill. Were you sitting in the room earlier when we, through a narrative, provided the results of a phone analysis?

Mr. REVILL. I was in and out, sir, I wasn't paying much attention.

Mr. CORNWELL. Let me ask you, then, there were a number of people who were identified through an analysis of Ruby's phone

calls as receiving calls from him or making calls to him in the months immediately prior to the assassination. Those individuals include Irwin Weiner, Nofio Pecora, Harold Tannenbaum, Barney Baker, Dusty Miller, Lenney Patrick, Dave Yaras.

Did you or the police department, to your knowledge, have any information about Ruby's association with any of those individuals during 1963?

Mr. REVILL. No, sir.

Mr. CORNWELL. Was the police department, to your knowledge, even acquainted with the names of those persons or with their reputations among law enforcement agencies?

Mr. REVILL. Yes, sir, I knew some of them.

Mr. CORNWELL. In 1963, I take it that the Dallas Police Department had no organized crime unit, per se, is that correct?

Mr. REVILL. We had an intelligence unit which was charged with gathering data on organized crime.

Mr. CORNWELL. Well, simply, if you would give us your estimate of the possibility or probability that if one or more of those persons would have been in Dallas prior to November 22 and had met with Jack Ruby, would the nature and scope of your intelligence program have been such as to likely identify such meetings?

Mr. REVILL. Yes, sir, had we had knowledge of a meeting involving these people with Ruby. Now, one of these persons you mentioned, I believe Miller, Dusty Miller, he may still be in Dallas, I don't know, he was head of one of the unions, Teamsters there, and for him to have contacted Ruby, it may or may not have caused us concern. These other people, possible.

Mr. CORNWELL. Would your intelligence unit officers have been knowledgeable of the appearance of these people, would they have recognized them if they had been in town?

Mr. REVILL. Possibly. I am not sure that we would have recognized them upon sight. Hopefully some other intelligence unit throughout the country would have forewarned us that they were enroute to Dallas.

Mr. CORNWELL. No further questions. Thank you.

Chairman STOKES. I think this might be an appropriate place for the Chair to make a special acknowledgement.

Over the life of the existence of this committee it has been necessary for our investigators to spend an enormous amount of time in Dallas and to be in touch with the Dallas Police Department and other city officials and we want to acknowledge the extraordinary amount of cooperation that the committee investigators received from all of the city officials in Dallas, along with the Dallas Police Department, particularly Chief Byrd, who when our investigators first went to Dallas, gave them a letter of carte blanche enabling them to go anywhere and talk to anyone and to have full reign in terms of gathering evidence for this committee, and the Department has on occasions located witnesses for us.

As you know, if you have been in touch with these hearings, that we have produced evidence that has been turned over by the Police Department to our investigators, particularly in conjunction with the acoustics tests which were conducted in Dallas in Dealey Plaza. The police department provided extraordinary cooperation in order that we might conduct that testing, and provided us with their own

sharpshooters and blockaded the area, and did everything necessary.

In fact, that morning they started testing somewhere in the area of 5 o'clock in the morning and went to noon trying to provide this committee with the kind of evidence we have been able to produce here at these hearings, and I certainly want to extend to both Chief Byrd and the Dallas Police Department our appreciation for that cooperation.

Mr. Revill, at the conclusion of your testimony as a witness before our committee, you are entitled to 5 minutes, at which time you may make any comment you desire on your testimony before our committee. I extend to you at this time 5 minutes for that purpose, if you so desire.

Mr. REVILL. I have no statement to make, sir.

Chairman STOKES. Then we thank you for having been here and the testimony you have given our committee this morning.

Mr. REVILL. Thank you very much.

Chairman STOKES. You are excused.

There being nothing further to come before the committee, the committee will adjourn until 9 a.m. tomorrow morning.

[Whereupon, at 1:08 p.m., the committee was adjourned, to reconvene at 9 a.m., Wednesday, September 27, 1978.]