

## APPENDIX A

### THE FBI AND THE OSWALD SECURITY CASE

#### *A. Oswald's Defection*

On October 31, 1959, after learning that Lee Harvey Oswald had defected to the Soviet Union and informed officials at the American Embassy in Moscow that he intended to provide "radar secrets" to the Soviet Union, the FBI opened a "security case" with Oswald as the subject.<sup>1</sup> As part of the investigation, the Bureau made inquiries of the Navy and discovered that Oswald did not have knowledge of strategic information that would benefit the Soviets. The FBI concluded that a stop should be placed against Oswald's fingerprints to prevent him from obtaining a passport and entering the United States under any name.<sup>2</sup>

About six months later, the Bureau interviewed Oswald's mother who believed that he had taken his birth certificate with him to the Soviet Union.<sup>3</sup> In a memorandum subsequently sent to the State Department, the FBI raised the possibility that an imposter might attempt to return to the United States using Oswald's identity.<sup>4</sup>

#### *B. Oswald's Return to the United States*

Despite this concern that an imposter might attempt to enter the United States using Oswald's identity, the FBI did not interview Oswald until almost three weeks after his return on June 13, 1962.<sup>5</sup> There is no indication that any of the FBI agents assigned to the Oswald case were ever warned that an imposter might attempt to assume Oswald's identity. In particular, Special Agent James Hosty, the FBI agent responsible for the Oswald case at the Dallas Field Office, testified that he had neither seen a copy of the June 3, 1960 memorandum, nor attempted to determine whether someone had assumed Oswald's identity.<sup>6</sup>

On June 26, 1962, Special Agents John W. Fain and B. Tom Carter interviewed Oswald in Fort Worth, Texas. According to SA Fain's report, Oswald was cold, arrogant, and difficult to interview. Oswald denied that he told State Department officials at the American Embassy in Moscow that he was going:

- (1) was going to renounce his American citizenship;
- (2) apply for Soviet citizenship; and
- (3) reveal radar secrets to the Soviets.<sup>7</sup>

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<sup>1</sup> Memorandum from Belmont to Soviet Section Supervisor, 11/4/59.

<sup>2</sup> *Ibid.*

<sup>3</sup> Report from Dallas Field Office to FBI Headquarters, 5/12/60.

<sup>4</sup> Memorandum from FBI Headquarters to Department of State, 6/3/60.

<sup>5</sup> Memorandum from New York Field Office to FBI Headquarters, 6/26/62. Oswald was interviewed at the dock by an Immigration and Naturalization Service Inspector on his return to the United States.

<sup>6</sup> Hosty, 12/12/75, p. 119.

The Committee has found no evidence that an imposter entered the United States in Oswald's stead.

<sup>7</sup> John W. Fain testimony, Warren Report, Vol. IV, p. 418.

When Fain asked Oswald to take a polygraph test, Oswald refused to even be polygraphed on whether he had dealings with Soviet intelligence.<sup>8</sup>

Oswald also denied he had traveled to the Soviet Union because "of a lack of sympathy for the institutions of the United States."<sup>9</sup> A second interview on August 16, 1962, yielded similar denials. Despite Oswald's attitude and demonstrable lies, the Bureau closed the Oswald security case on August 20, 1962. It was not to be reopened until March 26, 1963.<sup>10</sup>

The only additional action taken by the Bureau before March 26, 1963, consisted of: reviews of the Oswald file at the Department of State, inquiries of two low-level Dallas Communist Party informants as to whether they knew of Oswald (with negative responses), and interviews with three of Oswald's relatives.<sup>11</sup> Although wide-ranging interviews were a basic investigative technique commonly used by the Bureau to develop background information on subjects of security investigations, no neighborhood or employment sources were checked in Oswald's case, nor was his wife interviewed.<sup>12</sup>

The FBI did not interview Marina Oswald prior to the assassination. Although Marina Oswald was considered in June 1962 for a Bureau program which monitored the activities of Soviet immigrants and repatriates to detect possible foreign intelligence ties, the Dallas Field Office supervisor postponed consideration of her for the program on July 25, 1962, noting that "her activities could be sufficiently monitored in connection with the security case on Lee Harvey Oswald."<sup>13</sup> Hoover as noted above, the FBI security case on Lee Harvey Oswald was closed less than a month later.

With respect to Oswald's marriage to Marina, and her return to the United States, the Warren Commission stated:

Oswald's marriage to Marina Prusakova on April 30, 1961, is itself a fact meriting consideration. A foreigner living in Russia cannot marry without the permission of the Soviet Government. It seems unlikely that the Soviet authorities would have permitted Oswald to marry and to take his wife with him to the United States if they were contemplating using him alone as an agent. The fact that he had a Russian

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<sup>8</sup> Memorandum from Dallas Field Office to FBI Headquarters, 7/10/62. The Warren Commission apparently was not provided with the administrative cover pages of SA Fain's report which discussed Oswald's refusal to be polygraphed. Nor did Fain report Oswald's refusal to be polygraphed when he testified before the Warren Commission on May 6, 1964, despite detailed questioning by Commission members Ford and Dulles as to the discrepancies in Oswald's statements and Fain's reaction to them. (Fain testimony, Warren Report, Vol. IV, p. 418.)

<sup>9</sup> Memorandum from Dallas Field Office to FBI Headquarters, 7/10/62.

<sup>10</sup> Memorandum from Gale to Tolson, 12/10/63.

<sup>11</sup> Memorandum from Gale to Tolson, 12/10/63.

<sup>12</sup> Assistant Director Gale commented upon this failure in his memorandum of December 10, 1963, where he wrote: "No neighborhood or employment sources developed, wife not interviewed, no mail covers or other techniques were used to determine whom Oswald in contact with or whether he had an intelligence assignment. Inspector feels this limited investigation inadequate. Dallas agent responsible for delinquencies now retired and no explanations obtained from him."

<sup>13</sup> Memorandum from Dallas Field Office to FBI Headquarters, 7/25/62.

wife would be likely, in their view, to increase any surveillance under which he would be kept by American security agencies, would make him even more conspicuous to his neighbors as "an ex-Russian", and would decrease his mobility. A wife's presence in the United States would also constitute a continuing risk of disclosure. On the other hand, Marina Oswald's lack of English training and her complete ignorance of the United States and its customs would scarcely recommend her to the Soviet authorities as one member of an "agent team" to be sent to the United States on a difficult and dangerous foreign enterprise.<sup>14</sup>

In contrast, a retired Bureau Soviet Section Supervisor told the Committee that of greatest concern to him in the Oswald case was the fact that the Soviets had allowed Marina to return to the United States with Oswald. He felt that if they desired to "tap Oswald on the shoulder and make use of him at some future date, Marina's presence would give them a great deal of leverage." The supervisor explained, "The Russians might try to exert leverage, possibly through her relatives or threats to her relatives in Russia and that sort of thing."<sup>15</sup> However, it should be emphasized that the Supervisor testified that he is not aware of any evidence which establishes that the Soviets in fact used or attempted to contact Oswald.<sup>16</sup>

### *C. The Continued Investigation: Dallas*

On September 28, 1962, the New York Field Office learned that Oswald subscribed to *The Worker*, which the Bureau characterized as "an east coast Communist Newspaper," and subsequently informed the Dallas Field Office. From the FBI's perspective, Oswald's subscription to this newspaper contradicted his interview statements that he was "disenchanted with the Soviet Union."<sup>17</sup> Oswald's subscription was noted in his field office security file but FBI Headquarters was not informed of the subscription until September 10, 1963, and then only after it had requested information on Oswald from the Dallas office.<sup>18</sup> Assistant Director Gale critically commented on this aspect of the Bureau's handling of the Oswald case: "In light of Oswald's defection, the case should have been reopened at the first indication of Communist sympathy or activity (i.e., September 1962)."<sup>19</sup>

<sup>14</sup> Warren Commission Report, p. 274.

<sup>15</sup> Staff summary of interview with former FBI Headquarters Supervisor, 1/16/76; FBI Headquarters Supervisor testimony, 3/15/76, p. 21.

<sup>16</sup> The Committee has discovered no such evidence.

<sup>17</sup> Memorandum from Dallas Field Office to FBI Headquarters, 9/10/63.

See, e.g., testimony of SA James P. Hosty, Jr., 12/13/75, p. 111, who previously recommended on March 25, 1963, that the Oswald case be reopened on the basis of this contradiction.

<sup>18</sup> Memorandum from Dallas Field Office to FBI Headquarters, 9/10/63.

<sup>19</sup> Memorandum from Gale to Tolson, 12/10/63.

Director Hoover noted on November 29, 1963, that, "In Oswald's case there was no indication of repentance but only one of openly avowed hostility, and contacts with subversive elements." (Memorandum from W. C. Sullivan to A. H. Belmont, 11/29/63.)

None of the Bureau's internal criticism of its own handling of the Oswald security case, or even the fact that there was such criticism, was ever made known to the Warren Commission.

In October 1962, SA Hosty was assigned the Marina Oswald security case, which was then in a "pending inactive" status. The file was reviewed by Hosty in March 1963, when he also located Marina Oswald, but he did not interview her because of her alleged marital difficulties.<sup>20</sup> Hosty reviewed the Dallas security file on Oswald and, on the basis of Oswald's subscription to *The Worker*, requested approval to reopen the case.<sup>21</sup> On March 26, 1963, Hosty received approval. Hosty stated that he did not interview Marina Oswald because he had developed information that Oswald had been drinking to excess and beating his wife, and the relevant FBI manual provision required that he allow a "cooling off" period.<sup>22</sup> FBI Director Hoover later commented on the December 10, 1963, Gale memorandum that "this was certainly an asinine excuse" and "I just don't understand such solicitude." Inspector Gale had written that:

this entire facet of the investigation was mishandled. Mrs. Oswald definitely should have been interviewed and the best time to get information from her would be after she was beaten up by her husband.

The Director added the following notation next to Gale's conclusion: "This certainly makes sense."<sup>23</sup>

On April 21, 1963, the New York Field Office learned that Oswald had written a letter to the Fair Play for Cuban Committee. This was the first indication in Bureau files that Oswald had a relationship with this pro-Castro organization.<sup>23a</sup> Oswald's letter stated that he had passed out FPCC literature in Dallas with a placard around his neck reading "Hands Off Cuba—Viva Fidel." This information was not reported to Dallas until June 27, 1963,<sup>24</sup> and not reported to Headquarters until September 10, 1963.<sup>25</sup> Once again, Oswald's activities contradicted his interview statements.

On May 27, 1963, Hosty returned to the Oswalds' Neely Street residence to interview Marina and was informed that the Oswalds had moved from the Dallas area without leaving a forwarding address. In response to an SAC memorandum issued by the Dallas office seeking information on the Oswalds' whereabouts, the New Orleans office informed Dallas on July 17, 1963, that the Oswalds were living in that city.<sup>26</sup> The Bureau apparently learned of Oswald's presence in New Orleans from a letter he had written to *The Worker* on June 26, 1963. Oswald claimed in the letter to be a long-time subscriber and stated that he was forming an FPCC chapter in New Orleans. He enclosed honorary membership cards for "those

<sup>20</sup> Hosty, 12/12/75, p. 119.

<sup>21</sup> Hosty, 12/13/75, p. 111.

<sup>22</sup> Hosty, 12/12/75, p. 119.

The Committee has verified that since such a manual provision was in effect, it appears that Hosty's decision to allow "a cooling off" period prior to interviewing Marina was entirely in accordance with FBI regulations. Neither the documents nor the testimony of knowledgeable FBI Officers provides any explanation for either Hoover or Gale's critical comments.

<sup>23</sup> Memorandum from Gale to Tolson, 12/10/63.

<sup>23a</sup> Memorandum from Dallas Field Office to FBI Headquarters, 9/10/63.

<sup>24</sup> Memorandum from Gale to Tolson, 12/10/63.

<sup>25</sup> Memorandum from Dallas Field Office to FBI Headquarters, 9/10/63.

<sup>26</sup> Memorandum from Dallas Field Office to FBI Headquarters and New Orleans Field Office, 8/23/63.

fighters for peace," Mr. Gus Hall (Secretary General of the Communist Party, USA) and Benjamin Davis (National Secretary of the Communist Party, USA).<sup>27</sup> On September 10, 1963 New Orleans became the office for the Oswald case.<sup>28</sup>

*D. The Continued Investigation: New Orleans*

Oswald was arrested on August 9, 1963, in New Orleans in connection with his FPCC activities and charged with "disturbing the peace by creating a scene."<sup>29</sup> On the morning of August 10, Oswald asked to see a Bureau agent, and he was interviewed at length by SA John L. Quigley. Oswald also repeatedly lied to this FBI agent. For example, he told Quigley that he had met and married his wife in Fort Worth, Texas.<sup>30</sup>

The New Orleans office learned on August 22, 1963, that Oswald participated in a radio program where he stated that he was a Marxist and that "Cuba is the only real revolutionary country in the world today."<sup>31</sup> On August 23, 1963, the New Orleans office was instructed by Headquarters to "submit results of their Oswald investigation to the Bureau."<sup>32</sup> On September 24, 1963, the New Orleans office advised the Bureau that the investigation was continuing and that a report detailing the investigative findings would be furnished.<sup>33</sup> An investigative report was subsequently sent to the Bureau on October 31, 1963, but it did not contain any significant information that was not already in Oswald's Headquarters file. The report reveals that only two informants in the New Orleans area were asked about Oswald and that neither had heard of him.<sup>34</sup>

On October 2, 1963, agents of the New Orleans office attempted to ascertain Oswald's residence and place of employment. They learned that the Oswalds had left New Orleans. Leads to locate Oswald were sent to Dallas, Fort Worth, and Malvern, Arkansas.<sup>35</sup>

<sup>27</sup> Memorandum from New Orleans Field Office to FBI Headquarters, 10/31/63.

<sup>28</sup> Memorandum from Dallas Field Office to FBI Headquarters, 9/10/63.

<sup>29</sup> There is no indication in FBI documents or the Warren Commission's record that Oswald was in New Orleans on any occasion between October 1959 and April 24, 1963. However, an Immigration and Naturalization Service Inspector testified before the Committee that he is absolutely certain that he interviewed Lee Harvey Oswald in a New Orleans jail cell sometime shortly before his April 1, 1963, transfer out of New Orleans. Although the Inspector is not now certain whether Oswald was using that particular name at that time, he is certain that Oswald was "claiming to be a Cuban alien" and that he "interviewed Oswald to verify or disprove this status." The Inspector neither recalls what Oswald said nor what language or languages he conversed in. He does not recall anything unusual about Oswald's dress or demeanor, and believes that he quickly ascertained that Oswald was not a Cuban alien, at which time he would have left Oswald in his jail cell. (I&NS Inspector testimony, 12/11/75.)

On January 6, 1976, the Committee staff telephonically contacted the New Orleans Police Department and requested that they review their Oswald arrest records to see if he had been arrested other than on August 9, 1963. On January 7, the staff was informed that there was no record of another Oswald arrest, and that the New Orleans Police Department, in fact, had no information on Oswald prior to August 9, 1963.

<sup>30</sup> Memorandum from New Orleans Field Office to FBI Headquarters, 8/15/63.

<sup>31</sup> Memorandum from New Orleans Field Office to FBI Headquarters, 10/31/63, p. 11.

<sup>32</sup> Memorandum from FBI Headquarters to New Orleans Field Office, 8/23/63.

<sup>33</sup> Memorandum from New Orleans Field Office to FBI Headquarters, 9/24/63.

<sup>34</sup> Memorandum from New Orleans Field Office to FBI Headquarters, 10/31/63.

<sup>35</sup> *Ibid.*

The evidence indicates that Lee Harvey Oswald was in Mexico City from September 27, 1963, through October 2, 1963. On October 10, 1963, Bureau Headquarters was provided with a copy of a CIA cable which stated that "Lee Henry Oswald" (sic) had been in contact with the Soviet Embassy in Mexico City on September 28, 1963.<sup>36</sup>

It was not until October 22, 1963, that information pertaining to Oswald's Mexico City trip was provided to the New Orleans office.<sup>37</sup> SA Hosty in Dallas had by chance ascertained similar information from the local I&NS office and coincidentally, his report detailing this information was received in New Orleans on October 22, 1963.<sup>38</sup>

Thus, despite the fact that both the Dallas and New Orleans field offices were aware that Oswald had been in contact with the Soviet Embassy in Mexico City, there is no evidence that either of these field offices intensified their "efforts" to locate and interview Oswald. Most surprising, however, is that the "Soviet experts" at FBI Headquarters did not intensify their efforts in the Oswald case after being informed that Oswald had met with Vice Consul Kostikov at the Soviet Embassy in Mexico City.<sup>39</sup> Not only were these experts familiar with Soviet activities in general, but they knew that Kostikov was a member of the KGB. Further, the Bureau's Soviet experts had reason to believe he was an agent within the KGB's Department which carries out assassination and sabotage.<sup>40</sup> They were also aware that American citizen contacts with the Soviet Embassy in Mexico City were extremely rare.<sup>41</sup> Ironically, the teletype which informed the Bureau of Oswald's Mexico City activities was sitting on a pile of documents on a Headquarters supervisor's desk awaiting initial action on November 22, 1963. That portion of the Gale memorandum which discusses Oswald's Mexico City trip reads as follows:

The SOG [Seat of Government] supervisor failed to take any action on the teletypes, stating it did not appear to him any action was warranted. Inspector (i.e., Gale) feels . . . the field should have been instructed to intensify investigation . . . and Oswald placed on Security Index.<sup>42</sup>

#### *E. Continued Investigation: Dallas*

On October 26, 1963, the New Orleans Field Office advised the Dallas office that the Oswalds had left a forwarding address in Irving,

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<sup>36</sup> CIA Cable from Mexico Station to FBI Headquarters 10/10/63; memorandum from LEGAT, Mexico City to FBI Headquarters, 10/18/63.

All the information that the FBI had prior to November 22, 1963, on Oswald's activities in Mexico City came from the CIA. On October 3, 1963, the CIA Mexico Station reported to Headquarters that Oswald had been in contact with the Soviet Embassy. On October 10, 1963, CIA Headquarters passed this information with some background material to the Navy, the State Department, and the FBI. The Mexico Station made a similar distribution to FBI and State Department officials in Mexico. Since Oswald was an American citizen, and since FBI was the responsible agency, disseminating this information ended CIA's responsibility in this matter.

<sup>37</sup> Memorandum from FBI Headquarters to LEGAT, Mexico City, 10/22/63, copy to New Orleans Field Office.

<sup>38</sup> Memorandum from Dallas Field Office to FBI Headquarters, 10/22/63, copy to New Orleans Field Office.

<sup>39</sup> Memorandum from LEGAT, Mexico City to FBI Headquarters, 10/18/63.

<sup>40</sup> Information regarding Vice Consul Kostikov was made available to the Warren Commission. (Letter from CIA to the Warren Commission, 1/22/64.)

<sup>41</sup> Former FBI Mexico City Legal Attache testimony, 2/4/76, p. 17.

<sup>42</sup> Memorandum from Gale to Tolson, 12/10/63.

Texas. Dallas was asked to verify the new residence,<sup>43</sup> and on October 30, 1963, SA Hosty reported that although Oswald's family was living with the Paine family in Irving, Oswald was not living there. On November 1, 1963, Hosty went to the Paine residence to "find out where Oswald was residing."<sup>44</sup> Ruth Paine informed Hosty that she did not know where Oswald lived; however, she did state that Oswald was employed at the Texas Book Depository. Toward the end of the interview, Marina Oswald came into the room. According to Hosty, she expressed fear of the Bureau and their brief conversation, with Ruth Paine translating, was an attempt to re-assure her.<sup>45</sup>

After the assassination, the Dallas office explained to FBI Headquarters that the investigation had been delayed to "be sure that it was in possession of all information from New Orleans." Inspector Gale commented on this explanation in his December 10, 1963, memorandum:

Inspector definitely does not agree, New Orleans submitted sixteen-page report, 10/31/63, and only leads outstanding in New Orleans were to ascertain Oswald's whereabouts. No indication New Orleans had any further data. . . . Even if New Orleans had not reported all information in their possession, Dallas should have intensified investigation in light of Oswald's contact with Soviet Embassy in Mexico City and not held investigation in abeyance.<sup>46</sup>

Finally, it should be noted that facts publicly disclosed by the Bureau in October 1975,<sup>47</sup> establish that some two weeks prior to the assassination Lee Harvey Oswald visited the FBI's Dallas Field Office and left a note for Special Agent James P. Hosty, Jr., and that the note was subsequently destroyed. The circumstances surrounding the receipt and destruction of the Oswald note are discussed in Appendix B.

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<sup>43</sup> Memorandum from New Orleans Field Office to FBI Headquarters, 10/25/63, copy to Dallas Field Office.

<sup>44</sup> It should be noted that under the relevant FBI manual provisions then in effect, any contact such as Oswald's with the Soviet Embassy in Mexico City required that immediate investigative action at the appropriate field office be undertaken. However, it should be further noted that other provisions precluded the field office's interviewing Oswald without the express written approval or direction of Headquarters.

<sup>45</sup> Hosty, 12/13/75, p. 54.

<sup>46</sup> Memorandum from Gale to Tolson, 12/10/63.

<sup>47</sup> Deputy Associate FBI Director James B. Adams testimony, before the House Judiciary Subcommittee on Civil and Constitutional Rights, 10/21/75.





## APPENDIX B

### THE FBI AND THE DESTRUCTION OF THE OSWALD NOTE

In early July 1975, a Dallas newsman met with former FBI Special Agent-in-Charge for Dallas, J. Gordon Shanklin. The newsman informed Shanklin that an unidentified source had told him that Lee Harvey Oswald had visited the FBI office in Dallas sometime prior to the assassination and had left a threatening note for Special Agent James Hosty, who had been conducting the FBI investigation of Oswald. The newsman stated that neither Oswald's visit, nor the note, were reported to FBI Headquarters officials. Shanklin suggested that the newsman contact Deputy Associate Director James Adams at FBI Headquarters.<sup>1</sup>

On July 7, 1975, the newsman met in Washington, D.C., with Adams and Director Kelley and informed them of these allegations. The Attorney General was advised on July 8, 1975, that the Bureau intended to conduct an inquiry regarding these allegations.<sup>2</sup> Later that day, Director Kelley held a conference with Adams, Shanklin, the Headquarters agent assigned to the assassination case, the Assistant Director in charge of the Inspection Division, and the Dallas SAC. The Assistant Director in charge of the Inspection Division was assigned personal responsibility for directing the FBI inquiry of the circumstances surrounding the delivery and duplication of the note.<sup>3</sup>

The Bureau's initial file review failed to develop any information indicating that Oswald had ever visited the FBI field office in Dallas or that he had left a note.<sup>4</sup> FBI interviews with personnel assigned to the Dallas field office in 1963 established that :

- (1) Lee Harvey Oswald did visit the office some two or three weeks prior to the assassination ;
- (2) Oswald asked to see SA James Hosty, and upon being informed that he was not in, left a note for Hosty ; and
- (3) the note was destroyed after the assassination.<sup>5</sup>

The evidence developed by the Bureau contained sharp conflicts. The investigation failed to establish :

- (1) whether the note was threatening in nature ; and
- (2) at whose instruction the note was destroyed.

Rather than attempting to draw conclusions from an evidentiary record replete with factual discrepancies, the Committee has decided to set forth in summary fashion the evidence developed by the Bureau and the committee, highlighting those areas where discrepancies exist.

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<sup>1</sup> J. Gordon Shanklin testimony, 12/19/75, p. 10.

<sup>2</sup> Memorandum from the Director, FBI, to the Attorney General 7/29/75.

<sup>3</sup> *Ibid.*

<sup>4</sup> Memorandum from the Director, FBI to the Attorney General, 7/29/75.

<sup>5</sup> *Ibid.*

### *The Wordings of the Note*

Approximately one week or ten days prior to November 22, 1963, Lee Harvey Oswald appeared at the reception desk in the Dallas field office and asked to see Special Agent James Hosty. After being informed that he was not available, Oswald left an envelope with a note inside for Hosty. The envelope was unsealed and the note was partly visible. According to the receptionists, the note read as follows:

Let this be a warning. I will blow up the FBI and the Dallas Police Department if you don't stop bothering my wife.  
Signed—Lee Harvey Oswald.

Sometime later in the day the receptionists personally gave the note to Hosty.<sup>6</sup>

Hosty recalled the note's wording as:

If you have anything you want to learn about me, come talk to me directly. If you don't cease bothering my wife, I will take appropriate action and report this to proper authorities.<sup>7</sup>

Hosty's supervisor said he recalled that the note contained some kind of threat, but could not remember specifics.<sup>8</sup>

Aside from the receptionist, Agent Hosty, and the supervisor, no one else interviewed by the FBI recalled having seen the note. Some other individuals indicated that from conversations they had had with the receptionist after the assassination, they understood that the note contained a threat.

### *Circumstances Surrounding the Destruction of the Note*

After reading the note, Hosty placed it in his workbox, where it remained until the day of the assassination. On the day of the assassination, Hosty participated in an interview of Oswald at the Dallas Police Department. When he returned to the field office about an hour later, Hosty was called into Shanklin's office where he met with his supervisor and Shanklin. One of them displayed the note and asked Hosty to explain its contents.<sup>9</sup> Hosty told them he had interviewed Marina Oswald at the residence of Ruth Paine on November 1, 1963. According to Hosty, during the post-assassination interview at the Dallas Police Department, Oswald commented that Hosty was the FBI agent who had bothered his wife, and that if the agent wanted to know something about Oswald, he should have come and talked to Oswald himself.<sup>10</sup>

According to Hosty, Shanklin ordered him to prepare a memorandum detailing facts pertaining to the note and his interview with Marina Oswald and Ruth Paine. Hosty testified that he did prepare such a memorandum and delivered it to Shanklin on the evening of November 22, 1963.<sup>11</sup>

<sup>6</sup> Affidavit of receptionist, 7/15/75.

<sup>7</sup> Affidavit of James P. Hosty, Jr., 7/17/75.

<sup>8</sup> Affidavit of supervisor, 9/8/75.

The supervisor stated that the note was on plain paper, was either handwritten or handprinted, and was threatening in nature.

<sup>9</sup> Hosty affidavit, 7/17/75; Hosty, 12/13/75, p. 147.

<sup>10</sup> Hosty affidavit, 9/22/75; Hosty, 12/13/75, p. 148.

<sup>11</sup> Hosty, 12/13/75, p. 153.

Hosty's supervisor said that he had found the note in Hosty's work-box very soon after the assassination of President Kennedy. He stated that he took the note to Shanklin's office, but had no recollection of what happened to the note or who may have had it thereafter.<sup>12</sup>

According to Hosty, approximately two hours after Oswald had been pronounced dead on November 24, his supervisor told him that Shanklin wanted to see him. Hosty testified that he was instructed by Shanklin to destroy both the note and the November 22 memorandum regarding it, and that he complied with these instructions.<sup>13</sup> Shanklin denied any knowledge of Oswald's visit to the Dallas Office and the note. He also maintained that he did not issue any orders to destroy the note. In fact, Shanklin claimed that he had no knowledge of this entire matter until July 1975.<sup>14</sup>

The personnel assigned to the Dallas Office in November 1963, do not know whether anyone at FBI Headquarters was ever informed of the Oswald visit, note, or subsequent events. However, William Sullivan, who was an Assistant Director of the Bureau at the time of the assassination, has stated that he discussed the Oswald case many times with Shanklin; and that Shanklin stated "he had an internal problem involving one of his Agents who had received a threatening message from Oswald because the Agent was investigating Oswald." Sullivan recalls that Shanklin seemed disinclined to discuss the matter other than to say he was handling it as a personnel problem with Assistant to the Director, John P. Mohr.<sup>15</sup> Mohr has denied under oath any knowledge of the note or its destruction.<sup>16</sup> Similarly, each of the other living Bureau officials in the chain of command of the two investigative divisions which supervised the Kennedy assassination case furnished the Bureau with a sworn statement denying any knowledge of this matter.

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<sup>12</sup> Affidavit of Supervisor, 9/15/75.

<sup>13</sup> Hosty affidavit, 9/22/75; Hosty, 12/13/75, p. 183.

Deputy Associate FBI Director James B. Adams testified before the Subcommittee on Civil and Constitutional Rights of the House Committee on the Judiciary, 10/21/75, that the agent who destroyed the note did so to "avoid embarrassment to the Bureau."

<sup>14</sup> Shanklin affidavit, 9/24/75; Shanklin, 12/19/75, p. 10.

However, a recently retired Special Agent, in an affidavit submitted to the Bureau, stated that he mentioned the note and the destruction to Shanklin while driving with him in a car in August 1974. (Special Agent affidavit, 7/23/75.)

<sup>15</sup> Affidavit of William C. Sullivan, 9/16/75; Staff interview of Sullivan, 4/21/75.

Sullivan added that he did not know whether other Headquarters officials were aware of the note, or that the note had been destroyed.

<sup>16</sup> Affidavit of John P. Mohr, 9/12/75.



## APPENDIX C

### CHRONOLOGY

#### 1959

*January 1*—Fidel Castro takes over the Cuban government. Batista and his personal aides leave Cuba.

*December 11*—Dulles approves "thorough consideration be given to the elimination of Fidel Castro."

#### 1960

*Late September*—Bissell and Edwards brief Dulles and Cabell about operations against Castro.

Initial meeting between Rosselli, Maheu and CIA Support Chief. A subsequent meeting takes place in Florida.

#### 1961

*January 22*—President Kennedy succeeds President Eisenhower.

*March*—President Kennedy raises subject of assassination with Senator Smathers, indicating his disapproval.

*April*—Rosselli passes poison pills to a Cuban in Miami.

*April 15-17*—Bay of Pigs invasion fails.

*May 22*—Hoover memorandum to Attorney General Robert Kennedy noting CIA had used Giancana in "clandestine efforts" against Castro.

*November 16*—President gives speech mentioning opposition to assassination.

*November 29*—John McCone succeeds Allen Dulles as Director, CIA.

*November*—Operation MONGOOSE is created.

*December*—FBI meets with Lansdale re: MONGOOSE.

#### 1962

*February 19*—Helms succeeds Bissell as Deputy Director, Plans, CIA.

*April*—Harvey establishes contact with Rosselli.

*Late April*—Harvey passes poison pills to Rosselli in Miami.

*May 7*—Houston and Edwards brief Attorney General on pre-Bay of Pigs underworld assassination plot.

*May 10*—Attorney General Kennedy tells Hoover that the CIA has used underworld figures in an effort to assassinate Castro.

*September 7*—Rosselli tells Harvey the pills are still in Cuba.

*October 22-28*—Cuban missile crisis.

*November*—Operation MONGOOSE ends.

### 1963

*Early 1963*—William Harvey tells underworld figures the CIA is no longer interested in assassinating Castro.

*March 18*—Attack on a Soviet vessel off the northern coast of Cuba by members of Alpha 66, assisted by members of the Second National Front of Escambray reportedly occurs.

*March 26*—Attack on a Soviet vessel by members of Commandos L-66, another anti-Castro group, reportedly occurs.

*April*—Special Group discusses the contingency of Castro's death.

*May-September*—Lee Harvey Oswald moves to New Orleans; becomes involved with FPCC. He contacts anti-Castro Cubans as well.

*Mid 1963*—Series of meetings among major leaders of the anti-Castro movement.

*June*—Special Group decides to step up covert operations against Cuba.

*July 24*—Ten Cuban exiles arrive in New Orleans from Miami and join the "training camp" north of New Orleans. This "training camp" is directed by the same individuals who were previously involved in procuring dynamite. "A", a life-long friend of AMLASH, had helped procure the dynamite,

*Late July*—Carlos Bringuier is requested to assist exiles at the "training camp" in returning to Miami.

*July 31*—The FBI seizes more than a ton of dynamite, 20 bomb casings, napalm material and other devices at a home in the New Orleans area. Articles appear in the New Orleans *Time Picayune* on August 1, 2, and 4, 1963.

*August 16*—*Chicago Sun Times* carries an article that reports CIA had dealings with the underworld figure Sam Giancana.

Helms informs McCone of the CIA operation involving Giancana, and tells him it involved assassination.

*August*—According to FBI report, a Latin American military officer attends a Cuban exile group meeting and talks of assassination.

*Early September*—Talks between the Cuban delegate to the United Nations, La Chuga, and a U.S. delegate, William Atwood, are proposed by the Cubans.

*September 7*—CIA case officers, after their first meeting with AMLASH since prior to the October 1962 missile crisis, cable headquarters that AMLASH is interested in attempting an "inside job" against Castro and is awaiting a U.S. plan of action.

Castro gives an impromptu, three-hour interview with AP reporter Daniel Harker. He warns that U.S. leaders aiding terrorist plans to eliminate Cuban leaders will themselves not be safe.

*September 12*—Cuban Coordinating Committee meets to conduct a broad review of the U.S. Government's Cuban contingency plans. They agree there is a strong likelihood that Castro would retaliate in some

way against the rash of covert activity in Cuba ; however, an attack on U.S. officials within the U.S. is considered unlikely.

*Late September*—Oswald is in Mexico City and visits both the Cuban and Soviet Consulates.

*September 27*—The coordinator of Cuban Affairs circulates a memorandum listing assignments for contingency papers relating to possible retaliatory actions by the Castro regime. No responsibility is assigned for attacks on U.S. officials within the United States.

*October 6*—FBI Headquarters learns of Oswald contacts in Mexico City.

*October 10*—The FBI is told by an informant that the CIA is meeting with AMLASH.

*October 24*—Jean Daniel, the French reporter, conducts a brief interview with President Kennedy before setting off on an assignment in Cuba. President Kennedy expresses his feeling that Castro had betrayed the revolution.

*October 29*—Desmond Fitzgerald, a senior CIA officer, meets AMALSH. Fitzgerald tells AMLASH that a coup would receive U.S. support. Fitzgerald is introduced to AMLASH as a personal representative of Attorney General Kennedy.

*November 1*—Diem is assassinated following a coup.

*November*—Case Officer is told by Fitzgerald that AMLASH may be told the rifles, telescopic sights and explosives will be provided.

*November 17*—According to FBI reports, the Cuban-American is at the home of a member of the Tampa FPCC. He is there awaiting a telephone call from Cuba which is to give him the "go-ahead order" to leave the U.S.

*November 18*—President Kennedy makes a public appearance in Tampa and delivers a speech on Cuba policy in Miami.

*November 19*—Castro contacts Daniel and spends six hours talking to him about U.S.—Cuban relations.

*November 20*—CIA officers telephones AMLASH and tells him there will be a meeting on November 22. AMLASH is told that it was the meeting he has requested.

According to FBI reports, the Cuban American obtains a Mexican tourist card at the Consulate in Tampa.

*November 22*—President Kennedy is assassinated.

The Case Officer meets with AMLASH. He refers to President Kennedy's speech of November 18 in Miami and indicates that Fitzgerald helped write the speech. He tells AMLASH the explosives and rifles with telescopic sights will be provided. The Case Officer also offers AMLASH the poison pen device but AMLASH is dissatisfied with it. As the meeting breaks up, they are told President Kennedy has been assassinated.

Daniel spends the day with Castro and later reports his reaction to news of the assassination.

McCone requests all Agency material on Oswald.

Mexico Station cables CIA Headquarters, 1730 hours, to inform them of Oswald's October visit to Mexico City.

FBI Headquarters dispatches a teletype at 9:40 p.m. to all field offices requesting contact of all informants for information bearing on the assassination.

FBI Headquarters dispatches a teletype at 11:00 p.m. to all field offices requesting they resolve all allegations pertaining to the assassination.

*November 23*—Director McCone meets with President Johnson and McGeorge Bundy and briefs them on information CIA Headquarters had received from Mexico Station.

CIA Headquarters cables the AMLASH Case Officer and orders him to break contact with AMLASH because of the President's assassination and to return to Headquarters.

CIA personnel on the CI Staff prepare a memorandum suggesting that Oswald's contacts in Mexico City with Soviet personnel might have sinister implications. This information is transmitted to CIA's liaison with FBI by telephone at 10:30 a.m.

Desk officer is put in charge of CIA investigation of the assassination.

CIA Headquarters telephones the Mexico Station to get the planned arrest of Duran called off, but learns the arrest could not be called off. Karamessines sends a cable to Mexico Station saying, the arrest "could jeopardize U.S. freedom of action on the whole question of Cuban responsibility."

Legat informs FBI Headquarters that the U.S. Ambassador to Mexico is concerned that Cubans were behind Oswald's assassination of President Kennedy. The Ambassador requests both the CIA and FBI do everything possible to establish or refute this Cuban connection.

FBI Headquarters dispatches a teletype to all field offices rescinding the early teletype of November 22, 1963.

*November 24*—Mexico Station dispatches a cable to Headquarters with the names of all known contacts of certain Soviet personnel in Mexico City. Among the names in the cable is that of AMLASH.

At 10:00 a.m., Director McCone meets with the President and briefs him about CIA's operational plans against Cuba.

Cablegram is sent from Mexico to CIA Headquarters stating that the U.S. Ambassador to Mexico feels that the Soviets are too sophisticated to participate in a direct assassination of President Kennedy, but the Cubans would be stupid enough to have participated with Oswald.

Oswald is murdered at 12:21 p.m. EST.

*November 25*—The Case Officer prepares a "contact report" on the November 22 meeting with AMLASH. On Fitzgerald's orders, no mention is made of the poison pen being offered to AMLASH.

At noon, "D" shows up at the U.S. Embassy in Mexico City. He tells Embassy personnel that he was in the Cuban Consulate on September 18 and saw Cubans pay Oswald a sum of money and talk about Oswald's assassinating someone.

At 12:00 p. m., Mexico dispatches a cable to CIA Headquarters reminding Headquarters of Castro's September 7, 1963 statement threatening U.S. leaders.

A senior U.S. Embassy official in Mexico City tells a senior Mexican Government official known facts about Oswald's visit to Mexico City and raises questions of Cuban involvement.



*November 26*—McCone again meets with President Johnson. The President tells him the FBI has responsibility for the investigation of the President's death and directs him to make CIA resources available to assist the FBI's investigation.

The American Ambassador in Mexico sends a cable to the State Department through CIA channels. He gives his opinion that the Cubans were involved in the assassination.

CIA Headquarters cables CIA stations in Europe and Canada for all information on the assassination issue, noting they should carefully examine material obtained from a specified resource.

Deputy Attorney General Katzenbach writes Presidential Assistant Bill Moyers, stating "that the facts should be made public in such a way as to satisfy the people of the U.S. and abroad, that the facts have been told and a statement to this effect be made now." The public should be satisfied that Oswald was the assassin and speculation about his motive ought to be cut off.

*November 27*—Legat cables FBI Headquarters and notes a press release referencing to Castro's speech of September 7, 1963.

One CIA Station cables information received from the specified resources that AMLASH had been indiscreet in his conversations.

FBI sends a supervisor to Mexico City to coordinate the investigation and to pursue it vigorously until the desired results are obtained.

*November 28*—CIA Headquarters cables a reminder to the Mexico Station to "follow all leads" and to continue to investigate the possibility of Cuban or Soviet involvement.

CIA Headquarters warns the Station Chief in Mexico that the Ambassador was pushing the case too hard and his proposals could lead to a "flap" with the Cubans.

*November 29*—President Johnson announces formation of the Warren Commission after discussing other possibilities with Director Hoover.

*November 30*—Director McCone meets with President Johnson at 11:00 a.m. and they discuss the Cuba question. "D" is mentioned.

*December 1*—McCone meets with both Bundy and President Johnson. McCone's memorandum indicates they discussed "D's" story.

CIA Headquarters cables Mexico Station indicating it has received information from a sensitive source that a Cubana Airlines flight to Havana had been delayed in Mexico City from 6:00 p.m. until 11:00 p.m. on the day of the assassination. It was awaiting an unidentified passenger who arrived in the twin engine aircraft and failed to go through customs. The passenger rode in the cockpit on the flight to Havana.

*December 2*—At 10:00 a.m., McCone meets with the President and Bundy.

At 3:00 a.m., McCone's calendar reveals he attended a meeting at the CIA with the subject being Cuba.

*December 3*—CIA Headquarters receives information from Mexico that the Cuban—American left the U.S. on November 23 and flew from Mexico City to Havana on November 27.

*December 4*—CIA receives a report from one of its Cuban agents that he thought he had met Oswald in Cuba, Mexico City or the United States. This agent believes that the Cuban government employed assassins and had carried out at least one assassination in Mexico.

FBI memorandum from Sullivan to Belmont indicates there is no evidence that Oswald's assassination of the President was inspired or directed by [pro-Castro] organizations or by any foreign country.

*December 5*—Mexico Station cables that someone who saw the Cuban-American board the aircraft to Havana on November 27 reported that he "looked suspicious."

*December 6*—Warren Commission holds its first meeting, as the FBI and CIA are completing their own investigations.

*December 8*—CIA Headquarters cables its Miami Station ordering a halt to an operation to supply weapons to AMLASH, pending a high-level policy review.

*December 9*—A memorandum to Director McCone discusses U.S. operations against Cuba, but does not mention the AMLASH operation, or any other specific operation.

FBI's 5-volume report on the assassination is completed.

Deputy Attorney General Katzenbach writes the Warren Commission and recommends that the Commission immediately state that the FBI report clearly shows Oswald was a loner.

*December 10*—Hoover receives report on the investigative deficiencies in the handling of the pre-assassination Oswald case. Results in disciplinary action against 17 Bureau officials.

Director McCone meets with CIA staff and the subject of the meeting is Cuba.

*December 12*—CIA Mexico Station reports the FBI is pushing to wind up the Mexican aspects of the case.

*Late December*—CIA desk officer completes a brief report on his investigation, which is submitted to the President.

The CIA decides to have the Counterintelligence Division continue the investigation.

#### 1964

*January 23*—A subordinate to the Chief of Counterintelligence is designated the "point of record" for all matters relating to the assassination and the Warren Commission.

*January 24*—FBI liaison is told by CIA official that there are no active plots against Castro.

*January 28*—Rankin meets with Hoover and they discuss the allegation that Oswald was an FBI informant.

*January 31*—Hoover indicates in his memorandum of the January 28, 1964 meeting, that he did not appreciate the statement by Chief Justice Warren that the Bureau's report was a "skeleton report."

*March 26*—The President's Commission requests the FBI to respond to 52 questions. In a subsequent memorandum (4/3/64) by a Bureau Supervisor to William Sullivan, he states the Commission is cross-examining the Bureau in regard to its investigation of the President's assassination.

Rankin requests that the FBI furnish the Commission with information on certain pro-Castro and anti-Castro organizations.

*May 14*—Both Hoover and Helms testify the case will always be open.

*May 20*—Rankin requests additional information on certain pro-Castro and anti-Castro groups.

*June 11*—Warren Commission receives a summary of the organizations from the field offices but not from FBI Headquarters. Hoover's letter informs the Commission that the CIA and Department of the Army "may have pertinent information concerning these organizations."

*July*—The FBI learns some details of the CIA's AMLASH operation from one of the FBI's informants.

*September 9*—The Bureau informs the White House and the Acting Attorney General that "the Commission's report is seriously inaccurate insofar as its treatment of the FBI is concerned."

*September 25*—Bureau receives a copy of the Warren Commission's Report.

*September 30*—Assistant Director Gale presents a memorandum that reviewed the Commission Report "as it pertained to FBI shortcomings." Bureau again disciplines agents.

*October 1*—An FBI inspector telephonically contacts Rankin and informs him that "he did the Bureau a great disservice and he'd out-McCarthy'd McCarthy."

*Late 1964*—AMLASH becomes more insistent that the assassination of Cuban leadership is a necessity. He is told that the U.S. Government cannot become involved in the "first step." He is put in contact with B-1 and the CIA through B-1 is kept informed of the plotting.

#### 1965

*May*—"A" contacts I&NS with information about the AMLASH operation. He is turned over to the FBI for handling. The FBI informs the CIA about "A".

*June*—Both agencies interrogate "A" and establish that he knew who was involved in the AMLASH operation, including the CIA.

*June 23*—CIA Headquarters cables its Stations stating the entire AMLASH group is insecure and further contact constitutes a menace to CIA operations.

*July 2*—FBI writes that the details of the meeting with "A" and the CIA were sent to the White House, the Attorney General and the DCI.

#### 1967

*Late January*—Drew Pearson meets with Chief Justice Warren and informs Warren that a lawyer was told by an underworld contact that Castro planned Kennedy's assassination.

*January 31*—Rowley meets with Warren, Rowley is informed of the lawyer's story.

*February 2*—Warren calls Rowley and informs Rowley that he spoke with Pearson who said the lawyer wanted to see Warren.

*February 8*—Tentative date set by Pearson with Warren for the lawyer to meet with Secret Service. Neither Pearson nor the lawyer contacted Secret Service.

*February 10*—Rowley advises Warren that neither Pearson nor Warren have contacted Secret Service. Rowley tells Warren the information would be passed to the FBI.

*February 13*—FBI is informed by James J. Rowley that Chief Justice Warren had recently been informed of U.S. attempts to assassinate Castro in 1962 and 1963, that Castro had decided to utilize the same procedure and that Warren wants these allegations looked into.

*February 15*—Hoover informs Rowley that the Bureau "is not conducting any investigation" but would accept volunteered information.

*March 4*—Robert Kennedy's secretary calls Hoover and requests a copy of Edward's memo of May 7, 1962 at which time Robert Kennedy was briefed on assassination plots.

*March 7*—Drew Pearson's column is published.

*March 17*—Presidential Assistant Marvin Watson advises DeLoach that President Johnson has instructed the FBI to interview the lawyer concerning any knowledge he had in the assassination of Kennedy. Watson says request "stemmed from a communication the FBI had sent the White House some weeks ago."

*March 20*—The lawyer interviewed by the Washington Field Office would not identify his source of the information that Castro plotted to kill Kennedy. Agents interviewing the lawyer were instructed to make it clear the FBI was "not interfering with any current investigation in New Orleans."

*March 22*—The FBI forwards results of the interview with the lawyer to the White House. The information indicates that the lawyer's sources allegedly were used by the CIA in attempts against Castro. The White House also receives information originally from CIA relating to CIA's use of Maheu and Giancana in a plot against Castro. Material also includes information that Robert Kennedy advised on May 9, 1962 that CIA should never take such steps without first checking with the Department of Justice. Helms meets the President at the White House in early evening.

*March 23*—Helms assigns the Inspector General the task of reporting on CIA assassination attempts against Castro.

*April 4*—Watson calls DeLoach and advises that the President is convinced there was a plot in connection with Kennedy's assassination.

*April 24*—I.G. Report is delivered to Helms in installments.

*May 22*—Helms returns copy of report to I.G.

*May 23*—All notes and other derived source material of the I.G. Report are destroyed.