

To Jim Lesar and Hank Allen from Harold Wisberg 1/12/85

This is the third page of my memo on the batches of Hosty records disclosed to Mark, the third as sent to me. I do this separately in part for my own filing and in part because I made copies of only two from this larger batch. I'll keep the original of the memo because it will make better copies for my subject filing. For the same or similar reasons I'll do the same with the second record, a long one of which I've xeroxed selected pages only. Please do not take this to mean that I believe there is nothing else of value in this batch. There may well be and I may well have missed it because I'm into what now appears to be my annual sieges of bronchial infections, this being the third straight year. Last night is the first in two weeks that I got four continuous hours of sleep. But the apparently appropriate medicine brings its own problems, one of them the subject of complaint by my ulcer. So, I urge your own examinations and if you'd like questions, I'm keeping these as I receive them, filed separately as disclosed to Mark.

The 12/31/75 Director to IG covering a memo to the Senate Intelligence Committee (FBI code name not used here "Senstudy") and the memo itself are typical of how the FBI lies when it wants to lie and prepares its lies so it can, if necessary, explain them away. Not unless only with indignation. (#66)

Item 1 reflects the Senate's interest in the Hosty censuring. The Senate referred to one and the FBI had to not volunteer that he was censured at least twice, as is reflected in his own memo on the previous page of my memo reflects. The Senate is told to come to FBI to see what it wants to see. Those records were disclosed to me. Reflects the FBI's respect for the Senate, no? And those are redacted copies, withholding from the Senate the names of others then disciplined, on this one cover the Bureau's ass basis, when they'd done nothing wrong. Their names also, to the best of my recollection are disclosed.

No, Item 2 refers to a request for a copy relating to the second censuring of Hosty, "on or about September 29, 1964." ~~Doesn't~~ Doesn't the FBI know? I suggest a possible explanation of this formulation: proofs of the Warren Report were out and given to even the press 9/24. I have a press set. Or I've given it to Wisconsin. But I've seen it. It is page proofs of the final version of the Report. SSC is told to go to FBIHQ to see those records. They were later disclosed to me.

Until about this time the FBI refused all requests for such information from the Congress on the ground that it was still an investigation and had not completed it. I've read the records of its investigation and what it was really up to is keeping everything under wraps in its control so it could create a situation in which no action could be taken against anyone. I have separate subject-file copies, I believe with memos, of what for me are the originals.

Item 15 is written in a manner that leaves it up to the reader to comprehend the SSC's question, and from the language I think it this is the Hosty destruction of Oswald's pre-assassination letter to him. The request indicates that the SSC was underinformed or misinformed, as the FBI refers to the request, and the FBI was not about to get the matter straight for the Senate. The language here is, "Item 15 requests all materials pertaining to the meeting subsequent to November 24, 1963 and prior to the submission of the Bureau's initial report to the White House..." by emphasis. The report referred to, CD1, was forwarded 12/9/63 and it makes no mention of the Oswald letter and its destruction. But if you will look at Document 1 in the first batch where I've copied it for you with a paperclip at that point, 12/9, that states that this was "handled" at FBIHQ on 11/24. And "handled" was not a far in the FBI's first knowledge but to its *action* or solution. It also, of course, is a reflection of FBIHQ knowledge, withheld from the President, his Commission and the people in the so-called definitive report.

Additional note to JL: Is not this and most if not all the rest of this stuff eloquent rebuttal of the FBI's lie that it routinely destroys all ticklers after a few days? O322 and other cases.

Note again on critics, C 7, "Subsequent preparation of sex dossiers on critics of probe." No wonder they had Phillips swear falsely. I wonder if you ought not try to find some way of getting this to the appeals court on that one question, what they were directed to do and how they lied about it? Did they need discovery to find this and all else like it?

The next attached page was separate, preceded by a note about the kind of notebook used. Note that this gives a serial. It was disclosed and I used it in one of the cases to reflect that the FBI itself said I was fair to it. Until it decided not to like what I wrote. Refers to the Alan Burke Show on WHEW-TV. (New York City)

Note that the reference to teacher is phonetic, Dallas to Director that I do not recall. Suggests overheard or tap. Later they had her name correct, including maiden name.

Hosty's 10/24/70<sup>3?</sup> to Director, Dallas 37-154012-191, Doc. 34 (which also shows how FBIHQ can locate field office personnel records) states, graf 3, underlining in original that he had had "an opportunity to review my field personnel file." This is quite specific in identifying the record's existence and filing and, if I do not recall incorrectly, refute's Phillips' attestation that there was none in Dallas. Unless, of course, the whole thing has been forwarded to K.C. In which event Dallas had a record of that and was deliberately deceptive. He is quite specific in identifying as Serial 157 as relevant in this matter and O322. This also discloses that JFK assassination investigation records are included in the personnel files and why the Hosty search slip was blank.

What I told you over the phone, that Hoover, personally praised Hosty's perjurious testimony before the Commission is page 2, graf 2.

On page 3 there is indication that this memo was of 1970 because he states that is when he and Welley were in LC, of which I'd know. How that was two years before it was leaked that Oswald had left a threatening letter for him before 11/22/63 and that on orders he personally destroyed it. Here, living the fiction and hiding behind the FBI's false position, he states, graf up on 3, "I had absolutely no reason to believe that Oswald was a potential assassin or dangerous in any way." This, certainly, even for the FBI, is a rare way of referring to a threat to blow it up! (FBI's disclosed file includes copies of printed pages of his testimony)

Bassett to Held, 5/17/70, is an FBI memo not indicated as not recorded, so I wonder if the obliteration after the first graf, for which a b6 claim is made, is of a file number that could disclose what the FBI does not want to disclose. I suggest that you ask for its examination because pretty much all of the disciplinings and censures is public.

page 1, graf 2 he admits that some in the FBI "are not being truthful" about the threatening note and its destruction. The reference to those "involved" must be some interpretation of "directly" involved because the last graf admits that is still working for the FBI admitted some knowledge.

Page 5 identifies this copy as from "admin folder." C does too.

Repetition of Hosty's claim that there was no threat is amusing and he had to have been lying and knowing he was lying from his own description of how he destroyed it, namely what Shanklin would have ordered him to do or how he'd have done it if innocuous. He went to the bathroom, shredded it and flushed it away.

Continues separately with third batch I received.

Dear Jim and Mark,

1/5/85 + 1/12/85

I've read the two thin and unidentified batches of Kosty material Mark got from the FBI and I got from you today. It is all self-serving, self-righteous, self-laudatory and irrelevant. But it does faithfully reflect the FBI line in both matters once it got caught.

There is one record of some interest. Because they bear no identifications I can't cite any so I'll attach a copy. I recall no disclosed record that in any way justifies what this says, and at the same time I cannot dismiss it as a mere error.

It says that Oswald had been contacted by the MVD of the USSR.

I don't believe it.

On the incredible factual error in the panel report. I had a piece and I've drafted an addition. I not only had it marked - I had a paperclip on that page to draw my attention to several parts that I'd marked. And forgot!

Many thanks. I give it meaning.

Best,

Resumed 1/12/85 Because these are almost all nonrecord copies, obviously from a tickler, they lack positive identifications I can use. Where I've thought of it I'll have copies attached.

marked  
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The first copy, typed sideways, was on a legal-sized page. I use the standard size because that holds what I am wondering about, the statement that Oswald "was contacted by MVD," sourced to the Fain investigation. There was nothing at all like this in any Fain report I've seen. Rather the opposite, LHO's statement that he had not been. But what is confusing about this is that it can also be attributed the SAs Carter and Brown. But the alleged MVD contact is repeated, which reduces the possibilities of simple error at FBIHQ. Mark may want to consider giving this to Gardner or another reporter, who can then ask his own questions of the FBI. I suggest this, as soon as possible.

The first page of Document 1 is the next month, 1963 on "Kosty note destruction," is the first unequivocal statement I've seen that Oswald was aware of this. (I guess I should say that for all.) It also refers to LHO's "then lying" of this on or by 11/24/63. This amounts to a confession of deliberate lying to the Commission on the notion that only after it is lying that Oswald had never given any indication of any intent toward violence. Which I think was (insurance) perjury when Oswald Kosty swore to it. I put the paperclip on. again I think you should be offered promptly. See also p. 15

234, "Kosty character session of FBI "stuffed in with pockets open for evidence to drop in." By the relation, the chief of investigation state they did not investigate the crime itself. again I recall no earlier record again this and again I recommend having it available to Gardner or another.

3 admits the FBI had an "adversary relationship" with the commission. In giving Hoover credit for blocking Olney's choice as general counsel they also disclose that our first unelected Ford was fronting for Hoover. DC 1 reflects and emphasized the FBI's preparation of dossiers on DC staffers "after" report was out. Blackmail only? The checkmark at 4 was on the original. Someone was emphasizing that the FBI and CIA (Angleton) were "pre-arranging" their answer to the commission. 7, referring to the FBI's preparation of dossiers on critics, exists in another form I'll come to. Note to JL: they had some notion of what they were told to do in 032/0420.

The FBI devoted five volumes to that report and there was nothing in the world to prevent a sixth if necessary. So it is not space that kept all mention of that significant and suppressed matter out of the FBI's reporting.

In the language that follows the FBI lies without actually lying, "...all Bureau ~~personnel~~ officials and supervisory personnel were interviewed by the Inspection Division..." Not all as of that time. This clearly refers to those still in the FBI as of the date of the memo, Example, Alan Belmont, as I recall, was not interviewed because he was ill. But he is directly involved according to IG records I have.

-t is inconceivable that once Oswald was picked up by the police and the FBI knew it in Dallas that Dallas did not cover its own ass by telling FBIHQ immediately that Oswald had left the letter allegedly threatening to blow the FBI office and police HQ up. It also cannot be believed that in this situation Shanklin ordered its destruction on his own authority.

What Senstudy needed and the FBI knew it needed is what happened on and before 11/24, not <sup>not</sup> subsequent to it. For that I expect perpetual secrecy unless some errant copies are around if anything was put on paper.

Item 16 is a cutie because of its typically FBI conclusion. I must admit that I do not recall this affidavit by, or statement by SA Joe B. Pearce. And while anything is possible, I find it hard to believe that I'd forget his saying that "Oswald was an informant or source of SA Hosty and it was not uncommon for sources to occasionally come to the office" to leave a note for the agent running him. While I acknowledge the possibility that I've forgotten, with my from-the-first interest in Oswald as someone's friend I do not believe I did. I therefore am inclined to believe that this was withheld from me. Bearing on this possibility, according to my office can file of subject files in the basement, I had none on Pearce. He was not by any means unknown to me. I remember him as writing memos "JC Pearce," or investigative check, not an SA. I see this is in his affidavit. The FBI's phony conclusion is that this "was looked into by the President's Commission, and there was no substance whatsoever to this particular claim." How did the Commission "look?" It took Hoover's and Belmont's self-serving statements that the FBI had no connection with Oswald. Even though as the 1/27/63 executive session makes unequivocal, Dulles told the Commission that to lie about this would be right and proper and the 11/21 exec sess discloses the Commission's view that it would never get around to that the FBI wanted it to fold its tents and go away because by then the FBI had solved the crime.

A comment on how the FBI can hide by its filing and make a literal interpretation of search slip, to deny the existence of existing records it knows exist. Note that this is a tickler copy and we have no idea what the record copy may be. But this is designate for a single file only, that on the Senate committee. There is no indication of any assassination filing. So, the search slip would not disclose assassination filing and the FBI would therefore decided that Senstudy was not relevant and the record not responsive, responsive as it indubitably would be. It also is interesting that "Oswald" was written on the top, suggesting, but not necessarily meaning another tickler filing. Filing instructions are never written on the tops of pages, only on the bottoms.

It also can be that what I read as Oswald 1, may be Oswald 2, or tickler.

Balfanz's statement on his appearance before SSC. (Selected pages attached)

The underlinings, the FBI's, are not typical and I suggest were made for probable indexing or duplicating in a tickler. Oswald is not underlined but in addition to what appears to be all FBI names, Ruby and name also, for example, are. This suggests a tickler aimed at the committee's apparent interests, a control over information it would get, rather, perhaps, to inform the FBI or rather than necessarily control.

Bassett reports it as insignificant when there was a rumor he heard that before the assassination the alleged assassin appeared and left a note. (2)

Page 5, fourth graf, Barrett states that "an agent in Dallas had at one time opened a PCI case on Ruby." This reflects what is the FBI's practice, the keeping of records related to Ruby as a PCI, but none produced in 76-0522 despite my repeated appeals for it. This also reflects the fact that such records should appear on any search slips, and they show automatically if a search had been made. (There should in fact be at least a dozen informant contact forms in the file plus the request for permission to use him and the granting of that permission.)

The questioning about alleged disciplining of the SA who used Ruby as a PCI and allegedly found him unproductive may be garbled in SSC's mind with a report I got from a former SA that Ruby has been used by Will Hay Griffin (deceased), informant who had been disciplined in New Orleans before assignment to Dallas. (Griffin's hip-pocket xxxxx)

In general, the time, effort and emphasis wasted on the irresponsible theorizing of so many critics by the committee is apparent in this report of its questioning. That time and effort might well have been devoted to responsible leads, not idle and unsupported theories based on distortions and exaggerations.

On page 13 Barrett reports being sent to KLB-TV to get any relevant pictures. He does not report being asked if he got any and does not volunteer.

The SSC had been told by SAs that they were told "that the investigation was to establish that Oswald acted alone."