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Mr. Badi. Still the same title

Mr. Adams. Yes.

Mr. Badillo. Where is the Agent's Supervisor?

Mr. Adams. The Special Agent's Supervisor is in San Diego.

Mr. Badillo. What is his title?

Mr. Adams. Special Agent. He is still a Special Agent.

Mr. Badillo. Where is the Special Agent in Charge now?

Mr. Adams. He is retired.

Mr. Badillo. Mr. Chairman, I think that in view of the fact that the letter from the Justice Department indicates the basic reason for non-prosecution is the statute of limitations and that the particular people who saw the note and who have testified allegedly as to the contents of the note are there, I think that this Committee has the responsibility to bring these people before us and have the opportunity to interrogate them by ourselves, rather than just getting a second-hand report. They are there. This is a crucial issue. And according to the testimony, they remember having seen the note and they remember that it contained some indication of violence and I think it is important that we get direct evidence where the direct evidence is readily available.

Now, isn't there a rule that provides that where there is evidence of violence on the part of an individual, and where the President is going to be coming to town, that the

1 FBI notifies the Secret Service?

2 Mr. Adams. At this time, in 1963, our guidelines were
3 rather narrow in this regard. They provided basically for
4 notifying the Secret Service of any threat against the Presi-
5 dent, against his family, or the Vice President.

6 Immediately following the assassination, Mr. Hoover
7 ordered an inquiry be conducted by former Assistant Director
8 Dale, who was in charge of the Inspection Division, and it was
9 immediately recommended and also approved that our criteria
10 for disseminating information to the Secret Service be broaden-
11 ed. And that recommendation and those criteria were subse-
12 quently incorporated into an agreement between the FBI and the
13 Secret Service. We have such an agreement today. I can fur-
14 nish the Committee the guidelines by which we do today fur-
15 nish information to the Secret Service.

16 Mr. Badillo. According to the testimony that you made here,
17 the contents of the note were of a threatening nature; that is,
18 according to the testimony of the receptionist and the Agent.
19 Is that correct?

20 Mr. Adams. The receptionist felt it was threatening in
21 nature and --

22 Mr. Badillo. Well, the words are --

23 Mr. Adams. And it contained a --

24 Mr. Badillo. Well, the words are: "Let this be a warn-
25 ing. I will blow up the FBI and the Dallas Police Department

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1 if you don't stop bothering my wife." Is that threatening?

2 Mr. Adams. That is right, and I am not arguing with you.
3 I am saying the receptionist did state it contained that. The
4 Agent, however, says it contained no threat. This was the
5 Agent to whom the note was delivered.

6 Mr. Badillo. Excuse me, my time is running out, let me
7 just conclude. Agent Hosty testified before the Warren Com-
8 mission that he saw no reason to inform the Secret Service of
9 Oswald's presence in Dallas, because Oswald had never been
10 shown to have made any kind of violent statement.

11 Mr. Adams. That is correct.

12 Mr. Badillo. Now, if this testimony is true, isn't that
13 a contradiction of what Agent Hosty testified to?

14 Mr. Adams. Well, Mr. Hosty is the one who claims to date
15 that the note contained no threats. He testified --

16 Mr. Badillo. Who is Mr. Hosty in this sequence of events?

17 Mr. Adams. I feel that Mr. Hosty has been publicly iden-
18 tified and we discussed this before the meeting. Mr. Hosty is
19 the case Agent.

20 Mr. Badillo. The Agent in Charge?

21 Mr. Adams. No, the case Agent in this matter, to whom
22 the note was delivered.

23 Mr. Badillo. I see.

24 Mr. Adams. And Mr. Hosty testified before the Warren
25 Commission that, since he was the case Agent on the Oswald in-

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1 vestigation, t. he had no knowledge of violent propen-
2 sities on the part of Oswald. In his current statement, Mr.
3 Hosty continues to state that the note which was given to him
4 contained absolutely no threats. So there is no inconsistency
5 in his statement. There is an inconsistency between what he
6 said and what the receptionist said. The receptionist said
7 it did contain a threat.

8 Mr. Badillo. My time has expired.

9 Mr. Edwards. Mr. Dodd.

10 Mr. Dodd. Thank you.

11 Mr. Adams, on May 4, 1964, Mr. Hoover, the former Direc-
12 tor of the FBI, transmitted a letter to Mr. Rankin, General
13 Counsel of the Warren Commission, transmitted a list speci-
14 fying 69 documents contained in FBI headquarter files concern-
15 ing Lee Harvey Oswald. Of those 69 documents, only 46 were
16 reviewed by the Warren Commission. Did the FBI turn over the
17 complete file of Lee Harvey Oswald of 69 documents to the
18 Warren Commission?

19 Mr. Adams. As far as I know. I have not addressed myself
20 to that specific issue, but let me check ^{file} ~~file~~ *file*.

21 I would have to check on that, Mr. Dodd.

22 Mr. Dodd. I would like to make a request, Mr. Chairman,
23 at this point that that file of 69 documents be turned over
24 to the Committee or whatever procedure is in order in order
25 that that file may be reviewed. I think it is an established

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fact that only 6 of the 69 documents were reviewed by the Warren Commission.

Mr. Adams. At their decision?

Mr. Dodd. I don't know. That is the point I was trying to get. I would like to know whose decision it was. I am not sure you have the answer to day, but --

Mr. Adams. No, but I will be glad to submit afterwards for the record a statement concerning that.

Mr. Edwards. Very good. We will communicate with you on that subject.

(The information will be submitted at a later date.)

SUBCOMMITTEE INSERT

1 Mr. Dodd. According to a transcript of the January 22,
2 1964 meeting of the Warren Commission, Lee Rankin, General
3 Counsel, reported that he had just received a call from the
4 Texas Attorney General Waggoner Carr reporting that "Oswald
5 was acting as an FBI undercover agent." This report was also
6 corroborated by the District Attorney, Henry Wade. Rankin also
7 reported that Carr told him that Oswald's badge number was
8 179 and that Oswald had been paid \$200 a month salary for his
9 role as an FBI informant.

10 Was Lee Harvey Oswald ever an FBI informant?

11 Mr. Adams. Absolutely not. This was thoroughly covered
12 by the Warren Commission and was included in the conclusions:
13 the fact that he was not an informant.

14 Mr. Dodd. Going back to a question raised earlier by the
15 Chairman, Lee Harvey Oswald had an address book of the names
16 of various people. It has been reported that a page of that
17 address book containing the name of the Agent in question
18 regarding this particular letter that was destroyed, was in
19 that address book and that that page was torn out. Do you
20 have any information as to whether or not that is a fact?

21 Mr. Adams. No, I don't. Again, I will be glad to sub-
22 mit that, because, as you can understand, during the assassi-
23 nation investigation, we transferred 80 additional Agents into
24 Dallas, and we conducted 25,000 interviews and it is just not
25 possible for me to have at the tip of my fingers --

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1 Mr. Dodd. You can see the thrust of my question. This
2 gets back to the questions raised by Father Drinan earlier re-
3 garding why or what would motivate that particular Agent to
4 destroy that letter. I can understand that one particular Agent
5 may get concerned about something that may embarrass him, but
6 in fact, the address book -- but in fact the summary of names,
7 the name of Mr. Hosty was deleted as being in Lee Harvey Os-
8 wald's address book. Now that was a decision by someone else
9 other than Mr. Hosty, obviously, when you consider who was
10 holding the evidence. And that would indicate there was a
11 motivation that went beyond the individual motivation of a
12 particular Agent, but rather a decision made at higher levels.

13 Mr. Adams. Well, Mr. Dodd, all I can say is subsequent
14 to the assassination there have been many, many allegations.
15 Each time one arises, we have continued to look into them. And
16 I am sure this allegation, like the one that Oswald was an
17 informant or like the one that keeps coming up that Ruby was
18 a paid informant of the FBI -- well, all I can do is take your
19 inquiry and I will be glad to respond to it after review of
20 the files.

21 Mr. Dodd. But you don't have any information or any
22 knowledge as to the exclusion of Mr. Hosty as being one of the
23 names in that address book, as to why that was deleted from
24 that summary?

25 Mr. Adams. I don't even know that it was deleted. I am

1 just not familiar with that particular allegation.

2 Mr. Dodd. What type of precautions would the FBI normally
3 take if they had knowledge that a particular individual was
4 capable of killing the President? We have seen a couple of
5 instances just in the past month or so. What steps would be
6 taken or what is your policy if they had information or if an
7 Agent was aware that someone was capable of that kind of acti-
8 vity; what steps as to precautions would be taken?

9 Mr. Adams. If he was capable of it, if it fits our
10 criteria for information requested of us, we would disseminate
11 it to the Secret Service. The Secret Service has a protective
12 responsibility and we have an intelligence responsibility of
13 providing information to them according to criteria they estab-
14 lish for the types of information they want to have in order
15 to carry out their protective responsibilities.

16 Mr. Dodd. And was that procedure followed, as far as
17 you know, in the case of Lee Harvey Oswald?

18 Mr. Adams. Yes. As you probably recall, the FBI was
19 criticized at the time that although the action taken fit the
20 criteria -- I mean, we did not have any threat against the
21 President -- but the Warren Commission was critical of the fact
22 that these criteria were too narrowly drawn. As a result, they
23 have been broadened considerably concerning the types of
24 information that we now furnish to the Secret Service. That
25 was one of the points of criticism by the Warren Commission.

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Mr. Dodd. You mentioned that there was a letter from the former Director of the FBI to Mr. Rankin regarding apparently an inquiry surrounding Mr. Ruby. You pointed out in your testimony there were eight occasions between March 11, 1959 and October 2, 1959, when Mr. Ruby was investigated or talked to by the FBI. Now, that is once a month or rather less than once a month during that period of time. Is it normal procedure to talk to someone once a month over a period of time such as that, and then have no information or results that were obtained? Is that common practice?

Mr. Adams. Well, he was contacted originally because it was felt that he was an individual who would be able to provide criminal information to the FBI because of his employment as a night club operator. These contacts are standard to determine if he is going to be able to become an informant for the FBI. Once these contacts prove negative, although he indicated a willingness to cooperate, but he never furnished any information, then the file was closed. But this would be a normal developmental process of regular contacts with a person who may be in a position to furnish information.

Mr. Dodd. But it is your statement that Jack Ruby, as well, was not a paid informant for the FBI at any time?

Mr. Adams. That is right. I saw a news item on it yesterday, where one of the Senators had made a statement again on it. And I checked with the Senate Committee to find out if they

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1 know of anything in this regard that I do. I know, and I haven't
2 gotten any response in that regard indicating that there is any-
3 thing to that effect. And I also called down to Dallas last
4 night, to have them review the file again, just to make sure
5 that I could testify today that there is nothing in that indi-
6 cating that Ruby was ever a paid informant or ever furnished
7 any information, and I was assured that is the case.

8 Mr. Dodd. My time has expired. Thank you, Mr. Chairman.

9 Mr. Edwards. Mr. Adams, continuing along the lines of
10 questioning pursued by Mr. Dodd, the letter that Mr. Hoover
11 wrote to the Commission stating that Ruby was an informant and
12 contacted on eight occasions, that letter or that information
13 didn't become a part of the Warren Commission Report. Is that
14 correct?

15 Mr. Adams. It was submitted to the Warren Commission. I
16 am not sure whether it was in the published report. I don't
17 believe it was.

18 Mr. Edwards. Now, don't you think that was most signi-
19 ficant information and should have been in the Warren Commis-
20 sion Report? I know you didn't write it.

21 Mr. Adams. No, I have no idea what might have motivated
22 them.

23 Mr. Edwards. It is curious, though. Also, when did this
24 letter come to light to the public? I believe very recently.
25 Is that correct?

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1 Mr. Adams. I think this allegation has come up over the
2 years. Last December was the first time.
3 Mr. Edwards. In December of '74?
4 Mr. Adams. Yes.
5 Mr. Edwards. Can you think of any reason why this letter
6 should have been suppressed all of this time?
7 Mr. Adams. No, I think that the Warren Commission probably
8 had a lot of information which they considered basically work
9 papers to go into their final report. Now, as these work papers
10 are probably becoming more available to researchers, there will
11 be other questions raised in the future. But I don't have any
12 idea.
13 Mr. Edwards. Well, it is rather shocking when you think
14 about it that you find out 12 years later that both the Warren
15 Commission and the FBI knew that Jack Ruby had been reporting
16 to the FBI and yet we have to wait all that time to find it
17 out. It is the kind of disclosure coming about very late that
18 adds to any paranoia that might be taking place in this coun-
19 try. Wouldn't you agree?
20 Mr. Adams. Well, on reporting, I would have to be a little
21 picky over that word because in these contacts, because all of
22 them were absolutely negative. He furnished no information of
23 value. So he was not an informant of the FBI. He was being
24 contacted to determine whether he would become an informant by
25 furnishing us information.

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Mr. Edwards. Yes, but this is the man who killed the man who allegedly killed the President of the United States.

Mr. Adams. That is right.

Mr. Edwards. And yet the people find out 11 or 12 years later that he was an FBI informant on at least eight different occasions.

Mr. Adams. Well --

Mr. Edwards. Okay.

Mr. Butler. Mr. Chairman, may I? It is correct, is it not, that these contacts with Mr. Ruby were in each instance instituted or initiated by the FBI?

Mr. Adams. Yes.

Mr. Butler. And done in an effort to solicit information from him?

Mr. Adams. That is right.

Mr. Butler. And you got a negative response in each instance?

Mr. Adams. That is right.

Mr. Edwards. Yes, I agree. We should have been told about it. The public should have, somewhere along the line, been told.

Now, Mr. Adams, we were talking earlier about the Oswald letter and the fact that a number of Agents were disciplined in the Dallas Office as a result of some things that happened or didn't happen in the investigation. How many Agents were

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disciplined?

Mr. Adams. I really couldn't answer that. I am not prepared on that point. I do know that after the assassination, I do know that Mr. Hoover asked that the matter be inquired into. And, of course, as a result of it, every little item was covered as to the handling of the investigation. I know that Agents in Dallas were disciplined and I know that Agents in Washington were disciplined.

Mr. Edwards. For what type of misconduct?

Mr. Adams. No misconduct as such; for failing to perhaps include Oswald on the security index; for delays of a few days in handling communications; for just a review of the case as to whether it represented the professional workmanship which would normally be expected, and I think the Commission in its Report was critical along the same areas, that is, that the investigation of Oswald could have been more vigorous.

Mr. Edwards. Mr. Hosty was one of those disciplined?

Mr. Adams. Yes, sir.

Mr. Edwards. Now, Mr. Hosty also interviewed Oswald in the Dallas Jail? Is that correct?

Mr. Adams. Yes, sir.

Mr. Edwards. Was he with the police for the entire, I believe 17 hours that Oswald was interviewed? Did you have an FBI Agent there the entire time that Oswald was interviewed in the Dallas Jail.

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1 Mr. Adams: I don't know the answer that, but I rather
2 doubt it.

3 Mr. Edwards. Did Mr. Hosty write a report of the inter-
4 view?

5 Mr. Adams. Yes.

6 Mr. Edwards. Is there a transcription of all of the
7 interviews of Oswald in the Dallas Jail by the Dallas police
8 and the FBI?

9 Mr. Adams. I know the Dallas police submitted a lengthy
10 report on their handling of Oswald after his arrest and I would
11 assume that all of this material is in the Commission's files.

12 Mr. Edwards. Mr. Butler?

13 Mr. Butler. Thank you, Mr. Chairman.

14 With reference to the discipline of the Agents, the dis-
15 cipline dealt with shortcomings in reference to the investi-
16 gation and not what preceded the assassination. Is that cor-
17 rect?

18 Mr. Adams. Well, it was what preceded the assassination;
19 in other words, the handling of the investigation of Oswald
20 prior to the assassination.

21 Mr. Butler. That is the basis for the discipline?

22 Mr. Adams. Yes, sir.

23 Mr. Butler. Now, were there any extraordinary advancements
24 following this? What has been the subsequent history, for
25 example, of the Special Agent in Charge? I know, I understand

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1 now he is retired, but what is the history of this man's record
2 within the FBI following --

3 Mr. Adams. He was in that Dallas Office continuously since
4 the termination of the investigation from 1963 on up to his
5 retirement, his recent retirement.

6 Mr. Butler. So, there was no advancement with reference
7 to him in grade?

8 Mr. Adams. No.

9 Mr. Butler. Unless it was salary advancement?

10 Mr. Adams. No *yes, not in grade.*

11 Mr. Butler. The same is true of the other people who are
12 involved in the inquiry with reference to the disposition of
13 the note?

14 Mr. Adams. As far as the disposition of the note --

15 Mr. Butler. I mean, you have answered the question
16 several times that these people remain Special Agents until
17 their retirement or until present time. Well, did any of them
18 well, does the record indicate that any of them advanced rather
19 rapidly?

20 Mr. Adams. No.

21 Mr. Butler. Or received preference in any way?

22 Mr. Adams. No.

23 Mr. Butler. And there is a way to determine whether there
24 has been preference as a result of this?

25 Mr. Adams. That is right.

1 Mr. Butler. And none of that appear.
2 Mr. Adams. No.
3 Mr. Butler. I have no further questions, Mr. Chairman.
4 Mr. Edwards. Mr. Drinan.
5 Mr. Drinan. Thank you, Mr. Chairman.
6 Could you tell us more about the highest official that
7 you have interviewed in the FBI? You say in page 10 that he
8 was an Assistant Director at the time of the assassination.
9 How many Assistant Directors were there, roughly, at that time?
10 Mr. Adams. I would say eight or ten.
11 Mr. Drinan. So he is one of the highest officials of the
12 FBI
13 Mr. Adams. Yes, sir.
14 Mr. Drinan. And he stated that he discussed the Oswald
15 case many times with the Special Agent in Charge in Dallas,
16 and that furthermore, this very high official, one of the top
17 eight or ten in the entire FBI, stated that it was common
18 knowledge at FBI Headquarters that a threatening message had
19 been received from Oswald, but that the Special Agent in Charge
20 seemed disinclined to discuss the threatening letter.
21 Now, can you elaborate on that? If he thought that it
22 was common knowledge at the FBI Headquarters, and I have no
23 reason to doubt his veracity -- then at what time was it common
24 knowledge that this threatening letter had been received? Can
25 we draw the inference that somebody in Headquarters, knowing of

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1 this, spoke to the Special Agent in Charge and maybe that is
2 the reason he was disinclined to discuss it?

3 I mean, going back to what I said before, unless you give
4 a motivation, people are going to infer motives that may not
5 be correct, but they have to infer some motives. Now what would
6 you say about the Assistant Director? Can his veracity be
questioned?

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2-A) 8 MR. Adams. Well, his veracity could be questioned by
9 virtue of the fact that he says it was common knowledge, but
10 yet we interviewed everyone in the chain of command of the two
11 divisions supervising the investigation and they all deny hav-
12 ing any knowledge of it. I don't think it is a question of
13 veracity. I think it is -- well, I don't know what it is. I
14 don't know at what point he may have learned of this. Where
15 he says he talked to the SAC many, many times, but this Assis-
16 tant Director was supervising the Oswald aspect of the investi-
17 gation, so he was on the phone frequently with the SAC in
18 Dallas, so --

19 Mr. Drinan. Was this before the assassination when he
20 discussed the Oswald case?

21 Mr. Adams. No.

22 Mr. Drinan. This was afterwards?

23 Mr. Adams. Yes.

24 Mr. Drinan. And obviously, that individual knew there
25 had been a threatening letter received?

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1 Mr. Adams. He says a message. He said a message and the
2 SAC in Dallas indicated to him that he was disinclined to dis-
3 cuss it because he was handling it with the Assistant to the
4 Director.

5 Mr. Drinan. Now, did he, one of the highest people in the
6 FBI, did he know at that time that the message from Oswald had
7 been destroyed?

8 Mr. Adams. No. He had no knowledge or claimed to have
9 no knowledge regarding the destruction of the note.

10 Mr. Drinan. Well, that doesn't quite add up because,
11 according to this former official, the Special Agent in Charge
12 mentioned on one occasion he had an internal problem involving
13 one of his Agents who had received a threatening message from
14 Oswald.

15 So, the Assistant Director did know in 1963 that a threaten-
16 ing message from Oswald had been received.

17 Mr. Adams. Right.

18 Mr. Drinan. But he didn't know it had been destroyed?

19 Mr. Adams. No.

20 Mr. Drinan. Why didn't he ask to see that?

21 Mr. Adams. Well, that is a good question.

22 Mr. Drinan. Thank you.

23 Mr. Adams. And we asked that ^{same} question. And he indicated
24 that after the assassination, there were rumors galore floating
25 all around the place; there were all kinds of rumors as to

1 what was going on and what didn't go on. and he pointed out
2 how busy he was and how busy the Agent in Charge in Dallas was.
3 And he said that during the course of his reporting on it, that
4 it never entered his mind concerning the fact that he had heard
5 something about the fact that Oswald may be left a threatening
6 message at the office. But he just indicated that it didn't
7 cross his mind.

8 Mr. Drinan. With all due respect, sir, that doesn't quite
9 add up, because he recalls all the other details about the
10 threatening letter; about how this man was disinclined to dis-
11 inclined to discuss the matter, saying it was just a personnel
12 problem. So how could he not have requested the threatening
13 letter? You had this great national crisis and he didn't even
14 ask to have the threatening message. It just doesn't add up.
15 Question add upon questions and --

16 Mr. Adams. Well, he said that it was being handled by
17 the Assistant to the Director over on the personnel-administra-
18 tive side, and that he felt that it was just being handled.

19 Mr. Drinan. He says that now?

20 Mr. Adams. No, I think that is in the statement, that is,
21 that the SAC told him it was being handled -- that is, he was
22 disinclined to discuss it because it was being handled by an
23 Assistant to the Director, who would have been over on the
24 administrative side, and he felt that the matter was being
25 handled.

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1 Mr. Drinan. You add, as a bottom line, on page 12: "We
2 are, at this very moment, making our own assessment of the
3 facts with a view towards instituting appropriate administra-
4 tive action." I assume you have given us here all the facts
5 you have. On the basis of these facts, sir, how do you make
6 an assessment?

7 Mr. Adams. It is pretty difficult, but there are considera-
8 tions. You have individuals who have admitted they had know-
9 ledge that Oswald had visited the office and left a note and
10 they failed in-^{to} insure that it was properly reported to the
11 Bureau and to the Warren Commission. So you do have an admis-
12 sion of wrong-doing on their part. Where the analysis gets
13 difficult is where during the inquiry these people have been
14 truthful and owned up to the fact that they had such guilty
15 knowledge -- if you want ^{to} term it was such, so do you now, 12
16 years later, discipline them for that, which some would say
17 you are disciplining them for being honest; whereas, Mr. Drinan,
18 where you have a split of testimony, you can't take action
19 because you really can't pass judgment. But, on the other
20 hand, you ^{do} have the ^{situation} where over the years the FBI has
21 expected employees to report misconduct on the part of other
22 employees, although we have been criticized for this practice
23 by some of the Committees, and there is a question of ^{whether} should
24 you still go in and take action to let them know that there is
25 no statute of limitations for misconduct and that such wrong-