

Memorandum

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TO : Mr. Gallagher

DATE: 9/2/75

FROM : B. H. Cooke

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Gallagher
- 1 - Mr. Cooke
- 1 - Mr. Nettles
- 1 - Mr. Bassett
- 1 - Mr. Moore
- 1 - Mr. Wannall

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY; 11/22/63
DALLAS, TEXAS

Attached is a copy of an article which appeared in the 9/2/75 edition of "The New York Times" in which it is alleged that the FBI and the Dallas, Texas, Police Department covered up until the Spring, 1964, a conversation indicating the FBI had known that Lee Harvey Oswald was a threat to President Kennedy. This article is based on an article which appeared in the "Houston Chronicle" on 9/1/75. The article also states that the Warren Commission did not fully check into the alleged conversation.

Basically, the article reports that then Dallas Police Chief J. E. Curry received information from Lieutenant Jack Revill of his Department to the effect that three hours after the assassination, the Lieutenant was told by FBI Special Agent James P. Hosty, Jr., that the FBI knew of Oswald's presence in Dallas and knew that Oswald could be a threat to the President. The Dallas Police Department had no prior knowledge of Oswald.

The article states that Chief Curry included the information in a press release shortly after he received it. Curry says that within a few minutes of his statement to the press, SAC Gordon Shanklin told him that the FBI was extremely desirous that he retract his statement, which he did. He also told Lieutenant Revill to keep silent about the information.

A review of the report of the Warren Commission and its supporting volumes reveal that the Commission considered the conversation between Lieutenant Revill and SA Hosty to a great extent. The Lieutenant's report, dated 11/22/63 is Commission Exhibit 709 (Volume XVII, Page 495). In it, he says that SA Hosty met him at approximately 2:50 p.m., on 11/22/63 in the basement of the City Hall. He reported that SA Hosty told him that Oswald was a member of the Communist Party and that he was residing in Dallas. The Lieutenant said in the report that

Enclosure

REC-43 109060-7254
 CONTINUED OVER: 62-109060

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this was the first information he had received from the FBI regarding this. He states that SA Hosty further told him that the FBI was aware of the subject and that they had information that Oswald was capable of committing the assassination of President Kennedy.

Commission Exhibit 711 (Volume XVII, Page 496) is a report of Detective V. J. Brian of the Dallas Police Department dated 4/20/64. Brian was with Revill when he was approached by Hosty. He reported that Hosty stated that Lee Oswald had killed the President and Oswald was a Communist. He also reported that Hosty advised that Oswald was working at the School Book Depository. He also says that SA Hosty said some other things to Lieutenant Revill that he could not hear.

Lieutenant Revill provided extensive testimony to the Commission on 5/13/64, regarding this incident, (Volume V, Pages 33-47). In summary he says SA Hosty told him a Communist had killed the President, that his name was Lee Harvey Oswald, the FBI knew he was in Dallas, and the FBI had information that Oswald was capable of the act. Lieutenant Revill said this information was as best as he could recall, he might have misunderstood SA Hosty, but he did not believe so. He stated he made his report within the hour of receiving the information.

The testimony of Detective Brian is contained on Pages 47-58 of Volume V. He said he only heard SA Hosty say Lee Harvey Oswald had killed the President, was a Communist, and was working at the Book Depository.

SA Hosty's testimony regarding this matter is found in Pages 463-464 of Volume 4. He said the Lieutenant, who was in a very excited state, told him he had a hot lead, that the only employee of the School Book Depository not accounted for was a person named Lee. SA Hosty says he then told Lieutenant Revill Lee Harvey Oswald had been arrested previously, that he was an employee of the Texas School Book Depository, that he had defected to Russia and returned to the U. S. in 1962. SA Hosty stated that he did not say that he was aware Oswald was capable of assassinating the President as he had no such information.

Commission Exhibit 831 (Volume XVII, Pages 778-784) is a 4/27/64 letter from J. Edgar Hoover to the Warren Commission, an article from the 4/24/64 edition of the "Dallas Morning News" newspaper and an affidavit of SA Hosty, all three regarding this incident. The 4/24/64 article contains the same basic information as does the attached 9/2/75 article. Mr. Hoover's letter states

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that SA Hosty in his affidavit unequivocally denies ever having made a statement to Lieutenant Revill or anyone else that the FBI knew Oswald was capable of assassinating the President or that Oswald possessed any potential for violence. He points out that prior to the assassination he never had any information indicating potential violence on the part of Lee Harvey Oswald.

The Warren Commission considered this incident on Pages 441 and 442 of its report. It says the two men disagree about the conversation which took place between them. They agree that Hosty told Revill that the FBI knew about Oswald, in particular, his presence in Dallas and his employment at the Texas School Book Depository. The two disagree as to whether or not SA Hosty told Lieutenant Revill that Oswald was capable of violence. The only witness to the exchange was Detective Brian and he did not hear SA Hosty make any statement concerning Oswald's capacity to be an assassin, but he did not hear the entire conversation.

The report states that the FBI believed that there was no data in its files which gave warning that Oswald was a source of danger to President Kennedy, nor as far as was known to the FBI at the time, was there information he had shown any potential for violence. The report then leads into the criteria for referral of information to the U. S. Secret Service and other interested agencies and suggests that broader referrals be made.

ACTION:

General Investigative Division, upon receipt of the Houston article, will completely review it and will continue a review of Bureau files pertinent to this issue.

Handwritten notes and initials:
JWC
NC
J
C
H