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House of Representatives, U. S.

Report of Proceedings

Hearing held before

Civil Rights and Constitutional Rights Subcommittee

of the

Committee on the Judiciary

FBI OVERSIGHT

Tuesday, October 21, 1975

Washington, D. C.

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TESTIMONY OF

JAMES E. Adams
Deputy Associate Director
Federal Bureau of Investigation
--accompanied by--
Harold Bassett
Assistant Director
in charge of Inspection

PAGE

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Tuesday, October 23, 1975

Flour of Representatives,
Civil Rights and Constitutional Rights Subcommittee
of the Committee on the Judiciary,
Washington, D.C.

The Subcommittee met, pursuant to notice, at 9:45 o'clock
a.m., in Room 2226, Rayburn House Office Building, the Honorable
Don Edwards (Chairman of the Subcommittee) presiding.

Present: Representatives Edwards (presiding, Drinan,
Badillo, Dodd, Butler and Kindness.

Also present: Alan A. Parker, Chief Counsel; Thomas P.
Breen, Associate Minority Counsel; and Kenneth N. Klee,
Minority Counsel.

Mr. Edwards. The Committee will come to order.

Today, we continue this Subcommittee's

Mr. Drinan. Mr. Chairman, I move that the
Subcommittee on Civil Rights and Constitutional Rights permit
coverage of this hearing in full or in part by television
broadcast, radio broadcast or any other methods of coverage
permitted by the House of Representatives.

Mr. Edwards.

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(Ayes) (

Mr. Edwards. Contrary?

(No response)

Mr. Edwards. The motion is carried.

Today, we continue this Subcommittee's hearings on FBI oversight. Our most recent hearing involved the presentation of the General Accounting Office of their interim report on the domestic intelligence operations of the FBI. The final report and further hearings will be held later in November.

Today we have asked the Federal Bureau of Investigation to report to us on four areas of interest.

1. Allegations concerning a letter allegedly written by Lee Harvey Oswald several days before the assassination of President John F. Kennedy containing threats which was received by the Dallas Office of the FBI and subsequently destroyed;

2. Allegations indicating that Jack Ruby was a paid informer of the FBI;

3. Allegation by William Walter regarding a telex received by the New Orleans field office warning the Bureau's southern field offices that there would be an assassination attempt;

4. Allegations that all information available to the FBI was not fully disclosed to the Warren Commission.

It is for the benefit of the public and the government agencies involved that these facts be disclosed so that if legislation is needed we will have the necessary authority to

1 deal with it intelligently.

2 If the personnel of the FBI violated their own rules or
3 Federal statutes, then we must be sure that appropriate remedies
4 for such actions exist within the Bureau and that the legal
5 machinery exists within the Department of Justice to evaluate
6 and prosecute if necessary.

7 We are happy to have with us today, representing the Feder-
8 al Bureau of Investigation, James B. Adams, Deputy Associate
9 Director.

10 Mr. Adams, your colleague is?

11 Mr. Adams. Harold Bassett, Assistant Director in Charge
12 of Inspection.

13 Mr. Edwards. Will you both rise and raise your right
14 hands.

15 Do you solemnly swear that the testimony you are about
16 to give this Committee will be the truth, the whole truth,
17 and nothing but the truth, so help you God?

18 Mr. Adams. I do.

19 Mr. Bassett. I do.

20 Mr. Edwards. Mr. Adams, you may proceed.
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STATEMENT OF JAMES B. ADAMS, COUNCIL ASSOCIATE
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION;
ACCOMPANIED BY: HAROLD BASSATT, ASSISTANT DIRECTOR
IN CHARGE OF INSPECTION

Mr. Adams. Mr. Chairman, I genuinely appreciate this opportunity to appear before your Committee.

My purpose in being here is to be as helpful as I can in your efforts to resolve serious questions that have been raised about the FBI -- questions arising from one of the gravest tragedies of our time, the assassination of President John F. Kennedy at Dallas, Texas, on November 22, 1963.

We welcome this opportunity because we sincerely believe in the integrity of the FBI, and that integrity requires an honest and complete statement of the facts for the American people.

We hope, as well, that these proceedings will help assuage at least some of the rumors and conjecture and doubts that have multiplied and spread so rapidly in this 12th year following President Kennedy's death.

Mr. Edwards. I wonder if the people in the back can hear Mr. Adams. Can they? Fine. Very good. You may proceed.

Mr. Adams. The first area in which you have expressed interest is that involving the alleged visit of Lee Harvey Oswald to the Dallas FBI Office prior to the assassination of President Kennedy.

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1 We have just completed an exhaustive internal inquiry
 2 which leaves no doubt that Lee Harvey Oswald visited our Dallas
 3 Office some days prior to the assassination of President Ken-
 4 nedy and ^{but} he left a handwritten note there for the Special Agent
 5 who was conducting our subversive activities investigation of
 6 him.

7 Director Kelly and I first learned of these occurrences
 8 on July 7, 1975, when an official of the "Dallas Times-Herald"
 9 met with us here in Washington. This newspaper official advised
 10 that an individual, whose identity he could not reveal, had told
 11 him that Oswald had visited the Dallas FBI Office, sometime
 12 prior to the assassination; that Oswald left a note -- alleg-
 13 edly threatening in nature -- for the Agent who had been hand-
 14 ling our investigation of him; and that neither Oswald's visit
 15 nor the note was reported prior to or following the assassi-
 16 nation of President Kennedy.

17 Having no knowledge of this event, the newspaperman was
 18 advised that ^{we} would inquire into the matter and furnish him an
 19 official response.

20 Mr. Kelley immediately personally informed Attorney General
 21 Edward Levi of these allegations. He also told the Attorney
 22 General that we were initiating an inquiry to determine the
 23 truth of these allegations; and he ordered the Assistant
 24 Director of our Inspection Division to personally take charge
 25 of this matter.

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1 The first step in our inquiry was to conduct an exten-
2 sive review of all file references to Oswald ^{at} in our Washington
3 Headquarters and in the Dallas Field Office to determine if
4 they contained any information concerning the alleged visit
5 by Oswald and/or the threatening note.

6 They did not.

7 The second step was to identify, locate, and interview
8 those persons within and without the FBI who logically might
9 be able to shed light on this matter.

10 Since July, 1975, nearly 80 interviews, including re-
11 interviews of some persons, have been conducted.

12 The purpose and the thrust of these interviews was to
13 determine the answers to these important questions:

14 (1) Did Lee Harvey Oswald in fact visit the Dallas FBI
15 Office prior to the assassination?

16 (2) If so, did he leave a note -- and what were its con-
17 tents?

18 (3) What action was taken regarding the note?

19 (4) Was the note destroyed; and if so, by whom and at
20 whose instruction?

21 (5) What were the motives behind the note's destruction?

22 The results of our inquiry convince us that the answer to
23 the first question is an unequivocal "yes." We don't know the
24 exact date of time, but we are confident that Lee Harvey Os-
25 wald did visit our Dallas Field Office in November, 1963

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1 The testimony of Marina Oswald and Ruth Hyde Paine before
2 the Warren Commission refers to the possibility of this visit.
3 In response to a question concerning the FBI, Mrs. Oswald
4 testified as follows: "Lee had told me that supposedly he had
5 visited their office or their building. But I didn't believe
6 him."

7 Mrs. Paine told the Warren Commission that Oswald "told
8 me that he had stopped at the downtown office of the FBI and
9 tried to see the agents and left a note. And my impression
10 of it is that this notice irritated, that he left the note
11 saying what he thought."

12 Mrs. Paine also testified that she "learned only a few
13 weeks ago that he never did go into the FBI office."

14 Interviews that we have conducted in our Dallas Office
15 support the conclusion that Oswald visited the office prior
16 to the assassination.

17 The employee who was serving as receptionist in that
18 office in November, 1963, stated that to her recollection about
19 a week or 10 days before the assassination an individual appear-
20 ed at the reception desk and ask^{ed} to see ^{the} specific Agent by
21 name. Upon being told that ^{the} Agent^s was out of the office
22 this individual left an envelope for the Agent.

23 According to the receptionist, the envelope contained a
24 note which she read and believed was signed "Lee Harvey Oswald"

25 She stated that she recognized the person who had called

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1 at the office, when she saw pictures of Oswald in the newspapers
2 following the assassination.

3 Another person who was employed at the Dallas FBI Office
4 in November, 1963, recalled what while entering the office
5 about midday sometime before the assassination she saw a
6 slender, dark-haired young man whom she later could assume was
7 Oswald with the receptionist.

8 A third employee was alleged to have seen Oswald at the
9 office, however, upon interview, denied that she did.

10 As to the wording of the note left at the Dallas Office,
11 accounts vary. The receptionist recalled its contents to
12 be somewhat as follows: "Let this be a warning. I will blow
13 up the FBI and the Dallas Police Department if you don't stop
14 bothering my wife."

15 She recalls taking the note to the Assistant Special Agent
16 in Charge. It was her recollection that he also read the note,
17 commented that it was from a "nut," and told her to give it to
18 the Agent to whom it was addressed.

19 The Assistant Special Agent in Charge to whom the recep-
20 tionist said she handed the note denied having any knowledge
21 of it.

22 In addition, she expressed the belief that she also showed
23 the note to three other employees of the Dallas Office. These
24 three employees were interviewed, and each denied having seen
25 it.

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1 The Agent for whom the note was intended recalled its
 2 wording as "If you have anything you want to learn about me, come
 3 talk ~~privately~~ ^{privately} to me. If you don't cease bothering my wife I
 4 will take appropriate action and report this to the proper
 5 authorities."

6 This Agent's Supervisor, who claimed to have seen the
 7 note, said that he seemed to recall it ^{contained} some kind of
 8 threat but could not ~~recall~~ remember specifics.

9 Aside from these three persons -- the receptionist, the
 10 Agent, and the Agent's Supervisor -- no one else who was inter-
 11 viewed admitted having seen the note. Some indicated they
 12 understood that the note contained a threat; however, this was
 13 hearsay knowledge, having come primarily from conversations
 14 they had had with the receptionist.

15 All who saw or heard of the note agree ~~that~~ there was
 16 no mention of President Kennedy or anything which would have
 17 forewarned of the assassination of the President.

18 In attempting to determine what action was taken regarding
 19 the note, we learned that the Agent for whom the note was
 20 intended took no action other than to place it in his workbox --
 21 where it continued to reside on the day of the assassination.

22 This Agent said that he participated in an interview of
 23 Oswald at the Dallas Police Department on the day of the
 24 assassination and returned to the Field Office about an hour
 25 later, where he went to the Office of the Special Agent in

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1 He said his Supervisor was in the office with the Special
2 Agent in Charge. According to the Agent, one of them displayed
3 the threatening note and asked him to explain its contents.

4 By his account, he told them he had interviewed Marina
5 Oswald and Mrs. Paine on November 1, 1963; and that when he
6 participated in the interview of Oswald that day at the Dallas
7 Police Department, Oswald, upon learning the Agent's name,
8 commented that he was the one who was talking to and bothering
9 his wife -- that if the Agent wanted to know something about
10 Oswald he should have come and talked to Oswald himself.

11 At this point, the Agent claims, the Special Agent in
12 Charge ordered him to prepare a memorandum setting forth the
13 information regarding the note and his interview with Marina
14 Oswald and Mrs. Paine. He stated that he did prepare such a
15 memorandum, three or four pages in length, and delivered it
16 to the Special Agent in Charge on the evening of November 22,
17 1963.

18 The secretary to whom the Agent said he dictated this
19 memorandum was interviewed. She said she had no recollection
20 of the memorandum.

21 The Agent's Supervisor said that it was he who found the
22 note in the Agent's workbox very soon after the assassination
23 of President Kennedy. He stated he took the note to the office
24 of the Special Agent in Charge but had no recollection where
25 the note may have gone or who may have had it thereafter.

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1 The Agent involved, however, stated at approximately
2 two hours after Oswald had been pronounced dead on November 24,
3 his Supervisor told him that the Special Agent in Charge wanted
4 to see him. He claimed that upon arriving in the Special
5 Agent in Charge's Office, he was instructed by the Special
6 Agent in Charge to destroy both the note and the memorandum
7 regarding it that he had given the Special Agent in Charge on
8 the night of November 22.

9 The Agent told us that he complied with these instructions
10 and destroyed the note and the memorandum.

11 The Supervisor has told us that he had no knowledge of
12 the disposition of the note.

13 The Special Agent in Charge, who retired prior to the
14 receipt of the allegations in this matter, has denied having
15 any knowledge of Oswald's visit to the Dallas Office or of
16 Oswald's leaving a note there. He maintains that he did not
17 issue any orders to destroy the note. In fact, he claimed to
18 have no knowledge of this entire matter until July, 1975.

19 The personnel who were assigned to the Dallas Office in
20 November, 1963, and who have admitted personal knowledge of
21 the Oswald visit and the note, have denied having any know-
22 ledge that the facts of this matter had been brought to the
23 attention of FBI Headquarters.

24 One employee did state, however, that she heard from an
25 unrecalled source that a meeting was held on ~~November~~ ^{October} 22, 1963.

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1 what to do with the Oswald note. She named the purported
2 participants, including an Inspector from Washington. She
3 qualified this information by saying that she had no firsthand
4 information, that it was hearsay, and that she did not desire
5 it included in her sworn statement. That Inspector, now retired
6 as well as the other alleged participants in this meeting,
7 unequivocally denied having any knowledge of the Oswald visit,
8 including the note and its destruction.

9 One former FBI official, who was an Assistant Director
10 at the time of the assassination, has stated he discussed the
11 Oswald case many times with the Special Agent in Charge of
12 the Dallas Office. According to this former official, the
13 Special Agent in Charge mentioned on one occasion that he had
14 an internal problem involving one of his Agents who had received
15 a threatening message from Oswald because the Agent was investi-
16 gating Oswald.

17 The former official maintains that the Special Agent in
18 Charge seemed disinclined to discuss the matter other than to
19 say that he was handling it as a personnel problem with another
20 individual who then held the rank of Assistant to the Director.
21 This latter individual has denied under oath any such know-
22 ledge or action.

23 The same former Assistant Director said he thought it
24 was common knowledge at FBI Headquarters that a threatening
25 message had been received from Oswald. When asked specifically

1 who at our Headquarters might have knowledge regarding this,
2 he stated it probably would be people who were concerned with
3 the supervision of the Lee Harvey Oswald case and the assassi-
4 nation. After searching his memory for the identities of the
5 Agents who had such supervisory responsibilities, he named two
6 such Agents -- both being in the Headquarters Division which he
7 had headed at the time of the assassination. He commented
8 that he had no direct knowledge that these Agent-Supervisors
9 did, in fact, have this information, but felt it was possible
10 they might because of their intimate involvement with the
11 supervision of the ramifications involving Oswald.

12 Both of these Agent-Supervisors have been interviewed and
13 denied such knowledge.

14 Our inquiry into this matter has included interviews with
15 a large number of present and former FBI officials, including
16 the entire still-living chain of command of the two investi-
17 gative Divisions at our Headquarters which supervised the
18 Kennedy assassination case. With the exception of the above-
19 mentioned former Assistant Director, all have furnished state-
20 ments denying any knowledge in this matter.

21 Whatever thoughts or fears may have motivated the con-
22 cealment of Lee Harvey Oswald's visit to our Dallas Office,
23 as well as the concealment and subsequent destruction of the
24 note he left there, the action was wrong. It was, in fact,
25 a violation of firm rules that continue to exist in the FBI

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1 today -- rules which required that the facts of Oswald's visit
2 and the text of his note be recorded in the files of the Dallas
3 Office and that they be reported to our Headquarters to be
4 furnished thereafter to the Warren Commission.

5 The facts disclosed by our inquiry have been reported in
6 full to the Department of Justice. The Department has con-
7 cluded that this is not an appropriate case for criminal
8 prosecution at this time.

9 We are at this very moment making our own assessment of
10 the facts with a view toward initiating appropriate adminis-
11 trative action.

12 The Committee has also expressed interest in allegations
13 indicating that Jack Ruby was a paid ^{agent} information of the FBI.

14 The best answer to such assertions is to quote from
15 letters which Director Hoover sent to the Honorable J. Lee
16 Rankin, the General Counsel of the Warren Commission in 1964.

17 In one such letter, dated February 27, 1964, Mr. Hoover
18 called attention to background information contained on pages
19 155 through 159 of a report dated November 30, 1963, prepared
20 by our Dallas Office in the Kennedy assassination case. This
21 information, he told Mr. Rankin, "was obtained through a search
22 of all files in the Dallas Office wherein references to Jack
23 L. Ruby appeared. All available information concerning Jack
24 Ruby contained in the Dallas files is set forth in the report."

25 Mr. Hoover's letter continued, "The following information,

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1 Ruby was contacted by an Agent of the Dallas Office on March 11,
2 1959, in view of his position as a night club operator who might
3 have knowledge of the criminal element in Dallas. He was
4 advised of the Bureau's jurisdiction in criminal matters, and
5 he expressed a willingness to furnish information along these
6 lines. He was subsequently contacted on eight occasions between
7 March 11, 1959, and October 2, 1959, but he furnished no infor-
8 mation whatever and further contacts with him were discontinued.
9 Ruby was never paid any money, and he was never any any time
10 an informant of this Bureau."

11 In another letter to Mr. Rankin dated April 7, 1964, Mr.
12 Hoover again called attention to the fact that information on
13 Jack Ruby had been furnished to the Commission in the Dallas
14 Office's report of November 30, 1963. This letter stated,
15 "Copies of all of the records located wherein mention is made
16 of Ruby prior to November 23, 1963, have been prepared and
17 are being forwarded to you."

18 There was nothing in these Bureau ^{records} records indicating that
19 Ruby furnished information to the FBI as an informant or was
20 ever paid any money.

21 As you can tell, this question was thoroughly explored
22 by the Commission, and nothing to the contrary was developed.

23 You have also inquired concerning reports that Jack Ruby
24 was involved in a union killing in 1939, which fact allegedly
25 had not been furnished the Warren Commission.

1 Contrary to a misconception that has arisen, there is no
2 evidence that Jack Ruby was involved as a participant in the
3 shooting of a union official in Chicago, Illinois, in December,
4 1939. Nor did the FBI attempt to conceal information concerning
5 Ruby's alleged involvement in this crime from the Warren Com-
6 mission.

7 The truth of the matter is that the facts of this shooting
8 incident were not known to the FBI at the time of the assassi-
9 nation of President Kennedy.

10 A check of the records of the Chicago Police Department
11 disclosed no information concerning this shooting. However,
12 on November 25, 1963 -- three days after the assassination --
13 our Chicago Office found in the morgue of the "Chicago Tri-
14 bune" information pertaining to the fatal shooting of a union
15 official in 1939 in which mention of Jack Ruby, as "Jack
16 Rubenstein," was made. Ruby was an employee of the union. He
17 was a friend of the deceased union official, and according to
18 the news account, was in no way implicated in the shooting.

19 This information was, in fact, furnished to the Warren
20 Commission. It appears in the Commission's published report.

21 In addition, you have inquired about the much-publicized
22 report concerning an alleged teletype message from FBI Head-
23 quarters that was allegedly received in ^{CT}our New Orleans Office
24 on November 17, 1963. The teletype purportedly warned that
25 a militant revolutionary group might attempt to assassinate

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1 President Kennedy during his November 22nd visit in Dallas.

2 This story emanates from a former FBI clerical employee.
3 He worked at our New Orleans Field Office for about four and
4 one-half years ending in 1966. During November, 1963, he was
5 assigned to the early morning shift -- 12:15 to 8:15 a.m. --
6 in that office as a security patrol clerk.

7 His story about the teletype first came to light early
8 in 1958 when then-District Attorney of New Orleans stated on
9 a television program that the former FBI clerk had been inter-
10 viewed by an attorney and had told the attorney of the tele-
11 type.

12 On February 1, ¹⁹⁶⁷ ~~1963~~, the former clerk, who then was in
13 Jacksonville, Florida, contacted our office there to deny this
14 televised story. He admitted having been in contact with the
15 attorney involved; stated that the attorney wanted him to
16 furnish information concerning a teletype from FBI Headquarters
17 on November 17, 1963, reporting a threat to President Kennedy
18 in Dallas; and told the Special Agent in Charge of our Jackson-
19 ville Office that he had never received or seen a teletype
20 or other message containing the information which the attorney
21 sought.

22 The following day, the former clerical employee also
23 contacted our New Orleans Office to advise of an additional con-
24 tact he had had with the attorney involved. Our former employ-
25 ee claimed that he told the attorney he did not approve of

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1 what the attorney and his associates were doing -- and that
2 the information attributed to him on the television program
3 was totally false.

4 The following month, however, he contacted the United
5 States Attorney in New Orleans and told him and two associates
6 that there was, in fact, such a teletype message. The tele-
7 type, he maintained, was received while he was on duty as a
8 security patrol clerk in the New Orleans Office on November 17,
9 1963 -- and that he called the Special Agent in Charge of the
10 office to advise him of its contents. This, the former employee
11 claimed, caused the Special Agent in Charge to instruct him
12 to call certain Agents and tell them to maintain contact with
13 various informants.

14 At this point -- in March, 1968 -- an extensive inquiry
15 was launched. It included a thorough check of the files at
16 our Headquarters and in the New Orleans and Dallas Field Of-
17 fices. No record of a teletype or any other kind of communi-
18 cation reporting that there would be an attempt to assassinate
19 President Kennedy in Texas could be found.

20 We additionally determined that only one communication
21 was dispatched from FBI Headquarters to the New Orleans Office
22 on November 17, 1963 -- which was a Sunday. This was a letter
23 enclosing a translation of a document in conjunction with a
24 trial in a totally unrelated Fraud Against the Government case.
25 Since the former clerk had worked the 12:15 to 8:15 a.m. shift