FD-302 (REV. 11-27-70)

FEDERAL BUREAU OF INVESTIGATION

CONFIDENTIAL

House Select Committee on Assassinations

Date of transcription November 28, 1

Michael Goldsmith, Senior Staff Counsel, and Robert W. Genzman, Researcher, Select Committee on Assassinations, U. S. House of Representatives, were aware of the personal and official identity of the interviewing Agent and the nature of the inquiry which pertained to certain Committee staff members' concern over an investigative report prepared by the Dallas Field Office of the FBI, dated December 23, 1963. Mr. Goldsmith was the principal interviewee and he advised as follows:

Certain Committee staff members were concerned that page 696 of the December 23, 1963, report by former Special Agent Robert P. Gemberling, titled "Lee Harvey Oswald . . .," appeared to have been redone during preparation in order to exclude the name of FBI Special Agent James P. Hosty, his office address, telephone number and official vehicle license number which did appear in an address book identified as the property of Lee Harvey Oswald. Since pages 672 through 701 of the report purported to set forth the contents of Oswald's address book, it was felt that page 696 of the report should have reflected the Hosty data since other data from the same page in the address book appeared there.

Committee staff research had disclosed that Gemberling previously explained to the FBI and ultimately to the Warren Commission by affidavit dated February 25, 1964, that he utilized a 30-page office memorandum prepared by SA John T. Kesler in order to set forth the address book data in the December 23, 1963, report. Gemberling explained he had redone the first page of Kesler's memorandum in order to convert the memorandum to a report insert which appeared in the report as report pages numbered 672 through 701. This conversion resulted in the original memorandum numbering of 2 through 30 appearing on the bottom of pages 673 through 695 and 697 through 701 just above the report page numbering. Page 672 bears a page number "1" in the upper left corner and page 696 bears a page number "25" in the upper left corner.

Interviewed on November 22, 1977 Washington, D. C. File # 62-109060

by Special Agent [redacted] b6 b7C Date dictated November 28, 1977

Committee staff members have hypothesized that since a previous Gemberling admission explained the redoing of page 1 of the original memorandum, it stands to reason that page 696 was also redone, possibly to omit the Hosty data which may have appeared in the original memorandum. To explain this and other matters, the Committee staff requested the appearance of former Special Agent Gemberling and Special Agent Kesler.

Former Special Agent Gemberling was interviewed by Committee staff members on November 8, 1977, but the inconsistency with regard to page 696 was not specifically addressed at that time. At the conclusion of the interview, former Special Agent Gemberling was advised that questioning would address the issue of page 696 during his formal testimony on November 9, 1977. To prepare Gemberling, Committee staff members provided him with copies of pertinent pages from the December 23, 1963, report, the February 11, 1964, report which did report the Hosty data from the address book, the affidavits executed by Kesler and Gemberling on February 25, 1964, and a Xeroxed copy of the address book. Upon presentment of these items, Gemberling volunteered to Committee staff members that he noticed the difference in numbering on page 696.

Mr. Goldsmith advised that during testimony on November 9, 1977, Gemberling recalled as follows:

During December, 1963, FBI Headquarters furnished the Dallas Field Office with photocopies of the address book and translations of the Russian language entries and instructed Dallas to transcribe the Oswald address book and set out investigative leads on all parties mentioned. Gemberling then instructed Kesler to identify every entry, the significance of which was unknown, in order that leads might be set out based on such entries. Gemberling did not feel that the wording in the December 23, 1963, report gave rise to an inference that the complete contents of the address book were listed in that report. He maintained that the only reason the Hosty data did not appear in the report was because Kesler had not included it in his original memorandum. Had Kesler included it, Gemberling probably would not have noticed it during his preparation of the report. The reason Kesler did not include the Hosty data was simply because it was of no lead value.

Report to HQ. FBI confirms [illegible] to FBI

Mr. Goldsmith advised that in an effort to pursue the "lead value" notion he asked Gemberling if the FBI knew the significance of the Governor Connally, Ruth Paine, Robert W. Oswald and Mrs. M. Oswald entries by December 23, 1963. When Gemberling replied in the affirmative, he was then asked why these names were included in the December 23, 1963, reporting of the address book, whereas the Hosty data were omitted. Gemberling seemed to recall that perhaps this occurred because addresses or telephone numbers in connection with those persons may have required checking out. When asked why address book entries such as "Book 1984 - Oswald" or "Socks - 25," "Hat - 56," "Shoes - 40-41" and "Shirts - 37" were included in the report, Gemberling responded that these may have been some code or were of unknown significance and, therefore, Kesler included them because he was not sure.

Mr. Goldsmith advised that he questioned Gemberling about his affidavit of February 25, 1964, and asked why the affidavit specifically mentioned the redoing of page 1 of Kesler's memorandum, but no mention was made of redoing page 25 of that memorandum. Gemberling replied that he wished the record to show that he had no intention to mislead and he did not recall why page 25 may have been redone. Gemberling admitted that page 25 (696) appeared to be an inconsistency, that the Hosty data would have appeared on page 25 (696) and that the bottom margin on page 25 (696) was greater or wider than other pertinent pages. Gemberling denied that he discussed the omission of the Hosty data with Kesler or any other Agent prior to December 23, 1963. Referring to Gemberling's affidavit, he was asked how he was able to assume that Kesler knew all about Hosty and, therefore, did not include the Hosty data, whereupon Gemberling replied that he arrived at this conclusion because Kesler and Hosty worked in the same room at the Dallas Field Office. Gemberling also advised that he was aware that all reports were being disseminated to the Warren Commission and furthermore that the inclusion of the Hosty data in Oswald's address book was known to the media in December, 1963, whereupon Mr. Goldsmith informed him that this information was not known to the media until approximately January 1, 1964, when it appeared in a "Houston Post" article.

CONFIDENTIAL

Mr. Goldsmith advised that he directed Gemberling's attention to the February 11, 1964, report where the Hosty data were reported and asked if Gemberling thought the Hosty entry in the address book was significant at that time. Gemberling replied in the negative and when asked why he mentioned this fact in the synopsis of the February 11, 1964, report he then contradicted himself and said it would have been significant for him to mention it in the synopsis.

Someone else prepare both?

Mr. Goldsmith advised that Gemberling agreed that his and Kesler's affidavits of February 25, 1964, contained common language but Gemberling denied that he prepared Kesler's affidavit, although he may have called Kesler to refresh Kesler's memory. Gemberling stated that he may have read his affidavit to Kesler over the telephone since Kesler could not be expected to remember all the details, however, Gemberling could not otherwise recall this incident specifically.

Mr. Goldsmith advised as follows with regard to Special Agent John T. Kesler:

Kesler was interviewed by Committee staff members on November 8, 1977, and testified on November 10, 1977. After his interview, and in order to refresh his memory, Kesler was provided with the same material as was Gemberling. The Committee staff chose to interview Kesler because it wished to avail itself of his perspective on the FBI's investigation into the assassination of President Kennedy. Certain Committee staff members were dissapointed in Kesler's testimony since they perceived that Kesler was not at all candid in his responses. In this regard, they found it hard to believe Kesler when he denied that FBI Agents working on the assassination case ever discussed possible conspiracy theories among themselves. In addition, Kesler seemed angered by Committee staff questioning and was reluctant to provide his personal opinions or impressions of matters under discussion.

Kesler reiterated the "lead rationale" that caused him to omit the Hosty data from his memorandum. Upon further questioning, he stated that while he knew Hosty was the Agent handling the Oswald case, he did not know Hosty by sight. Kesler did state that upon noting the Hosty data in the address book, he verified the office telephone number and the automobile license number. When asked about the inclusion of other entries from the address book that might not have been of lead value, he

Sept 9

 CONFIDENTIAL

stated that he included all entries which were of unknown significance to him. Kesler was asked why he did not attempt to verify such entries as Mrs. Ruth Paine as he did with Hosty, whereupon he replied that such a procedure would have been too time consuming. Kesler reiterated that if he did not know the lead value of an entry, he certainly included it and where he knew it was of no lead value, he excluded it. He was then asked about certain entries that he excluded and was forced to admit that he did not know the significance of some of the entries he omitted.

Kesler recalled that his affidavit of February 25, 1964, was probably prepared as a result of talking to someone in the Dallas Field Office, but not necessarily Gemberling, and he admitted both affidavits contained some identical language.

Further questioning caused Kesler to admit that the Hosty data may have been significant since supervisors in the FBI chain of command may have wished to follow up on the possibility that Hosty was involved in a conspiracy to assassinate the President or that Hosty had been identified as a target by Lee Harvey Oswald.

Mr. Goldsmith stated that this line of questioning apparently irritated Kesler to the extent that he exited the Committee hearing room while the Chairman was still in the process of excusing him.

Mr. Goldsmith advised that he would attempt to secure Committee approval to furnish Committee transcripts of the Gemberling and Kesler testimony to the FBI.

House Select Committee on Assassinations CONFIDENTIAL

Additional research through files at FBI Headquarters and the Dallas Division of the FBI has thus far failed to produce any information that would explain the redoing of page 696.

On November 28, 1977, Mr. G. Robert Blakey advised that he was attempting to secure permission from the Committee Chairman to furnish the FBI with the transcripts of the testimony given to the Committee by SA John T. Kesler and former SA Robert P. Gemberling

On December 1, 1977, Congressman Louis Stokes, Chairman, HSCA, provided the transcripts of Kesler's and Gemberling's testimony to the FBI with the proviso that they were only for the internal use of the FBI and the U. S. Department of Justice and were not to be made public. A review of these transcripts discloses that they substantially agree with the information provided by Committee staff members on November 22, 1977.

On December 5, 1977, the Dallas Division located a "Houston Post" article which appeared on January 1, 1964, and did allege that Oswald had the Hosty data in his possession.

APPROVED:

Director	Adm. Serv.	Legal Coun.
Assoc. Dir.	Crim. Inv.	Plan. & Insp.
Dep. AD Adm.	Fin. & Pers.	Rec. Mgmt.
Dep. AD Inv.	Ident.	Spec. Inv.
	Intell.	Tech. Servs.
	Laboratory	Training
		Public Affs. Off.

CONFIDENTIAL