

but he did not hear the entire conversation because promotion at police headquarters and because he was not wearing distance at all times.<sup>141</sup>

's interpretation of the prevailing FBI instructions on referrals. The Secret Service was defended before the Commission by officers. After summarizing the Bureau's investigative interviews prior to the assassination, J. Edgar Hoover concluded there was nothing up to the time of the assassination that gave indication that this man was a dangerous character who might do the President or to the Vice President."<sup>142</sup> Director Hoover stated that the first indication of Oswald's capacity for violence was an attempt on General Walker's life, which did not become known to the FBI until after the assassination.<sup>143</sup> Both Director Hoover and his assistant, Alan H. Belmont, stressed also the decision of the Department of State that Oswald should be permitted to enter the United States.<sup>144</sup> Neither believed that the Bureau should have justified referral to the Secret Service. According to Belmont, when Oswald returned from the Soviet Union,

\* he indicated that he had learned his lesson, was disappointed with Russia, and had a renewed concept—I am paraphrasing, a renewed concept—of the American free society. He talked to him twice. He likewise indicated he was disappointed with Russia. We satisfied ourselves that we had met our requirement, namely to find out whether he had been recruited for Soviet intelligence. The case was closed. He again exhibited interest on the basis of these contacts with General Walker, Fair Play for Cuba Committee, which are relatively sequential.

activities for the Fair Play for Cuba Committee in New York, we knew, were not of real consequence as he was not connected with any organized activity there.

interview with him in jail is not significant from the standpoint of whether he had a propensity for violence.

This is the Quigley interview you are talking about? Yes; it was a self-serving interview.

visits with the Soviet Embassy were evidently for the purpose of securing a visa, and he had told us during one of the interviews that he would probably take his wife back to Soviet Russia sometime in the future. He had come back to Dallas. Hosty advised that when he had a job, he was working, and had told Oswald that when he got the money he was going to take an apartment when the baby was old enough, he was going to take care of the family, and the family would live together.

any evidence of settling down. Nowhere during the course of the investigation or the information that came to us from other sources was there any indication of a potential for violence on the part of Oswald.

Consequently, there was no basis for Hosty to go to Secret Service and advise them of Oswald's presence. \* \* \*<sup>145</sup>

As reflected in this testimony, the officials of the FBI believed that there was no data in its files which gave warning that Oswald was a source of danger to President Kennedy. While he had expressed hostility at times toward the State Department, the Marine Corps, and the FBI as agents of the Government,<sup>146</sup> so far as the FBI knew he had not shown any potential for violence. Prior to November 22, 1963, no law enforcement agency had any information to connect Oswald with the attempted shooting of General Walker. It was against this background and consistent with the criteria followed by the FBI prior to November 22 that agents of the FBI in Dallas did not consider Oswald's presence in the Texas School Book Depository Building overlooking the motorcade route as a source of danger to the President and did not inform the Secret Service of his employment in the Depository Building.

The Commission believes, however, that the FBI took an unduly restrictive view of its responsibilities in preventive intelligence work, prior to the assassination. The Commission appreciates the large volume of cases handled by the FBI (636,371 investigative matters during fiscal year 1963).<sup>147</sup> There were no Secret Service criteria which specifically required the referral of Oswald's case to the Secret Service; nor was there any requirement to report the names of defectors. However, there was much material in the hands of the FBI about Oswald: the knowledge of his defection, his arrogance and hostility to the United States, his pro-Castro tendencies, his lies when interrogated by the FBI, his trip to Mexico where he was in contact with Soviet authorities, his presence in the School Book Depository job and its location along the route of the motorcade. All this does seem to amount to enough to have induced an alert agency, such as the FBI, possessed of this information to list Oswald as a potential threat to the safety of the President. This conclusion may be tinged with hindsight, but it stated primarily to direct the thought of those responsible for the future safety of our Presidents to the need for a more imaginative and less narrow interpretation of their responsibilities.

It is the conclusion of the Commission that, even in the absence of Secret Service criteria which specifically required the referral of such a case as Oswald's to the Secret Service, a more alert and carefully considered treatment of the Oswald case by the Bureau might have brought about such a referral. Had such a review been undertaken by the FBI, there might conceivably have been additional investigation of the Oswald case between November 5 and November 22. Agent Hosty testified that several matters brought to his attention in late October and early November, including the visit to the Soviet Embassy in Mexico City, required further attention. Under proper procedures knowledge of the pending Presidential visit might have prompted Hosty to have made more vigorous efforts to locate

*Christine*