

RELEASED PER P.L-102-526(JFK ACT)
 NARA BC DATE 3/19/10

Honorable Walter W. Jenkins

In his testimony, Mr. Rosen states that Secret Service would not take action on the basis that Oswald was a defector, but over the course of some two pages of testimony he finally concludes that if all the information had been furnished which was available concerning Oswald, in the hands of various government agencies, which information was "spread from Moscow to Mexico," and this information was coupled with Oswald's location in this building, Secret Service would have taken action.

The Commission deals cursorily with the essential position of the FBI, on Page 402, when it quotes "Director Hoover and Belmont" as expressing concern, shared by Secret Service, that referrals of information under "the new criteria" might result in some degree of interference with personal liberty of those involved. The Commission does not take into account the traditional position of the FBI that in security investigations we limit the investigation to that which is essential and we avoid harassment or infringement on the rights of the individual. It is most unfortunate that the detailed testimony of FBI representatives was not publicly released, concurrent with the report, so that the reader would not be forced to rely solely on the portions selected by the Commission.

The Commission states that the FBI took an unduly restrictive view of its own traditional investigative intelligence work prior to the report of the Warren Commission that "there was much material in the hands of the FBI concerning Oswald: The knowledge of his defection; his background and loyalty to the United States; his pro-Castro tendencies; his trip to Mexico City in 1957; 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." The Commission points out that this should have induced the FBI to list Oswald as a potential threat to the safety of the President.

Here again, the Commission is taking the position that, despite lack of evidence of potential violence on the part of Oswald, the FBI was constantly evaluating him as a possible threat to the President, and had checked the route of the Presidential procession to determine that Oswald was on that route. The Commission states that this conclusion may be tinged with hindsight, and with this statement I could not agree more.

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It would appear that the Warren Commission made up its mind to avoid criticism of its findings by drawing those conclusions concerning the FBI, and in order to support those conclusions selected only the portions of the testimony of witnesses which would support them.

I can only conclude from this approach that, instead of adopting a realistic and objective attitude, the Commission was more interested in avoiding possible criticism. The net result, of course, is to place the FBI in the completely untenable position that if a similar tragedy or event occurs in the future, and this Bureau has any information at all in its files concerning the assassin, the same gift of hindsight will permit a conclusion to be reached that sooner, said way, this information should have been transmitted to the Secret Service and other appropriate authorities.

The new criteria under which we are presently operating have resulted in funneling approximately 18,000 names to Secret Service since the assassination. Yet, I venture to say that there are 10,000,000 names in our files, with varying degrees of derogatory information. On the basis of the Warren Commission approach, with its transparent hindsight, this Bureau is in the unenviable position of being held responsible for the actions of such persons, regardless of the fact that there is no indication of potential violence against top Government officials.

Sincerely yours,

Hoover

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 Belmont _____
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