

Chapter 15

Optics

A Postscript on the Hosty Note Destruction

Family jewels is a jocular CIA phrase for its most embarrassing secrets.
---William Safire's New Political Dictionary

It was not until 1975, almost 13 years later, when the FBI cover-up of the Hosty note and its destruction was finally exposed. The story first appeared in the August 31, 1975, edition of *The Dallas Times Herald* under the byline of Tom Johnson, former assistant press secretary to President Lyndon Johnson and a well-respected newspaperman. The next day the story was in the *New York Times* and was soon a coast-to-coast sensation. That some of the truth was finally exposed was due, ironically, to the fact that current and former FBI members leaked elements of the cover-up to the media for their own reasons.

By the mid-1970s there was a bumper crop of revelations of governmental abuses of power. In 1974 the so-called Watergate scandal forced President Richard M. Nixon to surrender the presidency. Hearings by the non-permanent Senate Committee chaired by Frank Church uncovered a sink of unlawful activities and notorious programs run by the FBI and CIA. Articles and books written by critics of the Warren Report that had been largely ignored began to get some mainstream attention. By early 1975 the public had its first opportunity to view the Abraham Zapruder film showing the assassination of President Kennedy. Optics technician, Robert Groden, showed blowups of certain Zapruder frames on national television. Groden contended that his enhancement of the Zapruder frames demonstrated beyond a doubt that JFK

was shot from the front, and that a separate bullet struck Governor Connally, disputing the Commission's lone-bullet construction. Ubiquitous Warren Commission critic Mark Lane organized another of his Citizens Committee of Inquiry for the purpose of forcing Congress to reopen the investigation of the assassination. By mid-decade, as writer Barbie Zelizer so aptly phrased it, there were forces across the land pushing for "De-authorizing Official Memory," the first significant steps toward demythologizing the official account of the Kennedy assassination.¹

As might be expected with a secret of this magnitude—the crown jewel of the FBI's "family jewels"—the exact circumstances surrounding the revelations about the Hosty note are somewhat murky. According to one account, the initial leaking was, more or less, inadvertent. What is not in question is that the information in Tom Johnson's exclusive came from within the FBI's Dallas office.²

On July 3, 1975, a Thursday, FBI Deputy Associate Director, James B. Adams, received a phone call from a reporter on *The Dallas Times Herald*. The caller was Tom Johnson who reported that he had important information he wanted to discuss face-to-face with either Adams or FBI Director Clarence M. Kelley. A meeting was set for the following Monday at FBI headquarters in Washington, D.C. During the meeting Kelley and Adams learned that the Dallas reporter had information from a "reliable" source that Oswald visited the Dallas FBI office a week or ten days before the assassination and left a "threatening letter" for Hosty. Johnson went on to say that his source told him that after Oswald's own assassination the note was destroyed. The purpose of the meeting was to provide the FBI with a pre-publication warning before Johnson went to press with the story. During the Monday session the Dallas newsman disclosed that he had already spoken with Gordon Shanklin, the agent in charge of the Dallas office, who denied any knowledge of the Oswald visit or the note he left for Hosty. It may have been a

coincidence, but Shanklin opted for early retirement just at the time the Dallas daily was preparing to run with this potentially explosive story.³

Johnson's sensational story appeared in the Sunday (August 31, 1975) edition of *The Dallas Times Herald*. It is important to note that the Dallas daily was friendly toward the FBI; Johnson was on the Bureau's Special Correspondents' List. Johnson's source was quoted throughout the piece. The thrust of the story was that Oswald delivered a note containing a threat that was later destroyed after Kennedy's assassination. According to story, the paper was "told by a source within the FBI," that, Johnson quoting his source, "After the assassination they destroyed it." When asked to identify the "they," the source would only say, ". . . you'll have to ask Hosty or Howe about that." Earlier in the piece Johnson's source offered the opinion that, "I honestly don't believe that Mr. J. Edgar Hoover or Mr. (J. Gordon) Shanklin ever knew of the existence of the letter." The story had all the earmarks of being spoon-fed to Johnson by someone in the Dallas office interested in limiting candidacy in the blame-game to the two low-level agents. There was at least one, if not more FBI Dallas agents, angered by this exercise in scapegoating. That same Sunday morning, Johnson received an anonymous phone call from a woman "articulate in voice and being coached by a male in the background," the Dallas newsman would later report to Deputy Associate Director Adams. The caller advised Johnson that Hosty received specific orders from Howe to destroy the note and implied that Howe was under the control of those higher up in the agency. The female caller told Johnson that Dallas agents Robert P. Gemberling, Ural Horton, and Bill Anderton knew about the note.⁴

After Johnson's July Washington meeting with Kelley and Adams the FBI initiated an investigation limited to six individuals. After the prompt from Johnson, the FBI had to set off into uncharted waters it would have preferred to avoid. But the new director and his senior

aides, namely, Deputy Associate Directors James B. Adams, Nicholas P. Callahan, and Eugene W. Walsh, dared not give the impression that they were conspiring to keep the lid on an FBI cover-up that had gone on for twelve years. The initial July investigation established that Oswald did visit the Dallas office and “left a threatening letter.” The day Johnson’s piece appeared in *The Dallas Times Herald* the paper carried a statement by the FBI director. Kelley took no exception to anything in the Johnson story. He did stress that the purpose of the threat in the note to Hosty was to “warn the agent to desist from further interviews of his wife.” The note made no reference to President Kennedy, the statement continued, “or in any way would have forewarned of the subsequent assassination.” Kelley assured the public that the FBI was conducting an ongoing inquiry “to determine the full facts” about the destruction of the Hosty note. After the meeting with Johnson, Director Kelley made a few perfunctory inquiries before satisfying himself that the cover-up went no further than the Dallas office.⁵

However, the reaction to Johnson’s story sent a strong message that the note destruction scandal could not be easily contained. FBIHQ was now on notice that there were one or more agents in the Dallas office who were unhappy Johnson’s inference that only two Dallas agents knew about the note. As a result, the scope of the investigation changed dramatically. On September 1, 1975, a team of investigators headed up by Assistant Director Harold N. Bassett met in Dallas to work out the details of their inquiry into the note destruction imbroglio. The six-man team, three inspectors from the Bureau’s internal affairs division and three Special-Agents-in-Charge (SACs), conducted 65 interviews of 59 FBI agents from both the Dallas office, FBI headquarters, and secretaries employed by the Dallas FBI at the time of the assassination. Some of these individuals, like Nannie Lee Fenner, were interviewed two or three times.⁶

The results of these July and September investigations proved beyond question that there was deception and flagrant violation of the FBI's own rules and Federal statutes. Shanklin executed affidavits in July and September asserting that he had no knowledge of Oswald's visit, the note, and its subsequent destruction prior to July 1975. His July statement was a masterpiece of vagueness and irrelevancy. Shanklin's July and September statements conflicted with affidavits by Hosty, Howe, and Ural E. Horton. All three recalled conversations with the Dallas SAC regarding the Oswald note after Kennedy's assassination. Shanklin's secretary before he retired, Marian F. Roberts, remembered seeing Oswald at the FBI office a few weeks before the assassination. She also volunteered, although she would not swear to it, that there was some "some talk around the office of a meeting one evening by the Dallas 'brass' to decide on what to do with the note." The "brass" included, according to Roberts, Shanklin, ASAC Clark, and James R. Malley, liaison with the Commission and an inspector from the General Investigative Division.⁷

Kelley submitted the affidavits from the FBI's July and September investigation to the Justice Department for review. Lawyers from Justice's Criminal Division speculated that based on Fenner's and Howe's statements about the Oswald note that there might be grounds for a perjury case against Hosty. The inference here was that Hosty lied when he said the note was in the nature of a civil complaint and contained no threat and was unsigned. For the Criminal Division lawyers, adding even more weight to Fenner's allegations about the threatening nature of the note, were the "circumstances of its destruction after the assassination" ⁸ After two months of review the Justice Department decided not to prosecute. Hosty finished out his career as an FBI agent in Kansas City until he retired in 1979. Under Kelley's directorship he was never

held up from administrative advancement. Ultimately, the Kelley Bureau compensated Hosty for the more than \$1000 he lost when Hoover suspended him in 1964 for 30 days without pay.⁹

The Hosty case was of marginal interest to the Justice lawyers compared to the attention given to his former boss of the Dallas office, J. Gordon Shanklin. After review, the Criminal Division concluded that Shanklin was vulnerable to prosecution on two counts: violation of U.S.C. (United States Code) 1621 (perjury) and U.S.C 1505 (obstruction of justice).¹⁰ When the Shanklin case moved up through Division to the Assistant Attorney General, Richard L. Thornburgh, he decided not to go forward and “bootstrap a criminal prosecution” despite the fact that his Division lawyers were convinced that Shanklin’s sworn denial of any knowledge of the note and its destruction was perjurious. Thornburgh’s October 10 decision was, to put the best face on it, unusual. It meant that Shanklin’s already committed perjury in his sworn July and September statements to the FBI would not be used to get around the statute of limitations on his initial conspiracy to destroy evidence and obstruct the course of justice twelve years earlier in the JFK assassination investigation. The implication of Thornburgh’s decision was that as an individual Shanklin was vulnerable, but if his deceptions were part of a plan of action originating at a higher level he could not (or should not) be prosecuted.

Thornburgh’s decision was upheld by Deputy Attorney General, a former judge, Harold R. Tyler, Jr. Tyler left any administrative action against Shanklin up to Director Kelley’s agency. In December 1975 Shanklin appeared as a witness before the House Subcommittee on Civil and Constitutional Rights. The subcommittee, chaired by California Democrat Don Edwards, a former FBI agent, was looking into the question of the Hosty note destruction and Shanklin dissembled again, claiming he had no knowledge of the Oswald visit, the note or its destruction.

When the Edwards subcommittee finished its hearings in September 1976, it sent Shanklin's name to the Justice Department for possible violations of 18 U.S.C 1621.¹¹

Despite Shanklin's post-retirement bout with multiple perjuries, nothing ever happened to him. Never one to seek out the limelight like Hosty, generally liked by his subordinates in the Dallas office, he might have been stunned finding himself the subject of a marathon probe into a FBI cover-up that was almost thirteen years in the past. On the other hand, the embattled former Dallas SAC knew too much and probably felt confident that FBI headquarters would not allow him to twist slowly in the wind alone. Like most SACs during the Hoover era, Shanklin had probably given up any hopes of great accomplishments and would have been satisfied to just to avoid controversy and hang on until he could retire comfortably. But once he signed on as an unquestioning and obedient foot soldier to build a firewall to protect the top echelon at FBIHQ on the note destruction question, he had little choice but to stay in for the duration.¹²

In time, the Freedom of Information Act solved the mystery about where the order to destroy the Hosty note originated: it came from FBIHQ as soon as it was learned that Oswald was dead.¹³ The only uncertainty is who directed Shanklin to destroy evidence and obstruct justice in the Kennedy assassination investigation thereby conspiring in a criminal act. From the above, it is clear that the FBI's 1975 investigation, with an assist from the Justice Department's Criminal Division, was being handled in a way to suppress information rather than elicit it. Director Kelley's public statement coming directly on the heels of Tom Johnson's August 31 story in the Dallas newspaper admitted that the Oswald note to Hosty was destroyed but he did not assign any responsibility for its destruction.¹⁴ It was clear that Kelley, or more specifically the new coterie of associate directors—Bassett, Adams, and Callahan, all holdovers from the Hoover era—having been forced to admit this, wanted to avoid any further damage to the

Hoover Bureau's image. The initial cover-up had perforce spawned a second-generation cover-up.

The FBI's 1975 efforts at damage control were temporarily derailed when a story by Sandy Smith appeared in a September 1975 edition of *Time* magazine. The two-column piece was entitled, "The Oswald Cover-Up." Smith was one of DeLoach's trusted journalists when DeLoach headed up the Crime Records Division. He had called on Smith more than once to get out the "FBI's Story" so Crime Records could grab the headlines and pump up the FBI's public image. While DeLoach had left the FBI long before 1975, Smith still maintained contacts with former and currently highly placed FBI officials. Four days before his *Time* article appeared he had a meeting with Deputy Associate Director James B. Adams. Smith had submitted a pre-publication copy of his "Oswald Cover-Up" story and he wanted to test Adams' reaction.¹⁵

The article so troubled Adams that he threatened a libel suit against Smith and *Time* if they went ahead with publication. Smith's story incurred Adams' extreme reaction because it alleged an institutional cover-up in the Hosty note affair involving senior FBI officials at Seat of Government. This was the first time that FBI Washington was alleged to be at the center of the cover-up. The article went well beyond Kelley's August 31 statement about the note, reporting that Oswald "threatened to take action against the Government." Smith told Adams his information came from a half a dozen former and current FBI officials, all above the level of street agent, and a "top official, either present or former." All his sources, Smith assured Adams, had provided him with "reliable information in the past" and he was certain that his information was true. He told Adams that some of his sources said Hoover ordered the note destruction. But because there was not a consensus among his informants on the director's culpability, he did not include Hoover's name in the article. The name Smith settled on was John P. Mohr, a forty-year

FBI veteran and long-time close administrative aide to Director Hoover, as the top FBI official who ordered Shanklin to destroy Oswald's threatening note.¹⁶

Mohr, who retired in 1972, denied any knowledge of the Oswald note and its disappearance. If Smith's information was accurate, it's very possible that when Mohr learned from Shanklin about the Oswald note over the weekend of the assassination that he, and perhaps joined by Belmont, decided then and there to order its destruction without telling Hoover. Knowing the director as they did, there was always the likelihood that he would strike out in some irrational way, leaving in the wake of his wrath shattered careers, perhaps even their own. There was never any question about Shanklin being a Mohr loyalist. As head of the Bureau's Administrative Division, Mohr was the "godfather" SACs turned to when they had a problem or needed guidance. Moreover, former Assistant Director William C. Sullivan gave Bassett a three-page statement in which he reported that Shanklin told him he had some internal problems with the Oswald investigation. Shanklin did not volunteer any details but told Sullivan it had to do with a threatening letter from Oswald and that Assistant Director Mohr was helping him with the problem.¹⁷

What was most intriguing about Smith's timely piece was his inferential linking of the 1963 cover-up with the FBI's 1975 investigation into the cover-up. The *Time* magazine reporter ended his expose by pointing out that Mohr's former aides and Mohr loyalists—Nicholas P. Callahan, James B. Adams, and Eugene W. Walsh, who replaced Mohr as head of the Administrative Division—were in control of the investigation into the 1963 cover-up. Smith's closing sentence gave the game away. He noted, "Many agents, in fact, believe that the trio actually runs the FBI—with a little behind-the-scenes counsel from Mohr." It would appear that disgruntled former FBI officials fed Smith his exclusive story to embarrass the current top brass

and settle old scores. Neither Mohr nor Adams, or any of the others named in Smith's expose for that matter, sued Smith or *Time* magazine.¹⁸

Except for a short interval of some rough buffeting the FBI managed to contain the key elements in the scandal of its dereliction of responsibility in the Kennedy assassination. Exactly what was in the Oswald note to Hosty and who ordered its destruction were left unresolved. The top Justice officials in the Criminal Division left the FBI to sort out the affair and take administrative action where it saw fit. The Senate Intelligence Committee's final report was scheduled for release in June 1976. Since the Senate voted to make the so-called Church Committee a permanent committee, that meant that Senator Frank Church, because he was chair of the Senate Foreign Relations Committee, would be forced to turn over his chairmanship to Hawaii's Democratic Senator, Dan Inouye. Inouye had already made it clear that the committee would not continue its investigation into the Kennedy assassination thereby eliminating any inquiry into the Oswald note and its destruction. The House Civil and Constitutional Rights Subcommittee, chaired by Don Edwards, did focus on the Hosty note destruction but did not expect to issue a report until after the end of 1976 or later. Edwards announced that the subcommittee report would wait upon the outcome of the Church committee inquiry. So for all practical purposes the FBI could feel confident that there would be no embarrassing Congressional questions or revelations about Oswald's visit to the Dallas FBI office.¹⁹

In August 1976 FBIHQ closed the books on its internal investigation surrounding the Oswald visit and the note destruction. After Assistant Director Bassett reviewed all the statements made by current and former agents and employees of the Dallas field office he concluded that some were untruthful, others had convenient lapses of memory, and some tried to be candid but the intervening years made accurate recall all but impossible. Bassett

recommended that trying to separate the sheep from the goats might result in unfair hardships for some so that the best course was to take no administrative action at all. "It is possible," Bassett concluded, "that we will never know what really happened."

For reasons already discussed, Shanklin, as a Mohr loyalist, was untouchable. When it came to Hosty, Bassett favored no further disciplinary action because he "had already paid a heavy penalty." That Hosty was not disciplined or even fired had little or nothing to do with FBI headquarters' tenderheartedness and readiness to compensate Hosty for what Bassett implied was harsh and unwarranted treatment in the past. Like Shanklin, Hosty, too, was untouchable. After the FBI finished its own investigation Washington headquarters knew that the evidence was more than just persuasive that the Oswald note contained a threat to take some unspecified action against the FBI and not just some vague warning of legal action against Hosty. If Hosty, who had a reputation inside the FBI for being a loose cannon, was disciplined again or dismissed he might have revealed what was in the note. That would have enveloped FBIHQ in the scandal it had gone to such great lengths to avoid. The Hoover Bureau would have been accused of suppressing evidence of Oswald's tendency for violence from the Warren Commission and destroying evidence in the murder of the 35th President of the United States. Bassett's self-serving caution in regard to Hosty and his recommendations set just fine with Director Kelley, Adams, Callahan, and Walsh, his closest aides.²⁰

Everyone in government who played some role in the note destruction investigation were relieved or resigned to put the issue behind them and move on to other matters. Everyone, that is, except James Patrick Hosty, Jr.

In 1973 Clarence M. Kelley had hardly settled into the directorship of the FBI when he received a request from Hosty for an emergency private meeting. Hosty wanted to discuss

reasons why he felt the previous administrative action take against him was unjustified. Hosty knew Kelley from their overlapping careers in Kansas City. They were both law enforcement professionals. Hosty as an FBI agent after his transfer from Dallas, and Kelley, who after his retirement from the bureau in 1961, was appointed police chief of that city's troubled police department. The new director had a reputation for being fair-minded. As a twenty-year veteran of the FBI, where he rose from street agent to special-agent-in-charge of the Birmingham and Memphis offices, Kelley earned the respect of his subordinates as a boss who was independent of the hierarchy of Hoover loyalists who ruled with an over-directing iron hand from Washington headquarters. One agent characterized Kelley as a "man's man kind of guy" not like the "shoe clerks who ran the Bureau." Hosty met with Kelley on October 19 and aired his grievances. According to Hosty, the director seemed genuinely shocked at what he heard and instructed Hosty to submit the basic facts in writing and Kelley would investigate his complaint.²¹

Hosty wanted the bureau to reverse Hoover's 1963 and 1964 disciplinary action against him. His letter to Kelley was a rehash of his Warren Commission testimony explaining why under FBI standard operating policy as of November 22, 1963, he did not recommend that Oswald be placed on the Security Index. Hosty contended that the only reason Hoover disciplined him a second time, in October 1964, was because of the Warren Commission's unexpected criticism of the FBI. While portraying himself as unfairly victimized by Hoover, Hosty also revealed that he was beset, perhaps genuinely, by his own inner demons. He asked Kelley straight out whether the FBI held him personally at fault for Kennedy's assassination because, according to Hosty, the action taken "by the Bureau in October, in effect told the world I was the person responsible for President Kennedy's death."²²

Kelley discussed Hosty's request for a redress of grievances with his top aides, especially Eugene W. Walsh, head of the Administrative Division, a Hoover loyalist. Kelley wrote Hosty that Hoover's disciplinary action would stand, reminding him that Hosty was not the only agent disciplined for their roles in the investigation. But the director advised Hosty that he "should dispel any notion" of personal responsibility for the tragedy of Dallas and be assured that these past administrative actions would not prejudice any future advancement as an FBI agent.²³ According to Hosty, Kelley's assurances that FBI headquarters was not "down on him" came quickly. The SAC of the Kansas City office, Jim Graham, wanted to know what it would take to make him happy. Hosty asked for a raise that would elevate him to the highest pay scale for a field agent. FBI Washington quickly obliged.²⁴

It is almost a certainty that when Hosty met with Kelley that he held nothing back about his version of the Kennedy assassination. Hosty hints at this in his October 24, 1973, letter to the director when he stated, it is with "a perfectly clear conscience" that he was not derelict in his responsibilities because he did "not have all the information available to the U.S. Government on 11/22/1963." Consequently, Hosty continued, "I had absolutely no reason to believe Oswald was a potential assassin or dangerous in any way."²⁵ In order to believe Hosty, it is necessary to put aside certain established facts. For instance, Hosty recounts in his Assignment Oswald that before the assassination he suspected Lee and Marina were Soviet espionage agents. He knew of Oswald's visit to the Soviet embassy in Mexico City before the assassination. He had reports that Lee beat his wife.²⁶ Then there was the Oswald note that contained more than some vague warning of legal action or compliant to Hosty's superiors if the FBI agent did not leave Marina alone. Assuming, of course, that the official reality was correct and Oswald was the assassin,

what was the key piece of missing information that would have convinced Hosty to recommend that Oswald be placed on the FBI's Security Index?

Hosty noted that when FBI SAC Jim Graham, his Kansas City boss, wondered what would make him happy, Hosty joked and asked to be named the office's "Happy Warrior of the Year." A more fitting title would have been "Cold Warrior of the Year." While Hosty's name will be indelibly linked with Oswald and the Kennedy assassination, he was, at the same time, throughout his career in government service just one of thousands of FBI street agents. Still, over the years, he probably has done as much as anyone to insist upon a Soviet-Cuban angle in the JFK assassination. And possibly more than anyone else, Hosty is responsible for the fiction that Oswald met with the Soviet's Western Hemisphere "assassination expert," Valery Vladimirovich Kostikov.

As a private citizen, and even more remarkably before he retired from the FBI, Hosty publicly championed the view that in October 1963 Oswald had meetings with Soviet Embassy official Valery Vladimirovich Kostikov. Kostikov's official title was "vice-consul," but in reality, according to Hosty, Kostikov was in charge of terrorist activities for the Western Hemisphere, a highly placed operative with the Soviet's Thirteenth Directorate responsible for terrorism, sabotage and assassinations. This alleged Oswald-Kostikov connection, Hosty maintains, was that one piece of key information that FBIHQ "knew all along and didn't tell *me* the field agent in Dallas monitoring Oswald."²⁸

In Hosty's version, responsible parties at Seat of Government decided to withhold the critical Kostikov-Mexico City data from key personnel, largely Hosty who was in charge of the Oswald file, that allowed Oswald clear and easy access to President Kennedy. While bureaucratic sclerosis at Washington headquarters kept Hosty out of the information loop, he was

nonetheless expendable and ultimately hung out to dry. In Hosty's construction, President Kennedy was the victim of a monstrous Cold War Red Plot hatched in Mexico City. In his telling, all the contentious wrangling over the Oswald note and its destruction is conveniently downsized to a mere bagatelle, a shadow of a shade, that was inconsequential and best ignored. It would be a safe assumption that the Kansas City office's "Happy Warrior of the Year," whose career as a Dallas FBI agent gave every indication that he had an oversized ego that fed on attention, must have regaled his fellow agents with his special insights and interpretation of the Kennedy assassination. What is more than an educated guess is the fact that FBI Director Clarence M. Kelley became, in large measure, a convert to Hosty's version of the assassination and the subsequent government cover-up. Chapter Ten of Kelley's autobiography entitled, "Death of John Fitzgerald Kennedy," reads as though Jim Hosty had ghosted it for him. Kelley's book appeared almost ten years before Hosty's Assignment Oswald. His chapter on Dallas almost reads like a comprehensive endorsement of Hosty's Oswald-Soviet-Castro connection in the Kennedy assassination, except that Kelley stops short of claiming that Oswald was a Soviet assassin-for-hire.²⁹

Established facts were a useless therapy in Hosty's case of advanced self-delusion. To begin with, the CIA only assumed that Kostikov was a so-called "wet acts" operative with the KGB's Thirteenth Directorate. The CIA had him under surveillance before and after the assassination and they learned nothing and reported nothing about any clandestine contacts by him with Oswald. Kostikov was undoubtedly KGB as were all five of the consular officers in the Soviet Embassy during Oswald's visit to Mexico City.³⁰ To say that Kostikov was KGB means no more than it does that most CIA agents abroad have diplomatic cover. They are spies, as Kostikov almost certainly was, but that does not connect him with assassinations.

As for Oswald's clandestine meetings with Kostikov, according to CIA records they never took place. In his October 1 phone call to the Soviet Embassy Oswald probably spoke with Kostikov about his entry visa to the Soviet Union. The CIA's Mexico City station had a tap on the Soviet Embassy phones and intercepted the call. The CIA's own take on the call was that "it was nothing more than a grim coincidence. . . due in part to the Soviet habit of planting intelligence men in the Embassies [sic.] in positions where they receive a large portion of the visitors and phone calls."³¹ Ultimately, the CIA was satisfied that when Oswald made his *one* visit to the Soviet Embassy he met with Pavel Yatskov and not Kostikov.³² In Hosty's fevered version of the Kennedy assassination Kostikov emerges as a sinister KGB hit man, the personification of the menacing threat posed by America's Cold War nemesis. The revealed facts are that Kostikov falls far short of the role Hosty assigns him as the embodiment of the Red Menace; instead, he turns out to be Hosty's red herring.

Before Hosty retired in 1979 he had occasion to take his Cold War campaign before the Senate's Church Committee and the House Select Committee on the Assassinations (HSCA). He recounted to the Church Committee his version of the Soviet-Cuban angle in the Kennedy assassination. His Senate committee testimony was classified but was made available to the HSCA when it scheduled him to appear in August 1978. Hosty charged that the HSCA did not want him to testify in open session. The committee, according to Hosty, was not interested in his unique and intimate knowledge, inferring that what he had to say was so explosive that it had to be suppressed. During his more than three-hour deposition the Kansas City agent regaled the HSCA staffers, stating that Oswald "had gone down to Mexico City, where he had said he was going to Kill Kennedy," forgetting that nothing like this was known or made available under the Freedom of Information Act and Privacy Act until 1995. "I talked," he continued, "about

Oswald's meeting with the KGB hit man, Kostikov. Five minutes later, having finished my monologue, I looked around the table and could see the young staffers' heads spinning."³³ Was there any wonder? The HSCA staff had access to the FBI's voluminous files on Oswald and the assassination, including the Mexico City File, the documents furnished to the Senate Select Committee on Intelligence, and the CIA files on Oswald in Mexico.³⁴

In 1978 Special Agent Hosty was back in the news. On September 10, 1978, a story appeared in *The Dallas Morning News* under Earl Golz's byline with the riveting headline "Man's 'Bombs' Reportedly Instill Fear." Golz was the newspaper's respected investigative reporter and in-house assassination expert. Two days earlier he had called Hosty at his home to inquire whether the HSCA would call Hosty to testify. The angle of Golz's long story was highlighted on the front page, "After 17 years of silence FBI Oswald agent speaks up." Golz reported in full fidelity what Hosty told him about Mexico City and Oswald's meeting with Kostikov and the Cubans. Hosty went on to say that he would "drop bombs" if the HSCA called him to testify in public. He was certain, he told Golz, that he would not be called because "I am sure they know everything, the whole story," but that the government did not want the American people to know. In the context of Hosty's remarks, the "they" could only have referred to the 1964 Warren Commission and its Report, the Church Committee, the HSCA and the FBI.³⁵

This was not Hosty's last public outcry before his book appeared in 1996, but it was his last hurrah as an FBI agent.³⁶ It is a wonder that FBI Washington did not fire him on the spot. Not only for violation of FBI policy about speaking openly to the press, but alleging a monster government cover-up that involved the FBI in the Kennedy assassination. Plenty of FBI agents had been fired for much less. This just reanimates the suspicion that Hosty was untouchable. FBIHQ dared not fire him because it did not want him "popping off," saying more than he had

already said. An unhappy and revengeful Hosty could always have sudden recall and remember what was in the Oswald note.

The bureau could not ignore these new Hosty-generated headlines. At FBIHQ's insistence, Hosty supplied the bureau with a signed statement affirming, "I have no recollection of stating or implying to Golz that I had any 'bombs' to report to the HSCA."³⁷ He confirmed that he spoke to the Dallas paper reporter but that Golz misquoted and misrepresented what he said. Once again someone unfairly victimized Hosty by putting words into his mouth, an affliction that seemed to plague the FBI veteran. One could add Golz's name to the list of others who found it expedient for one reason or another to set Hosty up: Dallas detectives Revill and Brian, and Secret Service agents Sorrels and Patterson, are names that come to mind. Golz did not misquote his source. Hosty all but admits that in his book. He was "ticked off," he notes, that the House committee did not feature him as a star witness in its hearings. On the Golz phone call he writes that he ". . . was close to retirement . . . and decided 'the hell with it' and spoke my piece."³⁸

FBI headquarters took no action against Hosty. The bureau made no effort to contact Golz to get his version of his conversation with Hosty. FBIHQ was satisfied that there was nothing in the FBI files that Hosty could use to manufacture his "bombs" to drop on the HSCA.³⁹ All Hosty's "bombs" were duds. There is nothing in the public record that supports his wild imaginings of an Oswald-Kostikov-Cuban plot to assassinate John F. Kennedy. In this one respect, at least, the public record supports the Warren Commission's conclusion that Oswald's visit to Mexico City was "inconsequential."

1
2

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
28
29
30
31
32
33
34
35
36
37
38
39

Chapter 15

End Notes

1. Barbie Zelizer, Covering the Body: The Kennedy Assassination, the Media, and the Shaping of the Collective Memory (Chicago: University of Chicago Press, 1992), 112-113.
2. James P. Hosty, Jr., Assignment Oswald (New York: Arcade Publishing, Inc., 1996), 187-188.
3. Director Kelley identified the caller as Tom Johnson, staff writer for the Dallas paper. See Clarence M. Kelley, Kelley: The Story of an FBI Director (Kansas City: Andrews, McMeel & Parker, 1986), 251; J.D. Adams to Callahan, 7/14/1975, FBI HQ JFK Assassination File, 62-109060-7226X. Shanklin testified before the Edwards committee that he retired on June 27, 1975, see Hearings before the Subcommittee on Civil and Constitutional Rights of the Committee of the Judiciary House of Representatives, 94th Congress, 1st & 2nd sessions, FBI Oversight, serial no. 2, part 3 (hereafter cited as FBI Oversight), 103; Hosty, Assignment Oswald, 188 gives his reasons for Shanklin's early retirement.
4. *The Dallas Times Herald*, "Oswald Threat Revealed," 8/3/1975, 1-A. A summary of the Sunday phone call from the anonymous female can be found in FBI releases to the HSCA, items 326 & 327, or see Director, FBI, to Attorney General, 10/1/1975, FBI HQ JFK Assassination File, 62-109060-7302X, 6.
5. Adams to Callahan, 7/17/1975, FBI HQ JFK Assassination File, 62-109060-7226X1; FBI Director to All SACS, 8/3/1975, Main Dallas JFK Assassination File, 89-43-9556; *The Dallas Times Herald*, 8/3/1975, "Statement from the FBI."
6. Director, FBI, to Attorney General, 10/1/1975, FBI HQ JFK Assassination File, 62-109060-7302X, 2. For a list of the names of those interviewed see ibid., Appendices A-D.
7. Director, FBI, to Attorney General, 10/1/1975, FBI HQ JFK Assassination File, 62-109060-7302X (Roberts), 3-4; (Horton), 7; (Howe), 12-13, 27; (Shanklin), 25-26; (Hosty), 21-23. See Chapter 11 for more on the results of Bassett's interviews of agents and employees of the FBI Dallas field office.
8. Alfred L. Hantman, Deputy Chief, General Crimes Section, to Richard L. Thornburgh, Assistant Attorney General, Criminal Division, 10/15/1975, Justice Department, Criminal Division, JFK Assassination File, 51-16-1113 (hereafter cited as J.D. Crim. Div. File), 2; John C. Kenney, Assistant Attorney General, Criminal Division, to Thornburgh, 8/6/1975, ibid.
9. Hosty, Assignment Oswald, 191-193 for Hosty's explanation for why Justice decided not to prosecute. See *The Dallas Morning News*, 12/8/1980 for Earl Golz's piece "Back pay can't erase censured agent's years of pain."

10. Kenney to Thornburgh, 8/6/1975, Crim. Div. File, 51-16-1113; Hantman to Thornburgh, 10/16/1975, ibid.; Edward Lowenburgh, Attorney General Crimes Section, Criminal Division, to Hantman, 10/21/1975, ibid.

11. Harold R. Tyler, Jr., to Director Kelley, 10/20/1975, J.D. Crim. Div. File, 51-16-1113; FBI Oversight, 62 (Shanklin); Thomas H. Henderson, Jr., Chief Public Integrity Section, to Thornburgh, Criminal Division, 11/2/1976, J.D. Crim. Div., 51-16-1113.

12. Sanford J. Unger, FBI: An Uncensored Look Behind the Walls (Boston: Little, Brown and Company, 1975), 199-205. Joseph L. Schott, who served under Shanklin in the Dallas office, thought Shanklin was “like most SACs . . . highly institutionalized. He probably wouldn’t go to the bathroom during working hours without asking Bureau permission.” See Schott to Harold Weisberg, 7/2/1979, letter in Weisberg’s subject index file, Weisberg Archive, Hood College, Frederick, Maryland.

13. See *Appendix A*, under “Early Bureau Response to the President’s Assassination,” B, item 3.

14. Director to All SACS, 8/31/1975, Main Dallas JFK Assassination File, 89-43-9556, or see Kelley’s statement in *The Dallas Times Herald*, 8/31/1975.

15. Cartha D. “Deke” DeLoach, Hoover’s FBI: The Inside Story of Hoover’s Trusted Lieutenant (Washington D.C.: Regnery Publishing, Inc., 1995), 315-31; Bassett to Callahan, 9/29/1975, FBI HQ JFK Assassination File, 62-109060-7302X, 14-15.

16. Bassett to Callahan, 9/29/1975, FBI HQ JFK Assassination File, 62-109060-7302X, 14-16; Sandy Smith, “The Oswald Cover-Up,” *Time*, 9/15/1975, 19.

17. Hosty, Assignment Oswald, 59 for Hosty’s claim that Shanklin was a prominent member of the Mohr faction. For Sullivan’s statement see Bassett to Callahan, 9/29/1975, FBI HQ JFK Assassination File, 62-109060-7302X, 19-20.

18. Smith, “The Oswald Cover-Up,” *Time*, 9/15/1975, 19; Bassett to Callahan, FBI HQ JFK Assassination File, 7302X, 16. Mohr declined Adams’ suggestion that he sue Smith and *Time*, but he was willing to appear as a witness if the government would file a suit for libel on his behalf.

19. Bassett to Held, 8/17/1976, 4, the file name and serial were blacked out on this document.

20. Bassett to Held, 8/17/1976, 1-3; B. H. Cooke to Gallagher, 10/18/1975, FBI HQ JFK Assassination File, 62-109060-7387.

21. Hosty, Assignment Oswald, 184; Unger, FBI, 579-585 for treatment of Kelley’s FBI career.

22. Hosty to Director, FBI, (Personal and Confidential), 10/24/1973, FBI HQ Administrative Matters File, 67-494012-190.

23. R. G. Hunsinger to Walsh, 11/14/1973, FBI HQ Administrative Matters File, 494012-193; Kelley to Hosty, 11/14/1973, ibid., 67-494012-190.

24. Hosty, Assignment Oswald, 184. Hosty notes that two other agents who received some of the severest sanctions during the "October Massacre," Ken Howe and Marvin Gheesling, were also looked after. The Bureau transferred Howe to the San Diego office, his office of preference; Gheesling was re-appointed to supervisor. See ibid. 184.

25. Hosty to Kelley, 11/14/1976, FBI HQ Administrative Matters File, 67-494012-193, 3.

26. These facts were developed in Chapter 11. For Hosty's suspicions before the assassination that Marina and Lee Oswald were Soviet "sleeper agents." See Hosty, Assignment Oswald, 113-114.

27. Hosty, Assignment Oswald, 184.

28. ibid., 174-175.

29. Kelley, Kelley: The Story of an FBI Director, 249-297.

30. For more detail on this see Chapter 3.

31. See CIA rough draft of memo entitled, "We discover Lee Oswald in Mexico City," 12/13/1963, released in 1995 as part of the CIA's Historical Review Program, National Archives and Records Administration, College Park, Maryland (hereafter cited as NARA). Since this was a rough draft there was no pagination. The quote can be found seven pages counting back from the end of the document. Hosty includes this document in his book but ignores the import of what it says. See Hosty, Assignment Oswald, 296-317. The above quote cited in the text can be found in Hosty's book on page 314.

32. See summaries and paraphrases of CIA cable traffic, Assassination Records Review Board releases, 1994, NARA, for May 2 and June 1967 paraphrases 592 and 615. See also Helms to Rankin, Warren Commission Document 1216, NARA, where Helms reports that Oswald met with Pavel Yatskov and not Kostikov. For more on this see Chapter 3.

33. Hosty, Assignment Oswald, 231-237. What was not released until 1995 was the FBI report from two undercover agents designated as "Solo." The Solo source consisted of two brothers, Morris and Jack Childs, both highly placed members of the American Communist party. Allegedly, according to Solo, Castro told the Childs of Oswald's offer to kill Kennedy during his September 1963 visits to the Cuban Consulate in Mexico City. The CIA had at least one live source inside the Cuban Consulate when Oswald showed up but the Mexico City CIA

station was never told anything about this sinister business. For more on Oswald and his visits to the Cuban Consulate see Chapter 3.

34. D. Ryan to Bassett, 9/15/1978, FBI releases to HSCA, item 203,392-394.

35. *The Dallas Morning News*, 9/10/1978; Hosty, Assignment Oswald, 237-238. The Golz story was another coast-to-coast sensation. For example, see the *Philadelphia Daily News*, 9/11/1978, "Ex-Dallas Agent Has JFK 'Bombs'," and *San Francisco Chronicle*, 9/11/1978, "FBI Agent Who Knows Too Much."

36. Hosty's post-retirement interviews appear in the *New York Daily News*, 12/9/1980, "Says FBI Purged Files of Oswald-Spy Parley," and the *Wall Street Journal*, 10/18/1993, "Retired FBI Agent Recalls His Inquiry of Oswald, Depicts Post-Assassination Fears in Washington," A-16.

37. Kansas City to Director, 9/13/1978, FBI releases to HSCA, item 203, 397-398.

38. Hosty, Assignment Oswald, 238.

39. D. Ryan to Bassett, 9/15/1978, FBI releases to HSCA, item 203, 392-394.