

UNITED STATES GOVERNMENT

Memorandum

5/5/64

Tolson  
 Belmont  
 Mohr  
 Casper  
 Callahan  
 Conrad  
 DeLoach  
 Evans  
 Gale  
 Rosen  
 Sullivan  
 Tavel  
 Trotter  
 Tele. Room  
 Holmes  
 Gandy

*Malley*  
*Boyer*  
*LENHARD*

TO : MR. TOLSON

DATE: 5/5/64

FROM : A. H. Belmont

cc Mr. Belmont  
 Mr. Rosen  
 Mr. Malley  
 Mr. Sullivan  
 Mr. DeLoach

SUBJECT: THE PRESIDENT'S COMMISSION

Yesterday, former SA John Fain, and SAs John Quigley and James Hosty reported to the offices of the Commission on the President's Assassination, for the purpose of going over their proposed testimony with the Commission staff members. Inspector Malley and I sat in, particularly as the Commission has asked me to testify on Wednesday morning, 5/6/64.

Mr. Stern of the staff conducted the questioning, which consisted of going over the investigation conducted by these agents relative to Oswald, with considerable stress on the interviews of Oswald by Fain and Quigley, and their impressions of Oswald. Both of them stated there was no indication that Oswald possessed a potential for violence.

In connection with SA Hosty, Mr. Stern went into his handling of the case in Dallas, including his reopening of the case in March, 1963, and subsequent interviews with Mrs. Paine, and the location of Oswald. Mr. Stern also talked to Hosty regarding his conversations with members of the Dallas PD and Sorrels of Secret Service, subsequent to the assassination.

Hosty identified his affidavit denying that he had made the statements attributed to him, and reiterated that he had not made such statements. All three agents flatly stated that they had no information regarding potential violence on the part of Oswald, and if they had possessed such information, in accordance with Bureau instructions they would have seen that it was sent to Secret Service immediately upon receipt. As a matter of fact, Hosty told Stern that about a week or ten days prior to the assassination, the Dallas SAC, at a conference of agents, instructed that any information of possible threats to the President or Vice President be furnished immediately to Secret Service. Again on the morning of 11/22/63, the SAC reiterated to all agents that any such information must go immediately to Secret Service. Hosty said that, while there was no basis to furnish any information about Oswald, he did participate in the preparation of one memorandum which was sent to Secret Service, and he actually delivered leaflets to Secret Service which had been distributed on the streets of Dallas.

2 ENCLOSURES  
 AFB:CSH (6)

162-1041090  
 NOT RECORDED  
 199 MAY 14 1964  
 15 MAY 13 1964

5/12/64

Enclosures

53 MAY 15 1964

PERS. REC. UNIT

cc MR. TOLSON

ORIGINAL FILED IN



Mr. Tolson

Last night, following the Director's approval, Volume I of the Oswald file was shown to Mr. Stern of the Commission and was compared, serial by serial, with the list briefly describing the contents of the file which we prepared in letter form to Rankin yesterday afternoon. Stern appeared well satisfied and, in accordance with his request, I will take the file with me to the Commission hearing to answer any further questions they may have and to make it clear that we are not hiding anything.

Last night, Mr. Stern advised he had talked to Mr. Rankin and they suggested that Malley and I attend the hearing on 5/5/64 when the agents testified, so that I would be in a position to explain any policy questions that might arise which the agents could not answer. Stern said that Rankin and he proposed that I be put under oath, along with the agents, and thus be in a position to participate where necessary. I told him I would be glad to do this.

This morning, however, when we reported to the Commission offices, Mr. Rankin came out of the hearing room and advised that the Chief Justice did not consider it advisable for Malley and me to be in the hearing, as this would indicate that we were supervising the agents while they testified. I told Mr. Rankin this was the prerogative of the Chief Justice, and that I would stand by in case any questions arose.

Former SA Fain testified this morning, and he advised me that it was along the same lines as the rehearsal with Mr. Stern yesterday. During his testimony Mr. Rankin came out and apologized for the fact that I was kept waiting. I told him that I was completely at the disposal of the Commission. Following Fain's testimony, Mr. Stern came out and said the Commission wished to excuse me for the remainder of the day, to report back in the morning, and if any questions arose as a result of the testimony of Quigley and Hosty, he would let me know.

Last night, Mr. Stern brought over copies of the affidavits of Lt. Revill and Detective Brian, of the Dallas PD, which we had requested several days ago and which we again asked for yesterday. They are attached. It is noted that they differ considerably from the newspaper account in the Dallas News. However, Revill's affidavit, in the last paragraph, quotes Hosty as stating that the FBI had information that Oswald was capable of committing the assassination of President Kennedy. Brian's affidavit does not go this far, although Brian says, as does Revill, that Hosty related that Oswald was a communist.