

Memorandum

TO : MR. TOLSON

DATE: December 9, 1963

FROM : J. H. GALE

Wasson
Comm. Sec.

SUBJECT: LEE HARVEY OSWALD
INTERNAL SECURITY - R

BACKGROUND:

The Director instructed that a complete analysis be made of our investigative deficiencies (handled separately) in the Lee Harvey Oswald case and analysis concerning our dissemination procedures.

CURRENT DISSEMINATION PROCEDURES:

At the present time we disseminate to Secret Service any information coming to our attention wherein an individual threatens the life of the President or any member of his family or Vice President. We furnish Secret Service any information regarding picketing of White House and when President or Vice President travels abroad or in the United States any information re demonstrations planned in areas he will visit. Since the abortive assassination attempt on the life of former President Harry S. Truman we furnish Secret Service copies of reports on the Nationalist Party of Puerto Rico. Secret Service is also furnished reports on the Nation of Islam. Dallas furnished Secret Service information on the President's November 22 trip concerning several individuals who had made suspect statements concerning instant trip or who had printed up critical leaflets. Prior to President Kennedy's visit to Dallas all racial and security informants contacted by Dallas FBI Office negatively. Local head of Secret Service contacted day before assassination and complete cooperation of FBI offered. Dallas advised that the Secret Service was not furnished any information relative to subject Oswald inasmuch as they had no information indicating Oswald had violent tendencies or made any threats against the President. In past Presidential visits around the country ordinarily local Secret Service did not contact local FBI office. However, on several occasions in New York and once in Miami local Secret Service office had names checked through our indices and James J. Rowley, Secret Service Head, commended our Miami Office by letter dated April 23, 1963, for their cooperation in checking 400 names through the file in connection with the Costa Rica visit.

We did not furnish information concerning Oswald to the Dallas Police. Departmental regulations specify that classified security information is not disseminated outside the Executive Branch. We do upon approval, on a highly confidential basis, disseminate certain information to selected law enforcement contacts. Under a "common sense rule" we disseminate vital and important information to state and local law enforcement agencies on such matters as picketing, violations of local or state ordinances, threats against life or property, proposed acts of civil disobedience, bombing threats and purchases or shipments of firearms or ammunition by subversives. The information we had developed on Oswald prior to the assassination would not come within these criteria. It is believed these criteria are essentially sound. We tried disseminating

1 - Mr. Sullivan 1 - Mr. Rosen 1 - Mr. Mohr 1 - Mr. Belmont 1 - Mr. DeLoach
JHG:wjm (7) 3 JAN 3 1964

Memo for Mr. Tolson
Re: Lee Harvey Oswald

subversive information with the approval of the Attorney General in 1951 to State Governors and local authorities including police. The program was discontinued in 1955 because in a number of instances the recipients failed to properly handle the subversive information given them by the Bureau on a confidential basis. It is felt that if we were to disseminate information concerning subversives to local police at this time it would be leaked to the papers and others not entitled to it. Extreme right-wing elements in places like Dallas would possibly even hold hearings and attempt to prosecute these individuals with resultant embarrassment to the Bureau.

However, it is felt that we should change some of our procedures concerning the dissemination of subversive information to Secret Service in order to put the Bureau in the best possible position to withstand any criticism in the event of the development of another situation like the Kennedy assassination. Consideration has been given to disseminating the entire list of our Security Index subjects to Secret Service together with a list of extreme racists and other individuals who might be violence prone. However, it was concluded that the dissemination of a list of some 10,000 Security Index subjects would bog Secret Service down administratively and be of little practical value. There are over 2900 individuals on the Security Index in New York City. On a Presidential visit to this city, the combined efforts of the entire New York FBI Office, local police and Secret Service could not possibly keep them all under surveillance. Even if Secret Service did not ask us to help surveil some of these individuals, undoubtedly we would be constantly requested by Secret Service to verify addresses, etc., which would overtax our manpower. Secret Service of necessity would have to furnish our Security Index to local police and the papers would undoubtedly pick this up and possibly refer to it as "FBI assassins list."

It is felt that appropriate instructions could be issued to each field office to immediately compile a "Secret Service List" of individuals in their area. These lists would be sent to the Bureau for approval. It is envisioned that our local Secret Service lists would contain the names of certain Security and Reserve Index subjects, particularly any individual who shows evidence of emotional instability or irrational behavior, extreme racists with violent tendencies, bombers, individuals who had threatened local or state officials, and any others who may be considered dangerous to the physical security of the President. The key to placing a person on this list will be emotional instability or irrational behavior coupled with subversion.

After the initial information on these individuals was turned over to Secret Service we would, of course, furnish them supplemental information as it came to the attention of our various field offices who in turn would advise the Bureau. It is expected that in the future Secret Service would check the indices in our various offices prior to a Presidential visit much more fully than they have in the past.

Memorandum for Mr. Tolson
Re: Lee Harvey Oswald

It must be kept in mind at all times that the Secret Service has only a small number of men, relies heavily on local police for manpower, and certain local police agencies have been known to go so far as to jail individuals, on the charge of investigation, whose names were given by Secret Service until after the President left the area. Secret Service would be given to understand that any names given them should not be attributed to the FBI if furnished to local authorities by Secret Service and that we would accept no responsibility for poor judgment on the part of local authorities such as false arrest.

The above selective procedures would save disseminating literally thousands of security and criminal reports and names of subjects; would protect the basic security of our Security Index; would prevent embarrassment to the Bureau through corrupt police agencies, and politically minded individuals, and would serve the purpose of taking positive, direct and helpful action in assisting the Secret Service in discharging its responsibilities.

It is also felt that the Security Index criteria should be revised to include all defectors to a Sino-Russian bloc country who return to our country with the permission of those countries on the grounds they may be under long-range development as foreign agents and, therefore, pose a threat to our security in time of national emergency. It will be noted there are 17 civilians in this category including 12 ex-servicemen.

Domestic Intelligence and General Investigative Divisions concur with the above suggestions.

OBSERVATIONS AND CONCLUSIONS:

Shortly after the assassination it is understood one Presidential Aide said, "You cannot mix politics and security and we chose politics." It is felt that anytime a President exposes his person along a parade route a sniper will be able to assassinate him in spite of any names furnished to Secret Service. The above system is certainly not foolproof as any psychological maladjusted person can still assassinate a President who is not properly utilizing physical protection. Nevertheless, it is felt we would place ourselves in a much more tenable position under the proposed dissemination revision. The contention can be made that any change in our procedure be held in abeyance until such time as the Presidential Commission concludes its findings on the theory that to change our dissemination procedures at this time could possibly be interpreted as a confession of culpability in the Oswald case. However, we are already being criticized in some quarters for not disseminating the Oswald information. If the Presidential Commission

Memo for Mr. Tolson
Re: Lee Harvey Oswald

adopts this view and we are not in a position to tell them that we have made a re-evaluation of our procedures and established closer liaison with Secret Service they will probably be even more critical of our position for not having made a re-evaluation in the light of the assassination. It is, therefore, felt that these new procedures should be effectuated at this time.

RECOMMENDATIONS:

1. That the field immediately be instructed to compile a list of subversive individuals who are emotionally unstable or demonstrated irrational behavior and any others who may be considered dangerous to the physical security of the President, and that this material be furnished to the Secret Service. If approved, Domestic Intelligence Division will handle and issue appropriate instructions to the field.

2. That the Security Index be revised to specifically include defectors to any Sino-Russian bloc countries who have subsequently returned to the U. S. If later their loyalty and cooperation are proven the person can be removed from the Index. If approved, Domestic Intelligence Division will prepare appropriate guidelines and instructions.

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