

Two recent revelations have raised serious questions about just what the FBI knew about Lee Harvey Oswald prior to the assassination of President Kennedy November 22, 1963. The first bombshell was the bureau's own admission that it had secretly destroyed a threatening letter to Special Agent James Hosty which Oswald had left at the Dallas FBI office about ten days before the assassination. The Justice Department is now conducting a criminal investigation of the incident, and the FBI is concerned that the investigation could lead to the first criminal indictments in the bureau's history. The second revelation concerned phone calls which Oswald allegedly made to the Soviet and Cuban embassies during a visit to Mexico City between September 26 and October 3, 1963. The CIA taped the phone calls and reported Oswald's embassy contacts to the FBI October 10, 1963. A recent press report questioned why the FBI apparently didn't follow up on the information in its pre-assassination investigation of Oswald's pro-Castro activities.

The two disclosures have made life difficult for the FBI—which is also trying to explain how Sara Moore, the woman who allegedly tried to assassinate President Ford in San Francisco, happened to be an FBI informer. But other agencies—the Dallas police and the CIA—are closely tied to the destroyed threat letter and the intercepted phone calls—so closely that these agencies may be responsible for the leaks incriminating the FBI. Twelve years after the Kennedy assassination, the consensus which once labeled Oswald the lone assassin is breaking down—and some of the strongest forces which formed and defined that consensus may be deciding it's every agency for itself, rather than be left holding the bag for another Watergate-style cover-up.

To those who have skeptically studied the official verdict on the Kennedy assassination, some of the recent revelations were old hat. Sylvia Meagher, for example—a critic who compiled the first index to the Warren Commission's twenty-six volumes of evidence—noted in her 1967 book *Accessories after the Fact* that two witnesses, Oswald's widow Marina and her erstwhile housemate Ruth Paine, had testified that Oswald told them he had visited the Dallas FBI office shortly before the assassination. Critic Meagher noted eight years ago, "... the Warren Commission has made no attempt independently to ascertain whether or not Oswald visited the FBI office, as he told both his wife and Ruth Paine; it merely accepted the denial of such a visit by an unknown source to Mrs. Paine, as mentioned in her testimony." The Commission's failure looks worse in retrospect, since Paine's testimony actually mentioned Oswald's claim to have left the note which the FBI now acknowledges was destroyed.

Another painstaking researcher among the Warren Commission critics, Paul L. Hoch, has revealed that an FBI report on the Oswald phone calls to the embassies in Mexico City was released five years ago but not considered newsworthy at the time. Hoch—who picked up a PhD in physics at Berkeley when he wasn't analyzing Warren Commission documents from the National Archives and seeking more documents under the Freedom of Information Act—points out that when the CIA told the FBI about the Oswald visit to Mexico in October 1963, it also sent out a physical description of Oswald that didn't match the man who was later arrested in Dallas for the JFK assassination, but instead matched a surveillance photo of a still unidentified "mystery man."

The murky world of information and misinformation gathered by the CIA, FBI and others on Oswald has intrigued Hoch for several years. In 1970 he discovered in his research at the National Archives that a staff member of the Warren Commission had even drafted a letter requesting all the FBI files on Oswald but, after consulting with his superiors, decided not to send it. The FBI told the Commission that its headquarters file on Oswald should not be published for "security" reasons. Chief Justice Earl Warren, who headed the Commission, was apparently so sensitive to this argument that he declined to accept the file for examination, indicating that he did not want the Commission's staff lawyers to have access to it.

"The FBI really handled the Commission cleverly," Hoch commented in a recent interview. "They said that this one file contained all the relevant information on Oswald. In fact, mem-

bers of the staff had already discovered—to their surprise and amazement—that there were additional documents on Oswald in files entitled 'Funds transmitted to residents of Russia' and 'Fair Play for Cuba Committee.' Also, I'm confident there is material in field office files which was not sent to Washington, although it should have been summarized in the headquarters file."

Just what does the headquarters file on Oswald contain? Hoch has been trying to answer that question since 1971, when he first sought access to the file under the Freedom of Information statute. After four years, he has netted eleven pages—drawn from eight of sixty-nine items listed in the Oswald headquarters file. President Nixon's attorneys general—Richard Kleindienst and John Mitchell—denied Hoch's request for the file, maintaining that the Warren Commission had access to everything that was relevant. A 1975 change in the Freedom of Information law provided that "reasonably segregable" portions of a file could be examined separately, and Hoch renewed his request last March, asking for a "priority" review of nineteen items while his request for full disclosure remained under consideration. Even that review took six months—much longer than the time mandated by the Freedom of Information Act.

According to Hoch, the eleven pages of newly released material raise more questions than they answer. "Obviously, the FBI is still reluctant to release anything," said Hoch. "For example, they sent me only the first page of an August 24, 1963 letterhead memo on Oswald's New Orleans activities, which was prepared by the FBI in New Orleans and distributed to the CIA and other agencies. They said that my request for this memo and the covering airtel had been granted only 'in part,' with exemptions of material 'relating solely to the internal practices of an agency' and which would disclose the identity of a confidential source."

Apparently the FBI is unaware that Hoch found a full copy of the same memo in the Office of Naval Intelligence file at the National Archives back in 1967. The same confidential sources—who simply said that Oswald was unknown to them—are in FBI reports in the twenty-six volumes of published evidence.

Hoch says that the last four pages of this memo are FBI appendices on the Fair Play for Cuba Committee, Corliss Lamont (a left-wing philanthropist who wrote one of the pamphlets Oswald passed out in New Orleans), and the Emergency Civil Liberties Committee (whose only connection to Oswald was that *Lamont* was its chairman). What did the FBI have in mind in sending such irrelevancies to other agencies? "I don't know," said Hoch, "but I think it is a mistake to assume that it was routine procedure. We don't really know what to make of even the FBI records we have, since the Warren Commission didn't ask enough questions about FBI procedures. And as long as they continue to suppress and delete, we're not likely to find out."

After all this time, Hoch remains reluctant to draw extravagant conclusions from the FBI's refusal to release the full contents of its Oswald files. "There is no doubt that the FBI had some sort of special relationship with Oswald," said Hoch. "It may not have been that Oswald was an informant—I'm suspicious of that story, since some of the people who were pushing it were Texas officials who probably had their own secrets to hide and were trying to neutralize the investigation. And the FBI-Oswald relationship may have had nothing to do with the assassination, even assuming Oswald was the assassin. It is very clear that the FBI didn't like outsiders poking around in their files, and they were not overjoyed that the Warren Commission published as much FBI material as it did. I suspect that they were particularly touchy about their intelligence-gathering methods—access to banks and phone records, mail interception, and the like." Among other things, early disclosure of Oswald's files might have disrupted J. Edgar Hoover's COINTELPRO strategy for spying on the new left and disrupting the black movement.

Whatever the files hold, the time for full disclosure is long overdue, and the FBI courts the risk that a newly concerned Congress may draw worse conclusions from the bureau's withholding of evidence than they would from the evidence itself. And other agencies, feeling cornered, may nominate the FBI as an easy scapegoat if it persists in its refusal to cooperate with the emerging new consensus demanding a full re-investigation of the assassination of President Kennedy.