

To: J. Hess
R. Tanenbaum
From: K. Walsh

31 January '77

CONTRADICTION WITH TESTIMONY
OF C.I.A. OFFICIALS TO THE
WARREN COMMISSION

On May 14, 1964 the Warren Commission heard testimony from John A. McCone, Director of Central Intelligence and Richard M. Helms, Deputy Director of Plans. Their testimony, (Volume 5, pp. 121-129) represented the total record of C.I.A. questioning under oath before the Warren Commission.

On the matter of whether the C.I.A. had been in contact with Oswald prior to the assassination both men were questioned repeatedly. The following exchange took place:

Mr. Rankin: Mr. Helms, you heard the inquiry just directed to Mr. McCone. Could you answer the Question directly?

Mr. Helms: Yes; we have a specific procedure which we follow in all cases where the Agency is in contact, for the purposes of acquiring intelligence or whatever the case may be with an individual. We not only have a record of the individuals name, but we also usually get information of a biographical nature. We then check this individuals name against our record. At that point we then make a determination as to whether we desire to use this man or not to use him. It varies from case to case how many officers may be involced in approving a specific recruitment. May I go off the record?

Discussion off the record.

Mr. Rankin: Mr. Helms, did you have anything to do on behalf of your Agency with determining whether or not Lee Harvey Oswald was acting in any of the capacities I have described in my questions to Mr. McCone?

Mr. Helms: Yes; I did.

Mr. Rankin: Will you tell us what you did in that regard?

Mr. Helms: On Mr. McCone's behalf, I had all our records searched to see if there had been any contacts at at any time prior to President Kennedy's assassination by anyone in the Central Intelligence Agency with Lee Harvey Oswald. We checked our card files and our personnel files and all our records.

Now, this check turned out to be negative. In addition I got in touch with those officers who were in positions of responsibility at the times in question to see if anybody had any recollection of any contact having even been suggested with this man. This also turned out to be negative, so there is no material

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in the Central Intelligence Agency, either in the records or in the minds of any of the individuals, that there was any contact had or even contemplated with him.

In August of this year Warren Commission researcher Paul Hoch called to my attention the attached copy of a C.I.A. memorandum dated 25 November 1963. It is Item 173a and was released as a result of the F.O.I.A. lawsuit of Atty. Bernard Fensterwald. In regard to the C.I.A. interest in Oswald while he was in the Soviet Union, it discusses the "laying on of interview(s)" (contemplated?)

For backround on why the C.I.A. may have had an interest in Oswald while he was in the Soviet Union please see Hoch's article on the Rockefeller Commission appearing in The Assassinations, Random House.

Also attached is a copy of Commission Exhibit #870, Affidavit of John McCone to the Warren Commission.

attachments