

Horby - Lito note

To Quin Shea from Harold Weisberg JFK assassination appeals 3/30/79

"Privacy" in historical cases for newspaper editors who write page-1 articles
Oswald's visit to the FBI and alleged threats against it and an SA

Previously I have written to ask where the records relating to the above-captioned
subject are. From the "previously processed" notations in the Dallas files and the
absence of any index or guide it was impossible to locate any such records.

By accident I have located some but not all in the voluminous ^{records} ~~files~~, not in con-
secutive Serials. As of now I have not located the FBI's own final report or the materials
it gathered for its internal investigation. I have found many of what the FBI regards as
affidavits and references to the results of investigations of the matter not included in
the statements.

I attach page one only of SA-105050-72254. It typifies all that is wrong, wasteful
and entirely unjustifiable in the FBI's attitude and processing of these records which are
so embarrassing to it.

Make any kind of bet you want: the withheld information is the name Johnson and the
newspaper The Dallas Times-Herald. Now this is not an educated guess from a subject expert.
It is because all is public domain. This clearly is in the FBI files. It is in many if not
most of the statements. It is in, very prominently in, the 11/31/75 issue of that paper,
which made a big front-page splash. The extensive attention includes Johnson's taking the
entire matter up with FICHC, in a separate box as I recall.

But were none of this true. How can these withholdings possibly be justified? And
what need could have been served? Given the subject matter, carefully obscured in this
self-serving FBI cover-the-naz paper, how could the withholding be justified under any
condition? Is there anything that better fits the description of the Congress of what can
not be withheld? Of course, this is an historical case. So you and through you the
Department and perhaps in time the courts will have this view of the FBI's performance in
historical case maximum disclosure.

There also was a public House hearing on the matter, about 11/75. This also is long
before the processing of the records. In fact, one of the records I have found in the
transcript of Adams' testimony, so the processors did not have to have any other knowledge
to know this was all public domain. However, the statements I've read to now include
specific references to the extensive press attention. Radio, TV, the Dallas papers, Time
magazine, the wire services - all in the statements taken from various FBI people. All
read by those who perpetrated these withholdings.

If by chance claim to 7D was made, that also is fraudulent, obviously. I'm not taking
time to check the worksheets.

You will recall that recently I've note how unusual it is that some FBI people were
sounding off to the press, one James ^Wrick Horby, Jr., in particular. He has since

retired but his blabbing of what he not even good propaganda preceded his retirement. It is not often that the FBI tolerates a public attack on a Congressional committee by a Special Agent and I can't imagine that many Special Agents within days of retirement have ever done this. Nor can I imagine that Hosty endangered his retirement by doing it.

What is involved is the suppression by the FBI of an extraordinary matter for almost a dozen years. Dozens if not more FBI people of all ranks knew about it and not one said a word until, by one of these remarkable coincidences, the retirement of the Dallas SAC was safe and secure. Then only was there a leak to the Dallas paper less inclined to publishing any criticisms of the official account of the JFK assassination.

It seems that the only official candidate for assassin, officially elected to that ~~distinction~~ position, went to the Dallas FBI office two or three days before the assassination. He asked to see Hosty, who was not in. So, without bothering to mail it, he left a note or letter for Hosty. With it sticking partly out of the envelope the receptionist read it.

Then the President was killed, Hosty heard Oswald's name and recognized it as a case he had, and with what is described as "the memory of an elephant," never once gave thought to this letter. It turns out that in all the varying accounts the one consistency is that it was a threat. The more common versions of the threat have to do with the backing of the FBI office and/or the police headquarters. Naturally the FBI assured the Warren Commission and the country that Oswald had no history indicative of any tendency for violence.

Even when Hosty was asked over to interview Oswald, he claims, this note "never entered my mind."

That this was widely and apprehensively known throughout the entire Dallas Field Office is clear in the statements I've read. It was known on high level in FBIHQ.

There is more. Like Hosty's complaint prior to the leak to the paper. His complaint was made in person to Director Hollay, who then made some inquiry no records of which I've yet seen. (What does this do to my SB claim?) But I think you need no more. (There is other FD report claim written on some of the exhibit pages I've read.)

Until Watergate I never believe that any number of Americans could conspire and not one of them let a word out. This was proven before Watergate. And oddly enough the Commission was supposedly investigating a report of Oswald's having an FBI connection, which the FBI and its Director assured the Commission was false. Only several of the SAC whose statements I've just read state they understood Oswald was a source or informant. So it is only natural that stigmatized witnesses should fail and that none of these people would think of providing any information to what after all was only a Presidential Commission. Or to the FBI's own inspectors, one of who was assigned to Dallas immediately.

In this connection you might find the content of the Commission's 11/22/64 executive session transcript, the one they decided to destroy. It is in Post boxes.