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## Senate

### SENATE RESOLUTION 243—SUBMISSION OF A RESOLUTION RELATING TO AN INVESTIGATION OF THE DEATH OF FORMER PRESIDENT KENNEDY

(Referred to the Committee on Government Operations.)

Mr. SCHWEIKER submitted the following resolution:

S. RES. 243

Resolved, That (a) from funds available for investigation of intelligence activities by the Senate Select Committee to Study Governmental Operations with respect to Intelligence Activities (hereinafter referred to as the "Select Committee"), the Select Committee shall fully investigate matters relating to the death of former President John F. Kennedy, including the extent, if any, to which Lee Harvey Oswald or Jack Ruby was involved in, or the subject of, activities of United States intelligence agencies, and the extent to which United States intelligence agencies effectively gathered, analyzed, and disclosed to the President's Commission on the Assassination of President Kennedy all information requested by, or relevant to, such Commission and the duties with which it was charged.

(b) (1) In conducting such investigation, the Select Committee is authorized to have access to any information in the National Archives or elsewhere which relates to the death of former President John F. Kennedy. (2) In carrying out the investigation required under this resolution, the Select Committee is authorized to exercise all powers granted to it under Senate Resolution 21, Ninety Fourth Congress, agreed to January 27, 1975, as amended.

SEC. 2. The Select Committee shall make a final report to the Senate, stating the results of its investigation and findings under this resolution at the earliest practicable date.

Mr. SCHWEIKER. Mr. President, I send to the desk a resolution to modify the authority of the Senate Select Committee on Intelligence Activities, to permit full investigation into the effectiveness with which the intelligence community discharged its responsibilities to the Warren Commission.

Recent disclosures have devastated the credibility of the Warren Commission Report. We now have evidence the Commission's primary investigative arm—the Federal Bureau of Investigation—destroyed and suppressed evidence.

Previously classified documents, such as the transcripts I send to the desk, dramatically demonstrate the frustration and resignation of Commission members who felt they could not get the truth from the FBI.

In one transcript Commission member Allen Dulles acknowledged that FBI Director Hoover might lie to the Warren Commission about FBI links with Lee Harvey Oswald, even if asked by the President to answer truthfully. In another transcript, three Commission members agreed the FBI was reluctant to investigate evidence of a conspiracy because of its own preconceived conclusion that Oswald acted alone.

No wonder 60 percent of the American people doubt the Warren Commission's findings. The Commission members themselves doubted they were getting the whole story, and the FBI par-

ticipated in what can only be called a coverup.

FBI Director Clarence Kelley has now confirmed that Oswald visited the Dallas FBI office in November and agents there later destroyed a letter in which Oswald threatened the FBI. The letter was received several days before the Kennedy shooting and destroyed sometime after it. This was never revealed to the Warren Commission.

This new admission proves false Hoover's sworn statement to the Warren Commission, which I send to the desk with this statement, which limited to three specific dates the number of FBI contacts with Oswald prior to the assassination.

Moreover, the following factors also underscore the inadequacy of the original investigation:

The fact that only two Texas FBI agents and no CIA agents testified before the Warren Commission—this despite persistent rumors at the time of intelligence community connections with Oswald and his killer, Jack Ruby. There were an estimated 50 FBI agents stationed in Dallas alone at the time of the assassination.

The failure of the Warren Commission to follow up on former Dallas Police Chief Jesse Curry's report that he suppressed evidence for 5 months following the assassination at the direct request of the FBI. Curry now says the high FBI official making the suppression request was acting on personal orders from Hoover. The evidence in question indicated that the FBI had prior knowledge that Oswald could be a threat to Kennedy.

The failure of former CIA Director Dulles to inform the Commission of U.S. attempts on the life of Cuban Premier Fidel Castro, and Castro's subsequent threats to retaliate against "U.S. leaders."

Mr. President, I find it intriguing that of the 152 Warren Commission documents which remain classified, 130 relate to U.S. intelligence agencies—107 FBI, 23 CIA. If Oswald was indeed a madman acting alone, what justification is there for keeping these documents classified 75 years after the assassination? The most probable explanation is that they link Oswald, or Ruby, or both, to U.S. intelligence agencies.

The Senate Intelligence Committee is the only existing institution with the staff and expertise to investigate this matter effectively and responsibly. Moreover, this committee is presently charged with examining both the effectiveness and propriety of intelligence agency activities and precisely these points are now at issue with regard to the role of the agencies in investigating President Kennedy's death. Without my amendment, the select committee does not have authority to examine all documents now in the Archives which may be relevant to the questions of intelligence community effectiveness and propriety.

I ask unanimous consent that the accompanying material in connection with the resolution be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Mr. DULLES. I would tell the President of the United States anything, yes, I am under his control. He is my boss. I wouldn't necessarily tell anybody else, unless the President authorized me to do it. We had that come up at times.

Mr. McCLOY. You wouldn't tell the Secretary of Defense?

Mr. DULLES. Well, it depends a little bit on the circumstances. If it was within the jurisdiction of the Secretary of Defense, but otherwise I would go to the President, and I do on some cases.

Mr. RANKIN. If that is all that is necessary, I think we could get the President to direct anybody working for the government to answer this question. If we have to we would get that direction.

Mr. DULLES. What I was getting at, I think under any circumstances, I think Mr. Hoover would say certainly he didn't have anything to do with this fellow.

Mr. McCLOY. Mr. Hoover didn't have anything to do with him but his agent. Did you directly or indirectly employ him?

Mr. DULLES. But if he says no, I didn't have anything to do with it. You can't prove what the facts are. There are no external evidences. I would believe Mr. Hoover. Some people might not. I don't think there is any external evidence other than the person's word that he did or did not employ a particular man as a secret agent. No matter what.

Now the difficulty with trying to get the man in charge and asking him these questions is how much do you know about what he is giving. If we got him here before the Commission, I think you could ask him a good many things but he would probably say two-thirds or more of the time, "I told you this and I told you this and my reports", and so forth.

So I don't think we have equipped you as Commissioners so that you could do that.

He would soon find you didn't know anything like what he did about the matter. As far as we are concerned, the men are getting advised of the areas as rapidly as possible, and they are coming back with these further inquiries, but there are vast areas that are unanswered at the present time.

We have some differences between the Secret Service and the FBI, we have location of their cars and where the shots were and things where they differed as much as 17 feet, and we are trying to find out how they could have that much difference between them, and there is an explanation. It isn't as bad as that, because some of it is part of calculations.

Mr. McCLOY. Calculating their speed, I suppose.

Mr. RANKIN. That is right. And whether or not the first shot occurred behind the sign or just as he came out from behind the sign and matters of that kind.

Mr. McCLOY. I can see the difficulty with that. But on the other hand, I have a feeling we are so dependent upon them for our facts that it might be a useful thing to have him before us, or maybe just you talk to him, to give us the scope of his investigation, and as of that date, some of the things that are still troubling us, and we will be able to ask him, for example, to follow up on Hosty.

Mr. RANKIN. Part of our difficulty in regard to it is that they have no problem. They have decided that it is Oswald who committed the assassination, they have decided that no one else was involved, they have decided—

Senator EVANSALL. They have tried the case and reached a verdict on every aspect.

Representative BOOS. You have put your finger on it.

Mr. McCLOY. They are a little less certain in the supplementals than they were in the first.

Mr. RANKIN. Yes, but they are still there. They have decided the case, and we are going to have maybe a thousand further inquiries that we say the Commission has to know all these things before it can pass on this.

And I think their reaction probably would be, "Why do you want all that. It is clear." Senator RUSSELL. "You have our statement, what else do you need?"

[Commission Exhibit No. 835]

U.S. DEPARTMENT OF JUSTICE,  
FEDERAL BUREAU OF INVESTIGATION,  
February 6, 1964.

Hon. J. LEO RANKIN,  
General Counsel, The President's Commission,  
Washington, D.C.

DEAR Mr. RANKIN: Reference is made to our conversation of January 28, 1964, concerning testimony furnished the Commission by Mr. Henry M. Wade, the District Attorney of Dallas County, Texas. You advised that Mr. Wade testified he had heard that Lee Harvey Oswald had been an informant of the FBI, had been assigned symbol number "178" and had been paid \$300 monthly in this capacity. You further advised that Mr. Wade also indicated that FBI headquarters was not in a position to know in all instances whether an individual was an informant of this Bureau.

At the time, I advised you that Lee Harvey Oswald had never been an informant of the FBI and that this Bureau's procedure in regard to handling informants is such as to insure that FBI headquarters would have all necessary facts concerning the development and control of any and every informant.

Enclosed for your information and use in this regard is an affidavit in which I have categorically stated that Lee Harvey Oswald was never an informant of the FBI and have outlined our administrative procedure for the handling and the payment of confidential informants.

Sincerely yours,  
J. EDGAR HOOVER.

AFFIDAVIT

CITY OF WASHINGTON,  
District of Columbia, ss:

J. Edgar Hoover, Director, Federal Bureau of Investigation, Department of Justice, being first duly sworn, deposes and says:

That he has caused a search to be made of the records of the Federal Bureau of Investigation, United States Department of Justice, by employees of the said Federal Bureau of Investigation acting under his direction, and that said search discloses that Lee Harvey Oswald was never an informant of the FBI, was never assigned a symbol number in that capacity, and was never paid any amount of money by the FBI in any regard.

Such a statement can be made authoritatively and without equivocation because of the close supervision FBI headquarters affords its security informant program and because of the safeguards established to insure against any abuse or misuse of the program.

FBI field offices cannot proceed to develop anyone as a security informant without authorization from FBI headquarters. An informant is assigned a permanent symbol number and code name to afford him security. The informant never knows the symbol number assigned to him. It is a number permanently assigned to him, and the same number cannot be used again by the field office under any circumstances for any other individual. The individual also is given a fictitious or cover name by the field office which he, of course, is made aware of, and he affixes

it to his communications with the office. Every symbol number and code name is indexed at FBI headquarters.

If the services of an informant warrant payment on a regular basis, the field office must also obtain authorization from FBI headquarters to make such payments.

Special Agents in Charge (SACs) of FBI field offices are authorized to make payments to individuals not utilized on a regular basis as informants, but here too FBI headquarters controls this by limiting the amount an SAC can pay to any one individual in this category. FBI headquarters maintains control of such payments since they must be accounted for by the field offices at the end of each month through the submission of a detailed accounting to headquarters.

Had any of the FBI field offices made payments to Lee Harvey Oswald under the SAC's authority, those would have been shown in the receipts and vouchers submitted by each office. These records have been checked and no such payment was ever made. Had Oswald been assigned a symbol number, this would be a matter of record not only by number but also by name. As a matter of fact, the FBI can identify every symbol number used, past or present. Oswald could not have been assigned such a symbol number without approval by FBI headquarters. There is no record of any such request by any field office and no record of any such approval.

The only contacts FBI Agents had with Oswald prior to the assassination of President Kennedy involved three interviews FBI Agents had with him. The first was on June 26, 1962, at Fort Worth, Texas, shortly after his return home from the Soviet Union. The purpose was to assess the possibility of his having been given intelligence assignments by the Soviets. The second, on August 16, 1962, was in the same connection. The third was at his specific request on August 10, 1963, following his arrest in New Orleans the preceding day on a charge of disturbing the peace and creating a scene. At that time, he described some of his activities in connection with the Fair Play for Cuba Committee, the pro-Castro organization.

Oswald was again interviewed by FBI Agents at the Dallas Police Department following his arrest after the assassination of the President. This interview was aimed at eliciting any admissions he might make in connection with the assassination, as well as to obtain any information he might have been able to furnish of a security nature.

FBI headquarters has obtained affidavits from every Special Agent who was in contact with Oswald, as well as affidavits from their respective SACs. These affidavits show that none of these FBI Agents developed Oswald as an informant.

Mr. Henry M. Wade, a former Special Agent of the FBI and currently the District Attorney of Dallas County, Texas, reportedly testified previously to the Commission that he had heard that Lee Harvey Oswald was an FBI informant with the symbol number "178" and was being paid \$200 monthly. As the facts clearly show, this is not true.

Furthermore, the facts refute Mr. Wade's reported statement to the Commission that there is no record maintained in the FBI of informant funds expended or the purposes for which used by the FBI people to whom they were furnished.

Mr. Wade reportedly stated that he had worked in the FBI's Special Intelligence Service (SIS) and that he was supplied from time to time with various sums of money for which he did not have to account and for which he did not have to obtain any receipts from the persons to whom he disbursed the money.

The emergency conditions that prevailed during World War II when the FBI conducted its SIS program did not permit the tight supervision that prevails currently in the

FBI's informant operations. But this is true only in regard to the fact that SIS men necessarily were given the latitude to develop and pay informants on the spot without prior approval from FBI headquarters. Nevertheless, SIS men operated under a control system and adhered to it by advising FBI headquarters of payments made and the identity of the individuals paid. Such payments were supported by receipts in nearly every instance.

Mr. Wade, for example, entered on duty with the FBI on December 4, 1939. On July 6, 1942, he was advanced the sum of \$1,076 in connection with an SIS assignment. This was for subsistence and travel in connection with his assignment in Ecuador as well as to provide him with some money with which to establish himself. His passage from New Orleans to Guayaquil, Ecuador, cost over \$600 alone. In addition, he was required to make full restitution of the total amount which had been advanced him and subsequently did so. All of his expenditures of the total amount furnished him were substantiated by vouchers he submitted.

Mr. Wade arrived in Ecuador on August 16, 1942. He operated in an undercover capacity with a symbol number, specifically Number 345, and used the code name "James" in signing communications. Within Ecuador, he was referred to as Confidential Informant Number 6.

Although in an undercover capacity, Mr. Wade was required to submit vouchers twice monthly through the Legal Attache's Office in Quito, Ecuador. They were reviewed there and forwarded to FBI headquarters where they were checked prior to approval and the transmittal of funds to Mr. Wade's account.

[From the Houston (Tex.) Chronicle,  
Sept. 1, 1976]

Following is a reproduction of then Dallas police chief Jesse Curry's letter to Chief Justice Earl Warren explaining Curry's role in the coverup of Lt. Jack Revill's statement that FBI agent James Hosty told him the FBI had information that Lee Harvey Oswald was capable of assassinating President John F. Kennedy.

MAY 28, 1964.

HON. EARL WARREN,  
Chairman, President's Commission on the  
Assassination of President Kennedy,  
Washington, D.C.

DEAR SIR: In a letter to me dated May 21, 1964, Mr. J. Lee Rankin, General Counsel of the President's Commission on the Assassination of President Kennedy, raised several points concerning Lieutenant Jack Revill's report of November 22, 1963, on his conversation with FBI Agent James Hosty on that date.

The first question posed by Mr. Rankin was why Lieutenant Revill's report was not made known to the Commission prior to my appearance before that group. When I received the report on November 22, 1963, I immediately realized the gravity and seriousness of the information it contained. On that date, before newsmen, I stated that I had received information that the FBI knew of Oswald's presence in Dallas and that the Dallas Police Department had no information on Oswald in its files. This statement was based on the report of Lieutenant Revill.

Within a few minutes of my statement to the press, I received a telephone call from Mr. Gordon Shanklin, Special Agent in charge of the Dallas Office of the FBI, in which Mr. Shanklin stated that the Bureau was extremely desirous that I retract my statement to the press. I then appeared before the press again, and retracted my statement to this extent: I stated that "of my own personal knowledge" I did not know that the FBI knew of Oswald's presence in Dallas, and that if they did they were under no obligation to the Dallas Police Department to pass on the information.

After the appointment of the Warren Commission, I was reasonably sure I would appear before that body, so I decided to present the report, personally, at the time of my appearance. I felt that the Commission would probably like for the statement to be notarized, so I had this done on April 7, 1964.

Mr. Rankin's next question concerned the date that the report was placed in the Intelligence Unit's files. I instructed Lieutenant Beville to keep this report confidential. He said that after his copy was returned to him, he kept it locked in his desk drawer until after I returned from Washington where I delivered the report to the Commission. He then placed his report in the files.

Mr. Rankin further asked if I knew of any additional information in the possession of the Dallas Police Department that had not been made available to the Commission. I know of no such information.

Very truly yours,

J. E. CONRAY,  
Chief of Police.

[From the Times-Picayune, Sept. 9, 1963]

**CASTRO BLASTS RAIDS ON CUBA**

**Editor's Note.**—Prime Minister Fidel Castro turned up at a reception in the Brazilian Embassy in Havana Saturday night and submitted to an impromptu interview by Associated Press correspondent Daniel Harker. Harker's account of the interview reached New York Sunday afternoon.

(By Daniel Harker)

**HAVANA.**—Prime Minister Fidel Castro said Saturday night "United States leaders" would be in danger if they helped in any attempt to do away with leaders of Cuba.

Bitterly denouncing what he called recent U.S.-prompted raids on Cuban territory, Castro said: "We are prepared to fight them and answer in kind. United States leaders should think that if they are aiding terrorist plans to eliminate Cuban leaders, they themselves will not be safe."

Speaking with this correspondent at a Brazilian National Day reception in the Brazilian Embassy, Castro also disclosed that Cuba has not made up its mind about signing the limited nuclear test-ban treaty drawn up last month in Moscow.

**RUSSIANS PUZZLED**

(A recent dispatch from Moscow indicated the Russians themselves have been puzzled by Cuba's silence in connection with the treaty. Speculation there was that Castro was holding out for more Soviet economic aid and threatening to cast his lot with the Red Chinese.)

Castro said Cuba is studying the treaty "with extreme care."

"This is an important decision . . . and we are not ready yet to make up our minds," he added.

The prime minister did not explain which points in the treaty were given most consideration. But he said: "We are taking into account the current world situation, which of course involves the Caribbean situation which has been deteriorating in the last few days due to piratical attacks by the United States against the Cuban people."

**TREND CHANGED**

World affairs, he said, "seemed to be entering a more peaceful climate a few days ago, but now this trend has changed with attacks."

He accused the United States of carrying out "double-crossing and shifting policies."

He added: "The United States is always ready to negotiate and make promises which later it will not honor. This has happened in promises made during the October crisis. They have been broken, as can be seen with new attacks. But I warn this is leading to a very dangerous situation that could lead to a worse crisis than October's."

Castro then launched into a discussion of the U.S. political scene, saying he expects no change in Washington's foreign policy even if there is a change in administration's after the 1964 presidential election.

**BOTH "CUBAN, CUBAN"**

"I am sure it will be a fight between (President) Kennedy and (Sen. Barry) Goldwater (R-Ariz.). Both are cheap and crooked politicians," Castro said.

"We have heard Goldwater is tough. Well, if he ever is elected, let him try his tough policies on . . ."

**AGENCY SOURCE OF RESEARCHERS WIREKILL DOCUMENTS**

Federal Bureau of Investigation	107
Central Intelligence Agency	28
State Department	13
Internal Revenue Service	4
HEW	1
Social Security Administration	2
James H. Martin	1
Earl Ruby	1
<b>Total</b>	<b>185</b>