

Senator Suspects FBI 'Did Not File' Oswald

WASHINGTON (AP) — The same procedure by which the FBI covered up its domestic break-in could have been used to hide FBI contacts with presidential assassin Lee Harvey Oswald, according to a member of the Senate Intelligence Committee.

Sen. Richard S. Schweiker, R-Pa., who is heading the committee's investigation of CIA and FBI cooperation with the Warren Commission, stressed yesterday that he had no direct evidence to show such a cover-up had taken place.

However, he called attention to what he indicated was a potentially significant similarity between the "do not file" procedures used by the FBI in reporting break-ins and a sworn affidavit submitted to the Warren Commission by the late FBI Director J. Edgar Hoover.

In that affidavit, Hoover swore that a search of FBI records showed that Oswald was never an FBI informant, as had been alleged, and that bureau contacts with Oswald were limited to three interviews, the last of which was conducted more than 3 months before the assassination.

That statement, Schweiker says, technically may be true and at the same time "totally deceptive" since records of FBI contacts with Oswald, like records of the hundreds of domestic break-ins conducted by the bureau, may never have found their way into official FBI files.

A portion of an FBI document was released yesterday, showing that the FBI was involved in at least 238 break-ins from 1942 to 1968.

The FBI already has acknowledged that no record was kept of an additional FBI contact with Oswald several days before the Nov. 22, 1963, assassination. At that time, Oswald delivered a threat-

ening note to FBI offices in Dallas, Schweiker said.

In the course of yesterday's Senate intelligence hearings, Schweiker pointed to a July 1968 internal FBI memo outlining procedures which protected the admittedly illegal break-ins, or "black bag" jobs, from discovery.

Memos from FBI field offices to bureau headquarters in Washington requesting authority to conduct a "black bag" operation would be "filed in the assistant director's office under a 'Do Not File' procedure," according to the memo.

In the field, the special agent in charge prepares an informal memorandum showing that he obtained Bureau authority and this memorandum is filed in his safe until the next inspection by Bureau inspectors at which time it is destroyed," the memo said.

In other words, said Schweiker, there is no record of the break-in in bureau files and FBI officials are free to swear that a search of those files had turned up no evidence of break-ins.

The FBI had "a better perfected technique of plausible denial" than the CIA had, Schweiker said.

Afterwards, he cited an affidavit submitted to the Warren Commission by former CIA director John McCone, denying any contacts with Oswald.

Hoover had stated that he had "caused a search to be made of the records of the Federal Bureau of Investigation," but the McCone affidavit is apparently much more inclusive since it is "based on his personal knowledge of the affairs

of the Central Intelligence Agency and on detailed inquiries he caused to be made."

The scope of the FBI break-ins was revealed for the first time yesterday when chairman Frank

Church, D-Idaho, released a portion of an FBI document stating that "at least 14 domestic subversive targets were the subject of at least 238 entries from 1942 to April 1968."