

4/14/71

Dear Paul (JNS?)

Read your very good memo on FBI interception of letters written by Lee Harvey Oswald, 4/8/71 before bed last night. At the beginning I felt you might feel some suggestions I would make might be far out, though I believe I've written about some of my unofficial material on the paranoids among us may have dried up. By the time I got to the end, I realized you are now entertaining as a suspicion what I have long regarded as a fact. In case you've forgotten, the very first words I wrote on this subject, in a proposed lead-and-summary for a magazine piece, the antagonistic reception to which is what decided me to do a book and that on the Report, were "Lee Harvey Oswald could not have been persona non grata to the FBI."

Before getting into that, I want to note something I should have included in the memo I wrote you last night on your letter to Kleindienst. I presume you are aware of it and nonetheless wrote as you did, but the FBI, I think Belmont, did bring the entire Oswald file and the Commission refused to look at it. FBI "security" seemed to be their mission, not truth.

Generally speaking, I think it is fair to assume that where the FBI at that period had photographs rather than xeroxes as their original copies, it is because they did have an inside agent. Photo equipment is much less bulky and can easily be carried and hidden. It also costs much more, takes more time, requiring processing.

Have you considered the possibility (B) that LHO himself provided the letter and env.? Remember what I wrote in WW about this identical letters to both the Tertzakite and Stalin Communists, the same day, and his letter to the Socialists? I think he started early. Remember, Robert said his favorite TV show was Philbrick, I was an Agent for the ~~FBI~~ FBI, or something like that. If it need not be true, it ought not be ignored.

And, on case I didn't send it to you, as I thought I did, or you have forgotten, for some time I have had reason to believe LHO was both PSI and SI, and here you can see my correction in your Bagdikian letter. By the way, on that, the DJ would not tell them what it meant, and I did tell Betty Medsger, who wrote some of the stories. They thought it had some thing to do with student, and DJ encouraged this belief. They thought part-time student informant and student informant.

If you accept that of which I am certain, and which I'd like to go no further than you and JNS, reconsider your closing lines before "other interceptions" an 2 and is it wierd, the "degree to which it was hidden"?

Next, under (2), consider the broad hint I think I made in O in NO about Fain's interview, none of which can be explained as he did, not to the rational mind. And its conditions, LHO's reaction, according to Marina, etc. I think this was the beginning the leaning on him, that his being a PSI began at this point.

On 3, second par. There remains the possibility, and I do not press it as probability, that Ruth Paine may have been the source. Remember, she admitted making a copy. Why? I met her, then Michael, didn't try to get anything out of them because I figured I wouldn't anyway, and decided instead to try and size them up. They are a strange pair and strange separately. They can't believe some of the shit they say, they are too intelligent. Like on the things that had to be questioned, they had no questions because all the Commission people were such honorable men. They both know their Marc Antony. There are grounds for having suspicions, if not the most persuasive. If some of the things can be explained by the stress, like Ruth's ok for a warrantless search with all their ACLU background and political sophistication, their leaving during a search is more difficult, as is their vulnerability because of Michael's defense-type employment with the family background. When their house burned, they moved into an expensive one. However, the furniture was not good.

If you consider that LHO had a role, does your middle graph, beginning "In June 1964", have any more meaning. Believe me, not only did the FBI know but I confirmed from ~~document~~

have any meaning. Believe me, not only did the FBI know but I confirmed from dependable sources that there never was any FPCC activity in N.O. From this I suggest the use of "significant" can be a mask to hide the possibility that LHO's role was to smoke it out, that is, to get the pro-Castro to identify themselves. There were a few, and Orest did inform on them. (I expect to hear from him this week. Got a friendly note saying he'd call me, supposedly on his way back from N.Y., but I have to spend Friday in D.C. and go there again Sat night). In this connection, remember deB was fluent in Spanish. I recall nothing of this from the WC material but I found friends and college mates of his. And those with whom he worked. His beat included the ITM—where there was no "Cuban consulate".

For your thinking on this let me refer again to O in NO: no affidavit from Kaack and there were two agents who showed when he asked to be interviewed by the FBI. Quigley is only one of them. The other's existence is never acknowledged, and this was not because Liebele was unaware of it.

If either of your suggestions under "What the FBI did when it got the FPCC letter" is acceptable and tenable, I tend to believe it was not careless incompleteness, that the FBI was hiding what could lead to official acknowledgement of any connection with the accused assassin. Even hiding who was an informant could explain it, when you consider the extremes to which they go, example Mitchell's recent statement after the Media theft.

No reconsider your second graph here and ask if there is not a good reason for sending deB to Dallas, of all the available agents? This was done fast, as soon as anyone in DC could think and react, possibly on NO recommendation. Now his "beat" in N.O. was very important. It included the ITM, where there was always a serious security problem, considering the kinds of foreign notables they were always bringing to N.O., esp. the fascist dictators. With this kind of hazard existing in N.O. where he was the expert, with all that stuff stashed in his noodle and all his connections, he was not sent to Dallas, with all the competent agents available, for no good reason. Plus his own knowledge of LHO.

P 4, graph 3: agreed, but does the foregoing give it a different context?

Re-examine under "What Should Have Been Done", especially when you recall the obfuscatory nature of Wall's "investigation" of the renting of the space by the CRC and that strange man who used an office there. Even though he was under wraps, Newman told me he was explicit to Wall, that Benister had personally, not through Jack Martin, arranged for this space for the CRC. There were two different men there, one likely LHO and the other certainly, as I conjectured in O in NO, Ernesto Rodriguez, Jr (who supplied the dited translation of the LHO radio comments) Ernesto confirmed his part to me, gave me a superficially reasonable explanation. Moke May considered that Ernesto was working for the FBI, even when I interviewed him. And Ernesto did let "hornley's friend and associate in the "Discordian Society" have free space at his St. Charles offices. He and Roger "ovinn the friend, gave me identical reasons for his kicking Roger out. LHO did appear at Ernesto's when Ernesto was moving his offices. Again, does not the foregoing at to the last sentences in your penult. graph? And especially, in terms of motivation, consider the first sentence of the last graph. Aside from what I think I've sent you, I'll tell you more of Hosty when we are face to face again. His function was not as represented and he did harrass, more than LHO is admitted to have alleged. His disciplining was not for the remark to Leavelle, if that is to whom he is said to have made that comment on capability. It was for failure and getting caught.

If you can spare them, I'd appreciate two copies, and if you can, because I do forget, I'd like you to put at the top of one File*Hoch Memos and the other, Put with declassified docs. I'd like to cut up the second and attach to the pages as I go over and file them. I'm filing this copy, which I have marked, under Agent Oswald...And it is important to keep my hints close. The breach of security that has already taken place, of which I can't comment, may already endanger somebody, because the jaw was flapped to one of our worst jaw-flappers. It is so serious that I've told the one doing this for me that either he henceforth deals with me alone or I don't deal with him at all. I had warned him against what he did and he did it anyway. Good as his stuff is, the danger is that great.

DRAFT
April 8, 1971
Paul L. Hoch

FBI INTERCEPTION OF LETTERS WRITTEN BY LEE HARVEY OSWALD

Synopsis: According to recently released Commission Documents, a letter from Oswald to the FPCC was given to the FBI in October 1963, apparently in photographic form. Other documents reveal that Oswald's June 10, 1963 letter to the Worker (interception of which has been known for some time) was photographed for the FBI. Previously available Commission records show little attention given to this matter; the FBI appears to have played it down. As occurred earlier, the N.O. FBI did not follow up a lead about an FPCC office and chapter there.

The new evidence:

(A) From CD 28, page 2-3: (Report of SA O'Flaherty, New York, December 1, 1963)

"On October 27, 1963, NY T-1 advised that during late October, 1963, he had had an opportunity to observe certain material maintained at Fair Play for Cuba Committee headquarters, 799 Broadway, New York City. NY T-1 stated that among the material which he observed was the following handwritten letter:" (The text of V.T. Lee Exhibit 4 follows.)

From CD 75, page 672-3 (Report of SA DeBrueys, Dallas, December 2, 1963)

"Under date of October 27, 1963, New York Confidential Informant T-1 made available the contents of a letter directed to Mr. HENRY LEE of the Fair Play for Cuba Committee, New York City by LEE H. OSWALD. This letter is quoted herein below." (The text of V.T. Lee Exhibit 4 follows.)

(B) June letter to the Worker:

From CD 7, page 328:

"Under date of November 26, 1963, the FBI Laboratory advised as follows: Specimens received November 25, 1963, from FBI, New Orleans....

Qc37 One photograph of envelope bearing postmark "NEW ORLEANS LA 8 JUN 1963 1 30 PM", bearing handwritten address "The Worker 23 W. 26th St. New York 10, N. Y." and handwritten return address "P. O. Box 30061 New Orleans, La."

Qc38 Photographs of two-page handwritten letter to "The 'Worker' 23 W. 26th St.," signed "Lee H. Oswald"

Q39 Post Office change of address card, POD Form 3573, postmarked at New Orleans, La., bearing address "The Worker 26 W. 23th St. New York 10, N Y" "

Nature of the interceptions:

(A) FPCC letter: CD 28 is dated December 1; the first FBI interview with V.T. Lee was December 3 (CD 60, pp. 68-9; 10H87). He had no specific recollection of correspondence with Oswald; after checking the files, he turned over the letters on December 6 (CD 165, pp. 4-13). Lee Exhibit 4 was included; thus, the original, as turned over by Lee, could not have been the source of the text set out in CD 28.

The text as set forth in CD 28 is a quite careful transcription of the (messily) handwritten letter. The copy correctly reflects the indentations and abbreviations of the internal addresses, punctuation peculiarities, and a number of spelling errors (which are indicated in the usual way, by underlining). It is conceivable that the FBI's informant laboriously made such a transcript, but it is much more likely that he provided a photograph. (The photo should still be in the FBI's files.)

(The text does not indicate the letter was directed to Henry Lee, as claimed in CD 75. That may have been a simple error, or the informant may have had access to the envelope. One may ask whether he gave the FBI any other letters that Oswald had written before October 27 (Lee Exhibits 5-7), and if not, why not. (Perhaps

*inside
4/27/71
P.O.
?
Miss B38*

*Leaf only:
would LHO
have produced
for photo?*

just because the files were confused?) The reference to "Henry Lee" in CD 75 may signify that the pre-assassination report to the field offices had a bit more information than CD 28, but I doubt if that is true in any substantive sense. (B) Worker Letter: We can confirm that the FBI got the copies of the letter before the assassination. Arnold Johnson of the CPUSA was interviewed by the FBI on December 3, apparently for the first time; that is when he turned over the correspondence with Oswald (CE 1145, pp. 7-21; 10H96-7). The letter Qc38 is Johnson Exhibit 1; the other two items are not Johnson exhibits and apparently were not turned over to the FBI.

CD 7, pages 328-9, were withheld until the recent review; I can see no possible reason for withholding other than these three items. (I had asked under the Freedom of Information Act for the material on these pages relating to the lab examination of the gun magazines found at Alba's garage, and was given only the last paragraph of page 329.)

I feel that the significance of these pages is not simply in the fact of the interception, which was already known. It is noted in the Kaack report (CE 826, page 3) and (therefore ?) in that part of the Summary Report, CD 1, which purports to list what the FBI knew about Oswald before the assassination (page 35). The change of address card is noted in the Kaack report. (p.4) What is interesting is not just that the FBI had this information but that they were in a position to (or went to the trouble to) make photos. They also seem to have made off with the original of the change-of-address card. (Apparently the "c" in "Qc37" and "Kc25" means "copy," not "confidential".) (I would guess that either they fished the card out of the garbage after it was processed, or the FBI had its man working on the mailing list regularly. The FBI got a later change-of-address card and a mailing label from an informant on the same day Johnson was turning over the correspondence - December 3 (CE 1145, page 1).)

Incidental remark: I doubt if there is any significance to the discrepancy between the June 8 postmark and the June 10 date on the letter.

Perhaps the most interesting aspect of this matter is the degree to which it was hidden, both in contemporaneous and later reports. It's a bit weird.

Other interceptions:

The following has been well known for some time; it is presented here as a reminder of what FBI habits seem to have been.

(1) The 5/12/60 Fain report (CE 821) was based on a report that Marguerite Oswald bought a money order and sent it to Lee in Russia. This may have involved an interception of mail, or maybe just inquiries at the bank. (See CE 833, # 1.)

(2) The Fain report of 8/30/62 (CE 824) was apparently the result of Oswald's contact with the Soviet Embassy (see pp. 1, 4). On the other hand, Fain testified that this contact was not the reason for the reinterview (4H419, 421), and it is true that a previous report had noted that Oswald was planning to tell the Embassy his wife's current address. Nonetheless, I suspect that the FBI knew of his letter to the Embassy independently of what Oswald had told them. A hearsay State Department report dated November 22 on information furnished by the FBI reports that he was interrogated in August 1962 "after visit to Soviet Embassy in Washington." This is clearly incorrect, but tends to confirm that the Embassy contact was a major reason for the reinterview. (CE 823, p.12)

(3) Oswald's April letter to the FPCC was noted by the FBI almost immediately, as reflected by the Hosty report (CE 829, p. 2). (Lee Exh. 1 is the letter.) The source appears to have been a member of the FPCC, rather than a mail cover, since he "could furnish no further information." (CE 833, # 8)

(4) On November 18, 1963, the Washington Field Office of the FBI learned about Oswald's letter to the Soviet Embassy (CE 834, # 69; CE 15). (CE 834 indicates only that the informant reported that Oswald had been in contact with the Soviet Embassy in Mexico City; this formulation does not give away the mail cover, but CE 833, # 28 reveals that the information received concerned Oswald's letter.) Allen & Scott, who have good sources but are grossly unreliable, reported that the FBI actually put a copy of the letter in their files (11/20/67 column; BF 731). (CD 294)

(5) Arnold Johnson suggested that the letter which he received from Oswald after the assassination had been opened (10H104; Johnson Exh. 7). Liebeler did take up Johnson's suggestion that the handwriting be checked (5/1/64 memo to Eisenberg; PH 463#2); however, as far as I know there was no interest in the possibility that the letter had been intercepted by the authorities.

Ruth?
I know of no evidence that Oswald's outgoing mail was intercepted, or that this ever occurs. (It is true that the Hosty report does attribute the April letter to Dallas T-2, but it is standard procedure to re-number and re-identify informants in each new report. That is, any non-Dallas source would ordinarily be given a Dallas T-number. (Compare Accessories, Ch. 9.) It is true, as Sylvia Meagher concluded, that one would have expected the FBI to have been more inquisitive about Oswald's incoming mail (such as guns) than they apparently were.)

What the FBI told the Warren Commission about these intercepts:

Not very much, it seems. As noted above, the Worker letter is in the Kaack report and the proper part of CD 1. However, the intercepted letter to the FPCC is noted only in that part of CD 1 relating to information obtained after the assassination (page 63).

I suspect that the N.O. office (i.e., DeBrueys) did not want to call attention to this interception. CD 75 is from Dallas, but the reporting agent is DeBrueys and it deals almost entirely with New Orleans matters. As quoted above, the information about the FPCC letter is attributed to "NY T-1", contrary to the usual practice. In addition, page 672 of CD 75 bears the initials of Dallas SA Gemberling. The effect, if not the intent, is to draw attention from the fact that the intercepted letter should have been (and probably was) sent to New Orleans, where the alleged FPCC chapter was operating.

In June 1964, at the Commission's request, various FBI field offices compiled reports on the activities of several pro- and anti-Castro movements. The report for the FPCC in N.O., just released, is strikingly argumentative and defensive (CD 1085(a)(4)). The author (presumably DeBrueys) notes that contacts with Cuban sources in 1963 failed to indicate any "significant" FPCC activity other than Oswald's. He reports inadequately and briefly on Oswald's activity, and then quotes at some length from V.T. Lee's letter of May 29, 1963 to Oswald (Lee Exh. 2) as confirmation that there was no N.O. FPCC chapter at that time. Needless to say, the author does not mention the intercepted letter, in which Oswald claimed the existence of such a chapter, much less point out that he had that information before the assassination.

I know of just one item which indicates that the Commission knew about the FBI's access to information about the FPCC and the Worker and decided to be discreet about it. They noted that the information which these (and other) organizations disclosed voluntarily "is in all cases consistent with other data in the possession of the Commission" (WR 289).

What the FBI did when it got the FPCC letter:

Nothing that I can be sure of. It is not listed as being in the headquarters file on Oswald (CE 834); neither is the information about the April letter to the FPCC or the June Worker letter (or, for that matter, the DeBrueys report). This suggests to me that the file was purged or the list is incomplete.

The letter's presence in CD 75 suggests that it was sent to N.O. or Dallas (or both), as would have been expected. It is not mentioned in any available report that I know of; that may be understandable, since most were dated before October 27. (The Kaack report is dated October 31, but the information may not have reached him in time for inclusion, if he had been inclined to use it.)

The transcription in CD 75 is not as complete (internal FPCC address omitted) and not as precise (spelling errors fixed, abbreviations changed, etc.) as that in CD 28. Perhaps CD 75 reflects the form in which the letter was sent to the field office(s).

One would expect the FPCC letter to be in the N.O. FPCC file. I have been denied access to the six items in that file which have not been made public already. I was told that one of the available items (the DeBrueys report) was prepared to cover the rest of the items. Either I was misinformed or the letter was not properly put in that file. (The Worker letter was obviously in a N.O. field office file, presumably not that for the FPCC.)

Note on date and contents of letter to FPCC:

The letter is not dated, but evidently was written in response to Lee's letter of May 29, 1963 (Lee Exh. 3), and while Oswald had P.O. Box 30061 (June 3 - September 26), and after he got the printed FPCC membership forms on June 5 (22H800). It appears to precede Lee Exh. 5, which is dated August 1. Thus, although it was not copied for the FBI until late October, it was written in June or July, probably early in June.

It is necessary to look at the contents from the perspective of the FBI in 1963. The significant news was that Oswald was recruiting for a chapter in New Orleans and had decided to take an office.

What should have been done:

The significance of this recently released material is as follows: it confirms that the FBI did not take the expected action when it received information about Oswald's FPCC activities in New Orleans. That is nothing new, but this example is of special interest because it involves the question of an office. That is, the N.O. FBI appears to have consistently and selectively ignored evidence that Oswald had formed a FPCC chapter and had an office at 544 Camp Street.

I have previously written up the story of the Corliss Lamont pamphlet which Oswald gave Quigley in August 1963. Although Quigley reported that Oswald said there were no N.O. offices for the FPCC, Oswald also said the pamphlet contained information about the organization; the only such information was the rubber-stamped notation "FPCC / 544 Camp St. / New Orleans, La." As previously noted, neither Quigley nor DeBrueys mentioned this lead in their reports, although they did follow up leads about A. J. Hidell. This is simply not consistent with the absence of a special relationship between the FBI and Oswald.

Hosty testified that all FBI offices had been advised (some time before April 1963) to "be on the alert for the possible formation of chapters" of the FPCC (4H445). The general tone of CD 1085(a) shows how seriously the FBI took this organization, and how closely it was followed. (For example, there was either an informant or a bug at the Los Angeles chapter Executive Committee meeting on November 22.) Now we find that when the FBI learned in October 1963 that Oswald claimed he had decided to rent an office (and they didn't know the date of the letter), no apparent concern resulted, just as was the case in August when the Lamont pamphlet was put in the files. This would be extremely suspect behavior even if the address involved were not 544 Camp Street.

PLH