

UNITED STATES GOVERNMENT

# Memorandum

- Assoc. Dir.
- Dep. AD Adm.
- Dep. AD Inv.
- Asst. Dir.:
- Admin.
- Comp. Syst.
- Ext. Affairs
- Files & Com.
- Gen. Inv.
- Ident.
- Inspection
- Intell.
- Labors.
- Legal
- Plan. & Insp.
- Spec. Inv.
- Training
- Telephone Rm.
- Director Sec'y

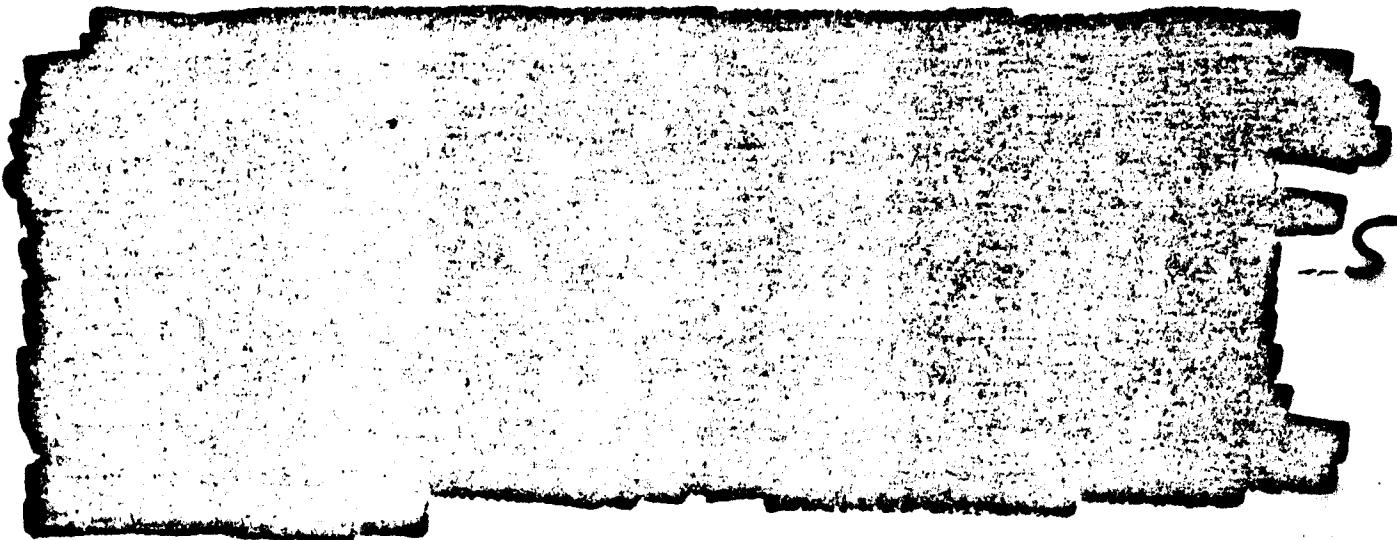
TO : MR. CALLAHAN

DATE: December 3, 1975

FROM : H. N. BASSETT *HNS*

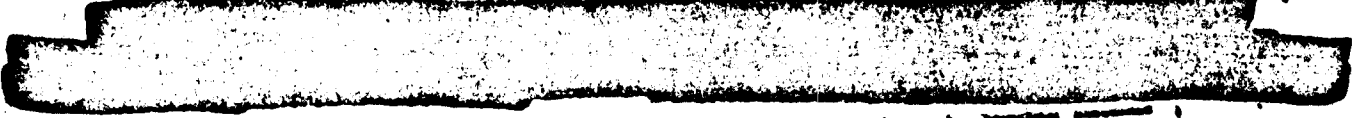
SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

Reference is made to memorandum of 11/14/75 from Legal Counsel to Mr. Adams captioned "Subcommittee on Civil and Constitutional Rights, House Committee on the Judiciary" and the addendum of the Inspection Division, 11/18/75 (attached).



Referenced memorandum set forth results of the inquiry which had been conducted to date which clearly showed discrepancies in Hosty's allegations and it was recommended that Hosty be reinterviewed and confronted with the results of our inquiry. The Director agreed with this recommendation and also stated "Go all the way."

*ST 100 87 7437X*



Enclosures - *sent 12-4-75*

- 1 - Mr. Adams
- 1 - Mr. Mintz
- 1 - Mr. Wannall

NOV 18 1975

CONTINUED OVER

HNB:bhg  
7 (5) 12/3/75

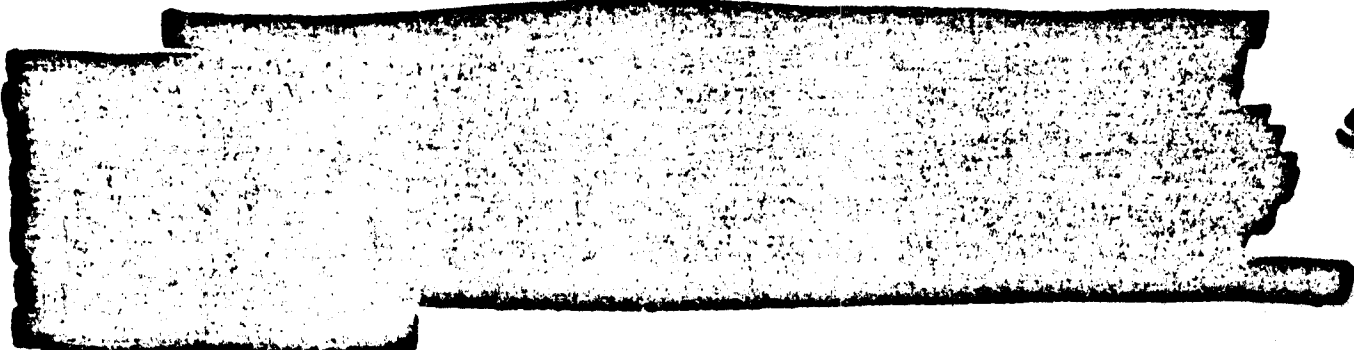
Classified By 3052  
Exempt from GDS, Category 2, 3  
Date of Declassification Indefinite

*Section 184*

Memorandum to Mr. Callahan  
Re: Assassination of President John F. Kennedy

As an aside, Mr. Stern advised that he had been sent various news clippings concerning the Oswald visit to the Dallas Office prior to the assassination and the subsequent destruction of the note which Oswald had left. He asked me if I had reviewed Hosty's testimony before the Warren Commission and I told him that I had on two or three occasions. He inquired that in this review had he, Stern, asked any question of Hosty that might have elicited the fact that Oswald had visited the office. I told Mr. Stern that he had not asked any such question. He stated that he felt bad about this because apparently he had fallen down on his job although he agreed that he might not have received a truthful answer had he asked the key question. He further stated that certainly Hosty had had ample opportunity to advise him of that development during the conferences which he had held with Hosty prior to the latter's actual testimony. He asked if I would send him a transcript of any testimony which Hosty may subsequently furnish in which his, Stern's, name is mentioned and I told him that I would be glad to comply with his request.

OBSERVATIONS



Of particular significance is the fact that Hosty in his sworn statement of 11/14/75 specifically stated that upon his return to the Dallas Office following his testimony he noted "My name had been crossed out and former Assistant Special Agent in Charge Kyle Clark had written his name below mine and had initialed it for filing." There is no other way of interpreting this other than a categorical statement on Hosty's part; however, when confronted with the actual serial showing that Clark's name appeared nowhere on it he states, "I had assumed Clark's initials would have been on this serial since this case had been reassigned to Clark sometime after 11/22/63." It is noted that Hosty is due to be interviewed by representatives of the House Subcommittee on Civil and Constitutional Rights on 12/4/75.

8 8  
Memorandum to Mr. Callahan  
Re: Assassination of President John F. Kennedy

RECOMMENDATIONS

1. That no further inquiry be conducted relative to this particular issue.

2. That the attached communication be forwarded to the Department advising them of Hosty's allegation and the results of our inquiry.

*Handwritten signature*

*Handwritten signature*

*Handwritten initials*

SECRET

The Attorney General

December 3, 1975

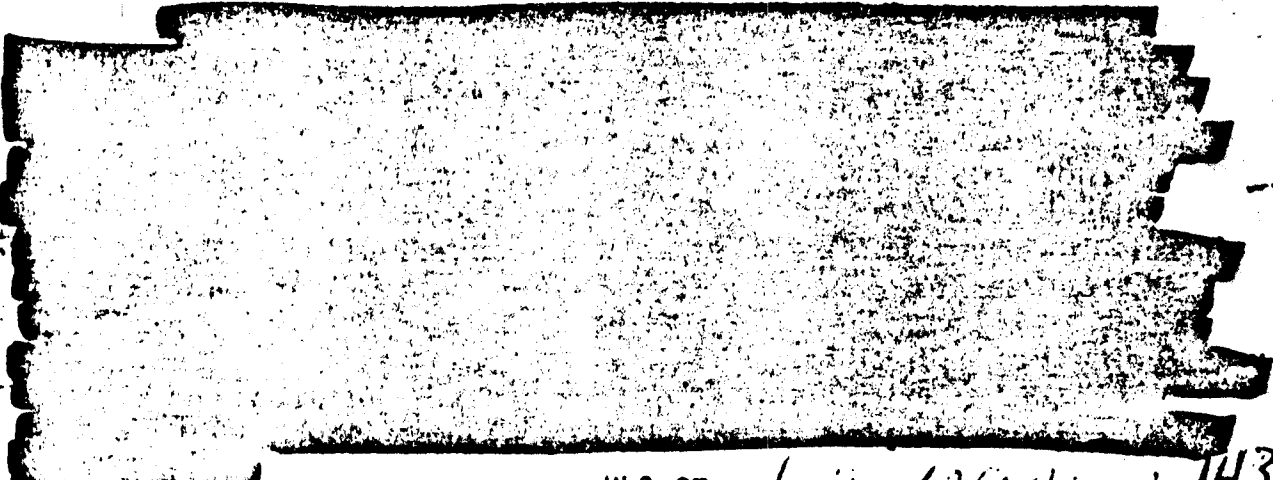
Director, FBI

FEDERAL GOVERNMENT

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

SECRET

Reference is made to my memoranda of July 29, 1975, and October 1, 1975, captioned as above, which advised you of the results of this Bureau's inquiry concerning an allegation that Lee Harvey Oswald had visited the FBI office in Dallas sometime prior to the assassination of President Kennedy for the purpose of talking to Special Agent (SA) James P. Hosty, Jr. In the absence of Mr. Hosty, Oswald allegedly left a note which was threatening in nature. This visit and note were not reported following the assassination of President Kennedy by Oswald.



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SA Hosty, on November 14, 1975, furnished a sworn statement (attached) to SAC Williams in which he advised as follows:

NOV 18 1976

- Assoc. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
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- Asst. Dir.:
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- Ext. Affairs \_\_\_\_\_
- Files & Com. \_\_\_\_\_
- Gen. Inv. \_\_\_\_\_
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- Laboratory \_\_\_\_\_
- Plan. & Eval. \_\_\_\_\_
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- Training \_\_\_\_\_
- Legal Coun. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director Sec'y \_\_\_\_\_

- 1 - Mr. Adams (Sent Separately)
- 1 - Mr. Mintz (Sent Separately)
- 1 - Mr. Wannall (Sent Separately)

JAC:jmh

(9)

MAIL ROOM

TELETYPE UNIT

SECRET

See Note Page 7.

5/18/77 DJC/def.

Classified by 3002  
Declassify on: OADR  
Date of classification is indefinite

2 8  
The Attorney General

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Upon his return to the Dallas Office following this testimony he had occasion to look in volume I of the Oswald file and noted that both copies of the airtel were then the top serial in this volume. He observed that his name had been crossed out and former Assistant Special Agent in Charge (ASAC) Kyle Clark had written his, Clark's, name below Hosty's name and initialed the airtel for filing. He concludes that from the afternoon of November 22, 1963, until sometime in May, 1964, former ASAC Clark had retained the serial in his possession; however, felt that this would be proper in view of the fact the case was reassigned to Clark shortly after the assassination.

SECRET

**The Attorney General**

He stated he had not previously furnished this information concerning this particular airtel and its contents because it did not appear to be pertinent to previous inquiries until it became apparent that the House Committee might reopen the entire Oswald case.

Upon being advised of the contents of SA Hosty's sworn statement, the SAC of the Dallas Office was instructed to review pertinent files in his office. It was determined that the Washington Field Office airtel to the Director, two copies to Dallas, dated November 19, 1963, is serial 57 in the Oswald file (Xerox copy attached). A review of this serial determined that SA Hosty's name is crossed out in the block stamp but is initialed for filing by an individual using the initial "H." Former ASAC Clark's name does not appear on this serial, and it is believed highly probable that the initial "H" in this block stamp is that of Supervisor Howe. This determination is based on the following information contained in the Dallas files:

Serial 50 of the Oswald file is a copy of an airtel with two enclosures which the New Orleans Office sent to the Bureau, with copies to Dallas, dated October 24, 1963 (Xerox copies of this serial and the two enclosures, serials 49 and 48, attached). On serial 50 there appears the following handwritten notation: "48 - 49 - 50 c/o to JFH 10/28/63. Obtained from his box and initialed into file to complete file following 11/22/63 H." The interpretation of this written notation is as follows:

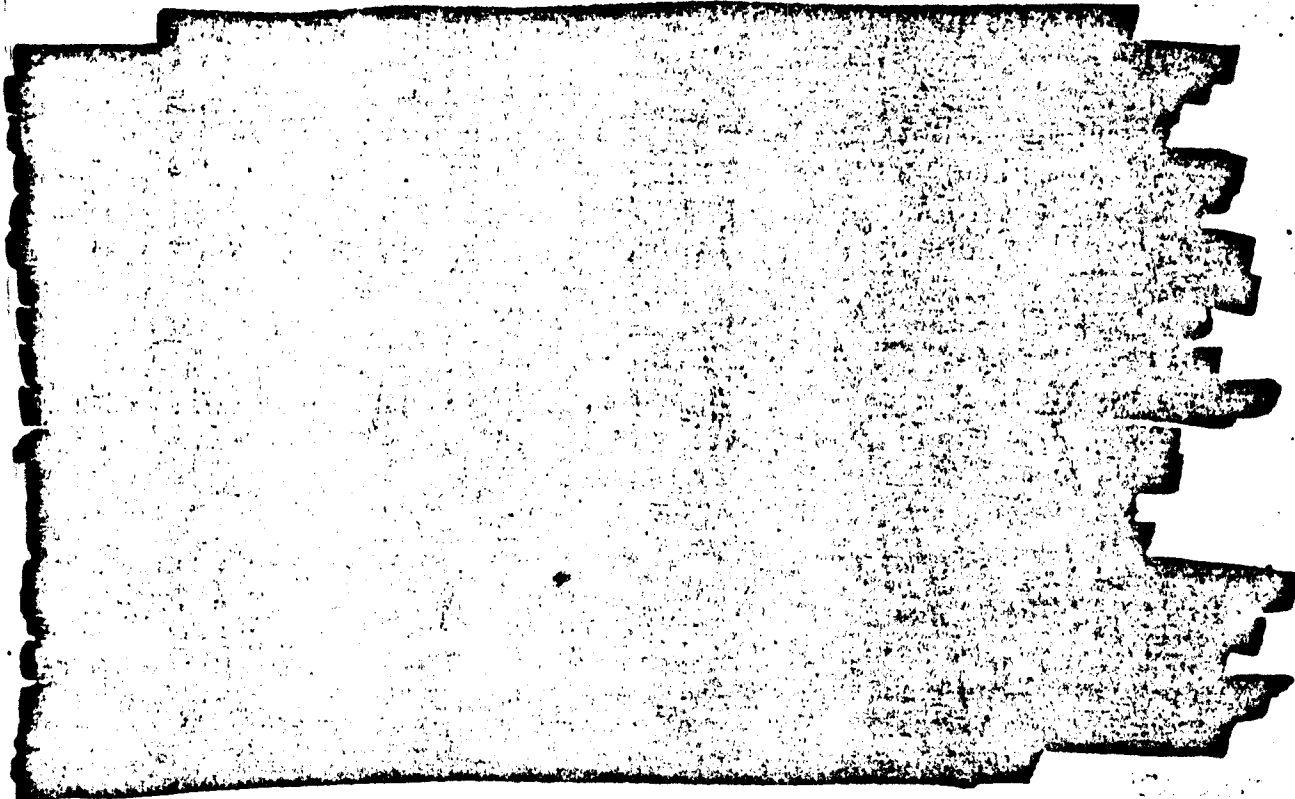
These three serials were charged out to SA Hosty on October 28, 1963, and apparently were still in his workbox the date of, or shortly after, the assassination and initialed into the case file by Supervisor Howe in order to have continuity of an extremely fast-moving case. It is also noted that SA Hosty's name is crossed off on all three of these serials and apparently initialed into the file by Supervisor Howe. While no such written notation appears on the above-mentioned serial 57, it is logical to assume that the same action was taken on this serial in order to get all pertinent material into the Oswald case file. The SAC, Dallas, in furnishing this information, advised that the "H" appearing in these block stamps is not identical to the "H" which SA Hosty used when initialing mail for file.

The SAC, Dallas, has also advised that the Oswald file has been "stripped" which means that duplicate copies of various serials in the file have been destroyed. This is standard operating procedure in our Chief Clerk's Offices in order to conserve space, and when a file is being stripped

**The Attorney General**

and there are duplicate serials available, the action copy is retained in the file. It can only be assumed that the second copy of the airtel in question has been destroyed since it was not located in any other logical file in the Dallas Office, such as the file on Marina Oswald or the assassination file itself. However, under normal operating procedures, when two copies of a communication are received in an office, both copies are block stamped; one is initialed by the supervisor for filing, known as the file copy, and the other copy is routed to the Agent who has the case assigned to him, known as the action copy. We know in this instance that the action copy has been kept since indexing is done from this copy and the one in file shows indexing of a name mentioned in the communication.

While the Chief Clerk in Dallas could not be positive, it is her definite opinion that after the stripping occurred, the various volumes were consolidated in order to save space. It has been determined that volume I of the Oswald file now contains 174 serials, thus placing serial 57 in the first half of this volume.



The Attorney General

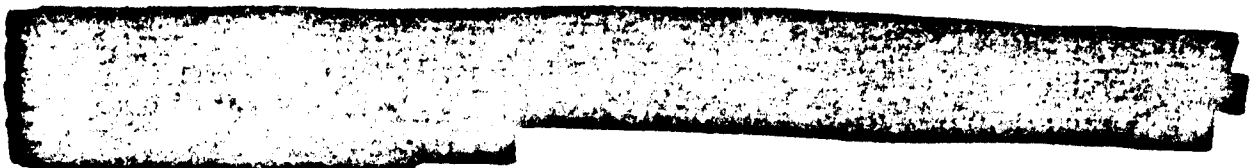
[REDACTED]

[REDACTED]

In conclusion, SA Hosty stated that after reviewing copies of the above-referred-to serials, it appears that serials 48, 49 and 50 were placed in the file as the note indicated, to bring the file up to date. He states it is possible serial 57 was handled in the same manner; however, he still has doubts this was true with serial 57 because he was unable to locate either copy in the file and because of the statement made by Mr. Belmont that he was not to see this airtel.



The Attorney General



(S)

Enclosures - 6

1 - The Deputy Attorney General (Enclosures - 6)

1 - Assistant Attorney General  
Criminal Division (Enclosures - 6)

NOTE: Based on memorandum Bassett to Callahan, dated 12/3/75, captioned as above. HNB:bhg.