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MEMORANDUM FOR THE FILES

FROM: Mr. J. Lee Rankin, General Counsel

SUBJECT: Rumors that Oswald was an undercover agent.

Allegations have been received by the Commission to the effect that Lee Harvey Oswald was an undercover agent for the Federal Bureau of Investigation or the Central Intelligence Agency prior to the assassination of President Kennedy on November 22, 1963. This memorandum reviews these allegations and summarizes the action taken to date by the Commission.

On Wednesday, January 22, 1964, I received a telephone call from Waggoner Carr, Attorney General of Texas. Mr. Carr stated that he had received on a confidential basis an allegation to the effect that Lee Harvey Oswald was an undercover agent for the Federal Bureau of Investigation since September of 1962 and that he had been paid \$200.00 a month from an account designated as No. 179. Mr. Carr indicated that this allegation was in the hands of the press and defense counsel for Ruby and suggested that his information came ultimately from District Attorney Henry Wade, although he stated that he had not discussed this matter directly with Wade.

After a discussion with the Chairman of the Commission and Mr. Leon Jaworski, I contacted Attorney General Carr. I asked the Attorney General to contact District Attorney Wade and try to

ascertain more definitely the source of this allegation.

At the request of the Chairman of the Commission, I also asked Mr. Carr to ask Wade and his assistant, Bill Alexander, to come to Washington as soon as possible to discuss this matter.

A meeting of the Commission was called for 5:30 p.m. on Wednesday, January 22, 1964. All the members of the Commission were present with the exception of John J. McCloy and Senator Richard B. Russell. This specific allegation was discussed in detail by the Commission. It was recognized by all members of the Commission that, although this allegation was probably not accurate, this matter had to be regarded seriously by the Commission. It was agreed that the Commission would have to take whatever action necessary to pursue this matter to final conclusion. During the meeting efforts were made to contact Attorney General Carr again. When he was contacted, Attorney General Carr stated that District Attorney Wade had been unable or unwilling to specify the source of this allegation in more detail. He informed me that he and Messrs. Wade, Alexander, Jaworski and Storey would come to Washington the next day.

On Thursday, January 23, 1964 Secret Service Report No. 767 was brought to my attention. This report is dated January 23, 1964 and summarizes an interview by Agent Bertram

with Houston Post reporter Alonso H. Hudkins III. A pertinent paragraph of the report reads as follows:

On December 17, Mr. Hudkins advised that he had just returned from a weekend in Dallas, during which time he talked to Allen Sweatt, Chief Criminal Division, Sheriff's Office, Dallas. Chief Sweatt mentioned that it was his opinion that Lee Harvey Oswald was being paid \$200 a month by the FBI as an informant in connection with their subversive investigation. He furnished the alleged informant number assigned to Oswald by the FBI as "S172".

The report concludes with the request that Chief Allen Sweatt of the Dallas Sheriff's office be interviewed regarding the above allegation. Upon being informed by representatives of the Secret Service that this subsequent interview had not yet taken place, I requested that it be done immediately.

On Friday, January 24, 1964, the Chairman of the Commission and I met with Attorney General Carr, District Attorney Wade, Assistant District Attorney Alexander, Mr. Jaworski and Dean Storey. We reviewed the situation to date. District Attorney Wade and others of the Texas representatives stated that the rumors to the effect that Oswald was an undercover agent were widely held among representatives of the press in Dallas. They stated also that Mr. Belli, attorney for Jack L. Ruby, was familiar with these allegations. Wade stated he was also aware of an allegation to the effect that Oswald was an informant for the CIA and carried Number 110669.

District Attorney Wade and Alexander stated that the sources for these allegations or rumors were several reporters, including Houston Post reporter Hudkins. They did not pinpoint Hudkins as being the source of this information, but they did not name any other individual reporters. They both indicated that they would not vouch for the integrity or accuracy of these reporters. They did inform us that this information was not disclosed in chambers during the bail hearing on Monday, January 20, 1964. District Attorney Wade stated that, based on his experience as an FBI agent during the years 1939-43, he did not think that the number would be either a payroll or voucher number carried on the Bureau records. He suggested that the records are not kept that way and would not show the name of the informer, who would probably be paid by the FBI agent in cash. He further stated that in his experience it was customary for the agent to carry the informer on his books as a number.

There was a general discussion regarding other information disclosed in the investigative reports which lend some degree of credibility to these allegations. Among other matters discussed at the meeting, the following were stressed: (1) the use by Oswald of Post Office boxes; (2) use by Oswald of aliases; (3) the lengthy 2-hour interview conducted by the

FBI of Oswald in August of 1962; (4) interviews conducted by Special Agent Hosty in Dallas regarding Oswald's whereabouts and the failure to notify Secret Service of this information; (5) the comment after the assassination of Special Agent Hosty that Oswald had contacted two known subversive agents about 15 days before the assassination; (6) Oswald had Special Agent Hosty's car license and telephone numbers in his notebook; (7) Oswald's mother has stated that her son was an agent for the FBI or some other federal agency; (8) Special Agent Hosty was transferred from Dallas two weeks after the assassination.

The Chief Justice decided to present the results of this meeting to the entire Commission on Monday, January 27, 1964 and decided to propose tentatively that necessary inquiries be made concerning these allegations and that this memorandum be prepared for the record.

On the evening of Friday, January 24, 1964, a member of my staff was informed by representatives of Secret Service that Allen Sweatt, Chief of the Criminal Division of the Sheriff's office in Dallas, had been interviewed regarding the allegations made in Secret Service Report No. 767. According to this oral report, Sweatt stated that he received the allegation from Mr. Alexander in District Attorney Wade's

office. He also mentioned Houston Post reporter Hudkins as a source of the information. When Sweatt was informed that the number in a similar allegation was 179 rather than 172, as he had indicated initially, Sweatt indicated that he would accept 179 as the correct number. Secret Service Inspector Kelley expressed his view that Hudkins was not very reliable, based on previous unfounded reports which he had furnished to Secret Service.