



Oswald Not in 1963 Million-Name Secret Service File

By PETER KIHSS

Special to The New York Times

WASHINGTON, May 12—The Secret Service had one million names in its index file of potential threats to Presidents at the time President Kennedy was assassinated Nov. 22, 1963, according to documents available today at the National Archives.

The file, which then did not include the name of Lee Harvey Oswald, the assassin, has since been winnowed down to 39,000, George Cosper, a special agent, said at the agency's headquarters.

The Secret Service, in responding to a suit by Mark Lane, director of the Citizens Commission of Inquiry, has promised to release "in their entirety" all its files on the Kennedy assassination.

Mr. Lane was represented by John H. F. Shattuck, as counsel for the American Civil Liberties Union Foundation, who stressed that the civil liberties group had taken no position on disputed findings in the Kennedy investigation.

Mr. Lane, author of a best-selling book criticizing the Warren Commission's report that held that Mr. Oswald was the lone assassin, believes that there was "a conspiracy to kill the President and shots from two directions." He says, "I see no evidence that Oswald shot the President — but I don't know."

Guidelines Cited

After a first look at the first available documents, Mr. Lane contended that they showed that the Secret Service had failed to abide by all its own guidelines. These require inspecting and sealing "sewers and other passages under streets," and "if great danger is suspected, the occupants of buildings facing parade routes should be checked."

The Dec. 18, 1963, report by Chief James J. Rowley said that a protective research section's geographical index contained no names of potential threats in the Dallas area. But Mr. Lane said that another document referred to a Nov. 25, 1963, Central Intelligence Agency report

on a Cuban refugee there who was opposed to Premier Fidel Castro and had been trying to buy machine guns and bazookas and was "known to be violently anti-President Kennedy."

The million-name index — Chief Rowley said "an unknown number of people on the list were now dead or inactive — consisted of people thought to be threatening or "conducting themselves in a way to arouse suspicion of hostile intentions." It also included names submitted "through established liaison procedures by the Federal Bureau of Investigation, C.I.A. and state and local police departments."

Warren Report Quoted

The Warren report said only that the Secret Service active files at the time of the assassination "contained approximately 50,000 cases accumulated over a 20-year period, some of which included more than one individual."

"I think the only reason Oswald's name was not given to the Secret Service was because he was working for the F.B.I.," Mr. Lane asserted. He cited a Secret Service interview in which Mr. Oswald's New Orleans landlady earlier in 1963 said that an F.B.I. agent had interviewed her about Mr. Oswald "after he had displayed pro-Castro circulars on the porch."

Another interview indicated that Mr. Oswald's wife, Marina, reported that he was interviewed by F.B.I. agents in July or August 1962 while they lived in Fort Worth.

Another Secret Service report related that on Dec. 17, 1963, Alonso H. Hudkins, a reporter for The Houston Post, said that he believed Mr. Oswald was being paid \$200 a month by the F.B.I. "as an informant in connection with their subversive investigations." Mr. Hudkins was quoted as saying that Mr. Oswald had F.B.I. informer number "S172."

The Warren Commission's report, released in September 1964, said that the F.B.I. opened a file on Mr. Oswald in October 1959, when he

showed up in the Soviet Union as a Marine Corps veteran and defector, and investigated him intermittently thereafter.

Senator Frank Church, Democrat of Idaho, who is chairman of the Senate Select Committee on Intelligence, said in Omaha this week that the C.I.A. and F.B.I. "failed to make a full and complete disclosure" to the Warren Commission. He predicted that a report by his panel later this year would probably cause "an outcry to reopen the investigation."

Interview Published

In an interview published by the Citizens Commission of Inquiry and confirmed by his office, Senator Richard S. Schweiker, Republican of Pennsylvania, cited two areas of concern.

One, he said, is "destruction by the F.B.I. of the note that Oswald presented to the Dallas office." The other, he said, is the way that J. Edgar Hoover, then the F.B.I. director, told the Warren Commission "a search of the files" did not show Mr. Oswald as an informer. Normal affidavits, the Senator said, "say, 'To the best of my knowledge and belief, such and such is true.'"

The House Subcommittee on Civil and Constitutional Rights, headed by Don Edwards, Democrat of California, was told that the note was left by Mr. Oswald between Nov. 6 and 8, 1963, for James P. Hosty Jr., an F.B.I. agent in Dallas.

Mr. Hosty said that the note warned that "if I did not stop talking to his wife, he would take action against the F.B.I." He testified last Dec. 12 that he destroyed the note Nov. 24, 1963, the day Mr. Oswald was killed. He said that he did so on orders from the Dallas F.B.I. chief, J. Gordon Shanklin. Other witnesses confirmed that there had been an Oswald note, but Mr. Shanklin denied ever knowing about it.

Mr. Lane contended that Jack Ruby, who murdered Mr. Oswald, had "worked for the F.B.I." He displayed a letter from Mr. Hoover to the Warren

Commission dated June 9, 1964, obtained by his commission earlier under the Freedom of Information Act.

In this, Mr. Hoover said that an agent, Charles W. Flynn of the Dallas office, spoke to Mr. Ruby "on March 11, 1959, in view of his position as a night club operator who might have knowledge of the criminal element in Dallas."

The Hoover letter said that Mr. Ruby "expressed a willingness to furnish information," and that he was "contacted on eight other occasions" up to Oct. 2, 1959, but "furnished no information whatever, and further contacts with him were discontinued." Mr. Lane said that the Warren report made no mention of Federal police associations by Mr. Ruby.

A \$70,000 Budget

Mr. Lane said that his group, which started in February, 1975, has operated with \$70,000, almost all of it raised by his fees in speaking at 170 colleges, universities and law schools. He said that 131 members of the House of Representatives had sponsored one or the other of two reulotio by Representatives Thomas N. Downing, Democrat of Virginia, and Henry B. Gonzalez, Democrat of Texas, proposing Congressional investigations.

Meanwhile, Mr. Lane has urged Representative Edwards's subcommittee to all a former New Orleans F.B.I. security code clerk, William S. Walters, who he said remembers a TWX message to all southern F.B.I. offices on Nov. 17, 1963, that "advised that an attempt to assassinate President Kennedy would be made in Dallas on Nov. 22, 1963."

THINK FRESH:
THINK FRESH AIR FUND