Assassination Records Review Board
Final Determination Notification

AGENCY : HSCA
RECORD NUMBER : 180-10110-10003
RECORD SERIES : SECURITY CLASSIFIED TESTIMONY
AGENCY FILE NUMBER : 014717

February 18, 1997

Status of Document: Postponed in Part

Number of releases of previously postponed information: 0

Number of Postponements: 2

Postponement # 1 (Page 21):

Reason for Board Action: The text is redacted because it reveals the identity of an intelligence agent that properly may be withheld under Section 6(1)(A) of the JFK Act. The Board is awaiting additional evidence from the CIA, at which time it will reconsider the postponement

Substitute Language: CIA Employee

Review Date: 05/1997

Postponement # 2 (Page 71):

Reason for Board Action: The text is redacted because it discusses sources and methods that properly may be withheld under Section 6(1)(B) of the JFK Act.

Substitute Language: Operational Matters

Review Date: 10/2017

Board Review Completed: 09/27/96

JFK ASSASSINATION SYSTEM
IDENTIFICATION FORM

AGENCY INFORMATION

AGENCY : HSCA
RECORD NUMBER : 180-10110-10003
RECORDS SERIES : SECURITY CLASSIFIED TESTIMONY
AGENCY FILE NUMBER : 014717

DOCUMENT INFORMATION

ORIGINATOR : HSCA
FROM : [RESTRICTED]
TO :
TITLE : [RESTRICTED]
DATE : 10/10/78
PAGES : 85
SUBJECTS : CIA, METHODOLOGY

OSWALD, LEE, RUSSIAN PERIOD

[RESTRICTED]

CIA, FILES

DOCUMENT TYPE : TRANSCRIPT
CLASSIFICATION : UNCLASSIFIED
RESTRICTIONS : 3
CURRENT STATUS : RELEASED WITH DELETIONS
DATE OF LAST REVIEW : 09/27/96
OPENING CRITERIA :
COMMENTS : Two duplicates enclosed.
Box 1.

EXECUTIVE SESSION

ORIGINAL

014717

HOUSE OF REPRESENTATIVES

HEARINGS

BEFORE THE COMMITTEE

on

SELECT COMMITTEE ON ASSASSINATIONS

DEPOSITION OF MELBOURNE PAUL HARTMAN

EXECUTIVE SESSION

Washington, D. C.

Tuesday, October 10, 1978

Official Reporters to Committees

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

- - -

TUESDAY, OCTOBER 10, 1978

- - -

House of Representatives,

Select Committee on Assassinations

Washington, D.C.

The parties to the deposition met at 2:35 p.m., in Room 3370, House Office Building Annex No. 2, Second and D Streets, Washington, D.C.

Present: Robert W. Genzman, Staff Counsel; Charles M. Berk, Staff Counsel; Betsy Wolf, Researcher.

Deponent: Melbourne Paul Hartman.

- - -

The deponent, Melbourne Paul Hartman, was sworn by Shirley B. Dempsey, a Notary Public in and for the District of Columbia.

- - -

Mr. Genzman. My name is Robert Genzman, I am staff counsel to the House Select Committee on Assassinations. I have been designated counsel empowered to take statements under oath pursuant to House Resolution 222 and Select Committee Rule 4.

Mr. Hartman, would you state your full name for the record?

Mr. Hartman. My full name is Melbourne, M-e-l-b-o-u-r-n-e Paul Hartman, H-a-r-t-m-a-n.

Mr. Genzman. Have you been given a copy of the Select Committee's rules and pertinent House resolutions?

Mr. Hartman. Yes, I have.

Mr. Genzman. Have you read Committee Rule 4?

Mr. Hartman. Yes, I have.

Mr. Genzman. Do you understand it?

Mr. Hartman. I believe so.

Mr. Genzman. Is it true that you are not under subpoena for this deposition?

Mr. Hartman. Correct.

Mr. Genzman. Are you testifying voluntarily?

Mr. Hartman. Of course.

Mr. Genzman. Do you understand you have the right to have counsel present?

Mr. Hartman. Yes.

Mr. Genzman. Do you desire to have counsel present?

Mr. Hartman. No.

Mr. Genzman. Mr. Hartman, a copy of the transcript of this deposition will be sent to you to sign and verify. If, when you receive a copy to sign and verify you desire to make any changes for any reasons, you should contact me and I will make the necessary arrangements to have you make any changes you desire to make.

According to Select Committee rules, a witness is entitled to a copy of the corrected transcript; however, because this

deposition will involve classified information, it has been our policy to ask the witness to waive his right to a copy.

Would you agree to that?

Mr. Hartman. No problem.

Mr. Genzman. Mr. Hartman, have you ever worked for the Central Intelligence Agency?

Mr. Hartman. Yes.

Mr. Genzman. Would you give the dates of your employment?

Mr. Hartman. 1951 - 1976.

Mr. Genzman. In connection with your employment with the CIA, have you ever executed a secrecy oath or secrecy agreement with the Agency?

Mr. Hartman. Yes, I have. All employees do.

Mr. Genzman. At this time I would like to give you a copy of a document marked as JFK Exhibit No. 94, which is a letter from Mr. Frank Carlucci, Acting Director of the CIA, to the Chairman of the House Select Committee on Assassinations, dated March 23, 1978, and dealing with secrecy arrangements with the Agency. Have you read this letter?

Mr. Hartman. Yes, I have.

Mr. Genzman. Do you understand it?

Mr. Hartman. Yes, I understand it. I have one problem with it: I do not know who of the people whom I might mention is under cover or has retired under cover; therefore, I would have a problem in that respect, but I presume that you gentlemen

Mr. Hartman. The Research and Analysis Group.

Mr. Genzman. Would you explain the functions of that grou

Mr. Hartman. The functions of the group were very broad and I don't really know because of compartmentization exactly what everybody did; but I did know my functions, of course, and some of my colleagues, but I had no way of knowing all of the functions of all the people.

Mr. Genzman. Would you classif expert?

Mr. Hartman. Well, let's put it think I would be considered an exper clandestine service records system. records expert and never have claime

Mr. Genzman. In the course of did you ever do any work in conjunct of the Kennedy assassination?

Page 4 is missing from the "original" copy provided to the CIA by NARA

DAB. 7-29-96

Mr. Hartman. Yes, such as the Agency was doing.

Mr. Genzman. Would you briefly explain your duties and functions?

Mr. Hartman. Well, you could break it down into two general periods: One period was during the time immediately following the assassination through the period of the existence of the Warren Commission.

The second period -- again, this will be a general term -- would be following the dissolution of the Warren Commission and

until I left the Agency.

During the first period I did ad hoc chores; whatever was given to me, I did.

I was also given a very general chore of keeping -- well, let's change that -- of making certain that the file was being kept in as good an order as we could under the circumstances.

The second period, however, during the second period I was in effect the custodian of the file, made sure that the paper flowed into it, whatever paper came to us, and that the file was generally in good order.

This does not mean -- I want to insert -- this does not mean that I personally did the filing and all of the computer work that was entailed. As I said, I was mainly charged with making certain that the file was kept in that order, but I didn't do the direct work.

Mr. Genzman. How long were you in charge of maintaining the file?

Mr. Hartman. Until I left the Agency.

Mr. Genzman. Which was in 1975?

Mr. Hartman. 1976.

Mr. Genzman. Excuse me.

Who took over your position when you left with regard to the file?

Mr. Hartman. I was told that it was a fellow named Russ Holmes, but I wasn't certain of that. I think there was a

question about transition and exactly who would take over and so on.

Mr. Genzman. Thank you.

At this time, Mr. Hartman, I would like to ask you questions with regard to several documents which we will now show you.

The first document is labeled "JFK Exhibit F-534." It is a cable dated October 31, 1959, from the U.S. Embassy in Moscow to the Department of State, which discusses Lee Harvey Oswald's desire to defect.

Would you please read this cable at this time?

Mr. Hartman. Let's go off for a second.

(Discussion off the record.)

Mr. Hartman. I have read it.

Mr. Genzman. Which component at CIA Headquarters would have received this information?

Mr. Hartman. I honestly don't know, because I had no connection with the case at that time. I really don't know. I presume that it would have been SIG of the CI staff. If the CI staff at all received it, I presume it would have been the SIG Section, because this man was an American and SIG primarily dealt with counterintelligence problems concerning Americans.

Mr. Genzman. Did SIG deal with American defectors and similar cases?

Mr. Hartman. It was within their general responsibility, yes.

Mr. Genzman. Do you know why SIG had this particular responsibility?

Mr. Hartman. That's the way the staff was set up. Primarily, of course, when the staff was set up, someone had to be concerned with the problem of Americans who were dealing with or playing footsy with the Bloc outside of the U.S.

In the U.S., the Bureau did it; outside the U.S. it was the Agency's responsibility, in coordination with the FBI.

But we have never had an American Desk, so to speak. In other words, we have had branches covering the world except the United States, and so it had to be placed somewhere, and inasmuch as a defector becomes a counterintelligence concern, I presume that's why SIG was given that chore.

Mr. Genzman. Thank you.

I would next like to show you a document which is labeled according to a CIA page number --

Mr. Hartman. May I insert something?

The Office of Security also, of course, dealt with questions concerning Americans, and in particular if Americans were applying for employment, but also other cases, cranks and all sorts of weirdos and that type of thing; so it is not inconceivable tht the Office of Security within the Agency might have come into play here. I don't know.

Mr. Genzman. I would next like to show you a document labeled, "CIA page 788." That is a 201 file opening form used

to open the file on Lee Harvey Oswald?

Mr. Hartman. Right.

Mr. Genzman. Have you seen this page before?

Mr. Hartman. Oh, many times.

Mr. Genzman. Why was the file opened by CI/SIG?

Mr. Hartman. I really cannot give you a factual answer, but I can make a supposition based on the way things were operating at the time.

Inasmuch as SIG had the responsibility concerning Americans, they would have received traffic concerning Oswald, and I know that as a result of the postassassination period that they received traffic before the assassination. I did not know it at the time, of course; and having received documents concerning a person, when you begin to accumulate several, instead of just keeping them loosely somewhere, you can and are permitted to open a 201 file in order to have an orderly, structured situation; also in order to permit the indexing of that person's name, that would then lead a searcher to that file.

Mr. Genzman. Do you know why the file was opened by Ann Egerter?

Mr. Hartman. Well, she was one of the employees in SIG, one of the senior analysts, and a very learned lady; and she at that time, I presume, and I know now as a result of postassassination information, that she had some cables and some papers concerning Oswald; therefore, she would have opened the file.

Mr. Genzman. Do you know whether she handled other defector cases?

Mr. Hartman. Yes, I know that she handled other names of Americans who had defected. There were quite a few of them, as I remember, but, again, this is as a result of my knowledge after the assassination and not my knowledge before then.

Mr. Genzman. Do you know why there was such a lengthy period between the time when the Agency received the Department of State cable dated October 31, 1939, and the date of the openning of the 201 file on Oswald, which was 9 December 1960?

Mr. Hartman. Again, I don't have factual knowledge on that, but I can tell you this much: That is not an unusual thing to have happened; it happened all the time. You don't need to open -- as a matter of fact, the Records Handbook stated that you shouldn't open a 201 file necessarily because you received one piece of paper. A 201 file was generally opened after the receipt of several pieces of paper, not one piece, and there was no rule that required the opening of the 201 file at all; it was a matter of proper and good housekeeping of records and a procedure that permitted you to operate in an orderly fashion regarding your records; but there was no rule ever that you must open the file the day you receive it or one week after you receive it.

My presumption in this case is that Betty Egerter probably received the first piece of paper and held on to it and then

eventually received another piece and possibly months later a third piece, and another piece, and in due ccurse then she decided, "Well, I've got several pieces of paper; it is about time I put them all into one convenient file," and that's the 201 file.

Mr. Genzman. But isn't the information which was contained in the cable from the Department of State dated October 31, 1959, to the effect that a U.S. Marine was defecting to the Soviet Union, the type of information which would have caused the 201 file to be opened?

Mr. Hartman. Not at all. On the contrary, our Records Handbook did not even provide for the opening of a file or indexing of an American defector. We never even thought that an American would ever defect when we wrote the rules, which was in -- I would say -- the mid-1950s or so. It was an unthinkable thing for us. I presume that that's why it was never included. You can bet your life that that ruling that we may open 201 files and index American defectors was inserted into the Records Handbook,which, incidentally, is the book of rules on records in the Agency, sometime after the assassination, quite some time after the assassination, because we suddenly came to the realization then that we had no provisions for indexing of Americans who defected.

So it is not at all unusual.

Mr. Genzman. At the bottom of the 201 opening form, why

is the file marked, "Restricted"?

Mr. Hartman. Again, I can only tell you how the records systems operated, rather than why Betty Egerter operated that way.

SIG, by its very name, Special Investigators Group, handled sensitive cases, and certainly cases involving Americans are sensitive because you don't want to bandy the names about and you want to keep them closely held so that no injustices are done by revealing information, could conceivably happen that a person who is mentioned in the cable has a brother or sister or some relative employed right in the Agency, so you want to hold it fairly tightly; and by having the file at her desk and restricted to her, meant that anyone wanting to see information in that file would have to come to the SIG section and, more particularly, to her, unless, of course, she weren't available, then they would have to go to the chief of SIG.

Also, if the file were lodged in the file section, in other words, presuming that at one point here that Betty Egerter would have been through with the file and would have sent it to the file room, the restriction indicated that anyone wanting access to that file would have to first get clearance for such access from Betty Egerter or from the person and section that restricted it.

Mr. Genzman. Do you know why the 201 opening form contains an incorrected middle name, "Henry", for Lee Harvey Oswald?

Mr. Hartman. I cannot tell you, except that human errors

are made and that is why we have erasures on pencils. That is my only explanation. I don't know.

I think all I can tell you is my hypothesis, that, as I recall Betty had a slug full of names of Americans in the cable and she probably had a number of documents in all of them, and one fine day she decided that she was going to open 201 files on all, and she might have even gotten the clerk to help her fill out the form, for that matter, and whether she or someone else, some helpe put "Henry" down instead of "Harvey", getting confused with all these names, I don't know. Is it possible that one of the other defectors -- I think there were something like 17 or 19 others; I don't know -- is it possible that one of their first names or middle names was "Henry" so that in glancing quickly and copying the names she could have made an error? I think it is strictly an unfortuante human error.

If you are interested, I want to explain one thing to you. Often we would open 201 files if we have paper and legitimate reason to open it on people who don't even have a first name. Our system required that as you became aware of additional information on the person, that would go onto the format of an index card and this essentially is that same format, drawn from that same format, that you ought to insert additional information, make corrections as appropriate.

Now, all of us were very busy and we didn't have much time, believe me, and we were all handling countless cases, countless

projects of one sort or another, and it is not inconceivable that Betty, under the pressure of handling a lot of work, made the error or somebody who was helping her made the error, and nobody went back and corrected it; and even though, as you can see, Mr. Rocca even -- they are his initials -- made a notation that it's Harvey and not Henry, but he made it on this form after the assassination, some years after, and never gave anybody any instructions to correct the record and have the correct index card.

But I believe that that correction was made way before then. I think somebody else had spotted it, and it might have been me. It might have been someone else who then made sure that this was corrected on the index card but didn't show the correction on here.

I also note something that we are no doubt going to get into later -- we later became aware of aliases that he used, that is, you know, his own concocted phony names that he used, and these concocted names are not on here, on this form, and yet, technically, they should be; but they were put onto the index card, not on this form, so we tried to update these things; but, you know, pressure of work and so on doesn't always make the world go as right as we would like it to be.

Mr. Genzman. Thank you.

What does the notation "A.G." mean?

Mr. Hartman. That's as it says here, occupational -- no,

I'm sorry -- it's an occupational and intelligence code that we used. By "code" I mean a code used for computers. In order to be able to recover from the computer a listing, say, of all persons who were, let's say, just as an example, Communist influence agents, on whom we have 201 files, of course, we could go to the computer and ask for such a listing as a result, or with the aid of, this code.

Now, the code is always in two letters and stands for either an occupation grouping or an intelligence affiliation, as I recall. We had to be very careful with such codes and one of the provisions in this code, I recall very clearly, was that we would not ever put down an employee of the Agency or someone used by the Agency because we were always fearful that someone could pull out of the computer a listing of our employees or of our contacts or of our connections, so we wanted to make absolutely certain that no such inclusions were had.

Therefore, this is strictly based on occupation or intelligence affiliation of other countries.

Now, I cannot remember honestly -- this is just too much time go by -- what the two letters stand for; but you folks told me that the other day that this stands for American defector to Communism; that's what the AG stands for.

Now, I can only hypothesize, but you can get somebody in the records system today or in the olden days, some knowledgeabl person, who can tell you exactly what it stands for.

I hypothesize that the letter "A", the first letter, must have meant "Communism" and that the second letter would then be a categorization of within the Communism structure, for example, "A.A." might be "Communist influence agent"; "A.B." might be "Communist Party official"; "A.C." might be anything, you name it, Communist something or other. I can't even come up with anything, and I would presume that by the time that we reached this code we had only gone to A.F.

Now, this code, "A.G." the "G" was not in existence at the time of the assassination at all, because, again, what I said a little bit ago, the Handbook gave us no provisions for indexing American defectors. At the same time we never thought that an American could ever defect to Communism; therefore, I remember very clearly when it suddenly hit us somewhere within the center of the Warren Commission period that, holy smoke, we wouldn't even have had the authority to index Oswald, really, or an American defector, anytime, nor did we have a code, an occuaptional code, for that. So we went to the records system in two stages: First, we did the correction of the Handbook, and that takes some time to do. You know, you have to explain what it is that is required and then at the next update a revision of the Handbook that was done. And the same applies here: We went to the machine system, the part of the system that deals with the computers and machines, and we asked them to give us a code, you know, that would be for an American defector

to Communism, so my presumption is that at the time of the assassination we had reached the "A.F." period and the "G" -- the "A.G." was assigned sometime during the Warren Commission period because we had no code for "American defector" until then.

I remember the officer in the CI staff who was charged with the responsibility of the counterintelligence use of computers. He went absolutely nuts when he found out, when we realized that we didn't even have an occupational code for an American defector, just as we didn't have any provisions for indexing an American defector. But who would have ever thought that an American could ever defect?

Mr. Genzman. When was the notation "A.G." added to the 201 opening form for Oswald?

Mr. Hartman. I cannot tell you. I don't know.

Mr. Genzman. Can you give an approximation?

Mr. Hartman. Sometime, I presume, after the revision, you know, after the addition of this code. I don't know when it was added. As a matter of fact, you know, we don't know when these things were added. The original opening action might well have not had all of this information and that was only added later.

The Handbook specifically calls for these kinds of additions and corrections and updating the form and updating of the index cards so that our records are always as reflective as we possibly can make them. But stress of work and so on, who knows? But I don't know. I would presume that it was added sometime in

the first third of the Warren Commission's existence, toward the halfway mark of its existence, somewhere around that time.

Let me just hypothesize: I don't remember when we realized this shortcoming was in our records and possibly we made that correction at the time that the Warren Commission came over, so that we could -- I don't know that this is true; is is only a hypothesis -- that we would simply tell the Warren Commission, "Look, we didn't have criteria for indexing American defectors at the time. We are assigning these OI codes to them, but we have made that correction." It is a plausible thing, but I don't know that we did then. Maybe it was even later, after they had come.

Mr. Genzman. Do you know whether the Warren Commission was specifically apprised of any additions which had been made to the 201 opening form or to any other documents in Oswald's 201 file?

Mr. Hartman. Documents we would have; the opening form is nothing but an administrative devise that has no meaning and certainly no substantive value to the case whatsoever.

Mr. Genzman. Are you sure that as of the time of the opening of the 201 file for Oswald that the notation "A.G." had never been used by the Agency?

Mr. Hartman. As I said before, I cannot tell you with certainty, but I remember very clearly that we did not have a code at the time. When we suddenly realized that, which was

some months after the assassination, we requested a code, and that was the code that was given us, "American defector to Communism," and therefore it could not have been at the time that the 201 was opened, but when it was added, I don't know.

Mr. Genzman. Thank you. I would now like to show you CIA page no. 787, which contains three index cards for Lee Harvey Oswald. Can you explain what the star after Oswald's 201 number indicates?

Mr. Hartman. Yes. The asterisk following a 201 number means that the person named on the card is the subject of that 201 file. I want to explain, because possibly those people who might read the transcript may not understand, one document might have the names of ten people in it. The principal person, however, is the one into whose 201 file the document goes. The other persons, if they meet our indexing standards, would be indexed and that 201 number would be shown; but that would not have an asterisk behind it, meaning that that person is only named in the document and is not the subject of that entire file.

Mr. Genzman. I would next like to have you examine CIA page numbers 943 and 944.

Mr. Hartman. Off the record.

(Discussion off the record.)

Mr. Genzman. Page 943 contains three index cards and page 944 contains one index card.

Mr. Hartman, can you explain what "HTLINGUAL" means?

Mr. Hartman. Yes, I can now, but I didn't know it at the time. I didn't know the cryptonym. I know that "HTLINGUAL" even just from newspapers, was a mail intercept program that was conducted by the CI staff in an extremely sensitive manner, with great compartmentalization because most everyone in the staff had no knowledge of it.

Mr. Genzman. Which CIA component ran "HTLINGUAL"?

Mr. Hartman. A component known as the CI Project.

Mr. Genzman. Was this component also referred to as "Special Projects"?

Mr. Hartman. No, not that I know, and I think it was under the general direction -- no, that is not correct. I was going to say under the general direction of SIG, but that is not correct. It had its own chief and everybody just called it "The Project."

Mr. Genzman. On the top card, on page 943, what does CI/PROJECT/RE" mean?

Mr. Hartman. I don't know exactly what it means, but my hypothesis is that "RE" would stand for the person who did the translation of certain foreign language documents. Those would be his or her initials, so that they could come back to the person who did the translation if there were a question.

Mr. Genzman. Whom does "RE" refer to?

Mr. Hartman. Specifically, and here again I want to be sure that I am not bothering anybody's cover, my supposition is

it is [ ]

Mr. Genzman. What does "N/R-RI" mean?

Mr. Hartman. That would mean no record RI; which stands fo the Record Integration Division, Records Integration Division.

Mr. Genzman. On the middle card on page 943, what does "Watch List" mean?

Mr. Hartman. I don't know what it means, but my presumptio is that it might have means the State Department Watch List. State had a very good watch list and it might have been that he appeared on the State Departments' watch list, but I really don't know.

Mr. Genzman. Why would Egerter's name be on this card?

Mr. Hartman. Because she might have asked that her name be put on there, so that any information on this person that was received would be brought to her attention. That's my supposition. I don't know for certain. I really wasn't ever familiar at all with The Project's activities and my only know-ledge is supposition and presumption.

Mr. Genzman. What does "Deleted 28 May '62" mean?

Mr. Hartman. I don't know. Is it possible that it means that he was deleted, his name was deleted from the watch list in '62, 28 May, or that the requirement for mail regarding him be deleted, but that doesn't make sense, really, because the next card is '63, and they are still watching his mail, so I presume,having entered the U.S., his name might have been

deleted from the watch list. I don't know. This is all hypothesis.

Mr. Genzman. On the cards, on page 944, what does "CI/Project/PH" mean?

Mr. Hartman. Again going on the presumption that this would be the initials of a translator, there was a lady who worked in that section, in the Projects Section, at that time, and her name was Pauline Harvey, and I presume that those are her initials.

Mr. Genzman. I would now like to show you a document which has been marked as "JFK Exhibit F-516", which is a cable from CIA Headquarters to Mexico City, dated October 10, 1963, and labeled, "IR74830." Why does this cable make reference to Lee Henry Oswald as opposed to Lee Harvey Oswald?

Mr. Hartman. I'm trying to find it here.

Mr. Genzman. It's in the first paragraph.

Mr. Hartman. Well, I simply presume that someone must have taken the data right off of the 201 opening action. I just presume; I don't know.

Mr. Genzman. Does the physical description contained in this cable fit Lee Harvey Oswald?

Mr. Hartman. Well, yes, from what I recall of photos in the papers and so on; it sounds about right.

Mr. Genzman. Does the cable reflect the fact that it was sent to Mexico City at 0900 Zed time?

Mr. Hartman. I presume you know what time. Yes, there is a time indicator, although the copy is very, very bad.

Mr. Genzman. Do you know what Zed time means?

Mr. Hartman. Zebra time.

Mr. Genzman. Do you know what Zebra times means?

Mr. Hartman. That's the basic time that is established for traffic throughout the world by the signal center people, the message center people who handle all cables. I think it's also in the military, if I recall correctly. It is a pretty standard identification of time.

Mr. Genzman. I would next like to show you a document labeled "JFK Exhibit F-517" which is a dissemination cable dated October 10, 1963, from CIA Headquarters to various agencies It is labeled, "IR64673." Does the description contained in this cable correspond to the description contained in the previous cable?

Mr. Hartman. It does not.

Mr. Genzman. I am referring to the description of Lee Harvey Oswald.

Mr. Hartman. Yes. This description, of course -- well, he has been known variously as the "Mystery Man" and we used to call him at times the "Ape Man."

Mr. Genzman. Are you referring to the unidentified male who was photographed in Mexico City?

Mr. Hartman. That is correct, right.

Mr. Genzman. In the second paragraph does this cable also contain the middle name of "Henry" for Lee Harvey Oswald?

Mr. Hartman. It does indeed.

Mr. Genzman. And does this cable indicate that it was sent at 1200 Zed time?

Mr. Hartman. Yes.

Mr. Genzman. Off the record.

(Discussion off the record.)

Mr. Genzman. How did you explain the fact that this cable records an incorrect description for Lee Harvey Oswald, whereas the cable which is labeled "JFK Exhibit No. F-516" which was sent three hours earlier at 0900 Zed time, contains a correct description of Lee Harvey Oswald?

Mr. Hartman. Well, I have no answer for you that is based on fact, but, again, I have to hypothesize because I didn't write the cables and I wasn't even there when they were written.

First of all, let's get the time element squared away. Just because these cables were sent three hours apart does not necessarily mean that the lady who wrote them did the work within those three hours; she might have started on one cable three days before and began her draft, or four days before, and on the second cable at some later time. For that matter, the second cable or one cable or the other, or conceivably even both, might have been done by an assistant. In other words, both cables need not even have been written by the same person, but they might

well have been.

The originator's name would be the person who is responsible for having written the cable, but need not necessarily be the very person who did the work.

Now, I can picture how something like this occurs: First, she would have written one cable and she would have taken the information off of possibly the 201 file, for that matter -- I don't know -- or from a Bureau report, conceivably. The Bureau notoriously used to put down on the last page of the initial document on a case, and often even on subsequent documents, the man's full name, all his particulars and so on, and she might have been -- I have done this myself, trying to work four files at one time or four pieces of paper and holding up pages and flipping them -- she might have flipped the page open here and copied the information for that.

When she went back to the next cable, or whoever did the next cable if she didn't, they might have copied that right off of a different document that was sent in from Mexico or however, because it is said in this cable -- you see in the second one -- it said, "It is believed that Oswald may be identical "with or to," so and so; then there is another phrase, "The American was described as approximately 35 years old" et cetera. This gives me the impression that she took this information from another secondary or even tertiary reporting source, whereas, this, the preceding cable, is straightforward

and says that"Lee Henry Oswald, born 18 October '39, New Orleans" and so on. This is factual. So it could conceivably be that she was sending this to -- let's see, this was going where; it isn't clear here-- I presume to Mexico. Yes. This must be going to Mexico City, and --

Mr. Genzman. You are speaking of the 10/10/63 cable labeled as "JFK Exhibit F-516"?

Mr. Hartman. Yes.

Mr. Genzman. From CIA Headquarters to Mexico City?

Mr. Hartman. To Mexico City. She might have just been copying the information from a Bureau report and was straightforward and rolled it in, you know, assuming the Bureau had the right data, and she didn't say anybody, you know, it is said to be, or anything like that.

On the next cable here she might be taking Mexico City information and passing it on to other Government agencies and therefore the very qualified statement, "The American was described as" and then "It is believed that" -- these two statements would indicate to me that she was just copying them, you know, from some other document.

Mr. Genzman. But does that explanation actually explain why the cable which was sent out later contains the incorrect information?

Mr. Hartman. Well, I can only give you what I said before; it's hypothesis. I have no way of knowing; I wasn't there. I

think the person who would know is the lady who wrote the cables and she ought to be asked, and also, of course, her supervisor, who had to sign off on these cables; and you had authentication officers, you had releasing officers, you had coordinating officers. All these people, when they put their initials on there, are really responsible; however, I know that when you have a stack of cables to coordinate on or to release that number in the 50s or so, that you can't really read very carefully each and every passage; so you have to allow for human beings being what they are.

Mr. Genzman. Thank you.

In 1963 did the CIA's Mexico City station engage in surveillance operations against the Soviet and Cuban Embassies in Mexico City?

Mr. Hartman. I know that now. I did not at the time know it. I had no direct knowledge of it. It was not part of my business, my activity, my responsibility, to know it. I must say that if someone had asked me before the assassination whether we were conducting such activity in Mexico City, I would have hypothesized that we were, but I had no factual knowledge.

Mr. Genzman. What kinds of surveillance were in operation at that time?

Mr. Hartman. Well, only from what I know afterward, there was photo coverage and there was also telephone taps.

Mr. Genzman. At each embassy, Soviet and Cuban?

Mr. Hartman. I don't know whether we had it at each or not. I am not certain of that. I don't know what coverage was where.

Mr. Genzman. Off the record.

(Discussion off the record.

Browning fols at 3:30 p.m.

Mr. Genzman. At this time please refer to a document which discusses a former CIA employee's recollection of Lee Harvey Oswald's trip to Mexico City.

Mr. Hartman. Okay.

Mr. Genzman. Have you ever seen this document before?

Mr. Hartman. No, not until today.

Mr. Genzman. Does this document accurately reflect the CIA's photographic surveillance with respect to Lee Harvey Oswald's activity in Mexico City?

Mr. Hartman. I presume the person who's writing should know above all.

Mr. Genzman. Do you know whether photographs of Lee Harvey Oswald were taken in Mexico City by the CIA surveillance operations?

Mr. Hartman. I don't know that for certain.

Mr. Genzman. Have you ever been told that photographs of Oswald were not taken in Mexico City by the CIA surveillance operations?

Mr. Hartman. No, I was told neither way and I really know a very limited amount of the activities in Mexico City. I was not actually concerned or partially concerned about those except for whatever paper, records, might have come into the file.

Mr. Genzman. Do you know whether Lee Harvey Oswald's voice was recorded by the CIA surveillance operations during his stay in Mexico City?

Mr. Hartman. I have been told that it was.

Mr. Genzman. How do you know?

Mr. Hartman. I have been told; I was told. I was also told that whatever record was made was transcribed, then translated.

Mr. Genzman. Do you recall who told you about the voice recordings of Oswald?

Mr. Hartman. No, I think that was common knowledge among us who worked on this case and I can't specifically say. I think the fact that is mentioned in the cable is ample.

Mr. Genzman. Did you ever receive tape recordings of voice recordings of Lee Harvey Oswald taken during his stay in Mexico City?

Mr. Hartman. I received at one time a package of tapes. Now I can't answer these were Oswald's voice or that they were some of the other tapes of some of the other taps, but I know that I received a package of tapes concerning the Oswald case sometime a number of years after the assassination. I don't know whose tapes they were or of whom they were but I know they were tapes. It was a packet of tapes maybe -- I never opened the packet because there was no need for it. It must have been a packet 3 to 4 inches thick. It looked like several of those reel-to-reel boxes of tapes. These came to me -- I'm almost certain, from the Mexico branch, but it might have been from RID, but I can't swear to whether it came from there or where.

transcribed and translated, that there was really no sense in opening them.

Mr. Genzman. Again, how did you receive them?

Mr. Hartman. By means of this dispatch which was sent to me because at that point in the latter '60s I was in custody of the file, the file was in my custody, I should say; and they were sent to me either by the Mexico desk or by the RID element which would have received the tapes. Judging by the nature of it, they sent it up to us because we were holding the file.

Mr. Genzman. Did you testify you put the tapes in a bulky attachment to the Oswald file?

Mr. Hartman. Yes, I just did. Whenever you have a bulky package that doesn't lend itself to

you make it into a separate attachme

system people do, and they assign a

record that and register it so it ca

Then the actual transmittal sheet go

the bulky number where it is locate

Page 31 was missing from the original NARA folder.

Mr. Genzman. Did these tapes

throughout your period of control a

file?

Mr. Hartman. I have no knowledge of that. You see, once a bulky attachment is created, that is, once something is relegate to a bulky and the number assigned to it, it is held elsewhere i the record system. Unless the need arises, you never call for

it. There is no need to have it right with the file wherever the file goes. It is available to anyone having legitimate need. So I couldn't swear that bulky attachment number so-and-so was sitting right there where it was supposed to be in one of the record storage areas, but I presume it was, because this is the way the system operates. Whenever you need a bulky that goes with a file you just call for it. I never had reason to call for it, let's put it that way.

Mr. Genzman. When did you last see the tapes?

Mr. Hartman. Oh, heavens. I had them for quite some time before I got a chance to get them made into a bulky and have the transmittal sheet placed in the file itself, and then send these down to wherever they store the bulkies. It was a good while. I would guess -- but please don't hold me to it, it's memory in this case -- I would say somewhere around 1970, maybe, I suppose. I really don't know.

Mr. Genzman. Who else would have seen or had control of these tapes either during the time you had control and maintenance of the Oswald file or after you left the Agency?

Mr. Hartman. I don't know about after I left the Agency. Whoever took over the file, he or she would know if there was any need to call for the bulky. Otherwise it's just another document in the file. I assume it still reposes there now.

At the time the only fellow who was really concerned substantively with the file at that point was Arthur Dooley. He

knew of our receipt of these tapes. There might have been others but I really don't know. Maybe even Mr. Rocca did.

Mr. Genzman. Would these tapes have been located in another section containing other bulkies relating to the Oswald file?

Mr. Hartman. Let's put it this way: the bulkies are not kept by file. They are kept by number. If a bulky comes in or a package comes in, then is given a bulky number, let's put it that way, it's given a bulky number, then that would be the next number in succession and although I don't remember any other bulky that was with the Oswald file, I think this was the only one, if there had been others, let's say one came in in 1974, one might have come in in 1964 and been given one number and the next one might have come in in 1967 and been given a totally different number.

The bulkies were not kept by case. They were kept as individually numbered packages in the record storage system, wherever that was, and were referred to by that number within the file.

Mr. Genzman. Would you explain how one would go to a 201 file on Oswald, to each of the bulkies attached to that file?

Mr. Hartman. As I said, I only remember one bulky. I don't believe there were others. There was only this one. There were no others that I can recall. I would have even liked to have made this a part of the file because it was such an

important file, but there is no way to take a box about 4 inches in a square cube, 4 inches, you know, you just can't put it in.

It's very easy, all you do is call the people concerned with record storage and tell them you want bulky number so-and-so which is an attachment to dispatch number such-and-such dated so-and-so and there's no problem there at all.

Mr. Genzman. Was there a document in the 201 file which made reference to this bulky?

Mr. Hartman. Oh, yes, I said so.

Mr. Genzman. Excuse me, I did not hear you.

Mr. Hartman. You can't send something to Mexico City to headquarters without a transmittal document. The transmittal letter came into headquarters and it said something about attached are the tapes concerning the Oswald case or something like that. This dispatch is part of the 201 file. It's registered in the 201 file, it's there and available, and on that dispatch would be written then, after it had arrived at headquarters, that there is a bulky attachment so-and-so.

Mr. Genzman. Did you testify earlier that you had maintenance of the Oswald file from 1964 to 1976?

Mr. Hartman. Roughly that period, I would say, yes.

Mr. Genzman. Did you also testify that during this time, you recall only one bulky which you had to deal with?

Mr. Hartman. Yes, that's correct.

Mr. Genzman. And which you attached to the Oswald file?

Mr. Hartman. Which carried the number which was recorded within the file on that dispatch that transmitted these bulkies to us or this bulky to us.

Mr. Genzman. Again, when do you think you received this bulky, the tapes?

Mr. Hartman. Quite some time later, some years after the assassination. I would say the latter '60s. My presumption at the time was although I am not certain of it, that someone cleaned out a safe and sent it to me to put in the file. It would have been either the chief of station in Mexico who might have had it there and sent it in, or it might have been sent to the Mexico desk at an earlier time and the Mexico desk then -- the fellow who ran the desk retired and he sent it down to me. He might have kept it in his safe. I really don't know.

Mr. Genzman. At the time you received the tapes, is it your testimony that you didn't receive any other material relating to the Oswald case, for instance any documents or photographs?

Mr. Hartman. No. No. No, no, no.

I received them as a package, and that was it. I don't know if maybe 3 days later I might have received some document to be placed in the file, but my recollection tells me that was a unique item because I had to wrestle with it. You have a package here and it doesn't fit within two sides of a folder.

Mr. Genzman. And is it your testimony that you have never

9

seen a photograph of Oswald or photographs taken in Mexico City of Oswald, taken by the CIA surveillance operations?

Mr. Hartman. That is correct.

Mr. Genzman. I would now like to have you look at a document labeled JFK F- dated November 23, 1963, from J. Edgar Hoover to James G. Rowley, Chief of the Secret Service. Please read the bottom paragraph beginning on the bottom of page 4 and continuing to page 5.

Is this paragraph accurate?

Mr. Hartman. I can't tell you. I don't know.

Mr. Genzman. Do you know whether tapes of Oswald's voice were ever sent to Dallas after the assassination of President Kennedy?

Mr. Hartman. No, I don't.

Mr. Genzman. Do you know if FBI agents ever listened to tapes of Oswald's voice from Mexico City?

Mr. Hartman. I have no knowledge of that.

I do know that crazy photograph of that unknown man was brought from Mexico City to Dallas, but I know of no other things that were brought that way. I have no idea about this paragraph at all.

Mr. Genzman. Thank you.

I would now like to show you a document labeled CIA page 197, a cable dated November 23, 1963, from the Mexico City station to CIA headquarters.

Would you please read that document.

Have you ever seen this document before?

Mr. Hartman. I must have, but only casually, because I put it in the file, I suppose, or somehow had the file, and it was in it, I presume. But specifically no. As I have said before, I had no substantive concern with the Cuban side of life at all.

Mr. Genzman. Directing your attention to the second paragraph, was a voice comparison ever done with regard to the surveillance tapes obtained from the Mexico City station on Lee Harvey Oswald?

Mr. Hartman. I have no idea. I don't know.

Mr. Genzman. Do you know whether any tapes of the voice of Lee Harvey Oswald were destroyed?

Mr. Hartman. Well, it says here that first the tape was erased prior to receipt of second call. Other than that, I don't know.

Mr. Genzman. Do you know whether any tapes were ever recovered? The document makes reference to the possibility of recovering one or more tapes.

Mr. Hartman. I don't see that.

Mr. Genzman. My last question made reference to CIA page number 201. Would you please read that page.

I will now repeat the question: Do you know whether any tapes of Lee Harvey Oswald's voice obtained in Mexico City were ever recovered?

Mr. Hartman. No, I don't. The sentence here on this page says, "However, rechecking all unerased tapes LIENVOY -- " I don't know if they recovered any or not. I don't know.

Mr. Genzman. For purposes of the record, page 201 is a cable dated November 23, 1963, from the Mexico City station to CIA headquarters dealing with surveillance operations in Mexico City.

Have you ever seen this cable before, page 201?

Mr. Hartman. I couldn't tell you. I don't know -- sure, I have seen it, but I have no substantive knowledge, because I even desensitized it.

Mr. Genzman. You are referring now to CIA page 200?

Mr. Hartman. Right.

Mr. Genzman. Returning again to page 201, in paragraph 8, does it appear that tapes were erased?

Mr. Hartman. Well, it says that it's probable the tapes were erased.

Now, let me explain something: Oswald at that time was no great shakes. I mean he was just another person, someone about who we knew nothing anyway, to speak of, and you can't forever keep tapes, particularly in the field. Where are you going to store them? If you have a 24-hour surveillance and you are recording constantly on tape, you've got to get rid of the tape whenever practical.

The field stations to my knowledge were conducting these

activities, transcribed the tapes, then erased them. If there was a particularly significant tape, sometimes they might have held onto it, but this was not a significant matter at that time.

Mr. Genzman. Please refer again to the document discussing a former CIA agent's knowledge of Lee Harvey Oswald's trip to Mexico City.

Is this document consistent with your appraisal of Oswald's relative significance at the time he was under surveillance in Mexico City?

Mr. Hartman. No. Not at all. I think it's way overstated and stated in light of post-assassination knowledge. I don't think I would have treated it with that great a flourish at the time. And what the writer says here about Lee Harvey Oswald is that he was observed on his visits to the Communist embassies and his conversations were studied in detail. This situation would apply to anyone under these circumstances who was visiting Communist embassies, who was talking with them, and we would have recorded them in one way or the other either photographically or on tape or both, and I don't think it's of any great significance than of any other creep who went there.

Mr. Genzman. Directing your attention again to the tapes which you received and which you put into a bulky, do you know whether these tapes came from a safe of Win Scott, who had been the CIA station chief in Mexico City?

Mr. Hartman. I would have no way of knowing who was holding them at the time and who forwarded them to me at headquarters. I couldn't even begin to guess.

Mr. Genzman. At this time I would like to show you a document with CIA page numbers 3368 and 3369, which is a memorandum from Thomas B. Casasin dated December 25, 1963. Would you please read these two pages.

(Pause in proceedings as witness reads same.)

Mr. Hartman. This is interesting; I hadn't noted it before.

Mr. Genzman. Have you ever seen this memorandum previously?

Mr. Hartman. No.

Mr. Genzman. Does this memorandum contemplate the debriefing of Lee Harvey Oswald?

Mr. Hartman. No.

Mr. Genzman. I was referring to the debriefing of Lee Harvey Oswald by the CIA.

Mr. Hartman. No, it doesn't.

Mr. Genzman. Didn't it discuss the possibility of the laying on of interviews with Oswald by the CIA?

Mr. Hartman. No. This is chatter to me. We were hoping at one time we could interview Khrushchev and we talked about it at great length and we were hoping we could interview other people. This is daily-type talk. I don't think it ever went

anywhere. I don't think that Casasin even knew what he was talking about or remembering about because he did not even have the name correct. At the bottom he says we showed operational interest in the Harvey story. Now who in heaven's name is "Harvey."

Mr. Genzman. Do you know to whom this sentence refers?

Mr. Hartman. I have no idea. I presume he was referring to Lee Harvey Oswald, but I don't know. I think this is just something that brought some cases to his mind --

Mr. Genzman. Doesn't the sentence imply that it's a separate incident and not synonymous with the Lee Harvey Oswald case?

Mr. Hartman. I don't know. I can't make it out. It doesn't imply that to me at all. I think the fellow writing this got himself all painted into his own corner. I don't think he knew what he was talking about.

Mr. Genzman. Was Oswald ever debriefed by a representative of the CIA?

Mr. Hartman. Never.

Mr. Genzman. Have you ever spoken to Mr. Casasin about this memorandum?

Mr. Hartman. No.

Mr. Genzman. Have you ever spoken with any of the persons referred to in this memorandum?

Mr. Hartman. No.

But let me point out one thing, you just don't get into your car and drive somewhere and talk to someone in the Agency. There are procedures and steps that you must go through.

One of the key procedures is if you are going to talk to someone in the United States, you must get FBI approval to do so. There would have been a record that the FBI would have had.

Also, debriefings of such people were customarily not done by the personnel in the operational component known at that time as DDP, but rather that a request for such a debriefing as implied or stated in this paper would have been sent to the Domestic Contacts Division who would have done the interview as they constantly did.

Mr. Genzman. Does the Domestic Contacts Division obtain FBI approval before they interview Americans?

Mr. Hartman. Yes, they do. As a matter of fact, they often dealt with immigration people. There would have been records of such activities. Also, of course, the Domestic Contacts Division itself would have had to have had a record and they, too, would have had to have gotten a clearance as would the very people who were apparently talking about this in that memo that we just mentioned.

These procedures are basic to the intelligence business. I want to explain this because I think it is extremely important to understand.

During World War II when we were novices in this game and

when the Soviet Union had some 30 years or so on us, we were burned a number of times because we weren't checking. It doesn't take long for directives then to establish that you must do your basic groundwork before you go and talk to a person. You can't just run off and say "Hello, how are you? Give me information."

You must do this in an established fashion. Apparently from what I know and from what I can speak about factually, these people who discussed this possibility didn't fold up on it. It was wistful thinking, possibly, and we often did that, but that is about the only thing I can say about it.

Mr. Genzman. Thank you.

I would like to show you a document JFK Exhibit F-524, which is a memorandum dated 20 February 1964, discussing documents available in Lee Harvey Oswald's 201 file.

Have you ever seen this document before?

Mr. Hartman. Yes, indeed. I wrote it.

Mr. Genzman. At whose instructions was this document written?

Mr. Hartman. It was probably a verbal request for information which I then put down in this way in this format.

Mr. Genzman. Do you know at whose request you wrote this?

Mr. Hartman. Most likely my boss', because it is addressed to him.

Mr. Genzman. And who was your boss?

Mr. Hartman. Mr. Rocca.

Mr. Genzman. Were the 37 documents described in the memorandum as not being available in Oswald's 201 file actually missing?

Mr. Hartman. No, indeed, they were not. They were available, but not in the 201 file at that time.

Mr. Genzman. Where were these documents?

Mr. Hartman. We had and I presume we still have a procedure which requires, demands, in effect, that if a document is sensitive that it be kept in a separate folder and not in the actual file. This no doubt is what happened here. As a matter of fact, I remember distinctly that was the case.

At that point in time, the sensitive documents, those carrying a sensitivity indicator, were held at the Mexico station -- at the Mexico City branch, because they dealt with sensitive matters such as taps and surveillance. That is the reason for the majority of these documents not being there.

Other documents at that time were being worked on and were being read at any one time and they were held by the person working on it, it could have been my own boss, who had one of the FBI memoranda at that time.

The point is, all our files at that time and ever since then and even before then were computer-controlled. That is, when a document was placed in a file, it was recorded as being placed there. The document need not necessarily have gone into the file at that moment or might have even been taken out at

another time, but the machine run providing the contents of that file was available at any one time to anyone who needed it and would have reflected all documents which were officially registered by the computer as being in that file.

Mr. Genzman. Thank you.

In the lower left-hand corner of the memorandum the handwritten words appear "Please keep loosely in the last volume of Oswald's 201."

Who wrote this?

Mr. Hartman. I did.

Mr. Genzman. Why?

Mr. Hartman. Because I had to have someplace to place administrative paper and that's all this is; it's a housekeeping item and I have written many similar ones over the period of my custodianship of the file. Most of them I threw away because they had no pertinence -- no substantive pertinence to the case itself. I had a habit of doing this. I would put it loosely in the file at the end. This was an instruction to the secretary and eventually I would pull it out and tear it up because it had no meaning. You see I had made such runs and checked the content constantly, at least, I would say, during the custodianship of the file that I had, maybe as much as 75 to 100 times I requested the machine run of the content, then would compare until it got too bulky that I can't handle it anymore, but I would check it and make sure it was in proper order, then I

would destroy it.

Mr. Genzman. During these runs, did you ever discover any documents were missing?

Mr. Hartman. Never. I know of many instances where the document or a document or more than one were not physically in the file, but they were not missing. They were simply charged to someone, and the record reflected they were in the file, that they were relegated to that file.

Mr. Genzman. Paragraphs 1 makes reference to an attachment. What happened to the attachment which was a machine listing of documents officially recorded as being in Oswald's 201 file?

Mr. Hartman. I have no idea. I probably tore it up and in the normal course of events I probably would have torn up this memo too, probably forgot it.

The point is, as I said before, that I made continuous requests for machine listings of the contents that I could observe the flow of paper and make sure that it was done in proper order and so on. This was strictly a housekeeping matter.

Mr. Genzman. Would you now please refer to the document marked as "CIA pages 2105 through 2108" which is a memorandum dated 18 September 1975, Subject: Allegations of Lee Harvey Oswald's Connection with the Agency"?

Do you recognize this document?

Mr. Hartman. Oh, yes, indeed, I do. I wrote it.

Mr. Genzman. Would you read it, if necessary, to refresh your memory?

Mr. Hartman. Yes; fine.

Mr. Genzman. Paragraph 2a makes reference to a date. How did you remember the exact date?

Mr. Hartman. Well, I came back to the basic time elements that were at play then, and the things that I knew I had to do then and after the assassination occurred on a Friday. I was at the building on Saturday and on Sunday, and I had, I recall,

certain obligations concerning other items, so that I could not get to doing this until that point. It is strictly an interpretation of what I knew to have been the things that I did during that time.

Mr. Genzman. Paragraph 2b makes reference to the main index. Why did you check the main index on the night of the assassination?

Mr. Hartman. I went down to the main index to see if this character had a 201 file, and indeed he did, so I went to ask for the 201 file and I was told it was held by SIG; they had already picked it up or had kept it or held it before.

Mr. Genzman. Are you sure that the SIG office had the 201 file as opposed to the LA Division?

Mr. Hartman. Oh, absolutely, because I then went back to my boss and I told him, "You know, there's a 201 file on this character and SIG has it." These were practically my words verbatim, only I used stronger language than "character."

Mr. Genzman. Who instructed you to recheck the main index?

Mr. Hartman. No one.

Mr. Genzman. Why did you recheck the main index?

Mr. Hartman. Well, Well, that's standard procedure for me. It always was. I was never satisfied with just one check or superficial check. You know, I wanted to be sure.

Mr. Genzman. What items were integrated into the records system after the assassination?

Mr. Hartman. All documents concerning the case.

Mr. Genzman. Can you give an example?

Mr. Hartman. If an FBI memo came in, it went into the 201 file and was recorded as such in the records system. Any document, anything we receive from the field, from Mexico City, would all be registered as being in the 201 file.

Mr. Genzman. Cable traffic, for instance?

Mr. Hartman. Of course.

Mr. Genzman. DCD information, for instance?

Mr. Hartman. If DCD sent a memo to us, to the DDP people, we would place it into the records system. I can conceive of nothing that would pertain to this file that would not be placed in the records system providing the DDP organization had it.

Mr. Genzman. Did you at any time check with those who were running the HTLINGUAL program?

Mr. Hartman. No.

Mr. Genzman. Why not?

Mr. Hartman. I had no knowledge what the HTLINGUAL program was.

Mr. Genzman. Were any HTLINGUAL materials in the main index record?

Mr. Hartman. No, they wouldn't be, just as no additional material would be in the main index. If a person has a 201 file and he is the subject of that 201 file, all material concerning him would go into his file and would be recorded in the machine

system as being in that file.

Mr. Genzman. Didn't the HTLINGUAL system contain information concerning Oswald?

Mr. Hartman. Yes.

Mr. Genzman. Shouldn't that information have been in his file?

Mr. Hartman. I can't tell you that because I don't know under what instructions they were operating. I had no knowledge of anything of this nature at that time. I know now differently but at that time I had no knowledge. I know now that they had their own way of doing things because they didn't want their work or information about their work to be widely known. It was a very sensitive activity; therefore, they made it very close to the chest, as they should have. The fact that, judging by these cards, that the HTLINGUAL people made, they made their own index cards, and the fact that Betty Egeter knew that they had information, sufficed as far as I am concerned because she had the 201 file, she had knowledge of the person, and she knew what the HTLINGUAL people had on him, and at that point all of the information runs together.

Mr. Genzman. When did you discover that substantive information concerning Oswald, namely, the HTLINGUAL material, was not in Oswald's file?

Mr. Hartman. Well, I'll answer that in a second, but first let me say I don't consider it substantive because it has

no substantive bearing on the assassination whatsoever, really; it is some personal stuff and that's about all, but you can have your opinion, and I can have mine. I discovered that in 1975, mid-'75 or possibly a little before then, after the revelations were made in Congress about the Agency and this HTLINGUAL program. It was then that I began to learn of its nature and specifics and details, and I was then told -- I don't remember by whom -- that there had been information in the HTLINGUAL file about Oswald.

Mr. Genzman. Were you bothered when you discovered that there was information on Oswald in the CIA's possession which was not in his file?

Mr. Hartman. I was when I first heard it; then when I saw it, I wasn't bothered at all.

Mr. Genzman. Do you know of any other instances in which the CIA possessed information on Oswald which was not in his file?

Mr. Hartman. No.

Mr. Genzman. Directing your attention to paragraph 2d, why did you check with Division D?

Mr. Hartman. It is conceivable, or it was conceivable, that NSA might have picked up something concerning Oswald in their operations.

Mr. Genzman. Are you referring to the National Security Agency?

Mr. Hartman. That's correct.

Mr. Genzman. What is Division D?

Mr. Hartman. Division D handled the liaison with NSA and dealt with matters concerning their type of work, and so I wanted to be sure that there was nothing that they might have been told at the time concerning him.

Mr. Genzman. What is an informal desk record as referred to in paragraph 2d?

Mr. Hartman. Our records system provided that any officer at any desk could keep an informal record until -- or while the case was under initial development, initial structuring. For example--this is a good example -- Betty Egerter's receipt of one of the cables-- "Should I open a 201 file or shouldn't I?" "Is there going to be more paper or isn't there?" You can temporarily, for the time being, if the person does not meet inclusion standards, standards for official inclusion in the records system, you can put paper, hold it in a package at your desk or put it in an informal folder. You know, it is not a formal record at this point. It could have newspaper clippings.

While you are looking at something and considering whether it is something worthwhile to handle, you hold it somewhere in an informal file, and because of the Mexico City involvement -- I mean the Cuban involvement -- I thought, heck, it wouldn't hurt me to check with the, whether they might not have something informal or might have had something informal.

Mr. Genzman. Directing your attention to paragraph 2e, how

did you determine that there was no Office of Security file on Oswald?

Mr. Hartman. I was told that. I was told that by the chief of the Security Research Section who had been established as my contact for any checks of Office of Security records.

Mr. Genzman. Did you check any index to make that determination?

Mr. Hartman. No, I did not check their index because I had no access to it. The index check was done at the Office of security by an index clerk, I presume, and was reported by that clerk to the Office of Security official through whom I dealt or with whom I dealt.

Mr. Genzman. Since the time that you wrote this memorandum have you ever discovered whether the Office of Security did maintain preassassination material on Oswald?

Mr. Hartman. Well, I was told by your colleague that they did have a file. The question I have is, of course, when that file was opened. You must keep in mind that even if you put into a file material of 1920 you can open the file in 1970. The opening date of a file is not necessarily coincidental with the date of the earliest document. I really was shocked when he told me that the Office of Security did have a file.

Mr. Genzman. Why were you shocked?

Mr. Hartman. Because the man who did the checking for me was -- he is dead now -- was an extremely efficient person and

he would have been sure to have notified me if there had been a file. I thought for a while after your colleague had mentioned this that conceivably at that point the Office of Security was regearing itself in preparation for mechanizing their records from manual system to computer system, but I don't know the timing element for sure; so I can't really comment on that. I don't know.

It's possible that in such a situation that people cannot check that easily and mischeck checking.

Mr. Genzman. Directing your attention to paragraph 2f, what is "CRS"?

Mr. Hartman. CRS was the Reference Service; it actually had the so-called biographic register.

Mr. Genzman. What do the initials stand for?

Mr. Hartman. "C" -- what did it stand for?

Mr. Genzman. Would it be "Central Reference Service"?

Mr. Hartman. Yes, of course, Central Reference Service.

Mr. Genzman. Was CRS in the DDI?

Mr. Hartman. Yes, it was, a separate directorate from the DDP.

Mr. Genzman. Why did you check CRS?

Mr. Hartman. On the off chance that Oswald's name might be included there. I couldn't just let it go by. The CRS people in the Biographic Register Section -- this is the only place you could check names -- held only names on foreigners and

they were broken down by nationality. In other words, if you wanted to find something on the Soviets, you went to the Soviet Section, on the Mexicans you want to the Mexican Section; but they had no breakdown for Americans because that was not our business nor theirs; but on the off chance, because this guy had been in the USSR and had been to Mexico and had been involved with Cubans and so on, I figured I'll check it anyway; and so I checked, as I say here, those three segments of the Biographic Register, and found nothing.

Mr. Genzman. Was there any other source in the DDI which you could have checked besides the CRS?

Mr. Hartman. No.

Mr. Genzman. Did you ever check variations of the name, "Lee Harvey Oswald"?

Mr. Hartman. Yes, I did.

Mr. Genzman. Which variations did you check; do you recall?

Mr. Hartman. Oh, yes. Let me explain: Whenever I did a check of a name -- and I did hundreds of them in my career in the Agency -- I wrote down the pertinent information, and the Agency had a system for our official index cards. This system was developed after some years of study, and the system followed a certain pattern, a name, date and place of birth, aliases, address, profession/occupation, maybe not necessarily in that order, but this is the type of information that would have been

there; and, speaking a number of languages, I am very cognizant of the fact you can get names all garbled up from one language into another and into a third, so, for example, I recall that just to be sure that we didn't get somewhere the name "Harvey" spelled in the Russian "Garvey" because they don't have the letter "H", I would have made sure that it was checked under "G" as well as under "H". this type of thing.

Also, of course, I know that people -- and particularly this character -- manipulated names, so I would have checked whatever aliases I could come up with at that time. I would have written them down because they were overtly available as a matter of fact. I remember so clearly the name "Hydell", H-y-d-e-l-l or H-i-d-e-l-l, an Alex Hydell. This had all come out at that time. So I followed the pattern of the index card and then whomever I called or checked or however I went, I would have replayed it that way right off that card I wrote out for myself or paper.

I don't know if it was a cardboard card or piece of paper at that point.

Mr. Genzman. Directing your attention to paragraph 2j, what was the purpose of checking with the CI staff's operational approval group?

Mr. Hartman. Whenever anyone used a person in the Agency, they had to get approval to do so, that is, approval from a counterintelligence point of view, which in effect meant that a

name check would be conducted on the person, a name check primarily in other Government agencies. Within the Agency, an officer could do his own checks and was required to do so, but he couldn't go outside the Agency. He had to go through one or the other element, either through the Office of Security or through CI/OA, the Operational Approval Group.

If you had any intention of using a person in one way or another, you had to get clearance to use him, and that is the group that dealt with the clearance procedures and issued the approvals.

Mr. Genzman. Directing your attention to paragraph 2k, how were you able to determine that you completed your checks on a certain date, December 4, 1963?

Mr. Hartman. Well, again, I consulted a calendar that I kept and had made some notations concerning some other things that I did and squeezed this in with the last item that I had down. Working backward from one of the dates up to the next point, the next point and the next point, I could come up with it. I can't do it anymore because I destroyed the little slips of paper with little scribblings that I have had here and there; but these dates are as accurate as I could conceivably have made them.

Mr. Genzman. What happened to the brief, informal note which you sent to Raymond Rocca to inform him about the results of your checks?

Mr. Hartman. I never saw it again. I presume it went up to the DDP himself -- this would have been Mr. Helms at that time -- and with a note from Mr. Rocca, and that it might have been a part of the categoric statement that the Director made at the time to the Warren Commission that we had never used Oswald in any way, shape or form, or had any connection with him.

The other segment of that categoric statement might have been -- and I had nothing to do with it -- the check that all divisions made of their stations and bases -- because I was told that this was done and I presume that on the basis of these two elements, if not others, the statement was made categorically by the Director to the Warren Commission.

Mr. Genzman. Directing your attention to the last sentence of paragraph 2k, how did you know that the results were communicated to the Warren Commission?

Mr. Hartman. Oh, Mr. Rocca told me, and I think I saw some paper later on that said that they had been. I don't have direct knowledge, but I was told, or saw a paper.

Mr. Genzman. Was your note to Raymond Rocca the basis for these communicated results, or were there other bases?

Mr. Hartman. Well, as I said, either that or it probably was that plus the checks made of bases and stations.

Mr. Genzman. Directing your attention to paragraph 3, who told you that similar checks were made with foreign

divisions?

Mr. Hartman. Mr. Rocca did, and some other people in those divisions mentioned it to me.

Mr. Genzman. Did he tellyou that the results were negative?

Mr. Hartman. Yes, I was told that. I can't tell you who told me that, but several people did.

Mr. Genzman. Directing your attention to paragraph 4, why was Oswald not debriefed by the CIA?

Mr. Hartman. Well, as I explained in this paragraph, in the early '50s, even the late '40s, we had a great deal of difficulty finding people who had first-hand knowledge about the Soviet Union and the Bloc itself. There just weren't any people coming out and whenever one showed up, it was a big event, and we went whole hog and tried to get all the information from such a person; however, President Eisenhower initiated the thaw and things began to warm up between us and the Soviet Union and some of the other Communist countries and all of a sudden we were getting lots of people coming out. As a matter of fact, by the very early 1960s, I would say, by 1960, as a matter of fact, '60, '61, the flow of such people, both here as well as abroad, who were coming out from denied areas, who had been there and had come back, was so great that we couldn't under any circumstances talk to all of them. It was just a physical impossibility to do so.

We had also targeting information, that is, we knew -- by

"we" I mean the Agency, and particularly DCD, the Domestic Contacts Division, which was involved in the debriefing of the people in the States -- knew what requirements for information had been levied upon us, and these were constantly updated and changed, and things were deleted and added from the services, from other Government agencies -- from the military services, I mean -- so that we began in the late '50s or mid-'50s, even when the thaw occurred, to become more and more selective. We had to.

Instead of talking to anyone coming out who had information about a small plant somewhere, we would much prefer to talk to, let's say, the director of that plant, or with an American professor who had talked with the director of that particular plant. That's only as an example. We were getting very, very selective because the flow was so great. We couldn't conceivabl cover all the people. It jusas impossible.

As an illustration, I might add, that whereas in the very early '50s, the late '40s, we were debriefing displaced persons, persons who were displaced from their homes in the Soviet Union and other areas during World War II, they had been displaced and had come to Germany and eventually then, in '49, '50, '51, emigrated as refugees to the States.

Now, their information was in many instances as old as ten years, yet we were debriefing them then because we had very little information on the Soviet union at that time and these

people were available and we were doing somewhat a systematic debriefing because we had nobody else to speak of. So when this great influx occurred, we couldn't handle it, and so we became very selective, and Lee Harvey Oswald at that time would have hardly raised an eyebrow if I had been an officer whose chore was to debrief people who had information concerning targets of interest to the intelligence community.

owning
ls at
.m.

Mr. Genzman. Let's take the case of Oswald. We know that he was a marine who had knowledge about radar systems and the like, who defected to the Soviet Union and who must have had contacts with the KGB. Assuming they were interested in finding out if he was a bona fide defector and he was visited in Minsk, would Oswald not have been of interest to the CIA?

Mr. Hartman. There are a number of fallacies in your statement. There were thousands of Americans who visited Minsk. As a matter of fact, there is a photograph furnished to the Warren Commission in which Oswald is pictured with a lady who was an American tourist there. Minsk is not a denied or restricted area. There are plenty of tourists there. As for radar, that hardly raises an eyebrow, because you can buy on the open literature market more than Oswald could ever have learned, which means knob-twirling. Even if he had certain knowledge in depth there has been no secret knowledge of radar since the end of World War II. So, this is no great shakes.

Mr. Genzman. Let me rephrase the question. Basically the allegation has been made that Oswald had very sensitive information concerning U-2 flights which he allegedly gained through his service at the Marine Corps base at Atsugi, Japan. In addition he was in Minsk for a period of over 2-1/2 years. Therefore, he was not a tourist passing through Minsk. Moreover, it has been alleged that he was closely watched by the KGB, interviewed by KGB representatives because they were suspicious

of him.

Let me pose the same question to you, based on these factors, would not he have been of interest to the CIA?

Mr. Hartman. The thing to determine about Minsk is whether there were any targets which had been levied against us for information about Minsk. Obviously there must not have been, otherwise CIC would have hopped on him.

As to the KGB's concern, he might have. I don't know whether he did or not. A lot of people are hit by the KGB, and they may not even know someone from the KGB. My concern with Oswald regarding any KGB relationship was not whether somebody spoke to him but whether they debriefed him and whether they recruited him or made a pitch to him for recruitment.

If I had been on the other side I wouldn't have touched the idiot with a 10-foot pole because how can you deal with an unstable person who slashes his wrist and tries to commit suicide. Such irrational acts you are looking for trouble. For this reason I don't personally believe the KGB had any interest in him after possibly an initial look-see to see who the hell is this guy.

Let me say one other thing. As to the U-2 knowledge, as far as his knowledge of the U-2 is concerned, I am not at all certain. As a matter of fact I am quite certain that he didn't know about the U-2. I am not at all certain that what has been alleged that he knew has been accurate. I don't think he knew

a cotton-picking thing.

I did some work on that side of the case. It was another one of my ad hoc assignments. We had an officer who dealt with the U-2 problem after the Soviets had shot it down with Gary Powers and the whole involvement there, and he called me in one day, through my boss, that is, and asked me whether I could check for him what Oswald had, any substantive knowledge concerning the U-2, because he had been at the Atsugi base. We had a session in our organization which dealt specifically with the U-2. We also had a section which liaised with the military, with the Air Force in this case, and I went to them and I asked them to do a very thorough check. They came back and said they had checked very thoroughly and that there was no way in the world that Oswald could have known about the U-2.

I wrote that into a memo which was transmitted to the Warren Commission, I don't know under whose signature, but I wrote the memo and it's on the record that he had absolutely no knowledge of the U-2.

I might add a personal note that from what I heard later, much later, the Soviets knew infinitely more about the U-2 than Oswald could ever have provided them or that even knowledgeable people about the U-2 could have provided them, such as passing, exact height of passing, and things of that kind, but I don't think it was Oswald who gave them information on the U-2.

Mr. Genzman. According to State Department representatives

at the United States Embassy in Moscow, Oswald stated that he had offered to give the Soviets information which he had gained as a Marine Corps radar operator. Do you know whether this would have led the KGB to have become interested in him and to have debriefed him?

Mr. Hartman. Possibly so. I wouldn't deny it at all, except as I have said, I wouldn't have bothered or dealt with an unstable character as this one was. I don't think so.

Mr. Genzman. Directing your attention to paragraph 5, what is the Interagency Source Register?

Mr. Hartman. Let's call it ISR, Interagency Source Register, it will be easier for the record. That is a section in the DDP, now the DDO, which handles requests from the services, basically the services, for registering of a person whom the services are using or are contemplating to use as a source or agent, if you will. That is the basic function of the Interagency Source Register.

Mr. Genzman. Did you ever check the ISR with regard to Oswald?

Mr. Hartman. Yes, I did. Although there was no need for it, and hence I did not say so in my memo.

Mr. Genzman. What was your determination?

Mr. Hartman. Well, let me correct that. I do say in my memo here, "It should be added that my above-described search produced no record or indication that any other U.S. Government

agency had used him as a source or considered him for recruitment."

Mr. Genzman. Are you reading from the bottom of page 2107?

Mr. Hartman. That is correct, paragraph 5, the last statement on that page.

That statement is based on my checking the ISR, although I did not say so specifically.

Mr. Genzman. And what were the results of your check?

Mr. Hartman. Negative. Totally negative.

Mr. Genzman. Are you convinced that Oswald was never a source or agent for any other American Government agency?

Mr. Hartman. Yes, I am.

Mr. Genzman. Did you ever check directly with other agencies to determine whether Oswald had ever been an agent for them?

Mr. Hartman. No. That was not my function. I don't know whether the liaison element ever checked. I can't tell you that. But I know that ISR is a part of the liaison element and therefore, that would have been the only way they would have checked, too, I suppose.

Mr. Genzman. Would a direct check with other agencies have been helpful?

Mr. Hartman. I don't think so.

Let me explain why I say that. It might sound kind of offhand, but it isn't. You see the services -- that is, the

military services -- were very interested in making certain that a source of theirs or a potential source of theirs wouldn't be used by another agency. Let's put it in much plainer words. If the military attache somewhere had an agent who was reporting to him, he did not want the naval attache to use that agent or for that matter he did not want that agent to be picked up by CIA and taken away from him. That was the function of the ISR, to register the person as a source of such-and-such an agency so that another agency couldn't use him.

Another function was -- and I want to be sure that's also in the record -- was to make certain that you don't get taken by fabricators or paper mills, people who go from one agency to another selling information. Those are the two basic functions of the ISR.

Now, in the military's desire to make certain that they keep their agent or their source, they often sent us lists of people who were potential sources. They hadn't even contacted them yet, but so they had their hooks into them -- that is, so the army had its hooks into this person, rather than the air force getting ahold of him or her -- they registered him with us that way, they had first call. So, it is most unlikely, I can't conceive of one of the services not registering a person with the ISR because they were so anxious, always, to make sure they retained this person as theirs.

Mr. Genzman. Can you conceive of a situation where the

Agency would be running such a sensitive operation they would avoid registering an agent with the ISR?

Mr. Hartman. You are mistaken in how the ISR functions.

The Agency didn't register anyone with the ISR. It was only other agencies.

Mr. Genzman. I was speaking of other agencies in my question.

Mr. Hartman. I'm sorry, I thought you meant the Agency as CIA.

Mr. Genzman. I was speaking of any operation which might have had an operation so sensitive they decided against registering their agent with ISR.

Mr. Hartman. Not in a million years; it's inconceivable. They would be harming themselves so badly. They were running a double risk one was being sucked in by a paper mill or fabricator and the other risk, while they were working a guy, someone else, possibly the CIA, could come along and take him right away from them by offering him more money. So I can't conceive of that.

At first when the ISR idea was first established many, many years back there had been some question when they were talking about establishing, what about the sensitivity. For this reason, there was this very separate section that held the 201s of people who were used as sources for other agencies and so on and they were given all the assurances, and over the years it had proven itself out that they didn't need to be afraid.

Another thing we might add, and we are talking essentially about the military services using the ISR, you might keep in mind that although all sources are sensitive, the name of every agent used by any intelligence service is always considered sensitive. His life is on the line in many instances. Although this is the case, the services were not running strategic cases. Their cases were more tactical. That is the army, for example, in Europe, they would pick up a fellow, let's say in Germany, he could cross the border back and forth before the Wall, and what they were interested in was which military unit was stationed where and where was the airfield and who was in command; tactical type of information. When you compare that to a possible penetration of, say, like Oleg Penkovsky, when you consider this kind of penetration when we recruited Penkovsky, who knew about missiles and who was a colonel in the Soviet Union in the stream of information, when you stop and think about that as strategic, that is so much more sensitive than the type of persons that the military would normally have recorded as their sources.

I don't think there was any question in the minds of the services that their sources were being protected.

Mr. Genzman. Directing your attention to 2108, paragraph 6, why hadn't the Mexican information been included in Oswald's 201 file before the day of the assassination?

Mr. Hartman. As I had mentioned earlier, information

concerning telephone taps, photographic surveillance and that type of thing done by the United States in a foreign country is an extremely sensitive matter, [ ].

The rules called for us to hold sensitive papers apart from the file itself so that people in the records system where the file might be reposing wouldn't become privy to it.

Mr. Genzman. Are you saying that the Mexico City information was kept in separate records?

Mr. Hartman. No. What I am saying is that at the Mexico desk, they had a file in which they kept the papers slugged "sensitive."

However, the fact those papers were a part of the 201 was recorded in the computer.

Mr. Genzman. Isn't it true soon after the assassination these papers were included in the 201 file?

Mr. Hartman. They were always a part of the 201 file, but were not physically held in the file before the assassination.

After the assassination the file was pulled up from the file room and held at the desk at SIG by Betty Egerter. Again, this is a component handling very sensitive information, so I don't know whether those documents went into the file physically from the Mexico desk or not, but they could very well have done so. It would have been at the discretion of the Mexico desk whether they would permit that particular section, SIG, to have

those documents.

Mr. Genzman. Isn't it true that the data obtained from Mexico City had been disseminated to other agencies before the assassination of President Kennedy?

Mr. Hartman. That could very well have been the fact, but it was never said how the data were obtained. We never revealed the fact that we had taps or photographic coverage, and that's the key in it. The information itself is not sensitive. The method of operating is.

Mr. Genzman. How do you know the Mexico City cables were made available to the Warren Commission?

Mr. Hartman. I can't say for certain that they were.

Let me come back on that one. I know that the information in those cables was made available to the Warren Commission and if my memory serves me, the Warren Commission even got direct transcripts. I am not certain on that point. However, as far as the file itself is concerned, I believe, if I recall correctly what the Warren Commission asked of us was to see the file that we had as it existed up until the assassination, and I don't know in what form the Mexico City information was passed. I believe they got copies of the transcripts. I can't swear to it.

5:30
carr fls

Mr. Genzman. Do you know whether the Warren Commission received any tapes of Oswald's voice from Mexico City?

Mr. Hartman. I don't know that exactly. All I can tell you is -- or all I can do is refer you to my previous statement concerning that packet of tapes; whether there were any tapes there with Oswald's voice on them or whether they were tapes of a case, some other tapes, Duran or whoever, what have you, I don't know.

Mr. Genzman. Are you sure that these tapes were not labeled in such a way that it was apparent that they were tapes of Oswald's voice?

Mr. Hartman. No, no, no; they were simply tapes concerning the Oswald case.

Mr. Genzman. Did you at any time feel that these were tapes of Oswald's voice?

Mr. Hartman. I have no feelings one way or the other. I wasn't too concerned about that, as a matter of fact, when they came in. It was old hat; the case was over with and I was certain that all the information that had been gleaned from this operation that is, the tapes, had been made available not only to the Warren Commission but also certainly to the FBI whose basic responsibility for the investigation is known.

Mr. Genzman. Directing your attention to paragraph 7, were you present when the Warren Commission reviewed Oswald's 201 file?

Mr. Hartman. No, I was not personally present.

Mr. Genzman. Do you know who was present?

Mr. Hartman. I believe Mr. Rocca was. I know Mr. Helms himself would have been, and I believe the Director was.

Mr. Genzman. I would now like to ask you a few questions concerning Jack Ruby.

Did the CIA obtaina the names of anyone other than Lewis McWillie whom Jack Ruby saw or talked with in Cuba?

Mr. Hartman. I don't remember the name "Jack McWillie." I don't remember.

Mr. Genzman. It is Lewis McWillie.

Mr. Hartman. Whatever it is; I don't remember that name at all.

Mr. Genzman. Do you recall the names of anyone else whom Jack Ruby saw or talked with in Cuba?

Mr. Hartman. No.

Mr. Genzman. Do you know why the CIA response to the Warren Commission's request for information on Jack Ruby took as long as it did?

Mr. Hartman. Oh, yes, indeed, I do. I know very well. I was given the responsibility of checking his name and I was involved in a large number of cases at that time, nothing to do wth the assassination matter at all, and I did a very thorough check on Ruby, just as I tried to do on Oswald; and it took time. I had to review many, many records. I had not realized

at the time how common a name "Ruby" was, and there were all kinds of references to J. Ruby, and Ruby without a first name, and all of these had to be checked. I recall that most all of them were before the early '50s. I think a large number of them were in the '40s; therefore, these records in many instances were held in the archival repositories and they had to be obtained. All of this took time. I had to study all of them, each item individually, and it took me literally several months to do this work, because I was so involved in items that were of greater importance.

I remember at one point my boss came in furious and raised Cain with me because it hadn't been done yet. He had received a note from the Warren Commission saying that this is still pending. It was a mild note; it wasn't a very harsh note.

And so I got as busy as I could and I finally got the thing out, but it had taken a great deal of time; but there is nothing ominous about that; it was simply that we were all working very hard and these were chores in addition to our other duties, our normal duties.

Mr. Genzman. After the CIA responded to the Warren Commission inquiry concerning Ruby, did the CIA learn anything else about Jack Ruby from CIA files, sources or otherwise?

Mr. Hartman. Not to my knowledge.

Mr. Genzman. Does the CIA have any information linking Jack Ruby or his associates, especially Lewis McWillie, to the CIA-Mafia plots against Castro or to any other plots against

Castro?

Mr. Hartman. If there is any such information, I certainly don't know it, and I wouldn't have known it at the time, and to the best of my belief there isn't. I never found any such.

Mr. Genzman. Pursuant to the Warren Commission's inquiry concerning Jack Ruby, did you review CIA information for possible links between Ruby and/or his associates with the CIA-Mafia plots?

Mr. Hartman. No; whatever information there was on Ruby at the time that I did check, I reported and recorded in the memo to the Warren Commission; but there was no such information there.

Mr. Genzman. Were there any problems associated with the CIA's response to the Warren Commission inquiry concerning Ruby?

Mr. Hartman. No.

Mr. Genzman. With regard to the allegation that Oswald had some connection with the CIA, were any investigative reports generated by the investigations of this allegation?

Mr. Hartman. Well, I explained that before. We had only two ways to determine whether he was or not, two general ways: One was by checking locally within Headquarters and within the United States, as I did, and,two, checking overseas. Both of these, to the best of my knowledge, produced absolutely negative results. There was no contact nor even the remotest connection between Oswald and CIA.

Mr. Genzman. Earlier we dealt with your memorandum of 18 September 1975 contained on CIA pages 2105 through 2108.

My question is whether there is any other written documentation which may have been made during the Warren Commission's tenure dealing with allegations of a connection between Oswald and the CIA?

Mr. Hartman. Let's hear that one back again.

Mr. Genzman. Could we go off the record?

(Discussion off the record.)

Mr. Hartman. No, there is none that I know at the moment. I must, however, say that I must have written countless notes and memos of this nature, most of them having very little substantive connection with the assassination, notes concerning who is holding this particular document at this moment or all sorts of questions that arose at the time that I would try to find the answer for; but most of these I destroyed. As a matter of fact, this memo is an old one. I would have normally destroyed that one too because it says really nothing; it says that at one point there were 37 documents which were not physically in the file but were recorded as being there.

The same might have applied at any one point after the assassination when people were studying the case and I could have made other such notes. There might have been 50 documents that could have been missing at one point, or even more, physically out of the file, but they have no bearing on the fact that they

were not in the file. They were registered as being in the file. I constantly had a machine run telling me exactly what was in the file, so where the document file physically was located, someone was studying it and so on, is a secondary point.

Mr. Genzman. When CIA Director John McCone sent an affidavit to the Warren Commission denying that Oswald was ever a CIA agent, was he relying on any investigative reports, or would you say he was relying on oral reports by his subordinates?

Mr. Hartman. Well, as I said before, I don't know really what he was relying on, but I assume that he relied on the only two basic channels that he had: One was the checks that I had made at Headquarters and in the U.S. and, on the other hand, the foreign checks that were made by the divisions. I don't know of any other way that we could have gotten him any more information for his statement.

Mr. Genzman. My question concerned the way this information was presented to him.

Mr. Hartman. I don't know that.

Mr. Genzman. Thank you.

Do you know anyone who has ever used the name "Maurice Bishop"?

Mr. Hartman. No.

Mr. Genzman. Before your testimony here today, did you talk with any one at the CIA concerning your testimony?

Mr. Hartman. I told them that I would be coming here.

Mr. Genzman. Did you talk about any substance of the testimony?

Mr. Hartman. No.

Mr. Genzman. Did you talk to anyone concerning the substance of the interview you had with staff counsel Charles Berk?

Mr. Hartman. Yes, after the interview.

Mr. Genzman. I have no further questions.

It is a policy of the Select Committee to allow each witness five minutes of time to expand on his previous answers or to clarify any of his previous answers or to offer any additional information which he feels is relevant to the mandate of the Select Committee.

At this time I would like to give you five minutes to make whatever points you think are appropriate.

Mr. Hartman. Well, the one question, or my answer to it, rather, bothers me a little. I did speak to others about coming here. Of course, I told my wife and I mentioned it to Mr. Rocca, who is going into the hospital. As I said, I also told the fellows at the Agency whom you deal with about it; but I think the inference of your question is, was I coached and, well, if not, I'm sorry, but I want to make it clear for the record that I was not coached in any manner or form, that the answers I have given are mine, and I will stand by them, that what I have said is correct and truthful to the best of my

recollection.

Memories are notoriously faulty and I'll be the first to concede if I am wrong.

I want to make one final statement in regard to this case in the over-all. We have heard allegations concerning Oswald and that he worked for CIA from the day following the assassination. Principally, I think the initial allegation was raised by his mother in a distraught fashion, and I can appreciate her concern at the time. Her son was killed and dead and accused of assassinating the President.

I have actually tried to find any possible link between Oswald and the Agency and I never could. I was very, very much alert to this problem. I found it also at first very unusual that the military didn't talk to him or that the Bureau didn't talk to him. I didn't have tht problem with the Agency itself not talking with him for reasons I explained. We had so many people that we could talk to that he was only a low level character.

I cannot explain why the FBI or the services didn't talk to him. I think I have nothing else that I can add.

Mr. Genzman. For the record, I want to state that I was not trying to make the inference that you were coached concerning your testimony today.

Mr. Hartman. Okay.

Mr. Genzman. I am glad that you clarified this point in

your statement. I have one additional question:

Based on your study of the records and files and indices of the CIA, are you convinced that there is no way that Oswald could have had some connection or relationship with the CIA which could have been kept secret from you by some means?

Mr. Hartman. There just isn't any way that it could have been done. I would like to expand a little on that.

If you use a person as a source, you've got to have money. You've got to pay your source. In order to pay someone you have to have records. You have to have an operational approval to use a person. There are procedures that are entailed here and no one, to my knowledge, has ever been able to use a person, that is, no one in the CIA, has ever been able to use a person as an agent or a source without a number of people down the line knowing it. You can't operate in a vacuum in an agency such as the CIA, nor, I think, in any intelligence agency.

There are approvals; there is a chain of command, and somewhere in this chain there must be a record. I even checked, as my memo says, the Medical Office, because you cannot use some one in CIA unless you get a medical on him. That's basic policy; that's why I went there.

The Operational Approval Section would have to grant approval to use someone. It just cannot be. If the services had used him, they would have registered him. We checked there.

I checked every conceivable facet and came up with

absolutely nothing; and I am today as convinced as I was then that Oswald had no connection whatsoever with CIA.

Mr. Genzman. I would like to ask one further question, if I may:

Do you have any opinion as to whether Oswald was ever developed as an agent or a source or an asset by any foreign intelligence agency, specifically the KGB, or the Cuban intelligence agency, DGI?

Mr. Hartman. That's a very difficult question to answer because you are tyring to delve into the minds and feelings and records of anaother government, and you have no access. All anybody can do is hypothesize, and that's what we have all been doing concerning that.

I have my doubts about the KGB because, as I said, he was unstable and they knew it and I think he was causing them more problems than he was worth. He was constantly in their hair, it seems, even to the point where the niece of a KGB officer, I think he was her uncle, was being badgered by this guy and he eventually married her.

As far as the DGI is concerned, I don't see how they could have ever operated him or manipulated him. You have to have time with a person; you have to have access to him; and I don't think the Cubans were that well organized at that time that they could have spent hours debriefing him and talking with him and recruiting him and that type of thing.

Certainly the KGB had the opportunity, but, as I said, I cannot visualize in my narrow experience that they have used him.

Mr. Genzman. I would now like to offer you any additional time which you feel is necessary to expand or clarify any of your previous statements.

Mr. Hartman. I can only say one other thing, and that would be in regard to the last statement: If the Soviets ever used him and, in effect, if we can speculate that they got him to kill our President, they are smart enough to realize that they can't gain anything from that, that there would be an immediate replacement who might even be tougher with them or through whom they might achieve a lot less than they did with Kennedy. That type of thing about assassinating the top man in the nation or the top two or three people, in my estimation, that's basically not the job that an intelligence organization does or is created to do. Possibly in dictatorships, fighting each other and so on, in South American countries, where somebody is always after the top man, that is another story; but by and large I cannot see what the KGB or the Soviet Union would have gained by assassinating President Kennedy if they really had a hand in it.

Mr. Genzman. On behalf of the House Select Committee on Assassinations, I would like to thank you very much for testifying here today.

Mr. Hartman. It's been my pleasure.

(Whereupon, at 6:00 p.m., the deposition was concluded.)