

the card? Does it compare with any other information you have about another card?

Mr. QUIGLEY. At the time that I interviewed Oswald in New Orleans on August 10, 1963, I observed two Fair Play for Cuba Committee cards. One of them was signed V. L. Lee and was dated May 28, 1963, and it purported to be a Fair Play for Cuba Committee card showing the address of 799 Broadway, New York 3, N.Y. In looking at this exhibit, I see that this is a similar card as described in my report.

Mr. STERN. Similar in what respects?

Mr. QUIGLEY. Similar in that the identification I have just described appears on the card in the Exhibit 828. However, I am not able to identify the signature of any person other than V. L. Lee, and the date I am unable to determine, although I do believe I see 5-28-63 typewritten on the card.

Mr. STERN. What about the color of the card? There is a portion on the back, Mr. Quigley, which has not been discolored by the fingerprint treatment.

Mr. QUIGLEY. I notice this is gray in color and it is similar to a card that was in Oswald's possession at that time which was also gray in color.

Mr. STERN. Mr. Chairman, may this be admitted?

The CHAIRMAN. It may be admitted.

(The document referred to was marked Commission Exhibit No. 828 for identification, and received in evidence.)

The CHAIRMAN. It has been identified and has a number, has it?

Mr. STERN. Yes; No. 828.

The CHAIRMAN. 828 will be admitted under that number.

(Discussion off the record.)

Mr. STERN. Mr. Quigley, will you look, please, at Commission Exhibit No. 825 for identification, at the fourth page from the end of that exhibit? Can you identify that page for us?

Mr. QUIGLEY. Yes; I can. This is an affidavit that was prepared at the FBI office, Dallas, Tex., on February 17, 1964, which bears my signature as well as the signature of Miss Matty Havens, the notary public.

Mr. STERN. What was the occasion for your making this affidavit, Mr. Quigley?

Mr. QUIGLEY. I was instructed to proceed to our Dallas office to prepare such a document. This document relates to informant material. This is the general context of it. Did you care for me to read the document?

Mr. STERN. No; we have it. Does informant mean to you only a person who gives information in return for money or some other valuable consideration, or does it have a broader meaning as far as you are concerned?

Mr. QUIGLEY. It would have a broader meaning as far as I was concerned.

Mr. STERN. What would that mean when you used the word in this affidavit? What did you mean by "informant"?

Mr. QUIGLEY. One who furnishes information.

Mr. STERN. For whatever reason?

Mr. QUIGLEY. Whatever may be the reason; yes.

Mr. STERN. And you did not, according to your affidavit, ask Mr. Oswald—

Mr. QUIGLEY. I did not ask or suggest that Mr. Oswald become an informant of the FBI nor did I offer him any money or any other inducements to become an informant.

Mr. STERN. Did you say anything to him at all about getting in touch with you or the FBI again about any matter?

Mr. QUIGLEY. I did not.

The CHAIRMAN. Mr. Quigley, if you will, we will recall you if a document comes just for your identification. It will only take a few moments, I am sure.

Thank you very much for your coming and helping us.

Mr. QUIGLEY. Thank you very much, sir.

TESTIMONY OF JAMES PATRICK HOSTY, JR.

The CHAIRMAN. Would you raise your right hand, please, and be sworn? Do you solemnly swear the testimony you are about to give before this Commission shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Hosty. I do.

The CHAIRMAN. Will you be seated, please? Mr. Stern will conduct the examination, Mr. Hosty.

Mr. STERN. Would you state your full name for the record?

Mr. HOSTY. My full name is James Patrick Hosty, Jr.

Mr. STERN. And what is your present address?

Mr. HOSTY. 11018 Genetta Drive, Dallas, 28, Tex.

Mr. STERN. What was your education at the college level, Mr. Hosty?

Mr. HOSTY. I have a bachelor of science degree in business administration from the University of Notre Dame.

Mr. STERN. When was that granted?

Mr. HOSTY. In 1948, June of 1948.

Mr. STERN. When did you join the Federal Bureau of Investigation?

Mr. HOSTY. January 21, 1952.

Mr. STERN. Briefly, what sort of work were you employed at between 1948 and 1952?

Mr. HOSTY. I was first employed by the First National Bank in Chicago, and then employed by the Beechnut Packing Co. as a salesman.

Mr. STERN. What were your assignments in the FBI?

Mr. HOSTY. I was first assigned to the Louisville division on general investigation, then transferred to the Dallas division and served in general investigation until approximately June of 1955 when I was assigned to the internal security squad.

Mr. STERN. When did you first arrive in the Dallas office?

Mr. HOSTY. December 2, 1953.

Mr. STERN. You have been in Dallas——

Mr. HOSTY. Ever since.

Mr. STERN. Ever since?

Mr. HOSTY. Correct.

Mr. STERN. Are you familiar with the Dallas area generally?

Mr. HOSTY. Yes, sir.

Mr. STERN. You know the downtown locations?

Mr. HOSTY. Yes, sir.

Mr. STERN. The buildings and streets?

Mr. HOSTY. Yes, sir.

Mr. STERN. Can you tell us whether you were assigned to the case of Lee Harvey Oswald?

Mr. HOSTY. Yes, sir; I was.

Mr. STERN. Did you take over from Agent Fain or in some other way?

Mr. HOSTY. No, sir; I did not take over directly. When Agent Fain retired directly from the Bureau he had closed the case. He had a case which we call a pending inactive case on Mrs. Marina Oswald. This case I did take over. It was in what we call a pending inactive status, that is, nothing was to be done for a period of 6 months. Then at the end of the 6-month period it was then turned into a pending case and I went out and attempted to locate Mrs. Marina Oswald for the purpose of interviewing her.

I might add that it is the practice of the FBI to interview immigrants from behind the Iron Curtain on a selective basis, and she was so selected to be one of these persons to be interviewed.

Mr. STERN. When was this?

Mr. HOSTY. This was March 4, 1963, when I began my inquiry as to her present whereabouts. I determined on March 4, 1963, through the Immigration and Naturalization Service records that she had moved from Fort Worth to the Dallas area. She was living on a street called Elsbeth Street in the Oak Cliff section of Dallas.

Mr. STERN. What happened in connection with the case of Lee Harvey Oswald?

Mr. HOSTY. This case was closed at this time. It was closed.

On March 11, 1963, I made inquiry at this Elsbeth address, and determined from the landlady, I believe her name was Mrs. Tobias, that she had just evicted Lee and Marina Oswald from her apartment building because of their alleged fighting and his alleged drinking. They caused a disturbance and she had asked

him to leave on March 3, 1963. She told me they had moved a short distance away. She didn't know where. On that same date, I was able to determine from the postal authorities that they had changed their address to 214 Neely Street, also in the Oak Cliff section of Dallas.

On the 14th of March, I verified that Oswalds were residing at this address when I found the mailbox with the name of Lee and Marina Oswald at this address, 214 Neely Street. Now, because of the alleged marital difficulties they were having, I in my judgment decided this was not the time to interview Mrs. Oswald, but to allow a certain cooling off period. So I then checked Lee Oswald's file, at which time I determined that he had a contact with the New York Daily Worker.

Mr. STERN. How did you learn that?

Mr. HOSTY. From our New York office. Our New York office sent a letter through to the Dallas office. This was the first time I had seen this letter.

Mr. STERN. This appeared in his file?

Mr. HOSTY. In his file; yes, sir.

Mr. STERN. Even if the case was closed, the file would continue to accumulate?

Mr. HOSTY. That is correct, and they are periodically rechecked for things of this nature.

I noticed it, and then because of the domestic difficulty and the fact that I knew I would be interviewing his wife in the near future, I requested that the case be reopened. I requested the supervisor in Dallas to reopen the case to me.

Mr. STERN. Was that in writing or verbally?

Mr. HOSTY. Actually, it was, it would appear in writing. I did this by sending a letter to the Bureau, to the FBI headquarters in Washington, setting forth the information I had developed, and then on our office copy I made a request that this case be reopened. This is a normal procedure that we go through when we open cases, or reopen cases.

The CHAIRMAN. Mr. Hosty, did the letter from your New York office say what the nature of the contact with the Daily Worker was?

Mr. HOSTY. It said he was on the mailing list, sir, of the Daily Worker.

The CHAIRMAN. On the mailing list?

Mr. HOSTY. Yes, sir.

The CHAIRMAN. Proceed.

Mr. HOSTY. Then, like I say, I made a judgment that it would be best not to interview Mrs. Oswald at this time until there was a certain cooling off of their domestic difficulty, because it is not wise to interview a person of that type under a strain.

So I set it up that I would go back and recheck in 45 days. This was not highly urgent at the time. We had waited a period of time, and it wouldn't hurt to wait another 45 days. When I went back to check again in May, the middle of May, I found out that they had moved from their Neely Street address and had left no forwarding address.

Mr. STERN. Stop there and let's go back and cover a few details.

Mr. HOSTY. All right, sir.

Mr. STERN. Your recommendation to reopen the case of Lee Harvey Oswald was made at the end of March 1963?

Mr. HOSTY. Right; I believe the letter would be dated March 31.

Mr. STERN. Was your recommendation accepted?

Mr. HOSTY. Yes; and it was reopened.

Mr. STERN. With respect to the pending inactive investigation of Marina Oswald, had any work been done previous to the time when you thought about interviewing her?

Mr. HOSTY. No, sir; in a pending inactive case it is really almost in the same status as a closed case. We do nothing on it, and it was just a waiting period of 6 months that we had set up.

Mr. STERN. Had that case been an active case?

Mr. HOSTY. No, sir; it never had been. It was opened as a pending inactive case.

Mr. STERN. So that no work had been done?

Mr. HOSTY. No, sir.

Mr. STERN. Until the point in time when you were considering the possibility of interviewing Mrs. Oswald?

Mr. HOSTY. The only work that had been done was the work which I did in connection with the Lee Oswald case for Mr. Fain. I checked the immigration records on Marina Oswald and got her background, just put her background, her name, her description, her place of birth, and that sort of thing in the file.

Mr. STERN. What is the difference administratively between a "pending inactive" and a "closed" case?

Mr. HOSTY. In a pending inactive case, any information coming into the office would be routed to the agent, it would not be put in the file and be missed by the agent.

Mr. STERN. Could Lee Harvey Oswald's case have been put in a pending inactive status rather than a closed status in 1962?

Mr. HOSTY. I wasn't involved in that. Mr. Fain was the one.

Mr. STERN. But as far as administrative procedures are concerned?

Mr. HOSTY. If they had so desired, I think they could have, yes.

Mr. STERN. There was no policy or procedure?

Mr. HOSTY. If there was some more work to be done, if they had decided to, say, reinterview him at, say, in 6 months, they could have.

Mr. STERN. But it would have taken something of that sort?

Mr. HOSTY. Yes; it would have to be some more work to be done on the case in the opinion of the agent.

Mr. STERN. So that pending inactive is part of pending?

Mr. HOSTY. It is sort of midway between.

Mr. STERN. Only the work you have decided to do is more remote?

Mr. HOSTY. Right.

Mr. STERN. More in the future?

Mr. HOSTY. Right.

Mr. STERN. You say that you were considering interviewing Marina Oswald?

Mr. HOSTY. Right.

Mr. STERN. Did you know that she did not speak English?

Mr. HOSTY. Yes; I knew that. In fact, I determined that when I did the neighborhood check on the 3d of March.

Mrs. Tobias told me that she didn't speak a word of English and couldn't communicate with anybody except her husband who spoke Russian.

Mr. STERN. I show you a report of four pages, marked "Report of James P. Hosty, Jr."

Mr. HOSTY. Right.

Mr. STERN. Dated 9-10-63.

Mr. HOSTY. Right.

Mr. STERN. And marked for identification Commission Exhibit No. 829.

(The document referred to was marked Commission Exhibit No. 829 for identification.)

Mr. STERN. Can you identify that report for us?

Mr. HOSTY. Yes, sir; that is my report.

Mr. STERN. Tell us how you came to prepare this report?

Mr. HOSTY. Well, as I told you earlier, in May I found that they had left, Marina and Lee Oswald had apparently left the Dallas area.

In June, I believe it was the middle of June, we received a communication from our New Orleans office advising that one Lee Oswald, was apparently in New Orleans, and requested information on him. They had had previous correspondence with the Dallas office in connection with the Lee Oswald case, as an auxiliary office, and we are aware that we did have a case on him. They asked if this could be the same man, and I wrote back and told them that Lee Oswald had left the Dallas area, and for them to attempt to verify the presence of Lee Oswald and Marina Oswald in New Orleans.

Mr. STERN. This was at what time, Mr. Hosty?

Mr. HOSTY. This was June 17, I believe, they notified us, and by the time I got the letter back to them within a week or 2 it would have been the end of June, early part of July. I sent a request back that they verify his presence in New Orleans. They then wrote back a letter to me, within 2 or 3 weeks. It

would have been in August when it came back, that they had verified Oswald's presence in New Orleans, and that he was working in New Orleans.

Now, this meant under our procedure that since Lee Oswald and Marina Oswald were now located in the New Orleans division, they would take control of the case.

Mr. STERN. Would you explain briefly for the Commission the terms "Office of Origin" and "Auxiliary Office" and how you use those terms?

Mr. HOSTY. Office of origin is the office covering the area of the residence of the individual under investigation. This is the office which controls the case. Now, an auxiliary office is any other office which has investigation in the case and assists the office of origin in this matter.

New Orleans had earlier been an auxiliary office. Dallas had been the office of origin. Now, the situation was reversed, because Lee Oswald and Marina Oswald were now in New Orleans. This had been verified.

Mr. STERN. Would you just summarize the relevant dates from March 1963 through August 1963 in terms of your concern and what you found out about his movements and your communications with the New Orleans office?

Mr. HOSTY. All right. This would be March 4 I got the address in Dallas.

March 11 I determined that they had moved from that one address to another address in Dallas.

March 14 I verified that address. I sent the communication to the Bureau and requested the case be reopened on March 25. I rechecked in the middle part of May as to if they were still at that address in Dallas and determined that they were gone.

On June 17 New Orleans contacted our office, and advised that they had information that the Oswalds were in New Orleans. Early July I wrote to New Orleans and requested that they verify this information and let me know. Early August they did so verify it.

Mr. STERN. If you will look at page 2 of the report we have marked for identification No. 829—

Mr. HOSTY. Yes, sir.

Mr. STERN. The last paragraph on that page relates—well, tell us what information that refers to.

Mr. HOSTY. It says, "On April 21, 1963, Dallas confidential informant T-2 advised that Lee H. Oswald of Dallas, Tex., was in contact with the Fair Play for Cuba Committee in New York City at which time he advised that he passed out pamphlets for the Fair Play for Cuba Committee. According to T-2, Oswald had a placard around his neck reading, 'Hands Off Cuba, Viva Fidel.'"

Mr. STERN. Did you attempt to verify that information?

Mr. HOSTY. When I got it, it was approximately 6 or 7 weeks old, past the date it allegedly took place, and we had received no information to the effect that anyone had been in the downtown streets of Dallas or anywhere in Dallas with a sign around their neck saying "Hands Off Cuba, Viva Fidel." It appeared highly unlikely to me that such an occurrence could have happened in Dallas without having been brought to our attention. So by the time I got it, it was, you might say, stale information and we did not attempt to verify it.

Mr. STERN. When you record this as something that an informant advised about on April 21, that doesn't mean he advised you or the Dallas office on April 21?

Mr. HOSTY. That is right.

Mr. STERN. Did this information come from another part of the FBI?

Mr. HOSTY. Yes, sir; it came from the New York office of the FBI. They were advised on the 21st of April.

Mr. STERN. But the information didn't get to you until some time after?

Mr. HOSTY. In June, I believe.

Mr. STERN. Did you have any information apart from this that there was an organization active in the Dallas area called, "The Fair Play for Cuba Committee"?

Mr. HOSTY. No, sir; we had no information of any organization by that name.

Mr. STERN. Had you at this time ever heard of such an organization?

Mr. HOSTY. Yes, sir; I had.

Mr. STERN. In what connection?

Mr. HOSTY. The New York office had advised all offices of the FBI to be on the alert for the possible formation of chapters of this organization which was headquartered in New York.

Mr. STERN. Had you investigated the Dallas area in that connection?

Mr. HOSTY. We had checked our sources, I had and other agents assigned to the internal security division had checked sources. We were on the alert for it.

Mr. STERN. And you found what?

Mr. HOSTY. We found no evidence that there was any such organization in Dallas.

Mr. STERN. Have you reviewed this report marked for identification No. 829, Mr. Hosty?

Mr. HOSTY. Yes, sir; I have.

Mr. STERN. In connection with your preparation for testimony today?

Mr. HOSTY. Yes, sir.

Mr. STERN. Is there any change you would like to make in anything set forth in it?

Mr. HOSTY. No, sir; I wish it to stand as it reads.

Mr. STERN. Is there anything you would like to add?

Mr. HOSTY. No, sir.

Mr. STERN. Amplify?

Mr. HOSTY. No, sir.

Mr. STERN. The letters "RUC" appear on the first page after the synopsis.

Mr. HOSTY. Right.

Mr. STERN. What do they mean?

Mr. HOSTY. That stands for "Referred Upon Completion" to the office of origin.

Mr. STERN. What does that indicate?

Mr. HOSTY. This indicates that as an auxiliary office we have now completed our investigation.

Mr. STERN. When did Dallas become an auxiliary office in connection with this case?

Mr. HOSTY. It became an auxiliary office upon the submission of the proper forms to the New Orleans office in which I designated them as office of origin. They had verified the residence and employment of Lee Oswald in their city, so upon sending this report and the form they automatically became office of origin.

Representative FORD. Who makes that determination, Mr. Hosty?

Mr. HOSTY. Well, sir; actually it is made by the person who resides in their area, sir. When they reside in their area and work in their area they automatically become office of origin.

The old office of origin sends a form to the new office and advises them, "You are now office of origin." Of course the Bureau gets a copy of that.

Representative FORD. Do you actually move the files or do they get duplicates?

Mr. HOSTY. No, sir. What we do is we review our files and see what communications in the file they do not have copies of. Then they are then sent the copies of any communications they don't have, so that they have a complete file. There is nothing that they don't have.

Representative FORD. You don't actually transfer anything from your office?

Mr. HOSTY. No; the file is not transferred. Individual communications would be if they were lacking a particular communication. Now, in this case New Orleans had previous communications. They did have some background. It was necessary for me to give them a couple of Mr. Fain's reports that you people have looked at earlier. I had to send those reports to them. They hadn't gotten them.

Mr. STERN. I think it is appropriate to have this admitted at this time, if we may, Mr. Chairman.

The CHAIRMAN. The document that has been numbered 829 may be admitted. (The document heretofore marked Commission Exhibit No. 829 for identification was received in evidence.)

The CHAIRMAN. I would like to ask you, Mr. Hosty, about the information that Mrs. Tobias gave you. I am reading from it now: "Mrs. Tobias advised

they had considerable difficulty with Mr. Oswald who apparently drank to excess and beat his wife on numerous occasions. They had numerous complaints from the other tenants due to Oswald's drinking and beating his wife."

Mr. HOSTY. Yes, sir.

The CHAIRMAN. Did you investigate that to see if that was true.

Mr. HOSTY. No, sir; I took her word for it. There was no reason for me to press it any farther. She had apparently looked into it and had evicted them on the basis of her feelings. I was just reporting what she had done.

Mr. STERN. Had you had any part of the investigation of the case of Lee Harvey Oswald before the time covered by the report?

Mr. HOSTY. Yes, sir; I had.

On the 12th of July 1962 on request of former Agent John Fain, I checked the records of the Immigration and Naturalization Service in Dallas, and got the background information on Marina Oswald, the wife of Lee Oswald. I incorporated it into a memorandum.

Mr. STERN. I show you Commission Exhibit No. 824 which has previously been admitted. Can you identify any part of that?

Mr. HOSTY. Yes, sir; starting in the details here, when it says "At Dallas the following investigation was conducted by S. A. James P. Hosty, Jr.," this is a direct copy of my memorandum which I prepared for Agent Fain down to and including all of page 2.

Mr. STERN. Have you reviewed that—

Mr. HOSTY. Yes, sir.

Mr. STERN. In preparation for your testimony, and have you anything you would like to correct or add?

Mr. HOSTY. No, sir.

Mr. STERN. After the New Orleans office became office of origin, Mr. Hosty, did you have any further connection with the investigation of Lee Harvey Oswald?

Mr. HOSTY. No, sir; not until October of 1963.

Mr. STERN. Not until October? No mention of his name as far as you are concerned until then?

Mr. HOSTY. No.

Mr. STERN. I show you a two-page document which has been marked Commission Exhibit No. 830 for identification.

(The document referred to was marked Commission Exhibit No. 830 for identification.)

Can you identify this document?

Mr. HOSTY. Yes, sir. This is an insert which I prepared for a larger report. Notice on the top the initials "JPH." Those are my initials, showing I prepared these two pages.

Mr. STERN. Have you looked at the larger report from which this was taken?

Mr. HOSTY. Yes, sir.

Mr. STERN. Does any part of that report relate to an investigation made before November 22, 1963?

Mr. HOSTY. No, sir; this is the only part that relates to investigation prior to the 22d of November 1963.

Mr. STERN. Why was it that this was not made the subject of a separate report?

Mr. HOSTY. I don't know. I didn't make that decision.

Mr. STERN. This is something you filed covering—

Mr. HOSTY. I was told to do it this way, and I did it.

Mr. STERN. You said before that you had no further connection with the case of Oswald until October 1963.

Mr. HOSTY. That is correct.

Mr. STERN. Would you tell us in detail what your first contact was in October?

Mr. HOSTY. On October 3, 1963, I received a communication from our New Orleans office advising that Lee Oswald and his wife Marina Oswald had left the New Orleans area a short time before. According to the communication, Marina Oswald, who was at that time 8 months pregnant, had left New Orleans with her small child, 2-year-old child, in a station wagon with a Texas license plate driven by a woman who could speak the Russian language. Lee Oswald

had remained behind and then disappeared the next day. I was requested to attempt to locate Lee and Marina Oswald.

Mr. STERN. Did the request come to you personally?

Mr. HOSTY. To the Dallas office, and the case was then reopened to me. Dallas was an auxiliary office to New Orleans, and it was reopened. I had previously handled the case. It was reopened and assigned to me.

Mr. STERN. And by what office?

Mr. HOSTY. By the Dallas office, reopened the case in Dallas.

Mr. STERN. By the supervisor?

Mr. HOSTY. Supervisor of our squad, yes.

Mr. STERN. And what squad is that?

Mr. HOSTY. The internal security squad.

Mr. STERN. What did you do on October 3 and thereafter?

Mr. HOSTY. Well, there wasn't too much to go on, just a woman driving a station wagon with a Texas license plate. I went to the immigration office to check to see if they had any information, tried to determine if we had any persons around the area, I tried to think of anyone who spoke Russian who had a station wagon and who was a friend of Marina Oswald's. I went to Fort Worth and checked in his old neighborhood, Lee and Marina's old neighborhood, attempted to locate Robert Oswald, his brother, and determined that Robert Oswald had left the Fort Worth area, had moved to Arkansas.

I then sent out a lead to the Little Rock office which covered the area of Malvern, Ark., where Robert Oswald was living, and requested that he be contacted to see if he knew where Lee Oswald was. Then I continued checking through the Dallas and Fort Worth area attempting to determine if the Oswalds had returned to the Dallas or Fort Worth areas.

Mr. STERN. Was this a usual or unusual amount of effort?

Mr. HOSTY. I would say usual amount. I went to neighborhoods where I knew they had been, checked with relatives who had previously been cooperative, just the usual.

Mr. STERN. Was there any notion of urgency in locating him that you got from the New Orleans office?

Mr. HOSTY. No particular note of urgency. Just to let me know that he had left and be on the alert for him.

Mr. STERN. Did they tell you anything about what he had been doing in New Orleans?

Mr. HOSTY. Not at that time.

Mr. STERN. Did you have any information apart from what you knew before he moved to New Orleans at that time?

Mr. HOSTY. Well, I had learned before we had referred the case to New Orleans that he had been engaged in this Fair Play for Cuba Committee work down in New Orleans. They had told us that. We were aware that he was in contact with the Fair Play for Cuba Committee in New York. That was about all at this time.

Mr. STERN. You learned this from the New Orleans office?

Mr. HOSTY. Right.

Mr. STERN. What next happened in your effort to locate him?

Mr. HOSTY. I then received a communication on the 25th of October from the New Orleans office advising me that another agency had determined that Lee Oswald was in contact with the Soviet Embassy in Mexico City in the early part of October 1963.

Mr. STERN. Did they tell you anything else?

Mr. HOSTY. No. Just very briefly that there had been a contact.

Mr. STERN. Did this increase your effort to find him?

Mr. HOSTY. Very much so, yes. I became curious then. Shortly thereafter, on the 29th of October, I received another communication from the New Orleans office advising that they had a change of address for Lee and Marina Oswald to 2515 West Fifth Street, Irving, Tex.

Mr. STERN. You received that information when?

Mr. HOSTY. On the 29th of October.

Mr. STERN. What did you do then?

Mr. HOSTY. Well, I went to—I checked the Dallas crisscross. Unfortunately

Irving is a suburb outside of Dallas and people residing in Irving are not covered in the city directory, so it is very difficult to determine who resides at a given address in Irving. I then went out on the same date, on the 29th of October 1963, to the neighborhood of 2515 West Fifth Street, made inquiry at 2519 West Fifth Street, made what we call a pretext interview, and talked to a woman, whose name at that time I didn't know, but who I now know to be Mrs. Dorothy Roberts.

Mr. STERN. What did Mrs. Roberts tell you?

Mr. HOSTY. Mrs. Roberts told me that the residence of 2515 West Fifth Street was Mrs. Ruth Paine, the wife of Michael R. Paine. They were at this time separated. Michael was not living at that address.

She told me that Michael Paine was employed as engineer at the Bell Helicopter Co. in Fort Worth, Tex., that Mrs. Paine was employed on a part-time basis as a teacher of the Russian language at St. Marks School for Boys in Dallas, Tex.

She further told me that there was a Russian-born and Russian-speaking woman residing with Mrs. Paine. She told me this woman did not speak any English, and that she had just given birth the week before that to a new baby and she had another small child.

This woman further advised me that the wife of this Russian-born woman, who was an American, had visited his wife there on one occasion, but did not reside on West Fifth Street in Irving.

Mr. STERN. You mean husband.

Mr. HOSTY. Husband, yes; I am sorry. I mean the husband of the Russian, that is right.

Mr. STERN. Did you obtain any other information?

Mr. HOSTY. No, not at that time. That is what I determined from Mrs. Roberts at the time.

Mr. STERN. What did you do next?

Mr. HOSTY. On the 31st of October, I did a credit check on Michael and Ruth Paine for the purpose of developing further background.

This credit check showed that Michael Paine was employed at Bell Helicopter as an engineer, showed no employment for Mrs. Paine, just showed her as a housewife, showed they had resided in Irving area for a number of years, and showed a good reputation.

I then checked the criminal records of the Irving Police Department, Dallas County Sheriff's Office. They had no record for either Ruth or Michael Paine. Contacted the Bell Helicopter Co. and the security officer at Bell Helicopter, Mr. Ted Schurman, advised me that Michael Paine was employed by them as a research engineer and he held a security clearance.

I then went to St. Marks School in Dallas. I had known from previous experience this school enjoyed a good reputation and I could approach them safely. I talked to Mr. Edward T. Oviatt, the assistant headmaster at St. Marks School. He told me that Mrs. Paine was a satisfactory employee, loyal to the United States, and he considered her to be a stable individual. He stated that Mrs. Paine was employed as a part-time teacher of the Russian language at that school, and he also advised that in a recent conversation with Mrs. Paine she had advised him that she had a Russian-born woman living with her.

This woman could not speak any English. She had just given birth to a new baby, and she had another small child. The husband of this woman had deserted her and Mrs. Paine felt sorry for her and had taken her in.

Mr. Oviatt went on to explain that Mrs. Paine did this for two reasons. She wanted to improve her Russian-speaking ability by having this person who spoke only Russian in her household. Also, he stated that she was by nature a very kindly individual, Quaker by background, and this was the sort of thing that she would do to help a person in distress.

Mr. STERN. What was the purpose of all these inquiries into the background of Mr. and Mrs. Paine?

Mr. HOSTY. I wanted to make sure before I approached Mrs. Paine that she was not involved in any way with Lee Oswald, in any type of activities which were against the best interests of the United States.

Mr. STERN. How do you mean before you approached Mrs. Paine?

Mr. HOSTY. Well, it was my intention since we could not determine where Lee Oswald was, that he was obviously not at her address, that the best way to find out would be to ask Mrs. Paine.

Mr. STERN. And you were doing all this in connection with the original request?

Mr. HOSTY. Right.

Mr. STERN. From the New Orleans Office?

Mr. HOSTY. Right.

Mr. STERN. And that was?

Mr. HOSTY. To locate Lee Oswald.

Mr. STERN. What did you do next?

Mr. HOSTY. The next day was the 1st of November. I worked in the Fort Worth area in the morning and on my way back from the Fort Worth area at approximately 2:30 p.m., I stopped at the residence of Mrs. Ruth Paine, 2515 West Fifth Street, and identified myself as a special agent of the FBI, and asked if I could talk to her. She was very cordial and friendly, invited me into the house. At this time, she was the only one in the living room. Her small children were taking their naps, and apparently Marina Oswald and her children were, also napping.

Mr. STERN. Excuse me, Mr. Hosty. I show you Commission Exhibit No. 430, which is a floor plan of the Paine home.

Mr. HOSTY. Right.

Mr. STERN. Can you show the Commission from this where you went as you came into the house and where you talked to Mrs. Paine?

Mr. HOSTY. This is the front door, and we talked right here in the living room. I believe the couch was right along here. I believe I sat here and Mrs. Paine sat here, right here in the living room. We were the only two in the living room, to start with.

Mr. STERN. Did you conduct this interview alone?

Mr. HOSTY. Yes, sir; I was the only agent present.

Mr. STERN. Is that usual or unusual?

Mr. HOSTY. It is the usual custom when we are talking to a person who is not a subject or a hostile witness, and Mrs. Paine was not considered a hostile witness.

Mr. STERN. Can you show us from Exhibit 430 approximately where you parked your car that day if you recall?

Mr. HOSTY. I don't recall specifically. I do recall that her station wagon was parked in the driveway. There was another car in front of the house, and it is my recollection that I parked, perhaps, here.

There is another house right next door here which was vacant, and I believe I parked in front of the vacant house right next door.

Mr. STERN. Would you put your initials where you think you parked your car, on that exhibit, please? It was about that close to the front of the house, you believe?

Mr. HOSTY. Yes; it was not directly in front of the house because there was another car. Michael Paine, apparently, had two cars, and he kept one of them over here and he used the other one where he was now living. He left his other car here and there was a station wagon in the driveway.

Representative FORD. Is Mrs. Roberts' residence on——

Mr. HOSTY. Mrs. Roberts' residence is over here, sir.

Representative FORD. On the other side?

Mr. HOSTY. Right. This is a vacant house.

Mr. STERN. The top of that page is north.

Mr. HOSTY. Right. This would be 2519, 2515, and probably 2511 here.

Mr. STERN. 2511, you are indicating the east side of that diagram?

Mr. HOSTY. East, yes. It would go east.

Mr. STERN. 2519 the west side?

Mr. HOSTY. West side, that is correct.

Mr. STERN. North being the top?

Mr. HOSTY. Right.

Mr. STERN. Now, tell us in detail of your interview with Mrs. Paine starting from the time you rang the doorbell.

Mr. HOSTY. All right. As I say, when I entered the house I immediately identified myself. I showed her my credentials, identified myself as a special agent of the FBI, and requested to talk to her.

She invited me into the house.

Mr. STERN. Did she seem surprised at your visit?

Mr. HOSTY. No, she didn't. She was quite friendly and invited me in, said this is the first time she had ever met an FBI agent. Very cordial.

As I say, it is my recollection I sat here on the couch and she sat across the room from me.

I then told her the purpose of my visit, that I was interested in locating the whereabouts of Lee Oswald.

She readily admitted that Mrs. Marina Oswald and Lee Oswald's two children were staying with her. She said that Lee Oswald was living somewhere in Dallas. She didn't know where. She said it was in the Oak Cliff area but she didn't have his address.

I asked her if she knew where he worked. After a moment's hesitation, she told me that he worked at the Texas School Book Depository near the downtown area of Dallas. She didn't have the exact address, and it is my recollection that we went to the phone book and looked it up, found it to be 411 Elm Street.

Mr. STERN. You looked it up while you were there?

Mr. HOSTY. Yes; that is my recollection that we looked it up in her telephone book to show it at 411 Elm Street, Dallas, Tex.

She told me at this time that she did not know where he was living, but she thought she could find out and she would let me know.

Mr. STERN. Did she tell you why she thought he was living alone in Dallas at that time?

Mr. HOSTY. Well, she said that she did not want him at her house; that she was willing to take Marina Oswald and the two children, but she didn't have room for him and she didn't want him at the house. She was willing to let him visit his wife and family, but she did not want him residing there.

Mr. STERN. What did she say about his visits?

Mr. HOSTY. She remarked that he came out there periodically to visit his wife and children on weekends.

Mr. STERN. Did she say when she expected his next visit might be?

Mr. HOSTY. I don't recall her stating when she expected him, no.

Mr. STERN. Did she say anything about the possibility of his coming later that day?

Mr. HOSTY. No, sir.

Mr. STERN. You say the interview started at about 2:30?

Mr. HOSTY. Approximately 2:30; yes, sir.

Mr. STERN. About how long did it last?

Mr. HOSTY. At the very most 20-25 minutes.

Mr. STERN. Were you alone with Mrs. Paine throughout this period?

Mr. HOSTY. No; towards the conclusion of the interview, Marina Oswald, who had apparently been napping, entered the living room.

Mr. STERN. Had you ever met Mrs. Oswald before?

Mr. HOSTY. Never before, no. As I had learned previously, and as Mrs. Paine had told me, she did not speak any English, so Mrs. Paine then told her in the Russian language who I was, I was an agent with the FBI.

I could tell from her eyes and her expression that she became quite alarmed, quite upset. I had had previous experience with people who come from Communist-controlled countries that they get excited when they see the police. They must think that we are like the Gestapo or something like that.

She became quite alarmed, and, like I say, I knew that she just had a baby the week before. So I didn't want to leave her in that state, so rather than just walking out and leaving her and not saying anything to her, I told Mrs. Paine to relate to her in the Russian language that I was not there for the purpose of harming her, harassing her, and that it wasn't the job of the FBI to harm people. It was our job to protect people.

Mrs. Paine relayed this information.

I assume she relayed it correctly. I don't speak Russian.

Representative FORD. What was the reaction, if any, on the part of Marina following that comment by Mrs. Paine?

Mr. HOSTY. The information I had her relay? She seemed to calm down a little bit, and when I left she was smiling. I left her in a relaxed mood. I didn't want to leave her alarmed and upset, a woman with a new baby. It is not the thing to do. So she apparently was smiling, happy, and she shook hands with me as I left, I wanted to leave her in a good frame of mind. I then left.

Mr. STERN. Did you address any questions to Marina Oswald through Mrs. Paine?

Mr. HOSTY. Not questions, no. I just relayed the information to her of this nature I just gave.

Mr. STERN. Anything else that you said——

Mr. HOSTY. No, sir; that is all I can recall.

Mr. STERN. To be translated for Marina Oswald?

Mr. HOSTY. No.

Mr. STERN. Anything else about your interview with Mrs. Paine?

Mr. HOSTY. Yes; after Mrs. Paine told me that she would try to find out where Lee Oswald was living, I then gave her my name and telephone number. I wrote it down on a piece of paper for her. I am fairly certain I printed it so she would be able to read it all right. I printed my name and wrote down my office telephone number, and handed it to Mrs. Paine.

Mr. STERN. Did you put anything else on this piece of paper?

Mr. HOSTY. No, sir; that was all.

Mr. STERN. Are you quite sure about your recollection of that, or are you telling us on the basis of your ordinary experience? Is this what you remember of the incident?

Mr. HOSTY. This is what I remember of it; yes, sir.

Mr. STERN. You don't remember putting anything on this paper other than your name?

Mr. HOSTY. My name and telephone number.

Mr. STERN. Office telephone?

Mr. HOSTY. Office telephone; right.

Mr. STERN. And no other telephone number?

Mr. HOSTY. No, sir.

Mr. STERN. No address?

Mr. HOSTY. No, sir.

Mr. STERN. License number?

Mr. HOSTY. No, sir.

Mr. STERN. You are quite certain that you can recall now only those two things?

Mr. HOSTY. Yes; I do this as a standard procedure. I do this all the time. I will write my name out if a person says they want to contact me. I will give them my name and telephone number, write it on a piece of paper and give it to them.

Representative FORD. Did you write on notepaper you had or paper provided by Mrs. Paine, or what?

Mr. HOSTY. It was my recollection it was on my paper. I took a piece of paper off, tore it in half, printed my name and telephone number on it that I gave to her.

Mr. STERN. Do you have cards?

Mr. HOSTY. No, sir; we don't have cards. We are not allowed to carry cards.

Mr. STERN. When Mrs. Paine told you that Lee Harvey Oswald was working at the School Book Depository, did that mean anything to you? Did you remember the building?

Mr. HOSTY. No, sir; I knew of the building in the outskirts of the downtown area. That is about all. I looked up the address, and I recognized the address, but it meant nothing to me.

Mr. STERN. Is there anything else at all that you can recall being said on November 1?

Mr. HOSTY. As I said earlier, I think I should bring this in, that Mrs. Paine

was a little bit reluctant to give me his place of employment at first. She said that Lee Oswald had alleged that the FBI had had him fired from every job he ever had. I told her this was not true, that I had never had anyone fired from any job nor did I know of any other FBI agents that had ever done this.

I reassured her that I wanted to know his place of employment for the purpose of determining whether or not he was employed in a sensitive industry, and when I found out that he was working in a warehouse as a laborer, I realized this was not a sensitive industry.

Mr. STERN. You were acting for the New Orleans office at this time?

Mr. HOSTY. At this time; yes, sir.

Mr. STERN. In trying to locate him?

Mr. HOSTY. Right.

Mr. STERN. Had they asked you to try to determine what kind of work he was doing and whether he might be in a sensitive position?

Mr. HOSTY. Well, this is automatically considered; yes. They didn't have to ask me. I knew I was to do that.

Mr. DULLES. Did you clear this with the Dallas or Fort Worth office? How do you work out that liaison?

Mr. HOSTY. How do you mean, sir?

Mr. DULLES. I mean with the FBI. At this time this was the territory, I assume, of Dallas or Fort Worth.

Mr. HOSTY. Right. Irving, Tex., is in the Dallas territory; yes, sir.

Mr. DULLES. The Dallas territory?

Mr. HOSTY. Right.

Mr. DULLES. Did you clear or notify the Dallas office either before or after?

Mr. HOSTY. You mean after I determined this?

Mr. DULLES. Yes.

Mr. HOSTY. Oh, yes, sir. This occurred on the 1st. This was a Friday. I returned to the Dallas office. I covered a couple of other leads on the way back. I got in shortly after 5 o'clock and all our stenos had gone home. This information has to go registered mail, and it could not go then until Monday morning.

Monday morning—shall I continue?

Mr. STERN. Yes.

Mr. HOSTY. On Monday morning, I made a pretext telephone call to the Texas School Book Depository. I called up and asked for the personnel department, asked if a Lee Oswald was employed there. They said yes, he was. I said what address does he show? They said 2515 West Fifth Street, Irving, Tex., which I knew not to be his correct address.

I then sent a communication, airmail communication to the New Orleans office advising them—and to the headquarters of the FBI advising them—and then instructing the New Orleans office to make the Dallas office the office of origin. We were now assuming control, because he had now been verified in our division.

Representative FORD. When you say you made several other checks on the way to the office, did this involve—

Mr. HOSTY. Not in this case; other cases. I run anywhere from 25 to 40 cases any one time. I have to work them all, fit them in as I go.

Representative FORD. These other checks did not involve this case?

Mr. HOSTY. No; other cases I was working on.

Mr. STERN. Mr. Hosty, at your interview on November 1 with Mrs. Paine, do you recall whether you asked her whether there was any telephone number that she knew of where Lee Harvey Oswald could be reached?

Mr. HOSTY. No, sir; I didn't ask her about a telephone number; no, sir.

Mr. STERN. And she didn't tell you?

Mr. HOSTY. She didn't volunteer. She told me she did not know where he lived.

Mr. STERN. Why don't you continue with the chronological report.

Mr. HOSTY. As I say, then I forwarded this airmail communication.

Mr. McCLOY. May I ask at this point, did she indicate whether there were any belongings of Lee Oswald in the house?

Mr. HOSTY. She did not indicate, but, of course, she did tell me his wife and

children were there, and I assumed that their personal effects would be there. We didn't go into that.

Mr. McCLOY. You made no search of the house?

Mr. HOSTY. No, sir; that would have been illegal. I couldn't have done it without his consent. There was no attempt to do that.

Mr. STERN. Did you have any thought of interviewing Marina Oswald at the time she came into Mrs. Paine's living room in connection with the investigation of Marina Oswald that you had started out thinking about in March?

Mr. HOSTY. Yes; I could have interviewed her here, but I thought at the time she was under a little emotional stress, this was maybe not a good time. Also, as I said before, we have a requirement to have two agents present when a subject is interviewed. I was alone. And, also, I wanted to get the New Orleans office to check their files to see if there was anything that I didn't have. For all I knew, they could have already interviewed her. I didn't know this. So before I would proceed with that, I wanted to make sure I had all the records, another agent, and at a better time where I could talk in more detail with Mrs. Oswald.

Then on the 5th of November——

Mr. STERN. Have you told us everything that elapsed—that occurred between November 1 and November 5?

Mr. HOSTY. Yes. Then on the 5th of November, I was on my way to the Fort Worth area, and stopped at Mrs. Paine's very briefly.

Mr. STERN. How did that happen to come about?

Mr. HOSTY. Well, I was on my way to Fort Worth, and I did not have his residence. I thought I would stop by. Mrs. Paine told me she would attempt to locate where he was living. It was not too much out of my way, so I just drove over to Mrs. Paine's. I had another agent with me that day.

Mr. STERN. Who was that?

Mr. HOSTY. Agent Gary S. Wilson. Agent Wilson was a brand new agent out of training school. And it is the custom to assign a new agent to work with an older agent for a period of 6 weeks. They work with different agents every day to observe what they are doing. This is the only reason he was with me, the only reason I had another man.

We went to the front porch. I rang the bell, talked to Mrs. Paine, at which time she advised me that Lee Oswald had been out to visit her, visit his wife, at her house over the weekend, but she had still not determined where he was living in Dallas, and she also made the remark that she considered him to be a very illogical person, that he had told her that weekend that he was a Trotskyite Communist. Since she did not have his address, I thanked her and left.

Mr. STERN. Did she indicate how she felt about this description of Trotskyite Communist that he pinned on himself?

Mr. HOSTY. Well, she thought he was rather illogical, is the way she put it. She was a little more amused than anything else. She thought he was illogical, as I say, was the term she used.

Mr. STERN. Was Marina Oswald present at all?

Mr. HOSTY. I didn't see her. She was probably in the house, but I didn't see her. I didn't go in the house. I just went in the front door.

Mr. STERN. How long do you think it was?

Mr. HOSTY. Not more than 1 or 2 minutes. Then I got in the car and left.

Mr. STERN. Where was your car parked at that time?

Mr. HOSTY. I believe in the same place, because here, again, this second car of Michael Paine's was still in front of the Paine house, and Mrs. Paine's station wagon was in the driveway. So I am fairly sure I parked here at the same spot.

Mr. STERN. And you are indicating the spot on Exhibit 430 where you initiated?

Mr. HOSTY. Right, where I parked on the first of November, to the best of my recollection that is where I parked.

Representative FORD. Did Agent Wilson accompany you to the door?

Mr. HOSTY. Yes; he walked up.

Representative FORD. And heard the conversation?

Mr. HOSTY. Yes, sir; he did.

Mr. STERN. Did you report anything about this conversation to the New Orleans office?

Mr. HOSTY. No; because there was nothing new to report. I knew I was to become the office of origin. There would be a report which I would be preparing and I would incorporate it in my report. There was nothing new that they didn't already know that would aid them.

Mr. STERN. Is there anything else about this interview on November 5 that you can tell us?

Mr. HOSTY. No, sir; that is about all.

Representative FORD. Was this comment by Mrs. Paine that Oswald had said he was a Trotskyite—

Mr. HOSTY. Trotskyite Communist was the word she used; yes, sir.

Representative FORD. Was that new as far as your knowledge of your file was concerned?

Mr. HOSTY. Well, he was a self-admitted Marxist. He had stated that earlier. The New Orleans office had reported that. He had been on television and made that statement in New Orleans, so this appeared to be in keeping with his character.

Representative FORD. The use of the word Trotskyite didn't add anything to the previous Marxist identification?

Mr. HOSTY. Well, of course, that is a particular type of Marxism, Trotskyite, the followers of Leon Trotsky's particular deviation, but this did show that he was not a member of the Communist Party USA, follower of the Leninist-Stalinist-Khrushchev movement, but would be an independent Marxist would be what it would show me, not tied in with the regular Communist Party USA.

Representative FORD. Is there anything particularly identifiable with the Trotskyite element that might alert you to anything?

Mr. HOSTY. Well, yes. The Socialist Workers Party is the Trotskyite Party in the United States, and they are supposedly the key element in the Fair Play for Cuba Committee, or were the key element in the Fair Play for Cuba Committee. So this would tie in with the fact that he was a member of the Fair Play for Cuba Committee, and, therefore, he claimed to be a Trotskyite—this would follow.

Mr. McCLOY. Do you associate with Trotskyite Communists any greater disposition to acts of violence than the normal Communist?

Mr. HOSTY. No, sir; no more than the others.

Mr. McCLOY. No doctrine of policy by assassination?

Mr. HOSTY. No, sir.

Mr. STERN. Have you reviewed, Mr. Hosty, the document that has been marked No. 830 for identification preliminary to your testimony today?

Mr. HOSTY. Oh, yes; this one you gave me earlier; yes, sir.

Mr. DULLES. I don't find a date on that. Maybe there is one there.

Mr. HOSTY. This is an insert, sir. The date of the various information will appear at the head of each paragraph.

Mr. DULLES. I see. But the date of preparation is not—

Mr. HOSTY. The date of preparation would be some time after the 22d of November.

Representative FORD. What do those identification numbers at the top in the left-hand corner mean?

Mr. HOSTY. That is our Dallas office file number 105-1716.

Representative FORD. Does that appear on the other documents?

Mr. HOSTY. Wait a minute; this relates to a control file. I believe that is the control file on Mrs. Paine, Mrs. Paine's file number.

Mr. DULLES. I wonder if I could just interrupt.

This is on the record. I am not quite clear, maybe because I came in late. Are you from the Dallas or New Orleans office?

Mr. HOSTY. I am from the Dallas division.

Mr. DULLES. From the Dallas division?

Mr. HOSTY. Yes, sir.

The man right before me was from the New Orleans division. I am from the Dallas division.

Mr. DULLES. You are from the Dallas division?

Mr. HOSTY. Yes, sir.

Representative FORD. May I pursue this just a minute. These identification numbers at the top in the upper left—as I understand it now, you are saying related to Mrs. Paine's file?

Mr. HOSTY. Right.

Representative FORD. Now, would this, even though it was from Mrs. Paine's file, have been in either Marina or Lee Harvey Oswald's file or both?

Mr. HOSTY. This did appear in the report on Lee Harvey Oswald. That was the report of December 2, I believe was the date. That was the first report. You probably have that overall report, don't you?

(Discussion off the record.)

Representative FORD. Did this material which was in Mrs. Paine's file—

Mr. HOSTY. Right.

Representative FORD. Appear in either Marina or Lee Harvey Oswald's file prior to the assassination?

Mr. HOSTY. Let me see. Part of it would have, this paragraph on page 11, this November 1, Mrs. Ruth Paine was interviewed. This appeared in the communication I sent out to the New Orleans office advising them where he was employed.

Mr. DULLES. When was that sent?

Mr. HOSTY. The 4th of November, sir. The rest of it was in note form. I hadn't reduced it to writing yet.

Representative FORD. I am still not clear what part was in Mrs. Paine's file and what part was in Marina's file and what part was in Lee Harvey Oswald's file prior to November 22.

Mr. HOSTY. Prior to November 22 just—there was no file for Mrs. Paine prior to November 22.

Representative FORD. So this didn't appear in her file?

Mr. HOSTY. No.

Representative FORD. Until subsequent to—

Mr. HOSTY. Right.

Representative FORD. The assassination?

Mr. HOSTY. There was no file for Mrs. Paine until after the assassination.

Representative FORD. Then what part appeared in Marina's file or Lee Harvey's file prior to November 22?

Mr. HOSTY. Just the second paragraph of this page 11 or the second page.

Mr. DULLES. Would this have constituted a reopening of the Lee Harvey Oswald file, because I think we had testimony this morning that the file had been closed.

Mr. HOSTY. This would constitute having the New Orleans office change origin to Dallas. At this time the file on Lee Oswald was open. We were open as an auxiliary office.

Mr. DULLES. In—

Mr. HOSTY. In Dallas.

Mr. DULLES. In Dallas?

Mr. HOSTY. Right, and this communication to New Orleans was a request that we be made origin.

Mr. STERN. I wonder if I might summarize this?

Mr. DULLES. It is not clear to me.

Mr. HOSTY. You missed a lot of this.

Mr. STERN. The file was closed, sir, until March of 1963 when Mr. Hosty decided it should be reopened on the basis of two items of information, one of them the fact that Lee Harvey Oswald was listed as a subscriber to the Worker newspaper.

Mr. DULLES. This is the Dallas file you are now talking of?

Mr. STERN. Dallas. The case was closed in the Dallas office. He reopened it in the Dallas office. He subsequently found that Oswald had moved, apparently permanently, to New Orleans, and had the file and the case administra-

tively shifted as far as his responsibility, as far as his primary responsibility, to the New Orleans office.

Mr. DULLES. Does that mean the papers were also shifted?

Mr. HOSTY. No, sir; just those papers which they lacked. I reviewed our file. I could tell what communications they had and which communications they didn't. I then gave them all communications which I was not certain that they had.

Mr. DULLES. But the other communications remained in the Dallas file?

Mr. HOSTY. Right.

Mr. DULLES. But the Dallas file, then, was not, in a sense, reactivated since the action had been transferred to New Orleans, is that correct?

Mr. HOSTY. To New Orleans; right. Then in October the case was shifted back to Dallas again.

Mr. DULLES. At what time?

Mr. HOSTY. Well, actually, November 4 would be our request to have the case transferred back to Dallas office of origin.

Mr. STERN. I think you ought to make clear, Mr. Hosty, to Mr. Dulles, that early in October you started doing something for the New Orleans office at their request.

Mr. HOSTY. Yes.

Mr. STERN. New Orleans found that they couldn't locate Lee Harvey Oswald in New Orleans.

Mr. DULLES. He had left in the meantime?

Mr. HOSTY. Right.

Mr. STERN. Yes; from their leads he seemed to have gone back into the Dallas area, and they asked the Dallas office to see if they could locate him. Mr. Hosty was doing this work at the end of October and the beginning of November when he ran these interviews. Just to complete that, Mr. Hosty, you expected, did you not, that the case would be reassigned?

Mr. HOSTY. Oh, yes.

Mr. STERN. To the Dallas office?

Mr. HOSTY. Oh, yes. This was tantamount to requesting it be shifted to us, yes, when I sent this communication.

Mr. STERN. And you were beginning to think in terms of the case being your problem again?

Mr. HOSTY. Right.

Mr. STERN. Even though formally at the time you were only——

Mr. HOSTY. Auxiliary office.

Mr. STERN. Operating on the request of the New Orleans office to try to locate him, is that correct?

Mr. HOSTY. That is correct.

Mr. McCLOY. This has all been previously testified to?

Mr. DULLES. I am sorry to have missed that.

Mr. HOSTY. That is all right, Mr. Dulles, that is entirely all right.

Mr. DULLES. Just one question. Are cases of this kind administratively transferred by agreement between two offices, or does that have to go up to Washington?

Mr. HOSTY. Washington always gets a copy of these communications. They know what we are doing. Actually the original is sent to Washington, and a carbon is sent to the other field office.

Mr. DULLES. But you can transfer it directly from one office to another?

Mr. HOSTY. Right.

Mr. DULLES. And just notify Washington as to the possibility of its being transferred?

Mr. HOSTY. Right; because he is now residing and employed in our division. There is no more needs to be done.

Mr. DULLES. I am clear. Thank you very much.

Mr. STERN. I think perhaps we can just complete the line of inquiry started by Congressman Ford. Do your records or notes show when you first reduced to writing your notes on the interviews that began on October 29 and the last one of which occurred on November 5?

Mr. HOSTY. I can only say that it would have been sometime between the 22d of November and the 2d of December, because it went out in a report on the 2d of December.

Mr. STERN. Until then they were in the form of——

Mr. HOSTY. Notes.

Mr. STERN. Raw notes?

Mr. HOSTY. Right.

Mr. STERN. Do you take shorthand or any other form of speedwriting?

Mr. HOSTY. No.

Mr. STERN. Have you preserved the notes?

Mr. HOSTY. I don't have them with me, no; because once it is reduced to writing then we destroy the notes. That is the procedure.

Mr. STERN. You say you don't have them with you. Did you preserve these notes?

Mr. HOSTY. No; they were thrown away.

Mr. STERN. And this is the only record now that you have——

Mr. HOSTY. Right.

Mr. STERN. Of these activities?

Mr. McCLOY. Do you have any record in your office as to when that was put into type? Does your secretary have it?

Mr. HOSTY. They might, sir. I think they might. I couldn't say for sure.

Mr. McCLOY. I think you might look that up and see if you have any record, and give it to us.

Mr. HOSTY. All right, sir.

Mr. STERN. But you are clear that it occurred after the assassination?

Mr. HOSTY. Oh, yes, sir; positive.

Mr. STERN. Is that usual, that you would——

Mr. HOSTY. Something of this nature, yes, sir; no reason to reduce it to writing right away.

Mr. STERN. It is true, isn't it, that some of this information had already been——

Mr. HOSTY. Transmitted in letter form to New Orleans; right.

Mr. DULLES. Prior to the assassination?

Mr. HOSTY. Prior to the assassination; yes, sir.

Representative FORD. That part on the second page?

Mr. HOSTY. Right; this second paragraph starting, "On November 1, 1963, Mrs. Ruth Paine"——

Representative FORD. What did you do, dictate that to a stenographer?

Mr. HOSTY. Right.

Representative FORD. And she typed it and it was sent officially?

Mr. HOSTY. On the 4th of November, right, airmail letter to New Orleans.

Mr. STERN. Would that be sent to your headquarters in Washington?

Mr. HOSTY. Also. Excuse me, the original goes to headquarters in Washington, a copy goes to New Orleans. It is addressed to the headquarters.

Mr. STERN. But the only information sent was the information in that paragraph beginning "On November 1, 1963."

Mr. McCLOY. But you had your original notes with you?

Mr. HOSTY. Right.

Mr. McCLOY. And still intact?

Mr. HOSTY. Right.

Mr. McCLOY. At the time you put this——

Mr. HOSTY. Because I knew I was going to get this into a report. The next report was written, and I would put it in a report form and destroy the notes.

Mr. DULLES. Do we have a copy of that letter of November 4?

Mr. HOSTY. I don't know.

Mr. DULLES. That you sent to headquarters and to New Orleans?

(Discussion off the record.)

Mr. STERN. You tell us you have reviewed these two pages?

Mr. HOSTY. Yes.

Mr. STERN. Is there anything you would like to add?

Mr. HOSTY. No, sir.

Mr. STERN. Anything you would like to correct?

Mr. HOSTY. No, sir.

Mr. STERN. This accurately states the interviews that you covered. May this be admitted in the record?

The CHAIRMAN. It may be admitted, No. 830.

(The document marked Commission Exhibit No. 830 for identification was received in evidence.)

Representative FORD. May I ask one question here?

Mr. HOSTY. Yes, sir.

Representative FORD. Why in these notes that are now Commission Exhibit 830 didn't you mention the fact that Mrs. Paine had said that Oswald was a Trotskyite Marxist?

Mr. HOSTY. No; that is set forth down here, sir.

Representative FORD. Yes; right.

Mr. HOSTY. In this second to the last paragraph, the last line.

Mr. McCLOY. May I ask you this, Mr. Hosty. In your contacts with Mrs. Paine, did you get the impression that she was cooperative throughout?

Mr. HOSTY. Yes, sir; yes, sir.

Mr. McCLOY. Nothing that she said seemed to be inconsistent with any facts that you knew?

Mr. HOSTY. No.

Senator COOPER. May I ask a question? I believe you said that all the papers that you had respecting Lee Harvey Oswald were supplied to the office at New Orleans.

Mr. HOSTY. At the time they were made origin; yes, sir. In the summer of 1963, that is correct, all the files.

Senator COOPER. At the time that he was engaged in——

Mr. HOSTY. In the Fair Play for Cuba work; yes, sir.

Senator COOPER. What do you call it—Fair Play for Cuba?

Mr. HOSTY. Fair Play for Cuba; yes, sir.

Senator COOPER. Now Mr. Fain testified that he had interviewed Oswald I think in 19——

Mr. HOSTY. 1962.

Senator COOPER. 1962.

Mr. HOSTY. That is correct.

Senator COOPER. The year before. Mr. Quigley testified that Oswald told him that he had married a Russian girl whose maiden name was Prossa, and also in that file there was another statement in which Oswald had said that he had been married, that he had married a girl in Fort Worth. Now were all those papers available to the office in New Orleans?

Mr. HOSTY. Yes, sir.

Senator COOPER. I suppose this would be a question of Mr. Quigley, really, but if all those factors were known, it would appear that the facts that Mr. Fain had secured, which showed the defection and his marriage in Russia, and the fact that he had told someone else he was married in Texas, that there would have been some further investigation of it in New Orleans.

Mr. HOSTY. Well, this would be something that Mr. Quigley would have to answer.

Mr. McCLOY. You had a record of inconsistent statements in there.

Mr. HOSTY. Yes, sir.

Mr. STERN. Continuing that line, Mr. Hosty, do you recognize Commission Exhibit 826, I now hand you?

Mr. HOSTY. Yes.

Mr. STERN. That is the report of——

Mr. HOSTY. Milton R. Kaack.

Mr. STERN. And it is dated?

Mr. HOSTY. October 31, 1963. I received it on November 1.

Mr. DULLES. Do you recall whether that inconsistent statement, that inconsistency was picked up in New Orleans at this time, in the New Orleans office?

Mr. HOSTY. I don't; no, sir. You mean about——

Mr. DULLES. About marriage.

Mr. HOSTY. About marriage? I picked it up when I saw it.

Mr. DULLES. At what time was that?

Mr. HOSTY. November 1 when we got the report.

Mr. STERN. When you reviewed Mr. Kaack's report?

Mr. HOSTY. Right.

Mr. STERN. You were aware when you read that report that he had——

Mr. HOSTY. Lied; or was inconsistent.

Mr. STERN. He had said in New Orleans that he had been married in Fort Worth, married a girl named Prossa, that he had originally told the New Orleans police that he had been born in Cuba.

Mr. HOSTY. Yes.

Mr. STERN. You were aware of all these inconsistencies?

Mr. HOSTY. Right.

Mr. STERN. What did these suggest to you in view of what you knew about Oswald?

Mr. HOSTY. I knew that he was not telling the truth in his interview in New Orleans, because I had previously checked the background of his wife and himself, and I knew that she was born in Russia and her name was not Prossa. They were not married in Fort Worth, so I knew he was not telling the truth.

Mr. STERN. You knew that on November 1.

Mr. HOSTY. Right.

Mr. STERN. And at what time did you know of Oswald's trip to Mexico City and his apparent appearance there at the Russian Embassy?

Mr. HOSTY. The 25th of October.

Mr. STERN. Had you received any——

Mr. McCLOY. Let's get these years right.

Mr. HOSTY. The 25th of October 1963.

Mr. STERN. Had you received any information about any other contacts with Russian officials by Lee Harvey Oswald?

Mr. HOSTY. Not at that time.

Mr. STERN. What other information did you have at anytime about that?

Mr. HOSTY. On November 22, after the assassination of President Kennedy, I was advised that our Washington field office of the FBI had determined that he, Lee Oswald, had been in contact with the Soviet Embassy in Washington, D.C. I learned that after the assassination.

Mr. STERN. After the assassination?

Mr. HOSTY. Right, sir.

Mr. STERN. Putting that aside for the moment, what was your evaluation of Lee Harvey Oswald based on the work that you had done and the reports that you had made, the information you gathered early in November?

Mr. HOSTY. Well, there were many questions to be resolved. I was quite interested in determining the nature of his contact with the Soviet Embassy in Mexico City. I had not resolved that on the 22d of November. We were still waiting to resolve that. Prior to that, I mean that would be the only thing——

Mr. STERN. What had you planned to do after November 5 about this case?

Mr. HOSTY. Well, as I had previously stated, I have between 25 and 40 cases assigned to me at any one time. I had other matters to take care of. I had now established that Lee Oswald was not employed in a sensitive industry. I can now afford to wait until New Orleans forwarded the necessary papers to me to show me I now had all the information. It was then my plan to interview Marina Oswald in detail concerning both herself and her husband's background.

Mr. STERN. Had you planned any steps beyond that point?

Mr. HOSTY. No. I would have to wait until I had talked to Marina to see what I could determine, and from there I could make my plans.

Mr. STERN. Did you take any action on this case between November 5 and November 22?

Mr. HOSTY. No, sir.

Mr. STERN. I think we can then turn to the events of November 22, and have you tell us what transpired that day, beginning with the morning.

Mr. HOSTY. All right. The first order of business from 8:15 to 9 o'clock the special agent in charge held the regular biweekly conference. Now we held a conference in our office every other Friday morning. It so happened that this was the Friday morning which we would hold this conference, at which time

the agent in charge would bring various items to our attention. Among the items he brought to our attention was the fact that President Kennedy would be in Dallas on that date.

Mr. DULLES. Who was the special agent in charge?

Mr. HOSTY. Gordon Shanklin. Gordon L. Shanklin.

Representative FORD. How many others besides yourself were under his jurisdiction?

Mr. HOSTY. About 75 agents.

Representative FORD. Seventy-five?

Mr. HOSTY. Yes. Now only the ones at headquarters city in Dallas were present. That would be about 40 of the agents were present at this conference.

Mr. Shanklin advised us, among other things, that in view of the President's visit to Dallas, that if anyone had any indication of any possibility of any acts of violence or any demonstrations against the President, or Vice President, to immediately notify the Secret Service and confirm it in writing. He had made the same statement about a week prior at another special conference which we had held. I don't recall the exact date. It was about a week prior.

Mr. STERN. Did you know that there was going to be a motorcade on November 22?

Mr. HOSTY. I found out about 9 p.m. the night before that there was to be a motorcade in downtown Dallas. I read it in the newspaper. That was the first time I knew of it.

Mr. STERN. Did you know that the motorcade would pass the School Book Depository Building?

Mr. HOSTY. No, sir.

Mr. STERN. Did you know the route of the motorcade?

Mr. HOSTY. No, sir.

Mr. DULLES. Had there been any contact between you or the Dallas office with the Secret Service on this point?

Mr. HOSTY. On the motorcade route, sir?

Mr. DULLES. Yes.

Mr. HOSTY. No.

Mr. DULLES. Had not been?

Mr. HOSTY. No.

Mr. STERN. The newspaper stories did not as far as you can recall tell what the motorcade route would be?

Mr. HOSTY. Yes; they did. There was a description of the motorcade route, but as I say, I didn't bother to read it in detail. I noticed that it was coming up Main Street. That was the only thing I was interested in, where maybe I could watch it if I had a chance.

Mr. STERN. So that the fact that Lee Harvey Oswald was working in the Texas School Book Depository meant nothing—

Mr. HOSTY. No.

Mr. STERN. In connection with the motorcade route?

Mr. HOSTY. No.

Mr. STERN. Did you think of him at all in connection with the President's trip?

Mr. HOSTY. No, sir.

Representative FORD. Did you have any others among the cases that were assigned to you that came to your attention in reference to the President's visit?

Mr. HOSTY. I did turn over one item of information to the Secret Service on the 21st; yes, sir. I did bring some matters to their attention.

There were some scurrilous pamphlets circulated around Dallas on the 21st of November. You may have seen them. It was a poster of President Kennedy with a front and a profile view saying, "Wanted for Treason." I took those pamphlets over to the Secret Service office the morning of the 21st. Then I assisted another agent in our division in giving the Secret Service some information on an individual in Denton, Tex., who had made some remarks about the President, and another member of my squad had also given some information to the Secret Service the evening of the 21st about the possibility of a demonstration at the Trade Mart against President Kennedy, some picketing.

Representative FORD. Do you recall to whom you gave this information?

Mr. HOSTY. The one piece of information I gave, I gave to an Agent Warner of the Secret Service.

Representative FORD. That was the information about what?

Mr. HOSTY. The pamphlets, the "Wanted for Treason" pamphlets.

Representative FORD. Those are the only documents or contacts you personally had?

Mr. HOSTY. That I personally had, that is correct.

The CHAIRMAN. Was it a pamphlet or a dodger?

Mr. HOSTY. It was, I guess you would call it a dodger.

The CHAIRMAN. Single sheet?

Mr. HOSTY. Single sheet; yes, sir.

The CHAIRMAN. A single sheet, was it not?

Mr. HOSTY. Yes.

The CHAIRMAN. Did you ever ascertain who put that out?

Mr. HOSTY. No, sir; I never did.

The CHAIRMAN. Did you ever investigate it?

Mr. HOSTY. I didn't.

The CHAIRMAN. Do you know whether your office did?

Mr. HOSTY. I am not sure; no, sir.

Mr. STERN. What next occurred on the 22d, Mr. Hosty?

Mr. HOSTY. All right. After the conference that lasted until about 9 a.m., I then left the office and joined an Army Intelligence agent, and an agent of the Alcohol Tax Unit of the Treasury Department. We had a conference concerning a case not related to Lee Oswald. This conference lasted most of the morning until about 11:45. At 11:45 the Army Intelligence agent and myself left, and walked over towards Main Street. The motorcade was scheduled to pass down Main Street near our office at approximately noon. I was now on my lunch hour, so I stood and watched the motorcade go by at the corner of Field and Main Street in Dallas.

After the President passed by, I then went across the street, started eating lunch. While I was eating my lunch, the waitress came up and told me she had just heard a radio report that the President and the Vice President had both been shot. I immediately stopped my lunch.

Mr. STERN. The President and the Vice President?

Mr. HOSTY. That was the earliest report, that the Vice President had been shot too. These were the rumors. I then of course left the lunchroom immediately and headed back for the office, which is only a block away. I got back to the office.

One of the supervisors told me to get a radio car and get out on the street right away and I would get further instructions. I did that. I got in the car and started out. I gave the signal that I was on the air and I was told to proceed towards Parkland Hospital. Just as I got to Parkland Hospital I got a call to return to the office immediately.

Mr. STERN. Do you know why you were sent to Parkland Hospital?

Mr. HOSTY. No. We were just told they wanted four cars to proceed to Parkland Hospital to stand by for further orders.

Mr. STERN. Were you told why you were ordered to return to the office?

Mr. HOSTY. When I got back they told me they wanted me to start reviewing our files to see if I could develop any information, any leads at all on the possible assassin, to help out administratively in the office.

Mr. STERN. Did the case of Oswald come to your mind at that time?

Mr. HOSTY. No, sir.

Mr. STERN. As a possible——

Mr. HOSTY. No, sir; it was approximately 1:30 that we got the report that a police officer had been killed in the Oak Cliff area of Dallas, and that the police were surrounding a movie theatre where the suspect was allegedly located.

Shortly after 2 o'clock, we received information that this man had been captured and taken to the Dallas Police Department. One of our agents called from the Dallas Police Department and identified this man as Lee Harvey Oswald. I immediately recognized the name.

Mr. STERN. What was your reaction?

Mr. HOSTY. Shock, complete surprise.

Mr. STERN. Because?

Mr. HOSTY. I had no reason prior to this time to believe that he was capable or potentially an assassin of the President of the United States.

Mr. STERN. What happened next?

Mr. HOSTY. I immediately got the file on Lee Oswald, and I determined that on the 21st of November this change of origin from New Orleans had arrived. It had not been routed to me as yet. It apparently arrived on the afternoon of the 21st. I got it for the first time after the assassination.

Mr. STERN. That is the administrative—

Mr. HOSTY. Administrative form showing that I was now origin, that we now had all the information on the case.

Mr. STERN. Did they send any other information with that?

Mr. HOSTY. The only other thing that they sent was a photograph of Lee Oswald taken at the New Orleans Police Department when he was arrested during the summer of 1963. The report of Milton Kaack of the 31st had covered everything else.

Mr. STERN. Just to be clear, you were not waiting for this shift of administrative responsibility before you did anything?

Mr. HOSTY. No; I mean if there was anything else to do, I would have gone ahead and done it.

Mr. DULLES. Was that action in Washington or New Orleans?

Mr. HOSTY. New Orleans.

Mr. STERN. Had anything else arrived at your Dallas office that you were told about at that point?

Mr. HOSTY. Not at that point, no; nothing had arrived then. I then took the file to the agent in charge.

Mr. DULLES. May I ask one point here?

Mr. HOSTY. Yes, sir.

Mr. DULLES. From the point of view of the administration, is the New Orleans office over the Dallas office, or are they equal?

Mr. HOSTY. They are equal, sir.

Mr. DULLES. They are equal?

Mr. HOSTY. We have 55 offices. They are all equal.

Mr. DULLES. All equal?

Mr. HOSTY. Right. There are no regional offices. I then took the file to the agent in charge, told him that we had a case on Lee Harvey Oswald. While I sat there he immediately called headquarters and advised headquarters here in Washington, D.C., that Lee Harvey Oswald was under arrest down at Dallas and had been observed shooting a police officer. They had eyewitnesses to his killing of Officer Tippit.

Mr. STERN. How do you know that?

Mr. HOSTY. This had been given to us by one of our agents from the call from the Dallas Police Department who had given the information. I don't know who it was. I did not receive the call.

I sat there and assisted the agent in charge while he talked to the Bureau headquarters here. I knew the file. Of course he would need some information. I would leaf through the file and get it for him so that he could relay the pertinent information.

Then sometime after that, the agent in charge instructed me to proceed to the Dallas Police Department and to sit in on the interview of Lee Oswald, which was apparently in progress at this time. Just prior to my leaving, I was told that a communication had just come in that day from the Washington field office advising that Lee Oswald had been in contact with the Soviet Embassy in Washington, D.C.

Mr. STERN. Were you told anything more about that?

Mr. HOSTY. No; I mean this is the point I was given this information. I then went and got a car and drove to the Dallas Police Department, pulled my car into the basement garage of the Dallas Police Department, parked my car.

Mr. STERN. What were conditions like?

Mr. HOSTY. Very chaotic. The press was swarming all over the police station. There were television cameras being brought into the building. Many people were running, coming and going. The place was a beehive of activity.

I parked the car, got out, and started in the door of the basement, at which time I observed a Dallas police car, an unmarked car, drive in, in which there were four detectives. The man sitting on the right-hand side of the front seat next to the driver was a man I recognized as Lieutenant Revill. He signaled me that he wanted to talk to me, at which time he jumped out of the car at the head of the ramp and came over towards me. The rest of the detectives in the car continued down the ramp to be parked.

We then proceeded in, Lieutenant Revill and I proceeded into the police department and started up the stairs. Lieutenant Revill advised me that—I might add he was in a very excited state—he advised me that he had a hot lead, that he had just determined that the only employee from the Texas School Book Depository who could not be accounted for was a man named Lee.

Now this conversation took place at approximately 3 p.m., about an hour after Lee Harvey Oswald had been arrested by the Dallas Police Department. I told Lieutenant Revill that Lee Harvey Oswald had been arrested about an hour ago, that he was an employee of the Texas School Book Depository, and that he was the man who had defected to Russia and had returned to the United States in 1962.

Now either Lieutenant Revill—I don't recall if he made a statement doubting that Oswald was the one who assassinated the President, or whether it was just a look of doubt on his face, but there was doubt came into Lieutenant Revill's—at this time I stated to him that Lee Oswald was the main suspect in this case.

Now this conversation took place running up the stairs from the basement to the third floor. At this time the level of noise was very high. As I said, there were many press representatives, TV representatives, curious bystanders, police officers, everybody running all over the place.

It was not too much unlike Grand Central Station at rush hour, maybe like the Yankee Stadium during the world series games, quite noisy. We got to the head of the stairs and I left Lieutenant Revill and went into Captain Fritz' office.

Mr. STERN. Was anyone else with you and Lieutenant Revill as you came up the stairs, as you recall?

Mr. HOSTY. As I say, the place was swarming with people. Just the two of us were going up the stairs together. My conversation was with Lieutenant Revill only.

Mr. STERN. I now show you a document marked for identification Commission 831, a letter dated April 27, 1964, from Director Hoover to Mr. Rankin, the General Counsel of this Commission, having attached a one-page copy of a newspaper article and an affidavit. Do you recognize this letter?

Mr. HOSTY. Yes, sir; I do.

Mr. STERN. Where have you seen it?

Mr. HOSTY. I have seen the file copy of this letter in the FBI files.

Mr. STERN. Do you recognize the newspaper article which is the first attachment to this letter?

Mr. HOSTY. Yes, sir. It appeared in the Dallas Morning News on April 24, 1964, I believe.

Mr. STERN. And the attachment after this is?

Mr. HOSTY. My affidavit.

Mr. STERN. Your affidavit of five pages?

Mr. HOSTY. Of five pages, bearing my signature.

Mr. STERN. Now tell us what the reason for your making this affidavit was.

Mr. HOSTY. It was to refute the story that appeared in the Dallas Morning News on April 24, 1964, to set the record straight as to what actually did take place in my conversation with Lieutenant Revill.

Mr. STERN. What did that story state?

Mr. HOSTY. It stated in substance, alleged that I was aware that Lee Harvey Oswald was capable of assassinating the President of the United States, but did not dream he would do it.

Mr. STERN. Did you say that?

Mr. HOSTY. No, sir. I want to state for the record at this time that I unequivocally deny ever having made the statement to Lieutenant Revill or to anyone

else that, "We knew Lee Harvey Oswald was capable of assassinating the President of the United States, we didn't dream he would do it."

I also want to state at this time that I made no statement to Lieutenant Revill or to any other individual at any time that I or anyone else in the FBI knew that Lee Harvey Oswald was capable of assassinating the President of the United States or possessed any potential for violence.

Prior to the assassination of the President of the United States, I had no information indicating violence on the part of Lee Harvey Oswald. I wish the record to so read.

Mr. STERN. The newspaper story also mentioned another officer of the Dallas police force, V. J. "Jackie" Brian.

Mr. HOSTY. I know him as Jackie Brian.

Mr. STERN. Do you know this officer?

Mr. HOSTY. I know him to see him. I don't know him too well.

Mr. STERN. Do you recall whether or not he was present when you had your conversation with Lieutenant Revill?

Mr. HOSTY. I don't recall him being present. I was addressing my remarks to Lieutenant Revill.

Mr. STERN. Have you heard that there was a rumor to the effect of this story at any time before this newspaper article appeared?

Mr. HOSTY. About 2 weeks prior I heard a rumor, but I didn't know exactly what the story was all about. I did hear a rumor.

Mr. STERN. What was the tone and tenor of the rumor?

Mr. HOSTY. That I had made some statement concerning Oswald's assassinating the President. I wasn't clear. I was never given the exact wording. It involved my conversation with Lieutenant Revill.

Mr. STERN. Have you talked to Lieutenant Revill since this news story appeared?

Mr. HOSTY. No, sir; not since the news story appeared.

Mr. STERN. To Chief Curry?

Mr. HOSTY. No, sir.

Mr. STERN. To any supervising official of the Dallas police force?

Mr. HOSTY. No, sir.

Mr. STERN. To any newspaper reporter for any Dallas newspaper or otherwise?

Mr. HOSTY. They had contacted me for comment, and I have had no comment other than the first person who called me, I denied the story. Since then I have had no comment on instructions from headquarters.

Mr. STERN. Have you reviewed your affidavit in preparation for your testimony here today?

Mr. HOSTY. Yes, sir.

Mr. STERN. Is there anything you would like to add to it other than what you have already said?

Mr. HOSTY. No, sir. I think it speaks for itself.

Mr. STERN. Any change you would like to make in it?

Mr. HOSTY. No, sir.

The CHAIRMAN. Off the record.

(Discussion off the record.)

The CHAIRMAN. Will you put this on the record, please?

Mr. Rankin, is there anything in the record of the Commission showing that Lieutenant Revill made a report to his superior officers concerning this statement that is alleged to have been made by Agent Hosty in this newspaper article?

Mr. RANKIN. The only thing that we have is this affidavit which you will note is Commission Exhibit 709.

The CHAIRMAN. Yes.

Mr. RANKIN. And it bears the date November 22, 1963, at the top, and is sworn to as of the 7th day of April 1964. That is what Chief Curry testified he received from Lieutenant Revill.

The CHAIRMAN. Has Lieutenant Revill been a witness before the Commission or has he made a statement, a deposition of any kind?

Mr. RANKIN. He has not been a witness before the Commission.

Mr. REDLICH. He was talked to in Dallas.

Mr. RANKIN. He was a deposition witness.

The CHAIRMAN. When was that?

Mr. RANKIN. I will have to check that.

The CHAIRMAN. Was it before or after this affidavit?

Mr. RANKIN. I will have to check that, Mr. Chief Justice, to be sure.

The CHAIRMAN. Did he in that deposition state that Agent Hosty had made such a statement to him?

Mr. RANKIN. I haven't examined the deposition. I don't know. We have the deposition now, but I have not examined it.

The CHAIRMAN. Do you know, Professor Redlich?

Mr. REDLICH. Mr. Chief Justice, I asked that question, and the information I have is that he was not questioned about this particular allegation. He was questioned on other matters.

Representative FORD. Did he volunteer that information?

The CHAIRMAN. Yes. Is it in the deposition at all?

Mr. REDLICH. To the best of my knowledge, it is not, Mr. Chief Justice.

Mr. McCLOY. Don't we have the deposition here? Can't we get it?

Mr. RANKIN. Mr. Chief Justice, I would like to be sure to check that before we have that on the record. I will report by morning, if that is all right, and be sure of it.

The CHAIRMAN. What was the date of this newspaper article? It isn't dated here.

Mr. STERN. The cover letter, Mr. Chief Justice, states that it appeared on April 24, 1964.

The CHAIRMAN. Do I understand that Chief Curry said that no statement of that kind had been made by Lieutenant Revill at or about the time the statement was supposed to have been made by Agent Hosty?

Mr. RANKIN. I don't think his testimony was in that form, Mr. Chief Justice. It was in the form that this was given to him and there wasn't any indication that it was given as of the date of November 22 in his testimony.

The CHAIRMAN. I should like to see Lieutenant Revill's deposition.

Mr. RANKIN. Mr. Redlich has gone out for it.

The CHAIRMAN. We won't delay that now. We will proceed. Go right ahead, Mr. Stern.

Mr. STERN. What happened next?

Mr. HOSTY. As I said, I left Lieutenant Revill. I entered the office of Capt. Will Fritz. After a short delay, Agent James W. Bookhout and myself entered the inner office of Capt. Will Fritz of the homicide section, Dallas Police Department, where Lee Harvey Oswald was being questioned.

Mr. STERN. I show you a two-page document marked Commission No. 832 for identification. Can you identify that?

Mr. HOSTY. Yes, sir. This is an interview form which I made for my interview with Lee Harvey Oswald on the 22d of November 1963. It was dictated as the form will indicate, on the 23d of November 1963.

Mr. STERN. Let me ask you there, Mr. Hosty, about your practice in reducing to formal form your notes of interviews. This happened the next day?

Mr. HOSTY. Right.

Mr. STERN. Is that faster than usual because of the circumstances?

Mr. HOSTY. Because of the circumstances. We have to reduce them to writing within 5 days.

Mr. STERN. In 5 days?

Mr. HOSTY. Five working days.

Mr. STERN. Did you retain the notes of this?

Mr. HOSTY. No. After the interview is reduced to writing, I get it back and proofread it. My notes are then destroyed because this is the record.

Mr. STERN. And in this particular instance did you destroy your notes of this?

Mr. HOSTY. Yes, sir.

Mr. STERN. Now you say that you are required to reduce your notes of an interview to writing within 5 working days.

Mr. HOSTY. Right.

Mr. STERN. Did that happen with respect to the interviews you conducted on October 29, November 1, and November 5?

Mr. HOSTY. To make this a little clearer, this would be an interview of a subject, not of a witness, unless this witness has something that was quite pertinent to the investigation.

Routine-type matters do not have to be put on these interview forms, but pertinent interviews would be. Now everything in this case after the assassination was declared to be pertinent. All interviews, regardless of how insignificant, were to be put on these forms.

Mr. STERN. But the interviews you conducted at the beginning of November and the end of October were not within this rule?

Mr. HOSTY. No; because they were not an interview of the subject or anything that contained anything of major importance.

Mr. STERN. Do you yourself destroy the notes?

Mr. HOSTY. Yes.

Mr. STERN. Do you recall specifically destroying the notes of your interview?

Mr. HOSTY. Yes, sir; in the wastebasket.

Mr. STERN. Your interview of Oswald, on November 22, you put the notes in the wastebasket?

Mr. HOSTY. Right.

Mr. STERN. Do you recall specifically what you did with the notes of your interviews of October 29, November 1, and November 5?

Mr. HOSTY. After I reduced them to writing, such as I did here, and I got the form back, I proofread it, then I threw them away.

Mr. STERN. And you testified that the notes of your end of October—early November interviews were transcribed after November 22, is that correct?

Mr. HOSTY. Right.

Mr. STERN. Were the notes destroyed after you transcribed those interviews, also after November 22?

Mr. HOSTY. Yes.

Mr. STERN. Did you give any consideration to retaining the notes in view of the turn that the case had taken?

Mr. HOSTY. No.

Mr. STERN. The intervening assassination?

Mr. HOSTY. No; because this is the record and the notes would not be as good as this record, because the notes are not written out fully as this is. It would just be abbreviations and things of that type.

Mr. STERN. And you received no instructions about retaining notes?

Mr. HOSTY. No; we had no instructions. We were following the same rule we had always followed.

Mr. STERN. Why don't you tell us now, turning to your memorandum of the November 22 interview of Lee Harvey Oswald, what transpired from the time you first entered Captain Fritz' office.

Mr. HOSTY. As this interview form will show, the interview commenced at 3:15 p.m. I am certain of that time because I checked my wristwatch, and Agent Bookhout checked my wristwatch. We both agreed on the time, 3:15. We came in and identified ourselves as agents of the FBI. I told Oswald my name and he reacted violently.

Mr. STERN. How do you mean?

Mr. HOSTY. To both Agent Bookhout and myself. He adopted an extremely hostile attitude towards the FBI.

Mr. STERN. Was it the FBI or the name Hosty?

Mr. HOSTY. Both. He reacted to the fact that we were FBI, and he made the remark to me, "Oh, so you are Hosty. I've heard about you."

He then started to cuss at us, and so forth, and I tried to talk to him to calm him down. The more I talked to him the worse he got, so I just stopped talking to him, just sat back in the corner and pretty soon he stopped his ranting and raving.

Mr. STERN. What was he saying? Please be specific.

Mr. HOSTY. Well, he said, "I am going to fix you FBI," and he made some derogatory remarks about the Director and about FBI agents in general. I don't specifically recall the exact wording he used.

Representative FORD. Had this been the attitude that existed prior to you and Bookhout coming into the—

Mr. HOSTY. Apparently not; apparently not. I couldn't say because I wasn't in the room. We walked into the room. I immediately identified myself, told him I was with the FBI, and was a law-enforcement officer, and anything he said to me could be used against him. He did not have to talk to us.

Senator COOPER. Can you describe the tone of his voice and his manner?

Mr. HOSTY. I beg your pardon, sir?

Senator COOPER. Can you describe the tone of his voice?

Mr. HOSTY. He was highly excited. He was very surly, I think would be about the best way to describe him, very surly; and he was curt in his answers to us, snarled at us. That would be his general attitude.

Representative FORD. Did he use profanity?

Mr. HOSTY. Yes, sir. I can't recall any specific statements he made, however.

Mr. McCLOY. Did he complain that you had been abusing or harassing his wife in anyway?

Mr. HOSTY. He made the statement, "If you want to talk to me don't bother my wife. Come and see me." He didn't say that I had abused his wife in any manner, and I hadn't. He did criticize me for talking to her. He said, "Come talk to me if you want to talk to me."

Representative FORD. Is that why he knew your name, because of your conversations with her?

Mr. HOSTY. Yes; apparently.

Mr. STERN. Had you ever seen Oswald before?

Mr. HOSTY. Not until that time. That was the first time I had seen him.

Senator COOPER. Can you remember what he said about the FBI specifically?

Mr. HOSTY. He called us gestapo, secret police, we were harassing people. It was along that line. I don't recall the exact wording.

Mr. STERN. Was he handcuffed at this time?

Mr. HOSTY. He was handcuffed behind him. After he calmed down he asked Captain Fritz if they could remove the handcuffs. Captain Fritz ordered one of his detectives to remove them from the rear, and they handcuffed him in front.

Mr. STERN. This happened right after you came into the room?

Mr. HOSTY. Shortly after we came in the room.

Mr. STERN. Before or after his outburst?

Mr. HOSTY. After his outburst; after he had calmed down.

Mr. STERN. Please continue.

Mr. HOSTY. Captain Fritz actually conducted the interview. Agent Bookhout and myself sat back in the corner and observed. Captain Fritz asked Oswald if he had ever owned the rifle. He denied he had ever owned a rifle. He said that he had seen the superintendent of the School Book Depository with a rifle in his office a couple of days before the assassination, but that he had never had a rifle in the building. He then told Captain Fritz that he had been to the Soviet Union and resided there for 3 years, and he had many friends in the Soviet Union. Captain Fritz then showed him a piece of paper which had "Fair Play for Cuba" on it, and Oswald admitted to Captain Fritz that he was secretary for the Fair Play for Cuba Committee in New Orleans a few months ago.

He told Captain Fritz that the Fair Play for Cuba Committee had its headquarters in New York City. Captain Fritz then showed Oswald a marksman's medal from the Marine Corps, and Oswald admitted that this was his medal, that he had received a sharpshooter's medal while in the Marine Corps.

Mr. McCLOY. Was it a sharpshooter's or a marksman's? There are two different types, you know.

Mr. HOSTY. I believe it was a sharpshooter, sir. He then told Captain Fritz that he had been living at 1026 North Beckley, that is in Dallas, Tex., at 1026 North Beckley under the name O. H. Lee and not under his true name.

Oswald admitted that he was present in the Texas School Book Depository Building on the 22d of November 1963, where he had been employed since the 15th of October. Oswald told Captain Fritz that he was a laborer in this building and had access to the entire building. It had offices on the first and second floors with storage on third, fourth, fifth and sixth floors.

Oswald told Captain Fritz that he went to lunch at approximately noon on

the 22d of November, ate his lunch in the lunchroom, and had gone and gotten a Coca Cola from the Coca Cola machine to have with his lunch. He claimed that he was in the lunchroom at the time President Kennedy passed the building.

He was asked why he left the School Book Depository that day, and he stated that in all the confusion he was certain that there would be no more work for the rest of the day, that everybody was too upset, there was too much confusion, so he just decided that there would be no work for the rest of the day and so he went home. He got on a bus and went home. He went to his residence on North Beckley, changed his clothes, and then went to a movie.

Captain Fritz asked him if he always carried a pistol when he went to the movie, and he said he carried it because he felt like it. He admitted that he did have a pistol on him at the time of his arrest, in this theatre, in the Oak Cliff area of Dallas. He further admitted that he had resisted arrest and had received a bump and a cut as a result of his resisting of arrest. He then denied that he had killed Officer Tippit or President Kennedy.

Mr. STERN. The memorandum says, "Oswald frantically denied shooting"—

Mr. HOSTY. It should be emphatically, I believe, rather than frantically. I think this probably should be "emphatically denied."

Mr. STERN. Is this your memorandum?

Mr. HOSTY. Yes, sir.

Mr. STERN. It is signed or initialed both by you and by Mr. Bookhout.

Mr. HOSTY. Right. The procedure is that when there are two agents involved, they both must approve it, so there can be no discrepancies.

Mr. STERN. But you dictated it.

Mr. HOSTY. I dictated it and he read it and we both approved it.

Mr. STERN. Have you been over it recently in preparation for your testimony?

Mr. HOSTY. Yes, sir.

Mr. STERN. Is it accurate? Is there anything you would like to add to it?

Mr. HOSTY. I think it is correct as it stands.

Mr. McCLOY. I didn't hear you repeating your testimony that he denied ever having been in Mexico.

Mr. HOSTY. Oh, yes; he was being questioned about his activities outside of the United States, where he had been outside of the United States. He told Captain Fritz that he had only been to Mexico to visit at Tijuana on the border, and then he did admit having been in Russia.

Mr. McCLOY. He only admitted to having been at Tijuana in Mexico?

Mr. HOSTY. Right.

Mr. McCLOY. Not to Mexico City.

Mr. HOSTY. Not to Mexico City; that is right.

Representative FORD. There was no recording made of this interrogation?

Mr. HOSTY. No, sir; it was notes I took. Agent Bookhout and I took notes, and we dictated from the notes the next day.

Mr. STERN. Did you ask him any questions?

Mr. HOSTY. No; like I say, he was acting in such a hostile condition towards us that we did not. This was Captain Fritz' interview anyway. We were just sitting in as observers.

Mr. STERN. Did you tell Captain Fritz at this time any of the information you had about Oswald, about his trip to Mexico, for example?

Mr. HOSTY. No.

Mr. STERN. About his being in touch with the Russian authorities seeking a visa?

Mr. HOSTY. No.

Mr. STERN. About his previous residence in the Soviet Union?

Mr. HOSTY. Oswald himself told Captain Fritz of this. I didn't have to. Oswald came right out and told him.

Mr. STERN. About the affair in New Orleans and his arrest there?

Mr. HOSTY. No.

Mr. STERN. Did you subsequently tell Captain Fritz?

Mr. HOSTY. No; I didn't tell Captain Fritz; no.

Mr. STERN. Was any of this information provided to the Dallas police as far as you know?

Mr. HOSTY. I provided it to Lieutenant Revill earlier, as I pointed out. He

would have been the person I would have furnished this information to as the head of the intelligence section. He would be the logical and correct person to give this information to.

Mr. STERN. Was that the extent of your advice to the Dallas police?

Mr. HOSTY. Right.

Mr. McCLOY. Did you tell Chief Curry that you had a file?

Mr. HOSTY. No, sir; I haven't talked to Chief Curry in several years. Of course I don't deal with him too much on a chief level.

Mr. STERN. Wouldn't it be difficult for Lieutenant Revill to have gotten this information from you under the conditions that you described, running up the stairway and the rest of it? Do you think he heard enough of this?

Mr. HOSTY. Well, that is true, he might not have. But you see Oswald then proceeded to tell himself, he told the police all this information, so there was no point in me repeating it when he himself, Oswald, had furnished it directly to the police.

Mr. McCLOY. But you did tell Revill that you had a file on Oswald?

Mr. HOSTY. No; I didn't tell him I had a file; no, sir.

Mr. McCLOY. You did not?

Mr. HOSTY. Just as I related here in the affidavit.

The CHAIRMAN. Mr. Hosty, I think the answer to this question is implicit in your testimony, but I would just like to ask it directly. Did you or anyone in the FBI to your knowledge for compensation or in any manner whatsoever use Oswald as an informant in any way, shape or form?

Mr. HOSTY. I have previously furnished a sworn affidavit to this Commission to the effect that I had never seen or talked to Lee Harvey Oswald prior to the 22d of November 1963. I had never made payments of any kind to him, and, in addition, I had never made any attempt to develop him as an informant or source of information. I have made a sworn affidavit to that effect.

The CHAIRMAN. Your answer to my question then is "No."

Mr. HOSTY. Correct.

Mr. STERN. This might be a good opportunity, Mr. Chairman, to have him identify this affidavit. I show you from Commission Exhibit 825 a one-page affidavit. Can you—

Mr. HOSTY. This is my affidavit. This is my signature.

Mr. STERN. And it was made when?

Mr. HOSTY. On the 5th day of February 1964.

Mr. STERN. Why don't you read that?

Mr. HOSTY. "I, James P. Hosty, Jr., Special Agent of the Federal Bureau of Investigation since January 21, 1952, having been duly sworn, make the following statement:

"At no time prior to the assassination of President John F. Kennedy did I ever see or talk to Lee Harvey Oswald. I have never made payments of any kind to him. In addition, I have never made any attempt to develop him as an informant or source of information."

Signed, James P. Hosty, Jr., Special Agent, Federal Bureau of Investigation.

Mr. STERN. Mr. Chairman, may we have admitted Exhibits 831 and 832, which Mr. Hosty has identified, the letter from the Director of the FBI enclosing Mr. Hosty's affidavit as 831, and 832, which is his two-page memorandum on the interview?

The CHAIRMAN. That may be admitted with those numbers.

(The items marked Commission Exhibits Nos. 831 and 832 for identification were received in evidence.)

The CHAIRMAN. Is that all, Mr. Stern?

Mr. STERN. There are a few other points.

The CHAIRMAN. Let's hurry them along.

Mr. STERN. To conclude that last point, Mr. Hosty, do you have any knowledge of anyone else in the government service, either FBI or any other branch—

Mr. HOSTY. No, sir.

Mr. STERN. That tried or was successful in recruiting Lee Harvey Oswald as an informant or employee or agent?

Mr. HOSTY. No, sir.

Mr. STERN. Did you see Oswald again after the interview that Captain Fritz conducted?

Mr. HOSTY. No.

Mr. STERN. What did you do when this interview concluded?

Mr. HOSTY. As I stated here, he was removed from Captain Fritz' office at 4:05 p.m. Here again I checked my wristwatch, so I am certain the time is correct.

I then went to the outer office of Capt. Will Fritz and remained there until approximately 8 p.m. that evening.

Mr. STERN. You did not attend any of the lineups?

Mr. HOSTY. No, sir.

Mr. STERN. Did you talk to any member of the Secret Service at this time?

Mr. HOSTY. Yes, sir; at approximately 6 p.m. on the 22d of November 1963, Special Agent in Charge Forrest V. Sorrels of the United States Secret Service entered Captain Fritz' office with about five or six Secret Service agents. He then proceeded to interview Lee Harvey Oswald, I was not present during this interview.

I did see him take Lee Oswald to the rear of Captain Fritz' outer office and interview Lee Oswald. It appeared to me that Forrest Sorrels of the Secret Service had appeared for the purpose of representing the United States Secret Service in this investigation. I was aware at this time that the FBI did not have jurisdiction over this matter, that is, the assassination of the President of the United States, and that if any Federal agency did have jurisdiction, it would be the United States Secret Service. As I later determined, no Federal agency had jurisdiction over this assassination.

When Forrest Sorrels concluded his interview with Lee Oswald, I called him aside and advised him that there was some additional information on Lee Oswald which the FBI headquarters in Washington could furnish to the headquarters of the Secret Service in Washington, and that there were two items, and that I did not feel that I could give them to him directly since they were secret in nature.

Mr. STERN. Was anyone else present during this conversation?

Mr. HOSTY. As I said, this took place in the outer office of Capt. Will Fritz. There were about 30 or 40 people milling around out there. There were three or four Texas Rangers. There were perhaps a dozen Dallas police officers. There were, as I said, five or six Secret Service agents.

There were three other FBI agents besides myself, various clerical personnel from the police department who were assigned to the homicide division. I recognized two postal inspectors. I directed this conversation to Mr. Sorrels. I called him to one side and directed this to him directly.

Mr. STERN. Did you repeat the same information to anyone else later on?

Mr. HOSTY. No, sir.

Mr. STERN. What did you have in mind? What were the two pieces of information?

Mr. HOSTY. The two pieces of information I had in mind were the contacts that Lee Oswald had with the Soviet Embassy in Mexico City, and the contact that he had had with the Soviet Embassy in Washington, D.C.

Mr. STERN. Were you in touch with your Dallas office from the police headquarters regularly during the evening of the 22d?

Mr. HOSTY. Yes. I went out and made phone calls to them, advised them of my interview and how things were going.

Mr. STERN. Did you make any calls directly to Bureau headquarters in Washington?

Mr. HOSTY. I didn't; no, sir.

Mr. STERN. Were you advised at any time on the 22d after you left your office of other information, any other information with regard to Lee Harvey Oswald that had been supplied by Bureau headquarters in Washington through your Dallas office?

Mr. HOSTY. No; that was all, just what I previously related.

Mr. STERN. Just what you mentioned, nothing else came through?

Mr. HOSTY. Nothing else.

Mr. STERN. Were you in the police headquarters on Saturday, the 23d, or Sunday, the 24th, at all?

Mr. HOSTY. No, sir.

Mr. STERN. Did you have any further discussions with Lieutenant Revill that weekend?

Mr. HOSTY. No.

Mr. STERN. At any time until now?

Mr. HOSTY. I have had discussions with him on two occasions since then. We did not discuss this matter of the 22d of November, this conversation of the 22d.

Mr. STERN. Did you discuss the assassination with him on either of these two occasions that you recall?

Mr. HOSTY. No, sir.

Mr. STERN. The only conversation you had with him was going up the stairway from the basement to the third floor of the police headquarters on November 22?

Mr. HOSTY. That is correct.

Representative FORD. Do you recall the dates of these two subsequent meetings with him?

Mr. HOSTY. No, sir; I don't. Just the first time was maybe in January, January sometimes, possibly February, and that was at his office. Then he came to our office maybe in March. I just don't recall the dates.

Representative FORD. But those visits were on matters not at all related to the assassination or the events surrounding it?

Mr. HOSTY. Actually, when he came to our office he was coming to talk to another agent, and I just said "Hello" to him, and we didn't discuss anything official. I just nodded "hello" to him, "How are you doing?" When I went to his office it was in connection with another matter.

Mr. STERN. But on neither occasion did you discuss the assassination or the events surrounding it?

Mr. HOSTY. No, sir.

The CHAIRMAN. Have you any further questions, Congressman Ford?

Representative FORD. What did you do on Saturday and Sunday following, in rough outline, involving the assassination, if anything?

Mr. HOSTY. I worked practically round the clock Saturday night. I didn't go to bed at all, as I recall, Friday night and Saturday. I was covering various leads in connection with the assassination, talking to people who knew Lee Oswald.

I talked to Mrs. Paine, to give you an example, the first thing Saturday morning. I talked to various people that knew Oswald, just covering general investigative leads in connection with the assassination, like everyone else was. But I wasn't working at the police department.

Representative FORD. You weren't at the police department at all on Saturday or Sunday?

Mr. HOSTY. That is correct.

The CHAIRMAN. Mr. McCloy, have you anything?

Mr. McCLOY. I noticed you mentioned Lieutenant Revill and Jackie Brian. There is another name mentioned here, Gordon Shanklin.

Mr. HOSTY. He is the agent in charge of the Dallas FBI Office.

Mr. McCLOY. It doesn't say so in this article, but it may be in this by implication. You said nothing or anything that is comparable to the alleged statement, "We have a suspect who is capable of the assassination of the President, but I never dreamed of it," to your colleague Gordon Shanklin?

Mr. HOSTY. No, sir.

Mr. McCLOY. When you went to talk to Mrs. Paine, did you go over the premises then with her? Did she, for example, show you where Oswald is alleged to have kept the rifle in the garage?

Mr. HOSTY. No, sir; I didn't do that, no.

Mr. McCLOY. Did you, in the course of your followup leads, talk to Mr. Truly?

Mr. HOSTY. Yes, sir.

Mr. McCLOY. Can you tell us what transpired between you and Mr. Truly?

Mr. HOSTY. Yes, sir; I talked to him about——

Mr. McCLOY. Is this anticipating something you have got?

Mr. STERN. No.

Mr. HOSTY. This interview took place quite a bit after the assassination. I did talk to Mr. Truly about I believe it was in January or February of 1964, and it concerned the time that he, Mr. Truly, was aware of the fact that there would be a parade through downtown Dallas. And his recollection was that he was not aware of the fact that the motorcade would pass in front of his building until shortly before noon on the 21st when an article appeared in the Dallas Times Herald.

Now the Dallas Times Herald appears on the street at approximately 10:30 a.m., and Mr. Truly said shortly before noon someone from his office saw this article and mentioned it to the office employees and said they all became excited, and this was apparently the first time anyone at the Texas School Book Depository realized the motorcade was going to pass directly in front of their building.

Representative FORD. This was Thursday?

Mr. HOSTY. Thursday before, yes. It was shortly before noon.

Representative FORD. The 21st?

Mr. HOSTY. On the 21st of November, yes.

Mr. McCLOY. But according to your recollection of what he said, all the employees were excited and became aware of the fact that the motorcade——

Mr. HOSTY. At that time.

Mr. McCLOY. At that time was going to pass the School Book Depository.

Mr. HOSTY. Right.

Mr. McCLOY. Did you notice that Oswald said in the course of his interview by Captain Fritz that he had not had a rifle but he had seen a rifle in the possession of Mr. Truly?

Mr. HOSTY. Right.

Mr. McCLOY. Did you interrogate Mr. Truly about that?

Mr. HOSTY. No, I didn't.

Mr. McCLOY. Do you know whether anyone else did?

Mr. HOSTY. I can't say for certain, no.

(Discussion off the record.)

Mr. McCLOY. Back on the record.

Do you know, Mr. Rankin, whether or not Mr. Truly has been interviewed on this subject?

Mr. RANKIN. It has been reported to me by the staff that he has.

Mr. McCLOY. Does he deny it, do you know?

Mr. RANKIN. He denies it.

Mr. McCLOY. He denies it?

Mr. RANKIN. Yes.

Mr. McCLOY. But we have no deposition from him in that regard as yet.

Mr. BELIN. No; we do not.

Senator COOPER. May I ask first as to Exhibit No. 830, you have it?

Mr. HOSTY. Yes, sir.

Senator COOPER. Does that represent statements made to you?

Mr. HOSTY. Yes, sir.

Senator COOPER. On November 5, did Mrs. Ruth Paine tell you that she thought Lee Oswald was an illogical person?

Mr. HOSTY. Yes, sir.

Senator COOPER. And that he admitted to her being a Trotskyite Communist?

Mr. HOSTY. Yes, sir.

Senator COOPER. Did you know that he had engaged in this Fair Play for Cuba demonstration in New Orleans and had been arrested?

Mr. HOSTY. Yes, sir.

Senator COOPER. You were told on November 1 that he was employed at the Texas School Book Depository?

Mr. HOSTY. Yes, sir.

Senator COOPER. Had you checked there to see if he was employed?

Mr. HOSTY. I made a pretext interview on the 4th.

Senator COOPER. On what day?

Mr. HOSTY. The 4th of November.

Senator COOPER. Considering that he was a defector, you knew he was a defector?

Mr. HOSTY. Yes, sir.

Senator COOPER. And considering that he had been engaged in this demonstration in New Orleans, and the statement that Mrs. Paine had made to you, did it occur to you at all that he was a potentially dangerous person?

Mr. HOSTY. No, sir.

Senator COOPER. Why?

Mr. HOSTY. There is no indication from something of that type that he would commit a violent act. This is not the form that a person of that type would necessarily take. This would not in any way indicate to me that he was capable of violence.

Senator COOPER. I believe you testified that you didn't know the route of the——

Mr. HOSTY. That is correct, sir.

Senator COOPER. Of the procession which passed the Texas School Book Depository?

Mr. HOSTY. That is correct, sir.

Senator COOPER. Did it occur to you to communicate this information to the Secret Service or the Dallas police about Oswald?

Mr. HOSTY. No, sir; there would be no reason for me to give it to them.

Mr. McCLOY. You did know he was lying though, didn't you?

Mr. HOSTY. Yes, sir.

Mr. McCLOY. Don't you think the combination of the fact that you knew that he was lying and that he was a defector and that he had this record with the Fair Play for Cuba, that he might be involved in some intrigue that would be if not necessarily violent, he was a dangerous security risk?

Mr. HOSTY. He was a security risk of a sort, but not the type of person who would engage in violence. That would be the indication.

Representative FORD. What are the criteria for a man being a potential violent man? Is this a subjective test?

Mr. HOSTY. You mean to the point where we would report him to the Secret Service?

Representative FORD. Yes.

Mr. HOSTY. It is instructions we had as of the 22d of November, we had to have some indication that the person planned to take some action against the safety of the President of the United States or the Vice President.

Representative FORD. How do you evaluate that? Do you have any criteria?

Mr. HOSTY. No; at that time it was that there had to be some actual indication of plan or a plot.

Representative FORD. There had to be a conspiracy of some sort?

Mr. HOSTY. Well, or a single person doing something if anyone was going to take any action against the safety of the President or Vice President.

Representative FORD. I think you testified earlier that at the time of the motorcade you were at your lunch hour.

Mr. HOSTY. Right.

Representative FORD. And were actually eating lunch? When a President visits a community, is the FBI or its people assigned any responsibilities as far as the security of the President is concerned?

Mr. HOSTY. Prior to November 22, I know of no incidents where the FBI was called in to help the Secret Service, to my knowledge.

Representative FORD. And particularly on this day none of the——

Mr. HOSTY. Definitely not.

Representative FORD. Of the people in the FBI in the Dallas area were given any assignments?

Mr. HOSTY. That is correct.

Representative FORD. For the security of the President?

Mr. HOSTY. That is correct.

Mr. McCLOY. Mr. Hosty, let me ask you this: Suppose you had known that that motorcade was going to go past the School Book Depository, do you think your action would have been any different?

Mr. HOSTY. No, sir; it wouldn't have been any different.

Mr. McCLOY. Even though you knew that he was located there?

Mr. Hosty. Right.

Mr. McCLOY. And that he was a defector?

Mr. Hosty. Right.

The CHAIRMAN. Senator.

Senator COOPER. Have you received any evidence that any person other than Lee Oswald was involved in the assassination of President Kennedy?

Mr. Hosty. No, sir; I have no knowledge of anyone else.

Senator COOPER. Did you know anything about the attempt on General Walker's life?

Mr. Hosty. I have read in the newspapers about the attempt on General Walker's life; yes.

Senator COOPER. Your office was not connected with an investigation of that?

Mr. Hosty. No; this was not a matter under the jurisdiction of the FBI. It was under the jurisdiction of the Dallas Police Department.

The CHAIRMAN. Mr. Hosty, you told us what your instructions were concerning dangerous persons as of the 22d of November. Have they been changed?

Mr. Hosty. I think Mr. Belmont will bring that up tomorrow if it be all right. Yes; they have been.

The CHAIRMAN. You will be sure to ask him that to get that from him.

Are there any other questions, gentlemen?

Mr. McCLOY. Mr. Hosty, are you still engaged in any aspects of the assassination?

Mr. Hosty. Oh, yes. I am still involved in the investigation of it, what investigation we still have.

Mr. McCLOY. And any odds and ends that come up?

Mr. Hosty. Right.

Mr. McCLOY. You are still in the process of investigating?

Mr. Hosty. Yes, sir.

The CHAIRMAN. I would like to ask Professor Redlich, did you find anything in the deposition of lieutenant, what was his name?

Mr. REDLICH. Revill.

The CHAIRMAN. Revill, on this subject?

Mr. REDLICH. No, sir. Lieutenant Revill was deposed on Tuesday, March 31, by Mr. Hubert of the Commission's staff.

The CHAIRMAN. What date?

Mr. REDLICH. March 31, 1964. The deposition consisted almost entirely of questions relating to Mr. Revill's responsibilities in connection with the investigation of the murder of Lee Harvey Oswald, and during the course of that interrogation there is nothing at all on the matter which was the subject of Commission Exhibit No. 709.

The CHAIRMAN. Is there any reference in his testimony to his going up the stairs with Agent Hosty on the 22d of November?

Mr. REDLICH. No, sir.

The CHAIRMAN. Nothing concerning that particular time in the police station?

Mr. REDLICH. No; there was not.

The CHAIRMAN. Very well. That is all.

Mr. RANKIN. Mr. Chief Justice, I answered Mr. McCloy's question in error about Mr. Truly. Mr. Belin tells me that he examined the FBI statement, and there is a statement by Mr. Truly in regard to two rifles in which he explains it, as he says, innocently. Mr. Belin, would you tell for the record what that is?

Mr. BELIN. I would almost rather wait until tomorrow morning to have the FBI reports before the Commission, if I can. I think it is a friend brought a rifle.

The CHAIRMAN. It would be better to have the report itself here.

Mr. BELIN. I will have that for the Commission tomorrow morning, sir.

Mr. McCLOY. I think, Mr. Hosty, you have probably answered this question which is very closely related to that which Senator Cooper asked you. You testified that you were continuing your investigation of various aspects of this case. You have not thus far at least unearthed anything which could be called in the nature of a conspiracy?

Mr. Hosty. No, sir.

Mr. McCloy. In connection with this assassination?

Mr. Hosty. You mean involving someone else?

Mr. McCloy. Someone else?

Mr. Hosty. No.

Mr. McCloy. Other than——

Mr. Hosty. Lee Oswald.

Mr. McCloy. Oswald. And that would cover certainly any connection with Mr. Ruby?

Mr. Hosty. That is correct.

Mr. McCloy. Have you ever interviewed Mr. Ruby?

Mr. Hosty. No, sir.

Mr. McCloy. I think that is all I have.

The CHAIRMAN. Are there any other questions?

Congressman Ford?

Representative Ford. I think earlier, Mr. Hosty, you indicated that the case of Oswald was under your jurisdiction?

Mr. Hosty. Was assigned to me; yes, sir.

Representative Ford. Assigned to you?

Mr. Hosty. Yes, sir.

Representative Ford. As I recall the language you indicated that documents or papers or reports came to you?

Mr. Hosty. Correct.

Representative Ford. Would this go through the special agent in charge of the Dallas area or what would it be?

Mr. Hosty. Here would be the procedure. The mail would be received at the chief clerk's office. They would then match it up with the proper file, and take it to the supervisor in question.

Representative Ford. Who is that?

Mr. Hosty. Mr. Kenneth Howe was supervisor of the internal security squad, and he would get it first, would read it, and then route it to the agent to whom the case was assigned.

Representative Ford. So Mr. Howe——

Mr. Hosty. Yes.

Representative Ford. Was knowledgeable about the Oswald case?

Mr. Hosty. Right.

Representative Ford. Now how knowledgeable would a person in that capacity be about this case?

Mr. Hosty. Well, I might point out where I would have 25 to 40 cases that I was working on, he might have 500 to 700 cases he was supervising, so obviously he couldn't pay as much attention to the details of the case as the agent to whom it was assigned.

Representative Ford. He saw all the documents that came in or went out involving this case?

Mr. Hosty. This case and many other cases.

Representative Ford. Did you and Mr. Howe ever discuss the Oswald case prior to the assassination?

Mr. Hosty. I have no recollection of any discussion of the case; no.

Representative Ford. Is this unusual or is this typical?

Mr. Hosty. There would be a discussion if in my opinion there was something I wanted to consult him on or if in his opinion there was something he wanted to consult me on. If he thought I was handling the case all right, and I had no questions, we would not discuss the case.

Representative Ford. Your recollection is that in this instance you and Mr. Howe had no such discussion?

Mr. Hosty. That is my recollection.

Mr. McCloy. After this one interview in which you participated at least in part with Lieutenant or Captain Fritz, I forgot what his rank is——

Mr. Hosty. Captain Fritz.

Mr. McCloy. Captain Fritz, did you ever interview or were you ever a participant in an interview of Oswald thereafter?

Mr. Hosty. No ; this was the only time I participated.

Mr. McCLOY. Did you return to the police headquarters the next day?

Mr. Hosty. No, sir.

Mr. McCLOY. You weren't there when Oswald was shot?

Mr. Hosty. No, sir.

The CHAIRMAN. Thank you very much, Mr. Hosty.

Mr. Hosty. Thank you, Mr. Chief Justice.

The CHAIRMAN. Thank you for your help. We are very glad to have seen you, sir.

The meeting will adjourn.

(Whereupon, at 5:10 p.m., the President's Commission recessed.)