

Hearings Before the President's Commission on the Assassination of President Kennedy

Wednesday, May 6, 1964

TESTIMONY OF ALAN H. BELMONT

The President's Commission met at 9:25 a.m. on May 6, 1964, at 200 Maryland Avenue NE., Washington, D.C.

Present were Chief Justice Earl Warren, Chairman; Representative Gerald R. Ford, John J. McCloy, and Allen W. Dulles, members.

Also present were J. Lee Rankin, General Counsel; David W. Belin, assistant counsel; Norman Redlich, assistant counsel; Samuel A. Stern, assistant counsel; and Charles Murray, observer.

The CHAIRMAN. Well, gentlemen, the Commission will come to order.

Mr. Belin, you had something you wanted the record to show in connection with our testimony yesterday.

Mr. BELIN. Yes, sir.

The CHAIRMAN. Would you present it to the Commission now, please.

Mr. BELIN. Yes, sir. We have a report from an FBI document that states that Roy Truly when interviewed on November 22, advised that "it is possible Oswald did see him with a rifle in his hands within the past few days," that is as of November 22, "as a Mr. Warren Caster, employed by Southwestern Publishing Co., which company has an office in the same building, had come to his office with two rifles, one was a .22 caliber rifle which Caster said he had purchased for his son, and the other a larger more high-powered rifle which Caster said he had purchased with which to go deer hunting if he got a chance," and Truly said that he examined the high-powered rifle and raised it to his shoulder and sighted over it and then returned it to Caster and Caster left with both rifles.

Then Truly went on to state that he does not own a rifle and has had no other rifle in his hands or in his possession for a long period of time. Now because of the problem that did arise, I believe the staff will promptly go down to Dallas to take the deposition of both Mr. Truly and Mr. Caster to fully get this in deposition form and find out where these rifles were as of November 22.

The CHAIRMAN. And their caliber, and so forth.

Mr. BELIN. Yes, sir.

The CHAIRMAN. Yes, sir; I think that is desirable. You ought to do that.

Mr. Belmont, the purpose of today's hearing is to take your testimony concerning the general procedures of the FBI and explain their relationship to the case of Lee Harvey Oswald.

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

Mr. BELMONT. I do.

The CHAIRMAN. Will you be seated, please.

Mr. Stern, will you conduct the examination, please?

Mr. STERN. Thank you, sir. Would you state your full name for the record, please?

Mr. BELMONT. Alan H. Belmont.

Mr. STERN. And your address, Mr. Belmont?

Mr. BELMONT. 2711 North Yucatan Street, Arlington, Va.

Mr. STERN. Mr. Belmont, what was your education at the college level?

Mr. BELMONT. Graduate of Stanford University in California, with an A.B. degree, majoring in accounting.

Mr. STERN. What year?

Mr. BELMONT. 1931.

Mr. STERN. What was your employment briefly before joining the Federal Bureau of Investigation?

Mr. BELMONT. I joined the Bureau, the FBI, in 1936, and in the interim I worked for public accountants and as a public accountant myself in California.

Mr. STERN. Would you describe, please, for the Commission briefly your experience in the Federal Bureau of Investigation since 1936?

Mr. BELMONT. I entered the FBI November 30, 1936, and after the period of training, was assigned to Birmingham, Ala., as my first office. I transferred to Chicago in about August 1937, and remained there until the summer of 1938 when I was transferred to Washington, D.C., headquarters.

In January of 1941 I was transferred to New York as supervisor of applicant and criminal investigative matters, remained there until the fall of 1942, when I was made assistant agent in charge of our Chicago office. In January of 1943 I was made agent in charge of our Cincinnati office and remained there until the summer of 1944 when I was transferred to New York as assistant agent in charge of criminal matters in New York.

Subsequently, I was placed in charge of all security work in New York for a number of years and was transferred to Washington in charge of the domestic intelligence division in February 1950. I headed that division until about June of 1961 when I was made assistant to the director in charge of all investigative work of the FBI and that is my present position.

Mr. STERN. Could you describe the organization of the FBI with two purposes in mind: First, to fix your position in the organization. Second, to provide a framework for describing the investigation of the case of Lee Harvey Oswald.

Mr. BELMONT. The headquarters of the FBI is, of course, or the FBI is headed by Mr. J. Edgar Hoover as Director. Directly under him is Mr. Clyde Tolson, Associate Director. There are 10 divisions broken down in particular types of administration.

Mr. DULLES. May I say if any of this is classified, highly classified, you had better let us know because then we could go off the record.

Mr. BELMONT. There is nothing classified here.

Mr. DULLES. Right. I know that you would have that in mind.

Mr. BELMONT. Thank you.

Basically, the division of the 10 divisions at headquarters is between administrative and investigative. The 10th division is the inspection division and reports directly to Mr. Hoover. I am in charge of the investigative divisions which are comprised of the general investigative divisions handling general criminal work, the special investigative division handling special inquiries of applicant nature, and our aggressive approach to organized crime.

The laboratory division handles all examinations of a scientific nature, and the domestic intelligence division handles all types of security work. I am in charge of those four divisions, and thus am in charge and responsible for our investigative work.

Our field offices, numbering 55, are geographically located in accordance with the amount of work in a particular area. Each division in the field is headed by a special agent in charge, assisted by an assistant special agent in charge. They are responsible for the proper conduct of the work within their divisions. They are answerable to Mr. Hoover. They are also supervised, of course, in the particular area of the work concerned by the division at headquarters.

Depending on——

Mr. DULLES. May I ask is that 55 in the United States?

Mr. BELMONT. United States and its possessions.

Mr. DULLES. And Puerto Rico?

Mr. BELMONT. Yes.

Mr. DULLES. It doesn't include your legal——

Mr. BELMONT. Legal attachés abroad?

Mr. DULLES. Yes.

Mr. BELMONT. No; they are under the direct supervision of our headquarters.

Depending on the size of the division in the field, we will have a supervisory staff in order to properly supervise the work of the agents in the field.

Mr. STERN. Can you describe the establishment of a typical case, indicating the meaning of the terms office of origin and auxiliary office?

Mr. BELMONT. A case is opened by the FBI upon the receipt of information indicating a matter within the jurisdiction of the FBI. We restrict our investigations to those matters which are within our jurisdiction.

The office of origin is the office where the major part of the work is to be done. It should be the controlling office of the investigation.

Normally, if an individual is under investigation, it will be the office where he resides. There will be in many cases investigation to be conducted by other offices. Those offices that have investigations in that case are considered auxiliary offices, and will cover the investigation sent to it, sent to them, by the office of origin or by another auxiliary office, if a lead develops within that area that requires attention elsewhere.

I may say that the office of origin can be changed and is changed if during the investigation it becomes apparent that the focus of the investigation has shifted to another area.

It is logical, therefore, that that office which bears the brunt of the investigation should be in possession of all the material pertinent to the investigation and should be charged with the supervision and running of the investigation and the direction of it.

In the event the office of origin is changed at any given time, the previous office of origin will forward to the new office of origin all material pertaining to the case so that it will have a complete file and the necessary knowledge to run the case.

Mr. STERN. Can you tell us a bit more about how information is maintained and how it flows through the system from headquarters to office of origin, to the auxiliary office or in the other directions that are possible?

Mr. BELMONT. Since the information is maintained in a standard and uniform filing system in both our field offices and our headquarters so that there is complete uniformity in the handling of information, our main filing system is at headquarters. Consequently, we need here all pertinent information in any case. Consequently, the reports and information developed during a case are sent to our headquarters for filing.

It is pertinent to observe that we conduct close to 2 million name checks a year for other agencies and departments of the Federal Government. Consequently, we must have here all pertinent information so that a name check will reflect the information in possession of the Bureau.

When a report is prepared in our field office—an investigation, and there are leads or investigation to be performed in another office, copies of this report are designated for that office, together with the lead or the investigation to be covered. Upon receipt of that the office gathers the background information from the report and proceeds with the investigation.

Mr. STERN. This is the auxiliary office?

Mr. BELMONT. The auxiliary office.

If there is a matter of urgency rather than wait for an investigative report, the information will be transmitted by more rapid means, such as teletype. All of our offices have teletypes; radio, our offices have a radio system; telephone.

Mr. DULLES. Is that teletype from the office to Washington only, or is there some interoffice teletypes?

Mr. BELMONT. Each office is connected with each other office by teletype.

Mr. DULLES. It is; all over the country?

Mr. BELMONT. Yes, sir; permitting rapid communication.

Mr. DULLES. That is, New Orleans and Dallas would have teletype between these two offices?

Mr. BELMONT. Yes.

The CHAIRMAN. What kind of radio communication, Mr. Belmont, did you say?

Mr. BELMONT. We have an emergency radio communication so that both for normal use, in the matter of expense, to reduce expenses, and for an emergency, our offices can communicate with headquarters and with each other.

The CHAIRMAN. On your own transmission system?

Mr. BELMONT. Yes, sir; that is correct. We feel that in any type of an emergency we must, because of our heavy responsibilities——

The CHAIRMAN. Yes.

Mr. BELMONT. Be able to communicate. As a matter of fact, during the recent disaster in Alaska, one of the few means of communication with the mainland was our radio system.

The CHAIRMAN. Is that so?

Mr. BELMONT. And we assisted in passing messages down from Alaska.

We have a communication called AIRTEL which is simply a communication in letter form on a particular form which upon receipt is regarded as a matter of urgency and requires special handling.

So that you will understand that, in an effort to cut expenses, we determined that a matter which could not wait for a report or a letter was normally sent by teletype, which is a relatively expensive means of communication.

By sending an AIRTEL which would be recognized for special handling, the office could receive the same information by mail with a delay of perhaps 12 hours and it would still receive the urgent handling that we require for that particular thing. That is the purpose of the AIRTEL.

Mr. STERN. I think we might turn now to a description of your role in the investigation of Lee Harvey Oswald, both before and after the assassination.

Mr. BELMONT. As the individual in charge of all investigative operations, the Lee Harvey Oswald investigation is my responsibility, the same as any other investigative case in the Bureau.

Mr. STERN. Did you have any particular involvement that you can recall in the investigation of his case before November 22—personally?

Mr. BELMONT. No; this case was not of the importance or urgency that it was considered necessary to call to my personal attention for personal direction. You must bear in mind that during the fiscal year 1963 the FBI handled something in the nature of 636,000 investigative matters. Necessarily, then, those matters which would be called to my personal attention for personal handling would have to be on a selective basis.

Mr. STERN. Have you been personally involved in the investigation since the assassination?

Mr. BELMONT. I have indeed.

Mr. McCLOY. Before we get to this, how many cases of defections to the Soviet Union would you be investigating in the course of a fiscal year?

Mr. BELMONT. I couldn't give you an exact figure on that. It is our system to investigate any individual where there is information or evidence that indicates a necessity for investigation within our jurisdiction. I do know that we have investigated, and currently are investigating, defectors not only to the Soviet Union but in other areas of the world.

Mr. McCLOY. They also would not come per se to your attention, your personal attention?

Mr. BELMONT. Depending on the case. If there is a matter which has some urgency or there is a question of policy, it would and does come to my attention, and indeed comes to the attention of Mr. Hoover.

I would not seek to give you any impression that I am not advised of many cases, I am. I am kept daily advised, as is Mr. Hoover, of all matters of policy or urgency or where there is a question of procedure. That is inherent in our system of close supervision.

Mr. McCLOY. What I am getting at is, I think, is the matter of defection just out of its own character of such significance that it becomes a matter of out of the ordinary importance to the Bureau when you learn of it.

Mr. BELMONT. Again, Mr. McCLOY, I have no way of knowing the extent to which those particular cases would be called to my attention.

As shown in the Oswald case itself, we do take cognizance of these. Immediately upon the publicity on Oswald, there was a case opened. I do know that I see many such cases and where there is an indication of possible damage

to the country through the leak of information, classified or in some other instance where there is a question of policy or urgency it is immediately called to my attention. I can only say in general I do see many such cases.

Mr. McCLOY. Well, we had testimony here yesterday that in a preassassination investigation of Oswald that they learned he was a defector, they had interviews with him, and then they marked the case closed.

At one stage it was reopened and then it was closed again because, as I gather it, there was no indication other than his defection that would lead to their, to the agents, feeling that this man was capable of violence or that he was a dangerous character in any sense.

I gather that whether or not he was thought to be a dangerous character or whether he was capable of violence would be settled by the man in the field office, in the office that had charge, the man who was in charge of the office that was dealing with that case locally, is that right?

Mr. BELMONT. That is a judgment that he would render, but that judgment would be passed on by our headquarters staff.

Mr. McCLOY. Passed on by Washington?

Mr. BELMONT. Yes, indeed. In this instance by the domestic intelligence division.

Mr. McCLOY. In this case then the decision to close that case, I am talking always about the preassassination business, was approved or tacitly approved by the Washington staff.

Mr. BELMONT. Not tacitly approved. Approved.

Mr. McCLOY. Approved. Well, you mark the paper approved or you just accept it, accept the file with a notation "return for closing."

Mr. BELMONT. When the closing report comes to our headquarters, it is reviewed by our supervisory staff, and if we do not agree with the action then the field office is notified to continue the investigation. That is a decision of substance.

Mr. McCLOY. Well, I can understand that but I gather when the report comes in you simply let the report lie unless you feel from your examination of it that it justified further action. You don't notify the field office, do you, that the closing of the case is approved?

Mr. BELMONT. No, Mr. McCLOY. With the volume of work that we have that would be an unnecessary move.

Mr. McCLOY. I can understand that.

Mr. BELMONT. It is, however, thoroughly understood through our service, through the system that we follow, that if that report comes in and it is reviewed and it is filed here, if there is disagreement as to the handling of the closing of the case or any other matter pertaining to the investigation, the seat of government will then go out with instructions to the field.

Mr. McCLOY. All right.

Mr. DULLES. Could I ask one question further on that point?

The CHAIRMAN. Yes, indeed.

Mr. DULLES. As I recall from the testimony of your people yesterday, with regard to the situation in Dallas and later in New Orleans, that after the case was marked closed in Dallas, there was this incident in New Orleans of the distribution of the Fair Play for Cuba pamphlets, and then a case there, a live case, an open case was started.

Now, it wasn't quite clear to me yesterday from all the testimony, I missed a bit of it, unfortunately, as to whether the opening of a new case in New Orleans, because of the new incident, would operate to reopen it or change the closed status of the case in Dallas, and the case was then transferred from New Orleans to Dallas later. If you could clear that up for us I think it would be helpful.

Mr. BELMONT. The agent, Fain at the time, who handled the case, closed the case after two interviews with Oswald, arriving at the conclusion that the purpose of our investigation of Oswald which was to determine whether he had been given an assignment by Soviet intelligence, had been served. He closed the case, as he felt there was no further action to be taken. The purpose had been satisfied. Headquarters agreed.

In March 1963 Agent Hosty received information in Dallas to the effect that

Oswald had been in communication with The Worker, the east coast Communist newspaper. He therefore reinstituted the case, and sent out a lead to check Oswald's employment. He also received information, as I recall it, that Oswald had been in communication with the Fair Play for Cuba Committee, so there were two incidents that aroused his interest.

In June 1963 our New Orleans office likewise received information that Oswald had communicated with The Worker or was on a subscription list for The Worker. So that the case was revived in Dallas by Hosty.

Mr. DULLES. That was even before what we call the New Orleans incident?

Mr. BELMONT. Correct.

Mr. DULLES. Yes.

Mr. BELMONT. And he learned that Oswald had left Dallas, the residence was then picked up in New Orleans, and the case was revived. So that actually there was a joint revival of the case.

Then on August 9, 1963, Oswald was arrested by the New Orleans police in connection with a disturbance of the peace in passing out these pamphlets, which further aroused our interest. So that the reopening of the case after the closing was due to these incidents that I have mentioned.

Mr. DULLES. Thank you. So that at the time of the assassination, this was an open and not a closed case as regards the Dallas office.

Mr. BELMONT. That is correct. At the time that Oswald was found to be living in New Orleans, and this was definitely established that he was actually residing there, the Dallas office in accordance with the procedure that I mentioned, transferred the case to New Orleans as office of origin.

Subsequently, the case was again transferred back to Dallas when it was determined that Oswald was again residing in the Dallas area.

The CHAIRMAN. All right, Mr. Stern.

Mr. STERN. We were getting, Mr. Belmont, to the question of whether you had been personally involved in the investigation since the assassination.

Mr. BELMONT. I said I have indeed.

Mr. STERN. Yes. As a part of that you have reviewed in detail the investigation made prior to the assassination?

Mr. BELMONT. Yes.

Mr. STERN. Have you participated in or supervised the preparation of reports and other correspondence to the Commission in response to questions from the Commission?

Mr. BELMONT. Yes.

Mr. STERN. I show you a letter with attached memorandum which has been marked for identification Commission Exhibit No. 833. Can you identify this document, Mr. Belmont?

(The document referred to was marked Commission Exhibit No. 833 for identification.)

Mr. BELMONT. This is a letter transmitted on April 6, 1964, to Mr. Rankin by the FBI with enclosure answering a number of questions which the Commission posed to the FBI.

Mr. STERN. Did you supervise the preparation of this letter?

Mr. BELMONT. Yes.

Mr. STERN. And you have reviewed it and are familiar with it?

Mr. BELMONT. Yes.

Mr. STERN. We have covered in your answers to Mr. Dulles and Mr. McCloy a good deal of the material in here.

I would like briefly to touch upon several of the questions, the more important questions, regarding the nature of the FBI's interest in Lee Harvey Oswald at various times, and I would like you to refer to each question that I indicate but not read your answer. Paraphrase it. I think we have had a good deal of the specific detail but what I am interested in is a description from your examination of the investigation as it was carried on, of the nature of the FBI interest in Oswald.

I would like to turn to the first question in which we asked—

The CHAIRMAN. You mean by that that you could get, we could get, a better idea from paraphrasing the answer than we could get from the exact answer itself?

Mr. STERN. I think he might be able to highlight the answer. We have the exact answer on the record, and I thought it might——

The CHAIRMAN. Well, highlight it, if there is anything in addition I would think that would be relevant and pertinent. But to ask him to paraphrase that which he has done with great meticulousness would seem to me to be abortive and would take a lot of our time, and I don't see what it would prove. If you have anything in addition that you want to ask him, if you want to ask him if there is anything in addition he has not put in there, that is all right. But to just ask him to paraphrase answers that have been done with great care would seem to me to be confusing the record, and serve no purpose.

Mr. STERN. I might ask, Mr. Belmont, whether there is anything you would like to add or amplify in these questions?

Mr. BELMONT. I believe the answers speak for themselves, although in view of Mr. McCloy's questions a little while ago, I would be very happy to make clear our approach to this matter. For example, the fact that our interest in defectors, in this case, is shown by the fact that in early November 1959 we opened a file on Oswald based on the newspaper publicity as to his defection. And the fact that he had applied to renounce his citizenship. We checked our files then to see was this a man we had a record on, and found that we had a fingerprint record solely based on his enlistment in the Marines.

We had no other record on him but we placed a stop or a flash notice in our fingerprint files, at that time so that if he should come back into the country unbeknownst to us and get into some sort of trouble we would be immediately notified. That is our opening interest in the case with the thought in mind that should he come back to the country we would want to know from him whether he had been enlisted by Soviet intelligence in some manner.

That is our procedure because of our experience that these things have happened, and we consider it our responsibility to settle that issue whenever we can.

Mr. STERN. Could you explain, Mr. Belmont, this procedure of placing a stop in the files that you just referred to?

Mr. BELMONT. We merely notify our identification division to place what we call a flash notice in the man's fingerprint file, which means that should he be arrested and the fingerprints be sent to the FBI, that the appropriate division, in this case the domestic intelligence division, would be notified that the man had been arrested, for what and where he was arrested, thus enabling us to center our attention on him.

Our next interest in this man arose as a result of the fact that his mother had sent, I believe, \$25 to him in Moscow, so we went to her in April 1960 and we talked to her. At that time she told us that he had told her that he would possibly attend the Albert Schweitzer College in Switzerland.

So as a followup, we had our legal attache in Paris make inquiry to see whether he had enrolled in this college. The resultant check showed that while they had expected him and a deposit had been placed that he did not show up at the college.

Mr. STERN. I think that is all covered in quite adequate detail in the answer to the first question.

Mr. DULLES. I have one question I would like to put to you on the first question and answer in your letter of April 6, in Exhibit 833—the Bureau's letter of April 6. You refer, first, to the fact that the first news you got about Oswald was from a news service item, and then later on at the bottom of the second full paragraph you state, "A file concerning Oswald was prepared and as communications were received from other U.S. Government agencies those communications were placed in his file."

The record may show the other communications, I guess our record does show, but do you feel that you adequately were advised by the State Department as this case developed or by the CIA or other agencies that might have known about it?

Mr. BELMONT. Yes. We received a number of communications from other agencies, and we set up a procedure whereby we periodically checked the State Department passport file to be kept advised of his activities or his dealings with the Embassy in Moscow so that on a periodic basis we were sure we had all information in the State Department file.

We received communications from the Navy, and from other agencies.

Mr. DULLES. Is there any general procedure with respect to Americans abroad who get into trouble. Do you get informed so in case they come back you can take adequate precautionary measures? Is that established SOP?

Mr. BELMONT. Yes, Mr. Dulles. We do receive such information, and if we pick up the information initially as we did here, from press reports or otherwise, we go to the other agencies and ask them whether they have any information and establish an interest there so that if they have not voluntarily furnished us the information they will do so upon our request.

Mr. DULLES. Thank you.

Mr. STERN. On page 3, Mr. Belmont, in the answer to question No. 3, the second paragraph, could you tell us why the FBI preferred to interview Oswald after he had established residence and why it was not preferable to interview him upon his arrival in New York?

Mr. BELMONT. This is a matter of experience. Generally speaking when an individual such as Oswald arrives back in the country and the press is there, there is an unusual interest in him. Immigration and Naturalization Service has a function to perform, and we prefer, unless there is a matter of urgency, to let the individual become settled in residence. It is a much better atmosphere to conduct the interview, and to get the information that we seek. If it is a matter of urgency, we will interview him immediately upon arrival.

Mr. STERN. On page 4, Mr. Belmont, in your answer to question No. 6, was it ordinary procedure for Agent Fain to re-interview Oswald so soon after his first interview under the circumstances? Is there anything unusual about that?

Mr. BELMONT. There is nothing unusual whatsoever. Agent Fain interviewed Oswald on June 26, 1963—1962, I believe it was, was it not?

The CHAIRMAN. Yes; 1962.

Mr. BELMONT. And was not satisfied that he had received all the information he wanted nor that it was a matter that should be closed at that time.

Therefore, he set out a lead to re-interview Oswald, and after an appropriate period he went back and re-interviewed him. This is within the prerogative of the investigative agent, and certainly if he was not satisfied with the first interview it was his duty and responsibility to pursue the matter until he was satisfied.

Mr. STERN. In your answer to question No. 5, does the response of Oswald to the question why he went to Russia seem typical to you of the returned defector, or unusual?

Mr. BELMONT. There is no such thing as a typical response. Each case is an individual case, and is decided on its merits and on the background of the individual, and the circumstances surrounding it.

Mr. STERN. Would it be usual for the defector to agree to advise you if he got a contact? Are they generally that cooperative?

Mr. BELMONT. We ask them because we want to know, and the purpose of our interview with him was to determine whether he had been recruited by the Soviet intelligence, and we asked him whether he would tell us if he was contacted here in this country. He replied he would. Whether he meant it is a question. However, you must bear in mind that this man, I believe it was when he was interviewed in July of 1961 in the American Embassy, the interviewing official there said it was apparent that he had learned his lesson the hard way, and that he had a new concept of the American way of life, and apparently had decided that Russia was not for him.

When we interviewed him likewise he told us that he had not enjoyed his stay in Russia. He likewise commented that he had not enjoyed his stay in the Marines. So that in direct answer to your question, it is customary for us in such a case as this, to ask the man if he will report a contact, and it is customary for him to say yes, because frankly, he would be putting himself in a rather bad light if he didn't say yes.

Mr. STERN. Turning to—

Mr. DULLES. Could I ask a question there: Do I correctly read your report and those of your agents to the general effect that you had no evidence that there was any attempt to recruit Oswald in the United States?

Mr. BELMONT. No evidence whatsoever.

Mr. STERN. Question 8, Mr. Belmont, on page 5, sets out the information from a report by Agent Hosty regarding alleged Fair Play for Cuba Committee activity by Oswald while he was still residing in Dallas. Have you found that an investigation was conducted to determine whether that was accurate and do you think it should have been investigated?

Mr. BELMONT. As to whether he was active with the Fair Play for Cuba Committee in Dallas? We did check. We have rather excellent coverage of such activities. There is no evidence whatsoever to indicate that he was active with the Fair Play for Cuba Committee in Dallas. And, as a matter of fact, I can go a step further and say that following his dissemination of pamphlets and his activities in New Orleans, our inquiry of our sources who are competent to tell us what is going on in the organizations such as Fair Play for Cuba Committee, advised that he was not known to them in New Orleans. So that his activities in New Orleans were of his own making, and not as a part of the organized activities of the Fair Play for Cuba Committee.

Mr. McCLOY. On that point, Mr. Belmont, where did he get his material, the printed material that he was distributing? Must he not have gotten that from some headquarters?

Mr. BELMONT. It is my recollection that he had that printed up himself.

The CHAIRMAN. That is right.

Mr. McCLOY. All of it, so far as you know, was self-induced, so to speak?

Mr. BELMONT. Correct.

Mr. STERN. Does your answer imply, Mr. Belmont, that there were Fair Play for Cuba activities in Dallas and New Orleans that you knew about?

Mr. BELMONT. No; we do not have information of Fair Play for Cuba activities in Dallas nor any organized activity in New Orleans. So that this letter that you refer to, which was undated, was, as in so many things that Oswald wrote, not based on fact.

Mr. STERN. On page 7 in the answer to question 12, you refer to the inconsistencies and contradictions between the information Oswald gave to Agent Quigley when he interviewed him in the New Orleans jail and the facts as they were known to the FBI before that, and say that "in the event the investigation of Oswald warranted a further interview, these discrepancies would have been discussed with him."

Can you explain why the fact of these inconsistencies and contradictions and perhaps outright lies to Agent Quigley was not itself reason for a further interview?

Mr. BELMONT. Let me turn this just a little bit and say why should we re-interview him?

Our interest in this man at this point was to determine whether his activities constituted a threat to the internal security of the country. It was apparent that he had made a self-serving statement to Agent Quigley. It became a matter of record in our files as a part of the case, and if we determined that the course of the investigation required us to clarify or face him down with this information, we would do it at the appropriate time.

In other words, he committed no violation of the law by telling us something that wasn't true, and unless this required further investigation at that time, we would handle it in due course, in accord with the whole context of the investigation.

Mr. STERN. Do you know whether the fact of these contradictions was called to the attention of the Dallas office at the time of Oswald's return to Dallas?

Mr. BELMONT. The entire file, of course, or the pertinent serials were sent to Dallas at the time that the case was transferred back to Dallas so they would have that information.

Mr. STERN. I gather what you are saying is they would note the contradictions from the reports?

Mr. BELMONT. Yes.

Mr. STERN. In the answer to question 14 on page 8, again in connection with these inconsistencies, the letter reads "These inconsistencies were considered in subsequent investigation."

Can you expand on that and tell us how they were considered?

Mr. BELMONT. That is right along the line of my previous explanation to you,

namely, that they were recorded in the file. In the event it was desired to talk to him further at a future date, they would be considered as to whether we desired to have him further explain.

Mr. STERN. On page 12, in response to question 22, which asked for an explanation of the reason for the investigation to ascertain his whereabouts, the letter reads, "In view of Oswald's background and activities the FBI had a continuing interest in him."

What was the nature of that continuing interest at that time?

Mr. BELMONT. On August 21, 1963, because of his activities in distributing these pamphlets, and his arrest in New Orleans, headquarters here in Washington sent a letter to the New Orleans and Dallas offices instructing them to pursue the investigation. In other words, in evaluating this information we felt it desirable that we further explore his activities to determine whether they were inimical to the internal security of the country. So that we had this continuing interest based on our evaluation, and so instructed our field offices.

Mr. STERN. Mr. Chairman, I believe the answers to the other questions give us a complete enough record.

The CHAIRMAN. Very well.

Mr. STERN. May this exhibit which has been marked 833 for identification be admitted?

The CHAIRMAN. It may be admitted in evidence under that number.

(The document referred to, previously marked Commission Exhibit No. 833 for identification, was received in evidence.)

Mr. McCLOY. Is there anything else, Mr. Belmont, that you may want to add? You have already been asked this question as you went through all these questions and answers, but is there anything else you would like to add in view of your answers this morning in further elaboration of the answers that have been given?

Mr. BELMONT. No, sir; unless the Commission has further questions at this point, I believe that the questions are answered properly and sufficiently.

Mr. McCLOY. You think that if you are interviewing a defector which is something that provokes your interest, and I guess the mere fact of defection and return to the United States would do so, and if you found that defector was lying to you, you think that without something in addition to that there would be no further necessity of examining him. Is that a fair question? Let me put it another way.

Mr. BELMONT. I have just a little difficulty following you.

Mr. McCLOY. Here is my point. Here was a defector who comes within the category of interesting cases naturally.

Mr. BELMONT. Yes, sir.

Mr. McCLOY. And you question him and you find he is lying to you. At that stage, as I understand your testimony, you say without something more you don't necessarily go any further, is that right?

Mr. BELMONT. No; that is not correct. We had talked to this man twice in detail concerning the question of possible recruitment by Soviet intelligence. We had checked his activities. He was settling down. He had a wife and a child. He had, according to what he had told us, in our interview with him, he had not enjoyed his stay in Russia. The State Department evaluation of him in Moscow was that he had learned his lesson and, as a matter of fact, he had made some statement to the effect that he now recognized the value of the American way of life, along those lines.

So that we had pretty well settled that issue. At the time that we interviewed him in the jail in New Orleans, we had again been following his activities because of his communications, his contacts with The Worker and the Fair Play for Cuba Committee and our interest there was to determine whether he was a dangerous subversive. The interview in the jail was very apparently a self-serving interview in an attempt to explain his activities in the New Orleans area, and if I recall correctly, he took the position that the policy as directed against Cuba was not correct, and that the Fair Play for Cuba Committee was merely addressing itself to the complaints of Cuba, and was not in effect a subversive organization.

If, Mr. McCloy, during those first two interviews where we were pursuing this matter of him being a defector and his recruitment, he had lied to us, and the agent was not satisfied we would have pursued it to the bitter end. Or if during any other time information came to our attention which indicated a necessity to pursue that further we would have pursued it to the bitter end.

Mr. McCLOY. You speak of this as a self-serving interview. Do you think that he sought the interview with you, with Mr. Quigley eventually, because he had known of the prior contacts that he had had with the FBI, and he simply wanted to keep out of trouble?

Mr. BELMONT. I don't know why he asked to see an agent. I simply do not know why.

Mr. McCLOY. I think that is all.

Mr. STERN. Mr. Belmont, I show you a letter marked for identification Commission Exhibit No. 834. Can you identify that for the Commission, please?

(The document referred to was marked Commission Exhibit No. 834 for identification.)

Mr. BELMONT. This is a letter dated May 4, 1964, addressed to the Commission which sets forth in summary the contents of the headquarters file on Oswald prior to the assassination.

Mr. STERN. Do you have that file with you?

Mr. BELMONT. Yes, sir.

Mr. STERN. Would you explain generally to the Commission what materials there are in that file that for security reasons you would prefer not to disclose?

Mr. BELMONT. The file contains the identity of some of our informants in subversive movements. It contains information as to some of the investigative techniques whereby we were able to receive some of the information which has been made available to the Commission.

Mr. STERN. I think that is enough, Mr. Belmont, on that.

Mr. McCLOY. You didn't have anything further to add to that, did you?

Mr. BELMONT. No.

The CHAIRMAN. I think as to those things if it is agreeable to the other members of the Commission, we will not pursue any questioning that will call for an answer that would divulge those matters that you have just spoken of.

Mr. BELMONT. I would like to make it clear, Mr. Chairman, that—I think that is very kind of you—I would like to make it clear that Mr. Hoover has expressed a desire to be of the utmost help to the Commission, and to make any information available that will be helpful to the Commission. I think your observation is very much worthwhile.

Mr. STERN. Mr. Belmont, have you reviewed the actual file and this letter of May 4 which summarizes each document in the file?

Mr. BELMONT. Yes, sir.

Mr. STERN. And to your knowledge, is this an accurate summary of each piece of information in the file?

Mr. BELMONT. Yes, sir.

Mr. STERN. The file is available to the Commission?

Mr. BELMONT. Yes, sir.

Mr. STERN. If they want to look at any item in it?

Mr. BELMONT. Yes, sir.

The CHAIRMAN. The file does not include that security matter that you mentioned, or does it?

Mr. BELMONT. This file is as it is maintained at the Bureau with all information in it.

The CHAIRMAN. With all information in it?

Mr. BELMONT. Yes, sir; this is the actual file.

The CHAIRMAN. I see.

Mr. RANKIN. Mr. Belmont, are you willing to leave the file a reasonable time in case any of the Commissioners desire to examine it personally?

Mr. BELMONT. Yes, sir.

Mr. RANKIN. We will return it.

The CHAIRMAN. I wonder if we do want it on those conditions. If we want to get anything from it don't you think, Mr. Rankin, that we ought to make

it known here while the witness is here. I personally don't care to have this information that involves our security unless it is necessary, and I don't want to have documents in my possession where it could be assumed that I had gotten that information and used it, so I would rather, I would rather myself confine our questions to this file to the testimony of Mr. Belmont. Then if we want it, if we want any of those things, it then becomes a matter to discuss here in the open, and not just in privacy.

Mr. RANKIN. Mr. Chairman, I felt it made a better record if the file is available only to the Commissioners in case they do want to examine it, and then it will be taken back and the staff will not examine it.

The CHAIRMAN. I think he has stated that the file will be made available to us whenever we want it.

Mr. RANKIN. Yes.

The CHAIRMAN. If we do want it to read it that is one thing. For myself, I think we can get what we want from examining the witness, and then if there is any portion of it that comes into play why we can determine the question here, but I really would prefer not to have a secret file, I mean a file that contains matters of that kind in our possession.

Mr. RANKIN. There is one factor that I wanted to get before the Commission and in the record, and that is that you had all the information that the FBI had in regard to this matter, and I thought that was important to your proceedings, so that we would not retain such a file, and we had an accurate summary but that it is available so that the Commission can be satisfied that nothing was withheld from it in regard to this particular question. That was the purpose of the inquiry.

Mr. DULLES. I assume, Mr. Belmont, if later other testimony arises that would make us desire to refer to this file we could consult it in your offices or you would make it available to us?

Mr. BELMONT. Yes, sir.

The CHAIRMAN. I think I would personally rather have it done on that basis. What do you think, Mr. McCloy?

Mr. McCLOY. I was just glancing at the file, and it seems to have the regular, the usual type of reports that we have seen. But there is a good bit of elaboration in those, in that file of the summary which is here. This summary I don't think can purport to be a complete description of the documents that are in here, as I glance through them here.

I just happened to see a good bit of detail in here which doesn't have anything to do with the security problem we talked about, but I would think that probably it would be wise for some member of the Commission or members of the Commission as a whole, to run through that file in order to be sure that we have seen the material elements of the file that we would not perhaps, might not, be able to get from this letter of May 4.

The CHAIRMAN. Well, there are so many of these questions in here that are obviously matters that we would have no more concern with than just to know about them.

Start from the very beginning, a news clipping from the Corpus Christi Times, dated October 2, 1959. Now if that excites any interest on the part of any member, why we could say, "Well, could you show us that?" Then the next is the United Press release, dated October 31 at Moscow, and a great many of these.

Now, I wonder if it wouldn't be better for us to look over all of these various things, items that are in the file, and then if there are any that happen to excite our interest, we can ask Mr. Belmont about it. If it is a matter that involves security, we could then discuss it and make our determination as to whether we wanted to see it. I would think that when we are dealing with things that are as sensitive as the FBI has to deal with in that respect, that that would be adequate; that is my opinion of it.

But if the rest of the Commission feel that they want to see it notwithstanding the security measure, I would, of course, have no objection.

Mr. RANKIN. Mr. Chief Justice, what I was trying to deal with was a claim by someone that the Commission never saw all there was in the hands of the

FBI about Lee Harvey Oswald, and we recognize that some of these items should not be considered important by anyone, as we look at the matter, but we wanted you to be able to satisfy the public and the country that whatever there was that the FBI had, the Commission had it, and we didn't think that in light of the security problems the whole file should be a part of the files of the Commission. And we tried to present here a summary, even of items that did not seem important, but we did want the record in such condition that the Commission could say in its report, "We have seen everything that they have." I think it is important to the case.

Mr. McCLOY. I notice, Mr. Belmont, in running through this file, a note here that symbols are used in instances where the identities of the sources must be concealed.

Mr. BELMONT. That is correct, sir.

Mr. McCLOY. If that is so——

Mr. BELMONT. In some instances.

Mr. McCLOY. Only in some instances. There are other cases where that is not the case.

Mr. BELMONT. Yes; that is right.

Mr. McCLOY. There is a great deal of narrative in here about Oswald and his relations with the Embassy. Maybe it is elsewhere in the record.

Mr. BELMONT. I would presume that you have received that from the other agencies. Those are copies of communications that the other agencies sent to us.

The CHAIRMAN. Well, why couldn't we go over this list and see what items we would be interested in and then we can determine, can we not, whether we want——

Mr. McCLOY. I am not so sure, you can look through this yourself, I am not so sure if from reading just that short summary you get the full impact of all the narrative that is in the various reports. There is a good bit here. For example, one page I have here about this business of beating his wife and the drinking. There is a good bit of detail.

Mr. BELMONT. Mr. McCloy, you have that record.

The CHAIRMAN. We have the record, I have read the records myself.

Mr. McCLOY. Maybe we have that one.

Mr. BELMONT. Any investigative report you have.

Mr. McCLOY. Is there any investigative report in here that we have not got?

Mr. BELMONT. No, sir.

Mr. RANKIN. We are trying to develop, Mr. Chief Justice and Commissioners, that you have everything that the FBI had, this is their total file in regard to this matter of Lee Harvey Oswald so that there is nothing withheld from you as far as the FBI is concerned. That is part of what we are trying to develop this morning, in addition to the items themselves.

Mr. DULLES. I wonder if the staff, Mr. Rankin, could not go over this and check over those items we have from other sources and what the FBI has already furnished us so what we deal with with respect to this file are only items that are not in the Commission's records already. That would cut this down by half, I would imagine or more.

Mr. RANKIN. Yes; we could do that for you.

Mr. DULLES. Then we could have this available possibly at a later date just to check over the other items against your files to see if there is any information there that we really need.

The CHAIRMAN. You could come back, couldn't you, Mr. Belmont?

Mr. BELMONT. I am at your disposal.

The CHAIRMAN. I think that would be better. I think, Mr. Rankin, your purpose is entirely laudable here, but I think we do have to use some discretion in the matter, and you say that you want it so we can say we have seen everything. Well, the same people who would demand that we see everything of this kind would also demand that they be entitled to see it, and if it is security matters we can't let them see it. It has to go back to the FBI without their scrutiny.

So unless, I would say, unless there is something that we think here is vital to this situation, that it isn't necessary for us to see the whole file, particularly

in view of the fact that we have practically—we have all the reports, he says we have all the reports that are in that file, and it just seems like thrashing old straw to go over it and over it again.

Mr. McCLOY. Do we have copies of all these telegrams that are in here from the Embassy?

Mr. BELMONT. You are looking at——

Mr. McCLOY. Not Embassy; here is one from Mexico. Do we have that? We don't have these in our files, for example.

Mr. BELMONT. This is subsequent to the assassination. You see your area of interest at this point is information, all information we had prior to the assassination. I did not remove from this file the items that started to come in subsequent to the assassination, you see.

Mr. McCLOY. My feeling is that somebody on the Commission should examine that file. I can't come to any other conclusion after reading it all, because I don't know what is in it, what is in our record, and what is in that file. There is a good bit of material there that is narrative, which I think would be relevant. Certainly, I don't believe we can be possibly criticized for deleting or not producing a file which contains the type of information that you are speaking of. We are just as interested in protecting the security of your investigative processes as you are. But I don't think that when it is on the record that we have this file, that may contain material that was not in our files, and we are given the opportunity to examine it, without disclosing these confidential matters that we ought not to have somebody go through it.

Mr. DULLES. I agree with that but I think we could save time if we checked off first what we have already and that would cut out about half of that file probably.

Mr. McCLOY. I think in a rapid glance through it, I think just about half of it.

The CHAIRMAN. Well, suppose you do that then, get those and let's see. All right, proceed, Mr. Stern.

Mr. STERN. I think perhaps we ought to leave the entire matter of the file then until we can give you the information.

The CHAIRMAN. That is right.

Mr. STERN. May we admit for the purposes of the record this list at this time, Mr. Chief Justice, which has been marked No. 834?

The CHAIRMAN. Yes. There are no security matters in this?

Mr. BELMONT. No, sir.

The CHAIRMAN. It may be admitted as Exhibit No. 834.

(The document referred to, previously marked Commission Exhibit No. 834 for identification, was received in evidence.)

Mr. STERN. Mr. Belmont, can you identify this letter dated February 6 with an attached affidavit which has been marked for identification as Commission Exhibit No. 835?

(The document referred to was marked Commission Exhibit No. 835, for identification.)

Mr. BELMONT. Yes; this is a letter dated February 6, 1964, to the Commission from the FBI to which is attached an affidavit by Director J. Edgar Hoover.

Mr. STERN. What is the subject?

Mr. BELMONT. Stating flatly that Lee Harvey Oswald was never an informant of the FBI.

Mr. DULLES. Would you define informant. Obviously in the sense he knew some information as previously indicated from the previous interviews. I mean for the record, would you just define what you mean by an informant in this sense?

Mr. BELMONT. An informant in this sense is an individual who has agreed to cooperate with the FBI and to furnish information to the FBI either for or without payment.

Mr. STERN. Thank you.

Mr. BELMONT. This would not, of course, include the cooperative citizen to whom we go, and who frequently and frankly discloses any information in his possession, but rather someone who joins an organization or seeks out information at the direction and instance of the FBI relative to subversive or criminal

matters. In other words, I want to make it clear we do not regard patriotic citizens as informants.

Mr. STERN. I take it you also would not have regarded Lee Oswald as an informant from the contacts with him that you have told us about and the other agents have told us about?

Mr. BELMONT. Indeed not; in no way could he be considered an informant; in no way.

Mr. STERN. Did you supervise or assist in the preparation of the information contained here?

Mr. BELMONT. Yes, sir.

Mr. STERN. And you are familiar with it?

Mr. BELMONT. Yes; I am.

Mr. STERN. And to your knowledge, does it accurately and completely state the Bureau's practice in recruiting a prospective informant?

Mr. BELMONT. That is correct.

Mr. STERN. Is there anything you would like to add to the information covered in there with respect to your practices regarding informants?

Mr. BELMONT. No; only in my personal knowledge this is a correct statement and Lee Harvey Oswald was not an informant of the FBI.

Mr. STERN. Did you ever use the term "agent" to apply to anyone other than an employee, a special agent employee of the FBI?

Mr. BELMONT. No; we do not.

Mr. DULLES. Could I ask you, Mr. Belmont, whether Mr. Fain's separation from the FBI had anything whatever to do with the Oswald case or in his handling of the Oswald case?

Mr. BELMONT. No; indeed not. Mr. Fain came to the retirement age and decided he wanted to retire, which is his privilege, and he retired and is presently working in Texas and very happy, I understand.

Mr. DULLES. Thank you.

Mr. BELMONT. He retired in good graces, good standing, so far as the FBI is concerned.

The CHAIRMAN. And a year before the assassination.

Mr. BELMONT. Frankly, I don't recall.

The CHAIRMAN. Yes; it was August 1962, he testified.

Mr. STERN. You have already covered this, Mr. Belmont, but just so that the record is completely clear on this point, was Lee Oswald ever an agent of the FBI?

Mr. BELMONT. Lee Oswald was never an agent of the FBI.

Mr. STERN. The letter of February 6, 1964, from Mr. Hoover, alludes to testimony furnished the Commission by District Attorney Wade. Have you subsequently been advised that Mr. Wade had not testified before the Commission?

Mr. BELMONT. Yes; we received a letter from the Commission advising us that the incident referred to was an informal discussion rather than actual testimony before the Commission.

Mr. STERN. And also to complete the record, have you been advised that Mr. Wade was not suggesting that he believed the rumor about Oswald as an informant, but felt obliged to call it to the attention of the Commission?

Mr. BELMONT. The Commission's letter so advised us.

Mr. STERN. Mr. Chairman, may this be admitted with No. 835?

The CHAIRMAN. It may be admitted under that number.

(The document referred to, previously marked Commission Exhibit No. 835 for identification, was received in evidence.)

Mr. STERN. Mr. Belmont, I show you a letter dated February 12, 1964, a number of affidavits by special agents, attached to it. It was identified yesterday, parts of it were identified yesterday and it therefore carries the number for identification 825. Can you identify this letter for us?

Mr. BELMONT. In order to be sure—I beg your pardon. This is a letter dated February 12, 1964, to the Commission from the FBI, to which is attached affidavits of FBI personnel who had reason to contact Lee Harvey Oswald and who were in a supervisory capacity over the agents who contacted Oswald.

Mr. STERN. Did you supervise the preparation of this material?

Mr. BELMONT. These affidavits were prepared, of course, by the men themselves.

I have read the affidavits, and they were compiled as an enclosure and sent over with this letter.

Mr. STERN. You have reviewed them in preparation for your testimony before the Commission?

Mr. BELMONT. Yes, sir.

Mr. STERN. To your knowledge, are they accurate?

Mr. BELMONT. They are accurate, to my knowledge, yes.

Mr. STERN. Are they complete?

Mr. BELMONT. Yes.

Mr. STERN. They do not omit any significant fact you know of?

Mr. BELMONT. No.

Mr. STERN. In connection with the material they cover?

Mr. BELMONT. No.

Mr. STERN. Unless there are any questions on that, Mr. Chairman, I suggest we admit this document.

The CHAIRMAN. It may be admitted as No. 825.

(The document referred to, previously marked Commission Exhibit No. 825 for identification, was received in evidence.)

Mr. STERN. Mr. Belmont, I show you a letter dated March 31, 1964, from Director Hoover to Mr. Rankin, the General Counsel of the Commission, with a series of attachments. Can you identify this which has been marked for identification as No. 836. Can you identify this for the Commission?

(The document referred to was marked Commission Exhibit No. 836 for identification.)

Mr. BELMONT. This is a letter dated March 31, 1964, to the Commission from the FBI to which is attached the instructions contained in our manuals as to the type of information which should be disseminated to Secret Service and our relations or liaison with Secret Service.

Mr. STERN. It was prepared in response to a request from the Commission?

Mr. BELMONT. That is correct.

Mr. STERN. Did you supervise or assist in the preparation?

Mr. BELMONT. I did.

Mr. STERN. Have you reviewed it recently?

Mr. BELMONT. Yes.

Mr. STERN. Is it complete with respect to the matters covered?

Mr. BELMONT. Yes; it is.

Mr. STERN. Is there anything you would like to add to it with respect to the matters covered?

Mr. BELMONT. Well—

Mr. DULLES. May I just interrupt here a moment. Is this inquiry directed to the question of whether it is now adequate or whether this is complete as of the time of the assassination? I think we have two questions there to consider.

Mr. BELMONT. Mr. Dulles, this letter outlines our relations with Secret Service and the material that is attached covers both the instructions to our agents prior to the assassination and the current instructions.

Mr. DULLES. Subsequent to the assassination?

Mr. BELMONT. Yes, sir.

Mr. DULLES. Yes.

Mr. STERN. What were the criteria you employed and instructed your agents to employ before the assassination in determining what information should be reported to the Secret Service regarding threats against the President, members of his family, the President-elect, and the Vice President?

Mr. BELMONT. These are contained in detail in the attachments which represent sections of our manual of instructions which are available to all of our personnel in the field as well as the seat of Government, and also in the FBI handbook which is in possession of the individual agent in the field. These instructions require that any information indicating the possibility of an attempt against the person or safety of the persons mentioned by you must be referred immediately by the most expeditious means of communications to the nearest office of the Secret Service. Further, that our headquarters in Washington must be advised by teletype of the information and the fact that it has been furnished to Secret Service.

Mr. STERN. Specifically, the kind of information you were interested in, that is before the assassination?

Mr. BELMONT. Yes. Specifically the kind?

Mr. STERN. Yes.

Mr. BELMONT. Any information indicating the possibility of a threat against the President and Vice President and members of the family.

Mr. STERN. Have you broadened—

Mr. BELMONT. I may say, sir—

Mr. STERN. Yes.

Mr. BELMONT. That this practice was assiduously followed, and you will find that the files of the Secret Service are loaded with information over the years that we have furnished them. That was a practice religiously followed and a practice voluntarily followed without request. In other words, we do not have a written request for this type of information but rather considered it our responsibility and duty to furnish this information.

Mr. STERN. Did you ever participate in or do you know of any discussion with the Secret Service before the assassination regarding the kind of information they were interested in?

Mr. BELMONT. We had close liaison with Secret Service, and I have no doubt that in oral discussions that the question came up. I wasn't present but I would assume it has come up, particularly as we were constantly furnishing information. We have no written criteria, you might say, as to what should be furnished.

Mr. STERN. That is, established by the Secret Service.

Mr. BELMONT. That is correct.

Mr. STERN. And you yourself never participated in any discussion of—

Mr. BELMONT. No; I did not.

Mr. STERN. This liaison function.

Mr. BELMONT. This is something we have done for years on the basis that we consider it our responsibility not only as far as the President goes. As you know, Mr. Chairman, we have also followed the same policy relative to other high officials when it appears desirable.

Mr. STERN. Have you subsequent to the assassination augmented your instructions to special agents in this respect?

Mr. BELMONT. Yes. On December 26, 1963, we prepared additional instructions reiterating those already in effect, and adding other dissemination to Secret Service concerning the security of the President.

The CHAIRMAN. Where do those new ones appear in the exhibit, Mr. Belmont?

Mr. BELMONT. They appear as an attachment—working from the back, I think, Mr. Chairman, I can help you most.

The CHAIRMAN. Yes.

Mr. BELMONT. Eight pages from the back it starts, it reads, "Manual of Instructions Section 83."

The CHAIRMAN. Yes; I have it.

Mr. BELMONT. The first page is the same information that we previously furnished to Secret Service involving threats.

The CHAIRMAN. The first page is intact, as it was before.

Mr. BELMONT. There may be some slight changes in wording but essentially it is the same dealing with possible threats.

The CHAIRMAN. Yes.

Mr. DULLES. Mr. Belmont, I wonder if it would be possible for the Commission's convenience to date each one of these papers as of a certain date. It is quite difficult going through it now without referring to the letter in each case to determine whether the instructions are as of the date of the assassination or as of the present date?

Mr. BELMONT. We can do that without any difficulty. I would be glad to do it with the staff, or can I help you here?

Mr. DULLES. Well, I think we can do that later but I think it would be useful when this goes into the record for our later reference in studying this to have those dates available to us on each one of the attachments.

Mr. BELMONT. Very good.

Mr. DULLES. Thank you.

Mr. BELMONT. Coming back to this item you inquired about, sir, the other dissemination to Secret Service concerning the security of the President is set forth on pages 2 and 3 of this inclusion in our manual, and it extends the dissemination to "subversives, ultrarightists, racists, and fascists, (a) possessing emotional instability or irrational behavior, (b) who have made threats of bodily harm against officials or employees of Federal, State or local government or officials of a foreign government, (c) who express or have expressed strong or violent anti-U.S. sentiments and who have been involved in bombing or bomb-making or whose past conduct indicates tendencies toward violence, and (d) whose prior acts or statements depict propensity for violence and hatred against organized government." That was prepared in an effort to provide additional, and a voluntary effort, without request, to provide additional information that might be helpful to avoid such an incident as happened November 22, 1963.

Mr. STERN. This did not come about, this change did not come about, through any request from the Secret Service or discussion with the Secret Service?

Mr. BELMONT. No. We made these changes, as I say, in an effort to provide any additional information in the light of what happened that might be of assistance to Secret Service and might assist in protecting the President.

Mr. DULLES. I wonder, Mr. Belmont, whether you would consider possibly changing in section (d) the word "and" to "or" whose prior acts or statements depict propensity for violence" and then it now reads "and hatred against organized government". There have been cases, I believe, where the propensity for violence had not been previously noted but the hatred of organized government has.

Mr. BELMONT. We will be happy to change that.

Mr. DULLES. I just suggest for your consideration, I don't wish to rewrite it.

Mr. BELMONT. We would be happy to change it, Mr. Dulles.

Mr. STERN. Following Mr. Dulles' thought, in the line above that, Mr. Belmont, should that "and" before (d) be "and" or "or"? Do you mean these—

Mr. BELMONT. We do not mean that all of these items must be coupled together if that is your thought.

Mr. STERN. That is right.

Mr. BELMONT. We will be happy to change the "and" before (d) to an "or".

Mr. STERN. This means any of the broad classifications of people, subversives, ultrarightists, racists or fascists who meet any of these four tests.

Mr. BELMONT. That is correct.

Mr. STERN. Can you give the Commission some notion of the increase in volume which the broadening of your criteria has brought about? By volume, I mean the volume of your references to the Secret Service.

Mr. BELMONT. I do not have an exact figure, however, I do know that more than 5,000 additional names have gone over to Secret Service under these criteria.

The CHAIRMAN. In what period of time?

Mr. BELMONT. Since we put them out.

The CHAIRMAN. I see.

Mr. BELMONT. Which was December 26.

The CHAIRMAN. Yes.

Mr. McCLOY. Have you included defectors in this list?

Mr. BELMONT. Yes, sir; we do include defectors.

Mr. STERN. You mean as of December 26, 1963?

Mr. BELMONT. Correct.

Mr. STERN. Has the expansion of your criteria led to any problem or difficulty for you or for individuals or do you anticipate any problem or difficulty under the expanded criteria?

Mr. BELMONT. It seems to me that there is a necessity to balance security against freedom of the individual. This is a country of laws and a government of law, and not a government of men. Inevitably the increase in security means an increase in the control of the individual and a diminishment, therefore, of his individual liberties. It is a simple matter to increase security. But every time you increase security you diminish the area of the rights of the individual. In some countries the problem of a visiting dignitary is met without much difficulty.

Persons who are suspect or may be considered dangerous are immediately rounded up and detained while the individual is in the country. The authorities have no problem because in those countries there is not a free society such as we enjoy, and the people who are detained have no redress. The FBI approaches this whole field of security—I am not boring you with this, am I?

The CHAIRMAN. No, indeed. This is tremendously important.

Mr. BELMONT. The FBI approaches this whole field of security and its tremendous responsibilities to protect the internal security of the country as a sacred trust. In carrying out our investigations and our work in the security field, we do it in such a manner under the law that we strengthen rather than weaken the free society that we enjoy. It is for that reason that our men are trained carefully, thoroughly, and supervised carefully, to insure that their approach to the entire security field, which inevitably touches on control of thought, is handled with extreme care. Our activities are directed to meet the terrific responsibility we have for the internal security of the country, but to meet it under the law. We feel that to place security as such above the rights of the individual or to increase these controls beyond what is absolutely essential is the first step toward the destruction of this free society that we enjoy.

We have been asked many times why we don't pick up and jail all Communists. The very people who ask those questions don't realize that if action, unrestrained action, is taken against a particular group of people, a precedent is set which can be seized on in the future by power-hungry or unscrupulous authorities as a precedent, and which inevitably will gnaw away at this free society we have, and sooner or later will be applied to the very individuals who are seeking this action. Up until the time of the assassination we religiously and carefully and expeditiously furnished to Secret Service immediately on a local basis as well as on a national basis, headquarters basis, any and all information that in any way was indicated to be a possible threat against the President. This permitted Secret Service to take such action as was required against these individuals who had by their action set the stage for appropriate restraint or observation based on something they did. Therefore, they were not in a position to complain legitimately because they had by some word or deed set in motion a threat against the President of the United States. Since the assassination, as I have testified, we have broadened the area of dissemination in an effort to be helpful. It stands without question that we could have said, "No; we won't go any further." But we felt that it was our responsibility to do whatever we could do and, hence, we have broadened these criteria, and we have distributed thousands of pieces of information on individuals to Secret Service.

(At this point in the proceedings, Representative Ford enters the hearing room.)

We are not entirely comfortable about this, because under these broadened criteria after all we are furnishing names of people who have not made a threat against the President, people who have expressed beliefs, who have belonged or do belong to organizations which believe in violent revolution or taking things into their own hands. Unless such information is handled with judgment and care, it can be dangerous.

For example, we know that in one city when the President recently visited, the police went to these people and told them, "You stay in the house while the President is here or if you go out, we will go with you." We know that these people have threatened to consult attorneys, have threatened to make a public issue of the matter on the theory that this is restraint that is not justified as they have made no threats against the President. Now, when you examine this a bit further, we give these names to Secret Service. Secret Service must do something with those names, and Secret Service solicits the assistance of the police, quite properly. But I don't need, I think, to paint this picture any further, that when you get away from a specific act or deed of threats against the President, and you go into the broader area of what, perhaps, a man is thinking and, therefore, he may be a threat, and you take action against the man on the basis of that, there is a danger.

That is why, despite the fact that we have given this additional information and will continue to do so, we are uneasy. Again, if I may be permitted to continue, this is inherent in the entire approach of the FBI to the security field.

We go as far in our investigations as is necessary. But we go no further. We do not harass people. We do not conduct an investigation of a man for what he may be thinking. We attempt to the very best of our ability to carry out this responsibility for internal security without adopting tactics of harassment or unwarranted investigation, and we will not pursue a security matter beyond that which is essential to carry out our responsibilities. Now, I say that because that is the broad field of our policy, and I say it with complete sincerity, because I know. I have been in this work with the FBI both in the actual investigative field and in the policymaking and supervisory field for 27 years, and I know the policies and the procedures that are followed, and the care with which this problem is approached, and I agree with it fully.

Mr. McCLOY. You are going to impose a pretty heavy burden on the Secret Service when you dump them with the 5,000 more names than they have been used to having.

Mr. BELMONT. It will be more than 5,000, sir. This will continue.

Mr. McCLOY. From your knowledge of the situation, do you feel that the Secret Service is equipped to cope with this added burden? Is it something that you feel—

Mr. BELMONT. The Secret Service, as it has in the past, is required to call on the police for assistance in this field when the President visits a city. I do not know the exact complement of personnel of Secret Service, but they are a relatively small organization.

Mr. McCLOY. It may be they will have to reorganize some of their procedures to cope with this, won't they?

Mr. BELMONT. I do not know.

Mr. McCLOY. You have got a pretty broad classification here. "All investigative personnel should be alert for the identification of subversives, ultrarightists, racists, and Fascists (a) possessing emotional instability or irrational behavior." That may include a good many people in the United States and maybe some members of this Commission—I am speaking for myself. There is irrational behavior that I have been guilty of many times. [Laughter.] This doesn't mean you are going to send everybody over there, but the names that—all those under your classification, all of those in your opinion come under that classification unless you feel they have some, there is some, reason behind it. In other words, you are selective in this list. You purport to be selective in the numbers that you are going to convey to, the names you are going to convey to, the Secret Service.

Mr. BELMONT. We endeavor to use good judgment, sir. Now, as you indicate there are what, 190 million people in this country, and who knows when someone may adopt abnormal behavior.

You cannot tell tomorrow who will pose a risk. This is an effort to be as helpful as possible and, as we have in the past, we will use our best judgment. But this will broaden considerably the type of people and the number of people who go to the Secret Service.

Mr. McCLOY. That is what I am getting at really, Mr. Belmont. You are not saying that all those people that you characterize here under this paragraph 2 will ipso facto be sent over to the Secret Service every time the President makes a move. This simply says that all investigative personnel should be alert in that situation; am I right in that?

Mr. BELMONT. No, sir. If you will follow in the next paragraph, we say, "If cases are developed falling within the above categories, promptly furnish Secret Service locally a letterhead memorandum" with the information.

Mr. McCLOY. So without any further ado all the people in your list who are in that category will be transferred over to the Secret Service when there is an occasion, when the President travels?

Mr. BELMONT. No. This is a continuing procedure. In other words, during our investigations we come across someone who is in this area or category, and this is a requirement that that man's name go to Secret Service with a brief description of him, and Secret Service then has that filed and is in a position to know that that individual has been referred to them.

Mr. McCLOY. Well, that brings up again the comment that I originally made.

This does put a big burden of investigation and judgment on the Secret Service, one which they have not heretofore presumably had placed on their shoulders.

Mr. BELMONT. I think you are correct.

Mr. McCLOY. The reason I am asking these questions is because by implication, at least, one of our directives is to look into this situation for the future protection of the President, and we want to see that we have got something that is practical as well as cautious.

Mr. DULLES. Do the memoranda attached, Mr. Belmont, to this exhibit indicate what classes were so identified for investigation under the procedures existing at the time of the assassination and what change has been made, how it has been extended?

Mr. BELMONT. Yes, sir. If you—

Mr. DULLES. By the definitions under paragraph 2 of the Manual of Instructions.

Mr. BELMONT. The previous page and the paragraph right above No. 2 sets forth the same information that we acted on prior to the assassination.

Mr. DULLES. That is paragraph 1?

Mr. BELMONT. Yes, sir.

Mr. DULLES. The Manual of Instructions, section 83.

Mr. BELMONT. Yes, sir.

Mr. DULLES. What are the various categories given now at the top of page 2 of this exhibit which have been added?

Mr. BELMONT. At the top of page 2, sir, that is the information that should be included in the notification to headquarters as to who the individual is and the background information that was furnished to Secret Service so that we, too, can disseminate to Secret Service here.

Representative FORD. Under the new criteria would Oswald's name have gone to the Secret Service automatically?

Mr. BELMONT. Well, Congressman, right now we are including all defectors automatically.

Now, the question whether Oswald meets these criteria here as set forth is a question of judgment. As I say, right now we do furnish all defectors.

Representative FORD. Defectors are for the time being at least a special category other than what is set forth here unless for some other reason they would fall into one of these categories.

Mr. BELMONT. Yes.

Mr. McCLOY. Do you under that category send forward all Communists?

Mr. BELMONT. Yes.

Mr. McCLOY. All Communists, yes.

Mr. DULLES. Mr. Chairman, I wonder whether or not it would be wise for the record at this point to read into the record, in view of the importance of this, this paragraph which we are now discussing and which, as I understand it, contains the new definition of investigative cases?

The CHAIRMAN. Yes; we can put it into the record.

Mr. DULLES. Mr. Belmont, as I understand it, the new criteria are set forth in paragraph 2 on page 2 of the Manual of Instructions, section 83; is that correct?

Mr. BELMONT. That is correct.

Mr. McCLOY. Which, as I counted, is the 12th page of the Commission's Exhibit No. 836; is that right, Mr. Stern?

Mr. STERN. That is right number of the exhibit.

Mr. McCLOY. 836, and I think it is the 12th page.

Mr. DULLES. For convenient reference I suggest that when this be included that we add the dates and the page numbers.

Mr. STERN. I think the witness can do this immediately.

The CHAIRMAN. We will give a copy of it to the reporter and he may copy it and incorporate it later in the record.

(Paragraph 2 reads as follows:)

"Other dissemination to Secret Service concerning security of the President. All investigative personnel should be alert for the identification of subversives, ultrarightists, racists, and Fascists (a) possessing emotional instability or irrational behavior, (b) who have made threats of bodily harm against officials

or employees of Federal, State, or local government or officials of a foreign government, (c) who express or have expressed strong or violent anti-U.S. sentiments and who have been involved in bombing or bomb making or whose past conduct indicates tendencies toward violence, and (d) whose prior acts or statements depict propensity for violence and hatred against organized government."

Mr. DULLES. Do I understand you, Mr. Belmont, to say, as drafted you would not consider that defectors automatically fell under this paragraph 2, but it is your practice to notify the Secret Service about defectors?

Mr. BELMONT. We do notify Secret Service of any defectors coming to our attention.

Mr. DULLES. And by defectors, I guess we mean here maybe a redefector, meaning those who have gone to Russia and have come back or maybe those who have gone and not come back.

Mr. BELMONT. If they haven't come back——

Mr. DULLES. They are not a danger.

Mr. BELMONT. They are not within our cognizance and we don't notify Secret Service.

Mr. DULLES. These would be defectors who have gone to the Soviet Union and who then come back to the United States and tried to defect while they were over there.

Mr. McCLOY. Not necessarily, not exclusively the Soviet Union, of course.

Mr. DULLES. Communist countries, I would say.

Representative FORD. Just to get an order of magnitude, how many are there? Is this a sizable number?

Mr. BELMONT. I don't have a figure, Mr. Ford. You have had defectors in Korea from the military. You have had defectors——

Mr. McCLOY. Germany.

Mr. BELMONT. Berlin. When these are military personnel they are within the cognizance of the military, so that it is very difficult for me to give you a figure.

When we become interested is when they return to this country and warrant action by us from an internal security standpoint.

As in the Oswald case, we started our action based on newspaper publicity that he had attempted to or indicated his intention to, renounce his citizenship in Moscow. But I do not have a figure because many of these people are members of the armed services and I would hesitate to give you an estimate.

Mr. STERN. Mr. Belmont, do these terms "subversives, ultrarightists, racists, and Fascists" have a particular meaning of art in FBI parlance? Can you tell us how you use these terms in this regulation or what these mean to you and to your agents.

Mr. BELMONT. I will have to refer you to the dictionary, I think, Mr. Stern. A subversive is an individual who is active in the Communist Party or front groups associated with it or one of the other groups that we term subversive, such as the Socialist Workers Party.

The ultrarightists——

Mr. DULLES. Socialist Workers Party is a Trotskyite Party, is it not?

Mr. BELMONT. Yes, sir.

The ultrarightists, I believe here we attempt to spell out those people who are so far to the right that they do not consider themselves subject to the law and the proper procedures, and take things into their own hands.

The racists, I think, are—that speaks for itself, individuals who will go beyond the bounds of propriety in seeking their goals, and who adopt violence.

The Fascists——

Mr. McCLOY. I was wondering how you were going to define that one.

Mr. BELMONT. Is to give you the opposite end of the spectrum of subversives.

Mr. DULLES. Do we have anarchists in this country at the present time? There used to be an old anarchist society in the old days.

Mr. BELMONT. That used to be, but it is dissolved. There is no organization. I venture to say we have individual anarchists at this time.

Mr. DULLES. No organized anarchist organization.

Mr. BELMONT. No.

Mr. STERN. Mr. Belmont, in view of the quite important considerations you mentioned before, the danger of interfering with individual liberty, would it be possible within your organization to have the agents recommend to headquarters here and have someone at a higher level examine the recommendation before it is made to the Secret Service? This is, as I understand it, a continuing program and not one that comes into effect only when the President schedules a trip. This would operate without respect to scheduled trips by the President. Would that be possible? Would it fit your operation? Do you think it might help any?

Mr. BELMONT. Well, what is your thought behind that, Mr. Stern? In other words, so that names of persons won't indiscriminately be sent on a local level?

Mr. STERN. Precisely. These categories are, after all, fairly gross. They use large terms which can mean different things to different people. The considerations you mention, I think, are quite real and important. Would it help any to do something of the sort?

Mr. BELMONT. I think we will find that our agents are using good judgment in this matter. The danger involved in referring these matters to headquarters for a decision as to dissemination is the delay in time and, you will note, we stress the time element that when such information comes into the possession of our agents, immediate steps must be taken to transmit this information to Secret Service by the most expeditious means possible.

This might be of assistance to you. This information which we send to Secret Service in the field is placed in a control file, a separate file in the field, and is subject, under instructions, to inspection by our inspectors as they visit our field offices to insure that this requirement is being carried out properly; and they will examine the type of material that is being sent over.

Each field office is thoroughly inspected about once a year, and that is one of the requirements that they go through this to make sure this instruction is being properly carried out.

Mr. McCLOY. I have no further questions. I have some general questions I would like to get to at the end, but I have to leave early this afternoon.

Mr. RANKIN. I have one question I wanted to interject, Mr. Chairman, and that is as to statements, Mr. Belmont, about subversives, including persons who are members of Communist front groups. You mean to say that that includes any person who is a member of a Communist front group because, as you know, many leading citizens have been members of such groups.

Mr. BELMONT. Now, Mr. Rankin, I wouldn't carry it by any means that far. It would be dependent upon the front group, the extent of activity in it, and the activities of the individual. By no means would we classify someone as a subversive who was connected with a front group by name or—

Mr. DULLES. By front groups you mean those on the Attorney General's list; you are taking that as a criterion of a front group?

Mr. BELMONT. No, sir; not necessarily that, sir. There are other groups that we consider front groups.

Mr. DULLES. I see.

Mr. BELMONT. I am glad you raised that because each case would have to be considered on its own individual merits as to what is the extent of the activity and the purpose and intent of the activity.

Mr. RANKIN. You recognize in the work in this field that there are many Americans who are interested in certain causes and purposes and front groups in connection with them who are loyal Americans, don't you?

Mr. BELMONT. I have no doubt of that whatsoever.

Mr. RANKIN. I just wanted to get that in the record.

Mr. BELMONT. I also know many loyal Americans, unfortunately, who don't look behind some of these groups to determine their intents and purposes, and allow their names to be used where they would not otherwise do so if they took the time and trouble to check into what the organization was.

Mr. RANKIN. So you don't lump them all under the term "subversive," that is what I was trying to get at.

Mr. BELMONT. Right.

The CHAIRMAN. I suppose some join before an organization is infiltrated, too.

Mr. BELMONT. That is correct, sir.

The CHAIRMAN. They find themselves in a mousetrap then.

Mr. BELMONT. That is correct, sir; that is right.

Mr. McCLOY. In other words, you would expect your agents to exert some selection before they would send these names over to the Secret Service.

Mr. BELMONT. Our agents use judgment in the pursuance of this work, and they would continue to use judgment in the selection of people who meet this criterion. Otherwise if you carried this to the extreme you would get out of hand completely. So that there is judgment applied here and our agents are capable of applying the judgment.

Representative FORD. What has been the reaction of the Secret Service to this greater flow of information that they have received?

Mr. BELMONT. They have taken it. There has been no official reaction, to my knowledge.

Representative FORD. Have they objected to the greater burden?

Mr. BELMONT. No, sir; I would like to say, I don't know whether you are going to cover this, Mr. Stern, that our relations with the Secret Service are excellent. We work closely together.

As a matter of fact, since the assassination, at the request of Mr. Rowley, we have furnished agents to assist on occasion in the protection of the President, which is primarily a function of Secret Service, but as a cooperative gesture we have on a number of occasions made agents available at the request of Mr. Rowley. I think the figure runs to something like 139 agents—yes, 139 agents that we have made available.

We do have a very close liaison with Secret Service both at the seat of Government and in our field offices. We have a supervisor here at the seat of Government whose duty it is to stay directly in touch with Secret Service, to cut redtape and produce results both for Secret Service and for the FBI; to see that the problems are handled immediately. He has direct access to Mr. Rowley, and we have on a number of occasions at the request of Secret Service, sent one of our agents with the Secret Service when the President travels abroad, particularly where we have a representative in the countries being visited, because our relations with the law enforcement officials in those countries have been built up over the years, and we are thus in a position to assist Secret Service in establishing the necessary security measures and the flow of information to serve their purpose.

In addition, when the President travels abroad we alert all of our offices to advise us of any information which may pertain to the travel of the President, and we set up a supervisor back here to receive that information and cable it or get it immediately to our man who is accompanying the President when he makes this trip.

This is done, this agent going with Secret Service is done, at the invitation and request of Secret Service.

Representative FORD. 169 agents of the FBI who have assisted since the assassination. Did Secret Service make a specific request for their help in these instances?

Mr. BELMONT. Yes; Mr. Rowley advised that he needed help, it was offered to him by Mr. Hoover, and when the President is going to visit a city and Secret Service does not have sufficient personnel in that particular city to cover what they consider is necessary, they need specialized help from us, they will make the request to us and we will authorize our local agent in charge to make those men, the designated number, available to the Secret Service representative, who then uses their services while the President is there.

Representative FORD. I gather that prior to the assassination such requests, specific requests, had not come from Secret Service to the Bureau.

Mr. BELMONT. No. There were never any such requests before.

Mr. STERN. At the level at which the requests have been made so far, have they proved to be a difficult burden for the FBI?

Mr. BELMONT. Mr. Stern, any time that we have a pending caseload of something like 115,000 investigative matters, which is what we have, and our agents are assigned about 20 to 25 cases apiece across the country, ranging from matters of immediate urgency to matters which can be handled in due time, and whenever

our agents are putting in an average of over 2 hours overtime a day voluntarily, the loan of 139 men will be felt.

Representative FORD. 169.

Mr. BELMONT. I believe it was 139, sir. I think the letter says 139.

Mr. STERN. 139 on 16 separate occasions.

Mr. BELMONT. Yes. I do not wish to overplay this. We are not complaining.

We do feel that at such time as Secret Service is able to increase its personnel or meet this problem within the organization that it is properly their problem. But meanwhile we are following this procedure and we are not complaining.

Mr. DULLES. I had hoped, Mr. Chairman, that at some time while Mr. Belmont was here, we could ask him to just briefly define for us, going back to the assassination day, a clear definition of the respective functions of the FBI and the Secret Service prior to and immediately after the assassination. There seemed to have been at one time a little confusion there. Naturally in a situation of this kind it always happens, but I am not absolutely clear in my mind as to—

Mr. BELMONT. At the time of the assassination?

Mr. DULLES. Yes. Just before, I mean what your responsibilities were just before the assassination, and just after as contrasted with the functions of the Secret Service.

Mr. BELMONT. The Secret Service has the responsibility for protecting the President and his family, and the Vice President and so on. That is a basic responsibility.

Mr. DULLES. And you have no auxiliary function to that—

Mr. BELMONT. No, sir.

Mr. DULLES. Except to furnish names and suspects, as you have indicated.

Mr. BELMONT. That is correct. We have no function there. That is a primary responsibility and function of Secret Service.

Now, we do have what we have considered our responsibility, to furnish to Secret Service any indication of a threat to the President, and that we have done religiously.

After the assassination the President ordered us into an investigation of the assassination which changed the picture as far as this particular case was concerned.

Mr. DULLES. You mean President Johnson, immediately after the assassination?

Mr. BELMONT. Yes, sir.

Mr. DULLES. And there was a period there, there was a period though, after the assassination and before President Johnson took the oath of office—did this order come to you during that period or after he had taken the oath of office?

Mr. BELMONT. It was very rapid, probably within a day.

Mr. DULLES. I see. It wasn't immediately after.

Mr. BELMONT. No.

Mr. DULLES. It wasn't this period I am speaking of.

Mr. BELMONT. You see, Mr. Dulles, the Federal Government still has no jurisdiction over the assassination of the President. That was a murder and was within the province of the local police who immediately took hold of it and started the investigation.

Mr. DULLES. I realize that.

Mr. BELMONT. And started the investigation and it was theirs.

Mr. DULLES. You were only in there by courtesy. What you did was by courtesy of the local authorities.

Mr. BELMONT. Yes, sir; we went to the Dallas Police Department and immediately went into action because of what had happened, and there was no time for us to stand on priorities. But we felt we should be of the utmost assistance, and we sent men to the police department to assist in the interview and do anything else we could. This wasn't a time, of course, to sit back and say, "This isn't our job."

Mr. DULLES. I understand.

Mr. BELMONT. Yes.

The CHAIRMAN. Mr. Belmont, just one question. Do you know of any legisla-

tion in recent years that might have been introduced in the Congress to make an attack upon the President a Federal offense?

Mr. BELMONT. I do know that there is legislation presently pending.

The CHAIRMAN. Since the assassination?

Mr. BELMONT. Since the assassination.

The CHAIRMAN. Yes. But had it been considered in recent years? I know it had at the time of other assassinations, but so far as you know were there any recent legislation to that effect?

Mr. BELMONT. Mr. Chairman, I must plead ignorance. I haven't done research on it, and I just don't know.

The CHAIRMAN. Yes. Well, we can find that out very easily.

Representative FORD. Mr. Chairman, just the other day in the House of Representatives a bill was approved giving Federal officials the right to take certain action when a chief of state from a foreign country was within the United States; a broadening of their authority when they had a suspicion or they had some reason to believe that an attack was being made on a foreign dignitary.

At the time it went through the House I thought of the same question you just raised, and I wondered whether there were any specific legislative matters pending before any committee on this particular point.

Mr. BELMONT. I am sure there is a pending bill because my recollection is that it was called to our attention—I cannot pinpoint it for you—but I think there is pending legislation now in this matter.

Mr. McCLOY. I noticed in some Law Review article recently reference to the fact that previous bills had been introduced but had gone into the wastebasket.

The CHAIRMAN. That is true.

Mr. McCLOY. In respect of other incidents.

The CHAIRMAN. When the emotion died down.

Mr. McCLOY. When the emotion died down, that is true.

I have some further questions.

The CHAIRMAN. Have you finished, Mr. Stern?

Mr. STERN. I want to get one thing established that came up yesterday. Mr. Belmont, yesterday the Commission was interested in determining, if possible, when Agent Hosty recorded the interviews that he had taken on October 29, November 1, and November 5. He wasn't certain, except that he thought it had been done after the assassination. Have you caused a check to be made on that?

Mr. BELMONT. Yes; we checked with our Dallas office, and they do not have a specific record of when that information was recorded.

Mr. STERN. Was it recorded in substantially the same form in some contemporaneous communication?

Mr. BELMONT. Yes; within a day or two, I think on November 4, if I recall correctly, the fact that Hosty had talked to the neighbor of Mrs. Paine and had located Marina Oswald, was sent in by AIRTEL.

Mr. STERN. You might refer to Commission Exhibit 834, page 9, items 64 and 67, just so the record is straight.

Mr. BELMONT. Item 64 is an AIRTEL from the Dallas office to the headquarters dated October 30, wherein Hosty reported this interview that he had had with the neighbor of Mrs. Paine.

On November 4 the Dallas office reported by AIRTEL the results of his contact with Mrs. Paine on November 1, so that the results of his interviews were incorporated at that time, October 30, November 4, but the actual insert for the report was not prepared until some time later. To the best of Hosty's recollection it was after the 22d and prior to December 2, but he was already on record by these AIRTELS.

Mr. STERN. Thank you, Mr. Belmont.

I have no further questions.

The CHAIRMAN. Mr. McCloy.

Mr. McCLOY. I have one or two questions.

Mr. Belmont, you do know the charge has been made by some that Oswald was what is called a secret agent. Do you have any information whatever that would cause you to believe that Oswald was or could have been an agent or an informant of the FBI?

Mr. BELMONT. I have covered that in some considerable detail, Mr. McCloy, and I will make a positive statement that Oswald was not, never was, an agent or an informant of the FBI.

Mr. McCLOY. In the course of your investigation do you have any reason to make you believe that he was an agent of any other country?

Mr. BELMONT. No, sir; we have no reason to believe that he was an agent of any other country.

Mr. McCLOY. Or any other agency of the United States?

Mr. BELMONT. Or any other agency of the United States.

Mr. McCLOY. You said this morning, I believe, or at least I guess Mr. Hosty said, that the assassination of the President and any leads in connection with it are still of constant concern to the FBI.

Do you feel there are any areas as of the present time that you feel at the present time require or justify further investigation other than routine check-ups that have not already been undertaken?

Mr. BELMONT. No, sir; frankly, I don't. I will say that from the requests we have received from the Commission, you have explored this most thoroughly. We do not have any unexplored areas in this investigation that should be explored. There are some pending requests that you have made, and we are running them out as rapidly as we can.

Mr. McCLOY. Maybe this isn't a fair question to ask you, but, after all, you have had a long record of criminal investigation, and you have had a long exposure to investigation in this case.

As a result of your investigation do you feel that there is any credible evidence thus far which would support a conclusion or an opinion that the death of the President was the result of a conspiracy or anything other than the act of a single individual?

Mr. BELMONT. No, sir; we have no evidence, and I could support no conclusion that this was other than an act of Oswald.

Mr. McCLOY. Now, the investigation does lead you to the conclusion that he was the President's assassin?

Mr. BELMONT. Yes, sir.

Mr. McCLOY. Did you ever at any time have any connection whatever—you or the agency—have anything to do with the Walker, General Walker, case?

Mr. BELMONT. No, sir; that was a matter handled by the Dallas police. I am drawing on my recollection of it now, but, as I recall it, after the incident, we offered to examine the bullets that were recovered—

Mr. McCLOY. Bullets.

Mr. BELMONT. And the police apparently wanted to retain them, so that we did not conduct the examination of the bullets until subsequent to the assassination itself.

Mr. McCLOY. Until recently.

Mr. BELMONT. No; we had no connection with it, with that investigation.

Mr. McCLOY. In your investigation of the President's assassination, did you have occasion, after the event, to make an investigation of Ruby's background or Ruby's relationship to Oswald?

Mr. BELMONT. Yes, sir; we went into that very thoroughly.

Mr. McCLOY. Have we got all your reports on that?

Mr. BELMONT. Yes, sir.

Mr. McCLOY. Have you come to any conclusions or opinions in regard to Ruby and his connection with Oswald, if any?

Mr. BELMONT. The reports, of course, speak for themselves. But in summation, we did not come up with anything of a solid nature, that is anything that would stand up to indicate that there was any association between Ruby and Oswald. We had numerous allegations which we ran out extensively and carefully, but there is nothing, no information, that would stand up to show there was an association between them.

Mr. McCLOY. Maybe this is in the record, but do you—by reason of your very close association with this investigation, I venture to ask this question—do you, from your knowledge of the investigation find—was there any evidence in

regard to Ruby's propensity for violence before this shooting took place in the police headquarters in Dallas?

Mr. BELMONT. Did we have any information of that character and of that nature?

Mr. McCLOY. Yes; I am not talking before it happened, but as a result of your investigation did you turn up any other indications of any violence on the part of Ruby?

Mr. BELMONT. I hesitate to attempt to evaluate the information that we gathered from hundreds and hundreds of people that we talked to during the investigation of Ruby after the assassination. I just don't feel that I am in a position to render a judgment as to his character or his impulsiveness, the degree of impulsiveness, whether he was capable—

Mr. McCLOY. Whether he was prone to violent action.

Mr. BELMONT. I just don't feel really competent. I have no doubt that a conclusion can be drawn from reports; of course, that was one of the basic issues at the trial.

Representative FORD. Was there any evidence that the FBI found to the effect that Ruby was a Communist?

Mr. BELMONT. No, sir.

Representative FORD. None whatsoever?

Mr. BELMONT. No, sir.

Representative FORD. Was there any evidence found by the FBI to the effect that Ruby was connected with in any way whatsoever so-called rightist groups?

Mr. BELMONT. No, sir; I do not recall anything of that nature.

Mr. McCLOY. No association that you know of as a result of the investigation of Ruby with any foreign government or agency of a foreign government?

Mr. BELMONT. No, sir; you understand, you are asking me questions, and I am replying on the basis of my best recollection, but I am giving you an answer from my knowledge of the case.

Mr. McCLOY. That is what we were seeking, no more than that, because your impressions would be valuable.

Mr. BELMONT. The reason I say that there may be someone we interviewed who made a statement about Ruby and it was run out, and it was found to be false. Congressman Ford, you asked me if he was a Communist. I would say we have no evidence of that.

Mr. McCLOY. Do you feel that in view of the evidence that Oswald was a defector, that he engaged in this Fair Play for Cuba business, that he lied in his communications with the FBI, that Mr. Hosty should have been alerted by locating Oswald in the School Book Depository early in November, that he should have been alerted to informing the Secret Service of that?

Mr. BELMONT. No, sir; I do not. You must take this matter in its proper context. I pointed out to you previously that this man came back from Russia; he indicated that he had learned his lesson, was disenchanted with Russia, and had a renewed concept—I am paraphrasing, a renewed concept—of the American free society.

We talked to him twice. He likewise indicated he was disenchanted with Russia. We satisfied ourselves that we had met our requirement, namely to find out whether he had been recruited by Soviet intelligence. The case was closed.

We again exhibited interest on the basis of these contacts with The Worker, Fair Play for Cuba Committee, which are relatively inconsequential.

His activities for the Fair Play for Cuba Committee in New Orleans, we knew, were not of real consequence as he was not connected with any organized activity there.

The interview with him in jail is not significant from the standpoint of whether he had a propensity for violence.

Mr. McCLOY. That is the Quigley interview you are talking about?

Mr. BELMONT. Yes; it was a self-serving interview.

The visits with the Soviet Embassy were evidently for the purpose of securing a visa, and he had told us during one of the interviews that he would probably take his wife back to Soviet Russia some time in the future. He had come back

to Dallas. Hosty had established that he had a job, he was working, and had told Mrs. Paine that when he got the money he was going to take an apartment when the baby was old enough, he was going to take an apartment, and the family would live together.

He gave evidence of settling down. Nowhere during the course of this investigation or the information that came to us from other agencies was there any indication of a potential for violence on his part.

Consequently, there was no basis for Hosty to go to Secret Service and advise them of Oswald's presence. Hosty was alert, as was the Dallas office, to furnish information to Secret Service on the occasion of the President's visit.

It is my recollection that Hosty actually participated in delivering some material to Secret Service himself, and helped prepare a memorandum on another matter that was sent over there. So that most certainly the office was alert. The agent in charge had alerted his agents, even on the morning of the visit, as he had previously done a week or 10 days before the visit.

So that, in answer to your question, I cannot even through the process of going back and seeking to apply this against what happened, justifiably say that Hosty should have given this information under the existing conditions and with the history of this matter, that he was in a position to give it to the Secret Service. Now, most certainly——

Mr. McCLOY. We wish he had.

Mr. BELMONT. Of course.

Representative FORD. Mr. Chairman, I have a call from the floor of the House. I wonder if I could ask Mr. Belmont a question.

The CHAIRMAN. Yes, indeed.

Representative FORD. In response to a question by Mr. McCloy, you categorically said that Federal Bureau of Investigation under no circumstances had employed Oswald as an informant, as an agent or in any other way whatsoever.

Mr. BELMONT. Yes, sir.

Representative FORD. You would be in a position to know specifically that information?

Mr. BELMONT. Yes, sir.

Representative FORD. You also said, as I recall, that you had found no credible information or evidence thus far that Oswald was connected in any way whatsoever with another country as an agent. Is that about what you said or do you wish to reaffirm it in another way?

Mr. BELMONT. I will affirm what you said.

Representative FORD. There is a difference, however, between your knowledge as to whether the FBI had hired Oswald, you can be very categorical about that.

Mr. BELMONT. That is correct.

Representative FORD. You can only——

Mr. BELMONT. Say based on the evidence that we have or which developed or all information that we received, there was no indication that Oswald was in any way connected or within the service of a foreign government.

Representative FORD. But there is a difference in the way you can answer those two questions.

Mr. BELMONT. There is a difference, yes; there is a difference because in the one case we know, in the other case we rely on all the information and evidence available.

Representative FORD. But as far as a foreign government is concerned, you only know what you have been able to find out?

Mr. BELMONT. That is correct, sir.

Representative FORD. There is always the possibility in the second case, involving a foreign government, that something might come up at some other time.

Mr. BELMONT. There is always the possibility. We have no indication of it. There is always the possibility; yes, sir.

Representative FORD. But you cannot be as categorical about the future in the second case as you were in the first case.

Mr. BELMONT. Yes, sir; you are right.

The CHAIRMAN. Are there any other questions?

Mr. DULLES. Do you have some more?

Mr. McCLOY. I think I have got all the questions I wanted to ask.

(At this point in the proceedings, Representative Ford leaves the hearing room.)

Mr. DULLES. I have two or three questions.

As you know, Mr. Belmont, there have been a wide variety of rumors that have been spread abroad very particularly with regard to the assassination.

I have before me, just received last night, a book just being published in England, it is coming out in the next day or 2, called "Who Killed Kennedy," by Thomas G. Buchanan, published in London by Secker and Warburg. I have not had an opportunity yet to read the book. I have read a good deal of the background material on which it is based.

I would like to ask though when this book is available to you, and we will make a copy available to you and see that you get one promptly, whether you would have the Bureau read this, an appropriate person in the Bureau familiar with the case or yourself, and possibly give us your views with regard to certain of the allegations here within your particular competence.

Mr. BELMONT. As I understand it, Mr. Dulles, this is probably a compilation of the articles that he wrote in the French press.

Mr. DULLES. Express; yes.

Mr. BELMONT. Which, I believe, we sent over to the Commission as we received them.

Mr. DULLES. That is correct.

Mr. BELMONT. And from my recollection of perusing those articles, they are filled with false statements, innuendoes, incorrect conclusions, misinformation, and certainly what I would term false journalism. In other words, he has stated as fact or as a correct conclusion many things which the Commission's investigation has disproved completely.

We will be glad to read the book and to furnish you with a general comment on it. But to take down each statement in there and go into it would probably result in a critique of 500 pages.

Mr. DULLES. We do not want that. I don't think we need that.

Mr. BELMONT. Where actually many of these allegations have already been resolved by the Commission, I am sure. We will be glad to read it and give you a—

Mr. DULLES. I think that would be useful for the Commission to have, Mr. Chairman. Do you agree?

The CHAIRMAN. Very well; yes. If you find any factual matters in there that contradict your findings, we would expect you to call it to our attention.

Mr. BELMONT. Most certainly, sir.

The CHAIRMAN. But otherwise I don't think we want a review of the book. That is your idea, is it?

Mr. DULLES. Not a review of the book, but if there are allegations there, any evidence you can factually deny, that would be helpful to have it.

Mr. McCLOY. Do you have any record of Buchanan? Do you know anything about Buchanan's background?

Mr. BELMONT. No, sir; I do not recall.

Mr. DULLES. I wish you would check.

Mr. BELMONT. We can send you a letter.

The CHAIRMAN. We have the record.

Mr. McCLOY. He seems to be very much Ivy League, Lawrenceville School and Yale.

Mr. DULLES. He was at one time, I believe, he admitted to being a Communist at one time. He was at one time employed by the Washington Star, I am advised, and I believe, according to the information I have, that he was terminated by the Star some years ago.

Mr. BELMONT. I thought he had been in touch with the Commission.

The CHAIRMAN. He came in, he did come in here, and made a statement which we have recorded. His testimony wasn't taken. He just walked in off the street.

Mr. DULLES. I have one or two more questions, Mr. Chairman.

I believe, Mr. Belmont, that you probably have furnished us already with information with regard to any contacts that Oswald might have had, individuals whom he knew, persons who might have been accused of being accomplices of his, but if there is anybody there or any persons in your file whom Oswald knew who have not been communicated to us, we would certainly like to have them to be sure we have looked into that field exhaustively, anybody who, according to your records, Oswald knew.

Mr. BELMONT. I am sure we have explored that fully, and we have reported it to the Commission fully.

Mr. DULLES. All right; good.

Mr. BELMONT. Yes, sir.

Mr. DULLES. In view of your deep study of the case, have you reached any views of your own or are there any views of the Bureau, as to Oswald's motivation in the act that he committed?

Mr. BELMONT. Again I don't feel competent to give you an answer. There is an indication from the exploration of his background that he wanted to be somebody. He wanted to be known as someone. Whether this caused him to do this terrible thing I don't know. I think if it were possible to peer into Oswald's mind, that would really be the only way you could get your question answered.

Mr. DULLES. Have you and the Bureau made any comparative study of the various assassination attempts and assassinations of other Presidents and people in high authority in this Government to see whether any pattern at all runs through these various attempts other than attempts where there is clearly a plot, as in the case of the attack on President Truman, and probably also in the case of President Lincoln? I am thinking chiefly of the assassination of President McKinley and the attempted assassination of President-elect Roosevelt in 1933.

Mr. BELMONT. No, sir; we have not made a study of that nature. I would imagine that Secret Service has made a study.

Mr. DULLES. They have made a study. I didn't know whether you had made one also.

Mr. BELMONT. No, sir; we have not.

Mr. DULLES. That is all I have, Mr. Chairman.

The CHAIRMAN. Mr. Belmont, I have here in my hand a sheet that appeared on the newsstands over the weekend. It is supposed to be the National Enquirer. I believe it is out of New York, and it contains a page and a third about the assassination of the President and certain actions of the FBI, and so forth, and for the record I should like to read a portion of it and merely ask you if, in your opinion—

Mr. BELMONT. All right, sir.

The CHAIRMAN. And with your knowledge there is any truth to any part of it. You, of course, are acquainted with that paper.

Mr. BELMONT. No, sir; I am not. In fact, someone told me it was, it came from, the Philadelphia Inquirer, and I was shocked that something like that would be in that paper. I found it was not the Philadelphia Inquirer.

(Discussion off the record.)

The CHAIRMAN. I think, in view of the relationship you have had in this whole matter, I would like to have your testimony in the record on it.

Mr. BELMONT. Very good, sir.

The CHAIRMAN. There is no date on this paper, and I am told it appeared in three different days in three different formats with different headlines, but the same item. It is said to be by John Henshaw, Enquirer Washington Bureau Chief.

"Washington—The hottest story making the rounds here is that the U.S. Justice Department prevented the arrest of Lee Harvey Oswald and Jack Ruby BEFORE the assassination of President John F. Kennedy. Oswald and the man who killed him, Ruby, were suspected of being partners in crime 7 months before the President's death.

"The incredible details of the story are so explosive that officials won't even answer 'no comment' when queried about it. But the story being discussed by top-level Government officials reveals:

"1. That the Justice Department deliberately kept Oswald and Ruby out of jail before the assassination.

"2. That Dallas cops suspected Oswald of being the gunman and Ruby the paymaster in a plot to murder former Maj. Gen. Edwin A. Walker—7 months before the President was assassinated.

"3. That the U.S. Central Intelligence Agency was using Ruby to recruit commandoes for raids against Castro's Cuba. To prevent this explosive information from being disclosed, the CIA asked the Justice Department to step in and stop the Dallas police from arresting Jack Ruby, as well as Oswald.

"A top-secret document—a letter signed by a high official of the Justice Department—was sent in April 1963 from the Dallas Police Department to Dallas Chief of Police Jesse E. Curry requesting the Dallas police NOT to arrest Oswald and Ruby in connection with the attempted slaying of General Walker.

"After a sniper shot at, but missed, General Walker in Dallas, April 10, 1963, Dallas police suspected that Oswald was the sniper and Ruby the payoff man.

"The cops were set to arrest the pair. But they never got the chance because of the heavy pressure brought to bear by the Justice Department. And so Oswald and Ruby were allowed to remain free. And 7 months later, on last November 22 in Dallas, Oswald was able to kill the President of the United States.

"The top-secret document—a copy of it is reportedly in the hands of the Presidential Commission investigating the assassination—bares a web of intrigue that involves the Federal Bureau of Investigation, along with the Justice Department and the Central Intelligence Agency.

"It is so politically explosive that the Presidential Commission, headed by Supreme Court Chief Justice Earl Warren, has even withheld it from one of its own members, Senator Richard Russell (D., Ga.).

"It is feared that Senator Russell, who leads the South in the fight against the civil rights bill, might use the document as a weapon against the Justice Department and its chief, Attorney General Robert Kennedy, a leader in the fight for civil rights.

"The document—requesting the cops not to arrest Ruby and Oswald—contradicts the FBI report on the assassination and the subsequent murder of Oswald."

My question is, do you have any information that would lead you to believe that any of those allegations are true?

Mr. BELMONT. My answer, sir, is that that is utter fantastic nonsense, and I have no information to indicate that any of the allegations are true.

The CHAIRMAN. I think we had better mark this and introduce it in evidence. There is much more to the article, but it is explanatory of this, but I thought that was sufficiently a direct allegation that we ought to note it in the testimony. So will you give that a number, Mr. Stern.

Mr. STERN. It will be numbered 837.

The CHAIRMAN. 837. It is introduced in evidence as No. 837.

Mr. STERN. May we also have admitted, Mr. Chief Justice, Exhibit No. 836, the letter of March 31, 1964, which Mr. Belmont has identified.

The CHAIRMAN. It may be admitted under that number.

(The documents referred to were marked for identification as Commission Exhibits Nos. 836 and 837 and were received in evidence.)

The CHAIRMAN. Is there anything further, gentlemen?

Mr. McCLOY. May I suggest that we get a copy of the paper which does have the date on it. I forget what date it was.

Mr. BELMONT. Mr. Rankin, I understand you have sent it over to us, so we will be glad to answer your letter.

The CHAIRMAN. Well, Mr. Belmont, we appreciate your cooperation, and we thank you for your courtesy.

(Whereupon, at 12:40 p.m., the President's Commission recessed.)