

have the number 866 assigned to the memo that Mr. Hoover is going to send about protection of the President, and have it admitted to this record under that number.

The CHAIRMAN. Yes; it may be.

Representative FORD. Also a number for this letter Mr. Hoover is going to submit.

Mr. RANKIN. May I assign 867?

The CHAIRMAN. Yes.

(Commission Exhibit Nos. 866 and 867 were marked for identification and received in evidence.)

## TESTIMONY OF JOHN A. McCONE AND RICHARD M. HELMS

The CHAIRMAN. The Commission will be in order.

Director McCONE, it is customary for the Chairman to make a short statement to the witness as to the testimony that is expected to be given. I will read it at this time.

Mr. McCONE will be asked to testify on whether Lee Harvey Oswald was ever an agent, directly or indirectly, or an informer or acting on behalf of the Central Intelligence Agency in any capacity at any time, and whether he knows of any credible evidence or of any conspiracy either domestic or foreign involved in the assassination of President Kennedy, also with regard to any suggestions and recommendations he may have concerning improvements or changes in provisions for the protection of the President of the United States.

Would you please rise and be sworn? Do you solemnly swear the testimony you are about to give before this Commission shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McCONE. I do.

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

Mr. RANKIN. Mr. McCONE, will you state your name?

Mr. McCONE. My name is John Alex McCONE.

Mr. RANKIN. Do you have an official position with the U.S. Government?

Mr. McCONE. Yes, sir; I am Director of Central Intelligence.

Mr. RANKIN. Have you been Director for some time?

Mr. McCONE. Yes; a little over 2½ years.

Mr. RANKIN. Where do you live, Mr. McCONE?

Mr. McCONE. I live at 3025 Whitehaven Street in Washington.

Mr. RANKIN. Are you familiar with the records and how they are kept by the Central Intelligence Agency as to whether a man is acting as an informer, agent, employee, or in any other capacity for that Agency?

Mr. McCONE. Yes; I am generally familiar with the procedures and the records that are maintained by the Central Intelligence Agency. Quite naturally, I am not familiar with all of the records because they are very extensive.

Mr. RANKIN. Have you determined whether or not Lee Harvey Oswald, the suspect in connection with the assassination of President Kennedy, had any connection with the Central Intelligence Agency, informer or indirectly as an employee, or any other capacity?

Mr. McCONE. Yes; I have determined to my satisfaction that he had no such connection, and I would like to read for the record—

Mr. RANKIN. Will you tell us briefly the extent of your inquiry?

Mr. McCONE. In a form of affidavit, I have gone into the matter in considerable detail personally, in my inquiry with the appropriate people within the Agency, examined all records in our files relating to Lee Harvey Oswald. We had knowledge of him, of course, because of his having gone to the Soviet Union, as he did, putting him in a situation where his name would appear in our name file. However, my examination has resulted in the conclusion that Lee Harvey Oswald was not an agent, employee, or informant of the Central Intelligence Agency. The Agency never contacted him, interviewed him, talked with him, or received or solicited any reports or information from him, or communicated with him directly or in any other manner. The Agency never fur-

nished him with any funds or money or compensated him directly or indirectly in any fashion, and Lee Harvey Oswald was never associated or connected directly or indirectly in any way whatsoever with the Agency. When I use the term "Agency," I mean the Central Intelligence Agency, of course.

Representative FORD. Does that include whether or not he was in the United States, in the Soviet Union, or anyplace?

Mr. McCONE. Anyplace; the United States, Soviet Union, or anyplace.

Mr. RANKIN. Mr. McCONE, is that the affidavit you are going to supply the Commission in connection with our request for it?

Mr. McCONE. Yes; this is the substance of the affidavit which I will supply to you.

Mr. RANKIN. Mr. Chairman, I ask leave to mark that Exhibit 870 and have it introduced in evidence as soon as we receive it from Mr. McCONE as a part of this record.

The CHAIRMAN. It may be admitted.

(Commission Exhibit No. 870 was marked for identification and received in evidence.)

Mr. RANKIN. Would you tell us about your procedures in regard to having an agent or informer or any person acting in that type of capacity? Does that have to pass through your hands or come to your attention in the Agency?

Mr. McCONE. No; it does not have to come through my personal hands.

Mr. RANKIN. Without disclosing something that might be a security matter, could you tell us how that is handled in a general way in the Agency?

Mr. McCONE. Mr. Helms, who is directly responsible for that division of the Agency's activities as a Deputy Director, might explain. Would that be permissible?

Mr. RANKIN. Could we have him sworn then?

The CHAIRMAN. Yes.

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

Mr. HELMS. I do.

Mr. RANKIN. Mr. Helms, you heard the inquiry just directed to Mr. McCONE. Could you answer the question directly?

Mr. HELMS. Yes; we have a specific procedure which we follow in all cases where the Agency is in contact, for the purposes of acquiring intelligence or whatever the case may be, with an individual. We not only have a record of the individual's name, but we also usually get information of a biographical nature. We then check this individual's name against our record. At that point we make a determination as to whether we desire to use this man or not to use him. It varies from case to case as to how many officers may be involved in approving a specific recruitment. May I go off the record?

(Discussion off the record.)

Mr. RANKIN. Mr. Helms, did you have anything to do on behalf of your Agency with determining whether or not Lee Harvey Oswald was acting in any of the capacities I have described in my questions to Mr. McCONE?

Mr. HELMS. Yes; I did.

Mr. RANKIN. Will you tell us what you did in that regard?

Mr. HELMS. On Mr. McCONE's behalf, I had all of our records searched to see if there had been any contacts at any time prior to President Kennedy's assassination by anyone in the Central Intelligence Agency with Lee Harvey Oswald. We checked our card files and our personnel files and all our records.

Now, this check turned out to be negative. In addition I got in touch with those officers who were in positions of responsibility at the times in question to see if anybody had any recollection of any contact having even been suggested with this man. This also turned out to be negative, so there is no material in the Central Intelligence Agency, either in the records or in the mind of any of the individuals, that there was any contact had or even contemplated with him.

Mr. RANKIN. Mr. Helms—

Mr. DULLES. Could I ask one question there? Do you recall or do you know at what time the name of Lee Harvey Oswald was carded, first came to your attention so it became a matter of record, in the Agency?

Mr. HELMS. Sir, I would want to consult the record to be absolutely accurate, but it is my impression that the first time that his name showed up on any Agency records was when he went to the Soviet Union.

Mr. RANKIN. Mr. Helms, in connection with your work you have supplied information to the Commission and we have requested many things from your Agency. Can you tell the Commission as to whether or not you have supplied us all the information the Agency has, at least in substance, in regard to Lee Harvey Oswald?

Mr. HELMS. We have; all.

Representative FORD. Has a member of the Commission staff had full access to your files on Lee Harvey Oswald?

Mr. HELMS. He has, sir.

Representative FORD. They have had the opportunity to personally look at the entire file?

Mr. HELMS. We invited them to come out to our building in Langley and actually put the file on the table so that they could examine it.

The CHAIRMAN. I was personally out there, too, and was offered the same opportunity. I did not avail myself of it because of the time element, but I was offered the same opportunity.

Mr. RANKIN. Mr. Helms, can you explain, according to the limitations of security, the reasons why we examined materials but did not always take them, in a general way?

Mr. HELMS. Yes; I can.

In our communications between individuals working overseas and in Washington, we for security reasons have a method of hiding the identities of individuals in telegrams and dispatches by the use of pseudonyms and cryptonyms. For this reason, we never allow the original documents to leave our premises. However, on the occasion when the representatives of the Commission staff looked at these files, we sat there and identified these pseudonyms and cryptonyms and related them to the proper names of the individuals concerned, so that they would know exactly what the correspondence said.

Mr. RANKIN. By that you mean the representatives of the Commission were able to satisfy themselves that they had all of the information for the benefit of the Commission without disclosing matters that would be a threat to security; is that right?

Mr. HELMS. It is my understanding that they were satisfied.

Representative FORD. Mr. McCone, do you have full authority from higher authority to make full disclosure to this Commission of any information in the files of the Central Intelligence Agency?

Mr. McCONE. That is right. It is my understanding that it is the desire of higher authority that this Commission shall have access to all information of every nature in our files or in the minds of employees of Central Intelligence Agency.

Representative FORD. On the basis of that authority, you or the Agency have made a full disclosure?

Mr. McCONE. That is correct.

Mr. RANKIN. Mr. Helms, I have handed you Exhibits 868 and 869 directed to you acting for the Agency, the first one being from the Commission to you and the second one, 869, being your answer in regard to your full and complete disclosure in regard to your records; isn't that correct?

Mr. HELMS. That is correct. May I say, Mr. Rankin, that any information, though, subsequent to this correspondence which we may obtain we will certainly continue to forward to the Commission.

Mr. RANKIN. Thank you. Mr. Chief Justice, I ask leave to have those two exhibits, 868 and 869, received in evidence at this time.

The CHAIRMAN. They may be admitted under those numbers.

(Commission Exhibits Nos. 868 and 869 were marked for identification and received in evidence.)

Mr. RANKIN. Mr. McCone, if I may return to you, I will now ask you if you have any credible information that you know of or evidence causing you to believe that there is any or was any conspiracy either domestic or foreign in connection with the assassination of President Kennedy?

Mr. McCONE. No; I have no information, Mr. Rankin, that would lead me to believe or conclude that a conspiracy existed.

Representative FORD. Did the CIA make an investigation of this aspect of the assassination?

Mr. McCONE. We made an investigation of all developments after the assassination which came to our attention which might possibly have indicated a conspiracy, and we determined after these investigations, which were made promptly and immediately, that we had no evidence to support such an assumption.

Representative FORD. Did the Central Intelligence Agency have any contact with Oswald during the period of his life in the Soviet Union?

Mr. McCONE. No; not to my knowledge, nor to the knowledge of those who would have been in a position to have made such contact, nor according to any record we have.

Representative FORD. Did the Central Intelligence Agency have any personal contact with Oswald subsequent to his return to the United States?

Mr. McCONE. No.

Mr. RANKIN. Mr. McCone, your Agency made a particular investigation in connection with any allegations about a conspiracy involving the Soviet Union or people connected with Cuba, did you not?

Mr. McCONE. Yes, we did. We made a thorough, a very thorough, investigation of information that came to us concerning an alleged trip that Oswald made to Mexico City during which time he made contact with the Cuban Embassy in Mexico City in an attempt to gain transit privileges from Mexico City to the Soviet Union via Havana. We investigated that thoroughly.

Mr. RANKIN. Do you also include in your statement that you found no evidence of conspiracy in all of that investigation?

Mr. McCONE. That is correct.

Mr. RANKIN. And also the investigation you made of the period that Lee Harvey Oswald was in the Soviet Union?

Mr. McCONE. That is right.

Mr. RANKIN. Mr. McCone—

Mr. DULLES. Could I ask one question there? Does your answer, Mr. McCone, include a negation of any belief that Oswald was working for or on behalf of the Soviet Union at any time when you were in contact with him or knew about his activities?

Mr. McCONE. As I have already stated, we were never in contact with Oswald. We have no evidence that he was working for or on behalf of the Soviet Union at any time. According to his diary, Oswald did receive a subsidy from the Soviet Red Cross which we assume had the approval of the authorities. Such a payment does not indicate to us that he even worked for the Soviet intelligence services. Furthermore, we have no other evidence that he ever worked for Soviet intelligence.

Representative FORD. Is the Central Intelligence Agency continuing any investigation into this area?

Mr. McCONE. No, because, at the present time, we have no information in our files that we have not exhaustively investigated and disposed of to our satisfaction. Naturally, any new information that might come into our hands would be investigated promptly.

Mr. HELMS. I simply wanted to add that we obviously are interested in anything we can pick up applying to this case, and anything we get will be immediately sent to the Commission, so that we haven't stopped our inquiries or the picking up of any information we can from people who might have it. This is on a continuing basis.

Representative FORD. In other words, the case isn't closed.

Mr. HELMS. It is not closed as far as we are concerned.

Mr. RANKIN. Would that be true, Mr. Helms, even after the Commission completed its report, you would keep the matter open if there was anything new that developed in the future that could be properly presented to the authorities?

Mr. HELMS. Yes. I would assume the case will never be closed.

Mr. RANKIN. Mr. McCone, do you have any ideas about improving the security provisions for the President that you would like to relate to the Commission?

Mr. McCONE. Well, this is, in my opinion, a very important question which I am sure this Commission will—has and will—devote a considerable amount of thought to, and undoubtedly have some recommendations as part of its report.

Mr. RANKIN. Your Agency does have an important function in some aspects.

Mr. McCONE. We have a very important function in connection with the foreign travels of the President, and I would like to inform the Commission as to how we discharge that responsibility by quickly reviewing the chronology of the Central Intelligence Agency's support of President Kennedy's visit to Mexico City from the 29th of June to the 2d of July 1962.

Mr. RANKIN. Will you please do that.

The CHAIRMAN. Director, is that a security matter?

Mr. McCONE. No. I think I can handle this for the record.

The CHAIRMAN. Very well.

Mr. McCONE. If I have to make a remark or two off the record I will ask that privilege.

That visit, as I said, started on the 29th of June. On the 28th of April, in anticipation of the visit, instructions were transmitted to Mexico for the Ambassador to coordinate planning and informational guidance for the advance party of the Secret Service.

We asked that the Secret Service be given information on local groups and persons who would cause disturbances, embarrassments or physical harm, an estimate of the determination and ability of the Mexican government to prevent incidents, and preparation for special briefings to the Embassy officials and the Secret Service, and such additional support and communications personnel that might be required.

These instructions were given two months before the trip.

On the 15th of May, we received confirmed information that the President would visit Mexico on the specific dates. On the 1st of June the Secret Service was supplied by the Agency with the detailed survey of Mexican security forces that would be called upon to protect the President.

Friendly and allied governments were informed of the visit and their cooperation and pertinent informational support was solicited. From this date through the 2d of July daily information reports were furnished to the State Department, the Secret Service, the FBI and the military services.

That is from the 1st of June to the 2d of July, a period of 31, 32 days. On the 8th of June the Secret Service advance party was briefed in detail by a group of officers of the Agency on the Mexican government's plans for the protection of the President, including current information on the size, strength and capabilities of potential troublemakers.

Hazardous locations and times in the planned itinerary were identified, political and economic issues that might be invoked by hostile elements for demonstrations were specified.

On the 11th of June, the Secret Service advance party left for Mexico supported by additional security personnel to assist in coordinating an informational report and the followup activity required.

Especially prepared national intelligence estimates on the current security conditions in Mexico was approved by the United States Intelligence Board on the 13th of June.

On the 15th of June arrangements were completed to reenforce communications facilities. On the 24th of June a conference at the State Department was held at the request of the President for reviewing security measures, and this meeting I attended personally, and reported to the State Department on the essence of all that had gone before.

Emergency contingency plans were discussed and a consensus was reached that the President should make the visit as scheduled.

On the 27th of June, a final updated special national intelligence estimate was prepared, and this indicated no basic changes in the security assessment that Mexican government was prepared to cope with foreseeable security contingencies.

On the 28th of June, a final briefing report was prepared for the Director's use which indicated the security precautions of the Mexican government had effectively forestalled major organized incidents, and our informed estimate was that the President would receive a great welcome.

The report was presented to the President personally by the Director at noon in a final meeting prior to departure on this trip.

From the 29th of June to the 2d of July in Washington headquarters, headquarters components remained on a 24-hour alert for close support of the embassy and the Secret Service.

So, not only was the Central Intelligence Agency and its various components involved in this for a period of 2 months in close collaboration with the Secret Service, but by bringing in the United States Intelligence Board we brought in all of the intelligence assets of the United States Government in connection with this particular trip. I thought this procedure which is followed regularly on all trips that the President makes out of the country would be of interest to the Commission.

The CHAIRMAN. That is the normal format of your procedures?

Mr. McCONE. Yes.

The CHAIRMAN. When the President goes abroad?

Mr. McCONE. Yes, I selected this one. The same was true of his trip to Caracas or Paris or elsewhere.

Mr. RANKIN. Mr. McCONE, in your investigation of the Oswald matter did you use the same approach or a comparable approach to a liaison with the other intelligence agencies of government to try to discover anything that might involve your jurisdiction.

Mr. McCONE. Yes. We were in very close touch with the Federal Bureau of Investigation and with the Secret Service on a 24-hour basis at all points, both domestic and foreign, where information had been received which might have a bearing on this problem.

Mr. RANKIN. Assassination?

Mr. McCONE. Assassination.

Mr. RANKIN. Do you have an opinion, Mr. McCONE, as to whether or not the liaison between the intelligence agencies of the United States Government might be improved if they had better mechanical, computer or other facilities of that type, and also some other ideas or methods of dealing with each other?

Mr. McCONE. There is a great deal of improvement of information that might be of importance in a matter of this kind through the use of computers and mechanical means of handling files, and you, Mr. Chief Justice, saw some of our installations and that was only a beginning of what really can be done.

The CHAIRMAN. Yes; I did.

Mr. McCONE. I would certainly urge that all departments of government that are involved in this area adopt the most modern methods of automatic data processing with respect to the personnel files and other files relating to individuals. This would be helpful.

But I emphasize that a computer will not replace the man, and therefore, we must have at all levels a complete exchange of information and cooperation between agencies where they share this responsibility, and in going through this chronology, it points out the type of exchange and cooperation that the Central Intelligence Agency tries to afford both the Secret Service and the Federal Bureau of Investigation in matters where we have a common responsibility.

I would like to emphasize the very great importance of this exchange, which is not always easily accomplished because it is cumbersome.

Sometimes it becomes involved in distracting people from other duties, and so on and so forth.

I have given a good deal of thought to the matter of some incentives to bring out informers, thinking about the old informer statutes in which some of them are still on the books, in which people were rewarded for informing when others conducted themselves in a damaging way.

Mr. DULLES. Smuggling cases?

Mr. McCONE. Smuggling cases. But I believe that something could be done. I call to the attention of this Commission one of the laws relating to atomic energy, namely the Atomic Weapons Reward Act of 15 July 1955 wherein a substantial reward is offered for the apprehension of persons responsible for the clandestine introduction or manufacture in the United States of such nuclear material or atomic weapons. It is suggested that the Commission may wish to recommend that original but similar legislation be enacted which would induce individuals to furnish information bearing on Presidential security by offering a substantial reward and preferential treatment. Substantial reward could represent a significant inducement even to staff officers and personnel of secret associations and state security organs abroad who are charged with assassination and sabotage. We have information that such personnel and police state apparatuses have expressed and, in certain cases, acted upon their repugnance for such work and for the political system which requires such duties to be performed.

Mr. RANKIN. Is it your belief, Mr. McCONE, that the methods for exchange of information between intelligence agencies of the Government could be materially improved.

Mr. McCONE. I think the exchange between the Central Intelligence Agency and the Federal Bureau of Investigation or the Secret Service is quite adequate. I am not informed as to whether the exchanges between the Secret Service and the FBI are equally adequate. I have not gone into that. I would have no means to know. Certainly it is most important that it be done.

Mr. DULLES. Looking back now that you have the full record, do you feel that you received from the State Department adequate information at the time that they were aware of Oswald's defection and later activities in the Soviet Union, did you get at the time full information from the State Department on those particular subjects?

Mr. McCONE. Well, I am not sure that we got full information, Mr. Dulles. The fact is we had very little information in our files.

Mr. HELMS. It was probably minimal.

Representative FORD. Why did that happen?

Mr. HELMS. I am not sure, Mr. Ford. I can only assume that the State Department had a limited amount. Interestingly enough, it is far enough back now so that it's very hard to find people who were in the Moscow Embassy at the time familiar with the case, so in trying to run this down one comes to a lot of dead ends and I, therefore, would not like to hazard any guess.

Representative FORD. Whose responsibility is it; is it CIA's responsibility to obtain the information or State Department's responsibility to supply it to Central Intelligence and to others.

Mr. McCONE. With respect to a U.S. citizen who goes abroad, it is the responsibility of the State Department through its various echelons, consular service and embassies and so forth.

For a foreigner coming into the United States, who might be of suspicious character, coming here for espionage, subversion, assassination and other acts of violence, we would, and we do exchange this information immediately with the FBI.

Representative FORD. But in this particular case, Oswald in the Soviet Union, whose responsibility was it to transmit the information, whatever it was, to the Central Intelligence Agency?

Mr. McCONE. Well, it would be the State Department's responsibility to do that. Whether there really exists an order or orders that information on an American citizen returning from a foreign country be transmitted to CIA, I don't believe there are such regulations which exist.

Mr. HELMS. I don't believe they do, either.

Mr. McCONE. I am not sure they should.

Representative FORD. It wouldn't be your recommendation that you, the head of Central Intelligence Agency, should have that information?

Mr. DULLES. In a case of an American defecting to a Communist country, shouldn't you have it?

Mr. McCONE. Certainly certain types of information. What we ought to be

careful of here, would be to rather clearly define the type of information which should be transmitted, because after all, there are hundreds of thousands or millions of Americans going back and forth every year, and those records are the records of the Immigration Service, the Passport Division.

Mr. DULLES. I was thinking of a person who having defected might, of course, have become an agent and then reinserted into the United States and if you were informed of the first steps to that you might help to prevent the second step.

Mr. McCONE. Well, certainly information on defectors or possible recruitments should be, and I have no question is being, transmitted.

Representative FORD. What I was getting at was whether the procedures were adequate or inadequate, whether the administration was proper or improper in this particular case, and if some files you have that started when he attempted to defect are inadequate why we ought to know, and we ought to know whether the basic regulations were right or wrong, whether the administration was proper or improper, that is what I am trying to find out.

I would like your comment on it.

Mr. McCONE. Well, I think the basic regulations should be examined very carefully to be sure that they are copper-riveted down and absolutely tight. What I am saying, however, is because of the vast number of Americans who go abroad and stay in foreign countries for indefinite periods of time, it would be an impossible task to transmit all information available in the State Department and Immigration Service as files to the Central Intelligence Agency. It would not be a productive exercise. What must be transmitted and is being transmitted, while I cannot recite the exact regulations is information that is, becomes, known to the various embassies of suspicious Americans that might have been recruited and defected, and then returned so that they would be agents in place.

Representative FORD. In this case, Oswald attempted to defect, he did not, he subsequently sought the right to return to the United States, he had contact with the Embassy. Was the Central Intelligence Agency informed of these steps, step by step, by the Department of State?

Mr. McCONE. You might answer that.

Mr. HELMS. Mr. Ford, in order to answer this question precisely I would have to have the file in front of me. I have not looked at it in some time so I don't have it all that clearly in mind. But it is my impression that we were not informed step by step. When I say that there is no requirement that I am aware of that the State Department should inform us and when I said a moment ago that we had minimal information from them, this was not in any sense a critical comment but a statement of fact.

But an American going to the American Embassy would be handled by the Embassy officials, either consular or otherwise. This would be a matter well within the purview of the State Department to keep all the way through, because we do not have responsibility in the Central Intelligence Agency for the conduct or behavior or anything else of American citizens when they are abroad unless there is some special consideration applying to an individual, or someone in higher authority requests assistance from us. So that the State Department, I think, quite properly would regard this matter as well within their purview to handle themselves within the Embassy or from the Embassy back to the Department of State without involving the Agency in it while these events were occurring.

Representative FORD. I think it could be argued, however, that the uniqueness of this individual case was such that the Department of State might well have contacted the Central Intelligence Agency to keep them abreast of the developments as they transpired. This is not—and when I say this, I mean the Oswald case—is not an ordinary run-of-the-mill-type of case. It is far from it. Even back in the time, well, from the time he went, and particularly as time progressed, and he made application to return, there is nothing ordinary about the whole situation.

Mr. McCONE. That is quite correct; there is no question about that.

Representative FORD. And I am only suggesting that if the regulations were not adequate at the time and are not now, maybe something ought to be done about it.

Mr. RANKIN. Mr. McCone, when you said that supplying all of the information about U.S. citizens who went abroad and came back to the country would not be a profitable exercise, did that comment include the thought that such an intrusion upon all citizens would be questionable?

Mr. McCONE. Such an intrusion?

Mr. RANKIN. Upon their right to travel.

Mr. McCONE. Well, I think this would have a bearing on it. I did not have that particular matter in mind when I made that statement, however. I was just thinking of the—

Mr. RANKIN. Burden?

Mr. McCONE. Of the burden of vast numbers involved.

Mr. RANKIN. Do you have any thought in regard to whether it would be an intrusion upon their rights?

Mr. McCONE. Well, that would be a matter of how it was handled. Certainly, if it was handled in a way that the counterpart of providing the information was to impose restrictions on them, then it would be an intrusion on their rights.

Mr. RANKIN. Yes.

Senator COOPER. May I inquire?

The CHAIRMAN. Senator Cooper.

Senator COOPER. I missed the first part of Mr. McCone's testimony; I went to answer a quorum call. Perhaps the question has been asked.

It has been brought into evidence that a number of people in the Embassy talked to Oswald when he first defected, and the various communications with the Embassy and, of course, when he left to come back to the United States. Have we been able to ascertain the names of officials in the Embassy or employees with whom Oswald talked on these various occasions?

Mr. McCONE. I am not familiar with them; no.

Mr. HELMS. Neither am I, sir.

Mr. McCONE. I presume that the Department's inquiries have covered it.

Senator COOPER. Is it possible to ascertain the names of those employees?

Mr. RANKIN. Senator Cooper, I can answer that. We have inquired of the State Department for that information, and are in the process of obtaining it all.

Senator COOPER. Taking into consideration your answers to the previous question, would it have been possible in your judgment to have secured more comprehensive information about the activities of Oswald in Russia?

Mr. McCONE. It would not have been possible for the Central Intelligence Agency to have secured such information because we do not have the resources to gain such information.

The CHAIRMAN. Anything more? Congressman Ford?

Representative FORD. Did the Central Intelligence Agency investigate any aspects of Oswald's trip to Mexico?

Mr. McCONE. Yes; we did.

Representative FORD. Can you give us any information on that?

Mr. McCONE. Yes; we were aware that Oswald did make a trip to Mexico City and it was our judgment that he was there in the interest of insuring transit privileges and that he made contact with the Cuban Embassy while he was there.

We do not know the precise results of his effort, but we assumed, because he returned to the United States, he was unsuccessful. We have examined to every extent we can, and using all resources available to us every aspect of his activity and we could not verify that he was there for any other purpose or that his trip to Mexico was in any way related to his later action in assassinating President Kennedy.

Representative FORD. Did the Central Intelligence Agency make any investigation of any alleged connection between Oswald and the Castro government?

Mr. McCONE. Yes; we investigated that in considerable detail, because information came to us through a third party that he had carried on a rather odd discussion with Cuban officials in the Cuban Embassy in Mexico City. The allegation was that he had received under rather odd circumstances a substantial amount of money in the Cuban Embassy, and the statement was made by one who claimed to have seen this transaction take place. After a very thorough

and detailed examination of the informer, it finally turned out by the informer's own admission that the information was entirely erroneous, and was made for the purpose of advancing the informer's own standing with the Central Intelligence Agency and the U.S. Government and it was subsequently retracted by the informer in its entirety.

Representative FORD. Was there any other evidence or alleged evidence—

Mr. McCONE. Parenthetically, I might add a word for the record that the date that the informer gave as to the date in time of this alleged transaction was impossible because through other, from other, information we determined that Oswald was in the United States at that particular time.

Representative FORD. Did the Central Intelligence Agency ever make an investigation or did it ever check on Mr. Ruby's trip to Cuba or any connections he might have had with the Castro government?

Mr. McCONE. Not to my knowledge.

Mr. HELMS. We had no information.

Mr. McCONE. We had no information.

Representative FORD. Central Intelligence Agency has no information of any connections of Ruby to the Castro government?

Mr. McCONE. That is right.

Representative FORD. Did you ever make a check of that?

Mr. HELMS. We checked our records to see if we had information and found we did not.

Representative FORD. What would that indicate, the fact that you checked your records?

Mr. HELMS. That would indicate that if we had received information from our own resources, that the Cubans were involved with Mr. Ruby in something which would be regarded as subversive, we would then have it in our files. But we received no such information, and I don't, by saying this, mean that he did not. I simply say we don't have any record of this.

Representative FORD. That is all.

The CHAIRMAN. Director, thank you very much, sir, for coming and being with us and we appreciate the help your department has given to us.

(Whereupon, at 12:30 p.m., the President's Commission recessed.)

*Thursday, June 4, 1964*

## **TESTIMONY OF THOMAS J. KELLEY, LEO J. GAUTHIER, LYNDA L. SHANEYFELT, AND ROBERT A. FRAZIER**

The President's Commission met at 2:10 p.m., on June 4, 1964, at 200 Maryland Avenue NE., Washington, D.C.

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

Also present were J. Lee Rankin, general counsel; Norman Redlich, assistant counsel; Arlen Specter, assistant counsel; Waggoner Carr, attorney general of Texas; and Charles Murray, observer.

### **TESTIMONY OF THOMAS J. KELLEY**

(Members present at this point: The Chairman, Representative Ford, Mr. Dulles, and Mr. McCloy.)

Mr. SPECTER. Mr. Chief Justice, we have witnesses today who are Thomas J. Kelley of the Secret Service; Leo J. Gauthier, Lyndal L. Shaneyfelt, and Robert A. Frazier of the FBI. They are going to testify concerning certain