

THE INVESTIGATION OF THE
ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY: PERFORMANCE
OF THE INTELLIGENCE AGENCIES

BOOK V

FINAL REPORT
OF THE
SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO
INTELLIGENCE ACTIVITIES
UNITED STATES SENATE



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SENATE SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES

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(II)

LETTER OF TRANSMITTAL

On behalf of the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, and pursuant to the mandate of Senate Resolution 21, I am transmitting herewith to the Senate the volume of the Committee's Final Report entitled, "The Investigation of the Assassination of President John F. Kennedy: Performance of the Intelligence Agencies."

I want to express the deep appreciation of the Committee to Senator Richard S. Schweiker and Senator Gary Hart for their excellent work on this phase of the Select Committee's investigation.

FRANK CHURCH,
Chairman.

(III)

NOTE

On May 26, 1976, the Select Committee voted to release the section of its final Report entitled. "The Investigation of the Assassination of President John F. Kennedy: Performance of the Intelligence Agencies." Senators Church, Baker, Philip Hart, Mondale, Huddleston, Morgan, Gary Hart, Mathias, and Schweiker voted to release this Report. Senators Tower, and Goldwater voted against the release of this report.

This Report has been reviewed and declassified by the appropriate executive agencies. After the Committee's original draft of this report was completed, copies of it were made available to the executive agencies. These agencies submitted comments to the Committee on security and factual aspects of the draft report. On the basis of these comments, the Committee and staff conferred with representatives of the agencies to determine which sections of the Report should be re-drafted to protect sensitive intelligence sources and methods. These sections of the original draft were then revised to reflect the agencies concerns while retaining the original thrust of the Report.

Names of individuals were deleted when, in the Committee's judgment, disclosure of their identities would either endanger their safety or constitute an unwarranted invasion of privacy. Consequently, footnote citations to testimony and documents occasionally contain only descriptions of an individual's position.

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I. SUMMARY AND FINDINGS

The Select Committee's investigation of alleged assassination attempts against foreign leaders raised questions of possible connections between these plots and the assassination of President John Fitzgerald Kennedy. Questions were later raised about whether the agencies adequately investigated these possible connections and whether information about these plots was provided the President's Commission on the Assassination of President Kennedy (the Warren Commission). As a result, pursuant to its general mandate to review the performance of the intelligence agencies, the Select Committee reviewed their specific performance with respect to their investigation of the assassination of the President.

A. The Scope of the Committee's Investigation

The Committee did not attempt to duplicate the work of the Warren Commission. It did not review the findings and conclusions of the Warren Commission. It did not re-examine the physical evidence which the Warren Commission had. It did not review one of the principal questions facing the Commission: whether Lee Harvey Oswald was in fact the assassin of President Kennedy.

Instead, building upon the Select Committee's earlier work, and utilizing its access to the agencies and its expertise in their functions, the Committee examined the performance of the intelligence agencies in conducting their investigation of the assassination and their relationships to the Warren Commission.

In the course of this investigation, more than 50 witnesses were either interviewed or deposed. Literally tens of thousands of pages of documentary evidence were reviewed at the agencies and more than 5,000 pages were acquired. In addition, the Committee relied a great deal on testimony taken during the course of its investigation of alleged plots to assassinate foreign leaders, especially testimony relating to knowledge of those plots.

The Committee has been impressed with the ability and dedication of most of those in the intelligence community. Most officials of the FBI, the CIA, and other agencies performed their assigned tasks thoroughly, competently, and professionally. Supervisors at agency headquarters similarly met their responsibilities and are deserving of the highest praise. Yet, as this Report documents, these individuals did not have access to all of the information held by the most senior officials in their own agencies. Nor did they control, or even influence, many of the decisions made by those senior officials, decisions which shaped the investigation and the process by which information was provided to the Warren Commission. Thus, it cannot be too strongly emphasized that this Report examines the performance of the senior agency officials in light of the information available to them.

Many potential witnesses could not be called because of limitations of time and resources. For this reason the Committee has relied a great deal on the documentary record of events. The Committee's Report distinguishes information obtained from documents from information it obtained through sworn testimony through citations, since the documentary records may not accurately reflect the true events. On the other hand, the Committee has on many occasions noted that witnesses may have no recollection of the events described in documents which they either prepared or in which they were mentioned.

The following Report details the evidence developed to date. The Report is intended to be descriptive of the facts the Committee has developed. The Committee believes the investigation should continue, in certain areas, and for that reason does not reach any final conclusions. Instead, the Select Committee has recommended that the Senate Committee on Intelligence continue this investigation in those areas where the Select Committee's investigation could not be completed.

B. Summary

In the days following the assassination of President Kennedy, nothing was more important to this country than to determine the facts of his death; no one single event has shaken the country more. Yet the evidence the Committee has developed suggests that, for different reasons, both the CIA and the FBI failed in, or avoided carrying out, certain of their responsibilities in this matter.

The Committee emphasizes that this Report's discussion of investigative deficiencies and the failure of American intelligence agencies to inform the Warren Commission of certain information does not lead to the conclusion that there was a conspiracy to assassinate President Kennedy.

Instead, this Report details the evidence the Committee developed concerning the investigation those agencies conducted into the President's assassination, their relationship with each other and with the Warren Commission, and the effect their own operations may have had on the course of the investigation. It places particular emphasis on the effect their Cuban operations seemed to have on the investigation.

However, the Committee cautions that it has seen no evidence that Fidel Castro or others in the Cuban government plotted President Kennedy's assassination in retaliation for U.S. operations against Cuba. The Report details these operations to illustrate why they were relevant to the investigation. Thus, the CIA operation involving a high level Cuban official, code-named AMLASH, is described in order to illustrate why that operation, and its possible ramifications, should have been examined as part of the assassination investigation. Similarly, although Cuban exile groups opposed to Castro may have been upset with Kennedy administration actions which restricted their activities, the Committee has no evidence that such groups plotted the assassination.

Almost from the day Castro took power in Cuba, the United States became the center of attempts to depose him. Cuban exiles, anti-communists, business interests, underworld figures, and the United States Government all had their own reasons for seeking to overthrow the Castro government. These interests generally operated independently of the others; but on occasion, a few from each group would join forces in a combined effort.

In April 1961, a force of Cuban exiles and soldiers of fortune backed by the CIA, attempted an invasion of Cuba at the Bay of Pigs. In November of that year, the United States Government decided that further such overt paramilitary operations were no longer feasible, and embarked on Operation MONGOOSE. This operation attempted to use Cuban exiles and dissidents inside Cuba to overthrow Castro.

When the United States faced a major confrontation with the Soviet Union during the October 1962 Cuban missile crisis, it terminated MONGOOSE; the CIA's covert operations against Cuba were reduced; and the FBI and other agencies of government began to restrict the paramilitary operations of exile groups. This rather sudden shift against paramilitary activity of Cuban exile groups generated hostility. Supporters of some of these groups were angered by the change in government policy. They viewed this as a weakening of the U.S. will to oppose Castro.

Throughout this period, the CIA had been plotting the assassination of Castro as another method of achieving a change in the Cuban government. Between 1960 and early 1963 the CIA attempted to use underworld figures for this assassination. By May 1962, the FBI knew of such plots, and in June 1963 learned of their termination.

Following a June 1963 decision by a "Special Group" of the National Security Council to increase covert operations against Cuba, the CIA renewed contact with a high-level Cuban government official, code-named AMLASH. At his first meeting with the CIA in over a year, AMLASH proposed Castro's overthrow through an "inside job," with U.S. support. AMLASH considered the assassination of Castro a necessary part of this "inside job." Shortly after this meeting with AMLASH, Castro issued a public warning reported prominently in the U.S. press about the United States' meeting with terrorists who wished to eliminate Cuban leaders. He threatened that Cuba would answer in kind.

Five days after Castro issued this threat, the Coordinating Committee for Cuban affairs, an interagency planning committee subordinate to the National Security Council's Special Group, met to endorse or modify then existing contingency plans for possible retaliation by the Cuban Government. Representatives of the CIA, and of the State, Defense and Justice Departments were on this Committee. The CIA representatives on this Committee were from its Special Affairs Staff (SAS), the staff responsible for Cuban matters generally and the AMLASH operation. Those attending the meeting on September 12 agreed unanimously that there was a strong likelihood Castro would retaliate in some way against the rash of covert activity in Cuba.

At this September 12 meeting this Committee concluded Castro would not risk major confrontation with the United States. It therefore rejected the possibility that Cuba would retaliate by attacking American officials within the United States; it assigned no agency the responsibility for consideration of this contingency.

Within weeks of this meeting the CIA escalated the level of its covert operations, informing AMLASH the United States supported his coup. Despite warnings from certain CIA staffers that the operation was poorly conceived and insecure, the head of SAS, Desmond Fitzgerald, met AMLASH on October 29, 1963, told him he was the

"personal representative" of Attorney General Robert Kennedy, and stated the United States would support a coup. On November 22, at a pre-arranged meeting, a CIA Case Officer told AMLASH he would be provided rifles with telescopic sights, and explosives with which to carry out his plan. He was also offered a poison pen device.

Following the President's death, searches of FBI and CIA files revealed that Lee Harvey Oswald was not unknown to the intelligence agencies. In late 1959, the FBI opened a "security file" on Oswald after his defection to the Soviet Union. After Oswald's return to this country in June 1962, he was interviewed twice by FBI agents; on each occasion he repeatedly lied. He also refused to be polygraphed about his negative answers to questions of ties with Soviet intelligence. Yet the FBI closed the Oswald security case immediately after the second interview. The case was reopened in March 1963, but Oswald was not interviewed by the FBI until August 10, 1963, when he requested an interview after his arrest in New Orleans for disturbing the peace. On the occasion of this third interview, he again repeatedly lied to FBI agents. A month later Oswald visited Mexico City, where he visited both the Cuban and Soviet diplomatic establishments, and contacted a vice consul at the latter who was in fact a KGB agent. Despite receiving this information on Oswald's Mexico City activity, the FBI failed to intensify its investigative efforts. It failed to interview him before the assassination despite receiving a note from him warning the FBI to leave his wife alone.

Immediately after the assassination, FBI Director J. Edgar Hoover ordered a complete review of the FBI's handling of the Oswald security case. Within six days he was given a report which detailed serious investigative deficiencies. As a result of these deficiencies seventeen FBI personnel, including one Assistant Director, were disciplined. The fact that the FBI felt there were investigative deficiencies and the disciplinary actions it took were never publicly disclosed by the Bureau or communicated to the Warren Commission.

The evidence suggests that during the Warren Commission investigation top FBI officials were continually concerned with protecting the Bureau's reputation and avoiding any criticism for not fulfilling investigative responsibilities. Within weeks after the assassination, the FBI, at the urging of senior Government officials, issued a report concluding that Oswald was the assassin and that he had acted alone.

The Bureau issued its report on the basis of a narrow investigation focused on Oswald, without conducting a broad investigation of the assassination which would have revealed any conspiracy, foreign or domestic.

Despite knowledge of Oswald's apparent interest in pro-Castro and anti-Castro activities and top level awareness of certain CIA assassination plots, the FBI, according to all agents and supervisory personnel who testified before the Committee, made no special investigative effort into questions of possible Cuban government or Cuban exile involvement in the assassination independent of the Oswald investigation. There is no indication that the FBI or the CIA directed the interviewing of Cuban sources or of sources within the Cuban exile community. The division of the FBI responsible for investigating criminal aspects of the assassination, and not the division responsible for investigating subversive activities (including those of Cuban

groups), was primarily responsible for the investigation and served as liaison to the Warren Commission.

Director Hoover himself perceived the Warren Commission as an adversary. He repeatedly remarked that the Commission, particularly the Chief Justice, was "seeking to criticize" the FBI and merely attempting to "find gaps" in the FBI's investigation. On two separate occasions, the latter immediately upon release of the Commission's Report, Director Hoover asked for all derogatory material on Warren Commission members and staff contained in the FBI files.

Neither the CIA nor the FBI told the Warren Commission about the CIA attempts to assassinate Fidel Castro. Allen Dulles, former Director of Central Intelligence, was a member of the Warren Commission and presumably knew about CIA plots during his tenure with the Agency, although he probably was unaware of the AMLASH operation. FBI Director Hoover and senior FBI officials also knew about these earlier plots. In July 1964, two months before the Warren Commission issued its 26-volume report of its investigation and findings, FBI officials learned that a Cuban official (not known to the Bureau as "AMLASH") was plotting with the CIA to assassinate Castro. However, there is no evidence this knowledge affected the FBI investigation of the President's assassination in any way. The Attorney General and other government officials knew there had been previous assassination plots with the underworld. None of the testimony or documents received by the Warren Commission mentioned the CIA assassination plots. The subordinate officers at the FBI and the CIA who acted as liaisons with the Warren Commission did not know of the CIA assassination attempts.

The AMLASH plot was more relevant to the Warren Commission's work than the early CIA assassination plots with the underworld. Unlike those earlier plots, the AMLASH operation was in progress at the time of the assassination; unlike the earlier plots, the AMLASH operation could clearly be traced to the CIA; and unlike the earlier plots, the CIA had endorsed AMLASH's proposal for a coup, the first step to him being Castro's assassination, despite Castro's threat to retaliate for such plotting. No one directly involved in either agency's investigation was told of the AMLASH operation. No one investigated a connection between the AMLASH operation and President Kennedy's assassination. Although Oswald had been in contact with pro-Castro and anti-Castro groups for many months before the assassination, the CIA did not conduct a thorough investigation of questions of Cuban Government or Cuban exile involvement in the assassination.

CIA officials knowledgeable of the AMLASH plot testified they did not relate it to the President's assassination; however, those at CIA and FBI responsible for their agency's investigation testified that, had they been aware of the plot, they would have considered it relevant to their investigation. The individual who directed the CIA investigation for the first month after the assassination, testified that he felt knowledge of the AMLASH operation would have been a "vital factor" in shaping his investigation. His successor at the CIA also stated that knowledge of the AMLASH plot would have made a difference in his investigation. Individuals on the Warren Commission staff have expressed similar opinions as to all plots against Castro. There is also

evidence that CIA investigators requested name traces which should have made them aware of the AMLASH operation, but for some reason, they did not learn of that operation.

Although the Warren Commission concluded its work in September 1964, the investigation of the assassination was not to end. Both FBI Director Hoover and CIA Deputy Director for Plans Richard Helms pledged to keep the matter as an open case.

In 1965, the FBI and the CIA received information about the AMLASH operation, which indicated the entire operation was insecure, and caused the CIA to terminate it. Despite the fact that the information then received might have raised doubts about the investigation of the President's assassination, neither agency re-examined the assassination.

The assassination of President Kennedy again came to the attention of the intelligence agencies in 1967. President Johnson took a personal interest in allegations that Castro had retaliated. Although the FBI received such allegations, no investigation was conducted.

On the very day President Johnson received the FBI reports of these allegations, he met with CIA Director Richard Helms. The next day, Helms ordered the CIA Inspector General to prepare a report on Agency sponsored assassination plots. Although this report raised the question of a possible connection between the CIA plots against Castro and the assassination of President Kennedy, it was not furnished to CIA investigators who were to review the Kennedy assassination investigation. Once again, although these CIA investigators requested information that should have led them to discover the AMLASH operation, they apparently did not receive that information.

C. Findings

The Committee emphasizes that it has not uncovered any evidence sufficient to justify a conclusion that there was a conspiracy to assassinate President Kennedy.

The Committee has, however, developed evidence which impeaches the process by which the intelligence agencies arrived at their own conclusions about the assassination, and by which they provided information to the Warren Commission. This evidence indicates that the investigation of the assassination was deficient and that facts which might have substantially affected the course of the investigation were not provided the Warren Commission or those individuals within the FBI and the CIA, as well as other agencies of Government, who were charged with investigating the assassination.

The Committee has found that the FBI, the agency with primary responsibility in the matter, was ordered by Director Hoover and pressured by higher government officials, to conclude its investigation quickly. The FBI conducted its investigation in an atmosphere of concern among senior Bureau officials that it would be criticized and its reputation tarnished. Rather than addressing its investigation to all significant circumstances, including all possibilities of conspiracy, the FBI investigation focused narrowly on Lee Harvey Oswald.

The Committee has found that even with this narrow focus, the FBI investigation, as well as the CIA inquiry, was deficient on the specific question of the significance of Oswald's contacts with pro-Castro and anti-Castro groups for the many months before the assassination.

Those individuals directly responsible for the investigations were not fully conversant with the fluctuations in American policy toward those who opposed Castro, and they lacked a working knowledge of pro-Castro and anti-Castro activity. They did not know the full extent of U.S. operations against Cuba including the CIA efforts to assassinate Castro. The Committee further found that these investigative deficiencies are probably the reason that significant leads received by intelligence agencies were not pursued.

Senior Bureau officials should have realized the FBI efforts were focused too narrowly to allow for a full investigation. They should have realized the significance of Oswald's Cuban contacts could not be fully analyzed without the direct involvement of FBI personnel who had expertise in such matters. Yet these senior officials permitted the investigation to take this course and viewed the Warren Commission investigation in an adversarial light.

Senior CIA officials also should have realized that their agency was not utilizing its full capability to investigate Oswald's pro-Castro and anti-Castro connections. They should have realized that CIA operations against Cuba, particularly operations involving the assassination of Castro, needed to be considered in the investigation. Yet, they directed their subordinates to conduct an investigation without telling them of these vital facts. These officials, whom the Warren Commission relied upon for expertise, advised the Warren Commission that the CIA had no evidence of foreign conspiracy.

Why senior officials of the FBI and the CIA permitted the investigation to go forward, in light of these deficiencies, and why they permitted the Warren Commission to reach its conclusion without all relevant information is still unclear. Certainly, concern with public reputation, problems of coordination between agencies, possible bureaucratic failure and embarrassment, and the extreme compartmentation of knowledge of sensitive operations may have contributed to these shortcomings. But the possibility exists that senior officials in both agencies made conscious decisions not to disclose potentially important information.

Because the Select Committee to Study Governmental Operations With Respect to Intelligence Activities ended on May 31, 1976, a final resolution of these questions was impossible. Nevertheless, the Committee decided to make its findings public, because the people have a right to know how these special agencies of the Government fulfill their responsibilities.

The Committee recommends that its successor, the Senate Select Committee on Intelligence, the permanent Senate Committee overseeing intelligence operations, continue the investigation in an attempt to resolve these questions. To assist its successor, this Committee has forwarded all files pertaining to this investigation.

This phase of the Committee's work will undoubtedly stir controversy. Few events in recent memory have so aroused the emotions of this Nation and the world, as those in Dallas, in November 1963. Conspiracy theories and theorists abound, and the public remains unsatisfied. Regrettably, this Report will not put the matter to rest. Even after additional investigative work, no additional evidence may come to light on the ultimate question of why President Kennedy was assassinated.