

a major concern of the Commission,⁹ and most members of the Commission agreed.

There was thus a dualism in purpose. If the explicit purpose of the Commission was to ascertain and expose the facts, the implicit purpose was to protect the national interest by dispelling rumors.

These two purposes were compatible so long as the damaging rumors were untrue. But what if a rumor damaging to the national interest proved to be true? The Commission's explicit purpose would dictate that the information be exposed regardless of the consequences, while the Commission's implicit purpose would dictate that the rumor be dispelled regardless of the fact that it was true. In a conflict of this sort, one of the Commission's purposes would emerge as dominant.

The Dilemma

The Commission was, in fact, faced with just such a conflict at its meeting on January 27. The subject of this meeting was the allegation that Oswald had been a paid informer of the FBI.¹⁰

Three days earlier Chief Justice Warren and J. Lee Rankin had met secretly with Texas Attorney General Waggoner Carr and Dallas District Attorney Henry Wade.¹¹ The Texas officials related a story alleging that Oswald had been working for the FBI as an informant since September 1962; that Oswald was on the FBI payroll at \$200 a month on the day he was arrested; and that Oswald had been assigned an informant number, 179.¹² The source of the story seemed to be Alonzo Hudkins, a Houston newspaper reporter.¹³

Neither Carr nor Wade knew whether the story had any basis in fact, but Wade, a former FBI agent, had some reason to believe that there might have been a connection between Oswald and the FBI. Wade had apparently heard that Oswald's address book contained the telephone number and license-plate number of Dallas FBI agent James Hosty.¹⁴ The Commission had received the list of names in Oswald's address book in a December 21, 1963, FBI report, but Agent Hosty's name had been omitted from that list by

the FBI.¹⁵ Wade also had heard that a government voucher for \$200 was found in Oswald's possession.¹⁶ In addition, a Western Union employee had claimed that Oswald was periodically telegraphed small sums of money. Also, Wade thought that Oswald's practice of setting up postal-box "covers" each time he moved—a practice Wade himself had used as an FBI agent—was an "ideal way" to handle undercover transactions.¹⁷

The Commission heard the full allegation at its January 27 meeting. Commissioner Ford observed: "The Commission itself had not grounds at the moment for rejecting or accepting [the rumor]. Members simply knew that the whole business was a most delicate and sensitive matter involving the nation's faith in its own institutions and one of the most respected federal agencies."¹⁸

J. Lee Rankin presented the problem to the Commission in no uncertain terms, stating:

We do have a dirty rumor that is very bad for the Commission, the problem, and it is very damaging to the agencies that are involved in it and it must be wiped out insofar as it is possible to do so by this Commission.¹⁹

Quite clearly, the problem was the "dirty rumor." It was considered "dirty" not because it was known to be untrue but because it was known to be "damaging" to the government. The solution proposed was to "wipe out" the rumor. This would satisfy the implicit purpose of the Commission.

In this particular case, if the rumor was true, making the truth known might very well result in irreparable damage to the FBI and might heighten suspicions and speculations about the assassination itself. On the other hand, dispelling the rumor, even if it was true, would protect the national interest. Ford stated aptly that "the dilemma of the Commission" was how to approach this problem.²⁰

Allen Dulles observed that the allegation was "a terribly hard thing to disprove," because written records were not always kept on undercover agents.²¹ "If this be true," Hale Boggs responded, "[it]

123. *Ibid.*
124. Specter Interview.
125. Liebeler Interview.
126. Eisenberg Interview II.
127. Rankin Interview II.
128. *Ibid.*
129. Ball Interview.
130. Liebeler Interview.
131. Goldberg Interview.
132. *N.Y. Times*, June 8, 1964, p. 21:4.
133. *N.Y. Times*, June 19, 1964, p. 13:1.
134. *N.Y. Times*, June 30, 1964, p. 2:5.
135. Liebeler Interview.
136. *Ibid.* Eisenberg came for long weekends, and Stern was available when he was needed.
137. Redlich Interview.
138. Goldberg Interview.
139. Liebeler Interview (and unpublished colloquium).
140. Liebeler Interview.
141. Goldberg Interview.
142. Liebeler Interview.
143. Interviews with Dulles, McCloy, Ford, Boggs, and Cooper.
144. Liebeler Interview.
145. *Ibid.*
146. *Report*, Foreword, p. viii.
147. Liebeler Interview. Also Eisenberg Interview I.
148. *Report*, Foreword, p. xv. All the Commission's documents and working papers were committed to the U.S. National Archives.

2. The Dominant Purpose

1. *Report*, p. 471 (Executive Order No. 11130).
2. *Hearings*, Vol. II, p. 34.
3. 354 *U.S. 178*, p. 187.
4. Anthony Lewis, "New Look at the Chief Justice," *N.Y. Times Magazine*, p. 9 (January 19, 1964). The fact that this same story was reprinted in the *N.Y. Times* on September 28, 1964 (p. 14:6), indicates that it was never denied.
5. Rankin Interview I.
6. Dulles Interview.
7. McCloy Interview.
8. Cooper Interview.
9. Ford Interview.
10. Ford and Stiles, *op. cit.*, p. 19.
11. *Ibid.*, p. 14, and *Hearings*, Vol. V, p. 242.
12. Ford and Stiles, *op. cit.*, p. 14.
13. *Hearings*, Vol. V, p. 243.
14. *Ibid.*, pp. 242-43, and Rankin Interview II.
15. *Hearings*, Vol. V, p. 112.
16. *Ibid.*, p. 242.
17. Ford and Stiles, *op. cit.*, p. 20.
18. *Ibid.*, p. 15.
19. *Ibid.*, p. 22.
20. *Ibid.*, p. 20.
21. *Ibid.*, p. 19.
22. *Ibid.*
23. *Ibid.*, p. 21.
24. *Ibid.*
25. *Ibid.*, p. 22.
26. *Ibid.*, p. 24.
27. *Ibid.*, p. 23.
28. *Ibid.*, p. 24.
29. *N.Y. Times*, February 5, 1964, p. 19:1.
30. *Hearings*, Vol. XVII, p. 814.
31. *Ibid.*, pp. 815-18.
32. *Ibid.*, p. 741 and Commission Exhibit 825 (*ibid.*) Warren De Bruely, the FBI agent who allegedly threatened to send an undercover agent to infiltrate the same small New Orleans anti-Castro organization which Oswald later attempted to infiltrate, did *not* submit an affidavit. (Vol. X, pp. 33 ff.)
33. *Ibid.*, p. 803.
34. *Hearings*, Vol. V, p. 112. The Commission was never able to explain fully how Hosty's license plate number found its way into Oswald's address book. The reconstruction showed that Oswald's wife, Marina, could not possibly have seen Hosty's car plates on either of his two visits to the Paine