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Date 27 SEPT 1989

X-rays, photos prove Warren Report wrong, says Baltimore author

By Henry Scarupa

On this date in 1964, the Warren Report was issued to the public, spawning 25 years of skepticism about its conclusion that Lee Harvey Oswald acted alone in the assassination of President John F. Kennedy.

Among those who have spent nearly that entire time probing the who-killed-Kennedy mystery is Baltimore author Harrison Edward Livingstone, who claims to have found the "greasy thumbprint" that undermines the report and the U.S. government's version of what happened in Dallas on Nov. 22, 1963.

A fiction writer and playwright, Mr. Livingstone charges that autopsy photographs and X-rays were faked and do not show Kennedy's wounds as seen and recalled by competent eyewitnesses. He points to inconsistencies between the photos and the X-rays, with the X-rays indicating injuries that do not appear in the photos. Only people well-placed in government could have carried out the murder, and the cover-up that followed, he argues.

He carefully lays out all this in "High Treason," the 470-page book he wrote with Robert J. Groden and self-published last March, purporting to tell what happened. Included are several autopsy photos of Kennedy which he says have never before appeared in print.

He has already sold out the book's initial printing of 5,000 and now is bringing out a second edition of 10,000. The sales figures and those of numerous other books addressing the same subject indicates there is no shortage of skeptics finding fault with the Warren Commission's conclusions.

John Adams, one of Mr. Livingstone's backers on the project and dean of Harvard University's Extension School in Cambridge, Mass., from which the author was graduated, calls the book "extremely important."

"He's done an exhaustive study of the Warren Report and knows it better than anyone else I know," he says of the author. "He's gone through all 26 volumes and found the inconsistencies."

To which adds Harold Weisberg, a Frederick-based writer and pioneer critic of the Warren Report, "It took an enormous amount of labor to get the book out, and very few people could have done it without financial means," as was the case with Mr. Livingstone.

Summarizing his thoughts on the assassination, Mr. Livingstone says, "I see all this as a single conspiracy. All the evidence in the case implicating Oswald was planted. He was prepared as the patsy long in advance, the trail laid. He was obviously involved with intelligence agencies.

"The key is the forgery of the medical evidence. The plotters were clearly high up in the government. Soon after the murder, a great deal of U.S. foreign policy changed course."

Mr. Livingstone bases his initial forged-photos premise on the discoveries of co-author Groden, a photo-optics expert who had served as consultant in the late 1970s for the House Select Committee on Assassinations. (Its report backed the Warren Commission findings.) Mr. Groden charged early on that some of the autopsy photos of the dead president were composites, created by a matte insert process to alter the character of Kennedy's head wound.

Although the committee report included Mr. Groden's dissenting opinion, he says he was prevented by the committee's chief counsel from fully voicing his doubts to committee members. As far back as July 1979 the photo expert shared his findings with a *Sun* reporter, which resulted in an article calling into question the authenticity of the autopsy photos.

Mr. Groden's chief contribution to the book consists of his technical evaluations of photographic evidence. He has termed the familiar backyard photos of Oswald and the rifle as fakes, with Oswald's likeness pasted onto another body. He also worked with a team of experts synchronizing the Zapruder film — footage taken by an amateur photographer documenting the assassination frame by frame — with gunfire recorded on audio tape when a Dallas motorcycle policeman left his radio on during transit through Dealey Plaza with the presidential procession.

Four shots are audible, says Mr. Groden, with the possibility that at least two others were fired. Analysis of the acoustical data indicates one of the shots came from the front,

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probably from the grassy knoll area of the plaza, supporting what many witnesses had claimed earlier. The test results were presented to the House Assassinations Committee. Assessing the data, Mr. Livingstone theorizes Kennedy may have taken two shots to the head, from front and back. The Warren Report concluded the president was struck once in the neck and once in the head, both by bullets fired from the sixth floor of the Texas Book Depository building.

By bringing out his book years after the fact, the author has been able to draw on the work of dozens of critics as a point of departure for his own investigations. He made several trips to Dallas, and questioned 14 of the 19 doctors and nurses who saw Kennedy when he was brought into Parkland Hospital. According to the book, all told Mr. Livingstone that the head wounds they saw differed markedly from what appeared in the official photos.

The key point in their testimony was that they had seen a gaping hole in the back of Kennedy's head, which they believed was an exit wound and indicating that the shot was fired from the front of the limousine rather than the rear. Their statements were corroborated by former Navy technicians, now in civilian life, who were present at the Kennedy autopsy at the Bethesda Naval Hospital. For years the Navy men had been silenced by the threat of court-martial.

Discrepancies also occur between the X-rays and the recollections of the Parkland staff, the autopsy photos and the autopsy report itself. Mr. Livingstone says a frontal X-ray of the president's head, showing a large portion of the right side missing, including the right orb, conflicts with autopsy photos of the wound. The author relied on the expertise of a Baltimore radiologist, among others, in evaluating the X-rays.

But if the photos and X-rays were faked, why the botched job? The conspirators had to move quickly, and in so doing left behind a "greasy thumbprint," declares Mr. Livingstone.

In rejecting the Warren Report, Mr. Livingstone has elaborated a scenario which he feels is more plausible given the facts that are being steadily uncovered. Oswald, he says, had some sort of involvement with U.S. intelligence, and was sent to the Soviet Union as a spy, probably by the Office of Naval Intelligence. He was set up as the fall guy, with a tell-tale trail carefully laid out months in advance of the assassination.

On the eventful day the conspirators mounted a classic military ambush with three or four gunmen on the scene to ensure the president would not escape. The killers were probably Mafia hit men or Cuban exiles angry with Kennedy over his his abandonment of the Bay of Pigs invaders. In Mr. Livingstone's version, four shots struck Kennedy, two from the front and two from the back, and one hit Texas Gov. John Connally. A sixth shot (the third, according to the Warren Report) missed its target and smashed into the curb, sending debris into the face of bystander James Tague.

A drawing in the book suggests possible vantage points from which the gunmen could have aimed at the president. They include the Dallas Texas Building and the Dallas County Records Building, near the Book Depository, as well as the Depository itself, looking down from the back; a manhole covered by a rectangular grate on the south knoll to the left of the motorcade; manholes on the right and left sides of the triple overpass in front of the president's car; and an area behind a stockade fence on the grassy knoll to the right and front.

Mr. Livingstone notes that there is no hard evidence linking Oswald to the crime, or that any shots actually came from the Book Depository Building. Tactically the Depository, with its sniper's nest set-up in the easternmost window of the sixth floor, could have served as a diversion, allowing the true killers to escape unimpeded and implicating Oswald.

To allow the assassination to occur, Mr. Livingstone says, "Somebody among the president's guard betrayed him, and was in a position to slow down or control the rest of them, which prevented the president from being guarded adequate-

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THE WALL STREET JOURNAL

07.12.88

A New Look at that Day in Dallas

By Vermont Royster

We've lately been observing the 25th anniversary of that tragic day in Dallas that shocked the nation more than any event since the catastrophe at Pearl Harbor. Our TV screens replayed the pictures of the bloodied car bearing President Kennedy to Parkland Hospital and of Air Force One taking his body back to Washington.

Frozen in our minds is the memory of where we were that day when, paralyzed in shock, we heard the news. Later we would see "live" on TV the shooting of Lee Harvey Oswald by Jack Ruby.

But who was Oswald? Why did he shoot the president? Was he a lone madman? Or did he have an accomplice who fired a second shot? Who was Ruby, who in turn shot Oswald? And why did he do it?

Nothing in modern time, not even Pearl Harbor, has produced more theories of how it happened and why. Almost every year there has been a new theory. Oswald was a right-wing ideologue. He was a left-wing terrorist. He was part of a conspiracy in the Mafia. He was a tool of Cuba's Castro. One by one these theories have been discarded because they did not fit all the facts. The mystery has remained.

Now there comes an account that for the first time so clearly fits the facts that it seems to me less a theory than an explanation. It's in a book by James Reston Jr., due out next year but already with a long excerpt in Time Magazine.

The hinge of this account is the testimony of Marina Oswald, Lee Harvey's wife, given at the time to the investigating Warren Commission, but dismissed as too simple to explain so terrible an affair.

Marina Oswald testified she knew of no reason for her husband to hate President Kennedy; in fact, her impression was that he rather admired the president. But she had heard him often express anger at Gov. John Connally of Texas, who was in the president's car that fatal day and was also wounded by a shot from Oswald's gun.

Mr. Reston, an experienced journalist—and the son of James Reston, longtime correspondent and commentator for the New York Times—begins his account by taking Marina's testimony seriously.

Could it be, then, that the real target of Oswald that day was not the president but Gov. Connally? That the president was killed by accident from a stray shot aimed at the governor?

It's not an explanation everyone will accept. It takes away from the president's death the sense of high dignity that comes from a deliberate political assassination. It would become just another accidental death as from an automobile crash or other happenstance. Tragic still, but not high tragedy.

Nonetheless, once you take Marina's testimony seriously, as Mr. Reston does, other bits of evidence gathered by the Warren Commission fall into place.

Oswald, as you may remember, had served in the Marine Corps and at first was given an honorable discharge. Later, he went to the Soviet Union and approached the Soviet authorities requesting not only admission as a resident but Soviet citizenship. He was rebuffed. But because of this activity the Marine Corps later changed his discharge record from honorable to undesirable, just a notch from a dishonorable discharge.

Meanwhile, Oswald had married Marina, a Soviet citizen, and begun his long struggle with the Navy Department to "correct" his discharge. The secretary of the navy was John Connally, who had at least twice given Oswald a "brush off" on his complaints, once by letter and, after Oswald returned to the U.S., in person.

In the meantime, Secretary of the Navy Connally had become governor of Texas. In that position he refused to do anything for Oswald, saying only he would refer the discharge matter to his successor.

All this seems to me enough to explain any anger of Oswald's toward Connally. But what about Jack Ruby, Oswald's killer? How does he fit into the picture if there was no conspiracy to kill Kennedy?

Here another bit of forgotten testimony offers a clue. A Dallas lawyer, Carroll Jarnigan, told the FBI that one night in a nightclub owned by Jack Ruby he overheard a conversation between Oswald and Ruby about the possibility of shooting Gov. Connally. According to Mr. Jarnigan, Ruby asked Oswald, "Are you sure you can do the job without hitting anybody but the governor?" Oswald reportedly replied by saying, "I'm a Marine sharpshooter."

The FBI seems to have dismissed this testimony as unreliable, but if the conversation took place as reported, that would give Ruby a reason for shooting Oswald. He wouldn't want Oswald to testify to anything incriminating him in complicity.

As you can see, this version of what happened on that long-ago Friday rests upon testimony gathered at the time but disbelieved or thought irrelevant. Instead, we have heard all manner of theories: from the existence of a second gunman to a gangland conspiracy, to some sort of plot involving Fidel Castro. It's hard to find a shred of evidence for any of them. Certainly the Warren Commission didn't.

But once you accept the possibility that Marina Oswald knew of what she spoke about her husband, everything begins to fall into place. You no longer have to think of Oswald as the sure-shot Marine who never missed his target. You no longer have to think of that obscure Dallas lawyer as having made up out of whole cloth the overheard conversation he reported. You no longer have to think of Jack Ruby as a sterling patriot who killed Oswald in retribution for his shooting of President Kennedy.

I confess, I'm not too happy with this version of events. I don't like to think that a national tragedy with all the grief it brought happened only because an angry gunman couldn't shoot straight.

But as Sherlock Holmes knew, paying attention to a simple clue sometimes offers the best solution to the deepest mystery.

Mr. Royster is editor emeritus of the Journal.

Newsweek
Time P. 98
U.S. News & World Report

Date 21 Nov 1988

BUG LITE. No wonder Washington wants to tear down the new U.S. embassy in Moscow. In looking for KGB-planted bugs, the CIA discovered evidence of new high-tech spy equipment, including a device like a Roto-Rooter that enables Soviet spooks to install microphones in a wall by drilling into a building from underground. But CIA analysts are puzzled over a suspicious object found in a concrete column: a beer bottle. Is it some sort of bug, or merely a brewski chugged and chucked by a Soviet workman? No one is sure.

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Trust Lost, New J.F.K. Probe Is Needed

By ALAN M. DERSHOWITZ

It has now been 25 years since that dreadful Friday in Dallas when so many dreams were shattered by the assassination of President John Fitzgerald Kennedy. The anniversary brings back sad memories, but it also raises some lingering doubts over whether we know the whole truth.

I was a law clerk on the Supreme Court 25 years ago. It fell on me to inform my boss, Justice Arthur Goldberg, that his dear friend had been shot. The chief justice, Earl Warren, sent the justices home, fearing that the attack in Dallas might be part of a more general assassination plot against high government officials.

I was with Goldberg when we later heard the report of Lee Harvey Oswald's assassination by Jack Ruby. We wondered what was going on, but I trusted what my government was telling me. My trust seemed vindicated when President Lyndon B. Johnson appointed Chief Justice Earl Warren, a symbol of probity and integrity, to head up a national commission of inquiry. Several of the young lawyers who were appointed to staff the commission were friends of mine, and I knew that their honesty was above reproach.

When the Warren Commission released its report, concluding that both Oswald and Ruby were disturbed loners and that there was no conspiracy, I had little reason to doubt its conclusions. After all, the commission staff—my friends and contemporaries—had questioned all possible witnesses, reviewed all CIA and FBI files and investigated all plausible leads.

This was happening during an age of trust in government, which had brought us the civil-rights movement, the War against Poverty and the Great Society. Our innocence had not yet been taken away by the lies about Vietnam, the Watergate cover-up and the Iran-Contra scandals.

It has been a long quarter-century since those innocent times. Now I trust almost nobody in government. I have learned that many in positions of authority believe that it is part of their job to lie in the national interest. I suspect everything that the Warren Commission was told, or shown, by the CIA and FBI and other intelligence agencies. I believe only what my own senses tell me, only what is demonstrably true, only what cannot be faked in sophisticated laboratories, only what was testified to by people with proven track records of credibility.

Nor am I alone in my conversion from naive trust to cynical distrust. My closest friend on the staff of the Warren Commission, John Hart Ely, who clerked for Warren and then became a law professor and the dean of Stanford Law School, experienced a similar conversion.

Ely makes the powerful point that the Warren Commission lacked independent investigative resources and thus was compelled to rely on "the government's existing investigative agencies"—the FBI, CIA and military intelligence. He points out that in 1964 "one had to be a genuine radical" to believe that these agencies might be "withholding significant information from the Warren Commission." Today, however, "it would take a person of unusual naivete to ignore that possibility."

Ely still believes that the Warren Commission's conclusions were probably correct. But he is not as confident as he was back in 1964. Nor am I. If one discounts the information provided by government intelligence agencies and relies only on independently confirmable facts, the case for the Warren Commission's conclusions is little more compelling than it is for some kind of conspiracy theory. There are so many unexplained facts, like recent acoustical and ballistics evidence that is consistent with a second assassin, as well as the deaths—mostly by assassination and "accident"—of so many witnesses.

Jack Anderson believes that the e dence now points most convincingly the following scenario: Cuban dicta Fidel Castro, convinced that Preside Kennedy had ordered his assassinati took preemptive action and arranged a team of organized-crime hit men to k our President. The CIA advised Preside Johnson of this a few days after the a sassination. Johnson feared that if t American public learned of Castro's i volvement it would demand retaliatic against Cuba. Any such retaliation wou necessarily require the Soviet Union come to Castro's assistance, especiall after Nikita S. Khrushchev's humiliatic during the Cuban missile crisis. Johnso resolved, therefore, to persuade the Amer can public that Oswald had acted alon He appointed a commission composed c loyal and distinguished Americans wh would not second-guess what the CI would show and tell them. The commis sioners came to the only conclusion tha they could possibly reach on the basis o the evidence that was available. That con clusion was wrong, but it was the "safest" one for world peace.

That scenario sounds a bit farfetched even when viewed through the prism o recent deceptions. But the underlying skepticism is well founded: We simply cannot credit what the CIA told the Warren Commission back in those good old "trust your government" days.

That is why a new investigation of the old evidence, and whatever new evidence may have survived 25 years of tampering and decay, is warranted. It may do no pragmatic good to open old and painful wounds. But history and truth have their claims. We the people are entitled to know what really happened on that tragic Friday in Dallas.

Alan M. Dershowitz teaches at Harvard Law School and writes a syndicated column

JACK ANDERSON and JOSEPH SPEAR

Witness Tells of CIA Plot to Kill Castro

After a 25-year silence, a witness has stepped out of the shadows to tell how a covert CIA mission to liquidate Cuban President Fidel Castro backfired. The Marxist ruler was tipped off that the CIA was trying to kill him. Instead, he may have turned the hired guns against President John F. Kennedy.

The witness, a Washington police officer named Joseph Shimon, played an undercover role in the bizarre tragedy. He sat in on the meetings where the Central Intelligence Agency's William Harvey and the Mafia's Johnny Rosselli plotted the assassination of Castro.

The covert operation had the blessing of two of America's most notorious crime figures: Sam Giancana, boss of the Chicago mob, and Santos Trafficante, who controlled the Cuban underworld before Castro came to power. Shimon quotes Trafficante as saying, "I'll get you the contacts, give you a lot of names. But keep me out of it."

Harvey and Rosselli recruited killers recommended by Trafficante. Six assassination teams were dispatched to Cuba; not only did all six fail, they also disappeared.

Harvey and Rosselli concluded that teams of professional hit men wouldn't have failed repeatedly unless Castro had been waiting for them. "You don't have that many misses, and these fellows are not coming back," Shimon said.

Only six people knew about the CIA plot to use the Mafia to knock off Castro. No mention of the operation had been committed to paper. Yet Castro must have been tipped off.

The finger of suspicion pointed to Trafficante. Though he had been jailed and his gambling casinos seized by Castro, for some inexplicable reason, Trafficante got out of Cuba unscathed after Castro came to power. Shimon recalled, "Suddenly Trafficante is released . . . . He comes back here with all his assets, with the yacht . . . . Others eventually got out, but they left Cuba broke. Trafficante came out with all his money, immediately went into business and look how big he got overnight. He spread out all over the South."

Shimon confronted Giancana and asked whether Trafficante was reliable. "Frankly," Giancana confided, "he's a rat." The CIA came to the same conclusion and abruptly called off the Mafia. But the CIA continued to look for other ways to eliminate Castro.

Castro no longer knew where the CIA would strike next. So he issued a public warning in September 1963. If the CIA persisted in trying to kill Cuban leaders, he said, then "American leaders will not be safe."

Two months later, President Kennedy was gunned down in Dallas. Shimon figured that Castro had conspired with Trafficante. Shimon said his conclusion was "confirmed by Harvey," who had other information from the CIA.

Shimon said, "They had other sources, too. They were satisfied that this had to be retaliation by Castro . . . . Castro decided, look, if this [CIA murder mission] is gonna continue on, let's have a little self-defense. This is a two-way game."

Shimon is just one of a number of witnesses who have provided evidence that Castro turned the tables on the CIA and Kennedy.

The Washington Post C24
The New York Times
The Washington Times
The Wall Street Journal
The Christian Science Monitor
New York Daily News
USA Today
The Chicago Tribune

Date 31 OCT 1988

JACK ANDERSON and DALE VAN ATTA

A Kennedy Plot That Backfired?

We have uncovered startling evidence that Robert F. Kennedy oversaw an undercover operation—a CIA plot to eliminate Cuba's Fidel Castro—that backfired cruelly 25 years ago and triggered the assassination of his brother John F. Kennedy.

This is a painful story that the authorities don't want to face. Only two months ago, the Justice Department tried to close the door on the dreadful crime that changed our nation's history. The department declared, "No persuasive evidence can be identified to support the theory of a conspiracy."

Yet our findings, if not conclusive, are certainly persuasive. We have pieced together evidence of a conspiracy, implicating an unwitting Robert Kennedy, from hidden documents and credible witnesses. The evidence we have seen is far more compelling than the Warren Commission's verdict that President Kennedy was killed by a lone, deranged gunman.

The tragic events that ended in Kennedy's death began four years earlier in the backrooms of the Central Intelligence Agency. In December 1959, then-CIA director Allen Dulles, who continued to serve in the early days of the Kennedy administration, made a chilling proposal. Eight months later, the CIA director of security, Col. Sheffield Edwards, was assigned to implement it.

The operation was so secret that it wasn't committed to paper until years afterward. Then a CIA account described it as "a sensitive mission requiring gangster-type action. The mission target was Fidel Castro." The purpose was to liquidate the charismatic Castro, leaving Cuba leaderless just before the Bay of Pigs invasion. A CIA front man, Robert Maheu, sounded out a top crime figure from the old Al Capone mob, Johnny Rosselli, about killing the Cuban leader. Rosselli introduced Maheu to Sam Giancana and Santo Trafficante.

The mob accepted the contract. But the assassination plot failed and the 1961 Bay of Pigs invasion was a fiasco. The newly elected president, John F. Kennedy, was furious at the CIA for botching the invasion and asked his brother, thereafter, to oversee the CIA.

On May 7, 1962, Attorney General Robert Kennedy was told about the mission to liquidate Castro. This was followed a week later by a written review.

It outlined the mission, concluding, "Knowledge of this project during its life was kept to a total of six persons. . . and there were no memoranda on the project nor were there other written documents or agreements. The project was duly orally approved by the said senior officials of the agency."

Not long afterward, Robert Kennedy joined in the decision to revive the mission. Our sources claim he took a personal interest in the operation, and one document suggests he once contacted Rosselli directly.

All told, six hit teams were sent to Cuba; all six failed. The CIA later concluded that the plot against Castro had backfired and that Castro had retaliated against President Kennedy. Our sources say that then-CIA director John McCone delivered that grim report to Robert Kennedy the morning after his brother's assassination.

Oswald's widow now believes cons

NEW YORK (AP) — Lee Harvey Oswald's widow says she now believes Oswald was not acting alone when President John F. Kennedy was killed.

"I think he was caught between two powers — the government and organized crime," Marina Oswald Porter said in the November issue of Ladies' Home Journal, published yesterday.

Testimony by Oswald's widow, who married Dallas carpenter Kenneth Porter in 1965, helped the Warren Commission conclude that a deranged Oswald acted alone in the Nov. 22, 1963, assassination.

"When I was questioned by the Warren Commission, I was a blind kitten," she said.

The commission, appointed to investigate the assassination, concluded it was the work of a single gunman, Oswald. In 1979, however, the House Select Committee on Assassinations, relying in part on acoustical evidence, concluded a conspiracy was likely and that it may have involved organized crime.

Since then, Mrs. Porter, 47, has drawn new conclusions.

"I don't know if Lee shot him," she said. "I'm not saying that Lee is innocent, that he didn't know about the conspiracy or was not a part of it, but I am saying he's not necessarily guilty of murder."

"It was a very complicated plot, brilliantly executed. Could any intelligent person believe that kind of thing was organized by one man?" she said.

"At first, I thought that Jack Ruby [who killed Oswald two days after the assassination] was swayed by

piracy killed Kennedy

passion; all of America was grieving. But later, we found that he had connections with the underworld. Now, I think Lee was killed to keep his mouth shut," she said.

Mrs. Porter said that, in retrospect, Oswald seemed professionally schooled in secretiveness "and I believe he worked for the American government."

"He was taught the Russian language when he was in the military. Do you think that is usual, that an ordinary soldier is taught Russian? Also, he got in and out of Russia quite easily, and he got me out quite easily," said Mrs. Porter, who emigrated from the Soviet Union in 1961 after marrying Oswald.

In the months preceding the assassination, a man posing as Oswald reportedly appeared in several public places in the Dallas area.

"I learned afterward that someone who said he was Lee had been going around looking to buy a car, having a drink in a bar. I'm telling you, Lee did not drink and he didn't know how to drive.

"And afterward, the FBI took me to a store in Fort Worth where Lee was supposed to have gone to buy a gun. Someone even described me and said I was with him. This woman was wearing a maternity outfit like one I had. But I had never been there," she said.

Mrs. Porter said she hopes the truth will emerge when the Warren Commission materials are declassified.

"Look, I'm walking through the woods, trying to find a path, just like all of us," she said. "The only difference is, I have a little bit of insight. Only half the truth has been told."

The Washington Times

MONDAY, SEPTEMBER 5, 1988 / PAGE A3

NATION

Kennedy, M.L. King death probes officially closed

THE ASSOCIATED PRESS

The Justice Department has officially ended its inquiry into the assassinations of John F. Kennedy and Martin Luther King Jr., finding "no persuasive evidence" to support conspiracy theories, according to department documents.

A Justice Department memo, obtained by Dr. Louis P. Kartsonis, a San Diego ophthalmologist, through the Freedom of Information Act, was the department's admittedly long-overdue response to the House Select Committee on Assassinations' recommendation 10 years ago for further investigation.

William F. Weld, who was head of the department's criminal division until he quit at the end of March, told Rep. Peter Rodino, New Jersey Democrat and chairman of the House Judiciary Committee, that all known leads have been checked.

"The Department of Justice has concluded that no persuasive evidence can be identified to support the theory of a conspiracy in either the assassination of President Kennedy or the assassination of Dr. King," Mr. Weld wrote in the undated memo.

"No further investigation appears to be warranted in either matter unless new information which is sufficient to support additional investigative activity becomes available," he said.

The Justice Department's response to the conspiracy theories comes as no surprise. It is, however, the first time the department has made a formal conclusion on the assassinations, said Justice spokesman Dean St. Dennis.

The House Assassinations Committee concluded in 1978 that Mr. Kennedy was "probably" assassinated as the result of a conspiracy involving a second gunman, a finding that broke from the Warren Commission's belief that Lee Harvey Oswald acted alone in Dallas on Nov. 22, 1963. The House panel also said there was a "likelihood" that King's slaying in 1968 was part of a conspiracy.

The committee urged the Justice Department to investigate several areas of the assassinations, and one year later the department agreed to conduct a limited inquiry focusing on an acoustical study presented to the committee by independent experts.



John F. Kennedy



Martin Luther King Jr.

The acoustical experts had conshot. That evidence was the key to the committee's second-gunman conclusion.

Justice officials instructed the National Academy of Sciences to reconcluded after studying a Dictaphone recording of a Dallas policeman's open radio transmissions that there was a second gunman on the infamous grassy knoll who fired a fourth view that study and the Dictaphone recording, and academy scientists concluded in 1982 that the independent experts were wrong.

Mr. Weld said the Justice Department had completed "virtually all" of its inquiry by the end of 1983, but delayed its response to the House Judiciary Committee "pending a complete review of all public comment" on the National Academy study.

"We have considered the review of all correspondence to be potentially productive," Mr. Weld said. He added that there was no "persuasive criticism" of the academy report, so the Justice Department has accepted its conclusions.

Others, including Rep. Louis Stokes, Ohio Democrat and chairman of the defunct assassinations committee, have stood by the committee's conclusions and the acoustical evidence presented by the independent team.

Mr. Stokes could not be reached for comment, but a former select committee aide who has fought to have the panel's records opened to the public blasted the department's response.

"All these years later we find out they've been doing nothing," said Kevin Walsh. "Members themselves had faith that the Justice Department was going to pursue this, and now we see all these years later that their faith was misplaced."

Mr. Walsh noted that the department did not follow through on several parts of the select committee's recommendations.

The "most egregious sin," he said, was the department's failure to obtain and analyze a bystander's film shot just minutes before the Kennedy assassination. The film by Charles L. Bronson scans the sixth-floor window of the Texas School Book Depository, where Oswald was positioned.

Mr. Weld wrote that the department was unable to obtain the film from the owner.

The Justice Department conceded that the report to Mr. Rodino's committee was "long overdue."

Mr. Kartsonis said he has conducted research and delivered lectures on the Kennedy assassination for more than 15 years. He, too, criticized the Justice Department's inquiry, saying investigators failed to answer the select committee's questions.

TUESDAY, APRIL 19, 1988 The Washington Times

Assassination clues settle in one place

By Deborah Pabst
THE WASHINGTON TIMES

If a political leader has been killed anywhere in the world, chances are Bernard Fensterwald has a file on it.

Mr. Fensterwald is the founder and director of the Assassination Archives & Research Center. The archives, in five dusty rooms in a building on F Street NW that has seen better days, contain an astonishing repository of information.

There are about 1,500 books in the permanent collection, with another 500 duplicate copies that are lent to members of the center. Books on John F. Kennedy alone fill two bookcases.

There are volumes on the Mafia, Fidel Castro, Malcolm X, terrorism, U.S. and Soviet intelligence, and mind control. There is even a book justifying assassinations, entitled "Killing No Murder."

There are 2,000 audiotapes, including 22 by a Dallas Morning News reporter who worked for years on President Kennedy's assassination. There are 80,000 pages of FBI documents on Kennedy which fill eight file cabinets. Fortunately, the center was able to obtain an index to the FBI documents — which is not the case with its 11 volumes of CIA material on Kennedy.

But the "guts" of the collection, according to Mr. Fensterwald, are 16 file cabinets containing research, about half unpublished, on various aspects of various assassinations. There's a file on just about every country, since nearly every country has a history of assassinations. There's one drawer on Kennedy assassin Lee Harvey Oswald's trip to Mexico.

And all of this material is computerized. Building on the work of Jeff Meek, an assassinologist who had put together an index of 10,000 cards, the center now has a master data base with 32,000 listings.

see FILES, page E6



Photo by Kevin T. Gilbert The Washington Times

Bernard Fensterwald in the archives

FILES

From page E1

The center has about 200 members, who pay yearly dues of $25 or more. Use of the center is not restricted to members, however.

"Anyone who is at all serious can use the facilities," Mr. Fensterwald says. "We encourage research rather than discourage it."

Mr. Fensterwald, a lawyer whose private practice largely subsidizes the center, got interested in assassinations after the shooting of Kennedy. Mr. Fensterwald had been a classmate of Kennedy at Harvard, and worked on Kennedy's 1960 campaign as a speech-writer.

Finding the Warren Commission Report on Kennedy's death unsatisfactory — "baloney," he says — Mr. Fensterwald began pursuing his own research and forging links with others doing the same. In 1969, he formed the Committee to Investigate Assassinations, which coordinated the efforts of researchers working on the deaths of Sen. Robert Kennedy and the Rev. Dr. Martin Luther King, in addition to that of President Kennedy.

About five years ago, the emphasis of the CTIA changed from investigative to academic, and the Assassination Archives & Research Center was born. "As the major research got older, we found it was just disappearing," Mr. Fensterwald said. "We thought it would be well to get these collections under one roof."

He hopes a local university will be impressed sufficiently by these holdings to take the center under its wing. Such an affiliation would be financially beneficial to the center, which has been unable to obtain funding from foundations. Its only salaried employee is a secretary.

"The subject makes grant people very nervous," Mr. Fensterwald says. "It has an aura — that anybody who deals with the subject is nuts.

"I'm the first to admit there are a number of nuts in the field. It's a subject that attracts a lot of paranoids. . . . I think anybody that becomes an aficionado of the subject has a degree of paranoia. It's certainly an obsession with most people."

Many of the stranger people who visit the center wander in off the streets, attracted by the sign in the lobby. These visitors, Mr. Fensterwald says, are dealt with as kindly as possible. "But if we didn't ease them out, they'd sit here for days."

Aside from discouraging street people from moving in, the center does not make judgments about the quality of its researchers or research. Pertinent books are added to the collection regardless of the wildness of their premises, and would-be authors are welcome no matter how bizarre a line they are pursuing.

Assassination research is gaining respectability, however. According to Mr. Fensterwald, there are about 20 college courses offered on the subject. With this academic base, he hopes to start a scholarly journal, which would be published quarterly by the Assassination Archives & Research Center.

All this takes money, of course. But Mr. Fensterwald and his colleague, lawyer James Lesar, say the major problem is not funding but "the recalcitrance of the U.S. government."

The FBI, they say, is generally cooperative, and at times so is the State Department. But Mr. Lesar says that "nobody involved in the field has gotten an ounce of help from the CIA, National Security Agency, the Defense Department."

Mr. Fensterwald adds, "The CIA won't give you anything unless you go to court, and they'll fight it tooth and toenail."

Mr. Fensterwald contends that "false pride" has prevented the country from discovering the truth about assassinations. When a political murder occurs in the United States, he says, there is a massive effort to prove that it is a "lone nut" killing.

"We accuse Latin American countries of instability because they have coups and assassinations all the time. We call them Banana Republics. We [America] don't have coups so assassinations have to be by a lone nut. They can't be by anybody who wants to change the policies of the country.

"The outstanding Banana Republic of the '60s was the United States," he adds.

Mr. Fensterwald says that the major venture of the Committee to Investigate Assassinations was lobbying for the creation of the House Select Committee on Assassinations, which existed from 1975 to 1979.

According to Mr. Fensterwald, the House committee "fell on its face. They concluded there was probably a conspiracy in the case of JFK and Martin Luther King, and then they didn't look to see who the conspirators were. They shut down and locked all the documents up for 50 years."

Despite these difficulties, and the fact that the passage of time would seem to make it less and less likely that any new revelations would emerge, Mr. Fensterwald is confident that the King and two Kennedy cases will be "solved" someday.

"I'm convinced that the solution is within our premises here," he says. "But we're too dumb to see it."

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PROGRAM Kaleidoscope STATION WAMU-FM

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SUBJECT John Fitzgerald Kennedy

DIANE REHM: The shots that rang out in Dallas 20 yers ago left a young President dead and a stunned nation outraged. Today the issue surrounded John F. Kennedy's assassination remain a mystery. There has never been a satisfactory solution to the mystery of who killed JFK. In the next two hours, I'll be talking with three experts looking at the Kennedy assassination after 20 years.

You've heard the old cliche: If we can send a man to the moon, then why can't we -- and then you fill in the blank. That phrase has been applied to the assassination of John F. Kennedy. With all the money and intelligence resources available to our government, why, in the last 20 years, hasn't there been a full and complete solution to the mystery of who killed JFK?

Three people who share that concern are with me this morning: Bernard Finsterwald is an attorney here in the Washington area, the author of a book called "Assassination of JFK: By Coincidence or Conspiracy?" Also, Richard Billings. He covered the assassination for Life magazine. He was editor of the House Select Committee report on the assassination, and he's coauthor of a book called "The Plot to Kill the President." On the phone with us from Cleburne, Texas is J. Gary Shaw, longtime critic of the Warren Commission and the official version of the assassination. He wrote a book called "Cover-up."

I'm Diane Rehm. And we are not going to take your calls during the first hour of the program. There is a great deal to talk about in this first hour, as you can well imagine. And we

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will take your calls after the news break at 11:05. At that time, the number to call is 966-8850.

Gary Shaw, are you with us out there?

GARY SHAW: Yes, I am. Thank you, Diane.

REHM: ...Let me ask all three of you. The first official inquiry done by the Warren Commission concluded that Lee Harvey Oswald acted alone and shot JFK. In 1979 a congressional committee decided that Kennedy was probably assassinated as a result of a conspiracy. Why, in your opinion, has the case never been completely resolved?

Gary, I'll start with you.

GARY SHAW: Primarily, Diane, I think the problem has been that it jumped from a crime in Texas, a murder in Texas, to a political situation in Washington, D.C. for its investigation. It never should have been done that way. I believe that it should have been investigated and the hearings conducted in Texas under Texas law and Texas jurisdiction and kept out of the political bailiwick. I believe that's the major problem with the entire investigation, both the first one and the second one in 1978.

REHM: Bud, what would your comments be?

BERNARD FINSTERWALD: Diane, you mentioned earlier, with the resources of the intelligence community, we've been unable to solve the crime. I would say that the major reason we've been unable to solve the crime is that the intelligence community has used all its resources to see that it is not properly investigated. They've destroyed evidence, they've hidden evidence. Even today, 20 years later, most of the documents are still labeled top secret.

If we could get at the evidence that the government itself has, I think the crime would have been solved long ago.

REHM: Dick Billings?

RICHARD BILLINGS: I'm not disagreeing with either of those, although I tend to think more of the opinion of Gary Shaw, in that politicians, people in Washington who are in the position to do so, do not have the inclination to continue the investigation, even though at the completion of the congressional committee investigation, in which I participated, we were very close to learning something very, very important. We did learn something very important, and we could have learned more. But the attitude here, in spite of the fact that the most recent poll on the

matter, 80 percent of the people asked, the citizens, believe that there was -- that Oswald was not alone, that there was a conspiracy -- the attitude of the people at the Department of Justice and the Administration and in Congress, including members of the committee itself, today are not inclined to pursue it further.

REHM: So, it is a sort of who-cares attitude that you see reflected.

BILLINGS: Well, it's more than that. It's more than just a who-cares attitude. There's a real active inclination to close it off and to wrap it off and say, "We're not going to pursue this any further."

I think one of the -- there was another tragedy. The loss of the President certainly was a tragedy. But in the year that followed, in the years that followed that, there was the loss of something else, which I might call candor in American politics, the loss of candor. The politicians do not want to pursue it further because there's nothing in it for them. And admittedly, it is difficult. It requires money and it would require a continuing effort, which is not there. The latest we hear from the FBI, for example, William Webster, the Director, is that the investigation of the acoustics evidence, which I find very important, still, has now been determined not to have shown that fourth shot from the grassy knoll. I don't think that is the case. But based on that conclusion of a committee of the National Academy of Sciences, the Director of the FBI, for one, is now saying again, as we've heard for so many years from these top-level sources, the investigation is closed.

It's not just a who-cares. It's an active disinclination.

REHM: Gary Shaw, I know that you were also particularly impressed with the results of that poll. Give me your ideas.

SHAW: Well, from the polls that I have been acquainted with, it seems that 80 percent of the American people still believe that there was a conspiracy in the death of the President. What's frightening and what really bothers me is that that same poll also discovered that 70 percent of the people take a who-cares attitude at the conspiracy. And that bothers me tremendously. Because I think we have to realize that if there was a conspiracy and it appears that there was government complicity, by and large, at least in the cover-up of the true facts surrounding this case, then are the people who killed John Kennedy in 1963 still in a position of power, and will they do it again and again and again? And that bothers me tremendously.

REHM: But Finsterwald.

FINSTERWALD: I was listening to Dick's remark that there's nothing in it for a politician to investigate this. I would disagree with that. I would think an ambitious congressman or senator could easily ride into the White House if he were to investigate this issue properly, because I can't think of a single issue that gets somebody the name recognition that this one does.

So if somebody took this on as a crusade, if they lived through the crusade, I would think it would be an open way to get to the White House.

REHM: I want to go back to Gary Shaw's comment that he believed that had the investigation itself actually taken place in Dallas and been dealt with there, wrapped up there, that we would have gotten some answers far more quickly and appropriately. Considering the fact that the President had been urged not to go to Dallas to begin with, that Lee Harvey Oswald was shot by Jack Ruby in Dallas, why would you, or do you, support Gary Shaw's statement that, in fact, it might have been wrapped up in Dallas?

FINSTERWALD: Yes, I agree with that completely. For example, I think that the autopsy done at the Naval Hospital here, either by accident or on purpose, was one of the worst in any major case I've ever seen. And I certainly think that an autopsy done by the coroner in Dallas would have gotten us much better physical evidence of how John Kennedy was shot.

Also, I do not believe that it would have been as mired down in politics as it was here. It was pretty much dictated, the Warren Commission was pretty much dictated by President Johnson, in his desire to see that the investigation ended before the -- well before the election in November. So he was constantly pressuring the commission to break off its investigation and reach some conclusion.

BILLINGS: I think that's all true. And I certainly support the specific point that Bud just made about the autopsy. It was a big mistake for those people in the Kennedy party to haul the body out of Dallas, as they did. Even though it seemed to be justified at the present time, it turns out to have been a terrible mistake.

However, even with the, perhaps, the botched autopsy, or certainly the poorly performed autopsy, and the other ways the physical evidence was presented, it still could, with the proper inclination of the people in charge of the investigation, have turned out another way.

It wasn't lost just because they pulled it out of Texas, although that's an important point.

REHM: Considering the fact that this poll does reflect, perhaps, the thinking of a great many Americans, I'm still struck by how many people recall, to the moment, where they were, what they were doing. Yesterday I walked into the grocery store, and without any preamble the checkout cashier said to me, "Can you believe it was 20 years ago that this happened?" and began telling me what his feelings were and where he was on that day.

Considering that fact, it does interest me that there has not been greater public pressure to see that more is done about this. You talk about the politicians, perhaps they had reasons to wish that the investigation were over. But is it a public distaste to continue to deal with the tragedy that has not provided the impetus for a resolution?

Gary Shaw, what are your thoughts?

SHAW: Diane, I think the real problem lies in the lack of media attention to the real facts surrounding this case. More often than not, what we have presented to the American people are half-truths, un -- a truth that really has not been looked at by the writer or the commentator. They're really not had the time nor the ability to spend on the investigation or looking at the true facts surrounding this case. And the watchdog of our society, I believe, is the press, the media. And until they take a Watergate-type stand with this situation, we'll never alert and interest the American people in it.

BILLINGS: I'd like to elaborate on that, and make another point as well, if I may. It won't take very long.

I think there's more than just a press not being interested. I think much of what's written in the major newspapers and that appears on television is the work of people who've been around a long time and should know better. But they've taken positions in the past, and continue to stand on those positions, which in the book jacket -- on the blurb of a book jacket of a recent book called "Oswald's Game, "Tom Wicker of the New York Times comes out and says, "I never did believe in conspiracy, and now it's proven that there wasn't a conspiracy." In other words, it's more of an act of denial.

I'd also like to say, in your answer to your question about why the public seems to be of a who-cares attitude, I spent last night up at the University of Delaware with a couple of hundred students, and we got into this subject. And I was told by them -- and I think they're more representative than I may be. These are people who were very young but do remember, as very

young children -- there were not just all undergraduates there. And the point was made that back in the mid-'70s there was this attitude among the public to pressure, to -- that's why there was a congressional investigation. That's subsided now. That's gone away. That is -- the people have sort of said, "Well, they've taken it as the government's position. There's no more to find out, and we've fought this long enough."

And we're moving now, I'm afraid, into the period of the anti-critic, where people are making more of a point denying conspiracy than the people who argue for it.

FINSTERWALD: I would disagree with that. I think this is one subject that is not going to go away, as much as the government would like it to go away. They've done everything in the world to discourage it. The Congress winds up in a situation where they say, "Yes, it was the result of a conspiracy," but they fell all over themselves trying to stop their investigation at that point and not look to see who the conspirators were.

There's been a myth in this country for, I guess, ever since the country was founded that we're above political killings. Whenever one of our leaders is killed, it's always a one nut that does it. So, the authorities are fairly safe after such a killing to say a lone nut did it, and people are very reluctant to look at it.

Whereas, in fact, I think the United States was probably the most outstanding banana republic in the world during the 1960s. We lost a whole bunch of our leaders through murder. Yet we're never willing to say that these are political killers and look to see who caused it and who benefited from it. And there's still that reluctance today, even on the part of the House of Representatives. They don't want to know who the conspirators were.

REHM: You feel that they honestly don't want to know because of the implications of what knowing might have for them?

FINSTERWALD: I'd certainly say the large majority of the members of the House are that way. There may be some exceptions. But as a body, to leave a murder of this type in the situation: "yes, there was a conspiracy, but we don't want to look at the conspirators" is a hell of a way to run a railroad.

BILLINGS: What I'm saying, Bud, is that on the one hand I'm hearing your opinion that a politician who wanted to ride this issue could take it and, if he had the courage, pursue it to a political benefit. But on the other hand -- and I'm not saying you're being contradictory, but I think I want to clarify it from at least my own mind, and see if you agree -- having said that,

which is your opinion, and having also said the issue's not going to go away, which is your opinion, you're also saying that the Congress, which reflects and represents the attitude of their constituents, is saying, "We don't want to pursue it."

I think I hear you saying both things. One is your attitude and one is their attitude.

FINSTERWALD: Well, they didn't want to take it up in 1976, but it was public opinion and public pressure that required them to do so. But they tippy-toed through the investigation, and finally, reluctantly, reached the agreement that most of the critics had reached many yeares ago, that there was a conspiracy. But then they just closed down.

REHM: Well, that's what I don't understand. Why, having found and having agreed to the notion that there was in fact a conspiracy, why wouldn't that have then been carried on? Why wouldn't that have been the first step, as opposed to the last?

BILLINGS: Well, it should have been the first step. And I think I have established, and I agree, we can have an opinion. We can also state what we think the opinion of the politicians and the body politic happen to be.

The reason the House committee shut down is that, plain and simple, it was given a certain amount of time and a certain amount of money. And it fought, it was embattled throughout its life to even -- even to continue as long as it did. It did not receive the support of the full Congress. It would not have received it if it had fought for it.

It's the whole Congress that's responsible for that investigation shutting down. And as unfortunate as that may have been -- and I believe it was unfortunate -- all that investigation -- and I was part of it -- really was a preliminary investigation. We kind of set the stage of where to go. Then we were ready to start an investigation which would have included a field investigation, going to the places where we thought there were leads that could lead to some -- could mean something.

Instead of being able to do that ourselves, or to have the committee do it, our alternative was to recommend that the Department of Justice pursue it further. I wasn't blinded by the reality that that probably wasn't going to go anywhere, but there wasn't another alternative. There wasn't an alternative to that.

REHM: Gary Shaw, would you like to comment?

SHAW: Well, I agree with Bud that, politically, they -- well, almost agree. They more than tiptoed through the evidence. I think they sidestepped a lot of the evidence. I think they never really addressed, this last committee never really addressed the taintedness of the evidence that they reached their conclusions on, for instance, the autopsy, the bullet fragments and trajectory, and all of the things that they said that pinpointed or pointed toward Oswald's complicity in the assassination. And then they take a very -- and what I consider the very weakest evidence, and that is the acoustical evidence that finally said that there was a shot from the front. I predicted back when they first came out with that that that was a weak link and that the national press would, when it was finally discovered that it was a weak link, would completely do away with the conspiracy findings of the committee.

And in actuality, the evidence is much, much stronger, if you look at it, that there was a shot from the front, hence a conspiracy, which has never been addressed by the national media. And until they do and until they put it on national television and in the medias across America, the evidence that points at a rifleman or a gunman from the right-front of the President, and put it in detail with eyewitness reports and so forth, then the American people are not really going to holler, because they're still listening to the newsmen who say -- or who pooh-pooh the conspiracy.

REHM: I'd like to have your comments. And obviously, this is going to be in the realm of opinion, or indeed speculation. But what is it, Bud Finsterwald, that you believe the Congress, and perhaps even the press, may be afraid to learn?

FINSTERWALD: I think that they are very fearful now, but were even more fearful in 1963, of the unholy alliance between the CIA, the Mafia, and the anti-Castro Cubans. These strains run through all of the evidence. As hard as the government tries to put it down, there are these three groups that were involved in plots to assassinate Castro. And as Lyndon Johnson feared, it may have backfired and Castro may have killed President Kennedy. I don't agree with that, but you will find these three threads running through.

And if a decision was made in 1963 that this crime was going to be covered up -- and I believe such a decision was made almost instantly -- once that decision is made, it can never be undone. It's like the little boy that tells the first lie. Once he tells it, he has to keep on lying. And the government was committed to covering this crime up, I think, on the day it occurred; certainly within a matter of a few days. And once having lied, they cannot reverse field.

REHM: Dick Billings.

BILLINGS: I think it's more complex than that. And having said that, I hope can back that up in the time allotted.

Lyndon Johnson may well have had the motive to cover up because he feared that a foreign power would be implicated, and we would find ourselves in an international crisis. It could have been Cuba. It could have been the Soviet Union.

I don't think that's really what was bearing on Johnson so much. What I think really caused the cover-up were the attitudes of the people who were advising Johnson and their motives, plus the attitude of Robert Kennedy, which I think had something to do with what happened later on.

J. Edgar Hoover, the Director of the FBI then, was, for his own selfish personal and egotistical reasons, convinced and determined to convince others that Oswald was a lone nut and a lone gunman; and he was very forceful in trying to persuade Johnson, and in fact did have a part in persuading Johnson, that the crime was solved and there wasn't a need even for a Warren Commission. And when there was a Warren Commission, what was their evidence? Who were their investigators? They were Hoover's FBI.

That certainly, I think, is a very important part of the cover-up.

Katzenbach, who was the acting Attorney General, in the absence of Robert Kennedy after his brother's death, was also persuading Johnson that we know all there is to know, and all we have to do is form a commission to persuade the people that there was only one gunman.

Robert Kennedy, at that time, right away, was of the feeling that Oswald was the assassin, but there might have been a conspiracy involving Castro or gangsters, as he said at the time. Later on, however, he did not pursue that.

He might have been in a position at one point to move the country. He was a member of the Senate later on. But for reasons not quite clear, he did not push.

There are many complex reasons that have to go into the mix here.

REHM: Gary?

SHORE: Diane, I believe if the truth is ever known --and I'm one of those that are optimistic. I believe we will

know the truth. I belive we're closer to it today than we ever have been -- I believe we'll find out that the people that killed John Kennedy in Dallas were the same people that had been hired to kill Fidel Castro in Cuba, and that these same people were organized and trained by our own Central Intelligence Agency, and that Robert Kennedy knew of this training and knew of these assassination plots, as did the FBI.

And when organized crime, who I think was one of the major forces behind that, turned the gun from Fidel Castro to John Kennedy in Dallas, it completely compromised Robert Kennedy, the Justice Department, the CIA, the FBI, and our entire government apparatus. And hence the cover-up all of these years. They couldn't tell the American people in 1963 that, to quote Lyndon Johnson, we were operating a Murder Incorporated in the Caribbean.

So, they kicked dirt over it, and they're still kicking dirt over it today, I believe, because some of the people that were knowledgeable of those events and of that plot are still in positions of power in Washington and in the nation today.

REHM: Would you go that far, Bud?

FINSTERWALD: All I can to say to that is amen.

REHM: Dick Billings?

BILLINGS: I don't have the evidence to support the first part of that. You can't prove a negative. The CIA involvement in the Castro plots is certainly clear. But you can have all of what Gary Shaw said -- the Castro Cuban element, and I certainly hold to the organized crime factor -- and still have much the same result. I just don't have the evidence for the participation of the CIA in that plot.

FINSTERWALD: Well now, are you talking about the CIA as an organization, or some renegade CIA people? I don't think anybody sat down out at CIA Headquarters and plotted the murder of John Kennedy.

SHAW: I agree, Bud.

FINSTERWALD: But I do think that there were some CIA agents or contract agents, or whatever you want to call them, alumni, who were involved in the anti-Castro movement, who thought of John Kennedy as a traitor and someone that had to be gotten rid of.

REHM: So you're saying that without any official sanction whatsoever, you may have had a renegade movement within

the organization that acted on its own accord?

FINSTERWALD: Exactly.

SHAW: Let me give you just one example of that. Prior to the Bay of Pigs invasion, the word had come down of the possibility of a change of heart of the Ameican government in participating and supporting that invasion. Certain of these CIA personnel who were directly responsible for the training of the Cuban exiles for this invasion told the exiles, "Look, if the word comes down for us not to proceed with this invasion, you lock us up, and we'll tell them that you just overcame us, and you go on with this invasion." In other words, "Ignore what the President of the United States and what the orders say. You go ahead and go on with this invasion."

BILLINGS: It's one thing to ignore the President, and it's something else to participate in killing him. I still don't have the evidence that the agency or former members or renegade members participated in the plot.

FINSTERWALD: Well, if we had the evidence that could prove that, we wouldn't be sitting around this table today. But there's certainly a great deal of evidence that points in that direction. We can't come up with any conclusive proof as to who did it. I think we will be able to do so in the future. And I agree with Gary, that I'm optimistic about it. I only hope that on the 40th anniversary we are not sitting around this table debating the same questions.

SHORE: Let me give you, again, just an example of this participation.

REHM: All right.

SHORE: In 1961 -- and we have documents that support this -- our CIA put into operation against Cuba what they called, by cryptonym, their ZR Rifle program. The ZR Rifle program was basically the assassination apparatus of our intelligence agency. The principal agent -- not the principal agent, but the chief of that operation was a man by the name of William Harvey. The principal agent of that operation was a man known for his ability to do dastardly deeds. His cryptonym, and his name is still unknown to us, his cryptonym was Q.J. Wynn (?).

All of this was involved in the training of Cuban exiles in terrorism, in assassination toward Fidel Castro. And I believe it was these rogue elements, because of the traitor --they considered John Kennedy a traitor with regard to Cuba --that turned it around and pointed the guns at Dallas.

REHM: J. Gary Shaw, who is a longtime critics of the Warren Commission and the official version of the assassination. He is the author of a book called "Cover-up." He's on the phone with us from Cleburne, Texas.

Here in the studio is Richard Billings, and he was editor of the House Select Committee report on the assassination and the coauthor of a book called "The Plot to Kill the President." And Bernard Finsterwald. He is the author of a book called "The Assassination of JFK: By Coincidence or Conspiracy?" He is an attorney here in the Washington area and a long-term watcher of this whole process....

For those of you who may have joined us a bit late, we are having a two-hour special this morning, the Kennedy assassination after 20 years....

It seems to me that the volumes of evidence in this case obviously make many, many different theories about who was responsible for the death of John F. Kennedy possible. Has there been a great deal of new evidence which has developed since the report of the House Select Committee?

What would your ideas be, Bud?

FINSTERWALD: I don't know of a great deal of new evidence. There have been many attempts to develop certain leads which we've been following, and a number of freedom-of-information suits have been filed. These, almost universally, have been unsuccessful, and relatively little progress has been made.

We have been actively pursuing a couple of leads which donot depend on the U.S. Government. For example, there is one lead that was followed by the House committee unsuccessfully which involved the possibility that the hired gunmen in the killing were graduates of what are known as the OAS, or the Algerian-French group. These were people who were intent on assassinating de Gaulle because he gave Algeria away. They were trained assassins. There were two or three thousand of them roaming the world, and they were available.

We have made some progress with this lead because for a short period of time we were able to get a good deal of information from the French Government. They, too, have not clammed up. So neither the French nor the U.S. Government is willing to help.

REHM: There are some fascinating details, coincidental though they may be, in regard to the purported exit of the fellow who might have been a suspect.

FINSTERWALD: Well, we've been able to find out that there may have been three French terrorists in Dallas rather than one. And in fact, there's very strong evidence that two of those three moved on after that event to Mexico City. And the reason they were going there is that Charles de Gaulle was going to make a state visit there in March of '64. And we found out about this because the French were terribly worried about de Gaulle's life. There were some 33 attempts on his life.

And I found out from a longtime graduate of the OAS that they did, in fact, send three people to Mexico City, in an attempt to kill de Gaulle. And we think two of the people that were in Dallas went on to Mexico City.

But these things could easily be run out. We could either prove that they were valid, that these leads are valid or not, if the government would help. But they're withholding a whole stack of material on this, and the U.S. courts will not force them to divulge.

REHM: Speaking specifically of the one about whom I've seen some material written, Jean Rene Soutre (?), is he still alive?

FINSTERWALD: He is alive. And if you want to read about him, you get this week's National Enquirer, or last week's National Enquirer, and there's an interview with him. And he says that, yes, he thinks there was a French connection, but he blames it on a lifelong enemy of his, a man named Mertz (?), who was a great drug trafficker.

REHM: But the problem is that wasn't Soutre using the name Mertz for a time?

FINSTERWALD: Or vice versa. They used each other's names, as near as I could tell, when they were going to do something, on the theory that if they got caught or if there was a lead, it would lead to their enemy rather than to themselves. And I would say that either one was capable of being involved in it.

And there's the third one in this trio who's now an American citizen and lives in New York City, but no one can get near him. You can't see him, you can't talk with him, you can't interview him. He's completely incommunicado.

REHM: Soutre left the country the day after the assassination, a very hasty exit?

FINSTERWALD: According to a CIA document, he was deported by the United States Government within 48 hours of the

assassination. But that is the only document in that series that we've got. We got that by mistake. All the rest of them are classified top secret, and we can't really get to the bottom of the three Frenchmen in Dallas that day.

REHM: Dick, any comments on that?

BILLINGS: It's fascinating but frustrating to have private theories which certainly hold some water. But the frustration is in the fact that while they remain private investigations and without any help from the government, they're not going to go anywhere. And at the same time, we have -- I'm depressed about what the prospects are. I think it's evident that I'm not as optimistic about the future of this case.

REHM: Yeah, it's interesting, because I hear the difference between your conversation and Gary's and Bud's in that particular regard.

BILLINGS: Oh yes. Oh yes. I'm not nearly as optimistic as they appear to be that there's going to be this breakthrough, that we're going to renew, reopen -- five years from now, I understand, the 22nd of November falls on a Friday. So that'll be quite a date to remember, 25th anniversary. I think we'll still be beating our heads against the wall then.

I'm pessimistic about this. The stonewalling that has gone on, the lack of cooperation, the disinclination in the government seems to have pretty well worked.

REHM: Gary Shaw, you have also been interested in the rumor that continues to persist about an Oswald double.

SHORE: I've worked for a number of years on that particular aspect. If your listeners remember, there was much evidence that someone was planting evidence that would later point the finger at Lee Oswald as being the assassin. I'm talking about having a scope mounted on his gun at a local gun store, going to a rifle range and crossfiring at another individual's target; and when the individual got angry with him about it, this guy made a big to-do about that. There was the used car dealership where he took a fast ride down the Dimins (?) freeway. And there's the visit to the Cuban lady, Sylvia Odio, in Dallas; and mention is made of Oswald, and he said, "He's a little bit crazy and he could kill the President," and this sort of thing.

When the Warren Commission looked at all of this, they discarded it because Oswald, during all of these activities, was allegedly in Mexico. Primarily, that was the gist. But as it turns out, we've discovered that there was a young man that

admitted in 1964 to a reporter that he was using the name Oswald in a gun-running operation to the Cuban exiles. His partner in that affair was none other than Jack Ruby. And one of the things that Jack Ruby wanted to keep from the Warren Commission, and told his attorney that he wanted to keep out of it, was his as-sociation with a man named Davis.

Well, the FBI said they could not find him, and evidently made no attempt to, because a very fine writer by the name of Seth Cantor (?) had no trouble at all in finding him, and interviewed him in 1964 and learned a little bit about him.

The key thing, I think, is that this man was associated with Jack Ruby. He was an Oswald lookalike. He was very fond of guns and gun ranges. He was a gun-runner. He was using, admittedly, the name of Oswald in that operation. And to make a long story short, he ends up being arrested in Morocco shortly after the assassination because he has a letter on his person talking about the Kennedy assassination and Oswald, and he also is accused of running guns to this same French faction, the OAS, that connects with John Swetzrun (?) and Michael Mertz and Michael Rou (?).

It turns out that after his arrest, he is released from that opera -- from that imprisonment, or the arrest, by none other than the principal agent of the ZR Rifle program of the CIA, Q.J. Wynn, who we discussed briefly a while ago.

REHM: So there are all kinds of ins and outs that simply could have a link or could perhaps be simply coincidence.

What about the recent exhumation in 1981 of Oswald's body? Was that also in line with this thinking that, in fact, there might have been a double?

SHAW: In my opinion, no. I think that's one of the unfortunate things that got a lot of media attention back a couple or three years ago and never should have happened. I believed then and I believe even more strongly now that it's Lee Oswald buried in that grave.

Really, what needed to have been investigated at that time was this other false Oswald situation, not who's buried in Lee Oswald's grave. But let's look at Mr. Tommy Davis Jr. and his connections to organized crime, to Jack Ruby, to Oswald, to the Cuban exiles, and to the assassination apparatus of our own government, the CIA.

FINSTERWALD: I would certainly agree that the exhumation of Lee Harvey Oswald was a big waste of time and a negative thing.

I was listening to Gary recite some of the better-known things that we know. I personally believe that we have in our knowledge today the necessary facts to break the case. I just don't think we're smart enough to put them together. I don't think we need all that much more in the way of factual information.

One thing that would be of enormous help, but we've never been able to do, is to use a computer in trying to solve this crime, where various and sundry people were at a particular time, and the ties between all of these people. But trying to keep all of this straight in your head and then sort it out has just been more than any of us have been able to do.

REHM: How much time do you spend on it, Bud?

FINSTERWALD: Oh, nights and weekends. Sometimes at the office, because we're running some 30 or 40 freedom-of-information cases, which take some time. But it's mostly an avocation. And as someone said, it's also an addiction, an obsession. I would certainly agree with that.

REHM: Are there other people around the country working as actively as you in trying to find a solution to this?

FINSTERWALD: Oh, there are many of them that are working a lot harder than I am. I'd say that there are probably between 50 and 100 people working seriously at it at the moment.

REHM: And you do remain optimistic that some break along the line is going to come.

FINSTERWALD: Either some dramatic break will come, like somebody crawling out from under the woodwork and telling us what happened, or just nittering at it long enough and keeping up the pressure long enough. I think we'll find out. It took some 70 years to solve the Lincoln assassination. It's now pretty much solved. And they didn't have the Xerox machine or tape recorders or any of the modern things in those days. And I think, with the advances in science and the persistence of the critics, that we'll unwind it in due time.

REHM: What would it take in terms of money?

FINSTERWALD: The only real use for money would be in a congressional investigation. There's been a lot of hue and cry that we spent some $5 million investigating this case. This is less than one airplane costs for the military.

It's not the money that has stopped Congress from doing

this, it's fear that's done it. There are many, many congressional investigations on much less dramatic and important subjects that have cost many times what this one has cost. It's using the power of Congress, not a question of money. If we use the subpoena power and require the government to give up every piece of paper it's got, without deletions, we'd be a long way toward solving the crime.

REHM: Do you think -- at this point in our history, what do you suppose would be the usefulness of knowing?

FINSTERWALD: I think it would restore a great deal of integrity to the U.S. Government, and I think it would restore some of the loss of support that the public gives to the government. The people of this country are very skeptical about how their government operates and when their government's lying to them and when they're telling the truth. And I think we could restore some of the confidence if we were to go at this investigation honestly.

REHM: Dick Billings?

BILLINGS: Well, as I said earlier, one of the -- the second tragedy of all this is the death of candor in American political life. And certainly there's a reasonfor pursuing it. But why is it not possible -- I would like to argue for pursuit of some of the points that were established by the congressional committee, which seem to be disputed now both by the forces of the government who want to end it all and by Gary Shaw and Bud Finsterwald, who want to go further and have these other theories -- as I said before, fascinating but frustrating. It would cost in the neighborhood of $500,000, certainly no more than a million, which sounds like a lot of money, but in terms of government appropriation...

REHM: Relative terms. Absolutely.

BILLINGS: ...relative terms, to really understand what went on on that acoustics tape. That has been called, now, a weak link. It really was the basic piece of scientific evidence that the committee based its conclusion, the congressional committee, the House committee, of conspiracy.

That tape is being pooh-poohed on all sides, which is a very big mistake.

FINSTERWALD: Isn't that the Rosetta Stone?

BILLINGS: No. Well, that -- look, that -- let me talk about that tape for a minute.

We're now left with the argument by the government, by the Director of the FBI that a flaw was found in the examination of that tape by the experts retained by the House committee. I say the jury is still out on that. The experts, who had nothing to gain and everything to lose by being wrong, determined they heard those four shots.

We recommended that the tape be further analyzed. And we got the answer back that because of something called the Barber inference or the Barber whatever, that they were able to hear voices on a -- there are two channels at work here, and hearing a voice on one channel and matching that with the other channel led them to believe that the shots that were discovered by our experts happened, occurred at a different time, a minute later, and a different place than they would have. Our experts have been studying that conclusion, and find it inconclusive, and that that so-called inference may not exist.

And until we know that -- and that would not take very much to figure out. That could be done very inexpensively -- I think it's wrong to just dismiss that acoustics evidence, because that is a hard piece of science that I have -- I have a lot of faith in that.

REHM: Gary Shaw?

SHAW: Let me clarify. When I called it the weak link, I didn't mean for an instant that I disbelieved that those shots are on that tape. I happen to be one of those that believe that they are. The problem and the reason it's a weak link is because the analyzation of it is so subject to opinion. And we've got the opinion of one group of scientists that I believe were a little bit more independent than the government group of scientists that came up with the latter opinion.

All I'm saying is that to buttress this, and the thing that's never put forth to the American people, is the enormous evidence of a shot from the front by the eyewitnesses, the earwitnesses, the movement of the President in the limousine, by the people, the police officers who ran to that area, by the women and people screaming and saying, "They're shooting the President from the bushes." All of these things buttress that tape.

And all I'm saying is that's a weak link because it's so subject to the opinion of the various scientists.

REHM: The other aspect of the record that we have of that hideous incident is the Zapruder film. And that has been studied over and over and over again.

Is it also interesting that the woman called "the babushka lady" and her film has never quite shown up, and yet we seem to have a photograph of her taking films?

SHAW: I'll be glad to talk about that because I have interviewed the babushka lady.

REHM: All right.

SHAW: I found her in about 1969 and got the full story of her film. She is seen in other films taking this motion picture of the motorcade and of the President being shot from a position opposite of Abraham Zapruder.

REHM: Yes.

SHAW: A position that, it's said in an FBI memo which mentions here, not by name but by her position and her being seen in other films, says that the schoolbook depository and the grassy knoll would be in her view.

When I found her she told me that shortly after she went back to her place of business, which happened to be next door to Jack Ruby's club there in Dallas, another club, she was visited by two men who introduced themselves as either Secret Service agents or FBI agents. She doesn't remember which. She was 18 years old at the time. They asked her for her film, or they said they understood she had taken a film. She said that she had, but that it had not been developed. They told her they would take the film and develop it and return a copy to her and keep a copy for them to study. She's never seen the film since that day.

Later on she married a very high-ranking member of organized crime there in Dallas and, of course, forgot all about the film. He was killed in a gangland slaying shortly before I met her in 1969, and she talks freely about it now.

This evidence was given to the committee. There was even rumors that they had found the film, but I don't know this for certain. But it's an important film and one that the government knew existed but never went after.

REHM: Dick Billings.

BILLINGS: I don't know that it was -- I have not any knowledge that it was found by the committee. I know about the atory up to this point. I do not know any more than that.

REHM: Bud?

FINSTERWALD: I don't know anything about it. But I

think somebody should comment on the fact that when the House committee was set up, one of the major purposes was to make as much knowledge available to the American public as possible. Yet when they closed down, the chairman of that committee ordered that the record should be sealed for 50 years.

So, we're in worse shape with respect to the House committee records than we are with the Warren Commission records, which at least some of them which are available under freedom of information. The House committee's material is simply locked up for 50 years, period.

REHM: I'm interested in Gary Shaw's comment that the husband of the babushka lady was killed. It seems to me there have been a great number of killings somehow, distantly or closely, related to this particular case.

You're smiling, Dick Billings. In your mind, perhaps it is totally reasonable, totally coincidental. I have questions. And I would think a great many people would have questions.

BILLINGS: I'm smiling because the number of killings isn't what persuades me nearly so much as by picking and choosing. I think some of the deaths that have occurred since the assassination have some relevance. But this all goes back to a book by Penn Jones and arguments since then that there's much more than coincidence to the number of people killed or who have died in some mysterious way.

The number, I don't think, is that unusual, considering the period of time and the part of the country these people work or their line of work. On the other hand, the death of David Ferry in New Orleans continues to interest me, because I don't think he died the way it was said he died.

I think there are a number of these deaths that are worth looking at without having to accept the whole idea of the mysterious deaths.

FINSTERWALD: I would certainly agree with that. I think that some of them are quite pointedly connected with the assassination. A man named George de Mohrenschildt, who was under subpoena by the House committee, either was killed or killed himself within a matter of hours when he was informed that an investigator was coming up to talk to him.

The number three man in the FBI, who had retired and was to appear before the House committee, was living up in New England. He walked out on his back porch one morning and was shot through the head by a deer hunter who mistook him for a deer on his back porch.

Another man who was a member of the Mafia was killed, dismembered, put in a barrel with cement and chains. They could hardly label that a suicide.

But I agree with Dick. It is not important, the exact number. But there's been a great deal of violence connected with this investigation.

REHM: Gary Shaw?

SHAW: Well, I think one of the unfortunate things about that -- and I agree with both of these gentlemen -- the unfortunate thing is that got a lot of attention in the various media, especially like the Enquirer and other books, the strange-death theory; and I think it scared an awful lot of witnesses into silence.

FINSTERWALD: Well, it should have scared them into silence.

REHM: So, you feel that there are people out there who know more than they are willing share, simply out of fear.

SHAW: I certainly do.

REHM: Would you agree with that, Bud?

FINSTERWALD: That's speculation, but there's every evidence to that effect, because volunteering to talk on the subject has not proved to be very healthy for those who have tried it in the past.

REHM: What about your own personal situation? Have you ever had any concern about your relentless pursuit on this case and whether there might be some danger to your own life?

FINSTERWALD: I've never really seriously thought about it. One sort of normal precaution we take is that when any one of us gets any piece of information that we think is particularly interesting, we immediately Xerox it and pass it around so no one person has an exclusive on anything.

I've had my office broken into a number of times, things of that type, but nothing in the way of violence.

REHM: How about you, Gary?

SHAW: I'm not paranoid at all. I sleep good at night and walk comfortably wherever I go. I, like Bud, have had my office broken into, and on occasion my files rifled; by who and for what reason, I have no idea. But I'm open. And like Bud

says, any information I get is shared with at least a dozen other folks. So I'm not concerned about it.

REHM: All right. We are coming up to the top of the hour. We are going to take your calls right after the news.

* * *

REHM: Welcome back to Kaleidoscope and to the second half of the Kennedy assassination after 20 years. During this part of the program we are going to open the phones and take your calls. The number to call is 966-8850....

Good morning. You're on the air.

KEVIN WALSH: Good morning, Diane. I've been a fan of your program for some time. My name is Kevin Walsh. And I've also been an admirer of Dick Billings and Bud Finsterwald since 1975 and the responsible work that they've done on this investigation.

My purpose in calling today is to point out something that has been referred to earlier -- that is, the disposition of the working files of the Select Committee on Assassinations. As Bud had pointed out, they are locked up for 50 years and will not be released until the year 2028. Somewhat of a spectacle down at the National Archives, when directly across from those records we have a comparable record group of the Warren Commission which is nearly 95 percent available.

There was on April 13th a resolution introduced by the former members of the Select Committee, the members of Congress who had the most direct involvement with these records, and that resolution does provide for the accelerated release, under methodical federal guidelines, of these records. Meaning that professional archivists will screen these records and isolate that which is classified or needlessly embarrassing to innocent individuals, and fulfill that mandate of the Select Committee to get out the facts as they were best determined.

I did want to just call in and to mention that today, on the anniversary, that there is some disappointment that the media has totally ignored this congressional effort that has now some 42 members of Congress co-sponsoring. And it is rather sad, I think, that the Washington Post has devoted a great deal of ink to describing people's feelings 20 years ago, but does not address itself to the problems of today with regard to the withholding of these files, and that, in fact, a story was killed which went into the state of affairs with this House Resolution 160.

REHM: Okay, sir. Let's see what the comments are here in the studio. Thank you so much for your call.

Bud, do you want to comment?

FINSTERWALD: Yes. I think that this is a splendid ef-fort by the former members to correct an error that was made by the chairman. The members of the committee were not consulted when these documents were locked up. A number of them were quite angry about it. And they've now, apparently, made an effort to rectify that. And it is my belief that, unless something unusual happens, this resolution will pass and these documents will be subject to freedom of information.

REHM: Dick Billings.

BILLINGS: Consistent with what I believe since the date 20 years ago, I think every bid of information that can be brought out should be brought out. I think the decision to lock up the papers for 50 years was a mistake; and in that I part from my chief counsel, Mr. Blakey, Professor Blakey, with whom I subsequently wrote a book. I can stand in accord with some of the important decisions of the committee and disagree with some of the administrative decisions. And this is one with which I disagree.

REHM: ...Good morning. You're on the air.

WOMAN: Your guests and yourself seem to have discounted the possibility of a planned assassination within a government agency, such as the CIA, and tried to make it seem as though it might be more the work of renegade CIA agents. Yet some of us do not find it inconceivable that such a thing could happen.

As you recall, Madame Nhu, at the time of President Kennedy's assassination, implied that he was to blame for the death of the Diem brothers. I think it has been brought out that the downfall of that government was planned by our country.

At the same time, more or less the same time period, Brazils' Joao Goulart was also brought down by our government under Kennedy.

Now, when people die, such as the Diem brothers, under such planned downfalls of governments, then I would consider that an assassination.

REHM: All right. Let's see what the comments are.

WOMAN: The thing in Chile under Salvador Allende, also

being shot, is another example of how our government gets involved in planned assassinations.

REHM: All right. Thanks for your call.

Gary Shaw, do you want to comment?

SHAW: Just to say this: Unfortunately, I think that our government did get involved in political assassination of foreign leaders. I think the proof of that is well documented.

And as far as saying that they actually perpetrated, all of these crimes against the individuals she mentioned, I don't think we have enough evidence to say that. But just the very fact that they had an assassination apparatus is disturbing enough.

REHM: Good morning. You're on the air.

MAN: Of all the books I've read about the assassination, the one that intrigues me the most was in 1975 called "Appointment in Dallas: The Final Solution of the Assassination." And it was written by a man of good credentials, Hugh McDonnell (?) who is, I think, Chief of Los Angeles Detectives, etcetera. And he maintains that he interviewed the man who actually assassinated Kennedy.

And the reason I'm calling, since the author is of good reputation, why was it never followed up? Did he write this as fiction, or what?

FINSTERWALD: This was written by Hugh McDonnell, and I know Hugh McDonnell quite well. And he actually has followed that up with another book which implicates Lyndon Johnson, in an indirect way, in the assassination. I personally do not agree with this. But there's been no attempt by anyone that I know to suppress Hugh McDonnell's work. He's written a number of books, and they've all been published and received a good deal of attention.

MAN: But why wouldn't people like you three join in this effort to find this guy, this Saul, who he claims did the assassination?

FINSTERWALD: Well, we have joined in, and I've worked very closely with Hugh McDonnell. He had one meeting with the person he thought was the assassin. I'm not certain that the hired assassin may not have been one of the three Frenchmen we're talking about. I've discussed this with Hugh McDonnell, and we are working on it together.

REHM: Thanks so much for your call.

Hi. You're on the air.

MAN: Yes. A couple quick questions. Have any of the fingerprints, unidentified fingerprints that were found in the book depository been cross-checked with any of the Watergate conspirators -- namely, Frank Sturgis? And has anyone ever identified the so-called Secret Service agent who showed his identification on the grassy knoll right after the shots? And were Hunt and Frank Sturgis in Dallas on November 22nd?

BILLINGS: Well, I don't know that the fingerprints have been checked; therefore I have to suspect not.

The Secret Service agent in question has not been identified.

There was an attempt -- there were photographs passed around of three so-called tramps arrested after the assassination that were in a railroad car, I believe, behind that picket fence, one of whom very closely resembled Hunt. And there was a lot of curiosity about that. I believe his claim to have been in Washington that day has held up.

REHM: All right, sir. Thanks for your call.

Hi. You're on the air.

MAN: Would anyone like to comment on David Lifton's opinion on the assassination in his book "Best Evidence"?

REHM: Gary Shaw,...he wonders whether you'd like to comment on David Lifton's book "Best Evidence." And I gather there you're talking about the whole question of the autopsy and the brain and that kind of thing.

SHAW: My comment would be that David Lifton raised a lot of questions that I think are impossible to answer with what we have right now. I believe that something was done to the President's body. How, why -- well, I know why -- but where it was done, and that sort of thing, is very fuzzy to me.

That's about the only comment I could make.

FINSTERWALD: Well, I agree with what Gary says. There's a lot of leads in the book that you can't really prove one way or the other. But there are certain factual things which are quite true. And that is that the President's body was altered before the autopsy. Nobody really knows where or why.

And the thing that's always intrigued me was that the brain of John F. Kennedy has never showed up.

REHM: Well now, hasn't Evelyn Lincoln said that she did pass that on to one person in particular?

FINSTERWALD: She said she passed on a brain. But when the body arrived for the autopsy in Dallas, the brain was clearly missing. There are photographs of the inside of the skull with no brain. That brain has never showed up again. Supposedly, it went to Robert Kennedy, and it then disappeared. But from the shot in Dallas that blew his head apart to this day, no one knows where the brain of John Kennedy is. And it was removed from the body before the autopsy.

BILLINGS: I don't have an answer to the brain.

On the Lifton theory of the altering of the President's body and the Lifton book, I reject the basic theory, based on the advice that I was able to get from the medical examiners who were consultants as members of a panel retained by the House committee.

This is the kind of evidence that I, in my relative ignorance of such things, will rely, if I feel the expert is objective and has no ax to grind. In this case, Michael Baden, the chairman of our medical panel, convinced me that there was no medical alteration of the head wound to the -- the wound to the President's head. And on the basis of that, I reject the Lifton thesis.

REHM: Thanks so much for your call.

Hi. You're on the air.

MAN: As you probably know, a Washington psychic made herself a big reputation by predicting the assassination of the President. Would any of you know if the talents of any of these people have ever been used in solving this case?

REHM: I'm getting some head-shaking here.

FINSTERWALD: I think the answer is no, they have not been used, certainly not by any official group.

REHM: Gary Shaw, do you want to comment?

SHAW: No.

REHM: All right.

That's it, sir. Thanks for calling.

Hi. You're on the air.

MAN: Looking back, I recall, as everyone else does, what I was doing. And I first heard over the radio about the Italian radio was saying that right-wing extremists had killed Kennedy. And immediately you sensed a national hatred of Dallas and of the South. And then when I got to a television set, I saw Chet Huntley very indignantly referring to hate.

And then, suddenly, when it was found out that Oswald had -- his involvement with the Communist front Fair Play for Cuba Committee, there was a complete absence of desire to really explore the motivation of just what was going on, in my opinion. Jackie Kennedy said that this robs Kennedy's death of all its meaning.

And I just wonder, is this kind of -- the fact that the political motivation was not what people wanted it to be one of the factors that led to such a poor effort to investigate it?

And I don't have any pet theories. I don't know whether the Mafia did it. I don't know whether Castro did it. But I do know that Senator Russell, who probably had about as high as --you know, may have been the man of about the highest integrity on the Warren Commission, he disavowed the findings of the Warren Commission.

But, my question again, could the disappointed hopes for, you know, this kind of hatred, to attack so-called right-wing extremists, which originally had been thought to be behind the killing, could that be a factor in the sluggard manner in which this investigation was carried on?

REHM: Gary Shaw?

SHAW: Well, I don't think that the government would be prone to cover up the fact that it was a right-wing conspiracy or that it was a conspiracy of the left wing. I think what they were prone to cover up was the fact that there was involvement on the part of certain elements that reached into our government.

MAN: Well, yes. I think I can agree there. There were embarrassing things because the Kennedy Administration spoke openly about the political assassinations of Diem. And I saw Howard K. Smith say that -- you know, the famous quote, that Kennedy was trying to kill Castro, and Castro got him first. But some people think that since he was trying to use the Mafia, and the Mafia wanted to get rid of Kennedy to because of the Kennedys' prosecution of the Teamsters union, that it was them

that got him, or Castro and the Mafia could have worked out a deal and both of them could have been rid of an undesirable element.

REHM: Okay. All right, sir. I'm going to cut you off right there, and let's see what the comments are.

FINSTERWALD: I think that one of the reasons that there was an immediate look at the right wing is because events that occurred in Dallas. Dallas was known as the nut capital of the country at that time. And shortly before, Adlai Stevenson had been there and had been spit upon and subject to being roughed up. And I think the immediate reaction of the public when it did happen in Dallas was that it had something to do with the right wing. I think the fact that it took place in Dallas was purely coincidental.

BILLINGS: I think that immediately after the assassination, in spite of some of those early statements, because of what Bud just said, of the attitude in Dallas, I think the country was basically stunned. I don't think, really, there was a lot of public opinion.

I think what's important, though, is what the government was doing, reacting immediately. And I don't think that has anything to do with whether it was left wing or right wing. I think they wanted to calm down the country, and I think they had a number of reasons for wanting to settle it.

REHM: Hi. You're on the air.

WOMAN: Most of the information that I am familiar with concerning conspiracy theories about the assassination comes from a book I read last year by a British journalist, Anthony Summers, called "Conspiracy," which I'm sure you gentlemen are probably very familiar with. And I was very impressed by the -- it took me about a month to plow through the thing. It's loaded with documentation and it's footnoted to death, and the guy, I think, really did his homework.

One of the things that intrigued me the most is his discussion of the Camp Street office in New Orleans that was listed on leaflets that Oswald handed out for the Fair Play for Cuba Committee. That office, apparently, also functioned as the headquarters listed on leaflets that were distributed by a right-wing group in New Orleans. And if my memory serves me correctly, Summes raises the possibility that, in fact, both left *and right-wing* extremist grops were being used in some way by the people in the CIA to pursue policies and activities connected with Cuban exiles and Castro and so forth.

I wonder if you could comment on that Camp Street office and what we definitely know about it.

FINSTERWALD: What you've really raised is the question of who Lee Harvey Oswald really was. For example, when he went to Russia, was he a genuine Marxist defector or was he simply an American agent who pretended to be a defector? When he came back, he worked out of the office of a man named Guy Bannister in the building that you mentioned. Guy Bannister was a fanatic anti-Communist. He was formerly an FBI agent in charge of the Chicago office. In that same office you found David Ferry, who was a fanatic anti-Communist. David Ferry also worked for the Mafia chief in New Orleans.

So, it's hard to distinguish between Lee Harvey Oswald's real feelings and real self and the cover that was given him in his various activities during his rather short life.

BILLINGS: 544 Camp Street is an important piece of evidence. Unfortunately, it has been used in perhaps a more complex way than it needs to be. There's the theory that Bud just gave. There was the theory that was presented in the book by Tony Summers.

There's another theory that is in a current book called "Oswald's Game" that is currently popular that uses -- that explains these connections between Oswald and the anti-Castros and the right wing there in New Orleans in the summer of '63 as his attempt to infiltrate those groups. And the book then comes to the conclusion that Oswald still is the lone assassin.

I don't think you have to go to either direction and necessarily one or the other has to be true. My own view is that Oswald was in touch with these right-wing people and that this has a bearing on the assassination, without it being so complicated.

REHM: Gary, do you want to wrap that up?

SHAW: I think they've covered it adequately.

REHM: You mentioned a new book, "Oswald's Game." I wonder whether, with the numbers of books on the Kennedy assassination that have come out, whether the profit motive is there in trying to keep the multi-assassin theory alive. You know, a great many people, I would think, wonder about that.

BILLINGS: Well, having written a book about the subject, I'm not going to accuse somebody else of a pure profit motive. I do know, however, that if you want to write a book,

the publisher has a profit motive, or he's not going to publish your book. So there is something to that.

REHM: And the public is still absolutely interested enough to buy books about the assassination.

BILLINGS: Well, it seems to be. We said earlier there was a who-cares attitude.

REHM: Yeah, exactly.

BILLINGS: But that might a book about Oswald's so-called game -- I'd like to comment about that book for a moment, if I may. It is receiving some bit of attention. And that book takes all the evidence that we know about, a lot of which is denied by the Warren Commission, or it was not used by the Warren Commission and has since been denied by its former staff members, all dealing -- a lot dealing with Oswald's contacts with strange people and strange places in the summer of 1963, which would lead one or has lead many people to believe in his participation in a conspiracy.

She explains all that away by Oswald's simply, as I said, trying to infiltrate the anti-Castro Cubans. What she leaves out entirely, because she writes very selectively, is any evidence whatsoever about Jack Ruby and his connections. And therefore I think it's an incomplete book.

FINSTERWALD: I also might add that if you think that the Tony Summers book is a complicated book, there is a book coming out in the spring by a man named Henry Hurt, who works for Reader's Digest. And most people think of Reader's Digest as a very conservative anti-Communist organization. This book is going to be violently anti-Warren Commission and violently anti-House Committee, saying that both groups have failed to investigate the case properly and that it is crying for investigation. And in my view, it will be the most thorough and up-to-date summary of where we are at this time.

REHM: Henry Hurt was supposed to be with us on this program this morning. Unfortunately, his publisher moved his due date up on him, so that his book now must be completed by the 31st of December. And he felt he simply couldn't take the time to be with us. But I think it will be a book that a lot of people are interested in.

Bud, I'd like your comment on this profit-motive aspect.

FINSTERWALD: Well, there have been some three or four hundred books that have been published. I think that the average author makes about six cents an hour for the work that they put

in on it. It is true what Dick says, that the publishing companies won't publish unless they're going to make some money. But the number of hours, days, weeks, years that has to be put in to produce a book, it's got to be one of the poorest-paid jobs in the world.

REHM: Gary, you published your own.

SHAW: I think profit, of course, has to enter into it to some extent. But I think, by and large, the reasons for the writing of the books is that people have certain thoughts and certain opinions and certain facts that they want to get before the people, and the only way they can do it is to write or appear on television, or something of that nature.

REHM: Hi. You're on the air.

MAN: ...I had sort of an overall question, and that is that many of the people that I've talked to that still believe in hte lone-assassin theory very frankly say, well, if you don't believe in the lone-assassin theory, what does that say about the American system? And it seems to me that although I agree very much that there seems to be no doubt of the involvement of the CIA and the organized crime -- there's an overwhelming amount of evidence -- when you say that, you say something about the basic myths that most Americans believe in about their system and about the accountability of their system. And it seems to me that 20 years from now, when it's well in the past, it might be safer to expose those myths because they won't reflect so much on how people then feel about their system.

And I would like your guests to comment on what it means about the American -- the whole fabric of American society that organized crime and renegade elements of the CIA could actually kill a President, to have the power to do that.

REHM: All right, sir. Thanks for your call.

FINSTERWALD: I think it's necessary to draw a very clear line between the crime, on the one hand, and what I consider a cover-up, on the other. It may be that the government and its people had nothing to do with the murder. But I can imagine the scene at CIA Headquarters at Langley on the afternoon of the murder when it came over the radio that a man named Lee Harvey Oswald had been picked up for the crime, and somebody punched their computer and out runs a stack of paper six inches thick on Lee Harvey Oswald. And I think they took one look at that and said, "Oh, my God! We've got simply to stick him with his cover story and not ever let it be known that he was involved with U.S. intelligence.

As I said earlier, once that decision is made, once you tell the first lie, you can't reverse course. There's no way you can do it.

REHM: Gary Shaw.

SHAW: Well, I think it's important to note that the one thing that came out -- or one of the things that came out of the House Select Committee's investigation is that the Central Intelligence Agency and the FBI did not give all of the information that they had to the Warren Commission. And I think it's important to point out that one of the members of that Warren Commission was the former CIA Director Allen Dulles. And I think the intelligence connection of Oswald is very important.

REHM: Dick Billings.

BILLINGS: I think that the death of candor is tragic.

REHM: You're on the air.

MAN: I'd like to have your guests' opinion of the ties between the deaths of Bobby and Jack Kennedy, and perhaps even Martin Luther King, as well as the rumors of threats to Ted Kennedy and the urgency to keep the Kennedys out of the White House.

And I kind of have an opinion about the democratic stance in terms of our country and the appearance that the politicians, underworld, and other groups, including big business, hide so much information. There appears to be a lot of deception. And I'm wondering what that does to the democratic air.

BILLINGS: The ties are very vague, in my experience, of the assassinations mentioned. And that doesn't include the threats to Ted Kennedy. But of those assassinations mentioned, the ones that I know that I have been investigated, both the King and the Kennedy, which were covered by the House committee, a connection was not found.

As for Bob Kennedy, speculation that he might also have been a victim of an organized crime conspiracy is a subject of some fascination without proof.

FINSTERWALD: I might just comment that contrary to general knowledge, there is an active investigation of the killing of Robert Kennedy going on right now, based on a number of factors. I'll just mention two of them.

One is, is there's a great deal of evidence that there

were eleven shots fired in the pantry of the hotel, and the gun that Sirhan had could only hold eight shots. The other is the fact that the shot that killed Robert Kennedy was fired from behind and below and at a range of not more than three inches. And Sirhan was never in a position to do that. And these physical questions, as in the John Kennedy case, simply don't go away. People refuse to let the case go without having it thoroughly investigated. And that...

REHM: What kind of an investigation is going on now in regard to the RFK case?

FINSTERWALD: This is purely a private investigation, and it's spurred by a group from Western New England College in Massachusetts. And they have spent a great deal of time interviewing people and gathering evidence that's been ignored in the past. I don't know how they're going to proceed with it, but I just wanted to let the listener know.

REHM: What about on the caller's question of a link, perhaps?

FINSTERWALD: There are certain vague connections between all three of these cases. It would take me at least 20 minutes, which we don't have, to go into them. If the caller would like to talk to me privately about it, I'll be glad to discuss it.

MAN: That would be very interesting.

REHM: All right, sir. And why don't you call us after the program, call us after 12:00 Noon here on the business line, 686-2690?

MAN: Thank you.

REHM: ...Good morning. You're on the air.

MAN: ...I'd like to take off on the different tack. And I think the discussion, while I appreciate it and it is good, I think I'm going to be still angry and frustrated after it's over.

REHM: I'm going to have to ask you to speak up....

MAN: I was saying that I feel that the discussion is good, but after the discussion I'm still going to be angry and frustrated. So I say after this discussion, where do we go? And I would like to propose to your guests that the three of them, along with others, set up a post office box number or some sort

of organization where the people can take part and we can have a people's investigation.

I heard one of your guests say it would take about 500,000 to a million dollars. I heard another guest say something about computers. Why not give the people a chance to get into this thing and pursue it, and maybe then the elected officials will come on board? Using the independent press, setting up a computer in Texas, setting up one in D.C., feeding in this information, getting investigative reporters, investigative attorneys, and let's move on with it, rather than continue to discuss it, since we know that our government is not going to put up the money for it.

REHM: Okay, sir. Let's see what the comments are.

Gary Shaw, do you want to take a crack at that one?

SHAW: I would love to see just that. And there have been attempts to do that. In fact, Bud currently has just such an organization set up with his office. Unfortunately, among the critics, there's never been a situation where we could all get together. And private money has funneled into this time and time again. And I know for a fact that Bud has put many dollars in, as have I and several others. And we'd love to see just that.

But to do that, you've got to have publicity. And how to get that publicity is the key.

FINSTERWALD: Let me suggest to the caller, if he's got a pencil handy, that he write to a Dr. Jack Gordon, who is at the Western New England College in Springfield, Mass. He is in the process of setting up such a group. And I think that it will grow into quite a grass-roots movement in the future.

REHM: And that's Dr. Jack Gordon, Western New England College in Springfield, Massachusetts.

Dr. Jack Gordon, you may have a little mail in your mailbox fairly soon.

Good morning. You're on the air.

MAN: ...Diane, I have before me a copy of the Warren Report. It's the edition published by the Associated Press. I bought this at the time of the report. And I'm just appalled at the perpetuation of myths which go on despite the aspects of the Warren Report which are purely factual and simply are beyond question.

For instance, it was recently brought up on this program

a widespread view that the brain of John F. Kennedy is missing. Well, at page 228, as part of the autopsy report on the corpse of John F. Kennedy, is a very complete description of the brain. The left hemisphere is entirely intact. Of course, the right hemisphere was destroyed by the bullet which penetrated from the rear and blew it away.

And that ties in to the so-called grassy knoll business. The grassy knoll supporters, of course, argue that someone fired from the right and a little in front. Now, if that bullet had entered from the right and in front, it would have destroyed the left hemisphere, which is nevertheless entirely intact in the autopsy report.

Furthemore, you mentioned the Zapruder film. Now, I'm a little hot about this because I'm not a professional, but for 20 years I've been hearing this baloney that goes floating around.

Now, the Zapruder film. I remember seeing that. And there was a cloud -- this is a horrible, grisly thing. There was a cloud of matter suspended in and above and in front of the head of John F. Kennedy. It's really quite a coincidence, but the Zapruder film caught this moment when his brain was suspended, part of it, as a cloud of fine particles in the air and it was floating ahead of him; in other words, in the direction of the travel of the limousine in which he was riding.

Now, other pictures show that the breeze was blowing the hair of the people backwards. And in one of those pictures, just a moment before, Mrs. Kennedy is holding her hat, obviously to hold it against the breeze which is created by the forward movement of the limousine.

Now, if that bullet was from the grassy knoll, that cloud of suspended particle matter would not have been in front and in the direction of travel.

REHM: All right, sir. Now I'd like to give Bud Finsterwald...

MAN: And another thing....

REHM: Now hold on, sir.

MAN: No. I want to say...

REHM: I'm sorry. You're going to have to wait a minute, or I will simply cut you off. You have said a great deal and -- go ahead, Bud.

FINSTERWALD: I'd just make a couple of comments.

One, as to the brain. There's no question that a brain was produced at the autopsy. The real question is who's brain it was and what happened to it. Certain sections were taken out of the brain. They have never showed up. The brain itself has disappeared. Whether it was John Kennedy's brain, I don't know. But it was removed from his skull before it got to the autopsy room at the Naval Hospital, which has never been explained.

So far as whether the shot came from the front or the rear, there was a motorcycle officer riding somewhat to the rear and to the left, and he was completely covered by the matter from the President's head, which would indicate that the shot did come from the right and from forward.

But you can't go into all of these thousands of factual misconceptions on a program of this type. It's just not -- we just don't have the time to do it, really.

REHM: Gary Shaw, do you want to comment?

SHAW: I'll just comment real quickly. The gentleman says he has a copy of the Associated Press version of the Warren Report. I would remind that listener that there are allegedly -- and I say this sarcastically, to some extent -- 26 volumes of supporting evidence to that report. And the problem with that report is that they didn't underline for us where they told us a lie about what was contained in the other 26 volumes.

In addition to those 26 volumes, there is a mass of material that was never published and is in the National Archives, a portion of which is still classified information and we're not able to see it.

So, to take that one little report is, to those of us who have studied the case and studied the evidence and studied the 26 volumes, is laughable.

REHM: Do you want to comment, Dick?

BILLINGS: I'm not sure that you have to have the shot from the right front hit the President's head. The evidence, as analyzed by the medical panel employed by the House committee, agreed with the Warren Commission that the shot to the head was from the rear. The evidence from the acoustics tape does show a shot from the right front.

It is our belief, and it is my belief, that there was a shot, that it was not the one that hit the President in the head, which would be consistent with what the gentleman was saying on the phone.

REHM: Hi. You're on the air.

MAN: ...In the early 1960s, I was someone sympathetic to Castro's Cuba, and I was familiar with the left-wing groups in the New York City area, and I guess nationally. And I used to read a newspaper called the Militant, which I understand Lee Harvey Oswald, I know, was also a subscriber to. That was put out by something called the Socialist Workers Party.

What I'm getting at is that at that time Kennedy and Khrushchev were pursuing a sort of detente. And part of that detente, apparently, was an agreement that Castro would pull back certain revolutionary activities that he was involved in at the time. I'm not sure this has been on the public record, but Castro was supporting revolutionary groups in Santo Domingo and Haiti, for instance. He suddenly pulled back in 1963 and began to arrest Trotskyites, Socialist Workers Party people, in Cuba. And this was duly reported in the Militant.

So, I could always -- I've always felt there was motivation for Oswald, if he was a committed Trotskyite, if he was, to read all of this and to see that by hitting Kennedy, he would stop the selling out of what was very sacred to the left -- that is, the Cuban revolution -- that is, the Kennedy-Khrushchev detente, which was going on at that time.

That doesn't displace all of the public information you've got on a conspiracy. But I always felt there was a very strong, logical motivation for a Lee Harvey Oswald to go off the wire and to do what he did.

Would you have any comment on that?

REHM: Gary Shaw.

SHAW: I, again, could not hear him, Diane.

REHM: Bud, why don't you take it?

FINSTERWALD: I would say that my only comment would be is that the listener is assuming that Lee Harvey Oswald was in fact a dedicated left-wing Marxist of some type. There's a great deal of evidence to show that he was not that, but that he was a U.S. agent pretending to be that. And in that case, the Cuban -- Castro's attitude toward the Socialist Workers Party would have had absolutely no effect on this, one way or the other.

BILLINGS: It's an interesting theory. I am not of the belief that Oswald was motivated, one way or another, by his politics. I think there were other factors working.

MAN: Okay. Thank you.

REHM: Hi. You're on the air.

MAN: I was wondering what the panelists think is the role of insanity and conspiracy combined. It seems like all the major assassinations have been done by very unstable people, and yet they seem to have a political motivation at the same time. How do these panelists view the combination of insanity and conspiracy together?

BILLINGS: You can go through all the -- many of the historic assassinations of high-level chief executive figures, going back through the past century, and come up with a number of them, including attempted assassination of President Roosevelt in the 1930s, and find that you've got a preponderance of nuts.

If that's supposed to explain Oswald, fine. It doesn't explain Oswald at all, as far as I'm concerned. Oswald may have been nutty; but he wasn't -- he wasn't alone and he wasn't nutty enough to -- he wasn't deranged enough to do it that way. There were motivations that weren't political, but they weren't just because he was nutty.

FINSTERWALD: Also, I think if you look at Oswald's career, whatever it may have been -- he died at age 23 or 24. By that time, he'd spent 2 1/2 years in Russia, he spoke four languages, somebody with a tenth-grade education. He did a lot of things that were interesting and required a great deal of talent.

So, he may have killed the President. I seriously doubt it. But I certainly would not in any way characterize him as a nut.

SHAW: I'd say this. It's only in the last couple of decades that we've been told quickly, before the smoke even settles aroung the scene, that there was no conspiracy, that it was a lone assassin, that the man was mentally deranged, before any investigation. And I think that's rather strange.

REHM: ...Good morning. You're on the air.

WOMAN: I'd like to ask your guests a question, please. About ten years ago a movie came out that was played maybe two months or three months in the theaters, and then it was like taken out and you never heard anything about it again, and it was called "Executive Action." And when I viewed that film, it certainly convinced me that there was more than just one assassin. And I was wondering if your guests could comment on that.

FINSTERWALD: Yes. That movie was writtein by a longtime critic named Mark Lane. I think when the case is finally solved, much of the movie, either accidentally or otherwise, will turn out to be true.

REHM: What does the movie say? I never saw it.

FINSTERWALD: The movie says that there was a concerted right-wing, well-organized, well-financed, plot to kill the President. And they left Oswald at the scene as a patsy. And I'm not sure that all the details of it will pan out, but I certainly think that large parts of it will turn out to be true.

BILLINGS: I think that one of the developments over the years that has made it more difficult is the fictionalization, either in intended form or maybe misintended. I think that hurts more than it helps.

REHM: How about you, Gary?

SHAW: I could not hear the question again, Diane. But I assume from the answers of Dick and Bud that they're talking about the film "Executive Action."

REHM: That's right.

SHAW: And I somewhat agree with Bud. I think when the truth finally comes out that that film would be very, very close to the truth.

REHM: Interesting.

Hi. You're on the air.

MAN: Is Mr. Upshaw....

REHM: Hi. You're on the air.

MAN: What ever happened to Jim Garrison's investigation, the leakage that was put out before he was ready to take it to trial? And I think, if I remember correctly, a lot of his witnesses were eventually killed or something happened to them, that he couldn't prosecute the trial, or couldn't finish it.

FINSTERWALD: I had dinner with Jim Garrison not too long ago in New Orleans. And despite the Federal Government's best efforts to get rid of him, Jim Garrison is an elected judge in New Orleans.

And you are correct. His investigation was subject to a great deal of pressure. He did not -- he was his own worst enemy

on top of that. But he was not able to get a single out-of-state witness. In other words, anybody that he wanted to subpoena from any of the states, inevitably, these were turned down. So he was, in fact, trying the case with only witnesses from the New Orleans area, which was just impossible. There were many things that went wrong in the investigation, not just that.

But I also very recently was able to see the CIA's files on Clay Shaw and the equisite nature of the CIA's attention to that case. They followed it day by day and instructed their people to be as disruptive as possible.

REHM: Now, Clay Shaw is no longer living. Is that correct?

FINSTERWALD: That is correct. Clay Shaw died some years ago. But it was in his file that I found out the exact nature of the U.S. Government's attention to the case in New Orleans.

REHM: Do you want to comment on that, Dick?

BILLINGS: Quickly. I'll try to do it quickly.

I believe there were two Garrison investigations. One began in the fall of 1966 and ended in February 1967, and there was a lot of very valid evidence in that.

I think what happened after that is Garrison purposely, for fear of retribution, botched his own investigation.

REHM: Hi. You're on the air.

WOMAN: Basically, this is my question. Five years ago we had Mort Sahl here as a commentatory, and he very heavily believed in Clay Shaw and conspiracy. And I was wondering how the commission or how the group feels about this.

REHM: Now, hold on just a minute. I'm not sure they're terribly clear here. And if you could speak up, please.

WOMAN: About five years ago, the Washington area had a commentator, and well-known comedian, Mort Sahl. And during his time, he talked quite a bit about Clay Shaw and conspiracy. He also wrote a book. And I was wondering if there is any truth to this, or if any of what he has stated is valid -- in other words, a conspiracy, they worked out of New Orleans, and Clay Shaw was involved with the investigation.

BILLINGS: WelI, I believe that the government was closely monitoring the Garrison investigation, and probably did

anything it could to impede it. I also believe that Clay Shaw had ties that would have been embarrassing to him and to the government.

I do not believe, however, that Clay Shaw was involved in the assassination.

WOMAN: Oh, I don't feel that either, necessarily. It's just that I was wondering if anything that came out during that investigation indicated that there was a conspiracy, or what basically came out of that?

BILLINGS: Very much so. The early part of the investigation established the link between Oswald and David Ferry, David Ferry and Carlos Marcello. A lot came out that was very valid in the early part of the Garrison investigation.

FINSTERWALD: Two interesting things about Clay Shaw that are probably not known. One is that he was a consistent CIA informant. They used him as one of their major souces of information in New Orleans. And second was he was the only U.S. member on the board of directors of an ultra-right-wing European group who financed the very French assassins that we suspected were in Dallas.

So, again you get these odd connections that you can't do anything with.

REHM: Gary Shaw?

SHAW: I would also point out that Clay Shaw has been definitely linked with David Ferry, who is definitely linked to Lee Oswald, who's definitely linked to Carlos Marcello. And whether Clay Shaw was a conspirator, I have no knowledge of. But there was a lot of smoke.

REHM: Good morning. You're on the air.

MAN: One aspect of this whole thing that I never heard talked about was the poor quality of rifle that he chose to use. We used to -- at about that same time, I was shooting one of those rifles just for fun, and we had trouble getting it to even go off. And we used to joke that it's no wonder the Italians lost. But I'm a competitive shooter, and I find it almost impossible to get three aimed shots in that period of time at a fixed target, let alone a moving target. I just never have understood why he picked such -- was absolutely the worst choice of a weapon.

Has anybody ever discussed that at all?

FINSTERWALD: There's been an enormous amount of discussion of the rifle and the ammunition. No one has ever been able to duplicate Oswald's alleged feat with that rifle at the range he was firing and the scope he was using. He was 11 inches off target. It's a single-bolt-action rifle. It takes between two and three seconds by the best rifleman to fire it again.

But even more interesting is the ammunition. The only ammunition for the rifle available either was World War II ammunition from the Italians, which was absolutely worthless, or ammunition which had been manufactured in this country for the exclusive use of the CIA. So, no one knows where the ammunition came from, if it were used.

But the rifle and the ammunition were certainly not those of a professional assassin.

REHM: Dick?

BILLINGS: The rifle is very troubling, even though the ballistics experts do link the fragments and there is the scientific evidence that linked the rifle to the killing.

However, one thing that happened in the acoustics study that is also more puzzling is that it shows that the first two shots were 1.6 seconds apart, which makes the use of that rifle even more baffling. It is a mystery.

REHM: The whole thing is a mystery. It is obvious from our listener questions this morning and from the information you've offered that a great many questions need to be answered before we do gt to any particular conclusion.

In your minds, is there one factor that provides the key to the whole mystery?

Bud?

FINSTERWALD: No, there is not any one single factor or any one single fact.

REHM: Dick?

BILLINGS: The murder of Oswald by Jack Ruby is the one single factor that convinces me that organized crime was very much involved in the assassination.

REHM: And Gary?

SHAW: I would agree with Dick that the key is Jack Ruby's actions, his complicity, and his connections to organized

crime that the Warren Commission lied to us about.

REHM: Gary Shaw, I want to thank you so much for being with us.

And both of you here in the studios, Richard Billings, whose book "The Plot to Kill the President" was published in 1981. Mr. Shaw's book is called "Cover-up." And Bernard Finsterwald's book "Assassination of JFK: By Coincidence or Conspiracy?" was published in 1977.

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SUBJECT JFK: Search for Conspiracy, Part Three

DIANE REHM: The assassination of John F. Kennedy has been called more baffling than any Sherlock Holmes story ever written. Motives for the killing of JFK are all over the political spectrum. On Monday we heard about the intelligence communities, yesterday the Cuban connection. Today, in part three of our series, we'll concentrate on the ultra right.

With me here in the studio are Bernard Finsterwald, an attorney and Executive Director of the Committee on Assassinations. Back in 1977 Mr. Finsterwald wrote "Assassination of JFK: By Coincidence or Conspiracy? Also here with me is Richard Billings, coauthor with G. Robert Blakey of a new book called "The Plot to Pill the President." And on the phone with us, from Cleburne, Texas, is Mr. Gary Shaw. Mr. Shaw is an architect. He has been researching and writing about the Kennedy assassination for over 15 years. He wrote a book called "Cover-up."

* * *

REHM: Bud Finsterwald, I think that in many people's minds there is not a clear understanding of what we mean by the ultra-right. Do you use that term to refer to national organizations, international organizations, local organizations? How do you use it?

BERNARD FINSTERWALD: Well, Diane, that's not a very precise term, and it is used in a number of different ways. At the time John Kennedy was killed, I think that Dallas, Texas was generally known as the nut capital of the world. It was probably the most ultra-right, almost conservative, city in the country. The conservatism is supposed to have gained prominence because of the oil industry in Texas. I'm not sure that's true. But

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there were a number of incidents in Texas shortly before John Kennedy visited there which I think clearly outline the ultra-conservative nature of that community.

REHM: When you're talking about Texas, are you talking about particular organizations, Gary Shaw, which would fall under that title of the ultra-right?

GARY SHAW: Well, I don't know whether there are any definite organizations. There are some very interesting people in Dallas and in Texas that were very much upset with President Kennedy's actions, especially in the oil community, for instance. They were upset with his trying to do away with the oil depletion allowance. There was one big Texas oilman by the name of H.L. Hunt, now deceased, who was very much an opponent of John Kennedy and John Kennedy's views, and expounded these by way of books and pamphlets and radio programs and such as this.

Another real wacko, if you want to call him that, in Texas was General Edwin A. Walker, an Army general who was dismissed by President Kennedy because he was indoctrinating his troops in Germany with John Birch Society materials.

So, yes, the right wing in Texas was very active, and, in fact, was responsible for -- partially responsible for a black-bordered ad that ran in the Dallas Morning News the day of the President's visit.

REHM: What did that ad say?

SHAW: Well, it was a big full-page ad that said, "Welcome, Mr. Kennedy, to Dallas," and then went on to say that why -- and asked him questions: "Why is Latin American turning either anti-American or communistic?" and listed about 12 things that they were blaming Mr. Kennedy's Administration with, as being liberal and actually communistic in his outlook.

REHM: Dick Billings, what about national right-wing organizations like the John Birchers? Do you put them into this grouping, as well? Were there concerns, were there motivations, there on their part, perhaps?

RICHARD BILLINGS: The John Birch Society was very active in Texas at the time, in Dallas in particular. But I think what we know mostly about the -- first of all, we know that there were immediate suspicions throughout the country that the right wing -- because it had been in Dallas. We know that Kennedy had been publicly criticized by the publisher of the Dallas Morning News, a man, ironically, named Dealey. His father, in fact, of the Dealey Plaza in which Kennedy was -- the President was assassinated was named after the founder of that paper. And Ted Dealey, the son, who then was the publisher, had faced the

President in a meeting in the White House after -- shortly before the assassination, after Kennedy had been in office, I think, for about a year and said that we have a weak sister for a President, and what we need is, as I recall, a man on a white horse.

The criticism of Kennedy was that he was weak, and that connotes weak in the area of anti-communism.

So to get back to your question, yeah, the Birch Society, the militant anti-communist wing of the right wing of the country was decidedly anti-Kennedy, and therefore was suspect.

REHM: What about international, Bud, the World Anti-Communist League?

FINSTERWALD: I think, Diane, you'll hear a great deal more about this later in the program. But we have discovered, and there's been a great deal of rather obscure literature written on the subject, of the connections between the ultra-right-wing movements in various countries of the world. You will find that the International Anti-Communist League, World International Communist League [sic] has a member in almost every country in the world, particularly in Europe and in Latin America. And we have branches in this country.

But you'll find that this group was not only violently anti-Kennedy, but in its ranks had any number of professional assassins, terrorists, and others. And I think that part of the interest in this group stemps from the fact that they were so violence-prone.

REHM: What kind of evidence did these groups have that JFK was, as you put it, soft on Communism?

BILLINGS: That's hard, because Kennedy, in the view of most of us who were around then covering the Administration of President Kennedy did not see him that way. He was a hawkish President. He -- at least what we knew at the time -- was facing down Khrushchev in Vienna or Castro over the missiles.

But these people, it turns out later, were suspicious that Kennedy was softening, especially toward Castro -- I think we mentioned that yesterday -- that there were indications that he was listening to Adlai Stevenson, his Ambassador to the United Nations, and was reaching a point of seeking a rapprochement with Castro.

Any indication that the right wing got of that, which they were getting from the Cuban activists, would be the indication, the evidence to them that he was soft on Communism.

And there was also -- the Vietnam War was just getting

started then, and there were already indications that his commitment to fighting Communism in Southeast Asia was not as strong as these people would like.

REHM: Gary, would you like to add to that?

SHAW: Yes, Diane. I think that there were many ultra-right people, in the United States particularly, that really disliked Mr. Kennedy's attitude toward the Cuban situation, what he did at the Bay of Pigs, the missile crisis. Thought he backed down Khrushchev, I think there were people of the ultra-right mentalities who wanted to see Cuba blown off the face of the earth, and I think they resented the fact that Kennedy handled it the way that he did. I think they resented the nuclear test ban treaty, his movement in that direction, and, in fact, his efforts to end the Cold War, in particular. All, I think, affected the ultra-right.

REHM: Bud Finsterwald.

FINSTERWALD: I think the one overt act that he took that just absolutely stuck in the craw of all of these groups was at the time of the missile crisis he promised Khrushchev, in exchange for taking the missiles out, that we would never invade Cuba and that we would see that the anti-Castro Cubans did not do so. And I think this really was the thing that inflamed them more than any other single act.

BILLINGS: And I can add to it a little bit, where Dallas fits in the picture. Because, as we discussed yesterday, the Cuban movement pretty much was concentrated in Miami. But it turns out that there was a flow of people and weapons and money going across the country from Southern California, where the right wing is traditionally strong, following a route through Dallas, New Orleans, and on into Miami, that was -- it was almost a trail they followed. And if they got in trouble, they could hole up at somebody's house in Dallas.

And surprisingly, to me, at least, the amount of anti-Castro Cuban exile activity in Dallas was heavy.

REHM: Okay. Now, you've talked about anti-Cuba feelings, anti-communist -- communism feelings. What about JFK's attitudes towards the Jews? Did this enter into it, from your points of view, in terms of feelings on the ultra-right?

Gary?

HOAK: Not at all. I think if anything entered into the ultra-right's mind in this country, it would be as far as the blacks are concerned, the civil rights movement and the things that the Kennedy Administration was proposing in that

or four, maybe half a dozen, the ones that seemed serious enough to either change a trip plan or to take some action, like they did in Chicago and Miami, as Bud just mentioned.

However, those threats were so much like what did eventually happen on the 22nd of November in Dallas that the sad irony is that they looked at them as local threats. If they picked up a threat in Chicago, they seemed to think that that threat could not be carried to Dallas. And the same with -- the one in Miami was shooting from a high building. It was the exact scenario, and it was to -- he went to Miami on the 18th. That's four days before he was assassinated. And while in Miami, they did -- they helicoptered him out to the hotel on Miami Beach and cancelled the motorcade. They took all these precautions. But four days later, they had no -- the Secret Service did not conceive that the same threat posed itself in Texas.

REHM: And, Gary Shaw, it seems to me that this is also connected up with the idea that just weeks prior to Kennedy's assassination there was an attack on Adlai Stevenson. So, you know, that atmosphere that you talk about that must have been present in Dallas must have been palpable.

SHAW: Yes, it was. And Dick didn't go a step further. The FBI investigated this man who was propounding this theory of how the President was going to be killed from a building with a high-powered rifle. The day after the assassination, the FBI learned that the man was bragging about it to an informant, saying that everything ran true to form, "It happened just like I said it was going to be. You thought I was kidding." He was very elated with the President's death. And that was the mentality of the ultra-right in this country.

REHM: Well, and indeed, speaking of mentality, what about JFK's? In the face of all this, it seems that he made the political judgment that it was nevertheless important to go to Dallas.

FINSTERWALD: Well, I think in that regard he was pressured a great deal by a number of Texas politicians, including the then-Vice President Lyndon Johnson. Kennedy didn't have any desire to go to Texas, particularly in view of what had happaned to Adlai Stevenson and others. But he decided to go for, as he would put it, the good of the party, and I guess for his own reelection.

BILLINGS: I tend to think more the latter. There have been a number of stories about how he went down there to settle a local feud between the then-Vice President Johnson and Governor John Connally and the so-called liberal wing of the party in Texas, Senator Yarborough's wing. The parties to that later -- Johnson, Connally, and I think Yarborough as well -- all denied that that

regard.

REHM: So you're saying that his stand on integration was perhaps part of this whole anti-Kennedy feeling that the ultra-right seemed to have.

SHAW: That's correct. The Ku Klux Klan, the National State's Rights Party, all of these took -- they felt very -- what's the word I want to say?

REHM: Adamant?

SHAW: They hated Kennedy, in other words. They wanted to kill him. And, in fact, one party member actually gave a blueprint for the assassination about four or five days prior to the President's visit in Dallas.

REHM: I'm interested that you said that. I gather that between March and November of 1963 there were over 400 threats on JFK's life, that various organizations learned about. There was a feeling, perhaps, that something was going to happen. Or maybe, in your minds, 400 threats is not out of the ordinary.

Bud?

FINSTERWALD: Well, 400 threats, I think, probably are not out of the ordinary. But I think the intensity and the sort of seriousness of many of these threats. For example, on November the 1st, which was some three weeks before the assassination, Kennedy cancelled out on a trip to Chicago which was of great importance to him politically because there was an active plot to assassinate him in Chicago, and the Secret Service was not able to find two of the alleged gunmen. And at the very last minute, although all of the entourage went to Chicago and they had a big parade, the President stayed in Washington and did not go.

And then, in a trip to Miami just days before, I think four days before he went to Dallas, they had to change all of the plans, from a parade to carrying him in a helicopter from one place to another, because they were very, very much frightened that he would be killed in Miami.

So these plots were not just the meanderings of the mind of a few crazy people. These were actually people out physically trying to shoot the President within a matter of days before he was shot in Dallas.

BILLINGS: Plus the fact that all we know about these threats are those that came to the attention of the Secret Service, and the 400 is the number that they did actually receive, of which, however, they really paid attention to very few, three

But at the same time that was going on in Chicago, there was a much more serious plot involving four Cuban gunmen. And the Secret Service were able to round up two of those gunment, but they never could find the other two. And as I said, at that time they urged the President not to come to Chicago. And at the last minute, he did not get on the plane that came to Chicago.

REHM: Valle was an outspoken critic of JFK.

FINSTERWALD: And an ultra-right-winger.

But there are literally hundreds of incidents of this type that take place against any President in any one year's time. The fact is, there were two attempts made on President Ford's life by people who would fall in the same classification as Valle. They actually took a shot at Ford, but both of them missed.

But I think that the organized plots of gunmen in Chicago and Miami really are more significant than the individual what I would consider the lone-nut types. Valle apparently didn't have any people working with him. If he had shot the President, it really would have been the work of a lone nut.

REHM: Now, Joseph Milteer (?) was in Miami. Now, do you look at Joseph Milteer and think of him as a lone nut, or do you think of him as part of the larger ultra-right picture?

BILLINGS: He was with the National State's Rights Party, wasn't he?

FINSTERWALD: That's correct.

BILLINGS: As I recall, he was connected to the organized right. That gets back to the race issue, primarily. Milteer was not a lone nut, by any means.

REHM: Well, let's talk about Milteer. He called William Somerset, an FBI agent, and he said that Kennedy would never be seen again in Miami, sort of a clear message that something was going to happen.

BILLINGS: Well, the problem with Somerset is that Somersent was an informant for the DA's office in Miami. And without -- not in respect to the assassination, but on another matter, I had to deal with the people who handled him down there. He was also an informant for the Miami police. And he was a little bit unreliable. But the story he told is the one that was mentioned earlier, where Milteer gave him a scenario. And I think this was actually taped, so...

was significant, and that he went down there, pure and simple, for his own political purposes. And Johnson and Connally both made to me a pretty good -- the point is, it doesn't really make a whole lot of difference with respect to the assassination why he went to Texas.

I think that he showed no fear. And this may sound naive now, that Kennedy was just brazen. He was a fatalist. We know how he felt about assassination because he talked about, "If somebody wants to get up on a high building and shoot me, there's no way you can stop him." And so even though he probably had reports about the danger of going to Texas -- we know he did -- he disregarded them.

And that, in a way, is a tragedy because it did cause him to reject ideas of the Secret Service of motorcycles abreast of the limousine, for example.

REHM: Or a bubbletop.

BILLINGS: The bubbletop was planned if it had been raining. There are those who say the bubbletop was an insignificant decision because it wasn't bulletproof. On the other hand, I suspect that had there been a bubbletop, I don't know what shadows would have done to the view from the perch. The bubbletop might have saved him. We're not sure of that.

REHM: Gary, do you want to add anything on this idea of why JFK needed to go to Dallas?

SHAW: I think they've pretty well touched on it all. It was political and for his own benefit, though there were some party wounds from the liberal and the conservative wing. And, in fact, Mr. Kennedy had to order Johnson and Yarborough to ride in the same car. There was that much animosity between the two of them. But I think, basically, it was strictly politically motivated.

REHM: As in any situation -- and this is probably the most complex situation I've ever taken a look at -- there are people involved, thousands of names. And it seems to me that it might be helpful if we went through some of the names and the kinds of links they established between the ultra-right and, indeed, Kennedy.

One of those -- and this is connected with Chicago -- Bud, is Thomas Valle. How does he figure into this whole picture?

FINSTERWALD: Well, Thomas Valle was arrested in Chicago and a gun was found in his car, and he was thought to have been a threat to the President's life.

FINSTERWALD: I might add it was taped, because I talked to Somerset and interviewed him, and he played the tape for me.

BILLINGS: This is the one in which he gave: you get in a high building and you can shoot the President in a motorcade. It's the one that we've mentioned a couple of times here.

And, yes, there was an investigation after the assassination of Milteer, and he was able to establish that he was, I think, at his home. Where does he...

FINSTERWALD: Valdosta, Georiga.

BILLINGS: There you go.

REHM: But I guess the thing about this that troubles me is that he called Somerset on the 22nd, which was the day that JFK was assassinated.

BILLINGS: That's what Gary mentioned. Yeah.

REHM: He called him that day, and apparently there was no attempt to reach the FBI. Or am I wrong?

FINSTERWALD: The FBI was informed of this tape before the assassination. And then some hour before the assassination, according to Somerset, Milteer phoned him and said that the President was going to be taken care of that day. And that impressed Somerset a great deal and he tried to get hold of the Miami police and tell them of this, but was not able to, according to him.

REHM: Gary, do you want to add to that?

SHAW: Just one other thing. Mr. Milteer actually called the informer, the informant again on November 24th -- That's the day after Jack Ruby was shot, or the day that Jack Ruby was shot -- and said that it was clear now. "Don't worry."

REHM: Milteer also made the statement that he believed that Oswald knew that Officer Tippitt was going to shoot him, and therefore he shot Tippitt first.

BILLINGS: There's only the kind of evidence that you can see after the fact. Oswald apparently did not shoot Tippitt as one who was trying to escape would shoot a police officer. He not only shot him -- I believe it was four or five times -- but the final shot -- and a witness to the House Committee who appeared for the first time testified that the gunman walked up and fired the last shot at point-blank range, a coup de grace. And, in fact, the X-rays of Tippitt showed that one shot was fired in that direction. So Oswald had reason to want to make sure that he wasn't just getting away from an unknown police officer. There

is an indication from the way he murdered Tippitt that he knew him and had reason to want to away with him.

REHM: There's also an interesting bank account that Joseph Milteer established around the end of July of '63, which was closed after the first of the year in '64, and I gather had some $12,000 in it before it was closed out. This was not a man of great means.

Gary Shaw, do you have any comment on that?

SHAW: He was not a wealthy man, but he seemed to always have plenty of cash with which to carry forth his ultra-right attitudes, and actually printed a newspaper in his hometown in Georgia and expounding his views from that.

REHM: You both imply that he may have been involved in some racist activities. Wasn't there some connection between him and some bombings in Birmingham, Alabama?

SHAW: Yes, very definitely. There was evidence linking him to the bombing of the church that killed four black children in Birmingham.

REHM: Was there any attempt to prosecute him?

SHAW: No. And, of course, he died -- this later came out, basically, in the last three or four years. And, of course, he's been dead for seven or eight.

FINSTERWALD: One interesting comment was that Jack Ruby also showed up with a large sum of money shortly before the assassination, too, and nobody knows where that money came from. And it's particularly interesting in light of the fact that the Internal Revenue Service was dunning him for some $44,000 at the time. But he did have a large sum of money very suddenly, and no one knows where it came from.

REHM: Another in the list of fanatic racists, perhaps, was Guy Bannister.

But, how does he figure into this?

FINSTERWALD: Guy Bannister's role in this is probably one of the most enigmatic parts of the whole thing. Guy Bannister was a very prominent FBI official. He was in charge of the Chicago office for a number of years, which is one of the larger. He left there to become the Assistant Commissioner of Police in New Orleans, and was dismissed from that office. And then he set up a private, what he called an investigative service in New Orleans. But this turned out to be just a plain everyday intelligence operation dealing with Latin America.

But Guy Bannister had all sorts of connections with any number of right-wing organizations, including this World Anti-Communist League. He ran a number of organizations for the right-wing Cubans in New Orleans. He was the founder of something called the Anti-Communist League of the Caribbean. But just any number of right-wing operations were run in New Orleans by Bannister or his people.

REHM: Well, I would ask all three of you this question. You've got all these names, you've got the David Ferries, whom we'll talk about in just a moment, you have Guy Bannister, you have Joseph Milteer, a number of these different people. How do you link -- where is the chain that establishes some connection, however tenuous, with the assassination of JFK?

FINSTERWALD: Well, as I've said before, we're too dumb to put all this together. That's our big problem.

BILLINGS: Having admitted that -- and I'll agree -- I tend to want to start with Oswald, that question. And I know that meets with some opposition sometimes of people who come at this maintaining that Oswald knew nothing.

I tend to believe that Oswald had a lot to do with the assassination. I would go so far as to say he committed the assassination. And to prove that he didn't is a lot harder than to prove that he did.

But I am also of the school that believes he was not alone. And, therefore, if you take that equation to its logical end, the way to assess the importance of these various people we're talking about is to see how they link to Oswald.

We don't know the link between Milteer and Oswald. You do see, possibly, a link between Bannister and Oswald, in that Oswald was in New Orleans in the summer of 1963. He had stamped the address 544 Camp Street on some of the leaflets that he was handing out in his pro-Castro crusade. 544 Camp Street was the address of Bannister Associates. Oswald reportedly was there quite a bit. There's another report that some of these leaflets were found in Bannister's apartment after he died, not long after the assassination. And finally there is the link to Oswald between Bannister via David Ferrie, whom you mentioned a moment ago and whom we will be talking about.

REHM: Gary, do you want to add to that?

SHAW: Well, I'd -- of course, I'd have to disagree with Dick on the Oswald-did-it scenario. I'm not convinced as yet that Oswald fired a shot that day. And I'm going to have to see more in the next few years than I've seen in the past 16 or 17.

The Oswald link, I think, is very important. In other words, Oswald was involved. He became the one arrested for the crime, and definitely is a link. I think we'd need to look at several things about Oswald.

There were men in Dallas in the time prior -- and in New Orleans -- in the time prior to the assassination using the Oswald name and planting actually what turned out to be false evidence to point to Oswald's propensity to kill. In other words, having a rifle mounted with a scope, going and taking and automobile demonstration ride and driving 70 miles an hour down Stimmons Freeway in Dallas, weaving in and out of traffic, and saying that he was going to come into some money in a few days and he'd come back and pay cash for it. And all of these things occurring at a time when Oswald was known by the Warren Commission, in their investigation, to be in other areas.

So we come up with a situation, I think, of who is this other Oswald? And interestingly enough, in the past couple of years, we've come across a young man that was actually using the name and confessed to be using the name Oswald in activities involving gun-running to Cuban exiles and gun-running to the OAS, the secret army organization in France. And this man, ironically, was a Texan with direct links to Jack Ruby and direct links to the Central Intelligence Agency.

So, this was investigated, quote-unquote, very poorly by the House Select Committee on Assassinations, and, in fact, just let the matter drop because of lack of time and money, they say.

* * *

REHM: We are looking into questions relating the JFK assassination to the ultra-right. And certainly one of the figures who stands out as representative, perhaps, of the ultra-right, but not necessarily linked to the JFK assassination, is, as someone mentioned earlier, H.L. Hunt.

Now, how does H.L. Hunt figure in here? Dick?

BILLINGS: I think Gary is much better qualified to answer that down there in Dallas. What I know of H.L. Hunt is what everybody knows. He was extremely wealthy. He once -- his picture -- the first time I ever heard of H.L. Hunt was in the '40s when his picture ran in Life magazine, and the caption said, "Is this the richest man in the world?" He may well have been, an extremely wealthy oil billionaire whose right-wing attitudes were extremely well known and who kind of represents that sort of conservative thinking.

Beyond that, in connection with the assassination, I

don't see any very strong links.

But as was pointed in what Gary just said about a suspect using the name Oswald, I spent well over a year with the House Committee and I'm sure there are many things that were missed. And so all I can say to that is let's hear more about them.

REHM: Gary Shaw, there was an article -- and this admittedly came from one of these pulp papers -- a statement made by John Currington, who was H.L. Hunt's aide for some 12 years, indicating that Hunt knew a fair amount more about the assassination than he had let on.

SHAW: Mr. Hunt had his own intelligence operation. A gentleman by the name of Paul Rothermel (?) was actually running that end of Mr. Hunt's business. And, of course, that intelligence involved everything that went on in Dallas, the oil industry, and everything else.

Mr. Hunt had an extreme amount of money, and was very powerful and very influential.

To tie him to the assassination directly is impossible. But to tie him to the mentality that possibly culminated in the assassination, I think, is the only possibility that we have. He was a real extreme conservative, right-wing individual, and, as I've said before, had no love whatsoever for the President and the President's ideas.

REHM: There were reports that Marina Oswald was seen at or near H.L. Hunt's office shortly after the shooting.

SHAW: Well, I don't know about that. We do know that Jack Ruby, for instance, had connections with the Hunt oil company and with some of Mr. Hunt's brothers, in fact. And we also know that Mr. Hunt gambled quite extensively at one time, and the gambling interests in Dallas, the gamblers, also close to Jack Ruby, were involved.

I guess the biggest connection that's come up in the past few years -- and the House Select Committee investigated this -- and that was the alleged Oswald letter to Mr. Hunt that was written on November 8th, 1963, and said: "Dear Mr. Hunt," basically, "I'm concerned about my job and would like to talk to you further about it."

The Dallas Morning News had that letter analyzed by three handwriting experts, and all of them said that it definitely was Lee Oswald's writing. The committee was a little hesitant in coming out with that from their handwriting experts. But whether Mr. H.L. Hunt was the Hunt that Lee Oswald was writing

to or not is a matter of conjecture, I think.

REHM: H.L. Hunt left Dallas immediately after the shooting, didn't he, Bud?

FINSTERWALD: I think the interesting thing is that he left under the auspices of the FBI. The FBI, for some reason, thought that his life was in danger. And he was the only person that was flown out of Dallas that day for self-protection, apparently. I don't know what that means, but the FBI had some reason to believe that, because of the assassination, his life was being threatened.

REHM: Now, being flown out of Dallas and, on the other hand, being flown out of the country is a figure who does somehow get worked in here under the World Anti-Communist League. And who was that, Jean Rene...

FINSTERWALD: Souetre. And that is the subject on which Mr. Shaw is the world's leading authority. And I think it would be interesting to the audience if he would explain how he ran across the fact that this man was in Dallas and why he was flown out and by whom.

SHAW: Mr. Souetre -- that's spelled S-o-u-e-t-r-e -- a Frenchman -- Bud had actually received in about 1976 or '77, under the Freedom of Information Act, about 2500 documents, I believe. And one small page out of all of those documents, ironically, contained the information, very fuzzy -- in fact, it was laid aside for quite a few months because it was almost -- you were almost unable to read it. In fact, it took a magnifying glass to decipher it.

But, basically, the document, the CIA document said this: that John Souetre, alias Michael Mertz, alias Michael Roue, was expelled from the Dallas area within 48 hours of the President's assassination, and went on to state that Mr. Souetre had been involved in an attempt on the life of President Charles DeGaulle, had defected from the French Army to the secret army organization at doos with Mr. DeGaulle over Algeria during the early '60s, and that they were very interested in him.

In that little document, it mentioned that Mr. Souetre knew a Dr. Alderson of Houston, Texas. And so immediately, I made a trip to Houston, interviewed Dr. Alderson, who revealed to me that he did know Souetre, and, in fact, the FBI had followed him for about 30 days after the assassination, waiting to see if Mr. Souetre and Mr. Alderson were going to meet there in Houston. And when they finally approached Mr. Alderson, they said that Mr. Souetre either killed Kennedy or knew who did. That was a direct quote from Mr. Alderson.

And so that got us on the trail of Jean Rene Souetre. Unfortunately, we found out that Michael Roue, an alias of his, and Michael Mertz, also an alias of his, were both real and individual characters. And we began to chase those down. And to boil it all down, it comes to the point that Michael Roue is a man also who defected, according to FBI documents, to the Algeria, the OAS bunch. And Mr. Michael Mertz was also a professional assassin and one of the greatest narcotics dealers into this country out of France. And so we've got three individuals of real interest here, all of them with the possible capacity to commit assassination.

And for him to be in Dallas on the day of the President's killing and to be expelled is still a question mark that has not been addressed.

FINSTERWALD: I think equally interesting is the fact that the CIA today insists on keeping labeled as top secret all the documents relating to this whole incident. They were withheld from the Warren Commission. They were withheld from the House Assassinations Committee. And we are now in court, in a freedom of information suit, to see if we can't get these documents and shake them loose.

We actually know the whereabouts of most of these people today. Mr. Souetre works for a casino in France. Mr. Roue is in New York City. Mr. Mertz, unfortunately, we don't know where he is, but I think he could be located. So far as we know, he's still alive.

SHAW: At last word, he was in Canada.

REHM: Another interesting figure in that same scene is Jose Luis Romero. Again, with an involvement with the OAS.

Bud?

FINSTERWALD: Mr. Romero came forward with a story in about, oh, sometime in the 1960s, and his story was that he had been approached by some Americans and had actually been given $400,000 to execute President Kennedy on a trip that he made to Paris. And Mr. Romero, after receiving the money, checked with his OAS superiors, who said they didn't think it would be very wise for him to participate. So he kept the $400,000 and did not take a shot at President Kennedy.

None of us really know whether that story is credible or not, but a book on the subject has been published.

REHM: It's interesting that he didn't talk to anybody until nine years after the assassination. Is that correct?

FINSTERWALD: I think it's interesting if he would talk at all if the story is true, because I think it would be exceedingly dangerous. Because a number of the people that were involved in this violently anti-Gaullist organization are still around, are still well-armed and participating in terrorism in various parts of the world.

REHM: But that was actually supposed to be a fake attempt on the life of General DeGaulle, with the result that JFK would be killed.

FINSTERWALD: Well, that's what the story is. I have grave doubts, myself, whether we should give any real credibility, because I don't think people that have received $400,000 and gone off with it are liable to do much public speaking on the subject.

REHM: Well, it's fascinating to me that the man is alive at all, alive, talking, breathing, whatever.

FINSTERWALD: Well, unless the story is complete baloney, in which case nobody would be interested in it one way or the other.

REHM: Yeah. You say there is a book that is about to be published on this. Is he, himself -- that is, Romero...

FINSTERWALD: The book has been published. It was published in France some years ago by a man by the name of Gille (?). And I have seen the book, but the book, as I say, doesn't really convince me that there's anything to the story.

BILLINGS: This whole subject that -- I must admit is perplexing and frustrating. When I was with the committee, we used to try and dope it out in sort of sessions after work, because it wasn't -- there wasn't enough to put together that was actually part of the investigative plan. It was known -- and there's nothing kidding about any of this. It was known as the French connection for reasons of -- that was a good piece of shorthand. But it was very serious among those of us who had the wherewithal and the time to address it.

It was a series of leads -- those of which you mentioned plus others -- that formed no picture and there was no explanation. I had hoped for a time that here might be, finally, the answer to one of my favorite characters in this whole plot, a man named George de Mohrenschilt (?), who committed suicide during the House investigation. And the reason I had hoped that is that one of the reports about De Mohrenschilt is that during World War II, or thereabouts, had worked for French intelligence. And I don't know if just because Haiti is a French-speaking country, but the fact that he had gone to Haiti and was in Haiti, reportedly, at the time of the assassination might give us some

answer to this enigmatic character, who is one of the few people known to have been very closely associated with Oswald. And there I go back to my Oswald connection again.

I don't have any more than a lot of interesting questions about this business of the French connection. But I certainly am one who thinks that it ought to be -- hopefully, can someday be unraveled.

REHM: De Mohrenschilt was the individual to whom Oswald purportedly said -- or who asked Oswald why he had missed, or how he had missed in the attempted assassination of General Edwin Walker.

FINSTERWALD: Someway or another, De Morhenschilt either knew or guessed that Oswald had been involved in that. And a day or two afterwards he sort of jokingly asked Oswald why he had missed. And this turned out to be a rather sour joke and caused a great deal of consternation.

I have some doubt in my own mind as to whether Oswald had anything to do with the attempt on Walker's life. But I do agree with Dick, that I think De Mohrenschilt is one of the keys to this. He did commit suicide some several hours before a House investigator was to talk with him and while he was being interviewed by a man named Ed Epstein.

His is just one case of many where potential witnesses who might be able to solve this disappeared at most unfortunate times.

But I think that the French connection certainly is worth investigating. I know the House committee did send an investigator to France once or twice. He was not able to make much progress. And when the committee came to an end, we have all of these open leads that Gary Shaw and I are trying to follow up on.

REHM: You've mentioned De Mohrenschilt several times. And in my own mind, I'm not quite clear as to why he looms so large in the picture.

Gary Shaw, do you have some comments on that?

SHAW: Well, basically, he looms large in the picture because he was a very intelligent man in the White Russian community in Dallas. He was said to have been connected with French intelligence. And there's some question about him being even involved in United States intelligence.

But when Lee Oswald and his Russian wife came back to this country, it was Mr. Oswald -- I mean Mr. De Mohrenschilt who befriended the Oswalds. Here was the little warehouse worker and

his Russian wife that was befriended by the very elite De Mohrenschilts, and became what some have termed Mr. Oswald's baby-sitter.

REHM: And did that relationship come about because of Oswald's wife, Marina, or did it come about because Oswald was seeking to reestablish a connection with Russians, having first defected to Russia, then renounced the defection, returned to the United States? It's all very confusing. Why should he have sought out De Mohrenschilt?

SHAW: It is very confusing. And, of course, those of us who believe that the entire killing was a plot, a conspiracy, we deem it very conspiratorial in nature, and that De Mohrenschilt's strange death right before he was to be interviewed -- he had been making quite a few comments in the past few years about Oswald and the assassination.

REHM: Such as?

SHAW: Well, he talked about the truth not ever being known and that there was more to the assassination and more to the Oswald scenario than had been publicly announced, and indicated that he knew these things and that he could tell more.

FINSTERWALD: I might also point out that De Mohrenschilt's own published manuscript was obtained by the House Committee and published in one of their volumes, and it's an extremely interesting book.

REHM: David Ferrie, I think, is someone we really do need to talk about in these last few moments. He did, apparently, have a relationship with Oswald that went way, way back, did he not, Dick?

BILLINGS: I think that's been made pretty clear. It was testified to to the Warren Commission. They chose not to give it much credence. The House Committee looked further into it, found even more witnesses.

After all, this wasn't that long ago, at least when the FBI and the Warren Commission were looking into it. But the time the House Committee was, it was 15 or more -- it was in '50 -- it was more than that. It was in '54 and '5, when Oswald was a teen-ager. He went to a couple of meetings of the Civil Air Patrol. And David Ferrie, at the time, was the commander of the unit that Oswald belonged to briefly. And as I say, there's plenty of testimony that they at least knew each other casually at that time, and there's a lot more evidence that they were in touch with each other in the summer and early fall of 1963.

REHM: Well, how does that carry us forward, then, to

to what happened to JFK? How does Ferrie figure into that?

BILLINGS: Well, what you do is -- okay, now where does that take you? David Ferrie was sort of an odd-ball genius, an airlines pilot. He worked for Eastern Airlines until he was fired because he'd been arrested a couple of times on the morals charge.

REHM: Strange-looking fellow, too.

BILLINGS: He was a very odd-looking fellow. For some reason, some rare disease that he had, he had lost all his hair and he wore a homemade wig and a pair of eyebrows.

I think, to get to the point about him, he was -- he was very political. He was involved with these right-wingers you've been talking about. He worked for Bannister. He was a private investigator after he'd been fired by the airline. And he also worked for a man in New Orleans -- I should have mentioned that David Ferrie lived in New Orleans. And it was in New Orleans in the summer of 1963 when he was -- when Oswald was back in touch with him, according to testimony before the House Committee.

And it was at this time that he was working as a private investigator for a man named G. Ray Gill, who was the attorney for the Mafia leader in New Orleans, then and now, a man named Carlos Marcello.

So the links through David Ferrie go to the right wing, the anti-Castro Cuban people, and to organized crime.

FINSTERWALD: The one other striking thing about David Ferrie, and that is, the night of the assassination -- he was in New Orleans that day -- he made an emergency 1500-mile trip by automobile to Houston and Galveston, spent most of his time standing by public telephones, waiting for a call; and then returned in an emergency trip back to New Orleans, where he was arrested a couple days later. And the whole thing has never been put together. But the fact of his trip and what he was doing and the fact that he was a pilot raised a lot of suspicions as to whether he didn't have sort of a backup role to fly people out of Dallas or Houston at that time.

BILLINGS: You've got to add another little bit of this. I'm sorry. This is like layer upon layer.

REHM: Of course.

BILLINGS: We mentioned Bannister before and we mentioned that Ferrie had worked for him. Another man who worked for Bannister was named John Martin. On the day of the assas-

sination, on the evening of the assassination, the DA's office in New Orleans -- and that's the office of the district attorney named Garrison -- got a tip from this fellow Martin that Ferrie had been involved with Oswald, had in fact taught him to fire a rifle.

Ferrie had made this trip to Houston and then Galveston. And on his way back, on that Sunday, he made a phone call from, I think, Alexandria, Louisiana to G. Ray Gill, who informed him that the police were looking for him in connection with the assassination. So when he got back to New Orleans that night, he went to his apartment and he saw that the cops were there. He sent in one of the young men who had traveled with him, who, along with Ferrie's then-roommate, were promptly arrested. At which point Ferrie took off and went up north a way to a place called Hammond, Louisiana, where he spent the night. And then the next day he came back and turned himself in.

The DA's office turned him over to the FBI, who decided he had nothing to do with the assassination. And that was the end of that.

REHM: Wow. There are so many hundreds of details here. And you, Bud, and you, Dick, both keep saying nobody's been smart enough to put it all together yet.

Do you, and do you, Gary Shaw, suspect that the ultra-right had a strong role to play in the assassination of JFK?

Gary?

SHAW: I think they are men who, of the ultra-right leanings, that had to have played a part in the assassination of the President. Definitely.

REHM: Bud?

FINSTERWALD: I could build you a perfectly good case for Castro having done it, the Mafia having done it, the anti-Castros having done it. In my own mind, I think that the bits and pieces that fit into a ultra-right puzzle come closer to giving you a true picture than the others. But I'm certainly not ready at this time, with what we know at the moment, to make any sort of judgment at all.

REHM: Dick?

BILLINGS: Well, I'm not the one who said we're too dumb to put it together. Bud said that. You're going to hear from me tomorrow about who I think did it. And there's no secret about it, because it's in the book. I think the Mafia did it. And all I can say to your question today is that the Mafia is not

a liberal organization. And I don't mean to say that the conspiracy had to be exclusive, that it was the Mafia with nobody else. However, I will say that you can't have too many people in a plot and maintain security. So I don't know.

REHM: Richard Billings, coauthor with G. Robert Blakey of "The Plot to KILL the President." On the telephone with us has been Gary Shaw. He's an architect in Cleburne, Texas. His book is called "Cover-up." And Bernard Finsterwald, attorney and Executive Director of the Committee on Assassinations.

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SUBJECT JFK: Search for Conspiracy, Part Two

DIANE REHM: We'll continue today with part two in our week-long series called JFK: Search for Conspiracy. Yesterday we heard about possible connections between Lee Harvey Oswald and various aspects of the intelligence community.

Here's attorney Bernard Finsterwald in an excerpt from that program.

BERNARD FINSTERWALD: He was a complete misfit, on the record. He kept pretty much to himself. He studied Russian, he studied Marxism, he read a lot of books on Communism.

This raises a question in a lot of people's mind. He was in probably the most top secret operation that intelligence had at that time. The U-2 plane had never been made public. This was before the crash in Russia. And he was a radar operator and he knew the frequencies on which this whole system operated. He knew that the planes were flying in excess of 90,000 feet. He had all sorts of information that he could trade to the Russians, and claimed that he did.

But the question arises, would the military services, even if they were sloppy, have a man in a top secret program studying Marxism, studying Russian, doing all these things? I think if this had not been in an effort to build a cover for him, they would have had him out of that particular unit about the first week he arrived in Japan. But he stayed in that program, not only in Japan, but also in the Philippines and in California. So during the 2 1/2 or 3 years he was in the Marine Corps, he had a very high security clearance, with all of these rather unusual traits and habits.

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When Oswald got to Russia, he tried, at least on the surface, to renounce his citizenship, and he told the Russians he was going to tell them everything he knew about the U-2 program. And as I said, that was ultra-secret at the time.

Yet, when he came back to the United States some 2 1/2 years later, no one in the United States prosecuted him for this serious crime. The fact is, there was never even any discussion when he got home as to whether he was prosecuted.

If he in fact was a genuine defector, and not some type of agent, I think the minute he hit New York, he would have been clapped in irons.

REHM: Today in our first hour, we'll talk about the Cuban connection, aspects of the Kennedy assassination which reflect on both pro- and anti-Castro elements in our society.

* * *

REHM: In any serious consideration of the assassination of John F. Kennedy, the Cuban connection is key. And both anti-Castro and pro-Castro Cubans figure into the discussion. Both groups were unhappy with the President. There were repeated attempts on Castro's life during the Kennedy Administration. On the other hand, the Cuban exile community felt betrayed by Kennedy and blamed him personally for failing to deal with more power and strength during both the Bay of Pigs and missile crises.

In today's second part of our series called "JFK: Search for Conspiracy," we'll look at the Cuban connection and the role it plays in the President s assassination.

Richard Billings is with me. He's coauthor with G. Robert Blakey of "The Plot to Kill the President." Also, attorney Bernard Finsterwald. He's Executive Director of the Committee on Assassinations. And Jeff Goldberg, Co-director of the Assassination Information Bureau.

On the telephone is Paul Hoak (?). Mr. Hoak is on -- he's out in Berkeley, California. He's written a book called "The Assassinations." He also wrote an article back in 1976 that examined the intriguing possibilities of the Cuban connection.

* * *

REHM: I think there is some confusion in many people's minds, Bud Finsterwald, about anti-Cuban activity pro-Cuban activity, and how Oswald, the key figure in this whole thing, may have been involved in both sides of that.

BERNARD FINSTERWALD: Well, there is a great deal of

confusion. And at least part of that, Diane, stems from the fact that a great number of the leading anti-Castro Cubans in the years we're talking about, '62-63, had been very pro-Castro at one time and participated in the revolution itself. So you have to keep that in mind.

The other thing is that Oswald was connected with both groups. For example, he offered to train the anti-Castros in the training he got in the Marine Corps. At the same time, he was running a pro-Castro one-man outfit called Fair Play for Cuba and going out of his way to get arrested, and then to get on television in New Orleans to build up some sort of anti-Castro record.

So you can build a record for him that's either pro-Castro or anti-Castro or both.

REHM: Paul Hoak, would you like to add to that? Are there ways that the two activities can be distinguished when you look at Lee Harvey Oswald?

PAUL HOAK: Well, I don't think you yet have enough information to be able to decide the actual nature of Lee Harvey Oswald's pro-Castro activities.

For example, one area that has intrigued all of us is his use of the address 544 Camp Street on some literature he handed out in New Orleans. Now if any pro-Castro sympathizer picks up that literature and tried to go to the Fair Play for Cuba Committee at that building, they would find not pro-Castro people, but an anti-Castro community, really, Guy Bannister, a former FBI agent, and his detective agency, which was really keeping an eye out, I think, to see what sort of pro-Castro activity was going on.

Now, the real mystery here, one of the big mysteries, is that the FBI knew before the assassination that Oswald had used the address 544 Camp Street. Now, we still don't have a proper understanding of why the FBI failed to react to that information. It has been widely speculated that the FBI -- some FBI agent in New Orleans understood that Oswald was not, in fact, an authentic pro-Castro activist, that perhaps he was, for example, working with some of the anti-Castro people, trying to smoke out the pro-Castro side. We just don't even have the basic documentary record on that FBI response. That hasn't been made public yet, so I don't think we can untangle that story at this point.

REHM: Both sides, actually might have had motives for assassinating JFK.

Jeff Goldberg, what do you see as some of the motives of, first, the anti-Castro people?

JEFF GOLDBERG: Well, the anti-Castro people were heavily involved in the Bay of Pigs invasion. And, you know, it's been written about quite extensively that the felt betrayed and they felt that Kennedy had betrayed them by not supporting the invasion, as they had been told by their CIA contacts it would be supported, not the air support that they needed to knock out Castro's planes when they were going to make their beachhead. And so they felt, you know, quite betrayed by this lack of support that had been promised to them, and it angered a lot of people. And they became anti-Kennedy people, as well as anti-Castro.

REHM: Are there other reasons that the anti-Castro people might have had to seek out JFK and do away with him?

FINSTERWALD: Well, he -- I think they were as angered by the missile crisis, where Kennedy quietly and clandestinely agreed with the Russians that if they would withdraw their missiles from Cuba, that he would see that Cuba was never invaded. And from that time on, most of the anti-Castro activities aimed at Cuba were pretty much soft-pedaled, those originating in the United States.

And the whole hope of the anti-Castro movement was that they could be activist enough so that they could take Cuba back over. And John Kennedy was standing directly in their way.

So I think that, plus the Bay of Pigs, had most of them in a pretty anti-Kennedy frame of mind.

RICHARD BILLINGS: Kennedy, in fact, was sending a message to Castro in the summer and fall of 1963 which -- I'm not sure how much of that the anti-Castro Cubans knew at the time. But it's become very clear since then that he was building toward a rapprochement, and they must have sensed it. There was evidence of it. And they had that added to everything else that's been said.

REHM: Paul, what about the other side of the question? How about the pro-Castro people? What were the reasons that they might have wanted to do away with JFK.

HOAK: Well, I think what we're talking about here is not so much Castro's sympathizers in the United States as the Cuban government itself. And, of course, the main reason Fidel Castro might have considered trying to kill Kennedy is because he had fairly good reason to believe that Kennedy had been trying to kill him.

It's not clear yet how much Castro knew. But we now know, just in the last few years, have learned that the CIA, anti-Castro Cubans, and members of organized crime had been

plotting for several years to try to assassinate Castro.

REHM: Well, isn't there a great question in everybody's mind as to how much Kennedy himself knew about those plots against Castro's life?

HOAK: I think there still is. I mean this is a debate that would be a very difficult one. My own feeling is that whatever the truth is, I don't think it's possible anymore to argue on the basis of the character of the Kennedys that they could not have been involved in this kind of thing directly. On the other hand, you know, there's no real strong evidence that they were involved directly.

Again, the question is not what the actual facts were, but how Castro would have perceived them, if you want to pursue the possibility of Castro retaliation.

But I would like to add here that motive is one thing and actually having retaliated is a completely different question. I'm willing to say that the question of motive -- there certainly was a motive, a possible motive on Castro's part, despite the fact that Kennedy was apparently starting a rapprochement in the fall of 1963.

On the other hand, I feel that talking motives in this whole area, it just doesn't get you anywhere. There are too many people with motives, means, and opportunity, I believe. That ultimately we have to look at the facts of the assassination themselves -- the facts themselves. And I think it's very important to perceive that the question of Oswald's true beliefs, his true motivations has to be reexamined now that we have really firm direct evidence of a second gunman on the grassy knoll.

The possibility of frame-up has always been speculated about. You can't have a frame-up without a conspiracy. We now know, from the best scientific evidence at the moment, that there was a conspiracy, a second gunman, which really revives the question of a frame-up.

REHM: I want to go back to Mr. Castro. I want to understand how, in your opinions, he learned of the plots against his life. I mean it seems to me that that, in and of itself, is perhaps a key question.

BILLINGS: All right. Let's go back also to the point that Paul started to raise about Castro supporters in this country. There were numerous -- we have no idea how many -- agents of Castro's own intelligence, the DGI, operating in this country. And they would be the people who would have -- from anti-Castro groups that they had infiltrated -- reasonably been able to report back and inform Castro of the plots against him.

And also, the presence of pro-Castro people in the anti-Castro communities further confuses this issue about what kind of Cubans are we talking about when you get to the very important relationship of Oswald with Cubans.

But to answer your question, he had his own intelligence network to find out that he was a target of...

GOLDBERG: And there were so many tries, that once the tries started coming, he knew, you know...

FINSTERWALD: There were some 30-odd attempts on his life.

REHM: Well, any you might just describe some of those. I mean some of the tactics that were even thought to be possible ways to get rid of Castro were right out of some extraordinary science fiction movie.

FINSTERWALD: Well, we tried to poison him, we tried to shoot him, we tried to drown him, we tried -- you name it...

GOLDBERG: Powdered his beard, I think.

FINSTERWALD: Yeah. We tried all sorts of crazy...

BILLINGS: A contaminated scuba-diving suit. That was...

GOLDBERG: Shellfish toxin.

FINSTERWALD: I think one -- you asked earlier about how did he find out about this. I think it's fairly common knowledge that the Cuban community in Miami at that time was crawling with double agents. Castro was sending over, in the hundreds of thousands of refugees, some of his own people who had settled in Miami. And I don't think anything that we were doing in the whole CIA operation there was unknown to him. And very frequently he would anticipate things that we were doing, which we would indicate that he had pretty good foreknowledge.

BILLINGS: On this point about the Kennedys knowing or not, it really doesn't matter.

FINSTERWALD: No.

BILLINGS: It matters what Castro knew, not what the Kennedys knew, when you're talking about Castro's motive.

REHM: On the other hand, if Kennedy does no know, that suggests a real gap in his knowledge, in light of what perhaps the CIA is doing.

BILLINGS: Very true. That's another issue. I agree with you entirely.

REHM: Well, how do you take that issue? I mean, and what do you do with it?

FINSTERWALD: He had put his brother pretty much in charge of the CIA at that time, so he should have had a pretty idea what they were doing.

REHM: But I don't have the impression he did.

BILLINGS: That's the issue we mentioned earlier. There were two tracks of programs. Bob Kennedy was in charge of something called Mongoose, and Mongoose was not the name for the CIA-Mafia plots to murder Castro, although it was a program to oppose Castro and try to defeat him, and the murder may have been suggested -- may have been discussed.

But the CIA-Mafia plots that we're talking about, or have been talking about, the ones that originated in 1959 before Kennedy came into office and were run by CIA people like William Harvey, were not the same programs that Bob Kennedy was in charge of.

FINSTERWALD: Except I had a Navy officer come to me, giving up his whole career in the process, saying that he ran one of these plots and he was personally briefed by Bobby Kennedy. Now, I don't know whether you believe him or you don't.

But again, I don't think it makes much difference how much the Kennedys knew. It's what Castro perceived that was important. Because if there is a pro-Castro element in the murder, it would stem from that, not from, in fact, what the Kennedys were doing.

REHM: Does it matter at all that Castro himself denied vehemently that he had had any role to play whatsoever in JFK's assassination.

FINSTERWALD: You would hardly expect him to volunteer that he was responsible.

REHM: Obviously. Obviously.

BILLINGS: On that, Castro is capable of doing many things, and lying is certainly one of them. He was interviewed by the House Committee and he spoke at length on that, as well as other issues: not only did he do it, but did he by any chance know about it ahead of time. And I personally believe that some of the things he told the committee -- although the committee itself chose to believe him, I don't think he was telling the truth

throughout. I think there is evi -- there is evidence that Castro had some wind of the assassination in advance, may not have taken it seriously. And that doesn't mean he participated in it.

FINSTERWALD: Dick, I wonder if it might help if you would outline the several instances of people making rather odd trips to Havana immediately after the murder. There were a couple of people that were flown out of Texas to Mexico City and then into...

BILLINGS: I'm...

FINSTERWALD: Maybe Paul would be...

REHM: Paul?

HOAK: Well, if I may pass on the details of that. But let me just -- could I just respond to what Dick said?

REHM: Certainly.

HOAK: The Castro -- you know, that -- what he said particularly intrigues me because the House Committee, in its report, had some very, well, unclear -- they had some references to what Castro may have known that were singularly inadequate to explain the facts.

There was apparently a confidential source that the committee could not discuss in detail that supported the report that Oswald while visiting the Cuban Embassy, Cuban Consulate in Mexico City, had made some remark indicating a plan on his part to kill President Kennedy. But the committee finally concluded that the source, no matter how reliable it usually is, apparently was wrong in this particular case.

I think that points up a whole area that we haven't gotten into yet. There's this whole question of sensitive intelligence information relating to Oswald and the Cuban connection, Oswald's visit to Mexico, what he may or may not have said to the Cubans there.

And as I say, unfortunately, the bulk of the House Committee material in this area remains classified, remains withheld.

REHM: On the other hand, I think there are some details about that trip to Mexico that might be worthwhile bringing in at this point.

HOAK: Well, let me just touch on perhaps the most well known peculiarity, which is the photo of a man who is not Oswald,

which it turns out was taken -- well, several photos were taken of this man, some of which were taken at the time when Oswald apparently visited the Cuban and Soviet embassies in Mexico City.

What happened is that the description of this man, not Oswald, was attached to Oswald's visit even before the assassination. So it appeared at the time that there was a possibility that this person had been using Oswald's name in his visit to the embassies.

I think Bud can answer a lot more about this because he had a great deal to do with having additional photos of this person revealed.

Again, we still don't know the full story. There's, for example, the question of was there a photograph of Oswald in Mexico City? And even the House Committee was not able to fully resolve the question of whether the CIA or its sources had obtained a photo of Oswald.

GOLDBERG: Just to add some more information. This was in October of 1963, about two months before the assassination. Oswald visited the Cuban and the Soviet consulates in Mexico City. And the CIA had surveillance on both of those consulates. And when they turned up a series of photographs of a man who was 35, stocky -- the description did not fit Oswald -- and they attached that to Oswald's file, nowhere, when they went back after the assassination, could they find, or have they produced to date any pictures of Oswald, even though they supposedly had this surveillance, from either embassy.

FINSTERWALD: Well, don't you think if they'd had that photograph, it'd been the first thing they would have produced to the Warren Commission? I think it's fairly they clear they didn't.

And another intriguing thing is that after about three years arguing in court, we finally got 11 photographs of Mr. X. And I found out only recently there's a 12th photograph that the CIA is still holding on to.

But in addition to the photograph, the CIA also had a wiretap on one of the -- either the Cuban or the Soviet embassies -- because they have the actual -- did have the actual recording of a conversation between Mexico City and New York, or between Oswald and the consulate. And they sent those tape recordings up to Dallas, and the FBI got them and listened to them, but they've since disappeared.

GOLDBERG: That was after the assassination.

FINSTERWALD: Yes.

But the visit of Oswald to Mexico City hit a raw nerve somewhere, because somewhere along the line the CIA checked out the passenger manifest of every airline flight from Mexico City to the United States over a six-weeks period, trying to locate Oswald, when in fact Oswald had been back in Dallas for some three weeks before that.

But his visit to Mexico City must have been central to something, because it stirred up a great deal of activity on their part.

GOLDBERG: Well, one little addendum, also, is that they attached the photos of this guy, who has still not been identified, to the Oswald folder, and they sent this folder around -- this is two months before the assassination -- to the FBI and to the Navy and to the State Department. And the CIA claimed that they didn't have a real photo of Oswald in their files, and said they just made a mistake, they attached the wrong pictures to the wrong file. Yet they did have four photographs of Oswald in their file prior to this time. Two of them, which we discussed yesterday, having to do with the women who took the pictures of Oswald from the Soviet Union, were taken in 1961. And they also had two pictures from newspaper articles of Oswald from 1959, when he defected. They made the United States press.

So they had these somewhere in their files. It might not have been in his main file. Yet they claimed that they didn't have a picture and they didn't know what Oswald looked like, and that's how they made this mistake. It doesn't add up.

REHM: Then, does Mexico City represent the strongest evidence that, in fact, somehow, there was an effort to create a Lee Harvey Oswald and to have him perhaps turn up in several different places that -- this is a figment of somebody's imagination, or else it's a deliberate attempt to throw somebody off the track with another human being called LHO?

FINSTERWALD: Well, we'd discussed very briefly before the fact that there had to be at least two Oswalds. Because while Oswald was in Russia, someone here in the United States was using his identity. And equally, in Mexico City, there's every evidence that someone claiming to be Lee Harvey Oswald, but was not, was visiting the two embassies. We have no reason -- no explanation why.

Again it's a question of all of us are too dumb to put this thing together. But I think we're smart enough to figure out that there were at least two people using the same identity.

REHM: Paul Hoak, do you want to add to that at all?

HOAK: Well, I think the significance of Mexico City to me is what Bud said about a raw nerve. Whatever the facts are about the Cuban connection, I think we can all agree that the fear of some sort of involvement, either pro-Castro or anti-Castro, cast a shadow over the entire investigation by the United States Government, starting with the Warren Commission.

It was -- what we knew -- what the public knew was bad enough, that Oswald was an apparent pro-Castro activist. That raised all sorts of questions of -- really of war and peace. What insiders in the government knew about the plots against Castro made the issue even more significant.

It really didn't surface publicly, I believe, until about 1967, when Drew Pearson published a column about the possibility that the anti-Castro plots had backfired. In fact, he started the article by saying that President Johnson is sitting on a political H-bomb, and indicating that Robert Kennedy was concerned, or had reason to believe that these anti-Castro plots had backfired.

We still haven't sorted out what happened in 1966-67, when this information came out. But it's certainly clear that in the background of all the investigations at the time was this fear that either the anti-Castro plots or Oswald's activities in Mexico or an impersonator, or something like that, would lead to either a massive conspiracy or the appearance of a massive conspiracy.

REHM: Is it possible, in your minds, that Oswald was used by one side or the other in the promotion of...

BILLINGS: Let's come back to what we know a little bit more about. I think the explanation for the Mexico mystery that Paul just made is an excellent one.

The association, though, of Oswald with -- let's just say Cuban.

REHM: Okay.

BILLINGS: Let's not necessarily specify what his feelings about -- these Cubans' feelings about Castro were for the moment.

In New Orleans, we know that Oswald was associated with Cubans. He handed out the leaflets. And in one of the photographs of that leaflet, supposedly pro-Castro activity, and he is seen with a dark-haired, slender young man in his -- who appears to be in his twenties, who has never been identified. You can speculate he is Latin. He looks to be Latin. He looks to be, perhaps, Cuban. The identification of that individual would

go a long way toward giving us some idea of what kind of Cubans Oswald was really associated with.

We are further assured by the evidence that Oswald, having left Dallas -- having left New Orleans before he went to Mexico, made a visit in Dallas in the company of a couple of Cubans.

I would venture to say that those people participating in the assassination with Oswald, whatever the respective roles were, on November 22nd were Cubans. To try and tell you whether they were pro- or anti-Castro, or whether they were one thing and Oswald though they were something else, we're back to puzzles.

GOLDBERG: Did the committee make any effort to track down the Cuban man in the photo?

BILLINGS: The committee did not make a successful effort to track down the identity of that man.

I, in 1967, as a journalist, made an inquiry, through sources, of the identity of that man, and it was a blind alley. I didn't come up with an answer.

GOLDBERG: But I mean was it a task in 1978 or '77 for the...

BILLINGS: I don't think it was given a full shot. I don't recall exactly what was done. I do know he was not identified in the House investigation.

REHM: What about Ruby and his possible ties to Castro or Cuba?

FINSTERWALD: Well, again you get ties going both ways. Ruby made several visits to Cuba. The best-publicized ones were in 1959, after Castro had taken over. He made at least two trips to Cuba and spent the better part of a month there. But these were connected, again, with the Mafia, who were in charge of the casinos there.

But Ruby also was engaged in both pro-Castro and anti-Castro activities in various places, including Dallas, New Orleans. And again, the mystery there is almost as deep as the one with Oswald as to which of the Cuban groups he was connected with.

REHM: But the ties go through the Mafia. Is that what you're saying? Or are there some that are directly to the Cuban connection?

FINSTERWALD: Most of Jack Ruby's connections seem to

be economically motivated. For example, he was trying to sell surplus jeeps and surplus arms to Castro, and he actually made several phone calls to a rather well-known gun-runner who had been convicted of shipping arms before, and he was willing to pay up to $25,000 to try to get a couple of Mafia types out of Cuba.

He had a lot of connections with Cuba, including a number of visits, phone calls, and other things. But again, it's not clear in my mind as to exactly what the political ramifications of these were.

REHM: Paul?

HOAK: I'm inclined to agree. I think although most of us see Jack Ruby as primarily an organized crime figure, I think it's impossible to divorce any postulated conspiracy by organized crime from the various Cuban angles.

For example, it is rather difficult to make Oswald into an organized crime figure, although it can be done. And I think it's very hard to suggest that Oswald's activities in New Orleans and around 544 Camp Street are important primarily because they allow you to make a connection between Oswald and the Mafia. The Cuban connection and, to some degree, the intelligence connection keeps popping up.

That's why I say that this area gets so complicated that it's necessary, I repeat, to keep focusing on the facts of the assassination themselves before you can sort it out.

REHM: Well, I think -- you know, I think you make a very important point. And yet, it's difficult. Somehow, what is known seems overshadowed by a lot of fragments that come into play and make you question what the facts are, make you wonder about the possible connections of all these loose ends.

HOAK: Well, maybe this is a good time to talk about the one prominent Cuban connection we haven't discussed yet. That's Antonio Vesciano (?) and Maurice Bishop, that whole story.

I'm sure many of your listeners did see a long article on this in The Washingtonian a few months ago by Gaton Fonzi (?).

REHM: Indeed.

HOAK: ...investigator for the House Committee.

REHM: He was on the program, as a matter of fact, several months ago.

HOAK: Well, he can tell it better than any of us can.

Basically, Antonio Vesciano, a very prominent anti-Castro exile, claims that he saw Lee Harvey Oswald in a meeting -- having had a meeting with a man known to Vesciano as Maurice Bishop, believed to be an intelligence agent who was essentially running Alpha 66, Vesciano's operation, for some years.

Now, some people think that this Vesciano connection is really central, is really very important. I have to express my sympathies, first, with the House Committee. Even though they didn't investigate it to the degree that some of its staffers would have wanted, I mean I think it's necessary to understand that with limited resources, I think many of us would have put those resources in other directions.

Let me just explain very briefly my own personal involvement with -- not in the Vesciano story, but in bringing this to light.

REHM: Paul, let me stop you there just for one moment.

* * *

REHM: Paul Hoak, go right ahead.

HOAK: The 1976 article you mentioned was about an incident Dick referred to a few minutes ago, I believe, the Sylvia Odio (?) incident, where someone introduces Oswald with two other Cu -- with two Cubans, and met with Sylvia Odio, a Cuban exile, in Dallas.

The point I was trying to make in that article, we had discovered what appeared to be a connection between the Odio incident and plots to kill Castro. Specifically, Antonio Vesciano and Rano Gonzales (?) had apparently been involved in an attempt to kill Castro in late 1961. Vesciano escaped. Gonzales was arrested by the Cubans on a farm outside Havana. That farm belonged to the parents of Sylvia Odio.

As a result of that article, Gaton Fonzi went to check it out, went to see Vesciano, and he learned that Vesciano had really nothing to say about that, the allegations made in the article. Obviously, Vesciano was not one of the visitors to Sylvia Odio. The description didn't fit at all. But Vesciano did have the story about having met Oswald with Bishop.

And my own personal bias, which I have to spell out, is that I have always wondered if Vesciano came up with the Oswald-Bishop story as a way of diverting attention from something that would perhaps be more complicated, more interesting, maybe something that had absolutely nothing to do with the assassination, but something he did not want revealed. And I have not yet seen any evidence that Vesciano's story has been criti-

cally examined enough so that you can really -- well, I can't believe that he is totally credible in his allegation about seeing Oswald with Bishop.

FINSTERWALD: I think interesting about that, too, is the fact that Bishop has never been found. If he exists, nobody's ever been able to locate him and put him down and question him.

REHM: And yet, intriguing drawings which show just remarkable similarities to someone named Phillips.

BILLINGS: In my mind -- and it happens that it sort of worked this way in the committee's investigation -- the Odio allegation and the Vesciano sighting were sort of looked at in tandem, I guess because they both sightings at approximately the same period, August and September, of Oswald in Dallas with certain characters.

To weigh what Paul was getting at a moment ago, how much energy and effort you put into these two allegations, if I had to scale them, I would say that the Odio allegation is worth about 8 if the Vesciano allegation would be worth about a 2. I mean there's much more to be learned, it seems to me, from a woman who tells the story she told than Vesciano, who has a quick sighting of a meeting with somebody who is not identified, and then later who says -- who's not able to shed any more light on it.

I think the allegation that Fonzi worked so hard on was one fascinating to hear about, but it never -- it never came to anything very conclusive.

GOLDBERG: Yeah. Well, I would just add that it doesn't really tell you who killed Kennedy, either. I mean if -- it's important, it's interesting to look at. It seems like Fonzi spent an awful long time doing it, and he's at a dead end at this point.

The Phillips you referred to is David Phillips, who was a former head of the Western Hemisphere division of the CIA, and he now runs a group of retired former CIA officers. And he has been on television with Tony Somers, and maybe Fonzi. Somers also wrote about this allegation. And he has denied that he is Maurice Bishop.

The sketch was issued around the country by the House Assassinations Committee, a sketch which Vesciano did with a police artist. And the Assassination Committee took that sketch and sent out a call to anyone who knew what this guy looked like and -- or anyone who resembled this guy in the sketch. And nobody's come forward beyond the allegation that it's David Phillips.

But what I was about to say is that even if Maurice Bishop did meet Vesciano in the presence of Oswald in Dallas six weeks before the assassination, it really doesn't tell us who killed Kennedy. I mean it would be important to check that out and find out who this intelligence officer was and if there was a connection. But right now it's just a dead end and it doesn't really tell us.

REHM: When Vesciano actually saw CIA agent David Phillips face-to-face, did he simply deny?

FINSTERWALD: He said it was not Bishop.

REHM: He said it was not Bishop.

FINSTERWALD: I think there's a lesson to be learned from this whole Vesciano imbroglio, and that is, one, how complicated all of this business is. But the other is a trap, that you don't want to take one little piece of the puzzle and arbitrarily say, "Well, this is the key, central thing, and all of the investigation stems from this." I think you've got to keep working, trying to find more bits and pieces of the puzzle and fit them together, rather than taking one, small, little teeny piece and saying, "This is the shining piece and this is where it all comes from." And that's what has happened in this Vesciano business.

REHM: Paul, do you want to add anything to that?

HOAK: Yeah. I think it's a very good point. I've said for a long time that it's necessary to look at the actions, for example, of certain members of the Dallas Police Department on November 22nd, in the way they focused on Oswald. Now, if you find something suspicious there -- and, you know, I have suspicions, but they're not confirmed. If you find something suspicious in that area, I think it allows you to narrow the scope of a possible conspiracy.

I don't think Fidel Castro was in a position to influence what happened in Dealey Plaza with members of the Dallas police on November 22nd. I don't really think Fidel Castro was in a position to let Jack Ruby into the Dallas police station. And I don't think either Fidel Castro or the Cuban anti-Castro exiles themselves were in a position to affect what happened in Bethesda Naval Hospital on the night of the 22nd, or what may have happened between Dallas and Bethesda to President Kennedy's body.

REHM: Now, you're referring there to David Lifton's new book, "Best Evidence."

HOAK: That's right.

REHM: And what? The points that he makes there had to do with perhaps an autopsy or some change in President Kennedy's appearance from the time the body left Dallas and finally arrived at Bethesda and the differences that seemed to be apparent.

HOAK: That's right. That is his basic allegation, that the wounds themselves were changed, which would explain the observed differences between the descriptions in Dallas and the descriptions in Bethesda.

I think the most, perhaps the most striking evidence he has found is that the coffin -- the body did not make an uninterrupted journey from Dallas to Bethesda. There are witnesses who saw the body brought into Bethesda in a plain shipping coffin, witnesses who saw it wrapped in a body bag.

This is an area that just has -- it's new. It has not thoroughly been investigated. I think we can all agree that, you know, if that sort of thing happens, it might shed light on all these other areas of the case. I think there may be people listening right now who know something about what happened at Bethesda or what happened -- may have happened at Walter Reed, who I hope would, you know, be in a position to get more of this information out. I think this is a very important area.

And as I say, it's relevant to the Cuban connection, in the sense that any kind of conspiratorial activity like that has to narrow the focus of any possible conspiracy.

REHM: What is the -- or, what are the implications of the idea that changes may have taken place between Dallas and Bethesda?

HOAK: Well, Lifton really suggests that anyone who made those changes that quickly must have been part of the conspiracy to kill the President. I don't think that's been established yet. But -- and, you know, again, I think we might find out that the fear of a conspiracy may have led to a quick decision that no information that a shot hit from the front was to be made public; or that someone may have just thought it was necessary to find out immediately exactly, you know, what had happened.

I just hate to speculate about this because the information we have is relatively fragmentary. But I think the implications are very clear, if not in terms of a conspiracy, in terms of the cover-up, the investigations that did follow.

REHM: Bud, I know you've read the Lifton book, and I wonder about your own comments.

FINSTERWALD: I would like to sort of answer that with a question to Paul.

Paul, the thing that impressed me most about the Lifton book was the evidence with respect to the President's brain. His conclusion was that when the body arrived, finally, at Bethesda for the autopsy, the brain had been removed, and it was not part of the autopsy. And I know that since the autopsy, the brain has disappeared and has never been found.

Would you like to comment on that?

HOAK: Well, he found a couple of witnesses who, when they saw the President's body, were struck by the fact that the cranium was basically empty.

Now, mind you, I think it's important that these witnesses did not find this suspicious. They thought that, you know, his brains had just been shot out by the bullet. But then, essentially -- an essentially intact brain turned up later in the evening for the autopsy, was infused with formaldehyde, and was reported on several days later.

As I say, it's hard to consider this sort of stuff totally innocent. There may be a relatively innocent explanation under the surface. People in Washington right now probably know, or have been told, that a lot of things happened for reasons of national security. For reasons of security, the body had to be separated from the coffin, perhaps so that the Dallas authorities couldn't take it back and keep it in Dalls.

I hate to go further on what this might all mean until I've heard more of these explanations.

FINSTERWALD: Paul, let me ask a question. I've heard this question of the national security raised, but I can't for the soul of me see, once the President was dead, what security problem we've got. You couldn't bring him back to life. I just don't understand all the talk about security at that point.

HOAK: Well, I think what I'm suggesting is something similar to what we know has happened in other areas. The whole question of evidence pointing towards a conspiracy, true or false.

We know that President Johnson was extremely concerned about rumors that the Russians or the Cubans were involved in the assassination.

REHM: Now, you're talking about immediately after the assassination. Yeah.

HOAK: It was within weeks, for certain. I mean he

persuaded Earl Warren to serve on the commission by telling him, you know, what the estimates were of how many millions of people would die if there was a nuclear war.

Intially, I think, many of us found this, you know, suspicious on Johnson's part. But I think we now have more of a perception that it was, in fact -- could have been, could very well have been a wise decision.

For example, if he knew or if he believed that there were false reports of a conspiracy circulating, but false reports that seemed very persuasive, I think you can very well justify telling the Warren Commission that, you know, "Our main job is to stop these false rumors from leading us into a nuclear war."

So it's very clear that issues of national security did arise at that level in that way quite quickly after the assassination.

REHM: But, Bud, you don't buy them.

FINSTERWALD: Well, I can understand what he's talking about. I don't see what that's got to do with security with respect to the body being transported from Andrews Air Force Base to Bethesda. Why would you have two ambulances? You know, it's as if you expected the Russians or the Cubans to snatch the body out of the ambulance from the airfield to the hospital.

HOAK: I don't know. I'm saying that's the innocent explanation. There might be some innocent explanation. I mean the other alternative, well, I suppose, would be just to dismiss all the new evidence that David Lifton has found. And I find it rather difficult to dismiss all of his new witnesses, especially about the chain of possession of the body. I don't know what the explanation is.

REHM: The other portion of intriguing detail that you've been particularly interested in has to do with the ballistics evidence, Paul.

HOAK: The acoustics evidence, primarily.

REHM: And how does that figure in here?

HOAK: Again, I think, directly, only in the sense that I tried to point out earlier: that once you are convinced that there were two gunmen, that there was that kind of conspiracy, I think you have to reassess everything you know about things like Cubans, the anti-Castro plots.

I wish, in a sense, that the House Committee had had time to do this. The acoustical evidence, the evidence that a

Dallas police tape includes a recording of four shots, including one from the grassy knoll -- that evidence came to the House Committee relatively late. And I would hope that there's still a possibility for someone to really continue the investigation and look at the kind of evidence the House Committee did come up with in light of an almost certainty that there was, in fact, a second gunman.

BILLINGS: I think it's good that we're going to discuss both the -- and I'm going to come back to the Lifton book in a minute and put that up against the acoustics evidence, which is darn solid evidence that should, and perhaps will, hopefully will, lead to a more thorough later investigation of the assassination.

But evidence as compiled in "Best Evidence" by Lifton is the sort of thing that in my mind is so preposterous that it justifies those who would say, "Let's forget the whole thing. We're playing funny games again."

I'm very bothered by the Lifton book, and I'd just make one point on it, and that is that nine medical examiners, the best in the country, including the one dissenter, Mr. Wieck, Dr. Wieck, examined the X-rays and photographs, and they will tell you, and they have told me -- or the chairman of that panel, the House Select Committee's Medical Evidence Panel -- from examining the X-rays and photographs, they will tell you that that wound could not have been fabricated with a scalpel, which is what Mr. Lifton suggests.

As for the acoustics evidence, there is work going on, as I think Paul knows, to evaluate at least the methodology that was used by the committee's experts. And when that report is made, hopefully it will lead to a reopening or further investigation that is necessary.

HOAK: Could I just ask Dick one question?

REHM: Sure. Go right ahead.

HOAK: Do you know if the hypothesis that the body had been altered was in fact considered by the panel as a whole? And were the Bethesda doctors and the Dallas doctors asked specifically about the evidence indicating that the wound was in fact different at Bethesda?

BILLINGS: Paul, unfortunately, you know, we're a couple of years away from that. I had a discussion with Mike Baden (?) recently, and I can't tell you whether he was specifically addressing the question at the time. I did not address the question with him at the time. But he was very, very certain 10 days ago that, from the photograph of the exterior of the wound to the back

of the head was a typical gunshot wound that had the abrasion collar. He said that given 24 hours, though it's never been done before, it might be possible to fabricate that wound that you see in the photograph, given 24 hours.

But if you go to the X-ray and you look at the wound on the inside of the skull, where he even sees a little fragment of metal and the beveling effect, he says that wound could never have been reproduced by anything but a bullet.

HOAK: I would certainly agree that the medical evidence of alteration is much less persuasive to me than the question of chain of possession. But, you know, I'd like to remind everyone that we have never yet find out why Dr. Hume, in his testimony before the House Committee, even in public, insisted that what was shown as a bullet wound -- that the picture of a bullet wound -- you know, that the wound he remembered was four inches lower. That was absolutely bizarre testimony.

REHM: Just to refresh. Dr. Hume was the physician at Bethesda Naval Hospital who did the autopsy when the body arrived.

HOAK: And I wish I had Dr. Baden's apparent certainty that all the questions in the medical area can be just dismissed as incorrect observation. I just don't have that kind of confidence.

REHM: Okay.

I wonder whether there is a way to take a look at all of these threads that we call the Cuban connection and say there are strong reasons here to continue to pursue that kind of connection, that this is where the answer lies.

You've already said, Bud, that there's no one place where the answer lies, that it may be in a number of different areas. But how strongly do you feel about this Cuban connection?

FINSTERWALD: Well, you get sort of a gut feeling that the connections between the anti-Castro Cubans and both the CIA and the Mafia were so strong, that just sort of logically you're led in that direction rather than the pro-Castro direction. I mean Castro did have a motive and he probably had the means. The Cuban intelligence agency is a fairly able group. It could have been. But the other connections between the anti-Castros and the Mafia and the CIA are very, very strong and they're very well known. You get just sort of a gut feeling that that's where it lies.

GOLDBERG: We probably should have started at that point, to say what the committee's conclusions were. I just want to state that briefly. They said that -- they concluded that

Castro didn't have anything to do directly with the assassination, and they concluded that they could not preclude the possibility that the anti-Castro groups did have something to do with the assassination, supposedly involving the Mafia along with these groups. But they couldn't single out specifically, you know, and name names.

What they did say was, "We're turning over the body of evidence that we uncovered to the Justice Department for consideration."

FINSTERWALD: No, they took the body of evidence and put it in the National Archives for 50 years. They did just as bad as the Warren Commission when it comes to the evidence.

BILLINGS: When we get to the subject of discussion in a couple of days on the involvement of the Mafia, I will have more to say about the Cuban connection. It applies to that -- we've already talked about the CIA-Mafia plots against Castro. You're beginning to see all these things weave together. But to give you a full answer of how believe the Cuban connection works, we have to start talking about organized crime.

REHM: There is no way to separate the two, then, you're saying.

BILLINGS: I don't think so. I don't have time to do it today, but I understand you have that coming up.

REHM: How about John Martino? He's somebody who somehow embodies all of the different elements, the Mafia, the CIA, and the Cuban connection. His is a name that I came across a number of different times. He was the one who said that perhaps the anti-Castros put Oswald together. He died shortly after making statements about Oswald to the effect that they had Ruby kill him.

BILLINGS: I knew Martino. I'll tell you what I knew about him. He was -- I don't know how level he was. He was a gambler in Havana with the Mafia. He was in a Castro prison for 40 months. He came to Miami when they released him, then he contacted me at the time on a mission that he had cooked up with some anti-Castro Cubans and was going to go to the agency about it. And they were going to get down and -- they had some defecting Russian missile technicians they were going to bring back from Cuba.

Well, that was a pretty good come-on for me, and I figured it was. But I sort of wanted to go on the trip anyway. And we took a bunch of anti-Castro Cubans down there, and they got a small boat -- it's a rather long story -- and went into Cuba, never to be seen again.

I heard from Martino after the assassination, and he told stories that were hauntingly similar to stories that were told later by another Mafia figure named John Roselli, and that was that Castro was responsible for the assassination.

I didn't get a chance to really pursue that before John Martion had died.

FINSTERWALD: Well, and also there are a whole string of what you might call disinformation stories that were coming out of the anti-Castro groups trying to pin this on Castro, with the hopes that it would get the American public so worked up that we would either invade Cuba or do something terrible. And a lot of these -- there's one involving the Buchanan brothers in Miami. There are a whole string of these.

The John Martino thing sounds very much like it was a part of throwing sand in everybody's eyes. There's been an awful lot of that in this case. It's hard to separate out the fact from the fiction.

REHM: Of course, as you talk about the anti-Castro or the pro-Castro groups, I mean there for a time JFK seemed to be saying -- well, he did say, "We won't invade Cuba. We will not carry this problem about the missiles any further." I mean there should have been some sense of relief or comfort on the part of the pro-Castro people, at least.

FINSTERWALD: John Kennedy was playing a difficult game. You might even call it dishonest. He went down to Miami and accepted the flag of the Cuban invaders and said, "I shall return this flag to you in Havana." Yet, at the same time, he was promising the Russians he would never let such an invasion take place.

BILLINGS: The assassination, according to John Roselli, was carried out by organized crime and Cubans of both sides, pro- and anti-Castro.

FINSTERWALD: Good grief.

REHM: Paul, do you want to add to that?

HOAK: Well, I'd just like to say that regardless of the -- relevant to the assassination -- I think the history, the secret history of Cuban affairs (the CIA-Mafia plots, the activities of the exiles) is extremely important. It almost got us into war at least once, in 1962. I think exile politics still has a real danger. And certainly it needs to be investigated and made public, not just in the context of the assassination.

I wouldn't certainly urge that the information and evi-

dence the House Committee has gathered in this area, as well as areas such as the medical evidence, just has to be made available to a wider public.

REHM: Bud?

FINSTERWALD: Well, I'd just like to comment on -- I agree with Paul that somehow we've got to pry the documentation that the House Committee got together out of the National Archives, where it's been placed for 50 years. There are some efforts being made in that direction. I don't know how successful they'll be. But we have gotten, I think, somewhere over 90 percent of the Warren Commission documents, because they're subject to freedom of information. But the House Committee's material is just locked up for 50 years, period. And there are a great deal -- a great deal of material there which would go a long way in helping us in this.

BILLINGS: You've got to go beyond that. You've got to go back on the ground with a new investigation. The committee files will be open to the Justice Department. You've got to re-open it. You're not going to just start reading a whole lot of files in the Archives and solve it.

FINSTERWALD: Well, if you're waiting for a Republican Attorney General to volunteer for that, I think you've got a long wait coming.

REHM: Bernard Finsterwald, who's Executive Director of the Committee on Assassinations. On the telephone has been Paul Hoak from Berkeley, California, author of "The Assassinations." Jeff Goldberg has been here. He's Co-director of the Assassination Information Bureau. And Richard Billings, coauthor with G. Robert Blakey of "The Plot to Kill the President."

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SUBJECT JFK: Search for Conspiracy, Part One

DIANE REHM: Americans still argue over how John F. Kennedy died. Was there a lone, independent assassin, or was there a conspiracy to murder the President?

The first official inquiry, done by the Warren Commission, concluded that one man, Lee Harvey Oswald, shot JFK. But in 1979 a congressional committee decided that Kennedy was probably assassinated as a result of a conspiracy.

Beginning today and continuing every day this week, we'll look at various theories as to who was responsible for Kennedy's murder. We'll start with the intelligence community, then tomorrow the Cuban connection. On Wednesday we'll examine the role of the ultra-right, and Thursday the Mafia. On Friday we'll have 90 minutes of open phones....

Attorney Bernard Finsterwald is here with me. Mr. Finsterwald is Executive Director of the Committee on Assassinations. Jeff Goldberg is in the studio. He's Co-director of the Assasination Information Bureau. My third guest is Richard Billings. He's coauthor with G. Robert Blakey of a new book called "The Plot to Kill the President."

* * *

Bud Finsterwald, Lee Harvey Oswald really does remain at the center of this very complex set of events. And I think to this day, we still ask ourselves -- and perhaps you do, as well -- just which side he was on.

In your opinion, do you think he was more one of theirs or one of ours?

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BERNARD FINSTERWALD: Well, to this day Diane, I've never been able to conclusively make up my mind. I think the interesting thing that's implicit in your question is that he was a member of one intelligence side or the other. Because the Warren Commission, which is one of the two official versions of this, considered Lee Harvey Oswald nothing but a lone-nut killer not connected either with the United States intelligence agencies or the Russians.

I think from the whole record in the case, almost all of us have concluded that he was connected with one side or the other. The question is, who is the real Lee Harvey Oswald and which is the cover story?

REHM: Do you have that same question in your mind, Dick?

RICHARD BILLINGS: Well, I don't think that it's as simple as a lone nut or one of their or one of ours. Because, again, as Bud says, that implies that Oswald either had to be a lone nut or a member of Russian or American intelligence. I think there are many other associations that he could have had, and some of them more likely than either the KGB or U.S. intelligence.

REHM: Are there some direct links between Lee Harvey Oswald and either the KGB or the CIA or military intelligence, some definite facts that people take into account and say, "That looks very, very suspicious"?

JEFF GOLDBERG: Sure. Nobody knows conclusively. Nobody has, you know, a conclusive point of view of which one is true.

I mean, I think you have to start with Oswald's defection. I mean that's probably where we should begin. He was a Marine. He was stationed in Japan at Sugi (?), and it's there that a number of writers and critics have begun to question just who Oswald was.

The House Assassinations Committee looked at some of this information and concluded that Oswald was not a CIA agent of any kind. I could run down some of the points that the critics have over the years brought up as to being suspicious about Oswald's military career and his subsequent defection.

He was out at Sugi. He was doing radar surveillance. He was a radio operator. And that base was known for being a base where the U-2 plane that was doing overflights over the Soviet Union would come for repairs and was stationed.

Oswald left -- this was in 1959. Oswald left there and

went and learned the Russian language very quickly in California at the El Toro Air Force Base.

REHM: He was very good at that, wasn't he?

GOLDBERG: Yeah, in several months. He was given a crash course in Russian and, I guess picked it up pretty well. And he put in for a discharge and he got it very quickly. Critics have raised questions about that, too. He got it within two weeks, which didn't seem -- it seemed like there was something fishy about that. The committee looked at that, too, and decided, you know, that the -- the Army, I think, answered that he had the correct paperwork; and normally when people ask for a discharge, they don't have all the paperwork in hand. Oswald had all the paperwork, and therefore it went through within two weeks, and there was nothing really fishy about it.

He claimed that he needed the discharge because his mother was ill. And critics have pointed up to that also, because his mother really wasn't ill. That had been a prior...

FINSTERWALD: It had been a year earlier.

GOLDBERG: Right.

So he, in a very short time, goes back, sees his mother, and goes to New Orleans, gets a ticket and takes a slow boat across to Europe, ends up in Finland. There are questions about how he got the money to do all this -- how he got the money to do all this. And the flight that he got into Helsinki, Finland has been questioned, because critics checked and the flight schedules were a little off.

REHM: What was his behavior like as a Marine at Sugi? Did he fit the normal pattern of Marine behavior, either before he left the Marines, or even after?

FINSTERWALD: No. He was a complete misfit, on the record. He kept pretty much to himself. He studied Russian, he studied Marxism, he read a lot of books on Communism.

This raises a question in a lot of people's mind. He was in probably the most top secret operation that intelligence had at that time. The U-2 plane had never been made public. This was before the crash in Russia. And he was a radar operator and he knew the frequencies on which this whole system operated. He knew that the planes were flying in excess of 90 000 feet. He had all sorts of information that he could trade to the Russians, and claimed that he did.

But the question arises, would the military services, even if they were sloppy, have a man in this top secret program

studying Marxism studying Russian, doing all these things? I think if this had not been an effort to build a cover for him, they would have had him out of that particular unit about the first week he arrived in Japan. But he stayed in that program not only in Japan, but also in the Philippines and in California.

So, again, the 2 1/2 or 3 years he was in the Marine Corps, he had a very high security clearance, with all of these rather unusual traits and habits. And as Jeff pointed out, his discharge, early discharge was a phony.

As to how he got the money to spend to get to Russia and so forth, the Warren Commission claimed that he had saved $1500 while he was in the Marine Corps. And in view of all the records that [unintelligible], I think if he'd saved $15 it would have been unusual.

GOLDBERG: I think one of the recent books said he had $203 in his bank account.

REHM: One of the questions I have is about the kinds of records that were kept on Lee Harvey Oswald during that period and how we know quite as much as we do about him now.

BILLINGS: One of the problems you've got is that the first investigation did not have the inclination to pursue as thoroughly as they might these questions. And they are very bothersome.

The House Select Committee, which came along 15 years later, put what number of researchers and attorneys on this particular issue that seemed to be adequate. But the amount of time, the time that had passed -- they did have an agreement to go through CIA records. They did not -- and we have not really addressed the issue of other intelligence agencies yet. But they did not have that same agreement with the military intelligence agencies.

All I can say -- and I think the people who came to this conclusion were honest -- is that they were not able in 1978 to come up with conclusive evidence of an Oswald CIA connection. And that's why the committee made the conclusion that it did.

FINSTERWALD: Well, let me just jump in and point out one thing that I think points up this question about whether Oswald's career in the Marines and his career in Russia was genuine or whether it was a cover story. I mean let's go on the assumption for the moment that our intelligence agencies do create people that they do send abroad to infiltrate Russian and Chinese and other intelligence agencies, and they set them up with a pro-Russian or a pro-Chinese, or whatever it is, cover and send them on their way. And this question has always been alive.

But when Oswald got to Russia, he tried at least on the surface, to renounce his citizenship, and he told the Russians he was going to tell them everything he knew about the U-2 program. And as I said, that was ultra-secret at the time.

Yet, when he came back to the United States some 2 1/2 years later, no one in the United States prosecuted him for this serious crime. The fact is, there was never even any discussion when he got home as to whether he was prosecuted.

If he, in fact, was a genuine defector, and not some type of agent, I think the minute he hit New York he would have been clapped in irons. But the exact opposite happened. He was met at the ship by someone from Travelers Aid. He was given airplane tickets for himself and his family to go to Texas. He was not, according to the CIA, even debriefed by the CIA. Yet the normal thing under those circumstances would be, the minute he hit the United States, was, he'd be served with a warrant and put in jail. None of that happened.

GOLDBERG: Nobody in the government -- none of the agencies has admitted to briefing Oswald when he came back. And it would have seemed that they would have.

And the other point is, when he went over, having been a Marine and having been at the U-2 base, you would have thought that the American defense establishment, or the Navy, would have done some kind of a damage assessment as to what kind of secrets he was taking over to the Soviets. And none of that was done, either.

And there isn't that much evidence of other like defectors. But I think -- I was reading Tony Somers (?) book recently, and he points out that there were only two other cases of people who defected to Communist countries before Oswald, and both -- who were in the armed forces, and both times there were damage assessments done of their branches as to what kind of secrets those people would know and could give to the Communists.

REHM: Has any agency of this government ever gotten from the Soviet Union information about Oswald and the kinds of conversations that he may have had with them?

BILLINGS: Requests were made. And it is my suspicion that a lot of the information that had been obtained on Oswald by the KGB through its surveillance of him during the defection was not submitted, was withheld in the Soviet Union.

But now you get into another intelligence agency, which maybe you want to hold up on a little bit. I think we ought to continue more on the CIA question before we...

GOLDBERG: I just want to make one other point, is that when Richard Helms testified before the House Assassinations Committee in 1978 he was asked about this: "Why didn't you debrief Oswald?" And his answer, paraphrasing, was, "Go ask ONI," go ask the Navy, which was kind of a new answer.

FINSTERWALD: He said that three times that day, and no one paid any attention to him, which I thought was remarkable.

REHM: Now, there was some reason for him to say that.

FINSTERWALD: Well, there would have been two reasons. One, he was trying to throw suspicion off the CIA. The general thought has been all along that it was the CIA. But as Helms pointed out, the Marine Corps is part of the Navy. The Navy had their own double agents sent abroad. It's been known for a long, long time. And if, in fact, he was an ONI agent, rather than a CIA agent, it would have been up to the Navy to debrief him and do what they were going to do when they brought him home. But...

REHM: And what would he have been doing for ONI?

FINSTERWALD: Well, at this particular time, when the CIA was fairly young and the military establishment had just only a few years before been relieved of a good part of their duties overseas, each of the military intelligence agencies kept their own people overseas. The Army, Navy and Air Force all had agents overseas. And I don't know if they still do today. I suspect that Defense Intelligence may have as many agents overseas today as the CIA does. Nobody knows the answer to this.

But these people have always been rivals. And what Richard Helms was trying to point out was that all through the years he had been telling the truth, that Oswald was not a CIA agent. But Helms was not in any sense trying to say he was not an ONI agent.

REHM: Wasn't there some attempt on Oswald's part to reach individuals in North Carolina where this intelligence operations on the part -- intelligence operation on the part of ONI was going on?

BILLINGS: I have a problem with that. I know what you're referring to, that he made a phone call, spent his only dime on the day of his arrest, to an intelligence officer, ex-intelligence officer in North Carolina. My recollection is that that alleged individual -- whoever that fellow was supposed to be was interviewed, and it didn't -- it was a lead that did not turn out and did not come of anything in 1978. My recollection is that he denied it and his denial was believed.

And the report that Oswald made this phone call came

from a telephone operator who had written the name on a slip of paper -- I'm reconstructing from memory here. It's another one of those fascinating leads that doesn't provide legal evidence of an association.

And I think that one of the things that was decided in the investigation that I was a party to was, yes, to look at the background of Oswald, as best you could but also to analyze the conspiracy from the standpoint of what he was doing in 1960, from the time he got back, and who he was associated with and who might more likely, most likely have been in cahoots with him on November the 22nd 1963.

You have a number of very fascinating candidates not to preclude intelligence, U.S. intelligence. But in the case of the KGB, it was determined in the investigation that they probably withheld information from their surveillance that I mentioned a moment ago. And they did something else. They -- there is a man named Yuri Nosenko, who was the Russian defector who, remarkably, came to this country right after the assassination in the very early '60s.

FINSTERWALD: Dick, would you say he came courtesy of the KGB?

BILLINGS: Yes. Yes, I certainly would. And what does that mean? I mean...

FINSTERWALD: That could mean a number of things.

BILLINGS: It raises the question of the KGB participation in the assassination. And we're, again not being mutually exclusive. I'm not trying to set the CIA off on the side or give them a ticket to...

FINSTERWALD: Paradise.

BILLINGS: Right.

REHM: And one of the dangers here, I think, with experts such as yourself, who really been pretty much immersed in this over the last number of years, is that I think we need to be fully explanatory about the names.

Now, Nosenko is someone who really does figure in in a very special way.

BILLINGS: Yuri Nosenko is a man who defected from the Soviet Union in 19 -- early 1964, in January, I believe, and who became an issue within the CIA, to whom he'd placed himself. It was -- the faction that was in charge of his case in the beginning tended not to believe his story.

His story was that he had been a case officer who had control of the Oswald file while Oswald had been a defector, and he assured his interrogators that Oswald had not been, was not ever an agent of the KGB, an agent of the Soviet intelligence apparatus.

Then, having been put through a long period of...

FINSTERWALD: Imprisonment.

BILLINGS: ...isolation in a CIA house, where he was kept in a room very sparsely furnished, a single light bulb kept burning all the time not allowed to speak to anyone, much like the hostages we hear about in Iran.

FINSTERWALD: It sounds more like the Gulag Archipelago to me, to keep a man in solitary -- under these conditions for three solid years is somewhat worse treatment than the hostages got.

BILLINGS: Treatment borrowed from Russian techniques

FINSTERWALD: Yes.

REHM: Uh-huh, uh-huh.

BILLINGS: The men in charge of this type of interrogation were convinced that Nosenko was not telling a true story. Then there was a shift, and another group of CIA officials took over the case and they had a very different attitude. They came to a very different conclusion. Their decision was that he was on the level and that he'd been treated very harshly and unfairly. And by the time the committee investigation took place, the prevailing thinking at the CIA -- and that continues into 1981 -- is that Nosenko was on the level. And he's been made a consultant.

GOLBERG: He was rehabilitated by the other faction around 1968 and made a consultant to the CIA on counterintelligence.

BILLINGS: And now lives somewhere on a salary of the United States Government.

REHM: Okay. So how does that speak to Lee Harvey Oswald? What does that say about him?

BILLINGS: I'm sorry. I didn't mean to take up, but this has a final ending.

REHM: That's all right. That's all right.

BILLINGS: The House Select Committee on Assassinations took up the Nosenko case in 1977-78. And what they did, a lot of research was done. And then they took the committee out to the CIA on two successive nights of secret hearings. The reason being is that he's being hidden and his identity is not to be known. And what they did was -- there were, ironically, 12 members of the committee, which is the same as a jury. And the committee acted as a jury, with committee counsel interrogating and cross-examining Nosenko as a witness.

FINSTERWALD: Did you get a hung jury?

BILLINGS: No. No. Nosenko came out to be not telling the truth, and that was the committee's conclusion.

FINSTERWALD: Well, don't you think, Dick, that that was fairly obvious from the very beginning. Because similar to the way the CIA testified as to the CIA's not debriefing Oswald when he got back, Nosenko insisted during this whole long period of years that the KGB had no interest in Lee Harvey Oswald and that they didn't debrief him or cross-examine him when he went to Russia. And it seems to me that is patently absurd, because here he was, an ex-Marine, and said that he had had experience in the U-2 program, in the radar end of it, which they were extremely interested in. And for him to say that the KGB had no interest in it, it just seems so patently absurd. Plus the fact that he happened to show up on our doorstep at just the most appropriate time. The combination of these two.

I can't see why the CIA worried so about his bona fides, as they put it, through all of these years. It seems to me he was a phony from the very beginning

Now, the fact that he was phony is one thing. The fact that he may have been telling the truth is something else again. You've got two different questions. In other words, why did he come here? Was it to reassure us? And was he telling the truth? But it seems to me he was obviously not telling the truth about an awful lot of things.

BILLINGS: Well, the issue was that he -- the issue I've raised so far is, was he telling the truth? And you're right. The story is hard to swallow on its face. But there was a long period where men of presumed intelligence of some sort over at the CIA put their reputations on the line to say that the man was telling the truth.

And so it wasn't that easy, especially when the committee -- you have what amounts to a jury -- is going to take a vote. You don't just say, "It looks false on its face, and that does it." You -- what was done was that he was caught in many traps, of what he told the CIA in 1964 and how he changed the

story in 1978. And what happened in the hearing, in the end when they faced him with a tape recorder of something he had said which contradicted something he was saying that night, and he just said "I won't talk anymore." And the case was closed.

That's where the committee left it, that he was not telling the truth.

FINSTERWALD: What did they conclude from that?

BILLINGS: Well, the committee concluded he wasn't telling the truth. Helms' came in at a hearing and said, in effect, if he's not telling the truth, we have a serious problem. Or what he implied was an untruthful Nosenko means KGB participation in the assassination, ipso facto.

That is not the -- to me, that is not the case. But that raises the -- the committee did not, as a committee, did not provide the meaning. It just did not believe Nosenko, and that was the end of it.

Now, I've got some views that go beyond that.

FINSTERWALD: To me, it would raise a much more -- a much stronger question in my mind as to whether the CIA had a hand in the assassination. Because it seemed to me they used this Nosenko thing as sort of a red herring for years to distract everybody, when it would have seemed just patently obvious to me in the first place that the guy was a ringer.

REHM: Well, truly, I do want to ask you what the two or three strongest considerations in your minds are pointing to the CIA. There are thousands of facts out here, thousands of facts and thousands of questions. But there must be in your minds some very, very prominent ideas that stick out.

FINSTERWALD: Well, I think the thing that sticks out in my mind has been their refusal, not only in 1963 and '64, to give all of their information to the investigating agencies. But going right up to the moment, they have got a whole safe full of documents, if they still exist, that are labeled top secret. And if Lee Harvey Oswald is, as they claim, a lone-nut murderer, there's no reason in the world that these documents should not have been given to the House Assassinations Committee, no reason they shouldn't be given to interested people who are looking into the case today. But to get a piece of paper out of the CIA today takes you years and years in court.

And it just seems to me that their whole behavior with respect to all investigations can only point to something very, very serious in their minds as to their own reputation.

REHM: That's a large, sweeping statement.

How about you, Jeff?

GOLDBERG: I would just say you have to separate the discussion. Okay. Oswald could have been an agent of some branch of the United States Government or the KGB, and it could have nothing to do with the Kennedy assassination. He could have been doing this work in 1959 through 1962, or right up to the time that he went to Dallas, and those agencies might not have anything to do with the Kennedy assassination. Maybe they selected Oswald as a patsy, if he was a patsy, because they knew that those trails would lead to these other agencies, and therefore those agencies, it would be in their interest to cover up, like they've done, their connection to Oswald.

REHM: You're saying that if, in fact, he was part of one of those agencies, that those agencies would not wish to acknowledge that publicly, because then it does reflect back on the agency.

GOLDBERG: Just like we're saying about the KGB. They could have sent Nosenko over with a message that "we had nothing to do with Oswald," even though they did have a lot to do with Oswald. They were surveiling him all over the place, they were planting microphones in his apartment. That's what Nosenko was now saying to the Assassinations Committee. But they really had nothing to do with the assassination. So they're sending over this high-level defector with this message that's going to be believed, they hope, by the American intelligence community that "no, we had nothing to do with the assassination."

REHM: What about the FBI? Are there indications, in your mind, that ought to be looked at very carefully that show a very prominent role that the FBI may have played in the assassination?

FINSTERWALD: I'd make the same distinction that Jeff made with respect to what happened before the assassination and what happened afterwards. I see nothing of any importance that happened before the assassination that would cast any shadow on the FBI. A lot of things that happened after the assassination raise a lot of question as to their role in the investigation, in their attempts to cover up.

I guess the prominent one was that Oswald had delivered some type of threatening note to an FBI agent a couple of -- 10 days, two weeks before the assassination. And the minute that Ruby killed Oswald and Oswald was out of the way and couldn't answer, that note was flushed down the toilet. I don't think that incident in itself probably amounts to a great deal, but I think it shows the attitude of the FBI toward this investigation.

They concluded within a matter of three or four days after Oswald died that he was a lone-nut killer, and they never really pursued the investigation after that. They would do just as much as the Warren Commission asked, and no more.

REHM: See, the thing that I keep clouding in my own mind -- and I wonder whether others do, as well -- is that if there was indeed an intended cover-up on the part of any of these agencies, does that necessarily reflect back on complicity in the act itself, and, you know, whether there is any connection there?

Dick?

BILLINGS: The answer is that no, it is not necessarily linked back to complicity.

You've got cases where the FBI and the CIA did terrible things in the period -- in the aftermath, during the Warren Commission investigation.

REHM: Give me an example of some of those terrible things.

BILLINGS: I will. Bud mentioned one. The FBI covered up the flushing of the note. The FBI also covered up the fact that they disciplined, I believe, 16 officials and agents for not having spotted Oswald beforehand. They did everything they could to make it appear that they had done an exquisite job of preparing ahead of time and investigating the assassination afterward.

Actually, the worst cover-up of all in the -- during the period of the Warren Commission investigation was the work of the CIA, not the FBI, by withholding, deliberately withholding the information of the CIA and Mafia plots, plots against Fidel Castro that the CIA had engaged in during the Kennedy Administration -- in fact, starting just before he came into office -- even though the Director of the CIA at the time the plots were initiated was a member of the commission, Allen Dulles. He knew about them, of course. But the commission was never informed of the CIA-Mafia plots.

And had there been testimony by -- this is great second-guessing on the part of the Warren Commission counsel, such as the chief counsel -- general counsel Rankin. But they, when asked about this in the committee hearings in 1978, said, "Well, of course, if we had known about the CIA-Mafia plots, we would have looked at the assassination in a very different way."

That kind of cover-up is -- ought to be criticized and considered not just in terms of who were the conspirators, but in terms of how you handle investigations of this sort.

GOLDBERG: As a footnote to that, there's a Warren Commission transcript of Allen Dulles talking, and he was -- you know, this goes to the question of was Oswald an agent. This is the former Director of the CIA. And he was asked by one of the other -- by one of the cousels or one of the other members of the Warren Commission whether a CIA agent would answer questions about someone that he recruited. In other words, if Oswald -- if someone -- if Oswald's case officer was asked, "Was Oswald one of your agents?" And Dulles replied, "No, he wouldn't tell, even under oath." And he said, "He might not even tell his own" -- the officer might not even tell his own chief that the guy was one of his recruits.

So that, you know, goes to the problem of how to decide whether Oswald was, in fact, an agent. There's cover stories and there's cover files, we've learned. And we have, you know, on the transcript, Allen Dulles saying, "No, we wouldn't tell."

And we also have the problem of the Defense Department. They have never revealed any of their files about Oswald.

FINSTERWALD: Well, the Army Intelligence people say that, in routine destruction, they've burned all their files on the Kennedy assassination.

GOLDBERG: I will point out the House Assassinations Committee did look into this, did what they could. They wrote that it was very disturbing to them, the fact that the Army could not locate any of the files, had to destroy files. And it was even more especially disturbing because they didn't give the files to the Warren Commission, either. So, you know.

* * *

REHM: As you talk about these various intelligence agency officials and how they simply either denied or refused to answer, it makes me wonder about the role of the press in all this and whether there was pursuit on their part, as we saw with Watergate, for instance. Do you feel that the press, somehow, did not pursue this to the extent that it might have been pursued? And had it done so, might we have gotten farther with the questions about the intelligence agencies?

BILLINGS: I guess I'd better take that one, because I'm one of the culprits.

At the very beginning, I can say from experience -- I flew to Dallas the afternoon of the 22nd. I at that time was Miami bureau chief of Life magazine. And I was there a week. The events of the very moment in the week's aftermath were so fast-moving. Just to document and record in words and pictures, and what have you, by the media of all kinds -- newspaper, tele-

vision, magazine -- was a monumental task. And nobody, nobody was really going out and doing their own investigative journalism.

I would get on the phone with my boss in New York and get asked a lot of questions I thought were absurd at the time: "Well, how do you know that gun belonged to that guy that they picked up and got shot on Sunday?" This would be about like three days, five days after the assassination itself. And I'd say, "Hey, I don't have time to worry about that now."

Okay. That's an excuse for the -- perhaps, for the very moment. I reflected on it -- also, it was a very traumatic experience for everybody down there. I remember returning to Miami and saying, "Well, I'm glad that's over." And I didn't pay a lot of attention to the assassination until the Warren Commission came out with its report.

I must say that the response by the press to the Warren Commission report was uncritical and very -- it did not serve the American public well at all.

GOLDBERG: It was a different era, also. I mean...

REHM: A different era of journalism, as well.

GOLDBERG: We didn't have the kind of investigative reporting that we had during Watergate.

BILLINGS: Well, that's true, but...

GOLDBERG: We didn't have -- we didn't know about the CIA-Mafia plots. We trusted what the FBI told us in those days.

BILLINGS: Yeah, but what happened was -- let me just finish this one. My own reaction to it was: "Okay. I go on. Life magazine bought the Warren Commission report and printed it as dictated to by the government. We believe the government." That was just what Jeff was saying.

What the press finally responded to was the critical literature. When Lane and then Epstein, Weisberg came out with the first books...

REHM: You're talking about Mark Lane.

BILLINGS: I'm talking about Mark Lane in "Rush to Judgment. I'm talking about "Inquest" by Edward J. Epstein, the "Whitewash" books by Harold Weisberg.

That finally got some of the press on its toes. Life finally did a piece, that I was responsible for in many ways,

which took the gold position that there was a matter of reasonable doubt. Look and the Saturday Evening Post, both at the same time, came out with questions.

However, the press in general rallied behing the Warren Commission, to the point that by the time that Mr. Garrison, Jim Garrison, the District Attorney in New Orleans, had gone through his little antics, his little game in New Orleans, the press was again back foursquare behind the Warren Commission.

CBS, in 1967 -- this is before Garrison, but part of it -- did its own investigation and supported the Warren Commission. By 1970, '68-70, there was no inclination on the part of the press to question, and it didn't question again until the revelations, such as the CIA-Mafia plots. And that finally got the press curious again. But by then, it was 1976.

FINSTERWALD: Of course, I'm convinced today that if a lot of the major newspapers in the country published a headline: "Kennedy Mystery Finally Solved: Castro Killed Kennedy," on that very day the Washington Post would run a headline about the Economics Minister in Afghanistan having resigned.

REHM: Now, what do you mean by that?

FINSTERWALD: There are certain newspapers in this country, and particularly the Washington Post, that are so violently opposed to anyone questioning the lone-nut killer theory,...

REHM: Why?

FINSTERWALD: ...that they publish practically nothing.

I don't know why. That's a good question, because the publisher of the Post is supposedly a very good friend of John Kennedys. The Post has been -- probably the most biased major newspaper in the country.

GOLDBERG: Well, I must say they allowed me to write something two years ago.

FINSTERWALD: Well, occasionally they do allow something in. But as I say, the day that everybody else trumpets that the day is solved, I'm convinced The Post is going to run something about Argentina or Afghanistan or something.

I don't know what the problem is. Their review of the literature on the subject has been atrocious. They print something on page 14 sometime if something really momentous happens

But I might add to that that I think that's nowhere near as shocking as the attitude that the Congress has had and

is taking. Because you get a committee of Congress, a committee of the House, concluding that there was a likely conspiracy in the case both of John Kennedy and Dr. King, and yet they can't wait to drop the whole subject, not having any interest in who the conspirators were.

You would think, having concluded that there was a conspiracy in both cases, that they would feel that they had to go on and make every effort they could to find out what the conspiracies were about. They dropped it like a hot potato and they have no intentions of doing anything with it ever.

REHM: Going back to the Central Intelligence Agency. Wasn't there an indication that some of Oswald's relatives might have had some connections to the CIA?

FINSTERWALD: Well, he had a cousin, Marilyn, who traveled all over the world...

REHM: What about his uncle, Bud? Wasn't there some connection there, as well?

FINSTERWALD: Well, his uncle was connected to the Mafia. He had an Uncle Dutts (?) who was connected to the Mafia machine. And his mother actually had some connections to the minor Mafia members in New Orleans.

The only intelligence connection I recall is that of Marilyn Mourette (?), who, during the same period of time, was floating around the world in various countries, ostensibly as a teacher. But her whole career sort of smelled of intelligence somewhere.

Also, he had a half-brother who was floating around Japan at the same time that he was. And there was some questions there as to exactly what his role in life was.

But I don't think this is a major consideration. At least we've never come up with anything of any real importance.

REHM: What are the other major considerations, in your mind, which do or might link Oswald to one of the intelligence communities? What are the clues that stand out in your mind?

GOLDBERG: We should probably talk a little bit about New Orleans, the summer of 1963.

REHM: And that gets into the whole Castro thing and Cuba and freedom, and so on and so forth.

GOLDBERG: And it also gets into the subject of Dick's book on the main thrust of the House Assassination Committee's

report, which is the whole network of Mafia associates in New Orleans.

REHM: And there's no way it seems to me, in doing a series like this, that you will fail to have an overlap. There seem to be so many interconnections here between the Mafia, perhaps the CIA, perhaps the Cuban connection, and, indeed, the ultra right, which we'll get to later on in the week.

BILLINGS: ...New Orleans a real circus. You've got all of them down there. I mean that's.

REHM: Exactly.

BILLINGS: They were all having a convention in '63, it would seem. Everybody we're talking about was down there: Cubans, intelligence. That's the microcosm.

GOLDBERG: And there's no direct intelligence tie to New Orleans, but there are some secondary ties and some mysteries about what Oswald was doing in New Orleans. He went there in the summer of '63 from Dallas. He got a job at the Riley Coffee Company, worked there for a couple of months.

REHM: And Riley, himself, was kind of an interesting figure.

GOLDBERG: Right. Riley was a major financial backer of something called the Free Cuba Committee, which was a very militant anti-Castro group.

And he left there and he started his own one-man band in New Orleans called the Fair Play for Cuba Committee. And he got arrested. He was walking in the streets, handing out a lot of literature.

The Fair Play for Cuba Committee's offices was at an address called 544 Camp Street, and that was a hot spot in New Orleans for a lot of anti-Castro activity. It was also the site for the offices of a guy named Guy Bannister, who was an ex-FBI man from Chicago, and he settled in New Orleans and had his own sort of private detective agency. And he was also very anti-communist, anti-Castro. He was in the shadows behind all these anti-Castro groups in New Orleans.

Oswald was, on the one hand, leading the Fair Play for Cuba Committee; on the other hand, trying to infiltrate the anti-Castro groups. Was seen by several witnesses in the presence of Bannister in New Orleans.

The next step down is that Bannister had a private investigator working for him named David Ferrie (?). And Ferrie

had associations with all kinds of anti-Castro Cuban types and Mafia types, including people in the Marcello apparatus in New Orleans.

And so, you know, you're left with a whole...

FINSTERWALD: Well, there are some clues in New Orleans that are more direct than that.

Oswald wanted to get a visa -- wanted to get a new passport, and also a visa, to go to Cuba and to Russia. And when he applied for his passport in New Orleans, it came back in 24 hours. Now, according to all the rules, his file in Washington as an ex-defector should have been flagged. And if he got a passport at all, it should have probably taken him six months.

The State Department spent 500 well-knit pages explaining to the Warren Commission how they happened to give him the new passport so quickly.

And then he had to go to Mexico. He had to get a travel document. And so he goes to the Mexican Consulate in New Orleans and he gets a travel document. And after a huge investigtion, it turns out that the man standing in line in front of him was a lifelong CIA type.

But then, to make the thing even more intriguing than that, after the murder, that same CIA type calls up the FBI and gives them information on Jack Ruby.

You get these ties between Oswald, Ruby, the CIA, the FBI. You can't unravel them, but there are literally hundreds of these sort of oddities sitting aroung that won't go away. The real question is that none of us are bright enough to put the whole thing together.

GOLDBERG: A lot of them are dead ends. A lot of them are just cover stories, or suspected of being cover stories.

BILLINGS: We have very direct contradictions. Oswald was plainly and clearly associating with people of Latin, probably Cuban, heritage, descent. There is a Cuban connection, which you'll be talking about in another hour of the series. But just to mention it briefly, because it raises the question of Oswald's politics. Because, on the one hand, he is outwardly and vociferously pro-Castro, handing out the leaflets. On the other hand, he is associated with anti-Castro people.

I can't give you an answer to that except I'd like to think it may not matter that Oswald, perhaps, could be described as a man motivated by other -- things other than politics, importantly. That he was -- in a way, he was kind of kooky and he

would dance from side to side. There may be...

GOLDBERG: Why would he be in New Orleans, on the one hand, leading the Fair Play for Cuba Committee and getting arrested and getting into fights, and on the other hand, trying to infiltrate the opposing groups?

BILLINGS: I'm just saying, I don't have the answer as a clear identification of his politics. But it's possible that he was a gadfly who would enjoy playing double roles. And in this strange, warped personality of his, he would associate, on the one hand, with pro-Castro people and he would associate with others -- on the other hand, with anti-Castro people.

FINSTERWALD: Suppose he was doing this for a living. Suppose he was a second- or third-string agent of one of our intelligence communities, and his job was to infiltrate different types of Cuban groups in New Orleans and learn as much as he could about them. He could try to infiltrate both sides if he was being paid for it. It wouldn't make any difference.

BILLINGS: I'm not sure that's a simpler answer. It might be another answer. You can get the same behavior from somebody who is not on the payroll of the United States Government, or at leas you can argue that he might not have been. I don't see the strong enough evidence yet that he was. And, therefore, I can still have explanations for his associations with Cubans.

And the important thing is that when you get closer and closer to November -- he's now made this trip to Mexico, which is a whole mystery in itself. He's -- in the same month he went to Mexico, he's made this visit to the home of a Cuban lady in Dallas who is an anti-Castro activist, and he's in the company of two Cubans -- or we think they're Cubans. They're Latins whom she identified as people -- who were anti-Castro. Now, what is this association all about?

And when you get him back in Dallas in this really critical time, where you've got two months now before the assassination, who are the associates? And this is a very tough question for me.

FINSTERWALD: Well, and you're leaving unanswered a more difficult question, is how many Oswalds are we talking about? Because there's a whole literature, literally, on two or more Oswalds.

But there's one fact, again that sort of stands out in mind, and that is, there is no question but that during Oswald, our Oswald's 2 1/2 years in Russia, someone in the anti-Castro movement in this country was using his name. And this was even

brought to the attention of the FBI, who, in turn, brought it to the attention of our ambassador in Moscow.

REHM: What about Oswald's contact while he was in Moscow Consul Richard Snyder (?). I mean what does that connection say?

FINSTERWALD: CIA. That's all that it says, nothing more. But I mean any...

GOLDBERG: Which he's denied.

FINSTERWALD: Yes.

REHM: Snyder has denied.

FINSTERWALD: Yes.

GOLDBERG: Although he had a brief stint in the CIA years before this connection with Oswald.

FINSTERWALD: Well, she asked, "What does it mean?" It means CIA, is what it means.

But he had CIA connections throughout his whole life, both before and after.

REHM: There's also an interesting incident which has been reported on, and that is the photograph that was taken of Lee Harvey Oswald in Moscow, and presumably by three U.S. citizens who were simply tourists. And how does that fit into this whole question?

GOLDBERG: That's new evidence that Tony Somers, who wrote a book called "Conspiracy," the British journalist, a year ago, incorporated in his book. He was the first reporter or critic to interview the women who were in the Soviet Union. There were these two tourists. One was American, one was British. They were traveling on a car trip in the Soviet Union in the summer of 1961, and they had the occurrence of photographing Oswald in Moscow. And then, 10 days later, they were in Minsk, and up pops Oswald again, and they photographed him again.

And it gets even odder, because there was an American woman who attached herself to this party of two women and traveled with them. And they didn't know her. She just said she got lost from her tourist group, which some have pointed out as being very odd. And the woman now, telling Somers in 1978, says it's kind of odd, because she remembers that this third woman was the one who instigated taking the photographs.

And then when they left the Soviet Union, these two

photographs ended up in CIA files.

FINSTERWALD: After the assassination, the CIA was able to come up with these photographs that were taken years before by some tourists were in Russia, and they just happened to ask these people if they took pictures. And out of all the pictures these people took, they selected five, and these were of Oswald.

You talk about strange coincidences. The CIA can spend a long time explaining that one.

GOLDBERG: Nobody's sure what that means. I mean, the committee asked the CIA about it, and they said, "Well, we took it because we were interested in the town of Minsk." There was a crane behind one of them and there was some other business in one of the other photographs.

Somers points out that it's very odd and it might be a somewhat further CIA connection.

REHM: It sounds to me as though you are all comfortable with pointing to the coincidences, but nobody is comfortable with saying, "That's more than coincidence." That seems to indicate to me that there is some very strong connection here between Oswald and an intelligence community.

GOLDBERG: You can cite 20 or 30 examples of him having -- brushing against or implications that he was connected with people who were connected with various intelligence agencies. But you can't prove that he was an intelligence agent himself.

FINSTERWALD: The type of thing that's troublesome. On his way back from Russia, his way was paid by the United States Government for his family. There's a hiatus of two days that he spent in Holland at what sounds like a CIA safe house. It was something like a boarding house, according to all of the witnesses.

Well, how could somebody coming from Russia to catch a ship in Rotterdam know to go to a particular boarding house and have all of his arrangements made in advance, so when he got there there would be rooms and facilities for him to rest for the two days while the ship arrived? Somebody in the United States Government had to have made those arrangements. I don't think any of us have any idea as to which particular branch of the United States Government. But it's just physically impossible for him to have done that by himself. In Moscow, there was just no way of doing it.

REHM: I think the other interesting fact that we really haven't talked about is Marina herself, and how Oswald may have gotten hooked up with her. Might she have been a representative

of the KGB? Was their marriage an arranged one? Did that come out purely by accident?

BILLINGS: Well, I don't see it. But I must admit that having been fascinated with all these questions, I finally began to reach a period of frustration at the inability to answer them. And I -- I don't mean to set them aside, and maybe somebody -- as Bud said before, we're not smart enough to put this all together. And the more you keep playing with the puzzle, you farther away you get from ever making a solution.

So what I tend to do is, when I come back to the event itself and work from the event out, instead of trying to work from the man to the event. And so, as much as I have tried to piece together all of the associations and the alleged associations that we've talked about today, they don't give you a clear picture of what happened.

And I'm also aware that there still is a large body of opinion in this country and opinion-shapers in this country who really want to get back to, Who cares? We're never going to solve it. Let's get on with things." And that makes me nervous.

And I really think that what we have to do is get more directly down to cases about what we really know as real solid evidence to solving the conspiracy.

FINSTERWALD: Unless you can get something better than the Freedom of Information Act, how do you ever expect to do that? Because the U.S. agencies are holding on to all of this material.

BILLINGS: I have only one hope for that, and that is that -- you mentioned before, you raised the question about why Congress would drop the investigation.

The Department of Justice has specifically dropped the recommendation from the committee that it reopen the investigation. And that's where it's got to go, or not at all.

REHM: Richard Billings, coauthor with G. Robert Blakey of a book called "The Plot to Kill the President." Also with me today has been Bud Finsterwald. He's an attorney and Executive Director of the Committee on Assassinations. And Jeff Goldberg, Co-director of the Assassination Information Bureau.

Now, a "Two-Casket" Argument

A bizarre new Kennedy assassination conspiracy theory

Millions of Americans will never forget the mournful scene on their TV screens on the night of Nov. 22, 1963: the polished bronze casket glistening in the floodlights at Andrews Air Force Base as it was taken from Air Force One and put aboard the gray Navy ambulance that was to take it, Jacqueline Kennedy and Robert Kennedy to the Bethesda Naval Hospital. Then, 45 minutes later, other cameras caught the arrival of the car at the hospital's front entrance, and followed the grieving wife and brother as they entered the building where the official autopsy on the body of the murdered John F. Kennedy was to be performed.

Two Navy men at Bethesda had special reasons for remembering the scene. As Technician Jerrol F. Custer passed near Mrs. Kennedy in the lobby, he was carrying X-ray films of her husband's body that had already been taken in the hospital's morgue. Looking down on the lobby from a second-floor balcony, Chief Hospital Corpsman Dennis David knew the bronze casket was empty; about 15 minutes earlier, he had watched a black, unmarked hearse arrive through a gate at the back of the hospital and ordered some sailors to help men in civilian clothes carry a plain gray casket into the morgue. "You could see the strain" on the seven or eight men holding it, he recalled. "There was obviously something in it."

Two caskets? Two vehicles? A quiet arrival at the back gate while crowds and cameras focused on the front entrance? In all the assassination probes, including the 26 volumes of evidence compiled by the Warren Commission, there had never been even a hint of deceptive handling of the President's body. But David S. Lifton, 41, one of the most persistent of the unofficial assassination researchers, not only has a "two-casket" argument; in *Best Evidence*, a meticulously researched, 700-page book to be published this month by Macmillan, he parts with previous conspiracy theorists by proposing a startlingly different idea of what really happened.

Lifton, a freelance writer who was once a computer engineer with the Apollo space program, first began studying the assassination some 15 years ago when he was a graduate student in physics at U.C.L.A. In his research, he concluded that neither the FBI, nor the Warren Commission, nor the doctors who first viewed Kennedy's body at Parkland Memorial Hospital in Dallas, nor the surgeons who performed the autopsy at Bethesda lied about the events of Nov. 22. But he did find that as officials concentrated on what they considered "the best evidence" they had on the crime—Kennedy's wounds —they presented clashing views. Why? Because, Lifton contends, the corpse in fact was altered between the time it was taken from Parkland on the afternoon of the murder and was X-rayed and photographed that same night at Bethesda and then opened during the autopsy.

To support this claim, Lifton spins out a narrative that sounds more fanciful than the wildest plot-against-the-President suspense novel. In Lifton's view, Lee Harvey Oswald was framed by assassination plotters, who not only placed his rifle on the Texas School Book Depository's sixth floor but also planted two fragments of bullets in the Kennedy limousine and the celebrated "pristine" bullet "399" on a stretcher at Parkland Hospital. Following their plan, the conspirators got control of the body after it left Dallas long enough to retrieve the actual lethal bullets; these, Lifton says, were fired from the front of the motorcade in Dealey Plaza, not from the book depository behind the presidential convertible. The schemers, Lifton continues, enlarged Kennedy's head wound to conceal evidence that he had been shot from the front; they added two back wounds, which had not been seen by some 13 nurses and doctors handling the body at Parkland. Yes, writes Lifton, this had to be a plot "involving the Executive Branch of the Government" and including at least the Secret Service, which had control of the body and all medical evidence on the fateful weekend.

Preposterous? Absolutely. Yet there is virtually no factual claim in Lifton's book that is not supported by the public record or his own interviews, many of them with the lowly hospital and military bystanders whom official probes had overlooked. Even the reader who does not accept *Best Evidence's* sensational conclusions—and there is no logical reason for doing so—is likely to admit that Lifton has turned up intriguing new evidence of some strange doings with Kennedy's body in the twelve hours following the shooting.

The reports by the Bethesda corpsmen, Custer and David, placed the time at which Kennedy's body was first delivered to the morgue at about 6:45 p.m. When the plain "shipping casket," as some witnesses called the coffin that arrived then, was opened, Kennedy's corpse was in a rubber body bag. Paul K. O'Connor, a Navy technician who helped lift the body onto the autopsy table, Floyd Reibe, a Navy photographer's assistant, and Captain John Stover, commanding officer of the medical school at Bethesda, all confirmed this to Lifton.



Robert and Jacqueline Kennedy at Andrews with bronze coffin

But was the body actually spirited out another exit?

That was puzzling because records indicated that the body had been wrapped in a sheet when it left Dallas. Also peculiar was the odyssey of the bronze casket. Lifton tracked down all seven members of a military honor guard assigned to meet the coffin at Bethesda. As they watched the motorcade arrive at the front entrance and awaited orders, the gray Navy ambulance carrying the casket sat virtually unattended. Then at 7:05 p.m., Lifton relates, the ambulance suddenly took off at high speed. The honor guard tried to follow in a pickup truck but lost it. Seaman Hubert Clark recalls himself and his mates wondering "where in the hell" the ambulance had gone.

About 7:10 p.m., according to a report filed by two FBI agents, a gray Navy ambulance arrived at the rear loading dock near the hospital's morgue. The agents, James Sibert and Francis O'Neill, helped move the bronze casket from it to the morgue. But at the entrance, they were briefly stopped by the Secret Service; Lifton says the agents were stalled so they would not discover that Kennedy's body was already in the morgue.

At 8 p.m., the honor guard members finally found the ambulance at the rear loading platform. The bronze casket was back in the vehicle and they helped carry this casket into an anteroom outside

the morgue. On this second entrance into the hospital, says Lifton, Kennedy's body was back in the casket. Lifton found several witnesses, including Hospital Corpsman James Metzler, who saw the casket opened in the autopsy room at this time —and now the corpse was wrapped in a sheet, just as it had left Dallas.

But if Lifton has this triple entry of caskets (once by the gray casket and twice by the bronze) well documented, he admits to puzzlement at how the body got out of the morgue after its first entry, to rejoin the bronze coffin in which it had left Dallas. The report by the two FBI agents, which was never seen by the Warren Commission staff but had been sent directly to the National Archives, gave Lifton one clue. At one point, they wrote, "all personnel with the exception of medical officers needed in the taking of photographs and X rays were requested to leave the autopsy room and remain in an adjacent room." At this time, argues Lifton, the body was put back into the bronze casket and rolled through a hallway to be placed back in the ambulance—all while the honor guard was trying to find it.

Lifton has no hard evidence to support this method of reuniting body and bronze coffin. But O'Connor did tell him that there was talk at the hospital afterward of a casket being rushed through the halls. Also several witnesses reported that the bronze coffin appeared damaged, including a broken handle, when it was carried into the morgue by the honor guard. Did this happen in the rush to get it back aboard the ambulance? Lifton absolves the Navy doctors conducting the autopsy of any involvement. He implies that either their military superiors or a number of unidentified civilians present at the autopsy were directing the movements of the body.

But even if all that were true, what evidence was there that the body had been altered? Lifton cites a previously unnoticed line in the same Sibert-O'Neill FBI report. These agents saw the start of the autopsy and noted that "surgery of the head area, namely, in the top of the skull," had been performed. Actually, no skull surgery had been done by the Dallas doctors who fought to save Kennedy's life. When he found the agents' reference, Lifton writes, "I was exhilarated, terrified . . . I had stumbled into a house of horrors."

Lifton telephoned Sibert for an explanation, but was told he had to write to FBI headquarters. He finally received a letter saying that the agents got their information about the surgery from oral statements made by the autopsy doctors during the examination.

Later, in discussing the autopsy with Technician O'Connor, Lifton was told that on arrival at the morgue, Kennedy's brain was not in the skull. "The cranium was empty," O'Connor said. But the brain was not removed in Dallas. Lifton found other witnesses who saw a small object wrapped in a sheet being moved through the hospital halls on a cart. When asked what it was, the cart handler said it was a stillborn baby. Lifton found that Bethesda records showed no stillbirths that day. His remarkable conjecture: Kennedy's brain was on the cart, to be rejoined with the body for the autopsy.

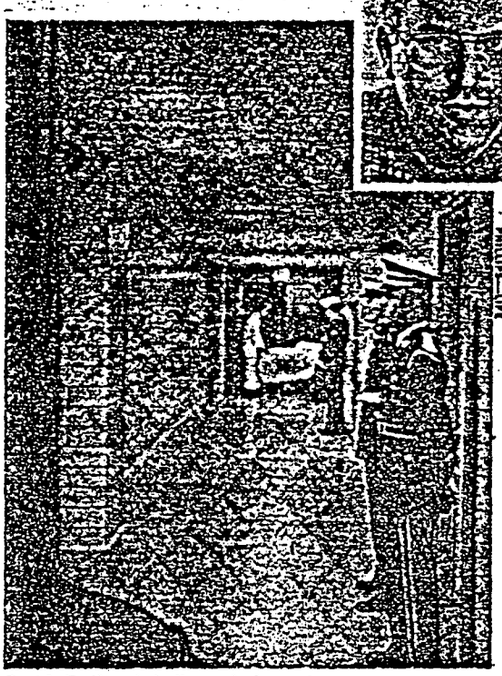
Lifton further notes that Commander James Humes, the chief pathologist at the autopsy, reported that when he later removed the damaged brain from the skull, he found that none of the normal surgery procedures was needed to cut it loose. Lifton's theory: the brain had been removed earlier by the plotters to retrieve any bullet fragments that would signify shots from other than Oswald's rifle.

Lifton dwells at length on the anatomical differences as viewed through what he terms "three lenses": 1) the Parkland doctors and nurses; 2) the Bethesda doctors; 3) the autopsy photographs and X rays. Those differences are a matter of public record. Official investigators have resolved them by considering the X rays and photographs the "best evidence" of how the body had been mortally injured. Lifton contends, with substantial evidence, that the skull was so shattered that parts of it fell apart at the autopsy. He argues that some photos and X rays were taken when the skull was literally "reconstructed" to produce the plotters' desired effect. Contrary photos, he claims, were in one case deliberately destroyed by a Secret Service agent, while others known to be taken did not appear in the final collection at the Archives.

The Dallas doctors found a 2-in. by 2¾-in. wound at the right rear of Kennedy's head. They saw a small wound in the throat, where they made a tracheotomy incision of, at most, 3 cm in length. They saw no wounds on the back. At first they concluded Kennedy had been shot from the front. The Bethesda doctors found a head wound that was much larger —more than five inches in its longest dimension—and extending more to the top and front of the skull than that seen at Dallas. They measured a throat incision up to 8 cm long. Unlike the Dallas doctors, they discovered a small, round "entry" wound at the bottom of the back of the head. They detected another shallow rear wound well below the collar line. After much discussion, they reported that Kennedy apparently had been shot twice from the rear, one bullet going into his neck and exiting at his throat.

Author David Lifton





Cart in Bethesda hallway during autopsy

Did it carry a stillborn baby, or a brain?

Lifton has great difficulty pinpointing when Kennedy's body could have been spirited away for the removal of bullets and the addition of the two rear "wounds." He found only one point in the public record when no one was reported in attendance at the bronze casket between the time it left Parkland and arrived at Andrews Air Force Base. That was between 2:18 and 2:32 p.m., when General Godfrey McHugh, Kennedy's military aide, was angered by a delay in the takeoff of Air Force One from Dallas' Love Field and had gone forward to argue with the pilot. During these 14 minutes, Lifton conjectures, someone took the body out of its casket and hid it on the plane.

After landing at Andrews, Lifton theorizes, the body was slipped out a door on the plane's right side while TV cameras were recording the unloading of the bronze casket on the left. An Army helicopter departed at about that same moment from Air Force One's right side. Lifton believes that Kennedy's body went with it, probably on a five-minute ride to the Army's Walter Reed Hospital, then by helicopter to Bethesda, getting there ahead of the Kennedy motorcade. Such a trip would have allowed someone up to 30 minutes to work on the body.

Lifton does not speculate about why anyone in the Government would want to kill Kennedy. Nor does he explain why, if Oswald were innocent, he shot a policeman while apparently fleeing Dallas shortly after the assassination. Lifton quotes Wesley Liebeler, a Warren Commission staff attorney who had at first been sympathetic to much of the author's efforts, as warning about his book, "Well, I don't think that anybody will ever believe anything you say." In fact, some people are always ready to believe most anything about the assassination. But Lifton's novel theory, both grim and fascinating as a mystery story, is all but impossible to accept as reality.

—By Ed Magnuson

Marguerite Oswald, Mother of Accused Slayer of Kennedy

FORT WORTH, Texas (AP) — Marguerite Claverie Oswald, who steadfastly maintained her son Lee Harvey Oswald was framed in the assassination of President John F. Kennedy, died Saturday of cancer in a Fort Worth hospital.

She was admitted to the hospital two months ago and had been receiving treatment for the last year. She lived in near seclusion in Fort Worth.

"She was alone and estranged from her family and had to make all the decisions concerning her own care and welfare," said Dr. John Johnson, her physician. "She was quite courageous." Johnson declined to specify what kind of cancer Mrs. Oswald suffered from.

One of her last requests was that she be buried next to her son in Fort Worth's Rose Hill Cemetery, Johnson said. A spokesman at the Baumgardner Funeral Home in Fort Worth said private services would be held, but that at the request of family members the time and date would not be announced.

Lee Harvey Oswald was Mrs. Oswald's second son by her second husband, Robert Edward Lee Oswald, who died two months after Lee was born in 1939.

Mrs. Oswald's first son, John E. Pic, was born in 1932. Robert Oswald Jr. was born in 1934, and has served as a family spokesman. He was reportedly in Fort Worth, but could not be reached for comment.

Mrs. Oswald was divorced from a third husband, Edward K. Eckdahl.

Mrs. Oswald believed her son, Lee, who went to the Soviet Union in 1959, was a spy for both the CIA and the FBI. She maintained Kennedy's assassination was plotted by members of the U.S. government, and said her son was framed because he informed the FBI of their plans.

Mrs. Oswald, who testified before the Warren Commission in 1964, was barred from the trial of Jack Ruby, who was charged with killing her son, and accused police of failing her when important political figures came to the Dallas-Fort Worth area.



MARGUERITE C. OSWALD

She was a private nurse before Kennedy's death, but after her son was accused she was unable to find work, she said.

"I could work part time but nobody wants me," she said in 1973. "To exist, I have had to sell personal possessions, interviews and my story and my personal possessions are all I have." She was bitter because publishers rejected a manuscript she wrote about the assassination.

In January 1969, she asked for $25 million in damages in five libel suits against authors of several books about the assassination, including then-Rep. Gerald R. Ford, who served on the Warren Commission. A federal judge later dismissed the suits.

"This is not an ordinary case and I'm not an ordinary person. But I eat well, I sleep well and I have a free mind. After 14 years of suppression and distortions, I'm proud to have survived," the self-styled "mother of history" said in a 1977 interview.

Mrs. Oswald said in 1977 that she had not spoken with either of her surviving sons or with Lee's widow, Marina Oswald Porter, since 1963.

Mrs. Oswald was born in New Orleans. Her mother died when she was 2 years old. She leaves her two older sons and a sister, Lillian Murret of New Orleans.

Marguerite Oswald Dies; Accused Assassin's Mother

Fort Worth, Tex. (AP) — Marguerite C. Oswald, 73, mother of accused presidential assassin Lee Harvey Oswald, died of cancer yesterday in a Fort Worth hospital.

Mrs. Oswald, who lived in near-seclusion in suburban Fort Worth, always insisted there was no proof that her son killed President John F. Kennedy in Dallas on Nov. 22, 1963.

"There was a conspiracy," she said 10 years after the death of Kennedy and her son. "Lee was framed. He was then murdered by Jack Ruby before millions watching on TV as he was walking handcuffed at police headquarters that awful morning (Nov. 24) 10 years ago."

Lee was Mrs. Oswald's second son by her second husband, Robert Edward Lee Oswald, who died two months after the child was born in 1939.

Her first son, John E. Pic, was born in 1932. Her second son, Robert Oswald Jr., was born in 1934.

Mrs. Oswald was divorced from a third husband, Edward K. Eckdahl.

Mrs. Oswald said in 1977 that she had not spoken with either of her surviving sons or with Lee's widow, Marina Oswald Porter, since 1963.

Mrs. Oswald fought recent attempts by an English assassination theorist to exhume the body in Oswald's grave to determine if it was Oswald or a Soviet impostor buried in the grave.

In 1977, on her 70th birthday, Mrs. Oswald told The Associated Press she remained unwavering in defense of her son, named by the Warren Commission as the lone assassin in the Kennedy death.

Mrs. Oswald was a native of New Orleans. She was a private nurse before Kennedy's assassination, but after her son was accused she was unable to find work, she said.

In addition to her two sons, Mrs. Oswald's survivors include a sister, Lillian Murret of New Orleans.



MARGUERITE OSWALD

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How to Lose Weight by Changing Your Thinking
PAGE 57

EXCLUSIVE NEW EVIDENCE

LEE HARVEY OSWALD DID NOT KILL JFK

CENTERFOLD

EXCLUSIVE NEW EVIDENCE

Oswald Could Not Have Killed JFK

...And Top-Secret Govt. Documents Prove Accused Assassin Had Been on CIA Payroll

Just one day before the House assassinations committee was scheduled to fold on March 31, its life was extended by nearly two years — because of new leads uncovered in the death of John F. Kennedy. The committee, which was set up by Congress to investigate the murders of President Kennedy and Martin Luther King, heard testimony that Texas oilmen were behind Kennedy's assassination. And a letter reportedly written by Lee Harvey Oswald was released by a retired Texas newspaper editor. The letter — dated two weeks before Kennedy's death — was addressed to a "Mr. Hunt" and asked to "discuss the matter fully before any steps are taken by me or anyone else." The new evidence — and the mystery-shrouded suicide of Lee Harvey Oswald's friend George de Mohrenschildt about two hours after a House investigator called to see him — triggered a massive ENQUIRER probe. The accompanying articles reveal what we learned.

New evidence uncovered by The ENQUIRER reveals that Lee Harvey Oswald could not have killed President John F. Kennedy.

At the very moment JFK was shot, Oswald and a friend — George de Mohrenschildt — were standing on a downtown Dallas street watching the motorcade pass, de Mohrenschildt told a hospital roommate last December.

De Mohrenschildt said Oswald ran from the scene and he never saw Oswald again. He also said that Oswald was once offered money by a CIA agent to kill Kennedy — but rejected the offer.

De Mohrenschildt made these disclosures to roommate Clifford Wilson in Dallas — but before the House assassinations committee got a chance to hear them, de Mohrenschildt was found shot to death.

The ENQUIRER has also uncovered another startling aspect of the Kennedy assassination case.

Top secret government documents — kept locked away until only days ago — reveal that Lee Harvey Oswald worked for the CIA.

These documents, now in The ENQUIRER's possession, prove Oswald was on the CIA's payroll three years before JFK's assassination — a fact that top CIA officials have vigorously denied, even under oath.

De Mohrenschildt's death came on March 29 in Manalapan, Fla. A local coroner's inquest ruled it a suicide. Last year de Mohrenschildt, a Dallas geologist, had tried to kill himself four times, and had spent the last weeks of the year in Dallas' Parkland Hospital.

At the hospital, de Mohrenschildt became friendly with Wilson, a manual laborer . . . and over a period of 11 days in December, de Mohrenschildt confided to Wilson that Oswald could not have assassinated JFK.

"He said to me: 'I know damn well Oswald didn't kill Kennedy — because Oswald and I were together at the time,' " Wilson told The ENQUIRER in an exclusive interview.

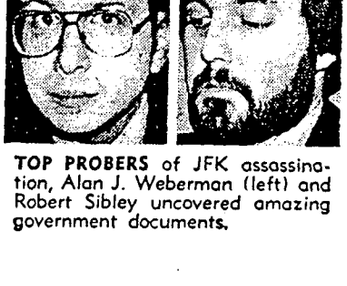
"De Mohrenschildt said that at the time Kennedy was killed, he and Oswald were both in downtown Dallas. They had come there to see Kennedy, just like the other people.

"He said that when the shots were fired, Oswald ran and he never saw him again. De Mohrenschildt stayed there and watched what was happening."

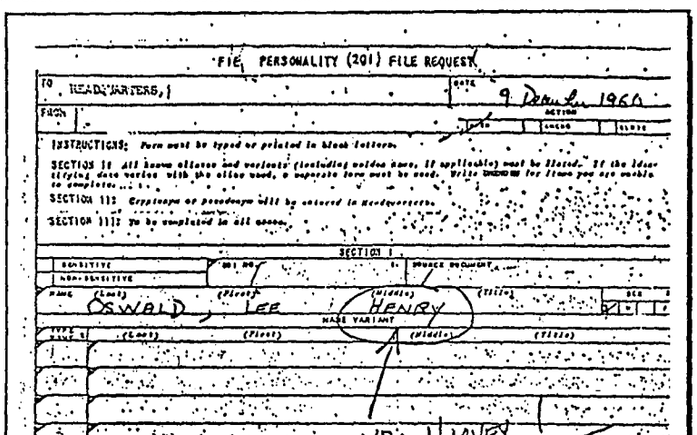
Added Wilson: "De Mohrenschildt told me he and Oswald had been very good friends for a long time.

"He also said Oswald had once been offered money by a CIA agent to kill Kennedy — but that he had turned it down."

Wilson gave the agent's name to The ENQUIRER, but it is being withheld because he is still active in the CIA.



TOP PROBERS of JFK assassination, Alan J. Weberman (left) and Robert Sibley uncovered amazing government documents.



FBI PERSONALITY (201) FILE REQUEST

TO: HEADQUARTERS,

FROM:

DATE: 9 December 1963

ACTION

INSTRUCTIONS: Form must be typed or printed in block letters.

SECTION I: All known aliases and variants (including maiden name, if applicable) must be listed. If the letter (typing) date varies with the alias used, a separate form must be used. Write UNKNOWN for items you are unable to complete.

SECTION III: Cryptonym or pseudonym will be entered in Headquarters.

SECTION III: To be completed in all cases.

SECTION I

SENSITIVE / NON-SENSITIVE

SOURCE DOCUMENT

NAME: OSWALD, LEE HENRY

NAME VARIANT

N/B: HARVEY

2/14/75

INCREDIBLE DOCUMENT reveals a "201" file was kept by the CIA on Lee Harvey Oswald. They are kept only on full-time professional staff employees, according to former CIA agent Patrick McGarvey.

De Mohrenschildt felt that the agent arranged Oswald's murder because he feared Oswald might talk about the JFK murder contract he'd been offered, Wilson told The ENQUIRER.

Wilson, who shared a room with de Mohrenschildt at Parkland, said de Mohrenschildt was a frightened and deeply troubled man — fearing that he, like Oswald, was going to be murdered.

"He was scared for his life. He said so a couple of times," said Wilson, married and the father of two children.

"He told me: 'Because I was a friend of Oswald, and I know what I just got through telling you, I'm going to wind up dying.' "

De Mohrenschildt said his fear had been triggered by the fact that the CIA had begun harassing him in mid-1976, Wilson said.

"De Mohrenschildt said he was visited at home — and told he was being watched — by the agent who'd offered money to Oswald," recalled the laborer.

"After that, he was bothered by the CIA.

"He said he couldn't go anywhere or do anything without one of them following him.

"He said he couldn't even go home from the hospital for two days without them bugging him, calling him up and threatening him.

"De Mohrenschildt said he and his wife couldn't take a walk without being followed.

"He often told me: 'They'll wind up getting me.' Most of the time he mentioned that the agent would wind up getting him."

De Mohrenschildt revealed that just after his last suicide attempt, the agent called him and said: "You almost did the job for us, but it looks like we're gonna have to do it ourselves," Wilson recalled.

"He said that next time they would do it right — that he was going to be killed, and that they would make it look like suicide."

De Mohrenschildt's fears — and his depression — seemed to grow as the days passed.

On one occasion he broke down and cried for days, Wilson said.

Finally, de Mohrenschildt confided to Wilson exactly why the CIA was out to get him.

"He said to me: 'I'll tell you why they're bugging me . . . the Kennedy assassination investigation has been opened again, and they're afraid I'm going to be called back up on that thing — and this time I'll talk.' "

Wilson said de Mohrenschildt was released one day before he himself went home.

Three months later de Mohrenschildt was found dead in an upstairs bedroom at a close friend's home in Manalapan, Fla.

"When I heard over the news that he was shot, it brought tears to my eyes," said Wilson, 17.

"From what he told me, I know damn well it wasn't suicide."

The ENQUIRER taped Wilson's story and took the tapes to Charles R. McQuiston, co-developer of the truth-tecting Psychological Stress Evaluat After an extensive examination of tapes, McQuiston reported:

"At no point during the interview my electronic equipment indicate was lying.

"My conclusion is that he is bei truthful."

Dutch journalist Willem Oltmans, w testified before the House assassi tions committee in February, Mar and April, confirmed that the geolog had been running scared in rece months.

And the newsman, a friend of Mohrenschildt's since 1968, revealed The ENQUIRER that de Mohrenschi admitted he had met Jack Ruby — a fa de Mohrenschildt had denied during t timony before the Warren Commission 1964.

CIA documents on both de Mohr schildt and Oswald were obtain through the Freedom of Information A only last month from CIA headquarte in Langley, Va., by Alan J. Weberm and Robert Sibley — two top investig tors who have devoted years to probi the JFK assassination.

These documents reveal there is "201" file on Oswald.

The very existence of this file — t standard personnel file for paid C employees — conclusively shows th he worked for the agency, three C veterans confirmed.

"The fact that Oswald had one (a 2 file) is absolutely fantastic!" said fo mer CIA man Bradley E. Ayers, once trained anti-Castro Cubans.

Ayers said it meant Oswald w "either a contract agent, working f them full time, or he was on some ki of assignment for the CIA."

Former CIA agent Patrick McGarv was equally astounded when told Oswald's 201 file.

"You've got a bombshell, man! You got the one that cracks the egg," M Garvey told The ENQUIRER. "If a g has a 201 file, that means he's a pr fessional staff employee of the organiz tion."

Victor Marchetti, former executive a sistant to the deputy director of t CIA, agreed.

"Basically, if Oswald had a 201 fil he was an agent," he said.

In an exclusive ENQUIRER intervie investigator Weberman revealed how t CIA had hidden the fact that Oswa worked for the agency:

"The CIA never told the Warren Co mission that a 201 file existed on O wald.

"Instead they claimed their file w a routine file on a suspected Communi agent.

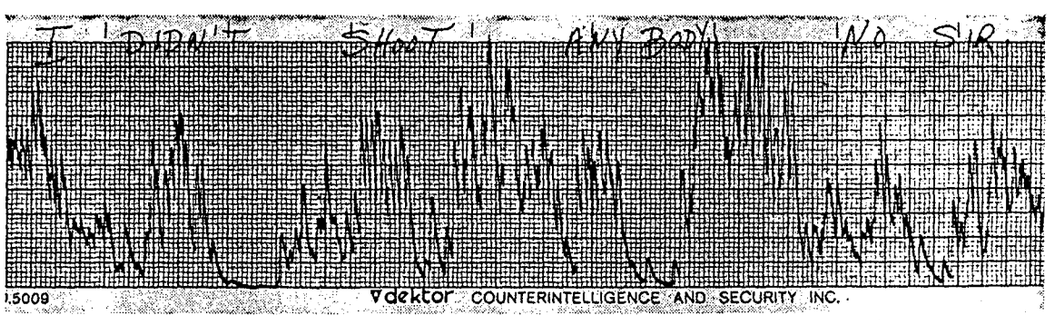
"This file offers conclusive proof th Oswald was not just a 'weak, pathet loner,' as the Warren Commission co cluded — but was in actual fact CIA operative."

The Commission, in fact, was nev told of Oswald's work with the agenc CIA Director John McCone told the pa el under oath that Oswald "was nev associated or connected, directly or i directly, in any way whatsoever, wi



DISCLOSURES by George de Moh renschildt (left) show Oswa (right) didn't shoot JFK.

agency." Deputy Director Richard
ms issued similar denials.
ıvestigators Weberman and Sibley
) obtained CIA documents which
w that Oswald's friend, George de
ırenschildt, also had links with the
ncy.
ne document reveals that after a
behind the Iron Curtain to Yugo-
ia in 1957, de Mohrenschildt was
ensively debriefed by a CIA agent.
It seems clear to me that this new
lence on Oswald and de Mohren-
ldt proves there's a conspiracy,"
investigator Weberman.
And I'm confident that in the next
months this whole thing will be
vn wide open."



READOUT of Lee Harvey Oswald's voice on PSE shows he *told truth* in saying he didn't shoot JFK.

ılysis of Voices Using Psychological Stress Evaluator Shows . . .

)swald Told the Truth—He Did Not Kill JFK

. But Justice Warren Lied When He Said He'd Found No Evidence of a Conspiracy

ee Harvey Oswald was telling absolute truth when he said did not kill President Kennedy. ıd the late Chief Justice Earl ren lied when he said he'd found evidence of a conspiracy in the ident's death. Warren headed the mission that concluded JFK was d by a lone assassin.

ıose are the bombshell discoveries the truth-detecting Psychological ss Evaluator (PSE), which tested ements made by both men. The PSE o reliable that its results are ac-ed as court evidence in eight states.

)swald told the truth when he de-that he was responsible for killing ident Kennedy," declared Charles lcQuiston, co-developer of the PSE.

McQuiston analyzed the statements Oswald made during a madhouse press conference only hours after the President's death. A newsman shouted to the suspect, "Did you shoot the President?"

"No! No!" Oswald quickly responded.

Noted McQuiston, "The situation was very emotional, very stressful. In all his statements, Oswald shows what could be considered normal situational stress in his voice patterns.

"But when he replies 'No!. No!' to the question, his situational stress level drops. That's impossible if he were lying." Another reporter asked Oswald if he'd shot the President. "I didn't shoot anybody, no sir," he replied.

"This time he shows no stress at all," said McQuiston, "I have to conclude that he believed what he said."

The PSE also tested statements made by Earl Warren while he was visiting Brandeis University in 1972. He told an interviewer there were theories that Nikita Khrushchev and Fidel Castro — or possibly right-wing Texas oilmen — were behind the assassination.

"We explored both of these theories for 10 months, and found no evidence that either of them were involved in it," Warren stated.

McQuiston observed, "The PSE shows hard stress on this statement, particularly on the words 'and found no evidence.' Obviously, there was some evidence. Perhaps it was something that was not properly pursued."

Warren said he was aware of severe criticism of the commission's finding after the report was issued in 1964, but added, "I have found nothing since that time (1964, when the commission's report came out) to change my view."

Declared McQuiston: "When Warren said he'd 'found nothing to change my view,' he was lying. It's quite apparent from studying his stress patterns that he had found something that impugns his commission's findings." Warren died in 1974.

The ENQUIRER obtained recordings of statements made by many other key figures in the assassination, and had them analyzed by the PSE. Here are the findings:

• Oswald's killer Jack Ruby was definitely lying when he said he just happened to be in the Dallas police station when Oswald was brought out — and shot him on the spur of the moment.

Ruby told an interviewer, "The difference in my meeting this fate (shooting Oswald) was 30 seconds one way or the other."

McQuiston noted that Ruby "showed extreme stress and was definitely lying. It appears he was at the police station for the very reason of shooting Oswald."

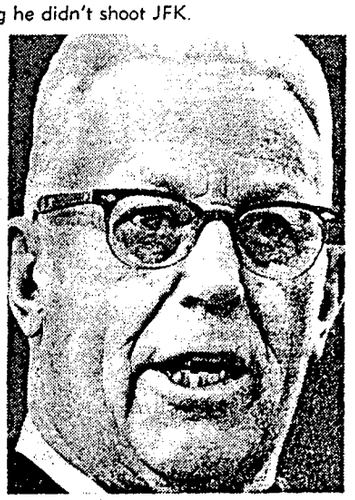
• The late President Lyndon Johnson doubted the conclusions of the Warren report, although publicly he expressed his belief in them. In a November 1966 press conference he said, "I know of no evidence that would cause any reasonable person to have a doubt (about the commission's findings)."

But, said McQuiston, "He shows extreme stress at the phrase, 'I know of no evidence.' He knew something."

• Former President Gerald Ford was hedging, evasive and may have been lying when he defended the Warren report at a press conference on April 3, 1975. Ford was asked if he still had confidence in the findings of the commission (he was a member of it). "We said the commission had found no evidence of a conspiracy, foreign or domestic," he responded.

"Those words were very carefully drafted, and so far I've seen no evidence that would dispute the conclusions to which we came."

Noted McQuiston, "His voice shows stresses that indicate he's not telling the whole story. He's hedging, and may not be telling the truth. He avoided the questions that were asked — he was evasive."



CHIEF JUSTICE WARREN was aware before his death in 1974 of criticism of commission's report.

• Former Texas Gov. John Connally, wounded at the same time Kennedy was killed, wasn't telling the truth when he said he believed there was no conspiracy. Talking to the press in 1966, Connally stated, "I have never believed there was a plot."

McQuiston called the stress pattern on this statement "one of the strongest we've run into in this investigation. He does believe there was a plot."

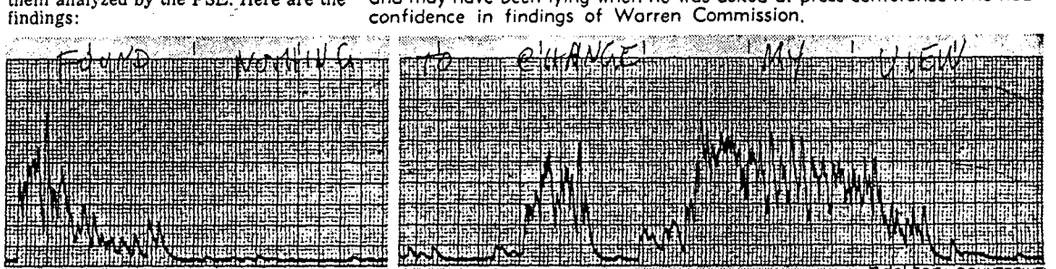
More Stories Next 2 Pages



EX-PRESIDENT FORD'S readout of PSE shows that he was hedging, evasive and may have been lying when he was asked at press conference if he had confidence in findings of Warren Commission.



)MMATE: *Clifford Wilson* rd startling admissions in hospi-from George de Mohrenschildt.



VOICE of Chief Justice Warren on readout of PSE shows he lied in claiming he'd found nothing to change his view of the commission's official findings on the assassination.

Transcript of Astonishing Tape Discloses . . .

Right-Wing Extremist Revealed Blueprint for Assassination 13 Days Before It Happened—And the FBI Knew!

Just 13 days before President John F. Kennedy was gunned down in Dallas, a right-wing extremist revealed details of the assassination with bloodcurdling accuracy.

The shocking plans were secretly recorded by Miami police and given to the FBI — but incredibly they let the potential assassin roam free.

A transcript of the astonishing tape — a blueprint for murder — was obtained by The ENQUIRER.

On it, the late Joseph A. Milteer, who was a member of the White Citizens Council of Atlanta, Ga., reveals in stunning detail how:

- JFK would be assassinated from a tall office building with a high-powered rifle.
- A fall guy would be picked up within hours of the slaying "just to throw the public off."

Miami Circuit Court Judge Seymour Gelber — who provided The ENQUIRER with the tape transcript — was administrative assistant to the Dade County (Fla.) State Attorney when the tape was made in November 1963.

At the time Gelber was using an undercover informant named Willie A. Somersett to infiltrate a group of right-wing extremists.

Gelber recalled:

"The crucial tape on the JFK assassination was made in a small downtown Miami hotel where the informer Somersett was living on Nov. 9, 1963 — just 13 days before Dallas.

"A Miami Police Department detective set up a tape recorder with a long playing spool in a broom closet off the kitchen."

Milteer arrived and began discussing future plans with Somersett.

Here — in bone-chilling detail — are astonishing excerpts of their tape-recorded conversation:

SOMERSETT: "I think Kennedy is coming here (Miami) November 18th to make some kind of speech. I don't know what it is, but I imagine it will be on TV."

MILTEER: "You can bet your bottom dollar he is going to have a lot to say about the Cubans, there are so many of them here."

SOMERSETT: "Well, he'll have a thousand bodyguards, don't worry about that."

MILTEER: "The more bodyguards he has, the easier it is to get him."

SOMERSETT: "Well, how in the hell do you figure would be the best way to get him?"

MILTEER: "From an office building with a high-powered rifle."

SOMERSETT: "They are really going to try to kill him?"

MILTEER: "Oh, yeah. It is in the working. — — — — — (name deleted for legal reasons) is just as likely to get him as anybody. He hasn't said so, but he tried to get Martin Luther King. He followed him for miles and miles and couldn't get close enough to him."



JFK MOTORCADE rolls through Dallas on fateful day as man (arrow) looking exactly like right-wing activist Joseph A. Milteer (left) watches the President's car. Just 13 days before, Milteer disclosed — with chilling accuracy — the plot to murder JFK.



SOMERSETT: "Hitting this Kennedy is going to be a hard proposition. I believe you may have figured out a way to get him, the office building and all that.

"I don't know how them Secret Service agents cover all them office buildings everywhere he is going. Do you know whether they do that or not?"

MILTEER: "Well, if they have any suspicions they do that, of course. But without suspicion, chances are that they wouldn't. You take there in Washington. This is the wrong time of the year. But in pleasant weather, he comes out on the veranda and somebody could be in a hotel room across the way and pick him off just like that.

"You don't have to take a gun up there. You can disassemble and take it up in pieces. All those guns come knocked down and you can take them apart."

SOMERSETT: "Boy, if that Kennedy gets shot, we have got to know where we are at. Because you know that will be a real shake, if they do that."

MILTEER: "They wouldn't leave any stone unturned there, no way. They will pick up somebody within hours afterwards, if anything like that would happen, just to throw the public off."

SOMERSETT: "Oh, somebody is going to have to go to jail, if he gets killed."

MILTEER: "Just like that Bruno Hauptmann in the Lindbergh case."

The tape was handed over to the FBI and an official report of the Bureau, dated Nov. 9, 1963, noted:

"Threat to kill President Kennedy by J.A. Milteer, Miami, Florida, Nov. 9, 1963."

After the FBI received the tape, a presidential motorcade scheduled in Miami for November 18 was called off. "But no steps were taken by any authority to arrest Milteer or put him under surveillance," said Gelber.

"On Dec. 4, 1963 — nearly two weeks after the assassination — I heard that the FBI had finally acted. After the fact.

"Somersett called Milteer and found that the FBI had swooped down on Milteer and questioned him as part of a mass roundup of extremists," Gelber said.

Milteer denied to the FBI that he ever threatened the President's life or that he participated in his assassination.

Remarked an astonished Judge Gelber:

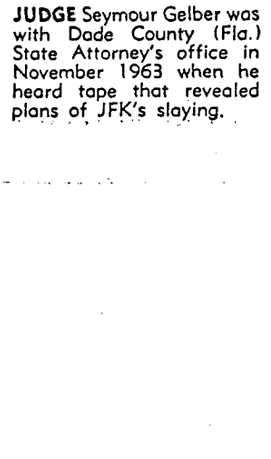
"The FBI had Milteer on tape forecasting in detail the assassination — yet they accepted his denial without question and let him go."

Gelber kept a diary of his investigation which revealed that shortly after Kennedy's death, police informant Somersett met again with Milteer, and reported on that meeting to Miami Detective Everett Kay on November 25. According to the diary, Somersett told Kay:

"He (Milteer) was very happy over it (the assassination) and shook hands with me. He said, 'Well, I told you so. It happened like I told you, didn't it? It happened from a window with a high-powered rifle.'

"I said, 'That's right. I don't know whether you were guessing or not, but you hit it on the head pretty good.'

"He said, 'Well, that is the way it was supposed to be done, and that is the way it was done.' "



JUDGE Seymour Gelber was with Dade County (Fla.) State Attorney's office in November 1963 when he heard tape that revealed plans of JFK's slaying.

Amazingly, Milteer may have been just a few feet from Kennedy as the President's motorcade swept through Dallas on Nov. 22, 1963, the day of the assassination.

A photograph taken of the motorcade shows a man who looks exactly like Milteer standing in the crowd, revealed investigative reporter Dan Christensen, who's written about the assassination for "Miami" magazine.

Last summer, Christensen made another startling discovery as he searched through an old, abandoned home of Milteer in Quitman, Ga. Christensen found a bankbook belonging to the extremist which showed that in the 3½ months before the assassination three large deposits were made — totaling $12,000 — and withdrawn shortly after the killing.

Christensen also learned that Milteer died under mysterious circumstances.

Milteer, according to his death certificate, suffered fatal burns when a Coleman

Continued on Next Page

Extremist

(Continued from preceding page)

stove in his bathroom exploded on Feb. 9, 1974. He died two weeks later, but no autopsy was performed and the local mortician, who saw the body, said the burns were not severe enough to have caused death.

There is one final chilling twist. Judge Gelber told The ENQUIRER:

"The Dade County State Attorney's files on the JFK assassination disappeared some time between 1971 and 1976. I last saw them — they consisted of thousands of pages of transcripts and documents — in 1971.

"I was the person who gave permission for their movement or for people to examine them. No one asked to see them until 1976. I called the North Miami warehouse where they were stored and asked for them. An extensive search was launched — but nothing was found. They're gone and no one knows where."

With the Death This Month of Former Cuban President . . .

At Least 21 People Linked to the Assassination Have Died Mysteriously

When former Cuban president Carlos Prio Socarras sent a fatal bullet crashing into his chest April 5, he became the latest name added to an astonishingly long list of people who died mysteriously — and often violently — after being linked to the assassination of John F. Kennedy.

Since that fateful day more than 13 years ago, at least 21 men and women who knew something or somebody connected with JFK's murder have died under strange circumstances. In almost every case they died either by murder or suicide.

The macabre list of deaths grew bigger when Prio committed suicide. His death has brought renewed interest into an FBI document that had been shelved with thousands of other assassination-related files in the National Archives.

Ten days after the assassination, FBI agent Daniel Doyle wrote a report quoting a reliable FBI informant that Prio was actually a one-time business associate of Jack Ruby, the nightclub owner who killed assassin Lee Harvey Oswald.

The report said that Ruby once purchased a share in a Havana casino in which Prio was the principal owner. In the mid-1950s both Ruby, known as Jack Rubenstein, and Prio were active in arranging flights of weapons to the Castro guerrillas in Cuba while Prio was financing the supply of arms to pro-Castro forces.

Assassination investigator Alan Weberman told The ENQUIRER: "Prio supported Castro who promised to make him president again. But Castro double-crossed him and Prio . . . was very active in arranging the Bay of Pigs plot to take Cuba back by force."

Prio died violently, like so many others directly or indirectly connected with JFK's murder. The mysterious deaths of persons involved with the Kennedy assassination were:



LATEST DEATH linked to the JFK murder is former Cuban president Carlos Prio Socarras.

LEE HARVEY OSWALD
Murdered Nov. 24, 1963
Millions of television viewers looked on in horror as the suspected assassin — who could have provided so many much-needed answers — was gunned down by Jack Ruby in the basement of the Dallas police station Sunday, two days after JFK was killed.

JACK ZANGETTI
Found murdered December 1963
The day before Oswald was shot, Zangetti, manager of a motel complex in Oklahoma, told some friends, "Three men — not Oswald — killed President Kennedy. A man named Jack Ruby will kill Oswald tomorrow and in a few days a member of the Frank Sinatra family will be kidnapped to take some of the attention away from the assassination." This conversation was confirmed by assassination researcher Penn Jones Jr.

Zangetti was dead right. On December 8, about two weeks after Ruby shot Oswald, Frank Sinatra Jr. was kidnapped, and later released unharmed.

Two weeks after the prophetic conversation, Zangetti was found dead in Lake Lugert, Oklahoma, with bullet holes in his chest.

BETTY MOONEY MacDONALD
Committed suicide February 1964
A former stripper in Jack Ruby's Carousel Club, Betty had been to a party attended by Oswald. Betty had provided an alibi for a man accused of shooting and wounding Warren Reynolds, a witness to the Kennedy assassination. A week after talking to the police, she was arrested for fighting with her roommate. An hour later she was dead — she was found hanging in her cell.

HANK KILLAM
Found dead March 17, 1964
Killam, husband of Wanda Killam who was also a stripper for Ruby, was associated not only with Ruby but with John Carter who lived in the same rooming house as Oswald. After the assassination, Killam moved from state to state to avoid questioning by federal agents. Four months after JFK's murder, Killam was found dead on a Pensacola, Fla., street — his throat was slashed.

BILL HUNTER
Killed April 1964
Hunter, 35, an award-winning newsman with the Long Beach Press-Telegram in Long Beach, Calif., had met with Ruby's attorney Tom Howard at Ruby's apartment only hours after Ruby shot Oswald. Five months later Hunter was shot to death by a policeman in the Long Beach police station. The policeman said he dropped his gun and it accidentally fired when he picked it up. The bullet went through Hunter's heart.

GARY UNDERHILL
Found dead May 8, 1964
Underhill, a former military affairs editor of Life magazine, and a CIA agent, "begged his friends to keep him out of sight" after the assassination, claimed Penn Jones Jr. "Almost out of his mind, he told his friends that he knew who killed President Kennedy and he was sure 'they' would soon get him."

According to Jones, Underhill said the CIA had killed Kennedy because it was unhappy about JFK's snooping into its affairs. On May 8, 1964, in Washington, D.C., Underhill died of gunshot wounds to the head. Authorities ruled it suicide — even though he was right-handed and he was shot through the left side of the head.

JIM KOETHE
Murdered Sept. 21, 1964
A Dallas Times Herald reporter, Kaethe, 30, had also met with Ruby's attorney the same time as Hunter did. Ten months later Koethe was killed by a karate chop to the throat as he emerged from a shower in his apartment. His killer was never found.

TOM HOWARD
Died March 1965
Howard, Ruby's attorney, died of a heart attack in Dallas. "He was seen acting strangely two days before his death and no autopsy was performed," said Penn Jones Jr.

ROSE CHERAMI
Killed Sept. 4, 1965
Two days before the JFK murder, Rose, a stripper for Ruby, had told hospital psychiatrist Dr. Victor Weiss that the President was going to be killed. The doctor put it down to the ravings of a heroin addict — until the assassination. Cherami then told police she had seen Oswald in Ruby's club many times. Nearly two years later, a hit-and-run car struck Rose, crushing her skull, near Big Sandy Texas.

DOROTHY KILGALLEN
Found dead Nov. 8, 1965
During Jack Ruby's trial for murdering Oswald, columnist Dorothy Kilgallen had a 30-minute private interview with Ruby in the judge's chambers. She never published what was said.

Dorothy told her makeup man she was going to "break the Kennedy assassination wide open within five days." Three days later Dorothy was found dead in her New York apartment. Medical experts never determined the exact circumstances surrounding her death — there were no signs of violence or suicide — but they did discover a combination of alcohol and barbiturates.



CLAY SHAW: Acquitted of conspiring to kill JFK, he died in 1974 — but exact cause of his death was never established.

WILLIAM PITZER
Found dead Oct. 29, 1966
For three years U.S. Navy Lt. William Pitzer kept the secret of the autopsy of President Kennedy. Pitzer had photographed the autopsy at Bethesda Naval Hospital in Bethesda, Md., outside Washington, D.C., and was instructed never to reveal what he saw. In the fall of 1966 he retired from the Navy after 28 years and took a $45,000 a year job with a network TV station. Less than a month later, Pitzer was found dead with a bullet in his head. A gun was found in his right hand.

JACK RUBY
Died Jan. 3, 1967
Cancer claimed the life of this major figure in the JFK assassination investigation. The next day his attorneys charged negligence by Dallas authorities who had custody of their client. They said officials ignored Ruby's vomiting and complaints that he was ill.

DAVID FERRIE
Died Feb. 21, 1967
Ferrie was a CIA contract pilot who had flown into Cuba on secret missions. In early 1967 New Orleans District Attorney Jim Garrison — convinced Ferrie was part of the conspiracy that killed JFK — questioned the CIA pilot on the theory that Ferrie had flown the real murderers out of Dallas immediately after the assassination.

A month after he was questioned and released, Ferrie was found dead in his apartment with an unsigned suicide note. Coroner Dr. Nicholas Chetta ruled suicide claiming that a ruptured blood vessel had caused a massive brain hemorrhage. But the coroner never explained how Ferrie could have induced such a hemorrhage.



JACK RUBY: After his death from cancer, attorneys charged Dallas authorities with negligence.

ELADIO DEL VALLE
Murdered Feb. 21, 1967
On the same day as Ferrie's death, his close friend Eladio Del Valle, a wealthy exiled Cuban, was murdered. Del Valle, who had flown with Ferrie on many secret missions to Cuba, was found in a Miami parking lot — with a bullet wound in his heart.

DR. MARY SHERMAN
Murdered June 1967
Another of Ferrie's friends, Dr. Mary Sherman was shot to death in New Orleans. Her killer then burned her body.

DR. NICHOLAS CHETTA
Died May 1968
In a macabre twist of fate, the coroner himself, who performed autopsies on both Ferrie and Dr. Sherman, died of a heart attack.

CLYDE JOHNSON
Murdered July 1969
Johnson, 37 — who had attended parties with Ferrie, Ruby and Oswald — was slated to testify at the New Orleans conspiracy trial that Garrison was conducting. Johnson never appeared. He was beaten up so severely he had to be hospitalized. Then five months later he was shot to death near Greensburg, La.

JOSEPH A. MILTEER
Died Feb. 22, 1974
Milteer, a right-wing extremist, was secretly taped by Miami police as he detailed with terrifying accuracy how JFK would be killed — 13 days before the assassination. After Kennedy's death, the FBI briefly questioned, then released Milteer. On Feb. 9, 1974, a Coleman stove blew up in his bathroom. Two weeks later Milteer died of burns he suffered in the fire, according to the death certificate but no autopsy was performed — and the burns were not severe enough to have caused death, according to a mortician who saw the body.

CLAY SHAW
Died Aug. 15, 1974
Shaw, a wealthy businessman, was tried by Garrison and acquitted of conspiring to kill Kennedy. In January 1974, former CIA executive Victor Marchetti revealed that a CIA executive instructed an agent to give "Shaw all the help he needs" during the Garrison investigation. Several months after this revelation Shaw was found dead in his home. The exact cause of death was never established because his body was embalmed too quickly.

GEORGE de MOHRENSCHILDT
Committed suicide March 29, 1977
De Mohrenschildt, 65, shot himself to death in Manalapan, Fla., only hours after learning that an investigator for the House assassinations committee wanted to interview him. De Mohrenschildt once testified before the Warren Commission that he had been a close friend of Oswald.

CARLOS PRIO SOCARRAS
Committed suicide April 5, 1977
Exactly a week after de Mohrenschildt took his life, Carlos Prio also committed suicide, becoming the latest name in the assassination death list — a list that may never stop growing.

Huge Enquirer Team Worked on Special

This week's ENQUIRER special on the Kennedy Assassination involved 40 editors, reporters, photographers and researchers working as a coordinated team. These are the people responsible:

General Editor: William Dick
Associate Editors: Malcolm Balfour, Nat Chrzan, Thomas Kunci, Bernard D.A. Scott, Edward Sigall, Robert G. Smith
Assistant Editors: Keith Davidson, Gerald Davis, Jack Grimshaw, Jim Leggett, Leonard Sandler, Michael S. Vohmann, Allan A. Zullo
Senior Reporter: Dick Saxty
Reporters: Tony Brenna, John Cooke, Rod Gibson, Lee Harrison, Paul Jenkins, Susin Keeler, Shelley Ross, Steve Rothman, Ray Smith
Researchers: Ruth Annan, Priscilla Badger, Linda Cahill, Pat Crifaci, Martha Moffett, Clare O'Keeffe, Julie Sawyers, Phillip Slimak
Correspondents: John Blackburn, Peter Brennan, Paulette Cooper, Robert Mann, Jim McCandlish
Photographers: Larry Holden, John Miller, Robert S. Wiley Jr.

Billionaire Named in the Plot Was Taken Into Custody by Federal Agents on Day of JFK Slaying

Billionaire Texan H.L. Hunt — recently named as a major figure in the conspiracy to kill JFK — was actually taken into custody by federal agents on the day of Kennedy's assassination, The ENQUIRER has learned.

However, Hunt was detained not as a suspected conspirator — but for his own protection, according to reporter Brian Hitchen, who interviewed Hunt for the London Daily Mirror.

"Hunt said the agents told him a lot of people believed he had something to do with the assassination, and that they wanted to take him and his wife away," said Hitchen, who interviewed the oilman in Dallas on March 18, 1968. Hunt told me he and his wife were escorted to another city, where they were kept for, I believe, three days.

"At no time was he under arrest. He said the agents told him it was for his own protection."

Dutch journalist Willem Oltmans told the House assassinations committee last month that the late oilman was identified as a member of the assassination conspiracy by George de Mohrenschildt, a Dallas geologist and close friend of Lee Harvey Oswald just before the assassination.

"De Mohrenschildt definitely identified H.L. Hunt as being his important contact in the oil community with regard to the conspiracy," Oltmans told The ENQUIRER.



TEXAS OILMAN: H.L. Hunt was detained by federal agents — for his own protection — on day President Kennedy was slain.

Calendar

The Washington Star
Sunday, April 23, 1978

● Movies ● Books ● Music ● Dining
● Theater ● Art ● Rock & Pop ● Event Listings

'Legend' and Enigmas



A Lack of Fresh Data, Breeding False Suspicion

By Jacob Cohen

Can it be that Lee Harvey Oswald, surely the most intensely studied murderer in history, was, in fact, a very different man than we have been led to believe?

Edward Jay Epstein, a long time critic of the Warren Commission with a reputation as a moderate conspiracist, suggests this intriguing possibility in his latest book.

Far from being an habitual loner, Epstein's Oswald is a man who could do nothing without external direction. He did not decide by himself to defect to the Soviet Union but was recruited by Soviet agents while he served in the Far East as a Marine radar operator. In Russia, he supplied important military intelligence which may have led to the downing of the U-2 spy plane.

Epstein's Oswald is intelligent, rational, and stable, in the manner of a competent spy. He may have attempted suicide in Russia but, even so, he enjoyed a happy and prosperous stay there while being trained at a spy school in Minsk. His application for re-admission to the United States was made under direct KGB tutelage and his writings from that period — his "Historic Diary," an unfriendly essay about life in Russia, letters home, and several sets of notes — were also prepared under Soviet direction to create the accepted "legend" of Oswald, the seriously unhappy, increasingly disillusioned, highly erratic, suicidally unstable, volatile Nonentity.

Russia's control of Oswald did not end with his departure from the Soviet Union. Epstein suggests that a KGB agent may even have continued coaching him on board the ship he took home. Once back, he behaved in a furtive spy-like manner, contacted known Russian agents, and even supplied the Soviets with more classified military information obtained from a photography lab where he worked. And all the time Oswald continued to embellish upon the "legend" of the unstable loner which the Russians had created for him.

A "LEGEND" in spy language is a cover and Epstein points out that Oswald's legend, which the Warren Commission accepted, was a perfect cover for his re-defection to the United States and for his subsequent spying. If caught, he could always appear to be a lonely nut, absolving his bosses. Indeed, the Russians were so intent upon maintaining this legend after the assassination that they sent over a fake KGB defector who claimed to have been in personal charge of the Oswald case in Russia and confirmed to the CIA and FBI that Oswald had been a pain in the neck who had given no secrets and whom the Russians were glad to be rid of.

It should be stressed that Epstein now accepts the Warren Commission's finding that Oswald was the lone assassin and even says he accepts what he calls the "circumstantial" evidence that Oswald conceived and planned the shooting alone. However he does not even summarize this circumstantial evidence and the pages on Oswald's activities just prior to the killing are sprinkled with old conspiratorial insinuations which Epstein makes no effort to elucidate or clear up. Amazingly, he says absolutely nothing about how and why his rational spy turned into a lone

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LEGEND: THE SECRET WORLD OF LEE HARVEY OSWALD, by Edward Jay Epstein. Reader's Digest Press/McGraw-Hill Book Company. $12.95. The controversial book is reviewed today from two perspectives: David Wise writes frequently about intelligence agencies. His most recent book is "The American Police State." Jacob Cohen is an associate professor of American Studies at Brandeis University. His book, "Conspiracy Fever," will be published this fall.

Epstein's Thesis: Hints Of KGB Entanglements

By David Wise

Lee Harvey Oswald, according to Edward Jay Epstein, may have been some sort of a KGB agent. Epstein, the author of "Inquest" and other writings about the assassination of President John F. Kennedy, does not quite come out and say that Oswald worked for the Soviet intelligence service, nor does he offer proof, but that is the clear thrust of his new book, "Legend: The Secret World of Lee Harvey Oswald."

Epstein hastens to add that high CIA officials did not believe that Oswald acted "under the control of Soviet intelligence when he assassinated the President." In fact, he tells us, "circumstantial evidence" (a phrase not further explained) "seemed" to make that possibility unlikely.

But the theory that Oswald was deeply entangled with the KGB while he lived in the Soviet Union and perhaps after he returned to the United States is entirely compatible with the world-view of James Jesus Angleton, the former chief of counterintelligence for the CIA, who is a central figure in "Legend," and who was, it would appear, of considerable assistance to Epstein.

Angleton, it will be recalled, is the tall, reclusive figure whose job it was to unmask KGB attempts to penetrate or confuse the CIA. He was inevitably portrayed in the press as a character out of spy fiction — an admirer of Ezra Pound who raised prize-winning orchids in his greenhouse and patiently outwitted trout with the same skill that he used to reel in unwary Soviet agents. To some, Angleton seemed a rather sinister figure, an impression reinforced when he appeared before the Church committee of the United States Senate and actually testified that a secret agency like CIA does not have to obey the "overt orders" of the President.

TO ANGLETON, the Cold War has never ended, and detente is a Potemkin village, yet another Soviet trick. Although the CIA broke the law by opening first-class mail, Angleton defended that in his testimony as "indispensable" to combat the Soviets. Angleton made it plain to the senators that he was shocked — not by CIA law-breaking but by "the weakness of power" of the United States.

The Angleton who testified to the Church committee is not recognizable in "Legend." To Epstein, Angleton is a master counterspy, with "prematurely silver hair and a finely sculptured face," the "superbly patient" fisherman who "played defectors much like trout." A man, in short, much too clever to fall for a story told by the likes of Yuri Ivanovich Nosenko.

Yuri Nosenko, ostensibly a member of the Soviet disarmament delegation at Geneva, defected to the CIA on Feb. 4, 1964, less than three months after President Kennedy was murdered in Dallas. Nosenko told his astonished CIA contacts that he was a KGB officer who, while in Moscow, had personally supervised the file his agency had opened on Oswald when the former Marine Corps radar operator defected to the Soviet Union in 1959. Nosenko claimed that the KGB had decided Oswald was of "no interest," and that neither Oswald nor his wife, Marina, had ever been

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A Shadowy World of Intelligence, Through the Eyes of James Angleton

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recruited or even approached by the KGB as possible agents. Nosenko, according to Epstein, added that Oswald was considered by the KGB to be "unstable . . . and of little importance."

WITHIN THE CIA, a debate occurred over Nosenko: In brief, Angleton and his men on the counterintelligence staff considered Nosenko to be a fake, a KGB agent dispatched to feed disinformation to the CIA. Others in the CIA did not agree; they concluded Nosenko was what he represented himself to be. FBI director J. Edgar Hoover, Epstein argues, had two good reasons to disagee with Angleton and to accept Nosenko's "bona fides," as they say in the spy business. First, if Oswald was a Soviet agent, the FBI, which had failed to keep very good track of him when he returned to the United States, would look even more incompetent. Second, Hoover's favorite Soviet double-agent, a KGB officer working under diplomatic cover at the United Nations in New York, told the FBI that Nosenko was real. This agent, whom the FBI code-named "Fedora," had supplied the FBI with a steady stream of information about Soviet spy activities. If Fedora was lying about Nosenko, it would mean that for two years he had been hoodwinking Hoover and the FBI about a lot of other things.

Nosenko and his story form the core of Epstein's book, and here he has broken important new ground. There is no question that Nosenko's defection in Geneva in 1964 touched off a bitter and prolonged debate within the intelligence community, one that has not been resolved to this day. Before long, one senior CIA official involved in assessing the case had even been accused by a colleague of being a Soviet "penetration" of the CIA. And, as Epstein reveals, the Warren Commission decided not to question Nosenko when Richard M. Helms of CIA explained to Chief Justice Warren that U.S. intelligence was unable to decide whether Nosenko was real, or a Soviet disinformation agent.

THE MOST INTRIGUING portion of Epstein's book relates how, bit by bit, Angleton and his staff were able to assemble evidence leading them to conclude that Yuri Nosenko could not have held the positions in the KGB, and handled the cases, that he claimed he did.

Epstein's account is as interesting an exposition of the lethal chess game that goes on between the CIA and the KGB as will be found anywhere. At the same time, a major flaw is revealed, both in Angleton's theory of the case and in "Legend," which so heavily depends on that theory. For Angleton concluded that if Nosenko was a false, that is, a planted defector, then his story was false. What Nosenko was attempting to protect, Epstein says Angleton concluded, "might be a prior connection Oswald had had with the KGB." *Might be.*

The difficulty with Angleton's equation, and Epstein's, is that it doesn't work to the exclusion of all others. Epstein argues that if Nosenko is false, his story is false. Other equations might be set up: for example, Nosenko true, his story false. Under this theory, Nosenko might be a KGB man who defected, but who made up a story about Oswald's file to have something to peddle to the CIA. Or Nosenko might be true, and his story true.

I lean toward a fourth equation, which apparently never occurred to James Jesus Angleton or anyone else in CIA: that Nosenko was false but his story was true. Suppose the KGB panicked after President Kennedy was killed and the only suspect arrested in the case turned out to be an avowed Marxist who had lived in the Soviet Union. Suppose that the Soviet leadership felt it crucial to convince the American government, the American public, and world opinion that Moscow bore no responsibility for the assassination of a young and popular American president. What better means of accomplishing this than to send out a KGB agent with a message that Oswald was not a Soviet agent?

That Nosenko may not really have handled Oswald's file does not mean that his message was necessarily false. If the Soviet motive was to "clear" Moscow and the KGB of responsibility for Oswald, it is certainly possible that Nosenko was not all he claimed to be but his information about Oswald was true.

EPSTEIN ARGUES, convincingly, that Oswald might have turned over information about the U-2 spy plane to the Russians, since he had access to data about the CIA aircraft when he was stationed as a Marine aviation radar operator at Atsugi, Japan. Conceivably, the Soviets even used this information to shoot down the U-2 piloted by Francis Gary Powers on May 1, 1960, only six and a half months after Oswald defected to the Soviet Union. But Oswald's access to information about the U-2 was known to, and explored by, the Warren Commission, which reported that Oswald had threatened to reveal to the Russians the military secrets he had learned as a radar operator in the Marines.

But to suggest, as Epstein does, that Oswald might have betrayed secrets to the Soviets is rather different from concluding that Oswald had a KGB "connection." Which brings us to what is perhaps most disturbing about Epstein's book: it is, from jacket and title to the last footnote, heavily larded with dark hints, implications never-quite-stated, and veiled innuendo. For example, Epstein devotes considerable (and very interesting) detail to George De Mohrenschildt, the Soviet-born businessman who befriended the Oswalds and who, according to Epstein,





Lee Harvey Oswald as a 19-year-old Marine stationed in California (left); and while at Atsugi Japan, in May 1958.

worked variously for Polish, French and possibly Swedish and Nazi intelligence, and was in close contact with "J. Walter Moore, the CIA agent in Dallas."

But Epstein's impressive research into De Mohrenschildt's tangled life is severely distorted by the chapter title: "The Handler." The handler for whom? Does Epstein mean to suggest that De Mohrenschildt was Oswald's Soviet controller? Or his "handler" for the CIA? Or what? Presumably, Epstein wants us to conclude that De Mohrenschildt was "handling" Oswald for some intelligence agency, but he doesn't say, and the chapter heading conveys some of the elusive, slippery quality of the book. Perhaps George De Mohrenschildt was handling Oswald for the KGB, as I think Epstein is hinting, but there is an equally valid possibility that he was an international, freelance busybody.

"LEGEND," although it concentrates on Nosenko and Oswald, travels through an espionage maze. For example, before Nosenko popped up in Geneva in 1964, another Soviet defector, whom the CIA called "Stone," and whom Angleton apparently believed to be telling the truth, had warned that a "mole," or penetration agent, had burrowed his way into the senior ranks of the CIA and was reporting to Soviet intelligence. Nosenko contradicted certain information provided to the CIA by Stone and insisted there was no "mole." Angleton, Epstein says, therefore concluded that Nosenko may have been dispatched to the West in part to discredit Stone and to persuade the CIA that there was in fact, no "mole" in Langley.

Within the CIA, the debate over Nosenko continues Angleton's view was not universally hailed. For one thing Epstein says, Nosenko, who had first contacted CIA in 1962, two years before he defected, provided the information that enabled the British to arrest John Vassall, a Soviet spy in the British Admiralty. By itself, this did not prove Nosenko's bona fides, since in the espionage sea, little fish are often sacrificed for the bigger fish. In 1967 and 1977 official CIA in-house investigations concluded that Nosenko was a genuine defector. In the meantime, CIA director William Colby had forced out Angleton and his top aides. The cloaks and daggers were flying.

In the end, the most persuasive lesson of "Legend" is that Angleton, for all of his apparent brilliance in discrediting the details of Nosenko's story, was limited in his larger conclusions by the very limits of the dark and secret world in which he operated. Nosenko false story false is not an equation that would be accepted by an honorable schoolboy.

ONE MIGHT EVEN suggest a fifth equation. If Nosenko's story was so clumsily transparent, if there were so many strands dangling for Angleton to tug at and unravel, might it even be that Nosenko was a KGB plant whose purpose was to make CIA conclude that he was false, and therefore his story false? That, you see, might lead the CIA to think Oswald was a KGB agent, when in fact he was not, which would confuse everybody. And it would lead James Angleton to conclude there was indeed a "mole" burrowing away in the CIA. What better way could Moscow find to sow confusion and suspicion inside the top echelons of American intelligence?

For all of its shortcomings, "Legend" will be required reading for those interested in the secret world of intelligence and in the Kennedy assassination. It is well-written, carefully researched, and ultimately very disappointing. •

'Legend': A Patchwork of Flimsy Insinuations, Defying Our Common Sense

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murderer who would risk involving Russia in an incident which could have had catastrophic consequences. I would guess, therefore, that most readers of this book will leave it with the strong impression that the man who could do nothing alone did not kill the President alone either.

How could we have been so wrong about the past and, more than that, the character of a man who has been as relentlessly scrutinized as Oswald? Supported by an "almost unlimited budget" which was supplied by the Reader's Digest, and aided by a team of researchers, Epstein claims to have turned up important new data. However, students of the case will be struck by how little new information he has uncovered and how cleverly he has projected, as his own, material which is already in the Warren Report and other works. Although the book gives the outward appearance of thorough documentation, anyone who carefully studies Epstein's footnotes will find little help in locating the verifiable sources for his most important factual assertions.

BUT MORE SERIOUS: in several instances Epstein has resorted to distortions and coverups of exactly the sort he has frequently attributed to the Warren Commission.

Consider, for example, his sensational contention that Oswald's handwritten "Historic Diary" is not an accurate day-by-day account of a despairing man's growing disillusionment with Russia, as suggested in the Warren Report, but in fact a legend, manufactured under Soviet direction. Epstein notes two striking anachronisms in the diary which prove that it was composed well after the indicated date. He also claims that microscopic analysis of Oswald's handwriting establishes that the diary was written in one or two sittings, referring in his footnotes to the work of one Thea Stein Lewinson, a graphologist.

Now it should immediately be noted that Epstein has misrepresented the Warren Commission which did not claim that Oswald's diary was a day-by-day record. Appendix XIII to the Warren Report states clearly that "the early entries (in the Historic Diary) were written after the events which they describe." Indeed, it is not only Epstein's view that the Historic Diary created a legend for Oswald but the Commission's as well; after all, what is an "Historic Diary" which is carefully printed and not written longhand in Oswald's usual manner, but a deliberately-fashioned legend written, to quote the Commission, "with future readers in mind"?

One would never guess it from reading Epstein, but the Commission's Oswald was an inveterate creator of documented legends for himself, a one-man KGB: Oswald, the disillusioned lover of Russia; Oswald, the effective pro-Castro organizer; Oswald, the meticulously patient would-be assassin of right-winger Edwin Walker. His Russian wife Marina, who in Epstein's reading must be an agent, too, and a brilliant and reckless liar, told the Warren Commission about a scrapbook Oswald collected documenting each step of his plan to assassinate Walker; and, to verify her story we have pictures which he took of Walker's home.

SO THE ISSUE is not, as Epstein suggests, whether Oswald's version of his life in Russia or anywhere is partly legendary (the scar on his left wrist from the suicide seems real enough) but whether he was coached in his legend by the Russians.

Nonetheless, I got curious about Epstein's graphologist, Thea Lewinson, and contacted her. A graphologist, she explained, is not a handwriting expert, but an interpreter of psychology through handwriting. She generously sent me (and I shall now quote from) some of the materials she says she submitted to Epstein which develop her analysis of Oswald's mental state while in Russia: "Apparently the writer of these letters was subject to strong changing moods and intense fluctuating emotions caused by a basic instability in the personality makeup. . . . (E)motional intensity (kept) this individual in a state of unrelieved suspense, similar to a catatonic state."

The Oswald which Lewinson perceives in his Russian writings was a man who could only learn what appealed to him, a sloppy worker, unrealistic, inconsistent, unable "to discern the vital points in a problem," unable to follow orders for very long, who "frequently misperceived and misinterpreted his environment." A most unlikely candidate as a Soviet operative. One wonders what Epstein would have said if the Warren Commission had so egregiously suppressed the complete opinions of one of its own experts.

But one doesn't have to be a handwriting expert to see signs of Oswald's troubled state in his writing. His spelling, for one thing, is almost subversively poor — "aquiataces" for acquaintances, "yonuge" for young, "beaure" for bureau — bespeaking, among other things, a fierce resistence to the authority of language. What could have motivated Epstein, who has Oswald submitting docilely to Soviet authority, to have corrected all of Oswald's spelling errors in his direct quotations?

Slowed down and examined frame by frame, the film of Oswald which Epstein flashes before his reader turns out to be a patchwork of flimsy insinuations which go against the commonest sense.

WAS OSWALD SPYING for the Russians in the Far East and recruited there to go to Russia? If so, he was the stupidest spy on record, for he contrived to get himself removed from radar duty and sent to the brig for striking an officer and misusing a gun. Some of his Marine buddies, who made the pathetic Oswald the brunt of their jokes, told Epstein that the girl he was seeing in Japan was too classy for the likes of him, and Epstein makes a good deal of that. But the Warren Commission says clearly that Oswald made contact with communists in the Far East and that they may have influenced his decision to defect. The Commission simply found no evidence of recruitment, nor has Epstein.



Edward Jay Epstein

Would the Russians have been so stupid as to have put a Russian-speaking agent on board the ship which took Oswald home and have him spend hours coaching him in his legend? If Oswald were a spy would he have begun to write communist organizations immediately after his return to the United States openly referring to himself as a savvy operative? Could he have supposed that his letters to the Soviet embassy, in which he openly refers to his contact with a Soviet agent, would not have been intercepted by the FBI or CIA, as indeed they were? Would he have so conspicuously identified himself as a pro-Castro anti-American and referred to himself as a possible spy to perfect strangers?

Epstein says that Oswald may have given the Soviets classified data while working, at the minimum wage, in a photographic lab which was doing secret work for the Air Force. He points out that Oswald had written the word "microdot" next to the address of the lab, a reference no doubt to the familiar espionage technique whereby data is photographically compressed to the size of a dot before being passed on. But Oswald also openly discussed the microdot technique with co-workers at the lab — would a spy? — and the Warren Report leaves no doubt that he obtained his low-level job entirely through the efforts of the Texas Employment Bureau, which has not been shown to have been under Russian control. Furthermore, Epstein's shameless insinuation that the classified lists of map locations which the lab was photographing were actually lists of spy plane targets — a leap of fancy which gets Oswald back into the old U-2 business — is offered, like most of his may-have-beens, without any evidence whatsoever.

OF COURSE, there is no way finally to disprove a may-have-been and indeed most of the may-have-beens which Epstein develops have been the subject of official and private speculation since well before the assassination.

After Oswald defected to Russia in 1959, the Navy investigated the possibility that he had been recruited by the Russians, concluding that he had not. At that time as well, the FBI recorded its reasonable suspicion that Oswald might be an agent and might return to this country under false pretences.

In his book, Francis Gary Powers expresses the suspicion that Oswald's information led to the downing of his plane but we now know that it was not Oswald's possible information (altitude and flight characteristics) which enabled the Russians to shoot down the U-2 but rather an improved missile capability.

When Oswald applied for readmission to the U.S., the State Department was wary; and when Nosenko defected, bringing confirmation of the official version of Oswald's Russian period, elements in the CIA's counter-intelligence staff were suspicious that Nosenko was a so-called disinformation agent sent to clear the Russians. Although the CIA eventually came to believe Nosenko, one man in particular, James Angleton, its former head of counter-intelligence (who was removed in 1974 after his involvement in the CIA's notorious "Operation Chaos" surfaced), has carried his suspicions to the point of obsession.

Angleton seems to have been Epstein's principal source. The author treats him almost reverentially. However, contrary to the implication in this book, Angleton had been leaking his suspicions to journalists and congressional committees long before he met Epstein; conspiracists have been talking about him and his views on Nosenko for years.

Edward Jay Epstein, who has been a profound observer of how the press is used to plant misinformation, should have been more suspicious of the motives of a defeated bureaucrat. Not that there isn't something to be said for Angleton's position or for the other suspicions which Epstein has resurrected. There is; and Epstein has said it well. But there is something to be said for the other side as well, which remains unexamined; and, after all, there is only one truth in the matter.

ONE OF THE defining characteristics of the political paranoid is that he takes an atmosphere of suspicion as proof of his own suspicions. Students of McCarthyism will recognize the phenomenon. If Epstein has given us nothing new about Oswald, he has brilliantly evoked the workaday suspicions, the savage bureaucratic competitions which ensued upon the assassination; and, yes, the indubitable coverups which spot the record of the Kennedy assassination. No doubt, after the shooting, government agencies which are habitually terrified of hindsight judgments moved to obscure their prior suspicions of Oswald out of fear that they would be accused of insufficient caution. (But let it be understood that none were suspicious that he was a likely killer.)

No doubt, too, that the Warren Commission was misled and, in a few instances, warned off leads which would lead them to secret intelligence operations — not to speak of insights into the bureaucratic morass which Epstein has uncovered. This too can be made to seem suspicious. Piling suspicion upon suspicion produces — what else? — suspicion.

But no answers. No reality. Can any serious person really expect the Warren Commission to have aired these matters which, in light of all that the Commission knew about Oswald and his crime, were irrelevant to the president's death?

Lee Harvey Oswald shot Kennedy from a building in which he worked. He obtained the job nearly a month before decisions were made which brought the President to his very doorstep. The circumstances of his getting the job have been studied thoroughly and are entirely innocent. Nor can Kenneth O'Donnell, whose decision brought Kennedy to the Texas Book Depository Building, be suspected of having sent his friend to his assassin. This is only a smattering of the circumstantial evidence discouraging theories of conspiracy which Epstein never discusses.

AND WHAT ABOUT the assassin? For years, conspiracists knowing how the real-life Oswald defeats any notion of larger conspiracy have postulated the existence of second Oswalds, exact look-alikes. One recent book, "The Oswald File," by Michael Eddowes, argues that the real Oswald disappeared in Russia, replaced by an exact look-alike, sound-alike, remember-alike, who returned in his place, convinced his family that he was the old Lee, and then killed Kennedy on orders from Khrushchev. According to Eddowes the Americans were supposed to learn that the Communists were behind it, which is why the fake Oswald dropped so many clues about his affections for communism. Khrushchev's motive, he says, was to dare the Americans to act on this intelligence, and, since he knew they wouldn't, to accept the defeat implied, by their failure of nerve.

At least Eddowes has the courage to complete his story. Avoiding the use of a second Oswald, Epstein has simply made Oswald himself into the second Oswald, a sure-fire literary device which Melville uses to brilliant effect in "The Confidence Man."

But it won't wash. The theory is defeated by all that we reliably know about the nonentity who always resented and resisted authority and became an entity in one murderous moment. •

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SPECIAL REPORT

by Jerry Policoff and William Scott Malone

A GREAT SHOW, A LOUSY INVESTIGATION

The setting was familiar: an ornate, high-ceilinged congressional hearing room, bright with the glare of television lights and packed to the brim with spectators and reporters straining for every word. On the dais, the committee members appeared solemn and deliberate, as well they might, for before them history was literally in the making. It could have been Watergate, Koreagate, the Kefauver hearings or any of the investigative extravaganzas that periodically bestir Congress from its somnambulance. But this hearing, into the assassinations of John F. Kennedy and Martin Luther King Jr., was different, both in tactics and outcome—an outcome that, unknown to the assembled spectators and reporters, had already been determined months in advance.

So it was last month as the House Select Committee on Assassinations opened the final, public phase of its two-year investigation of the Kennedy and King murders. The first major witness was James Earl Ray, King's convicted (and, at one point, confessed) killer. He behaved in fitting fashion, proclaiming his innocence and attacking the committee itself. The reporters scribbled furiously. It was great theater.

No doubt the theatrics will continue (provided Congress appropriates the $790,000 in additional funding the committee says it needs to stay in business past Labor Day) for the rest of the hearings' scheduled eight-week run. A number of the upcoming performers are sure-fire box-office: Marina Oswald, widow of the accused presidential assassin; Richard Helms, late of the CIA and conspiracies of his own; and, as a special, added attraction, a former President of the United States, Gerald R. Ford. Lending additional appeal will be revelations about organized crime, spies, sex, all manner of plotting and shadowy men, and Cuba. (Castro himself chatted with a committee delegation—three congressmen plus staff members—and provided documents that committee sources call "highly interesting." In a move that may show his feelings about the committee, Castro also revealed much of the material to the press, claiming the documents prove that the CIA attempted to frame him for Kennedy's murder.)

In the end, with all due gravity, the committee will issue its final report—which, in the best traditions of *Alice in Wonderland*, is being written even now, weeks before the investigation ends.

It has always been an odd quest, the search for the murderers of John F. Kennedy and Martin Luther King, undertaken largely by odd men, often for odd reasons. And there is no question that the history of the House Select Committee on Assassinations has been odd indeed. Approved, reluctantly, by the House, only after considerable pressure from the Congressional Black Caucus, the committee was chaired early on by Texas Congressman Henry Gonzalez, whose investigative expertise sprang from the happenstance of riding in a presidential motorcade through Dallas on November 22, 1963. As chief counsel, the committee hired Richard A. Sprague, who prosecuted the killers of United Mine Workers insurgent Jock Yablonski. But Sprague's tenure was brief. Within a few months, Gonzalez was accusing Sprague of being a liar and a "rattlesnake," while Sprague was calling his chairman "a sorry example of a person." Both finally ended up quitting, and the committee survived a House move to kill it by a bare 49-vote margin.

Since then, the committee, with new chairman Louis Stokes (D-Ohio), a leading member of the Black Caucus, and new chief counsel G. Robert Blakey, has been quietly toiling away, safe from the light of publicity. More than 3,000 interviews have been conducted with witnesses; autopsy results have been studied; ballistics tests have been conducted; files have been pored over; and, by the committee's reckoning, answers have been found.

What, precisely, those answers are will remain secret until their release this December. But *New Times* has learned that the committee is leaning toward the following conclusions:

- That Lee Harvey Oswald acted alone in shooting Kennedy.
- That Martin Luther King was the victim, essentially, of a "family plot," involving James Earl Ray and his brothers Jerry (see "A Man He Calls Raoul," *NT*, 4/1/77) and John Larry, both convicted felons, and his sister, Carol Pepper. Committee sources say the report will state that James Earl Ray did, in fact, fire the fatal shot at King, and that his family helped him escape. The committee has not yet decided whether this questionable scenario will be broadened to include the possible participation of a number of white racists and businessmen, who have been previously connected to the Ray family.
- That contrary to the Warren Commission's findings, Jack Ruby, Lee Harvey Oswald's killer, had extensive ties to organized crime and was heavily involved in gunrunning to Fidel Castro's revolutionaries. (see "The Secret Life of Jack Ruby," *NT*, 1/23/78.)

In the best traditions of *Alice in Wonderland*, the House Assassinations Committee is writing its report now, before the probe is over

- That Lee Harvey Oswald's possible connections to intelligence organizations, foreign or domestic, remain unclear.
- That both the CIA and the FBI concealed—and that the FBI also destroyed—evidence the Warren Commission vitally needed, but did so out of bureaucratic embarrassment. In short, the work of both agencies was slipshod, not sinister.

In addition, the committee also conducted a number of tests on crucial pieces of the physical evidence in the Kennedy assassination. In one of them, neutron activation analysis (NAA) purportedly "matched" shards of metal taken from the wrist of Texas Governor John Connally to the "magic bullet" which, according to the Warren Commission, struck the President in the back, exited his throat and continued on to inflict five additional wounds to Governor Connally. The match-up, if true, substantiates the "magic bullet" theory and, with it, a key point in the lone assassin argument. Photo analysis has also been run on several films of the assassination, including the famous 8mm "home

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movie taken by Abraham Zapruder, as well as another film shot by Orville Nix. The Nix film, according to some Warren Commission critics, revealed the presence of an assassin on the grassy knoll. But the committee's analysis shows no assassins. Finally, the committee summoned a panel of forensic pathologists to examine the X-rays and photographs taken during Kennedy's autopsy. The panel concluded that the President was struck twice from the rear: once in the back of the neck (by the bullet which allegedly continued on to strike Connally), and a second, fatal time in the top of the head.

The committee's conclusions will have their critics. Already assassination researchers, including some on the committee itself, have found things to question, such as:

- The authenticity of the autopsy X-rays and photographs.
- The credibility of the forensic pathologists. (A number of the doctors are personally and professionally affiliated with members of a controversial 1968 panel which studied the same materials and came to the same conclusions. One of the committee's pathologists, Dr. Werner U. Spitz, the medical examiner of Wayne County, Michigan, is a friend of Commander James Humes, one of the three doctors who conducted the highly criticized autopsy on the President. Spitz is also a figure of some infamy in his own right, having been chastised in 1976 by a special county task force for "improper and . . . morally reprehensible" actions in performance of his official duties.)
- The credibility of the as-yet-unrevealed NAA techniques. Similar tests were performed for the Warren Commission, which supressed the news that the analyses had ever been conducted (leading some to speculate that the results did not support the commission's lone-assassin conclusion). Some of the committee's tests were performed by Alfred P. Guinn, who also conducted some of the Warren Commission's NAA tests.
- The intelligence connections of Itek Corporation, which briefed the committee on photoanalysis. Itek, whose briefings supported the Warren Commission's conclusions, is headed by a former CIA agent and holds a number of contracts with government agencies, including the CIA.

Complicating the committee's tentative lone-assassin conclusion are the recent findings of a respected Boston acoustics firm, commissioned by the committee to analyze interference-ridden tapes of Dallas police transmissions. The firm found evidence of four or five shots—findings which, if true, rule out Oswald as the lone assassin. The test results, leaked to the press in early August, have been dubbed "Blakey's problem" by some staffers.



JAMES K. W. ATHERTON/WASHINGTON POST

Chief counsel G. Robert Blakey: Low marks for the professor

As a result, the report itself will be considerably less than the full and final word on who killed Kennedy and King that it was intended to be. Many areas—notably Oswald's motives and whether he was directed by others—will be left purposely ambiguous, to the considerable irritation of some present and former committee investigators. "What they are going to put out," says Alvin B. Lewis Jr., former acting chief counsel, "is a document that is safe and politically acceptable to the Congress."

The man overseeing the report—and every aspect of the investigation—is committee chief counsel G. Robert Blakey. He selected the witnesses, decided which leads to follow and which to ignore, picked the forensic panel, called on Itek to brief the committee, hired and fired the staff, and set its agenda.

The "professor," as Blakey prefers to be called, is, to all appearances, the thoughtful soul of academe—quiet, deliberative, meticulous. His résumé is impressive: four-year veteran of the organized crime and racketeering section of Robert Kennedy's Justice Department; former chief counsel to the Senate Subcommittee on Criminal Laws and Procedures; principal consultant to President Johnson's Commission on Law Enforcement and Administration of Justice; consultant to *Time*, *Look* and *Life*; and director of Cornell University's Institute on Organized Crime. At the time of his appointment in June 1977, he seemed the perfect man for the job, an intellectual cop, a man who knew the inner workings of crime.

So, at least, went the reputation. But beneath the impressive credentials and well-polished manners, a different Robert Blakey emerges—an ambitious academic on the make, apparently unconcerned with constitutional niceties or the accepted procedures of investigation. It was this Robert Blakey who helped draft the Nixon-backed S 1, a bill that would have severely limited civil liberties. It was this same Robert Blakey who personally wrote the infamous Title III of the Omnibus Crime Control and Safe Streets Act of 1968, which for the first time authorized court-approved wire-tapping and electronic surveillance by law enforcement agencies. Not that Blakey's dedication to the war on crime was total. On at least one occasion he allied himself with rather peculiar company: Rancho La Costa, a multimillion dollar San Diego resort financed with Teamster pension fund money, and the subject, since its opening 13 years ago, of numerous investigations. One of those investigations was conducted by two freelance reporters, Jeff Gerth and Lowell Bergman, on assignment for *Penthouse*. As a result of their March 1975 article, La Costa sued the magazine for $630 million, one of the largest libel suits in history. In the initial court proceedings, the resort and its co-plaintiffs produced a host of character affidavits, including one provided by none other than G. Robert Blakey, who, while conceding ignorance of the truth of *Penthouse*'s charges, branded the article "reckless in the extreme."

Another cause for worry is Blakey's association with people who were potential witnesses before his own committee. During his days as a major consultant to the President's Commission on Law Enforcement in the mid-sixties, for instance, Blakey served closely with four men connected to the original investigation of John Kennedy's murder: Nicholas Katzenbach, who, as deputy attorney general in 1964, applied severe and as yet unexplained pressure on the Warren Commission to immediately endorse, prior to independent investigation, the notion that Oswald acted alone; Leon Jaworski, special counsel to the Warren Commission and the man charged with investigating whether Oswald had any ties to U.S. intelligence (Jaworski found none; three years later, it was disclosed that a foundation of which Jaworski was a trustee was a secret conduit for CIA funds); Robert G. Storey, another special counsel to the Warren Commission; and Supreme Court Justice Lewis F. Powell, who, as president-elect of the American Bar Association, was named by the ABA as a legal observer to the Warren Commission to

CONTINUED

protect Oswald's rights, and instead spent much of his time devising v to disbar commission critic Mark La...

All the same, committee investigators were more than willing to give Blakey a chance. After the contentiousness under Sprague and Gonzalez, the committee finally seemed to be getting down to business. Even Blakey's opening remark at his first news conference—"there will not be any more news conferences"—seemed to be a mark of serious purpose.

They soon discovered, though, that Blakey's style of investigation was most peculiar. He exhibited, for instance, a positive obsession with secrecy. Soon after his arrival, all staff members were required to sign a "non-disclosure agreement" that prohibited any outside discussions relating to committee operations and compelled reporting any such inquiries to the committee. Failure to do so could bring a $5,000 fine, dismissal, disqualification from future congressional employment and possible criminal prosecution. Ten prominent critics of the Warren Commission whom Blakey quietly invited to Washington for a discussion of the case last September were also required to sign the agreements, even though Blakey revealed nothing of substance. Later, Blakey instructed the staff to have no contact with critics without his specific, personal authorization. By then, the press had been barred as well, since, in one of his first official acts, Blakey had closed the press office. Even the aides of the members of the committee were cut off from reviewing the progress of the investigation. So great was Blakey's compulsion for secrecy that he ordered copies of the contracts of all consultants withheld from the House Administration Committee—a move virtually unprecedented in congressional history.

By contrast, Blakey was oddly trusting of the FBI and the CIA, agencies which, in the minds of many, are themselves under suspicion. Dismissing such concerns, and a preliminary report of the committee (which had questioned both the CIA's and FBI's handling of the Kennedy case), Blakey established a cozy relationship with the Bureau and the Agency. Before examining any classified CIA files, committee investigators had to sign a CIA secrecy oath similar to that signed by agency critic Frank Snepp and all other CIA personnel. Any notes made from CIA documents were subject to Agency clearance. And, in a burst of startling beneficence, Blakey agreed to let the CIA review the final report of the committee before it was released to Congress and the public. Blakey's all-too-willing accession to intelligence procedure flabbergasted his own staff and others familiar with the committee's work, among them Richard Sprague. Asked Sprague: "What's the point of getting material in the first place, if they are going to control who sees it and what we can do with it?" In return for the committee's cooperation, the intelligence agencies promised unlimited access to their files, but have continued to stall and on at least one occasion, the CIA was caught lying about the existence of files.

> "What they are going to put out," says the former acting chief counsel, "is a document that is safe and politically acceptable"

What troubled investigators far more, though, was Blakey's dogged narrowing of the focus of their probing. Soon after his arrival, Blakey lectured the assembled staff on the importance of limiting objectives and later divided them into five separate task forces, with sharply defined areas of responsibility. Where once Sprague had talked of an "open-ended investigation" lasting five years or more, Blakey now instructed his people to have the case wrapped up by the end of the year. Those who quarreled with the new direction of the investigation soon found themselves unemployed. One of the first to go was Kevin Walsh, a researcher, and uncommon among the staff in that he had actually studied the Kennedy case before being hired. But Walsh was known to have friends among Warren Commission critics, and, within a few months, Blakey requested his resignation for what was termed "poor work habits." Donovan Gay, the committee's chief of research, was squeezed out following a series of disagreements with Blakey and the gradual diminution of his access to classified documents. Another researcher, Colleen Boland, was fired without explanation. She promptly sued the committee, and, in an ironic turnabout, retained as counsel two of Blakey's predecessors, Richard Sprague and Alvin Lewis. And, within the past six weeks, Blakey himself has discharged 28 staffers—24 of them investigators—on grounds that the committee was running out of money. Blakey would be in a position to know. Last February, he *returned* $425,000 of the committee's budget to Congress, saying that the funds were not needed.

By far the most explosive departure, though—and the one which says the most about the committee's workings—was the resignation of Robert J. Lehner. Lehner, a former Manhattan assistant district attorney and chief deputy counsel in charge of the King investigation, had, during the brief regime of Richard Sprague, developed a good working relationship with James Earl Ray, and was pursuing a number of leads Ray and others had provided him. Certainly, there were leads aplenty in the killing of Martin Luther King. Who, if anyone, was the mysterious "Raoul" whom Ray claimed had framed him? What was the source of Ray's apparently limitless funding? How did he manage to come by forged passports and identity papers? Why had the Memphis police department "stripped" King of protection shortly before his assassination? To what lengths was the FBI willing to go to "get" King? It was these and many other questions that Lehner and his investigative task force were trying to answer—to the considerable discomfort of G. Robert Blakey. According to committee sources, Blakey insisted on a far narrower and neater inquiry, limited essentially to James Earl Ray, the members of his immediate family and J.B. Stoner, head of the racist National States Rights Party. A confrontation ensued. Ultimately, Lehner took his case to the full committee, which proceeded to split into two opposing factions. Black congressional support, which might have been expected for Lehner, mysteriously failed to materialize, even as rumors circulated of FBI tapes which, if disclosed, would prove embarrassing to several of King's former key associates. In any event, Blakey carried the day by issuing a "him or me" ultimatum. At that point, Lehner stepped aside. "The committee would never have survived if Blakey quit," one congressional aide said later. "You've got to remember, this committee is walking on egg shells."

Lehner's resignation brought a major shift of focus in the King investigation. Ray, who had been cooperating, suddenly turned sullen. His family began to feel pressure from Blakey. Their financial records were subpoenaed, and Ray's brothers and sister soon felt more like suspects than witnesses. Citing possible conflict of interest, the committee refused to allow Jerry Ray to retain Mark Lane (who is also representing James Earl) as counsel, at the same time ominously warning Jerry that he would be wise to secure another lawyer. (He eventually represented himself.) Ray's sister, Carol Pepper, was likewise refused permission to retain the lawyer of her

choice, Jim Lesar, a specialist on the King case who had once represented James Earl. (She managed to keep him only after the committee backed away from a showdown.) The committee refused requests by the Ray brothers and Carol Pepper that their testimony be taken in open session, and shortly after his closed-door testimony, John Ray found himself back behind bars, his parole revoked at the request of Blakey, who had accused him of possible perjury.

But the most self-destructive stratagem allegedly involved subornation of perjury, receipt of stolen property and the monitoring and tape-recording of phone calls by an undercover agent, reportedly in the employ of the committee.

The agent's name was Oliver Patterson, a self-identified former informer for the FBI. According to Mark Lane, Patterson, along with committee investigators "and their agents," stole copies of letters between the Ray brothers, monitored and tape-recorded telephone conversations with them, and, in one particularly sleazy bit of business, were instructed to disclose scurrilous information to the *New York Times* about Lane's sex life. Blakey, obviously shaken by Lane's charges, which came on the eve of the hearings, called them "serious" and promised to investigate.

True or not, Lane's allegations, along with Blakey's own behavior, are bound to cast a pall on the hearings, which are scheduled to last another six weeks or more. Blakey has been counting on the hearings to go well, and weeks before they started, he reportedly was calling the executives of the various television networks, urging them to provide coverage. It is his moment in the spotlight, and he has rehearsed it carefully. A lot is riding on these hearings for G. Robert Blakey. More than one source who has come in contact with him lately gets the impression that, when the investigation is wrapped up, he would very much like a senior job in the Justice Department. A good performance could be a stepping stone.

What the hearings will do for the establishment of truth is something else. So poisoned has the atmosphere become from months of bitterness that whatever conclusions the committee comes up with will be suspect. And that is sad—for whatever its sins and omissions, the committee's field investigators have uncovered much that was never known about both murders. One source talks wistfully about "dozens of leads" into a possible conspiracy to kill Kennedy—leads which, like so much about the Kennedy and King murders, will now go aglimmering. ●

The Washington Post BOOK WORLD Recordings

SUNDAY, APRIL 23, 1978 E1

Agents, Assassins, And Moles

LEGEND: The Secret World of Lee Harvey Oswald. By Edward Jay Epstein. Reader's Digest/McGraw Hill. 382 pp. $12.95

By GEORGE LARDNER

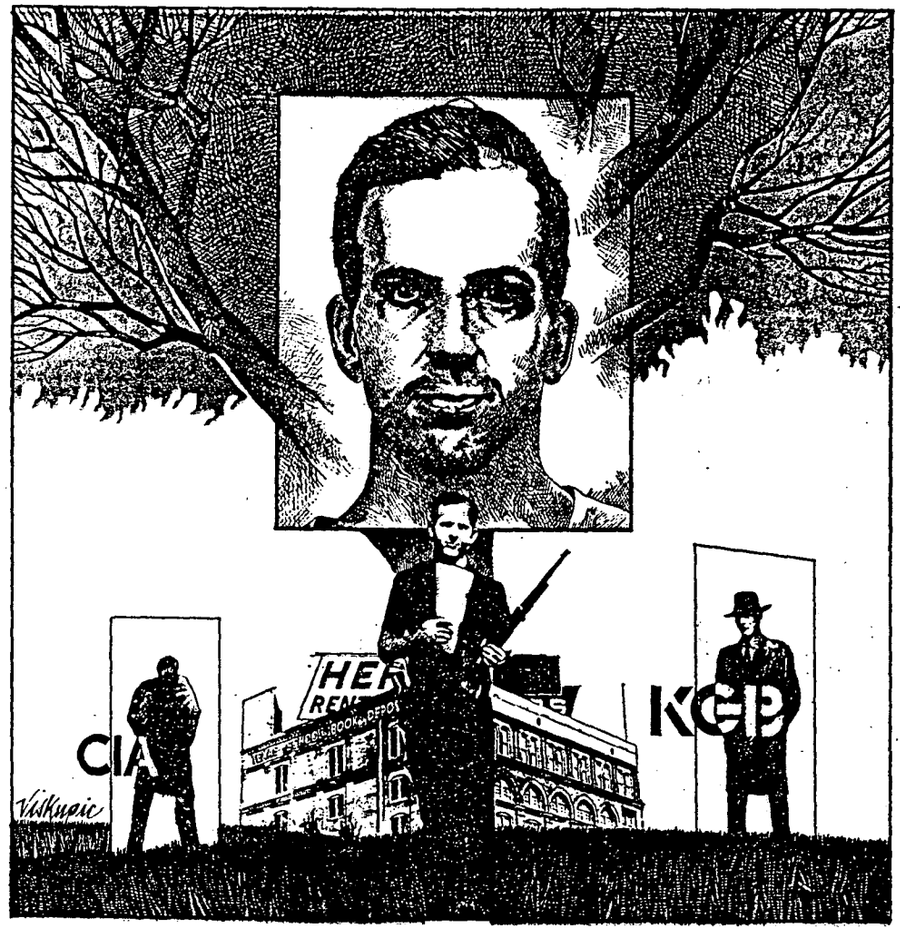


Illustration by Gary Viskupic for The Washington Post

YURI IVANOVICH NOSENKO had endured far more arduous interrogations. This one lasted only four hours and it was not held in the padded basement room where the Central Intelligence Agency had once confined him for three long years. Now drawing a $30,000-a-year allowance from that same CIA, Nosenko presented himself on a March afternoon in 1976 at the Washington offices of *Reader's Digest*. His interviewer, Edward Jay Epstein, concluded the questioning that evening with a flourish: dinner at an elegant French restaurant a couple of blocks away.

That the interview took place at all was remarkable. Nosenko is a former KGB officer who defected to the United States just 10 weeks after the assassination of President John F. Kennedy. According to the CIA, exactly what he had to say is still so sensitive, so special, so secret that its disclosure even now could "only interfere with American counterintelligence efforts." Yet according to Epstein, who tape-recorded Nosenko's remarks for this book, "the CIA put me onto him."

No doubt the CIA thought it would get a good press. "I presume that it found out I was writing a book on Lee Harvey Oswald and it wanted me to put Nosenko's message in it," Epstein told *New York* magazine recently. "Nosenko's message was that Oswald was a complete loner in the Soviet Union and never had any connection or debriefing by the KGB."

Epstein then began talking to the Agency's formidable ex-chief of counterintelligence, James Jesus Angleton. He had a darker view of Nosenko's presence in this country.

What Epstein has written, hundreds of interviews later, is a fascinating, important and essentially dishonest book. Fascinating because it offers new information about Oswald, about the KGB, and about the CIA. Dishonest because it pretends to be objective, because it is saddled with demonstrable errors and inexcusable omissions, because it assumes that the KGB always knows what it is doing while the CIA does not. It is paranoid. It is naive.

Nosenko's defection was officially proclaimed by the State Department on Feb. 9, 1964, whereupon he quickly disappeared from public notice. He told the FBI that he had personally supervised the KGB's file on Lee Harvey Oswald and thus could assure the Americans that Oswald had no connection with the KGB.

Epstein concludes, as Angleton obviously had, that "Nosenko was a Soviet intelligence agent dispatched by the KGB expressly for the purpose of delivering disinformation to the CIA, FBI and Warren Commission."

In short, Lee Harvey Oswald, the supposed lone assassin of President Kennedy, may well have been working for the KGB at one point or another in his shabby life. Nosenko said this wasn't true. And therefore, according to *Legend*'s logic, it was. Oswald, the ex-Marine who had defected to Russia in 1959 and returned three years later, had been living a "legend," a false biography concocted for him by the KGB.

That is far from the most startling assertion that Epstein has to make. *Legend* is really two books, stretched thin. His central message, although cushioned with all the careful ambiguities of a State Department communique, is that the highest echelons of the American intelligence community have been infiltrated by the KGB, penetrated by an enemy "mole" who made his way to some key position at the CIA or some other agency.

It is all quite plausible. The British and West German intelligence services had been successfully compromised by the Soviets since World War II. Kim Philby, who was recruited at his university, rose to become the head of the counterintelligence division of Britain's MI-5 before he was exposed. In West Germany, Epstein notes, the Soviets succeeded in getting their own man, Heinz Felfer, installed as head of counterintelligence by sacrificing other agents "like pawns in a chess game." So why not here? The metaphysics of espionage, where nothing is what it seems, can be seductive. Judging from Epstein's book, the best proof of the existence of an American "mole" lies in the fact that he hasn't been found yet. Another piece of evidence: Nosenko told the CIA there was no "Mr. Big." Step up the search!

Surprisingly, *Legend* is weakest where it should be strongest, demonstrably slipshod where it should be solid. Epstein's first book, *Inquest: The Warren Commission and the Establishment of Truth*, was one of the first to expose the shortcomings of that inquiry. Yet here he deals with the Kennedy assassination in a cavalier appendix entitled "The Status of the Evidence" that makes one wonder whether Epstein has even glanced at the Warren Report in the last 10 years. He seems not to have even looked at the pictures.

Take, for example, Epstein's confident assertion that the Warren Commission "made a serious error in reckoning the elapsed time" from the first rifle shot to the last. The Commission, he declares, staged a reconstruction of the assassination in mid-1964 when the oak tree blocking the line of sight from the sixth floor of the Texas School Book Depository "was in full bloom. But the assassination occurred on November 22nd when the deciduous tree had no foliage." Therefore, the assassin had more time to fire than the Commission gave him.

It sounds like a nifty piece of detective work on the part of Edward Jay Epstein. But wait a minute. No foliage? There were plenty of leaves on the *live oak* (an evergreen) that AP photographer James W. Altgens captured at the top of his picture showing the President of the United States being hit by a bullet on Nov. 22, 1963. The photograph can be found in any copy of the Warren Report on page 113.

(Continued on page E4)

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The Secret World of Lee Harvey Oswald

ntinued from page E1)

his is far from the only shortcom-. The footnotes are too sparse, the umentation is fuzzy, and occasion- even the dates Epstein cites are t plain wrong. For a project anced by *Reader's Digest*, repor- ly for $500,000, the reader has a it to better scholarship—and to re information. Epstein tells more his promotional interviews about book than he does in the book it-

le assured *New York* magazine, for ance, that he really doesn't think Russians were involved in JFK's as- ination. "I think that the fact that vald traces so clearly back to the sians makes it extremely unlikely t they would have recruited him as assassin," Epstein was quoted as ing in the magazine's March 6 issue. pstein does write, in an early chap- that "Neither Angleton's shop nor CIA's Soviet Russia division be- ed that Oswald was acting under control of Soviet intelligence when assassinated the president. (In fact, umstantial evidence seemed to di- ish that possibility.) It seemed far re likely to both that the relation- Nosenko was attempting to pro- might be a prior connection Os- d had had with the KGB." That l, *Legend* marches on conspirato- ly to Nov. 22, 1963 in a chapter ed "The Day of the Assassin," ch is the concluding segment of a tion subtly titled "The Mission." book is full of subliminal messages t Epstein avoids stating openly. at, for instance, are we to think of those bungled assassination plots inst Fidel Castro when they have n hatched in a CIA compromised high-ranking enemy "mole"?

Unfortunately, *Legend* has a perva- weakness, a persistent double dard. It keeps assigning omnis- ce to every Soviet move and delib- te intent to every omission. But it the American intelligence agen- do and say is usually kissed off in a note or mentioned only in passing. tein does not even mention, much deal with, Nosenko's report to the that the KGB not only had no con- tion with Oswald, but also sus- ted him of being an American eper" agent.

And what of Epstein's perhaps unwitting disclosures—in the book and in *New York* magazine—that Angleton's counterintelligence experts had intercepted a stridently anti-American letter Oswald wrote to his brother in 1959 and another in which Oswald said he had seen U-2 pilot Francis Gary Powers in Moscow. What's going on here? As late as August 10, 1976, CIA Director George Bush assured a House subcommittee that "the only correspondence to or from Oswald that was intercepted was one letter, dated 8 July 1961, to Mr. and Mrs. Lee Harvey Oswald, from his mother . . . " Perversely, for all its shortcomings, *Legend* commands serious attention. It is, as one of the publisher's blurbs states, "a sensational, highly controversial expose," drawn from a storehouse of declassified documents, including some obtained only by Epstein, and interviews with more than 400 people, many of them not interviewed by the Warren Commission. It throws new light on Oswald's life, especially in Japan where he apparently dated a nightclub hostess who cost more than his take-home pay and where he reportedly "became involved with a small circle of Japanese communists."

The freshest revelations, however, are those about Nosenko. That they came from Angleton and like-minded colleagues makes them all the more intriguing. What former CIA Director William E. Colby has described as Angelton's "ultraconspiratorial" view of the world is apparently no longer in vogue at the agency. But if his theories were doubted (Colby, for one, believed they did the CIA more harm than good), his brilliance never was. Even today, no one in the intelligence community seems brash enough to assert that Angleton didn't know what he was talking about. He seems to have kept too many secrets to himself, hoarding them like ammunition. In any case, professional disagreement with the CIA's chief of counterintelligence was always cautiously stated.

In his own forthcoming book, *Honorable Men: My Life in the CIA*, Colby puts it this way:

"I spent several long sessions doing my best to follow his torturous conspiracy theories about the long arm of a powerful and wily KGB at work, over decades, placing its agents in the heart of allied and neutral nations and sending its false defectors to influence and undermine American policy. I confess that I couldn't quite absorb it, possibly because I did not have the requisite grasp of this labyrinthine subject, possibly because Angleton's explanations were impossible to follow, or possibly because the evidence just didn't add up to his conclusions; and I finally concluded that the last was the only real answer. At the same time, I looked in vain for some tangible results in the counterintelligence field, and found little or none. I did not suspect Angleton and his staff of engaging in improper activities. I just could not figure out what they were doing at all."

Nonetheless, Angleton's suspicions about Nosenko—at least as reported by Epstein—cannot be easily dismissed. The Russian KGB officer first surfaced as a CIA informant in 1962, just six months after another Soviet intelligence officer, Anatoli M. Golitsin (code name: Stone), had defected with the startling report that a high-ranking "mole" had already been planted in the American system. Nosenko, in effect, assured the CIA that the "mole" was no more than a mouse, a low-ranking American military man who once worked as a motor pool mechanic at the U.S. Embassy in Moscow.

Nosenko's own defection in February of 1964, with his claims to full knowledge of the KGB case file on Oswald, led Angleton and other CIA skeptics to the discovery of one inconsistency after another. But FBI Director J. Edgar Hoover wasn't interested. According to Epstein, Hoover was more concerned about covering up the FBI's failure to keep a closer watch on Oswald before the assassination. "By an odd twist of fate, the FBI's interest lay in concealing, rather than revealing, any hint of Soviet involvement," Epstein writes.

The infighting was evidently fierce. By the spring of 1964, apparently on the heels of two FBI interviews that took Nosenko at his word, the CIA, reportedly with the approval of Attorney General Robert F. Kennedy, put Nosenko in solitary confinement and began a grueling "hostile interrogation" in hopes that the KGB man would break down before the Warren Commission had to submit its report.

The ploy didn't work. The Warren Commission decided not to question Nosenko at all, ostensibly following a June 24, 1964, conference between Warren and the CIA's Richard Helms. Helms told the chief justice that it was still unclear whether Nosenko was a legitimate defector or a Soviet disinformation agent.

The only trouble with that sequence is that the Commission took up the question of Nosenko the day before, on June 23, 1964. Could it have decided to call Nosenko, only to have Helms head off the showdown by buttonholing Warren the next morning? No one knows. The CIA has thus far steadfastly refused to let the transcript be made public—on the mind-boggling grounds that the release of any information about Nosenko "can only interfere with American counterintelligence efforts."

The CIA kept hammering away at Nosenko, keeping him in custody without any legal or constitutional authority until 1967. His disbelievers in the CIA's Soviet Russia division compiled a 900-page report, chronicling all the information he had provided. It concluded that he was a fake, assigned by the KGB to mislead the investigators of President Kennedy's assassination. But Nosenko had his defenders, too, and they finally prevailed with a 500-page reply that won its author the CIA intelligence medal. For Nosenko, who is reputedly under a death sentence in Mother Russia, the Agency provided a $30,000-a-year allowance, a new identity and a new home. Six years later, Epstein writes in a simplistic version of the event, Angleton was forced into retirement by Colby on the eve of *The New York Times*' disclosure of illicit domestic activities at the agency. Angleton's top aides were forced out with him. The new counterintelligence crowd appointed Nosenko one of its consultants.

Epstein's conclusion is ominous: "With Nosenko accredited and the counterintelligence staff purged, the CIA had truly been turned inside out."

Oversimplified? Of course. Overstated? Absolutely. Some truth to the book? Undoubtedly. Where? Who knows? But watch out for those oak trees. □

ARTICLE APPEARED
ON PAGE 37

HUSTLER
OCTOBER 1978

Report by Mark Lane

Illustration by Peter Green

THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

HOW THE CIA SET UP OSWALD

Three men were assigned major and public roles in the historic events of November 1963 in Dallas, Texas—John F. Kennedy, Lee Harvey Oswald and Jack Ruby. Since those tragic days the American news media have devoted a great deal of energy to a critical examination of Kennedy's personal and political life. Indeed, books and even front-page stories in major newspapers and television news programs have delved into the murdered President's tenuous ties, through an alleged sexual relationship, to organized crime. It remains one of the ironies of the past decade and a half that Jack Ruby is now emerging as a patriotic nightclub owner who loved the republic not wisely, but too well, while Lee Harvey Oswald has been reborn in the *Reader's Digest* as a skilled assassin trained by the KGB (Soviet secret police).

In February of this year CBS aired *Ruby and Oswald*, a drama which told us that Ruby was an emotional man, that he truly cared for the President and the President's wife and that he killed Oswald not because he loved him less but because he loved Jacqueline Kennedy more, and therefore quite naturally sought to spare her the additional grief of returning to Dallas for a long and dreary trial. As the current media revisionists tell it, Jack Kennedy was a lecher whose degrading sexual excesses betrayed a loving wife and a naive and trusting country. Ruby, on the other hand, suffered greatly through his pure and abiding love. In a sense, he both killed and died for us all.

And what of Lee Harvey Oswald? The forgotten, inept and hated loner of the early 1960s returns to us in the late 1970s as a cool, KGB-trained killing machine, courtesy of FBI Director J. Edgar Hoover's favorite transmission belt for the dissemination of false information, the *Reader's Digest*, and the questionable theories of an author who put his legitimizing credential as "critic of the Warren Commission Report" on the line for a budget of approximately $2 million. No one dare call Edward Jay Epstein, author of the *Reader's Digest* book *Legend: The Secret World of Lee Harvey Oswald*, a cheap whore.

The lives and times of Jack Ruby and Lee Harvey Oswald were full and troubled. Neither was a loner. Both were deeply involved with American intelligence assignments, and Ruby had served as a front man for organized crime for most of his life. Even a cursory examination of their various assignments will move us much nearer to understanding the implications of the assassination of President Kennedy. Before we look more closely at the *real* Jack Ruby, however, it may be instructive to look at the image of him now being promoted.

According to the television production, Ruby killed Oswald so that Kennedy's family—above all, the President's widow—would not have to suffer through a public trial. This media fabrication may now establish a trend. During May of this year David R. Berkowitz, the self-styled "Son of Sam" killer, pleaded guilty in New York City to having murdered six persons and wounded seven others during a year-long rampage with a .44 revolver. While entering his plea, he explained to the court (reportedly with a straight face) that he had decided to plead guilty "to spare the families of the victims the circus of a trial." Perhaps the TV "documentary drama" showing Ruby agonizing over Jacqueline Kennedy's forthcoming return to Dallas inspired Berkowitz.

Ruby, in fact, was a hired killer who worked for the FBI and organized crime. He murdered Oswald as an assignment. Shortly after Ruby's arrest—three cheers here for the Dallas police, who were able to apprehend the hit man in their midst—

CONTINUED

his attorney, Tom Howard, told veteran reporter Alonzo Hudkins that he and his client were depressed. They were unable to develop an adequate legal defense to the charge. Hudkins told me recently that he then suggested to Howard that Ruby adopt a story that might create some public sympathy for Oswald's assailant. At that point, according to Hudkins, he thought up the idea that Ruby should say he shot Oswald to spare Jackie Kennedy the trauma of a trial. Howard's face lit up, and he said, "Well, that sounds real good. I'll tell Jack about that today."

Later, Howard called Hudkins to tell him that "Jack loved the story and he is going to use it." A few years later the myth became reality as the American people saw an actor portraying Ruby going vicariously through Jackie's suffering until, as a man of compassion, he impulsively put an end to the threat.

Jack Ruby emerged as a central character in the Dallas drama when he shot JFK's alleged assassin on November 24, 1963, in the basement of the Dallas Police and Courts Building (and before a live-television audience). Oswald had been a prisoner for two days, during which time the local police and the FBI both silenced and isolated him. He had been interrogated for more than 12 hours by FBI agents, prosecuting attorneys and local and state authorities, and yet the Warren Commission reported without further explanation that no tape recordings, stenographic records or comprehensive notes survived the interview session. Therefore, we were unable to learn what Oswald had said during the lengthy periods of questioning. The suspect was further isolated when, after he requested that a lawyer come forward to provide legal assistance for him, the three lawyers retained for that purpose by the Dallas Civil Liberties Union were denied the right to talk with him. Unfortunately, neither the lawyers nor the American Civil Liberties Union made any effort to overcome the blocks set up by the FBI and the local police to deny Oswald's right to counsel.

Just after Oswald was murdered by Ruby, who had worked for the FBI in Dallas in 1959, the FBI destroyed a letter from Oswald, which was then in its files in Dallas. The forensic evidence alone provides ample proof of a conspiracy to assassinate President Kennedy. Therefore, if Oswald was guilty, he was part of the conspiracy; if he was not part of the conspiracy, he was innocent. From the viewpoint of the assassins it was necessary to silence Oswald while he was in police custody, for if guilty he might have incriminated others, and in any event his trial would no doubt have provided a forum for evidence of conspiracy. If Oswald was innocent, the evidence might well have established that fact; alerting the nation that the murderers were still at large. Ruby, from the vantage point of the conspirators, met the historically necessary obligation that self-preservation imposed upon them.



Lee Oswald: "Lone assassin," or pawn in a terrible game played at the highest levels of government?

Who was Jack Ruby, and how did he get into the basement of the Dallas Police and Courts Building to kill Lee Harvey Oswald? The Warren Commission pretended to confront these questions, secured some discomfiting information that it ignored or suppressed, and was both an accomplice and willing victim of the FBI's refusal to share its information.

With the limited historical perspective afforded by little more than a decade, it appears that Jack Ruby may be the Rosetta stone of the assassination. A new investigation might profitably begin by examining the many facets of his life. Only recently did I discover that he had received help getting into the Police and Courts Building and that he did not enter through the Main Street ramp. Witnesses in Dallas, alive although frightened, know that Charles Batchelor, then assistant chief of the Dallas Police Department, personally escorted Jack Ruby into the basement via an elevator and that moments later Ruby executed Oswald. Batchelor was later promoted to chief of police.

Batchelor had played a major and perhaps decisive role in determining the route of the President's motorcade. And several days before the assassination in Dealey Plaza he was the ranking representative of the Dallas Police Department to drive over the selected route with federal authorities.



UPI photo

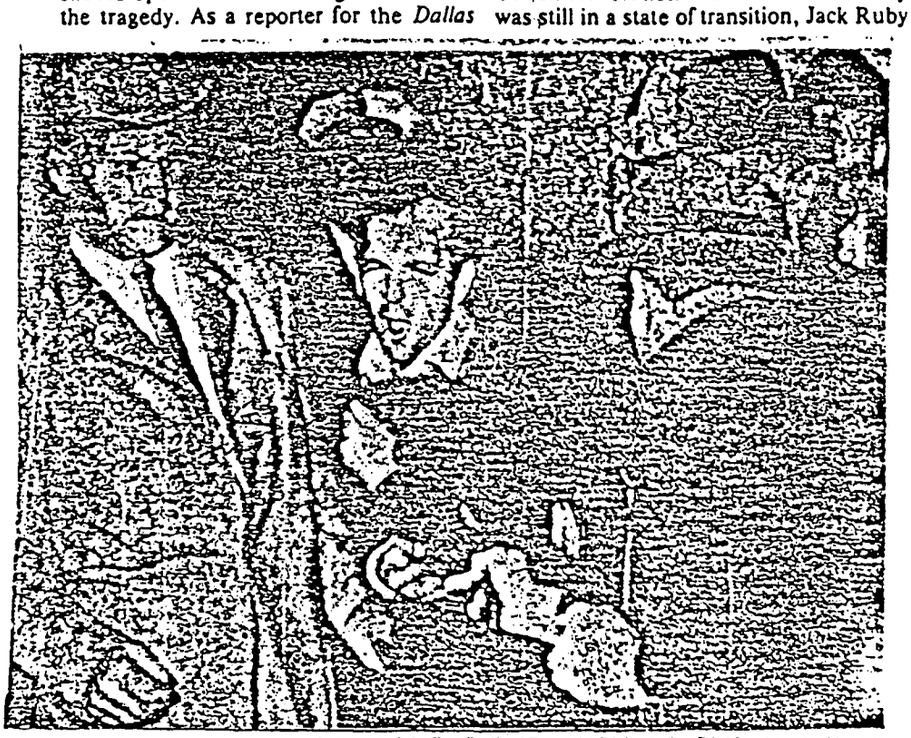
This is the last photo ever taken of Jack Ruby, whose connections to U.S. intelligence and organized crime have long been overlooked.

When the Warren Commission asserted that Ruby had not been part of organized crime, it did so by suppressing the FBI's information about him and by alleging

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that local authorities stated that Ruby was not so involved. The local authority cited was Assistant Chief of Police Charles Batchelor.

The Commission's commitment to cover up the possibility of Ruby's involvement in any action other than one impulsive act on November 24, 1963, was no doubt responsible for its determination that Ruby was not at Parkland Memorial Hospital (where Kennedy and Texas Governor John Connally were taken) on November 22, 1963, in spite of very strong testimony to the contrary. For instance, Seth Kantor, a reporter for the Scripps-Howard newspaper chain, testified before the Commission that he not only had seen Ruby at the hospital that afternoon but had also spoken to him. Ruby, Kantor maintained, had tugged at his coat and asked him whether or not he (Ruby) should open his club that night in view of the tragedy. As a reporter for the *Dallas Times Herald*, Kantor had known Ruby for years. In spite of repeated and disbelieving interrogations by the Commission, Kantor was adamant. He testified: "I *did* talk to the man, and he *did* stop me, and I just can't have any doubt about that."



OSWALD IS SHOT: Lee Harvey Oswald cringes as Jack Ruby attacks him at Dallas jail. Policeman is J. R. Leavelle.

Kantor's testimony as to Jack Ruby's presence in the hospital on that date was corroborated by several other witnesses, but to no avail. All the Commission could secure to support the preconception that Ruby was not there was its allegation that Ruby *denied* it—or, as one Commission lawyer told a witness in an effort to convince her to change her statement: "Jack himself has denied very vehemently he was out at the hospital." And the bullet, which tied Oswald's purported rifle to the assassination, materialized at the hospital *while Ruby was there.* According to the witness who discovered the slug—Darrell C. Tomlinson, a senior engineer at Parkland—it rolled off a stretcher, either President Kennedy's or Governor Connally's, after an unknown man "pushed the stretcher."

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In 1959 the American intelligence community entered into a partnership with organized crime with the aim of assassinating Fidel Castro. Evidence uncovered in 1975 by the Senate Select Committee on Intelligence (Church Committee) revealed that a series of abortive efforts to kill the Cuban premier were undertaken by this partnership. Also in 1959, not long after the victory of the Cuban Revolution and while that country was still in a state of transition, Jack Ruby visited Havana.

For the Cuban people the island's major harvests were agricultural, including sugar cane and tobacco, but for American criminal syndicates the harvest was freshly laundered cash taken each night from their casinos—the largest and most lucrative gambling establishments in the world. In August 1959 this cash-flow was threatened by the new Castro government. It was at this time that Lewis J. McWillie, manager of the Tropicana casino (the world's largest, owned by Meyer Lansky's syndicate), invited Ruby to Havana, paid his air fare and spent many hours with him there.

Ruby's visit to Havana followed his effort to secure a letter of introduction to Castro. He offered to purchase such a letter for $25,000, according to the statement of Robert R. McKeown.

McKeown might have been the most important witness to testify before the Warren Commission. Two of the Commission's lawyers felt his testimony was urgently required. Had McKeown testified, the course of the past decade and a half might have been materially different. Having learned what McKeown knew, the members of the Commission could hardly have insisted that either Ruby or Oswald were lone assassins. The Commission, determined to find no conspiracy, resolved its dilemma by refusing to call McKeown as a witness and by denying permission to the Commission lawyers to take his testimony. Robert McKeown remains a man of mystery. His life reads not unlike an exciting adventure story.

McKeown and an associate had invented and developed a machine to clean coffee beans. That task had been time-consuming and had previously been done by hand. "We took our machine to Cuba," McKeown said, "because of the cheap labor there."

Fulgencio Batista was running the country; his militia called upon McKeown and said the dictator wanted to be a partner in the venture. Batista wanted a 20-percent interest in the company. McKeown, stifling feelings of outrage, explained that he was an American citizen and businessman. The guards shrugged and left. They returned later, and McKeown offered a similar explanation. They again left. Other guards returned, and McKeown—at rifle and bayonet point—was thrown into a military vehicle and then flown to Miami. He was told he would be killed if he ever returned to Cuba.

McKeown brooded about his loss, and was then approached by a representative of Carlos Prio, the former president of Cuba who had been overthrown by Batista. Would McKeown like to meet Prio to discuss ways of regaining his business? The meeting was set up, and a 20-year friendship began.

Prio explained that a revolution to oust Batista was under way. It was to be well-financed and led in the field by a man named Fidel Castro. Prio was to be restored as president, and McKeown would get his business back. The operation needed a talented, sophisticated, well-connected, highly motivated American businessman to secure weapons and get them to Castro in Cuba. McKeown agreed. He was well-paid and anxious to again have control of his lucrative setup in Cuba.

McKeown spent more than a week with Castro at a hotel in Tampico, Mexico. He embarked upon a plan to get guns and ammunition to Cuba for Castro's troops. [*Editor's Note: Following the successful*

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revolution Fidel Castro, not Carlos Prio, became Cuba's new head of state. Subsequently, Prio joined forces with the U.S. Central Intelligence Agency in an effort to overthrow, or assassinate, Castro.]

McKeown arranged for weapons to be taken from a U.S Army arsenal in Arkansas and delivered to him in vans. He also handled large sums of money given to two United States senators. McKeown was a Houston-based engineer who had contacts in the business world, including the petroleum industry, and in government. He sent weapons to Cuba in oil tankers, ships carrying oil drums (in which machine guns and bazookas were stashed away) and in airlifts to the interior of the island. Before the operation was betrayed, resulting in his arrest in 1958, McKeown had delivered $8-million worth of weapons and ammunition to the insurgents. He personally flew to Cuba twice during the revolution and met with its leaders.

McKeown's final plan involved the purchase of a strategically located house, in which he stored $2-million worth of weapons, and the purchase of a ship to take them to Cuba. He was arrested, the ship seized and the weapons confiscated by the FBI. Charged with 15 felony counts, he faced a life sentence. But Carlos Prio and his CIA sponsors intervened, and McKeown was never asked how he secured the arms. He was sentenced in Federal District Court in Houston to 90 days, of which he served 59.

In 1959, after his takeover, Fidel Castro came to Houston, publicly embraced McKeown and offered him a place in the Cuban government, urging him to return to Cuba with him at once. But McKeown, who had been placed on probation for five years, did not wish to leave the country without permission. Castro said, "You will be the only American in our government. You can have your business back, franchises, anything you want. Without your arsenal we would have failed." But McKeown never could gain permission from a federal court to return to Cuba.

It was later that year that Jack Ruby visited McKeown and offered him $25,000 for a letter of introduction to Castro. It now appears that Ruby was working for the organized crime/American intelligence partnership seeking to kill the Cuban leader. After the assassination of President Kennedy, FBI agents interviewed McKeown, who recounted the Ruby offer. One of the major scandals of the Warren Commission Report was the refusal of the Commission members to question McKeown, a point I emphasized in *Rush to Judgment,* published in 1966, long before I met McKeown.

Several months before the assassination Lee Harvey Oswald, together with a Cuban identified only as Mr. Hernandez, called upon McKeown. Oswald said that he represented a movement in a Latin American country and that he wished to purchase weapons for a revolution. McKeown, still on probation, urged him to leave at once. Oswald returned minutes later and offered $10,000 for four semi-automatic rifles with telescopic sights. McKeown was tempted, but declined. Had the rifle found on the sixth floor of the Texas School Book Depository Building been traced back to Castro's purveyor of weapons, a situation potentially greater than the Missile Crisis might well have exploded.

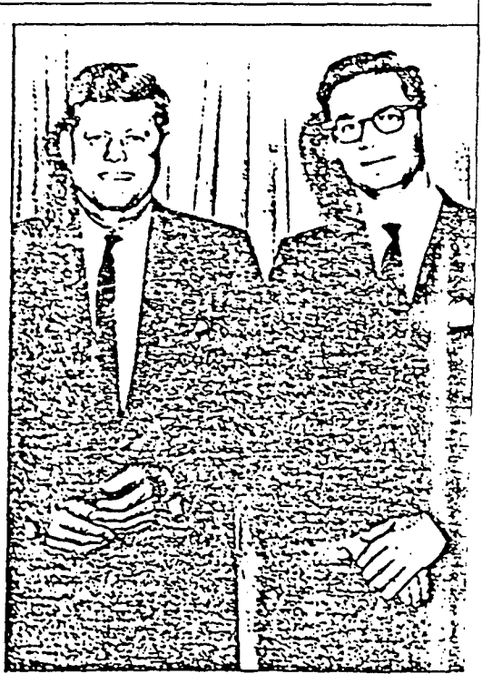
After the assassination George De Mohrenschildt called upon McKeown and tried to persuade him that an impostor, not Oswald, had met him. Since McKeown had told no one of his meeting with Oswald, he wondered how De Mohrenschildt had heard of it.

George De Mohrenschildt had been employed by the CIA and had brought Oswald from New Orleans to Dallas just prior to Kennedy's assassination. When De Mohrenschildt heard that Oswald had been charged with the shooting, he became irate and said, "The FBI in Dallas and Fort Worth both assured me that Oswald was harmless." Later he con-

... courtesy the Houston Chronicle



Robert McKeown, chief gun-runner to the Cuban Revolution, chats with Fidel Castro in Houston in April 1959. Later, Oswald and Ruby both had occasion to call on the resourceful businessman.



Author Mark Lane managed John F. Kennedy's 1960 election campaign in New York City.

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cluded that Oswald was innocent and had been set up to take the blame. De Mohrenschildt was completing a manuscript dealing with the conspiracy to kill Kennedy when he died under mysterious circumstances in Florida. Two days later Carlos Prio also died in Florida, likewise under mysterious circumstances.

In 1961, when Castro's political position was understood, Prio moved into American intelligence circles and became leader of the anti-Castro forces in America. In that position he offered McKeown a substantial sum to use his



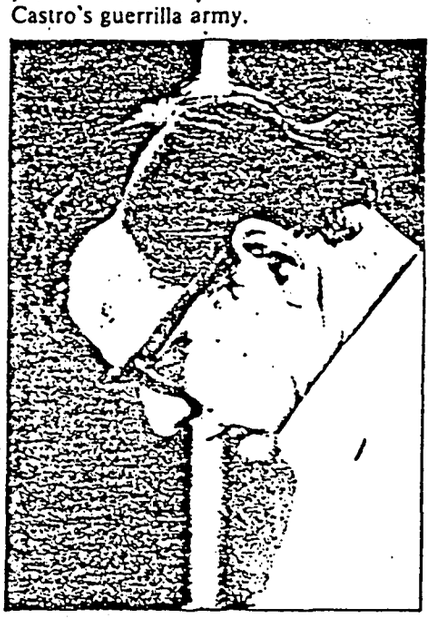
Some critics feel that Edward Jay Epstein's biography of Oswald continues the cover-up.

friendship with Castro to kill him.

It seems apparent now that McKeown's statement to the FBI in 1964 and subsequent statements to me, together with other available evidence, indicate that in 1963 Oswald, who had been employed by American intelligence since 1958 while in the Marine Corps, was given the assignment of securing a rifle with a telescopic sight from McKeown. During that same general time-frame, October 1963, the Central Intelligence Agency established a series of charades in Mexico City for the purpose of making it appear that Oswald had visited the Soviet Embassy there and had met with a man, described in CIA reports as the KGB officer responsible for assassinations in the Western Hemisphere. The CIA effort to frame Oswald also included a trip to the Cuban Embassy in Mexico City by an impostor pretending to be Oswald.

FBI and CIA documents, now available, demonstrate that the "Oswald" who visited both the Cuban and Soviet embassies in Mexico City in October 1963 was not Lee Harvey Oswald. The Warren Commission, terrorized by the possible consequences of a thorough investigation, decided not to conduct such a probe.

A serious investigation would have revealed that Ruby was part of organized crime in Chicago at least as long ago as 1939 and that at that time he may have been a Syndicate hit man. It also would have revealed that Ruby began working for the FBI in Dallas on March 11, 1959, and that when he was on assignment in Cuba, possibly to assassinate Fidel Castro, he was employed by the organized crime/intelligence alliance that had already tried and failed to kill Castro and was to try many more times in the coming years. A full investigation would have shown that Oswald had been given the intelligence assignment of buying at least one rifle with a telescopic sight from the man who had provided the weapons of war for Fidel Castro's guerrilla army.



Marine Lee Oswald told David Bucknell he expected to return from the USSR "a hero."

Had McKeown sold that rifle and had it been found on the sixth floor of the Texas School Book Depository—followed by the "evidence" that only a month before the assassination Oswald had returned to Dallas from talks with the KGB officer in charge of assassinations (and a visit to the Cuban Embassy in Mexico City to obtain a visa, ostensibly to flee to a Communist country after killing the President)—the world might not be intact today.

Apparently, all that thwarted the mad scheme to make Castro appear responsible for Kennedy's killing was the refusal of McKeown to sell Oswald the rifle and the desire of the Commission to cover up all traces of conspiracy in the interest of "national security" and international peace. The frightened little men who ran the Warren Commission were afraid to conduct a search for the truth because they thought (incorrectly as it turns out) that they knew just where it would lead.

While the information secured from McKeown permits us to place Lee Harvey Oswald in a proper historical context for the first time, and provides some evidence of his role as an intelligence agent, statements just made by Oswald's Marine Corps buddies provide proof of his espionage assignments.

In February 1977 a Gallup poll showed that approximately 81 percent of the population believed the Warren Commission Report to be a cruel hoax. The poll also showed that more Americans were inclined to consider the CIA and the FBI as the possible assassins of President Kennedy than were convinced that Oswald had acted alone.

Because of the public's attitudes, the police and intelligence launched a massive public-relations campaign to direct suspicion away from their respective organizations. In long-suppressed documents J. Edgar Hoover had urged the use of the *Reader's Digest* to deal with the question of conspiracy in these matters. The CIA's use of television and radio networks and of the *New York Times, Washington Post* and *Washington Star*, as well as the major news weeklies, had been suspected for some time.

Soon a full-scale program to connect Oswald posthumously with a Russian secret-police agent was under way—led, almost predictably, by the *Reader's Digest*. As previously mentioned, Reader's Digest Press published Edward Jay Epstein's *Legend: The Secret World of Lee Harvey Oswald*, and the magazine itself ran excerpts from the book in two consecutive issues, accompanied by a nearly unprecedented advertising campaign. Epstein had been given, as he described it, "an almost unlimited budget." He, being a modest fellow, spent approximately $2 million to write the book, which cannot possibly earn for its sponsors any sum approaching the amount expended. This raises two questions: Why did the *Reader's Digest* embark upon a plan doomed to financial failure? And was the money, in this intelligence escapade, really provided by the magazine?

The extravagance of the project is hardly reflected in the book itself, a shoddy work in which obvious errors and blatantly false statements abound. For example, Epstein flatly states, "Ballistics cannot be done on pistols." What he meant to say is that a ballistics examination of a slug fired from a pistol cannot prove that the bullet came from a particular pistol to the exclusion of all other pistols in the world. However, that statement is false, as any teenager who has ever toured the FBI headquarters in Washington, D.C., knows.

Epstein offers this thesis: Oswald was a KGB operative while still in the Marine Corps in 1958. At that time he was

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stationed at Atsugi, Japan, and was assigned to work on the most secret of all military projects—the U-2 spy plane. Oswald, a mere private first class, was paid substantial sums of money by the Russians to pass secrets along to them.

According to the Epstein-*Reader's Digest* scenario, proof that Oswald worked for the KGB can be found in the fact that he frequented the Queen Bee, a fashionable Japanese club, and that he spent large sums of money there. Epstein was apparently informed by his intelligence sources that the Queen Bee was a place where military secrets were discussed and where the Office of Naval Intelligence knew that a spy might operate. He writes in *Legend* that Oswald was the only lowly enlisted man there and that even lower-ranking officers would stand out in that club. In addition, Epstein notes that Oswald entered into a liaison with a beautiful Japanese woman, a suspected KGB contact, and that he undoubtedly paid her a great deal of money. He even brought her back to the top-secret U-2 base, Epstein assures us.

If Epstein, almost 20 years after the event, was able to discover that Oswald was a Russian spy, based exclusively on information well-known to Oswald's superiors in the Marine Corps at the time, is one not entitled, indeed compelled, to ask why the Marine Corps took no action?

Oswald rubbed elbows at the Queen Bee with high-ranking military officers and rubbed more than elbows with high-priced Japanese prostitutes. He was a big spender at the club, and was perhaps the only enlisted man who appeared regularly at the establishment. And he was assigned to the U-2 project. Had Oswald not been given permission to do what he was doing, he would have been suspected at once, and military justice—to use a self-contradictory term—would have had its harsh way with the soldier before his second effort to lavish funds at a club where he did not belong. Who, then, *did* give Oswald permission?

Recently, a former Marine who had served with Oswald in Santa Ana, California, after Oswald had returned from Atsugi, began to talk about his discussions with him. His name is David Bucknell. The Warren Commission never talked with him and neither did Epstein. In April 1978 French television presented three extraordinary documentaries about the Kennedy assassination. These incisive programs were developed by Jean-Michel Charlier, a well-known French filmmaker.

Following the program Wesley Leibeler and David Belin (two lawyers who had served as assistant counsel for the Warren Commission) and Epstein and I participated in a discussion. I played a portion of an interview I had recorded with Bucknell. Epstein only said, "They never told me that he was in Oswald's unit." Then he added, "His name wasn't on the roster I was given."

Yet Bucknell was there. I met with Bucknell and James Botelho at my apartment in Venice, California, in April 1978. Botelho, even Epstein and the Warren Commission agree, was Oswald's roommate when they were stationed at the Marine Air Control Squadron (MACS-9) at Santa Ana. Botelho and Bucknell asserted that they had been there together with Oswald. After his discharge from the Marine Corps Botelho became a police officer in California, and later a judge.

Bucknell told me that one day he and Oswald went to a tavern near the base to drink a few beers. Two women approached them. Later that day Oswald told Bucknell the incident with the women reminded him of an experience he had had at Atsugi.

Oswald had been alone in a bar when an attractive Japanese woman approached him, he told Bucknell. She asked him some questions about his work on the base. That work was, of course, with the supersecret U-2 program. Oswald, predictably, reported that conversation to his superior officer, who then arranged for a meeting on the base between Oswald and a man dressed in civilian clothes.

The man, a "security" or "security-intelligence" operator, explained to Oswald that he could do his country a great service. Oswald was told that the woman was a KGB contact and that he would be given false information to pass on to her. Oswald agreed, and while still a teenager in the Marine Corps he became an intelligence operative. His liaison with the woman continued; he was given money to spend at the Queen Bee, and apparently encouraged by American intelligence to enter into a sexual relationship with the woman.

Years later, while examining Oswald's medical records—released along with thousands of irrelevant documents by the Warren Commission in 1964—I discovered a most remarkable entry. The chronological record of medical care for Lee Harvey Oswald (published by the Commission as Donabedian Exhibit No. 1, Volume 19, page 605) noted that on September 16, 1958, he had been treated for gonorrhea while

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in the Marine Corps at Atsugi. The Armed Services tend to consider venereal disease a serious problem and punish enlisted men who contract a dose. The affidavit stated that Oswald got the disease "in line of duty." It further exculpated Oswald from any responsibility by stating, "Not due to own misconduct."

When this startling information was released on French television, Epstein answered, "They told me that they always write 'in line of duty' for any disease or injury. They told me that when Oswald accidentally shot himself with a .22 pistol, they wrote 'in line of duty' on that medical report." Epstein never did reveal who "they" were, but anyone who has served in the American military knows that he was given—and he accepted—false information. Had Epstein merely turned to the next page of Oswald's medical record, he would have seen that the words "in line of duty" did not appear in connection with the self-inflicted wound or in connection with any other medical problem for which Oswald had received treatment.

Regarding Oswald's tour of duty in Japan, Bucknell can only report what Oswald recounted to him. However, he was involved directly with Oswald in an intelligence effort when they both were at MACS-9. In 1959 Oswald, Bucknell and others were ordered to report to the Criminal Investigation Division (CID) at the base. There a civilian began an effort aimed at recruiting those present for an intelligence operation against "Communists" in Cuba. Oswald was selected to make several additional trips to CID. Later he told Bucknell that the civilian who served as his contact or control at Atsugi had taken over the same job at Santa Ana. Still later, Oswald confided to Bucknell that he, Oswald, was to be discharged from the Marine Corps very soon and that he would surface in the Soviet Union. Oswald told Bucknell that he was being sent there on assignment by American intelligence and that he would return to the United States in 1961 as a hero.

Judge James Botelho probably knew Oswald as well as anyone at MACS-9. They shared the same room, and Botelho took Oswald home to meet his parents. Although the intelligence-inspired revisionists are attempting retroactively to make Oswald a Marxist Marine, Botelho denies it. "I'm very conservative now," he told me, "and I was at least as conservative at that time. Oswald was not a Communist or a Marxist. If he was, I would have taken violent action against him and so would many of the other Marines in the unit."

When they were in the service together, Botelho engaged in many discussions with Oswald. I asked him what he thought of Oswald when he learned that he had "defected." He said: "Well, when Oswald's presence in the Soviet Union was made public, it was the talk of everyone who knew him at the base. First of all, I was aware of the fact that the radio codes and other codes were not changed and that Oswald knew all of them. That made me suspicious. I knew Oswald was not a Communist and was, in fact, anti-Soviet. Then, when no real investigations about Oswald occurred at the base, I was sure that Oswald was on an intelligence assignment in Russia.

"In Epstein's book he quotes a former Marine named Delgado as stating that civilians swarmed all over the base after Oswald surfaced in Russia. That is not true at all. Delgado had been transferred before that date, in any event, and if there had been such an investigation, he would not have seen it. Two civilians dropped in, asked a few questions, took no written statements and recorded no interviews with witnesses. It was the most casual of investigations. It was a cover-investigation so it could be said that there had been an investigation."

Judge Botelho concluded, "Oswald, it was said, was the only Marine ever to defect from his country to another country, a Communist country, during peacetime. That was a major event. When the Marine Corps and American intelligence decided not to probe the reasons for the 'defection,' I knew then what I know now: Oswald was on an assignment in Russia for American intelligence."

Very likely, the truth about the assassination of President Kennedy resides in CIA files and in the minds of CIA officials. After the House Select Committee on Assassinations was established in 1976 a tough-minded former prosecuting attorney named Richard Sprague was appointed its chief counsel and director. He pledged to subpoena every relevant CIA and FBI file and to question every pertinent witness from the intelligence community. The intelligence organizations, through what they refer to as their "assets" in the news media, launched a vitriolic attack against Sprague, who was then eased out of his position by frightened members of Congress.

In June 1977 Sprague was replaced by G. Robert Blakey, formerly of the Department of Justice, who has declined to subpoena any FBI or CIA documents and who has hired his staff only after securing the approval of both the FBI and CIA. He has also agreed not to disclose to the American people anything he might learn from those two organizations without their approval.

On the day that the Select Committee was established by Congress, George O'Toole, a former CIA agent, turned to me and said that the most corrupt and inept institution in America has just been called upon to investigate the two most duplicitous organizations in our country's history. He added, "The CIA and FBI will have that committee for breakfast tomorrow morning." He was wrong: It took several months.

3 APR 1977

Post

Handwriting on 1963 Letter To 'Mr. Hunt' Said Oswald's

DALLAS, April 2 (AP)—Three handwriting experts have examined a letter dated Nov. 8, 1963, to an otherwise unidentified "Mr. Hunt" and concluded it was written by Lee Harvey Oswald, the Dallas Morning News reported today.

Oswald was identified by the Warren Commission as the lone assassin of President Kennedy here on Nov. 22, 1963.

The newspaper said the handwriting experts were commissioned by the paper and that their conclusion was that it is "the authentic writing of Lee Harvey Oswald and was written by him."

The letter says: "I would like information concerning my position. I am asking only for information. I am suggesting that we discuss the matter fully before any steps are taken by me or anyone else."

Retired newspaper editor Penn Jones Jr. told the News he obtained a copy of the letter through the mail from an unidentified person from Mexico City. He said the sender told him that he had given a copy of the letter to FBI Director Clarence M. Kelley in late 1974. An FBI spokesman has said the bureau knows nothing about delivery of such a letter to Kelley.

However, the Dallas bureau of the FBI acknowledged Friday that a letter purportedly written by Oswald to a Mr. Hunt was under investigation. An FBI spokesman said the letter came into its hands "recently." [FBI investigators have been unable to establish the letter's authenticity, but were leaning toward the idea that it was a forgery, it was reported last month.]

The News identified the handwriting experts as Mary C. Harrison of Richardson, Tex.; Mary I. Duncan of Toronto, and Allan R. Keown of El Paso. The newspaper said all are certified with the International Graphoanalysis Society.

A spokesman for the estate of oilman H.L. Hunt issued a statement Friday saying that reports that Hunt had something to do with the assassination were "totally false."

Earlier, a spokesman for Hunt Oil Co. denied that Hunt "ever knew, ever communicated with or ever received communication from Lee Harvey Oswald."

Jack Anderson and Les Whitten

CIA Tied to False Oswald Story

The Central Intelligence Agency asked one of its Cuban operatives to help fabricate a story about Lee Harvey Oswald during the investigation of the John F. Kennedy assassination, the Cuban has told congressional investigators.

In an earlier column, we reported that the same witness claimed he had met the accused assassin in Dallas in the company of a CIA agent three months before Kennedy was killed.

We identified the witness only as Mr. X because of attempts on his life. But we have studied his detailed, confidential statements to congressional investigators. They interviewed him three times, cross-examining him closely. He gave them such specific information that they concluded he was a "credible" witness.

He told of meeting his CIA contact in the lobby of a Dallas office building in August, 1963. "This time he brought another guy," recounted Mr. X. "The guy never talked."

Mr. X explained that he had trained himself, as an underground leader, to memorize the characteristics of people he met. He immediately recognized the CIA agent's companion after seeing Oswald on television following the Kennedy assassination.

Not long afterward, the CIA contact made a strange request of Mr. X. There had been a report that Oswald had met a Cuban couple in Mexico. "You have a cousin working for Cuban intelligence in Mexico," the CIA agent said. "Why don't you just ask him, saying we'll bribe him, if he said it was really him that Oswald met."

It isn't clear from the confidential transcripts why the CIA would want to fabricate this evidence. Perhaps the CIA could have sought to tie Kennedy's killer to the Castro government.

In any event, the CIA agent called off the scheme, and Mr. X "never did talk to his cousin," according to a summary of the interview. It should be stressed that the interview in no way implicates the CIA in the Kennedy killing.

The mystery witness first met his CIA contact in Havana before the United States broke off relations with Cuba. Mr. X had helped to organize a group of bank accountants, who embezzled funds from the Castro regime to finance anti-Castro causes.

The agent, who used the name Morris Bishop, recruited Mr. X to plan an attempt on Castro's life. The plotters planned to fire a bazooka from a nearby apartment while Castro was delivering one of his marathon speeches.

The plot was discovered by Castro's police, and Mr. X escaped to Miami. He continued for a dozen more years to work with Bishop in the anti-Castro underground.

During Castro's 1971 visit to Chile, Mr. X tried again to knock him off. The plotters included a Venezuelan security agent, named Luis Posada Carriles, who was supposed to provide forged documents laying the blame on the Soviets. This plot, too, fell through.

Only a few weeks ago, the same Posada was indicted in Venezuela on murder charges in connection with the crash of a Cuban jetliner.

Mr. X said he worked for the CIA until 1973 for expenses. When the relationship was terminated in 1973, he said, Morris Bishop paid him a lump $253,000 in cash for past services.

Callgirl Trade—Women who take up the world's oldest profession, like most other career seekers who want to get ahead in life, are looking for "higher income and an independent, exciting lifestyle."

These are the "major motivating factors" that lead women into prostitution. So concludes a scholarly study of callgirls and streetwalkers, which has just been completed at the taxpayers' expense.

Two distinguished researchers from the University of Washington, Dr. Jennifer James and Jane Meyerding, were assigned to find out why women become prostitutes. Their findings will be published shortly in a 32-page document, which has been bootlegged to us before it goes to press.

Not only do women become prostitutes for the sume underlying motives that "some people become lawyers," according to the learned ladies from Seattle, but the profession requires little schooling.

For the pay, there are "virtually no other occupations available" to women of modest skills, the researchers note. They conclude that prostitution will flourish as long as there is "a consumer demand." As they put it, "Economics is the pervasive theme of prostitution."

The study also dispels old wives' tale about "fallen women," who sell sex because they hate men or have abnormal sex drives or are forced into the business by "the coercion of brutal pimps."

Jack Anderson and Les Whitten

Mystery Witness in JFK Inquiry

A mystery witness has sworn to congressional investigators that a Central Intelligence Agency agent introduced him to Lee Harvey Oswald in Dallas three months before Oswald gunned down President John F. Kennedy.

The witness, whom we have agreed to identify only as Mr. X because of attempts of his life, is the founder of a Cuban terrorist group that worked closely with the CIA.

The group held secret meetings at 3126 Hollandale in Dallas before the assassination. Not long after Kennedy was shot, a Dallas deputy sheriff was told by an informant that Oswald had been associating with some Cubans at "3128 Harlendale."

Mr. X's dramatic testimony casts new light on the story Sylvia Odio, daughter of a wealthy opponent of Cuban Premier Fidel Castro, told to the FBI. Two months before the Kennedy killing, she related, she was visited in her Dallas apartment by three men who identified themselves as friends of her father.

One was introduced to her as "Leon Oswald." When she saw the picture in the newspapers of the man who had shot Kennedy, she fainted from shock. It was the same Oswald, she was certain, who had visited her apartment.

Congressional investigators have now learned that the late J. Edgar Hoover deliberately misled the Warren Commission about Odio's mysterious visitors. She was such a persuasive witness that the commission staff was preparing to investigate her story thoroughly.

Staff members even speculated, according to one internal memo, that the anti-Castro forces might have recruited Oswald, a known, pro-Castro activist to kill Kennedy.

"The motive on this," states the memo, "would of course be the expectation that after the President was killed, Oswald would be caught or at least his identity ascertained; the law enforcement authorities and the public would then blame the assassination on the Castro government; and the call for a forceful overthrow would be irresistible."

But Hoover abruptly blocked this line of inquiry by notifying the Warren Commission on Sept. 21, 1964, that the FBI had located and identified Odio's callers. He named them as Loran Hall, Lawrence Howard and William Seymour, all anti-Castroites. Hoover even suggested that Odio could have confused the names "Loran Hall" and "Leon Oswald."

Now the congressional investigators have uncovered evidence that all three denied visiting the Odio apartment and that the FBI had obtained their denials *before* Hoover wrote his letter to the Warren Commission.

The investigators have also obtained the tape of a fascinating conversation, predicting two weeks in advance that Kennedy would be shot "from an office building with a high-powered rifle." The prediction was made by the late Joseph Milteer, a right-wing rabble rouser, who also happened to have close connections with anti-Castro leaders.

The conversation was taped on Nov. 9, 1963, in Miami by an FBI informant named Willie Somersett, who turned the tape over to the FBI the next day. Milteer is heard on the tape describing how Kennedy would die. Then the rabble rouser added knowingly that Kennedy "knows he is a marked man."

Milteer later admitted to the FBI that he had been in Dallas in June, 1963, but denied having any knowledge of the Kennedy assasssination. However, the informant told the FBI that he asked Milteer after the shooting whether he had known about it in advance or had merely been guessing. "I don't do any guessing," replied Milteer.

But the most explosive development is Mr. X's statement that he met Oswald in the company of a CIA agent. Congressional investigators questioned the mystery witness closely on three separate occasions. They finally concluded that "his credibility is strengthened by the details he provides consistent with what he told us before. Significantly, he remains very strong on the Oswald sighting."

The encounter occurred in a downtown Dallas building, where Mr. X had an appointment with his CIA contact. The agent was accompanied by a man whom Mr. X later recognized as Kennedy's killer.

"When he saw it was Oswald that killed Kennedy," the investigators reported in a confidential memo, "he nearly freaked out, but he never said anything."

The investigators tried to pin down Mr. X on how he could be sure that man was Oswald. Mr. X replied, according to the memo, that he had learned "how to retain the characteristics of a person; he had trained himself to do that. And if it wasn't Oswald, it was someone who was *exactly* like Oswald, his exact double.

Jack Anderson and Les Whitten

U.S., Cuba Had Germ Warfare Plans

The United States and Cuba apparently planned to wage germ warfare against one another's livestock a few years back.

The Senate intelligence committee is investigating the startling charge that the CIA spread African swine fever in Cuba. The disease devastated the island's pig population.

Now we have learned that the Cubans had a scheme of their own to infest U.S. cattle with hoof-and-mouth disease. The idea eventually was abandoned, but in April, 1962, Cuban politburo member Antonio Nunez Jimenez discussed the hoof-and-mouth plot with four top Cuban scientists.

The amazing story has been buried in intelligence documents, which we have now seen.

Nunez Jimenez informed the four scientists, according to an intelligence memo, "that Cuba was now ready to give the United States a 'dose of its own medicine.'

"Nunez Jimenez further explained," continued the memo, "that Cuba had the ability, through specially trained agents, to destroy the cattle industry of the United States by spreading an epizootic fever known commonly as 'hoof-and-mouth disease.' "

A hoof-and-mouth epidemic would have forced the destruction of the infected cattle. An outbreak in the United States in 1929 and in Mexico in 1946 wiped out millions worth of livestock.

Federal agents, alarmed at the first-person account of Nunez Jimenez' threat, made further inquiries and found that "the Cuban government had opened a bacteriological laboratory in Soroa, Pinar del Rio Province."

This secret lab, "located in the former orchid gardens of Soroa," was run by a Spanish exile named Dr. Martinez Viera. He was assisted by a Cuban and a former American resident. The latter was a woman who washed the test tubes and vials used by Viera, reported the memo.

At the time of the memo, written in 1963, it appeared that "Nunez Jimenez had made arrangements for three Soviet bacteriologists to take over the laboratory."

One purpose of the lab, interestingly, was to "determine the cause of an epidemic which completely destroyed the birds of a turkey farm." However, we can find no evidence that the turkeys, like a reported 500,000 Cuban pigs, may have been the victims of CIA germ warfare.

Another Coverup—There is no longer any question about it; both the FBI and CIA withheld essential facts from the Warren Commission about the assassination of President Kennedy.

The FBI never allowed the commission access to its files, and the members were so intimidated by the late FBI Director J. Edgar Hoover that they never protested. Instead, they relied upon FBI summaries and Hoover's letters.

We have now learned, for example, that the FBI had in its files at least 69 reports on the pre-assassination activities of Lee Harvey Oswald. Only 46 of these were summarized for the Warren Commission; the remaining 23 were held back. Thus, the commission accused Oswald of the murder without considering all the available facts.

The CIA also provided the commission with selective information and covered up crucial facts. Indeed, congressional investigators say the CIA deliberately lied about some of the details that were furnished to the commission.

During the closing weeks of the last Congress, the House established a select assassinations committee, which has barely started its investigation of the Kennedy killing. Yet its investigators have already interviewed about two dozen key witnesses who had never been questioned.

They include people who had witnessed the shooting in 1963 and the scene afterward inside the Dallas hospital. Sources with important information in Mexico City and Miami were also interviewed for the first time.

Now there are disturbing reports that the FBI and CIA are directing an undercover campaign against the committee. Congressional sources say the two embattled agencies are spreading derogatory stories about the committee.

The CIA, these sources say, also offered to take over the committee's security. This incredible proposal would have placed the CIA, a target of the investigation, in charge of the committee files.

After the offer was rejected and investigators started asking embarrassing questions, the CIA allegedly urged the Senate intelligence committee to take the lead in investigating the Kennedy assassination. Apparently, the CIA felt that the Senate committee would be more friendly.

Footnote: At this writing, the CIA has not responded to our request for a comment. A Justice Department spokesman said the FBI is cooperating fully with the committee, not obstructing it.

Q and A

Sprague Tells About JFK, King Probes

26.12.76

Richard A. Sprague, counsel and director of the House Assassinations Committee, which is investigating the murders of President John F. Kennedy and Martin Luther King Jr., was interviewed by Washington Star Staff Writer Jeremiah O'Leary.

Question: *You have the reputation as a tough prosecutor from the Yablonski-Boyle case. Would you have taken on this new assignment if you were satisfied that we have every thing we need to know?*

Sprague: I took this assignment because I was satisfied an investigation was going to be done. I was also satisfied that many questions have been raised about the president's assassination. It seemed to me most important that the inquiries to be conducted today be done in a thorough, dispassionate manner. My purpose has nothing to do with what conclusions we ultimately come to but whether or not it is possible to get a group of professionals to do the kind of job which ultimately satisfies the broad base of the public.

Q: *That seems to imply that you have some doubts if the previous investigations were complete and totally satisfying.*

A: I wouldn't put it on that basis. It seems to me that we are commencing these investigations without assumptions However, it is certainly clear that, say, in the investigation of the assassination of President Kennedy the investigative agencies that were used by the Warren Commission appear to have had areas concerning their own efforts, their own involvement, which they did not disclose to the Warren Commission. That does raise a question of the thoroughness of that investigative effort. In the King case, it is obvious from an examination of the transcript of when James Earl Ray pleaded guilty that Ray disputed a statement made by his own lawyers and the state prosecutor that there was no conspiracy. No one seemed to have the interest of saying to Ray: "What is it you're talking about?' That raises the question whether the inquiry was concerned with finding out whether others participated. Whether, in fact, others did, whether, in fact, the areas that the CIA and the FBI may have withheld from the Warren Commission affected any conclusions we

See SPRAGUE, A-14

SPRAGUE

Continued From A-1

don't know. But, certainly, in each area, it affected the degree to which the investigatory process was thorough and definitive.

Q: *In both examinations are you going back to Square One?*

A: Yes. I think that in each case it is essential in doing a thorough investigation to start with the two assassinations as you would do in any homicide case. The-body-at-the-scene, so to speak. And then you've got to investigate what led to the scene.

Q: *What impediment is it going to be that a fair number of the participants, in the Kennedy case, for instance, are now dead?*

A: It is a problem, of course. The question arises also as to the time that has elapsed. We're being called to the scene of these two murders 13 and 8 years later. That makes the investigative task more difficult. But I daresay that it's not quite as difficult as it would be if you waited another five years. There is an advantage in that there is a mass of material, that there are live witnesses who are yet living in each of these cases. The fact that there are difficulties ought not to mean "Let's not make the attempt.' It may be that after the attempt is made those problems may make it impossible but let's make the attempt and find out.

Q: *Will you be using the original findings as the base point and go from there?*

A: Not the findings so much but what is the evidence which led to conclusions and whether or not that evidence is solid and substantial and corroborative or whether, in fact, it is not so. I think, in fact, to do an investigation we have to find out what has been done up until now. I do think it is essential that we must bring together all of the material that exists for each of these assassinations and all the investigating effort that has taken place up until now.

Q: *It seems apparent that the Warren Commission accepted only that which was given to them, you have no intention, then, of accepting that?*

A: No. It is important that we obtain the reports and data upon which these reports were predicated. But our investigation is going to mean our own interviews of witnesses at the source. Even when we say FBI reports we are talking about going back to the man who made the reports and finding out from him who the sources of his information are. One thing I've found is that people who prepare reports put into that report the things they think are interesting, relevant. There are often matters that are omitted that are more germane than that which is put in the report. In fact, I've found on many occasions that the author of the report lets his attitude and feelings color to a certain extent that which is reported.



RICHARD A. SPRAGUE
Starting all over

Q: *Is it disturbing to you that at least two agencies failed to report to the Warren Commission all the facts now well known — Oswald's threatening letter to the FBI and CIA activities or plans concerning Cuba?*

A: The answer is that it *absolutely* disturbs me. It disturbs me from many standpoints. It raises a question as to whether or not there are other areas which similarly have not

It All Started With Flick of a Cigarette

NEW YORK (UPI) — A fight broke out among Christmas revelers attempting to board an elevator in a Bronx apartment house early yesterday. When it was over, five persons had been stabbed and six were under arrest, police reported.

According to police, 10 men were waiting to board an elevator in a building shortly after 1 a.m. to attend a party.

"Someone flicked a cigarette and it hit someone else in the face," a police spokesman said. "Words were exchanged and the fists started flying; then someone got a knife out."

The five injured all were stabbed in the abdomen, the spokesman said. Two of the injured were treated for stab wounds and released. Three others were admitted to a hospital, where a spokeswoman said they were in stable condition. Six men were being held pending arraignments in criminal court police said.

been disclosed. It also raises the question of why those agencies would have taken it upon themselves not to disclose it at that time. And it raises a third area, since there was a presidential order at that time for these agencies to cooperate fully, as to why they would not have complied fully with that presidential order.

Q: *Certain elements of evidence — autopsy reports, photographs, etc. — have been put under seal. Does your subpoena power allow you to get at these?*

A: In my view, the answer is yes.

Q: *Do you expect to get the cooperation of the agencies involved in this probe?*

A: Well, I can't speak for the future, of course. In the long run we will have to see if indications of cooperation which are stated to be at this point will, in fact, continue as we may get into hairier areas. As of this date the indications are the agencies will cooperate with our getting access to materials.

Q: *How do you say you want this or that document wih material locked up in secret agency files?*

A: One of the things we are in the process of arranging with those agencies is that personnel from this office will have access to their material at their place. We will go through the files and we will make the determination as to what they have that we'll want here.

Q: *What do you do about a man like James Earl Ray? Can you subpoena him and if he refuses to talk what can you do — he's already got a life sentence?*

A: He's serving a period of years in jail which in effect is the same as a life sentence. Keep in mind, anyone that I know of that is serving a life sentence keeps alive the hope ultimately of a parole and being in the good graces of a parole board. We're not talking about that particular person now. There are laws. Any and all witnesses subject to the jurisdiction of the United States ae subject to subpoena power of this committee. Each witness called before the committee must answer the questions under oath that are presented or asked of that witness. The only exception is where the witness could properly invoke the privilege against self-incrimination or in the event that the question is beyond the scope of the committee. In the event that a witness even wanted to invoke the privilege against self-incrimination there are other avenues for the committee to take.

Q: *Such as?*

A: Such as the immunity powers to compel testimony. The Congress has that authority. I happen to be a big believer in using this power, though sparingly. In the Yablonskicases, for example, you note that we did not grant immunity to anybody. It is not just a matter of getting somebody before the committee and having him say whatever he is going to say. It's a matter of really getting the field work, attempting to talk to somebody, getting perhaps a refusal; finding other ways, other avenues. Going time and time again. Ultimately people who appear at first blush like they do not want to talk about various matters end up perhaps being wiling to. I don't want to talk about any particular person, though, even in a hypothetical cases.

Q: *You've put forward a budget request of $6.5 million for the first year. Doesn't that seem like a lot of money?*

A: I take it that my job is, as a professional, to come up with my best opinion as to what is needed — recruiting a top-notch staff, directing it in a professional manner. It is up to the Congress to decide if they think the cost is too high. But investigations are costly. Heretofore, when the Congress wanted to investigate something they could call on the other branches of government. They could call on the FBI, the CIA, the field offices. But they can't do that in this case. The investigatory team must be indepedent because those are agencies that to some extent are going to be investigated. In New York State they ar investigating scandals involving nursing homes. Now, with all due respect to nursing home scandals, they are not quite as important as investigating whether there were other people in existence who took part in the assassination of the president of the United States. But in that one investigation, New York State has created a special prosecutor who has a staff of 65 attornys, 156 auditor-accountants, another 100 investigators, another 100 back-up people. He has a $6 million yearly budget. He has, in addition, 40 investigating grand juries whose cost is not in that $6 million. So when we talk about in *two* investigations having a total of 80 attorneys and investigators and a total staff with the back-up of 170 people, the truth of the matter is that that is as bare-boned on organization as youcan have.

Q: *What are your feelings as to how the House will respond to this request?*

A: I haven't the slightest idea. I really feel that that is not my problem, that I was not brought down here to become an advocate or a salesman. The determination whether to investigate is one that was made by the Congress. The one thing that I've tried to make clear to the public and the Congress and the media is that the worse thing would be the appearance of an investigation that would, in fact, be hypocritical. It is better that it not be done than to do it in a way that did not provide for adequate financing. It is either to be done thoroughly, definitively or don't do it. Don't do it in a manner that is going to raise more questions than exist today.

The Gallup Poll 26 DEC 1976

Most Americans Believe Oswald Did Not Act Alone

By George Gallup

PRINCETON, N.J.—As the House Select Committee on Assassinations begins its investigations, the overwhelming majority of Americans believe that others besides Lee Harvey Oswald were involved in the assassination of President Kennedy in Dallas on Nov. 22, 1963.

In the latest survey, just completed, 80 per cent think others were involved in the assassination, while only 11 per cent think Oswald acted alone. Nine per cent do not express an opinion.

Persons with a college background, while overwhelmingly of the opinion that some form of conspiracy was involved, are less inclined to hold this view than are persons with less than a college background.

Approximately one-half of the survey respondents who believe others were involved did not name a specific group. Among those who did, however, Cuba or Premier Fidel Castro were mentioned most often. Other responses frequently given are "the Mafia," "Communists," and the Central Intelligence Agency.

The same survey also shows that few Americans believe James Earl Ray acted on his own in the assassination of the Rev. Dr. Martin Luther King Jr. in Memphis on April 4, 1968. Only 18 per cent hold this view, while 69 per cent think others were involved and 13 per cent do not express an opinion.

An investigation into the assassinations of Kennedy and King was recently begun by the newly established House Select Committee on Assassinations—the sixth to be conducted on a large scale by government officials since Kennedy was assassinated.

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Jack Anderson and Les Whitten

Evidence Points to a King Plot

House investigators have uncovered dramatic new evidence that the convicted killer of Dr. Martin Luther King Jr. may not have acted alone.

The murder was pinned on James Earl Ray, an escaped convict, who used phony passports to slip out of the country. According to the investigators, he got as far as Portugal, where he received "further instructions" from a secret conspirator.

Ray was finally tracked down in London and extradited to the United States for trial. His activities in Portugal, meanwhile, have been concealed from the authorities for eight years.

Not until a few weeks ago did the House investigators learn about Ray's Portugal connection from "a witness who had never previously been interviewed by any investigative agency."

The investigators reported this startling development confidentially to the Select Committee on Assassinations. "Ray contacted another person from whom he received further instructions," they disclosed cautiously in a preliminary report.

They didn't mention in the report where the contact was made, except that it was "out of the United States." We have established that the location was Portugal.

The investigators have also uncovered some intriguing new information about Lee Harvey Oswald, the accused assassin of President Kennedy.

According to the report, the committee staff "spent seven hours questioning an ex-CIA agent who had come forth to relate his personal knowledge of the contents of conversations between Lee Harvey Oswald and personnel within the Cuban and Soviet embassies in Mexico City."

Oswald's conversations, according to our sources, were monitored by the Central Intelligence Agency. Immediately, staff members "were dispatched to Mexico City where they conducted further interviews," the report discloses. No evidence has been uncovered so far, however, that Oswald discussed the Kennedy assassination at either embassy.

The committee will probe deeply into any connection between the CIA and Kennedy's assassination. The agency, we have learned, has more than 60 cartons of top secret documents "relating to the assassination of President John F. Kennedy and the activities of Lee Harvey Oswald prior to that assassination."

Meanwhile, the committee staff is anxiously awaiting congressional approval of their reauest for a record $8.5 million to investigate the assassinations. Behind closed, doors, Richard Sprague, the panel's brilliant staff director from Philadelphia, dramatically laid out his plans, and persuaded even the most stubborn members of the committee that the money was necessary.

Sprague pointed out that, compared with other investigations, the money he wanted was not an unreasonable sum. For example, he noted that for the first three-month period of the search for Patricia Hearst, the FBI spent $2.6 million.

In addition, Sprague explained, the New York State investigation of abuse in the Medicaid program has a budget of $8 million for its second year.

Rep. Henry B. Gonzales (D-Tex.), the incoming chairman of the assassination committee, told us he is convinced that Sprague is right.

Conflict Curbs—President-elect Jimmy Carter, armed with an unpublished survey showing that employees are abysmally ignorant of conflict of interest laws, plans to make an executive order on the problem one of his first orders of business.

According to the survey, prepared by Ralph Nader's Center for Law and Social Policy, the conflict laws are so complex that employees can't understand them.

In fact, the employees told the Nader interviewers, the legal terminology is "so boring and burdensome" that they sign federal job agreements without even reading the regulations.

Some agencies, states the report, don't even bother to provide workers with the written laws. Instead, the employees receive quick oral briefings.

Incredibly, federal agencies do not remind employees about potential conflicts when they leave the government. The burden is on the worker to determine if taking a new job is illegal.

As a result, top government executives are caught in a revolving door between business and government which moves so fast it is difficult to distinguish the watchdogs from those who are being watched. In some cases, regulators break the law by quickly accepting jobs in the industries they were regulating.

Oswald-Cuban Envoy Contacts Cited

MIAMI — A prominent Cuban exile said yesterday that Lee Harvey Oswald met repeatedly with Fidel Castro's diplomats in Mexico before the assassination of President John F. Kennedy and that Mexico's secret police must have extensive files on the meetings.

Dr. Alberto Garcia Menocal, a prominent attorney in pre-Castro Cuba who is now a furniture dealer in suburban Coral Gables, was interviewed on WRAC, a Spanish-language radio station. Garcia was living in Mexico at the time of the Kennedy assassination.

9 DEC 1976

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NEWSWEEK
5 December 1976

INVESTIGATIONS:

Back to Square One

At daybreak, members of the Kennedy family prayed at the grave of John F. Kennedy. In Dallas, where the President was shot, more than 300 people attended a memorial service that had nearly been canceled for lack of interest. But while Americans marked the thirteenth anniversary of Kennedy's assassination last week, Congress was beginning yet another investigation of it. In what may become the nation's most extensive Congressional inquiry, the House Select Committee on Assassinations has subpoenaed records of the Kennedy murder and begun hiring a staff. At the request of the Congressional Black Caucus, the select committee will conduct a simultaneous investigation into the killing of the Rev. Dr. Martin Luther King Jr.

Many critics have never been satisfied with the conclusion of previous investigations—that Lee Harvey Oswald, acting alone, shot Kennedy, and that James Earl Ray, acting alone, shot King. But a more important reason for another major inquiry into the Kennedy and King deaths seems to have been the recent disclosures of malfeasance and lawbreaking by the CIA and the FBI. The charges provoked strong suspicions that neither agency cooperated fully with—and may even have impeded—earlier investigations.

Plots: Both the CIA and FBI, for instance, are thought to have withheld information about a possible Cuban connection in Kennedy's death. Despite speculation that the government of Fidel Castro might have been involved in the Kennedy assassination—perhaps in retaliation for CIA efforts to kill Castro—the CIA did not tell the Warren commission of its plots against the Cuban leader. Recently, the Justice Department also uncovered a 1964 memorandum by the late FBI director J. Edgar Hoover, saying that Oswald, about two months before the assassination, had told Cuban officials in Mexico that he intended to kill the President.* Hoover attributed this information to an informant who claimed to have been told it by Castro. The Hoover memo was reportedly addressed to the Warren commission, but former staffers said they had no recollection of receiving it.

The committee also has some intriguing questions to consider about King's assassination. It is known that the FBI—which led the original investigation into King's death—waged a campaign to discredit him that continued even after his death. Last week the committee's chief counsel, Richard Sprague, said he found it "most unusual" that authorities did not fully interrogate Ray, or demand that he tell all he knew about King's murder. Sprague, 51, a Philadelphia prosecutor who led the team that convicted former mineworkers' boss W.A. (Tony) Boyle for the Yablonski murders, is also checking reports that documents relevant to the King case may have been burned last September in Memphis (Tennessee officials denied the reports).

Texas Democrat Henry Gonzalez, who is expected to chair the select committee when the new Congress convenes in January, has promised an investigation free of the headline hunting that has characterized many Congressional committees. He and Sprague intend to hire 170 people to staff two separate teams—one for each murder. Their work could last two years and cost $4 million. Says Sprague: "I want an investigation where, if somebody says, 'But did you look into this possibility?' I can say, 'Yes, we did'." The question is whether thirteen years after JFK's death and eight years after King's a comprehensive inquiry can really be conducted—and even if it can, whether it will answer all the doubts about their murders.

—SUSAN FRAKER with STEPHAN LESHER in Washington

*At about the same time, Oswald telephoned the Soviet Embassy in Mexico City and offered to trade information of some sort for a trip to Russia. But it was revealed last week that the CIA, which intercepted the conversation, did not make a complete transcript of it available to either the FBI or the Warren commission.

House Assassination Probe

2 Deputy Counsels Named

By Jeremiah O'Leary
Washington Star Staff Writer

Two veteran crime experts from the New York City district attorney's office today were named deputy chief counsels for the House Select Committee on Assassinations probe of the deaths of President John F. Kennedy and Dr. Martin Luther King.

Richard A. Sprague, chief counsel and director, has appointed Robert K. Tanenbaum to head the task force investigating the assassination of Kenndy and Robert J. Lehner as deputy chief counsel for the King assassination probe.

The two deputy chief counsels are leaving the New York district attorney's office where Tanenbaum was bureau chief of the Supreme Court Trial Bureau and Lehner was senior trial counsel. Each will supervise a staff of 15 attorneys and 25 investigators. Their salaries will be $36,000 a year.

TANENBAUM, 34, directed the grand jury investigation of the slaying of Joseph (Crazy Joey) Gallo, a New York mob figure. Gallo was gunned down while dining with his bride of three weeks in New York's Little Italy on April 7, 1972. The grand jury investigation led to a series of prosecutions conducted by Tanenbaum which resulted in six guilty pleas and two convictions.

Tanenbaum, a graduate of the University of California, was named an assistant district attorney in 1968 by then-Dist. Atty. Frank Hogan; was promoted to deputy chief of the homicide bureau in 1973 and last May became the chief of the Supreme Court Trial Bureau.

Lehner, 40, is a 1961 Columbia University law graduate and has been a criminal law investgator since joining the DA's office. He became chief of the homicide bureau in 1973 and since becoming senior trial counsel last April has tried 25 murder cases.

THE MOST dramatic of Lehner's cases was that of Calvin Jackson, who was found guilty after a month-long trial of murdering nine women, all but one of them killed in the Park Plaza Hotel. Jackson, who presented a defense of insanity, was convicted of all nine slayings and received four consecutive 25-years-to-life sentences.

In his younger days, Lehner played outfield and first base for two farm clubs of the Cleveland Indians, the North Platte, Neb., Indians and the Fargo, N.D., Twins.

The House Committee will name a third deputy chief counsel later. The task force under Sprague is already at work preparing for the full-scale reopening of probes into the assassinations of Kennedy and King and eventually will conduct public hearings on both.

THE WASHINGTON POST
28 November 1976

Oswald Probers in Mexico

Investigators for the House Select Committee on Assassinations flew to Mexico yesterday to interview a Central Intelligence Agency translator and a typist who prepared a transcript of a telephone call made by Lee Harvey Oswald to the Soviet embassy in Mexico City eight weeks before the assassination of John F. Kennedy

The action followed four hours of closed-session testimony given yesterday to the committee's unit investigating the Nov. 22, 1963, Kennedy assassination. The testimony was given by David A. Phillips, a retired CIA officer, who saw a transcript of the conversation before the assassination.

The Washington Post reported Friday that Phillips, the translator, and a typist each said Oswald was offering to give the Soviets information and requesting free passage to Russia. A transcript of this conversation given to the CIA contained no such exchange or intimations.

There is no evidence Oswald's offer of information was accepted by the Soviets.

The Post also reported that Phillips, the translator, and the typist said Oswald identified himself. The CIA has claimed agency officials were not aware of the Oswald call in question or other calls at the time because they did not know who had made them.

It was learned that Phillips, who heads a CIA defense group formed by retired intelligence officers, was reminded by the CIA Friday of the secrecy oath he was required to sign when he joined the agency. However, it is understood he testified anyway.

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PHILADELPHIA INQUIRER
27 NOVEMBER 1976

CIA denies it had report on Oswald

Reuters

WASHINGTON — The CIA denied yesterday that it had a report of a meeting between Lee Harvey Oswald and Cuban agents before President John F. Kennedy's assassination on Nov. 22, 1963.

The allegation was made in a Washington Post story yesterday.

The Post also reported that the CIA recorded a conversation between Oswald and officials at the Soviet embassy in Mexico City in September 1963, but never gave the information to the FBI for its investigation of the assassination. The Post said that Oswald asked the embassy for a free trip to the Soviet Union in exchange for unspecified information.

The CIA refused to comment on all aspects of the newspaper article except for the alleged meeting between Oswald and the Cubans.

There has been persistent speculation that Oswald was working for the Cubans and killed Kennedy in retaliation for CIA plots to kill Cuban Premier Fidel Castro.

Oswald spent two years in the Soviet Union and married a Russian woman before returning to the United States some time before Kennedy's murder.

The Post said the CIA had wiretaps on the Soviet and Cuban embassies in Mexico City.

It quoted Sylvia Duran, a Mexican who worked for the Cuban embassy, as saying that she spoke to Oswald in Mexico City in September 1963.

The Warren Commission, which probed the assassination, ruled that Oswald acted alone in the murder.

Many Americans have disagreed with that conclusion, and a special House committee is now conducting a new inquiry into the slaying of Kennedy and also the murder of the civil rights leader, Dr. Martin Luther King Jr. in 1968.

27 NOV 1976

Hill Panel Probing Oswald Call

By Ronald Kessler
Washington Post Staff Writer

The House Select Committee on Assassinations last night subpoenaed retired Central Intelligence Agency officer David A. Phillips to question him about a telephone call made by Lee Harvey Oswald to the Soviet embassy in Mexico City eight weeks before President Kennedy's assassination.

A committee source said Phillips, who heads the Association of Retired Intelligence Officers, which is a leading defender of the CIA, was subpoenaed to testify within a few days before a closed session of the committee's unit investigating the Kennedy assassination.

Phillips was questioned informally last night by committee investigators in the committee's offices. He may testify as early as today, according to a source.

Richard A. Sprague, chief counsel of the full committee, said yesterday that it has launched an investigation of the circumstances surrounding the telephone call as reported in yesterday's editions of The Washington Post.

The Post story said that the CIA intercepted and tape-recorded Oswald's call to the Soviet embassy in late September, 1963, but did not turn it over to the FBI, which has responsibility for investigating possible spies. It also did not turn it over to the Warren Commission during its investigation of the Kennedy assassination, The Post said.

Instead, the CIA gave the FBI a brief report that did not mention Oswald's offer of information, but said only that Oswald had contacted the Soviet embassy, The Post said. The CIA later provided the Warren Commission and the Senate intelligence committee, which investigated the Kennedy assassination earlier this year, with transcripts of Oswald's call that omitted his offer of information in exchange for a trip to the Soviet Union.

There is no evidence that Oswald's offer of information was accepted by the Soviets. Oswald later did refer in a letter, first made public by the Warren Commission, to 'meetings" in the Soviet embassy.

After the assassination on Nov. 22, 1963, the CIA claimed that it was not aware of most of Oswald's activities in Mexico City before the assassination because Oswald had not mentioned his name in this and other conversations with the Soviet and Cuban embassies there.

However, Phillips, who saw the CIA transcripts of Oswald's conversations before the assassination, the CIA translator in charge of preparing the transcripts and the typist who prepared them each told The Post that Oswald had mentioned his name in the conversations.

They also said Oswald was offering information to the Soviets and requesting a free trip to Russia.

Since the CIA claims that the tapes of Oswald's calls were destroyed about a week after the conversations took place, few individuals have personal knowledge of what was said.

The CIA has declined to comment.

In addition to obtaining Phillips' testimony, a House assassination committee source said the panel intends to identify and interview the CIA translator and typist, who were interviewed by The Post in Mexico.

Panel Asked to Investigate Killing of Panther Leader

United Press International

The House Select Committee on Assassinations yesterday was asked to investigate the 1969 killing of Chicago Black Panther Party leader Fred Hampton on grounds he was set up by the FBI through an informer and "murdered" in a raid carried out by a special force of the Chicago police.

Morton H. Halperin, a former staff member of the National Security Council and now director of projects in conjunction with the American Civil Liberties Union, requested action in a letter to Richard A. Sprague, chief counsel and staff director of the newly formed House panel.

Halperin said FBI complicity was established by documents and information that came to light during the $47.5 million civil damage suit against federal, state and local authorities now underway in Chicago. The suit was filed by relatives of Hampton and Mark Clark, another Black Panther member killed in the raid on their apartment.



DAVID A. PHILLIPS
. . . CIA ex-officer subpoenaed to testify

Chicago police have said the raid was carried out to confiscate weapons held by the Panthers and that police fired their guns in response to shots from the apartment's occupants.

Halperin said that a resolution setting up the House panel to investigate the assassinations of President Kennedy and civil rights leader Dr. Martin Luther King Jr. also authorized the committee to probe the deaths "of any others the select committee shall determine."

Oswald Offered Soviets Data for Trip

Star Associated Press 26 NOV 1976

A retired CIA agent says he recalls that several weeks before President John F. Kennedy's assassination in 1963, Lee Harvey Oswald offered to give the Soviet Embassy in Mexico City information in exchange for a trip to Russia.

David A. Phillips, a former CIA officer in Mexico who now heads the Association of Retired Intelligence Officers, said in a telephone interview last night:

"My general recollection is that he (Oswald) wanted to go to the Soviet Union via Cuba, and as part of that he said he might have some information useful to them."

Phillips, who recently retired from the agency in order to defend the agency against its critics, declined to say where he had obtained that information, other than to say "I was aware what was going on."

However, it was first reported more than a year ago, and later confirmed by Senate intelligence committee chairman Frank Church, that the CIA wiretapped and recorded a Sept. 28, 1963, conversation that Oswald had with the Soviet Embassy in Mexico City from a telephone in the Cuban Embassy there.

Kennedy was shot to death in Dallas on Nov. 22, 1963, and the Warren Commission determined that Oswald was the sole assassin.

It has been known that Oswald went to the Mexico City embassies in an attempt to obtain a travel visa that would permit him to enter the Soviet Union by way of Cuba.

The Washington Post reported in today's editions that a CIA interpreter and a stenographer who worked on the transcript of Oswald's telephone conversation also recalled that Oswald had offered unspecified information in exchange for a paid trip to the Soviet Union.

But the Post said the Warren Commission, for undetermined reasons, was not given that segment of the transcript. And it said the FBI, which is responsible for espionage investigations, also was told only in a general way that Oswald had made contact with the Soviet Embassy.

= F.B.I. See file

= See above.

Who's the critic?

CIA Withheld Details on Oswald Call

By Ronald Kessler
Washington Post Staff Writer

In late September, 1963—eight weeks before the assassination of President Kennedy—Lee Harvey Oswald telephoned the Soviet embassy in Mexico City and tried to make a deal.

In exchange for unspecified information, he wanted a free trip to Russia.

This conversation was intercepted and recorded by the Central Intelligence Agency at the time. But it was not then turned over to the FBI, which has responsibility for investigating possible spies, and it was not later turned over to the Warren Commission during its investigation of the assassination.

The unanswered question is why not?

The existence of the CIA telephone intercept of Oswald's conversation in Mexico City and the contents of the still-secret transcript have been verified by The Washington Post. The Post has also verified that the CIA failed to turn over the complete transcript to either the FBI or the Warren Commission.

Instead, the CIA gave the FBI in October, 1963, only a brief report saying Oswald had made contact with the Russians. It gave the Warren Commission a transcript of the taped conversation but for unexplained reasons failed to include in the transcript Oswald's offer of information and his suggestion that the Russians would want to pay his way to the Soviet Union.

The Post has also determined that the CIA, for unexplained reasons, told the Warren Commission that it learned of most of Oswald's activities in Mexico City only after the assassination. The fact is, however, that the CIA monitored and tape-recorded his conversation with both the Russian and Cuban embassies in Mexico City in the fall of 1963, before Kennedy's death.

It was the CIA's belief that the two embassies were heavily involved in the spy business and that, specifically, they were operational bases for intelligence activities directed at the United States.

So, with the full cooperation of the Mexican government, CIA wiretaps were installed on telephone lines going into both embassies.

The CIA was especially interested in U.S. citizens who made contact with the embassies.

Thus, when Oswald showed up in Mexico City in late September and telephoned the Russian embassy, his conversation was picked up from the wiretap. A transcript was made and circulated in the CIA offices in the American embassy in Mexico City.

The station chief at that time was the late Winston M. Scott, who personally reviewed all transcripts emanating from wiretaps on Soviet bloc installations.

The Oswald transcript, according to a CIA translator who worked with Scott, aroused a lot of interest.

"They usually picked up the transcripts the next day," he said. "This they wanted right away."

What that transcript contained is a matter of some dispute, and the CIA says it routinely destroyed the tape before the assassination. But some

See OSWALD, A7, Col. 1



LEE HARVEY OSWALD
. . . telephoned Soviet embassy

26 NOV 1976

WASHINGTON POST, 26 November 1976

CIA Withheld Details on Oswald Call

OSWALD, From A1

people who saw the transcript or heard the tape before the assassination recall that Oswald was trying to make a deal.

One of them is David A. Phillips, a former CIA officer, who now heads the Association of Retired Intelligence Officers and is a leading defender of CIA activities. Phillips was stationed in Mexico City at the time.

The transcript revealed, Phillips recalled, that Oswald told the Soviet embassy: "I have information you would be interested in, and I know you can pay my way" to Russia.

The stenographer who typed up the transcript and the translator who prepared it had similar recollections.

"He said he had some information to tell them," the typist said in an interview in Mexico. "His main concern was getting to one of the two countries [Russia or Cuba] and he wanted them to pay for it. He said he had to meet them."

The Warren Commission later concluded the Russians and Cubans were not much impressed by Oswald. This view is supported by Sylvia Duran, a Mexican citizen who worked in the Cuban embassy at the time of Oswald's visit. She talked to Oswald on Sept. 27, 1963, and recalls the meeting in some detail.

In a joint interview in Mexico City with this reporter and Post special correspondent Marlise Simons, Duran said Oswald told her that he wanted to travel to Cuba and Russia and displayed documents to show he was a "friend" of the Cuban revolution. Among other things, he claimed to be a member of the American Communist Party.

Duran said she informed Oswald that in order to travel to Russia he would have to obtain permission from the Soviets. Oswald went off and returned later in the day to inform Duran that he had obtained the necessary permission. Duran said she called the Soviet embassy and was told Oswald's application for a visa would take three to four months to process. Informed of this, Duran said, Oswald "got really angry and red. He was gesticulating." Duran said she had to call for help from the Cuban consul who got into a shouting match with Oswald and told him to get out. Duran said she never saw him again.



SYLVIA DURAN
... recalls talk with Oswald

However, Duran's story covered only the first day of Oswald's five-day stay in Mexico City. Oswald later referred in a letter to "meetings" he had in the Soviet Embassy.

How interested the CIA was in Oswald's dealings with the two embassies is uncertain.

The translator and typist who handled the transcript of the intercepted conversation recalled that the level of interest was high. But the CIA's own actions lead to a different conclusion.

The agency waited until Oct. 10, 1963, to notify the FBI of Oswald's activities. And its teletyped report made no mention of Oswald's offer of information in exchange for a free trip to Russia or of his attempts to travel to Cuba and Russia. "On October 1, 1963," the teletype message said, "a reliable and sensitive source in Mexico reported that an American male, who identified himself as Lee Oswald, contacted the Soviet Embassy in Mexico City inquiring whether the embassy had received any news concerning a telegram which had been sent to Washington."

That was strictly a routine handling of the matter, and similar to the standard reports made to the FBI at that time on other contacts with the communists by American citizens in Mexico.

Even after Kennedy's assassination, the CIA failed to turn over to the Warren Commission the full transcript of the telephone intercept it had made in Mexico City. Oswald's offer of information to the Russians in exchange for passage was omitted from the transcript, and the CIA claimed it did not know of most of Oswald's activities in Mexico City until after the assassination.

The significance of the CIA actions is difficult to assess. The FBI in the fall of 1963 was already showing intermittent interest in Oswald and might or might not have intensified that interest if it had been told of Oswald's conversations.

Whether the new information would have affected the Warren Commission's deliberations is also an open question. The commission investigated the possibility of a foreign conspiracy and concluded there was no evidence to show Oswald acted on behalf of a foreign power.

Nevertheless, there is yet no explanation for the CIA's handling of Oswald's conversations. The CIA today refuses to comment, saying it would not be appropriate in the light of an impending investigation by the House Select Committee on Assassinations.

When asked if they could explain the agency's actions, some CIA officers stationed at the time in Mexico City said the CIA may have had a relationship with Oswald that it sought to conceal. The CIA has denied this.

David W. Belin, who was an assistant counsel to the Warren Commission and later executive director of the Rockefeller commission's probe of the CIA, said that if the Warren Commission had known of Oswald's conversations and other new information, it would have been less sure that the assassination was not part of a foreign conspiracy.

Sen. Richard S. Schweiker (R-Pa.), who led the Senate intelligence committee's probe of the assassination, said that investigation would have taken on an "entirely different direction and perspective" if the committee had been aware of Oswald's conversations.

In interviews with The Post, Belin, who documented the CIA plots against Castro in his capacity as executive director of the Rockefeller commission, revealed the CIA also did not tell the Warren Commission of a report from an alleged witness to a meeting in Mexico City between Oswald and Cuban intelligence agents.

At the time, Cuban agents coordinated their more important activities with agents of the KGB, the Soviet intelligence service.

Belin called on the CIA to make full disclosure of its knowledge of Oswald and his contacts with the Cubans and Russians.

Belin, a staunch defender of the Warren Commission's conclusion that Oswald was the lone assassin who killed Kennedy, said he recognizes the CIA's concern about disclosing secret sources and intelligence techniques. But he said a greater national interest would be served by disclosing the truth.

A CIA spokesman specifically denied that the agency has a report of a meeting between Oswald and Cuban agents. "The agency is aware of only one such specific allegation, and that was debunked," the spokesman said.

Washington Post, 18 November 1976

Bush Is Skeptical Of 'Hoover Memo'

OKLAHOMA CITY, Nov. 17 (UPI)— Central Intelligence Agency Director George Bush said Tuesday he does not believe newspaper reports that FBI Director J. Edgar Hoover wrote a memo claiming Lee Harvey Oswald had contacted Cuba prior to President Kennedy's assassination.

"It's my information that such a memo does not exist," Bush told student leaders from about 20 colleges.

Bush predicted the memo would be proven fake or nonexistent. He said other allegations against his own agency have turned out to be false on investigation.

Bush admitted the CIA had been guilty of abuse of power, but defended the need for an intelligence-gathering agency, covert operations and spying in other countries.

The CIA director answered questions about possible CIA involvement in several non-Communist countries where torture and prosecution of political prisoners has been reported by saying he was concerned as well about torture and political prisoners in North Korea, Vietnam, the Soviet Union, Cambodia and elsewhere.

"I just can't understand the selectivity of the moral outrage," he said.

Hill Investigator Told King

Associated Press

A lawyer for the House committee probing the murder of the Rev. Dr. Martin Luther King Jr. said yesterday that documents relating to the case have been destroyed since the investigation began.

Chief counsel Richard A. Sprague said he had not been officially notified of the destruction but said he had learned of it "from an individual who has interviewed other people."

Sprague said the documents "would have been in possession of law enforcement authorities" and were "relevant to our investigation."

"I have been advised that the destruction has [taken place] since it was announced [in September] that this committee would be investigating" the murders of King and President Kennedy, he said.

Sprague would not say which law enforcement agency had the documents. However, committee member Henry B. Gonzalez (D-Tex.) said he believed they had been in the possession of authorities in Tennessee, where King was killed in 1968.

The Memphis Police Department has denied that any documents relating to the King case have been destroyed. Lt. William Schultz said that all of the King files were turned over to the state attorney general in Memphis.

There have been published allegations that some of the documents were burned in September when the department destroyed records of its intelligence division. These records were burned as the department faced lawsuits filed by individuals on whom the department had allegedly conducted surveillance during the 1960s.

Sprague was asked through a spokesman if the documents he was referring to were the same as those mentioned in the published allegations. He replied "no comment," but added that his information did not come from news reports.

At the unexpected public session of the House Select Committee on Assassinations, Gonzalez asked staff attorney Robert Ozer if he had any reason to believe that documents relating to the King case had been destroyed "since the constitution of this committee."

"Yes, sir," Ozer replied. "I believe there are some documents that have been destroyed."

James Earl Ray pleaded guilty to the King slaying and is in prison. In recent years he has made efforts to obtain a new trial, claiming his guilty plea was coerced.

Yesterday's hearing, expected to be held in secret, was opened to the public after a motion to go into executive session failed on a 6-to-6 vote. Rep. Christopher J. Dodd (D-Conn.) led the argument to open the hearing, saying, "An important mission I think we have is to conduct a public open forum" into the two murders, which have been "gnawing at the conscience of the public."

Problems in Reopening Kennedy Inquiry Cited

DES MOINES, Nov. 16 (UPI)—A

Documents Were Destroyed

veteran government investigator says problems in obtaining credible evidence and the possible destruction of key documents could limit the success of a new probe into the assassination of President Kennedy.

David Belin, a Des Moines attorney who served on the staff of the Warren Commission investigating Kennedy's death and later directed a blue-ribbon panel's investigation of domestic abuses by the Central Intelligence Agency, said the House Select Committee on Assassinations, which met for the first time Monday, faces insurmountable problems in reopening the investigation of the Kennedy assassination.

Intelligence sources have warned that the committee may find certain documents missing from the CIA or FBI files and have suggested that the probe be broadened to include a possible cover-up by the two agencies and by U.S. intelligence officers in the years following the November, 1963, assassination.

"It's going to be very difficult to put things together 13 years after the fact," Belin said. "I think it's imperative that the FBI and CIA grant complete access to their files, but I think there will be problems obtaining the evidence.

"I would have great concern about the destruction of any documents."

Belin called for a reopening of the assassination probe earlier this year, predicting that a congressional investigation would support the Warren Commission's conclusion that Lee Harvey Oswald killed Kennedy.

However, he said the "Cuban connection," Oswald's possible involvement with Cuban Premier Fidel Castro, had not been explored.

Belin said documents recently released to him by the CIA under a Freedom of Information Act request "could be interpreted as supporting the reports of a possible relationship between Oswald and the Cuban government."



RICHARD A. SPRAGUE
... assassination committee counsel

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14 NOVEMBER 1976

The Nation

Did Oswald Talk About JFK Slaying?

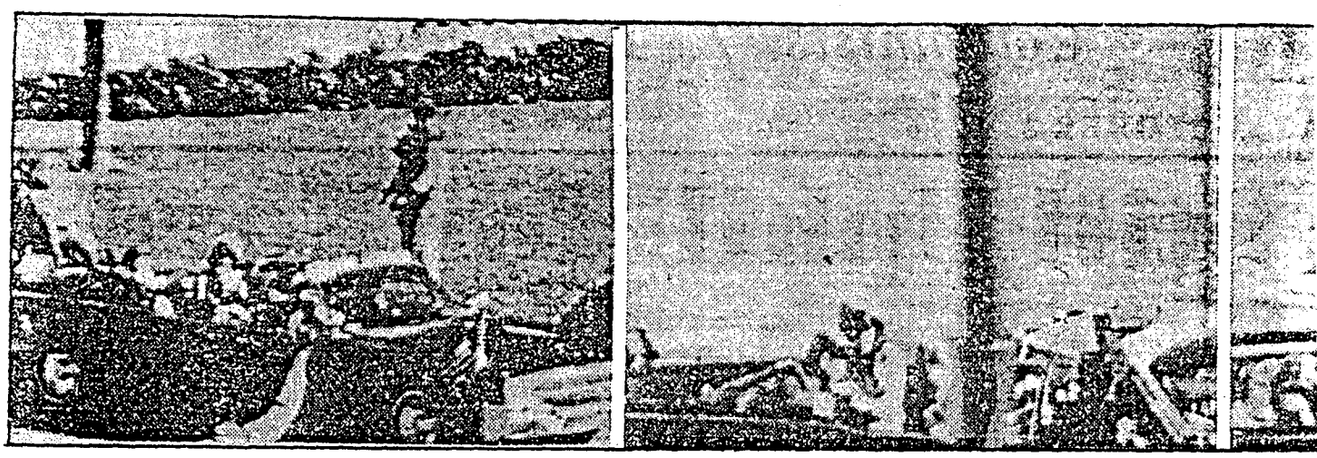
Did Lee Harvey Oswald tell Cuban officials shortly before the assassination of President Kennedy, that he was going to kill the President?

According to a senior source at the Justice Department, former FBI Director J. Edgar Hoover wrote a memo in 1964 saying that he was told so by a highly reliable informant who was supposed to have gotten the story from Cuban Premier Fidel Castro.

While the memo apparently does not identify the informant, Oswald was known to have visited the Cuban Embassy in Mexico City about a month before the assassination, and, according to recently released CIA documents, he had been in contact with three of Castro's suspected intelligence agents. The Justice Department source said Hoover's memo was addressed to the Warren Commission, but there is no record of its having been delivered to the commission.

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Four frames from Zapruder film show President Kennedy being hit by bulle

ASSASSIN, From Page C1

Perils of Kenne

However, the report contends that information withheld or unavailable does not sufficiently explain the Warren Commission's failure to investiate the most plausible conspiracies. Even without detailed knowledge of CIA plots, it argues, enough was known at the time about the possibly murderous motives of pro-and anti-Castro groups to warrant large suspicions. Allegedly indifferent to the possibility of conspiracy, the Warren Commission, according to the Church report, failed to follow provocative leads or even to ask the right questions. "Those Cuban areas which were explored," the report concludes, "related solely to Oswald and Oswald's contacts, rather than the larger issues of determining whether subversive activities of the Cuban government or Cuban exile community were relevant to the assassination."

It is in this subtle sentence that one can see the first great pitfall which will face a new investigation in search of "larger issues." The Church committee did not review the questions of whether Oswald shot the President and, if so, whether he was a lone assassin. Yet, clearly, these questions are crucial in determining whether there was a conspiracy. For, if there was one assassin, Lee Harvey Oswald and no one else, as the Warren Commission concluded, then it follows that any investigation should have centered on him and his points of contact with the world. It is not "larger issues" or "relevant" patterns of "subversive activity" which kill Presidents, but live assassins.

On the other hand, if Oswald did not shoot the President or if others were involved, then conspiratorial suspicion may properly be given free rein; and that is why critics of the Warren report have spent so much time casting doubt on the notion that Oswald was a single assassin.

By playing down the importance of the question of Oswald's singular guilt, the Church committee opened the way to vast speculation, logically impossible to disprove; for one cannot finally prove that something did not happen, only that something has happened.

The Conspiracy Lobby

WILL THE NEW committee also bypass the question of whether Oswald was a single assassin? For, if so, Kennedy's intention to withdraw from Vietnam), Organized Crime (eager to regain its drug and gambling concessions in Cuba, making common cause with the CIA and anti-Castro groups toward that end), the Teamsters (angry at Bobby Kennedy, who could be rendered bereft and powerless if his brother were killed), not to speak of the FBI and Soviet intelligence which may have programmed Oswald in Russia, if indeed the Oswald in Russia is the same Oswald as the one in Dallas.

The most widely circulated of recent conspiracy books, Robert Sam Anson's "They've Killed the President," weaves many of these themes into a stunning tapestry of conspiratorial possibilities. Like other conspiracy theorists, Anson deals with the disappointing limitations of the real-life Oswald by creating an elaborate system of false Oswalds: look-alikes, near-look-alikes and not-at-all-alikes who, however, claim to be Oswald. He even suggests that the Oswald who went to Russia is not the same Oswald who was arrested in Dallas, but rather a near-look-alike sent by American intelligence while the real Oswald, a lesser spy, disappeared on assignment in this country. Upon the second Oswald's return to this country, it is suggested, the real one replaced him, and for the next few years the two apparently impersonated each other. Anson does not explain, among other things, why Mrs. Oswald, whom Oswald met in Russia, didn't notice that she was living with two different men.

No doubt he could. With enough mathematical ingenuity, it is still possible to argue that the earth is the center of the solar system. With a system of second (and in some theories, third and fourth) Oswalds, it is possible to posit several undisprovable conspiracies.

New Orleans Trial

WILL THE NEW report be able to resist such metaphysics? As suggested, the early signs are not good. Rep. Downing is "convinced" there is a conspiracy. Over the years Rep. Henry B. Gonzalez (D-Tex.), who is slated to become the committee chairman next year after Downing retires, has been the congressman most susceptible to the blandishments of far-out critics, as

one and only Lee Harvey Oswald, shot the President, then the conspiratorial possibilities would be considerably controlled.

We know, for example, that Oswald worked in the building from which the President was shot. He got the job with the help and advice of a family friend, Ruth Paine, several weeks before it was even decided, much less publicly announced, that the President's car would pass in front of his place of work. From which it would follow either that Oswald and his co-conspirators were lucky enough to have the President arrive in front of that building at a convenient time or that elements in the conspiracy had the power to send Oswald to a place where those co-conspirators knew the President would be and, more ominous, the power to send the President to a place where Oswald would be. Mrs. Paine would need to be part of the conspiracy, as would a circle of people around the President who should be easy to identify.

While it is true that the real Oswald came into brief contact with anti-Castro activities in New Orleans the summer before the assassination and visited the Cuban embassy in Mexico City in late September, lengthy efforts to tie him to anything approaching a conspiracy in either Cuban camp have come up empty-handed.

The most notorious of these efforts occurred in New Orleans nine years ago when District Attorney Jim Garrison, promising to link Oswald to an anti-Castro CIA plot involving Clay Shaw and David Ferrie, staged a conspiracy trial which has gained the deserved reputation of being one of the most malicious and mendacious prosecutions in American history. After a spectacle of literally drugged, hypnotized and bullied witnesses and ludicrously inaccurate testimony, the jury threw the case out. Garrison had not even succeeded in tying Oswald to Shaw and Ferrie. So damaging was this performance to the cause of Warren Report criticism that many critics argue today that Garrison was one of the CIA's dirty tricks.

Anson theorizes that Garrison was trying to distract attention from the activities of organized crime by stress-

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The Conspiracy Lobby

WILL THE NEW committee also bypass the question of whether Oswald was a single assassin? For, if so, the new investigation will need to review a barrage of the latest conspiratorial theories presented by what might be called the conspiracy lobby, a lobby made up of professional and amateur critics of the Warren Commission who spring to flamboyant attention at the first hint of congressional interest. The latest books and articles on the subject go well beyond the Cuban orientation of the Church committee report. They allege a conspiratorial potential as well in the CIA (supposedly furious at Kennedy for betraying its Cuban plans and for contemplating the dismantling of the Agency), Army Intelligence (angry at placed him, and for the next few years the two apparently impersonated each other. Anson does not explain among other things, why Mrs. Oswald, whom Oswald met in Russia, didn't notice that she was living with two different men.

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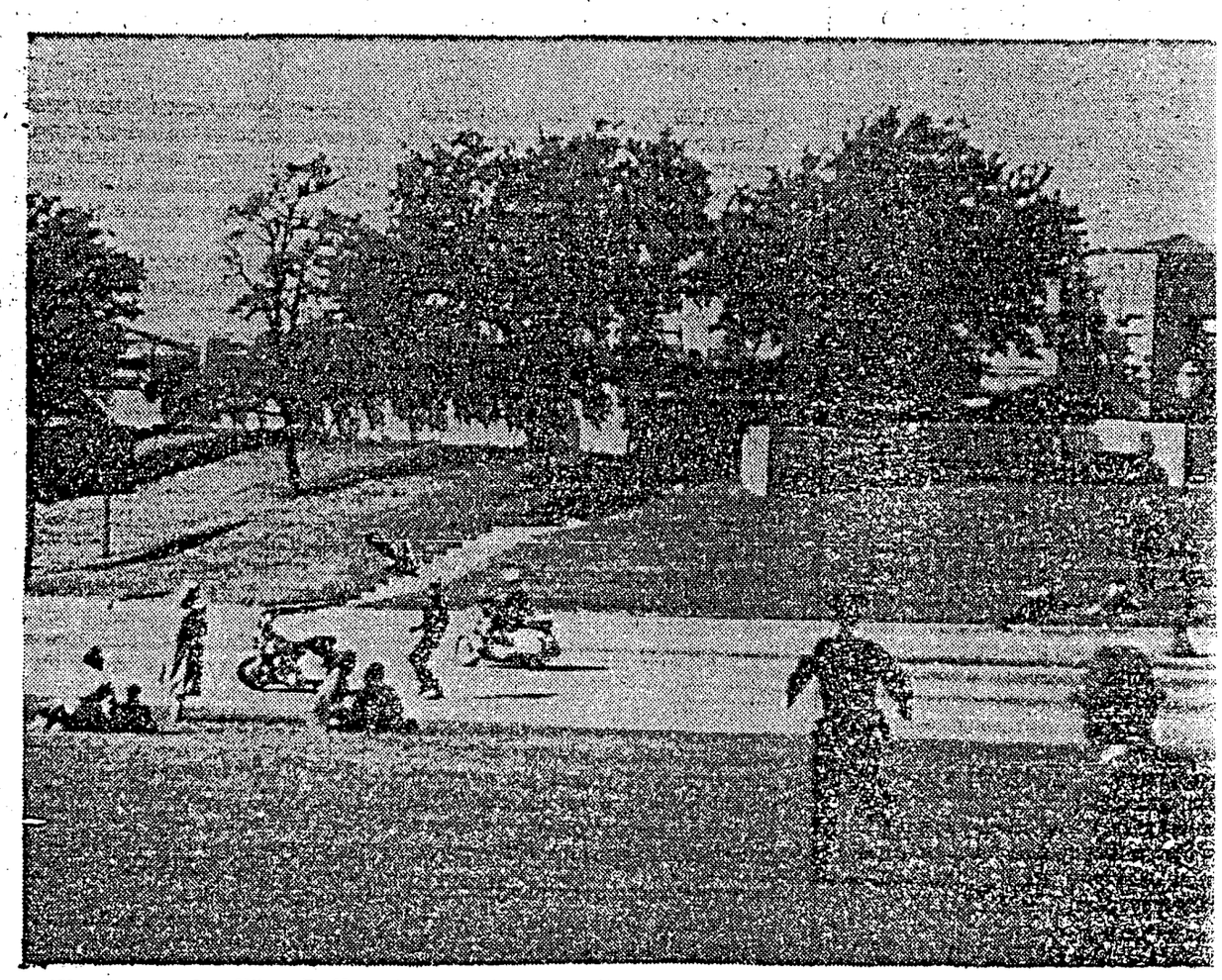
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In late September, roughly [illegible] tie him to anything approaching a c[illegible] spiracy in either Cuban camp ha[illegible] come up empty-handed.

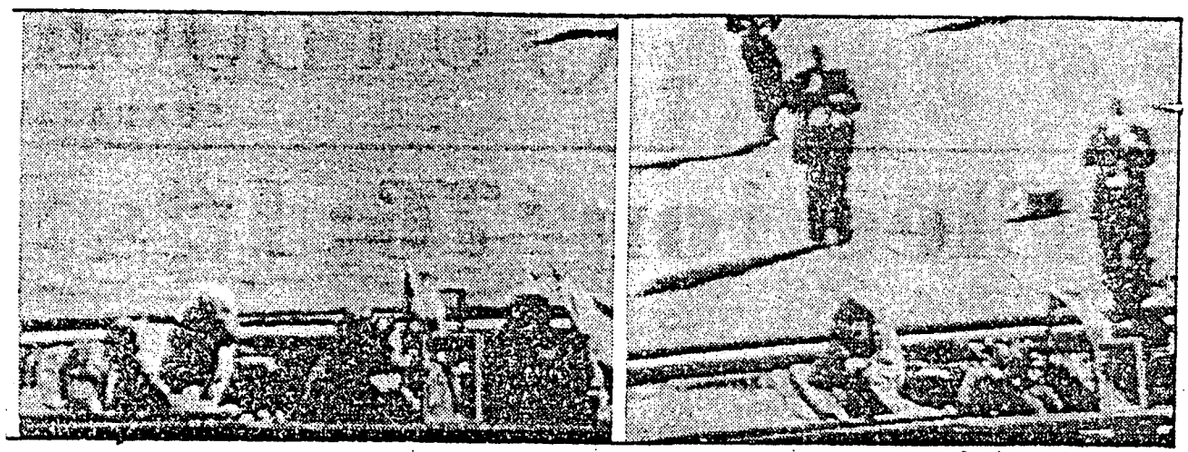
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Anson theorizes that Garrison w[illegible] trying to distract attention from th[illegible] activities of organized crime by stre[illegible] ing a plot involving the CIA and an[illegible] Castro elements. And yet it is from m[illegible] terials developed in the New Orlea[illegible] trial that Anson finds justification f[illegible] claiming unequivocally that Oswa[illegible] consorted with Shaw and Ferrie ar[illegible] was heavily involved in anti-Cast[illegible] and other intelligence activities [illegible] New Orleans.

Nonetheless, the new committee wi[illegible] want to review this and similar mat[illegible] rial arising from Oswald's contac[illegible] with the wider world. There is a mou[illegible] tain of it. For the original investig[illegible] tion, if wanting in curiosity abou[illegible] "larger issues," was ravenous in accu[illegible]



The "grassy knoll" in Dallas. Arrow points to policeman who said he thought a shot came from there.



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by bullet; he slumps toward his wife and then falls into her lap.

nedy Probe

mulating information about Oswald and his contacts. Not inaccurately, the assassination has been called the most thoroughly investigated crime in history. In the years since the Warren Report, none of the conspirators has broken; and the new evidence that has appeared, such as the news of Oswald's threatening appearance in an FBI office in early November, only confirms the Warren Report's characterization of Oswald as a reckless loner. There is precious little to tie a conspiracy to the real Oswald, though the false Oswalds are in up to their necks.

Scientific Studies

AND THERE is the nub of it. Will the new House committee try to tie Oswald or one of his alleged doubles to a conspiracy, thus opening the floodgates of speculation, or will the committee try to tie a conspiracy to the real Oswald? Will it pass over the question of Oswald's singular guilt or innocence, or will it begin with the pivotal questions in the case: How many assassins were there? Did Oswald shoot the President?

One wonders whether the Congress and public know about the new scientific work which has been done on these questions and how powerfully they confirm the single-assassin theory.

By now 14 doctors and scientists have examined the X-rays and photos of the President which were unavailable to the Warren Commission. And they agree that all the shots came from above and behind the President and not from his right where critics have suggested an assassin stationed on the famous "grassy knoll" was firing.

The doctors also confirm the pivotal conclusion of the Warren Commission that the bullet which struck the President high in the shoulder definitely exited from his throat, a point which is reinforced by Itek Corporation's recent photographic study of the positions of President Kennedy and Gov. John Connally at the time of the shooting. Assassination buffs know how important this finding is. For a bullet exiting in the direction and at the downward angle indicated by the doctors could not have failed to hit Gov. Connally. For years critics questioned the feasibility of the double-hit (Kennedy and Connally), seeing it as a contrivance of a commission desperate to maintain the single assassin theory. Now, in view of recent studies, that theory emerges as the only one which can account for the known facts of the case.

Itek has also examined several photos of the grassy knoll taken during the shooting, finding only shadow and light where the critics claim to see guns and gunmen. New studies of one of the bullets recovered, the famous CE399, show its shape and weight to be consistent with the work attributed to it, contrary to 10 years of counter-claims by critics. Tests of Oswald-type rifles and ammunition show them capable of doing the job. Reexamination of the physics of the President's head movement just after he was struck leaves Newton utterly unruffled in his grave, long-time critical claims notwithstanding.

If the new committee will reexamine this and other new materials along with the Warren Report it will probably be led, as the Warren Commission was, right back to that window on the sixth floor of the Texas Book Depository building, where shells, fired from Oswald's rifle, were found, as were all the bullets recovered, and where a palm print and other signs of Oswald's presence were quickly discovered.

I will not rehearse here the overwhelming case for Oswald's guilt amassed by the Warren Commission. If the Warren Report were still in print, the broad public could remind itself of the irresistible argument which is there mounted. However, this should be added: in all the new material, declassified and made available to the Church committee and independent researchers over the last few years, there appears not one scintilla of evidence pointing to the alleged frame-up of Oswald by which critics like Mark Lane and Sylvia Meagher have tried to explain away the massive evidences of his guilt.

A little more than a century ago President Lincoln was assassinated by John Wilkes Booth; ever since, assassination buffs have tried to tie Booth to "larger issues" — the Confederacy's hatred of Lincoln; Vice President Andrew Johnson's or Secretary of War Stanton's ambition; the Catholic Church's subversive designs on American freedom. These were plausible conspiratorial hypotheses; there are always plausible conspiratorial hypotheses. But a ludicrous conspiracy trial and subsequent congressional investigation and a hundred years of research into the Lincoln assassination have failed to make the critical linkup between Booth and those "relevant" patterns of subversive activity." Of these conspiracies, the verdict of today's historians is Not Proven.

One can never be certain there was not a conspiracy, and these days it takes some courage not to find the government guilty. So one wonders: When and if the new investigation comes up empty-handed, will it have the guts to say so?

CIA Link To Oswald Unproven

Associated Press

Senate investigators were unable to confirm reports from two CIA officers that the agency may have contacted Lee Harvey Oswald prior to the assassination of President John F. Kennedy, it was learned yesterday.

However, Sen. Richard Schweiker, R-Pa., who headed the Kennedy assassination investigation, said through a spokesman that "I don't think we know the whole story."

The CIA released a document Thursday showing that the agency once considered using Oswald as a source of intelligence information about the Soviet Union. The document appeared to conflict with sworn testimony before the Warren Commission by Richard Helms, then a branch chief and later the CIA's director, that the agency never had "or even contemplated" any contacts with Oswald.

SCHWEIKER SAID he was unaware of the Oswald document, but a well informed source said it had been turned over to the Senate intelligence subcommittee that investigated the Kennedy assassination.

"We followed it up," the source said, but "we found no indication that Oswald was in fact contacted."

The same source said investigators also were unable to confirm the sworn testimony before the subcommittee by a former CIA officer who claimed to have seen a CIA report concerning a contact with a man closely resembling Oswald's description.

Schweiker confirmed that his subcommittee had been unable to corroborate "several reports" of CIA contacts with Oswald in connection with his travels in Russia between 1959 and 1962.

1 OCT 1976 Star

Document Contradicts Testimony

CIA Viewed Oswald As Information Source

Associated Press

Contrary to sworn testimony, the CIA once considered using presidential assassin Lee Harvey Oswald as a source of intelligence information about the Soviet Union, according to a newly released CIA document.

In sworn testimony before the Warren Commission, Richard Helms, then a branch chief and later the CIA's director, said the agency never had "or even contemplated" any contacts with Oswald.

The newly released document, written by an unidentified CIA officer three days after President John F. Kennedy was killed in Dallas on Nov. 22, 1963, says that "we showed intelligence interest" in Oswald and "discussed . . . the laying on of interviews."

The unidentified officer added that "I do not know what action developed thereafter."

THE MEMO WAS AMONG hundreds of pages of documents from the CIA's file on Lee Harvey Oswald. The material was released to The Associated Press yesterday under the Freedom of Information Act.

A second document reveals that former CIA Director Allen Dulles, while serving as a member of the Warren Commission, privately counseled CIA officials on the best way to answer questions from the commission about allegations that Oswald was a CIA agent.

Dulles "thought language which made it clear that Lee Harvey Oswald was never an employe or agent of CIA would suffice," an unidentified CIA officer wrote Helms in April 1964.

"I agree with him that a carefully phrased denial of the charges of involvement with Oswald seemed most appropriate," the unidentified officer added.

When he appeared before the commission in May 1964, Helms, then head of the agency's clandestine services, testified under oath that "there's 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 comtemplated with" Oswald.

THE NOV. 25, 1963, memo explains that the agency's interest in Oswald as a potential intelligence source was due to his "unusual behavior in the USSR," to which he had defected in 1959.

"We were particularly interested in the (deleted) Oswald might provide on the Minsk factory in which he had been employed, on certain sections of the city itself, and of course we thought the usual (deleted) that might help develop (deleted) personality dossiers," the memo states.

The memo indicates that Oswald was also of interest to the CIA because of concern that his Russian-born wife, Marina, might have been part of a trend for Soviet women to marry foreigners, leave the country and settle overseas where they could serve as spies.

THE MEMO ABOUT the agency's interest in Oswald said the discussions about Oswald occurred "sometime in summer 1960." The author continued: "I don't recall if this was discussed while Oswald and his family were en route to our country or if it was after their arrival."

Special Committee Approved To Probe JFK, King Deaths

By Mary Russell
Washington Post Staff Writer

Formation of a special committee to investigate the killings of President Kennedy and Martin Luther King Jr. was approved yesterday by the House Rules Committee.

In morning and afternoon sessions, the committee also sent to the House floor a controversial bill to provide $3.5 billion in loan guarantees for industry to develop synthetic fuels, but blocked from floor vote a strip-mining control bill.

The proposed 12-member investigating committee, approved, 9 to 4, for floor action, would be empowered to look into the assassination of "any others the select committee shall determine," but it is expected to concentrate on President Kennedy, killed in Dallas in November, 1963, and on King, killed in Memphis in March, 1968.

House approval is still needed to set up the committee, but Rep. Thomas N. Downing (D-Va.), who has been pushing for the investigation for a year, said 150 members back his proposal, making House approval almost certain.

Downing said it was a push by Congressional Black Caucus members, interested in reopening the King investigation because of "new information" they say they have received, which got the Rules Committee to clear the resolution.

It had been languishing in the committee since March.

However, at the urging of the widow of the civil rights leader, Coretta King, and the Black Caucus, House Speaker Carl Albert (D-Okla.) endorsed the proposal. Rep. Richard Bolling (D-Mo.) said yesterday in the Rules Committee, "The speaker is strongly in support of it."

Because Congress is scheduled to adjourn by Oct. 2, the new committee is not expected to hold hearings this year, but Downing said the time remaining would be used to hire staff and organize the investigation.

The committee would have to be approved again at the beginning of the next Congress, but, if approved this year, that would probably be a formality.

The bill providing $3.5 billion in loan guarantees in the next two fiscal years for synthetic fuels is a scaled-down version of one the House defeated last December providing $6 billion in loan guarantees, primarily for coal gasification and oil shale.

The current bill would distribute more of the money to other forms of energy, such as solar, wind and geothermal and provide a minimum of 20 per cent of the funds for urban waste projects.

However, environmentalists and Republicans concerned about federal loan guarantees for industry still oppose the bill, and wanted the Rules Committee to block it.

Olin E. Teague (D-Tex.), chairman of the Science and Technology Committee, which brought out the bill, threatened to tie up the House with quorum calls if Rules did not clear it for the floor.

Bolling said he had grave doubts about the bill, but concluded that the proponents have a right to deal with the matter on the floor.

Later, the Rules Committee voted 9 to 8 to block a bill regulating the strip-mining of coal.

Blocking the strip-mining bill may make it more difficult to pass the synthetic fuel bill on the floor, because coal gasification plants are projected to use up to 10,000 tons of coal a day.

Environmentalists say the lack of strip-mining control on coal resources in the West makes it even more imperative to prevent initiation of coal gasification projects.

Bolling warned the Rules Committee that if the strip-mining control bill was not reported it would "make it difficult" to support the synthetic fuels bill.

Rep. John Melcher (D-Mont.), the chief proponent of strip-mining controls, said there was a chance the bill might be brought out under a suspension of rules, which would make a two-thirds vote necessary to pass it.

Slain Mobster Claimed Cuban Link to JFK Death

By Ronald Kessler and Laurence Stern
Washington Post Staff Writers

Long before his recent murder, John Rosselli, the CIA's underworld recruit in attempts to kill Fidel Castro, had been privately claiming that agents of the Cuban premier, in retaliation, were involved in the assassination of President John F. Kennedy.

Rosselli's belief in a Cuban connection to the Kennedy assassination was expressed through his attorney, Edward P. Morgan, to the FBI as long ago as March, 1967, and also in private conversations with a longtime associate of Rosselli who participated in meetings between Rosselli and the CIA.

An FBI "blind memorandum" on an interview with Morgan dated March 21, 1967, was included, without identification of the interviewee, in last June's Senate Intelligence Committee's report on the role of the intelligence community in the Kennedy assassination investigation.

Morgan told the FBI that Rosselli and another Morgan client had informed him that Castro became aware of CIA assassination conspiracies against him and "thereafter employed teams of individuals who were dispatched to the United States for the purpose of assassinating Mr. Kennedy."

Because neither Morgan nor Rosselli was identified in the Senate report, the significance of that portion of the 106-page document was discounted at the time it was published in June, before Rosselli's disappear-

See ROSSELLI, A8, Col. 1



JOHN ROSSELLI
. . . found in drum off Florida

Slain Mobster-CIA Recruit Claimed

ROSSELLI, From A1

ance and the subsequent discovery of his body in an oil drum in Florida waters. The Washington Post, however, has confirmed that Morgan and Rosselli were the sources of the testimony that suggested a Cuban role in the Kennedy murder.

Morgan's account, according to a summary of the FBI interview, was that Rosselli had reached his conclusion about a Cuban connection to the Kennedy assassination from "feedback" furnished by sources close to Castro who were involved in the CIA plots to assassinate the Cuban leader.

"His (Morgan's) clients were aware of the identity of some of the individuals who came to the United States for this purpose and he understood that two such individuals were now in the state of New Jersey," the FBI interview summary stated.

A long-time associate of Rosselli who was interviewed separately by The Washington Post, said there was no question in the slain mobster's mind that President Kennedy was killed on Castro's behalf in reprisal for the CIA schemes against the Cuban leader.

"He was positive; he was sure," said the associate, who knew Rosselli well and was in contact with him before Rosselli disappeared from his Florida home on July 28. The associate, who does not want to be identified publicly, is scheduled to be interviewed this week by Dade County, Fla., homicide detectives. He was a party to Rosselli's contacts in the early 1960s with CIA case officers overseeing the attempts to assassinate Castro.

Despite occasional speculation, the collective conclusion of all official U.S. government investigations into the Kennedy assassination—including the Warren Commission, the FBI and the CIA—has been that there was no evidence that implicated the Castro government or any of its agents.

However, the CIA's involvement in the schemes to assassinate Castro was not divulged to the Warren Commission, and knowledge of them was confined until 1967 to a small, elite circle of the U.S. intelligence community. President Johnson apparently first learned about the schemes only after a March 7, 1967, column by the late Drew Person, which prompted Johnson to order a CIA investigation



EARL WARREN
... informed Secret Service



SAM (MOMO) GIANCANA
... slain before testifying

the late Chief Justice of the United States Earl Warren late in January, 1967, and told him that a Washington lawyer had confided to him that one of his clients said the United States "had attempted to assassinate Fidel Castro in the early 1960s and Castro had decided to retaliate."

Warren declined Pearson's suggestion that he see the lawyer, who was Edward Morgan. Warren referred the matter to then Secret Service Director James J. Rowley, who on Feb. 13, 1967, wrote FBI Director J. Edgar Hoover, informing him of the allegations.

Hoover sent the Rowley letter to six senior bureau officials on an "eyes-only" basis. There is no record of FBI meetings or discussions of those allegations. At that point the sensitive letter bounced back and forth in the higher reaches of the FBI bureaucracy.

The job of responding to Rowley's letter was assigned to the supervisor of the FBI's General Investigative Division who was given responsibility for the overall assassination investigation in March 1964.

This official's job was complicated by the fact that he had never been informed of what Hoover and his closest circle of confidants in the FBI learned

testified eight years later that they were "surprised" when Morgan alluded during the interview to U.S. attempts to assassinate Castro.

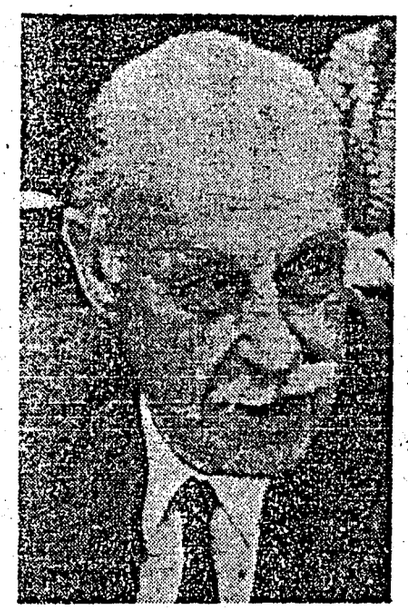
"These agents stated that they could not evaluate the lawyer's (Morgan's) allegations or question him in detail on them, since they had not been briefed on the CIA assassination efforts," the Senate committee observed.

On March 21, 1967, the FBI's Washington Field Office sent headquarters ten copies of a blind memorandum summarizing the interview with Morgan.

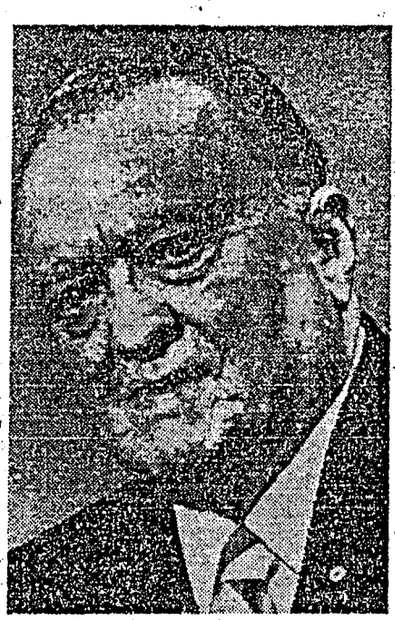
In a Senate Intelligence Committee summary of the FBI interview, Morgan was reported to have acknowledged that his clients were "on the fringe of the underworld" and that they faced "possible prosecution in a crime not related to the assassination ..."

Morgan said his clients "were called upon by a governmental agency to assist in a project which was said to have the highest governmental approval. The project had as its purpose the assassination of Fidel Castro. Elaborate plans were made, including the infiltration of the Cuban Government and the placing of informants

Claimed Cuban Link to JFK Death



DREW PEARSON
... approached Earl Warren



J. EDGAR HOOVER
... closely held secret

memory loss or that Morgan's statement to FBI agents nine years earlier was a pure invention, a serious risk for an established Washington lawyer.

No committee source could explain the discrepancy, and Morgan declined to confirm that Rosselli was the client in question or to discuss either his allegations against the Cuban government or his recent testimony.

The internal FBI memo on the 1967 interview with Morgan was sent to headquarters with a transmittal slip saying: "No further investigation is being conducted by the Washington field office unless it is advised to the contrary by the Bureau."

The Senate intelligence committee, in commenting on this position, said that "had the interviewing agents known of the CIA-underworld plots against Castro, they would have been aware that the lawyer had clients who had been active in the assassination plots."

On March 21, FBI headquarters forwarded the Washington field office memo to the White House, the attorney general and the Secret Service. It did not recommend any further investigation of Morgan's allegations.

On the evening of the following day, President Johnson called CIA Director Richard M. Helms to the White House. The next morning, March 23, Helms ordered the CIA inspector general to prepare a report on the CIA involvement in the assassination plots —Operation Mongoose—of which Helms had full knowledge at the time they were executed.

By May 22, Helms briefed President Johnson on the results. There is, however, no evidence that Helms briefed the President on the November, 1963, plot—one of eight major schemes on Castro's life from 1960 to 1965—to assassinate the Cuban leader through the employment of an agent with the cryptonymn AMLASH. His identity was revealed as Rolando Cubela, a 1961 CIA "recruit" with close access to Castro.

CIA operatives turned over assassination equipment to Cubela during a Paris meeting on November 22, 1963—the day President Kennedy was killed in Dallas. There has been subsequent speculation that the mercurial and talkative Cubela was either a double agent or being monitored by Cuban intelligence.

During the later days of his presidency, Mr. Johnson spoke cryptically of a "Caribbean Murder Incorpo-

The Washington Post that she received a call after Rosselli's disappearance in late July warning her that Cubans appeared to be attempting to wipe out all those who participated in the anti-Castro plots.

The call, she said, came from an old friend who was acquainted with Rosselli's sister, whose name is Edith Daigle. Mrs. Harvey said that Mrs. Daigle told the mutual acquaintance that the Rosselli family had received a telephone threat from unidentified Cubans prior to Rosselli's disappearance. She also said that Rosselli had gone to meet the Cubans in an effort to protect his family.

Mrs. Daigle could not be reached by The Washington Post. But another sister of Rosselli said she had heard of no such threats or warnings.

Harvey, who died at age 60 and whose exploits as a clandestine operator are both legendary and controversial within the agency, testified to the Senate Intelligence Committee. He had become Rosselli's case officer in Operation Mongoose and supplied the mobster with poison pills, explosives, detonators, rifles, handguns, radios and boat radar for transmission to anti-Castro Cuban agents. Harvey and Rosselli, a CIA superior testified to the Senate committee, "developed a close friendship."

Another CIA official who worked with Rosselli, James P. O'Connell, was asked if he knew whether the agency transmitted information to the mobster on possible Cuban involvement in the Kennedy assassination. He replied that he was out of the country at the time Kennedy was killed, and had no further comment.

Two months before the Kennedy assassination, Lee Harvey Oswald, who was identified by the Warren Commission as Kennedy's murderer, had traveled to Mexico City in an attempt to gain entry to Cuba. According to the Warren Commission, Oswald represented himself as the head of the New Orleans branch of the Fair Play for Cuba organization and a friend of the Cuban Revolution.

Some three months before Kennedy was killed, Castro told Associated Press reporter Daniel Harker that U.S. leaders aiding terrorist plans to eliminate Cuban leaders would themselves not be safe.

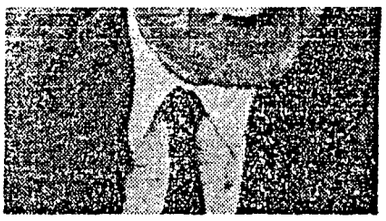
A U.S. government committee coordinating policy toward Cuba at the time agreed there is a strong liklihood that Castro would retaliate in some fashion. However, it concluded Castro would not risk a major confrontation with the U.S. by attacking U.S. leaders.

On the same day Kennedy was assassinated, a CIA officer met with a high-ranking Cuban official, who had said he would kill Castro, to tell him the U.S. would provide him with explosives and a poison pen device.

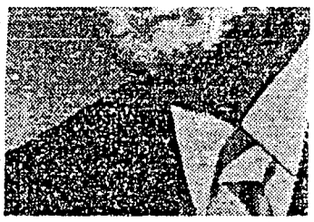
While the Senate Intelligence Committee said it found no evidence sufficient to justify a conclusion that the Kennedy assassination was part of a conspiracy, it also said U.S. agencies did not properly investigate the assassination or tell the Warren Commission about the CIA plots on Castro's life.

"There is no indication that the FBI or the CIA directed the interviewing of Cuban sources or sources within the Cuban exile community," the Senate committee said.

According to a former FBI official in charge of key aspects of the FBI's probe of the Kennedy murder, the FBI never satisfactorily determined what Oswald planned to do in Cuba or what he had done in Russia.



DREW PEARSON
... approached Earl Warren



J. EDGAR HOOVER
... closely held secret

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During the later days of his presidency, Mr. Johnson spoke cryptically of a "Caribbean Murder Incorporated" targeted against Fidel Castro. The inspiration for that statement undoubtedly was the CIA inspector general's report he ordered Helms to have prepared.

Within the past year, Rosselli and two of his co-conspirators in the Castro assassination schemes have died, Giancana at the hands of a professional hit man and Harvey as the result of a "massive heart attack" last June.

Mrs. William Harvey, the widow of the deceased CIA official, said she suspected no foul play in her husband's death. She did, however, tell

The Washington Post that
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DETROIT, MICHIGAN
NEWS

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AUG 22 1975

French terrorist reportedly in Dallas when JFK was slain

By SETH KANTOR
News Washington Bureau

WASHINGTON — U S intelligence sources have now revealed an undercover international manhunt was conducted in 1964 for a mysterious French army deserter who reportedly had been in Dallas the day President Kennedy was assassinated there, and then was expelled from the United States by authorities the next day

The manhunt was triggered by the French government, according to a March 5, 1964, FBI communique to the CIA, because it was feared in Paris that the deserter, former army Capt. Jean Suetra, was preparing to assassinate France's President Charles de Gaulle.

In the communique, the FBI asked the CIA what it might know about Suetra. The CIA had several details on Suetra, an internationally known terrorist who had been operating out of Algeria as an officer in the Secret Army Organization (OAS)

The OAS had been involved in several assassination attempts on De Gaulle French intelligence agents were fearful that Suetra would make another attempt to kill De Gaulle when the French leader flew to Mexico on March 15 for a round of meetings with Mexico's President Adolpho Lopez Mateos.

French agents met with the FBI in New York City on March 5 and said they had learned Suetra had been in Fort Worth on the morning of Nov 22, 1963, when President Kennedy had been there.

Suetra — who also went under the names of Michael Roux and Michael Hertz, according to CIA files — then was in Dallas that afternoon when Mr Kennedy was shot.

According to the French agents, Suetra was apprehended shortly after the shooting and "was expelled from the United States, at Fort Worth or Dallas, 18 hours after the assassination."

The French were especially anxious to learn the reason for Suetra's expulsion and his destination, which they believed had been either Mexico or Canada.

In return, the CIA made available to the French government information it had on the mysterious Suetra from three different CIA files, as well as an apparently recent photograph of him.

Whatever information on Suetra the CIA turned over to the French still remains hidden from the public.

But no overt attempt was made on the li De Gaulle, who was under heavy protection d ing his three-day visit to Mexico later t month

Suetra's identity and his reported apprehension in Texas, along with his expulsion from United States on Nov 23, 1963, have remai hidden from the American public until now

The CIA has released only the bare-bo information among a number of document recently has made available under the-fede Freedom of Information Law

Washington attorney Bernard Fensterw Jr has been waging a lengthy battle with CIA, using the federal law to get the intelligen agency to make public its long-secret files the Kennedy assassination.

The Detroit News has asked the French g ernment, through the French embassy in Wa ington, to comment on Suetra. But two differ embassy officials say there are no current fi on him.

Also asked to comment was the Justice D partment's Immigration and Naturalizat Service, the agency that would have be responsible for Suetra's deportation.

Agency spokesman Vernon Jervis said computer search of our files has turned up no ing on Suetra under any of the three names used."

However, Jervis said that if Suetra had be asked to sign a statement of "voluntary dep ture," admitting that he had reached the Uni States under illegal circumstances, "the would not necessarily be any record availa today."

How CIA Plot To Kill Castro F

By HARRY ALTSHULER
MIDNIGHT Staff Writer

The CIA and Fidel Castro were both betting on the same agent — and Castro won.

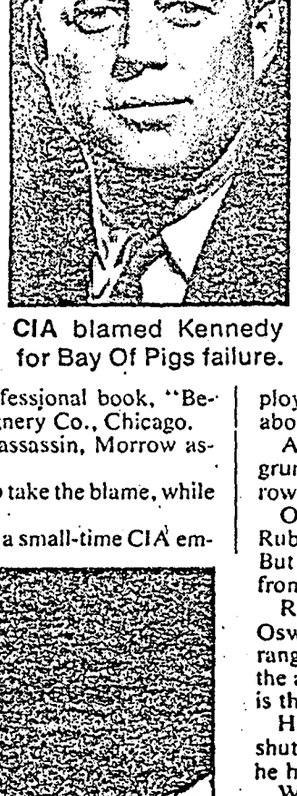
The CIA plotted to murder Castro by using a Cuban agent code-named Am/Lash, who agreed to lead a coup to overturn the Castro government.

But Am/Lash was a double agent. A longtime faithful pal of Castro, named Rolando Cubelo, he took the CIA's money — and spilled its plans into Castro's ear.

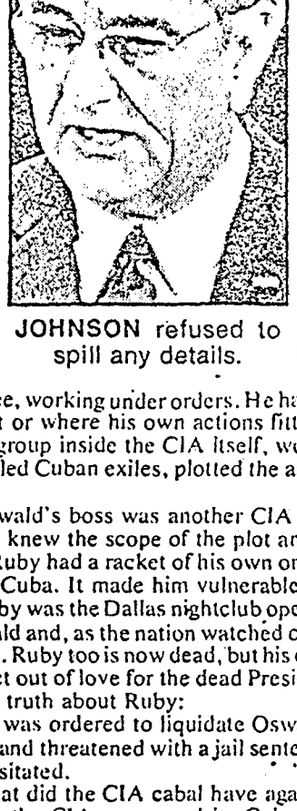
In angry retaliation, Castro set up the assassination of President John F. Kennedy.

That is the story — already long-known in some Washington circles — behind the reopening of the file on JFK's murder.

But the truth may be even more complex. Now a former CIA operative, Robert D. Morrow, has spilled a dozen years of secrets into a confessional book, "Betrayal," published by the Henry Regnery Co., Chicago.



CIA blamed Kennedy for Bay Of Pigs failure.



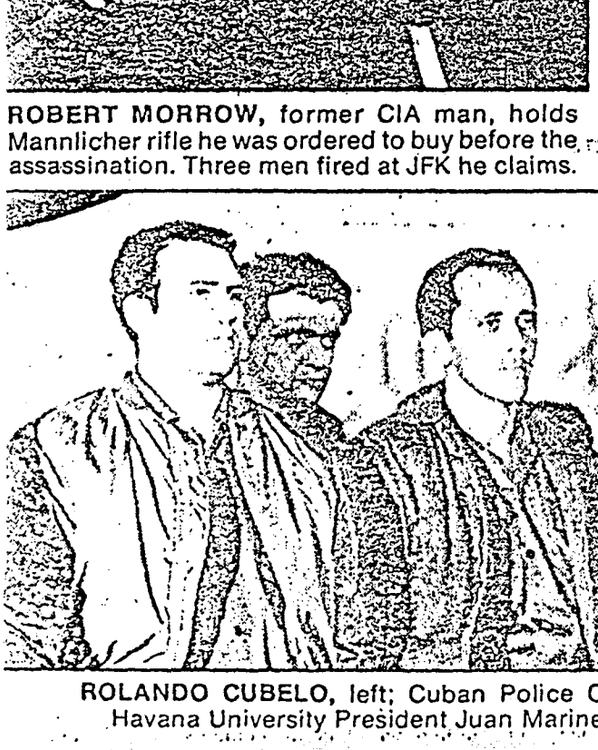
JOHNSON refused to spill any details.

'Kennedy Was Trying To Get Castro, But Castro Got To Him First' —LBJ

Lee Harvey Oswald was not the assassin, Morrow asserts.

Oswald was just the chump set up to take the blame, while the real killers escaped.

According to Morrow, Oswald was a small-time CIA employee, working under orders. He had no idea what it was all about or where his own actions fitted into the picture.



ROBERT MORROW, former CIA man, holds Mannlicher rifle he was ordered to buy before the assassination. Three men fired at JFK he claims.

A group inside the CIA itself, working closely with disgruntled Cuban exiles, plotted the assassination, says Morrow.

Oswald's boss was another CIA employee, Jack Ruby. Ruby knew the scope of the plot and wanted no part of it. But Ruby had a racket of his own on the side, drug-running from Cuba. It made him vulnerable to blackmail.

Ruby was the Dallas nightclub operator who walked up to Oswald and, as the nation watched on TV, shot him at close range. Ruby too is now dead, but his claim was he performed the act out of love for the dead President. Morrow says this is the truth about Ruby:

He was ordered to liquidate Oswald, to keep his mouth shut, and threatened with a jail sentence on a drug charge if he hesitated.

What did the CIA cabal have against JFK? Morrow explains the CIA group and its Cuban exile friends blamed Kennedy for the Bay of Pigs invasion failure. And they charged him with playing politics in the Cuban missile crisis.

"If our President and his brother sit on the missile information, he won't live through his first term," Morrow heard from an insider.

The CIA-Cuban exile plotters regarded JFK as a traitor. They felt he wasn't ready enough to battle Castro, whom they saw as a deadly menace to the U.S.

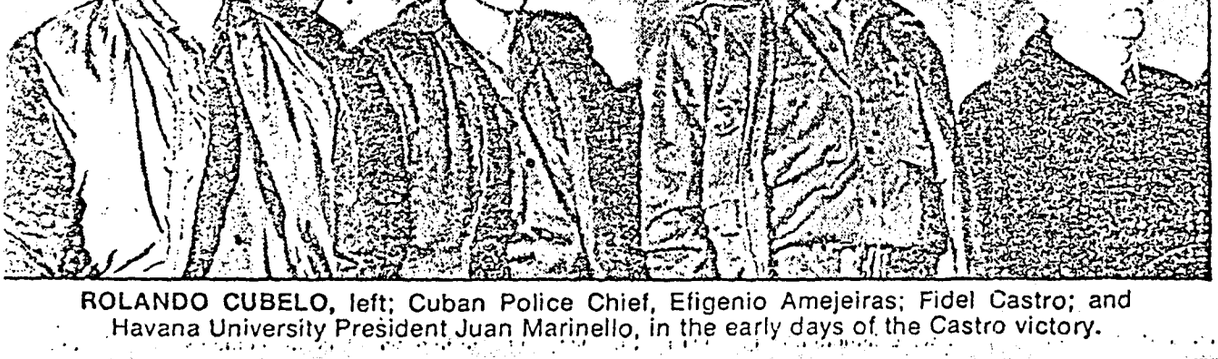
Their first plan was to ruin Castro by counterfeiting Cuban currency to smash the economy. They were running their counterfeiting operation with U.S. government funds and salaries, but naturally they had to keep it dark from the White House.

Their secrecy succeeded too well — for the Secret Service broke in and arrested them as ordinary counterfeiters. Morow himself was handed a two-year sentence, suspended, in connection with the scheme.

The insiders felt the White House had interfered with their last hope — short of violence — of breaking Castro.

"If we can't get Castro because of the President, we'll get the President first, so we can get at Castro," one of them warned Morrow.

The kingpin of the group, his book says, was Clay Shaw,



ROLANDO CUBELO, left; Cuban Police Chief, Efigenio Amejeiras; Fidel Castro; and Havana University President Juan Marinello, in the early days of the Castro victory.



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'Kennedy Was Trying To Get Castro, But Castro Got To Him First' —LBJ



ROLANDO CUBELO, almost a Castro lookalike with the beard and cigar, wore his arm in a sling as a result of wounds he received in the Presidential Palace takeover in Havana on Castro's behalf.

now dead, a New Orleans businessman who was a power in the CIA. Morrow quotes him as declaring: **"The assassination of a President may seem a monstrous act, but not if the alternative is an America under communist rule..."**

Long afterward, Shaw was indicted on a conspiracy charge, and acquitted as innocent.

But meanwhile, as Morrow tells it, the plot went ahead. Oswald was picked as the fall guy, to be fed to the police while the men who actually fired the shots in Dallas that Nov. 22 got away.

This part of the story fits in with recent Senate Intelligence Committee revelations of two Cuba-connected fugitives following the assassination. One fled Texas for Mexico the same day, and a Cuba-bound airliner was held back till he scrambled aboard.

The other reached Mexico the following day, and was immediately flown out to Cuba on an airliner with no other passengers.

According to Morrow, these were the men with Mannlicher rifles similar to the one Oswald owned, who fired at the President from hidden vantage points. The explanation that there was more than one man firing accounts for the puzzling profusion of wounds.

If the truth was known or suspected in Washington, why has it been so long coming into the open?

Current talk in the nation's capital is that the first ones to realize Castro's involvement had a terrible fear that if he were openly accused, it would lead to a confrontation with his backer, Russia — possibly the nuclear holocaust the whole world dreaded.

So they kept quiet — even the man in the White House, Lyndon B. Johnson.

News commentator Howard K. Smith has now revealed a confidential conversation with Johnson, long ago.

"I'll tell you something about Kennedy's murder that will rock you," Johnson confided. **"Kennedy was trying to get Castro, but Castro got to him first."**

Smith admits, "I was rocked all right. I begged for details, but he refused, saying it will all come out some day."

True enough, there have been rumors for years, in MIDNIGHT and elsewhere, despite the massive efforts to bury investigation under the Warren Report.

The CIA and the FBI were naturally reluctant to let the world find out they had been booby-trapped by a double agent.

They didn't even want to think about the truth — that it was the CIA plotting against Castro that led to the death of the American President.

That was why the CIA and the FBI kept secrets from the Warren Commission and even failed to follow up leads for fear of what they might learn.

Crosby S. Noyes

Revived JFK inquiries: search for truth or . . .

You can't help wondering about the motivation of those who are calling for the reopening of the investigation of the assassination of John F. Kennedy 13 years ago. I suspect, however, that it involves something more than a pure devotion to historical truth.

If there is one valid supposition, it is that the truth will not be established at this late date. The so-called "leads" which the Senate Select Committee claims to have uncovered and which it demands be followed up consist of little more than fragments of unverified information. The committee itself concedes that it has discovered no evidence "sufficient to justify a conclusion that there was a conspiracy to assassinate President Kennedy."

What the committee may have succeeded in doing — and indeed this appears to have been the main purpose — has been to cast doubt on the findings of the Warren Commission that Lee Harvey Oswald was the lone assassin and to encourage suspicion that a conspiracy was, in fact, involved. The major charge is that the investigatory agencies involved — the FBI and CIA — deliberately withheld information from the Warren Commission which pointed in this direction.

Specifically, the CIA is accused of withholding the information that it had been trying for some time and without success to assassinate Cuba's Fidel Castro — a fact which the Senate committee established in its inquiry. The FBI, for its part, is charged with bungling its investigation of the Kennedy assassination. Instead of making a serious attempt to uncover all possible ramifications of the affair, it was chiefly concerned, in the committee's view, with protecting its own image.

There is, in fact, a certain fragile plausibility to the scenario that the senators are suggesting. If Rolando Cubelo, a high Cuban official with whom the CIA was dealing in its assassination plot against Castro, was a double agent, the Cuban prime minister would have been well aware of the CIA effort. It is a matter of public record that on September 7, 1963, Castro warned an Associated Press reporter that if American leaders "are aiding terrorist plans to eliminate Cuban leaders, they themselves will not be safe."

There are other bits of "evidence.' There was the Cuban-American who entered Mexico from Texas on November 23, 1963, the day after the assassination, and went on to Cuba. There was the even more mysterious passenger to Cuba, arriving nine days later from points unknown, for whom an airliner was held five hours in Mexico City, and who made the trip in the plane's cockpit, presumably to avoid being identified by the other passengers.

And so it goes. It is all undoubtedly stuff of which the most extravagant theories can be spun. It is also the stuff of which not a little political mischief can be made in the context of current American politics.

But who really stands to gain? Assuming that it could be established beyond reasonable doubt that Oswald was acting as the agent of Fidel Castro, who would be better off for that discovery?

The intelligence agencies, no doubt, would be the big losers. And since this is open season on the CIA and the FBI, particularly from liberal Democratic-led congressional committees, perhaps that is justification enough.

At the same time, it has been pretty well established that, whatever the intelligence agencies were up to, their superiors in the Eisenhower, Kennedy and Johnson administrations knew all about it. It is also clear that top officials of the Johnson administration were exceedingly anxious to discourage any suggestion of a conspiracy in the Kennedy assassination.

Pursuit of the truth is a laudable objective. But in this case — where the truth is most unlikely to be discovered — it is legitimate to ask what purpose is served in keeping the issue alive.

2 Defectors Offered CIA Reports on Oswald

By David C. Martin
Associated Press

A Soviet KGB agent who defected to the United States in the months immediately following the November 1963 slaying of President John F. Kennedy sought to assure U.S. investigators that Lee Harvey Oswald was not a KGB agent, newly released CIA documents show.

The Russian, Yuri Nosenko, was one of two defectors from hostile intelligence agencies who played a key role in the U.S. investigation into whether Kennedy's assassination was the work of a foreign conspiracy, according to CIA documents.

The other defector, a Cuban linked to Fidel Castro's intelligence service, also arrived in the United States in the months immediately following the assassination. The Cuban told his interrogators that Oswald may have been in contact with Cuban intelligence agents just seven weeks before he killed Kennedy, according to the documents.

BECAUSE BOTH defections came so soon after Kennedy was killed, former U.S. intelligence officials say they doubted the authenticity of the information provided by the two men, particularly Nosenko's, since his testimony seemed to eliminate any possibility of Soviet involvement.

The Warren Commission concluded there was no evidence of a conspiracy, but a CIA memo written in May 1975 said that the Warren report "should have left a wider 'window' for this contingency. That, indeed, was the opinion at the working level . . . in 1964."

That memo is among some 1,500 pages of documents just released by the CIA in response to a Freedom of Information request.

A March 1964 CIA memo to FBI Director J. Edgar Hoover says Nosenko "reported that his own department was involved directly with Oswald because Oswald came to the USSR in 1959" but "there had not ever been thought given to recruiting either of them (Oswald or his Russian-born wife, Marina) as agents."

THE MEMO WARNED, however, "this agency has no information which would specifically corroborate or disprove Nosenko's statement."

Nosenko, who according to the documents was questioned about Oswald as recently as 1967, insisted that "Oswald was of no interest to the KGB" because of his emotional instability as evidenced by an unsuccessful 1959 suicide attempt in Moscow.

Nosenko told the CIA that he next heard of Oswald in September 1963 when Oswald appeared at the Soviet embassy in Mexico City and requested a visa to return to the Soviet Union.

On Nov. 22, after Oswald had been identified publicly as the prime suspect in the Kennedy slaying, Oswald's KGB file was immediately flown by military plane from the city of Minsk, where he had lived during his years in the Soviet Union, to Moscow, Nosenko told the CIA. A two-page summary of Oswald's activities was then prepared and forwarded to Soviet leader Nikita Khrushchev, according to Nosenko.

OSWALD'S FILE showed that "the KGB had no personal contact with him and had not attempted to utilize him in any manner," Nosenko told the CIA.

The Cuban defector is described by the CIA documents as "a well-placed individual who has been . . . in contact with . . . officers of the Cuban Directorate General of Intelligence."

In addition to telling the CIA about the possibility of a contact between Oswald and Cuban agents, the unnamed defector testified that the Cuban intelligence agency took extraordinary security precautions immediately following the Kennedy slaying.

This information was relayed to the Warren Commission, which "saw no need to pursue this angle any further," according to a June 1964 memo.

The CIA documents quote the Cuban defector as saying, "I have no personal knowledge of Lee Harvey Oswald or his activities and I do not know that Oswald was an agent . . . of the Cuban government."

HOWEVER, THE SAME memos offer differing accounts of what the unnamed defector said about the possibility of a contact between Oswald and Cuban intelligence agents.

The first mention of the defector appears in a May 5, 1964, internal CIA memo in which he is quoted as saying that Oswald "was in contact" with three Cuban agents "before, during and after" his visits to the Cuban and Soviet embassies in Mexico City in late September and early October 1963. A subsequent May 8 memo quotes the defector as saying "I believe" Oswald was in contact with the Cuban agents.

When the information was forwarded to the Warren Commission on May 15, 1964, a CIA memo said, "according to the source, Oswald may have been interviewed by Vega (a Cuban agent) or his assistant . . . but this is strictly conjecture on his part." A June 19 memo reporting the commission's decision not to pursue the lead any further says that the defector had "no information linking (Oswald) to the Cuban intelligence services in any manner."

The memos consistently quote the defector as saying that "after the news of the assassination of President Kennedy reached the DGI, orders were issued for all offices of the DGI . . . to sort and package all documents according to whether they were 'muy secreto' (very secret), 'secreto' (secret), or 'importante' (important)."

THE DEFECTOR added, "All travel by DGI officers and all DGI (mail) pouches were suspended temporarily."

According to the memos, the defector did not know the reason for these security measures, but believed they were taken "because of the possibility that the United States might take some type of action aginst Cuba and the DGI offices."

JFK Leads Held No

CIA Memo Says Foreign Conspiracy

By David C. Martin
Associated Press

A Central Intelligence Agency memo says the Warren Commission should have given more credence to the possibility that President Kennedy's assassination was the result of a foreign conspiracy, particularly in light of two promising leads that were not pursued.

"The Warren Commission report should have left a wider 'window' for this contingency," according to a CIA memo written in May, 1975, at the request of the Rockefeller commission. "That, indeed, was the opinion at the working level, particularly in the counterintelligence component in the CIA, in 1964," the memo says.

The 27-page document stresses that solid evidence to overturn the Warren Commission's finding that Lee Harvey Oswald acted alone in killing Kennedy on Nov. 22, 1963, "did (and does) not exist in Washington. But such evidence could exist in Moscow and/or Havana."

The two most promising leads to such evidence are testimony about 1959 contacts between Oswald and Cuban officials and a public threat by Cuban Premier Fidel Castro against the lives of U.S. leaders, according to the memo.

Both leads must be considered of significance in investigating a possible foreign conspiracy but neither was followed up, the memo says.

Entitled "Review of Selected Items in the Lee Harvey Oswald File Regarding Allegations of the Castro Cuban Involvement in the John F. Kennedy Assassination," the memo was among some 1,500 pages of documents on the assassination that the CIA turned over to the Rockefeller commission. The files have since been turned over to the Senate intelligence committee, where a panel headed by Sen. Richard S. Schweiker (R-Pa.) is investigating the Kennedy slaying.

The documents have been declassified by the CIA in response to a Freedom of Information Act request filed by David W. Belin, who served as counsel to both the Rockefeller and Warren commissions.

Belin, one of the staunchest defenders of the Warren Commission report, has called for a reopening of the investigation, saiyng disclosure of all the evidence would restore public confidence in the commission's findings.

The CIA released a separate set of the foot-high pile of documents to the Associated Press Friday.

The name of the memo's author has been deleted, but Belin said in an interview it was written by Raymond Rocca, a former member of the agency's counterintelligence staff.

In the memo, Rocca cites the testimony before the Warren Commission of Nelson Delgado, Oswald's closest friend during training at California's El Toro Marine Corps base in 1959. The Warren report noted that Oswald told Delgado he was in touch with Cuban diplomatic officials.

But, according to the memo, "Delgado's testimony says a lot more of possible operational significance than is reflected by the language of the report, and its implications do not appear to have been run down or developed by investigation."



DAVID W. BELIN
. . . seeks disclosure

In the memo, Rocca cites Delgado's testimony that Oswald told him "right after he had this conversation with the Cuban people . . . that he was going to—once he got out of the service—e was going to Switzerland . . . Oswald applied to Albert Schweitzer College in Switzerland in March, 1959, was discharged from the Marines in September of that year and entered the Soviet Union the following month, Rocca notes.

Delgado's testimony is "of germinal significance to any review of the background of Lee Harvey Oswald's feeling toward and relations with Castro's Cuba," Rocca adds.

At the time he wrote the memo, Rocca, who had served as CIA liaison with the Warren Commission, was

Followed Up

Possibility Not Pursued

working for the agency as a consultant. A cover letter states that "the attached review represents the research and analysis of an individual officer . . . and does not necessarily represent the position of this agency."

Castro's threat against the lives of U.S. leaders was made Sept. 7, 1963, during an impromptu interview with AP correspondent Daniel Raker in Havana. "There can be no question . . . that this event represented a more-than-ordinary attempt to get a message on the record in the United States," Rocca maintains in his memo.

Rocca notes that the story appeared in the New "where Lee Harvey Oswald resided" and quoted Castro as saying that "U.S. leaders would be in danger if they helped in any attempt to do away with leaders of Cuba."

Rocca's memo makes no mention of CIA plots to kill Castro in the early 1960s, but large portions of the declassified version have been deleted.

Oswald, who according to the testimony of his wife, Marina, and others was an avid newspaper reader, saw the story, "it must be considered of great significance in the light of the pathological evaluation of Oswald's passive-aggressive makeup . . . irrespective of whether there was any formal mandate or even security service contact with Oswald by the Cubans of the Russians," Rocca says.

However, he adds, "There is no evidence in the files of the Kennedy assissination that this Castro interview was considered in following up leads . . . although (CIA) specifically directed (its) headquarter's attention to the AP story very shortly after the Dallas killing."

Belin has since called for a reopening of the Waren Commission's investigation, saying it would restore public confidence in the report's findings.

(2)

THE NEW YORK TIMES, SUNDAY, MARCH 21, 1976

C.I.A. Memo Says Warren Unit Slighted Leads on Foreign Plot

WASHINGTON, March 20 (AP)—A Central Intelligence Agency memorandum says the Warren Commission should have given more credence to the possibility that President Kennedy's assassination was a resul of a foreign conspiracy, particularly in light of two promising leads that were not pursued.

The Warren Commission report should have left a wider 'window' for this contingency," according to the memo wh ich was written in May 1975 at the request of the Rockefeller Commission. "That, indeed, was the opinion at the working level, particularly in the counterintelligence component in the C.I.A., in 1964."

The 27-page document emphasizes that, though solid evidence to overturn the Warren Commission's conclusion that Lee Harvey Oswald, a acting alone, killed Mr. Kennedy "did (and does) not exist in Washington," such evidence "could exist in Moscow and-or Havana."

The two most promising leads to such evidence, the memo says, are testimony about 1959 conversations between Oswald and Cuban officials, and a public threat by Fidel Castro in September 1963, against the lives of United States leaders.

Both leads must be considered of great significance in investigating a possible foreign conspiracy, but neither was followed up, the memo says.

The memorandum was among some 1,500 pages of documents on the shooting that the C.I.A. turned over to the commission headed by Vice President Rockefeller, which was investigating allegations wrongdoing in the intelligence communitY.

The documents have been declassified by the Central Intelligence Agency in response to a Freedom of Information request filed by David W. Belin, who served as counsel to both the Rockefeller Commissoin and the Commission headed by the late Chief Justice Earl Warren, which investigated the Kennedy assassination.

The C.I.A. released a set of documents to The Associated Press yesterday.

Cuban Defector, Cited by C.I.A., Hinted Oswald Link to Havana

N.Y.T. 22 Mar. 76

(3)

WASHINGTON, March 21 (AP)—A Cuban defector told the Central Intelligence Agency in 1964 that Lee Harvey Oswald may have been in contact with Cuban intelligence agents seven weeks before he killed President Kennedy, newly released documents show.

The defector, described as "a well-placed individual who has been in contact with officers of the Cuban Directorate General of Intelligence," also told the C.I.A. that the Cuban intelligence agency took extraordinary security precautions immediately after the Kennedy slaying, according to the documents.

The information was relayed to the Warren Commission, which "saw no need to pursue this angle any further," according to the C.I.A. memorandum, written in June 1964. No mention of the defector or his information appears in the report of the commission headed by the late Chief Justice Earl Warren, which concluded that there was no evidence of a foreign or domestic conspiracy behind the assassination of President Kennedy in Dallas on Nov. 22, 1963.

Memorandums regarding the Cuban defector were among some 1,500 pages of C.I.A. memo stating that the Warren Commission should have given more credence to the possibility of a foreign conspiracy in light of promising leads that were not pursued.

The documents were originally provided to a commission headed by Vice President Rockefeller that investigated allegations of wrongdoing in the American intelligence community last year. They were later turned over to the Senate Select Committee on Intelligence, whose subcommittee, headed by Senator Richard S. Schweiker, Republican of Pennsylvania, is investigating the Kennedy assassination.

The memos regarding the Cuban defector quote him as saying, "I have no personal knowledge of Lee Harvey Oswald or his activities and I do not know that Oswald was an agent of the Cuban Government." However, the same memos offer differing accounts of what the unidentified defector said about the possibility of a contact between Oswald and Cuban intelligence agents.

The first mention of the defector appears in a May 5, 1964, internal C.I.A. memo in which he is quoted as saying that Owald "was in contact" with three Cuban agents "before, during and after" his visits to the Cuban and Soviet embassies in Mexico City in late September and early October 1963. A subsequent memo on May 8, 1964, quotes the sources as saying that he believed that Oswald was in contact with the Cuban agents.

When the information was forwarded to the Warren Commission on May 15, 1964, a memo said, "According to the source, Oswald may have been interviewed by Vega [one of the Cuban agents] on his assistant but this is strictly conjecture on his part." A June 19 memo reporting the commission's decision not to pursue the lead any further said that the defector had "no information linking [Oswald] to the Cuban intelligence services in any manner."

4 OCT 1976

Is F[illegible]sterwald a CIA Plant?

Assassination Inquiry Stumbling

By Bill Choyke
Capitol Hill News Service

The two-week-old House investigation into the assassinations of former President John F. Kennedy and civil rights leader Dr. Martin Luther King Jr. has already run into major difficulties.

The problems in the fledgling inquiry stem from the selection of a staff director and the role a well-known Warren Commission critic has played in the investigation so far.

The controversy has focused on Washington attorney Bernard Fensterwald, who for more than a year has closely advised probe chairman Rep. Thomas Downing, D-Va., on the political assassinations. Fensterwald, said one source, has been "fairly close to him (Downing) every step of the way."

Committee members involved in the House investigation report that Downing had tentatively selected Fensterwald as the committee's staff director, only to back away from the choice after two congressmen and others keenly interested in the assassinations raised a fuss.

Committee Vice Chairman Rep. Henry Gonzalez, the Texas Democrat who introduced the first House resolution calling for an assassination inquiry, has privately voiced his strong opposition to Fensterwald having any role on the committee, even as an unofficial adviser.

IN AN INTERVIEW, Downing merely acknowledged that Fensterwald was one of a dozen persons considered to head the panel's staff. However, the Virginia lawmaker, who is retiring after 18 years in the House, said Fensterwald has asked that his name be withdrawn from consideration.

Opposition to Fensterwald is based partly on his affiliation with convicted King assassin James Earl Ray, whom Fensterwald defended, and the belief that any committee role would be in conflict with the privileged lawyer-client relationship. Moreover, Fensterwald has — as another Warren Commission critic termed it — some serious "image problems" dealing with his assassination-related activities.

Fensterwald heads a citizen's group called the Committee to Investigate Assassinations. The Tennessee native was also the attorney for Watergate burglar James McCord.

Additionally, observers close to the Kennedy-King House probe are concerned with circumstantial evidence on the public record that raises questions about connections between Fensterwald and the CIA.

FENSTERWALD IS currently a law partner with Robert McCandless, whose former law firm even Fensterwald concedes represented several CIA proprietary firms. However, McCandless has claimed he did not know of CIA involvement with the firms.

The questions surrounding Fensterwald are intensified by little-noticed Senate Watergate committee testimony in May 1973, when McCord's first attorney, Gerald Alch, raised the possibility of previous ties between McCord, a former CIA agent, and Fensterwald.

Alch, a former associate of Boston attorney F. Lee Bailey, told the Senate committee that the first time he ever heard of Fensterwald was when McCord, his client, told him to "call a man by the name of Bernard Fensterwald, whom he said might be very helpful in raising bail."

Alch, who was subsequently fired and replaced by Fensterwald, said the Washington attorney had told him that he could probably meet the $100,000 bail in a few days. Then about two weeks later, when Alch conveyed to Fensterwald his client's thanks for the effort on his behalf, Fensterwald replied, according to Alch: "I don't see how he can send his thanks to me because I never met the man."

Testifying under oath, Alch then told the Senate committee that he never was certain whether McCord and Fensterwald knew each other prior to his making the initial phone call.

In telephone interviews, the versions of the two attorneys today recalling those Watergate conversations three years ago sharply clash.

FENSTERWALD SAYS that Alch called him to ask for assistance because "I knew Jerry Alch." The Boston attorney, meanwhile, still maintains that he had never heard of Fensterwald until the day McCord directed him to call for bail.

Fensterwald's committee on investigations is one of a number of independent groups which have sprung up around the country in recent years but is set apart from the others because of fears that it is a CIA front.

In a telephone interview, Fensterwald first acknowledged that he had connections with the CIA and then scoffed at the suggestion.

"I am on the payroll," he said. However, when pressed, he said he had "nothing to do with the CIA."

"There is absolutely no reason to think I am a member of the CIA," he emphasized, adding that there was "absolutely no vestige of evidence of any kind."

Downing, who called Fensterwald a "good source of information . . . extremely knowledgeable," said he was aware of vague accusations of the link between Fensterwald and others having CIA connections. But the congressman has discounted these claims.

while fensterwald and fellow Warren Commission critic Mark Lane were both at one time considered for the top staff position, current speculation about the job is centering around Philadelphia attorney Richard A. Sprague. As a special prosecutor, Sprague helped convict former United Mine Workers President Tony Boyle for the 1969 murder of Joseph Yablonski and his family.

(Sprague is not to be confused with another Richard Sprague, a former colleague of Fensterwald on his assassination committee.)

Besides advising Downing on the assassinations, Fensterwald has also served as an intermediary between the Virginia congressman and other lawmakers.

He met, for example, with Gonzalez on Sept. 4, 1975, in the House restaurant in an attempt to reconcile differences between the two congressmen.

Gonzalez, who had introduced his original House resolution in February 1975, calling for an investigation of political assassinations, had wanted the probe to cover the deaths of President Kennedy, Robert F. Kennedy and King, as well as the shooting of Alabama Gov. George Wallace.

But some months later, Downing introduced his resolution, which called for an investigation of the presidential assassination only.

The final resolution included both the Kennedy and King assassinations.

Is Fensterwald a CIA Front?

Assassinatic.1 Inquiry Stun.bling

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Fensterwald's committee on investigations is one of a number of independent groups which have sprung up around the country in recent years but is set apart from the others because of fears that it is a CIA front.

In a telephone interview, Fensterwald first acknowledged that he had connections with the CIA and then scoffed at the suggestion.

"I am on the payroll," he said. However, when pressed, he said he had "nothing to do with the CIA."

"There is absolutely no reason to think I am a member of the CIA," he emphasized, adding that there was "absolutely no vestige of evidence of any kind."

Downing, who called Fensterwald a "good source of information . . . extremely knowledgeable," said he was aware of vague accusations of the link between Fensterwald and others having CIA connections. But the congressman has discounted these claims.

while fensterwald and fellow Warren Commission critic Mark Lane were both at one time considered for the top staff position, current speculation about the job is centering around Philadelphia attorney Richard A. Sprague. As a special prosecutor, Sprague helped convict former United Mine Workers President Tony Boyle for the 1969 murder of Joseph Yablonski and his family.

(Sprague is not to be confused with another Richard Sprague, a former colleague of Fensterwald on his assassination committee.)

Besides advising Downing on the assassinations, Fensterwald has also served as an intermediary between the Virginia congressman and other lawmakers.

He met, for example, with Gonzalez on Sept. 4, 1975, in the House restaurant in an attempt to reconcile differences between the two congressmen.

Gonzalez, who had introduced his original House resolution in February 1975, calling for an investigation of political assassinations, had wanted the probe to cover the deaths of President Kennedy, Robert F. Kennedy and King, as well as the shooting of Alabama Gov. George Wallace.

But some months later, Downing introduced his resolution, which called for an investigation of the presidential assassination only.

The final resolution included both the Kennedy and King assassinations.

House Unit Will Get Memo Telling Of Oswald's Plan to Kill Kennedy

By NICHOLAS M. HORROCK
Special to The New York Times

WASHINGTON, Nov. 13 — A 1964 memorandum saying that Lee Harvey Oswald told Cuban officials he was going to kill President Kennedy more than a month before the assassination is part of a packet of new material found in Government files that will be turned over to a special Congressional investigating committee, reliable Government sources said today.

Edward H. Levi, the atorney general, has imposed a curtain of extraordinary secrecy over the search of Department of Justice and Federal Bureau of Investigation files in connection with the assassination inquiry.

The file search was begun at the request of the House Select Committee on Assassinations formed earlier this year to re-investigate the deaths of President Kennedy and of the Rev. Dr. Martin Luther King, Jr., the civil rights leader.

First Meeting To Be Held Monday

The committee will hold its first formal meeting on Monday. Its chief counsel, Richard A. Sprague, is expected to recommend that a staff of 170 lawyers and trained homicide detectives conduct the two investigations.

The committee was formed after a subcommittee of the Senate Select Committee on Intelligence reported earlier this year that it had discovered evidence that raised serious questions about whether the commission, headed by the late Chief Justice Earl Warren, that investigated Mr. Kennedy's death received full and complete information from the Federal Bureau of Investigation or the Central Intelligence Agency.

The newly discovered memorandum was prepared in 1964, well after Mr. Kennedy was killed. It was prepared for J. Edgar Hoover, then the director of the F.B.I. One usually reliable source said it was prepared to be "sent" to the Warren Commission. Another source, however, said it may not have been intended as a formal memorandum to the commission but rather as "some other kind of informal contact."

In substance the memorandum states that the F.B.I. Director had learned from a reliable informant that Lee Harvey Oswald had told Cuban officials more than a month before Mr. Kennedy's assassination that he planned to kill the American President.

Evidence of Cuban Backing

The informant, according to the memorandum, said that he had learned of Mr. Oswald's plan from Fidel Castro, the Cuban Premier. If this were true, it would be the strongest evidence yet found that Mr. Oswald had had Cuban backing in his assassination attempt.

A senior F.B.I. official said privately that there was "no implication whatsoever" from the newly discovered memorandum that Mr. Hoover knew about the assassination before it happened. The memorandum refers to information obtained by the F.B.I. during the investigation in 1964.

David W. Belin, a member of the Warren Commission staff and later director of the staff that investigated the Central Intelligence Agency for the Ford Administration, said that "to his knowledge" the Warren Commission had never received a document from the F.B.I. with so explicit a piece of information based upon a "reliable informant."

Source in Cuban Government

John A. McCone, who was director of the C.I.A. during the Kennedy Administration, has been quoted in news accounts as saying that he never knew of such information.

The C.I.A. had developed a source within the top levels of the Cuban Government in 1961 whom it had dubbed AMLASH and who had been in frequent close contact with Premier Castro.

14 NOV 1976

13 NOV 1976

Oswald Reportedly Told Cubans of Plan to Kill JFK

By John M. Goshko
Washington Post Staff Writer

The Justice Department has discovered a 1964 memorandum by the late FBI Director J. Edgar Hoover saying that Lee Harvey Oswald reportedly told Cuban officials in advance of President Kennedy's assassination that he intended to kill the President.

Informed sources said yesterday that Hoover, in the memo, attributed this information to a highly reliable informant who claimed to have been told it personally by Cuban Prime Minister Fidel Castro.

Castro, according to the memo, reportedly said he had been advised by officials of the Cuban embassy in Mexico City that they had met with Oswald before the Nov. 22, 1963, assassination of Kennedy in Dallas and that Oswald informed them of his intentions.



LEE HARVEY OSWALD
... Hoover memo found

The assertions reported in the Hoover memo go further than any information currently on the record concerning alleged statements made by Oswald in a previously disclosed visit to the Cuban embassy in Mexico City prior to the murder of Kennedy.

There has been persistent surmise about a possible involvement of the Castro government in the murder of Kennedy, possibly as a counter stroke against CIA efforts to assassinate the Cuban leader.

There has also been speculation that the assassination may have been the work of Cuban exile terrorists. However, all of these reports have been fourth-or fifth-hand accounts originating with informants of doubtful reliability.

The Hoover memo was described by the sources as having been addressed to the Warren Commission, appointed by former President Johnson to investigate the assassination. But former commission staffers said yesterday that they had no recollection of ever having

See OSWALD, A9, Col. 1

Memo Cites Informant On Oswald-Cuban Link

OSWALD, From A1

received such a memo or having been told by Hoover or other FBI officials of the information in it.

Officials of the Justice Department and the FBI refused any comment on the memo's existence or its contents, and other sources familiar with the assassination investigation said they had no knowledge of whether it actually was sent to the Warren Commission.

Those sources who told The Washington Post about the document said its existence apparently had been unknown until recently. It was discovered, the sources said, as the result of information that came to the attention of the Justice Department and that prompted Attorney General Edward H. Levi to order a search of FBI files.

After the memo was found, the sources added, Levi put a tight clamp of secrecy on the matter, and only a small number of persons in the Justice Department and FBI know about the document's existence.

As a result, the sources said, they are unable to answer such questions as why the memo apparently never reached the Warren Commission, whether the information was accurate and, if so, whether Castro was informed about Oswald's intentions before or after Kennedy was killed.

Documents released recently by the CIA under the Freedom of Information Act establish that Oswald visited Mexico City less than two months before the assassination and met there with officials of the Cuban embassy.

One of these CIA documents, dated May 5, 1964, states that prior to October, 1963, Oswald visited the Cuban embassy on two or three occasions and was in contact with three alleged Cuban intelligence agents identified as Luisa Calderon, Manuel Vegas Perez and Rogelio Rodriguez Lopez.

He also is known to have talked with an embassy official named Siliva Duran. She reportedly has said that she dealt with Oswald only about his unsuccessful attempts to obtain a visa to visit Cuba.

The sources were unable to identify the informant described in the Hoover memo as having obtained the information from Castro. Some of the sources said though that they believed "as an educated guess" that it was Rolando Cubela, a high Cuban official and Castro intimate whom the CIA recruited in 1961 and who later figured in CIA plans to kill Castro.

In the Senate intelligence committee investigation last year it was disclosed that the CIA employed a highly placed Castro government official with the cryptonym AMLASH in efforts to assassinate the Cuban leader. Cubela and AMLASH were publicly reported to have been the same man.

The sources also were unable to say how Hoover came into possession of information from an informant inside Cuba, since foreign intelligence is a CIA rather than an FBI function. Some said they thought the information had first been given to the CIA, which then turned it over to Hoover.

However, John McCone, who was CIA director at the time, said in a telephone interview yesterday that the information reportedly in the Hoover memo was "unknown to me."

"It's the first I've ever heard of it," McCone said. "It's hard for me to believe that such a memorandum existed without it being known to me and to the staff of the Warren Commission."

The same point was made by David W. Belin, who served as one of the Warren Commission's legal counsels. He said, in a telephone interview, "I have absolutely no recollection of such a memo. If such a document did exist, I'm sure that we never saw it."

Other documents that have been made public recently indicate that Hoover and top FBI officials knew—while the bureau was investigating the Kennedy assassination — that the CIA was exploring the possibility of having Castro killed. However, Hoover never informed the Warren Commission of the CIA's plotting against Castro.

James J. Kilpatrick Tues, 12 October

Again, those unexplained assassination details

Just before it closed up shop for the year, the House of Representatives created a select committee to investigate the assassinations of John F. Kennedy and Martin Luther King. On balance — on very close balance — the venture may prove a useful undertaking.

Especially in the case of Kennedy, and to a lesser extent in the case of King, unanswered questions abound. These are questions of pervasive public interest. Nearly 13 years have passed since Kennedy was slain in Dallas; more than eight years have passed since King was slain in Memphis. The questions may be unanswerable. But if the House investigators cannot tie up all the loose ends, they may be able to settle some of the doubts. It is worth a try.

The House committee will be headed by Congressman Thomas N. Downing of Virginia. I happen to have known Tom Downing for 30 years. He is a man of exceptional integrity and common sense. He is not altogether unbiased in the matter of Kennedy's assassination. "I am convinced," he says, "that there was a conspiracy involved." But Downing is perhaps as unbiased as any person who has become fascinated by the Kennedy mystery. Downing is a lawyer, a former judge, a low-profile veteran of 18 years in the House. He is retiring at the end of this term, and has no political interest to promote.

Downing's 12-member committee will have a budget of $150,000 to finance its work until the 95th Congress convenes in January. Richard A. Sprague, of Philadelphia, an experienced federal prosecutor, has signed on as chief investigator. No one expects the inquiry to be completed in the next three months. By voting 280-65 to authorize the investigation, the House implicitly promised to renew its approval next year. So the committee will have time and money to make a responsible quest.

What are they searching for? Says Downing, with disarming simplicity, "the truth." He is satisfied that the original commission on Kennedy's assassination, headed by the late Chief Justice Earl Warren, never found the truth. For reasons that remain unclear to this day, the commission's staff never cleared up doubts that arose at the time; the Warren investigators obviously were unable to examine evidence that has developed in the ensuing years.

Some of the questions go directly to events that November day in Dallas. For one example, what kind of rifle was found on the sixth floor of the Textbook Depository Building? The rifle officially identified as the murder weapon, now in the National Archives, is a Mannlicher Carcano, a 6.5 Italian carbine. You can inspect it yourself. Yet the gun first identified in the Dallas press was a 7.65 bolt action Mauser. The three officers who found the gun have confirmed that identification in statements under oath. It seems incredible that police officers, familiar with weapons, could have seen the words "Made in Italy Cal. 6.5," and read them as "7.65 Mauser."

Questions involving the rifle, the "miracle bullet," and the autopsy findings are the relatively easy questions. Downing's committee wants to explore the tangled, shadowy trail of events over a span of three years preceding the November day. Who was Lee Harvey Oswald? Who was he really? How many "Oswalds" were floating around? Out of the mists of conspiracy and intrigue arising from the dark waters of the Bay of Pigs, grotesque possibilities emerge.

The truth may never be found. Downing recognizes that discouraging prospect; he recognizes, too, that it may be impossible ever to satisfy the conspiracy cult that has swarmed around the Kennedy assassination. In the whole of the Washington fruitcake, there are no nuttier nuts than the Kennedy nuts.

What troubles me is the precedent this select committee may set. Legislative committees have no authority to function as grand juries. Their only authority is to investigate in areas of specific legislative interest.

The sole purpose of this investigation is to satisfy a gnawing national curiosity. I have not supposed this to be a function of the legislative branch, but it may be captious to complain. Onward, Downing! And leave no stone unturned.

THE NEW YORK TIMES, FRIDAY, OCTOBER 10, 1975.

New Doubts Raised Over the Warren Report by Lack of Reference to a Purported Soviet Defector

By JOHN M. CREWDSON
Special to The New York Times

WASHINGTON, Oct. 9—Key United States intelligence officials have long had doubts about the reliability of a purported Soviet defector whose statements apparently influenced the Warren Commission's conclusion that there had been no foreign involvement in President Kennedy's assassination, according to intelligence soures.

But neither the name of the defector, Lieut. Col. Yuri Ivanovich Nosenko, nor the suspicions of some officials about the legitimacy of his motives appear in the commission's final report or in any of the volumes of testimony and exhibits that accompanied it, according to Senate investigators who are re-examining the commission's inquiry.

An internal working memorandum of the commission, now in the hands of the Senate Select Committee on Intelligence, recounts in detail Mr. Nosenko's assurances that the K.G.B., the Soviet intelligence service, never tried to recruit Lee Harvey Oswald, Mr. Kennedy's assassin, during Oswald's residence in the Soviet Union.

Doubts about the Warren Commission's conclusion that Oswald acted alone have existed in some minds almost from the moment that the panel released its final report in September, 1964. But as internal commission documents like the working memorandum have become declassified in reecnt months, new questions have been raised in the Senate and elsewhere about the thoroughness of its investigation.

One of these questions, typified by the Nosenko matter, is the dual concern of whether the commission was fully informed by other Federal agencies of all of the relevant details surrounding the Kennedy assassination, and of how it weighed the information it did receive in reaching its conclusion.

"The statements of Nosenko," according to the memorandum's authors, W. David Slawson and William T. Coleman Jr., "if true, would certainly go a long way toward showing that the Soviet Union had no part in the assassination" of President Kennedy.

Nothing in that memorandum, however, or in the nine-page interview of Mr. Nosenko by the Federal Bureau of Investigation on which it is based, reflects the considerable doubts that, the sources said, existed in the American intelligence community at the time about the legitimacy of the Soviet officer's motives for having come to the United States.

Two sources familiar with the Warren Commission's investigation said that while the panel had received no formal assertions of doubt about the colonel's legitimacy as a defector, the commission staff had been informally cautioned "that this man might have been sent over to allay our suspicions" about possible Soviet involvement in the Kennedy assassination.

One source declined to say from where such a cautionary advice had come, but the other said that he believed it had been offered by Richard Helms, the then Deputy Director of Central Intelligence who is now the American Ambassador to Iran.

John A. McCone was the Director of Central Intelligence at the time of the Kennedy assassination, on Nov. 22, 1963, and he was asked last May in an interview with CBS News why neither he nor Mr. Helms had cited Mr. Nosenko's assertions in their formal testimony before the Warren Commission.

Mr. McCone replied that it was a tradition among intelligence agencies not to accept a defector's statements "until we have proven beyond any doubt that the man is legitimate and the information is correct."

He added that "the bona fides of the man," which "were not known at the time of the testimony," had subsequently been established by the Central Intelligence Agency.

One former high-ranking American intelligence official took exception recently to that assertion, saying that the official doubts about Mr. Nosenko's motives, far from having been resolved, had increased as time went on.

"No doubt about it," a second former official said in a recent interview. "Nosenko was a phony. Nosenko was a notorious deception — he really screwed up everything."

This official said that his conclusions, which had been shared by the C.I.A.'s counter-intelligence section, were based on a number of factors, including Mr. Nosenko's identification of an American television correspondent as a Soviet intelligence agent, an allegation that was later proved to be false.

A third source, one familiar with the F.B.I.'s investigation and debriefing of Mr. Nosenko after his arrival in the United States, recalled that "we did have some doubts about him, and they're probably recorded in the bureau—but we didn't let it out anywhere."

At the least, he said, the F.B.I. should have told the Warren Commission that "this information comes from a man of unknown reliability."

Neither the C.I.A. nor the F.B.I. would comment on the sources' assertions.

Other persons familiar with the record of the Warren Commission's investigation of the Kennedy assassination pointed out what they said were some oddities and anomalies that cast further doubt on the validity of Mr. Nosenko's testimony.

Mr. Nosenko's approach to representatives of the American Government with a request for asylum, they said, came in Geneva on Feb. 4, 1964, barely 10 weeks after Mr. Kennedy was shot to death while riding in a motorcade in Dallas.

Although the colonel was identified at the time as a Soviet "disarmament expert" at a multinational conference there, he told the F.B.I. that in October, 1959, when Oswald arrived in Moscow with the intention of becoming a Soviet citizen, he had been in charge of the K.G.B. department that oversaw American tourists.

In that position, he said, he had been made privy to the details of the K.G.B.'s decision shortly after his arrvial that Oswald was too emotionally and politically unreliable to warrant cultivation by the Soviet intelligence service.

Mr. Nosenko said he had understood that some other agencies of the Soviet Government, including the Red Cross, had then taken the disgruntled American in hand. Intelligence sources pointed out, however, that the Soviet Red Cross is itself believed to be an arm of the K.G.B.

They also questioned Mr. Nosenko's assertion that Soviet citizens with whom Oswald had hunted rabbits during his nearly three years in the Soviet Union had reported that the man was an "extremely poor shot."

The Senate intelligence committee recently designated two of its members, Richard S. Schweiker, Republican of Pennsylvania, and Gary Hart, Democrat of Colorado, to look into the growing number of questions about the circumstances surrounding the Kennedy assassination and the thoroughness of the Warren Commission's investigation.

Senator Schweiker said through a spokesman today that he personally favored an extensive investigation by the select commite of all of the quesions raised thus far about the scope of the Warren Commission's inquiry. Those questions are expected to include the extent to which the commission was apprised of the official doubts about Mr. Nosenko and the consideration given that information.

Meanwhile, two interviews with Oswald by the F.B.I. in the summer of 1962, shortly after he returned from the Soviet Union, were reported today.

In each instance, according to the interview reports, Oswald agreed to the agents' request that, if he were to be sought out by Soviet intelligence operatives in this country for any reason, he would report the contact to the F.B.I.

Although the F.B.I. interviews with Oswald were provided by the bureau to the Warren Commission staff, the commission concluded in its report that "Oswald was not an informant or agent of the F.B.I." and that "no attempt was made" by it "to recruit him in any capacity."

ST. LOUIS POST-DISPATCH
22 September 1975

Premature

President Ford is being premature if, as he reportedly told the *Chicago Sun-Times*, he is planning to send Congress soon a package of recommendations for reorganizing the Central Intelligence Agency. All that the President has now as a major basis for legislative recommendations on the CIA is the report of his own Rockefeller Commission. But that commission, by its mandate and by its own admission, covered only part of the ground in its inquiry. And two congressional investigating committees are still at work trying to find out what reforms in the intelligence community are needed.

If President Ford should send proposals on the CIA to Congress soon, it would not be in a position to act in an informed manner. The lawmakers should have their own committee reports in hand before undertaking new legislation on the CIA. Any recommendations from the President now could only be viewed as an attempt to undercut or take the sting out of congressional recommendations.

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ON PAGE II-2

LOS ANGELES TIMES
5 OCTOBER 1976

13 Years After Assassination, CIA Still Secretive About Oswald's Trip to Mexico

BY NORMAN KEMPSTER
Times Staff Writer

WASHINGTON—Although it has declassified virtually its entire file on Lee Harvey Oswald, the CIA continues to maintain a curtain of secrecy over the accused assassin's trip to Mexico less than two months before President John F. Kennedy was killed.

Many of the deletions in the 2,400 censored pages released last week under the Freedom of Information Act relate to Oswald's activities in Mexico City between Sept. 26 and Oct. 3, 1963.

For instance, a copy of a biographical sketch prepared by the CIA two weeks after the Nov. 22, 1963, assassination is far more interesting for what it conceals than for what it reveals.

The 15-page document covers Oswald's life from birth to burial with no apparent deletions except for the events that occured on Sept. 27, and 28 and Oct. 1, 1963. These events were removed completely from the document, but the column listing the origin of the information still remains. It appears as "SENSITIVE CIA SOURCE!" No other source notations were written in all-capital letters or carried the exclamation point.

The same biographical study was made public earlier this year but the entire page dealing with the three dates was left out, so there was no way to gauge the importance the CIA placed on the source of the information.

The Warren Commission, which concluded that Oswald was the lone assassin, said that he visited both the Soviet and Cuban embassies during his stay in Mexico City.

The CIA revealed later that Oswald probably contacted Valeriy V. Kostikov, an agent with the KGB, the Soviet secret police, who was operating under cover as a Soviet diplomat. The CIA said Kostikov was attached to the KGB department that handled kidnapings, assassinations and similar acts of political terror.

Critics of the Warren Commission have long raised questions about Oswald's Mexico trip. Some critics contend that an imposter used Oswald's name at the Soviet and Cuban embassies, possibly as part of some as yet undisclosed conspiracy.

The imposter theory was fueled by a series of previously released CIA cables which indicate that the agency had incorrectly identified as Oswald a man who apparently visited the Soviet embassy about the time Oswald was thought to have been there.

A CIA cable dated Oct. 10, 1963, and made public as part of the Warren Commission's report related that on Oct. 1, "a reliable and sensitive source in Mexico reported that an American male, who identified himself as Lee Oswald, contacted the Soviet embassy in Mexico City, inquiring whether the embassy had received any news concerning a telegram which had been sent to Washington." The cable described the man as "approximately 35 years old, with an athletic build, about six feet tall with a receding hairline."

Oswald was then 23 years old, 5 feet 10 inches and slender.

After the Kennedy assassination, according to the Warren report, the CIA sent to the FBI photographs of the man the agency apparently had mistaken for Oswald. The photo clearly shows a man about 35, about 6 feet tall with an athletic build and receding hairline. It certainly is not Oswald.

4 OCT 1976

Is Fensterwald a CIA Plant?

Assassination Inquiry Stumbling

By Bill Choyke
Capitol Hill News Service

The two-week-old House investigation into the assassinations of former President John F. Kennedy and civil rights leader Dr. Martin Luther King Jr. has already run into major difficulties.

The problems in the fledgling inquiry stem from the selection of a staff director and the role a well-known Warren Commission critic has played in the investigation so far.

The controversy has focused on Washington attorney Bernard Fensterwald, who for more than a year has closely advised probe chairman Rep. Thomas Downing, D-Va., on the political assassinations. Fensterwald, said one source, has been "fairly close to him (Downing) every step of the way."

Committee members involved in the House investigation report that Downing had tentatively selected Fensterwald as the committee's staff director, only to back away from the choice after two congressmen and others keenly interested in the assassinations raised a fuss.

Committee Vice Chairman Rep. Henry Gonzalez, the Texas Democrat who introduced the first House resolution calling for an assassination inquiry, has privately voiced his strong opposition to Fensterwald having any role on the committee, even as an unofficial adviser.

IN AN INTERVIEW, Downing merely acknowledged that Fensterwald was one of a dozen persons considered to head the panel's staff. However, the Virginia lawmaker, who is retiring after 18 years in the House, said Fensterwald has asked that his name be withdrawn from consideration.

Opposition to Fensterwald is based partly on his affiliation with convicted King assassin James Earl Ray, whom Fensterwald defended, and the belief that any committee role would be in conflict with the privileged lawyer-client relationship. Moreover, Fensterwald has — as another Warren Commission critic termed it — some serious "image problems" dealing with his assassination-related activities.

Fensterwald heads a citizen's group called the Committee to Investigate Assassinations. The Tennessee native was also the attorney for Watergate burglar James McCord.

Additionally, observers close to the Kennedy-King House probe are concerned with circumstantial evidence on the public record that raises questions about connections between Fensterwald and the CIA.

FENSTERWALD IS currently a law partner with Robert McCandless, whose former law firm even Fensterwald concedes represented several CIA proprietary firms. However, McCandless has claimed he did not know of CIA involvement with the firms.

The questions surrounding Fensterwald are intensified by little-noticed Senate Watergate committee testimony in May 1973, when McCord's first attorney, Gerald Alch, raised the possibility of previous ties between McCord, a former CIA agent, and Fensterwald.

Alch, a former associate of Boston attorney F. Lee Bailey, told the Senate committee that the first time he ever heard of Fensterwald was when McCord, his client, told him to "call a man by the name of Bernard Fensterwald, whom he said might be very helpful in raising bail."

Alch, who was subsequently fired and replaced by Fensterwald, said the Washington attorney had told him that he could probably meet the $100,000 bail in a few days. Then about two weeks later, when Alch conveyed to Fensterwald his client's thanks for the effort on his behalf, Fensterwald replied, according to Alch: "I don't see how he can send his thanks to me because I never met the man."

Testifying under oath, Alch then told the Senate committee that he never was certain whether McCord and Fensterwald knew each other prior to his making the initial phone call.

In telephone interviews, the versions of the two attorneys today recalling those Watergate conversations three years ago sharply clash.

FENSTERWALD SAYS that Alch called him to ask for assistance because "I knew Jerry Alch." The Boston attorney, meanwhile, still maintains that he had never heard of Fensterwald until the day McCord directed him to call for bail.

Fensterwald's committee on investigations is one of a number of independent groups which have sprung up around the country in recent years but is set apart from the others because of fears that it is a CIA front.

In a telephone interview, Fensterwald first acknowledged that he had connections with the CIA and then scoffed at the suggestion.

"I am on the payroll," he said. However, when pressed, he said he had "nothing to do with the CIA."

"There is absolutely no reason to think I am a member of the CIA," he emphasized, adding that there was "absolutely no vestige of evidence of any kind."

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(Sprague is not to be confused with another Richard Sprague, a former colleague of Fensterwald on his assassination committee.)

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— on the basis of recent surveys in California, Illinois, Ohio, Texas, Virginia, Washington and Wisconsin. They say they are more confident of Carter carrying Connecticut, Iowa, New Jersey and South Dakota.

Republicans claim they are ahead in Connecticut, New Mexico and Virginia in their own most recent polls, and are within striking range in all the other battleground states.

In some cases, close battles could be decided by votes diverted to the independent candidacies of Eugene J. McCarthy, the former senator from Minnesota, or Lester Madddox, the former governor of Georgia.

McCarthy, who is on the ballot in 29 states, is particularly worrisome to the Democrats in Oregon and Wisconsin and could jeopardize Carter's chances in New York, if his petitions for ballot placement survive a court challenge there.

Maddox appears to be a lesser factor — drawing only 1 per cent of the vote in a poll in his own state of Georgia.

Broder is a Washington Post national political correspondent and syndicated columnist.



By Alexander Uzilan

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3 OCT 1976

Perils Awaiting Kennedy Probe

By Jacob Cohen

SNATCHING the baton extended last spring by the provocative final report of Sen. Frank Church's Select Committee on Intelligence Operations, the House of Representatives has resolved, 285-to-65, to investigate the possibility (or is it the probability?) of conspiracies to assassinate President Kennedy and Martin Luther King Jr.

It is not yet clear how open the new inquiry will be to the possibility that there was not a conspirarcy, though remarks by Rep. Thomas N. Downing (D-Va.), chairman of the new Select Committee, suggest that he may have settled that matter in his own mind. "In the case of President Kennedy," he told the House, "I am convinced that there was a conspiracy involved. I do not know the identity of the conspirators or their motives. That should be investigated in depth."

The idea of conspiracy, of course, is notoriously vague even as a legal concept. Satisfying the common sense that something and somebody besides the perpetrators of crimes are often responsible for those crimes, the search for conspiracy also tempts the investigator into supposing that sympathy for or benefits from a crime is itself proof of participation. In the hands of a malicious prosecutor or, say, a House Committee on Un-American Activities that search can be the occasion for considerable mischief.

Indeed, one need go no further that the Church Committee report, "The Investigation of the Assassination of President John F. Kennedy," both to understand what has fired Rep. Downing's suspicions and to see the mischievous temptations awaiting the new investigation.

On its surface, that report is a model of reasonable provocation. The committee, it says, has not reviewed the question of the guilt or innocence of Lee Harvey Oswald. Nor, it adds emphatically, has the committee found any evidence of a conspiracy to kill the President. What the committee has found is new evidence which was either unavailable or deliberately withheld from the Warren Commission and from those people in the FBI and CIA who were cooperating in the investigation, evidence suggesting the presence in 1963 of powerful motives for a possible conspiracy: revenge perhaps for Mafia-related and other CIA plots to assassinate Castro; the hatred of Kennedy in certain anti-Castro circles.

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