

TIME  
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CHIEF COUNSEL SPRAGUE SPEAKING TO HOUSE SELECT COMMITTEE ON ASSASSINATIONS

## INVESTIGATIONS

## Sprague's Sprawl

Amid a hubbub of carpenters, plasterers and electricians in the old FBI Annex below Capitol Hill, the newest congressional empire is abuilding. Before long it will have 30 attorneys, 50 investigators, 40 to 50 researchers, security men, assorted administrators and 30 or so secretaries. It will probably have a budget of more than \$6.5 million a year. It will also have a life expectancy of at least two years and at most ... well, no prudent actuary would dare to predict how long it may last.

The Select Committee on Assassinations was established last fall by the House of Representatives to make a fresh study of the assassinations of John F. Kennedy and Martin Luther King Jr. Despite a seemingly endless series of investigations, rumors, dark suspicions and public doubts persist about who actually shot Kennedy and King. Just last month a Gallup poll showed that 80% of the American people believe that both assassinations were conspiracies; some think the Mafia, the CIA, Cubans or other Communists killed Kennedy. Thus when retired Virginia Congressman Thomas Downing proposed that the assassinations be examined yet again, the House approved.

**Tough-Minded.** Incredibly, two men considered to head the investigation were Mark Lane, who has lived substantially for the past 13 years off writings and lectures attacking the Warren Commission, and Bernard Fensterwald Jr., who once represented James Earl Ray. Lane had the sense to bow out, but he recommended the man who was eventually appointed as the \$39,600-a-year chief sleuth: Richard A. Sprague, 51, a tough-minded former district attorney from Philadelphia.

When the new investigation was first discussed, an overall budget of perhaps

\$1 million was mentioned. Then Sprague began talking about \$5 million, and some Congressmen began to get fidgety; eventually most concluded that such a sum was not really unreasonable for so intricate an investigation. Finally, last month, Sprague proposed \$6.5 million—for just the first year—and the House Select Committee gulped. Nonetheless the committee unanimously approved the outlay, and the full House is expected to do so this month.

The princely sum covers salaries for Sprague's staff of 170, the lease or purchase of polygraph machines and copiers and the creation of a computerized cross-reference system for the thousands of documents the staff will sift through.

Some Congressmen remain skeptical. Democrat Andrew Jacobs Jr. of Indiana thinks the proposed budget is grotesquely swollen. Says Jacobs: "How unrealistic can this Government get? The difference between a \$13 million investigation and a \$500,000 investigation is that with the former, ways will somehow be found to waste \$12,500,000."

Nonetheless Sprague insists, "If we're going to do this at all, we've got to do it right." As a Philadelphia D.A., he won 69 convictions in 70 murder cases. He also sent United Mine Workers President W.A. ("Tony") Boyle to the slammer for plotting the brutal murder of his challenger for the union leadership, Joseph A. ("Jock") Yablonski and Yablonski's wife and daughter.

Sprague promises to bring the same tenacity and toughness to the new probe. He will not seek help from the FBI and the CIA on the grounds that both agencies may be tainted. "I'm willing to go wherever the investigations lead," he told TIME Correspondent Hays Gorey. "I'm under just as much obligation to disprove as to prove." Precisely where—if anywhere—yet another investigation may lead is open to serious question. All that is certain is that the hunt will cost \$13 million, for starters.

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CIA HISTORICAL REVIEW PROGRAM

# Larry L. King

## Assassination Panel: Worth the Trouble?

Larry L. King is the Star's current writer in residence. His columns appear on Mondays, Wednesdays and Sundays.

Capitol Hill was so deserted on New Year's Eve you could have fired a shotgun down the halls and not hit anybody.

Unless, that is, you had aimed at Room 2325 in the Rayburn House Office Building. If you had happened to hit someone there, then likely cries of conspiracy would have been heard.

For it was there the chief counsel and members of the Select Committee on Assassinations, which unit's life was to expire at the stroke of the New Year, held a press conference in hopes of bolstering their chances of getting new life and new money when the House takes up the question tomorrow.

They are not asking for a dollar six-bits. They are asking for more than \$6.5 million and 170 employees; if you want a prediction, mine is that they will be required to settle for far less.

A HIGH STAFF aide, well-connected to the Democratic leadership, said over his morning coffee: "There's a lot of skepticism in the House. The Assassination Committee is doubtlessly well-intended. But, frankly, I've heard much doubt expressed that after all these years they can find out who killed Cock Robin."

Mindful of opinion polls showing that the majority of the American people suspect conspiracies in the deaths of President Kennedy and Dr. Martin Luther King, the House is likely to extend the committee's life but put it on short rations. It will throw a sop, and deftly step back in case of a splatter.

The committee — particularly its chief counsel and director, Richard A. Sprague — may have been guilty of bad politics. Mr. Sprague, who as first assistant district attorney in Philadelphia put Tough Tony Boyle in jail for ordering the murder of a United Mine Workers rival, may have made a mistake in asking to address the Democratic caucus some days ago.

It violates tradition for outsiders to participate in such cozy proceedings. Sprague may have compounded the act by having talked too long; grumbles also have been heard that he talked down to the members, lecturing them in pedantic fashion that unless they gave him enough people and money to properly do the job then it shouldn't be attempted at all.

Although his message may make perfectly good sense, some members did not appreciate Mr. Sprague's manner. Someone should have warned him that the House often tends to honor form over substance.

IF THE ASSASSINATION Committee — and, again, particularly Mr. Sprague — hoped its New Year's Eve press conference might inspire enthusiasm for its costly approach, then they do not know much about leading horses to water. Here are some of Mr. Sprague's answers when asked thewhos, whats, whys, wheres and whens: "I will not get into that at this time . . . I will not venture an opinion . . . I will not say from where to where (that memo was sent) . . . At this time I prefer not to answer that . . . I do not want to characterize it . . . I do not think it would be helpful for us to get into what I think . . . at this point I'll not get into a disclosure of what documents are involved . . . That's something we're working on right now and I think it inappropriate to comment."

That Mr. Sprague represents himself as an open mind, free of conjecture or speculation or premature conclusions, is well and good. It may even be admirable and high-minded. Again, however, he seems guilty of bad tactics. If you hold a press conference designed to help your cause (and the 11th-hour timing would so indicate) you might reasonably be expected to have something to say. Mr. Sprague may be a whiz at jailing the erring, though I suggest he has much to be modest about with respect to raising money or advertising causes.

The chief counsel even proved unwilling to say whether he might attempt to interview James Earl Ray, the confessed killer of Dr. King, who has several times recanted his confession claiming to have performed the foul deed without help; his grounds were that "If I tell you that about X, then you will ask me the same thing about Y and Z". Who, Lee Harvey Oswald? Jack Ruby? Obviously, if the investigation is to be worth a Confederate dime, then James Earl Ray must be quizzed down to the bone. Where's the harm in saying so?

Well, forgive me for getting on Mr. Sprague's case. I wish him well. There are many unresolved questions — "hundreds" in his words; "literally a thousand," according to lame-duck chairman Tom Downing, D-Va., involving, among others, the FBI and CIA.

FOR EXAMPLE — as the committee asks — did the CIA deliberately avoid furnishing critical information to the FBI which would have resulted in the surveillance of Lee Harvey Oswald prior to JFK's assassination? If so, why?

Was critical evidence withheld from the Warren Commission? If so, why?

Who and where were the FBI agents, known to have Dr. King

continued

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# 'New' Witnesses Quizzed in Kennedy, King Slayings

By Jeremiah O'Leary  
Washington Star Staff Writer

The special House committee probing the assassinations of President John F. Kennedy and Martin Luther King Jr., is investigating "new and unpursued leads" in both slayings, a preliminary report revealed today.

Chief Counsel Richard A. Sprague said the committee staff has interviewed persons with new and relevant information on both assassinations who had never been contacted by investigative agencies.

According to Rep. Christopher J. Dodd, D-Conn., the preliminary report also raises the question of whether FBI agents had Dr. King under surveillance when he was slain in Memphis, Tenn., in April 1968.

In a comment issued with the report, Dodd said he has long felt there are many unanswered questions about the roles of the CIA and FBI in investigating the two slayings.

"THE SPECIFIC questions highlighted in this report as to the conduct of the CIA and its apparent knowledge of some of Lee Harvey Oswald's activities in Mexico before the Kennedy assassination are examples of just such 'continuing' concerns," Dodd said. "Another example, underscored in this document is the question of the FBI's reported surveillance of Dr. King and whether FBI agents were in Memphis and near the civil rights leader at the time of his death."

Dodd said allegations of possible conspiracies and withholding of evidence are other questions which should be resolved once and for all.

Sprague informed the committee that the findings of the preliminary investigations cannot yet be verified but he mentioned two examples of the kind of information turned up in the three months of the committee's existence.

Sprague said initial questioning of an ex-CIA agent, David A. Phillips,

former chief of western hemisphere operations for the CIA, led staff members to Mexico, where they located and interviewed new witnesses.

"These witnesses had never been sought out before by any investigative body," Sprague said in the report, "notwithstanding the fact that they had important information concerning statements by Oswald in Mexico within 60 days of the assassination of President Kennedy."

"With respect to the assassination of Dr. King, committee counsel obtained relevant information from a witness who had never been interviewed before by any investigative agency. This witness has stated that James Earl Ray related to him the fact that after Ray fled to Europe, Ray contacted another person from whom he received further instructions to aid in his continuing flight."

SPRAGUE SAID the committee has been provided with a list of hundreds of questions, and identified several hundred witnesses who must be interviewed regarding the Kennedy assassination.

The committee report said the CIA alone has more than 60 cartons of material relating to the death of Kennedy and Oswald's activities before Kennedy was slain in Dallas in November 1963.

There also are hundreds of questions about the King case and the committee noted that it has completed a detailed analysis of stipulations of fact contained in the guilty plea made by Ray in March 1969.

"The committee noted that during the course of the plea proceedings," the report said, "Ray rose to advise the court that he did not concur with statements made by both the state prosecutor and his own attorney that there had not been a conspiracy to assassinate Dr. King. The committee does not mean to imply that there was or was not a conspiracy. It merely indicates that this is one of the area's which requires further investigation, especially in view of the failure to obtain a full statement of involvement from Ray by Tennessee authorities."

Rep. Thomas N. Downing, D-Va., the retiring chairman of the assassination panel, transmitted the committee report to the House with a request that the House approve a first-year budget of \$6.5 million for the probe. The committee report said that in the years that have passed since Ray pleaded guilty and the Warren Commission named Oswald as the sole assassin of Kennedy, "old doubts" have remained and new disturbing questions have been raised as additional evidence has come to light.

THE REPORT CITED four points as examples of these new issues:

- Did the Central Intelligence Agency deliberately avoid furnishing critical information to the FBI which would have resulted in the surveillance of Oswald prior to the assassination of President Kennedy? If so, why?

- Was critical evidence withheld from the Warren Commission? If so, why?

- There are reports of intensive surveillance of Dr. King by domestic intelligence agencies including the FBI. Who and where were these agents at the time of King's assassination? Do they have any evidence concerning the assassination or any plans to commit it? Was this surveillance deliberately curtailed prior to the assassination, and if so, why?

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- Did the Central Intelligence Agency deliberately avoid furnishing critical information to the FBI which would have resulted in the surveillance of Oswald prior to the assassination of President Kennedy? If so, why?

- Was critical evidence withheld

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# Donald Morris/an analysis

## No cover-up in Oswald's Mexico visit



The current flurry of interest in Lee Harvey Oswald's 1963 visit to Mexico City is a perfect example of paranoia at work. It all looks so sinister, and who is trying to cover up what, and why?

The answer, of which nobody in the intelligence business has the slightest hope of convincing anyone outside the business, is that nobody was covering up anything.

The CIA had and has a large station in Mexico City, with excellent liaison ties with the Mexican internal service. The Mexicans and the Americans naturally monitor every telephone line into every Soviet installation — these are not "CIA" taps, although the agency may provide equipment and technical advice. (The agency, thoroughly tarred, may claim the taps simply to spare the Mexican government embarrassment.)

These taps do not provide as much substantive material as one might think. The Soviets do indeed meet American agents in Mexico City — but they are not children and they know perfectly well that their lines are tapped. Their communications arrangements with their agents include very firm instructions not under any circumstances ever to call the Soviet embassy, and they will shun like the plague anyone who does. What pops up on the taps, therefore, are the assorted nuts and cranks who for various reasons want contact with the Soviets.

Every shred of evidence shows that neither the Soviets nor the Cubans wanted anything to do with Oswald, whom they regarded as very bad news indeed. In September 1963 he went to Mexico City and called both the Soviets and the Cubans, offering "information" in return for a free trip to Moscow or Havana — a splendid example of how little Oswald knew about the intelligence world. (Nobody gives

free trips for unspecified "information." But nobody.)

The Soviets had no intention of letting him return to the USSR, where he had been a major nuisance. They told him it would take three or four months to "process his visa application." Oswald lied to the Cuban officials about what the Soviets had told him (another example of ignorance on his part — did he think they wouldn't check?) and left Mexico in a huff.

The agency — which turned over all information on contacts between Americans and Soviets in Mexico to the FBI — did in fact turn this contact over weeks before Nov. 22. But it was one crank call among scores of others, and the name Oswald, while known as a crank, had no significance whatsoever to anyone in October 1963. There are American nuts in every country calling Soviet installations for one reason or another, and Mexico is as fertile a source of such names as anywhere else.

The record of the call also went to the Warren Commission. It was not a verbatim transcript. No clerk typist whose work, week after week, is typing transcripts of tapes, can or does make absolutely verbatim tran-

scripts. (Just watch a TV show "captioned for the deaf" to see how impossible it is.)

On the whole, the CIA performed commendably in catching the contact, transcribing it and passing it to the FBI through its normal channels in such a short period. The transcription errors were minor. Had the conversation been reported even with absolute precision it would have had no more significance than what was passed on. It would simply have confirmed what was already known — that Oswald was one of a great number of left-wing nuts again rebuffed in one of his efforts to make himself attractive to the Soviets.

This was not sinister in October 1963. It did not even become sinister in November, although — because of what Oswald then did — it certainly became interesting. It was not sinister during the Warren hearings, and it isn't sinister now.

But no one inside the business will ever convince anyone outside of that. For which we can probably thank Ian Fleming and a host of nameless TV writers.

Donald Morris served with the CIA 17 years. He has been a columnist for The Houston Post since his retirement from government service in 1972.

# Assassinations: 980 Questions —Or Is It 800?

From News Services

The new House Select Committee on Assassinations convened yesterday to review the unanswered questions in the slayings of President John F. Kennedy and the Rev. Martin Luther King Jr. After the meeting, the major question seemed to be: How many unanswered questions are there?

The committee chairman, Rep. Thomas Downing, D-Va., talked to reporters after the committee tentatively approved a report on its inquiry thus far. He said the "unanswered questions" totaled 980.

"There are 600 questions in the King matter and 380 questions in the Kennedy matter," Downing said. "We have turned up leads we will pursue."

**BUT D.C. DELEGATE** Walter Fauntroy, chairman of the subcommittee investigating the King murder, said in an interview just before the closed session that there were 800 unanswered questions — 600 questions relating to the 1968 slaying of King and 200 involving the 1963 murder of Kennedy.

Fauntroy, who had a copy of the draft report in front of him as he spoke, said all 800 questions were not listed in the draft. Instead, he said, the draft reports states the over-all number and lists various areas in which the unanswered questions exist.

Fauntroy also assured a reporter that an actual list of the 800 questions exists.

The committee voted 6-2 to close its session on the report — which will be used to justify the proposed \$6.5 million budget for the investigation. Committee sources told United Press International, however, that work on the draft will be completed over the weekend and forwarded to the clerk of the House, at which time it will be made public.

But since reporters were excluded from the meeting yesterday, it remains unclear where the extra 180 "unanswered questions" came from.

**DOWNING SAID** the report contained "no bombshells" and "nothing that is sensitive or shouldn't be released."

He declined to say what it does contain, but UPI's sources said the investigators, among other things, found Kennedy assassination witnesses not questioned by the Warren Commission or Dallas police.

The sources said these witnesses could shed new light on a bullet found on a stretcher at Parkland Memorial Hospital. The bullet prompted theories that a second gunman fired at Kennedy.

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Thursday, September 9, 1976

Jack Anderson and Les Whitten

# CIA Withheld Data in JFK Probe

After President John F. Kennedy was struck down on Nov. 22, 1963, the Central Intelligence Agency received evidence suggesting that Cuban Premier Fidel Castro arranged the assassination in retaliation for attempts on his life.

Yet sources privy to the secret discussions at the highest levels of the CIA during those hectic days now tell us that the CIA deliberately withheld the evidence from the Warren Commission investigating Kennedy's death.

Our sources cite two reasons for holding back this evidence. One was a resolve to cover up the secret that the CIA had enlisted Mafia mobsters to kill Castro.

There also was a legitimate concern that the Castro revelations might inflame the American people, whose grief could have turned into a terrible wrath that might have precipitated some rash action.

Only a few key people knew about the CIA plot to assassinate Castro. One was Attorney General Robert F. Kennedy, who was his brother's personal watchdog over the CIA. It has now been established that Robert Kennedy was briefed on May 7, 1962, about the attempt to use underworld killers to knock off Castro.

Two days later, Robert Kennedy cautioned the CIA not to go ahead with the assassination without consulting him. Since Robert Kennedy rode herd on the CIA, it must be assumed that he was kept advised of subsequent assassination attempts. However, there is no documentary evidence of this.

Records now available show that Robert Kennedy informed FBI chief J. Edgar Hoover of the plot on May 10,

1962. Yet neither Kennedy nor Hoover later divulged this important information to the Warren Commission.

Of course, various CIA officials also knew about the assassination scheme. Not the least of them was the late CIA chief Allen W. Dulles, who approved the original plan. He later served on the Warren Commission, yet he sat silently throughout the investigation without mentioning the Cuban angle.

Within hours of President Kennedy's death, the U.S. embassy cabled information from Mexico City suggesting that the Cubans may have been behind the assassination. Our sources say that the CIA developed similar information in Washington.

The first person to reach Robert Kennedy's side after the shooting was CIA Director John A. McCone, who remained alone with the Attorney General at his McLean, Va., home for nearly three hours.

McCone swore to us that Castro's name was never mentioned during the three hours. But CIA records show that the next day, McCone not only mentioned Castro to the new President, Lyndon B. Johnson, but briefed him on the information from Mexico City.

Yet no one brought the Cuban connection to the attention of the Warren Commission. We were the first to get word of the anti-Castro plot to Chief Justice Earl Warren, the commission chairman, four years later.

We are now free to reveal our role in the drama. Two of our confidential sources, CIA agent William Harvey and mobster John Rosselli, are dead. A third source, attorney Edward P. Mor-

gan, has waived the confidentiality we had promised him.

Morgan told us in January, 1967, about the CIA-Mafia assassination plot against Castro. He raised the possibility that the plot could have backfired against President Kennedy. There were suspicious circumstances, he pointed out, indicating that Castro may have learned of the attempts on his life and may have retaliated against Kennedy.

Morgan refused to identify his sources because it would have violated the attorney-client privilege. But he was an attorney of such stature that we didn't doubt his word. He had been chief inspector of the FBI. He had directed the historic congressional investigation of the Pearl Harbor bombing. Later, he ran the investigation into the excesses of the late Sen. Joseph McCarthy.

We got Morgan's permission to write a cautious story. We confirmed the general outlines from a CIA source. Then on March 3, 1967, we wrote that Robert Kennedy "may have approved an assassination plot, which then possibly backfired against his late brother."

The next day, according to records now available, Kennedy's secretary called for a copy of the May 7, 1962, memo, which summarized the briefing he had received on the assassination plot.

On March 7, 1967, we reported more details. "A reported CIA plan in 1963 to assassinate Cuba's Fidel Castro," we wrote, "... may have resulted in a counterplot by Castro to assassinate President Kennedy."