

B. 1967: Allegations of Cuban Involvement in the Assassination

In late January 1967, Washington Post columnist Drew Pearson met with Chief Justice Earl Warren. Pearson told the Chief Justice that a Washington lawyer had told him that one of his clients said the United States had attempted to assassinate Fidel Castro in the early 1960's,²⁰ and Castro had decided to retaliate.²¹ Pearson asked the Chief Justice to see the lawyer; however, he declined. The Chief Justice told Pearson that it would be necessary to inform Federal investigative authorities, and Pearson responded that he preferred that the Secret Service rather than the FBI be notified.²²

On January 31, 1967, the Chief Justice informed Secret Service Director James J. Rowley of the allegations. Rowley testified:

The way he [the Chief Justice] approached it, was that he said he thought this was serious enough and so forth, but he wanted to get it off his hands. He felt that he had to—that it had to be told to somebody, and that the Warren Commission was finished, and he wanted the thing pursued, I suppose, by ourselves or the FBI.²³

According to Rowley, Warren and Pearson arranged for the lawyer to see him on February 8, 1967.²⁴ On February 10, 1967, Rowley told the Chief Justice that neither Pearson nor the lawyer had called, and that he would forward the information to the Bureau.²⁵

On February 13, 1967, Rowley wrote Hoover informing him of the allegations. Hoover immediately sent the Rowley letter to six senior Bureau officials on an "eyes only" basis.²⁶ FBI files contain no record of internal meetings or discussions concerning the allegations. Super-

²⁰ The Select Committee found concrete evidence of at least eight plots involving the CIA to assassinate Fidel Castro from 1960 to 1965. Each of these plots is described in detail in the Committee's Assassination Report.

²¹ Memorandum from Rowley to Hoover, 2/13/67.

²² Secret Service Director James J. Rowley confirmed the allegations detailed in that memorandum in his testimony before the Committee on February 13, 1976. The Secret Service has informed the Committee that they do not have copies of either the 2/13/67 Rowley memo or the 2/15/67 FBI response, or any other materials pertaining to the Rowley-Warren meeting or the retaliation allegation.

²³ Memorandum from Rowley to Hoover, 2/13/67.

²⁴ James J. Rowley testimony, 2/13/76, p. 17.

²⁵ Rowley also testified that the Chief Justice did not state whether this was the first time he had heard that the United States Government had plotted to assassinate Castro. (Rowley, 2/13/76, p. 16.)

²⁶ The lawyer testified that no such meeting was ever arranged or even discussed with him.

²⁷ Memorandum from Rowley to Hoover, 2/13/67; memorandum from Rosen to DeLoach, 2/14/67.

²⁸ It was Rowley's understanding that either Pearson or the lawyer was to meet with him on February 8, 1967, or else contact him to arrange a meeting on another date. Rowley still had not heard from either by February 10, 1967, and he decided to forward the information to the FBI. (Rowley, 2/13/76, p. 20.)

²⁹ Assistant FBI Director Cartha DeLoach later informed Marilyn Watson that Rowley had "made several attempts to contact" the lawyer, but the lawyer refused to keep the appointments. (Memorandum from DeLoach to Tolson, 3/17/67. Neither Rowley nor the lawyer recalled any such attempts.)

³⁰ Bureau personnel have testified that use of the "eyes only" classification on internally disseminated material was extremely rare. This classification was employed only when material was extremely sensitive.

isory personnel assigned to the assassination investigation have uniformly testified that they do not recall ever discussing or reviewing memoranda which touch upon Cuban involvement in the assassination, or the possibility of Cuban retaliation for CIA assassination attempts.

The supervisor in the General Investigative Division who was assigned responsibility for the assassination case in March 1964 drafted the FBI response to the Rowley letter. Although senior Bureau officials had been told of CIA assassination attempts against Fidel Castro in 1962 this supervisor had never before heard even allegations of such attempts.²⁷ The supervisor testified that when the Rowley letter came to his attention, he asked the Domestic Intelligence Division whether there was any Cuban involvement in the assassination.²⁸ He summarized its response as follows:

In connection with the allegation regarding the alleged Castro conspiracy, the Domestic Intelligence Division advised that during the investigation of Lee Harvey Oswald no evidence was uncovered indicating the Cuban Government had any involvement in the assassination. Sensitive and reliable sources of the Bureau and CIA reported Oswald was unknown to Cuban Government officials when he visited the Cuban Consulate in Mexico City on 9/27/63, and attempted, without success, to get a visa for travel to Cuba. Secretary of State Dean Rusk testified before the Commission on 6/10/64, and stated there was "very considerable concern" in Cuba immediately following the assassination as to whether Cuba would be held responsible for the assassination and what effect the assassination might have on Cuba's position and security.²⁹

The supervisor testified that, on the basis of this response, he believed the possibility of Cuban involvement in the assassination had been thoroughly investigated, and that there was no substance to the allegations Rowley had received.³⁰

On February 15, 1967, Cartha DeLoach received a memorandum with a proposed FBI reply to Rowley's letter. The memorandum stated that "no investigation will be conducted regarding the allegations made . . . to Chief Justice Warren."³¹ Both the memorandum and letter were drafted by the General Investigative Division supervisor. The letter thanked Rowley for the information furnished, and noted:

In connection with the allegation that a Castro Conspiracy was involved in the assassination of President Kennedy, our investigation uncovered no evidence indicating Fidel Castro

²⁷ General Investigative Division Supervisor testimony, 3/31/76, p. 8.

²⁸ *Ibid.*, p. 18.

²⁹ Memorandum from Rosen to DeLoach, 2/15/67.

³⁰ General Investigative Division Supervisor, 3/31/76, pp. 19-20.

³¹ Memorandum from Rosen to DeLoach, 2/15/67.

Alex Rosen, then Assistant Director in charge of the General Investigative Division testified before the Committee that he was hospitalized in the Spring of 1967 and therefore had no knowledge of the sequence of events described in this section of the Report. In this regard Mr. Rosen testified that this memorandum would have been written over his name by one of his subordinates.

or officials of the Cuban Government were involved with Lee Harvey Oswald in the assassination of President Kennedy. This Bureau is not conducting any investigation regarding this matter. However, should Mr. Pearson, [the lawyer] or [his] source of information care to volunteer any information to this Bureau, it would be accepted. Thereafter, consideration would be given as to whether any additional investigation is warranted.²²

The supervisor testified:

Everyone in the higher echelons read this and there was a decision made apparently some place along that line as to whether there was any basis in fact for [these allegations] or not. And to this day I don't recall how or what decision was made or who was involved in it but I had the responsibility then [upon orders from superiors] of concluding it by preparing this and stating that no further investigation was going to be conducted.²³

When asked why the FBI did not investigate such a serious allegation, particularly in light of Director Hoover's testimony before the Warren Commission that the assassination case would always remain open,²⁴ the supervisor responded:

I understand your thinking and I can't truthfully and logically answer your question because I don't know.²⁵

The letter was approved and sent to Rowley on February 15, 1967. A copy was also sent to the Acting Attorney General and the Deputy Attorney General, but the internal FBI memorandum from Rosen to DeLoach stated:

Consideration was given to furnishing this information to the White House, but since this matter does not concern, nor is it pertinent to the present Administration, no letter was being sent.²⁶

Although the General Investigative Division supervisor testified that he was instructed to put this language in the memorandum, he cannot recall who issued these instructions, or their basis.²⁷

President Johnson subsequently learned of the allegations and the Bureau's decision not to investigate. On March 17, 1967, Cartha DeLoach received a telephone call from Presidential Assistant Marvin Watson, who informed him that, "The President had instructed that

²² Letter from Hoover to Rowley, 2/15/67.

²³ General Investigative Division Supervisor, 3/31/76, pp. 11-12.

²⁴ Hoover testified before the Warren Commission:

Well, I can assure you so far as the FBI is concerned the case will be continued in an open classification for all time. That is, any information coming to us or any report coming to us from any source will be thoroughly investigated, so that we will be able to either prove or disprove the allegation. (J. Edgar Hoover testimony, 5/6/64, Warren Commission, Vol. I, p. 100.)

²⁵ General Investigative Division Supervisor, 3/31/76, p. 10.

²⁶ Memorandum from Rosen to DeLoach, 2/15/67.

²⁷ General Investigative Division Supervisor, 3/31/76, pp. 46-47.

the FBI interview [the lawyer] concerning any knowledge he might have regarding the assassination of President Kennedy."²⁸ Watson stated that, "This request stemmed from a communication which the FBI had sent to the White House some weeks ago."²⁹ DeLoach explained that he believed this communication was actually supplied by Secret Service. According to DeLoach, he briefed Watson on Drew Pearson's discussion with Chief Justice Warren and then,

told Watson that, under the circumstances, it appeared that [the lawyer] did not want to be interviewed, and even if he was interviewed he would probably not divulge the identity of his sources who apparently were clients. Watson stated that the President still desired that the FBI conduct the interview in question. I told Watson that, under the circumstances, we had no alternative but to make this attempt; however, I hoped he and the President realized that this might be putting the FBI into a situation with District Attorney Garrison, who was nothing more than a publicity seeker.³¹

DeLoach concluded:

Under the circumstances it appears that we have no alternative but to interview [the lawyer] and then furnish the results to Watson in blind memorandum form.³²

The responsibility for interviewing the Washington lawyer was assigned to the General Investigative Division. This assignment is itself somewhat puzzling, because the Domestic Intelligence Division had been assigned responsibility for possible foreign involvement in the assassination.³³

The lawyer was interviewed by two agents from the FBI's Washington Field Office, both of whom had had supervisory responsibility on the assassination case within their office. These agents testified that they were briefed at FBI Headquarters prior to the interview, but neither could recall the details of that briefing or who was present.³⁴ Both agents testified that they were "surprised" during the interview when the lawyer recounted United States' assassination efforts targeted at Fidel Castro.³⁵ These agents stated that they could not evaluate the lawyer's allegations or question him in detail on them, since they had not been briefed on the CIA assassination efforts.³⁶

²⁸ Memorandum from DeLoach to Tolson, 3/17/67.

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ The FBI Headquarters supervisor in the General Investigative Division, who was responsible for the interview with the lawyer, could not explain why it was assigned to his division, stating "I've often wondered about that myself." (General Investigative Division Supervisor, 3/31/76, p. 30.)

³² FBI Agent I testimony, 5/3/76, p. 8; FBI Agent II testimony, 4/13/76, p. 10.

³³ The Bureau's response to the Committee's March 18, 1976 request for documents reflects that there are no memoranda in Bureau files relating to said briefing.

³⁴ FBI Agent I testimony, 5/3/76, p. 24; FBI Agent II testimony, 4/13/76, p. 18.

³⁵ The lawyer testified he had no recollection of having been interviewed by any FBI agent about the information he gave to Drew Pearson. (Washington Lawyer testimony, 3/17/76, p. 53.)

³⁶ FBI Agent I testimony, 5/3/76, p. 25; FBI Agent II testimony, 4/13/76, p. 16.

Neither the agents, nor FBI Headquarters personnel could explain why they were dispatched to conduct an interview without the benefit of all relevant background material in FBI files. On March 21, 1967, the Washington Field Office sent FBI Headquarters ten copies of a blind memorandum reporting on the interview. This memorandum can be summarized as follows:

1. The lawyer had information pertaining to the assassination, but that it was necessary for him in his capacity as an attorney to invoke the attorney-client privilege since the information in his possession was derived as a result of that relationship.

2. His clients, who were on the fringe of the underworld were neither directly nor indirectly involved in the death of President Kennedy, but they faced possible prosecution in a crime not related to the assassination and through participation in such crime they learned of information pertaining to the President's assassination.

3. 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 within key posts in Cuba.

4. The project almost reached fruition when Castro became aware of it; by pressuring captured subjects he was able to learn the full details of the plot against him and decided "if that was the way President Kennedy wanted it, he too could engage in the same tactics."

5. Castro thereafter employed teams of individuals who were dispatched to the United States for the purpose of assassinating President Kennedy. The lawyer stated that his clients obtained this information "from feedback" furnished by sources close to Castro, who had been initially placed there to carry out the original project.

6. His 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.

7. One client, upon hearing the statement that Lee Harvey Oswald was the sole assassin of President Kennedy "laughs with tears in his eyes and shakes his head in apparent disagreement."

8. The lawyer stated if he were free of the attorney-client privilege, the information that he would be able to supply would not directly identify the alleged conspirators to kill President Kennedy. However, because of the project to kill Fidel Castro, those participating in the project, whom he represents, developed through feedback information that would identify Fidel Castro's counterassassins in this country who could very well be considered suspects in such a conspiracy.⁴⁷

Memorandum from Washington Field Office to FBI Headquarters, 3/21/67.

The transmittal slip accompanying this memorandum noted, "No further investigation is being conducted by the Washington Field Office unless it is advised to the contrary by the Bureau."⁴⁸ 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.

The Washington Field Office memorandum of the interview was rewritten at FBI Headquarters before it was sent to the White House, the Attorney General, and the Secret Service.⁵⁰ The cover letter sent with this memorandum did not recommend any FBI investigation of the lawyer's allegations. As rewritten, this memorandum varies from the original field version in two significant respects. Three new paragraphs were added summarizing FBI file materials about CIA-underworld plots to assassinate Castro.⁵¹ In addition the rewritten version of the memorandum twice deletes the words "in place" from the phrase "sources in place close to Castro."⁵² The supervisor who rewrote the memorandum could provide no explanation of the omission.⁵³

Neither the Field agents who interviewed the lawyer nor the Headquarters supervisory agents assigned to the assassination case, could provide any explanation for the Bureau's failure to conduct any followup investigation.⁵⁴ When they were informed of the details of CIA assassination efforts against Castro, each of these agents stated that the allegations and specific leads provided should have been investigated to their logical conclusions.⁵⁵

Although the Select Committee has not been able to establish through direct evidence that President Johnson asked CIA officials about the lawyer's allegations, CIA Director Helms met with the President at the White House on the evening of March 22, 1967. Earlier that day, the President had been furnished the FBI memorandum which summarized CIA use of underworld figures in plots against Castro and the lawyer's interview. On March 23, Director Helms

⁴⁷ Memorandum from Washington Field Office to FBI Headquarters, 3/21/67.

⁴⁸ There was no dissemination to the CIA.

⁴⁹ According to the FBI Headquarters agent who wrote the memorandum, this information was given directly to him by the Domestic Intelligence Division.

⁵⁰ General Investigative Division Supervisor, 3/31/76, p. 20.

⁵¹ Supervisor testimony, 3/31/76, p. 20. It is unclear whether the identity of "the sources in place close to Castro" was known to the FBI or whether the Bureau attempted to develop information concerning them in either 1963 or 1967. It should be noted that neither the President, nor the Attorney General ordered a follow-up investigation after receiving this memorandum.

⁵² It was during this time period that New Orleans District Attorney James Garrison was conducting his own probe of the Kennedy assassination. Although there is no evidence that the Bureau's avoidance of any activity in support of or interference with Garrison's investigation was the reason for its refusal to follow up on the lawyer's allegations, certain documents suggest that this might have been at least one of the factors that influenced the determination. For example, DeLoach cautioned:

The agents interviewing [the lawyer] should make it quite clear that the FBI is not interfering with any current investigation being conducted by local authorities in New Orleans. (Memorandum from DeLoach to Tolson, 3/15/67.)

⁵³ The Select Committee questioned the lawyer and the clients who were the sources of the allegations. The "clients" told the Committee they had no recollection of either receiving information that Castro retaliated or discussing it with the lawyer. (Client No. 1, 4/23/76, pp. 12, 13; client No. 2, 4/28/76, p. 4.)

ordered the CIA Inspector General to prepare a report on the CIA assassination plots.

On April 24, 1967, the I.G. began submitting portions of his report to Director Helms. The May 23 draft report which was the only draft retained by the CIA, refers to the Drew Pearson columns and the lawyer's contacts with Chief Justice Warren, Rowley and the FBI, but does not analyze the retaliation allegations.

Sometime between April 24 and May 22, the Director met and orally briefed President Johnson on the I.G.'s findings.⁵⁶ When questioned during the course of the Committee's investigation into CIA assassination plots, Helms was not asked specifically whether he briefed President about the fall 1963 AMLASH operations. Helms did testify that he did not brief President Johnson about the 1964 and 1965 phases because he did not regard AMLASH as an assassination agent.⁵⁷ Although a note in Director Helms' handwriting, which apparently was prepared for use in briefing the President⁵⁸ only refers to covert actions against Cuba through mid-1963, the I.G. Report treated the AMLASH project from 1963 through 1965 as an assassination operation.

Even before work began on the 1967 I.G. Report, the CIA analyst on the counterintelligence staff who had been the "point of record" for the CIA work for the Warren Commission was asked to analyze public allegations of conspiracy. This analyst was asked to analyze a copy of the 1967 I.G. Report and was not asked to determine whether there were any connections between CIA assassination operations and the assassination of President Kennedy. CIA records disclose that he did request a name check on "A," the individual who had been tentatively connected with an anti-Castro training camp in New Orleans. Although "A's" file at the CIA notes that he was aware of the AMLASH operation in 1965, the response to the name check did not disclose that fact. Indeed, it was not until 1975, during the Rockefeller Commission's study, that this analyst learned of the CIA assassination plots.⁵⁹

⁵⁶ Assassination Report, p. 179.

⁵⁷ Richard Helms testimony, 6/13/75, p. 135.

⁵⁸ Assassination Report, p. 179.

⁵⁹ Staff summary of interview of CIA Analyst, 3/15/76.

APPENDIX A

THE FBI AND THE OSWALD SECURITY

A. Oswald's Defection

On October 31, 1959, after learning that Lee Harvey Oswald had defected to the Soviet Union and informed official Embassy in Moscow that he intended to provide "training" to the Soviet Union, the FBI opened a "security case" on Oswald.¹ As part of the investigation, the Bureau Navy and discovered that Oswald did not have known information that would benefit the Soviets. The FBI stop should be placed against Oswald's fingerprint from obtaining a passport and entering the United States.²

About six months later, the Bureau interviewed who believed that he had taken his birth certificate to the Soviet Union.³ In a memorandum subsequently submitted to the FBI, the FBI raised the possibility that an attempt to return to the United States using Oswald's name.⁴

B. Oswald's Return to the United States

Despite this concern that an imposter might attempt to return to the United States using Oswald's identity, the FBI Oswald until almost three weeks after his return. There is no indication that any of the FBI agents Oswald case were ever warned that an imposter assume Oswald's identity. In particular, Special Agent in Charge, the FBI agent responsible for the Oswald case, testified that he had neither seen a copy of the memorandum, nor attempted to determine whether Oswald's identity.⁵

On June 26, 1962, Special Agents John W. Farnsworth and Oswald in Fort Worth, Texas. According to the report, Oswald was cold, arrogant, and difficult to deal with. He denied that he told State Department officials in Moscow that he was going:

- (1) was going to renounce his American citizenship;
- (2) apply for Soviet citizenship; and
- (3) reveal radar secrets to the Soviets.⁶

¹ Memorandum from Belmont to Soviet Section Supervisor, 1/6/60.

² Report from Dallas Field Office to FBI Headquarters, 1/6/60.

³ Memorandum from FBI Headquarters to Department of State, 1/6/60.

⁴ Memorandum from New York Field Office to FBI Headquarters, 12/12/75, p. 119.

⁵ Hosty, 12/12/75, p. 119.

⁶ The Committee has found no evidence that an imposter assumed Oswald's identity.

⁷ John W. Farnsworth testimony, Warren Report, Vol. IV, p. 119.