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Echoes of Conspiracy

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INTRODUCTION

*Revised: Call for a new jury
get back to work
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End of a Delusion?

We are all weary of the Kennedy assassination. We have seen too many TV talk shows about it, read too many articles, listened to too many lectures, heard too many discussions of it. We are weary of the whole thing; we wish it would go away.

Yet now, sixteen years after the event, it is more with us than ever before. For now, on the basis of persuasive scientific evidence, a committee of the Congress has concluded "that President John F. Kennedy was probably assassinated as a result of a conspiracy" although "the committee was unable to identify the other gunman [besides Oswald] or the extent of the conspiracy." In itself, that conclusion forces on us a new appraisal not only of the Kennedy assassination but of our collective life for the last sixteen years.

Fifteen years ago the Warren Commission made public its Report on the assassination. After reviewing the exhaustive nature of the investigation performed (25,000 interviews carried out by the FBI alone), the Commission offered its findings: a single, demented individual, Lee Harvey Oswald, had killed President Kennedy and wounded Governor Connally using a cheap mail-order rifle. Whatever Oswald's motives -- envy of the glamorous young President, desire for a niche in history, anger at his wife -- they were profoundly unpolitical. Oswald was an anti-social loner who had no friends or possible confederates. The President's death at his hands was an unfortunate accident of history holding no more political significance than if Air Force One had crashed after being struck by lightning. Likewise, Ruby's killing of Oswald. According to the

Commission, Ruby got into the Dallas Police Building with a .38 revolver due to an unlucky break when a patrolman inadvertently turned his back. Emotionally distraught, the Dallas night club owner killed Oswald to free Jacqueline Kennedy of the necessity of returning to Dallas to testify.

Now we can see that this whole characterization of the event is wrong. Not three shots, as the Warren Commission concluded, but four shots were fired in Dealey Plaza that day, and at least one of those shots did not come from the sniper's nest in the Depository. Oswald's enigmatic behavior and associates in the years prior to the killing leads into the shadowy world of plot and counter-plot, agent and double-agent, which constituted the Kennedy Administration's secret war against Cuba in the early 1960's. Moreover, in the unlikely coalition of organized crime, American intelligence agents, and anti-Castro Cubans recruited to wage that war can be found many of Jack Ruby's past associates. Ruby, the House Select Committee found, could not have gained access to Oswald through the unlucky break proposed by the Warren Commission, but may have had assistance from individuals in the Dallas Police. The Committee's experts also found that the much trumpeted polygraph test given Ruby ^{was} poorly set up and unreliable, and that Ruby may very well have been lying on certain crucial questions.

Sixteen years after the murder of an American president -- shot down in a public square in broad daylight with 692 witnesses looking on -- we don't know how he was killed, who killed him, or for what reasons. No other event in contemporary history has been scrutinized as closely as the Kennedy assassination, yet with such maddeningly meager results.

The very fact that the killing has not been solved, that in spite of the most massive homicide investigation this country has ever seen, the death of a President remains shrouded in mystery -- that fact in itself is of crucial importance. Why? Why is the Kennedy assassination still with us?

Our answer to this question is based on an analogy to Freud's theory of the individual psyche. For just as individuals resist recognizing certain painful facts about themselves, facts which stand in opposition to the individual's self-image, so whole societies can conceal from themselves facts which run counter to the grain of orthodoxy. In both cases, when consciousness probes the forbidden region, it encounters resistance. The upshot of that resistance is often the propagation of a delusion, a delusion whose survival depends upon neglecting or reinterpreting facts which stand in opposition to it. This is precisely what has happened with respect to the Kennedy assassination. The reason it will not go away is that for the last sixteen years the organs of reason in our society -- various governmental commissions, the press, the media -- have been propagating a delusion. Now, in the aftermath of the House Select Committee's Report, we have an opportunity to understand that delusion, and, by understanding it, end it. In the Select Committee's Report we not only have scientific evidence for two gunmen, we also have the broad outlines for a new insight into how our society of necessity continues to generate such delusions.

Just as Freud examined the psychopathology of everyday life, so the focus of this book -- using the Kennedy assassination as a diagnostic case -- will be the sociopathology of collective life. With respect to both the symptoms are the same: resistance to uncovering

the true relationships between events. And with respect to both, therapy takes the same form: analysis of the patterns of resistance to see where they lead.

In large part, this was in fact the method of the Select Committee. As with the Warren Commission before it, the most illuminating parts of the Committee's work ^{are} not to be found in its Report, but in the twelve supplementary volumes of testimony, staff reports, and evidence studies. Especially in these staff reports we can see the Committee trying to situate Oswald and Ruby in the hidden world of invisible government, and looking, guardedly, at instances of "resistance" where either someone was lying or stubbornly looking the wrong way. The results contained in these staff reports are valuable, but their form is chaotic. To read them is not unlike looking into Tutankhamen's Tomb: one sees masses of treasure but is offered no key ^{for} _^deciphering the meaning of the trove. It will be our intent to offer such a key.

In certain respects the work of the Committee was either defective or incomplete. The crucial scientific evidence, establishing that another gunman fired from the grassy knoll, was only presented to the full committee two days before its legislative mandate expired. Accordingly, much of its investigation of the assassination itself, careful as it was, was biased in favor of a lone assassin. As Congressman Dodd's dissent from the Committee's findings shows, it could offer no persuasive proof that the three remaining shots were all fired from the Depository's sniper's nest. Even harsher criticism could be levelled at the Committee's conclusion that Oswald fired the shots which wounded Governor Connally and President Kennedy. True, the Committee offered solid proof that Oswald's rifle fired both the wounding and killing shots. But it offered nothing beyond the Warren Commission's ramshackle

circumstantial case that Oswald fired the rifle. More importantly, the Committee appeared to assume Oswald's guilt and never attempted to rebut the arguments adumbrated over the last decade to undercut that assumption.

In certain respects, moreover, the Committee remained unaware of the patterns of resistance which continued to operate and mold its own investigation. Principally, this area of resistance is to be found in its conclusions that neither the FBI, the CIA, nor the Warren Commission participated in a subsequent cover-up of the facts of the assassination. In this area it is important to distinguish between the initial conspiracy which murdered Kennedy, and the subsequent cover-up. The later cover-up could have been relatively benign. The aim may have been to prevent a nuclear holocaust if a foreign power either was, or falsely appeared to be, involved; or a sensitive intelligence operation, with which Oswald may well have been connected, whether or not he fired any shots on November 22nd. Or, on a more mundane level, it may have been motivated by a desire on the part of various agencies not to have their dirty linen aired in public. One need not, therefore, ascribe conspiratorial or malevolent motives on the part of those who engaged in the cover-up. But whatever the reasons, as we shall see, there was a cover-up, and, to some degree, it is still going on. Hence, in certain sections of this book we will be functioning as the Committee's analyst, pointing out the patterns of resistance of which it, perhaps, was unaware.

Bernays has used the phrase "invisible government" to describe public relations. The same phrase has been used by other writers to describe intelligence agencies and organized crime. The

events of the last decade and one-half -- Vietnam, the Pentagon Papers, Watergate -- should have sensitized us to the power of this hidden zone in our lives. It is not just that there is something deeply wrong with the world in which we live, but that there is something wrong with the way we perceive that world. Traditional models of our society, whether pluralist or Marxist, offer no ready explanation for a situation in which the media and the Presidency become opposed in a struggle for survival, any more than for a situation where a President is murdered while the press and media tell us not to bother our heads about it. This is the importance of the Kennedy assassination and its investigation as a social phenomenon. Its very oddity compels us to look further, to go beyond the models of interpretation we are fond of. The key to the assassination is to be found in the three senses of invisible government enumerated above. In at least one of these senses, and very likely all three, invisible government played a key role in either murdering the President or in permitting him to be murdered, and then in covering it up.

The terrain of this book is the terrain of invisible government. In the political sphere invisible government plays an analogous role to that of the unconscious in Freud's schema. Out of ignorance, we are unable to attribute to invisible government the governing power which Freud attributes to the unconscious. But, like Freud, we are persuaded that hidden forces are active, and that they account for the mystery in which the Kennedy assassination is still shrouded. How otherwise explain the high level of resistance which has characterized

the investigation of this case from the beginning? How otherwise explain the fact that faced with the Committee's conclusions of a second gunman, the New York Times and the Washington Post would argue that Kennedy was shot, simultaneously, by "two lone maniacs instead of one?" In this resistance we can see the continuing importance of our subject, and also an imperative that we not give up until the delusion has been shattered. If the public will deal with the facts presented in this book, and force press and government to deal with them, we can come to an end of our delusion and also a healthier understanding of the forces at work in our society. As Freud wrote in one of his essays, the voice of reason is ^a small one, but in the long run it will be heard.

1. Discovery of New Evidence

When committee investigator, Jack Moriarty, put his briefcase in the back of his Hertz rental car on the afternoon of March _____, 1978 and headed for the airport, he had no idea of the importance of one item in his briefcase. Sealed in a manila envelope nestling between files of witness interviews and legal documents, was a 7" long Dictabelt tape. In the months following Moriarty's return to Washington that Dictabelt would prove to be what critics of the Warren Report had been searching after for 15 years - - a break in the case, powerful new evidence in the assassination of John F. Kennedy. Under a battery of scientific tests, that Dictabelt tape would reveal not only the number and timing of the shots fired in Dealey Plaza, but it would show

that one of the shots came not from the Depository but from the "grassy knoll" to the right front of the limousine. No longer ^{Could one} doubt that a conspiracy was involved in the assassination of President Kennedy. Together with all the other evidence of conspiracy that had been amassed since 1963, that Dictabelt would force the House Select Committee to the awkward, but inevitable, conclusion that, "it is probable that more than one person was involved in the President's murder," although the Committee, "was unable firmly to identify the other gunman or the nature and extent of the conspiracy."

The Dictabelt tape (containing an original record of Channel 1 transmissions over the Dallas Police radio net for the time surrounding the President's murder) was known to the Warren Commission. A transcript of transmissions over both

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Channel 1 and Channel 2 of the Dallas Police radio net was made available to the Commission, *although it is unclear whether*

any Commission staff members *actually to the Dictabelt or* listened to a tape made from it.

Had they listened to it, all they would have heard is what one hears now with the

made ear -- no powerful explosions of gun shots, only the harsh, souawky noises any CB enthusiast is familiar with, the steady drone of a motorcycle engine, and now and then voices interrupting: "Anybody know where 56 is?"

Accordingly, the

Dictabelt was never studied by the Warren Commission, but languished for 15 years in the possession of the Dallas Police and *later,* one of its assistant chiefs, Paul McCaghren.

The existence of the tape and its possible importance was brought to the attention of the Committee on a hot, muggy day in September, 1977. Chief Counsel Flakey had invited ten of the most significant critics of the Warren Report to Washington to meet with him and discuss possible investigative strategies. Mary Ferrell, a charming, tenacious critic from Dallas, who had spent tens of thousands of hours investigating leads in the case since 1963, mentioned that she had a tape made from the Dictabelt and suggested it be studied by audio experts. "I wanted to drop one thing in," she said in her ebullient Texan way, "Gary Shaw [another Dallas critic] recently took my copy of the police tapes to a broadcasting media man. Anyhow, by blocking out sound they have heard eight distinct gunshots." I remember at the time thinking *such an audio study.* that not much would come of it. How long and hard had we all searched for a tape recording of the assassination, only to come up with hoaxes or dead-ends! Still, in the interest of completeness it should be done.

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Later in 1977, Mary Ferr~~ell~~ell made available a taped copy of the Dictabelt to the Committee. At this time, the Dallas Police told the Committee it had ~~no~~ copy of the transmissions since all its evidence had been turned over to the FBI. Accordingly, Mary Ferr~~ell~~ell's tape was sent for analysis to the acoustic consulting firm of Bolt, Beranek and Newman, a firm which had established its primar~~cy~~cy in the field by analyzing the sounds of the 1970 Kent State shooting and the famous 18 minute gap in the Watergate tapes. Sadly, Ferr~~ell~~ell's tape was too degraded in quality to be useful for analysis and was returned to the Committee by B.B.&N. Once again, as had happened so often in the past, a line of investigation seemed blocked.

It was not until March, 1978, when investigator Jack Moriarty went to Dallas, that the line was opened up. Moriarty was an ex-NYC police detective. He spoke the language of the Dallas cops and they trusted him. He was interviewing Police Lieutenant _____ . Off to the side sat ex-assistant Police Chief, Paul McC~~agh~~ren. In 1963, McC~~agh~~ren had been a police lieutenant in the burglary and theft division. In the weeks following the assassination, McC~~agh~~ren investigated the entry of Jack Ruby into the Dallas Police Building on his way to murder Oswald. Six years later, in 1969, he was head of police intelligence. When a locked filing cabinet filled with assassination materials was found outside the Chief of Police's office, the Chief assigned the material to McC~~agh~~ren.

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"Take charge of this material," said Chief Batchler, "Make sure no unauthorized person comes into contact with it." McCaghren followed Batchler's instructions, keeping the material in the Intelligence Division until 1971 or 1972. Probably in the early part of 1972, McCaghren took the materials home, where they were stored in a trunk in his attic. They were resting there on the morning of March __, 1978 as McCaghren listened to Moriarty's questioning of Lieutenant _____.

It had not been Moriarty's intent to interview McCaghren, who had retired from the force in 1974. McCaghren had heard of Moriarty's pending interview with Lieutenant _____, and had decided to sit in. Finally satisfied that Moriarty "was who he said he was," McCaghren ^{mentioned} that he had "some material" Moriarty "might be interested in." Moriarty accompanied McCaghren back to his home, and soon thereafter was flying back to Washington with the single most important piece of evidence discovered since 1963.

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2. The First Testing of the Dictabelt

When the Dictabelt carried by Moriarty reached the laboratories of B.B. &N in ^{July}, 1978, it quickly became apparent that that one 5½ minute segment of the transmissions over Channel 1 would be crucial. Throughout this 5½ minute segment could be heard continuously the sound of a motorcycle engine while now and then could be heard other background noises -- the sound of sirens, and at one point, the sound of a carillon bell. This would be what one would expect to hear if the transmitter button on one of the motorcades' escort cycles had been stuck in the ON position. What first had to be determined was whether the motorcycle microphone had been open in Dealey Plaza at the time of the shooting and whether it had picked up the sound of gunfire.

The first task was easy -- to electronically filter out the noise of the motorcycle engine in order to get a clearer rendition ^{with less} background noise. When this was done it became clear that two different sets of sound or "impulse" patterns were evident on the tape. One set could be discarded immediately as insignificant; these patterns had a characteristic ^{associated with them that indicated} "heterodyne tone" _^ another transmitter on Channel 1 had been keyed and then released when it was apparent Channel 1 was blocked by the stuck button. A second set of six impulse patterns occurred at 2 minutes, ten seconds into the 5½ minute segment, and had characteristics indicating that some or all of them might be gunshots.

~~A more exhaustive study of these six sounds would be both time-consuming and expensive and might very likely require the mounting of an audio reconstruction of the shooting in Dealey Plaza.~~ It was decided to submit these sounds to a series of

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screening tests. Only if the sound patterns passed these tests would the scientists submit them to more *exhaustive* analysis. The screening tests were set up to answer the following questions.

1. Do the sound patterns occur at the time of the assassination?
2. Are they found on the tape ^{only} at the time of the assassination?
3. Do they cover a time-span at least as long as the 5.6 second duration of the shooting indicated by the ~~Zap~~^{Zap}uder film?
4. Do the shape and ~~amplitude~~ of the patterns *match* what one would expect to get from gunfire given the radio and recording equipment in use that day by the Dallas Police?

The six sound patterns passed all the screening tests. They were found on the tape ^{only} at the time of the assassination. Their total duration exceeded the 5.6 minimum established by the ~~Zap~~^{Zap}uder Film. Their shape and amplitude *matched* what one would expect to get if a motorcycle microphone had picked up the sound of gunfire. Clearly, now, a much more fine grained analysis would be necessary.

3. Acoustic Tests in Dealey Plaza

The principal of the B.B.&N analysis ^{would be} simple. Dealey Plaza was really a giant sound echo-chamber. A loud noise originating at any point in Dealey Plaza would set up a series of echoes as the sound waves bounced ^{off} different structures in the Plaza. *Like the ridges and whorls in an ordinary fingerprint, these echo patterns would provide a unique "acoustic fingerprint" for each combination of sound origin and reception point.* The problem became now experimental: Stage an acoustic reenactment of the

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shooting to gather a series of "acoustic fingerprints" and then see if any of the six suspect sound patterns matched these fingerprints.

Dr. James Barger of B.B. & N. first consulted with two other scientists who had pioneered this kind of acoustic research. Prof. Mark Weiss of the City University of New York and his research associate, Ernest Aschkenasy had worked earlier on the Watergate tapes and had developed special techniques for analyzing large volumes of acoustic data.

These three scientists came up with a comprehensive plan for reenacting the shooting and gathering a series of "acoustic fingerprints" of Dealey Plaza.

The first problem concerned the location of the sound receiver -- the motorcycle. At this time it was not known

where the motorcycle was in Dealey Plaza at the time of the shots. Accordingly, Dr. Barger arranged an array of 36 microphones supported on tripods at the height of the motorcycle microphone. This array of microphones stretched a path along Houston and Elm Streets following the motorcade route, each microphone separated from its predecessor in the path by 18 feet. Four targets were selected -- three along the motorcade route where shots appeared to have struck the limousine and a fourth on a curb near the overpass where a bullet or bullet fragment had struck the curb.

The second problem concerned the location of the sound source or sources -- the gun or guns fired in Dealey Plaza. The 6th floor, southeast corner window of the Texas School Book Depository was an obvious choice. Witnesses ^{claimed to have} had seen a gunman firing from this location, and the Warren Commission had concluded that all the shots had been fired from here. A definite location

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on the *grassy knoll* would of necessity be more controversial. Since 1963, various shooter locations had been proposed by various critics of the Warren Commission. As time went on, a consensus seemed to favor a point behind a stockade fence *whose job as a signal supervisor placed him in a nearby railway tower,* overlooking Elm Street. Lee Bowers^{JA} had seen two men standing behind the fence at this point just prior to the shooting and later testified to the Warren Commission that he'd observed a "commotion" there at the time of the shooting. A group of spectators standing on the overpass had seen smoke issuing from the fence at the time of the shooting and believed a shot had been fired from there. One of them, S.M. "Skinny" Holland, had immediately run to this point after the shooting and had found fresh footprints and cigarette butts behind the fence and fresh mud scraped on a bottom support of the fence. This too was the area where Dallas patrolman Joe Marshall Smith smelled gunsmoke right after the shooting, and encountered a man who flashed Secret Service credentials although, as the Committee confirmed, there were no bonafide Secret Service agents in this area. Even more importantly, Mary Moorman's Polaroid photo taken during the shooting shows an anomalous shape the size of a human head along the fence at this point, *(see photo on page —)*. Given this convergence of evidence, Dr. Barger chose a location behind the fence to station a second shooter during the reenactment.

The reenactment was staged on August 20, 1978. The Dallas police cordoned off Dealey Plaza for five hours and provided marksmen to fire a rifle from the TSBD window and a rifle and a pistol from behind the stockade fence. Twelve shots in all were fired -- eight from a rifle stationed in the TSBD, three from

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a rifle located behind the fence on the knoll, and one from a pistol fired from the same location. Twelve shots times the thirty-six microphone locations yielded a total of 432 recordings or "acoustic fingerprints" of ^{shots fired in} Dealey Plaza. Each of these "fingerprints" had now to be compared against the six suspect sound patterns.

Dr. Barger testified to the Committee concerning the results of his comparison on Sept. 11, 1978. His comparison was hamstrung by one unknown -- he did not know the position of the motorcycle at any one instant in Dealey Plaza, ^{and he could not test every possible location.} He was comparing the split second arrival of echo patterns at any one of 18 microphones leading along the motorcade route. But there was no reason to believe that the motorcycle was at any one of these locations when the echo pattern of a shot reached it. To allow for this fact, Barger built into his *analysis*

a $\pm 6/1,000$ of a second "window". In other words, if the arrival time of an echo in a sequence on the 1963 Dictabelt could be correlated to within $\pm 6/1,000$ of a second of the arrival time of an echo in a sequence from the 1978 reconstruction, it would be considered a match. As we'll see, this $\pm 6/1,000$ of a second "window" would prove troublesome when it came for Barger to estimate the probability of a shot fired from the knoll.

Barger found that four of the sound patterns from the 1963 Dictabelt, ^{roughly} matched "acoustic fingerprints" obtained in 1978, ^{while} two of the sound patterns

could be discarded. Of the four that matched, and ^{which ultimately turned out to be} gunshots, their sequence was as follows:

<u>Shot Number in Sequence</u>	<u>Time</u>
#1	0 Seconds
#2	1.6 "
#3	7.6 "
#4	8.3 "

To put it another way, Barger's study disclosed the likelihood that four shots were fired in Dealey Plaza, the first two 1.6 seconds apart, the latter two 0.7 seconds apart. ^{Plausible} Matches on shots #1, #2, #4 were to a rifle fired from the vicinity of the Depository; the ^{most plausible} match on shot #3 was to a rifle fired from the vicinity of the fence on the knoll.

One dividend from the Barger study was virtually indisputable proof that the recording was ^{made by a microphone as it moved through Dealey Plaza at the time of the shooting.} Barger pointed out that the

location of microphones where matches were obtained clustered along a line that ^{tracked a movement through Dealey Plaza at approximately 11 MPH,} while a study of the ²⁴apud film independently showed that

the motorcade was moving at approximately 11 MPH. ~~For~~

~~Instance, the microphone that recorded a match for the third sound or "shot" from the 1963 Dictabelt was further along the route than the microphone which recorded a match for the second sound or shot; a motorcycle traveling at 11 MPH would cover the distance between the two microphones in the elapsed time between the second and third sounds as heard on the 1963 Dictabelt.~~

^{later} Barger was able to estimate that it was a virtual certainty (probability above 99%) that the ^{apparent moving microphone} sounds had been recorded by a ~~motorcycle microphone moving with the motorcade through Dealey Plaza.~~ ^{was not a random fluke.}

The same could not be said for Barger's estimate of the

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probability that a shot had been fired from the fence. The mathematical consequences of Barger's choosing $\pm 6/1,000$ of a second "window" to account for the vagueness of the motorcycle's position at any instant, combined with the results of the reconstruction, cancelled Barger's disappointing answer to the question concerning the probability of a shot fired from the fence. It was only about 50%, Barger told the Committee in September, 1978 — an uncomfortable answer to a question holding so much potential significance.

4. The Weiss-Aschkenazy Study

In the late summer of 1978 Dr. Barger had been working under great time pressure. He had only finished 2,592 comparisons for his acoustic study four days before testifying before the Committee. Accordingly, as soon as he had testified with his provocative but uncomfortable conclusions, the Committee explored whether his data might be given an even finer-grained analysis.

Weiss and Aschkenazy ~~who had specialized in computer processing~~ ~~of acoustic data~~ were asked if they could go beyond Barger's results. Together they constructed an analytical ~~model~~ ^{procedure} which would permit them to push Barger's probability estimate off its 50/50 teeter-point.

They studied Dealey Plaza to identify and locate echo-generating surfaces. They made allowances for temperature differentials since air temperature affects the speed of sound. ~~They~~ ^{walked} ~~what distortion would be introduced by the wind shield~~ ~~of the microphone~~ When they had done all this, they turned their attentions to a part of the recording that lasted only 3/10th of

a second -- the critical time enfolding the third shot. They succeeded in isolating certain sounds suggesting the initial muzzle blast and a series of a dozen possible echoes, as the sound reached the open mike after bouncing off a variety of surfaces arrayed in Dealey Plaza on November 22nd. The muzzle blast would have sent its sound to the microphone on a straight line. The echoes would have traveled longer paths -- at the same speed -- arriving at the microphone slightly later. Hence, it was essential for the scientists to measure with utmost precision the elapsed time taken by each echo impulse to arrive at the microphone. Since the speed of sound is a known velocity (a bit more than a thousand feet per second), each measurement of elapsed time could be translated -- by elementary algebra -- into the extra distance the echo traveled compared to the straight-line path of the muzzle blast. A sound which took an extra .025 of a second to reach the microphone, for example, had traveled about 25 feet farther than the str^aight-line path.

Once these time measurements had been made, each echo could be mapped to test possible locations for the origin of the shot, the position of the motorcycle, and surfaces from which the sound could bounce. The scientists used a large-scale map of Dealey Plaza and cut lengths of string, according to the map scale, to indicate the distance traveled by each echo. The ends of the string were then tacked to possible sniper and motorcycle locations and the string pulled taut and moved around the map in search of echo surfaces. When all three points fit without any play in the string, the locations were pinpointed. By repeating the procedure for a series of recorded impulses, the scientists could not only confirm the origin of the sound and the location of the microphone with great accuracy, they

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The sensitivity of their approach permitted them to take account of distortions introduced by the motorcycle windshield and even to detect the movement of the cycle during the split-second when the echoes were arriving.

could also track echo patterns which fit the unique geometry of Dealey Plaza. In the end, the ten impulses they tracked fit exactly with echo surfaces in Dealey Plaza. ~~The statistics~~ ^{The results} seemed overwhelming: either the shot was fired from behind the fence on the knoll or the recording took place elsewhere at a location which exactly matched the unique geometry of Dealey Plaza.

By taking into account all the details of Dealey Plaza, they were able to discard Barger's troublesome $\pm 6/1,000$ of a second "window", and substitute for it a $\pm 1/1,000$ of a second "window". When they finished, they showed their work to Barger who went over it in detail and confirmed their conclusions. On December 29, 1978 all three scientists announced their findings to the full Committee.

"It is our conclusion," stated Weiss, "that as a result of very careful analysis, it appears that with a probability of 95% or better, there was indeed a shot fired from the grassy knoll." Using ^{the smaller} a "window", the echo patterns matched perfectly for a shooter located behind the stockade fence at the spot mentioned by Holland and Bowers, the place occupied by by the anomalous head-shaped form in the Moorman photo, and for a motorcycle location only a few feet from one of the microphones used in the 1978 test. By restricting the "window" to only one-sixth its former size, they now had a match of such precision that they could reduce to insignificance (less than 5%) the chance that the sound on the tape had been caused by random noise.

Equally important were their conclusions concerning the character of the sound emanating from the knoll. The amplitude of the echo patterns matched what one would expect to get from the muzzle-blast

of a gun fired at that location. Even more importantly, 24 milliseconds before the sound of the muzzle blast reached the microphone, they detected a characteristic "N-wave", the shock wave a supersonic projectile gives off in flight. Since an "N-wave" would not have been detected had the gun on the knoll been fired up or down or away from the motorcade, they now had proof that a bullet had been fired at the motorcade. Since some handguns fire supersonic projectiles -- the .44 magnum is a notable example -- the experts could not determine whether a rifle or a pistol had been fired from the knoll, but the odds seemed to favor a **rifle**.

Towards the end of his testimony Professor Weiss was asked by Committee Chairman Stokes if "as a scientist" he was comfortable with the statement "that beyond a reasonable doubt and to a degree of 95% or better, there were four shots [fired] in Dealey Plaza." Weiss replied that with respect to the shot from behind the stockade fence "with a confidence level of 95% or higher, which I guess if I were a lawyer, I might well express as beyond a reasonable doubt, that shot took place." Relying upon Barger's work on the other three shots, Weiss replied that "there is an overall probability of 95% or better that there were four shots fired in Dealey Plaza." The Committee agreed with the conclusions of Weiss and the other scientists, voting the next day to conclude that "scientific acoustic evidence establishes a high probability that two gunmen fired at President John F. Kennedy."

5. The Motorcycle

The final piece in the jig-saw puzzle of audio evidence concerns the identity of the motorcycle with the stuck transmitter button. Who was riding it?

In the fall of 1978 Committee investigators pored over Dallas police assignment lists for November 22nd, as well as photographs of the motorcade. Their search for the motorcyclist finally zeroed in on Patrolman H.B. McLain.

McLain testified on December 29, 1978 -- the same day Barger, Weiss, and Aschkenazy announced their final results to the Committee. McLain testified that in company with three other motorcycle officers he had been assigned a position to left rear of the Presidential limousine. In practice, however,

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it did not work out that way. Two of the assigned cyclists, McLain and Officer J.W. Courson, dropped back farther in the motorcade. McLain testified that he rode in the four or five car-length interval between the rear of the Vice President's car and the Press Bus. Since the Vice-President's car was separated from the Presidential limousine by the Secret Service follow-up vehicle, this put McLain anywhere from two to seven cars behind the President. McLain was shown photos of the motorcade as it entered Dealey Plaza. He identified himself as turning onto Houston Street at the time President Kennedy's vehicle was beginning its turn onto Elm Street. ~~Although McLain told Committee investigators in September 1977 that he had heard two shots he testified in December 1978 that he heard only one~~ He said he was on Houston Street when he heard a shot, and looked up to see "a bunch of pigeons fly out behind the school book depository." He then made his turn on Elm Street, at some point heard Police Chief Curry say over the radio that they were proceeding to Parkland Hospital, and then speeded up to escort the motorcade vehicles to Parkland Hospital. McLain identified a photo of two motorcyclists on Elm Street taken seconds after the shooting as Officer Courson and himself pursuing the motorcade. Under questioning from the Committee, McLain confirmed that he may have heard Chief Curry's message over Courson's radio; with a stuck transmitter button McLain could have received no messages over his own radio. McLain was asked if he had a distinct memory as to which

channel his radio was set on November 22nd. He replied it was "normally set on Channel 1" (the channel recorded on the Dictabelt), and that he did not recall anything different about November 22nd. Finally, Deputy Chief Counsel Cornwell asked McLain the crucial question:

Cornwell: Did you, to your memory, have a stuck microphone on that day?

McLain: Not that I know of.

Cornwell: Do you know whether or not it would have been possible for your microphone to have been stuck in the open position without your knowledge?

McLain: Yes, sir; it had been before.

Cornwell: Under how many different circumstances in your particular case?

McLain: I'm scared to say.

Cornwell: We have been told...that it is possible that in fact some gasket material in the mike, if it were worn or old, might cause the button once depressed not to return to its open position. Do you know whether that is possible?

McLain: That's possible. It is also possible that the points in that relay in there will stick when you push it in. (AH, V, 637)

Subsequent to McLain's testimony a series of photos were prepared for the Committee by Committee Photo Consultant Robert Groden. These photos plot McLain's progress down Houston and Elm Streets at the time of the shooting, and ^{apparently} show him to be in the approximate position of the transmitting microphone when the shots are heard.

According to the tape of Channel ~~Two~~ transmissions, 3½ minutes after the shots are heard on the Dictabelt of Channel 1, Dispatcher,

Indirect, single gear

16.

G.D. Henslee can be heard stating that an unknown motorcycle on the Stemmons Freeway seemed to have its microphone button stuck open on Channel 1. According to his testimony, McLain would have been on the Stemmons Freeway at this time.

Although McLain has no memory of having his microphone button stuck in the ON position on November 22nd, a web of circumstantial evidence indicates that he must be the one credited with making an inadvertant error of enormous significance.

(AP 16-21 - TINK'S VERSION OF OH 2B)
6. Objections to the New Audio Evidence

There is no doubt that the results of the Barger-Weiss-Aschkenasy study turned the Committee around. Its draft report for December 13, 1978 states:


The Committee finds that the available scientific evidence is insufficient to find that there was a conspiracy to assassinate President Kennedy.

The final results of the Barger-Weiss-Aschkenasy study (with their unanimous judgment that there was a 95% chance that a shot came from the knoll) were presented to the Committee on December 29, 1978. The next day the Committee concluded that "scientific acoustical evidence establishes a high probability that two gunman fired at President John F. Kennedy."

The results of the audio study also changed other minds. Professor Jacob Cohen of Brandeis, one of the most skillful defenders of the Warren Report for the last 15 years and author of a recent book defending a single-gunman theory of the killing, wrote on January 9, 1979:

The impulses on the tape are there and I cannot think of how else they could be there in that particular pattern except that the two gunmen caused them to be... I have heard myself say that I believe in the truth, and have summoned my students and readers to do the same. I don't see what I can do when it conspires against me, except listen.

Criticism of the new acoustical evidence has ranged from the absurd to the thoughtful. Perhaps the silliest criticism was offered by former Warren Commission Staff Counsel in an article published in the National Review (April 2, 1979). "When I first read the newspaper reports of the conclusions of the Select Committee," wrote Belin, "I was shocked at how readily the Committee had swallowed hook, line, and sinker, the erroneous testimony of the so-called acoustical experts... Regardless of whether they say it was a 50% possibility or a 95% possibility, the truth is to the contrary. There was no second gunman." And why? Belin goes on to offer a piece of technical analysis of his own:



*Ident
single
space*

"The impulse on the tape that is attributed to the so-called second gunman...is less than a second from the fatal shot that struck President Kennedy's head. When one takes into consideration the reverberations of sound bouncing off the high buildings surrounding Dealey Plaza, the so-called third and fourth shots were really the impulse from the fatal shot..and a second impulse from the reverberations, similar to the (alleged) two impulses from the first shot that struck the President... [This] is additional evidence which refutes the second gunman fiction of the House Select Committee."

Clearly, Belin's theory is "evidence" only of his incapacity to understand the acoustic study. Since each shot left a train of about a dozen impulses on the tape (all but the first resulting from "reverberations"), there clearly could be no confusion of shot and echo pattern. It is in fact the millisecond timing of these impulses in the echo pattern which permitted the experts to so exactly locate the gun on the knoll and ^{the} motorcycle microphone relative to the "high buildings surrounding Dealey Plaza." Belin's "evidence" rests on a mind-boggling ^{misinterpretation} of what was actually done in the acoustic study.

Thoughtful criticism of the acoustical evidence focuses not on the study performed by Barger, Weiss, and Aschkenasy (which appears to be unexceptionable), but on artifacts on the tape which suggest it might not have been made by transmissions from Dealey Plaza or, alternatively, that the transmission could not have been made by the microphone on McLain's cycle. These criticisms were known to the Committee and are discussed in its Report. They may be summarized and answered as follows:

I. Since no recognizable crowd noise was found on the 1963 Dictabelt, it seems doubtful that the microphone was in the motorcade on November 22nd.

Dallas police motorcycle radios were equipped with a *directional* microphone and were designed only to transmit loud sounds. This was done to allow the motorcycle officer, when speaking into the mike, to be able to transmit over the noise of his engine. Crowd noise would not exceed the sound level of the much closer engine, and hence, would not be identifiable on a tape of the radio transmission. On the other hand, a rifle shot is so pronounced that it would be picked up over crowd and motorcycle noise even if fired at some distance from the microphone.

II. The Dictabelt contains the faint sound of a carillon-like bell about 7 seconds after the last shot is heard, although no such bell is known to have been in the vicinity of Dealey Plaza on November 22nd.

H. B. McLain testified that the Dallas Police radio net was set up in such a way as to permit more than one transmitter to operate at the same time. The Committee confirmed this, and also confirmed that such multiple transmissions frequently occurred. Acoustic expert Aschkenasy testified that associated with the Carillon sound he had detected an indication that another transmitter had keyed on at this time. It would seem then that the motorcycle whose radio transmitted the sound of the bell was not stationed in Dealey Plaza, but this does not mean that the transmission of gunshots did not originate in Dealey Plaza.

III. About two minutes after the gunshots are heard on the Dictabelt, one can hear the sound of rising and receding sirens. This may mean that the motorcycle with the stuck transmitter button may have been stationary on Stemmon's Freeway.

McLain's own testimony offers an alternative and equally persuasive account of the siren noises. At the time they are heard, McLain was on the Stemmon's Freeway. He testified that in the minutes following the shooting, he sped up to catch the lead vehicles in the motorcade. These vehicles, we know, had their sirens on. The sound we hear on the tape may be McLain catching up with the lead vehicles and then dropping back.

IV. After testifying before the Committee, McLain told a reporter for CBS News that the transmitter button on his cycle was not stuck in the ON position, and that immediately after hearing Chief Curry's order to go to Parkland Hospital he put on his siren. If either of these statements are true, then McLain's cycle could not have been the one transmitting the sound of shots.

On this point the Committee properly chose to believe McLain's testimony and not his later statements. He testified that he had no recollection of whether his transmitter button was stuck in the ON position, but in his experience this had been a frequent occurrence. McLain may have confused in his mind the sound of other sirens (which ^{turned} were on) with his own. Nor should it be forgotten that in September, 1977 he told Committee investigators that he heard two shots while in December, 1978 he testified that

he only heard one. McLain's recollections of November 22nd must be treated with caution.

The most compelling argument that the transmission recorded on the Dictabelt originated in Dealey Plaza comes from the acoustic study. The sequential "acoustic fingerprints" with their myaid echo patterns could have come from virtually no other source than a police motorcycle proceeding at the speed of the motorcade through Dealey Plaza. We know where, during the shooting, that motorcycle must have been. Photographs and McLain's testimony confirm that his motorcycle was at that location during the shooting. He testified that his radio was normally set to Channel 1, and that his transmitter button frequently stuck in the ON position. Whatever we may think of McLain's later statements or of some of the artifacts on the Dictabelt, there is overwhelming evidence that the sounds of gunfire were recorded in Dealey Plaza, and most likely were picked up by the microphone on McLain's cycle.

There is no doubt that the results of the Weiss-Aschkenasy study of the DPD radio tape turned the Committee around, and irrevocably changed the history of the Kennedy assassination controversy. A draft of the Committee's report, dated December 13, 1978, states:

The Committee finds that the available scientific evidence is insufficient to find that there was a conspiracy to assassinate President Kennedy. [AR 495]

Subsequently, the Committee learned of Weiss' conclusion that there was a 95% chance that there had been a shot fired from the grassy knoll. On December 29, 1978, after Weiss' public testimony, the Committee met privately to formulate its final conclusion: that "scientific acoustical evidence establishes a high probability that two gunmen fired at President John F. Kennedy."

It is to the credit of the majority of the Committee members that they saw and accepted the implications of this new evidence. That was not easy to do. For the small but influential minority who have sincerely believed the Warren Commission, the implications of this conclusion are enormous. How can one not be depressed and discouraged, one Committee staffer told me, having found out that a conspiracy killed our President and got away with it?

The acoustics evidence changed the mind of people outside the Committee too. Professor Jacob Cohen of Brandeis has been one of the most skillful defenders of the Warren Commission for years; he has written a book, "Conspiracy Fever," on public reaction to the JFK assassination controversy and other hotly debated cases. He expressed his new position in an article in the Boston Phoenix on January 9, 1979:

The impulses on the tape are there and I cannot think of how else they could be there in that particular pattern except that the two gunmen caused them to be.... I have heard myself say that I believe in the truth, and have summoned my students and readers to do the same. I don't see what I can do when it conspires against me, except listen....

I do not doubt that if there were two gunmen, there was a conspiracy of some sort; entertaining the notion of two lonely assassins humiliates the imagination. Whether it was a grand, middle-sized, or tiny conspiracy remains to be discovered.

Not surprisingly, the acoustics evidence has been the subject of a great deal of criticism - from dissenting HSCA members, from certain Dallas Police officers and former Warren Commission staffers, and in newspaper articles and editorials. The last word on many of the questions raised may not be in. In its recommendations, the Committee singled out the acoustics evidence, suggesting that the Justice Department and the National Science Foundation "should make a study of the theory and application of the principles of acoustics to forensic questions, using the materials available in the assassination of President John F. Kennedy as a case study." Although this language carefully avoids suggesting any Committee doubts about the work of Weiss, Aschkenasy, and Barger, it is in effect a call for an independent review of their work. [AR 481]

Sources indicate that the Justice Department is giving serious consideration to this recommendation. [[We will make some phone calls and flesh this out.]] At this writing - more than 8 months after Weiss' results were made public - there has been no major new development, and (as far as I know) no new analysis or evidence has come up to bolster the arguments against the conspiracy conclusion which were made in the weeks immediately following Weiss' testimony. It seems likely that if there were something basically wrong with the analysis, we would know about it by now. On the contrary, it is already clear that the acoustics evidence stands up well under much of the criticism - better than someone who has only followed the controversy in the newspapers might think. It should be helpful to sort through the principal criticisms at this point.

The criticism generally falls into three categories: technical, contextual, and lawyerly. "Technical" means going after the work of Barger, Weiss and Aschkenasy on their own terms. The "contextual" criticism focuses on the alleged absence of secondary evidence of a two-gunmen conspiracy. The "lawyerly" criticism is the sort of thing that could sway a jury, including arguments which a good lawyer would turn to in the absence of a strong factual case in his favor. One should perhaps add a fourth category of criticism: a devotion to the Warren Report, and a resistance to the acoustical evidence, which transcends mere reason.

On the technical side, the most compelling point made so far is not so much a criticism as a suggestion for further study. Rep. Christopher Dodd specifically recommended that "the detailed analysis that was done with regard to the third shot be done with regard to shots one, two, and four." This is a very good suggestion, and there seems to be a general consensus that it should be done. [AR 487]

If such further analysis confirms that the "Oswald" window in the TSBD was the source of any of the other shots, it would be an important confirmation of Weiss' method. Weiss did check his method by applying it to the recording of a test shot from the knoll, made during Barger's reconstruction; nonetheless, a similarly successful determination of the rifle and microphone locations for a different shot would be persuasive. On the other hand, if there is some major error in the analysis of the third shot, which by some bizarre fluke pointed to the knoll as the rifle location, a similar analysis of the other shots might be the best way to establish what the error was. [8 AH 22+

The Report notes that Weiss did not analyze the other three shots "due to time constraints." [AR 73, note 10] The time constraints were indeed severe: although the Committee promptly started to examine the possibility of getting Barger's results off dead center after he testified on September 11, official authorization for the Weiss-Aschkenasy study did not come until October 24. They finished their work in mid-December, and testified on December 29, only a [8 AH 4]

few days before the Committee was to go out of existence. (As a Select Committee, it expired along with the session of the House which had voted to fund it.)

Rep. Dodd urged an analysis of the three rear shots because of his well-founded doubts that the first two could have been fired from Oswald's rifle. (These shots were only 1.7 seconds apart, and the Committee's argument that Oswald could have done it is at best unconvincing. The original firing tests gave a minimum separation time of over two seconds.)

While the acoustical analysis might conceivably be invalidated by this further study, if it is confirmed the results might still be of comparable importance. Additional tests might establish that there was a third gunman, in a different location behind Kennedy. Barger's less precise analysis established only that the three non-knoll shots were generally consistent with a rifle in the TSBD; he had neither the time nor the precision of method to test other rear locations.

A second gunman to the rear would provide a natural explanation for the short time between the first shot (which apparently missed the motorcade) and the second one, which apparently hit both Kennedy and Connally. It might also explain the shot which caused a fragment of concrete to superficially wound James Tague, a bystander near the triple overpass; Dallas News reporter Earl Golz has suggested that this shot came from a building near the TSBD and first struck a manhole cover. But the most important implications of a second gunman to the rear would be to put the sniper's nest evidence in a new context. If Oswald (or someone in that window) fired only two shots, what is one to make of the three empty cartridge cases allegedly found there? Clearly, the possibility that some evidence directing attention to Oswald's window was planted would have to be looked at with renewed intensity.

A detailed analysis of the other three shots would have to take into account the elevation of the rifle, which was probably several stories above street level. To test a rifle location using pieces of string, as Weiss did for the knoll shot, one would need not just a detailed map of Dealey Plaza, but a three-dimensional scale model.

Incidentally, Weiss apparently did not take the elevation of the grassy knoll into account. An educated guess would be that this refinement would at most have changed the rifle or cycle location by a few feet; it is not the sort of thing which one would expect to produce a "false positive" - something out of nothing. In this regard, the effect of small differences in elevation is probably comparable to the effect of wind and temperature, which Weiss apparently did consider adequately. (He was, however, not able to persuade Rep. Robert Edgar and his consultants on these points.)

The elevation problem might make a computer program the only practical way to repeat Weiss' analysis for the other three shots. This would have advantages

and disadvantages. Perhaps the main disadvantage would be the re-mystification of the analysis. Fortunately, Weiss was able to present his work without relying on computer programs. Instead, he described ^{how} pieces of string were moved around to find sound paths of the appropriate length. Even a computer program which did no more than imitate the moving around of pieces of string would have intimidated much of the audience. (Before the public testimony, there had been editorial comment that the leaked results were the product of computer magic, and an arcane science. Even Rep. Preyer, chairman of the Kennedy subcommittee, said, "I'm always suspicious of these newfangled sciences." [LAT 12/23/78]) Weiss and Aschkenasy are in fact members of the Computer Science Department at Queens College, and the HSC Report specifically credits Aschkenasy with having "specialized in developing computer programs for analyzing large volumes of acoustical data." [AR 69] They must be admired for their skill in not using unnecessarily powerful and unnecessarily intimidating techniques. (I know from personal experience how difficult that is.)

On the other hand, a computerized analysis would allow Weiss to deal with the other major technical criticism which claimed that their work did not go far enough. That is, it would allow testing of many more possible rifle and microphone locations. Weiss has been widely criticized for having "assumed" the result of Barger's work - that is, the tentative location of the rifle and the microphone, the conclusion that the tape really was made in Dealey Plaza at the time of the assassination, and so on. What Weiss did seemed to be a quite standard and proper scientific process of hypothesis testing, but he clearly was not able to make all the Committee members comfortable with it. Sawyer, for example, remained unconvinced by what he called, in his dissent, the "bootstrap" analysis by which Weiss concluded that "his computations had confirmed or independently verified the correctness of Dr. Barger's motorcycle location." [AR 507]

What is relevant here is that as Weiss moved the hypothesized rifle and microphone locations around, away from the locations they ultimately reported, their "fit" - the quality of the match between observed and predicted echoes - got worse. (Unfortunately, Weiss' report does not give any quantitative details; a computer program would give the relevant numbers to describe the quality of the fit.) Sawyer's criticism would be valid if the fit remained good as the rifle and cycle locations were varied a bit - or, even more significantly, if several radically different rifle-microphone locations gave very good fits.

A "sweep" of Dealey Plaza, using a computerized version of Weiss' method, certainly seems appropriate. That is, rifle and microphone locations all over this area should be tested, in an attempt to resolve Rep. Edgar's doubts [AR 498] that the observed echo pattern is unique to a knoll rifle and a microphone in the motorcade. Doing this sweep by hand would be impractical, but once a computer

program is written, the results could come out automatically.

A computerized "sweep" of Dealey Plaza will probably come up with some spurious fits - "false alarms," as Barger called the ones he got. One can predict that some of the spurious fits will put the rifle and the cycle in impossible locations - such as a rifle in the street and a microphone behind the fence. Such obviously incorrect fits would not invalidate the plausible result Weiss has already obtained; nonetheless, a study of these "false alarms" would allow a more refined estimate of the odds that Weiss' result came from a random fluke. (That estimate currently stands at 5% or less.)

If Dodd's recommendation for additional analysis is adopted, a similar analysis of two more possible shots should be included. These impulses came 1.5 seconds before the first shot, and 0.7 seconds after the last one. Barger [8 AH 101] rejected these impulses, which had passed his screening tests, because he got no good fits (i.e., no correlations above 0.5) with his limited choice of rifle, microphone, and target locations. While there is no strong evidence of such additional shots which comes to mind, we do not know whether Barger's work would have excluded, say, a shot from a building near the TSBD. Therefore, further tests of these additional impulses seem justified.

Before turning to less compelling technical criticism of Weiss' work, it is worth re-emphasizing that, under the circumstances, the incompleteness of the work the Committee did ^{have} done does not imply that it was incorrect. When the Committee's report and supporting volumes were published in late July 1979, none of the dissenting members presented new or compelling technical criticism of the acoustics study. Given the importance the dissenters placed on this evidence, it is reasonable to assume that they had given qualified outside experts both the time and the opportunity to digest Weiss' work.

The most widely publicized technical criticisms of the acoustics evidence have been indirect. They focus not so much on the location of the rifle as on the location of the microphone. The conclusion that the open microphone was in Dealey Plaza has been challenged on the grounds of the testimony of the motorcycle officer apparently involved, the alleged lack of photographic corroboration of his location, the absence of expected siren and crowd noises on the tape, and the presence of certain unexpected sounds (a carillon bell, and certain sirens).

These arguments are dealt with at some length, and quite well, in the Committee report. They need only be summarized here. These points are not trivial, and the discussion is complicated by a tendency to get into areas of "soft" evidence, such as the reliability of witnesses, which can not be resolved conclusively.

It is important to keep the bottom line in mind: in the words of the Report, [AR 78]

...to contend that the microphone was elsewhere carries with it the burden of explaining all that appears on the tape. To be sure, those who argue that the microphone was in Dealey Plaza must explain the sounds that argue it was not. Similarly, those who contend it was not in Dealey Plaza must explain the sounds that indicate it was.... It is extremely unlikely that the echo patterns on the tape, if received from elsewhere, would so closely parallel the echo patterns characteristic of Dealey Plaza.

The first of the heard sounds which raise questions about Weiss' results occurs about 7 seconds after the fourth shot. Barger found the sound of one stroke of a bell. The overtone pattern (i.e., the timbre of the sound) was characteristic of a carillon-type bell. Barger noted that this sound is proof that the Dallas Police radio was carrying some acoustical signals during this time period, and not just electrical noise. The complication is that there is no such bell in Dealey Plaza. A church bell was found at the Lucas Baptist Church, further down the motorcade route. (This bell was located by Anthony Pellicano, a Chicago private investigator who heads a firm called "Voice Interpretation and Analysis, Ltd.") The logical explanation, as the HSC Report notes, is that a second microphone had cut in by that point, overriding the first one; the DPD radio system allowed that to happen. Aschkenasy testified that one can see "an indication of a keying-on transient which means that someone else tried to get onto the channel at that very time." [5 AH 591] Unfortunately, the technical reports of the experts do not deal with this point in detail, so one cannot see for oneself how unambiguous these keying-on signatures are, and how frequently they appear. Still, the basic point is that the presence of sounds from a different location does not prove that the shots were not picked up by a microphone in Dealey Plaza. [5 AH 668]

About two minutes after the shots, sirens are heard, first increasing and then decreasing in volume. As Rep. Sawyer noted, this is consistent with a cycle standing on Stemmons freeway, between Dealey Plaza and Parkland Hospital, picking up the sounds of the passing motorcade. [AR 505-6] But these sounds could also have been picked up by the microphone of Officer H. B. McLain, who was in the motorcade and is believed to be the man whose microphone picked up the gunshots. McLain testified that after the shooting, he sped up to catch the lead vehicles in the motorcade. A pattern of sirens like that observed could have been created as he caught up with the motorcade, and then either passed or dropped back from vehicles which had their sirens on. [AR 77-8] ^{Also} _{as} is the case with the carillon bell, the sirens and the shots could have been recorded by two different microphones. The technical reports do not deal with the possibility that a careful study of the siren patterns could give more information, for example about the relative speed of the vehicles involved. In any case, it does not seem possible to interpret the observed siren sounds as proof that the shot impulses were not recorded in Dealey Plaza

A message on the other DPD radio channel has been cited as evidence that the stuck microphone was not in Dealey Plaza. Three or four minutes after the assassination, the dispatcher, Gerald Henslee, went on the air to say that an unknown motorcycle seemed to have its microphone stuck open on Stemmons Freeway. However, he told the committee that he assumed this location for the stuck microphone because of the noise of the sirens. [AR 77] Thus, his statement is not persuasive evidence against Weiss' results.

The direct evidence as to which motorcycle was the source of the crucial recording was, not surprisingly, inconclusive. The Committee took testimony from H. B. McLain, the officer in the motorcycle escort who was the prime candidate. He testified that he did not recall whether his transmitter button was stuck in the "on" position, but that in his experience this had been a frequent occurrence. His statement under oath must be given more weight than his subsequent belief, as expressed to a CBS news reporter, that his cycle had not been the source of the transmission. In any case, however, his recollections in 1978 of what had happened in 1963 must be treated with caution, especially on matters which had no obvious importance and which he would not be expected to remember.

Photographic evidence showing the motorcade is a much more promising source of confirmation or disproof of Weiss' finding that there was a moving microphone about 120 feet behind the President's car. After the Committee finished its work, photographic consultant Robert Groden submitted a number of photos which had convinced him that McLain's cycle was in the right place at the right time. These photos were published by the Committee [5 AH 704-720], with a disclaimer noting that they had been received after the Committee voted on its findings, and that "the committee was not able to evaluate, and did not rely upon," this material. [5 AH 702] The report itself, however, noted that the photographic evidence supported the Committee's conclusion that McLain was in about the right place at the time of the shooting. [AR 75, note 12] Rep. Dodd correctly urged that Groden's photographic evidence be carefully analyzed. This is particularly [AR 487] appropriate since some of the things Groden claims to see in the photos are not readily apparent, at least in the Committee's published copies.

The sirens which are heard two minutes after the shots, as discussed earlier, are not the only sirens which had to be explained; there is a problem with unheard sirens as well. In their dissent, Reps. Devine and Edgar noted that "apparently the officer ~~involved~~ [McLain] himself rejects the assumption, which led to the test and re-enactments." (As already noted, Barger quite specifically did not assume that there was an open microphone in Dealey Plaza; that was a result of his analysis.) Devine and Edgar continued: "He asks a very simple but important question: 'If it was my radio on my motorcycle, why did it not record the revving

up at high speed plus my siren when we immediately took off for Parkland Hospital'." [AR 493] The Committee majority concluded, quite reasonably, that McLain was in error when he said that he turned his siren on right away. Other sirens were going off, so his was not required; basically, there is no particular reason to trust McLain's recollection of such a detail. The direct evidence that the recording did originate in Dealey Plaza is stronger than anyone's recollections can be.

By the way, the question of when McLain left Dealey Plaza was not definitively settled by the Committee. Robert Groden's photographic evidence suggests to him that McLain may not have left right away. As already noted, within 7 seconds of the last shot the dominant signal being received at DPD headquarters was apparently coming from a different motorcycle, one within range of a carillon bell. There is no way of being sure that McLain's siren, if it came on after that, would have been recorded.

Anthony Pellicano noted that the other DPD channel picked up the sound of Chief Curry's siren, when he came on the air a few seconds after the shooting to give orders to his men. But no conclusion can be drawn from the absence of Curry's siren on channel one. The Report notes the greatest distance at which McLain's microphone would pick up a siren is 300 feet. The Committee does not attempt to determine the distance between McLain and Curry at the time of the shots, so further analysis of this point could be done. Also, one cannot infer from the recording of Curry's siren that McLain's would also have been recorded, if he had turned it on; this comparison involves different microphones, on different vehicles, and different sirens. Pellicano's analysis is far from enough to support his conclusion that the open microphone was not in Dealey Plaza.

The absence of recognizable crowd noise on the recording has been cited as evidence that the microphone was not in Dealey Plaza. The report, however, notes that the motorcycle radios were directional and were designed to transmit only loud sounds. This design allows the officer to transmit over the noise of his own engine. Rifle shots are loud enough to be picked up, but crowd noise is not.

All in all, the Committee could have done more work to deal with these technical criticisms. Nonetheless, their cumulative effect does not do much to weaken Weiss' case for a shot from the knoll. The fact that much of the press, and several committee members, were persuaded by them may reflect not so much the strength of these arguments as the technical nature of the acoustical analysis. Barger's initial testimony, in particular, was clearly over the heads of many members of his audience. Technically trained observers could recognize that his analysis was elegant and fundamentally straightforward. Understandably, people who were not familiar with probability arguments remained uncomfortable with his

results, and with Weiss'. On the other hand, the indirect technical criticism, arguing that McLain was not in the right place at the right time, is easy to understand and looks simpler than it is.

Chief Counsel Blakey put the evidence in perspective after several Dallas Police officers challenged the Committee's conclusions:

[WP 6 Jan 79]

The reconstruction of the sounds is a matter of science. If they want to refute what we did, they've got to redo the science and show us it's the science that's wrong.... But if they say the oral testimony that McLain gave us [indicating that his cycle was the source of the recording] is inaccurate, they can't lay a glove on us.... That's like coming up with a witness who says he was playing cards with the defendant at the time of the killing when the defendant's fingerprint is on the knife sticking in the victim's back.

Critics of the House Committee have made some additional criticisms of a purely technical nature. Unfortunately, the HSC Report and the technical reports of Barger and Weiss did not deal with the following points directly as much as one might have hoped. Nonetheless, these criticisms remain quite unconvincing.

For example, a question has been raised about possible contamination of the raw data used by Weiss. Rep. Sawyer said that "All of the acoustical expert opinions are based upon the tape or printout of a computer showing 3 groupings of oscilloscope-like stylus amplitude markings which remain after the filtering out of the motorcycle noise from the dictabelt." [AR 505] There is nothing unusual or tricky about the way the data has been displayed, but one would be right to be extra skeptical if the final results had derived from data which had been subject to a complex filtering process. At the very least, one should look at the filtered and unfiltered data, to make sure the the essential elements were present in both. It is true that Barger described a sophisticated "adaptive filter" which he applied when he was screening the entire noise section of the tape for possible shots. However, the section where the shots were found turned out to be relatively quiet. Although the reports do not spell this out, it is my understanding that the Weiss analysis was done on raw, unfiltered data; if so, Sawyer's criticism would not apply.

Sawyer also noted that the distortion of loud sounds by the radio and the recording system left what sounded more like static than like gunshots. He said that Barger couldn't be certain that the signals were "either gunshots or even sounds similar to gunshots." (AR 505) Yes, but what one can conclude is that with 95% or better certainty, there was a sound as loud as a gunshot coming from the knoll. Under the circumstances, that should be good enough. Nobody has reported a backfiring motorcycle on the knoll. (In addition, as the Report explains, the sound ~~is~~ probably includes the shock wave characteristic of a supersonic bullet.)

During the public hearings, Rep. Edgar repeatedly asked about the effect of

the uncertainty in the temperature of Dealey Plaza on November 22. The temperature affects the speed of sound, which entered into Weiss' calculations. Weiss argued convincingly that the effect of the uncertainty is a small one, and that it would basically have the same effect as the uncertainty in the exact speed of the dictabelt; in effect, this problem was adequately taken care of when Weiss found that his best fit was obtained with a correction of only 4% in the speed of the recording.

Rep. Edgar asked Weiss about the possibility of some sort of "acoustical mirage" - he inquired whether Weiss was familiar with ships at sea being misdirected by foghorns. Weiss answered, simply, "No sir, I am not" - to the general amusement of the audience. Edgar, who had been trying very hard to find something wrong with Weiss' results, had nothing more to say on this point. [5 HSC 609] In his formal dissent, he referred to the possibility of a false result arising from an "acoustical collage" or an "acoustical mirage;" neither term was explained. It is not obvious how such large-scale phenomena might be relevant to shots in Dealey Plaza.

Weiss skillfully kept his bottom-line conclusion as non-technical as possible. If he were a lawyer, he said, he would say that the knoll shot had been established beyond a reasonable doubt. In technical terms, he found a probability of 95% or better.

Statements like this about probabilities left many observers uncomfortable. This is understandable, since probabilities can easily be misused - perhaps more frequently in the social sciences than in the physical sciences. From personal experience as a physics graduate student, I would be very skeptical of, say, an argument that 99.99% indicates more certainty than 97%, or of an reference to 99.9999%. In the Kennedy case, hopefully everyone is now aware of the basic statistical error that led to the claim that the death rate among witnesses to the assassination was astronomically higher than expected. Probability arguments are a tricky business.

Weiss' 95% figure, however, does have a very precise and noncontroversial meaning. As is often the case, such a result can most easily be explained in terms of rolling dice or picking cards. In essence, Weiss' 95% is as straightforward as the statement that if you roll two unbiased dice, the probability of rolling a total of 11 is $2/36$. Weiss himself explained his result with an analogy to picking cards from a deck. [5 AH 611-2] In terms of the quantities he was actually dealing with: if you have a section of tape 0.9 seconds long, and if it contains so much random noise that there are 12 peaks above the threshold in question, and you know that a gunshot with a specific source and microphone location would produce peaks (from echoes) in 14 specific intervals, each 0.002 seconds wide, what is the probability that 9 or more of the noise peaks would occur in the

intervals where echoes from a gunshot would fall? (In brief, what are the odds that noise would look this much like a gunshot?) The answer is 0.03%. That is, if you have 1000 such noisy segments of tape, you can expect 3 of them to "look" that much like shots. Or, if you make 180 independent comparisons between a single piece of tape and different rifle/microphone locations, there is a 95% probability that no match will be that good. [8 HSC 115-6]

Weiss' result was in fact 95% or better. His report explains how a less conservative calculation (based, in essence, on a less conservative estimate of the noise level during the time the echoes were coming in) would give a higher probability. Also, the 95% figure comes from combining the mathematical odds of a single spurious good fit (i.e., 0.03%) with the fact that they made, in effect, about 200 comparisons, by moving the rifle and microphone locations around to cover a grid pattern. This calculation assumes that the 200 comparisons are "independent" in a technical sense which is often hard to establish. If they are not independent comparisons, the final result would be greater than 95%. Since 95% odds are quite high, the assumption of independence is a reasonable one to make, but if for some reason the starting figure of 0.03% (i.e., 99.97% against) is found to be too low, the derived figure of 95% should not just be reduced correspondingly, but the assumption of independence should be examined closely.

As a final indication of the conservative nature of Weiss' analysis - he mentioned that the observed echoes have the same phase [5 AH 581], which suggests that they are related, and not random static. This was not taken into account in the calculation of the 95% result. Like the apparent presence of a supersonic shock wave, it increases one's confidence that there was a shot from the knoll.

It should be pointed out that the analysis which led to the 95% figure covered what would happen if there was a certain level of random noise on the tape. It says nothing about non-random noise, or about the validity of the calculations of when the gunshot echoes would appear. The possibility of an incorrect result is not limited to random simulation of a gunshot by noise.

The calculation of a numerical result is necessarily technical, and a precise ^{statement} involves certain assumptions. ("If you have a tape with so much noise in it....") Can it be said, then, that the analysis started with the assumption that the microphone was where it was in Dealey Plaza, or that Weiss otherwise assumed the answer he was trying to prove? Not at all; the two kinds of assumptions are unrelated.

To conclude this discussion of the technical aspects of the evidence, a personal note. Rep. Edgar's dissent quoted Dr. Marvin Wolfgang, who thought it was "premature and inappropriate" for the HSC to make a major policy decision based on the findings of Weiss and Aschkenasy. Dr. Wolfgang, who is a professor of sociology and law, is certainly entitled to his opinion. My own opinion is that the

Committee acted cautiously and responsibly in this matter. While earning a Ph. D. in physics, I saw a fair amount of scientific analysis, and developed some skill in spotting bad work. Larry Sturdivan, the HSC's wound ballistics expert, was offering opinions on matters which could have been easily tested; his testimony wouldn't have stood up under proper cross-examination. Vincent Guinn's work on neutron activation analysis looks solid. And the acoustics analysis looks very solid indeed. I rather doubt that many elements in the Committee's case against Oswald (much less against Marcello) would have stood up this well under this kind of scrutiny.

The next general class of arguments against the acoustical evidence can be described as "contextual." That is, what weight should be given to the acoustics evidence, in the context of all the evidence considered by the Committee? Two main points have been made - the alleged lack of other evidence of a second gunman, and the absence of evidence that anyone was hit by a shot from the front.

The first point is dealt with quite well in the Report, and in Blakey's narration preceding the testimony of Weiss and Aschkenasy. As the critics have long argued, there were eyewitness accounts (really, mostly "earwitness" accounts) of a shot from the knoll. It is true that another acoustics expert from Barger's firm analyzed the earwitness testimony and found it "unlikely" that a rifle had been fired from the knoll, but he emphasized that it is difficult to draw firm conclusions from such earwitness evidence. [8 HSC 150] The difficulty is made greater in this case; the fact that everyone "knew" that Oswald had fired from the School Book Depository must have tainted the data base, to an unknown degree. Nonetheless, there is a significant body of witness accounts pointing to the knoll, even in the accounts gathered by the FBI and the Warren Commission, who were hardly inclined to seek out such accounts.

The Warren Commission concluded that there was no "credible" evidence of a shot from the knoll, which we now understand as meaning that there was no evidence which the Commission ultimately credited (and not that the evidence was inherently incredible). Sawyer's oversimplification of the situation was even worse: he said that to accept the acoustics analysis of a gunman on the knoll is "to disregard everything else." [AR 504] It is not appropriate to get into the credibility, or the changing accounts, of any individual witnesses who have supported the knoll-shot hypothesis. That would be a diversion; perhaps all that should be said is that the witness accounts do not form a body of evidence that can be brought to bear against the hypothesis of a gunman on the knoll.

The fact that no rifle, spent shells, or rifleman was found on the knoll is not persuasive - especially if you suspect that "Oswald's" sniper's nest was found because it was supposed to be found. The apparent fact that the second gunman hit nothing is more disturbing. No fired bullet was found. (At least, none made its way to the Warren Commission.) There is no evidence of impact on the car.

And, of course, there is no evidence that Kennedy was hit from the front, according to the Committee's medical panel. After learning of Weiss' work, the chairman of that panel, Dr. Michael Baden, did allow for the "extraordinarily remote theoretical possibility" that there had been a hit from the front, all evidence of which was wiped out within a second by the bullet from the rear. [AR 80, AR 604, note 106] Until someone can come up with something more positive than that in the medical evidence, it seems appropriate to accept the conclusion that the knoll gunman fired once, missing, and did not fire again because he had seen that Kennedy had been fatally wounded.

Parenthetically, one of the HSC's specific arguments against a front head hit is not as strong as it seems. This argument is based on the claim that the rear hit must have been a bit later, at a time when the trajectory would no longer point back to Oswald's window. If the visible head hit at Zapruder frame 313 [Z313] is from the knoll, the rear hit would have to be at Z327; tracing a trajectory backwards from the head wounds, the Committee's experts put the rifle about 55 feet from the Oswald window, and said that it was "highly unlikely" that the shot had come from that window. But this 55-foot distance is only about 1.4 times the radius of the circle of error. (These numbers are my estimates, made from the drawings.) If the circle represents one standard deviation, as is usual (but not specified), falling 1.4 radii away does not justify the conclusion that the window and the trajectory do not coincide. [AR 81] That strong a conclusion calls for a discrepancy of 3, or maybe 2.5, standard deviations.

Certain additional arguments against the acoustics can be characterized as "lawyerly." In the absence of successful technical arguments, they have gotten much attention, and thus should be dealt with briefly here.

The archetypal lawyer's argument is to talk about the chain of possession of the Dallas Police tape. As a general rule, chain of possession is a key part of an evidentiary argument. A trial lawyer has to take the time to establish that Officer X found the gun, and gave it to Mr. Y, and those are indeed their initials scratched on the barrel, so nobody has switched guns. The Committee should have paid more attention to the chain of possession of items of evidence where there are justifiable suspicions of tampering - such as the bullet fired at Gen. Edwin Walker in April 1963, allegedly by Oswald, which was originally

described as steel-jacketed and later was copper-jacketed. Similarly, the chain of possession of the extra first-generation print of the famous photo of Oswald with his weapons and newspapers might tell us something. (The obvious implication of the discovery of this print by Cecil Kirk, a HSC photo expert, is that someone in the Dallas Police Department had access to a negative of this photo and later caused it to disappear.)

But what is the import of chain of possession arguments about the Dallas Police tape? Sawyer, a former prosecutor, said in his dissent that "The tape, or more properly, the dictabelt which is the basis of the expert acoustical testimony is now 15 years old, its chain of custody is less than certain and it has been played a wholly indeterminate number of times." [AR 505] Even Jacob Cohen, the prominent Warren Report defender who was turned around by the acoustical evidence, wondered about the implications of the way this material first reached the Committee, through Commission critic Mary Ferrell.

It was quite puzzling to hear this issue come up during the public hearings. Did the Committee members suspect that Mary Ferrell had somehow recorded shots in Dealey Plaza and superposed them on the DPD tape? Is there any other hypothesis where a break in the chain of possession has any relevance?

Sawyer made some additional unpersuasive points. He was clearly dubious of the claim by the witnesses that the Committee could not find qualified experts who would disagree with them. "I cannot, from long experience, believe [that such contrary witnesses] are not available or could not be easily found." [AR 507-8] This statement says much more about the use and misuse of experts in criminal proceedings than it does about this evidence.

Sawyer also pointed out that the conspiracy evidence which has been developed over the years by "the cult of assassinologists and writers" in other areas of the case "have been, in my opinion, totally discredited or explained beyond any reasonable doubt by evidence developed by this committee." [AR 504] In some cases, that is certainly true. But it is not relevant.

Some of Sawyer's points have a little more bite to them; however, they cast doubt not so much on the work of the experts as on the committee's oversight of their work, and on the committee's failure to get around a lack of time and money. Noting that Barger had strengthened his views when he testified that he agreed with Weiss and Aschkenasy, Sawyer said, "I find it very difficult to accept the fact that a gentleman of Dr. Barger's scientific qualifications would have appeared for public testimony ... without having applied all the techniques that a qualified expert would or could...; after all, at that time [i.e., in September] he was under oath giving what was then his final expert opinion on the matter." [AR 507, emphasis added] Again: "As a committee, we were presented with the expert acoustical testimony ... by 3 experts who were all in agreement with

each other, one of whom had somewhat inexplicably drastically modified his earlier testimony to conform with that of the other two on the basis of merely an exercise in simple mathematics." [AR 508] Sawyer's use of words is brilliant - the underlined "then," for example, preserves accuracy but does not divert the reader from the vague innuendo about Barger. However, the substance of Sawyer's text is that he didn't really understand the details of the work himself.

Nonetheless, Sawyer has been able to score a point here, because Weiss tried to make his work look easy - just maps and strings, no computers. It certainly was not so easy that Barger could have done it in his spare time.

Also, many observers got the impression that Barger had said, in September, that nothing more could be done. In fact, he had merely replied in the negative when asked if more firing tests would allow a refinement of his results. At that point in the public hearings, there was no discussion of further analytical studies. (Incidentally, Barger did seem irritated at the initial reaction to his work by some of the Committee and the press; he was not as eager to get every last bit of information out of the data as I had hoped he would be. A great deal of effort had gone into an assumption-free analysis which established that the tape was a recording of at least three shots in Dealey Plaza; the fourth shot, which had not been the initial focus of his work, quickly became the only thing that really mattered. When he returned with Weiss and Aschkenasy in December, Barger was obviously pleased to give the Committee the certainty they had wanted, even though some members would have preferred to have the result go the other way. Evidently Barger did get Sawyer's goat.)

In September, a rumor circulated that Barger had originally given the Committee the impression that he was fairly sure of a fourth shot. Sawyer confirmed this report: "I found the uncertainty of his public testimony very disappointing and at variance with what I had understood to be the assurance given by him in executive session. I felt impelled at that time to comment on the record at that time [sic, repeated] that as a lawyer, I could not even commence a civil suit based on such vague testimony, let alone institute criminal proceedings." [AR 506-7] The facts are in the unpublished executive session transcripts, of course, but such perceptions of changing results may not really reflect uncertainty in the work of the experts. Much of the press got the understandably disturbing impression that Barger weakened his conclusions during the cross examination at the first public session. As one of the few people there with the scientific training not to be intimidated by Barger's analysis, I did not get that impression; rather, I felt that the apparent weakening came from Barger's repeated attempts to explain the meaning of a 50% probability for a fourth shot to a general audience.

Another partly valid but secondary point is that the Committee acted too fast after getting Weiss' results. Rep. Edgar concluded that the changes in the formal findings, made at the end of December, "clearly demonstrate a rush to conspiratorial conclusions." It has been suggested that Blakey orchestrated the timing of the final vote, within hours of the last public testimony; I have seen no evidence of that. Another interpretation is that the members had the acoustics evidence properly and freshly in mind when they voted, and got cold feet later.

In good lawyerly fashion, people who can not use the substance of the Pellicano analysis [discussed above] against Weiss have scored points by criticising the Committee's handling of Pellicano. Edgar asked if the Pellicano report was reviewed carefully enough before the conclusions were voted on. [AR 408] It probably wasn't - lots of things were not done carefully enough. The experts did dismiss Pellicano's report in their testimony; perhaps they should have spent more time on it. Pellicano was predictably unhappy with the way he was dealt with; he has been surprisingly successful in getting people to pay attention to his work (but that is another story, probably irrelevant).

The acoustics evidence has been challenged on the grounds that this kind of analysis is not well established in trial work, and thus not automatically taken seriously by lawyers. David Belin, a former Warren Commission lawyer and a leading anti-conspiracy buff, referred to "so-called acoustical experts." [National Review, 4/27/79, p. 534] In response, Blakey pointed out that similar work by Barger's firm was accepted in a trial relating to the Kent State shootings. Even more significant to a non-lawyer: if Belin had found anything wrong with the acoustical analysis himself, he would have told us.

The last stand of Committee members Devine and Edgar was pointing out that a second gunman "would simply be circumstantial, not conclusive, evidence of a possible [sic] conspiracy. Apparently, the majority of the select committee dismissed the idea that more than one person in the tens of thousands gathered in Dallas that day might have independently desired to kill the President." [AR 492] This, as Jacob Cohen said, "humiliates the imagination;" it is also an insult to the intelligence.

This brings us to the last category of criticism, comments on the acoustics which transcend ordinary analysis. There are some defenders of the Warren Report who apparently would not give up their defense under any circumstances. It is, I suppose, difficult for long-time assassination buffs to understand how the minority of non-conspiracy believers think and feel about this. We can only hope that we would be ready to change our own beliefs if the facts demand it. But the influence of the anti-conspiracy buffs is out of proportion to their number or the quality of their logic.

Watergate Special Prosecutor Leon Jaworski has a reputation as a foe of coverups which has survived his handling of the Korean intelligence scandals; it will no doubt survive his comments on the House Committee. His latest book has a chapter on the Warren Commission investigation, in which he played a minor role as an observer on behalf of the state of Texas. A footnote on the Committee claims that the assertion of conspiracy comes from "relying on a new science and a 15-year-old tape recording of uncertain custody." Jaworski adds that "my own conclusion is that the Committee could not bring itself to report what was already known fifteen years ago that sufficient positive evidence does not exist to prove, or disprove, that Kennedy died by a conspiracy. The panel yielded to what had been the obvious temptation: to produce something dramatic to justify an effort that cost the public nearly \$6 million." This suggestion is really an outrageous insult to Congressmen like Fithian and Dodd, not to mention Barger, Weiss and Aschkenasy. [Confession & Avoidance, p. 196]

Former Warren Commission lawyer David Belin has been prominent in the public debate on the Committee. Showing how foolish Belin is may look like a cheap shot, but it isn't: if there was a conspiracy to frame Oswald, it would have been up to Belin (and senior counsel Joe Ball) to have discovered it for the Warren Commission. (Their designated area was the identity of the assassin.) Anyone who is convinced by the case against Oswald should remember that it was largely Belin who put it together for the Commission; there is no reason to believe that he could have uncovered a conspiracy.

The House Committee's evidence clearly has not shaken Belin's faith:

When I first read the newspaper reports of the conclusions of the Select Committee, I was shocked at how readily the Committee had swallowed, hook, line, and sinker, the erroneous testimony of the so-called acoustical experts.... [R]egardless of whether they say it was a 50% possibility or a 95% possibility, the truth is to the contrary. There was no second gunman. [National Review, 4/27/79]

Belin then recounted the contextual and lawyerly case which has been analyzed earlier: the presence of evidence pointing towards Oswald (i.e., the fact that there is no need to invoke a second gunman to explain the physical evidence); the alleged "assumption" that there was a stuck microphone on a motorcycle in Dealey Plaza; the alleged "assumption" that Oswald hit Kennedy and Connally while firing through the foliage of a tree (neither an assumption nor a problem).

The piece de resistance of Belin's argument is a technical analysis which is so silly that it would have been nothing but a cheap shot to have mentioned it earlier, along with the serious technical arguments. Belin notes that "The impulse on the tape that is attributed to the so-called second gunman ... is less than a second from the fatal shot that struck President Kennedy's head.

When one takes into consideration the reverberations of sound bouncing off the high buildings surrounding Dealey Plaza, the so-called third and fourth shots were really the impulse from the fatal shot ... and a second impulse from the reverberations, similar to the two impulses from the first shot that struck the President." This, Belin says, is "additional evidence which refutes the second-gunner fiction of the HSC."

There is no need to belabor the fact that each shot left a train of about a dozen impulses on the tape, all but the first resulting from reverberations; it is the timing of these impulses which allowed the experts to locate the source of the sound and the microphone relative to the "high buildings surrounding Dealey Plaza." Belin's technical point, in other words, rests on a mind-boggling misunderstanding of the analysis; he clearly preferred not to have his faith shaken by the facts.

The press is far from immune to unshakable faith in the Warren Report. Tom Wicker of the New York Times wrote an introduction to a commercial edition of the House Committee report, entitled "The Final Assassinations Report." One has to give Wicker credit for being forthright. About the second gunman, he said:

In the absence of any explanation whatever of his or her [sic] supposed presence and actions ... and owing to the considerable doubts I have about the acoustical findings, I decline to accept this latest of so many conspiracy theories. [Emphasis added]

(Wicker's tone is polite and his language nonsexist, but there is nothing noteworthy about the doubts he enumerated. Continuing:)

I do so not least because of the second reason I have always thought that Oswald acted alone when he killed Kennedy (call it a stubborn refusal to face facts, if you insist); its obverse, I believe, is why so many Americans seem to want a conspiracy to have been responsible.... They want John Kennedy to have died for some reason of state or politics.... Presidents, we [sic] want to think, are spared such mean deaths, such common fate [as being killed by a disgruntled lone nut]. But no one can be, when chance and circumstance - more deadly by far than leaders and planners - conspire against them.

I insist - call it a stubborn refusal to face facts. What more can be said?

At the moment, the evidence of a second gunman is at least as strong as the evidence that Lee Harvey Oswald fired three shots from the School Book Depository. Perhaps further study will establish that the 95% probability estimate is too high. There is certainly a need for study of the implications of this new evidence. Someone should do what the House Committee did not have time for - start with a belief in two gunmen, and look at the evidence against Oswald, and the various coverups, in that light. The House Committee has done much, but too much remains undone.

Paul L. Hoch
12 September 1979

CONTINUES (OLD VERSION)
ON P. 8, 2ND FULL ¶

3 of them to "look" that much like shots. Or, if you do 180 independent comparisons, you get your 95% probability that you won't get that good a match. (8 HSC115-6) In fact, the tape probably isn't that noisy, which makes 95% conservative. But this kind of statement tells you nothing about non-random noise, or the validity of your calculation of where the gunshot echoes would appear, etc.

I guess what I'm trying to say is that you shouldn't get confused by the assumptions which go into a precise statement of probability, and the alleged "assumption" of the ~~answer~~ answer in the actual analysis. Not the same thing.

~~Dinsdale Pirhana, head of the Waste Handler's Union, never fully appreciated this.~~

Since I've been talking about technical evidence, I should modestly offer that my credentials (a rarely used Ph. D. in physics) make my opinions on this as good as those of Edgar's Dr. Marvin Wolfgang, prof. of sociology and law, who thought it was "premature and inappropriate" for the HSC to make a major policy decision based on the W&A findings. I've seen a fair amount of scientific analysis in my day, and can spot ~~xxxx~~ bad work sometimes. This is good; Guinn's NAA is pretty good; Sturdivan (the HSC's wound ballistics expert) should ~~xxx~~ not have been offering opinions on ~~xx~~ points that can be tested. Anyhow, Barger's assistant is an old friend of mine and a Harvard man to boot, so there.

The next kind of ~~argument~~ argument against the acoustics results is contextual. Basically, two things: the alleged lack of other evidence for a second gunman, and the absence of evidence for a hit from the front.

The first question is dealt with quite well in the report. There were, as the critics have long argued, eye and earwitness accounts of a shot from the knoll. I don't want to get into detail on this, since I think that all that should be said is that the witness accounts do not form a body of evidence that can be brought to bear against the hypothesis of a knoll gunman. (Even though it was gathered by the FBI and the WC, which were hardly inclined to seek out knoll-gunman evidence.) It is a diversion of talk about the credibility, ~~of~~ or changing accounts, of any individual witnesses in that group. While another BB&N acoustician who analyzed the earwitness testimony found it unlikely that a rifle was fired from the knoll, he emphasized that it is difficult to draw firm conclusions from such earwitness evidence (8 HSC 150),

fact that everyone know Oswald had fired from the TSBD must have tainted the ~~data~~ data base, to an unknown degree. It is wrong for Sawyer to say that to accept the acoustics analysis of a gunman on the knoll is "to disregard everything else." (R 504)

The fact that no spent shells, rifle, or rifleman was found on the knoll is not persuasive, especially if you suspect that "Oswald's" ~~sniper's~~ sniper's nest was supposed to be found. The fact that the second gunman hit nothing is more disturbing. No fired bullet was found - at least, none made its way to the WC. There is no evidence of impact on the car. And, of course, there is no evidence that Kennedy was hit from the front, according to the medical panel. After learning of the W&A evidence, Dr. Baded did allow for the "extraordinarily remote ... theoretical possibility" (R80, R604, note 106) that there was a hit from the front, all evidence of which was wiped out ~~from~~ within a second by a second hit from the rear.

~~Unless~~ Unless someone can come up with something more positive than that in the medical evidence, I'm quite willing to accept the conclusion that the knoll gunman fired once, missed, and they didn't fire again because he saw that Kennedy had been hit in the head. The HSC's argument against a rear hit, however, is not as solid as it seems. If ~~the~~ the head hit is from the knoll, the rear hit would be at Z327; tracing backwards from the head wounds, the photography panel put the rifle position about 55 feet (my estimate, from the drawing) from Oswald's window. But this is only about 1.4 times the radius of the circle of error. If that circle represents one standard deviation, as is usual (but not specified in the report), being 1.4 radii away does not justify a conclusion that it was "highly unlikely" that this shot came from the window. (R 81) ~~The rest of the argument against the head hit at Z327 is~~

~~Moving~~ Moving right along, a few words about arguments I characterize as lawyerly. (I'll just run briefly through these, my purpose being to imply that there's not much to them - that we're getting a lot of this stuff because the technical arguments don't succeed.)

The archetypal lawyer argument is to talk about the chain of possession of the DPD tape. As a general rule, chain of possession is a key aspect of evidence. Trial lawyers will spend lots of time establishing that Officer X picked up the bullet, and,

yes, those are his initials, so nobody switched bullets. The Committee should have paid more attention to chain of possession on such matters as the Walker bullet (supra/infra) and the extra first-generation print of the Oswald rifle ~~bx~~ photo, where there are valid suspicions of dirty work afoot. But what about this instance? Sawyer, the ex-prosecutor and Ford successor, said in his dissent that "The tape, or more properly, the dictabelt which is the basis of the expert acoustical testimony is now 15 years old, its chain of custody is less than certain and it has been played a wholly indeterminate number of times." (R505) Even Jacob Cohen (get quote-check) wondered ~~what~~ about the chain of possession (?), and who was this Mary Ferrell who first gave the HSC the tape. During the public hearings, I was really puzzled when this question came up. Did they think that Mary Ferrell had somehow recorded shots in Dealey Plaza and superposed them on the DPD tape? That's the only ~~hypothesis~~ hypothesis I can suggest where a break in the chain of possession has any relevance!

Sawyer made some other less than persuasive points. He was clearly ~~sk~~ dubious about the witnesses claim that the Committee could not find qualified experts who would disagree with them. "I cannot, from long experience, believe [that such contrary witnesses] are not ~~x~~ available or could not be easily found." That says ^[R507-8] more about the use of experts in criminal proceedings than it does about this evidence.

He also pointed out that the conspiracy evidence which has been developed over the years by "the cult of assassinologists and writers" (R504) in other areas of the case "have been, in my opinion, totally discredited or explained beyond any reasonable doubt by evidence developed by this committee." Yes, in some cases, but so what?

Some of Sawyer's points have a little more bite to them, but they cast doubts not so much on the actual analysis, or even the experts' work, as the committee's oversight of their work and failure to get around pressures of time and money. Noting that Barger strengthened his views to agree with W&A, Sawyer said, "I find it very difficult to accept the fact that a gentleman of Dr. B's scientific qualifications would have appeared for public testimony ... without having applied all the techniques that a qualified expert would or could...; after all, at that time he was under oath giving what was then his ~~inf~~ final expert ~~opinion~~ opinion on the ~~xxxx~~ matter." (R507)

There's really nothing here, but Sawyer can score a point because W&A tried to make their work look easy - just maps and strong, no computers. It certainly wasn't so easy that Barger could have done it in his spare time. Also, Barger had originally been asked if more firing tests would allow a refinement of his results; he said no, but there was no discussion of further analytical studies, leaving many observers with the mistaken impression that nothing more could be done. (For what it's worth, Barger did seem irritated at the treatment he had gotten from the committee and the press, and he wasn't as eager to get the last bit of information out of the data as I hoped he would be. He was clearly pleased when he came back in December to be able to push the 95% certainty down the HSC's throat.)

Sawyer confirms the rumor that, in the executive session before his public testimony, Barger gave the impression he was pretty sure of a 4th shot. Sawyer noted: "I found the uncertainty of his public testimony very disappointing and at variance with what I had understood to be the assurance given by him in executive session. I felt impelled at that time to comment on the record at that time [sic] that as a lawyer, I could not even comment a civil suit based on such vague testimony, let alone institute criminal proceedings." In fact, much of the press got the [AR 506-7] impression that Barger weakened his conclusion during the cross examination at the public session. As one of the few observers with the scientific training not to be intimidated by Barger's analysis, I did not get that impression; rather, I felt that the apparent weakening on the 4th shot came from repeated attempts to explain his results, and the meaning of the 50% probability of a 4th shot, to a general audience.

Sawyer, p. 508: "As a committee, we were presented with the expert acoustical testimony ,,, by 3 experts who were all in agreement with each other, one of whom had somewhat inexplicably drastically modified his earlier testimony to conform with that of the other two on the basis of merely an exercise in simple mathematics." Brilliant use of words - nasty innuendo, but in substance it says that Sawyer didn't understand the details of the work. [[But thanks for the volumes, anyhow.]]

Various people, including Belin, challenged the acoustics testimony on the grounds that this kind of analysis isn't accepted in lawyerly circles - "so-called acoustical experts," Belin said. (NR 4/27/79, p. 534). Blakey's reply was that these guys have been used in court - in the Kent State case. Right, but so what. If Belin could have found anything wrong with the analysis itself, he would have told us.

Another semi-valid but secondary point is that the Committee acted too fast after getting the final results. Edgar concluded that the changes in the formal findings, made in December, "clearly demonstrate a rush to conspiratorial conclusions." Some people think Blakey orchestrated the final vote - I've seen no evidence on that. Another interpretation is that the members ~~were~~ had the acoustics evidence properly in mind when they voted, and got cold feet later.

Lawyer-like, not having any grounds to use the substance of the Pellicano analysis against W&A, people have made points against the handling of Pellicano. Edgar asked (p. 408), if the Pellicano report was reviewed carefully enough before the conclusions were voted on. Probably not - very little was done carefully enough. Pellicano certainly managed to milk this for all it's worth.

Lawyers' last ~~stand~~ stand: Devine & Edggr (who's not a lawyer) said that a second gunman "would simply be circumstantial, not conclusive, evidence of a possible conspiracy. Apparently, the majority of the select committee dismissed the idea more than one person in the tens of thousands gathered in Dallas that day might have independently desired to kill the President." (AR 492) Jacob Cohen has already given you the last word on this.

Which brings us to the comments on the acoustics which transcend ordinary analysis. I guess it's hard for the buffs to understand how difficult it is for the 20% of non-conspiracy types to give up their beliefs. You've got to give Tom Wicker credit for being forthright: ♪ On the second gunman, he writes (last page):

In the absence of any explanation whatever of his or her [sic] supposed presence and actions, ~~and~~ ... and owing to the considerable doubts I have about the acoustical findings [i.e., the usual nonsense], I decline to accept [my emphasis] this latest of so many conspiracy ~~theories~~ theories. I do so not least because of the second reason I have always thought that Oswald acted alone when he killed Kennedy (call it a stubborn refusal to face facts, if you insist) [I ~~insist~~ insist]; ~~it's~~ obverse, I believe, is why so many Americans ~~want~~ seem to want a conspiracy to have been responsible... They want John

Kennedy to have died for some reason of state or politics.... Presidents, ~~xxx~~ we [sic] want to ~~think~~, are spared such mean deaths, such common fate [as a disgruntled lone nut] But no one can be, when chance and circumstance - more deadly by far than ~~xxx~~ leaders and planners - conspire against them." Quel bullshit!

[[Can add somewhere supra - Dodd was very skeptical; decided that he would question W&A as hard as he could, "to act as the attorney for the opposition." (AR 485) X That's the right approach to take to your free-form skepticism. "Yet, after listening to the testimony, I was persuaded."]]

The pop hero of Watergate, Leon Jaworski, has a chapter in his latest book (Confession & Avoidance) on the 1964 Warren Commission investigation, in which he played a minor observer's role representing the Texas inquiry. He has a silly footnote on the HSC's conclusions (Avriel - please get a copy), in which he repeats some of the usual doubts about the chain of possession of the tapes. His ultimate explanation is that the Committee believed this conspiracy evidence because they had to have something for show for their 2 years and \$6 million. That really is an outrageous insult to people like Dodd, Fithian, not to mention W&A. Rhetoric rhetoric.

Finally, we have David Belin, WC staff counsel. It's not just a cheap shot to show what a fool Belin is: if there was a conspiracy to plant evidence against Oswald, it would have been up to Belin (and senior counsel Joe Ball) to have found it for the WC; their area was the identity of the assassin. Here's Belin, in the National Review, 4/2/779 (4/28 list):

"When I first read the newspaper reports of the conclusions of the Select Committee, I was shocked at how readily the Committee had swallowed, hook, line, and sinker, the erroneous testimony of the so-called acoustical experts... [R]egardless of whether they say it was a 50% possibility or a 95% possibility, the truth is to the contrary. There was no second gunman."

Belin then recounted the ~~xx~~ contextual and lawyerly case we have analyzed above - lots of evidence against Oswald, ~~xxx~~ (ie. no need for a second gunman to explain the physical evidence), the alleged "assumption" that there was a stuck mike on a cycle in Dealey Plaza; the alleged "assumption" that LHH's ~~shix~~ hit JFK and JBC while firing through the tree (neither an assumption nor a problem, although Think thinks so!) ~~Thex~~ The piece de resistance of Belin's argument is a technical analysis which is so silly that it would ~~xxx~~ have been nothing but a cheap shot for me to have mentioned

it ~~is~~ along with the real technical arguments. Belin notes that that ~~the~~ "The impulse on the tape that it attributed to the so-called ~~the~~ second gunman ... is less than a second from the fatal shot~~s~~ that struck President Kennedy's head. When one takes into a consideration the reverberations of sound bouncing off the high buildings surrounding Dealey ~~La~~ Plaza, the so-called ~~the~~ third and fourth shots were really the impulse from the fatal shot .. and a second impulse from the reverberations, similar to the [alleged] two impulses from the first shot that struck the President." This, Belin says, is "additional evidence which refutes the second-gunman fiction of the ~~the~~ HSC." As the reader had better understand (fiction) by now, each shot left a train of about a dozen impulses on the tape, all but the first resulting from reverberations; it is the timing of these impulses ~~which~~ which allowed the experts to locate the source and microphone, relative to the "high buildings surrounding Dealey Plaza." Belin's technical point, in other words, rests on a mind-boggling misunderstanding of the analysis; he clearly preferred to talk about everything else. Yecch, bleah, etc.

Further study may establish the the 95% probability estimate is too high (or too low). Conceivably, it will turn out that W&A omitted some ~~an~~ important consideration. But I doubt it. Certainly, as things now stand, this evidence of a second gunman is as solid as any of the physical evidence that Oswald fired 3 shots from the window - much better in fact. Would the assumptions of the medical panel, or the handwriting experts claim that Oswald himself signed the backyard photo for DeMohrenschild, stand up as well under ~~this~~ this kind of perfectly proper close examination? Not very likely.

Structure of the acoustics section: Very simple intro - what they found, and how, saving details relevant to the critique until that point. Then, quote and/or discuss Cohen's position. (Without getting into nonsense like, who is the Mary Ferrell?)

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7. A New Puzzle

It is possible to think of the tangle of evidence surrounding what happened in Dealey Plaza as a giant jigsaw puzzle. The Warren Commission had tried to put the puzzle together in one way in reaching its conclusion that three shots were fired (all from the sixth floor corner window of the Depository), that one shot missed, that another struck both Kennedy and Connally, and *that* a third struck Kennedy in the head - killing him. To assemble the puzzle in this way required the Commission to ignore certain pieces of evidence while "bending" others to fit. The result was a ramshackle fit that raised more questions than it answered. It was, in fact, the basic implausibility of the Warren Commission's solution to the puzzle which spawned

↳ the House Select Committee thirteen years later.

In the waning days of its existence, the Committee discovered new evidence of incalculable importance. More than simply a new "piece" for the puzzle, the 1963 Dictabelt offered for the first time a scenario of the ^{assassination:} four shots in all, the first two fired from the vicinity of the Depository 1.6 seconds apart, then a pause of six seconds, followed by a second volley of two shots fired 0.7 seconds apart, the third shot coming from behind the stockade fence in the knoll, the fourth fired from the vicinity of the Depository window. Since the acoustic experts had only performed their micro-analysis on the third shot from the knoll, only that firing location was known exactly. But the number and timing of all the shots was now known with great precision.

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It was as if the 1963 Dictabelt established the very structure of the puzzle, a structure which all the other pieces of evidence would now have to fit. Where was the limousine when the first shot was fired? Did this shot strike President Kennedy or Governor Connally or both? Was the second shot a hit or a miss? And what about the third shot from the knoll? Was it the killing shot? Or did it miss, leaving the work of murder to be done by the final shot from the rear fired 0.7 seconds later? These were the questions the Committee was left to struggle with in the final days of its existence. It is a measure of the refractory nature of the evidence surrounding the President's murder, that, like the Warren Commission before it, the House Select Committee failed to come up with a plausible reconstruction of what happened in Dealey Plaza. As we'll see, the puzzle remains unsolved.

8. The Zapruder Film

Prior to discovery of the 1963 Dictabelt, the single most important piece of evidence in the case was the 8mm. film of the assassination taken by Abraham Zapruder. Zapruder had filmed the assassination from an almost perfect vantage point atop a concrete pedestal in Dealey Plaza. As the limousine nears Zapruder one can see Connally and Kennedy react to the shots which wounded them. Then, just at the point when the limousine is closest to Zapruder, the President's head explodes and his body, like a rag doll, is thrown backwards and to the left.

Zapruder's camera was tested exhaustively in the 1960's by both the FBI and its maker, the Bell & Howell Company.

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Zapruder stated that he wound the camera fully just before the motorcade arrived. The FBI and the Bell and Howell Company found that the camera in this condition would have run at between 18.0 and 18.5 frames per second, for an average speed of 18.3 frames per second. Using this speed and the obvious fact that the President was struck in the head between Zapruder frames 312 and 313, it became possible to correlate the film with the timing of the shots found on the 1963 Dictabelt. Since either the 3rd or 4th shots, ^{might} have caused the impact on the President's head at frames 312/313, the Committee came up with two correlations of the Zapruder film and the 1963 Dictabelt.

Assuming that the final shot was fired at Zapruder frame 312, the correlation took this form:

	<u>Time</u>	<u>Bullet Reached Limousine at Zapruder Frame Number</u>
Shot #1	12:30:47.0	157-161*
Shot #2	12:30:48.6	188-191*
Shot #3	12:30:54.6	295-296*
Shot #4	12:30:55.3	312

Assuming, on the other hand, that the third shot from the knoll struck the President at Zapruder frame 312, the correlation took this form:

	<u>Time</u>	<u>Bullet Reached Limousine at Zapruder Frame Number</u>
Shot #1	12:30:47.0	173-177*
Shot #2	12:30:48.6	205-208*
Shot #3	12:30:54.6	312
Shot #4	12:30:55.3	328-329*

*Since the running speed of Zapruder's camera could only be established in the range 18.0-18.5 frames per second for the time of the shooting, the Committee likewise could only establish a range for frames correlated with the shots heard on the 1963 Dictabelt.

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The Committee's film experts studied the Zapruder film exhaustively, and found certain correlations between it and the 1963 Dictabelt. One of the more ingenious studies was a "blur analysis" of the film.

As had been known for some time, certain frames of the film are more blurred than others. In the frames subsequent to the explosion of the President's head at Zapruder frame 313, for example, the camera is obviously moved erratically. At various other points in the film similar blurs or "jiggles" can be seen. It was thought that these jiggles might signal Zapruder's startle at the sound of gunfire and hence could give some indication of the timing of the shots.

The blurs or jiggles were measured independently by various experts and their results plotted on a single graph. The two largest trains of jiggles were found late in the film at frames 312-318 and at frames 330 to 334, both subsequent to the explosion of the President's head at frame 313. The next largest train of jiggles occurred in the interval 189-197. Still other jiggles were found (in descending order of intensity) at frames 226-228, 158-160, and 290-293. Although offering some independent corroboration for the acoustic data, this study yields no firm conclusions as to the timing of the shots. Since Zapruder was much

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closer to the stockade fence than to the buildings at the corner of Elm and Houston Streets, the lack of any jiggles *right after frame 296 appears to favor* the Committee's second correlation *and to suggest that* [^] the shot from the fence struck the President in the head at frames 312/313.

The opposite is *suggested* [^] by the experts' more subjective appraisal of the reactions to shots ^{by} _^ occupants of the limousine. Connally stated that when he heard the first shot he looked sharply to his right. In studying early portions of the film, the photo experts discerned that Connally turned sharply to his right in two split-second jerks at frames 162-164 and 166-167. A rightward turn by Connally at this point would be consistent with him reacting to the first shot fired at frames 157-161. Turning their attentions to the President, the experts were able to discern some reaction on his part at frame 200. At this point the President's right hand freezes in the midst of a waving motion, and he looks quickly leftward. The experts suggested that this may have been his reaction to the shot fired (according to one correlation of the 1963 Dictabelt with the film) at frames 188-191.

The Panel voted 12 to 5 that they could see in President Kennedy a sign of "reaction to some severe external stimulus" by frame 207. Similarly, they voted 11 to 3 that there was "some sign of distress" on Conⁿally's part by frame 226. It is difficult to know what to make of these admittedly subjective opinions. It should not go unnoticed that one finds not a

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word in the Photo Panel's Report on the much more dramatic change in Connally at frames 237-238, where, in one-eighteenth of a second, his shoulder collapses, his cheeks puff, and his hair flies up. Nor does the Committee as a whole make any attempt to explain how at frame 230, long after Connally's right wrist has been shattered by a bullet, he sits composed, holding his Stetson upright in his right hand. The most that can be said is that Connally's sharp turn at frames 162-167 and Kennedy's abrupt change at frame 200 may suggest their sequential reactions to the first two shots as heard on the 1963 Dictabelt.

The photographic evidence itself gives some partial corroboration to the timing of the shots established by the acoustic study. By itself it gives no guidance as to which of the two possible correlations between the Zapruder film and the 1963 Dictabelt is correct. To determine which correlation is correct, and even more importantly, whether the shot from the fence struck President Kennedy,

other evidence, both medical and scientific, *must be considered*

9. The Head Shot

In the public imagination, the strongest indication that President Kennedy was killed in a crossfire comes from a few shocking frames of the Zapruder film. At frame 313 the President's head explodes in a blur of red and his head and body are slammed violently backwards and to the left. To the naked eye, this movement seems to duplicate what one would expect to see if he had been hit with a baseball bat in the

right temple. More to the point, this violent movement seems to indicate that the killing shot came from the right front -- the area of the grassy knoll.

The Warren Commission's treatment of this movement did not inspire confidence: it was simply never mentioned in the Report or in the 26 volumes of Hearings and Exhibits! When the Commission published some 250 frames from the film, frames 314 and 315 were transposed -- making the rearward snap appear to be a forward movement. Copyright problems -- the film was owned by Life Magazine -- prevented it from being shown to the general public until the mid-1970's. When it was shown over television and then to various members of Congress, it had an electric effect. If any single piece of evidence was crucial in forcing a reopening of the case and bringing the House Select Committee into existence, it was undoubtedly this sudden head snap and the Warren Commission's shoddy handling of it.

In the late 1960's the movement ^{was} closely studied by critics of the Warren Report. What appeared to be a single movement was, in fact, a double-movement: a brief forward stretch of the President's head followed by a massive backward and leftward snap, both occurring in less than one-third of a second.

~~Uncovering this double movement~~
~~it was determined~~
 In 1967 and found that Kennedy's head was accelerated forward for 1/18th of a second at a rate of 69.6 feet per second per second and then was accelerated backwards and to the left at a rate of 100.3 feet per second per second, ~~comparatively~~ like a falling body at the earth's surface accelerates at a rate of 32 feet per second per second. ^{I was also told to follow} that the ~~sinusoid's~~ speed was constant over this time period proving

~~that the movement could not have been caused by a sudden change in the bar's movement~~ → It was suggested at that time that the

double-movement was caused by the virtually simultaneous impact of two shots -- one from the rear, one from the right front.

Given the scientific expertise available to the Select Committee, its handling of this issue was cavalier. An Army wound ballistics technician testified that the left backward snap may have been caused by a neurological spasm and screened a 1948 film of goats being shot in the head to illustrate his point. Following the impact of a bullet in the head, the goat's muscles ^{can be seen to go into} spasm, its front and back legs going out, its back arching. The technician suggested that much the same thing may have happened in the Kennedy killing -- the President's muscles going into spasm throwing him backward and to the left.

It is hard to see what the goat experiments prove since what we see on the Zapruder film does not resemble a total body spasm. The Committee's Medical Panel suggested that the backward snap may have been caused by a spasm of the muscles of the back, but then properly pointed out that "it would be reasonable to expect that all muscles [not just those in the back] would be similarly stimulated." In its Report, the Committee contented itself with the rather lame conclusion that "the rearward movement of the President's head would not be fundamentally inconsistent with a bullet striking from the rear."

Had a bullet struck the President from the right front one would expect to find this reflected in the autopsy data. In pursuing this rationale, the Committee was led into the most vexed area of the case.

As the Committee's Report pointed out, there were great discrepancies between what doctors at Parkland Hospital said about the President's head wound and what the autopsy report said. The autopsy report described a small bullet entry wound centered in the back of the head and a massive exit wound in the right front of the head. On the other hand, at least five of the Parkland doctors described a massive exit wound in the rear of the head which actually overlay the area where the autopsy surgeons claimed to have found the small entry wound. Dr. Robert N. McClelland, for example, testified in 1964, that "I was in such a position that I could very closely examine the head wound, and I noted that the right posterior portion of the skull had been blasted." The problem was heightened by the fact that the chief autopsy surgeon had burned his original autopsy notes, and that the President's brain, removed for later study and not buried with the body, was now missing.

The Committee made a Herculean effort to resolve these discrepancies. If the brain could be found, it might yield conclusive proof as to whether the President had been shot from the front. Unfortunately, Committee investigators were unable either to find it or determine what happened to it. They did determine that it was not buried with the body when

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it was reentered on March 14, 1967. It was last seen in April, 1965 when Robert Kennedy's secretary, Angie Novello, picked up a trunk containing various autopsy materials from Mrs. Evelyn Lincoln, President Kennedy's secretary. The *"circumstantial evidence tends to show that* Committee concluded that, Robert Kennedy either destroyed these materials *[tissue slides and* the brain *]* or otherwise rendered them inaccessible."

Since much depended upon the autopsy photos and x-rays stored in the National Archives, the Committee took pains to establish their authenticity, and the fact that they had not been tampered with. Earlier body and dental x-rays were compared with Kennedy's post-mortem x-rays and found to match. Forensic anthropologists compared photographs of Kennedy with the autopsy photos, and determined they were of the same person. Photo experts studied the films and x-rays and concluded they had not been tampered with. Having established the authenticity of the autopsy materials, they were then turned over to a panel of nine eminent forensic pathologists.

Perhaps to be expected in this vexed area, a new controversy erupted at almost the first meeting of the Medical Panel. Several members of the Panel were going over a photograph of the back of the President's head with two of the autopsy doctors, Dr. James J. Humes and Dr. J. Thornton Boswell. The photo shows a small wound near the top of the head in the "cowlick" area and another $\frac{1}{2}$ inch patch of grey matter in the hairline (see photo on page _____). Humes and Boswell adamantly contended that the upper wound was not the wound of

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of entrance. "I just don't know what it is," said Humes, "but it certainly was not any wound of entrance." The probing of Humes and Boswell continued until one of the Panel members objected. "We have no business recording this," said Dr. Loquvam who ended up writing the draft report of the Medical Panel, "This is for us to decide between ourselves; I don't think this belongs on this record... You guys are nuts. You guys are nuts writing this stuff. It doesn't belong in that damn record."

At later meetings of the Medical Panel all four autopsy doctors -- Humes, Boswell, Finck, and Ebersole -- contended adamantly that the wound of entry was not where it appears in the photograph, but four inches lower. In the original autopsy protocol the wound of entry is described as "2.5 cm. laterally to the right and slightly above the external occipital protuberance," and the autopsy face sheet, filled out while the autopsy was in progress, shows a bullet wound at this lower location. When the four autopsy doctors were asked to mark on a skull the position of the head entry wound, they all picked the lower location (see photo page ____).

The Medical Panel was obviously troubled by this four inch discrepancy between where the autopsy doctors (both in 1963 and 1978) placed the head entry wound and where the photos show it to be. Their report speaks of "the rigid tenacity" with which the autopsy doctors stuck to the lower location, and states that "Dr. Finck believed strongly that the observations of the autopsy pathologists were more valid than those of individuals who might subsequently examine photographs."

It is difficult to know what to make of this discrepancy. On the one hand, a difference of four inches in the location of a wound in the head is enormous - difficult to explain as a simple mistake. The measured dimensions of the wound observed on November 22nd (15mm. by 6mm.) do not match the dimensions of the wound on the photographs (15-20mm. by 9mm.). On the other hand, various head x-rays seem to locate the wound of entrance at the location shown in the photo. To suppose that the entry wound really was at the lower location requires that one believe that a number of photos and x-rays were altered, and that these alterations were not detected by the Committee's photo experts. It also is not clear what purpose would be served by such an alteration.

The Medical Panel concluded that the autopsy doctors had made a mistake in locating this wound four inches lower than it really was. Dr. Humes appeared later before the whole Committee.

wound of entry he had observed on November 22nd. On x-rays of the President's head, the Medical Panel found a circular piece of metal adjacent to the entry hole near the crown of the head. They were also able to discern a bullet track running forward from this location into the exploded region on the right front of the head. One of the larger skull fragments blown out of the head had a semi-circular indentation on one edge. By using paper cut-outs of skull fragments laid over a skull model, they were able to reconstruct much of the exploded region in the right front of the

Step by step he was led through an argument he could not refute. ~~Finally~~ Finally -- and somewhat reluctantly -- he agreed that the upper wound was apparently the

head. They concluded that a single bullet had struck the President in the rear of the head high up, had then smashed forward on a flat trajectory exploding the right front side of the head, the main mass of the bullet exiting through a hole indicated by the semi-circular indentation on the skull fragment. (See photo on page _____). The Panel found no evidence of an additional bullet strike on the head.

In testifying before the full Committee, one of the Panel members, Dr. Cyril Wecht, opened up the remote possibility that a second shot from the right front may have struck the President's head before, or nearly simultaneously with, the rear-entering shot. The shot from the rear might then have blown away all evidence of the other shot. The Chairman of the Panel, Dr. Michael Baden, subsequently concurred with Wecht, but both experts stressed, that this was an extremely remote possibility. "With reasonable medical certainty," Wecht pointed out, "I would have to say that the evidence [of a second shot from the right front] is not there."

The large, circular metal fragment found on x-rays adjacent to the head entry wound either was never recovered during the autopsy or was subsequently lost. Other smaller fragments from President Kennedy's brain were recovered. In September 1977 the Committee sent these fragments to scientist Vincent Guinn for testing. ^{*} Guinn was also provided with a mashed bullet fragment, still in its jacket, recovered from the front seat of the limousine, and two lead fragments found underneath the left jump seat of the limousine. The mashed bullet fragment had already been matched by firearms experts to the 6.5 mm. Mannlicher-Carcano rifle found on the 6th floor

clearly

* One caveat might be pointed out with respect to Guinn's test results. His test report shows that he analyzed two fragments removed from President Kennedy's brain (CE 843), while photos of CE 843 taken in 1964 and 1978 show three fragments present, and the caption for CE 843 in Volume VII of the Select Committee's Hearings reads as follows: "CE 843, three lead-like fragments removed from President Kennedy's brain during the autopsy". Apparently then, in addition to the circular fragment identified on x-rays but either not recovered from Kennedy's brain or lost subsequently, Guinn did not test one of the extant fragments removed from the brain.

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of the Depository and traced to Oswald. Guinn's testing of these bullet fragments would provide *solid*

proof that the shot which killed John Kennedy was fired from the Depository.

Guinn used a testing procedure called "neutron activation analysis" (NAA) which makes it possible to discern very small quantities of trace metals such as silver and antimony in larger samples. Guinn had earlier determined by testing that 6.5mm. Mannlicher-Carcano bullets are quite homogenous in their cores as to the presence of trace metals. He had also found that individual bullets of this type

from the same box varied considerably with respect to trace metals. By submitting the samples given him to NAA he hoped to determine, (a) whether the fragments from President Kennedy's brain were from a Mannlicher-Carcano bullet, and (b) whether the brain fragments could be linked to the other fragments recovered from the limousine.

His test results were dramatic: not only were the fragments from President Kennedy's brain most likely from a 6.5 Mannlicher-Carcano bullet, but their trace metals matched almost exactly the trace metals in the other fragments found in the limousine. Guinn testified that all fragments probably came from the same bullet. Since one fragment of this bullet had already been *ballistically* matched to the rifle found in the Depository, the Committee now had solid proof that the killing bullet was fired from the Depository not the knoll.

More than this,

→The shot at Zapruder frame 312/313 could now be established as the final one of the four shots heard on the 1963 Dictabelt. The shot from behind the stockade fence on the knoll had been fired 0.7 seconds earlier, at Zapruder frame 295/296. Although the "N-wave" detected on the 1963 Dictabelt showed that it had been fired towards the limousine, it apparently missed the car and its occupants. Inquiry could now shift to the first two shots, fired 1.6 seconds apart at Zapruder frames 157-161 and 188-191. Did both of these shots hit, or did one of them miss, leaving the other to wound both President Kennedy and Governor Connally? Once again the most controversial of all the Warren Commission's findings -- the single bullet theory -- would be the focus of the Committee's investigation.

10. The New Single Bullet Theory

From November 22nd to the present, both Governor and Mrs. Connally have been adamant that the second shot hit Connally. "I heard what I thought was a shot," Connally told the Warren Commission, "so I turned to look back over my right shoulder, and I saw nothing unusual except just people in the crowd, but I did not catch the President in the corner of my eye... Failing to see him, I was turning to look back over my left^{shoulder} into the back seat, but I never got that far in my turn. I got about in the position I am in now facing you, looking a little bit to the left of center, and then I

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felt like someone had hit me in the back." Connally was asked how long was the interval between hearing the first shot and being hit by the second, and replied: "A very, very brief span of time... The thought immediately passed through my mind that there were either two or three or more people involved in this or that someone was shooting with an automatic rifle." Mrs. Connally's recollections matched her husband's. She had heard a shot, turned to look at the President, and then had heard and seen a second shot crash into her husband's back.

The shot which hit Connally entered under his right armpit. The bullet smashed his fifth rib, blew a hole two inches in diameter out the front of his chest, continued on to shatter the radius bone in his wrist, and finished its destructive course by causing a flesh wound in his left thigh. While Connally was having these wounds repaired, a bullet was found on a stretcher in Parkland Hospital. Later called the "Magic Bullet" by critics of the Warren Report, this virtually *intact* projectile was ballistically matched to the rifle found on the 6th floor of the Depository.

For years it had seemed incredible that this nearly pristine bullet could have shattered Connally's rib and chest. The Warren Commission attempted to simulate these injuries with bullets fired from Oswald's rifle, and came up with bullets that were grossly deformed. The Select Committee had been urged to perform tests which would exactly simulate Connally's injuries, but had declined to do so. It remained for Vincent Guinn and his neutron activation analysis to

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prove definitively that Connally's injuries had been caused by the stretcher bullet.

Guinn had been contacted in 1973 by Dr. John Nichols, a forensic pathologist and critic of the Warren Report. Nichols was in the process of bringing suit against the government to permit NAA studies to be made of the stretcher bullet and several fragments removed from Connally's wrist. Guinn had agreed to do the tests but Nichols' lawsuit failed, and the materials were never made available. Guinn had to wait until September 1977, for the same materials to be made available to him under the auspices of the House Select Committee. As with his analysis of the bullet fragments from the limousine and from the President's brain, Guinn's results were dramatic. His scan for trace elements in the stretcher bullet and in the fragments from Connally's wrist, showed ~~that they matched~~ that they matched. However improbable it may have seemed earlier, there was now no doubt that the wrist fragments came from the stretcher bullet. Connally had been wounded by a shot fired from the rifle found in the Depository, and most likely he had been hit by the second shot, the one fired at Zapruder frames 188-191.

~~So much could be deduced quickly from Guinn's tests and the testimony of Governor and Mrs. Connally. What now had to be determined was which shot caused the wound through the President's neck. Was it the second shot which appeared to hit Connally? Or the first which Connally had only heard?~~

~~Witnesses could not be of much help here. No witness~~

Was Kennedy also hit by this shot or was he struck by the earlier shot which Connally had only heard? For both men to have been hit by the same bullet the trajectories through their bodies would have to line up. Did these trajectories line up?

The Medical Panel found a small bullet entry wound in Kennedy's upper right shoulder located 5cm. below the shoulder and 5cm. to the right of the back's midline. (See photo on page _____.) The exit wound in the throat had been obliterated by a tracheostomy incision at Parkland Hospital, but a small semicircular hole was still evident in photos of this incision in the neck just below the Adam's apple. (See photo on page _____.) There was a small "abrasion collar" around the shoulder wound which indicated that a bullet had entered at this point; the character of the "abrasion collar" indicated that the bullet was moving on a gently upward trajectory from back to front. X-rays showed some damage to vertebrae on a line between the two wounds. Consequently, the Medical Panel ^{inferred} that a bullet had transited Kennedy's neck between these two points.

All this information was turned over to ^a NASA scientist,

Thomas Canning, who calculated the trajectory between the wounds at Zapruder frame 190. Although the trajectory through Kennedy's neck was horizontal or even slightly upward, the true trajectory would depend critically on Kennedy's posture in the limousine. Here Canning was aided by a ~~newly~~ discovered photo of the limousine taken by a spectator only 1 1/2 seconds before frame 190. This photo suggested to Canning that Kennedy was somewhat hunched forward at this time. He made a rough estimate of the forward hunch and then added other adjustments for the fact that the limousine was going down a slight grade and that the wound locations on a Kennedy sitting upright would vary a bit from their autopsy locations. When Canning was finished he got a very rough correspondence between the apparent trajectories through Kennedy's body and through Connally's body.

Canning also made another trajectory study using as ^{inferred} reference points the _A exit point on Kennedy's throat and the entry wound under Connally's right armpit. In this study he was aided by a photograph taken by another spectator, Hugh Betzner, only a split second before frame 190. Kennedy is visible but Connally is obscured by the back of another spectator. Ingeniously, Canning was able to show from this photo that Connally was not sitting directly in front of Kennedy, but was seated at least six inches to the left. The Zapruder film showed that at this time Connally was turned to his right, thus swinging his right armpit even further to the left. When he had finished his calculations and made his adjustments, Canning once again came up with a trajectory that roughly corresponded to the individual trajectories through Kennedy and Connally. When he extended his trajectory lines backward they led in the general direction of the Depository's 6th floor corner window.

Ingeniously, Canning was able to show from this photo that Connally was not sitting directly in front of Kennedy, but was seated at least 6" to the left. The Zapruder film showed that at frame 190 Connally had turned to his right, thus swinging his right arm pit even further to the left. Canning concluded that a bullet passing from Kennedy's throat to Connally's arm pit would have been moving on a right to left trajectory of 12.7° and on a downward trajectory of 25°. This approximates the individual trajectories through Kennedy and Connally. When Canning extended his trajectory lines backward they intersected the face of the Depository in the general vicinity of the 6th floor corner window.

Guinn's NAA tests on the stretcher bullet and the fragments removed from Connally's wrist showed that Connally had been struck by the stretcher bullet. The injuries to Kennedy's back and neck were ^{generally} consistent with having been caused by that bullet. Canning's trajectory studies showed that a single - bullet trajectory through both men was possible at Zapruder frame 190. In fact, for Connally to have been hit at this point from the Depository window virtually required that the bullet pass through Kennedy on its way to Connally. Accordingly, the Committee concluded that both Kennedy and Connally had been hit by a shot fired from the Depository window at frame 188-191. Since three cartridge cases marked by the firing pin of the rifle were found near the 6th floor corner window, the

Committee also concluded that the first shot, fired at Zapruder frame 157-161, came from the same location, and that it missed the limousine entirely. Their reconstruction of the shooting was now complete: Four shots in a total time of 8.3 seconds. The first shot was fired from the Depository and missed the limousine. A second shot from the Depository was fired 1.6 seconds later and struck both Kennedy and Connally. Six seconds later a shot was fired at the limousine from behind the stockade fence on the knoll; it missed. Less than a second later, a final shot was fired from the Depository which killed President Kennedy.

11. The Recalcitrant Piece of the Puzzle

The Committee had done a commendable job of assembling the pieces of the Dealey Plaza puzzle. From the 1963 Dictabelt we knew now with great precision the number and timing of the shots. The sound study had confirmed that a shot had been fired at the limousine from behind the stockade fence. ^{The reports of} Lee Bowers, S. M. Holland, and Joe Marshall Smith had turned out to be correct. The gunsmoke that Holland and his friends on the overpass had seen and that Smith had smelled was real. The muddy footprints and cigarette butts Holland had found behind the fence were in all probability left there by the assassin. The curious shape seen behind the fence in the Moorman photograph was very likely the head of the assassin as he ducked down after firing his shot. That shot had

43.

missed. President Kennedy had been killed by a shot fired less than a second later from the rifle found in the Depository. That rifle, too, accounted for an earlier shot which wounded Governor Connally. There was no direct evidence concerning which of the first two shots had wounded the President. But the chances favored the shot which hit Connally. The single-bullet theory was most likely correct.

One piece of the puzzle, however, remained recalcitrant. The Committee concluded that the first shot missed, and the odds favor their conclusion. But they also concluded that this shot came from the rifle found in the Depository. To hold this opinion they had to do what the Warren Commission had done before them -- that is, "bend" one piece of the puzzle out of shape so that it would fit.

Following the appearance of three members of the Acoustics Panel on December 29, 1978, the Committee further refined the data on the timing of the first two shots. The time between the trigger pulls of the first two shots was calculated at 1.65 seconds. But now the rub. The rifle found on the 6th floor of the Depository, the rifle traced to Oswald, was a cheap, bolt-action Italian Army weapon. It simply could not be fired that fast!

The rifle had been exhaustively tested by an FBI firearms expert only days after the assassination, ²⁵ Even

then there ^{had been} a question as to whether the rifle could be fired fast enough to account for the volley of shots many witnesses heard. FBI Agent, Robert Frazier, and two of his associates, Agents Charles Killian and Cortland Cunningham test-fired the rifle on November 27, 1963. They fired at a fixed (not moving) target 15 yards away. In Frazier's words, the purpose of the test was "to determine actually the speed at which the rifle could be fired... and also to determine the accuracy of the weapon under these conditions." Killian got off three shots in nine seconds; Cunningham three shots in seven seconds; Frazier three shots in six seconds. Frazier next fired two series of three shots "to determine how fast the weapon could be fired." He pointed out that in these tests he "did not attempt to maintain an accurate rate of fire." He fired the two series in 4.6 seconds and 4.8 seconds respectively, and later testified before the Warren Commission that "4.6 seconds is firing this weapon as fast as the bolt can be operated." The following spring he took the rifle to Quantico, Virginia and fired four sets of three shots each at a fixed target 100 yards away. His times for firing three shots were 5.9 seconds, 6.2 seconds, 5.6 seconds, and 6.5 seconds. The Warren Commission looked at these test results and split Frazier's quickest time (4.6 seconds) in half to arrive at 2.3 seconds as "the minimum mechanical firing time for the rifle." This figure allows no time for aiming; it is simply the time required to pull the trigger, work the bolt, and work the trigger again.

Since that time various groups -- BBC Television, CBS News, and most recently the Select Committee -- have tried to beat Frazier's times by using other Mannlicher-Carcano rifles. These subsequent tests prove nothing. There is great variation in the sluggishness of the bolt action in various Mannlicher-Carcano rifles. *One of the authors of this book* worked the action on the Depository rifle in the National Archives in 1966, and found it noticeably more sluggish than actions on other Mannlicher-Carcanos. Nonetheless, the Committee arranged for firing tests using another Mannlicher-Carcano than the one found in the Depository to see if Frazier's minimum figure of 2.3 seconds between shots could be shaved. On December 29, 1978, the day before the Committee voted its findings, Chief Counsel Blakey told the Committee that "preliminary tests are sufficient to cast into serious doubt the previously established FBI time intervals." The final tests were held March 29, 1979 and their results were not favorable to the Committee's conclusions. Chief Counsel Blakey and Deputy Chief Counsel Gary Cornwell were joined by four expert marksmen from the District of Columbia Police Department. In all, some 35 shots were fired. None of the group were able to aim and fire two consecutive shots in less than 1.65 seconds. Blakey and his deputy were able to better that figure only by *"point aiming" -- a curious locution which apparently means they did not aim at all.*

A further complication for the Committee's reconstruction of this part of the puzzle is posed by an Oak tree growing on

Elm Street which blocks a view of the limousine from the 6th floor corner window between Zapruder frames 166 and 210. (See photo on page _____). The Warren Commission stated, "It is doubtful that even the most proficient marksman would have hit him [the President] through the Oak tree." This is a bit too strong. The foliage is not dense and there is a gap where the limousine might be clearly seen at Zapruder frame 186ff. It is

likely, given the other evidence, that a gunman might have tracked the limousine into the foliage and then fired at Zapruder frame 188-191. It boggles the imagination to believe with the Committee that a gunman tracked the car and fired his first shot at Zapruder frame 157-161, missed the car entirely, then worked the action on the rifle faster than is apparently humanly possible, and fired blindly through the tree hitting both Kennedy and Connally.

Congressman Christopher Dodd (D., Conn.) dissented from the Committee's findings on just this point; he did not believe the rifle found in the Depository could be fired so quickly. In his dissent, Dodd discusses the single piece of evidence which inclined the Committee to this conclusion -- the three cartridge cases found near the Depository 6th floor window:

The ballistics evidence merely shows that the cartridge cases were fired in Oswald's rifle at some point in time; there is no way to tell when they were in the rifle or when the bullets that they encased were fired. In other words, one of the cartridge cases could have

been from a bullet fired from Oswald's rifle a day, a week, or a month earlier. That cartridge case could then have been ejected from the rifle before firing on November 22, 1963, or in some other way dropped on the floor.

A close examination of these three cartridge cases suggest that Dodd's theory has merit.

The three cases were found on the afternoon of November 22nd near the 6th floor corner window. Two were lying against the wall under the window; the third was lying some 5 to 6 feet away near some boxes. (See photo on page ____). Since they were not marked at the scene, we have no idea today which of the three cases was the one lying 6 feet down the wall. All three cases bore impressions from the firing pin of Oswald's rifle (3H505). *Two of these cases, CE 544 and CE 545, had marks "identified as having been produced* by the chamber of Oswald's rifle" (26H449 - 450). One of them had a "set of marks identified as having been produced by the magazine follower the spring-tensioned lever that presses up the last cartridge in the clip of Oswald's rifle" (24H450), while the other showed marks that could have come only from the bolt of Oswald's rifle (24H449). Both of these cases showed marks indicating that each had been loaded into a weapon (not necessarily Oswald's) at least twice (24H449 - 450). Both of these cartridge ^{cases} had visible dents on their sides.

The remaining cartridge case, CE543, differed from the other two in a number of respects. →

Its most obvious characteristic is a sharp dent in its lip which is of sufficient magnitude to prevent the fitting of a projectile in the opening. Other marks found on it indicate that it had been loaded in and extracted from a weapon at least three times (26H449). In addition, it had "three sets of marks on the base" that were not found on the others or on any of the numerous test cartridges obtained from Oswald's rifle. A firearms expert, Joseph D. Nicol, testified before the Warren Commission that these anomalous marks were possibly caused by a "dry firing" run -- that is, by inserting the empty cartridge case in the breech while practicing with the rifle (3H510).

The Firearms Panel appointed by the House Select Committee also examined these cartridge cases. The Panel agreed with the FBI findings that all bore firing pin impressions from Oswald's rifle, and hence at some time had been fired in that rifle. The Panel was able to produce a cartridge case with a dented lip like CE 543 by ejecting a fired cartridge in a particularly violent manner. In contradiction to the 1964 reports of both the FBI and independent experts, the Panel said it "found no evidence of multiple extractor or ejector marks on the cartridge cases which would indicate that they had been chambered on more than one occasion." The Panel offered no explanation of this discrepancy. It did find, however, "three sets of striations on the head of the CE543 cartridge case.../which/ were not found on any of the other 6.5 mm. cartridge cases," and added enigmatically: "The origin /of the striations/

49. could not be established."

It is difficult for the non-specialist to interpret such arcane information. If the Warren Commission/FBI studies are to be trusted, none of these cartridge cases were fresh out of the box. Two had been loaded and extracted "at least twice", while the third had been loaded and extracted "at least three times". This third case, according to the Warren Commission firearms expert, bore marks suggesting it had been "dry fired". The Firearms Panel passed over the earlier studies in silence, observing only that the odd third case contained "striations" which are unique to it and whose "origin" could not be explained. Faced with the inherent implausibility of two shots being fired from the Oswald rifle in 1.65 seconds, these facts are enough to compel our suspicion that not all three cases were fired on November 22nd.

Forced with a final refractory area in their puzzle, the Committee tried to "bend" a piece to fit, tried to make plausible a shorter firing time for Oswald's rifle. This effort failed. Far better had the Committee followed Congressman Dodd's advice and let the evidence lead it where it might. At the close of his dissenting opinion, he observes that "further work on the acoustics data could conceivably prove the existence of a second gunman in the Texas School Book Depository or elsewhere in the Plaza." Specifically, he urges that "the detailed acoustic analysis that was done with regard to the third shot be done with regard to shots one, two and four," and that "a thorough review of the tape be conducted in an effort to discover whether shots might have originated from locations other than the grassy knoll and the Texas School Book Depository."

Should this be done; the thought which flashed through John Connally's mind as the first two shots exploded in the limousine ("the thought immediately passed through my mind that there were either two or three or more people involved in this or that someone was shooting with an automatic rifle") might prove to be correct. More importantly, should this be done, we might finally be in a position to fit the remaining pieces into the puzzle. Like all puzzles that are finished, we could then put it away.

12. Dealey Plaza Revisited

The late afternoon sun casts lengthening shadow across the closely cropped grass of the Plaza. The commuter traffic has begun and a steady stream of cars down Elm Street mixes exhaust fumes with the scent of newly cut grass. Standing on the pedestal from which Abraham Zapruder took his film, *one can see to the left* the Texas School Book Depository rising above the corner of Elm and Houston Streets. The two windows in the 6th floor corner casement are shut. Beyond them *lies the* Dal-Tex Building across Houston Street, and, kitty-corner across the street, the monolith of the Dallas County Records Building. *Straight ahead* is the grass slope where, on November 22nd, Bill and Gayle Newman threw themselves to the ground to protect their children from the cross-fire descending on the limousine. On the sidewalk

near where the Newman's were standing, a young couple with two little girls *in tow* pauses for a moment. The youngest of the two girls -- a blonde of about six -- picks a piece of clover from the grass. "Daddy," she says, turning to her father and looking up, "I want to keep this as a souvenir."

For 15 years tourists had come to Dealey Plaza, to see the site of the killing and to familiarize themselves with those features -- the turn onto Elm Street, the Depository, the grassy knoll, the railroad overpass-- which had been mentioned over and over again in newspapers, books, and TV shows, and ^{which} being so mentioned, had become mythic reference points, monuments to a murder that had effected everyone. Then as now, people would stop and pick up a blade of grass, a stone, a twig, anything to serve as a memento of this place where "it" had happened. Sometimes it seemed as if Dealey Plaza had been burned into our collective unconscious as the site of some nodal point in history, a place where innocence was lost, where a period of violence and mendacity was born. After Dallas had come the agony of Vietnam, the bullets in Memphis and Los Angeles, the Pentagon Papers, Cambodia, Watergate. After Dallas, it had seemed to many of us, nothing would ever be the same again. A murder had happened here. Stretched before ^{one's} eye was the killing ground, the place where the king had been laid low, his head exploding in a pink halo of blood and brain. Here too the mystery had

begun, and it was that mystery which kept drawing people back to this place. The young and glamorous king had been murdered, but the how and why of that murder remained opaque and hidden. The mystery of the killing seemed to be all of one piece with everything that had happened since. Fortinbras had not arrived, and until he did one's mind could not rest easily.

This too was a place of ghosts.

Forty feet behind Zapruder's pedestal

[^] was the niche

where the Nix film appeared to show a gunman in classic firing stance, elbows splayed outwards, aiming directly at the limousine. It had all been illusion, the play of light and shadow on the concrete wall. To ^{the} [^] right was the bush where the Zapruder film disclosed the back of a human head and below it, the long horizontal shape of what might be a rifle. The head had been real -- the head of a spectator -- but the "rifle" had only been the elongated shape of a branch.

The Depository

were now shut.

windows [^] How many hours had we spent studying films of those windows, tantalized by the possibility that changing shapes might indicate the presence two people in the sniper's nest. The evidence was not all in, but seemed to suggest that what we were seeing were only artifacts on the film. We had tried to snare these ghosts with measurements and logic.

One had to laugh in remembering

[^] the Sunday morning

13 years ago when ^{we had} [^] dodged traffic to take sightings with an Abney Level of the elevations to various roof lines.

We amateurs had learned a lot over those years, a lot about

arcane sciences such as wound ballistics, firearms identification, photo enhancement. But ultimately our knowledge, our skill, and our commitment has proved unequal to the task. The ghosts, and the mystery which enfolded them, would not dissolve.

Standing on Zapruder's parapet in the late summer of 1979, *it seemed as if so much* had changed. For fifteen years the illusion of a single assassin had endured. Now, it had been broken. On the basis of irrefutable scientific evidence, a Committee of the Congress has proved what we had *suspected* all along -- a second gunman had fired on the limousine that bright autumn day fifteen years ago. Under the aegis of that happening, the remaining mysteries seemed less urgent, less demanding of solution. Further study of the acoustic evidence would probably show that a third gun had been fired that day. But did it really matter? Did it really matter if there were two or three assassins in Dealey Plaza that day? As the completion to a puzzle many of us had labored on for years, it would be interesting to know the answer. But at this point the puzzle had lost its urgency as the mystery moved beyond Dealey Plaza.

One could not help but remark on the historical irony in all this. Take Kennedy's head snap, for example. Ignored and even hidden by the Warren Commission, that left, backward snap had seemed to many to be the solidest evidence of a second gunman firing from the knoll. We still had no persuasive

explanation for the phenomenon, but the combination of Guinn's tests and the medical evidence compelled the conclusion that Kennedy's head wound was caused by a shot from the rear. No matter; a shot had been fired from the knoll and fired from the exact location we had picked twelve years ago. The head snap could slip into history as ^{what Carl Oglesby called} "one of the more productive illusions of our time." Or take the famous "Magic Bullet". Residing in its plastic bag in the National Archives, virtually undeformed for years it seemed to sit in silent reproach of the Warren Commission's single-bullet theory and its single assassin conclusion. We still had no sensible explanation as to how it could have remained so unscathed while wreaking such destruction, but Guinn's tests proved unequivocally, against everyone's expectation, that that bullet had penetrated Connally's wrist. This fact, combined with the trajectory analysis showed that the single-bullet theory, the focus of attacks on the Warren Commission for years, was at least plausible. Once again, in the very moment of victory, the critics' most powerful weapons had proved illusory. In some sense, the critics had been right about Dealey Plaza, but right for all the wrong reasons.

→ To say this, however, is to ignore the real contribution of the critics over the last decade and one-half. For not only had their researches undermined the official story in the popular mind, but their lobbying efforts had brought the House

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Select Committee into existence. Even more importantly, their efforts had posed the questions the Committee would answer so productively. The crucial 1963 Dictabelt had been brought to the attention of the Committee by critics who even suggested the kind of study which should be made of it. Critics had located the point on the stockade fence confirmed by the acoustic evidence as a firing point. Years before the Committee came into existence, critics had sued the government (and lost) to have Guinn's NAA tests done. Critics had suggested photo enhancement, trajectory studies, audio reconstruction, etc. They had in fact laid out almost completely the program of investigation the Committee later followed with such productive results. If some of their answers had proved mistaken, they nonetheless had asked all the right questions.

The mystery now moves beyond Dealey Plaza, and the questions take on a different form. No homicide in history was ever accorded the scale of investigation accorded the Kennedy assassination. Ten departments of ^{the} Federal government, fourteen independent agencies or commissions, and four Congressional Committees helped the Warren Commission in its investigation. Immediately after the shooting eighty additional FBI agents were sent to Dallas. Beginning on November 22nd, the FBI mounted its largest investigation to date, conducting 25,000 interviews and submitting 2,300 reports to the Commission totaling 25,400 pages. At the same time, the Secret Service conducted 1,550

interviews and submitted 800 reports totaling some 4,600 pages. We know now that one, and perhaps two, gunmen (in addition to the sniper in the Depository) fired shots at the limousine. Given the facts of the killing as we now know it and the magnitude of the investigation mounted to solve it, why has it taken fifteen years for the government to find credible evidence of a conspiracy? Is it just amazing chance that one or two additional gunmen could fire at the President and no credible trace of their actions be found by the FBI and the Warren Commission?

From the beginning, critics of the assassination have been faced with a conundrum. Since nearly all the evidence in the case was in Federal government possession from the beginning (except for such notable exceptions as the 1963 Dictabelt and the Zapruder film), one had to accept the authenticity of all the evidence or abandon one's attempt to reconstruct what happened. Was the "Magic Bullet" the result of a switch made after a bullet came into government possession? Are the Connally wrist fragments authentic? Had the autopsy and medical evidence been rigged? As soon as one even begins asking such questions, one has to abandon the attempt to solve the mystery, since one has no criterion for determining what evidence is genuine and what is not. To put it another way, one cannot even begin solving a puzzle if one keeps doubting whether a piece belongs in the puzzle. Nevertheless, certain pieces in the puzzle have seemed

recalcitrant from the beginning -- the "Magic Bullet", the head snap recorded on the Zapruder film, the three cartridge cases found in the Depository, to name just a few. The present fact pattern suggests that two or three gunmen fired on the limousine, yet the physical evidence presented by the government inevitably led back only to the sniper in the Depository. One need not be paranoid to point out that this is an extremely odd state of affairs.

The question as to whether there was an official cover-up of the facts of the killing cannot be answered within the confines of Dealey Plaza. The field of inquiry must shift to a wider terrain. For to answer that question the social and political background of the assassination must be explored. What was the nature of the conspiracy which killed Kennedy? What was the likely role of Oswald and Ruby in the conspiracy? How was the governmental investigation carried on and why did it prove so sterile? These are some of the questions the remainder of this book will pursue.

As Rep. Sawyer [AR 504] and other HSC critics have not hesitated to point out, with the conspicuous exception of the acoustics evidence, the scientific work commissioned by the HSC strongly ~~ex~~ tended to support the Warren Commission's findings ~~is~~ that two bullets from the ~~XXXX~~^{TSBD} wounded Kennedy and Connally. As summarized by the Committee, the conclusion was based on the following points:

"The findings of forensic pathologists that the shots that hit the President came from behind."

"The results of the trajectory analysis [projecting the trajectory backwards from the wound locations] that traced the bullets to the vicinity of the sixth floor window of the depository" [~~and XXXX from Kennedy~~ independently using Kennedy's ~~is~~ head wounds, his back/neck wounds, and ~~the~~^{LWO} Kennedy-Connally wounds, the latter being the trajectory associated with the single bullet ~~is~~ theory]

"The conclusion of acoustics experts that the ~~shots~~^[sic, prob. should be three] came from the vicinity of the 6th floor window of the depository"

"The positive identification by firearms experts that the rifle found on the sixth floor of the depository was the one that fired the bullet found on a stretcher at Parkland Hospital and fragments retrieved from the Presidential limousine"

"The results of neutron Activation analysis [NAA] indicating that it was highly likely that the bullet found on the stretcher at Parkland Hospital was the one that passed ~~through~~ through Governor Connally's wrist [^{i.e.} leaving ~~the~~ fragments which ^{in chemical composition} matched], and that the fragments found in the limousine were from the bullet that struck the President in ~~the~~ the head [leaving fragments which matched]

"The conclusion of photographic experts that the rifle found in the depository was the same one that was repeatedly photographed in November 1963 and that is presently stored at the National Archives." [This last point seems ~~is~~ relevant only to Oswald's possession of the rifle - leave it out here? Russ, am I missing something?]

I'm of two minds ~~is~~ on how to regard this evidence. (And it ~~is~~ is too early for there to be any considered consensus of the critics.) As I sat through several days of testimony ~~on~~ on these points during the public hearings in September 1978, it was clear that many questions on details were not being adequately answered, and more were not being ~~asked~~ properly asked. On the other hand, ~~the~~ speaking as a scientist, ~~and~~ I (like the Committee) found the weight of the evidence very strong. ~~is~~ While it was easy to see how there could be errors at various points in the Committee's case, it was hard to put together an alternate reconstruction without positing massive fraud, and I saw no evidence of that during the hearings.

The Weiss-Aschkenasy analysis changed the picture. Conspiracy became the official line. While I was reluctant to put all my conspiracy eggs in this particular basket, the evidence looked good, ~~xxxx~~ and has pretty much held up over the past 7 months. Certainly, one can argue that proof of a conspiracy makes it more likely that there is additional evidence of a conspiracy buried in the details of the ~~my~~ HSC's evidence. But the required close look at the evidence will take time. And it may turn out that the flaws in the HSC's case for two hits from the rear lie more in the writing and formulation of questions than in the technical work of the ~~xxxx~~ expert panels. All in all, I don't feel that a recounting of all of the issues in all areas of the HSC's case is appropriate right now.

Before looking at the key residual issues (in my opinion; I don't think there is a consensus on which issues are most important), it is worth noting again the overall weight of the HSC's case. The fact is that they did perform most of the technical tests which the critics had ^{expecting that they would disprove the WC.} ~~been urging for years.~~ We had good reason to suspect that NAA would disprove the single bullet theory - the initial tests were not in the WC's files, the raw data remained suppressed for years, and the FBI had conspicuously failed to use them to back up the SBT. Although no critic had the resources to test the SBT trajectory carefully, we ~~all~~ agreed, at the very least, that its possibility had not been demonstrated. I was particularly impressed that the HSC's experts had not just fitted Kennedy and Connally into a possible trajectory ~~for~~ starting at the TSB window, but that by tracing back from the wounds, they determined that the window was a possible point of origin. The consolation the critics could draw from the HSC's results was that at least we ~~xxxx~~ had been asking the right questions. It may turn out that the expert ~~was~~ work was not as solid as it seems, and they may have not gone far enough, but I don't think that finding flaws in their work will allow critics to turn it around, from proof of the two-rear-hits ~~xxxx~~ hypothesis to ~~disproof~~.

Logically, of course, there remains the possibility of massive fraud. Having heard the testimony of the experts, it is my opinion that some sort of coordinated fraud with them as witting participants is about as out of the question as anything can

be in this case. The possibility that the evidence has been tampered with can not be so easily ruled out. The HSC's report does ~~not deal with this hypothesis~~ ~~in general, e.g. as it applies to the Mannlicher-Carcano 6.5 mm. copper-jacketed bullet said to have been recovered~~ ~~from the scene~~ of the shot fired at Gen. Walker on April __, 1963, and originally described by the Dallas police as steel jacketed - an unlikely mistake, one would think.

The HSC did commission an extensive study into the authenticity of the "backyard photos" of Oswald holding two left-wing newspapers and the assassination rifle. It also dealt with the possibility that the autopsy photos and X-rays had been tampered with. ~~Experts~~ Experts in photography, forensic anthropology, and forensic dentistry found not evidence of tampering. Photographic consultant and long-time WC critic Robert Groden claims to have found evidence of such tampering, but the panel did not endorse his views, Blakey said that he is not qualified to make judgments on ~~such~~ such matters, and he has in the past shown an ability to see things in photographs that few other people can see. In my opinion, nobody has yet proved fraud of this magnitude, and it is unacceptable to suspect fraud just because the Warren Commission reconstruction has been ^{largely} substantiated.

(At ~~the~~ the very least, the SBT has moved from the realm of the ~~im~~credible to possible. It never has been as ridiculous a reconstruction ~~was~~ Mark Lane and others have suggested in their campus speeches. If the WC had done its work just a fraction as well as the HSC's panels, we would not have spent years arguing about all the details of the ~~the~~ two-rear-hits reconstruction.)

~~Consider~~ Consider, for example, the interpretation of the NAA tests done by Vincent Guinn. He found that the Connally wrist fragments matched CE 399, the so-called ~~magic~~ "magic bullet," in concentrations of two elements present in the lead in small amounts - antimony and silver. Similarly, all the supposed fragments from the head shot matched each other, and were distinguishable from the ~~magic~~ bullet. The most likely interpretation, in my opinion, is that Guinn is exactly right. Other interpretations, in roughly decreasing order of likelihood, as as follows:

The matches are ~~xxx~~ as stated above, but the probability that the JBC-CE 399 match

occured by chance might have been underestimated. Guinn estimated that there is about a 10% chance that two different bullets from the same box of ammunition would match in chemical composition as well as the JBC fragments and CE 399. This estimate came from his study of ammunition from each of the ^[4?] 3 lots ~~with~~ which were manufactured in the 1940's, Guinn and Dr. John Nichold, a WC critic, had worked together in accumulating and studying this ammunition. (Nichold had been trying for years, through legal action, to have new ~~XXX~~ NAA tests done.) Somewhat surprisingly, the boxes Guinn tested ~~were~~ not homogeneous - that is, bullets from a single box could be distinguished from each other. Guinn's testimony did not explain the origin~~s~~ of this non-homogeneity, so it is not clear that ~~"Oswald's"~~ the box from which "Oswald's" ammunition came would be like the one which Guinn tested many years later. (We do know, of course, the there is clear evidence of two different bullets in the assassination, so the source box was not completely homogeneous.) So, it may well be that the 90% estimate ~~xxxx~~ of a real match is a bit high. It~~w~~ would have been nice if this had been explored in more detail, but changingg the numerical results really would't affect the weight of the evidence.

It is also possible that there is more information to be obtained for the fragment found in the ~~xxxx~~ car, which was not studied because it is a piece of~~xxx~~ the copper jacket, with no lead. Guinn said that he did not study the copper jacket, but did not explain why. ~~xxxxxx~~ ^{There may well be} ~~xxxxxx~~ technical reasons precluding a comparison between this jacket fragment and the other fragments, but it was not brought out in the testimony. Nor is it mentioned in the report, despite the fact that, after the Weiss testimony, Rep. Dodd properly reminded the staff of this fragment - raising the possibility that it was associated with the shot from the grassy knoll. [5 AH 696] This certainly should be ~~x~~ clarified; ~~xxxxxx~~ it might ~~xxxxxx~~ invalidate the argument that there is no direct evidence of the knoll shot.

Call Guinn?] Moving to more conspiratorial and ~~xxxx~~ more speculative possibilities: does Guinn's work say anything about the ~~xxxx~~ long-standing suggestions that CE 399 was planted? (Both the condition of the bullet, and the way it ~~wxxxx~~ was found, have contributed to this suspicion.) Only indirectly - if CE 399 was planted, someone would also have sliced fragments off it and replaced the Connally wrist fragment.

That means that the planting, if it occurred, would have involved a conspiracy 'big' enough to have access to the Connally fragment, not just ~~xx~~ someone who left the bullet at the hospital.

~~Quesada~~ Because of informal comments made after ~~xxxxxx~~ Guinn's testimony, questions have been raised (in the Wash. Post and elsewhere) about the authenticity of the fragments tested. AS the report summarized it in a footnote [AR 599], "There are differences in the count and weight of the material examined by the FBI and Dr. ^[in 1963-4] Guinn. This is attributable to the character of the FBI tests and to the fact that the Bureau disposed of the samples examined after the tests." As frequently happened during the hearings, the HSC failed to adequately pursue the innocent explanation for such a peculiarity. This was not explored during Guinn's public testimony, and the footnote seems to gloss over the relevant details. "The character of the FBI tests" means that the first ones, emission spectroscopy, involve the destruction of part of the sample. The "fact" the the samples were disposed of ^{or otherwise mislaid} /has not been documented; it ~~xxxx~~ remains a reasonable supposition. Dr. Guinn seemed satisfied that the samples he worked with could have been ~~xxxxxx~~ parts of the original sample, and so far as I know nobody has disproved that assumption. Stronger support of the innocent explanation is that the FBI's NAA results, made ~~ix~~ with the original samples, are consistent with Guinn's, so in a ~~xxxx~~ sense there would have been ~~now~~ need for anyone to tamper with the samples.

Finally, Guinn's testimony failed to clarify his role in the 1964 investigation - he at least knew of the NAA work on the paraffin casts, and his name had been suggested ~~xxx~~ as a consultant [?] on the NAA tests. He denied ~~xxxxxx~~ an apparently incorrect report that he had worked for the Warren Commission [check all this], but the record was not clarified. But this is all beside the point, unless the inference is to be made that ~~ix~~ his work for the HSC was somehow inadequate because of a supposed ~~xx~~ commitment to the WC's result; there is simply no basis for ~~this~~ such a conclusion. [[Om

For reasons like this, I do not expect that the flaws which inevitably will be found in the work of the experts will turn the weight of the evidence around. This is not to say that all the important issues were resolved as well as they should have been. We have already mentioned the serious problems introduced by the acoustics

THE INITIAL COVER-UP:

The Commission and the Agencies

Three

~~Five~~ days after the assassination, Deputy Attorney General Nicholas Katzenbach sent a memo to Bill Moyers at the White House. After emphasizing the importance of making public "all the facts" concerning the President's murder, Katzenbach writes:

The public must be satisfied that Oswald was the assassin; that he did not have confederates who are still at large; and that the evidence was such that he would have been convicted at trial. Speculation about Oswald's motivation ought to be cut off, and we should have some basis for rebutting the thought that this was a Communist conspiracy or (as the Iron Curtain press is saying) a right-wing conspiracy to blame it on the Communists.

The vehicle for cutting off such speculation, suggested Katzenbach, might be the "appointment of a Presidential Commission of unimpeachable personnel to review and examine the evidence and announce its conclusions."

Ten days later Katzenbach sat in on the first meeting of the Presidential Commission suggested by his memo. Chief Justice Warren began the meeting by saying: "This is a very sad and solemn duty that we are undertaking, and I am sure that there is not one of us but what would rather be doing almost anything else that he can think of than to be on a Commission of this kind... The very thought of reviewing these details is really sickening to me." Commission member John McCloy spoke what was in the minds of the other members, when, at that first meeting, he remarked: "This Commission is set up to lay the dust, dust not only in the United States but all over the world." Later, McCloy would tell author Edward Epstein that it had been of paramount importance to "show the world that America is not

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a banana republic where government can be changed by conspiracy", while another Commission member, John Sherman Cooper, would tell Epstein that a central aim of the Commission had been "to lift the cloud of doubts that had been cast over American institutions." At about the time of the first meeting of the Commission, still another Commission member, ex-CIA Director Allen Dulles, told columnist Murray Kempton he was confident that the Commission would discover no evidence of a conspiracy. The atmosphere of rumors and suspicion, observed Dulles, was interfering with the functioning of government, and a main task of the Commission was to dispel those rumors. At its December 16, 1963 meeting, Dulles presented ~~each of~~ his fellow Commission members with a paperback book on Presidential assassinations. Offered as important background reading for the Commission's deliberations, the book related how previous assassinations always had been the work of lone, cemented outcasts from society.

Early in its existence, the Commission decided not to hire its own investigative staff, but to rely on the FBI and other government agencies for the investigation of the killing. Accordingly, the staff chosen would be made up exclusively of lawyers -- young, upwardly mobile attorneys who knew how to build a case. On January 20, 1964 this staff of attorneys met for the first time with the Commission. According to a staff memo written by one of the attorneys, Melvin Eisenberg, Chief Justice Warren began the meeting by telling the staff why he had accepted the Chairmanship of the Commission. "The President," Warren pointed out, "stated that rumors of the most exaggerated kind were circulating in this country and overseas. Some rumors went as far as attributing the assassination to a faction within the government wishing the Presidency assumed by President Johnson. Others, if not quenched, could conceivably lead the country into a war which would

cost 40 million lives. No one could refuse to do something which might help prevent such a possibility." As Eisenberg remembered the meeting, Warren "placed emphasis on the quenching of rumors, and precluding further speculation."

This group of aggressive young attorneys did not have to be told twice what their job was. Their client -- the Commission -- had spoken, and what their client wanted was crystal clear. They were to build a case that would quiet the rumors that were now circulating world-wide, rumors that were bringing into question the very integrity of the American government. They were to build a case for the prosecution against Lee Harvey Oswald, a case that would show once again that an American president had been murdered by a lone, anti-social, demented individual.

With alacrity, the team of young lawyers set about their work. Whenever evidence was brought forward that pointed away from the single-assassin, no conspiracy conclusion, it was either ignored, impeached, or "bent" to fit. The most shocking element in the Zapruder film -- the left, backward snap of the President's head at frame 313 -- was simply ignored; never mentioned in the Report or in its 26 Volumes of Hearings and Exhibits. Mrs. Connally, the Report concluded, was simply "mistaken" in testifying that she had seen and heard a second shot strike her husband after the President had been wounded. At times the Commission's disregard for known facts was brazen. In an appendix to the Report entitled "The Source of the Shots", the Commission asserted: "There is no evidence that any shots were fired at the President from anywhere other than the Texas School Book Depository." To discredit the idea of an alternative source, the appendix brazenly cited the testimony of "13 railroad employees who were on the overpass," even though at least six of them had testified unequivocally that they had

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heard shots and/or seen a puff of smoke from the trees along the picket fence on the grassy knoll. One of these thirteen, Frank Reilly, had told the Commission, "It seemed to me like they [the shots] come out of the trees," while a companion, S.M. Holland, had said: "I definitely saw the puff of smoke and heard the report from under those trees."

The list of evasions, misrepresentations, and downright lies by the Commission and its staff could be almost infinitely extended. It is a tawdry story, described in detail in a host of critical books and articles published over the last decade and one-half. What has not been known until recently is a corollary story of how ill-served the Commission was by the various governmental agencies upon which it relied. Under the pressure of Freedom of Information suits filed over the last decade, it has become possible to see what efforts were made by both the CIA and the FBI to limit and even impede the Warren Commission investigation.

Consider, for example, the CIA's handling of the claim, circulated to other agencies shortly before the assassination, that "a man who identified himself as Lee Oswald" had spoken in Mexico City with Soviet consul Valery Vladimirovich Kostikov. Kostikov, known to be a KGB agent, was in 1963 the object of special FBI attention as a member of the KGB's Department Thirteen — the section specializing in "wet affairs," i.e. sabotage and murder. Right after the assassination, Russian émigré groups with U.S. intelligence connections claimed, apparently without evidence, that Oswald had attended a KGB Department Thirteen assassination school in Moscow or Minsk.

The potentially explosive story of an Oswald-Kostikov contact seems to have been handled cautiously by CIA headquarters.

Their teletype of October 10, 1963, was careful to speak of
 "a man who identified himself as Lee

Oswald," who had *said* (to a Soviet embassy guard) that he had spoken with Kostikov three days earlier. This account clearly leaves room for the possibility that an impostor, not Oswald, was planting a false trail to the KGB. But a member of the CIA's Mexico City station turned this allegation into purported fact when he reported on October 16 that "this officer [i.e., himself] *determined* that Oswald . . . had talked with . . . Kostikov." In other words, the officer reported the alleged Oswald's claim as fact; and if the alleged Oswald's claim was false, so was the agent's.

Most critics now think the alleged Oswald was an impostor. The CIA, right after the assassination, sent to Dallas photos it claimed were of this man; clearly they are shots of someone heavyset, balding, and middle-aged. The world knows of these photos because Marguerite Oswald, who was shown one of them the night before her son Lee was killed, later thought, mistakenly, that it was a photo of Jack Ruby. It took weeks for the Warren Commission just to establish that this photo was taken in Mexico City. The commission apparently never saw an FBI report about a CIA recording of the alleged Lee Oswald's voice; the report said that the recording reached the Dallas FBI along with the photographs, and was rejected by them as not being of Oswald. The recording itself, an important possible clue to a conspiracy, apparently disappeared some time after the assassination, and a solitary documentary reference to it did not reach any audience outside intelligence circles until 1975. Retired CIA officer David Phillips recently claimed that the recordings of "Oswald" in Mexico were destroyed *prior* to the assassination—a claim challenged by the FBI document.

One thus gets the impression that the CIA, possibly quite innocently, had both photographs and a voice recording of a conspirator, not Oswald, who was consciously inducing the future cover-up of the assassination of the President by laying a false trail to the doorstep of the KGB's assassination bu-

reau in Mexico City. Such a conspirator would of course be no "maniac" or "societal outcast," but a sophisticated planner who was counting on the CIA's surveillance of the Soviet embassy in Mexico City to detect his contact with Kostikov. In 1963 such a person would almost certainly have had to be asso-

ciated with the global intelligence milieu, an insider privy to special knowledge about the CIA's procedures.

Richard Helms, then the CIA's deputy director for plans, took steps to dispel this impression, so far as the photograph was concerned. In a belated explanation to the Warren Commission, which was itself withheld from the public until 1967, Helms assured the commission that the photograph was taken on October 4, 1963—two days after Oswald was supposed to have left Mexico City. He gave the alternative impression that Oswald and the unidentified middle-aged man had only been confused ex post facto in some innocent CIA mix-up. Such an explanation could work for the photograph, since photos do not identify themselves. If the FBI report is correct, however, the recording could not have been sent by mistake; it recorded the voice of someone, apparently not Oswald, who "identified himself as Lee Oswald."

IF IT CONCEALED THE recording, however, the CIA was not acting like a "rogue elephant," since it had help from the other agencies that shared its information, in particular the FBI. Following an official rebuke by a Senate subcommittee for ignoring "significant leads," the FBI files on Oswald and the Kennedy assassination have recently been declassified, after security deletions, and made public. These files show the FBI's role in covering up to have been much more deliberate than was suggested by the report of Senators Richard Schweiker and Gary Hart, which spoke merely of "deficiencies," and of "efforts focused too narrowly to allow for a full investigation." The FBI did not simply fail to interview certain important witnesses to a

possible conspiracy; more than once it sent urgent orders that such witnesses were not to be interviewed. And it campaigned vigorously through the media to win support for its hasty finding that Oswald was the lone assassin.

The same files show J. Edgar Hoover ordering the release of information to "very friendly" journalists like Jeremiah O'Leary, now of the *Washington Star*, who in December 1978 was the first journalist to propose the hypothesis of two lone nuts in Dealey Plaza firing within the same half-second. These files also show "corrective" interviews with the employers and backers of journalists who had published stories deemed unfriendly: From these memos we learn how sensitive was the subject of Oswald's preassassination contacts with the FBI—a subject unclear to this day. For example, when Drew Pearson reported that the FBI had interviewed Oswald six days before the assassination, yet failed to warn the Secret Service about him, the FBI tried to silence the columnist. FBI Assistant Director Cartha DeLoach interviewed one of the chief stockholders of Pearson's distribution syndicate, "furnished him sufficient ammunition to refute all of Pearson's facts," and arranged for the apparently sympathetic stockholder to report back in person on his rebuke of Pearson. The idea of a contact between Oswald and the FBI on November 16 faded until 1975, when the FBI first revealed that at some point in November 1963 ("approximately one week or ten days prior to November 22," according to the Schweiker-Hart report), Oswald did visit the Dallas FBI office and leave a threatening note.

The FBI even resorted to "dirty tricks" to suppress dissent over its conclusions. In February 1964, when Mark Lane was planning to present the case for a grassy-knoll assassin before a public meeting at Town Hall in New York, the FBI tried unsuccessfully to prevent the meeting from taking place. At one stage, using what its files call "counterintelligence action," the FBI succeeded in having Town Hall (a private auditorium) cancel the meeting; when Lane's contract was later upheld in court the FBI took comfort from the fact that Lane had been required to put up a costly \$25,000 performance bond. In 1966 the FBI prepared memos linking Lane and other prominent assassination critics to allegedly subversive activities; these were supplied on request to Marvin Watson,

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shooter. (This request from the White House seems particularly cynical in the light of subsequent revelations that Johnson himself shared the belief that the assassination in Dallas had been part of a conspiracy.)

I*N THESE FILES HOOVER* does not appear as the inducer of cover-up through false allegations of international conspiracy, but rather as the one so induced, attempting by the lone-assassin hypothesis to put such allegations to rest. White House files, as reported by the Schweiker-Hart committee, confirm this impression. On November 24, 1963, in a phone conversation with White House aide Walter Jenkins, Hoover stated, "The thing I am most concerned about, and so is [Deputy Attorney General] Katzenbach, is having something issued so we can convince the public that Oswald is the real assassin."

The next day Katzenbach himself wrote to Bill Moyers.

In another paragraph of the memo excerpted earlier in this chapter, Katzenbach suggested that an FBI report on Oswald be released as soon as possible. The FBI quickly prepared just such a report and leaked its lone-assassin finding to the press before the Warren Commission had even settled down to its first meeting.

Another memo from FBI Assistant Director Courtney Evans shows how zealously Katzenbach shared the FBI's desire to reinforce the lone-assassin hypothesis: "One of the dangers [*sic*] which Katzenbach sees is the possibility that the state hearing to be held in Texas may develop some pertinent information not now known. In an effort to minimize this, he is having Assistant Attorney General Miller confer with the state officials in Texas in an effort to have them restrict their hearing to the proposition of showing merely that Oswald killed the President. . . ."

For its part, the FBI tried to ensure

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that the Warren Commission would reach the same conclusion. Hoover even intervened at the *Washington Post* to block a proposed editorial calling for the establishment of such a Presidential commission; he claimed that, given the FBI's "intensive investigation," a further review would "muddy waters."

Later, when commission member Allen Dulles warned his old CIA colleague James Angleton that the Warren Commission was considering hiring its own investigative staff, Angleton passed the warning along to the FBI. FBI Deputy Associate Director Alan H. Belmont noted that the commission "should be discouraged from having an 'investigative staff'" and as a first step moved to limit the number of copies of the first secret FBI report made available to the commission.

Thus it was by no accident, but Justice Department policy, that the Warren Commission found itself dependent for facts on the FBI, which had already (as commission counsel J. Lee Rankin complained in January 1964) "decided that it is Oswald who committed the assassination" and that "no one else was involved."

This dependence made it virtually impossible for the commission to check out independently published allegations—backed by a hearsay report that the name and phone number of FBI agent James Hosty were in Oswald's address book—that Oswald was an FBI informant. The FBI, when it learned of the commission's interest in Oswald's preassassination FBI contacts, did belatedly confirm this report. Earlier, however, the FBI had provided a typewritten transcription of Oswald's ad-

dress book in which the Hosty entry was omitted: The relevant page of this transcript was actually retyped, and its contents then failed to fill the page by just the number of lines of the missing Hosty entry.

The recently released FBI documents show other instances in which key information was either altered before it reached the Warren Commission, or else withheld altogether. For example, judging from Warren Commission rec-

ords, the FBI seems to have covered up Jack Ruby's connections to organized crime. The commission did not receive an important interview with Luis Kutner, a Chicago lawyer who had just told the press (correctly) about Ruby's connections to Chicago mobsters Lennie Patrick and Dave Yaras. All the FBI transmitted was a meaningless follow-up interview in which Kutner merely said he had no additional information.

Apparently the FBI also failed to transmit a teletype revealing that Yaras, a national hit man for the Chicago syndicate who had grown up with Ruby, and who had been telephoned by one of Ruby's Teamster contacts on the eve of the assassination, was about to attend a "hoodlum meeting" of top East and West Coast syndicate representatives, including some from the "family" of the former Havana crime lord Santos Trafficante.

It is therefore significant that the FBI also suppressed a report that a British free-lance newsman, John Wilson-Hudson, claimed to have been in a Havana prison in 1959 with "an American gangster named Santos" (presumably Trafficante), when "Santos" was visited by someone called Ruby whom the newsman believed was Jack Ruby. Wilson-Hudson had offered to look at photographs of Jack Ruby to see if he was indeed that visitor, but FBI headquarters, in an urgent cable to London, vetoed the suggestion: "Prior information available at Bureau that Ruby in Havana, Cuba, in 1959. Bureau desires no further investigation re Wilson." In this way the Warren Commission never heard either about the alleged Ruby-"Santos" contact.

Nor did it see allegations in the FBI files that linked Ruby at that time to Trafficante's Miami associate Dave Yaras "through shylocking and girls."

Such blatant interference by FBI headquarters in the investigative process is recorded in the files only rarely. But this only confirms that the bureau's professed lack of interest in a lead to "Santos" probably derived not from ignorance but from knowledge—perhaps knowledge of the CIA's use of

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Trafficante and Chicago crime boss Sam Giancana in plots to assassinate Fidel Castro, since CIA embarrassment about this relationship had already led the Justice Department to drop criminal charges in another case involving Giancana. That would be a relatively nonconspiratorial explanation for the

bureau's intervention—an example of “induced cover-up” through appeals to “national security.”

SUCH AN EXPLANATION is less plausible for the FBI's interference with leads that appeared to be guiding its agents to the actual assassins of the President—a case, seemingly, of obstruction of justice, or worse. How else should one assess the response of FBI headquarters to a report from Miami that Joseph Adams Milteer, a white racist with Klan connections, had in early November 1963 correctly warned that a plot to kill the President “from an office building with a high-powered rifle” was already “in the working”? These words are taken from an actual tape-recording of a discussion between Milteer and his friend, Miami police informant Bill Somerset. Miami police provided copies of this tape to both the Secret Service and the FBI on November 10, 1963, two weeks before the assassination. Four days after the assassination Somerset reported that Milteer had been “jubilant” about it: “Everything ran true to form. I guess you thought I was kidding you when I said he would be killed from a window with a high-powered rifle.” In both of the relevant FBI reports, Somerset was described as “a source who had furnished reliable information in the past.”

What was the response of FBI headquarters to the second report? An order was sent to Miami to “amend the reliability statement to show that some of the information furnished by [Somerset] is such that it could not be verified or corroborated.” The headquarters file copy noted that “investigation by Atlanta has indicated there is no truth in the statements by [Somerset] and that Milteer was in Quitman,

Georgia, during pertinent period.” This notation referred to an interview by the Atlanta FBI with Milteer himself, who quite understandably denied ever having threatened Kennedy, or even having “heard anyone make such threats.” This simple denial was forwarded to the Warren Commission in

December 1963; but the reports from Somerset (duly rewritten to make them less credible) were not forwarded until August 7, 1964, when the commission had almost completed its work. Nothing was ever said to the commission about the tape in the FBI's possession that proved conclusively that Somerset had reported his conversation truthfully, and that Milteer, in his denial, was lying. Nor did the commission hear about this tape from the Secret Service.

In their cover-up of the Milteer tape, the FBI and the Secret Service concealed the fact that they had both had prior warning of “plans . . . to kill President John F. Kennedy.” But Milteer had not merely predicted, correctly, the *modus operandi* of the assassination, he had also predicted the cover-up:

Somerset: 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.

Since 1963 both Milteer, the extremist, and Somerset, the informant, have died. Their deaths might seem to corroborate the *Washington Post's* opinion that it is now too late to pursue the “cold trails” of the John F. Kennedy assassination. But the important new leads here pertain not so much to the crime as to the cover-up, not so much to events in Miami or in Dallas as those inside the FBI and other government agencies. For example, following the analogy of Watergate, one candidate it might be useful to interrogate is Robert P. Gemberling, a retired special agent under whose supervision the page with the missing Hosty entry was retyped, and through whose hands the

important Somerset interviews reached the Warren Commission nine months late. It is not likely that Gemberling, an apparently modest and mild-mannered man, has important knowledge bearing directly on the assassination; but, like the Kroghs and Deans of Watergate, he could perhaps lead interviewers to those involved at a higher level in conspiratorial cover-up.

¶ The existence of a cover-up does not prove that the U.S. government itself was somehow involved in the crime—only that the crime was plotted in such a way that to unravel it would threaten major governmental interests, thus inducing a cover-up. The stakes might have been world peace, if a foreign power was, or falsely appeared to be, implicated; or a sensitive government operation, with which Oswald may well have been connected, whether or

not he was involved in the actual killing.

Neither of these examples is hypothetical. Within hours of the assassination, officials in Dallas and elsewhere were suggesting, on the flimsiest of evidence, that Oswald was part of a Communist conspiracy, acting on orders out of Havana or Moscow. Worse yet, highly dubious reports, already in U.S. intelligence files, provided some backing for these false conspiracy stories—which soon began to circulate about Jack Ruby as well. Thus, in the context of rumors that were as dangerous as they were misleading, reasonable men may well have settled on a “lone assassin” hypothesis for pragmatic reasons, as less misleading and less dangerous than the alternative theories already circulating. One need not, therefore, assume malevolent motives on the part of all those who engaged in the cover-up.

It is obvious, however, that "two maniacs instead of one" (as the New York Times described the situation in light of the House Select Committee's findings) could not by themselves have engineered the pressures for concealment. Indeed, planning the assassination so as to provoke a cover-up called for far more sophistication than did the simple murder of the President. In particular, it called for close knowledge of how the U.S. government could be expected to react. In a later chapter we will have more to say as to where this important consideration leads. . . .

RS
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FROM GARRISON TO BLAKEY:
A Decade of Critics, Cover-ups
and New Investigations
1967 to 1977

Public acceptance of the Warren Report crumbled in less than two years. The Warren Commission's fateful decision to publish twenty-six volumes of hearings and exhibits, in addition to its official report, exposed it to scathing attacks by amateur researchers who simply tested the Commission's conclusions against the evidence in the published volumes. Mark Lane's critique of the report, Rush to Judgment, appeared in August 1966 and topped the New York Times best-seller list by mid-November. Other early critics, such as Harold Weisberg and Sylvia Meagher, not only undermined official conclusions but also began ~~the~~ performing painstaking ~~tasks~~ tasks neglected by the Commission -- indexing the evidence at hand and compiling an inventory of other crucial artifacts -- such as photographic evidence -- that the Commission hadn't bothered to collect.

By late September 1966, New York Representative Theodore Kupferman had already proposed a new congressional investigation into the Kennedy assassination. That fall, major media -- including Life and the New York Times -- asked that the unanswered questions be officially addressed. Jack Ruby's death on January 3, 1967, after a month-long battle with cancer, gave added urgency to the demand to reopen the case before all the key witnesses were lost to posterity. A Gallup Poll January 11 indicated that 64 percent of those surveyed were not convinced that Lee Harvey Oswald was the President's lone assassin.

That same month, Washington attorney Edward P. Morgan told Jack Anderson and later Drew Pearson that one of his clients (now identified as Mafioso John Roselli) had reason to believe that Fidel Castro had plotted Kennedy's assassination. Roselli's story was that Castro had uncovered CIA-Mafia plots to assassinate him and had retaliated -- using some of the same underworld ~~figures~~ contacts. Drew Pearson repeated the story to Chief Justice Earl Warren, who informed the Secret Service. ~~In March,~~ the FBI interviewed the lawyer (Morgan) about the story, which Jack

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Anderson ^{had} ~~was~~ publishing ^{ed} ~~at that time~~ ^{on March 3} with the provocative lead that President Johnson was "sitting on a political H-bomb -- an unconfirmed report that Senator Robert Kennedy may have approved an assassination plot [against Castro] which then possibly backfired against his late brother." Anderson's details were sketchy -- particularly, as they concern Bobby Kennedy's approval of the CIA's assassination plots. But the essential outline of this scenario was to reappear in increasingly vivid detail in the coming years. Some students of the Kennedy assassination would eventually refer to it as a "fallback" theory to replace the discredited Oswald-the-loner hypothesis. (Anderson has subsequently indicated that the version of the plot described to him in 1967 specifically identified members of the Tampa organized crime family of Santos Trafficante -- Roselli's onetime colleague in CIA-sponsored efforts to hit Castro.)

President Johnson ordered investigation of the charges in the Anderson column by his attorney general, Ramsey Clark, the FBI, and the CIA. Clark and the FBI seem to have reported nothing of substance, but the CIA authorized a broad review of the anti-Castro plots by its Inspector General. The report which resulted has never been fully released, but, as we will see, became the ~~center~~ focus of considerable interest from outside parties ranging from President Nixon to the Stokes Committee. All working papers used in preparing the top-secret in-house report were destroyed.

Anderson's story of a CIA assassination plot that might have backfired surfaced in the early weeks of the New Orleans investigation by District Attorney Jim Garrison, who also suggested CIA links to the Kennedy murder. Lee Harvey Oswald had lived in New Orleans during his childhood and again in 1963, not long before the assassination. Garrison looked for co-conspirators among his Louisiana contacts. Early investigative attention focused on David Ferrie, an eccentric gay pilot whom Garrison believed Oswald had met as a teenage member of the Civil Air Patrol. Ferrie had actually been arrested by Garrison at the time of the Kennedy

assassination after a tip-off suggesting that the potential get-away pilot had made a mysterious trip to Texas on the day of the President's murder. (Interestingly enough, another tipster -- someone who identified himself as an informant of District Attorney Garrison and who had been the object of homosexual allegations, -- turned up in 1963 to report that he had seen Oswald and Ruby in or near the Dallas YMCA.)

Ferrie's strange death at the outset of the Garrison investigation in February 1967 drew national attention to New Orleans. On March 1 (just two days before the Anderson column) Garrison arrested businessman Clay Shaw on the charge of conspiring with Ferrie and Oswald. The case against Shaw began with a report from a New Orleans attorney, Dean Andrews, who said someone known as "Clay Bertrand" had phoned him about representing Oswald after the assassination. According to Andrews, Oswald had previously visited his law office in the company of some Mexican "gay kids." Garrison was to claim that Clay Bertrand and Clay Shaw were one and the same -- an identification which Andrews would neither confirm nor deny. Garrison's other witnesses claiming to have seen Oswald in the company of Shaw and Ferrie were of doubtful credibility, and when the case actually went to trial in 1969, the jury acquitted Shaw after deliberating only fifty minutes.

Garrison had promised a great deal more than he delivered. Shaw was ~~alleged to have had~~ ^{had some} contact with the CIA in his foreign trade activities. Garrison's interviews suggested a deeper CIA connection in the case. Garrison's charges elicited little cooperation from federal agencies and often outright hostility, and sympathetic supporters portrayed him as a David of New Orleans challenging the CIA Goliath in Washington. Debates continue as to the controversial DA's motives and sincerity; the one hard fact is that the case against Shaw was an abject failure.

One school of thought maintains that Garrison's activities were related to last-ditch efforts to save Teamster leader Jimmy Hoffa from prison. Hoffa actually began serving time in March 1967,

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after exhausting all appeals of his jury-tampering conviction three years earlier. The key witness against Hoffa was an informer in his inner circle -- Edward G. Partin. Walter Sheridan, one of Robert Kennedy's top investigators in the Justice Department's pursuit of Hoffa, has suggested that Garrison's 1967 investigation was putting pressure on Partin, a Baton Rouge union official. On June 23, 1967, a Louisiana radio station reported that Garrison was indeed investigating Partin as a link between Oswald and Ferrie. But no charges were ever brought against Partin and he never recanted his testimony against Hoffa, so there has never been a clear demonstration of what pressure could have been exerted in the Garrison investigation.

More to the point perhaps is the fact that Garrison's investigation steered conspicuously clear of Hoffa's friend, Carlos Marcello, the reputed head of Organized Crime in Louisiana. David Ferrie was working for Marcello's lawyer, G. Wray Gill, on the day of the Kennedy assassination, as Marcello successfully fought a legal battle ^{related to his} ~~against~~ deportation. Earlier, in a heavy-handed action apparently authorized by Robert Kennedy, federal agents had abducted Marcello off a street in New Orleans and deported him by private plane, ~~before he could exhaust his legal appeals.~~ Marcello returned to the United States surreptitiously (some said Ferrie flew him back), and he is reported to have uttered a Sicilian death threat against the Kennedy brothers.

Garrison reportedly denied the existence of Organized Crime in his town; some have charged he enjoyed a cozy relationship with Marcello's associates. To some, it is an anomaly that he could investigate Ferrie without checking into his Mafia employer who was known to have detested the Kennedys. Others suspect that Ferrie was himself set up -- with the possible complicity of those he worked for. Regardless of the details, Garrison did begin to probe the fascinating world of anti-Castro activists with which both Ferrie (a sometime gunrunner) and Oswald had contact. Oswald's contacts in that milieu remain a mystery -- since he had drawn

public attention to himself as a pro-Castro demonstrator for his one-member chapter of the Fair Play for Cuba Committee.

The Garrison affair sharply divided the Warren Commission critics. While some clung to their heroic image of the crusading DA, others felt he had no greater regard for the truth than the Warren Commission itself. Most would probably now agree that Jim Garrison, more than any other individual, was responsible for stopping the groundswell of demands to reopen the Dallas investigation which had peaked three years after the assassination. The ultimate fiasco of the Shaw trial, plus the animosities that had developed inside the critical community, might have easily convinced public opinion that the case could never be solved. In fact, more people doubted the Warren Report's explanation than favored a new investigation in the wake of the Garrison debacle.

But other assassinations -- especially those of Martin Luther King and Robert Kennedy in 1968 -- heightened public skepticism toward pat official answers. Could each of these momentous events be the work of a crazed loner? The deeper questions would not go away, and private researchers continued their work. Some concentrated their efforts on prying loose files relating to Oswald and the assassination from reluctant federal agencies. Others sought a more precise understanding of the physical evidence in the case.

Back in 1967 critic Josiah Thompson had argued (in Six Seconds in Dallas) from a frame-by-frame analysis of the Zapruder home movie of the assassination that Kennedy had been shot from the front (the famous grassy knoll) as well as the rear. Garrison had shown the Zapruder film in his courtroom and augmented interest in the details of the actual shooting. But a panel of medical experts appointed by the Justice Department and headed by pathologist Russell Fisher reexamined the Kennedy autopsy photographs and X rays and reaffirmed the Warren Commission view that the President had been shot from the rear only. (The Fisher Panel's report -- released January 16, 1969 -- could not have helped Garrison's prosecution of Shaw, which began five days later.)

from reluctant federal agencies. Others sought a more precise understanding of the physical evidence in the case.

On August 23 and 24, 1972, Pittsburgh coroner Dr. Cyril H. Wecht became the first pathologist ^{COMPACTLY MOVED FROM} outside the U.S. government to examine the medical evidence from the Kennedy autopsy at the National Archives. His conclusion was that more than one person was involved in the shooting of the President. While Dr. Wecht carefully refrained from endorsing suggestions that President Kennedy had been hit from the front as well as the rear (as many critics argued on the basis of observed head movements in the Zapruder film), the forensic pathologist had taken an important step in faulting the scientific credibility of the official studies of the medical evidence. His questions were to be addressed by two subsequent official investigations.

In a sense, what really forced the case to be reopened was Watergate -- Washington's ultimate credibility gap. This was the crime that made cover-up a household word and showed that conspiracies -- at the highest level -- are indeed a part of political reality in Washington. Yet Watergate left its own mysteries. What were the burglars really looking for when they broke into the Democratic Party's national headquarters? One theory suggested that Robert Maheu, the Howard Hughes aide who knew dark secrets about leading Democrats and Republicans, held the key. The Democratic chairman, Larry O'Brien, had once been close to Maheu, and his files might have held some secret revelations. A year and a half before the Watergate break-in, Jack Anderson had revived his plot-that-backfired assassination theory with a column that caused alarm at the Nixon White House. Maheu was the key.

Adding significant detail to the theory he had outlined in 1967, Anderson wrote in January 1971 that the CIA had recruited organized crime figure John Roselli, with Robert Maheu as a go-between, for a series of plots to assassinate Fidel Castro between 1961 and 1963. He again raised what he called an ugly question "that high officials would rather keep buried. . . . Could the plot against Castro have backfired against President Kennedy." Anderson's columns prompted a flurry of investigative

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memos at the White House. One of these, from former New York policeman Jack Caulfield to John Dean, reported that "Maheu's covert activities . . . with CIA . . . are only generally known here," but warned that "Maheu's controversial activities . . . might well shake loose Republican skeletons from the closet."

Convicted Watergate burglar Frank Sturris offered another, related, explanation of the break-in, omitting Maheu altogether. Sturris said the plumbers were hunting for a top-secret 13-page memo from Fidel Castro to the Democrats' platform committee itemizing the CIA's covert actions against Cuba, including various attempts to assassinate Castro and his brother Raul. If such a memo did exist, the Democratic Party was not about to leak it to the press. But Sturris's claim was only one of many cryptic references to Cuba and covert activities in the Watergate drama. The transcript that led to President Richard Nixon's resignation spoke of the "Cuba thing," the "whole Bay of Pigs thing," which would "make the CIA look bad and be very unfortunate for the country."

Watergate also put the spotlight on a group of men intrigued by the idea of assassination. According to his cronies, E. Howard Hunt participated in unsuccessful attempts against Castro. John Dean reportedly heard that Hunt had also proposed snuffing out Panama's nationalist head of state Omar Torrijos. Gordon Liddy reportedly misunderstood a figure of speech at the White House, thinking he'd been ordered to knock off columnist Jack Anderson. The Watergate hearings indirectly raised the question of whether assassination was merely a recurring fantasy among the anti-Castro soldiers of fortune or a regularly considered option of America's covert foreign policy establishment.

In the wake of Watergate, the CIA did its own housecleaning as well. At one level, the much-criticized agency seemed anxious to improve its own public image by conveying the news that its darkest ~~tricks~~ dirty tricks were as safely in the past as Richard Nixon and his jailed associates. At another level, one faction in the agency was using leaks about improprieties to purge a rival faction. Toward the end of 1974, CIA Director William Colby delivered

William Colby

most telling blow in the agency's internal battle by leaking to the New York Times details of the agency's illegal domestic activities (run by counterintelligence analyst James Angleton, who was obliged to resign from the CIA at once). Following the reports of the CIA's domestic spying, President Gerald Ford appointed a commission under the direction of Vice-President Nelson Rockefeller to investigate the agency's ^{domestic} conduct in a variety of areas.

According to Daniel Schorr (then the CBS specialist on CIA activities), Ford told a White House luncheon with editors of the New York Times that he had to choose the members of the Rockefeller Commission carefully, because "there was the danger that the commission would trip over matters a lot more sensitive than domestic surveillance." When asked which matters, Ford reportedly replied, "Off the record, like assassinations."

One of Ford's appointees for this sensitive investigation was Iowa lawyer David Belin -- the commission's executive director. Belin had earlier served as a staff lawyer of the Warren Commission (of which Ford was a member). Ford and Belin shared the distinction of being the only authors of the Warren Report to write books defending its conclusions. Belin in particular had emerged as the Warren Commission's most persistent and controversial defender.

Following a February 1975 report by Schorr alluding to the question of assassinations, the Rockefeller Commission announced that it might investigate CIA involvement in foreign assassination plots. President Ford later added that the Rockefeller Commission might also look into unresolved questions about the JFA assassination. A number of Warren Commission critics attempted to put their questions before the new ~~xxxxixixix~~ presidential panel, but in the end only the more sensational claims -- such as the suggestion that J. Howard Hunt and Frank Sturcis were arrested in Dallas on the day of the assassination -- were dealt with. Other questions -- such as those relating to the CIA's withholding relevant material from the Warren Commission -- were referred to the CIA by Belin for analysis. The CIA's response was not made public.

Meanwhile, pressure was mounting for a full-scale investigation of U.S. involvement in foreign assassination attempts. The Rockefeller Commission's unpublished chapter on the subject was handled like a live grenade whose pin had been pulled. The press sat waiting for the explosion, as the hot chapter was tossed back and forth between the CIA, the Rockefeller Commission and the White House. Finally, either Vice-President Rockefeller or President Ford stopped the game and handed all the assassination material over to the Senate Select Committee on intelligence activities, chaired by Idaho Democrat Frank Church. Its 349-page interim report -- entitled "Alleged Assassination Plots Involving Foreign Leaders" and released November 20, 1975 -- officially disclosed U.S. involvement in five different foreign assassination scenarios. Nearly a third of the report was devoted to plots against Castro. *IT APPLIED HEAVILY ON THE CIA'S 1967 (S) REPORT.*

As the Church Committee conducted its investigation, there was also increasing interest in the relation between anti-Castro plots and the JFK assassination. One school of thought imagined Castro retaliating for the many attempts on his life. A second school suspected that anti-Castro veterans turned on Kennedy as he thwarted their efforts following the Bay of Pigs fiasco. But both schools accepted the need to examine in detail official U.S. involvement in anti-Castro plots. And these two antagonistic schools ultimately became the strange bedfellows who enabled the Congress to sanction a new investigation of the Kennedy assassination itself.

Two members of Congress actually introduced resolutions in 1975 calling for an investigation of the Kennedy assassination. The first, introduced by Henry B. Gonzalez of Texas on February 19, urged wide probes -- including the assassinations of Robert Kennedy and Martin Luther King as well. A second resolution, from Thomas H. Downing of Virginia, was limited to the JFK case. The resolutions came as the now-famous Capruder film of the fatal shooting graduated from campus teach-in viewings of bootleg prints ^{more conventional} to screenings on national television. In October 1975 California Democrat Don Edwards provided a dramatic

demonstration of how Congress could use its subpoena power to turn up evidence of strange FBI behavior in its handling of the Oswald case. Edwards called FBI Agent James Hosty before his subcommittee on civil and constitutional rights (a House Judiciary subcommittee) and questioned him in public. Hosty revealed how he had destroyed a note Oswald had left at the Dallas FBI Office two or three weeks before the assassination. New answers raised new questions about the FBI and Oswald.

One member of the Church Committee investigating CIA plots, Pennsylvania Republican Richard Schweiker, was especially intrigued by the relation of what the committee was uncovering and the JFK assassination. The revelations about anti-Castro plots cast light on the murky world of intelligence operatives, Miami-based Cuban exiles, and organized crime. This milieu was recently prominent in Watergate, but its traces had also been detected in Dallas a decade before. Lee Harvey Oswald, for example, had made contact with anti-Castro Cuban exiles in New Orleans. The building whose address he gave for the non-existent headquarters of his one-member Fair Play for Cuba Committee ^(544 CAMP ST) had actually been occupied the year before by the CIA-supported Cuban Revolutionary Council. Some critics suspected that Oswald had a special relationship to one or another U.S. intelligence agency, citing his bizarre, self-initiated contacts with the FBI in Dallas and New Orleans, the State Department's unusual speed in providing him with a passport despite his defector status while in the Soviet Union, and the CIA's cavalier indifference to his threats to betray U.S. secrets in Moscow.

The nightclub operator who gunned down Oswald had his own strange connections to Cuba, the mob and covert intelligence gatherers. Jack Ruby had traveled to Havana in 1959, as a guest of one Lewis McWillie, who was later employed by the very mobster -- Sam Giancana of Chicago -- whom the CIA hired in a 1960 assassination plot against Castro. (Giancana was murdered in Chicago in June 1975 before he had an opportunity to testify before the Church Committee.) When the Church Committee told the

Giannina story, it provided official confirmation of an unseemly alliance between the professionals of intrigue and murder, to whom silence and secrecy are the norm, not the exception.

In September 1975, Senator Schweiker called for an official senate investigation of the Kennedy assassination. When he failed to find adequate support for this broad proposal, Schweiker and Colorado Democrat Gary Hart did persuade their Church Committee colleagues to let them establish a subcommittee with a more limited mandate: to examine the activities of U.S. intelligence agencies in relation to the Kennedy assassination. Schweiker had already predicted to the press that the Warren report would collapse in the light of history like "a house of cards." At first some of the Warren Commission critics were enthusiastic and hoped the Senate subcommittee would bring about the wisest possible reopening of the case. But as the senators pursued their investigation, they and their staff had virtually no contact with the citizen critics. Ideas and suggestions were cordially acknowledged, but there was no evidence the senators were taking seriously any of the leads that were proposed. Some feared that the senators would rely too heavily on the intelligence agencies themselves. It would not be the first time the agencies had floated self-serving disinformation.

Schweiker and Hart held their hearings in secret; there were no leaks as to their findings. A report was rumored to be coming out early in 1976, but it was not until late spring that the Church Committee voted nine to two to release the senators' findings. On June 23 the historic report was finally circulated to the press.

The Schweiker-Hart Report, working within the narrow limits of its mandate, did not (in its own words) "attempt to duplicate the work of the Warren Commission" or review "whether Lee Harvey Oswald was in fact the assassin of President Kennedy." It neither sought nor found evidence of a conspiracy to assassinate Kennedy. The senators also chose not to duplicate the work of the independent critics.

Instead, the report largely complements the work of the critics by addressing three relatively new areas of focus: the context of the Kennedy assassination, in terms of the anti-Castro covert plots; the CIA's secrets - what the agency didn't tell the Warren Commission; and the two faces of the FBI - Hoover's public defence of the bureau's conduct in relation to Oswald and his private rage, resulting in secret disciplinary measures against seventeen agents (one an assistant director). The Schweiker Report wisely does not claim that the context of anti-Castro plots was directly relevant to the Kennedy assassination. The only certainty is that the Warren Commission's ignorance of the context was significant for its investigation. With

Watergate and Vietnam behind us, it is difficult to recall what wasn't known - or at least commonly believed - in 1963. Fidel Castro might have been giving marathon speeches about the CIA and its efforts to do him in, but in 1963 few Americans were prepared to believe that their government would hire the Mafia to overthrow even a bearded dictator ninety miles off the shore of Florida.

Neither the Warren Commission nor the American public was privy to the intense debate about Cuba that had been going on inside the Eisenhower and Kennedy administrations. The Schweiker Report, like the preceding Church Report on foreign assassinations, exposed that debate - and to some degree the intrigue which surrounded it. Whether Cuba policy was directly relevant to the JFK assassination or not, the Schweiker Report showed that it does help to explain the cover-ups perpetrated by federal agencies in connection with the assassination investigation. Whatever Lee Harvey Oswald's real politics and whom-ever he was working for, Oswald's activities brought him into contact in New Orleans with the Cuban exiles whose lives were intimately dependent on the vagaries of Washington's policy.

towards Havana.

The Senate investigation found no evidence that any high official of the CIA concluded that Oswald was a Castro agent. The Schweiker Committee asked one CIA Case Officer directly why he didn't associate President Kennedy's assassination by a pro-Castro activist with his own involvement in an anti-Castro assassination operation involving a possible double agent. According to the report, The Case Officer replied that "he does not know to this day that Oswald had any pro-Castro leanings." The report emphasized that the committee "has seen no evidence that Fidel Castro or others in the Cuban government plotted President Kennedy's assassination in retaliation for U.S. operations against Cuba." The true significance of the Cuba angle seems to be that the mere mention of Cuba put the CIA on red alert. Outsiders who tried to pursue the Cuban connection were warned of "serious repercussions" and politely discouraged on grounds of "national security" -- leaving some with the impression that Oswald's links to Castro were being covered up when the CIA was actually guarding its own anti-Castro secrets.

Not only did the CIA volunteer nothing to the Warren Commission about its Cuban plots, the Commission itself lacked curiosity about Oswald's ties. The CIA personnel who worked directly with the Commission were experts on the KGB and Soviet matters. Apparently the Commission put no questions to the CIA about the anti-Castro groups whose members Oswald encountered in New Orleans.

The Schweiker Report gave the CIA's rank-and-file liaisons

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with the commission the benefit of considerable doubt when it credited them with conducting a thorough and professional investigation and analysis of the specific information they had in hand, while criticizing higher-ups for failing to volunteer potentially significant data. However, the report also stated:

Even if CIA investigators did not know that the CIA was plotting to kill Castro, they certainly did know that the Agency had been operating a massive covert operation against Cuba since 1960. The conspiratorial atmosphere of violence which developed over the course of three years of CIA and exile group operations, should have led CIA investigators to ask whether Lee Harvey Oswald and Jack Ruby, who were known to have at least touched the fringes of the Cuban community, were influenced by that atmosphere. Similarly, arguments that the CIA domestic jurisdiction was limited belie the fact, CIA's Cuban operations had created an enormous *domestic* apparatus, which the Agency used both to gather intelligence domestically and to run operations against Cuba.

As the report showed, even now the performance and intentions of the CIA have to be inferred; their reports must be read between the lines. In the case of the FBI, at least one piece of important evidence (the Hosty note) has been destroyed, and the Bureau resisted even congressional requests to see its complete Oswald file until the bitter end. But even the Schweiker Committee unearthed enough absolutely explicit FBI memos to establish the limits of the FBI's investigation of the Kennedy assassination.

Within a week of the assassination, there had been calls for official investigations by the state of Texas and both houses of Congress. President Johnson apparently phoned FBI Director Hoover 29 November to say that much as he would have preferred to 'get by' with just the FBI file on the assassination, it now seemed that a high-level commission would be the only way to stop a congressional inquiry. According to William Sullivan - then head of the FBI's Domestic Intelligence Division - Hoover's own strategy was to leak the FBI report itself 'to blunt the drive for an independent investigation of the assassination'. ~~On 3 December 1963, the FBI story based on the leak began. An exhaustive FBI report now nearly ready for the White House will indicate that Lee Harvey Oswald was the lone and unaided assassin of President Kennedy, government sources said today.~~

Hoover never overcame his hostile perception of the Warren Commission as an inherent insult to the Bureau - a parallel body established because of doubts about the FBI's handling of the case. According to the Schweiker Report, Hoover "repeatedly told others in the Bureau that the Warren Commission was "looking for gaps in the FBI's investigation" and was "seeking to criticize the FBI". The FBI director retaliated by twice asking his assistants for the files of all the Commission's staff - in the hope of finding at least some small scandal or political taint which could be leaked to the press to the Commission's embarrassment. (The same tactic was actually employed with some success against citizen critics of the lone-assassin theory. *) Perceiving

* According to a member of the Warren Commission, the late Hale Boggs, the FBI leaked information intended to discredit critics, including 'photographs of sexual activity and alleged Communist affiliations of some authors of articles and books on the assassination'. See Ron Kessler, 'FBI Data on Critics to Boggs', *Washington Post*, 21 January 1975, p. 1.

the commission as an 'adversary' Hoover was singularly concerned that the public record - including his own statements to the commission - should reflect a defence of the FBI's handling of the Oswald case. This much has been obvious to students of the Warren Commission for some time. But what the Schweiker Report added is an insight into what Hoover really thought about the Bureau's performance. New material from the FBI's own files - with the director's own handwritten notes in the margins - establishes how enraged Hoover became as he studied the Oswald case.

Less than three weeks after the assassination, harsh action was taken inside the Bureau. Seventeen employees - five field investigative agents, one field supervisor, three special agents in charge, four headquarters supervisors, two headquarters section chiefs, one inspector, and one assistant director - were censured or placed on probation for what the FBI termed "shortcomings in connection with the investigation of Oswald prior to the assassination". When the Warren Report came out in September 1964, eight of the seventeen were again censured or put on probation; some of the eight were transferred; and three other employees (including an assistant to the director) were disciplined for the first time.

The Schweiker Report did not seek to explain why the FBI handled Oswald as it did. Some of ~~the new~~ material will certainly support the view that Oswald was perceived by the Bureau as someone on undercover assignment for another federal agency. One FBI memo quoted in the report, for example, relates that the Bureau's 'public' position before the Warren Commission was to maintain that there was no reason why it should have put a stop on Oswald's passport, whereas the true position inside the Bureau was that "with Oswald's background we should have had a stop on his passport, *particularly since we did not know definitely whether or not he had any intelligence assignments at that time*". [Emphasis added.] Exactly what the FBI knew - or even suspected - about Oswald remains a mystery to be examined in the ongoing investigations.

Despite the narrow limits of its mandate, the Schweiker Report documented how the CIA and FBI withheld evidence, ignored leads, and delivered to the Warren Commission a selection of data largely tending to incriminate the only suspect in the Kennedy assassination, Lee Harvey Oswald. These conclusions were strong enough to persuade many members of Congress ~~that~~ not only that deeper questions remained unanswered, but also that investigation at this time could still be productive of significant results. The natural and unnatural deaths of important witnesses in the murky anti-Castro plots that might have influenced the Kennedy assassination gave an added urgency to demands to investigate now. Mobster Giancana had been murdered before his scheduled appearance before the Church Committee. William Harvey, who had been the CIA official in charge of the plots to use organized crime in anti-Castro hit squads, died of a heart attack in June 1976. Two months later the bloated corpse of John Roselli was found in an oil drum afloat off the shores of Florida. Roselli was murdered after testifying to the Church Committee.

The last crucial factor in gaining congressional authority for a new investigation was the strength of the Black Caucus, which had shown increasing interest in the assassination of Martin Luther King. This case, too, featured a "lone nut," James Earl Ray, an escaped convict who had somehow acquired the resources and know-how to escape to Europe after allegedly killing the civil rights leader for racist personal motives. The release of FBI documents revealing J. Edgar Hoover's COINTELPRO (Counterintelligence Program) to prevent the rise of a black "Messiah" convinced many that, rather than protecting the oft-threatened Nobel laureate, the FBI was creating an atmosphere in which King's assassination became much easier. ~~xxxxxxx~~ A cover-up -- or at very least, an inadequate investigation -- seemed possible in the King case also, and the Black Caucus soon swung its political weight behind the Gonzalez~~Downing~~ resolutions (~~xxxx~~ by then merged) for a new investigation of the Kennedy and King murders.

After months of being bottled up in the House Rules Committee,

the Gonzalez-Downing resolutions were merged, reintroduced to the Rules Committee, and promptly speed to the floor of the House. On September 17, 1976, the merged resolution passed overwhelmingly, 280 to 65. The fragrance of victory proved short-lived, however. The new House Select Committee on Assassinations was to be embroiled in almost constant controversy for its next nine months.

Representative Downing, a lame duck member who had not sought reelection in 1976, was appointed to chair the new committee until his January retirement. Representative Gonzalez reportedly felt slighted and disagreed with Downing on candidates for the committee's chief counsel. When Downing ultimately appointed ^{the flamboyant} Philadelphia prosecutor, Richard A. Sprague, as Chief Counsel and Staff Director, the problems were just beginning.

Sprague's supporters pointed to his success in prosecuting United Mine Workers President Tony Boyle in the murder of union dissident Jock Yablonski. They felt the Boyle-Yablonski ~~xxxx~~ case had much of the same conspiratorial complexity that one would find in trying to ~~xxxxxxx~~ ^{sort out the mystery} of Lee Harvey Oswald and the Kennedy assassination. They accepted his expert estimates of what serious investigations would cost if ~~xxx~~ the committee had to hire independent people instead of relying on suspect federal agencies.

But the era of fiscal conservatism was just around the corner -- and many on Capitol Hill could see it coming. Despite committee support, Sprague's ^{proposed} ~~s/~~ budget (more than \$6.5 million per year) and demand of a staff of two hundred (believed to be the largest congressional staff ever proposed) were too much for many members in the House. Sprague's relations with the press were stormy, and his itemized budget drew sharp criticism on constitutional grounds when it was found to contain eavesdropping devices that might be great for entrapping witnesses but a severe liability in the eyes of an ethics-conscious Congress.

To make matters worse, Sprague clashed bitterly with Representative Gonzalez, who took over as committee chair after Downing's retirement. In February 1977, Gonzalez attempted to

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fire Sprague, but the other committee members voted unanimously to retain the controversial Chief Counsel. Gonzalez soon resigned, and the chair passed to Ohio Democrat Louis Stokes, a member of the Black Caucus. Sprague was persuaded to resign also, about a month later, in the interest of salvaging the committee. In the midst of the early controversies, the new Congress had voted in January 1977 to reestablish the committee on only a two-month, provisional basis; the vote was 237 to 164 -- a considerable loss of support since September 1976. After Sprague's resignation, the vote to reconstitute the committee passed by 230 to 181. When ~~the~~ ^{the} annual budget ~~was~~ was cut down to \$2.5 million (from Sprague's proposed \$3.5 million), the funds were appropriated by a close vote of 213 to 192.

On June 20, 1977, Stokes appointed a new Chief Counsel, G. Robert Blakey, who was to guide the committee's work until its established mandate expired at the end of 1978. Although Blakey had worked in Robert Kennedy's Justice Department and drew heavily on this experience in developing the House Committee's investigation, he came more recently from academia and preserved the identity of "Professor Blakey." He was not to be confused with the image of the tough prosecutor who had preceded him. He came to the committee from Cornell, where he headed the university's Institute on Organized Crime. By all accounts a Kennedy loyalist, Blakey had shared the late attorney general's concern to give the Justice Department every edge against Organized Crime -- even in the face of sharp constitutional debate. Blakey was reportedly one of the principal authors of Section III of the Omnibus Crime Bill which pioneered in authorizing court-approved wiretaps and electronic surveillance by law enforcement officials.

While eschewing public association with any established Warren Commission critics (once again in contrast to Sprague), Blakey did convene a two-day conference in September 1977 to pick the brains of ten leading experts on the Kennedy assassination. Blakey made clear that his agenda called for no exchange of information. He would reveal none of his own thoughts to the critics. They would reveal, insofar as they wished, their thoughts, opinions,

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leads, theories, scenarios, etc. In particular, Blakey urged them on the final day of the conference to play war games -- to speculate freely on possible conspiracies. Some critics were wary of speculation and tried to send Blakey back to their books -- closely argued, meticulously footnoted, far removed from war games. Blakey countered that one of his professors at Notre Dame had impressed on him the value of meeting authors to go beyond their books and bring their ideas to life. A more skeptical view would suggest that the conference was more of a briefing for lawyers, investigators and members of Congress (who were not present, but could read the transcript) too busy to study the details of elaborately documented publications.

Some of the critics' proposals were ultimately followed, although with somewhat ironic results. Since Blakey was already committed to an investigation of limited duration (by then, only fifteen more months remained of the committee's mandate) instead of Sprague's proposed open-ended inquiry, some critics suggested that a careful test of key Warren Report propositions would be economical in both time and resources. Perhaps the most controversial proposition in the entire Warren Report was the so-called single bullet theory. Although the Warren Report disingenuously claimed that it was not "necessary to any essential findings of the Commission" to determine which shot had hit Governor John Connally, the alleged murder weapon could not have been fired rapidly enough to inflict President Kennedy's nonlethal wounds and Governor Connally's wounds in separate shots. Hence, the Commission's theory maintained that a relatively pristine bullet (known as Commission Exhibit 399) later found on a hospital stretcher had passed through the President's neck, then traveled through the Governor's chest, passed through his right wrist, ^(shattering the radius) and caused a wound to his left thigh. Critics regarded the single bullet theory as implausible at best; they disputed the trajectory, questioned the authenticity of CE 399, and doubted that a bullet which had inflicted so many wounds could escape ^{undamaged} undamaged. Hence, many critics felt that by testing the single bullet theory the

House Committee could demolish the Warren Report once and for all. As we will see in the next section of this book, the results of the scientific tests authorized by the House Committee were hardly what the critics anticipated.

The critics had proposed a variety of investigative directions and methods, however; and some of these seem to have been sadly ignored. One critic suggested that determining Lee Harvey Oswald's role in the assassination, if any, should be the primary focus of the committee's work. Others argued, by analogy with Watergate, that the cover-up should be the starting point. Insofar as Blakey revealed himself at all, he seemed to show deepest skepticism in this area. He seemed to suggest that for a conspiracy to be credible, it had to be extremely small, even if indirectly aided by the innocent deficiencies of investigative agencies (what was sometimes termed a "benign" cover-up).

With his background in the Justice Department, Blakey found Organized Crime conspiracies routine. If the trails of Oswald and/or Ruby led to Organized Crime, he was on familiar investigative turf. But if there was a further trail, from Organized Crime to CIA hit squads or anti-Castro private armies, the ground was not only less familiar, but also perhaps less credible. In a prophetic exchange on the final day of the critics' conference, one participant expressed the blunt concern that the final "fallback position" on the Kennedy assassination will be the Mafia -- a conspiracy without political significance. The critic warned that this fallback position simply wouldn't work because of all the "obvious links" to groups other than the Mafia. Blakey's response stood the argument on its head and suggested that the Mafia heading was itself too broad, implying too many connections, too wide a conspiracy. Even in the world of Organized Crime, only "rogue elephants" would hit a President of the United States.

BND

For the next twelve months, the Committee labored outside the headlines and, for the most part, in secret. Its profile was low, its contact with critics limited. Yet other developments kept the assassination in the news -- most notably a book by Edward J. Epstein suggesting that Oswald was on a KGB mission

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~~Interlude:~~ The Public Hearings

For seventeen days in September 1978, nearly fifteen years after the assassination of President Kennedy, the House Select Committee on Assassinations presented their first public hearings on the case as a whole. In the long run, the most important thing about the hearings may be that they were held at all. They validated the long-standing claim of private critics and so-called assassination buffs that the American people deserved to know more about the case than the Warren Report told us.

The hearings were neither an illustrated, live-action version of a final report nor a coherent presentation of all areas of the investigation. Clearly the hearings were directed at a public audience, while the investigation, as it progressed, was not. Chairman Louis Stokes repeatedly read disclaimers, pointing out the conflicting nature of some of the testimony, which would have to be resolved by the Committee in its final report. References in the public sessions to previous executive-session testimony and to additional witnesses -- plus my own discussions with Committee sources -- made it clear that there was more to the investigation than was presented.

The September hearings also demonstrated tensions within the Committee and its staff. The strongest unresolved tension seems to be between those who hope that the assassination issue ^{would} go away once and for all and those who knew it ^{wouldn't} ~~won't~~. In this latter group, we find not only those who believed that there was a conspiracy but also others who simply recognized that any attempt to force a lid on the issue (for example, by failing to release evidence) ^{would} ~~will~~ make the Committee look like a second Warren Commission.

For a fundamentally theatrical production, the hearings had striking flaws. Certainly many questions were not asked, and more were not answered. On such matters as Oswald in Russia and the possible relevance of the CIA's plots to kill Castro, the questioning was less sophisticated than the best press accounts of recent years. The pace of the hearings was at times overwhelming. The technical

witnesses, in particular, often left the daily press bemused by their own confusion. The press was often frustrated in its attempts to persuade Chief Counsel Blakey to go beyond the ^{sometimes} often incomplete public record.

Yet, as theater, ^{the} hearings did give a good impressionistic picture of the complex forces and individuals involved in the case. There were also moments of real drama. The House Select Committee heard John Connally, who rode in the car with the President; the widow of the man who allegedly fired the ~~xxx~~ fatal shots; Earl Ruby, the brother of the man who killed Oswald [a witness who was questioned at disproportionate length about a telegram he may have sent to Cuba in 1962]. Those witnesses showed the Committee working outwards from Dealey Plaza. Looking at the biggest web of conspiratorial intrigue that has surrounded the case without reaching into the central facts, the Committee heard from Fidel Castro (on tape), who denied that he had retaliated against Kennedy for the CIA-Mafia plots to kill him; ~~Sxxx~~ Santo Trafficante, alleged Florida Mafia figure (who was recruited into one of those plots (who, testifying under immunity, implausibly described his role as little more than an interpreter); Richard Helms, who as the CIA's Deputy Director ^{FOR} of Plans was deeply involved in some of the plots; Gerald Ford, who vigorously defended the Warren Commission, on which he had served; and Judge Burt Griffin (the Ruby expert of the Commission's staff), who, in a thoughtful and candid statement, listed nine areas in which the Warren Commission had failed to meet its goals.

~~Griffin pointed out that "the Select Committee . . . should consider the possible reality that, under the American system of civil liberties and the requirement of proof beyond a reasonable doubt, it is virtually impossible to prosecute or uncover a well-conceived and well-executed conspiracy." All further investigation in this case -- whether by the Congress or the Justice Department -- should be studied with Judge Griffin's admonition in mind.~~

To some observers, the Committee hearings sometimes raised doubts about good faith. There was an occasional tendency to set up straw men by presenting, as the work of the critics, certain exotic

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theories which, within the critical community, range from controversial to discredited. On the other hand, the critics who were brought out presented their work effectively and (with the notable exception of amateur photo analyst Jack White) were treated with consideration and respect by the Committee. In defense of the Committee, some of the exotic theories which they spent valuable time debunking had received extensive public attention over the years and a degree of acceptance (even on Capitol Hill) which was totally unwarranted by the evidence.

The net effect of the hearings was to leave open the possibility of a conspiracy involving the Mafia or certain Cuban groups, with no firm ties to Oswald shown. However, the House Committee ^{hinted to} reinforced the wall ~~xxxxxx~~ that the Warren Commission unconvincingly built around Oswald the loner, and around the events in Dealey Plaza. One wondered whether the Committee had looked critically enough at the central evidence to detect signs of even the kind of conspiracy it considered plausible. There were hints that Soviet actions might make it impossible to rule out a Soviet plot. The Soviets apparently failed to turn over allegedly extensive surveillance reports on Oswald's stay in the USSR. One CIA faction has lingering doubts about the authenticity of a Soviet defector who claimed the KGB had no ties to Oswald. But nothing ^{was} ~~has been~~ uncovered about Oswald or the events of November 22, 1963, to make a KGB plot seem more plausible.

In the context of a possible Mafia plot, the Committee's failure to focus on the Dallas Police was striking. Even the charts of the expert witness on organized crime, Ralph Salerno, noted that Mafia influence can operate through corrupt police officers. Seth Kantor, whose own book ~~xx~~ on Ruby suggests conspiratorial behavior by specific Dallas police officers in connection with the nightclub owner's murder of Oswald, has reported that Blakey told him that the Committee was mandated to look at federal agencies, not the Dallas Police, and that it had decided there was no reason to investigate the Dallas Police in connection with the assassination itself.

The Committee's technical evidence -- while often tricky for lay observers to follow -- may have been its greatest strength. In the long run, it should allow for a substantial narrowing of the issues in the area of physical evidence. ~~The key new evidence, presented over a period of four days, made three points.~~ First, a trace element analysis established, with about 90 percent certainty, that the small bullet fragments allegedly removed from John Connally's wrist came from the "magic bullet," CE 399, found on the Parkland Hospital stretcher. The Committee's experts used a technique known as neutron activation analysis, in which ~~two samples are compared by inducing their constituent chemical elements to emit a spectrum which can be photographed.~~ Analysis of the spectrum reveals which elements are present and in what percentages. Had the wrist fragments and CE 399 not proved identical under this analysis, the famous single bullet theory would have been demolished. Instead, the test bolstered it -- prompting some critics to question the authenticity of the tested samples.

A second scientific analysis -- ~~involving~~ plotting trajectories from autopsy photos and pictures of the motorcade in Dealey Plaza -- indicated that a straight-line trajectory through Kennedy and Connally (the single bullet theory) is not only possible, but almost inevitable. The space scientists who plotted the trajectory concluded that the Kennedy-Connally shot came from the general ~~direction of the~~ "sniper's nest" window of the sixth floor of the Texas School Book Depository.

But the third display of scientific expertise suggested that a fourth shot had been fired in Dealey Plaza, and the time interval alone (less than a second) between shots three and four required the presence of a second gunman regardless of the sniper's location. The evidence in this case was a noisy sound recording made by the Dallas Police Department on an old-fashioned dictaphone. A motorcycle police officer in the motorcade had a microphone stuck open and captured the sound of the shots. Sophisticated acoustical analysis ~~of the recording would eventually persuade most of the Committee~~ that a second gunman -- and hence a conspiracy -- was highly Probable.

(In September, acoustic expert James Barger cautiously indicated a 50-50 chance that the extra shot he had detected was a "false alarm." Subsequent analysis -- which will be discussed below -- ~~XXXXXX~~ altered these odds to the point where the extra shot had become more than 95 percent certain.)

None of the expert witnesses was asked all the questions a critic would want answered. Some seemed evasive, too ready to offer unsubstantiated opinions, or otherwise unpersuasive on details. However, there seems little doubt that if the Warren Commission had dealt as thoroughly with the technical evidence, these questions would not now be open to sharp debate. The Warren Commission's handling of technical matters (the autopsy, ballistics, etc.) was so bad -- and so much dependent on FBI experts -- that critics could reasonably question whether some fundamental physical fact proving a conspiracy had been missed, or even deliberately suppressed. ~~There~~ There were few irrefutable scientific facts -- and none above suspicion -- to disprove critics' alternatives to the Warren Commission scenario. But now that situation has qualitatively changed. In light of the House Committee's work, one must posit massive fraud to deny a reconstruction based on ~~the~~ two hits from the rear. Nonetheless, it must be borne in mind that this evidence supports only the ~~XXXX~~ limited conclusion of two hits from the rear -- not the stronger conclusions (a) no shots from the front, (b) only one sniper in the rear, and, of course, (c) Oswald himself in the sixth-floor window.

TRANSITION FROM

The ~~distinction between~~ "two hits from the rear" and "Oswald as the lone assassin" is a crucial one. The jump from scientific witnesses to Marina Oswald was so abrupt that I expected the Committee to tie things together on the last day by producing a computer-enhanced photo of Oswald in the Book Depository window. They did no such thing. In fact, they added practically nothing to the Warren Commission's circumstantial case against Oswald. Marina Oswald reluctantly testified that she thought her late husband was "capable of" the assassination (an admission of little

probative value). The Committee elicited little from Marina, but ~~did~~ the hearings did leave an impression of what a difficult witness she is, how much her memory has been contaminated over the years, and how sensitive she is to what her questioners want to hear. She admittedly lied in 1964. In 1978, when it was unclear whether the Committee believed that a handwritten inscription on a photo of Lee Oswald with his rifle was hers, Marina's testimony was ambiguous enough to please anyone.

(I am concerned that) ^{IS NOT SEEMED} the House Committee, thinking like lawyers, ~~is~~ content to bring the overall apparent weight of the case against Oswald to bear against the many questions (some small, some large) raised over the years by responsible critics. Most critics would, I think, admit that the circumstantial case exists, and that there are only two possibilities. Either Oswald was shooting from the sixth floor, or there was a careful conspiracy to frame him. The latter possibility is a real one; certainly the Warren Commission failed to consider it.

Suspicious of a frameup naturally focus on individuals ~~in~~ from the Dallas Police Department or other agencies on the scene, since the police zeroed in on Oswald as the lone assassin with remarkable speed (and he was, of course, murdered while in their custody). As noted earlier, the public hearings in September dealt only with federal agencies. Some Committee sources did express disappointment that there had been insufficient focus during the investigation on the many questions raised by critics about the performance of the local police and other authorities on November 22, 1963. ~~One source pointed to the fact that many of the Committee's staff investigators were ex-police officers who were not inclined to be suspicious of the police.~~

The Committee was eager to have witnesses estimate probabilities, so it may be fair to ask: never mind the circumstantial case against Oswald or testimony that he was "capable" of the crime, if there had been (in Judge Griffin's words) a "well-conceived and well-executed conspiracy" to frame Oswald, what is the probability that the House Committee would have uncovered it? (Interestingly, Judge Griffin

EXCEPT REVELL'S
TESTIMONY
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never stipulated that a successful conspiracy would have to be small, as Blakey and others always seem^{ed} to assume when they discount the idea of a ~~XXXXXXXX~~ cover-up or frameup in which police officers, for example, could have been involved.) The hearings on the federal agencies showed how hard it is to obtain information from people with their own interests and reputations to protect (as compared to photos, tapes, and other hard evidence). There is a wide consensus that information was covered up in 1963-64, even though the relevance is less certain and the motives might often have been relatively benign. Peter Scott had suggested that the Committee might be ^{try} able to crack the case by focusing on the cover-up and obtaining information from low-level participants who knew only part of the whole picture -- following the model of the Watergate investigation.

also, mention is made of COVER-UP, ISOLATING THE LETTER

An interim Committee report in January 1978 had suggested that there had been some problems with federal agencies, but the areas of resistance have not been spelled out and the Committee chose not to confront the agencies -- at least not in public. Blakey drew sharp criticism from former staff members and outside critics for going along with the usual agency access rules -- for example, letting the CIA and FBI investigate staff members prior to granting them clearances. On the other hand, Committee sources working with agency files seemed pleased with their access they had had. It is by no means clear that a hard-line approach to the agencies would have been more productive, and it could have threatened the Committee's political survival.

A bizarre episode involving the CIA's appointed liaison officer to the Committee, Regis T. Blahut, highlights the complexity of any problem ~~is~~ in the area of CIA-Committee relations. Sometime in late June or early July 1978 Blahut appears to have clumsily rifled through some of the ~~Committee's~~ most sensitive documents in the Committee's safe, including Kennedy autopsy photos. The photos were removed from their plastic case, which had been torn from its notebook binder. ~~His~~ The disarray was glaring, and Blahut's fingerprints were easily detected. The clumsiness of the operation and the obvious traces to Blahut suggested to some observers that

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Washington's latest "third-rate burglary" was a set-up -- meant to be discovered and laid at the CIA's doorstep. The Committee ~~to~~ made no public disclosures at the time (the story was leaked nearly a year later) and let the CIA take appropriate action against Blahut. The agency reportedly ~~gave Blahut~~ ^{gave Blahut} polygraph tests ~~to~~ (some of which he failed in important respects, according to the Washington Post), concluded that he "acted alone and out of curiosity," and fired him. Some observers have ~~immediately~~ hastened to conclude that the CIA was using Blahut to spy on the Committee -- or even to tamper with key evidence. Others have wondered whether the net effect of the incident was to give the Committee unexpected leverage in its dealings with the CIA at the time -- in effect, allowing a trade-off in which the Committee would cooperate in minimizing the Blahut scandal in return for agency compliance with requests for other information.

On one sensitive issue, the House Committee was willing to defer to the CIA's sensitivity about public discussion of its sources. There has been a long controversy about photos of an unidentified man taken by or for the CIA at the Soviet and Cuban embassies in Mexico City. The description of this man was wrongly attached to Oswald before the assassination. While the Cuban witnesses unhesitatingly referred to these as CIA surveillance photos, the Committee seemed to go to unusual lengths to avoid those words. Blakey's prepared narration, for example, said that the photos were "thought by critics to have been taken by a surveillance camera."

I have long felt that there is at least a plausible explanation for what may actually be an innocent mixup in identifying the man in the photos, but there are related questions about tapes and transcripts of what Oswald -- or an impostor -- said. The record provides clear evidence that the CIA was withholding information from the Warren Commission. This instance of CIA withholding was not dealt with in public, leaving some question as to the Committee's willingness to deal with relevant issues which have "national security" overtones.

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In addition, the Committee's most notable public failure was in its questioning of former CIA Director Richard Helms. Earlier the CIA had sent John Hart to testify about the controversial Soviet defector Yuri Nosenko, whom one faction of the agency viewed as a KGB plant sent to cover up KGB traces to Oswald. Hart testified that the conditions of Nosenko's detention were outrageous, that the interrogations had not been correctly translated, that Nosenko had a drinking problem, and that suspicions of a KGB "mole" inside the CIA derived from a certifiably paranoid earlier defector. For several hours, the Committee provided a forum for the airing of some of the CIA's dirtiest linen, in language carefully and effectively calculated to gain the attention of the members and the press. When Helms took the stand, he complained -- with some basis -- that the purpose of Hart's testimony was not so much to shed light on the Kennedy assassination as to excoriate his former colleagues.

More than half of the Committee's time with Helms was spent in a continuing discussion of the controversial Nosenko. Even though documents ~~from~~ about the CIA and Oswald were introduced into evidence, Helms was not asked about them (apparently because the members preferred the ~~exotic~~ exotic talk of Nosenko and KGB moles). Helms was never asked to explain why his Warren Commission testimony that the CIA had never even contemplated using Oswald as a source was contradicted by a CIA memo describing in detail such contemplated contacts. Helms might still be too much of a team player to reveal much in this area, but it is quite possible that the memo in question was withheld inside the CIA. In any case, he should have been asked to explain the story in public.

One part of Helms's testimony drew ~~the~~ attention of ~~critics~~ to the incompleteness of the list of federal agencies dealt with in the hearings. When asked why the CIA had not debriefed Oswald upon his return from Russia in 1962, Helms indicated that the agency may have thought such a debriefing was the Navy's responsibility. Passing the buck to the Navy is, ~~as far as I know~~, a new part of the official CIA explanation of its peculiar handling of defector Oswald.

Since Helms made this point about the Navy a couple of times, it does not appear to have been a slip of the tongue. (In the past, CIA sources have indicated that they were receiving so much information about Russia that they didn't need to talk to every returning defector, especially hostile ones.)

Critics have raised the possibility that Oswald went to Russia in 1959 on a mission for Naval or Marine Corps intelligence. One researcher has suggested that the responsibility for infiltrating agents into the USSR was transferred from military intelligence to the CIA in the late fifties. Covert infiltrations by military intelligence may have continued, and an Oswald mission for the Office of Naval Intelligence might not have been properly authorized or explained to the CIA.

Other questions have been raised about Oswald's Marine career, and even the Warren Commission was suspicious about the problems it encountered in obtaining all files about Oswald. For example, no "damage assessment" after Oswald's defection has been found. The records about his security clearance may be incomplete. ONI failed to send Oswald's photo to the CIA promptly in response to a pre-assassination request. The House Committee's hearings covered only the Secret Service, the FBI, the CIA, the Justice Department, and the Warren Commission. Virtually nothing was said about the pre-assassination performance of Naval Intelligence, though this agency clearly fell within the Committee's mandate.

~~Another Defense Department agency escaped public scrutiny,~~ perhaps because there is nothing left to be scrutinized! FBI documents released last year revealed, for the first time, that Army intelligence had pre-assassination files on Oswald (containing at least newspaper clippings and FBI reports) in at least three Southern cities. When I requested these files under the Freedom of Information Act, I was told they could not be found. They seem to have been "routinely" destroyed some time after the assassination. Although the Warren Commission specifically asked for relevant Army Intelligence records, they never received these files.

The reasons for interest in the Army files are by no means idle.

AMPLIFY AS
TO DATES

The FBI documents showed that within two hours of Oswald's arrest, Army Intelligence in San Antonio had learned that Oswald had a draft card with the alias A. J. Hidell, a fact which seems to have provoked no response from any other agency for twenty-four hours. (The exception is the FBI's discovery of the card later on November 22, which we now know was a direct response to the tip from the Army.) The Hidell alias linked Oswald to the alleged murder weapon, which had been ordered by mail in that name. (Alternatively, it might have raised the spectre of a co-conspirator if Hidell had been a real person.) Thus, the immediate intervention by Army people on this point has raised suspicions.

There are other reasons for checking out the Army's role both before and after the assassination. The head of a local Army Intelligence reserve unit helped select an interpreter for Marina Oswald's first crucial interview. Army Intelligence agent James Powell was inside the book depository when the alleged sniper's rifle was found. Various Dallas police officers were Army Intelligence reservists. Most provocatively, Don Stringfellow of the Dallas Police Department intelligence unit told the Army's 112th Intelligence Group that ~~that~~ Oswald was a card-carrying Communist who had defected to Cuba. This false information was included in a mysterious cable from the Army to the U.S. Strike Command ~~on the tense evening of November 22.~~

In spite of the questions which were not asked and the areas that were not explored, the public hearings remained important, ~~especially to the community of critics.~~ The Washington-based Assassination Information Bureau, which had aroused initial public interest in the case with its campus lectures and lobbied energetically for the creation of the House Committee, monitored the hearings carefully. At the close, the AIB noted that "the technical thickness of the case built up by the Committee . . . is already a kind of indication that the critics' objections to the official theory were important and difficult and that they were not posed idly. The Committee has acknowledged that the autopsy was mishandled, that the medical evidence is contradictory and confusing,

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the performance of the investigative agencies dismal, the initiative and sophistication of the Warren Commission inconsiderable, and the suggestion of ties of some kind between Oswald and the world of intelligence operations and Jack Ruby and the world of organized crime profound."

Even though the public hearings dealt with the critics' case against the Warren Report only imperfectly, the Committee's work had established that the basic critique was neither kooky nor unjustified. At very least, the seriousness of its work contrasted sharply with, say, the Rockefeller ~~xxxxx~~ Commission's hasty attempts to shore up the Warren Report. Even the Schweiker ~~xxxxx~~ subcommittee, which came up with a good -- albeit limited -- report, had not subjected itself to comparable public scrutiny; its ^{closed} hearings were neither published nor made accessible at the National Archives -- in contrast to the Warren Commission itself. (Congress of course exempted itself from the public's right-to-know when the Freedom of Information Act was drafted.)

If the question of who killed Kennedy remained a mystery, the House Committee's public hearings had nonetheless ~~xxx~~ shed some light on powerful forces which are rarely scrutinized. Undeniably, matters like the CIA-Mafia plots against Castro and the Nosenko affair are important in their own right, whether or not they prove to have any relation to the Kennedy assassination. In choosing to look at the Kennedy mystery in all its ramifications, Congress ^{was} embarking ~~ing~~ on a ~~xxxx~~ long, tortuous journey. ^{but} The result has ^{was} been already been a healthful political education.

The Tale of the Dubious Defectors

After the critics' conference, Professor Blakey and his staff went underground. They not only avoided headlines, but reduced all contact with the outside world to the bare minimum required to allow continued access to carefully organized files and other resources maintained by private citizens. Blakey and Company were offering no hints of their working hypotheses; the media were absolutely shunned.

The case itself, however, could not be muted. Early in 1978, as Blakey and his staff were beginning to move from preliminary explorations of to actual investigative legwork, the Kennedy assassination once again exploded into the headlines -- with news of the most widely publicized and extravagantly financed book in the history of the subject. The author was Edward J. Epstein, who had written earlier critiques of the Warren Commission and the Garrison investigation. This time, Epstein's publisher, Reader's Digest, had provided seemingly unlimited financial backing for a research undertaking that would track down Lee Harvey Oswald's most obscure Marine Corps acquaintances -- with a view to discovering the assumed assassin's secret world and covert intelligence assignments. The result was a tale of two dubious defectors -- Lee Harvey Oswald, who sped from a U-2 base in Japan to a strange stint in the Soviet Union, and Yuri Ivanovich Nosenko, a KGB official who defected to the CIA just in time to convey the dramatic story that Oswald had no ties to Soviet intelligence. Epstein's book suggested that Nosenko was a double agent -- dispatched to cover up Oswald's links to the KGB. This suspicion has been at the heart of the biggest internal controversy in CIA history -- and both sides in the dispute would soon unleash a torrent of rhetoric in an effort to persuade the Stokes Committee to accept or reject Nosenko.

But before analyzing the Committee's handling of the matter, we should review briefly how Epstein treated it in Legend: The Secret World of Lee Harvey Oswald. Despite its failure as a biography of Oswald, Legend is an intriguing book. It suggests that much of Oswald's visible career following his defection to

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the Soviet Union in 1959 was the enactment of a "legend" -- a false biography, a cover story concocted for Oswald by the KGB after he fell under their control before or during his defection.

A stronger thesis was implied: although Epstein coyly wrote that neither he nor his CIA sources are accusing the KGB of

having plotted the assassination, the chapter entitled "Day of the Assassin" (on Oswald) is part of a section called "The Mission."

Epstein assumed that Oswald was guilty as charged in the Kennedy assassination, but he showed no interest in whether Oswald acted alone. (But) his book did shed some new light on Oswald's life with the marines in Japan, and in Russia. Nonetheless, the hypothesis that Oswald was a KGB agent is unconvincingly argued and remains unproven. Epstein never attempted to explain why an undercover KGB agent -- especially one on so sensitive a "mission" -- would engage in conspicuous left-wing activities, including a radio debate in defense of Castro's Cuba. (9) A major exhibit in Epstein's case is an entry in Oswald's Russian diary. The entry refers to the subsequent promotion of a U.S. embassy officer, and there is no attempt to conceal the fact that it was written after that promotion. Epstein presents this entry as an "anachronism" (without quoting or citing it), implying that he had discovered a ~~subtle~~ subtle flaw in Oswald's KGB-prepared "legend." In fact, even the Warren Report noted that the diary was not a contemporaneous record. Legend's ultimate failure as a biography, however, rests on the absence of any rigorous analysis of how Oswald's alleged cover story might relate to the events of November 22, 1963, which gave his name its place in history.

(JUST LIKE THE HSC.)

Legend is an allegory: the story of Oswald is a popular mystery, but here it is told to introduce the reader to a deeper, and less popular, belief -- that U.S. intelligence has been penetrated at a high level by the KGB. The main source of the story is James Jesus Angleton, once the chief of the CIA's Counterintelligence staff. According to Angleton, the KGB sent a fake defector to the United States to cover up its covert links to Oswald. The ostensible proof of the penetration is that the fake defector -- one Yuri Ivanovich Nosenko -- is now drawing over \$30,000 a year as a CIA consultant, while Angleton, who challenged his bona fides, is out in the cold -- forced to resign in a purge that turned the agency (in Epstein's words) "inside out."

The gospel according to Angleton begins with a revelation in the winter of 1961-62. A prophet appears in the form of a Soviet defector, Anatoli M. Golitsin, who reveals that the CIA is penetrated in its highest echelons by the KGB. His credibility is strengthened by the knowledge that the KGB had penetrated the top levels of British and West German intelligence; why not the CIA also? On the other hand - a possibility characteristically not raised by Epstein - Golitsin might have been a disinformation agent, sent by the KGB to feed paranoia in the CIA by persuading the agency that one of its top officers was as red as Kim Philby. In fact, the disruption produced by the belief in penetration appears to have been immense.

Once a high-level penetration is assumed, a strange dialectic sets in: every fact in the CIA's store of knowledge may mean the opposite of what it seems. That which fails to support Golitsin's revelation may be evidence of its truth, for wouldn't the KGB use all its powers of disinformation to undermine Golitsin? Six months after Golitsin's defection, another KGB agent -- Yuri Ivanovich Nosenko -- made his first contact with the CIA. Nineteen months later, in January 1964, Nosenko also defected. His story deflected attention from some of the specific leads provided by Golitsin. Nosenko named many names, but he may only have been "burning" agents who were no longer of any use to the KGB.

The main message from Nosenko, however, was that he had personally supervised the KGB's file on Lee Harvey Oswald when he defected to the Soviet Union in 1959. According to Nosenko, the KGB had beaten even the FBI to the conclusion that Oswald was a lone nut -- an abnormal, unstable personality, unworthy of KGB recruitment. Despite Oswald's declaration at the U.S. Embassy in Moscow that he had agreed to furnish the Soviets with information he had acquired as a radar operation in the Marine Corps (stationed at a major operational base of the U-2 spy plane), Nosenko claimed that the KGB hadn't bothered to debrief Oswald.

Both the Counterintelligence and Soviet divisions of the CIA quickly came to doubt Nosenko's story. Equally quickly, the FBI appears to have embraced it. Key aspects of Nosenko's account were corroborated by a favorite FBI source code-named "Fedora," a KGB agent working under diplomatic cover at the United Nations. In the long run, those who doubted Nosenko had to conclude that Fedora was also a triple agent. Relying in part on Epstein's account, New York magazine has indicated that concern about Fedora, and about KGB penetration of the FBI, remains high.

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[unclear] Angleton's story is like that of many "refugees"-- self-serving, to be sure; bitterly perceptive on some points; and at best a small part of a big picture. For the most part, Epstein related Angleton's story uncritically. He ^{did} does not, for example, offer alternative hypotheses consistent with the known facts about Oswald's life.

Most glaringly, Epstein shows no sign of having seriously investigated the possibility that Oswald's defection to the Soviet Union might have been a U.S. intelligence assignment. Despite Epstein's first sentence - "This book is about Lee Harvey Oswald and his relations with the intelligence services of three nations" - the asymmetry of his analysis is striking. For example, Epstein notes that a memo from the Office of Naval Intelligence to the FBI when Oswald defected "omits from its summary of Oswald's Marine record the fact that he had been stationed in Japan, Formosa, the Philippines, or any base outside the United States." Why? Possibly, says Epstein, "to conceal the extent of Oswald's activities in the Marine Corps from the Soviets"! In fact, at that time ONI might have been putting its own defectors inside Russia, and may have wanted to conceal that fact from other U.S. agencies because of jurisdictional problems.

Similarly, when Oswald contacts a Soviet consular official with secret ties to the KGB, it suggests his covert links to the Soviets. But when he contacts a U.S. consular official with secret ties to the CIA, it suggests nothing. The KGB's claim that it did not debrief Oswald when he defected is (understandably) disbelieved, and becomes evidence that Oswald was really under KGB control. The CIA's failure to debrief Oswald when he redefected from Russia is, according to Epstein, merely an "inexplicable lapse."

Lapses by U.S. intelligence in the Oswald and assassination investigations were legion, but Epstein's crucial discussion of J. Edgar Hoover's flaws appears to be speculative and distorted. After the assassination, the FBI was particularly sensitive to the criticism that it should have alerted the Secret Service in Dallas about Oswald. This, Epstein says, gave Hoover a vested interest in Nosenko's story. "As long as the public could be convinced that Oswald was a lone crackpot, uninvolved in any espionage or subversive activity, the FBI wouldn't be held accountable for not keeping him under surveillance.... [P. 17] By an odd twist of fate, the FBI's interest lay in concealing, rather than revealing, any hint of Soviet involvement." Epstein criticizes Hoover for allegedly not reporting to President Johnson that the FBI had an open security case on Oswald; in fact, the FBI's Summary Report [CD 1], prepared for public release, emphasized that the FBI started investigating Oswald on his return from Russia specifically because of the possibility that he had been recruited by the KGB.

Hoover volunteered the observation that Oswald considered the money he received from the Russian government as payment for his denunciation of the U.S.

There is no doubt that the FBI did cover up its deficiencies in the handling of Oswald, and that Hoover controlled the assassination investigation like a petty tyrant. But he ^{I think he has made} ~~has~~ been made into a convenient whipping boy ^{by Epstein} -- simple-minded and self-serving, more concerned with the FBI's image than Oswald's possible connections to the KGB. "Hoover's line of reasoning," says Epstein, "was brutally simple."

The contrast between Epstein's "brutally simple" Hoover and his wise and subtle Angleton is stunning. Although Epstein does not make clear just how much he relies on or agrees with Angleton, his warm sympathy for the counter-intelligence curmudgeon is unconcealed. Angleton is portrayed as a man of crafty intelligence and civilized avocations, with the patience of a trout fisherman in his subtle breaking of a disinformation agent. (Epstein has even adopted Angleton's hobby of breeding orchids.) The professorial Angleton studied the Nosenko file "through his thick horn-rimmed glasses." Preferring "elicitation" to "hostile interrogation," he is ^{portrayed as} a sage who finds truth by learning what is false.

It is hard to believe that this is the same James Angleton who ^{L went on to /} now chairs the Security and Intelligence Fund, which raises money to defend ex-government agents prosecuted for black-bag jobs and other crimes in the line of duty. A 1977 fund-raising letter signed by Angleton warned that the Communist Party, working through a civil-liberties front organization, has achieved nearly all its goals of undermining U.S. counterintelligence capabilities. The House Unamerican Activities Committee, for example, has been destroyed, and only the FBI and CIA remain -- with both, according to Angleton, "so badly shattered that they no longer have adequate internal security or counterintelligence capabilities." A second Angleton letter referred to the "intelligence WRECKERS" [sic] and the "sabotage efforts of the Church/Mondale [Senate Intelligence] committee."

In his previous book (on the Drug Enforcement Administration), Epstein noted that "Because the circumstances surrounding each interview bear directly on the credibility of the interview ... I have decided to reveal all the sources for this book and comment on the motives, problems, contradictions, and gaps that I found in the interviews and documents." Such an approach is conspicuously absent from Legend, and Epstein should not be excused for his recurring ambiguity about sources. It is impossible to determine which parts were provided or suggested by private CIA sources. Epstein repeatedly omits specific citations to published documents, and gives the impression that he forced information out using the Freedom of Information Act when in fact many of the documents were

obtained first by other researchers.

Epstein's often careless or devious treatment of material from published sources must call into question the accuracy of his reports on his many private interviews. There may well be important information in his interviews of Oswald's fellow Marines which Epstein did not perceive or choose to discuss. Since Epstein has benefited so much from the surprising willingness of former government officials like Angleton, the late William Sullivan, and Richard Helms to talk with him about matters where the official files are still unavailable, it would seem appropriate for him to lay out the full record.

The importance of Epstein's disclosures from Angleton and other disaffected ex-CIA personnel is that there is now a window where we used to have only an opaque barrier. The book intends to let us look through the window in one direction, to see how Oswald looked from Angleton's side of the glass. But we can also look through the window the other way, to see how Angleton and Company treated the Oswald case, and to begin to understand how they viewed other CIA secrets.

This insight raises many new questions. If Angleton was convinced by 1963 that the CIA was compromised by KGB penetration, how did he view the security of the plots to assassinate Fidel Castro? In particular, was he suspicious of the strange behavior of Desmond Fitzgerald, who (as set out in Legend) went against the advice of counterintelligence professionals to meet personally with ^{AMASH} Rolando Cubela, the CIA's potential Cuban assassin? Did elements in the CIA perceive an FBI coverup of other aspects of the Kennedy assassination, besides Oswald's Soviet contacts? Did Angleton ever suspect that Oswald had links to U.S. intelligence agencies -- links which, in his inside-out world, could mean connections to a KGB-controlled chain within a U.S. agency?

Most provocatively, if Angleton now believes that Oswald was a KGB agent, what did he think from 1959 to 1962, when his section of the CIA was intercepting Oswald's mail? Epstein reports that Angleton's people obtained a strongly anti-American letter which Oswald wrote to his brother shortly after defecting. He has claimed elsewhere that a letter in which Oswald said he had seen U-2 pilot Gary Powers was also intercepted. In 1962, says Epstein, "another piece in the jigsaw puzzle for James Angleton and his subordinates" was a letter that Marina Oswald apparently received from the daughter of a suspected KGB agent in Leningrad. These facts are new; this mail interception was apparently never disclosed to the FBI or the Warren Commission. In fact, the CIA told a Congressional committee in 1976 that the only intercepted Oswald correspondence was an innocuous letter to him. The serious implication of these facts is that Angleton's staff might have suppressed their pre-assassination knowledge of Oswald, even from the rest of the CIA.

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Epstein's Angleton reveals an important version of a secret struggle inside the CIA. The Nosenko battle is only part of a larger war, but it is a protracted, perhaps decisive, battle. First one side seemed to be winning. The Soviet Russia Division suspected Nosenko's good faith, isolated him in a padded room, and subjected him to a physically grueling "hostile interrogation" including disorientation techniques to disrupt his biological clocks. The result was a 900-page report concluding that Nosenko was a disinformation agent. Then an "ugly rumor" turned the tables on the anti-Nosenko faction: an Angleton loyalist, the chief of the Soviet Division, was suspected of being the KGB penetration agent.

The tide of battle began to turn in 1967. In Angleton's version, the Nosenko case was turned inside out. Key people in the Soviet Russia Division were reassigned to Europe in "the great purge of the Slavs." Nosenko received a new, friendly interrogation, and was "spoon fed" plausible answers to the trick questions. By October 1968 Nosenko was released and rehabilitated, and retained as a consultant. Only Counterintelligence dissented in the final round-table review, and Angleton even suspected that Nosenko was maintaining contact with some Soviet-controlled source, possibly the top-level KGB "mole" in the CIA. In December 1974 an old adversary, William Colby, forced Angleton to resign by leaking to Seymour Hersh details of the illegal mail cover which was under Angleton's direction. A Nosenko supporter became head of the CIA's counterintelligence operation.

(Epstein does not mention Angleton's memorable and cryptic reply to Hersh's questions about CIA wrongdoings and domestic activities: "A mansion has many rooms and there were many things going on during the period of the [anti-war] bombings. I'm not privy to who struck John." [NYT, 12/25/74] "Who struck John" is apparently CIA jargon, meaning "the details." The origin of the phrase is obscure, but the coincidence of that expression literally conveying the continuing mystery of the Kennedy assassination is a neat piece of irony. According to Epstein, the one thing Angleton doesn't believe in is coincidence.)

Publication of the Epstein book in early 1978 may have given Angleton his fleeting revenge, but it also prompted his adversaries to prepare yet another salvo in the war of words. To rebut the Angleton charges against Nosenko, the CIA ^(had earlier) called John Hart out of retirement and assigned him the job of preparing a public presentation of the currently accepted wisdom on the case. The House Committee's public hearings in September ^{were to} ~~would~~ provide the forum.

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Hart's testimony ridiculed any doubts about Nosenko's authenticity as a defector -- without endorsing the validity of his claims about Oswald. He characterized the agency's handling of the Nosenko case as "an abomination" and disparaged the agents involved. The story made great copy. A front-page article in the next day's Washington Post began, "The Central Intelligence Agency acknowledged yesterday that at least one of its officials considered liquidating a high-ranking Russian KGB defector who had offered to testify about Lee Harvey Oswald's activities in the Soviet Union." The Washington Star ran a picture of Nosenko with an article whose opening was similarly dramatic: "For 1,277 days, a Soviet defector who claimed to have knowledge of secret Russian files on Lee Harvey Oswald was kept in solitary confinement under intense psychological and physical pressure and repeatedly questioned by the CIA because a few agency officials believed he still was working for the KGB . . ."

The Star listed the following "pressure tactics" revealed before the House Committee:

- * A diet of weak tea, macaroni and porridge
- * No communications -- or even smiles -- from guards
- * Nothing to read
- * Twenty-four-hour visual surveillance in a constantly lighted room
- * No heat in the cell

The article also reported that the CIA had "foiled his attempts to make a chess set and a calendar from lint . . ." It concluded, "The committee tried to stick to the question of what Nosenko knew about Oswald when the ex-Marine lived in Minsk but members kept returning in shocked fascination to the CIA treatment of the defector."

The previous summer the House Committee had cross-examined Nosenko himself in closed hearings. His recollections about Oswald were confused and inconsistent, but he, too, had given a vivid account of his "hostile interrogation" -- in part to

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explain the inconsistencies by blaming the duress he had suffered in the past. After a series of questions ~~xxxxxxxx~~ zeroed in ~~thax~~ on the conflict between his testimony to the committee and a tape of a CIA interrogation in 1964, ~~xxxxxxxxxxxx~~ there was a brief recess, during which Nosenko asked for the opportunity to make a statement for the record. The request was granted, and Nosenko told the following story:

Mr. Chairman, ladies and gentlemen, I arrived in the United States in 1961, 12th of February. I felt something was going wrong because the attitude on the part of the officers from CIA who was dealing with me, I felt was going wrong, by a number of remarks, their behavior. Besides, I was in a psychological process. It's a very big thing, when you are coming to live in a new country. I felt the country where I was born, never mind, my defection was strictly on ideological basis, but still psychologically is very big thing and very serious thing.

A very short period of time, April 4, I was invited on checkup for the doctor, and this checkup turned to be arrest. Arrested was in very rude form, nobody beat me physically, no, but in rude form, trying to put dignity of the person, of human being, down, kept in very hard conditions. I was smoking from 14 years old, never quitted. I was rejected to smoke. I didn't see books. I didn't read anything. I was sitting in four walls, metal bed in the center of the room and that is all.

I was hungry, and this was the most difficult for me because how I tried not to think about food. I was thinking about food because all the time I want to eat. I was receiving very small amount, and very poor food. I was sitting some kind of attic; it was hot, no air-conditioning, cannot breathe; windows—no windows, closed over. I was permitted to shave once a week, to take showers once a week.

From me were taken toothpaste, toothbrush. The conditions were inhuman, conditions in this place; and later transferred in another place, which is now I know where it was, the second place . . . [U.S. Government property outside the Washington area] where certain house and the same very, very Spartan conditions; 3½ years. Besides that, on me were used different types of drugs and sleeping drugs, hallucination drugs, and whatever I do not know, and don't want to know.

What I want to tell you, the arrest was done illegally, without due process of law, without—in violation of Constitution, which was found by the Rockefeller Commission. It wasn't mentioned, my name, but simply nameless defector, who was over 3 years in extremely Spartan conditions.

Interrogations were done sometimes 24 hours, not giving me an hour to sleep. Interrogations were in very hostile manner. Simply, what I would say were rejected. How long I will be, why it is without due process, no warrants; "You will be eternally, 25 years." How long we would want you to keep. That is why I consider all interrogations, all materials, which concerns this period of time are illegal, and I am not recognizing them and don't want to see them. And I am asking you not to ask questions based on this interrogations, including trying to play the tape during this interrogations. For me it's difficult to return back, I passed through hell. I started new life in 1962 only because I was true defector. I never raised this question with correspondents. I never went in press, because I am loyal to the country which accepted me, and I didn't want to hurt the country.

I didn't hurt, even to hurt, the intelligence, the CIA. I didn't consider the whole CIA was responsible. Were responsible several people, for this. Thank God they are not working there anymore. They are out. If I will go in press, if I would be telling about these inhumane conditions, I will hurt not only the agencies, the intelligence service of the United States, I will hurt the interests of the United States. Who would like to defect, reading in what conditions and what treatment defectors is receiving.

Sir, I prefer that you be using materials when it was started humane relations with me, which was started at the end of 1967. I still was under arrest but I was transferred from the extremely Spartan conditions, and with me started to work Mr. Bruce Solie, who passed through the whole life, through all cases, through everything. People who were talking with me before were coming with what they were told, how to approach to me, how to treat me. They have come with made opinion, before whatever I will say yes or no. That is why I consider it is all unlawful documents in the period of interrogations done by anyone in CIA up until the end of 1967.

Chairman STOKES. Is there anything further, Mr. Nosenko?

MR. NOSENKO. No, sir.

[Note: The committee granted Mr. Nosenko's request and the questioning did not continue.]

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In the wake of this outburst, Nosenko was apparently asked to prepare a more formal statement on the conditions of his detention by the CIA. This statement appears in the committee's record and is dated August 7, 1978. The full text is as follows:

In accordance with a request of the staff of the committee (House Select Committee on Assassinations), I make the following statement describing the conditions of my imprisonment from April 1961 till the end of 1967.

On April 4, 1961 I was taken for a physical checkup and a test on a lie detector somewhere in a house. A doctor had given me a physical checkup and after that I was taken in another room for the test on a lie detector.

After finishing the test an officer of CIA, John, has come in the room and talked with a technician. John started to shout that I was a phoney and immediately several guards entered in the room. The guards ordered me to stand by the wall, to undress and checked me. After that I was taken upstairs in an attic room. The room had a metal bed attached to the floor in the center of this room. Nobody told me anything how long I would be there or what would happen to me. After several days two officers of CIA, John and Frank, started interrogations. I tried to cooperate and even in evening hours was writing for them whatever I could recollect about the KGB. These officers were interrogating me about a month or two months. The tone of interrogations was hostile. Then they stopped to come to see me until the end of 1964. I was kept in this room till the end of 1964 and beginning of 1965.

The conditions were very poor and difficult. I could have a shower once in a week and once in a week I could shave. I was not given a toothbrush and a toothpaste and food given to me was very poor (I did not have enough to eat and was hungry all the time). I had no contact with anybody to talk, I could not read, I could not smoke, and I even could not have fresh air or to see anything from this room (the only window was screened and boarded).

The only door of the room had a metal screen and outside in a corridor two guards were watching me day and night. The only furniture in the room was a single bed and a light bulb. The room was very, very hot in a summertime.

In the end of 1964 there were started again interrogations by several different officers. The first day they kept me under 24 hours interrogation. All interrogations were done in a hostile manner. At the end of all those interrogations when I was told that it was the last one and asked what I wanted to be relayed to higher ups I said that I was a true defector and being under arrest about 386 days I wanted to be put on trial if I was found guilty or released. I also asked how long it would continue. I was told that I would be there 3,860 days and even more.

This evening I was taken by guards blindfolded and handcuffed in a car and delivered to an airport and put in a plane. I was taken to another location where I was put into a concrete room with bars on a door. In the room was a single steel bed and a mattress (no pillow, no sheet, and no blanket). During winter it was very cold and I asked to give me a blanket, which I received after some time. Except 1 day of interrogation and 1 day of a test on a lie detector I have not seen anyone besides guards and a doctor (guards were not allowed to talk with me).

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After my constant complaining that I needed fresh air—at the end of 1966 I was taken almost every day for 30 minutes exercise to a small area attached to this cell. The area was surrounded by a chain link fence and by a second fence that I could not see through. The only thing I could see was the sky. Being in this cell I was watched day and night through TV camera. Trying to pass the time a couple of times I was making from threads chess set. And every time when I finished those sets immediately guards were entering in my cell and taking them from me. I was desperately wanting to read and once when I was given a toothpaste I found in a toothpaste box a piece of paper with

description of components of this toothpaste. I was trying to read it (under blanket) but guards notice it and again it was taken from me. Conditions in both (first and second) locations were analogical.

I was there till November [sic October] of 1967. Then I again was transferred blindfolded and handcuffed to another location. In this new place I had a room with much better conditions. And Mr. Bruce Solie (CIA officer) started questioning me every day (excluding Sundays) touching all questions concerning my biography, carrier in the KGB and all cases of the KGB known to me. I was imprisoned for the whole 5 years. And I started my life in the USA in April of 1969.

Although Nosenko shed little light on Oswald, it is hardly surprising that the committee found the rest of his story fascinating. Nonetheless, critics were to point out, even if the committee could not hope to learn much about Oswald in the Soviet Union, there were many other CIA-related matters that could have received closer scrutiny. To many, the time spent on Nosenko was an unfortunate diversion.

But, as noted earlier, the Nosenko issue represented an ongoing battle between two distinct viewpoints in the intelligence community. Though many of the most committed partisans were actually retired from the CIA, none was prepared to concede that the battle was over. The official (also now retired) singled out by Hart for sharpest criticism -- for general incompetence and for considering Nosenko's "liquidation" -- demanded an opportunity to respond to the accusations.

~~Excerpts from his letter to the committee follow.~~

The identity of the agent who supervised Nosenko's detention was never revealed by the Committee, though it is hardly a secret either to the Russians or to students of the CIA. In the published testimony transcript of his executive session testimony, the CIA mystery man is referred to only as "Mr. D.C." (based on his title as "Deputy Chief" of the Soviet Division). D.C.'s demand for a fair hearing before the Committee came in a letter of October 11, 1978, which ran to nearly ten thousand words. D.C. promised to reveal in John Hart's testimony on Nosenko "at least twenty errors, fifteen misleading statements, and ten important omissions." He sought to reply not only for the sake of his personal honor, but for that of the CIA itself.

Noting that a Committee staff report had already pointed out the contradictions in Nosenko's many statements on Oswald, D.C. drew attention to Hart's admission "under Mr. Dodd's insistent pressure, that Nosenko's testimony about Oswald was 'implausible' and even 'incredible.' He went so far as to recommend that it be disregarded. However, Mr. Hart exhorted you to believe in the rest of Nosenko's reporting and to believe in Mr. Nosenko's good faith. In other words, he assured you that Nosenko's incredible and unusable testimony about Oswald did not come as a message from the KGB but only from the confused mind of CIA's advisor. Therefore, Mr. Hart would have you disregard it rather than read it in reverse."

D.C.'s harshest indictment of the current CIA's pro-Nosenko leadership came under his subheading entitled "The Form and Tone of the CIA Testimony." In this section, he charged:

The Committee and the public must have been struck dumb by the spectacle of a government agency falling over itself to cast mud on its own performance.

When Mr. Mr Dodd asked Mr. Hart if CIA ~~itself~~ had "failed in its responsibility miserably," Mr. Hart replied, in a classic of government advocacy, "Congressman, . . . I would go further than that."

Mr. Hart's testimony -- one-sided, intemperate, distorted -- was carefully structured to influence rather than inform the Committee.

Mr. Hart went to special pains to force your thinking into a certain framework. He began his testimony defensively, citing all the factors which might have caused this defector to bear false witness: stresses, bad memory, drunkenness, the traumas of defection (shared,

by the way, by all defectors), and even the "unreality of his situation." And then on to the revelations of mistreatment, which you are to accept as dismissing all evidence against Nosenko. "It is with (these mitigating factors) in mind that we have to approach everything that happened from 1962", plus of course the sheer bumbling incompetence of Nosenko's handling.

On the one hand CIA attacked with venom its own past performance, and on the other hand adopted an almost beseeching tone in defending a Soviet KGB person who, by CIA's own admission, had rendered invalid testimony about the assassin of an American president.

"You should believe these statements by of Mr. Nosenko," Mr. Hart said. "Anything that he has said has been said in good faith." "I am only asking you to believe that he made (his statements) in good faith." "I am hoping that once these misunderstandings are explained, that many of the problems . . . which the staff has had with the questions and answers from Mr. Nosenko and also allegations concerning him, will be cleared up and go away."

Confronted by Mr. Dodd with the specific contradictions which made Nosenko's story unacceptable, Mr. Hart fell back on declarations of faith.

In the heat of his defense of Nosenko and his attack on Nosenko's questioners, Mr. Hart jumbled together the conditions of 1962 (alleged drunkenness) with those of the confinement, leading Mr. Dodd to lay importance on Nosenko's drinking. He got over to Mr. Dodd the idea that hallucinations "probably" influenced Nosenko's performance under interrogation (by a subtle turn of phrase) -- while knowing that hallucinations were never a factor in the question-and-answer sessions. Noting that the CIA medical officer concluded that Nosenko had feigned his hallucinations (in periods of isolation) Mr. Hart could not resist a knee-jerk defense, "but that was simply one medical officer's opinion." And finally, by spending his testimony on the handling of Nosenko, and the mistreatment, he succeeded in skirting all the facts of the case which are, after all, your concern.

Mr. Hart's emotional closing message, with its catchy word "abomination," epitomizes his whole testimony.

That testimony shows none of the detachment of a self-styled "historian" proud of his high standards of scholarship. It sounds more like a man pleading a flimsy cause, urgently trying to make a point.

D.C. went on to deny that the CIA had ever seriously considered, studied, suggested as a course of action ("even in intimate personal conversation"), or proposed ("at any level of the

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Agency") Rosenko's liquidation, drugging, or confinement in a mental institution. He insisted that the term "disposal" is "merely professional jargon for ending a relationship" and denied that his penciled notes mentioning such options as liquidation had any significance. Denying any recollection of such notes, D.C. mused, "I suppose that I jotted down, one day, every theoretically conceivable action. . . . But the fact that they were penciled reveals that they were intended to be transient; the fact that 'liquidation' was included reveals that they were theoretical; and their loose, undignified language reveals that they were entirely personal, for my fleeting use only. In fact, none of these courses of action could have been morally acceptable to me, much less conceivable as a practical suggestion to higher authority."

When D.C. was called to elaborate his comments in an executive session of the Committee, he raised haunting questions about why Admiral Stansfield Turner had sent John Hart to testify as he had -- even if D.C.'s own justification of the efforts to break Rosenko was not always entirely convincing. D.C. also took some pains to distinguish himself from some of the extreme suggestions that had been associated with the Angleton-Epstein thesis on Oswald and his KGB "Election." He noted that "we all tend to think" that the USSR wouldn't get involved in the assassination of an American president, but insisted the Rosenko case proved the KGB had something to hide about its relationship with Oswald. Suggesting that Oswald might have had a KGB code name or been a "sleeper" agent, to be activated in time of war or by means of a prearranged procedure, D.C. spelled out the implications in these words:

But then if he is on their rolls as a sleeper agent or for wartime sabotage or something of that sort, they would be absolutely shocked to hear their man had taken it upon himself to kill the American President. . . . They might indeed change the mission of another man of another operation in order to get this message over to us that they really had nothing to do with it.

The only thing I am quite sure of . . . is that it's not true. . . . that the KGB didn't speak to Oswald in the Soviet Union, that is not true, by all logic, by everything we know. I can't prove that, and I am not making that as a statement of hard fact, ~~and I am not making that as a statement of hard fact.~~

but certainly within the framework of my knowledge of the Soviet Union and the KGB it is not true.

D.C.'s entire plea can be viewed as an effort to put forward a more reasonable, less extreme version of the Epstein-Angleton interpretation of Nosenko and Oswald. He specifically denied Epstein's charge that there was a purposeful cleansing of the CIA to remove all the people who believed there was a KGB mole in the agency. D.C. insisted he had not been purged from his position in the Soviet Russia Division, but had moved on to another long-requested assignment. His retirement was likewise wholly voluntary.

In addition, D.C. described himself as a liberal and "very strongly middle of the road" -- except where the Soviet Union and KGB are concerned. He even volunteered the view that he was thankful to have spent his career combating such a clear-cut enemy: "I found it tremendously rewarding as a career to be able to focus on what was very clearly the enemy of our country . . . rather than some of these Third World things which have caused such, well, really confusion in the motivation of some of the men that have had to work with them. . . . I might have shared some of these feelings . . . -- might have fallen on either side of the fence in those operations where we were supporting a government or a political party in certain Third World areas." (Angleton, by contrast, has the reputation of seeing the hand of the KGB everywhere -- even to the point of reportedly regarding the Sino-Soviet dispute as an elaborate deception perpetrated by the Kremlin to weaken Western defenses.)

But D.C. could neither tell the Committee anything significant about Oswald nor offer a completely persuasive explanation of why the CIA had spent so little time -- a total of no more than five hours during all the years that Nosenko

was detained -- ~~xxxxxxxxxxxxxxxx~~ questioning Nosenko about Oswald. At very least, it would appear that the CIA might have tried to develop the inconsistencies in his story about Oswald just as part of its larger effort to catch him in contradictions. ~~and inconsistencies.~~ D.C. first claimed that the CIA had no jurisdiction -- that it was the FBI's job to debrief Nosenko about Oswald. He then admitted that the jurisdictional technicalities did not apply once the period of friendly interrogation had finished and Nosenko was a CIA prisoner. He lamented the FBI's failure to ask ~~xxxxxxxx~~ ^{Nosenko} forty-four questions originally proposed by CIA specialists; but he could not justify the CIA's own failure to use these carefully prepared questions during their own interrogations in the period of hostile ~~xxxxxxxxxxxx~~ questioning. D.C. was eloquent in expressing his conviction that Nosenko is a fraud and a continuing menace to U.S. counterintelligence operations. Yet he also admitted that the final proof had eluded his dedicated team: ". . . limited by morality and the law, we were not able to get a confession." One wonders, of course, what a confession would be worth outside the limits of morality and the law.

. In the end, the House Committee made the wise decision to stay out of the Nosenko controversy to the extent possible. Its findings in this perplexing area were ~~xxxx~~ summarized in a few carefully worded paragraphs:

The committee . . . reviewed all available statements and files pertaining to Nosenko. It questioned Nosenko in detail about Oswald, finding significant inconsistencies in statements he had given the FBI, CIA and the committee. For example, Nosenko told the committee that the KGB had Oswald under extensive surveillance, including mail interception, wiretap and physical observation. Yet, in 1964, ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ he told the CIA and FBI there had been no such surveillance of Oswald. Similarly, in 1964, Nosenko indicated there had been no psychiatric examinations of Oswald subsequent to his suicide attempt, while in 1978 he detailed for the committee the reports he had read about psychiatric examinations of Oswald.

The committee also found that the CIA had literally put Nosenko in solitary confinement from

1964 to 1968. Strangely, while he was interrogated during this period, he was questioned very little about Oswald. The Agency did not seem to realize Nosenko's importance to an investigation of the assassination. While Richard Helms, then the CIA's Deputy Director for Plans, did tell Chief Justice Warren about Nosenko, the Agency's interest in him seemed to be largely limited to its own intelligence-gathering problem: did the KGB send Nosenko to the United States to deceive the CIA on many matters, only one of them perhaps related to the assassination?

In the end, the committee, too, was unable to resolve the Nosenko matter. The fashion in which Nosenko was treated by the Agency -- his interrogation and confinement -- virtually ruined him as a valid source of information on the assassination. Nevertheless, the committee was certain Nosenko lied about Oswald -- whether it was to the FBI and CIA in 1964, or to the committee in 1978, or perhaps to both. The reasons he would lie about Oswald range from the possibility ~~of~~ that he merely wanted to exaggerate his own importance to the disinformation hypothesis with its sinister implications.

Lacking sufficient evidence to distinguish among alternatives, (*) the committee decided to limit its conclusion to a characterization of Nosenko as an unreliable source of information about the assassination, or, more specifically, as to whether Oswald was ever contacted, or placed under surveillance, by the KGB.

(*) Beyond those reasons for falsification that can be attributed to Nosenko himself, there has been speculation that the Soviet Government, while not involved in the assassination, sent Nosenko on a mission to allay American fears. Hence, while his story about no connection between Oswald and the KGB might be false, his claim of no Soviet involvement in the assassination ~~might~~ might be truthful.

But the Committee also came to firmer conclusions about the KGB. Despite its firm adherence to the view that Oswald was an authentic Marxist, the Committee specifically absolved the Soviet government of any involvement in the assassination. It ~~was~~ gave a sweeping acquittal, in the sense that there was no loophole through which a rogue elephant of the KGB might fit. There was no speculation about Kremlin hawks trying to thwart the dovish tendencies of Kennedy and Khrushchey. There was no suggestion of KGB-trained killers acting on their own initiative -- outside the restraining influence of the Supreme Soviet's diplomacy.

Essentially, the Committee just regarded such scenarios as unthinkable and came to the common-sense conclusion that it would be sheer insanity in the nuclear age for one superpower to murder the other's head of state. The final report summed up the logic this way:

Its suspicions notwithstanding, the committee was led to believe, on the basis of the available evidence, that the Soviet Government was not involved in the assassination. In the last analysis, the committee agreed with the testimony of former Secretary of State Dean Rusk before the Warren Commission. To wit, there is no evidence that the Soviet Government had any interest in removing President Kennedy, nor is there any evidence that it planned to take advantage of the President's death before it happened or attempted to capitalize on it after it occurred. In fact, the reaction of the Soviet Government as well as the Soviet people seemed to be one of genuine shock and sincere grief. The committee believed, therefore, on the basis of the evidence available to it, that the Soviet Government was not involved in the assassination.

Or, as the homicide detective might have put it, "No motive."

Over six months after the HSC officially went out of existence, its report was ~~aff~~ released to the press. At a news conference on July 18, Chairman Louis Stokes summarized the conclusions: "We were satisfied" with the 1964 FBI conclusion that Oswald ~~x~~ was the assassin, but not that he acted alone; both the JFK and MLK assassinations ~~x~~ "probably occurred" as a result of conspiracies; "Consequently, we were forced to make the harsh judgment that the original investigations were seriously flawed."

Stokes defended the Report's recommendation that the Justice Department analyze the findings, since a determination of individual guilt is not an appropriate task for a Congressional committee (and, of course, the Committee had run out of time.) "I would hope the (JD) decision will be to proceed," he said, ~~x~~ "for I believe the ~~x~~ American people have a right to know the truth."

Rep. Richardson Preyer, chairman of the JFK subcommittee, endorsed the new acoustical evidence of a shot from the grassy knoll, calling it "as convincing as a new set of fingerprints on a second rifle would have been." He suggested that "a renewed investigation of the Kennedy assassination by the Justice Dept. might begin in New Orleans, where Oswald grew up and where he spent the summer of 1963."

New Orleans is also, of course, the home base of Mafia boss Carlos Marcello. As we shall see in more detail below, the Committee was ambiguous in its comments on Marcello. On the one hand, he and Santo Trafficante (the Tampa Mafia boss) were named as "the most likely family bosses ... to have participated in" the possible conspiracy. (P. 169) Specifically, "The Committee found that Marcello had the motive, means and opportunity to have President John F. Kennedy assassinated, though~~x~~ it was unable to ~~ex~~ establish direct evidence of conspiracy." (This language, incidentally, parallels the comments ~~xx~~ of organized crime ~~x~~ expert Ralph Salerno, a major committee consultant, who is quoted in Dan Moldea's book on Hoffa (1978) that "There is no solid evidence yet that" Marcello, Trafficante, Hoffa, "or any other criminal or criminal associate had been involved in a conspiracy to kill President Kennedy," but that, regardless, Oswald had done them a big favor by slowing down the war on organized crime. (P. 170) As we will see later, there

has to be some skepticism about ~~the~~ effect of a prior interest in organized crime on the work of the committee - not so much that they saw links which are not there, as that they may have looked less ~~than~~ thoroughly than they should have in other areas.)

After reviewing the evidence that Marcello had threatened ~~the~~ Kennedy, and noting that he is not reckless, the Committee concluded - correctly, I think - that "As with the case of the Soviet and Cuban governments, [[but not LHO!]], a risk analysis indicated that he would be unlikely to undertake so dangerous a course of action as a Presidential assassination. Considering that record of prudence, and in the absence of direct evidence of involvement, it may be said that it is unlikely that Marcello was in fact involved in the assassination of the President." (p. 172) The evidence of links to Oswald and Ruby simply "precludes a judgment by the Committee that Marcello and his associates were not involved."

The ~~the~~ press in general was not pleased or impressed by the report. Time, for example, said that the conspiracy conclusion was presented "with an unseemly amount of fanfare and self-justification," and that the "conclusion seems to have outstripped its evidence." (7/30 p. 30) Newsweek referred to the "disturbingly open-ended investigation." The acoustical evidence, as we shall analyze, got the brunt of the criticism; ~~what~~ What did please many commentators was that the Committee had "confirmed" Oswald's guilt, and cleared the U.S. government of guilty involvement, even in a coverup.

For chief counsel Bob (Call me Professor) Blakey, the release of the report hardly marked the end of the controversy. Two days after the ~~the~~ press conference, copies of the Bantam Books edition of the report were on sale in Washington, with ~~an~~ a "special introduction" by Blakey, and a foreword by Tom Wicker of the New York Times. This arrangement obviously irritated George Lardner of the Washington Post, the "dean" of the Washington press corps' "assassination beat." In a front-page story, he noted that the ~~the~~ Bantam had the book in type before the Justice Department had its copy, and that Blakey had been paid "an honorarium of under \$3000" for his introduction, which came to 15 printed pages.

Circumstances aside, Blakey's personal views deserve attention. At least, they give us some insight into the structure of the investigation which can't be obtained from the report itself. I've gotten enough flak already from ~~my~~ fellow critics for saying that I am personally impressed by and sympathetic to Blakey; I disagree with him a lot now, and suspect his biases, but he's no fool, and doesn't reach conclusions without deliberation. During the King hearings, there was an enlightening exchange of views (with Ramsay Clark) on the ethical issues involved with wiretaps which might prevent major violent crimes. In a speech to the Cornell Law School Alumni meeting (1/25/79, AIB #3.1, p. 13), he described his experience as "soul shattering" - a conspiracy conclusion obviously had more of an impact on him than on the critics, or the majority of the public, who had made that conclusion long before. He said that "not one institution of my society served me well in 1963. And I'll be honest with you, the Select Committee on Assassinations probably ought to ... say, 'none were covered with glory, including this Committee.' As committees of Congress go, its early history is hardly one to be offered as a model."

Blakey emphasized that the early investigators had ~~not~~ made a serious ~~mistake~~ mistake in saying they were more sure than they were that there was no conspiracy, as if they mistrusted the ~~Mexican~~ American people.

In his Bantam introduction, Blakey noted that "there was a lesson to be learned ~~in~~ from the reaction to [NO DA Jim] Garrison's antics - dissent had to be able to withstand the same sort of hard analysis that the critics had applied to the work of the Warren Commission." That applies, of course, not only to the work of the citizen-critics, but to the HSC Report's dissent from the WR. He implicitly defended the ambiguities of the Report: "In stating its conclusions about the assassinations in this report, the committee, for good reason, speaks with muted tongue. As I have noted, we were deeply concerned about the inherent risk of a legislative investigation into criminal conduct. We decided, therefore, that our language ought to be moderate and that we ought ~~to~~ not state a finding beyond what is absolutely indicated by the evidence."

As ~~late~~ late as the 7/18 press conference, Blakey, when asked if he thought the Mafia had killed JFK, said "I have no public views to state." It looked like what we were seeing ~~what~~ was what we had got - the Committee ~~and~~ and it's chief counsel had agreed that no firm conclusion could be drawn. The ~~for~~ Justice department was asked to review the findings. There was no explicit recommendation that prosecution be undertaken. Au contraire, the Committee first recommended that the Justice Department should study the Bronson film (a late discovery, by the critics; it may show ~~two~~ two people in the "Oswald" window), and that a review of the acoustics evidence should be done. After those steps, the JD was asked to "analyze whether further official investigation is warranted," and report to the Judiciary Committee.

Then Blakey dropped a little bombshell - he really ~~did~~ didn't think the evidence was inconclusive. According to Newsweek, he said "I am now firmly of the opinion that the mob did it. It is a historical truth."

Another news report strengthened the impression that the Committee's report was not the whole story. According to the New York Times (7/18 p. 17), "Sources on the Committee said ~~that~~ that ~~its~~ its published report did not include a long list of investigative leads the committee staff developed. These leads, the sources said, would be made available to the Justice Department should it reopen the investigation. (Emphasis added.) In other words, the Justice Department is being asked to reach a conclusion on more than what is in the report and the supporting volumes, if this story is correct.

The report itself certainly avoids that impression. On the contrary, it notes, quite properly, that "The committee had a responsibility to state who it believed had participated in each assassination, and what the factual basis was for that conclusion." (p. 16) Despite the "potential dangers and risks," "an analysis [sic] (my emphasis) and the public disclosure of all the facts relating to" ~~the~~ the mandated investigative issues was necessary. The supporting ~~of~~ volumes clearly don't include all the raw data, or all the relevant details, but the report certainly doesn't indicate that key relevant investigative areas have been withheld either from the Justice Department or the public.

There are some disturbing signs that something odd has been happening behind the scenes. Maybe some of the best leads are being saved for the Justice Department. (The Schweiker Report didn't publish some of its hottest leads, ~~xx~~ but they told us what they were doing.) Maybe these alleged hot leads are, in fact, too flimsy for the majority of the committee, and the conspiracy-minded staff couldn't get them included in the report. As of this writing, urgent investigative efforts are being planned by the authors to resolve this matter.

For example: around (June?), a spate of news stories - including one by Bob Kur of NBC news - reported that one link between Oswald and organized crime ~~was that~~ came after Oswald had been arrested on August 9, 1963 for a scuffle with ~~the~~ anti-Castro Cubans. ~~xx~~ His \$25 bail was apparently paid by someone (whom we ~~xx~~ shall call Mr. E., although his real name is Emile Bruneax), a liquor store owner who was allegedly a friend of Nofia Pecora, one of Marcello's lieutenants. This story has been floating around for months, and one committee staffer, at least, found it quite significant. The report does include this story, but it conspicuously fails to give a reference, and doesn't give Mr. E's name. In fact, the man's name can be obtained from Warren Commission documents [CD 75, p.], and the Committee did interview him, as a citation (in another context) makes clear.

Perhaps this is downplayed in the report because the Committee thinks it is ~~xx~~ a weak ~~xx~~ link. Certainly it is hard to see how the Mafia could have bought a piece of Oswald for \$25 - that is, would he have then owed someone a favor, like shooting the President? Hard to believe. If one is ~~xx~~ suggesting that Oswald was handing out pro-Castro leaflets when he was already in the Mafia's employ, it is hard to believe that he would not either have been given \$25 ~~xx~~ in advance, or just left in jail overnight. [Refer to my newsletter of 6/2 for more analysis.] But judging from some of the links the committee likes, I doubt that they consider it a weak link. (And Ewing didn't.) The alternative hypothesis is that they take it very seriously, and ~~don't~~ want to save the details for Justice Department use (not against Mr. E, who is defunct.) I wouldn't like that at all - no fair.

It is also possible that leads I would consider good are being saved.

~~Two~~ Two possible examples will be discussed later. One is the possibility that there are more problems with the handling of the Oswald and assassination investigations by Army intelligence than just the routine destruction of files years after the assassination. The other relates to the deletion, ~~of~~ from an FBI listing of Oswald's address book, of the name of FBI agent Hosty; the report conspicuously avoids naming the agents involved or mentioning their ~~1964~~ sworn 1964 explanations, which raise serious questions about possible perjury.

What are the prospects for a Justice Department reopening of the investigation? A "flummoxed" FBI official called the findings a ~~xx~~ "can of worms" [gusanos?] [Newsweek, 7/30, col. 1], and a Justice Department official reportedly said that they have better things to do than 'chase ghosts' (Ibid.) It's fairly certain that the JD will eagerly accept the HSC conclusion exonerating ^{just about} everyone except the Mafia and certain anti-Castro Cubans. It seems highly unlikely that the evidence in the report and the volumes will lead to a decision to prosecute anyone. Rep. Sawyer, who dissented from the majority finding of conspiracy, is an ex-prosecutor; he said that if he were given the report and asked for a decision, "I'd have to put it in the circular file. There would be no way to prosecute." (Time) I would have to agree (although it's unfair, as some did, to imply that Sawyer would chuck the whole report as evidence if the case had been brought. [Newsweek]).

When the hearings ended, I wrote that ~~x~~ their "major institutional effect ... may be to revive the Kennedy war against Organized crime, whether or not the assassination case is solved." ~~xxxxxxx~~ The hearings were a revealing indication of "Blakey's belief in an ongoing organized crime conspiracy that deserves exposure and ~~x~~ federal prosecution." (Inquiry, p. 12, col. 1) Blakey, who is now a leading academic expert on organized crime, was part of that Kennedy effort, which (he ~~frank~~ has pointed out) greatly diminished after the assassination.

The Kennedy anti-crime efforts, particularly the drive against Teamster boss Jimmy Hoffa, was not without its legitimate critics. Victor Navasky, a horribly reasonable fellow, noted some of the social, ethical and legal issues raised by the presence of a "Get Hoffa ~~xxx~~ squad" in the Justice department: (A) (MAY P.)

"First, though the Kennedy system may work under the Kennedys, it creates precedents which outlast the Kennedys; if there is nothing inherently wrong with a Get-Hoffa ~~Squad~~ Squad, [or a get-Marcello squad] then there is nothing inherently wrong with a Get-Vietniks Squad or a Get-Panthers Squad or a Get-Radical Liberals ~~Squad~~ Squad or a Get-Birchers squad." (This was written in 1970-71, ~~by~~ by the way, before the exposes of the early 1970's)

Secondly, "There comes a point at which the disproportionate allocation of men, money and time moves from a matter of quantity to a matter of quality, from prosecution to persecution."

Third, ~~x~~ "the danger ... that a prosecutor will ~~not~~ pick people he thinks he should get instead of crimes that need to be prosecuted." ~~Write~~ Realistically, if Marcello is prosecuted for anything, it's not likely to be murder, or conspiracy to murder.

"Fourth, whatever his motives ... Robert Kennedy allowed the pursuit of justice to look like the pursuit of Hoffa." (Navasky, Kennedy Justice, p. 435-6) This point is not directly relevant; the comparable objection is that the pursuit of Marcello will be made to look like the pursuit of ~~the whole~~ all the knowable ^{and crucial} truth about the Kennedy assassination.

[Add at (A), end of last page.] They are relevant to the possibility of a "Get Marcello Squad," ~~not~~ perhaps with some of the same participants, perhaps even with another Kennedy as President. (Ewing is some sort of Sheridan man; he has implied that Blakey might want to come back to D.C., but might want to wait for EMK. Unfortunately, we can't use this.)

Teddy the K had better be asked about this, if he does choose to run. While a get-Marcello squad doesn't frighten me that much, there really is the danger that if the investigation does get turned in the direction of other targets - anti-Castro Cubans, or even pro-Castro Cubans, there is a real danger of a runaway witch hunt. (Here ~~is~~ it's relevant that as late as January 1979, Blakey said, when asked what kind of conspiracy he suspected, "[quote from comments to CBC about a couple of leftists]" This is a serious business, and the critics all want any future investigations ~~not~~ to be a bit open-ended, the prospect of a secret JD investigation isn't ~~not~~ totally

appealing. This places an extra burden of care on those of us who have been trying for years to get an investigation going, and/or to politicize the issue of the assassinations and their coverups.

But I digress. To get back to the Marcello issue: a more likely danger is that the established wisdom will quickly ~~be~~ settle on Marcello and Trafficante as the only live targets of future investigation. We're going to have a hell of a time getting people to look at the HSC's exoneration of everyone from the KGB to the CIA with the needed critical eye. Marcello and Trafficante may not be around long ~~enough~~ for the JD to decide what to do. Marcello was born on Feb. 6, 1910; ^(9 HSC 62) Trafficante, Nov. 15, 1914 (5 HSC 350). By all accounts, they are in a profession with a high mortality rate. Trafficante's doctor ~~says~~ says he is "an ill man, ~~with~~ and has significant cardiovascular disease." (5 HSC 349) It would be a Bad Thing if proper governmental interest in this unsolved assassination depends on Carlos Marcello's longevity.

What else should be done? We agree with the recommendations of Burt Griffin, junior counsel for the Warren Commission in the Ruby area, who gave the following suggestions to the House Committee:

[Insert here pp. 16-18 of his prepared statements, or maybe the same part of his testimony - the prepared statement is probably cleaner. Point 2, visual aids, probably should be dropped; point 5 isn't that exciting. We should point out that the HSC did make legislative ^{and administrative} recommendations for future ass'n, generally ~~in~~ along the lines of Griffin's point 4, but I like Griffin's formulation too. Save the rest of Griffin for ~~in~~ elsewhere.]

That's where we are now, and where things might go next. In the following section, we'll see what we've got, in the report and the volumes. As LBJ said about the Warren Report, "It's pretty heavy."

was a short-range success but a long-range failure.

B. Recommendations for Action by the Select Committee.

1. Preserving the Historical Record. The Select Committee should recommend that the John F. Kennedy Library or some other appropriate institution be established as the repository for all materials dealing with the assassination of President Kennedy and the murder of Lee Harvey Oswald, including the political aftermath, the public re-examination of how the Warren Commission operated, and the relationship of other investigatory agencies to the Commission. All materials should be declassified except those whose publication is inconsistent with human decency. The repository should be federally funded so that it may collect all relevant public and private materials and can become a center for serious scholarly inquiry into the issues that have evolved from those murders.

2. Communicating the Select Committee's Conclusions. The Select Committee should seriously consider how it can use visual as well as written means to communicate its own investigatory process and its own findings. The media form should not be designed simply for immediate observation by the general public but should be available for repeat presentations to future audiences.

3. Future Evidence on the Murders of Kennedy and Oswald. If criminal prosecution remains possible for either of these murders under any applicable statute of limitations, the Select Committee should recommend that the Attorney General of the United States establish a procedure and designate an Assistant

Attorney General who will be responsible for the continued evaluation of evidence which may establish a basis for prosecution. While this will undoubtedly have some consequence of encouraging spurious conspiracy claims, it will have the beneficial result of affirming the Federal government's continuing desire to ascertain the truth. Periodic presentations to a Special Grand Jury may be appropriate.

4. Investigating Future Political Murders. The Select Committee should use its own investigation as an opportunity to make recommendations on how future political murders should be investigated. In making those recommendations it should recognize the need to achieve the following goals:

- a. to ascertain the truth;
- b. to preserve the integrity of governmental agencies and decision-making against disruption by groups or individuals who seek to use uncertainties surrounding the political murders in order to achieve results not justified by the weight of evidence;
- c. to protect the civil liberties of individuals and groups who may become the objects of popular suspicion but against whom no violations of law can be proved in a judicial proceeding;
- d. to communicate accurately, honestly, and effectively to the American public the results of any investigation and the reasons for reaching those results;
- e. to maintain responsibility for continuing investigations in the hands of trusted, unbiased, and competent

persons who have public accountability rather than leaving the field to be occupied solely by private vigilante groups;

f. to collect, preserve, and make available for historical purposes all records related to the investigation of a political murder;

g. to establish the independence of any investigative commission from all existing branches of government;

h. to obtain the widest possible political and public understanding of any investigation; and

i. to protect the National security.

5. Appraising the Appropriate Means for Communicating or Withholding Information Affecting the President's Conduct of Foreign Affairs or National Security. The Select Committee should candidly assess the CIA's withholding of information that it had attempted to assassinate Fidel Castro and should recommend, how, in the future, any information should be handled which is relevant to domestic assassination but whose disclosure might threaten the national security or interfere with the conduct of foreign affairs by the President.

Burt W. Griffin
Cleveland, Ohio
September 28, 1978

With its careful language and deliberate tentativeness surrounding the conclusion of a probably conspiracy, the HSC chose to be candid about some of its limitations. But other limitations, perhaps more important in the long run, are not advertised. They are related to the most striking structural feature of the report: it is a set of findings, ~~is~~ with explanatory text. It is not a chronological reconstruction of what happened; nor does it deal systematically with the criticisms of the old no-conspiracy conclusions of the Warren Report. Nor does it reflect the organization of the HSC's own investigation.

We'll look at the effect of the HSC's decision to structure the report like this later, and show how some weaknesses of the HSC case are obvious from a close analysis of their report. I mean, there are a lot of things left out, which aren't obvious if you don't know a little about the history of the X HSC and of the case; the report superficially looks tightly organized, but things are not so simple.

First, here are the Committee's findings. [Maybe this goes in the back, but I think it shouldn't. Maybe a separate chapter - Report, Findings, with a graf or 2 as introduction.] All of the HSC's conclusions and assertions of fact, as voted on in December 1978 and released to the press, are reproduced verbatim. When we get down to further detail, we'll (always?) quote the descriptive title of the subsection, from the table of contents of the report, and frequently add a sentence or two summarizing the HSC's findings of fact.] ((SEE SEPARATE PP. - REPORT-FINDINGS))

This structure is quite different from the Warren Report, which had narrative chapters on the assassination, Oswald's detention and death, Oswald's background, etc. Certainly the HSC had no obligation to repeat the non-controversial parts of the WR, so I guess there's nothing to be gained from this comparison. [Strike this graf.]

The HSC report is, unfortunately, harder ~~for~~ to find your way about in than the Warren Report. The WR ~~is~~ was criticized - even in a letter to the NYT from someone at the NYT index - for having only a name index to its report and testimony. The HSC report has no name index at all! It's so difficult to find the footnotes which go with a page of text that one must suspect that the HSC was not eager to have dozens of critics trying to check out all its footnotes.

The HSC's supporting volumes compare badly in completeness to the WR's 26 volumes. The WC published all its hearings (5 volumes), depositions (10 volumes), exhibits used in the hearings (3 vols.), exhibits used in depositions (3 vols), ~~and exhibits~~. The last 5 volumes are exhibits - mostly FBI reports and other raw data, in quite unedited form, which were cited in the main report.

The HSC published all its public hearings, with the exhibits introduced there. (5 volumes). ~~It~~ But only some of the executive session testimony and depositions are published. There is not even a list of all the witnesses! Reflecting the Committee's special interests, there are many depositions from possible org. crime figures, including Ruby associates; there are conspicuously few ~~from~~ on sensitive intelligence matters (and quite a few from Warren Commission staff lawyers).

The next 3 volumes contains scientific reports, from the panels on photographic evidence, medical evidence, firearms, acoustics, polygraphy, handwriting, and fingerprints. These volumes include many exhibits.

The last 4 volumes includes ~~staff~~ staff reports; some have many exhibits, some have none. The largest ~~in~~ volume is devoted to organized crime; the 12 reports in the last volumes cover such topics as anti-Castro Cubans, Oswald in New Orleans, DeMohrenschildt, and Nosenko.

Some of the staff reports - e.g., Cubans - are rich in detail, far more provocative than the report. On the other hand, in some areas of the ~~report~~ report there are no staff reports at all. (E-g., the FBI's investigation.) In fact - most remarkable - not all the evidence cited in the report is in the "supporting" volumes. Some is classified, and some is simply not there.

The Warren Commission apparently expected that nobody would bother to compare ~~its~~ its report with its own published evidence. After 15 years of critical activity, the HSC was not about to make that mistake. They may have made another one, which may turn out to have a serious effect on its long-term credibility.

What the WC chose not to publish was sent to the Archives, where ~~it~~ most of it has been released; ~~every~~ all the withheld material is reviewed every 5 years, and it is subject to citizen requests under the Freedom of Information Act. The HSC's

goodies are presumably being preserved, but unless ~~the~~ Congress takes action, we can expect that nothing more will be released for years. (Congressional records are not subject to the FOIA.)

In 1964, Earl Warren raised a lot of eyebrows by saying that everything would be made public, but maybe not in our lifetimes. We still can only speculate about exactly what he had in mind.

In fairness to the Committee, privacy considerations - including the Privacy Act of 197_ - make it difficult to release stuff, especially raw FBI reports. Although it is arguable how well the HSC respected the privacy rights of the likes of Marcello and the Ray Brothers - and, more to the point, Marguerite Oswald - they clearly did worry about this and we can't ~~just~~ just ~~dump~~ dump on them for what they did. Still, it's true that there is probably more evidence on the JFK ass'n withheld now (thanks to other investigations too, not just the HSC) than there ever was before.

So, what can one deduce from the structure of the report? First, it hides the historical fact ~~there~~ that the conspiracy conclusion - based on the physical evidence, which comes first in the report - did not really serve to guide the investigation which led to the conclusions about who might have done it. That is, all the evidence implicating the Mafia and exculpating the U.S. government agencies was gathered before ~~the~~ Weiss and Aschkenazy persuaded the HSC that there were two gunmen. ^(Edgar complaining about this - see dissent) I dare say that the investigation would have been different if they had ~~known~~ decided early that there were two gunmen. They would, presumably, have looked at all the Dealey Plaza evidence in a different way. Maybe they would even have done what the critics had been urging - look at the possibility that Oswald himself had been framed. Once you are sure there were two gunmen, the ~~prob~~ probability of that goes up greatly.

To be specific: Rep. Dodd properly urged that the acoustics analysis be repeated on the 3 shots from the rear. What if that proved that one or two of those shots didn't come from Oswald's window, but say from another building? ~~What~~ So what, you might say; once you know there were two gunman, what would another one prove? Not so ~~is~~ -

the 3 spent cartridges ~~x~~ found ~~@~~ - allegedly - at the Oswald window would be clear evidence of an attempt to pin more of the blame on that gunman - hardly something Oswald would do if he were wittingly conspiring with another lone nut. Maybe the ~~xxxx~~ HSC could come up with some innocent explanation, but it's something they would have had to consider.

Some press accounts reported on the HSC's findings as if they believed there was a second gunman, but were sure he wasn't a Russian, an FBI agent, etc. That's the way the report reads, but that's ~~clear~~ clearly not what happened. They became convinced that the Russians, etc. were not the second gunman before they learned there was one.

More generally, the Report doesn't seem to reflect the HSC's investigative plan. There certainly was one - Rep. Edgar often referred to it during the public hearings. Witnesses from the 1964 investigations were politely berated for not having had a proper investigative plan. Certainly the WC has properly been criticized for its initial division of the investigation into 6 areas, including, ~~in~~ in essence, who was the assassin ~~and~~ and why did Oswald do it. I certainly expected that the HSC's investigative plan would be prominently highlighted in the report. It's not - there is a general discussion of the organization of the investigation, but nothing substantivex - and there isn't even an investigative plan in the volumes! I guess I'll have to ask Rep. Edgar for a copy. [Seriously, folks - let's.] It is an important document - will it confirm that little attention was paid to a possible frameup of Oswald, or to improper activities by the DPD in connection with Oswald as well as Ruby?

On the matter of the federal agencies, the report hides a key assumption. The agencies are generally criticized for their post-ass'n investigation, ~~xxxx~~ in ~~xxxx~~ section D. Section C - who did it - clears the FBI, CIA, and SS from any involvement in the assassination. Most of the space is devoted to arguing that Oswald wasn't an FBI or CIA informant; the report also comments on other possible direct involvement, such as the ~~xxxx~~ Ss arranging a motorcade past the TSBD, or someone tampering with the autopsy material. Fair enough, as far as it goes, I guess. Most of the allegations of federal ~~xx~~ agency involvement are pretty flaky. But

even if Oswald had been the lone gunman, the significance of an informant relationship would be ~~f~~ different. I mean, ~~the~~ if Hoover wanted to know off JFK, he wouldn't use an FBI informant, right? The kind of scenario critics (e.g. PLH) have been raising is that someone outside the FBI who knew that Oswald had been an informant would have spotted him as a perfect patsy, in that the relationship would inhibit the FBI from a proper post-ass'n investigation. Better the HSC had just said, we've gotten no credible evidence/allegations that the agencies were directly involved, and put the question of their relationship with Oswald where it belonged - that is, can you learn anything from the post-ass'n inv'n about ~~what~~ who had something to hide ~~it~~ which might really have led back to the perpetrators. (Really ought to quote PDS or someone ~~from~~ from the critics conf. here.)

~~The~~ Next key structure-related flaw: The report separated "Oswald did it" from "the mob could have done it." There is no coherent biography of Oswald. How can the left-wing ideologue of p, 61 be the point man of a mob conspiracy on p. ~~at~~ 169ff? (Quote Carl from the next newsletter.) Maybe it is possible to tie this all together, although I doubt it. Below, we'll look in some detail at some possible key points of the NSC's implied reconstruction. (Bail, Ferrie, etc.) But, alas, the HSC has shunned its responsibility to deal with this problem.

There are two parts of the report which are striking in part because they depart from the overall structure. First, we have some text which doesn't relate to a finding. Several ~~sections~~ parts of the section ~~is~~ entitled "CIA," in which that agency is cleared, in fact related to military intelligence agencies. But the HSC finding clears only the FBI, CIA, and SS. Does someone have some serious suspicions of ~~military~~ military intelligence involvement, or is that just a ~~miss~~ slip? More on the facts below.

Secondly, there are some findings without text. The Committee voted to include findings that the FBI properly investigated Oswald before the ass'n, and that both the FBI and the WC "conducted a thorough and professional investigation" into Oswald's guilt. But there is not a word of text to support this! (See pp. 239, ~~252~~ 256.) These are the only sections where the report departs from the format of ~~text~~ text after

each finding. In the case of the FBI, there is not even a staff report on the ~~subject~~ subject. We really should ask people on the staff, but the obvious interpretation is that the staff was unable to come up with a discussion supporting that finding. Not only have the critics been disputing that for years, but even the Schweiker Report ~~was~~ was quite critical of the FBI's pre-ass'n LHO inv'n. ~~Re~~ Insert rhetoric here. This is significant - Oswald may be guilty as sin, but this is clearly a political finding. Limits to what the HSC could do. Etc.

X[Russ - I suggest that everything you type be double spaced - some ~~if~~ of it may not ever have to be retyped!]

PLH 8/5/79

Before commenting on the HSC's assessment of the performance of the FBI (and other federal agencies), I must admit a certain bias. I have written in this area, and both my published and unpublished work was available to the Committee. When the FBI files were released at the end of 1977, it was ~~xxxx~~ clear that they contained, if not a smoking gun, an immense amount of information about the FBI's pre-assassination investigation of Oswald, and the investigation of the ass'n, in the ~~xx~~ latter case supplementing the internal papers of the Warren Commission, already available, which clearly established the adversarial relationship between them, and the probability that there was a subsequent substantive limiting of the investigation. Only the HSC, I thought, had access to the unsanitized files, and the resources to systematically sift through this material.

The HSC's work, judging from the report and the volumes, is certainly disappointing. Trying to be nonjudgmental, the best I can say is that it was ~~azx~~ an area of extreme sensitivity. As already noted, the Report's finding that the pre-ass'n inv'n of Oswald was "adequate," and the investigation of Oswald's guilt "thorough and professional," is not supported by any text in the report. The conclusion that the Bureau "failed to investigate adequately the possibility of a conspiracy" is supported by a brief analysis of organizational problems, Hoover's personal belief that Oswald was alone, and only a few examples. The primary reason for this conclusion ~~xxxxxx~~ seems to be the HSC's determination that there was in fact a conspiracy; in that case, the FBI's investigation must have been inadequate. As Chairman Stokes put it, as a consequence of the conspiracy finding, ~~x~~ "we were forced to make the harsh judgment that the original investigations were seriously flawed." (7/18 press conf., p. 3.)

This is not the place to go into all the evidence of a flawed investigation which the Report does not deal with; it would take too long, and I would prefer to see their internal reports - maybe most of ^{the old} ~~my~~ issues have been explained away. ~~x~~(unlikely I would like to focus on the one FBI issue where the HSC report provides much new information - the ~~xxxxxx~~ appearance of the name of FBI Agent Hosty in Oswald's notebook. Here is the Committee's summary of the ~~xx~~ issue, and their conclusions:

"After the assassination, Dallas police found Oswald's address book among his possessions and turned it over to the FBI in Dallas. It contained FBI

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Special Agent Hosty's name, address, telephone number and car license plate number. Dallas FBI agents recorded some of the entries in the address book and, on December 23, 1963, sent a report to the Warren Commission. ~~[[Sic; report is dated 12/23, was sent to WC on 1/13; see below]]~~ This report, however, did not include the Hosty entry.... [Footnote omitted]

The Committee's review of the December 23 report established the likelihood that ~~x~~ page 25 of that document, the page that logically would have contained the Hosty entry had it been properly included, had been retyped. (The page was numbered in the upper left-hand corner, whereas all other pages of the report - save page 1, the retyping of which had been clearly recorded - were numbered at the bottom ~~xx~~ center. In addition the horizontal margins of page 25 were unusually wide.) [[May want to save the details - in () - for later - PLH]]

... The Committee did not accept the explanation that the Hosty entry was omitted from the report because ~~x~~ it was not of lead significance....

... [T]he committee concluded that there was no plan by the FBI to withhold the Hosty entry in Oswald's address book for sinister reasons.... The committee considered the fact, on the other hand, that information about the entry was withheld. One explanation might be that it was unintentional, although the evidence was also consistent with an explanation that one ~~ore~~ more Dallas FBI agents sought to protect Hosty from personal embarrassment - ineffectually, as it turned out - to exclude his name from the reporting. The committee, though it deemed the incident regrettable, found it to be trivial in the context of the entire ~~xx~~ investigation.

It might be possible to explain what the Committee means by 'trivial.' If the investigation referred to is the Committee's, the point might be that this incident doesn't provide evidence that Oswald was an FBI informant. The section of the report in support of the finding that the FBI was ~~xx~~ not involved in the assassination deals almost exclusively with the allegation that Oswald had been an informant~~x~~ - the Committee said there was "no credible evidence." "Absent a relationship ~~xxxx~~ between Oswald and the FBI, grounds for suspicions of FBI complicity in the assassination become remote." As someone who has always felt the possibility of the involvement of any agency was extremely report, I ~~xx~~ would add that if Oswald had a formal informant relationship with any agency, that agency would be the least likely one to have used him in an assassination plot. What is ~~xx~~ less implausible is that conspirators outside that agency, who had knowledge of Oswald's relationship (perhaps through an individual~~x~~ within the agency), would have relied on fear of exposure of that relationship to assure a limited investigation.

Perhaps the Committee meant that the incident was trivial in the context of ~~the~~ the original FBI-WC investigation. It is true that the evidence withheld ~~xxx~~ by the FBI was available to the Commission from other sources, and was later submitted by the FBI itself. It is also true that the entry itself does not shed light either on Oswald's guilt or the possibility of a conspiracy. However the ~~xxxx~~ questions

raised about the nature of the WC-FBI investigation are by no means trivial. * I focused on these issues in my 1972 manuscript, which the Committee had. An edited version follows here; ~~it~~ it is in its original form partly because we don't have time to rewrite it, and partly because it's good stuff, and the committee had it, and you can judge their evaluation of the incident in light of the questions I had raised, for yourself. [* - Among other things, this incident convinced me that there was no reason to suppose that the WC would have obtained important information from the agencies, even if ~~the~~ the staff knew that something was being withheld.]

SYLVIA - YOU HAVE THIS

(Insert here the 17 pp. of my ms. chapter 5, with deletions of repetitive material, as necessary, and possibly additions of details which we now have - e.g., on 1/25 FBI HQ asked the Dallas office about the omission.)

The HSC report does not deal with the original sworn ~~affidavits~~ affidavits of Gemberling and Kesler. Perhaps I had better explain my ~~statement~~ opinion that there was prima ~~facie~~ ~~facie~~ evidence ~~of perjury~~ that the page had been retyped and that perjury had been committed, especially ~~known~~ now that the former seems to be firmly established. A prima facie case means simply that the evidence, ~~on its face~~ if taken at face value and not disproved by other information, not then known to me, indicated that the affidavits were false. Perjury requires ~~the knowing~~ deliberately false swearing to material facts, so I am certainly in no position to claim that a case has been proven. The issue interests me know as an example of the degree to which facts were withheld within the Bureau, presumably to avoid Hoover's ~~wrath~~ wrath. If this information was withheld, can ~~we~~ we be sure that anything known only to one or two field agents would have properly been reported to FBI HQ and to the Warren Commission? ~~X~~

Nonetheless, the issue of false statements does exist. The HSC report does present two versions of the testimony of the FBI agents to the Committee. The original testimony was given in November 1977 and is not only unpublished but classified. In it, each agent appears to have essentially ~~he~~ affirmed his 1964 position. The later, different testimony came about because the FBI had done a

are unpublished, and the description of them is somewhat unclear, but among other things they do establish that some copies of the December 23 report did include the Hosty entry.

Specifically, the FBI investigation (started ~~when~~ the Committee told the Bureau of the agents' testimony) uncovered a "tickler" copy of the report ~~xxx~~ at headquarters. ~~xxxx~~ "Tickler," the report explains, "refers to a copy of a report that is placed in a file for the purpose of reminding the file keeper of further action that must be taken" on the subject. The Report does not explain in which file the tickler copy was found, nor does it specify if a copy of the entire report (over 700 pages) was included, which would be strange. The tickler does contain the Hosty entry on page 25. It remains unclear what other differences there are; an FBI report, quoted by the Report, indicates that there was a second dictation of the entire notebook - a lead sheet version - ^{with "editorializations"} (not specified) in which Kesler said he deliberately omitted the Hosty entry, since it was not an investigative lead. It remains unclear how the later, "lead sheet" version became a part of the report for the Warren Commission, especially if the HSC report is correct in stating that the tickler item is "a copy of the December 23 report," rather than just the part listing the notebook.

SA Gemberling "was unable to explain the origin of the headquarters tickler copy." ~~The Committee~~ Even fingerprint tests were done; "they did not indicate who had worked on the tickler copy."

The FBI investigation turned up another relevant document - instructions from HQ to Dallas, dated December 11, which ~~X~~ "seemed to verify" ^{that} Kesler's instructions were to set out investigative leads, not the entire contents. This led Gemberling to correct his recollection, and now say that another SA, not himself, had given the instructions to Kesler to "transcribe" the address book.

The Report makes no comment on the revisions in the testimony, other to note that Kesler's changes were "substantial" (based on his review of the newly discovered documents.) For some reason, the Report does not give the names of the agents, although the question of various WC staff members does include the names (and reveals that the ^{Committee} staff was aware of the 1964 sworn affidavits.) [[Don't spell out perjurer

As already noted, the Committee concluded that the FBI had no plan to withhold the entry "for sinister reasons. This conclusion was based on several factors, the most important of which was the discovery of the tickley ~~copy~~ copy of the December 23, 1963 report." (AR ~~198~~-189-190) I don't understand this, since the existence of the tickler copy is strong evidence of ~~such~~ intent to withhold. A footnote explains what this sentence may have been intended to mean: "The leadership of the FBI as of 1978, ~~was~~ [sic - just one comma - ~~is~~ last-minute changes?] was deserving of credit, in the committee's estimate [sic-s/b estimation], for its efforts to find the ~~exact~~ truth about the Hosty entry in Oswald's address book. The committee doubted that the tickley copy of the December 23 memornadum would have been found if FBI officials had not been interested in resolving the ~~HSC~~ issue." To which the cynical could reply - could not the FBI have assumed that the HSC staff would have been competent to find the tickler copy, or otherwise resolve the issue, on its own?

The Report includes a series of assertions, all without citations, in support of the absence of a sinister plan: "The committee also learned that Hosty dictated two memoranda [to whom?] in December 1963 [which dates] that included the fact that his name and address were in Oswald's address book. In addition, FBI headquarters was aware of the Hosty entry in the address book [i.e., the tickler?]; it had been made public ^{by} ~~in~~ the media [before December 23?], and the FBI had[sic] advised the WC of it on January 27, ~~1974~~ 1964 [clearly prompted by the appearance of the Texans with the allegation that Oswald was ~~information~~ an informant.]

I don't believe that there was an FBI "plan" to withhold the Hosty entry "for sinister ~~reasons~~ reasons." (I don't think I ~~have~~ ever have beleivedx that, really.) But the way the ~~x~~ facts have emerged raise a more disturbing question - if there was a plan by the FBI, or some other agency, to withhold ^{relevant} facts about the Kennedy assassination - facts ~~which~~ which we have not learned about from the Church Committee or the agents involved or the WC critics - what are the odds that this Committee would have ferreted them out? Do those odds justify the Committee's conclusion that the FBI and the WC properly investigated Oswald's guilt? You be the jury.

[Can add - more from PLH memo, pp. 466-8 of "The Ass's." Russ - read it?] [END]

PLH 8/3/79

In the fall of 1977, the FBI began releasing over 100,000 pages ~~mf~~ from its files on the assassination. [HW et al. had been suing; this is stuff the WC never saw; the press found no smoking guns in a couple of days, etc. - could use the chrono. format to make a couple of obvious points here.] A couple of early documents revealed, inter much alia, that Army Intelligence in Texas had a pre-ass'n file ~~an~~ on Oswald. To some critics, this was one of the more provocative leads in the FBI documents. Here is a summary of the HSC's analysis:

[On November 22, ~~1964~~ 1963, Lt. Col. Robert E. Jones gave the FBI detailed information on Oswald.] This information suggested the existence of a military intelligence file on Oswald and raised the possibility that he had intelligence associations of some kind....The Committee's investigation revealed that military intelligence officials had opened a file on Oswald because he was perceived as a possible counterintelligence threat [i.e., a Russian/Cuban spy?...] (Jones) believed that Oswald first came to his attention in mid-1963 ~~zzxx~~ through information [from] the N.O. Police Department [about Oswald's FPCC activities.]... Placed in this (Army) file were documents and newspaper articles....

[Right after the assassination, Jones went to his office at Fr. Sam Houston, near San Antonio, and] contacted MIG (Military Intelligence Group) personnel in Dallas and instructed them to intensify their liaisons (sic) with Federal, State and local agencies and to report back any information obtained. ~~af~~ [After a phone call mentioning A.J. Hidell, Jones checked the indices, pulled the Oswald-Hidell file, and called the ~~RF~~ FBI, both in San Antonio and Dallas, summarizing the documents in the file.]

[Jones prepared after-action reports, including information with the Army's SS liaisons. The FBI and the WC never interviewed him; he volunteered no further information to the agencies; he said he was not told to withheld anything.] The HSC found his testimony credible.]

[The Defense Dept. never gave the WC this file; it was routinely destroyed in 1973. ((Different file?)) The committee concluded:]

"The committee found this 'routine' destruction of the Oswald file extremely troublesome, especially when viewed in light of the Department of Defense's failure to make this file available to the WC. Despite the credibility of Jones' testimony, without access to this file, the question of Oswald's possible affiliation with military intelligence could not be fully resolved."

Interesting enough, but there's lots more~~x~~. The Committee referred to, but did not publish, a memo I prepared in October 1977, when the new FBI documents came out. Since we will get into the questions the HSC report didn't in this area, it's worth quoting my memo at length, so you don't have to rely on my opinion that these additional questions were brought to light clearly enough. (Insert here most of PLH's 4-page memo.)

[Next: the HSC info on specifics in my memo - their source, only Jones (not the docs, not other files). Problems raised - detailed analysis of their info. Then observations of the loc'n of this in the report - CIA section, no clearing (but it was in Inquiry, etc.) Then, more (old) army stuff - PDS/anson material, then the Kail coincidence

Some just-released FBI documents appear to provide significant leads about:

- (1) the role played by Army Intelligence in events surrounding the assassination;
- (2) conflicting evidence on how the authorities learned of, and reacted to, Oswald's use of the name A. J. Hidell.

BACKGROUND:

Previously available evidence about Army Intelligence is discussed in Section I of "Government Documents and the John F. Kennedy Assassination," by Peter Dale Scott. (See also Anson, pp. 284-5) Scott points out that the head of a local Army Intelligence Unit helped select an interpreter for Marina Oswald's crucial early interviews; Army Intelligence agent James Powell was inside the TSBD when the rifle was found; an Army Intelligence agent was with SA Hosty before the assassination; and various interesting Dallas Police officers were members of the Army Intelligence Reserve. Most provocatively, Don Stringfellow of the DPD intelligence unit told the Army's 112th Intelligence Group that Oswald was a card-carrying Communist who had defected to Cuba; this false information was included in a mysterious cable from the Army to the U.S. Strike Command on the evening of November 22.

Chapter 6 of Sylvia Meagher's book is devoted to the Hidell problem. Meagher argued persuasively that there was a need for "a complete and convincing explanation of why the Dallas police and the other official agencies acted for at least 24 hours as if there were no Hidell [draft] card [found in Oswald's wallet when he was arrested] and no Hidell." (P. 198) She concluded that the "actions, statements, and [contemporary] reports" of the Dallas Police witnesses who claimed that the forged Hidell card was found on Oswald "are completely at odds with the later testimony, which must raise the possibility of perjury and collusion." (Page 198; see especially pp. 185-191, and O'Toole, Chapter 9.) While I have not yet reviewed my files to see if any relevant evidence has been released since the 26 volumes were published, I am not familiar with anything which invalidates Meagher's analysis.

Meagher noted that the only contemporaneous report indicating the existence of the Hidell card on November 22 is the report by FBI SA Manning Clements on his interrogation of Oswald that evening. Meagher found it puzzling that the contents of Oswald's wallet happened to be available to Clements at that interview.

EVALUATION OF THE NEW INFORMATION:

The new FBI documents indicate that Army Intelligence learned of the Hidell card suspiciously soon - within an hour and a half of Oswald's arrest.

By matching this one bit of information with a record in San Antonio Army files about the alleged distribution of "Hands off Cuba" literature by A. J. Hidell, the Army was able to produce, very promptly, the name of an apparent political associate (and possible co-conspirator) of Oswald's.

In fact, by bringing this information to the attention of the FBI, Army Intelligence guaranteed that there would be FBI interest in Hidell.

Specifically, Army Intelligence prompted the FBI interest in the Hidell draft card. The information provided by the Army apparently led directly to the Clements interview of Oswald, a fact not reflected in Clements' testimony.

If there was in fact conspiratorial intent in either the actions of certain Army Intelligence people around the time of the assassination, or the actions of the Dallas Police relating to the Hidell draft card, the new information in these documents should allow a focusing of the investigation.

DETAILS:

In summary, the contents of the new documents are as follows:

At 3:15 p.m. on November 22, the FBI in San Antonio was contacted by Lt. Col. Robert E. Jones, Operations Officer of the 112th Army Intelligence Group. (This was about an hour and a quarter after Oswald's arrest, about 45 minutes

after the first interrogation session started, and just about the time that FBI agents joined in the interrogation. (WR 612) That is, by any standards Jones' contact with the FBI was early.) Jones said that they had learned "through news broadcasts" that Oswald had been arrested and was a suspect in the assassination.

Jones gave the FBI information from Army Intelligence files in three cities. Corpus Christi (and/or San Antonio) had newspaper articles on Oswald's defection and return. (This seems perfectly routine; what is odd is that the Dallas Police did not have any files on Oswald.) The Army in New Orleans knew of Oswald's arrest "for distributing pro-Cuban literature." The two most interesting sentences relate to information in San Antonio:

"When arrested today in Dallas, according to information he [Jones] has received, Oswald was carrying a Selective Service card having the name of Alex Hidell."

"Jones stated INCT [i.e., Army Intelligence] records here [San Antonio] reflect a reference to Ana [sic; should have been "an A."] J. Hidell who reportedly has been distributing 'Hands off Cuba' literature."

The FBI in San Antonio sent a teletype message to the Director's Office about an hour after the contact with Jones, at 4:25 p.m. CST (5:25 p.m. EST). (The time of the contact is not mentioned in the teletype, but is given in a letterhead memo prepared the same day.) A handwritten note on the teletype from San Antonio reads "Have field locate & interview Alex Hidell & Ana J Hidell."

At 9:21 p.m. CST (10:21 p.m. EST), the FBI in Washington notified Dallas and New Orleans of the unsuccessful pre-assassination attempt in New Orleans to identify Hidell. Referring to the information provided by Jones, Washington ordered these field offices to "make every effort to develop further information concerning Alex Hidell, Ana Hidell and A. J. Hidell. If located interview thoroughly concerning any knowledge of or possible participation in plot to assassinate the President."

I find it noteworthy that the result of the contact with Army Intelligence in San Antonio was to force the FBI into consideration of Hidell as a possible participant in a conspiracy. (The New Orleans FBI knew before the assassination that Hidell's name had appeared on some of Oswald's papers, and had unsuccessfully tried to locate him, but this was quite possibly not known to the Army in Texas.)

In this 'urgent' teletype from Washington, Dallas was specifically told to "immediately obtain full information concerning Selective Service card in name of Alex Hidell which was allegedly [sic] in possession of Oswald." This suggests that as of 9:30 p.m., the FBI knew of this card only through Army Intelligence. At about 10 p.m., SA Clements did in fact interview Oswald and list the contents of his wallet.

QUESTIONS AND LEADS:

(1) Exactly what did Army Intelligence know about Hidell and Oswald before the assassination, and what were the sources?

Certainly the files from San Antonio, Corpus Christi, and New Orleans should be examined, to see if they contain anything other than what was reported to the FBI. What about Dallas and other cities, especially in Texas?

The report that Hidell was distributing "Hands off Cuba" literature is interesting, in that it implies that the person involved was not identified (in the records) as Oswald. Thus, the source could not have been (for example) the FBI reports on Oswald in New Orleans.

One possibility is that the Army learned of a handbill bearing Hidell's name and New Orleans P.O. Box which had been picked up by Martin Abelow in June 1963 and turned over to the Security Office at NASA in Houston. (I have a fairly complete file on this incident, which is the only one involving Hidell but not Oswald which has come to my mind.)

(2) When and from whom did the Army learn about the Hidell card?

Meagher's book discusses in detail the testimony of the Dallas Police officers who supposedly knew of the card on November 22. If any of these men were privately passing information to Army Intelligence within an hour or so of Oswald's arrest, the implications should be very carefully considered.

Certainly all the people involved in the actions of Army Intelligence around the time of the assassination are potentially key witnesses. One of them might provide a breakthrough into some kind of conspiracy.

The Dallas Army files in particular should be looked at closely. I don't know of any researcher who has requested them under the FOI Act.

I would like to know if Army Intelligence was getting a full report on the questioning of Oswald. Given the general absence of official reaction to the Hidell card, the passing on of this bit of information, either by itself or with other "major" leads, is intriguing. (By the way, the name on the card is Alek, not Alex, but it would be easy to misread.)

Incidentally, Jones' statement to the FBI that Oswald "had traveled extensively in Russia" strikes me as being a familiar phrase. (I'm not sure that assertion is correct, and I wouldn't have made it, but it could easily be a normal interpretation of reports which were circulating right after Oswald's arrest.) Perhaps some of my colleagues will be able to locate other uses of the phrase "traveled extensively in Russia;" that might be helpful in tracing the flow of information.

(3) Who prompted the contact between the Army and the FBI, and why?

Obviously, this question reflects my suspicion that there was more going on than meets the eye.

(4) What were the actual circumstances of Clements' interview of Oswald? Did the FBI then, or does it now, suspect the claim that the Hidell card was found in Oswald's billfold?

Clements testified to the Warren Commission that he was in the DPD homicide bureau for some reason he did not recall; that he asked SA Bookhout if anyone had obtained a detailed physical description and background information from Oswald; and that Bookhout suggested he do so. Clements said that he talked with Oswald, and that when Oswald was taken out for a lineup, he examined the contents of his wallet. (7H320)

In light of the "urgent" teletype message of 9:21 p.m., Clements' account of how he more or less drifted into this interview at about 10 p.m. simply does not ring true.

In fact, the first substantive point in Clements' report on this interview (WR 614-8) is that Oswald declined to explain his possession of the Hidell card; that is what one would expect if the interview was the result of the orders from Washington.

I am, naturally, curious to know if Clements or anyone else in the FBI suspected that the Hidell card might have been planted on Oswald, or if he felt that Army Intelligence was trying to push the FBI too hard to go after Hidell. The Dallas FBI file might be helpful here. Certainly Clements should be asked about his testimony.

Two incidental points: the Hidell certificate of service card, said by Curry to have been found in Oswald's wallet, is not mentioned in Clements' report. (See Curry, p. 98.) Also, Clements did notice that the Hidell draft card was "obviously fictitious" because it contained a photograph. It is not at all clear why Oswald would want such a card. Fred Newcomb and I have done some work along the lines of a hypothesis mentioned in Meagher's book (p. 194); I am willing to speculate that Oswald might have ordered his weapons using a false name and with obviously false identification on instructions, thinking that he was helping with the investigation being carried out by the Dodd Committee of the Senate into mail-order sales of firearms.

(5) Why did the Army Intelligence files never reach the Warren Commission?

Perhaps a careful review of all Army Intelligence files on Oswald in the pre-assassination and immediate post-assassination periods will provide the answer.

As far as I know, the Warren Commission never realized that the Army had any relevant pre-assassination material. While a copy of the November 22 cable to the Strike Command was included in the O.N.I. file, it was not, as far as I know, submitted directly by the Army.

Sam Stern of the Warren Commission staff did realize that the initial routine request for all pre-assassination Defense Department files was not being complied with. In an attempt to be sure that he had all Defense Department records, Stern wrote a rather blunt letter in March. Within five days, the Defense Department said that all known material on Oswald had been furnished to the Commission, a statement which was clearly false (and not just because of the Army Intelligence files). An examination of internal Defense Department communications immediately after the assassination might be helpful.

Any request for files to the Army should specify the name of Harvey Lee Oswald, as well as other variants of Oswald and Hidell. The appearance of "Harvey Lee Oswald" in various post-assassination documents, such as the cable to the Strike Command, might be of some help in the tracing of sources. It may reflect a pre-assassination file in that name held by someone, such as the Law Enforcement Intelligence Unit (see O'Toole's article) or Army Intelligence.

I am sending out a few copies of this memo in its present somewhat unpolished form because I think these new FBI documents are worth some immediate attention. I would prefer that the recipients not distribute it further without checking with me. This is one of those areas where my feeling is that a little official investigation would be more valuable than whatever press or public reaction we might be able to generate. Of course, I would be glad to discuss any of this information further.

[Russ - perhaps it would be best to insert here only the first page and a half of my memo. Then proceed as follows:]

My memo then set forth the following questions (on which more below):

- (1) Exactly what did Army Intelligence know about Hidell and Oswald before the assassination, and what were the sources?
- (2) When and from whom did the Army learn about the Hidell card?
- (3) Who prompted the contact between the Army and the FBI, and why?
- (4) What were the actual circumstances of Clements' interview with Oswald? Did the FBI then, or does it now, suspect the claim that the Hidell card was found in Oswald's billfold?
- (5) Why did the Army Intelligence files never reach the Warren Commission?

We'll deal with each of these questions in turn. ~~First~~ With regard to (1), I speculated about the possible sources, based on the FBI records indicating that the Army did not say that Hidell was an Oswald alias: [Insert text from (1) in memo here.]

The account given to the Committee by Jones differs from the FBI documents in a number of significant details. The Committee gives only Jones' version, not quoting or even citing the FBI documents. There is a peculiar footnote:

"Questions had been raised about the contents of some FBI communications on November 22, 1963, that reflected information allegedly provided by military intelligence. In his testimony, Jones clarified several points and corrected several errors in these communications." (AR 222)

That is all the Report has to say about the FBI documents; it doesn't even indicate why Jones' recollection, in the absence of the files, was apparently accepted.

~~Jones stated that the HSC~~ The HSC, relying on Jones' testimony, said that he had opened "a file under the names Lee Harvey Oswald and A. J. Hidell." On 11/22, he learned that the indexes "indicated there ~~was~~ was a file on Lee Harvey Oswald, also known as A. J. Hidell." Now known FBI documents say, or even suggest, that Hidell was an Oswald alias. A major point of my analysis is that the Army got the FBI going after Hidell as a possible co-conspirator. It took days, as I recall, before the FBI concluded that there was no Hidell.* Perhaps Jones is simply in error, and he heard of both Hidell and Oswald, and then pulled two files. But this should have been pursued: if the Army knew that Hidell was an Oswald alias, they knew something no other intelligence agency did - a fact which would have been known only to Oswald, ~~and~~ perhaps Marina, and - of course - his ~~employer's~~ control agent (if there was one.)

(*The pre-assassination FBI reports show a systematic routine name check in an attempt to locate Hidell.)

On how Jones ~~xxx~~ heard of Hidell, the report says only that "Early that afternoon, he received a telephone call from Dallas advising that an A. J. Hidell had been arrested or had come to the attention of law enforcement authorities." The Report suggests that Jones learned the name Oswald when he found the file ~~xxxx~~ with the two names. This hardly satisfied me; here is the analysis I had given the committee: (Insert text text for (2))

Because of the file destruction, presumably, the Committee had ~~xxx~~ nothing to say on the question of who prompted to Army-FBI contact, and why. I had said that "Obviously, this questions reflects my suspicion that ~~x~~ there was ~~xxxx~~ more going on than meets the eye." Certainly Oswald being an Army Intelligence agent was ~~xxx~~ far down on my list of possibilities - had that been the case, I don't think the Army would have been volunteering anything to the FBI.

The conspiratorial implications I had in mind pointed towards the authenticity of the Hidell card in Oswald's possession: (Insert text for 4)

The Committee seems to have been ~~disturbed~~ more disturbed by the destruction of the file than by the implications of the contact. I'm disturbed, too; in fact, the situation is worse than the Report indicates. The report simply says that the Defense Department "never gave" the Warren Commission the file, and later ~~x~~ refers to the Department's "failure to make this file available to the Warren Commission." In fact, the Department falsely told the Commission it had received all the Oswald files, after a suspicious staff lawyer raised the issue. (Insert text for 5 here; we can quote from or reproduce the Stern-DoD correspondence, if needed.)

The DoD ~~xxx~~ told the Committee about the routine destruction of Dossier AB 652876, on Oswald, Lee Haryey. Earlier, Jack anderson (12/1) referred to 2 other destroyed Army files, ZA ~~01~~3685 and ZB 500928, both captioned "Assassination[-] President John E. F. Kennedy." The Committee ~~xxx~~ is silent about ~~these~~ these files, and about the distinction between files at Army HQ and in the various field offices. Nor do they mention the possibility that copies of the Army ~~xxx~~ material was preserved by other agencies, to whom copies were sent.

For example, the Report notes that "Jones believed that [his] 'after action' report included information obtained from reports filed by the 8 to 12 military

intelligence agents who performed liaison functions with the Secret Service in Dallas" on 11/22. (AR 222) The Committee had good reason for being interested in these liaison officers. A different section of the report notes several reports of men who were called Secret Service agents in Dealey Plaza, when in fact none of the agents from the motorcade stayed there. DPD officer Joe Smith encountered someone who said he was a Secret Service agent, and had some credentials. The Report notes that Col. Jones indicated that the 8 to 12 agents who were providing supplemental security "had identification credentials and, if questioned, would most ~~likely~~ likely have stated that they were on detail to the Secret Service." (AR 184)

The Committee should have made an effort to track down these Army personnel. One of them could turn out to be the best witness to what happened on the grassy knoll. Perhaps Secret Service files would have their names; in many case, a few inquiries in Dallas might have led to identifications. [[Something for Earl Golz to do!]]

The Committee has left its interpretation of this Army Intelligence evidence ambiguous. When it was not dealt with in the public hearings, I asked a staff member, who said only that "we are aware of the Department of Defense." I mentioned this exchange in an Inquiry article [check], which may have led someone to decide that it had to be dealt with in the report. ((That's the innocent explanation, but strained.)) In the report, however, this and a couple of other points about military intelligence are in a section on the CIA, headed by the finding that the CIA was not involved in the assassination. There is no finding that military intelligence was not involved - but of course ~~no~~ no suggestion that the Committee thinks it was. From the staff reports on Cuban groups, it is clear [PDS-is it?] that some of the staff recognized military intelligence as ~~a~~ playing a major role in this milieu, where they were looking for links with Oswald. The failure to exculpate all U.S. agencies from involvement in the assassination is probably a slip, but it's a provocative one. If you are willing to entertain the idea that any agency was involved in the assassination, the ~~the~~ FBI, CIA, and SS are hardly the only candidates.

My memo of October 1977 mentioned several reasons for my interest in Army Intelligence. Most are probably just coincidences, with innocent explanations. [PDS can go into detail here if he wants.] One document is hard to write off as

totally innocent. ((Add before previous sentence: The HSC has given us a new coincidence: Sam~~x~~ Kale of Army Intelligence [?] helped arrange a meeting between DeMohranschild's buddy and the CIA; his name was also given to Veciana, some years previously, as a possible contact. [PDS-fix])) On the evening of November 24, a cable went from the Army at Ft. Sam Houston to the U.S. Strike COmmand in Florida. Following up on an earlier phone call~~x~~, the Army provided background information on the FPCC. The cable then passed on false information from DPD assistant Chief Don Stringfellow, of the intelligence section, to the effect that the killer of the president had defected to Cuba [sic, not Russia] in 1959 and "is card carrying ~~MEMBER~~ member of Communist party." If there is more going on than ~~MEMBER~~ meets the eye, we need to know more about not only information exchanged between the FBI, Army Intelligence, and the DPD, but the apparent intended use of that information.

Strangely, the Committee ~~KEEPEX~~ repeatedly refers to "the military intelligence file" on Oswald. The next section ~~WH~~ of the report makes the rather obvious observation that the notation "CIA 77978" on the envelope containing a photo ~~WH~~ of Oswald in the Office of Naval Intelligence (ONI)~~X~~ file is a reference to a ^{well-known} CIA cable to the Navy with that number, and does not indicate that Oswald was a CIA agent. [[That's really dumb!]] But the report adds:~~x~~ "Again, however, the destruction of the military file on Oswald prevented the committee from resolving the question of Oswald's possible affiliation with military intelligence." It's fine to see that point repeated, but a copy of the ONI file was given to the Warren Commission and has been available ~~for~~ years!

~~THE~~ There may have been a secret Marine Corps investigation of Oswald after the assassination. The report does not mention this, but a short staff report ~~has~~ (signed by the two top lawyers [Blakey and Cornwell] as well as one staff lawyer) which reports on an allegation by Larry Huff, who claimed to have been the navigator on a flight from Hawaii to Japan (near ~~Oswald's~~ Atsugi, where Oswald had been stationed.) The Committee was unable to proved or disprove this allegation, it seems, but they apparently took it seriously.

As noted, peculiarities in the actions of the CIA, FBI, or Army around the time of the assassination do not suggest to me that Oswald was an agent. Some of the

peculiarities might make sense if one agency thought Oswald was working for another. (((I hope I've made the point that the HSC's conclusion that the agencies were not involved in the ass'n seems to rest largely on the conclusion that Oswald was not an agent. It's fairly silly to suspect the CIA of direct involvement, but if they had done it, you can be fairly certain Oswald was not an agent or informant of theirs!))) But there is a separate question - who might Oswald have been working for when he went to Russia. The Committee deals with the CIA's failure to debrief Oswald on his return in 1962, but fails to mention ~~as~~ a provocative aspect of Helms's testimony on this point.

The report noted a CIA memo indicating that contact with Oswald had been considered (contrary to Helms's Warren Commission testimony). [Helms wasn't asked about this in public; I rather doubt that he ~~knowingly~~ knowingly lied to the WC on this point - if not, one would wonder who was keeping the truth from him in 1964.) The Committee noted that interest in the Minsk radio factory where Oswald had worked would have been logical. Based on a file review of other defectors, the HSC concluded that "the CIA did not contact returning defectors in 1962 as a matter of standard operating procedure."

The CIA told the Committee [p. 209] that "between 1958 and 1963 it "relied upon the FBI both to make such contacts and report any significant results." In fact, the FBI did interview Oswald. But, in his testimony, Helms gave another explanation:

x Mr. Fithian: The return of a defector to the United States, ~~as~~ as Oswald did in 1962, is that - would that trigger an action by the Agency to interview him?

(4 AH 178) Mr. Helms: Normally, it would have, except that he would have been regarded by the Agency as a member ~~of~~ or a reserve member ~~of the~~ from the Defense Department, ~~and~~ and therefore it would have been up to the Navy to take him over and talk to him. And again, a bit later:

Mr. Goldsmith: Would standard operating procedure have called for Oswald to have been debriefed?

Mr. Helms: I would not have thought so, Mr. Goldsmith. I think that the standard operating procedure after he returned to the United States would have been for the Navy to debrief him.

Mr. Goldsmith: Why is ~~it~~ that, sir?

Mr. Helms: Because he had been a member of the Marine Corps, and I believe he stayed in the Marine Reserve, if I am not mistaken. [He was given an undesirable discharge while he was in the USSR - PLH (check)] But in any event, the understanding were that military officers were handled by the intelligence organs of the Defense Establishment.

Logical and innocuous as this explanation may seem, it caught my attention during the public hearings, because it was new to me. The HSC report doesn't mention it. But was Helms trying to ~~lie~~ tell us something? Leaving Oswald to the Navy would certainly make sense if he had been in Russia on a mission for military intelligence. Helms, unfortunately, was not asked in public if he suspected that.

Shortly after the hearings ended, I passed on to a member of the HSC staff some ~~re~~ information which a colleague had pieced together, about the handing of agents, such as false defectors, in the Soviet Union. My ~~former~~ colleague had tentatively concluded that ~~until about 1958~~ such agents would have been under the control of the military agencies, until about 1958, ~~the~~ when responsibility was transferred to the CIA. We speculated that the military might have been unhappy about this loss of power, and might have continued to send its own people over. If Oswald had been ^{on} an unauthorized military intelligence mission, that would explain a lot of things. I thought this speculation was worth passing on to the Committee; much to my surprise, my ~~SENKKE~~ contact not only knew about the early DoD control over ~~defectors~~ planted defectors, he commented that he didn't know why it took people so long to figure that out. [Ewing, 10/12/78, p. 2] Since this staff member wasn't primarily working ~~x~~ in the intelligence area, I took his remark as a sign of fairly serious HSC interest in the hypothesis that Oswald had been a military agent in Russia. Therefore, I was particularly surprised to see no mention of this in the report (or in the ~~we~~ volumes, I think), and no analysis of the possibility that Helms suspected this to be the case. In this context, the HSC's focus on the question of Oswald as a possible military intelligence agent, rather than on the questions I had raised about the actions of Army Intelligence on 11/22, makes sense, and the specific statement that such a link could not be precluded might cover a serious interest in this possibility.

(As already noted), the expertise of the HSC's ~~panels~~ panels and the Chief Counsel's special sensitivity ~~to~~ to Organized Crime issues led to a report which is more ~~textured~~ textured, and generally stronger, in the technical and Mafia areas ~~than~~ than others. With the exception of anti-Castro Cuban groups, who are examined in great detail in the staff reports, other areas were generally disappointing to long-time students of the case. The less satisfying areas included Oswald's ~~is~~ guilty, ~~and~~ and the performance of the ~~intelligence~~ intelligence areas - obviously a very sensitive matter. The analysis of possible Cuban or Russian government involvement ~~is~~ is sensitive not only because of ~~the~~ the current foreign policy implications of any but the most unambiguous findings clearing them, but because much of the ~~information~~ information came from sensitive intelligence matters.

One problem is that the findings, around which the report is structured, ~~do~~ not reflect the more subtle but important issues that have been ~~raised~~ raised. Sure, the FBI, CIA, and SS didn't conspire to kill the President, but is that all that we can hope to learn from an analysis of their pre-assassination files on Oswald? The finding that the WC acted in good faith (as the Committee, of course, ~~believes~~ believes it did, despite its flaws) begs the question of how the newly-established conspiracy ~~escaped~~ escaped detection. Calling the FBI-WC investigations of Oswald's guilty "thorough and professional" certainly ~~fails~~ fails to give the flavor of the WC and FBI files; the pervasiveness of the belief in Oswald's guilty deserves more exposure than the HSC gave it. (Even the Schweiker Report did better.) And, of course, the withholding of ~~much~~ much of ~~the~~ the HSC's ~~files~~ files makes it hard to believe that the HSC has told us all we deserve to know about how (in Blakey's words) the investigative agencies of our government failed us in 1963-4.

Judging from the report alone, the work in sensitive areas ~~was not guided by~~ ^{was not guided by} ~~subtle hypotheses~~ appropriately subtle hypotheses to be tested. (The files, of course, might tell a different story.) For example, while ~~it~~ it is true that neither the Soviet nor ~~the~~ Cuban governments would have motive to kill JFK, the possibility of "rogue elephants" is not discussed - perhaps wisely so, but the gap in the report remains.

On the other hand, the HSC certainly deserves praise for much of what it did in these sensitive areas. In general, it managed to steer clear of such hot but possibly

irrelevant areas as the Nosenko affair (see below), and the many implausible and perhaps deliberately deceptive allegations which had caught the ear of much of the public, and even some members of Congress, before Blakey took over. (E.g., Morrow, & Oswald's "offer" to the Russians in Mexico, Sturzigis on the Knoll, etc.) Given the history of the case, the number of totally kooky things Blakey managed to avoid getting hung up in is remarkable.

In addition, the investigation of the sensitive intelligence-related matters did come up with a lot of goddies. The report ~~notes~~ notes:

* "... It is highly probable that the Soviet Government possessed information on Oswald that it has not provided to the U.S. government. It would be the extensive information that most likely was gathered by a KGB surveillance of Oswald and Marina while they were living in Russia. It is also quite likely that the Soviet Government withheld files on a ~~KGB~~ KGB interview with Oswald." (AR 10 A footnote adds that "The committee concluded that it should not necessarily be inferred from the failure of the Soviet Government to cooperate with the committee that it was involved in the assassination. Just as agencies of the U.S. intelligence community are reluctant to share their confidential files, a ~~similar~~ similar response might be expected to come from the KGB."

* "The ~~committee~~ committee also considered the allegation that appeared in an article in a 1967 issue of the National Enquirer, written by a British freelancer names Comer Clark. Purported based on an exclusive interview with Castro, it quotes the Cuban President as admitting to having heard of threats by Oswald to assassinate President Kennedy [threats made when Oswald visited the Cuban Consulate in Mexico City in September 1963.]... Despite the committee's doubts about the Clark interview with Castro, it was informed that the substance of it had been independently reported to the U.S. Government. A highly confidential but [sic, should be and?] reliable source reported that Oswald had indeed vowed in the presence of Cuban consulate officials to assassinate the President.... On ~~the~~ balance, the committee did not believe that Oswald ~~had~~ voiced a threat to Cuban officials. However reliable the confidential source may be, the committee found it to be in error in this instance." [AR 122-3]

In its investigation of a possible corroboration of ~~this~~ this report, the Committee ~~was~~ properly declined to take seriously ~~the~~ the reported ~~statement~~ statement by a consular employee, Luisa Calderon, who said (when ~~asked~~ asked if she had heard of the assassination), "Yes, of course, I knew almost before Kennedy." The Committee attributes Calderon's remarks to "a blind memorandum provided by the CIA." A staff report makes the origin even more curious. ~~While~~ ^{It} reporting ^{(without} ~~the~~ not necessarily believing) the CIA's explanation that it was a mistranslation - "me entere casiantes que Kennedy" being "I found out" or "I learned" about it almost before Kennedy did, which makes it less sinister. The staff report concludes that the CIA should have passed this report on to the Warren Commission. ^A The hypothesis ~~is~~ worth consideration is that someone in the CIA recognized a provocative mistranslation, and decided not to pass it on. In that case, the source

of the mistranslation deserves scrutiny, for possible conspiratorial motives. [11h494,499]

[I'm just going thru the report - we can do as much or as little of this sort of things as we want - can get more goodies from the staff reports. Odio, Veciana, and Bishop could be mentioned here, or saved for PDS's stuff.]

* [AR 197, n2] "The committee also attempted to identify CIA employees who may have had the motive, means and opportunity to assassinate President Kennedy. In this regard, no useful information was generated from selected file ~~xxxx~~ reviews." This carefully vague sentence avoids saying that no such CIA employees were identified. While the CIA as an institution was cleared by the Committee, the possibility of involvement by individual employees was not so emphatically ruled out. [[Background only - some of the staff were as suspicious of Wm. Harvey as I was!]]

"[AR 200] ... ~~xxxxxx~~ because the committee was aware of one instance (in an unrelated case) [the ZR-RIFLE assassination ~~xxxxxx~~ capability project] where an Agency officer had apparently contemplated the ~~xxx~~ use of faked [201 personnel] files with forged documents, special attention was given to procedural questions that were occasioned by this file review" (of the Oswald 201 file). None of these procedural points led the committee to conclude that there was more to the CIA-Oswald relationship than met the eye, but some - such as the "restricted" marking on Oswald's file [p. 203] still might seem odd to some paranoids like me.

The committee remained ~~xxx~~ troubled by the handling of the CIA file on Richard Snyder, who as a State Dept. employee dealt with Oswald upon his defection. Snyder had worked for the CIA for about a year in 1949-50 [p. 214-5], but not in 1959, when Oswald defected. Sometime before 1974, his files was "red flagged" and segregated ~~x~~ because of a "DCI statement and a matter of cover" regarding Snyder. The CIA was unable to explain the reference to "cover." It said that the flagging was done at the request of "DDO/CI," said by the HSC to be DDO/Central Intelligence but by B. Sparks to be ~~WHO~~ DDO/counterintelligence, which is more provocative. (I guess.) The committee found the CIA's failure to explain the red flagging "extremely troubling." [Well, reader, do you want more of this? ~~xxxx~~ the Mexico tape & photos? The CIA reply to the WC on Ruby, which the HSC couldn't find? (CD 1054)? The staff report's comments on the '67 IG report? I'm sort of indifferent.]

8/24/79 RS → SM

The Mob, the Kennedys, and Oswald

Nearly five decades ago, back in the thirties, hoodlums met in Kansas City and New York to impose a certain order on their underworld of lawlessness. In these historic meetings, the laws of the lawless were promulgated, and empires were delineated with a precision that might have been admired by the popes and potentates who had once sought to extend their writ across to every continent. The resulting institution has been neither more nor less effective than the League of Nations or the UN in preventing bloodshed among classified members. But, like the world bodies, the national crime syndicate provided a modicum of order where utter chaos had reigned before. A nine-member commission, representing some twenty-four distinct territorial subdivisions across the continental United States, was invested with permanent Security Council powers.

The reality of an organized underworld was popularly accepted, and Hollywood made it bigger than life. If official Washington was reluctant to accept the reality of an organized criminal underworld, it nonetheless granted secret recognition to the upstart invisible power. When the Second World War broke out, the secret operatives of the CIA's predecessor, OSS, had no apparent hesitation in approaching such underworld figures as Charles Luciano for a range of missions from keeping Nazi infiltrators off the New York waterfront to Mafia assistance in the Allied invasion of Sicily. Yet others in government preferred to turn a blind eye toward organized crime -- officially denying its existence and disparaging those who considered it a national problem. J. Edgar Hoover, in particular, wanted everyone to think that crime was under control, while foreign ideologues and domestic subversives constituted the real threat to American life.

Senator Estes Kefauver brought an unromanticized view of the criminal hierarchy to the screen with his televised hearings on Organized Crime in Interstate Commerce in 1950-51. The Kefauver Committee's conclusions were blunt and vivid: a nationwide syndicate, the Mafia, provided centralized direction and control of the most lucrative rackets, as well as the narcotics traffic. In the committee's words:

The domination of the Mafia is based fundamentally on "muscle" and "murder." The Mafia is a secret

conspiracy against law and order which will ruthlessly eliminate anyone who stands in the way of its success in any criminal enterprise in which it is interested. It will destroy anyone who betrays its secrets. It will use any means available -- political influence, bribery, intimidation, et cetera, to defeat any attempt on the part of law enforcement to touch its top figures. . .

In 1957, another Senate committee -- this one chaired by Arkansas Democrat John L. McClellan -- probed the mob's influence in the labor movement (under the seemingly balanced rubric of investigating "Improper Activities in the Labor or Management Field"). One of the most active probers of the McClellan Committee was the young Massachusetts Democrat John F. Kennedy; his brother Robert served on the committee's council. Among their early targets was the Teamsters' Jimmy Hoffa. In the course of the McClellan hearings, Hoffa beat his first Kennedy-sponsored ray: a charge of attempting to bribe committee staff member John Gye Cheasty. But before the year was out, the Teamsters had been expelled from the AFL-CIO. There was pressure on Hoffa from many directions -- and the Kennedys would do all they could to keep the heat on the Teamster/raider.

When the Democrats nominated Senator Kennedy for President in 1960, Hoffa threw the support of his union behind the Republican nominee, Vice-President Richard M. Nixon. There are reports that Hoffa's friend, New Orleans mafioso Carlos Marcello, contributed a half million dollars to that campaign -- with Hoffa as the bagman. (A Justice Department land fraud indictment against Hoffa was briefly withdrawn that fall, shortly after the reported Marcello donation; when Nixon failed in his bid for the presidency, the indictment was restored.)

With Robert Kennedy at the head of the Justice Department and John Kennedy in the White House, the pursuit of Hoffa, Marcello, and others was qualitatively altered. The Constitution limited the powers of congressional investigations to exposure of problems and remedial legislation. But in the executive branch of government, the Kennedy brothers were for the first time in a position to enforce the law and prosecute the enemies they had already singled out. By all accounts, their war on Organized

Crime was without precedent in U.S. history.

Hoover resisted, but Bobby Kennedy refused to defer to the FBI chieftain whose entrenched power was also without precedent. The young attorney general initiated a program to coordinate the intelligence-gathering capacities of over two dozen government agencies. The nerve center of the operation was the Organized Crime and Racketeering section of the Justice Department. Robert Kennedy quadrupled the battery of attorneys working in that section, from fifteen to sixty. Among the young lawyers who joined the war on Organized Crime was G. Robert Hickey.

The results were dramatic. Justice Department statistics show a tenfold increase in "Days in Field" against Organized Crime targets -- from 660 in 1960 to 6,699 in 1964; there has never subsequently been a comparable effort. Days in court against Organized Crime rose from 67 in 1960 to 1,364 in 1964; days in grand jury, from 100 in 1960 to a peak of 1,353 in the year of President Kennedy's death. Convictions of racketeers climbed steadily: 96 in 1961, 161 in 1962, 373 in 1963.

Hoffa and Marcello were early targets, and the Kennedys never admitted defeat in the campaigns to prosecute them successfully. Marcello was deported -- he refers to it as simply kidnaping -- in the spring of 1961; he returned to the United States secretly that June and was in court in litigation fighting removal deportation efforts the very day that President Kennedy was shot in Dallas. In the summer of 1961, a federal judge ruled that the grand jury which indicted Jimmy Hoffa for land fraud the preceding fall had not been properly expanded; but on October 11 the Kennedy Justice Department had succeeded in having Hoffa reindicted for misuse of union funds in the same land deal. Seven months later, Hoffa was again indicted -- this time for a labor extortion scheme; this case ended in a hung jury in December 1962.

In May 1963 Hoffa was indicted for jury tampering -- a more serious offense than the misdemeanor extortion charge on which the jury had been deliberating. But it was this last indictment which would ultimately convict Hoffa. The principal witness against him was a turncoat in his own inner circle -- Edward Grady Partin -- whose own record with the law was not without

its bluish-grey. Partin became an informer for the Get Hoffa Squad in the fall of 1962. He first came to the government with a report that Hoffa had talked to his ^{brother} ~~brother~~ assassinating Robert Kennedy. (A month later Marcello is reported to have uttered a Sicilian death threat against JFK.) The drive to get Hoffa was unrelenting; another indictment (in June 1963) charged the Teamster leader and other union officials with defrauding the union's Central States Pension Fund of over \$20 million.

It is well established that Hoffa, his unsavory associates, and the mob in general rejoiced at the thought that President Kennedy's death in November 1963 had ended the war on Organized Crime -- and Justice Department statistics suggest that they were essentially correct in this belief. Hoffa has been quoted as remarking after the President's assassination that his ^{Bobby Kennedy} ~~brother~~, the attorney general, was now just another lawyer. FBI electronic surveillance captured a pithy summary of the mob's relief on December 3, 1963, when hoodlum Charles English delightedly told his boss, Chicago mobster Sam Giancana, "I will tell you something, in another two months from now, the FBI will be like it was five years ago. They won't be around no more. They say the FBI will get it [the investigation of the President's assassination]. They're gonna start running down Fair Play for Cuba, Fair Play for China. They call that more detrimental to the country than us guys."

True enough, the FBI did expend little investigative energy pursuing Organized Crime leads in the Kennedy assassination. The Warren Commission showed no interest in the subject; and, three years later, Jim Garrison never mentioned the Mafia -- despite the fact that his prime suspect, David Ferrie, was working for Marcello at the very moment of the assassination. For the decade that followed, it was left to private citizens to raise the questions about Organized Crime that should have been properly answered in the official inquiries. To make matters worse, the private citizens had the added risk of libel actions brought by any individuals they might link to the underworld. Two pioneering works which explored possible Mob involvement in the Kennedy assassination -- Legacy of Doubt by Peter Meyer and Coincidence or

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Conspiracy by Bernard Fensterwald, Jr. (with the help of future Stokes Committee staffer Michael Bering) -- were both hit with costly suits. The effect of such litigation, regardless of the eventual outcome, was chilling.

The Stokes Committee, virtually from its inception, looked seriously at Mob links to the assassination. Blakey's enthusiasm for this line of investigation was evident from the start. At the September 1977 critics conference, Blakey suggested the heading "Oswald and Organized Crime" as an item for the agenda. Several critics in attendance were well versed in Jack Ruby's long history of association with the underworld, from his childhood in Chicago to his last phone calls as a free man in 1963. Most assumed that Blakey had simply made a verbal slip -- substituting Oswald for Ruby as an Organized Crime topic. When one critic asked for clarification, Blakey ~~was~~ replied that Oswald could be left out; but he made clear that Organized Crime itself was the focus he had in mind, with or without obvious links to Dallas.

To some critics, the most plausible Organized Crime scenario was one in which Oswald had no role except that of patsy -- as he himself insisted when he was in police custody following the assassination. In this view, Ruby played a traditional role of underworld silencer -- to protect any secrets that Oswald might have revealed about those in a position to set him up. In any event, in all the literature that had appeared over the years the notion of an Oswald connection to the underworld was singularly absent.

While the Stokes Committee certainly investigated Organized Crime independently of its examination of the events in Dealey Plaza, in the end it did have to pull all the pieces together. In fact, it couldn't even wait until the end to pull them together: in effect, it had to start tidying things up well before all the evidence was in. One can only wonder how everything might have looked if the finding of a second shooter on the grassy knoll had come on the first day of the investigation -- instead of in the final hours. The logical possibility of a frame-up exists only when there is a conspiracy. The committee appears to have given little consideration to this possibility.

It did test some of the key elements in the Warren Commission's circumstantial case against Oswald -- in particular, the Neutron Activation Analysis of the Magic Bullet and the trajectory plotting. Critics had fully expected that either of these tests, properly performed, would be likely to demolish the single bullet theory once and for all. When the tests tended instead to confirm it, the committee felt it had moved significantly closer to establishing Oswald's guilt beyond reasonable doubt.

Thus, in December 1978, the committee had already convicted Oswald when it came to the belated conclusion that two shooters had fired at the President. Its investigators had discovered provocative information in the area of Organized Crime -- including electronic recordings of ~~explicit~~ ^{explicit} mob threats against the Kennedys. But this investigation had largely paralleled the investigation of Oswald. The late finding of conspiracy forced the committee to make these parallel lines of investigation meet.

In fairness, both investigations did have a legitimate focus in New Orleans. The region's Mafia boss -- Carlos Marcello -- had an unusual personal animosity toward John and Robert Kennedy; and many of the greatest mysteries surrounding the identity and personality of Lee Harvey Oswald could only be answered in New Orleans. In the chapters that follow, we will address some of these Oswald mysteries. At this point, we will limit our consideration to the problems in the committee's efforts to build a bridge between Oswald and Marcello, while readily acknowledging that ongoing investigation of many New Orleans leads is undoubtedly advisable.

The Stokes Committee could not indict anyone, and most of its report was cautiously understated. But the language concerning Carlos Marcello does not quite balance out into ambiguity. Despite all disclaimers and qualifications, the cloud of suspicion is never fully removed. In its strongest form, the accusation appears in the committee's judgment "that it was possible, based on an analysis of motive, means, and opportunity, that an individual

organized crime leader, or a small combination of leaders, might have participated in a conspiracy to assassinate President Kennedy. The committee's extensive investigation led it to conclude that the most likely family houses of organized crime to have participated in such a unilateral assassination plan were Carlos Marcello and Santos Trafficante,* (Trafficante operates out of Tampa, Florida, and is a close associate of Marcello.) Both Marcello and Trafficante were found to have had "motive, means and opportunity" to have Kennedy killed. But the committee also noted Marcello's characteristic prudence as a mitigating factor. The final words on Marcello, however, by no means acquit him:

Considering that record of prudence, and in the absence of direct evidence of involvement, it may be said that it is unlikely that Marcello was in fact involved in the assassination of the President. On the basis of the evidence available to it, and in the context of its duty to be cautious in its evaluation of the evidence, there is no other conclusion that the committee could reach. On the other hand, the evidence that he had the motive and the evidence of links through associates to both Oswald and Ruby, coupled with the failure of the 1963-64 investigation to explore adequately possible conspiratorial activity in the assassination, precluded a judgment by the committee that Marcello and his associates were not involved.*

In addition, within a fortnight of the report's release, no longer constrained by his official responsibilities as chief counsel, Blakey was telling Newsweek, "I am now firmly of the opinion that the mob did it. It is a historical truth." If the Justice Department fails to pursue the case, Blakey may spell out to the public exactly what he means by this "historical truth." But at face value, he seems to be saying that he has seen enough persuasive evidence to convince an historian -- whether or not any mobster is ever tried and convicted by due juridical process. At this juncture, we have no way of evaluating any evidence that may have gone to the Justice Department. The published record -- including staff reports as well as the committee's own report -- has clearly omitted certain suggestive material and played down other items which might ultimately be built into a prosecutor's case. But the key point at the moment is that neither Blakey nor the committee has shown the public a compelling connection between Oswald and the mob.

One risk is that there will be those who feel that a renewed war on Organized Street Crime is such a good thing in itself (and perhaps even an appropriate homage to the Kennedy legacy) that the connections between the mob and Oswald are of only secondary importance. Representative Floyd Fithian, an Indiana Democrat who served on the Stokes Committee and also holds a Ph.D. in history, has already published an article suggesting that fighting the Mob may be more important than finding out who killed the President. Writing in the Journal of Indiana Law Enforcement, Fithian concluded (under the provocative heading "Are we willing to pick up a banner which fell 15 years ago in Dallas?"):

If organized crime was involved in the conspiracy to assassinate the president of the United States, then this "private government" may indeed be more successful than we have ever believed in imposing its will on our most cherished public institutions.

But whether or not /emphasis added/ John Kennedy died as the result of a Mafia-inspired conspiracy, the challenge facing us today remains: to marshal public will behind a national commitment to fight organized crime, and to win that fight!

Regardless of the intrinsic merit of a war on the Mafia, it should certainly not be substituted for a deeper investigation of the Kennedy assassination. No one should get away with murder, and the perpetrators of this crime should be brought to justice if it is humanly possible. But in addition, the investigation of this crime has already illuminated so many murky areas of the contemporary political scene -- especially the overlapping worlds of mobsters, spies, and freelance terrorists -- that to narrow and depoliticize the focus of further inquiry would be a disservice to the American people. An assassination critic Carl Oglesby has written, the Stokes Report itself

is a literate, sophisticated, and well-informed representation of that underworld of history in which the spy, the sneak, the hood, and the counterparty roam darkly in each other's shadows, a world which polite opinion still likes to forget about. . . . And this may prove the report's most enduring and compelling contribution: less the detailing of the Kennedy assassination than the detailing of the context in which it occurred. The report's readers will come away clear in their minds that when we talk about "the Mob," we are talking about a basic component of the contemporary American political scene, not

a bunch of Pal Joey types running a crap game in the steamships . . . Our chronic national refusal to see the Marcelles of the world in our political landscape, or to see and behold our darling CIA in the hot embrace of Mafia things, means simply that we do not understand our history.

The committee recognized that Oswald was a troublesome fit in the political context of Organized Crime as they had developed it. In the words of the report,

. . . it is likely that Oswald's principal motivation in the assassination was political . . . and generally leftwing . . . the organized crime figures who had the motive and means to murder the President must be generally characterized as rightwing and anti-Castro. Reconciling these two contradictory strands together posed a difficult problem.

The problem was not hypothetical at all. The main link between Oswald and Marcelle was through ~~Marcelle's~~ David Ferris, an ardent anti-Castro activist who worked for Marcelle's lawyer in 1963.

The Stokes Report offers two solutions to this problem. The first is a masterpiece of Hegelian dialectics: the apparently opposite political views of Oswald and Ferris actually express a higher transcendental unity, a commonly held, single-minded dedication to politics as such:

The committee fully recognized that during the course of Oswald's activities in New Orleans, he apparently became involved with certain anti-Castro elements, although such activities on Oswald's part have never been fully explained. Considering the depth of his political commitment, it would not have been uncharacteristic for Oswald to have attempted to infiltrate anti-Castro Cuban organizations. But the significant point is that regardless of his purpose for joining, it is another example of the dominance of political activity in Oswald's life. . . .

In analyzing Oswald's possible political motive, the committee ~~must~~ considered the fact that as one's position in the political spectrum moves far enough to the left or right, what may otherwise be recognized as strikingly dissimilar viewpoints on the spectrum may be viewed as ideologically related.

The committee's alternative explanation is that politics just never came up in the conspiratorial association between

two political activists with diametrically opposed viewpoints. According to the report, "Oswald's most significant apparent anti-Castro association, that with David Ferris, might in fact not have been related to the Cuban issue." This explanation is at least a logical possibility; it may not seem plausible, but it is not as illogical as the suggestion that pro-Castro and anti-Castro activists would have joined forces to kill President Kennedy because of their shared preoccupation with Cuban politics. Oswald and Ferris might have been homosexual lovers, for example. But as bedfellows without political motives, Oswald and Ferris seem an unlikely pair for a presidential plot. The notion that what they had in common was an obligation to Organized Crime is ~~xxxxxxxx~~ another hypothetical possibility, but it appears to be far-fetched.

Moreover, the fact of association between Oswald and Ferris is almost as tortuous as the logic that purports to explain it. Two staff reports relating to this problem fail to offer convincing evidence. Beyond the general point that Ferris's anti-Castro connections and involvement with Marcelle "might have made him a good candidate to participate in a conspiracy plot" (presumably with or without Oswald), three arguments are advanced to link Ferris to Oswald.

One is the familiar Hegelianism: "Both men had similar, fervent interest in political topics, especially the Cuban question. Although Ferris stood firmly on the anti-Castro side of the issue and Oswald was involved in pro-Castro activities, this alone would not rule out the possibility of an Oswald-Ferris association."

A second argument is the claim that Oswald, at the age of sixteen, met Ferris in the Civil Air Patrol: "Significant to the argument that Oswald and Ferris were associated in 1963 is evidence of prior association in 1955 when Ferris was captain of a Civil Air Patrol squadron and Oswald a young cadet. This pupil-teacher relationship could have greatly facilitated their reacquaintance and Ferris's noted ability to influence others could have been used with Oswald." (It had been alleged at the time of the Garrison investigation that Ferris exercised "hypnotic"

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powers — sometimes in the homosexual enticement of minors.)

The final link was proximity:

Both men spent considerable time in the same locale: Ferris frequently visited the office of Guy Banister in the building at 544 Camp Street. Oswald worked only one block away and had used 544 Camp Street as the address of the Fair Play for Cuba Committee. Additionally, the testimony of a number of witnesses from St. Clinton, La., placing Oswald and Ferris together in early September 1963, may be credible. Evidence also exists that a Ferris colleague, Guy Banister, knew Oswald's pro-Castro leafletting.

The fact that Banister, who knew Ferris, may have known that Oswald passed out leaflets (something reported on television in New Orleans at the time) hardly merits comment as an Oswald-Ferris "link." The so-called Clinton witnesses were an integral part of Jim Garrison's fiasco: they not only claimed to have seen Oswald and Ferris, but to have seen both in the company of Clay Shaw. The language of the staff report, quoted above, turns the problem inside out: their testimony "may be credible," as the staff report says, but it may lack credibility, as the ~~garrison~~ Garrison affair suggests. (Let us note that we are not even now discussing the leap from "association" to "criminal conspiracy" based on the Clinton witnesses' testimony.) The Stokes Committee itself called the Clinton witnesses "credible and significant"; its report wrote around the Garrison problem with by indicating that the committee was "inclined to believe" that Oswald had been in Clinton "in the company of David Ferris, if not Clay Shaw."

In the case of the Camp Street address, many theories have arisen over the years to explain why Oswald would stamp such an address on pro-Castro literature — though the same building had recently served as the local anti-Castro headquarters and at the time of Oswald's activities continued to house the right-wing operations of private detective Guy Banister. One view is that the fake address was there either to tip off the authorities or to deceive them into believing that Oswald's pro-Castro activities were not authentic — in short, that he was really working for Banister or the right-wing Cuban exiles. (Even if the address had been chosen at random, it would hardly help recruit supporters to the Fair Play for Cuba Cause.)

In support of the theory that the Camp Street address was Oswald's insurance policy with the authorities is the fact that the FBI had two copies of the pamphlet bearing the stamped address -- one presented by Oswald to an FBI agent in an interview following a street altercation and arrest -- but failed to investigate whether Oswald's pre-Cuba Committee was really operating out of Camp Street offices. The FBI was definitely on the alert regarding activities of the Fair Play for Cuba Committee, and it was diligent in checking out other Oswald leads, such as a post office box address. A ^{second} copy of the pamphlet distributed by Oswald with the Camp Street address was obtained from the FBI (by Paul L. Hoch) through the Freedom of Information Act. On the same page as the address is the FBI's file number with the lead ~~digits~~ ¹⁰⁵⁻¹⁰⁹⁵ 105 -- the local file for anti-Castro activities!

Regrettably, the Stokes Committee seems to have ignored the variety of meanings which Oswald's use of the Camp Street address might have; even in the staff reports there is no mention of how the FBI handled -- or conspicuously ignored -- the matter. Instead, the main staff report on Camp Street comes to the unlikely conclusion that "The primary import of the 544 Camp Street address must be analyzed within the context of a Ferris-Oswald link." Although this statement may have been intended as a means of establishing some distance from some controversial allegations -- particularly the dubious testimony of Banister's secretary to the effect that Oswald had visited Banister's office several times -- it remains an unhappy formulation. Yet the press does not stand out in a report that is full of verbal and logical contentions -- and ends on an even more dismal note:

While it could not be definitely determined whether Ferris had any contact with Oswald after Oswald left New Orleans on September 24, 1963, until the day of the assassination only two months later, the possible Oswald-Ferris relationship is a significant association.

In plainer English, the committee found no evidence of contact between Ferris and Oswald in the two months before November 22, but would have found such contact significant (as a link to Marcello?) if it had occurred.

Of course, even if Ferris and Oswald were acquainted and were in contact during the last two months of Oswald's life, there is a long way to go to prove Ferris's involvement in a conspiracy to assassinate the President; and implicating Marcello is more difficult still. Without Ferris, the links between Oswald and Marcello are quite indirect. Those cited by the Stokes Committee include the following points:

- * Oswald's uncle, Charles "Datz" Marret, was a minor underworld gambling figure. (The report labels Marret Oswald's "surrogate father.")
- * An "individual connected to Marret" who arranged Oswald's bail after his arrest for the leafletting altercation in August 1963 was "an associate of two of Marcello's syndicate deputies."
- * Oswald's mother was "acquainted with several men associated with lieutenants in the Marcello organization."

While there is little doubt that the mysteries surrounding Oswald in New Orleans make that city a prime target for further investigation now that there is an official finding of a probable conspiracy in the Kennedy assassination, the haunting memory of the Garrison probe a decade ago should remind all concerned of the need to proceed with extreme caution. Justice demands more than a drive to get Marcello -- or even an all-out war on the Mob. And history's demand for the whole truth requires a continuing examination of this case through a wider window than an ordinary homicide probe necessitates. In the remaining chapters, we will try to open up that wider field of vision.

THE SUCCESSFUL CONSPIRACY

The Stokes Committee and its chief counsel, G. Robert Blakey, ultimately found themselves in the ironic position of declaring officially that the best evidence available indicated a probable conspiracy in the assassination of President Kennedy -- while ~~maintaining~~ ^{INSISTING} that the conspiracy itself ~~must~~ ^{COULD} have been so limited as to have been of little significance. . In a sense, this ironic situation resulted from the chronology of the Committee's work: as late as December 13, 1978, a draft of the Committee's official findings stated, "There is insufficient evidence to find that there was a conspiracy to assassinate President Kennedy." The December 13 draft likewise stated the Committee's belief on the basis of available evidence that the Soviet government, the Cuban government, and anti-Castro organizations were "not involved in the assassination of President Kennedy." The only hint of conspiracy then lay in its finding ~~about~~ in the area of Organized Crime, which read:

Organized crime as an institution was not involved in the assassination of President Kennedy. On the basis of the evidence available to it, the committee is not able to determine if individual members of it were involved in the assassination.

In other words, this finding was stronger than most of the other conclusions in absolutely ruling out Organized Crime "as an institution" (in contrast to the weaker language -- "The committee believes. . . ." -- in the Soviet, Cuban, and anti-Castro cases); but it left open the possibility of "individual members" -- rogue elements of the criminal world -- being involved.

When the acoustical evidence persuaded the Committee that a second sniper had fired in Dealey Plaza, there were subtle changes in the findings/ in addition to the stark assertion of the Committee's new belief that President Kennedy "was probably assassinated as a result of a conspiracy." The language referring to the Soviet and Cuban governments was unchanged, but the reference to the Cuban exile groups became:

adopted on
December 29th,

The committee believes, on the basis of the evidence available to it, that anti-Castro Cuban groups, as groups, were not involved in the assassination of President Kennedy, but the available evidence does not preclude the possibility that individual members may have been involved.

The Organized Crime finding was . . . rewritten along identical lines.

In only sixteen days, much had changed. Deeply held beliefs had altered, yet there was an effort to conserve as much as possible in the Committee's psychological portrait of Oswald, its belief in the essential good faith of other governmental institutions from the Warren Commission to the CIA, and its conclusions about the implausibility of Soviet or Cuban involvement. Interviewed by the Canadian Broadcasting Company in January 1979, Blakey expressed the belief that the conspiracy might simply have consisted of Oswald and one or two like-minded leftist acquaintances. Similarly, in spelling out the limited consequences of its conspiracy finding, the Committee noted in its final report:

In terms of its implications for government and society, an assassination as a consequence of a conspiracy composed solely of Oswald and a small number of persons, possibly only one, and possibly a person akin to Oswald in temperament and ideology, would not have been fundamentally different from an assassination by Oswald alone.

500-word A/footnote at that point digresses of the possibility ^{that} ^{two} left-wing nuts might have passed out pro-Cuban leaflets together, taken a pot shot at General Edwin Walker, and then assassinated the President.

Blakey was of course to modify his personal position considerably in the first half of 1979. By the time the final report was released in the summer, Blakey was expressing his conviction that mob elements were the probable coconspirators.

While it is true that Organized Crime represents Blakey's own special interest, it is also clear that there is a conspicuous absence of investigative leads tying Oswald to any left-wing coconspirators. In view of the massive FBI files maintained on left-wing activists in that period, as well as

files then maintained by local groups (such as the Louisiana state legislature's Un-American Activities Committee and even private detective Guy Banister's anticommunist intelligence researches in New Orleans), the absence of evidence connecting Oswald to authentic left-wing activists is striking.

More importantly perhaps, Blakey has apparently stuck to the view that only a small, low-level conspiracy makes sense. On first inspection, this view may seem a cautious, hard-nosed approach -- and a proper reaction against the wild conspiracy

scenarios which have appeared recurrently. In contrast to those who have viewed every instance of Warren Commission malfeasance or FBI incompetence as evidence of those agencies' conspiratorial involvement in the assassination itself, Blakey and the Stokes Committee properly recognized other motives for activities which had the effect of covering up facts that may be relevant to the assassination -- for example, the CIA's desire to ~~conceal~~ other secrets (such as the anti-Castro plots whose disclosure would have been truly shocking in 1963) or the FBI's effort to protect its reputation.

Blakey's view denies conscious cover-up altogether: the failure to discover a conspiracy in 1963 and through all successive investigations until the Stokes Committee is regarded as an absolute accident of history, presumably beyond the wildest hopes and imaginings of those few individuals who actually perpetrated the assassination. In the end, only circular reasoning can support this radical denial of cover-up and the insistence on a tiny conspiracy. The ultimate proof of a small conspiracy is that a large one would surely have been uncovered.

Just as ^{SOME} ~~the~~ members of Congress who served on the Stokes Committee were anxious to bolster the reputations of agencies and institutions of government [whose performance in the assassination investigations had been called into question], Blakey undoubtedly had some working assumptions about the effectiveness of the Justice Department in which he was working at the time of the JFK assassination. In particular, Blakey seems to have placed great faith in the electronic

surveillance techniques which were used on a massive scale in the Kennedy Justice Department. Exposed to an enormous volume of electronically gathered intelligence on the underworld of 1963, the Stokes Committee soon adopted Blakey's faith in its comprehensiveness.

The report documented the Committee's thinking on this point as follows:

The Committee concluded that had the national crime syndicate, as a group, been involved in a conspiracy to kill the President, some trace of the plot would have been picked up by the FBI surveillance of the commission. Consequently, finding no evidence in the electronic surveillance transcripts of a specific intention or actual plan by commission members to have the President assassinated, the committee believed it was unlikely that it existed. The electronic surveillance transcripts included extensive conversations during secret meetings of various syndicate leaders, set forth many of their most closely guarded thoughts and actions, and detailed their involvement in a variety of other criminal acts, including murder. Given the far-reaching possible consequences of an assassination plot by the commission, the Committee found that such a conspiracy would have been the subject of serious discussion by members of the commission, and that no matter how guarded such discussions might have been, some trace of them would have emerged from the surveillance coverage. It was possible to conclude, therefore, that it is unlikely that the national crime syndicate as a group, acting under the leadership of the commission, participated in the assassination of President Kennedy.

[OF THE CRIME SYNDICATE]

In fact, a tap on his telephone became, in the eyes of the Committee, a mobster's best defense. The apparent logic of the Committee held that those who were under electronic surveillance would have been caught if they had plotted to assassinate the President. Two individuals who were not then covered by electronic surveillance, Carlos Marcello of New Orleans and Santos Trafficante of Tampa, conversely became the Committee's candidates as "the most likely family bosses of organized crime to have participated in . . .

a unilateral assassination plan."

Paradoxically, the simplest refutation of the omniscience of the electronic surveillance came in the words of Attorney General Robert Kennedy himself -- in Senate testimony just two months prior to his brother's assassination. Although this testimony is quoted in the Stokes Report, its central point appears to have been ignored. The Attorney General testified September 25, 1963, that in spite of the best efforts of the Justice Department at that time, it was not solving murders carried out by organized crime

. . . because the members of the Commission, the top members, or even their chief lieutenants, have insulated themselves from the crime itself, if they want to have somebody knocked off, for instance, the top man will speak to somebody who will speak to somebody else who will speak to somebody else and order it. The man who actually does the gun work . . . does not know who ordered it. To trace that back is virtually impossible.

In this view, it is not the size of the conspiracy that affects success, but rather the structure and organization. The conspiracy may be large, but it will involve cut-outs who insulate people at the top and tell those at the bottom only what they need to know. The orders from the top might be given during a stroll in the park, at a restaurant or in the bleachers of a ballpark -- all remote from electronic bugs.

This crucial alternative viewpoint -- based on the recognition that conspiracies can and do succeed all the time -- was clearly argued by Judge Burt Griffin, a former staff counsel to the Warren Commission, in public testimony before the Stokes Committee on September 28, 1978. Griffin urged the Committee to

consider the possible reality that, under the American system of civil liberties and the requirement of proof beyond a reasonable doubt, it is virtually impossible to prosecute or uncover a well-conceived and well-executed conspiracy. The FBI has almost totally failed in its efforts to prosecute directly the organized commission of crime. Successful prosecutions of

effective criminal conspiracies in America almost always result from the accidental discovery of a crucial incriminating fact (as in the Abel spy case), or from the willingness of a convicted co-conspirator to testify against his confederates.

Perhaps the best case study of a successful conspiracy which defies prosecution is the murder of former Teamsters leader Jimmy Hoffa. Since Hoffa's disappearance on July 30, 1975, few have doubted that he was murdered to stop his bid to return to Teamster politics. Government informants have suggested that Hoffa's body was stuffed in a fifty-five gallon oil drum and taken far away for ultimate disposal. One informant says the corpse was crushed in a junkyard steel compactor. Prosecutors and investigators following their informants' tips have worked in vain to build a case against their prime suspects. A \$300,000 reward offered by Hoffa's family and friends has produced no hard evidence even to establish that the vanished union leader is dead. One witness called before a grand jury investigating Hoffa's disappearance served sixty-three days in prison for refusing to answer questions after a grant of immunity from prosecution resulting from his testimony. Government investigators who are convinced that Hoffa was murdered as a result of a conspiracy have applied all the pressure at their disposal in an effort to break the case. But, in Griffin's words, it has been impossible to uncover the conspiracy, let alone to prosecute its perpetrators.

Griffin's model of a successful conspiracy makes no assumptions beyond the care of the conspirators and the structures of American law protecting even a criminal conspirator's privacy and civil liberties. Other social and political factors could make it even more certain that a conspiracy would succeed. Police corruption is one such factor. An individual discussed in a Stokes Committee staff report on CIA-Mafia plots against Castro admitted working covertly on the payroll of Chicago mobster Sam Giancana as a member of the Chicago police department from 1956 to 1960 and as Chief Investigator for the Cook County Sheriff's

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Office from 1962 to 1964. If the chief investigator of the sheriff's office in the nation's second largest city was on the Mafia payroll in 1963, it is not at all farfetched to consider police corruption as a factor abetting many of the mob murders Robert Kennedy testified he was unable to prosecute at that time. Its relevance to the assassination of President Kennedy can hardly be precluded -- especially since the alleged assassin who might have held the key to a conspiracy was murdered in police custody.

A second factor abetting successful conspiracies is political blackmail. In the aftermath of Watergate, we now recognize how key figures in a cover-up may obstruct a criminal investigation in the mistaken belief that they are concealing, instead, some national security secret. But we also have learned from Watergate how easily blackmail can be used to exploit such opportunities. In the overlapping worlds of Organized Crime, anti-Castro Cubans, and intelligence operatives described in the staff reports of the Stokes Committee, the potential for political blackmail is undeniable. Consider, for example, the following bizarre example drawn from the early years of the Kennedy administration.

In October 1960, shortly after he was recruited into the CIA's assassination plot against Castro, Chicago mafioso Sam Giancana began to suspect that -- one of his lady friends in Las Vegas -- a prominent singer -- was two-timing him. Giancana suspected she was also having an affair with a well-known comedian, and he asked sometime private eye Robert Maheu to investigate. As the original intermediary between the mobsters and the CIA, Maheu was a tricky choice for the assignment. It now seems that the CIA was also interested in learning what the singer might have heard from Giancana about anti-Castro plots -- and especially what gossip she might be repeating. Thus, Maheu ended up authorizing elaborate electronic surveillance -- involving wiretaps, as well as a bedroom bug -- of the singer and the comedian to satisfy the intelligence needs of ^(both) the mobster and the CIA.

^{high-level} The/electronic surveillance mission was foiled by a maid at the Desert Inn in Las Vegas. Maheu's wiretapper was jailed and later bailed out by John Roselli. Since wiretapping was a federal offense, the case went to the FBI. Six months

after the arrest, Maheu played his CIA card in an effort to thwart the prosecution. His timing was perfect: it was on the second day of the Bay of Pigs invasion that the FBI was informed the Las Vegas wiretap was part of a project "on behalf of the CIA relative to anti-Castro activities." Maheu referred FBI inquiries to "Colonel Edwards" at CIA. There was no mention of assassination -- although the CIA clearly understood the threat of such a disclosure if its efforts were insufficient to quash the wiretap prosecution.

~~of the following years~~
In late May ¹⁹⁶¹ J. Edgar Hoover sent Robert Kennedy a memo on the Las Vegas wiretap case, noting the CIA's involvement with Giancana in "clandestine efforts" against Castro. The Attorney General's instinct was hardly to drop the matter: he penciled a note on the memo urging a vigorous follow-up. But the FBI's follow-up revealed another source of blackmail potential: one Judith Campbell, who appeared to have had affairs with Sam Giancana and President Kennedy at the same time! In a

memo to Robert Kennedy and a White House aide February 27, 1962, FBI Director Hoover discussed the link between the President and Giancana's girl friend (an allegation supported by Campbell's phone records showing calls to the White House), as well as CIA objections to prosecuting the Las Vegas wiretap case.

On May 7, the Attorney General had two meetings with CIA officials, who gave him details of the use of mobsters in assassination plots against Castro, but ^{falsely} assured him those plots ended with the Bay of Pigs.

→ Kennedy reportedly made clear to the CIA that they should never do business with organized crime again without notifying his office.

Two days later, Kennedy briefed Hoover on what he had discussed with the CIA. Hoover's record of the briefing reports that Kennedy had even been told of a bounty of \$150,000 for the anti-Castro contract. According to Hoover, the Attorney General was angered not only because the CIA could not afford to allow prosecution of the wiretap case but also that Robert Kennedy

well knew the "gutter gossip" was that the reason nothing had been done against Giancana was because of Giancana's close relationship with Frank Sinatra who, in turn, claimed to be a close friend of the Kennedy family.

In plain English, Robert Kennedy was enraged at a case of double blackmail. The CIA had to block a prosecution, yet it left the appearance that Giancana enjoyed immunity because of the potential scandal involving Judith Campbell -- who was reportedly introduced to John Kennedy by Sinatra.

Admittedly, the example is bizarre. But it shows the
 blackmail
 potential of political to account for what, at first glance, appears
 incredible -- the benign cover-up of a sinister conspiracy. Surely,
 only the most paranoid among us can believe that the CIA or the FBI
 plotted the President's murder and then succeeded in covering their
 tracks from the compliant Warren Commission. Nevertheless, we have
 seen in past pages the shape of a cover-up which began in the hours
 following the assassination and continues to this day. Central in
 this developing drama has been the enigmatic figure of Lee Harvey
 Oswald. For it was Oswald's shadowy and only partially understood
 past which generated the pressures for concealment that even now
 are operative. Whether co-conspirator or "patsy", Oswald was the
 trump card of the conspirators -- the card which, when played, could
 assure them that the follow-up investigation of the crime would be
 limited. Oswald's trail leads inevitably into the tangled world
 of plot and counterplot, agent and double-agent, which constituted
 the Kennedy administration's secret war against Cuba in the early
 1960's. The origins of the assassination are to be found in the
 interstices and hidden corners of that war. Hence, before following
 Oswald's trail in the months prior to the shooting, it is important
 that we understand something of the history, nature, and magnitude
 of that war. For in this case, at least, all roads lead to Cuba.

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COMMITTEE'S

On balance, the notion of a ~~three~~ two- or three-member
 conspiracy ^(INCLUDING OSWALD) to assassinate President Kennedy is ~~a~~ logical
 possibility, but appears highly implausible. Though inter-
 pretations of the degree and significance of cover-up in the
 governmental investigations of the assassination will continue
 to vary among responsible critics, the finding of a conspiracy
 based on hard acoustical evidence compels a closer examination
 of the fifteen-year denial of this historical fact. At very
 least, it should no longer be argued that all the apparent
 cover-ups must be explained innocently.

AUTONOMOUS ^{USA} OPTIONS:Conflicting Elements in U.S. Policy
Toward Cuba in the Kennedy Administration

Ninety miles from the shores of Florida lies an island where wars were once staged to sell U.S. newspapers. A half century after the Maine had made its last headline, Cuba was still good copy, and it was a scoop to tell the exotic tales of Fidel Castro's bearded guerrillas high in the Sierra Maestra. To many who read these press accounts in the late fifties, Havana was personally familiar. Many thousands knew Cuba as ordinary tourists, ~~flaxing~~ abandoning New York winters for the warmth of the Caribbean beaches. For others, Cuba was a darker memory, a more sinister place visited ~~for illicit~~ stealthily for the goods and services then more tightly monopolized by the underworld, from illicit drugs to illegal abortions. And in between the light of the Caribbean sun and the darkness of the underworld, there were those who visited ~~for business~~ to make money in a variety of lucrative, flourishing businesses -- or to risk it in the ubiquitous gambling that ran from the crowded afternoon cockfights ~~until~~ until the last casino closed at daybreak.

The era of those memories ended on New Year's Eve, the last day of December 1958. As others partied, Cuban dictator Fulgencio Batista made his last preparations for leaving the island. Midnight came, his DC-4 was readied, and soon Batista's reign had officially ended. Fidel Castro's eclectic forces, known as the 26th of July Movement, had come to power, January 1, 1959.

Before the end of Castro's first year in power, the CIA was convinced that his regime was incompatible with U.S. interests. On December 11, 1959, J.C. King, who headed the CIA's Western Hemisphere Division, wrote a memo for the agency's director, Allen Dulles, urging Castro's "elimination." A handwritten note on that memo indicates the director's approval. On January 18, 1960, the first fateful operations meeting was held to plan the overthrow of Castro by means of an invasion at the Bay of Pigs. Two months later, on March 17, President Dwight Eisenhower gave his quiet blessing: the CIA had full authorization to organize, train, and equip an

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invasion force of Cuban exiles. By that summer, scarcely a year and a half since Castro had come to power, the CIA had moved on to planning his assassination.

Yet it is deceptive to look back on these events and see only the CIA's apparent haste. If its highly centralized structure permitted -- indeed required -- quicker judgments than were possible in other bureaucracies, the CIA was nonetheless also merely keeping pace with other actors in the Cuban drama, some of whom had formulated their invasion and assassination schemes even earlier. Batista's own backers had been the first generation of anti-Castro exiles, and many at once plotted a comeback from exile in the Dominican Republic and other nearby locations. In the course of the revolution's first year, factions in the Castro coalition had sharp disagreements; some withdrew their support, others were expelled and even imprisoned as counterrevolutionary traitors. As early as November 1959 one leading dissident -- ^{underground} Manuel Artime -- claimed that his ~~Movimiento de Recuperación Revolucionaria~~ (MRR) had ~~members~~ members in every province of the island.)

Artime was an early opponent of Castro's radical Agrarian Reform Law, which, in May 1959, aroused the intense hostility of U.S.-owned sugar companies whose vast cane fields were affected.

H | The anti-Castro dissidents naturally looked for support among those who stood to lose the most as a result of the revolutionary changes. And among the biggest losers was the mob. Underworld figures not only suffered a loss of revenue from their explicitly unlawful goods and services, such as narcotics and prostitution; they also lost their race tracks and gambling establishments. They fled the island leaving behind hundreds of thousands of dollars in cash, as well as valued property and commodities. They were not inclined to suffer such losses idly.

In 1975 the Church Committee confirmed from CIA records that the agency decided in the summer of 1960 to enlist the Mafia in its effort to assassinate Castro. Unfortunately, the Mafia is not known to keep files that would document its version of these events. But a 1977 internal CIA Task Force Report has raised the possibility

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that the Mafia was using the CIA in the anti-Castro plots. Although still classified, the Task Force Report was studied by the House Committee and quoted in a staff report. It is patently self-serving and exculpatory on some controversial issues, and it may even be based on the assumption that it looks better for the CIA to have been enlisted by the mob than to have initiated assassination plots with gangland hitmen.

In any event, FBI surveillance of Chicago mobster Sam Giancana ^{Circa October 1960} revealed discussions of a plot to assassinate Castro that appeared to be far ahead of the plans Giancana was making with the CIA. Concluding that the plot uncovered by the FBI was an independent one, the CIA's Task Force Report comments:

It is possible that CIA simply found itself involved in providing additional resources for independent operations that the syndicate already had underway *** [I]n a sense CIA may have been piggybacking on the syndicate and in addition to its material contribution was also supplying an aura of official sanction.

~~The~~ The House Committee staff report spelled out the implications explicitly:

. . . it appears that organized crime already had its poison plan in progress, using a mistress of Castro to accomplish the deed, when the CIA entered the scene fortuitously. Organized crime then occupied a perfect position: If their private plot succeeded, they then would possess far-reaching blackmail against the CIA that they could exercise at an opportune moment. If their intrigue failed, however, they could then assume the position that they were only executing the directives of the Government and could possibly still use their involvement as blackmail potential.

The exact sequence of events will probably never be known. Perhaps the idea of assassinating Castro originated independently at the highest level of the CIA, and lower-level people "fortuitously" enlisted mobsters who already were engaged in plots of their own. Or perhaps the mobsters found intermediaries to approach the lower-level CIA personnel with the idea, and these personnel sold the idea to their superiors, who then transmitted their approval back down the chain of command. A third thought is that anti-Castro

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Cubans may have spawned the idea, enlisted the mob, and then lobbied successfully for CIA support. The only certainty is that in spite of two congressional investigations which focused acutely on this subject, we know much less than the full picture.

Regardless of the details of the assassination plot's inspiration, the CIA was ready for action in the summer of 1960. By that time, U.S. losses in confiscated Cuban property were valued at nearly three quarters of a billion dollars. President Eisenhower had responded, in part, by canceling the Cuban sugar quota; Cuban-Soviet ties were already tightening. A cable to the CIA's Havana station on July 21 raised the possibility of a \$10,000 reward for an "accident" involving Castro's brother Raul and stated: "Possible removal top three leaders is receiving serious consideration at headquarters." A few weeks later, in August, the CIA's Deputy Director for Plans Richard Bissell and the director of the agency's Office of Security Colonel Sheffield Edwards had given the go-ahead to the plan to use the Mafia to hit Castro.

Through intermediary Robert Maheu, the CIA arranged meetings with ~~gangster~~ ^{gangster} John Roselli in New York and Miami that September. Bissell and Edwards briefed their boss, Allen Dulles, on the operation's progress. CIA scientists, meanwhile, prepared a box of Castro's favorite cigars ~~xxx~~ spiked with lethal botulinum toxin. Roselli brought two more key Mafia figures into the plot: Sam Giancana of Chicago, and ~~Sxxx~~ Santos Trafficante, a kingpin of organized crime in Batista's Cuba who had been jailed by Castro in 1959. As the plan took shape, it was agreed that the CIA would supply poison pills, which the mobsters would deliver to individuals in a position to use them surreptitiously against Castro. Their first choice was a Cuban official, whose subsequent falling out with Castro obliged them ^{then} to approach, through Trafficante, a Cuban exile leader. The exile leader became a principal in what became known as "phase two" of the operation -- with Roselli and the CIA's William Harvey as the main co-conspirators.

The plot was of course hatched in the midst of a spirited

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presidential election campaign. The Republican candidate, then Vice President Richard M. Nixon, ^{had met Castro and} was already deeply concerned about Cuba as the White House liaison in the planning of the Bay of Pigs operation. As a candidate, Senator John F. Kennedy took pains to show no softness toward communism anywhere on the face of the globe. His liberalism would contrast sharply with Nixon's views on a host of domestic issues, but in foreign policy Kennedy was determined to look as tough as his opponent.

As President-elect, Kennedy had to give Cuba much of his attention. Dulles and Bissell briefed him on the Bay of Pigs plan in late November. Less than three weeks before the new President's inauguration, the United States severed all diplomatic relations with Castro's Cuba. Within a week of taking office, President Kennedy ordered the Joint Chiefs of Staff to review the plans for the Bay of Pigs invasion -- then only three months away. Kennedy's first state of the union address spoke ominously of Cuba and asserted that "Communist domination in this hemisphere can never be negotiated."

But after the Bay of Pigs fiasco, Kennedy's tough rhetoric had a hollow ring to the bitter exiles. As a staff report of the House Committee noted, "By April 1961, the more than 100,000 Cubans who had fled Castro's revolution lived in anticipation of its overthrow. They had been buoyed in that hope by public pronouncements of support from the U.S. Government. . . . In addition, the Cuban exiles had been organized, directed and almost totally funded by agencies of the U.S. Government, principally the CIA." The invasion had failed to spark supportive uprisings inside Cuba, but the exiles sought to explain their defeat in military, rather than political, terms. Their most persistent complaint was that Kennedy denied them promised air support. In effect, they felt, Kennedy had backed down before the Russians when he assured Premier Khrushchev "that the United States intends no armed intervention" at the height of the invasion. Even worse, in the eyes of some exiles, Kennedy willingly accepted the blame.

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One exile leader, Manuel Antonio de Varona, recounted a dramatic White House meeting when the invasion's failure had become evident. Varona told the House Committee:

We were not charging Mr. Kennedy with anything; we just wanted to clarify. We knew that he didn't have any direct knowledge of the problem, and we knew that he was not in charge of the military effects directly. Nevertheless, President Kennedy, to finish the talks, told us he was the one -- the only one responsible.

What the President told the exiles privately became a public posture a few days later; Kennedy had assumed "sole responsibility" for the U.S. role in the debacle.

The abortive invasion had not, however, persuaded the new Kennedy administration that the Castro government constituted a stable political reality with which it would have to come to terms. On the contrary, over the next eighteen months, the administration intensified its efforts against Castro. Having just pledged financial and political support for ^{hemispheric} social change in establishing the Alliance for Progress, ~~back in March~~, the administration announced in September that it would stop assistance to any Latin American nation that assisted Cuba. Kennedy also extended Eisenhower's policy of repudiating the Cuban sugar quota to impose an economic squeeze on the one-crop island.

Some accounts suggest that the President was meanwhile upset with the CIA's bungling of the Bay of Pigs. He reportedly confided to some aides that he would "splinter the agency into a thousand pieces." At very least, he wanted changes in the CIA, and he appointed his own director, John McCone, on November 29. The new director was briefed by his predecessor that day, but was not informed of any assassination plots against Castro.

The next day a whole new program of anti-Castro activity was established under the code name "MONGOOSE." It was an ambitious plan to enlist some two thousand Cubans -- both exiles and dissidents on the island -- in the effort to turn back Castro's revolution. One estimate has put the cost of the escalated covert operation at \$100 million per year.

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One main effect of Operation MONGOOSE was vastly to extend the range of CIA activities involving Cuba. A summary of the widened range of operations by journalist Andrew St. George ~~and~~ was quoted authoritatively in a House Committee staff report. According to St. George, the increased responsibilities included the authority

to help monitor Cuba's wireless traffic; to observe its weather; to follow the Castro government's purchases abroad and its currency transactions; to move extraordinary numbers of clandestine field operatives in and out of Cuba; to acquire a support fleet of ships and aircraft in order to facilitate these secret agent movements; to advise, train, and help reorganize the police and security establishments of Latin countries which felt threatened by Castro guerrilla politics; to take a hand in U-2 overflights and sea-air Elint (Electronic Intelligence) operations aimed at tracing Cuban coastal defense communications on special devices; to pump . . . vast sums into political operations thought to be helpful in containing Castro . . .

The staff report itself best captures the magnitude of the institutions created to implement MONGOOSE:

The nerve center of the United States "new and deeper struggle" against Castro was established in the heartland of exile activity, Miami. There, on a secluded, heavily wooded 1,571-acre tract that was part of the University of Miami's south campus, the CIA set up a front operation, an electronics firm called Zenith Technological Services. Its code name was JM/WAVE and it soon became the largest CIA installation anywhere in the world outside of its headquarters in Langley, Va.

The JM/WAVE station had, at the height of its activities in 1962, a staff of more than 300 Americans, mostly case officers. Each case officer employed 4 to 10 Cuban "principal agents" who, in turn, would each be responsible for between 10 and 30 regular agents. In addition, the CIA set up 54 front corporations -- boat shops, real estate firms, detective agencies, travel companies, gun shops -- to provide ostensible employment for the case officers and agents operating outside of JM/WAVE headquarters. It also maintained hundreds of pieces of real estate, from small apartments to palatial homes, as "safe houses" in which to hold secret meetings. As a result of its JM/WAVE operation, the CIA became one of Florida's largest employers.

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President Kennedy gave his brother, the Attorney General, special responsibility for overseeing the covert Cuban operations. The planning moved along quickly, as the JM/WAVE complex grew. Administration insiders realized that they were creating something which might, on its own, grow beyond their capacity to exercise continuing control; but they tended to look at the monster in the best light, optimistically, as though their interests would be unlikely to conflict. The CIA's Edward Lansdale conveyed this sense of hope in an awkwardly phrased memo to Robert Kennedy concerning MONGOOSE on January 27, 1962: ". . . we might uncork the touchdown play independently of the institutional program we are spurring."

A month later, on February 20, Lansdale reported the details of a six-phase schedule for MONGOOSE -- to culminate in October with "open revolt and overthrow of the Communist regime." (The reader will note that what actually came in October was the Cuban missile crisis; the possible relationship between what was planned and what happened instead would be an interesting area for further study, particularly if one could determine what the Soviets and the Cubans may have known about MONGOOSE.) Lest one view the CIA-Mafia collaboration in the plots discussed earlier as an aberration, it should be noted here that among the suggestions detailed in February was a proposal to contact "criminal elements" inside Cuba for possible actions against Castro's police structure.

It is clear that the missile crisis of October 1962 was a critical juncture in the Cuban policy of the Kennedy administration. But before considering ~~xxxx~~ ^{the} events surrounding the crisis, we should examine some earlier developments which may also have affected the judgment of the Kennedy brothers as they discovered the complexity of the activities in the anti-Castro milieu. We noted earlier how the assassination plots against Castro gave the Mafia ~~potential~~ leverage, or potential blackmail, against the CIA. In at least one instance, that leverage was successfully utilized.

Back in October 1960, shortly after he was recruited into

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In at least the one instance described in the last chapter where Robert Maheu had succeeded in short-circuiting the prosecution of his Las Vegas wire-tapper by describing it as a CIA project, the leverage was successfully utilized. The double-blackmail bind in which Robert Kennedy found himself should have served to underscore the serious risks lurking in the shadowy world of covert Cuban activities. If the CIA could not be trusted to be candid with the Administration about its compromising involvements with the underworld, was it not even more likely that the Cuban exile groups themselves might be deeply involved with the unsavory traffickers who could run guns one day and smuggle heroin the next? The extent to which

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such questions may have been addressed at this time is entirely undocumented. But it can be argued that the ~~unprecedented~~ ^{unprecedented} growth of the JM/WAVE station may even have been endorsed by the administration in a futile effort to control the burgeoning exile underground by means of financial and organizational dependence.

In any event, Operation MONGOOSE proceeded in the summer of 1962 in an atmosphere which, more than ever before, reflected a lack of candor between the CIA and other elements involved in the highest-level planning. In August, the Special Group in charge of the planning even discussed the assassination option without any admission from CIA that assassination plots (by then mainly involving Roselli, the CIA's William Harvey, and exile leader Antonio de Varona) were actively under way.

One other political development of the pre-missile crisis period merits some attention, in light of the events that were to follow. In July 1962, a new ~~political~~ exile political organization was formed on the basis of distinctly liberal political ideas which appeared close to President Kennedy's own beliefs. The founder of the group was a civil engineer named Manuel Ray, who had served briefly as Castro's Minister of Public Works ^{from} ~~in~~ February 1959 to November 1959. In May 1960 Ray had broken with Castro to form the underground Movimiento Revolucionario del Pueblo Cubano (MRP). A House staff report characterized the MRP as "an anti-Castro organization that believed that the ideas and aims of the democratic left best suited the needs and aspirations of the Cuban people. It did not wish to reinstate the 1940 Cuban constitution, rather it favored continuation of the laws passed by Castro at the beginning of his regime and advocated the regulation of private investment and nationalization of all utilities."

Although Ray ~~was a~~ ^{ultimately} ~~leading~~ figure in efforts to form a provisional government in exile ~~at~~ before the Bay of Pigs, his movement was excluded from the invasion because of his liberal views. In a memo for the record June 2, 1961, one CIA officer assessed Ray as being so far "left in his thinking that

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he would be as dangerous to U.S. interests as Castro." Ray's efforts to gain financial backing for his underground network in Cuba were totally rebuffed in the summer of 1961, and he moved from Florida to Puerto Rico, where he soon took a job in the ^{Commonwealth's} planning board. Ray was reportedly personally popular with Puerto Rico's liberal governor, Luis Muñoz Marin (who, in turn, enjoyed President Kennedy's favor).

In July 1962, Ray withdrew from the MRP and announced formation of the Junta Revolucionaria (JURE). At the time, the Copley News Service described the new group as a "liberal exile movement" modeled on Venezuelan President Betancourt's Acción Democrática, Muñoz Marin's party in Puerto Rico, and a third liberal party in Peru. The thinking behind the new JURE ~~was~~ echoed a number of President Kennedy's own declarations, including his promise to "transform the American continent into a vast crucible of revolutionary ideas and efforts" through the Alliance for Progress. As early as his first state of the union address, the President had attacked "Communist agents" for exploiting Latin America's "peaceful revolution of hope" and concluded, "Our objection with Cuba is not over the people's drive for a better life. Our objection is to their domination by foreign and domestic tyrannies . . ."

Ray would later figure prominently in President Kennedy's Cuba strategy. From the time of his JURE's formation, Ray was making himself useful to the United States -- in particular, supplying valued intelligence on Cuban officials who might be recruited as agents in place or persuaded to defect.

When the Cuban missile crisis loomed on the horizon in the fall of 1962, many exile groups welcomed the prospect of an explosive confrontation. Some -- such as Alpha 66 -- took actions which could ~~have~~ only have been calculated to heighten the crisis (such as raids during the missile crisis which inevitably resulted in Russian casualties). A House staff report described the setting this way:

The more fervent Cuban exiles were initially elated ~~by~~ by the possibility that the crisis might

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provoke a final showdown with Castro. For several months there had been increasing pressure on President Kennedy to take strong measures against the buildup of the Soviet presence in Cuba, which was becoming daily more blatant. In a report issued at the end of March 1962, the State Department said that Cuba had received from the Soviet Union \$100 million in military aid for the training of Cuban pilots in Czechoslovakia and that the Soviet Union also had provided from 50 to 75 Mig fighters as well as tons of modern weapons for Cuba's ground forces. Fortifying the Cuban exiles' hope for action was the fact that the increasing amounts of Soviet weapons moving into Cuba became the dominant issue in the news in the succeeding months, leading to congressional calls for action and a series of hard-line responses from President Kennedy. In September, Kennedy declared that the United States would use "whatever means may be necessary" to prevent Cuba from exporting "its aggressive purposes by force or threat of force" against "any part of the Western hemisphere."

But as the October 1962 crisis edged closer to the brink of nuclear war, the significance of Cuba per se receded. As the stakes became larger, the exile armies became Kennedy's pawns, as Castro became Khrushchev's. In the end, Soviet IL-28 bombers left the island, and the missile sites were to be dismantled. The United States ^{wanted} ~~demanded~~ UN inspection to verify the removal of offensive missiles and promised in return a "no invasion" pledge. Technically, this pledge was never made official, because the reciprocal UN inspection never took place. But to the Cuban exiles, such technicalities were of little import. Signed or unsigned, the "no invasion" pledge went into effect. It was enforced against them. As far as they were concerned, the deal between Kennedy and Khrushchev was a sell-out. One exile leader termed it "a soul-shattering blow."

Operation MONGOOSE was officially terminated in November 1962. The crackdown on exile activities soon followed. Soviet-American understandings continued to regulate administration policy toward Cuba. Though Castro rejected the UN inspection plan which had been linked to the "no invasion" pledge, the Soviets had a solution. They tacitly accepted U-2 overflights of Cuba, according to Arthur Schlesinger, Jr., "by instructing the Russians

at the SAM sites to leave the U-2s alone.²

Despite the American interest in having SAM sites manned by Russians, rather than the less predictable Cubans, Senator Edward Keating (R-NY) continued to campaign for their withdrawal, charging that the Soviet concrete missile sites had not yet been dismantled. In reply, Kennedy ordered ~~the~~ Defense Secretary Robert S. McNamara to appear on television February 6, 1963, with U-2 photos refuting the allegation. CIA Director McCone was not consulted about this broadcast and accordingly objected. Soon afterwards columnist Stewart Alsop reported that this episode was only one of many instances of disagreement over Cuba between McCone and McNamara. "The real tension nowadays" in Washington, Alsop wrote, was no longer between the CIA and the State Department, but "between the CIA and the Pentagon." According to Alsop, "McNamara recently told a Congressional Committee, 'I do not believe [Cuba] is being used as a base for the export of Communism to any substantial degree today.' This was flatly contradictory to McCone's publicly expressed views on the same subject."

In early 1963 several exile groups focused their attacks on Soviet targets in Cuba. On March 18, Alpha-66, with help from members of a second group called the Second National Front of Escambray, attacked two Soviet freighters. A third group -- Commandos L-66 -- attacked another Soviet vessel on March 26. On March 30, the State and Justice departments announced jointly that they would "take every step necessary to insure that such raids are not launched, manned, or equipped from U.S. territory." The next day, a group of anti-Castro activists and their boat were detained by British police, acting on a State Department tip-off, at a training site in the Bahamas. Another ship was seized that night in Miami. On April 5, the Coast Guard announced it would use more planes, ships, and personnel to seal off the Florida coast.

(The British raid in the Bahamas netted one American among the exiles: Jerry Buchanan, an associate of future Watergate burglar Frank Sturgis -- a.k.a. Fiorini. Six months later Buchanan

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and Sturgis would both be named as sources for an elaborate false story linking Lee Harvey Oswald to Castro's intelligence agents in Miami. And in September 1963, Frank "Fiorini" and his friend Alexander Rorke -- the owner of Buchanan's boat -- were two of six ~~international~~ American civilian pilots who received "strong warnings" from the Federal Aviation Administration to cease their airborne anti-Castro activities.)

"The feeling of betrayal," notes a House staff report,

by the Cuban exiles was given reinforcement by prominent sympathizers outside their community, as well as by Kennedy's political opponents. Capt. Eddie Rickenbacker, chairman of the Committee for the Monroe Doctrine, asserted: "The Kennedy administration has committed the final betrayal of Cuban hopes for freedom by its order to block the activities of exiled Cuban freedom fighters to liberate their nation from Communism." Senator Barry Goldwater accused Kennedy of "doing everything in his power" to keep the flag of Cuban exiles "from ever flying over Cuba again." Richard Nixon urged the end of what he called the "quarantine" of Cuban exiles.

More extreme ~~excitement~~ incitement came to many Cubans in Miami around the second anniversary of the Bay of Pigs, in the form of an anonymous broadside from Arlington, Texas. Its blunt message stated: "Only through one development will you Cuban patriots ever live again in your homeland as freemen . . . (only) if an inspired Act of God should place in the White House within weeks a Texan known to be a friend of all Latin Americans . . ."

Some raids continued to be mounted successfully. One exile activist claimed in April 1963 that eleven raids had been carried out since the missile crisis without U.S. interference. But the overall pattern was clear: a crackdown was in force. In addition, by May 1, 1963, the United States had withdrawn crucial financial support from the exile coalition known as the Cuban Revolutionary Council (which had been formed as a united front of the groups involved in the Bay of Pigs). The CRC's president, José Miro Cardona, had already resigned to protest administration policy and Kennedy's alleged broken promises. In a May press conference, Kennedy dodged a question as to

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whether the U.S. was aiding exile groups: "We may well be . . . well, none that I am familiar with . . . I don't think as of today that we are."

Those groups that were actively seeking U.S. aid were obliged to accept a key restriction: their raids were no longer to originate from U.S. soil. New activist coalitions built this provision into their founding platforms. On May 6, in the wake of a conference at New York's Freedom House, the formation of a "new non-partisan Citizens' Committee for a Free Cuba" was announced. Its membership included Vietnam lobbyists Leo Cherne and Christopher Emmet, Cold War labor leader Jay Lovestone, Claire Booth Luce, and Edward Teller. Although a report of its opening conference called for a new national policy to liberate Cuba "by all necessary means, it appeared to accept the new State Department guidelines: U.S. military action would not be needed; hit-run raids would be helpful and would not endanger world peace if not staged from bases on U.S. soil. An indication ~~that~~ of administration interest in the committee was the presence of William vanden Heuvel, who was not only close to the Kennedy family but was then serving as a special assistant to Robert Kennedy, the President's troubleshooter on both CIA and Cuban matters at that time.

Soon afterwards Enrique Ruiz Williams, a Bay of Pigs leader and personal friend of Robert Kennedy, was said to be promoting unity among Miami anti-Castro leaders, with the promise of CIA arms and money for a new invasion. On May 20, a new Cuban Committee on Liberation was formally announced in Miami by 150 exile leaders, including former Cuban president Carlos Prío Socarras. It, too, appeared to renounce the plans for a U.S.-based military operation which (according to the public claims of Miro Cardona a month earlier) had been developed with President Kennedy's authorization in 1962. The New York Times reported on May 21 that "The declaration to fight for independence comes as exiles reported that a plan for anti-Castro action had emerged from conferences with United States Central Intelligence Agency agents. This action, exiles said, calls for guerrilla warfare, sabotage and infiltration of Dr. Castro's armed forces

to be followed by an invasion or bombardment from an island near Cuba."

Despite the policing of the Florida coast and the signs of chaos and disillusionment among the exiles, it should not be inferred that the administration had given up on covert operations against Cuba by the summer of 1963. On the contrary, the Special Group which governed covert Cuba policy decided in June to step up operations; and on June 19 the President specifically approved a sabotage program "to nourish a spirit of resistance and disaffection which could lead to significant defections and other byproducts of unrest." But by then a key figure in the Kennedy brain trust -- State Department counsel Walter Rostow -- had ^{developed} conceived a new twist in covert activities, the concept of "autonomous operations" or what has been called a "track two" approach. The autonomous operations were to parallel regular CIA-controlled Cuban teams. In June 1963 this concept won official approval and was immediately implemented -- with support to Manuel Ray's liberal JURE, independent of the normal channels of the exile coalition.

The rule governing autonomous operations specified that the operations were to be ~~executed~~ executed "exclusively by Cuban nationals," U.S. financial support would be permanently withdrawn if the efforts "became too costly in human lives," and U.S. accountability would be diminished to the maximum possible degree. All operations were to be launched outside U.S. territory. The guidelines spelled out that "U.S. presence and direct participation would be kept at an absolute minimum" and, perhaps most significantly, "If ever charged with complicity, the U.S. Government would publicly deny any participation in the groups activities." In the jargon of the intelligence milieu, there would be "plausible denial" of all autonomous operations.

Rostow's "track two" ~~enabled~~ concept enabled the Kennedy administration, in effect, to sponsor a liberal alternative to the relatively right-wing coalition which had enjoyed traditional

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CIA backing. (The mutual animosity of Ray and the CIA is, incidentally, well documented.) A House staff report details CIA spying on Ray's autonomous operation -- offering the diplomatic explanation that "Possibly because of this loosely structured control over JURE the day-to-day activities of the group were closely monitored." Citing six CIA cables reporting Ray's activities, the report summarizes:

A JURE member, for instance, was in frequent contact with an individual and supplied him with a variety of ~~information~~ confidential information about JURE. This source provided information on Ray's meeting with Attorney General Robert F. Kennedy in September 1963; Ray's negotiations on behalf of JURE; secret JURE meetings; allegations that the Governor of Puerto Rico was purposely sidetracking an FBI and INS investigation of illegal arms possessed by JURE; JURE animosity toward Manuel Artime and the MRR; and the location of JURE training bases.

A sabotage operation planned by JURE in August 1963 appears to have involved using a cache of high explosives and grenades in San Juan, where Ray was thought by many to enjoy the protection of the pro-Kennedy governor.

Overall, the picture of exile politics in the summer of 1963 was a cloudy one. Some groups were being animated and resuscitated; others were smothered. The broadest coalition of the past -- the CRC -- was in disarray. As a staff report notes, "The resignation of Miró Cardona actually split the Cuban Revolutionary Council down the middle and precipitated a bitter dispute among the exile factions. The more moderate contended that without U.S. support there was little hope of ousting Castro and that the exiles should concentrate their efforts in mounting political pressure to reverse Washington's ~~policy~~ shift in policy. Other exile groups announced their determination to continue the war against Castro and, if necessary, to violently resist curtailment of their paramilitary activities in the Kennedy administration. In New Orleans, for instance, Carlos Bringuier, the local leader of the Cuban Student Directorate (DRE) who, coincidentally, would later have a

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contact with Lee Harvey Oswald, proclaimed, in the wake of the Miró Cardona resignation, that his group 'would continue efforts to liberate Cuba despite action by the United States to stop raids originating from U.S. soil.'"

Bringuier's adopted home -- Louisiana -- in fact was the site of the most provocative episode in the administration-versus-exile confrontation that summer. On July 31, the FBI seized more than a ton of dynamite, twenty bomb casings, napalm and other contraband in a raid on a house outside New Orleans belonging to the brother of onetime Havana casino owner Mike McLaney. The arms cache was close to an anti-Castro training camp of an exile group known as the Christian Democratic Movement.

Some of the exiles clearly took pride in their defiance of the administration. Though their activities were secret, the defiant stance was openly proclaimed ^{and} their differences with the President's policy were overt. Elsewhere, there were those who did everything possible to give their secret anti-Castro activities the appearance of White House sanction -- at the very moment when the President was seeking to minimize his accountability for the actions and groups which he did back.

In late summer 1963, the CIA renewed contact with an individual to whom they had earlier given the code name "AMLASH." The real name of this shadowy figure was Rolando Cubela Secades, a former student leader who ~~attained~~ attained the rank of major in Castro's guerrilla army in the late fifties. When the rebels took power, Cubela became a high official in the Ministry of the Interior. Almost everything else we know of Cubela's subsequent activities is shrouded in ambiguity and suspense. Agent or double agent? That question haunts anyone who studies the revelations about his career and personality.

The CIA says its contact with Cubela began around the time that President Kennedy took office in 1961. According to the agency, the man they called AMLASH wanted to talk about defecting, but they wanted him to stay in Cuba -- where he could provide information and play a role in any future attempts to

overthrow the Castro regime. Following the October 1962 missile crisis nearly a year went by without any known CIA contact with AMLASH. Then, in late summer 1963, AMLASH reportedly told the CIA he was primarily interested in whether the U.S. would support a new invasion plan or an "inside job" to eliminate Castro. (The reader will recall that in April exile leader Miró Cardona had made a big issue of Kennedy's apparent abandonment of previous support for an invasion. In addition, on the second anniversary of the Bay of Pigs, Castro had charged publicly that the U.S. had shifted its strategy from invasion plans to assassination plots. AMLASH was directly requesting clarification.)

The same day AMLASH'S concerns were officially reported to CIA headquarters, an AP reporter quoted Castro as warning U.S. officials that "if they are aiding terrorist plans to eliminate Cuban leaders, they themselves will not be safe." Inside the government, a memo was prepared on how Castro might be likely to respond to the covert activities then being planned for Cuba, but "attacks on U.S. officials" were considered so unlikely that this option was not even on the final list. More meetings were set up with AMLASH; no matter who first raised the idea of assassination, the contact with AMLASH continued on that basis.

AMLASH soon upped the ante: he demanded a personal meeting with the President's brother -- Attorney General Robert Kennedy -- as an assurance that the U.S. government was firmly behind the policies under discussion. The CIA didn't pass the invitation on to the attorney general. Instead, Desmond Fitzgerald -- the secret head of the CIA's Special Affairs Staff (effectively the agency's Cuba desk at that time) -- met AMLASH on October 29, introducing himself as Robert Kennedy's personal representative. At least two of Fitzgerald's colleagues at the agency advised him not to go. The Chief of Counterintelligence of Fitzgerald's own Special Affairs Staff thought Cubela's "bona fides were subject to question" -- in other words, he might be reporting

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back to Castro. Double agent or not, ANLASH was known to talk too much. Security around his contacts with the CIA was so bad that an FBI informer reported to the Bureau on October 10 that Cubela was meeting with the CIA. Apparently, the only secret was his code name. Despite the warnings and danger signs, Fitzgerald used no disguise for his fateful meeting with Cubela; his only fig leaf was an alias.

ANLASH told the putative Kennedy emissary that he wanted "technical support" -- like a high-powered 'scoped rifle -- not just approval for his policies. The two CIA agents present at this meeting have given opposite versions of Fitzgerald's reply to the request, but by November 19 Fitzgerald told the CIA Case Officer he could tell ANLASH that rifles, telescopic sights and explosives would be provided. The day before, Fitzgerald had sent ANLASH another signal -- by way of President Kennedy himself! On November 18 Kennedy gave a speech in Miami -- the exile heartland -- in which he described the Castro government as a "small band of conspirators" whose removal would insure U.S. support for progressive goals in Cuba. Fitzgerald reportedly helped draft the speech, and an internal memo of the CIA (quoted in the 1976 report of Senator Schweiker's subcommittee investigating federal agencies in relation to the Kennedy assassination) confirms that the CIA intended the speech to signal to dissidents in Cuba that the U.S. would support a coup.

As Kennedy was being shot in Dallas, Fitzgerald and the CIA Case Officer met with ANLASH, on November 22, 1963, assuring him that he would get his rifles and telescopic sights. They also offered him a ballpoint pen rigged with a hypodermic needle so fine that its victim would not notice its insertion, advising ANLASH to fill it with Blackleaf 40 -- a commercial poison lethal even in minute doses. When they left the meeting, news of the Kennedy assassination was on the wires around the world.

(Assassination plots involving ANLASH and the CIA continued

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into 1965, when the CIA terminated the relationship and cabled its stations: "Convincing proof that entire MELASH group insecure and that further contact with key members of group constitutes a menace to CIA operations." In February 1966 AKLASH was arrested in Havana in connection with an assassination plot involving an FAL automatic rifle with telescopic sight. He was convicted and sentenced to death -- but Castro himself intervened to commute the sentence to twenty years.)

The description of one other "autonomous operation" in relation to Cuba will complete this sketch of Cuba policy in the Kennedy years. This last operation was as secret as the most of the others, but opposite to all others in political thrust. The final option was to explore the possibilities of detente with Castro. The idea was not new. In August 1962, even in the height of Operation MONGOOSE, the CIA had explored, as a variant to inciting an anti-Castro revolt, the possibility of splitting Castro away from the old-line Communists around him. In June 1963, while the Special Group was approving stepped-up sabotage, it also agreed that it would be a "useful endeavor" to explore "various possibilities of establishing channels of communication to Castro."

The signing of the Nuclear Test Ban Treaty on August 5, 1963, suggested to many a significant thaw in Cold War Soviet-American relations. Despite all the conflicting signals of U.S. policy toward Cuba -- or perhaps because of the confusion they produced -- a message came to the U.S. delegation at the United Nations. Cuba's Ambassador ^{Lecher} Lechuza was proposing talks on the subject of possible accommodation between Washington and Havana. With White House approval, U.S. Ambassador William Attwood pursued the proposal.

In addition, Ambassador Adlai Stevenson made public a formula for accommodating in a speech to the General Assembly October 7, saying that if Castro wanted peace and relief from hit-run raids, he could have these by stopping his own subversion of other countries. Further telephone talks between

TV commentator Lisa Howard and Castro's personal aide René Vallejo brought the news (according to a subsequent account by Attwood) that Castro wanted "to talk personally to us about improving relations and was pleased to find out we were ready to listen." Moreover, French reporter Jean Daniel saw President Kennedy about Cuba on October 24 and was invited to report back to the White House after interviewing Fidel Castro in November.

On October 31, Vallejo told Howard that Castro would like a U.S. official to come and see him alone; if necessary, a Cuban plane could be sent to preserve discretion. Attwood reported this suggestion directly to McGeorge Bundy at the White House -- bypassing Secretary of State Dean Rusk just as Vallejo was apparently bypassing the Cuban foreign ministry. Bundy told him that "the President, more than the State Department, was interested in exploring this overture," but thought there should be a preliminary meeting with Vallejo and Lechuga at the UN to prepare an agenda. Attwood phoned Vallejo directly "at a private number in Havana." Vallejo said that he could not come to New York but that Castro would instruct Lechuga to propose and discuss an agenda with Attwood. "In the morning -- it was November 19," wrote Attwood, "I called Bundy, who said the President would want to see me and to call as soon as I'd met with Lechuga. The President, he said, would not be leaving Washington, except for a brief trip to Dallas . . ."

The trip to Dallas effectively ended the informal UN talks. Anti-Castro operations continued for varying durations, but without ever seriously undermining the stability of Castro's government. Ironically, these operations -- and the covert operatives that they molded -- appear to have had more impact on the presidency of the United States than on Castro's regime. It was, after all, from this milieu that E. Howard Hunt recruited his Plumbers, whose Watergate burglary forced the first resignation in the history of the U.S. presidency. And it is in this milieu also that the House Select Committee on Assassinations found individuals with motive, means, and opportunity to assassinate President Kennedy.

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According to the House Report, anti-Castro groups and individual activists

had the motive, based on what they considered President Kennedy's betrayal of their cause, the liberation of Cuba from the Castro regime; the means, since they were trained and practiced in violent acts, the result of the guerrilla warfare they were waging against Castro; and the opportunity, whenever the President, as he did from time to time, appeared at public gatherings, as in Dallas on November 22, 1963.

The House Committee concluded "that the evidence was sufficient to support the conclusion that anti-Castro Cuban groups, as groups, were not involved in the assassination, but it could not preclude the possibility that individual members may have been involved."

One might have added that in this milieu we also find not only people who could keep secrets, but many skilled in the use of blackmail to silence others. Finally, as we will show in the pages that follow, the anti-Castro Cubans whose involvement in the Kennedy assassination could not be precluded should not be sharply distinguished from the mob elements whose involvement, in identical language, could not be precluded in another section of the House Report. Although the House Committee carefully presented the two groups as though they represented broadly distinct hypotheses, the extent to which they overlap is perhaps the most significant aspect of either group in terms of this investigation.

Cubans, the Mob, and U.S. Intelligence:

The Chaos of 1963

As far as conspiracy is concerned, the Committee's best work is not to be found in its summary findings, in its public hearings, or in its Report. Like that of the Warren Commission before it, the Committee's most important achievement is to be found in the mass of new data in its supplementary volumes on the Kennedy assassination, particularly in its staff reports on Anti-Castro Cuban exiles and on organized crime. In each of these areas the Committee has uncovered important new facts, with bearing not just on the assassination but, just as importantly, on the history of the last year of the Kennedy administration — the hidden drama of increasing conflict between the Kennedy brothers and their entrenched political opponents.

Before proceeding to these revelations, a few words should be said about how our method differs from that of the Committee. First, a caveat on what the Committee chose to emphasize.

History, and above all covert history -- the hidden story of crime, intrigue, and intelligence activities -- presents various faces to various viewers: historians are notoriously prone to reaching results conditioned by what they set out to look for. It is hardly surprising that under Chief Counsel Robert Blakey, a veteran of Robert Kennedy's war on organized crime, what the public calls "the Mafia" or "La Cosa Nostra" should become, as the Report candidly admits, "the principal target of the Committee investigation" (AR 160). With a different Chief Counsel, a veteran CIA-watcher for example, the story might have been told from a different point of view, with different

individuals caught in the narrow spotlight of investigation. As indicated in the last chapter, the line between organized crime, intelligence operatives, and anti-Castro exiles often became smudged in these early years of the 1960's as individuals played multiple roles for different groups. In the pages that follow we will be using a wider spotlight than that employed by the Committee in order to illuminate the background of the assassination in a wider frame.

The Committee and Chief Counsel Blakey also labored under an additional bias. Unwilling to concede the possibility of massive cover-up and falsification of evidence, the Committee accepted through most of its tenure the notion that Oswald, and Oswald alone, killed the President. Only in its closing days, faced with unassailable acoustic evidence of a second gunman, did the Committee make an about-face and conclude that Kennedy's death was the result of a conspiracy. One consequence of accepting for so long the non-conspiracy line was that the Committee never explored the possibility that Oswald may have been the "patsy" he said he was. Its photographic panel established that the gun found in the Depository was owned by Oswald. Guinn's NAA tests showed that bullets fired from that gun wounded Connally and killed Kennedy. But who fired the rifle? Here the Committee never attempted to go beyond the Warren Commission's circumstantial case against Oswald. The weaknesses in this case against Oswald have been pointed out in numerous books and articles published over the last fifteen years, and it serves no purpose to rehearse them once again. Our point concerns rather the Committee's method. The question of conspiracy became for the Committee a question of whether or not Oswald

had accomplices; on the whole its inquiry began with Oswald as a given and then worked outwards to see who else might be involved with him. With anti-Castro Cubans for example

the Committee focussed its interest on reported contacts with Oswald since unless an association with the President's assassin could be established, it is doubtful that it could be shown that the anti-Castro groups were involved in the assassination.

(AR 134)

Oswald may have fired the shots which wounded Connally and killed Kennedy; then again he may have been artfully framed. The only thing that is clear now is that Oswald did not fire all the shots in Dealey Plaza. Accordingly, our method will differ from the Committee's. We will not start with Oswald and work outwards.

Rather, we will begin with the milieu described in the last chapter -- the demimonde of U.S. intelligence agents, mob figures, and anti-Castro Cubans -- and work back towards Oswald and his murderer, Ruby.

In doing so we will be following an archaeological model of inquiry. For just as the archaeologist needs a background context before a coin, a shard of pottery, or a buried wall can tell him anything, so the isolated facts we know about Oswald and Ruby require a context for their understanding. Seen as isolated facts Oswald's association with the mysterious George de Mohrenschildt, his confrontation with Cuban exile Carlos Bringuier in New Orleans, the appearance of an Oswald "double" in Dallas just prior to the shooting (or on the other hand, Ruby's visits to Cuba in 1959 or his phone calls in September and October 1963) do not seem significant. These isolated facts --

and many others — take on significance only when seen in the context of a much larger milieu.

But first a word of warning. The region of covert history we are about to enter is a region where nothing can be seen clearly, where connections remain ambiguous, and where many interpretations can account for the same facts. Our forays into this shadowy region must be regarded as exploratory and heuristic, and not exhaustive or conclusive. Even more importantly, we do not see these researches as relevant to establishing individual guilt, since guilt by association is a technique as reprehensible to conscience as it is indefensible in law. Noone mentioned in the following pages is to be thought of as an implied assassin; our purpose is not to indict individuals but to understand history.

The Cuban Exile Junta (Junta del Gobierno de Cuba en el Exilio)

"We now have plenty of money -- our new backers are Jews -- as soon as we (or they) take care of Kennedy...."

According to a Secret Service report, this suggestive ~~remark is~~ ^{remark was made} ~~supposed to have been uttered~~ by an anti-Castro Cuban activist in Chicago, Homer S. Echevarria, just one day before the assassination (AR 133, 26 WH 441, 3 AH 372). There were of course many "kook" reports of threats ^{and threats} in this period, but this one was different. ^{for the source was a regular informant,} Echevarria, moreover, ^{did not} ~~was~~ ^{appeared to be} was no "kook" or loner; he ~~was~~ ^{was} a member of a well-organized group, the 30th of November Movement, which at this movement was under ^{possible} Treasury surveillance for/illegal arms deals in its anti-Castro activities. The Secret Service concluded that ~~the~~ ^{Echevarria's} group "may ~~have~~ be involved in the assassination" (3 AH 372), and expanded its investigation. Echevarria, it soon learned, had ~~worked for a manufacturing company~~ ^{come to the U.S. in 1960, and then} worked for the C.J. Simpson oil drilling company in Dallas. He was associated in the impending arms deal with Juan Francisco Blanco-Fernandez, military director of the Directorio Revolucionario Estudiantil (DRE), the anti-Castro group with which Oswald had had strange but extended contact in New Orleans in August 1963. The Secret Service also learned

that the arms deal was being financed through one ~~Ramiro Sierra~~ ^{Ramiro Sierra} Paulino Sierra Martinez by hoodlum elements in Chicago and elsewhere (AR 134, cf. 3 AH 278)

For a week or more the Secret Service pursued the Echevarria-Sierra story, even after President Johnson, on November 29, gave primary investigative responsibility on the case to the Warren Commission and the FBI.

Based on its initial understanding that the President's order meant primary, not exclusive, investigative responsibility, the Secret Service continued its efforts; but when the FBI made clear that ^{it wanted} the Secret Service to terminate its investigation, it did so, turning over its files to the FBI. The FBI, in turn, did not pursue the Echevarria case (AR 134).

Nor was the FBI the only unhelpful agency. According to the Secret Service,

it was the consensus of other security agencies that it was doubtful this 30th of November Group would be involved in illegal activities (26 ~~March~~ WH 141).

We know now from other files that ~~three members had been arrested on~~ already ^{The more moderate} arms charges, ~~three~~ arms had been seized from ~~the~~ faction of this group, ^{more moderate} extreme ^{and that} and that the leader of Echevarria's/faction, Carlos Rodriguez Quesada, was suspected of using his anti-Castro politics "to cover illicit dealings" (10 WSCA 144).

Much of the preceding information has been known to ~~the~~ assassination-critics since 1964, when ~~the~~ a Secret Service Echevarria's remark report on the ~~report~~ was published in the last of the Warren Commission volumes. ~~It was difficult, however, except by conjecture and loose association, to tie Echevarria with any of the key groups or individuals prominent in the case (apart from the DRE group with whom Oswald had had contact in New Orleans.) All that has changed with the publication of the ^{Select} Stokes Committee's staff Paulino Sierra's report on ~~the~~ Junta of the Cuban Government in Exile (Junta ^{de Cuba} del Gobierno ~~en~~ en Exilio, or JGCE), the group administering funds ^{the parties} from Echevarria called his "new financial backers". To veteran assassination researchers, ~~the~~ Sierra's Junta is like one of those dream pieces in the center of a jigsaw puzzle which for the first time enable you to fit sky and lake and forest into one coherent ^{form.} oblong. In this case the disparate elements which now ^{begin to} fit together are several: known authors veterans of Teamster-hoodlum gunrunning to Cuba, of cover-up, ^{crime} known associates of ~~of~~ Oswald, of Ruby, and of Ruby's old organized/connections in Chicago. But even more importantly, the history of the Junta helps us understanding the changing relationships between anti-Castro Cubans, organized crime, intelligence agencies, and ~~the~~ White House, in those stress-ridden months of 1963.~~

Who were Echevarria's "new financial backers"? The Committee believes it has a pretty clear idea:

The Committee found that the 30th of November Movement was receiving financial backing through the Junta del Gobierno de Cuba en Exilio (JGCE), a Chicago-based organization led by Sierra. JGCE was essentially a coalition of predominantly right-wing anti-Castro groups. It had been formed in April 1963 and abolished abruptly in January 1964. During its short life, ~~the~~ JGCE apparently acquired enormous financial backing, secured at least in part from organized gambling interests in ~~Las Vegas~~ Las Vegas and Cleveland. JGCE actively used its funds to purchase large quantities of weapons and to support its member groups in conducting military raids on Cuba. The affiliates of JGCE, in addition to the 30th of November Movement, included Alpha 66, led by Antonio Veciana Blanch, ^{of which more later} and the MIRR, whose leader was the militant anti-Castro terrorist, Orlando Bosch Avila (AR 236-37).*

* This statement is a little more definitive than its footnotes would seem to warrant, since the allusion to ^{Cleveland} gambling interests ~~in Las Vegas~~ ~~and Cleveland~~ is apparently based on uncorroborated hearsay of what Sierra himself told one of his associates (William Trull, a former entertainer from Dallas, 10 ~~Nov 63~~ AH 97-98). Apparently, however, it was widely rumored that Sierra's ample flow of funds was from "gambling interests" of organized crime" (10 AH 96), and press reports had linked Sierra to "gamblers" as early as May 1963 ⁽¹⁰ AH 97).

Footnote

As a result reports of an offer of \$10 million by gamblers from the West (10 AH 98)

and associates
 The Committee's findings about the personnel/of the junta,
 at both the funding and the operational level, corroborate this
Since this is included in
 impression, for they include veterans of the gambling interests'
 independent operations against Castro back in 1959. One ^A CIA report
 identified one of Sierra's promoters for a May 1963 meeting as
 "George Franci, a Haitian national who had previously been involved
 in gambling interests in Havana" ~~(10 AH 98)~~. Another spoke of an
 alleged offer of \$10 million by "gamblers from the West" (10 AH 98)

At the same time it is clear from the Committee's staff report
 that Paulino Sierra was also answerable in his activities to his
 nominal employers at the Chicago-based Union Tank Car Company,
 a firm ~~once part of the old Standard Oil Cartel~~ engaged in the
 leasing of petroleum tank cars:

The junta was formed after an organizational meeting in
 Chicago in June 1963 with Union Tank Car Executive Vice
 President J. W. Van Gorkum and General Counsel William
 Browder.... ~~One source who attended said that Van Gorkum and~~
 But evidence exists to suggest that Union Tank Car had a greater
 role in the junta. The company was reportedly paying for Sierra's
 personal and travel expenses plus his salary. Browder also told
 FBI agents in October 1963 that although he did not know the
 identity of Sierra's backers, he (Browder) kept the group's funds
 under his control (10 AH 99)

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 page.*

The Committee saw no connection between ~~the~~ ^{Sierra's employers at the} Union Tank Car Company and ~~Sierra's~~ ^{his} contacts with alleged representatives of "gamblers" and "the 'Nevada group'", such as "a Burt Mold of the American ~~Anti~~ Education League of Los Angeles" (10 N AH 98). But there was ^{such} a connection, if only on the level of right-wing ideology and lobbying. One of the Senior Advisory Board company's directors, Bennett Archambault, was on the ~~governing committee~~ (ASC) of the American Security Council, while Union Tank Car's President, Edwin A. Locke Jr., was on the board of the affiliated Institute ~~of~~ for American Strategy. ~~One of the ASC's leading fund raisers, Patrick~~ ~~Finley of Los Angeles~~ Staffed largely by former FBI and CIA officials, the ASC was by 1963 perhaps the most powerful militarist lobby in the United States. In addition, the ASC served its member companies by screening potential employees for their political loyalties, and as a medium for keeping businessmen close to military leaders, both active and retired. Newsweek, magazine, in a 1961 article about "The Military Right", noted that "many of these retired military men have joined the American Security Council." (Newsweek, Dec. 4, 1961),

Loyd Wright, a right-wing Los Angeles lawyer and ¹⁹⁶⁴ co-chairman of the ~~ASC~~ ASC's National Strategy Committee (on which Archambault served), was also a director of the American Education League ^(AEL) and senior mentor of its right-wing activities.

In 1963 the ASC's Washington Report expressed more and more shrill displeasure at Kennedy's progressive modifications of cold war strategy, over the test-ban treaty with the Soviet Union ("we are abandoning the nuclear race"), over Vietnam ("the blunt truth is that we must preserve President Diem"), and over Cuba ("The President... gave no hint that we would give concrete assistance to the goal of a Free Cuba").

Even more than ~~the~~ the ASC in Washington, the AEL in Los Angeles ~~was an~~
~~American Legion offshoot~~ ^{was an} offshoot of the Americanism propaganda
^{1023 21} activities of the American Legion -- activities often carried on
close in/co-operations with the FBI. Thus the chief of the ASC's Washington
Bureau was Lee R. Pennington, a former FBI agent responsible for liaison
with the American Legion, and later chairman of the Legion's National
Americanism Commission (Medzi 1023, Moley 425). The Executive Director
of the AEL was John Lechner, former Americanism chairman of the
Legion's 23rd District in California.

By 1963 ~~the~~ the staffs of both the ASC and the AEL were
participating in anti-Castro activities. Three members of the ASC
National Staff (including its President, former FBI agent John M. Fisher)
helped form the Citizens Committee for a Free Cuba in April 1963, a
committee loaded ~~with~~ ^{such as} with veteran CIA collaborators (Leo Cherne,
Ernest Cuneo, Jay Lovestone, Clare Boothe Luce, ^{and} Eugene Lyons), ~~one of~~
~~whom, William vanden Heuvel, was also a special assistant in the Justice~~
~~Department to Robert Kennedy.~~ The AEL's committee, Americans for Cuban
Freedom, ^{a more colorful affair,} in contrast, was drawn chiefly from that spectrum of the California
right where the CIA and KGB are often treated as but two arms of one vast
Masonic conspiracy for a world government of the Illuminati. (One of its
members, W. Cleon Skousen, ~~had~~ ^{after} leaving
his job as ASC Field Director,
~~but~~ had been attacked by a national leader of the John Birch society
as an "incipient Hitler".)

The Chairman of Americans for ~~the~~ Cuban Freedom, Burt Mold, is something of a mystery man. The AEL, in listing him as a director, identified him only as "Banker and Investments". Now for the first time we learn that in 1963 he had come under CIA scrutiny as a possible conduit of Nevada gamblers' money to the organizational activities of Paulino Sierra:

Dr. Cesar Blanco i.e. Dr. Cesar Blanco Gutierrez, in 1960 the U.S. Representative of the 30th of November Movement /...reported a meeting of Cuban exiles on March 11, 1963. He said that a Burt Mold of the American ~~the~~ Education League of Los Angeles had asked Blanco how much ~~total~~ money the Cubans needed to work out a program to free Cuba. Mold, according to Blanco, stated that the "Nevada group" would help since the U.S. Government could do nothing. Blanco said that Mold even offered Blanco the job of head of police in Cuba when the country had been freed.

A CIA report of March 1963 reported that Blanco and Sierra had been approached by gamblers from the West to work with them. It was reported that Sierra spoke about an offer of \$16 million in backing for guarantees of gambling concessions in Cuba after Castro was overthrown.

In his public meetings in Miami in May, Sierra had publicly named the American Educational League of Los Angeles as being in support of his proposal. When that group challenged Sierra's claims, Sierra backed off, indicating he had received assurances of assistance from other sources. But it is not known whether Mold had made the offer at the behest of the American Educational League or for some other party (10 AH 98-99)

A biography of Dr. Lechner, published two years before the assassination, Lechner and Mold (who now lives in Las Vegas) ~~contains the information~~ reveals that ~~Lechner and Mold~~ were in touch with

- o Cuban friends of ~~Frank Sturgis~~ Sergio Diaz Brull, Pedro Diaz Lanz, and Diaz Lanz's American contact, Frank Sturgis, all of whom had ~~usiorment~~ anti-Batista activities ~~of~~ 1958 and (after their disill participated in the gambler-financed/anti-Castro activities ~~of~~ 1959 philosophy and (Edell, p. 172). It also reveals their/proposed mode of operation:

"And that isn't all we should do," Burt interrupted sharply.

"We should help the poor refugees and perhaps even give the Cuban Freedom Fighters a few Marines to teach them a thing or two on how to fight fire with fire! I've been thinking along this line, Doctor. What do you think?"

Doctor Lechner leaned back in his chair and talked about his recent conversation with Carlos O. Echegoyen, a Cuban intellectual and brilliant psychologist, whose background stamps him as a genuine anti-Communist "Freedom Fighter."

The Doctor went on to explain that it was Echegoyen who warned the Central Intelligence Agency and the brass of the State Department, last November, against the futulity ~~(sic)~~ and Bay of Pigs certain disaster of that invasion, which vaporized.

"Echegoyen told me," the Doctor revealed, "that the Cuban representatives, especially Cardona, who was running the show, had been receiving financial aid from the Communists in Venezuela [i.e. Venezuela's President Romulo Betancourt] and with the full knowledge of the C.I.A."

"Wow!" said Burt, shaking his ruddy head. "An invasion, ~~or~~ -- or so-called invasion -- under the circumstances could not fail

to help Castro and ~~that~~ actually was what the Kremlin wanted!"

"Certainly!" the Doctor stressed. "I know the clever, sinister tactics of the reds. I am positive that the State Department's support of Cardona, who headed the disaster, fitted beautifully into the Kremlin's overall strategy.... Khrushchev would like nothing better than to have another dedicated Marxist nicely primed by this government to take Castro's place, in the event he were assassinated or liquidated."

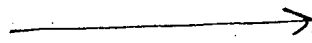
(Edell 172-73)

Lechner and Mold, in other words, wanted to work with U.S. military advisers, but without CIA political interference, which would obviously produce a new government too liberal for their liking. Meanwhile E.A. Mowrer, of the ASC and the allied Citizens Committee for a Free Cuba, was calling for a "Cold War 'foreign legion... open to anyone, but in particular to refugees, escapees, and expellees from Communist-controlled countries" (Wash Rep. June 4, 1962).

Sierra's ~~advisers,~~ avoid the CIA and ~~men~~ bring in U.S. military advisers, ~~men~~ as Mold had proposed, at least two of these ~~men~~, Frank Sturgis and his long-time ally Jerry Patrick Hemming, were ~~men~~ veterans of the gamblers' 1959 operations. In a moment we shall look more closely at the Junta's personnel and contacts, since so many of these — Orlando Bosch, ~~Richard Lauchli~~, Frank Sturgis, ~~George Patrick Hemming~~, Dennis Harber, Antonio Veciana, and Alexander Borke — have for various reasons ~~been investigated by researchers into the Kennedy assassination.~~ *come up in the investigation of*

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It is worth reminding ourselves that the charge that gamblers were funding Sierra's junta -- though made publicly and in secret government intelligence reports -- remains unproven. From the past discussion it should be clear, however, that Sierra was backed by his employers at the Union Tank Car Company and thus presumably by at least some members of the American Security Council. This would coincide with Sierra's ^{own} claims that "he had the assistance of several high ranking U.S. Navy and Army officers" (LOAH95), and "such large corporations as ...Esso, Standard Oil,.. and United States Steel" (LOAH99). This is particularly important because of the special relationship -- revealed, as we'll see, through its role in Watergate -- between the American Security Council itself, the CIA, and the FBI.

A number of the original Watergate conspirators -- Hunt, McCord, and Sturgis for example -- were involved with various aspects of either the 1963 Chicago Junta or the allied plans then current for the assassination of Castro and the invasion of Cuba. It would be easy to extend the list of Watergateers in the Junta and the ASC, the problem is rather where to stop. For 

, the ASC,
 The Junta, Watergate, and the Security Network

We have already seen that a number of the original Watergate conspirators -- Hunt, McCord, and Sturgis for starters -- were said to have been involved with 1963 to collaborate on various aspects of either the Chicago Junta or the allied plans then current for the assassination of Castro and the invasion of Cuba. It would be easy to extend the list of Watergaters in the Junta and the ASC, the problem is rather where to stop. For example Reinaldo Pico, a member of the original Watergate burglary team of six Cubans, was in 1963 the Junta government member in charge of labor issues (Lukas 197, 10 AH 97). Douglas Caddy, the burglars' original attorney who had once shared offices with Hunt's CIA-front p.r. firm, had worked with the ASC to put out an anti-communist news sheet, Washington Report, back in 1962.

More relevant to our understanding of the ASC's role in the whole invisible security network of this country, and the de facto immunity from prosecution which that confers, is the example of Lee R. Pennington, Jr., the Internal Security editor of ASC's Washington Report, and the custodian of the ASC's seven million file cards on alleged American left-wingers. ~~Two days after the Watergate break-in,~~ also enjoyed a \$250 per month as a consultant to Pennington, ~~who was then on a \$250 a month retainer from~~ the CIA's Office of Security, where McCord had once worked, in exchange for providing the ASC's security information to the CIA. In fact it was McCord himself who first put Pennington on the CIA payroll, (Nedzi 955) ~~when Pennington was~~ ~~Two~~ days after the Watergate break-in, Pennington drove out to the McCord residence in Maryland, and either destroyed, or watched Mrs. McCord destroy in a bonfire, materials which would have in some way implicated the CIA (Lukas 211, Nedzi 1025) Also present ~~at this possible obstruction~~

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 I (Nedzi 1024)

of Justice were Mr. and Mrs James Sweeney, Mrs. Sweeney being Jim McCord's former CIA secretary, and Mr. Sweeney Pennington's American Legion former assistant at FBI Headquarters. *Mike Pennington himself, Sweeney, (after putting in some time with the House Un-American Activities Committee staff) worked for a while at the ASC.*

Our interest in this story is not so much Mr. Pennington's own possible contribution to the cover-up of Watergate (an activity which sent so many other people to jail) as his explanation of ~~his~~ this role to the House Committee on Armed Services, ^{Here he} which showed clearly the role of the ASC in industrial security and the special relationship this engendered with the CIA, and above all the FBI. ^{It} Pennington himself, during World War II, had been the FBI Agent in charge of building up a network of confidential information contacts through the American Legion, on the model of the so-called vigilantes of the old American Protective League during World War I, *but without the League's "nuisances"*. Through the Legion Pennington ⁴⁴

→ built up approximately 70,000 confidential contacts throughout the United States, *very few of whom we ever used, but we had them spotted so in the event the necessity arose we would have had somebody we could go to (Medzi 1029)*

→ In November 1953 Pennington retired from the FBI and moved over to the Legion where he developed a massive "library" of information on ~~individuals~~ alleged subversives. When the CIA, prodded by Joe McCarthy, began to look for communists in their own rank, McCord came to Pennington for help in locating them. It was then that Pennington's CIA retainer began, a

retainer that continued when Pennington, and his library, moved out of the American Legion, and ~~(with other former FBI agents)~~ into the ASC.

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about his library

The implications of Pennington's revelations have never been pursued. It is known however that the chief users of his library were not the CIA but ~~the~~ large corporations, most of them defense contractors and/or oil companies, who consulted the card index on potential employees as part of their industrial security program. Defense contractors were indeed required to conduct investigations of this nature by law, for under legislation which both the FBI and the American Legion had helped to lobby. And on Capitol Hill the ASC worked closely with both the the Senate Internal Security Subcommittee and the House UnAmerican Activities Committee, ~~two committees for whose existence the American Legion (in its semi-official history by Raymond Moley) claims to be partly responsible (Moley, 256)~~

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governmental and It is this interlock of/non-governmental institutions (whose immunity from ~~prosecution via~~ CIA-FBI collaboration was demonstrated in Watergate) which we have shosen to call the American industrial security network. ~~In the ASC and the next difficult chapter about the Chicago Junta,~~

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~~keep in mind that~~ ^{*}The Senate Internal Security Subcommittee ~~was collaborating in propaganda activities with the~~ Junta groups had its own network of anti-Castro informants (11 AH 65; WCD 351),/and James that for some reason its counsel ~~James~~ Sourwine was involved in financing Junta-related anti-Castro activities. Keep in mind ~~also~~ that one of

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the first persons contacted by Lee Harvey Oswald on his return from the Soviet Union was an industrial security officer for the Convair Division of

General Dynamics.

Also ~~generally~~ keep in mind the ~~Marines~~ former Marines who despite ~~his~~ ^{his} professed Marxist sympathies, sought and obtained work at a private plant with an industrial security program, ~~because~~ ^{although} it was doing classified contract work for the U.S. Government. Lee Harvey Oswald did precisely these things, but we do not wish at this moment to talk about Oswald, ~~whose career~~ ^{is still a mystery}. We are think of the unambiguous case of Robert C. Ronstadt, ~~who passed his FBI exam in 1942~~ ^{who} in 1946 went to work at Allied Records in Los Angeles, sold subscriptions to the ~~Daily~~ Communist Daily Worker in 1946-47, and became a Communist Party member in the spring of 1947. Ronstadt, who had originally passed his FBI exam in 1942, was actually working for the firm of Joseph P. McCarthy and Joseph Dunn, industrial security consultants to Allied Records. While at Allied Records Ronstadt was not an FBI informant, but his job was to report on possible communist infiltration of the plant to McCarthy and Dunn, who in turn reported to the FBI. After he had joined the Communist Party, however, Ronstadt ceased to work for the private industrial security firm, and instead became a paid informant for the FBI.

The analogies with the Oswald career are far from exact: no one, for example, would ever imagine that Oswald had passed an FBI exam before joining the Marines. There are, however, enough similarities to suggest that Oswald could have played a similar role when in late 1962 he went to work for Jaggars-Chiles-Stovall, a firm doing classified contract work for the Army Security Agency. And this would explain why the month in which he left that firm is also the first month in which he struck up contact with the left-wing Fair Play for Cuba Committee.

General Dynamics.

too

We know that in Dallas there was a coordinated program to gather intelligence against subversives, in which the ~~private~~ private corporations and with ~~Special Services~~ Special Services of the Dallas police collaborated with ~~including teams non-police~~ ^{Bureau (SSB)} federal ~~and~~ agencies, and with private ~~business~~ ^{including teams non-police} ~~intelligence~~ ^{intelligence} teams from the Army, Navy, and Air Force. ~~included the planting.~~ ^{including military intelligence} ~~SSC~~ Chief Pat Gannaway told a Dallas newspaper in August 1963 that "in many cases undercover agents have actually joined" subversive groups, or established networks of informants to accomplish the same result. It has been ^{suggested} ~~speculated~~ that both police and military intelligence units sometimes use/organized crime as informants in such programs, if only as a cover for more corrupt connections. ^{More to the point,} ~~And it is a known fact that~~ ^{Jack} Ruby acted as an informant for detectives in Gannaway's ^{by} SSB (9 AH 128, 13 WH 183, WCD 85.64); indeed a police chief from another city told the FBI that Ruby "was closely connected" to Gannaway's secretary ^{Mary Hanford} (WCD 86.151). ~~Then~~ ^{by} SSB had two other relevant responsibilities. Its vice squad was responsible for keeping strip shows at night-clubs like Ruby's within the law; thus SSB Vice Chief Gilmore, a "close friend" of Ruby (23 WH 78, 25 WH 290), was said to visit Ruby's clubs "every night they are open" (23 WH 207). And the SSB had the ^{by} ~~responsibility~~ responsibility of supplying protective intelligence for the visits of important government officials -- such as President Kennedy -- to Dallas (5 WH 48). These facts ^{in the light of} ~~have~~ assumed new significance ^{Select} the ^{Committee's} belief, "based on a review of the evidence, ... that Ruby's shooting of Oswald was not a spontaneous act; and that "Ruby's close relationship with one or more members of the police force may have been a factor in his entry to the police basement on November 24, 1963." (AR 156-57).

First however we must comment on the clever game which the CIA and FBI -- with or without the knowledge of Robert Kennedy -- were playing with Cuban exile politics, as exemplified by Sierra's junta.

~~In December 1962, as he welcomed back the survivors of the Bay of Pigs~~ Kennedy's policy towards the anti-Castro Cubans, supported as they were by a powerful domestic anti-Communist lobby, forced him and his brother Robert to walk down a very narrow line. On the one hand he had pledged "no invasion" of Cuba to Khrushchev, on the other he had ~~returned~~ promised to return the flag of the Bay of Pigs veterans "in a free Havana". The Administration had bought its peace with the Brigade and ~~with~~ selected other Cuban exiles (mostly Cuban Army veterans) by offering periods of the training with the U.S. Army and Special Forces, ~~at Fort Jackson and Fort Benning.~~ In June 1963, as numbers of these troops were graduating from Fort Jackson and Fort Benning, the CIA developed an Operating Plan for "Autonomous Operations" to provide "financial aid, advice, and guidance"/without regular CIA control (LO AH 77, 140). Numbers of regular soldiers under Bay of Pigs Leader Artime regrouped in Nicaragua for further training and support from the Somoza brothers. According to Howard Hunt's biographer Tad Szulc, the future Watergate burglars Bernard Barker and James McCord were both assigned to ~~this operation,~~ ^{the new invasion project,} while Howard Hunt himself made contact in Madrid with a well-known Cuban assassin whom ~~the~~ the CIA hoped to recruit ~~in~~ ~~to~~ to murder Castro at the time of the expected invasion (Szulc, Compulsive Spy, p. 97).

This has been investigated by researchers into the Kennedy assassination.

There is no evidence that Sierra's Junta was supported by the CIA under its Autonomous Operations; indeed, one would tend to doubt this. But as soon as the Junta was established in June 1963, Sierra ^{aide} ~~made~~ contact with the Artime operation in Nicaragua. (10 AH 99). (The aide was Sierra, and an aide, ~~the~~ Felipe Rivero Diaz, later detained as a suspect in a terrorist bombing of the Cuban exhibit at the 1967 Montreal Expo) Sierra ^{both} ~~may not only~~ spoke to Luis Somoza and to Miguel "Cuco" de Leon, Artime's MRR liaison with the Somoza brothers on the invasion project, which had the CIA code name "Operation Second Naval Guerrilla". De Leon in turn reported ^{to the U.S. Government} ~~(apparently to the FBI)~~ that Sierra "told him he represented U.S. gambling concessions in Cuba" (10 AH 98). At the time the CIA, sensing Robert Kennedy's displeasure, had apparently desisted from direct dealings in its anti-Castro activities with representatives of U.S. organized crime. Apparently however its ~~members~~ subsidized Cubans were dealing with mob-subsidized Cubans; the CIA knew this, ^{possibly} could not prevent it, and ~~probably~~ did not wish to. The result was the same kind of ambiguous snarl, with potential for blackmail, that ~~was~~ Robert Kennedy had apparently objected to in 1962. ~~At the very least, the CIA was~~ By abdicating control, ^{personal} the CIA bureaucrats were in a better position to protect their own records; but they had created a power vacuum ^{into} ~~which~~ ^{mysterious dollars} the ~~emergence~~ of Sierra moved quickly.

In September 1963 the Kennedy Administration moved quite unambiguously against some of the former casino interests' mercenaries now on Sierra's payroll. ^{backed by the State Department's Coordinator of Cuban Affairs} The Customs Department issued "strong warnings" to six U.S. citizens ^{in Florida} against violating the U.S. munitions control laws. Of the five men

reveals identified by the New York Times, the Stokes Committee now ~~states~~ that at least three -- Frank Fiorini alias Sturgis, Bill Johnson, and Alexander Rorke Jr. -- and ~~from~~ almost certainly a fourth -- Rorke's co-pilot Geoffrey Sullivan -- were being bankrolled by Sierra (NYT, September 16, 1963, p. 39; 10 AH 90-91). Considering the encouraged and intensity of anti-Castro activities being actively subsidized by the U.S Government in other parts of the Caribbean, one can understand the resentment of those who were singled out:

"We were warned not to move the plane when we went out to our private hangar at Opalocka this morning," Mr. Rorke said. "All we wanted to do was to move it a few hundred yards nearer to a radio repair shop and we did it despite the warning."

Opalocka is a former United States Navy airfield adjacent to Miami. Mr. Rorke said he had been told he could not fly the plane.

"But they have not served us with any legal papers," he declared, "and we are going to fly it whether they like it or not" (NYT, Sept. 16, 1963, p. 39).

Out of all the strange stories that have circulated for sixteen years among the Miami mercenary community, one, to my knowledge, has never been contested. It is that Rorke did defy the Customs order: ~~one week later~~ ^{shortly thereafter} he took off in a small plane from Merida, Mexico, with the intention of bombing Castro's Presidential palace in Havana. But the plane never made it; it was shot down over Cuba. I have heard

report the common speculation one former soldier of fortune ~~speculates~~ that Rorke was betrayed: "Castro knew that plane was coming. Bobby Kennedy may have told him personally." ~~Another~~ Another has ~~maintained~~ alleged that a Castro informant, Enrique Molina, was on the plane; and ~~the informant~~ ~~has~~ Gerry Patrick Hemming, who claims to have heard of pre-assassination offers to kill Kennedy, has also charged that ^{Castro} a ~~Cuban~~ informant called Enrique Molina had been present only a few days earlier in Dallas. Amid the swirling mists of speculation and accusation ^{some} one fact remains certain. Rorke was killed in that plane crash; ~~and~~ some of his friends blamed the Kennedys for it; at the very least the Kennedys had singled out the Rorke-Johnson-Sturgis group (bankrolled by Sierra) for special warnings.

It is time to look more closely at Sierra's group of terrorists and mercenaries, and the reasons why some of them have been subjected for years to the scrutiny of assassination researchers. But before doing so it is worth reminding ourselves that the charge that gamblers were funding Sierra's junta, though made both publicly and in secret government intelligence reports, remains unproven. What is now certain is that Sierra was also backed by his employers at the Union Tank Car Company and thus presumably by at least some members of the American Security Council. This would coincide with his own claims that "he had the assistance of several high-ranking U.S. Navy and Army officers" (10 AH 95) and "such large corporations as ...Esso, Standard Oil... and United States Steel". (10 AH 99). This is particularly important because of the special relationship -- revealed through ~~Watergate~~ its role in Watergate -- which we shall examine between the American Security Council itself, the CIA, and the FBI.

THE JUNTA AND THE KENNEDY CASE

In putting together his Junta of the Cuban Government in Exile, Paulino Sierra assembled, among others, some of the individuals who in later years would have the most startling allegations to make about the John F. Kennedy assassination. ~~From~~ At least one claimed to have seen Oswald personally; others, that Oswald had attempted to penetrate their organization. The Committee ~~finds~~ some of these stories more interesting than do some of the critics, who suspect one or two of them as "disinformation", to direct inquiry away from more legitimate areas of concern.

In its Report, the Committee cited three instances where ~~remained~~ "associations of Lee Harvey Oswald were or may have been with anti-Castro activists" (AR 129). Of these three, at least two -- the Veciana story and ~~his~~ Oswald's arrest in New Orleans -- involved associates of the Sierra junta; it is arguable that the third (the Silvia Odio incident) may have done so as well.

Antonio Veciana Blanch

From July 1963 both Alpha 66 and its founder, Antonio Veciana, worked closely with Echevarria's 30th of November Movement in support of Paulina Sierra's Junta. In Cuba Veciana had been an accountant "in the Banco Financiero, owned by Julio Lobo, the "Sugar King" of Cuba" (10 AH 37). (Lobo, it should be added, was key CIA contact -- he was marked for a government post ~~in~~ the political blueprint of the Bay of Pigs invasion plan Meyer and Szulc, p. /. Lobo also financed the Riviera and Capri Hotels whose casinos employed Jack Ruby's friend Lewis McWillie /Thomas, p. 367/). While still in Cuba, Veciana organized an attempted assassination of Fidel Castro (AR 135); after escaping

he became the founder and political head of

Alpha 66 which, throughout 1962 and most of 1963, was one of the most militant of the exile groups. Its repeated hit-and-run attacks had drawn public criticism from President Kennedy in the Spring of 1963, to which Veciana replied, "We are going to attack again and again." Veciana claimed to have had the active support of the CIA, and in 1976 he reported to a Senate investigator that from 1960 to 1973 his adviser, whom he believed to be a representative of the CIA, was known to him as Maurice Bishop. Veciana stated that over their 13-year association, he and Bishop met on over 100 occasions and that Bishop actually planned many Alpha 66 operations....Veciana also revealed that at one meeting with Bishop in Dallas in late August or early September 1963, a third party at their meeting was a man he later recognized as Lee Harvey Oswald (AR 135)

~~The press and the media~~ Some assassination critics have been ~~more~~ interested in Veciana's claim, ^{to have seen Oswald} especially after the revelation ^{learning} that two successive Congressional committees suspected that "Bishop", as depicted in a composite sketch developed by Veciana and a professional artist, might have been none other than David Atlee Phillips, former chief of the CIA's Western Hemisphere Division (10 AH 46-47). Phillips' career would indeed seem to earn him a place in the next bad novel about the Kennedy assassination. A long-time colleague of Howard Hunt's, he had been in charge of psychological warfare aspects of both the CIA's ~~Guatemala operation in 1954~~ against overthrow in 1954 of Guatemalan President Arbenz, and the unsuccessful Bay of Pigs operation in 1961. ("Bishop told me several times...that psychological warfare could help more than

hundreds of soldiers hundreds of soldiers, thousands of soldiers," Veciana testified" (10 AH 38)). In October 1970 Phillips was chief of the notorious CIA Chile Task Force which, on instructions from Nixon and Kissinger, tried to block ~~Allende~~ Chilean President-Elect Allende's accession to power by promoting a military coup. (Phillips 220). Phillips, in his autobiography, says he himself proposed the idea of a military coup (p. 221), and his involvement in it certainly adds interest to the Veciana. For one thing, the CIA's involvement in this coup planning may possibly have been illegal from the outset, since the whole of this so-called "Track Two" operation was kept secret from National Security Council's oversight committee (the so-called Forty Committee) on CIA operations. (By statute, the CIA's operations are supposed to be limited to those which the National Security Council "shall from time to time direct"). For another, most CIA ~~main~~ line personnel were excluded from the Track Two operation, which instead made use of Defense Intelligence Agency (DIA) personnel, because of their contacts with the Chilean military (Church Comm. Ass. Rep., p. 235). And Chile, ~~until~~ before, for all its recent difficulties, the CIA's Track Two went to work, had been the outstanding example of stable constitutional democracy in Latin America.

But "Track Two" is of particular concern because of the Task Force's (i.e. Phillips') initiative instructing the CIA Station in Santiago to explore "anything we or Station can do ~~will~~ to effect removal of General Schneider," the Commander-in-Chief of the Chilean Army, ~~since~~ Why? Because (in the Task Force's words) "General Schneider's firm constitutional stand.../is/ working against a military take-over" (Cable 628 of October 8, 1970; Task Force Log, 10/8/70; in Ass. Rep., p. 241). It was only

after reiterated cables of this nature that the U.S. contacts in the scheme Chilean Army developed a plan for the abduction of General Schneider. After further intrigues, in which both money and arms were passed to assassinated the plotters, General Schneider was in fact ~~murdered~~ in the course of an alleged abduction attempt. Phillips' account of that ~~murder~~ assassination is hardly a model of candor:

The Schneider assasslants were later convicted for the crime. They had been contacted previously by ~~my~~ CIA agents -- then discouraged by CIA and contact severed. Thank God, I said to myself, for at least that small favor. Those of us familiar with Chile and Chileans knew instantly that there were no more rails for Track II. The unexpected death of General Schneider made the odds of a successful military oup against Allende plunge to zero. Abe, Tom Karamessines, and I went to see Dick Helms. The DCI listened attentively as we explained that it was all over. Helms and Karamessines told the White House. Track II was dismantled (Phillips, p. 223).

^R Phillips is obviously writing for an audience which had not seen the documents in the already-published report of the Church Committee. From those sources we learn that the plotters had been "discouraged" from a premature coup, not from the desired "abduction" (Ass Rep 243), ^{military} A U.S. attache had in fact delivered three submachine guns to ~~them~~ ^{the} plotters a Chilean army

officer at 2 a.m. on October 22, 1970 -- just six hours before General Schneider was assassinated (p. 245). The reaction of Phillips' ~~the~~ Task Force ~~is~~ on that day is therein published:

The attack on General Schneider has produced developments which closely follow Valenzuela's plan....

Consequently the plotters' positions have been enhanced (p. 246) as is that ~~is~~ the next day of the meeting with CIA Director Helms:

It was agreed...that a maximum effort has been achieved....

The Chileans have been guided to a point where a military solution is at least open to them (p. 246).

It was indeed. Track II was not dismantled, but revamped as a long-term effort. As CIA Deputy Director for Plans Thomas Karamessines testified to the Church Committee:

As far as I was concerned, Track II was really never ended.

....What we were told to do was to continue our efforts....

I am sure that the seeds that were laid in that effort in 1970 had their impact in 1973. I do not have any question about that (p. 254).

In May 1973 David Phillips was brought back from his post as chief of station in Venezuela to become the CIA's Chief of Western Hemisphere Division in the Directorate of Operations (formerly Plans), just as in 1970 he had been flown home from Brazil to head up the Chilean Task Force. Four months later the Chilean armed forces overthrew and murdered Allende (in a break with constitutional tradition which Phillips, in his autobiography, finds "difficult to comprehend", p. 247) Once again, as in Track Two, the chief U.S. contacts of the Chilean

discovered. The military appear to have been with their U.S. military counterparts, rather than with the civilians of the CIA station in Santiago.

~~Phillips was in 1971, Phillips had been CIA Station Chief there~~
Back in 1971, some months before Phillips became CIA Station Chief there

When all of this has been said, one has to agree with the committee that Veciana's story of having met Lee Harvey Oswald with "Bishop" remains uncorroborated. Veciana waited more than ten years before revealing his story, for which there are neither witnesses nor supporting evidence. (AF) More interesting than the story itself is the ~~monumental~~ result of the committee's investigations, revealing the CIA files show

having three times turned down his "no Agency relationship with Veciana" (10 AH 51), but that requests for assistance in anti-Castro plots. On the other hand Army intelligence had an operational interest in Antonio

Veciana from November 1962 until July 1966 /or throughout the period of Sierra's junta/. The nature of the Army's contact with Veciana appeared to be limited to attempting to use him as a source of intelligence information about Alpha 66 activities, with Veciana, in turn, seeking to obtain weapons and funds. (10 AH 51)

The committee furthermore did substantiate other statements by Veciana. For example he did organize an attempted assassination of Castro in Havana in 1961, and he probably did participate in another plot against Castro in Chile in 1971 (AR 135)

~~Sierra's junta, in other words, involved at least one Cuban leader, with Army Intelligence connections, who believed in assassination~~
Sierra's junta, in other words, involved at least one Cuban leader, with Army Intelligence connections, who believed in assassination

see in a moment that Veciana had Cuban followers in Dallas who certainly should have been, but were not, investigated right after the assassination.

Orlando Bosch Avila

Orlando Bosch's

The career of assassination ~~with~~ is so hard to believe that it is best told in the Committee's own cautious words:

Bosch was interviewed by the committee in Cuartel San Carlos ^{ne} prison in Venezuela. He is charged with comlicity in the October 6, 1975 [sic, i.e. 1976] bombing of a Cubana airlines plane which resulted in the deaths of 73 people. Although denying involvement in the airplane bombing, Biesch said he approved of it.... On September 16, 1968, Bosch was arrested for firing a bazooka into the hull of a Polish ship anchored in Miami harbor. He was subsequently tried and sentenced to 10 years in a Federal prison.... He was gra ted parole on November 1, 1972 and immediately began traveling through Latin America, in violation of that parole. He said his aim in Latin America was to forge alliances with countries which had powerful Cuban exile communities. So effective was he in making solid political alliances, that in the ensuing years he was able to travel freely, with forged passports, throughout Latin America. Whether or not Bosch was the principal conspirator in the bombing of the Cuban airliner, it is known that his Cuban Power movement, which merged with other Cuban activists in 1976 ~~to~~ ~~form~~ to form a Cuban Secret Government engaged in acts of terrorism. This latter group was linked w th numerous recent bombing incidents, an assassination attempt against Henry Kissinger, the assassination of Orlando Letelier /former Chilean Foreign Minister under Salvador

Allende/ in Washington, D.C., and the bombing of the Cuban Airlines plane. Orlando Bosch, a zealot, turned out to be the most aggressive and volatile of the Cuban exile leaders. That alone could validly raise the question of possible association with the assassination of President Kennedy. In addition, the committee was presented with an allegation that specifically connected him to a conspiracy, but investigation failed to support the claim that Bosch had been in Dallas in November 1963 in the company of Lee Harvey Oswald (10 AH 89-92).

Keep in mind that this former pediatrician was/^{once} given training, allegedly in terrorist tactics, in a CIA-supported camp in Homestead, Florida (10 AH 90). ~~in 1960, when~~ Then in 1963, as he recently told a New Times journalist, he

felt betrayed by the Kennedy administration and by the CIA.

They held out adream to us and then let us down (Blake

Fleetwood, in New Times, May 13, 1977, p. 46).

At this time Bosch was general~~ly~~ co-ordinator of the Movimiento Insurreccional de Recuperacion Revolucionaria (MIRR). Using funds from Paulino Sierra, allegedly ~~possibility~~ in the order of \$50,000 or more, Bosch hired Frank Sturgis, Alexander Rorke, and William Johnson to ~~the~~ organize ~~the~~ airstrikes against strategic targets in Cuba. ~~As~~ MIRR escalated to more and more provocative targets, the ~~the~~ ~~is~~ still ~~the~~ ~~big~~ oil companies, such as/oil refinery~~am~~ claimed as assets by the ~~the~~ Dutch-British Shell ~~Oil Company~~, or even, ~~the~~ reportedly, a MIG base where Soviet pilots were stationed. Increasingly these raids brought U.S. warnings, detentions, even arrests, confiscations, but, until an FBI investigation in March 1964, no prosecutions.

Soon after Bosch's release from prison in 1972, a death list of exile ^{leaders} began to circulate in the Miami Cuban exile community of "Little Havana". One ~~assassinated~~ anti-Castro leader on the list, Jose Elias de la Torriente, was assassinated. Another, ~~whom~~ whose testimony as an FBI informant had helped convict his old ally Bosch, narrowly escaped when a bomb blew up his car. The Miami police started looking for Bosch, who had disappeared. Later, in a clandestine interview, Bosch commended the Torriente assassination as "a good lesson to the exile community."

^{with several right-wing governments}

In ~~Latin~~ Latin America Bosch developed a close alliance with ~~him~~ ⁱⁿ such as the Somozas ~~government~~ of Nicaragua. From December 1974 to December 1975 he lived in Chile, reportedly as guest of the Chilean military junta in ^a apartment. a government/ Bosch ~~has~~ admitted that in this period he travelled from Chile through Latin America, establishing connections with quasi-official right-wing terrorist groups to murder Cuban officials. In Argentina for example "We made good contacts there with members of the Triple-A... and set up the ^rmuder of two Cuban diplomats".

The so-called plot in Costa Rica against Henry Kissinger (as Bosch ~~had~~ himself described it to his Costan Rican interrogators) ^{had} was actually, according to former Costa Rican Foreign Minister Gonzalo Facio, something else -- a plan to assassinate Allende's nephew, Andres Pascal Allende, on behalf of the Chilean junta. Bosch was travelling with a Chilean passport, drivers' licence, and other ~~papers~~ papers in a false name; and he entered ~~entered~~ Costa Rica

^{from} Nicaragua where, according to Facio, he had met with "close aides of President Anastasio Somoza."

~~"After leaving Costa Rica, Bosch recalled, I went to~~

Released for lack of evidence, Bosch went to the Dominican Republic, where, with other groups (including a fraction of Veciana's Alpha 66) he founded the umbrella group CORU (Coordinacion de Organizaciones Revolucionarias Unidas). One of CORU's members, Luis Posada Carriles, ^{a Cuban exile and} ~~was~~ U.S. Army lieutenant in 1963, was allegedly a participant with Veciana in the 1971 plot to kill Castro in Chile (10 AH 44). Hernan Ricardo, who confessed to planting the bomb on the ill-fated Cuban airliner, ~~was~~ was an employee of Posada's private detective agency in Venezuela. He told police

I am a member of a secret organization, the CORU or CONDOR, and the chief of this organization is Orlando

Bosch (Fleetwood, p. 52).

CONDOR is the secret right-wing group, composed largely of U.S.-trained Cuban exiles, who have recently attracted attention as a Chile-based

"Murder, Inc." or Chile and other Latin-American dictatorship, S.F. Chron., Aug. 2, 1979)

So much for the subsequent history of the man who (together with Sturgis, Rorke, and Johnson) was one of the chief recipients of Sierra's handouts ~~from~~ in 1963. But why should one talk about Orlando Bosch in a book on the Kennedy assassination? Not, assuredly, because of the sworn testimony the Committee received that one Marita Lorenz

According to a Top Secret Sensitive report of the Senate Foreign Relations Committee.

Jerry Patrick Hemming, the Novo brothers ~~and~~ Bosch associates who have since been convicted of murdering Orlando Letelier/ Pedro Diaz Lanz, Sturgis, Bosch, and Oswald traveled in a two-car caravan to Dallas and stayed in a motel where they were contacted by Jack Ruby (10 AH 93)

FBI reports of the Letelier assassination considered it to be possible

That story can be safely discounted as one of a veritable sandstorm of colorful tales, so often as in this case told by old friends and associates

phase of "Operation Condor" and one of Letelier's assassins a close ally of Bosch) eventually confessed to

working for DINA, the Chilean secret police. The encouraging fact that eventually the FBI and CIA helped convict some of the conspirators in the Letelier case should not blind us to some of the familiar FBI "dirty tricks" at the case's outset, when documents were leaked to compliant journalists in order falsely to blacken Letelier's reputation. Hard as it may be to believe, Orlando Bosch and Operation Condor still had friends and protectors inside U.S. government agencies as late as 1976

of Frank Sturgis, which has ~~been made~~ made it so difficult for the public to discern what really happened in Dealey Plaza. This particular story would hardly be any less credible if the source, Marita Lorenz, had added Allen Dulles, Aristotle Onassis, and the Pope to her list of travelers.

It may or may not be relevant that Marita Lorenz has earlier claimed, to the same compliant journalist, to have been a former mistress of Fidel Castro, and

that in the fall of 1960 Frank Sturgis ~~presenting information...~~ gave her two capsules of poison powder, which she was to sprinkle in some food or drink of Castro (10 AM 156).

This last story, as here abbreviated, may well be true, since the FBI reported to the CIA in October 1960 that ~~Sam~~ Chicago mobster in Miami Sam Giancana had been talking/about his own plot to do away shortly with Castro:

Giancana stated everything had been perfected for killing Castro and that the assassin had arranged with a girl, not further described, to drop a 'pill' in some food or drink of Castro (10 AM 172).

The story would be even more likely if Marita Lorenz, also known as Ilona Lorenz, was the same "Ilona" who claimed to be "Fidel Castro's former mistress" when she was the ~~girl friend~~ girl friend of Charles "the Blade" Tourine. Tourine, ~~was~~ a New York mobster who knew Giancana, was a major owner of the Capri casino in Havana which employed Jack Ruby's close friend Lewis McWillie. Ruby visited McWillie as his guest in 1959 in a series of trips where, the Committee concluded,

East Times
Apr 77
p. 13

Marita Lorenz 10 AM 184

"Ruby most likely was serving as a courier for gambling interests"

(AR 152).

of a trip with Bosch and Oswald is another of those
In short the Lorenz story ~~is not as interesting as the source~~
tales from Sturgis
country where the content is much less interesting than the source.

The net effect of ~~her~~^{her} dramatic but unlikely claims is to draw public
attention away from other connections of Bosch to Oswald's career which,
though much more complex, are also more likely to tell us what really
happened. It is probably just a coincidence that Lorenz broke her story
the very day when assassination critics had gathered at a conference in
Washington to give some of these leads to the House Assassination Committee^{staff.}
But it is undeniable that her headlines distracted that conference from more
serious business.

The Lacombe Arms Cache and Training Camp

The operations of Bosch's MIRR can be seen behind the ^{arms cache and} training camp
near Lacombe on Lake Pontchartrain, which Lee Harvey Oswald, ~~during~~ months
before the assassination, was suspected of having tried to penetrate.
In 1976 the Schweiker-Hart Subcommittee^a of the Senate Select Committee
on Intelligence, investigating the camp, published a pre-assassination
FBI Report which linked the arms cache to earlier plans "to bomb the
Shell refinery in Cuba", which had been financed by "a former gambling concession
operator in Cuba" (SHR, p. 12). From later FBI releases we now know
that this individual was Michael McLaney, former concessionaire at the
Hotel Nacional casino in Havana, and a specialist in the game of
foreign
sponsoring/politicians in exchange for gambling licenses. (By his own
admission McLaney financed the election of Bahamas Prime Minister Pindling
in 1967.)

serious business, including real possible links between Bosch and the career of Lee Harvey Oswald. One of these was the presence of Orlando Bosch's military chief of MIRR, Victor Paneque (a long-time Sturgis associate) at a Cuban exile training camp on Lake Pontchartrain in Louisiana, which Lee Harvey Oswald, in the summer of 1963, was suspected of trying to penetrate.

As this much more complex story is also a much more important one, we must study it more closely. At this point, unfortunately, we broach a topic where the committee has put together only some of the relevant facts.

Sierra's Junta, MIRR, and the DRE Training Camp

The committee chose ^{to give} an accurate, but very limited, account of the training camp, in a staff report, not on the Sierra Junta, but on the Movimiento Democrata Cristiano (MDC)

The active operations between the MDC and other anti-Castro groups peaked in the year 1963. One involved the MDC, the Movimiento Insurreccional de Recuperacion Revolucionaria (MIRR), and the Movimiento Recuperacion Revolucionaria (MRR)/Artime's group, then in the course of regrouping in Nicaragua/. In April, Frank Sturgis, Miami-based soldier-of-fortune, supplied information that /Laureano/ Batista Falla /military chief of the MDC/, Orlando Bosch Avila, Manuel Artime, and Alexander Rorke were jointly planning an airstrike over Havana on April 25. According to

Steno Fernandez Tril-Jack. 11/13/62
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- 3AH 381

Jose Basilio Leon
2nd Lt. US Army. Tril. Rpt.

~~_____~~

That report links links MDC terrorist and training activities in 1963 to the DRE, MIRR, and Manuel Artime's MRR, and adds that "In April [1963]/ Frank Sturgis...supplied information that [Laureano/ Batista Falla [milita y chief of the MDC/, Orlando Bosch Avila, Manuel Artime, and Alexander Rorke were jointly planning an airstrike over Havana on April 25. It then notes that the MDC, "other than ~~supplying~~ providing the manpower for the training camp" on Lake Pontchartrain, was not involved in it, even though Victor ~~Roma~~ Paneque, the leader of the Cubans who in July 1963 came from Miami to train there "was closely associated with Batista in the military activities of the MDC" (10 AH 73).

The question is not the camp's relation to the MDC (which was marginal), but to Sierra's Junta. (a much more striking relationship)

This is unnecessarily oblique. It would have been more apt to have mentioned here that Victor Paneque had worked with Frank Sturgis and Rorke back in 1960 in ~~Havana~~ Cuba, that since that time Sturgis/had worked with the MIRR headed by Orlando Bosch, ~~from~~ ⁱⁿ which Paneque served as military chief (10 AH 89-90; Scott, ~~Annals~~ C&C, p. 18, Parade, May 14, 1961).

The planned April airstrike (in which MDC would supply the bombs, and MIRR would deliver them) might have better been called a joint MDC-MIRR plan, and/the training camp as well. (Indeed) ^{one of} the FBI's informants on the ~~training camp~~ ^{operation}, whom we know from a censored FBI document had a first name of five letters and a second of seven letters, may very well have been the same as their informant on the April airstrike -- Paneque's old colleague ~~Roma~~ FRANK FIORINI, known to history since Watergate as Frank Sturgis.)

According to Batista Falla himself he recruited only about half the men there, the rest were recruited by ~~himself~~ Paneque (CF 100).

In context, however, the July 1963 training camp looks more like part of a larger operation being put together by Sierra's Junta. Laureano Batista Fallan ~~independently~~ reported in 1967 that "General Somoza of Nicaragua had given them the green light;" his men left Miami for the camp on July 24, 1963, or shortly after Sierra had visited Luis Somoza. The men told the FBI they would go "to Guatemala where they would work for a lumber company" ~~SEHR 12~~. The men were ultimately cared for in New Orleans by Carlos Bringuier, the local DRE delegate -- and incidentally one of the very few political activists of any persuasion who is known to have had (at least four) repeated contact with Lee Harvey Oswald.

~~file~~ The camp was dismantled rapidly in August 1963, after an arms cache of ~~handmade~~ bombs and dynamite on a nearby property was raided by the FBI on July 31. According to the Schweiker-Hart Senate Subcommittee Report of 1976, the same individuals who directed the training camp were ~~never~~ involved in procuring the dynamite (p. 12); these included both "anti-Castro exiles and underworld figures (p. 79). For some reason more than a the Stokes Committee, which devoted thousands of pages to organized crime leads, was silent about this one. Nor, though its Report devoted a page to Oswald's contacts with Bringuier and the DRE, did it mention the report in FBI files that the arms cache (and hence, presumably, the training camp as well) "was an operation of the Directorio ^{Revolucionario} Estudiantil (DRE)" (570.2; FBI 62-109060-4758; SAC NO to Dir, 3/7/67).

From scattered sections of the Stokes Committee investigation, the DRE emerges as the group with the the strongest connections to Echevarria's alleged pre-assassination "threat", the arms cache, ^{the extreme right} and the underworld, as as Lee Harvey Oswald. Echevarria, ^{whose remark} ~~who allegedly~~

provoked the Secret Service investigation, was trying to purchase machine guns ~~arms~~ from a Treasury informant called Thomas Mosley, in the presence of (and apparently on behalf of) Juan Francisco Blanco Fernandez, then August the military chief of the DRE in Miami (3 AM 376, 381). In/1962 Blanco had participated in the DRE's well-publicized raid of the Miramar section of Havana, 3 AM 381, along with/other DRE members ~~members~~ including Sanchez Carlos "Batea" Hernandez and Jose Basulto Leon (570.4); Hernandez and Basulto had both helped organize the delivery of ~~arms~~ bombs to the Lake Pontchartrain site, ^{at Lacombe, La.,} where Hernandez was ^{arrested} picked-up on July 31, 1963. ^{Lacombe} The dynamite had been delivered to ~~that site~~ by a former Minuteman, ^{and arms dealer,} Richard Lauchli, whom we now learn "was contacted by Sierra in August to ~~minutemen~~ purchase a quantity of guns" (10 AM 99). Once Lauchli had been a leader of the right-wing extremist group the Minutemen, who in 1963 were training in the hill country of Missouri and California against eventual Communist invasion, and had published warnings of revenge against the twenty liberal congressmen who had voted against appropriations for ~~minutemen~~ HUAC. But by then Lauchli had broken with the Minutemen, allegedly because their methods were too tame and their security too lax. In 1964 Lauchli was arrested and convicted as a result ~~result~~ of testimony ^{Treasury} from the same informant, Thomas Mosely, who reported on ~~Monroe~~ Echevarria and Blanco Fernandez of the DRE. Lauchli revealed at his trial that through the years he had supplied arms to the Castro movement, the anti-Castro movement, the Minutemen, "and indirectly to the John Birch Society" (J. Harry Jones, Jr., The Minutemen, p. 83).

As was the case with ~~other~~ other Cuban groups, the allegiance and faith of the DRE towards their enemies had shifted in 1963 away from the CIA and the Kennedy Administration, but not necessarily away from the U.S. military. Back in 1960 Carlos Hernandez and Jose Basulto, the DRE members later involved in the Lacombe arms cache, infiltrated back into Cuba as DRE members of "psychological warfare" harassment teams preparing for the Bay of Pigs invasion; in this they were controlled by ~~the~~ CIA officer "Gupton," by the CIA's failure to air-drop supplies as promised (Wyden, 245-6) an aide to David Atlee Phillips. Disillusioned by ~~the CIA's failure to air-drop supplies as promised~~ the DRE began to act more independently. ~~the DRE began to act more independently. fiasco and the pointless waste of their colleague's lives, the DRE~~ In 1962 it was still benefitting from CIA training and support (through the JM/WAVE station in Miami), but insisted on the right to mount its own raids, independently, such as the Miramar raid, ~~without CIA supervision and approval.~~ ~~After Castro~~ Some of the raids represented a deflection of funds were paid for from funds which had originally been allocated for propaganda purposes. After one such unauthorized raid narrowly missed killing Fidel Castro, the

~~the~~ DRE leaders were called to Washington to confront U.S. Government officials, including Attorney General Robert F. Kennedy and CIA Operations Chief, Richard Helms....As a result of the Blanquita raid publicity, the DRE was subsequently able to raise about \$200,000 in private funds....Nevertheless, after the October 1962 missile crisis, the Dominican Republic Government informed the DRE leaders that the United States was putting great pressure on it to shut down the DRE operations and it therefore could no longer permit the group to operate out of its country. Thus, the DRE was, of all the anti-Castro groups, one of the most bitter toward President

Kennedy for his 'deal' with the Russians. In a letter dated February 21, 1963 and addressed simply to "Sirs," the DRE said it was grateful for the initial support of the United States but could no longer operate under restrictions of U.S. policy.... By 1964 /they/ were soliciting additional financial support outside the U.S. Government...from the Bacardi rum family in Miami ~~(Miami)~~... Among those who wound up supporting the DRE /in 1962/ was Miami multimillionaire William Pawley, a staunch rightwing conservative, former owner of the Havana bus system, and a friend of ~~Adhemar de Barros~~ former CIA Director Allen Dulles. Another supporter of the DRE was a friend of Pawley's, former Ambassador to Italy Clare Booth Luce, then the wife of Time-Life publishing boss Henry Luce, and later, a Nixon appointee to the Foreign Intelligence Advisory Board (10 AM 82-83).

23
In 1963 Clare Booth Luce was also one of the founders of the Citizens Committee for a Free Cuba; and she later joined the interlocking National Strategy Committee of the American Security Council.

By July 1963 the DRE members who ~~was~~ picked up in Lacombe, La.,
were
two
knew that the FBI and CIA were now watching them closely,; for ~~some~~ members
(including Hernandez)
of the party/it was the second harassment in as many months (FBI 570)
By now the FBI suspected the involvement of casino operator Michael J. McLaney, former concessionaire at ~~the~~ Meyer Lansky's casino in the Hotel Nacional, Havana, at whose ~~both~~'s house in Lacombe the arms cache was discovered.

was discovered. ~~Some of those arrested~~ ~~Sam Benton~~ Two of those arrested were close McLaney associates; and of these one, Victor Dominador claimed to be an Espinosa Hernandez, was also an old friend of AMX~~ASH~~ or Rolando Cubela; in 1965 he was telling other U.S. agencies about the CIA AMIASH operation to assassinate Castro. The other man, Sam Benton, was named in Senate Hearings as a McLaney associate involved in fraudulent securities operations with the attorney for Santos Trafficante's bolita interests in Miami. In 1971 he was indicted for another such operation with the brother of New York CosaNostra boss Carmine Lombardozi, and a former member of the Army General Staff Intelligence Directorate.

For all its interest in AMIASH and CIA-Mafia plots (AR 111-17), ~~and Marcello (169-72)~~ the Committee published nothing about the allegation that Sam Benton, ~~an~~ and Chicago organized crime ~~hit~~ hit man Charles Nicoletti, ~~was~~ a lieutenant of Sam Giancana, had been present at a meeting of Miami mob leaders in October 1963, where Nicoletti was designated to draw up "CIA-ordered plans for the assassination of Castro" (~~San Francisco Examiner,~~ According to UPI

The CIA-syndicate deal reportedly called for at least tacit CIA cooperation in smuggling prostitutes from Marseilles, France, into the United States to staff the mob's brothels in Las Vegas and other cities, sources said (San Francisco Examiner, April 1, 1977)

The UPI did not name Benton, but spoke of "a private detective who served as a runner between Miami and Giancana's Louisiana associates." ~~It is~~ the ~~Committee's~~ Considering ~~the~~ Committee's interest in the vaguest of Oswald-Marcello connections, it certainly should have checked out Benton and the Lacombe arrest, since Oswald's activities had been linked to the nearby arms cache as early as August 1963.

The nature of that contact, admittedly, is far from clear.

On August 5, 1963, or five days after the ~~many~~ arrests of Benton and his friends at the Lacombe arms cache, Oswald visited the New Orleans the/small clothing store run by Carlos Bringuier, and offered to help Bringuier and his friends in the fight against Castro.

Bringuier immediately suspected an attempt to infiltrate the Lacombe training camp: as he told the Warren Commission, Oswald volunteered his service to train Cubans in guerrilla warfare at the same moment when there was a secret anti-Castro training camp in New Orleans...not ~~generally~~ publicly known
(10 H 43)

"Frankly," Bringuier told the New York Times, "I thought he might be an agent from the F.B.I. or the C.I.A., trying to find out what we might be up to. Bringuier's suspicions were only increased when Oswald returned the next day, and left his Marine Corps training manual, suggestively annotated, with Bringuier's brother-in-law (AR 141).

As Bringuier tells the story, the truth became clear to him on August 9, when he discovered Oswald distributing FPCC literature on Canal Street: "This was a Communist...He tried to infiltrate my movement...as a Castro agent" (CBC interview). The two men had a brief verbal altercation; one of Bringuier's friends threw Oswald's leaflets in the air, and Oswald said, "O.K., Carlos, if you want to hit me, hit me." The New Orleans police, arriving at this moment, arrested Oswald and the three Cubans assailing him, for disturbing the peace. At the trial three days later, to which Bringuier (not Oswald) had invited a ^{WDSU} T.V. camera team, Bringuier showed the judge the Marine training manual and told him about ~~the~~ Oswald's infiltration attempt. The judge,

impressed, acquitted the three Cubans and ~~paid~~ fined Oswald ~~ten~~ ten dollars. Shortly afterwards the same T.V. newsman, Bill Stuckey, called Bringuier for Oswald's address. Bringuier gave it to him, as a result of which Oswald was interviewed on WDSU radio and debated Bringuier on WDSU-TV. As it happened, both Oswald and the FPCC fared very badly in that debate, thanks largely to the moderator, Ed Butler, a professional practitioner of ~~psychom~~ anti-Communist psychological warfare. Armed with Washington newspapers which he had obtained from an undisclosed "third party in Washington", Butler was able to expose the self-appointed FPCC spokesman Oswald as a defector who had turned in his passport in Moscow and "applied for Soviet citizenship" (21 WH 639).

The whole of Oswald's mysterious career is epitomized by those two weeks of T.V. notoriety in New Orleans. Once again, as earlier at the CIA base of Atsugi in Japan, and later in Dallas, Oswald had acted like a left-winger ^{actually} while/making contact with persons who either had intelligence backgrounds or were ideologically to the right.

Bringuier's explanation for this anomaly is at least consistent: Oswald was ~~not~~ a Castro agent bent on destroying that ^{important} ~~great~~ threat to Castro's survival, the DRE. Nor does Bringuier hesitate to draw the consequences of this hypothesis. "I am sure that Fidel Castro ordered the assassination," he still says. In his view the Warren Commission only claimed there was no conspiracy because the U.S. Government was "too weak" to take the necessary step of invading Cuba.

Bringuier's explanation for Oswald's double role is one which I personally ~~do not~~ reject, as did the Stokes Committee, on the grounds that to have assassinated President Kennedy would have been repugnant to Castro's ideology, his tactics (back in 1957 Castro publicly castigated Rolando Cubela -- AMLASH -- for his assassination) and most importantly his perceived self-interests. Kennedy after all had taken the politically risky step of scaling down anti-Castro activities in 1963; whereas Vice-President Johnson, the next in line, was already known to be a hawk in Latin American matters.

But Bringuier's explanation of Oswald's double role in New Orleans fits the known facts better than the Stokes Committee's hypothesis of Oswald as a self-motivated amateur Marxist spy:

In New Orleans, he apparently became involved with certain anti-Castro elements, although such activities on Oswald's part have never been fully explained. It ~~mentally~~ Considering the depth of his political commitment, it would not have been uncharacteristic for Oswald to have attempted to infiltrate anti-Castro Cuban organizations

But the significant point is that regardless of his purpose for joining, it is another example of the dominance of political activity in Oswald's life (AR 62)

In reviewing Oswald's life, the committee found his actions and values to have been those of a self-proclaimed Marxist who would be bound to favor the Castro regime in Cuba, or at least not advocate its overthrow. For this reason, it did not seem likely to the committee that Oswald would have allied himself with an anti-Castro group or individual activist for the sole purpose of furthering the anti-Castro cause....The committee^{...} concluded that there had been no relationship between Oswald and Bringuier and the DRE with the exception of the confrontation over Oswald's distribution of pro-Castro literature (AR 143-45)

The committee remained convinced that since Oswald consistently demonstrated a left-wing Marxist ideology, he would not have supported the anti-Castro movement (AR 147)

R In response to the italicized statement, we should first of all point out that Oswald had at least two further "confrontations" with Bringuier after after the August 9 arrest --/the August 12 trial, and at the August 21 debate -- and that both of these latter confrontations, thanks to Bringuier rather than Oswald, took place in front of WDSU TV cameras. Camera teams from WDSU and WWL had also filmed Oswald's repeat leafleting performance of August 16, in front of the International Trade Mart, where a friend of

Bringuier's (Carlos Quiroga) and the p.r. man for the Trade Mart
 later
 (Jesse Core, who was ~~also~~ Jim Garrison's campaign manager) were
 Oswald's
 also present. It was thanks to ~~these~~ repeated TV performances,
 in New Orleans, more than any other single fact, that Oswald could
 persuasively
 be ~~instantly~~ identified as a "self-proclaimed Marxist" to the
 American public, only hours after his arrest on November 22, 1963.
 sh
 The committee would have at least considered the possibility
 that Oswald's t.v. performances were staged, rather than
 spontaneous and sincere, since it is not hard to find even anti-Castro
 witnesses in New Orleans who have always thought this.

The weakness of the Committee's logic is perhaps best summed up
 in the last quoted sentence. The logic ~~of that sentence~~ ^{Committee's} can just as easily
 be turned around the other way: since Oswald consistently frequented
 in the United States,
 intelligence or right-wing political circles, his public manifestations
 , one would argue,
 of left-wing Marxist ideology must have been insincere. Indeed, one
 reported
 could go even further in this speculative vein. If a man is known/to
 pro-Castro
 be playing a double role, acting as a Marxist on camera, and as
 U.S. patriot
 an ~~ambivalent~~ anti-Castro ~~person~~ at other times, one might argue that
 the publicly professed role is more likely to be the insincere one.

My point in this is to suggest that the Committee was wrong to
 simplistic
 try to resolve this important paradox by such ~~simple~~ speculations.
 Worse, they have wholly ignored an important piece of factual evidence:
 reportedly
~~which Bringuier rightly stressed~~ namely, that when Oswald presented
 himself ~~to~~ to train DRE guerrillas, the presence of the secret
 training camp, as ^{Bringuier} rightly stressed in his Warren Commission testimony of
 1964, "was not generally known" (10 WB 43). Indeed the ~~site~~-in of the DRE
 the
 to/training camp, via the near-by arms cache, has been such a well-classified

secret that one can only learn of it from recently declassified FBI documents; there is no trace of it even in the Stokes Committee's exhaustive staff reports. ^ROne has therefore to ask how Oswald, in 1963, knew something which ~~him~~ may have still eluded the Stokes Committee's investigators in 1979. He can hardly have done so as a clumsy impulsive leftist. Either he was indeed a well-grounded Communist spy, as Bringuier argued, or alternatively he was working for the other side, not necessarily for Bringuier and the DRE directly (there is no need to assume this) but for their sponsors in ~~the~~ Sierra's Junta and in the U.S. Government.

Let us now consider some relevant facts which the Stokes Committee does not take into consideration:

1) Bringuier was a specialist in propaganda activities, first as Propaganda Secretary for the CIA-sponsored Cuban Revolutionary Council in New Orleans, and later for the DRE.

2) The ^{self-avowed} chief propaganda goal of the DRE was to "do battle with" the FPCC in the U.S. and abroad (NYT, Sept. 7, 1962, p. 5) (Note that it was the DRE which sought out the FPCC as its target, not vice versa. I am not aware that the FPCC ever took the DRE so seriously).

3) The DRE's ~~program~~ ^{self-avowed} intention of combatting the FPCC abroad (a striking detail, since the FPCC was a U.S. group addressing U.S. audiences) had the important consequence of justifying CIA support ^{DRE's} for ~~its~~ operations.

4) In 1963 the CIA, as it told the FBI on September 16, 1963, was ■ giving some consideration to countering the activities of /the FPCC/ in foreign countries....CIA is also giving some thought to planting deceptive information which might embarrass the Committee in areas where it does have some support (SHR, p. 65)

, before the assassination, The FBI, in response to CIA's request, photographed/a number of ~~FPCC~~ documents in FPCC headquarters in New York. ~~handwritten~~ After the assassination, an urgently expedited review of these photographs "uncovered a letter Oswald had written /FPCC Secretary/ Ted Lee about Oswald's FPCC activities in New Orleans" (SHR, p. 67)

5) Although the FPCC was already suffering from doctrinal and financial difficulties in 1963, the press treatment of Oswald as an FPCC Marxist assassin was the coup de grace. It closed down before the year's end.

6) The bulk of this information, including ^{a tape recording} ~~photographs, tapes and~~ of Oswald's ^{Bringuier and} ~~transcripts of Oswald's~~ debate with Ed Butler, were given to the world's press by the DRE headquarters in Miami on November 22, 1963 (10 AM 85). (Seth Kantor, a journal ist in Dallas...

7) Ed Butler, a former "Army public relations man" (Turner PoR, volume New Orleans p. 185), headed a/psychological warfare public relations unit, INCA, which, according to his own testimony, he conceived of while serving in a special U.S. army unit "in the quiet little town of Alexandria, at INCA (the Information Council of the Americas) Virginia." Butler's specialty/was to record anti-Communist "truth tapes" for distribution to radio stations throughout Latin America. The exposure of Oswald as a Marxist defector in the Bringuier debate became one such tape. (Radio tapes featuring Fidel Castro's anti-Communist sister, Juanita, a member of INCA's Advisory Board, played a prominent role in the before successful anti-Allende campaign during the Chilean election of 1964; in that campaign the largest single source of funding was the CIA (Halperin, Lawless St., 19; Scott C&C 14, 53). Butler will neither confirm or deny his connection to Juanita's tapes.) When it is pointed out ~~me~~ to him that his Production Manager, Manuel Gil belonged ~~himself~~ (with Bringuier) to the CIA-sponsored Cuban Revolutionary Council in New Orleans, Butler merely shrugs his shoulders, saying, "At one time or other, all those Cuban exile groups were funded by the CIA" (CBC interview)

8) But Butler was also a member of ~~one of~~ the American Security Council's ~~Advisory Committee~~, and others in his entourage belonged to groups affiliated to Paulino Sierra's Junta. Manuel Gil, for example, is said to have joined, after the assassination, ~~joined~~ Orlando Bosch's increasingly terroristic MRR. ~~with~~ INCA's President was the famous Dr. Alton Ochsner, a consultant to the U.S. air force "on the medical side of subversive matters", and a personal friend of the Somoza brothers who allegedly gave the "green light" to the Lacombe training camp. The Ochsner Foundation's Director for Latin

American Relations, Carlos de la Vega, was a member of the small group RECF which at this time discussed unity raids with MIRR (10 AH 90). On November 22 the Butler-Brin, uier-Oswald debate was delivered to the national media by the DRE headquarters in Miami. Shortly thereafter it was issued as a successful commercial ~~manamni~~ release by Key Records, whose ~~Principals~~ _____ Vick Knight, was on the Board of Lechner's Americanism Educational League along with Burt Mold. INCA's activities were backed by some of the same large corporations as the ASC, such as American and Foreign Power, a firm which devoted much of its managerial energy to campaigning for the overthrow of Castro and the recovery of its lost assets in Havana. But more sinister backers were there as well. One was the New Orleans hotel manager and veteran anticommunist Seymour Weiss, who has been said to have run New Orleans along with Carlos Marcello for the National Crime Syndicate (Messick, Lansky, pp. 83, 87).

9) Oswald's ^{stamping} use of the anti-Castro address "544 Camp Street" on his pro-Castro FPCC literature is another symptom of his role as a right-wing "double agent". Certainly ~~the address was affixed to the literature~~ he did not put it there for publicity of propaganda purposes: few people in 1963 knew of the now-celebrated address. A more likely reason, as I speculated six years ago, is that he affixed it for personal insurance, to guarantee that local law enforcement personnel would not treat him as an authentic leftist and put him away in jail. At that time I gave the analogy of Frank Sturgis being arrested in Watergate with old CIA ~~in~~ "pocket litter" in his billfold, something which helped prevent his being ~~put away~~ stuck with the final responsibility for the so-called "third-rate burglary." The analogy seems much less far-fetched, now that we know that Sturgis in 1963

active indeed
was ~~involved~~ in MDC-MIRR activities on Sierra's payroll, and/was probably
involved at the Miami end of the arrangements for the Lacombe arms cache.

Guy Banister, the ex-FBI detective in the same building, ~~was~~
~~among the contributors to a certain number of the~~ operated a kind of action
center for all forms of conspiratorial right-wing activities,
from leading the fight against court-ordered desegregation of the New
Orleans schools to (according to Gerry Brooks, a Minuteman who worked
there in 1963*) ~~him~~/support for attempts/by the right-wing French
terrorist organization the OAS (Organisation de l'Armée Secrète) to
assassinate French President Charles De Gaulle. One can fault the
, which reported on Banister (AR 143),
Committee/for not ~~maintaining~~ dealing with these allegations. The Committee
"the "credible and significant"
did take seriously/witnesses in Clinton, La., who claimed to have seen
Oswald in the company of David Ferrie (a close associate of Banister's
anti-Castro activities) and Clay Shaw (the principal target of Jim
Garrison's investigation in 1967). One of the few uncontested facts
in the mysterious career of Clay Shaw is his unexplained ~~directorship~~^{connection}
to
of a Swiss right-wing political group called Permindex, a group which in 1962
(according to ~~knowledgeable~~ French ~~sources~~)^{investigators} supplied the ~~principal~~^{major} financial
backing of the OAS (Intvw with Frédéric Laurent). Recently declassified
CIA documents ~~dated that in March 1964~~ have revealed an important new
lead ~~linking~~^{which might seem to link} the OAS plots to the Kennedy assassination. ~~In March 1964~~^{But the important}
Banister's ~~support role for~~ the MDC, including (presumably)
the French, concerned for De Gaulle's safety during his impending
Lacombe MDC training camp in 1963.

point here is
G. The

* Gerry Brooks and the Minutemen are both mentioned in the Committee Report, but only in the section dealing with the assassination of Martin Luther King: "A review of FBI files on the Minutemen revealed a possible plot against Dr. King's life that had received some attention by law enforcement officials shortly before Dr. King's death. On January 15, 1968, Vincent De Palma...revealed that there were 19 Minutemen strike teams across the United States assigned to assassinate several prominent persons, including Dr. King...."

(cont'd)The Committee found that the DePalma lead had not been fully investigated by the FBI, so it examined it anew. It found that DePalma had been murdered in an unsolved gangland slaying in January 1978 in Los Angeles....Both Jerry Brooks, an associate of DePugh's for at least 12 ye ars, and Mary Tollerton, DePugh's Secretary until ~~anthen~~ late 1967, denied knowing of any plot to kill Dr. King....the commi~~at~~tee concluded there was insufficient evidence to indicate that the Minutemen were involved in Dr. King's death" of the committee (AR 375-77, cf. 392). It is not clear whether those investigating the King case were aware of a Warren Commission memo (discussed below) reporting a Dallas federal official's opinion that "An organization known as the Minute Men is the right-Wing group in Dallas most likely to have been associated with any effort to assassinate the President"

The committee noted that the CIA-supported Cuban Revolutionary Council, headed until 1962 by Sergio Arcacha Smith, also occupied the Newman Building at 544 Camp St. (AR 144). And it

developed information that, in 1961, Banister, Ferrie, and Arcacha were working together in the anti-Castro cause.

Banister, a fervent anti-Communist, was helping to establish Friends of Democratic Cuba as an adjunct to the New Orleans CRC chapter run by Arcacha (AR 144).

Relying on the testimony of a controversial witness, ~~Delphine~~ Delphine Roberts, the committee concluded "that there was at least a possibility that Oswald and Guy Banister were acquainted" (AR 145). That claim, a questionable one, seems less important than the uncontested ~~monochromatization~~ report from Banister's friend and colleague Ivan "Bill" Nitschke, a former FBI agent, that

Banister became "interested in Oswald" during the summer of 1963 when Oswald had been distributing handbills...

and had some of these handbills in his office (10 AH 128)

When Banister died in June 1964, his files contained "a transcript of a radio program in which Oswald had participated," presumably the Butler-Bringuier-Oswald debate (10 AH 131)

Oswald did have contact in August 1963 with a friend of Guy Banister's, CRC member Carlos Quiroga, who watched Oswald distribute handbills on August 16, 1963, and then visited Oswald at his home at Bringuier's request. Quiroga admits to having taken part in a

with

1961 raid against a munitions depot in Houma, La., "in which various weapons, grenades, and ammunition were stolen" (Quiroga interview of 1967, LO AH 127). Banister, Ferrie, and Arcacha were the principal organizers of that raid, but their team included Quiroga, Layton Martens, Gordon Novel, and Rancier Ehlinger, a cousin of Edmund Butler. Quiroga, who personally loaded the arms in a U-Haul for Miami, has said that the arms were destined for the MDC. In 1963, when the MDC training camp was hastily dismantled after the arms cache arrests, it was once again Quiroga who took them to the bus.

In other words, it is likely that Banister in 1963 was still playing the same support role for the MDC which he had at the Houma raid. It is possible, moreover (as the committee concluded) that Oswald personally knew both Banister and Ferrie. But it is certain that Oswald knew at least one person frequenting 544 Camp Street who was also involved

in the MDC training camp: Bringuier's friend, Carlos Quiroga. According to Harold Weisberg (OINO 380), Quiroga visited Oswald in the company of the camp's organizer, MDC support Oswald's Possible Right-Wing Activities in New Orleans R. Ricardo Davis.

There is nothing we know about the Quiroga-Oswald meeting at Oswald's house which would suggest that Oswald shared the anti-Castro ideology of Banister and Quiroga; by Quiroga's account, ~~the meeting was~~ Oswald acted like a Marxist. But there are several clues in the documentary record to suggest that Oswald's FPCC activities were designed to embarrass one of Banister's principal other targets -- the desegregation movement in New Orleans. One source for these clues is ~~according to~~ New Orleans Police Department Lieutenant Martello, who interviewed Oswald in jail the day after his arrest, allegedly told Martello Oswald ~~mentioned~~ that he was acquainted with a Dr. Leonard Reissman

at Tulane University and that FPCC meetings were held on Pine St. (26 ~~WH~~ WH 763; cf. 10 WH 54-55). Martello, in reporting this to the Secret Service, added that a Dr. James Dombrowski was frequently 1121 Pine St. at the/home of Dr. Reissman; and noted that both men were "said to be active in the integration movement" (26 WH 763). Martello added that he asked Oswald if he knew Dr. Dombrowski; ~~and~~ "Oswald ~~did not~~ evaded the question and never did answer it". He did however confirm that his FPCC chapter had at least one supporter at Tulane University (10 WH 55); ~~a curious detail also attributed to Oswald~~ also reported that Oswald claimed to attend ~~by Quiroga, in his first FBI interview, a meeting at Tulane~~ while Ed Butler told the Senate Internal Security Subcommittee that University (FBI 10-50 00; 10 WH 41), ~~long~~ Before the assassination, some of ~~Martello's~~ information had reached J.D. Vinson of the Isaac Detective Agency; ~~which~~ worked for the Louisiana Joint Legislative Committee on Unamerican Activities, whose response to the Kennedy assassination was to issue a provocative press release linking the FPCC to Dombrowski's organization, the ^{integrationist} Southern Conference Educational Fund (SCEF).

Most of this, of course, was the kind of baseless/~~phantasy~~ ^{and self-corroborating} which still clutters the ~~files~~ intelligence files of this nation. Dr. Reissman, a distinguished scholar, was not even in Louisiana at the time of Oswald's leafleting, he was on leave to the Center for Advanced Study

It is believed Oswald had organized on the Tulane campus and had distributed leaflets with "a student at Tulane" (WCD 351).

in the Behavioral Sciences at Stanford, before going on to be a senior fellow at the Brookings Institution. Prof. Reissman, though had a liberal, had no dealings with James Dombrowski or SCEF; his wife, however, had infuriated local racists by ~~holding a birthday party~~ arranging for the first integrated birthday party of seven-year-old children at her daughter's nursery school (intvw).

At the time of the Mastello-Oswald interview, the Joint Legislative Committee on Un-American Activities was completing an eleven-month investigation of Dombrowski and SCEF. Two months later, on October 4, 1963, Dombrowski and two SCEF lawyers were arrested, booked for criminal conspiracy in the operation of a subversive organization. (NYT, Oct. 5, p.). In what the Washington Post called "a flagrant disregard of some fundamental American rights," SCEF's files were seized and transported to the Senate Internal Security Subcommittee in Washington. This was accomplished by ~~what the Post~~ the use of a subpoena signed in blank by the Subcommittee's ~~Chairman, Senator James Eastland of Mississippi, and filled out to be~~ the racist ~~served at the last minute on the State legislative committee by the~~ Chairman, Senator James Eastland of Mississippi, and filled out to be ~~sub committee counsel. Senator Eastland's Subcommittee also served as~~ the racist ~~a sounding-board for both the American Security Council and Ed Butler's~~ Chairman, Senator James Eastland of Mississippi, and filled out to be ~~Cuban performers (like Juanita Castro) at INCA.~~ the racist

Agent Adrian Vial

If what Martello told ~~the~~ Secret Service/about Oswald's statements were true, then Oswald might indeed seem to be acting not as a left-wing ideologue but as a right-wing provocationist. ~~question the Secret Service report of Martello,~~ Of course one might ~~doubt, but he did not~~ ~~question~~, since an FBI ~~interview with him~~ ~~is much less~~ ~~in~~ ~~an~~ ~~interview~~ ~~downplays~~

One can easily question the November 23 Secret Service account of what Martello remembered, since six days later he ~~gave the~~ FBI ~~what purports to be the text of the memorandum~~ gave ~~the~~ FBI Agent Quigley specifically a different account which ignored Dombrowki and/refuted the claim ^{had} that Oswald/said he knew Reissman: (10 WH 55, 23 WH 738). ~~That is~~ ~~not~~ ~~correct~~

^P Normally lawyers would believe the second account, since, ^a as Warren Commission counsel noted, it included "what purports to be the text of the memorandum" which Martello prepared after the interview. (10 WH 53) ^{presciently} In that August memo Martello/rules out what he allegedly told Vial on November 23:

I asked Oswald if her knew Dr. Reissman or if he held meetings at Dr. Reissman's house. Oswald did not give me a direct answer to this question, however I gathered from the expression on his face and what appeared to be an immediate nervous reaction that there was possibly a connection between Dr. Reissman and Oswald; this, however, is purely an assumption on my part and I have nothing on which to base this (10 WH 55)

But there is other, unrefuted evidence to suggest that , with the help of others, Oswald/really was trying to ~~manipulate~~ implicate his FPCC chapter with liberal integrationists at Tulane, as Vial had claimed. Vial himself had claimed corroboration from Oswald's aunt, Mrs. Charles "Dutz" Murret; she herself had told him Oswald had "mentioned that he knew, or was acquainted with, Dr. Reissman" (26 WH 766) Mrs. Murret, ^{allegedly} went on to link Oswald and Reissman to another integrationist, the Quaker Ruth Paine (who in August 1963 attended Martin Luther King's Civil Rights March in Washington, 24 WH 13-15):

It was her impression that Oswald came into contact with Dr. Reissman through th Russian woman (sic!, i.e. Mrs. Paine). Mrs. Murbett said that one of the two told her that Dr. Reissman had a daughter who was studying in Russia (26 WH 766).

^P Worthless as these allegations ~~are~~ are of an Oswald-Reissman-Paine left-wing cabal, ~~there is little doubt that Mrs. Murret actually made them~~ they are based on something Mrs. Murret actually said. Mrs. Murret , who is now ~~is~~ dead, told the Warren Commission that Oswald also said that Mrs. Paine knew a Tulane professor....I remember him saying that he had a daughter that was attending the university in Moscow, and they either went to his home or they came over to Lee's house (8 WH 147, cf. 8 WH 170).

, on a work application, Oswald himself/gave the name of an apparently fictitious Tulane in student as a reference (23 WH 746). And many of his letters to left-wing groups, ~~happens~~ such as the following, he appears to be provoking the addressees into embarrassing responses:

Central Committee, CP, U.S.A.....

Comrades:

Please advise me upon a problem of personal tactics....
Here in New Orleans, I am secretary of the local branch of the 'Fair Play for Cuba Committee,' a position which, frankly, I have used to foster communist ideals. On a local radio show, I was attacked by Cuban exile organization representatives for my residence ect., in the Soviet Union.

I feel I may have compromised the FPCC, so you see that I need the advice of trusted, long time fighters for progress. Please advise.

With Heretofore Greeting,

Sincerely,

Lee H. Oswald

We shall also examine indications that he may also have been playing the role of a right-wing provocateur while in Dallas.

racist
If Oswald was a right-wing/provocateur, we should have ~~completely~~ ~~known~~ a much stronger picture than the committee gives of his possible connection to the DRK, the 544 Camp Street ~~address~~ building, and its ~~residents~~ inhabitant Guy Banister. ~~Conversely~~. But ~~then~~ if Oswald was being controlled in his performances by ^{the racist} Banister (either directly, or more professionally through third parties or "cut-outs"), it is that much the less likely that he had a significant

relationship in 1963 with the pro-integrationist David Ferrie, even though in 1962 Ferrie was reported to have flown Carlos Marcello back into the United States, and to have supplied funds (possibly Marcello's) to the Cuban Revolutionary Council. (10 AH 112)

Those who believe Oswald was an assassin will find plenty of reasons ~~to~~ to suspect Ferrie as well. ^{It} But those who suspect that Oswald was framed by his right-wing employers will find plenty of reasons for suspecting that Ferrie was framed as well. After all the original suggestive charges against Ferrie -- that he trained Oswald in the use of a rifle, that he signed Oswald's library card, and that he was a powerful hypnotist -- have none of them ~~withstood~~ stood up to investigation.

And Ferrie in 1967 was himself the subject of a hostile investigation by ~~Carroll's~~ associate & former partner, Joseph Oster, on behalf of Ferrie's employers at Eastern Airlines. Investigations in Dallas learned in 1967 that Jim Garrison had hired Joe Oster as a private investigator and was relying heavily on Oster's story in his case against Ferrie.

We have spent a long time on Oswald's mysterious actions in New Orleans, as the best clue to his ambiguous relationship with Cuban exiles and their backers. But there is one further answer we have not yet considered to explain why Oswald ^{at various times,} would affect both a pro-Castro and an anti-Castro stance. It is that ~~namely~~ Oswald, while believing himself to be a double-agent, was being instructed, unbeknownst to himself, to create the perfect "legend" or background for an assassin in an insoluble crime. With such a legend, all future/possible revelations about ^{the} "loner" with links to left and right would be neutralized; ^{any accidental future revelations of Oswald's right-wing contacts} ~~for the theoretical implications of double-agentry are~~ would be neutralized by the story that Oswald was an infiltrating double agent. And if 544 Camp Street, INCA, the DRE, or whatever, had the right intelligence connections, then Oswald's factitious career or legend was virtually guaranteed against exposure.

OSWALD IN DALLAS

Oswald, according to the official accounts of his biography, is not known to have had any contacts with Cubans before he walked into Bringuier's clothing store in August 1963. (A mysterious "Alfred from Cuba" ~~in Minsk~~ who formed part of Oswald's circle in Minsk, Russia, was later identified by Marina as a "Cuban citizen" (16 WH 152, 23 WH 484, 26 WH 823); but the Warren Report, for no compelling reason, preferred to call him a "Hungarian" (WR 271, cf. 16 WH 100)). But in the last three months of his life both rumors and evidence of such contacts abound. And, with the notable exception of the Cuban Consulate in Mexico City, they are all ^{reported} ~~contacts~~ anti-Castro with ~~neighboring~~ Cubans. Most of these reports are mysterious and debatable; but then, almost everything about Oswald's last three months is mysterious and debatable. The one recurring theme -- a good one for the "perfect legend" -- is Oswald's promiscuous attempts at infiltration of Cuban targets; both pro-Castro targets (the island of Cuba itself) and anti-Castro (the Cuban exile groups of Dallas). One example of this double role is Oswald's visit to Mexico City in late September, when he tried to obtain a visa to visit Cuba, while staying at a small hotel frequented by anti-Castro Cubans from Miami.

~~Richard Oswald concerning~~ Let us begin with a few facts and quasi-facts about which there is no disagreement. Oswald, according to both the Warren Report (WR 730) and the Stokes ^{Report} ~~from them~~ (AR 139), was last "seen" in New Orleans on September 24, 1963. Even this quasi-fact is debatable, ^{however. The sole eye} since ~~the~~ ^{two} alleged witness, Oswald's neighbor Eric Rogers, was shown ~~a~~ photographs of Oswald by the Warren Commission and vigorously denied ever having seen him at all (11 WH 463-64). That did not stop the Warren Commission ^(in an Appendix) from using Rogers as a witness for the September 24 departure; ~~it had to, since it had no other means of~~ ^{the date was important in its argument for}

^{crediting}
~~disproving~~ the claim of a Cuban refugee in Dallas, Silvia Odio, that Oswald, in the company of two apparent Cubans, had visited her in late 1963 for help in preparing an anti-Castro fund-raising letter (AR 137⁷). The two Cubans, she claimed, had the war names "Leopoldo" and "Angelo"; Oswald was introduced to her as "Leon Oswald", an American "very much interested in the anti-Castro Cuban cause" (AR 137, cf. WR 322). The next day "Leopoldo" phoned to say that Oswald was an ex-Marine and an excellent shot; "Leopoldo" had introduced him to the Cuban underground: "because he is great, he is kind of nuts." Odio then reported that "Leopoldo" had said that Oswald had said:

The Cuban exiles/ don't have any guts...because President Kennedy should have been assassinated after the Bay of Pigs, and some Cubans should have done that, because he was the one that was holding the freedom of Cuba actually (WR 322, AR 137)

Even if only double-hearsay, this provocative allegation can hardly be ignored; the problem however is to know at what degree of report to question it. Both the Warren and the Stokes Committee accept the reality of the meeting with Odio (the so-called Odio incident); but they disagree about the validity of Silvia Odio's identification, corroborated by her sister, who was also a witness, of the Marine as Lee Harvey Oswald. The Warren Commission discounted this, on the basis of a belated witness, Loran Eugene Hall, whom the FBI reported to have said, days before the Warren Report went to press, that he was at the Odio meeting and Oswald was not

(WR 324). A few days later -- but too late for the Warren Report -- Hall was reinterviewed, and ~~donna~~ (according to the FBI) withdrew his own story. (AR 138). The conflicting FBI interviews might make Hall to be guilty of complicitous cover-up. Hall however, told the Stokes Committee ~~that~~ in sworn testimony that he never told the FBI he had seen Odio, only that he had visited "a professor" at "some university...just outside Dallas" (10 AH 22-23).

~~An impenetrable tangle?~~ What can we say about this tangle of testimony, other than that it is an area of "resistance" -- or more bluntly, that someone is lying? One way to see the facts more simply is to ~~ceasing~~ ^{who is lying about} worrying about ~~the reality of the Odio incident~~ the Odio incident and focus instead on ~~an~~ the apparent lowest common denominator to the story: Paulino Sierra's ~~Junta~~ ^{Junta}. Odio's parents had been arrested in Cuba for having sheltered a principal conspirator in the 1961 Veciana plot against Castro, and Veciana was now a prominent leader in the Junta (10 AH 21, 99). ~~Man~~ ^{a Minuteman (Notes 184),} Loran Hall, and ~~Steve Wilson~~ ⁱⁿ was in late 1963 ~~was~~ engaged in the transport of arms to the Miami home of one of Paulino Sierra's supporters, ^{Manuel} ~~Mano~~ Aguilar (BF 4-5, 757-9; 10 AH 99). ~~The FBI~~ ^{from an L.A. bank} ~~admin~~ ~~investigated~~ ~~Hall~~ ~~One~~ day after the Kennedy assassination, the FBI had investigated Hall's redemption of a rifle from a Los Angeles pawnshop -- a Johnson 30-06 semi-automatic -- with a check drawn on "the Committee to Free Cuba" (WCD 1179.295-98).

The university Hall visited was (according to his 1964 testimony) the University of Dallas in Plano; Hall claimed to have met its former right-wing President Robert Morris, who later joined the National Security Staff of the American Security Council. Silvia's sister Sarita attended ~~at~~ the University of Dallas, a base of support for the local DRE; their Uncle, Agustin Guitart, had attended the Oswald-Bringuier court trial in New Orleans.

Consider now the first version of the Odio story to reach the FBI, via a volunteer/^{Catholic} social worker, Mrs. Connell. According to Mrs. Connell, Silvia Odio told her on November 28, 1963 ~~that~~

that she knew Lee Harvey Oswald, and that he had made some talks to small groups of Cuban refugees in Dallas in the past. Odio stated she personally considered Oswald brilliant and clever....A call had been made in recent months by a Cuban associate of hers to an unknown source in New Orleans, Louisiana, requesting information on Lee Harvey Oswald.....Oswald was considered by that source to be a "double agent". The source stated Oswald was probably trying to infiltrate the Dallas Cuban refugee group, and that he should not be trusted (26 WH 738).

In other words, the original report of the Odio story (unlike the final version heard by the Warren Commission) fitted very well with what Bringuier and the DRE were saying in New Orleans and Miami.

What Mrs. Connell reported was also corroborated by other sources in Dallas and elsewhere. A non-Cuban DRE sympathizer, Edwin Steig, reported seeing Oswald in the back of the room at an October 1963 DRE meeting in Dallas (WCD 205.6464, WCD 216.21) ^{attended by General Edwin Walker} (Oswald himself talked of attending a meeting with Walker in October 1963, but this was apparently a larger public meet which also featured Mrs. Ngo Dinh Nhu.) A Dallas sheriff, one day after the assassination, reported that Oswald had attended meetings of Cubans ("possibly connected with the 'Freedom for Cuba Party' of which Oswald was a member") at "3128 Harlendale" (19 WH 534); the same sheriff later told the Warren Commission that he had found "Freedom for Cuba" literature among Oswald's effects in Ruth Paine's garage (7 WH 548). No one has ever explained the failure to investigate this lead. There were Cubans meeting at 3126 Hollandale, Dallas (WCD 1085U. 4); these were the Dallas chapter of the SNFE-Alpha 66 ^{30th of November Group,} ~~group~~ ~~group~~ united now under the leadership of Paulino Sierra's Junta. ^P The president of this group, Manuel Rodriguez Orcarberro, was reported to the Warren Commission as a possible suspect in the Kennedy assassination, in a private interview with Treasury Agent Frank Ellsworth, the Alcohol and Tobacco Tax Unit's top expert on the illegal arms traffic in Dallas:

An organization known as the Minute Men is the Right-Wing group in Dallas most likely to have been associated with any effort to assassinate the President....The Minute Men are closely tied to General Walker and H.L. Hunt. Mr. Ellsworth described in some detail his undercover efforts in procuring the arrest of a local gun shop owner who is an ardent member of the Minute Men.

As a result of these undercover activities Agent Ellsworth ~~him~~ learned that Manuel O. Rodriguez, apparently a Cuban survivor of the Bay of Pigs episode, was attempting to purchase arms in Dallas for Alpha 66. Rodriguez is also a member of the DRE. Agent Ellsworth indicated that virtually all information gathered by the FBI with respect to such activities was the responsibility of Agent Hosty the FBI agent in charge of the Oswald file, whose name and license number were entered in Oswald's notebook (WC staff memo of April 16, 1964).

,incorrectly,

For some years critics suspected that Manuel Rodriguez Orcaberro might have been an Oswald look-alike. Shortly after the assassination the FBI had received a report that Oswald had been sighted in the company of Cubans in Oklahoma; however a Cuban acquaintance of the group had discounted this story, saying that the man in question was not Oswald but Rodriguez (WCD 23.4). (One of the Cubans in the party, "Salazar", was apparently the Jorge Salazar who was a friend of Rodriguez and resided at 3126 Hollandale.)

When a ~~gm~~ Warren Commission document on Rodriguez was declassified in the 1970's, it was apparent that he was too old and heavy-set to be confused with Oswald; he was however reported to be "violently anti-Kennedy" (WCD 853; WCD 1085 U.1)

Then in 1976 Treasury Agent Ellsworth told a reporter
 in fact
 that there had/been a virtual double for Oswald in the

Rodriguez arms case:

an absolute dead-ringer for Oswald -- identical build,
 weight, coloring, facial features, hair. They were
 like identical twins; they could've passed for each
 other" (Dick Russell, Village Voice, Aug. 23 1976, p. 23).

The double however was not Rodriguez but the Minuteman gun dealer,
 who had been ~~mentioned~~ arrested by Ellsworth a few days before the
 assassination and then released on bond.

Ellsworth declined to name the gun shop owner. He did however
 reveal that the man had been interrogated and found to be "nowhere
 near downtown Dallas" at the moment of the assassination. Furthermore,
 Ellsworth maintained,

in several instances where witnesses believed they'd seen
 Oswald, notably ~~during~~ including his constant practice in
 November at a Dallas rifle range, they were actually seeing
 his "twin" (the Minuteman).

^R Ellsworth thus confirmed the substance of speculations by assassination
 critics that ~~the~~ a "second Oswald" could account for some of the more
 suspicious and provocative behavior attributed to Oswald in the last
 month of his life -- notably his alleged rifle range practice, which
 declined to believe (WR 318)
 the Warren Commission ~~discredited~~. At the same time the Treasury Agent
 discounted the notion that the Minuteman had been deliberately
 setting up Oswald as a patsy; their overlapping travels to Mexico,
 associations with the DRE, and ~~financial~~ use in November 1963 of a

Mannlicher-Carcano -- all this was "sheer coincidence!"
the

Ellsworth's interviewer, ~~he~~ journalist Dick Russell, knew
in
that ~~that~~ a Warren Commission Document on Manuel Rodriguez Orcarberro,
Ellsworth had identified
~~maintained~~ a Minuteman gunshop dealer in the case: John Thomas Masen:

Agent Ellsworth states that during his association with
Masen, Masen had mentioned Rodriguez as being a Cuban
who was attempting to buy arms -- ^r machine guns, bazookas,
and other heavy equipment -- from Masen.

By his own researches he strngthened the case that Masen was the
had ~~travell~~ travelled in Mexico and been
Oswald look-alike: both men ~~was~~ arrested shortly before the assass-
on a firearms charge;
ination, both men had Minuteman connections, ~~both men had travelled~~
~~in Mexico and been nabbed on a firearms charge~~ And there are two
further considerations making it more difficult to believe that
the similarities of Masen's body and career to Oswald's was "sheer
coincidence":

1) Masen was ~~the~~ one of only two gun dealers in Dallas to
Western Cartridge Company
handle ~~the~~ the u unusual 6.5/Mannlicher-Carcano ammunition
(Oswald's supplier was never identified) (W 26 WH 63)

2) ~~Witnesses in Dallas~~ According to Ellsworth, "there were
instances where witnesses thought they saw Oswald in the company of
several Minutemen. One of these times did involve a group of
Minutemen at a rifle range. The look-alike knew all those people" (VV, p.23)

3) Not only was Manuel Rodriguez Orcarberro's Alpha 66-SNFE-30th November coalition being funded by Paulino Sierra's Junta, they were apparently the preferred group of Sierra's corporate employers at the Union Tank Car Company. The Stokes Committee staff report tells us that in early November 1963 Sierra was summoned to Chicago for a stormy session with Union Tank Car general counsel William Browder:

According to sources of the CIA and FBI, Sierra was accompanied to the Chicago meeting with Armando Fleites of SNFE, and Browder allegedly ordered Sierra to turn over all moneys and supplies to the SNFE-Alpha 66 alliance (10 AH 100).

This order came at a time when Alpha 66 in Dallas was in the process of closing a major arms deal with the Oswald look-alike Minuteman gunshop owner.

Thus, if Agent Ellsworth's account can be believed, the complex situation in New Orleans -- where Oswald, ~~believing himself to act~~ ^{apparently acting the role of} ~~also creating~~ ^{being instructed to create} as a right-wing double agent, was unconsciously/his own legend as an untracable assassin -- ~~may~~ may have become even more complex in Dallas, with a Minuteman look-alike adding the finishing touches to that legend. Even this refinement, complicated as it is, is not the last word on the subject. ^{The truth could possibly be less complex but more ambiguous.} One alternative would be to question Ellsworth's allegation that there was a Minuteman Oswald look-alike. Ellsworth, after all, is not a wholly independent observer. His FBI contact

a leftist

on these cases was James Hosty, who was also responsible for the Oswald file. Hosty himself told the Stokes Committee that at ~~that~~ the time of the assassination

Frank Ellsworth...had indicated that he had been in the grassy knoll area and for some reason had identified himself to someone as a Secret Service agent (AR 184).

Ellsworth thus became the Committee's leading candidate for the suspect challenged right after the shooting by Patrolman Joseph M. Smith, but Ellsworth, in a ~~formal~~ ^{committee} deposition, "denied Hosty's allegation" (AR 184).

~~intention~~ Ellsworth was however in the immediate area, for he and a small group of other Treasury Agents were the first law enforcement personnel of any description to reach the sixth floor of the Texas School Book Depository where the controversial Mannlich r-Carcano was found (24 WH 320). It ~~maintains~~ is not clear from the Report how much of Hosty's allegation was denied by Ellsworth; but it certainly would have been reasonable for Ellsworth and the rest of his crew, as Treasury Agents, to have been on the grassy knoll with special credentials as auxiliaries to their understaffed sister agency, the Secret Service. ^R The committee learned, for example,

that from 8 to 12 military intelligence personnel in plainclothes were assigned to Dallas to provide supplemental security for the President's visit (AR 184)

This revelation apparently gives the lie to previous claims by 112th Military Intelligence Group personnel that their unit was ordered to "stand down" rather than perform "their normal function of Protection for the President in Dallas" (Gallery, Oct. 1975, p. 120). It was

certainly normal and reasonable for the Secret Service to use such auxiliaries -- especially in Dallas, where Ambassador Stevenson had been attacked one month earlier and the Secret Service had given "special attention" to the event (2 WH 108). The use of auxiliaries with special credentials would explain the large number of rumors and reports unexplained of "Secret Service" at unauthorized but vital locations -- on the grassy knoll (6 WH 196, 7 WH 107, 535), at the School Book Depository (6 WH 312, 7 WH 53), and even at the Tippitt killing (3 WH 332, cf. 12 WH ~~200~~ 45, 202, 24 WH 204).

If Ellsworth was on the knoll in any capacity, how did Hosty know about it? One explanation would be that Ellsworth was the unidentified Alcohol Tax ~~and Tobacco~~ Unit agent who met with ~~Commander~~ Hosty (Ellsworth's usual contact) and "an Army Intelligence agent" for most of the morning of November 22, until 45 minutes before the assassination (4 WH 461). But even if Ellsworth was that agent, that would be no reason in itself to disbelieve his story about Oswald's ^{Our} Minuteman look-alike. My point, as before with the Odio story, is not to establish who precisely is lying about what, but only to note that ^{a symptomatic} once again we have reached ~~an~~ area of resistance where incompatible charges and denials are being recorded. And once again, as in the Odio incident and in New Orleans, the area of resistance involves the personnel of Paulino Sierra's Junta.

De Mohrenschildt, Cuba, and Haiti

relationship to
 Admittedly Oswald's ~~interactions with~~ the DRE, the Odio
 incident, and the 3126 Hollandale address remain ~~ambig~~ mysterious.
 Fortunately however the Committee has given us clear evidence that
 George de Mohenschildt, the Oswalds' colorful White Russian patron
 and ed
 in Dallas, was in Washington in May 1963 to discuss/possible
 covert operations in the Caribbean with ~~both~~ representatives of
 both Army Intelligence and the CIA (12 AH 57). There is nothing
 in the committee's staff report to suggest ~~ambiguity~~ any connection
 between this meeting and Paulino Sierra's Junta; but ~~there is~~ other
^{reports}
~~evidence to~~ suggest that ~~was~~ what was discussed would eventually
 involve another assassination plot against Castro, the Chicago mafia,
 one of the men arrested at the Lacombe arms cache, and Frank Sturgis,
 who was then on the Junta's payroll.

The eccentric career of the ~~pleasure-loving-Baltic-aristocrat~~
 de Mohrenschildt has mystified all of Oswald's biographers -- never
 more so than on March 29, 1977, when he had an appointment to be
 interviewed by a committee investigator, but died of a gunshot wound
 in an apparent suicide (12 AR 49). One has to wonder why a fun-loving
 Baltic aristocrat ^{and oilman} who had known Jackie Kennedy as a girl should have
 the impoverished malcontents
 devoted so much time to ^{both} Lee and Marina Oswald, taking them to ~~the~~ wealthy D
 homes, of retired admirals and other members of the wealthy Dallas elite,
 chauffeuring ^{Marina} them when ^{she} they moved, taking care of Marina's dentistry
 appointments. (9 WH 265)

appointments.

De Mohrenschildt himself attributed relationship to friendship: "He is just a kid forme, with whom I played around" (9 WH 266). Others have seen the relationship as an intelligence one, with de Mohrenschildt possibly playing the role of a case officer, control agent, ^{"body-sitter"} or cut-out. Certainly de Mohrenschildt's career had more to do with intelligence than either the Warren Commission or the Stokes Committee chose to admit. De Mohrenschildt himself testified to his involvement with French intelligence on oil matters during World War II (9 WH 183); the committee notes that at this time he was also alleged to be a ^(12 AH 50) in 1940 Nazi spy; concerning de Mohrenschildt's work ~~at the time~~ for Baron von Konstantin Maydell, the committee ~~notes~~ states

In de Mohrenschildt's opinion, it was Maydell's German sympathies that created controversy and speculation that he was a ^uGerman spy (12 AH 51)

This is correct, but misleading, since Maydell was in 1940 the senior military intelligence resident agent of ~~the~~ German ~~Abwehr~~ in America (Shirer, Rise and Fall, p. 823n; Farago, The Game of the Foxes, p. 305)

Orthodox
Even the exotic Russian exile parish of St. Nicholas in Dallas, ^{of} which de Mohrenschildt ^{helped organize (9 WH 221)} ~~helped organize~~ ~~was a member~~, had intelligence "an old anti-Communist group" overtones. It was/composed of about 25 families, of whom at least nine were involved in either oil or industrial security, and belonged to a splinter Orthodox church which survived largely on CIA subsidy. The parish president, Paul Raigorodsky, served also on the board of the heavily CIA-subsidized Tolstoy Foundation, which helped place anti-Communist Russians in various parts of the world and also acted as cover ^{Russian emigre} for/CIA agents (9 WH 5; Blum, Wanted, 86). He testified that when the

Russian-born Mrs. Max Clark (the wife of a prominent Fort Worth Industrial security agent) heard of the Oswalds' poverty, the parish

provide.
started to ~~give~~ them groceries, buy milk for the ~~an~~ baby, ~~and~~
~~handicrafts~~ in fact I was told that they had her fix
her teeth (9 WH 7).

I It was through this connection that de Mohrenschildt first drove thirty miles from Dallas to Fort Worth to visit the Oswalds, in the company of a retired U.S. air force colonel, Lawrence Orlov (12 AH 75, cf. 9 WH 225). De Mohrenschildt testified that ~~before~~

then and/or
~~contacting Oswald~~ he talked to Max Clark ~~or~~ J. Walton Moore ("probably a CIA agent" 12 AH) about Oswald, and one of the persons he talked to said that
(Later de Mohrenschildt wrote that it was Moore, 12 AH)
"the guy seems to be OK" (9 WH 235; 12 AH 54). The committee has

confirmed that Moore ~~worked~~ worked for the CIA's Domestic Contacts Division ^{in Dallas;} Moore has since repeatedly denied talking to de

Mohrenschildt about Oswald; but the committee noted discrepancy^a ("only two", or "several") in Moore's various statements as to the number of times he had

actually met de Mohrenschildt (12 AH 54-55). It found nothing to corroborate a claim by WFAA-TV in Dallas "that Lee Harvey Oswald was employed by the CIA and that Moore knew Oswald" (12 AH 54).

Given de Mohrenschildt's contacts with ~~the~~ Army Intelligence and CIA in May 1963, one has to be struck by the fact that, in all ~~mann~~ Oswald's tiny ^{succession} ~~entourage~~ of acquaintances and contacts, de Mohrenschildt is the first whom we know to have visited Cuba. He did so "during the Batista days" (possibly "in 1953", 8 WH 457) ~~as~~ as an oil exploration

geologist on behalf of the Cuban-Venezuelan Oil Voting Trust. (9 WH 202)

One of the Cuban directors of this firm, Jose "Pepin" Bosch, supporter of anti-plots was a leading ~~plotter~~ ~~organizer~~ Batista/in the days of ~~the~~ Rolando Cubela's Directorio Revolucionario, as he was in 1963 of the DR's successors, the DRE (10 AH 82) and Paulino Sierra's Junta (10 AH 96).

In 1956 he made a similar trip to Haiti (9 WH 201), an island which he visited again in 1961, ~~and~~ 1962, and in March 1963. During the last two ^{one} trips de Mohrenschildt was negotiating a contract for a geophysical survey of all Haiti, which would then fund a holding company for various investments, including the building of a casino (19 WH 551)

In ^{May} ~~April~~ 1963 the de Mohrenschildts left Dallas to take up residence in Haiti, where they would stay until 1967. Their chief partner in the new venture Haitian ~~banker~~ was a Haitian banker, Clemard-Joseph Charles, whose

complex intelligence and political connections will become apparent in a moment.

De Mohrenschildt's role in the deal was to offer the right backers from oil companies (19 WH 555) and U.S. oil sources in Washington. ~~There is no~~ De Mohrenschildt was a useful witness for the

Warren Commission, ~~not so much because he confirmed that Oswald was admirer of Castro (9 WH 267) as because he and his wife were the~~

only witnesses (apart from Marina Oswald, whom one Warren Commission ~~member~~ who claimed to have seen counsel accused of having lied repeatedly) ~~to~~ the famous Mannlicher-Carcano ^{been surprised together to see it} rifle in Oswald's possession. Their story of having ~~mentioned~~ ~~together~~

in the Oswald's closet in April 1963 ("Look, George, they have a gun here" 9 WH 249) ^(12 AH 199) was subjected to devastating ~~mention~~ scrutiny by

assassination critic Sylvia Meagher, in a critique which the present committee made no attempt to answer. It did however accept the

authenticity of a new photograph of Oswald with the rifle, dated April 5, 1963 on the back, and dedicated "To my dear friend George" from

connections with
(19 WH 550)

-Paul??-

"Lee Harvey Oswald", which the committee subpoenaed from the late George de Mohrenschildt's effects (AR 56). ~~To accept the validity of this photograph and dedication is to render even more dubious~~ detailed the story of the surprise discovery one week later. De Mohrenschildt, in other words, may have been of those helping to set up Oswald as a "patsy".

Soon after their Easter visit to the Oswalds the de Mohrenschildts left Dallas. De Mohrenschildt told the Warren Commission they travelled to New York, Philadelphia and Washington, where he was "checking with the people, Bureau of Mines, and so forth," before arriving in Haiti (9 WH 277, 12 AH 56) in June. The Stokes Committee learned that in fact hotel reservations in Washington were made for the de Mohrenschildts and Clemard Charles by Dorothe Matlack, the Assistant Director of the Office of Intelligence (OACSI) of the Army. Mrs. Matlack also arranged for a meeting between Charles, deMohrenschildt, herself, and a CIA representative, Tony Czaikowski:

Mrs. Matlack said she was first informed about the visit of Clemard Joseph Charles to the United States in 1963 by Col.

Sam Kail, an Army Intelligence officer who was working in Miami on Cuban matters/ at that time. Kail suggested that Mrs. Matlack talk to Charles...

because of Charles' relationship to President Duvalier of Haiti and Haiti's strategic position relative to Castro's Cuba... (italics added)

... She described Charles and "frantic and frightened" during the meeting. He urged Mrs. Matlack to get the U.S. Marines to invade Haiti and overthrow Duvalier. Mrs. Matlack said George and Jeanne de Mohrenschildt accompanied Charles to this meeting

and that their presence was a "surprise" to her. She did not know what role de Mohrenschildt was serving, but felt he "dominated" Charles in some way....Mrs. Matlack said she was so disturbed by de Mohrenschildt at the meeting that she discussed it with the FBI liaison, Pat Putnam. Mrs. Matlack said she never heard what action, if any, was taken by the FBI about de Mohrenschildt....Because of the potential political information Charles could give about the current situation in Haiti, the CIA became the primary contact with Charles (12 AH 57).

To this account we should add that in May 1963 Haitian-U.S. relations had reached a point of crisis. ^{Between} ^{and June 3} ~~On~~ May 15, the U.S. ^{while} unilaterally suspended diplomatic relations; a U.S. task force of eight ships with 2,000 Marines waited just outside Haitian waters, and martial law was proclaimed in Port-au-Prince. Meanwhile many of the ^{lobbied} voices who had ~~called~~ for stronger U.S. action against Castro -- Senator Kenneth Keating, Congressman Pillion, former Assistant Secretary of State Adolph A. Berle -- now ~~had~~ ^{had} warned of Communist influence in Haiti and called for action, even U.S. military intervention, against Duvalier (HAR XVI, 456-57; Moore, Haiti, p. 101)

In this crisis we see the banker Charles, like so many ~~in his~~ ~~position~~ bankers in unstable nations, developing close ties both to Duvalier and his opposition, and above all the intelligence networks of the major powers. ~~Granted a special auto insurance, by Duvalier monopoly~~ ~~jailed and stripped of his wealth~~ by Duvalier in 1964, Charles was nonetheless ~~arrested~~ ^{arrested} for his ~~part~~ ^{alleged} role in an anti-Duvalier coup in 1967 (Moore, p. 103).

in 1964
 major powers. Thus when Duvalier bought two T-28 fighter planes from ~~David~~ private dealers in Dallas, Charles himself may have ~~acted~~ the down payment was made with a letter of credit for \$210,000 drawn on Charles' bank; and Charles himself, according to the Washington Post, may have acted as a go-between (AR 57, WP, Sept. 29, 1964). The same Post article noted that I. Irving Davidson, Washington lobbyist, ^(for the Texas Manufacturers who were part of Duvalier's trade) visited Haiti in ~~the~~ May 1963 with two Dallas arms suppliers. (Davidson later denied participating in any Haitian arms deals (AR 58).)

A word or two more about ~~Abraham~~ Clemard Charles may cast a little light on de Mohrenschildt, the Dallas oil geologist who allegedly "dominated" him. After being granted a profitable insurance monopoly by Duvalier in 1964, Charles was ^{reportedly} jailed and ~~stripped of his~~ wealth ~~by Duvalier in 1967~~ for his alleged role in an anti-Duvalier plot of 1967, the year in which the de Mohrenschildts returned to Dallas (Moore, p. 103). He was jailed again for having financed the abortive military revolt of April 1970, at which point he was closely allied with/ ^{Andre Labay} the free-wheeling representative of SDECE (French intelligence). Labay had to leave ~~Port-au-Prince~~ Haiti, and a year later was arrested in Paris where 106 kilos of heroin were found in his car. (Le Monde, 13 octobre 1971, Doss D, 192, 198).

The committee found a stockbroker in Palm Beach, Joseph Dryer, who earlier had known both de Mohrenschildt and Charles in Haiti:

Dryer said...that Charles was involved in the mid-1960s in a deal with President Johnson to buy jets in Texas. According to Dryer, the deal did not go through, but he said Charles may have had a successful deal for the sale of gunboats. Dryer said Charles

had "many connections" with the Central Intelligence Agency, and Dryer believed the Agency may/have "planted" a secretary on Charles....Dryer expressed the belief that de Mohrenschildt had "some intelligence connection," but Dryer did not know with which country. According to Dryer, he, Charles, and de Mohrenschildt were associated with a woman named Jacqueline Lancelot who owned a well-known restaurant in Port-au-Prince, Haiti. Dryer said the restaurant was frequented by many American intelligence personnel from the American Embassy and other foreigners. Lancelot had contact with the American intelligence operatives....Dryer's relationship with Lancelot included passing messages for her to people in the United States whom Dryer assumed were connected in some way to the CIA. Dryer said one of these contacts was a person who worked for French intelligence and cooperated with the CIA. In 1978, the person lived in the South. Dryer said in the interview that Lancelot told him shortly after the Kennedy assassination that a "substantial" sum of money, \$200,000 or \$250,000, had been deposited in de Mohrenschildt's account in a bank in Port-au-Prince (12 AH 60).

In short the committee's revelations about de Mohrenschildt should forever dispel the Warren Commission's portrait of him as another eccentric "loner" -- "a highly individualistic person of varied interests" (WR 283). Indeed, even though there is no public indication that the FBI, CIA, or Army Intelligence ever told the Commission about de Mohrenschildt's intelligence ^{meetings with the CIA and Army Intelligence} meetings in Washington, the Commission may have known enough not to ask. The ^{Warren} Report carefully noted that "Neither the FBI, CIA, nor any witness contacted by the Commission has provided any information linking the De Mohrenschildts ^{, italics added} to subversive or extremist organizations" (WR 283-84). The more obvious question about intelligence connections (some of which de Mohrenschildt had volunteered himself) was passed over in silence. The Chicago Junta, ~~and~~ the Mob, and anti-Duvalier Plots

At this point the intelligent reader may be growing a little impatient, wondering what ~~mehehanna~~ de Mohrenschildt's meetings/in ^{with U.S. intelligence} do with Washington about overthrowing Duvalier have to/the question of who killed Kennedy. The safe answer to that question, one for which there is plenty of documentary evidence, is that by 1963 anti-Castro Cubans (some of whom the Stokes Committee rightly considered as possible suspects) were offering to the U.S. patrons to help overthrow Duvalier, and in the process acquire a convenient base for operations against the adjacent island of Cuba ^{Sept - 939, 164) Cuba} (HAR ?JULY? 1963). ~~This man's name~~ ^{TP} As we have ^{arranged} seen, ^{Sam} Col. Kail, the former U.S. Army attache in Havana (where, ~~where~~ as it

Kail happens, Antonio Veciana claims to have contacted ~~him~~ on the recommendation of "Maurice Bishop" (10 AH 42). Kail's reason was, for suggesting the meeting, as already noted, because of "Haiti's strategic posit on relative to Castro's Cuba" (12 AH 57). Col. Kail, who is now retired and lives in Dallas, told me that Charles' name was brought to his attention by one of his Army Intelligence contacts among the Cuban exiles in Palm Beach. This also suggests strongly that ~~at least~~ Charles, if not his Washington protector de Mohrenschildt, was by May 1963 in touch with the Cuban anti-Castro community, and raises the possibility that de Mohrenschildt's ^{final} departure from Dallas had an ulterior motive -- in that month the same inscrutable purpose which moved Army Intelligence to make hotel reservations for the de Mohrenschildts in Washington.

That is the safe answer: de Mohrenschildt appears to have been part of an obscure anti-Castro manoeuvres ~~involving Haiti,~~ and we know that the anti-Castro movement harbored several factions with increasingly violent feelings against Kennedy. But there ~~has been~~ have been reports of Miami for years ~~that~~ meetings in October 1963 between ~~several~~ American mercenaries ~~with~~ in the anti-Castro movement, at least one Chicago mob figure, and one of the men arrested at the DRE arms cache in Lacombe, La. That group is said to have been ^{included men plotting} first assembled for a ~~plot~~ against Duvalier; but to have actually discussed an ~~attack~~ against a mob-financed assassination attempt against Castro with a high-power rifle. One participant in the meeting told me in 1973 that ^{us} he ~~believed~~ ^{one of the} that plot ~~had eventually been intended~~ ^{was also recruiting for a plot} against Kennedy. ~~in Miami~~

principles in

~~Let me first begin with my notes of what I was told in December 1973, at the height of the Watergate crisis~~

Even when I had ~~heard some different~~ ^{we seen published} accounts of the meetings none of us ever ^{them} I never ^{them} thought to write about ~~it~~, fearing ~~it~~ to be just ^{some} ~~more~~ more of the colorful phantasies which from the outset have obstructed a responsible investigation of the Kennedy murder.

However different staff reports of the Stokes Committee provide ample corroboration for at least part of the story, linking it to the Chicago Junta on the one hand and to the de Mohrenschildt-Charles connection ^{on the other.} Let me show this by dealing with the various accounts of the Miami meeting in the order in which I received them.

1) The eyewitness account: ~~the mercenaries and the mob representatives~~ In December 1973, after publishing an article linking the Kennedy assassination (through Frank Sturgis) to the events of Watergate, I was contacted by someone who wanted to tell me they thought I was on "the right track." ^{This person} ~~They~~ had attended a meeting ^{the} called to discuss financing ~~the group~~ and purchase of guns for a group of Cuban exiles who in turn ^{had teamed up with anti-Duvalier} ~~were training~~ Haitian refugees ~~against Duvalier~~. The meeting was held in a "big house" in Miami. ~~An unknown~~ ~~guy (blonde?) was there~~. At one point there was a phone call and someone said, "Chicago calling." There was talk of using aerial bombs, such as those for which ~~the~~ casings had been seized at the Lake Pontchartrain arms cache, in an aerial assassination attack against a presidential palace -- either of Duvalier or of Castro. Someone argued forcefully that this was impractical and incapable of guaranteeing success: it was better to use a sniper team. My informant felt that ~~our~~ ^Q ~~the~~ lawyer

who helped arrange the meeting
 in the room was actually ~~listing~~ sounding out one or two of those
 a third target:
 present as candidates for a sniper attack against/President
 Kennedy. He mentioned no names.

2) Corroboration in 1973. A well-known assassination critic
 corroborated the foregoing, and added names. The "big house" was
 \$400,000
 the/spread of ~~assassination~~ Marcos Perez Jimenez, the deposed dictator
 of Venezuela, on Pine Tree Drive, just across Indian Creek from
 the Fontainebleau in Miami. ^(X) The meeting was arranged through/Mike
 the casino operator
 McLaney, whose son married Perez Jimenez' daughter, and at whose
 brother's house in Lacombe the dynamite and bomb casings had been
 stashed. McLaney's sidekick Sam Benton (arrested in the Lacombe raid),
 was at the meeting, as was ~~Demagogue~~ Charles Ashmann, ~~a former member~~
 a ~~disbarred lawyer~~ and
 of Senator Smathers' political "goon squad" in Florida. The Cuban
 groups involved ^{was} ~~were~~ ~~MIR~~ and Comandos L, revealed by the Stokes
 Committee to have been involved ^{with MIR} in joint planning of raids against
 Cuba (10 AH 90) with the support of Frank Sturgis and the Chicago Junta.
 My critic friend told me that Frank Sturgis himself was at the meeting,
 having brought along a heavy-set 35-year-old Cuban, Pablo Fernandez.**

**A Pablo Fernandez also figured in the Watergate scandals, having
 participated along with Sturgis and Junta member Reinaldo Pico in the
 planned attack on Daniel Ellsberg at the Capitol steps in March 1972.
 (SIS Ass'n, pp. 397, 193).

*
~~Minion~~ Perez Jimenez was both a boy friend of Castro's would-be-
 poisoner Ilona Marita Lorenz, and a neighbor of her other protector,
 Charlie "the Blade" Tourine. (Messick, Lansky, p. 239)

Later a published account of Cuban exile activities linked ~~Sam Giancana~~ linked Frank Fiorini alias Sturgis and mafia representative John V. Martino to an anti-Duvalier plot in which DRE backer William Pawley would put up his boat.

3. The Charles Nicoletti obituary:

That was how matters stood until March 29, 1977, the day on which a House Select Committee investigator was supposed to interview de In Miami Mohrenschildt. On that day de Mohrenschildt was shot, apparently by his own hand. On the same day in Chicago Charles Nicoletti, one of Sam Giancana's two top hit men, was shot three times in the back of the head at point-blank range (SF Ex Ap.1,77); Howard Kohn later wrote in Rolling Stone that this was one day after the House Committee (Roll.St., June 22 '77, p. 1) began trying to locate Nicoletti for interview. Seven days later, Carlos Prio Socarras, Sturgis' ~~patron~~ patron in the Cuban exile ~~committee~~ community and the top Cuban negotiator in the fall 1963 meetings with Nicaraguan strong-man Luis Somoza, became another apparent suicide.

For some reason the dramatic gangland slaying of one of Chicago's top mobsters was not even mentioned in the ~~New York~~ Chicago Tribune, New York Times, or Washington Post. However it ~~was~~ ^{led to} the following news report in UPI and the Hearst Press:

check.

The CIA context / PUS

Mob disposes of a Castro hit man

CHICAGO (AP) — A gangland enforcer described by sources as a key man in a CIA-syndicate plot to kill Fidel Castro, has paid with his life for riffs with the mob over CIA influence in the syndicate.

Charles Nicoletti, 60, of Melrose Park, onetime leader of Chicago mob hit men, died yesterday — the victim of a mob assassination.

He was pulled from his burning car in the parking lot of a suburban restaurant Tuesday night after being shot three times in the back of the head at point-blank range. Police said he died without regaining consciousness.

Sources said Nicoletti, onetime right-hand man to slain mob boss Sam Giancana and once considered the logical successor to the top spot in the Chicago mob, had been responsible for drawing up CIA-ordered plans for the assassination of Castro. They also said he broke with the mob following Giancana's death because he felt the CIA "was taking over the operation."

The CIA-syndicate deal reportedly called for at least tacit CIA cooperation in smuggling prostitutes from Marseilles, France, into the United States to staff the mob's brothels in Las Vegas and other cities, sources said.

They said Nicoletti, who commanded a small army of hit men, was ordered to draw up the Castro assassination plans in October 1963 after a meeting of mob leaders in Miami.

A source involved in the training of Cuban refugees for the Bay of Pigs invasion and in a number of CIA subsidized gun-running operations said he was taken to the Miami meeting by a private detective who served as a runner between Miami and Giancana's Louisiana associates.

"I was personally taken from Miami to a very large, expensive house across from the Fontainebleau Hotel and underworld figures were there discussing the permanent retirement of Castro and seeking ideas on how to carry it out," he said, noting it was likely that Nicoletti got the assignment.

SF EX. 4/1/77

An interview with the author of this story specified that this Miami meeting was also at 'erez Jimenez' house, that Nicoletti was there, and that the "private detective" was Sam Benton. He added that the plot intersected with Minutemen was close to the Minutemen, and spoke at a public meeting of their Patriotic Party in operations (Martino, it is known from other sources), and that Commandos L, working with Sturgis, were collaborating with Haitians to overthrow Papa Doc. (1966)

Amid all these reports, the allegation that someone was recruiting for the Kennedy assassination remains isolated and unproven. But the consensus of the reports gives abundant explanation for the on-going cover-up: the CIA was itself plotting at this time to overthrow Haiti, and later continued to use some of these same Cubans in its other operations, such as the Congo in 1964, and perhaps even Angola in 1975.

Howard Kohn's article for Rolling Stone in 1977 suggested that in exchange the CIA-trained Cubans involved in these plots received CIA protection for their criminal activities, including the murders of Sam Giancana and ~~Operation Condor murder of~~ Orlando Letelier.

Exotic as these charges sounded in 1977, they seem much more credible today, after the revelations of the Stokes committee. They also seem more relevant to the assassination of John F. Kennedy.

One thing is certain. Mike McLaney, who allegedly ^{helped} arrange one of the October 1963 meetings, should have been investigated more closely for his links to both Lee Harvey Oswald and Jack Ruby. We have already spoken of the Benton arms cache in Lacombe which Oswald allegedly interested himself in. We have not yet mentioned that in 1964, when the Warren Commission ~~finished~~ conducted its investigation, Jack Ruby's former associate in Havana, Lewis J. McWillie, was working in a Las Vegas casino for Mike McLaney and his brother William; later, after Duvalier died, McWillie even worked for the McLaney brothers' casino in Haiti. (S AH 135-37)

But we are jumping ahead of our story. It is time, at long last, to look more closely at Jack Ruby.

RUBY, THE MOB, AND POLITICS

As every American knows, ~~the strange career~~ of Lee Harvey Oswald, ~~which~~ after living a life of murky intelligence intrigues, was ^{blinding} shot in full public view under the ~~glimmering~~ lights of national television. There are of course mysteries about that event too. Who phoned to warn ^{Dallas} in advance that Oswald would be killed? Why did the police react by inviting the world press in mid-morning to what would otherwise have been a secret transfer by night? How and where did the killer penetrate the allegedly beefed-up security precautions? Why ~~were~~ ~~two patrolmen assigned to~~ Is it true that (as the head porter for the basement of the Dallas Pol De building told the committee) a key door into the ~~area~~ ^{was left unlocked elsewhere} ~~(9 AH 114)~~; and why were two guards in that area reassigned shortly before the shooting (9 AH 114)? Amid such mysteries, however, the central event remains unchallenged: Jack Ruby, and no other gunman, shot Lee Harvey Oswald.

Given the fact of a conspiracy, Ruby's silencing of Oswald ~~makes~~ ^{- aged} leaves the middle ~~aged~~ ~~ex-boxer~~ and night-club operator from Chicago as ~~perhaps~~ one of the most obvious starting-points for the investigation of how that conspiracy operated. One's suspicions about Ruby only increase as the details of his career come into view, since Ruby was, if only in a small way, part of the suppressed "invisible government" operating in our society. More specifically he represented part of the "gray alliance" between politics, corporate interests, intelligence ^{politicians and} and organized crime. A personal friend to/free-wheeling Dallas millionaires who liked to gamble and perhaps meet strippers, Ruby ~~was~~ also, as the Select Committee established beyond the shadow of a doubt

had a significant number of associations and direct and indirect contacts with underworld figures, a number of whom were connected to the most powerful La Cosa Nostra ~~figures~~ leaders (AR 149).

The committee's painstaking documentation of these ~~relationships~~ relationships, in a staff report of 1044 pages (9 AH 125-1169), represents a great increase in candor over the performance of the Warren Commission, which went out of its way to cover them up. (The Warren Report section on Ruby was rewritten to downplay Ruby's organized crime connections, and actually relied on a top Giancana ^{high level} associate ^(Lennie Patrick) lieutenant who knew Ruby to support the manifestly false claim that Ruby "was not involved with Chicago's criminal element" (WR 785, 22 WH 318), AR 150)

But in correcting the false picture of the Warren Report, the Select Committee may have contributed to ^{an opposite} a public impression of Ruby -- ^{ONLY} as ^{for} an organized crime figure, which could be equally misleading. For example, the committee Report downplayed Ruby's role as a PCI (Potential Criminal Informant) for the FBI in 1959 (~~AR 151n~~) (AR 151n), and did not mention his ^{Department--} service as an informant for the Dallas Police ~~Department~~ apparently from the mistaken impression that the DPD was no more than a passive recipient of Jack Ruby's phone calls (9 AH 128-29). ^{In fact the DPD would contact Ruby:} ~~In fact~~ a detective of the DPD's Narcotics Section in the ~~Special Services Bureau~~ Special Services Bureau told the FBI in 1963 that he "contacted Ruby on investigative matters on an average of once a month" ^{mysterious} (WCD 85.64). Ruby's/immunity from arrest in an important federal narcotics case of 1947, in which Ruby's alleged alibi was discredited by other witnesses, suggests that he may have been the underworld source who reported the case to the Federal Bureau of Narcotics (9 AH 521-24); Scott, Crime and Coverup 41; ^{cf. 9AH 521-24)}

~~The committee's apparent failure to interview Paul Roland Jones,~~
 It is unfortunate that Jones has since died and could
 the principal organized crime figure in that case, is ~~no longer~~
 not be interviewed by the committee. The Warren Commission's
 of continued resistance to disclosure in this area, ~~to~~ of Ruby's
 resistance to exploring Ruby's relationships to narcotics and law enforcement inhibited
 them from relationship to narcotics and law enforcement. ~~Jones should~~
 interviewing Jones in 1964. Jones should
 have been interviewed: Ruby and Jones saw each other again about

a week before the assassination (9 AH 523). More important, a third
 said to have been
 person/named in the 1947 case, who was visited by Oswald's friend
 an influential
 George de Mohrenschildt in 1971, had a brother who was arrested in
 1972 for attempted gunrunning to anti-Castro forces in Cuba.

We shall see that the Committee was rightly interested in Ruby's
 own mysterious activities in Cuba (9 AH 158-88; AR 151-54); several
 witnesses, including one former employee, gave testimony to suggest
 these activities involved gunrunning.

There will not be/near enough in this pages ~~either~~ ^{either} to summarize all of
 Ruby's underworld ~~the organized crime~~ contacts ~~established~~ reported by the committee,
 or all of his establishment contacts ignored by them. Rather we shall
 look ~~at~~ a little more closely at allegations that Ruby's real function
 was as a go-between or "connection" between law enforcement officials on
 in other words,
 the one hand and criminal elements on the other:/that Ruby was no
 mere symptom of the gray alliance, ~~in other words~~, but an operative who
 helped make it work. And we shall see that Ruby's Cuban activities in
 1959, when "Ruby most likely was serving as a courier for gambling
 interests" (AR 152), placed him in the immediate milieu of the ~~subsequent~~
 CIA-mafia plots against Castro and more importantly of the subsequent
 Chiago Junta in 1963.

In ~~maying~~ noting these relationships to the world of Oswald and of CIA-subsidized assassins, we should keep in mind also that this network of Cuban intrigue did not necessarily produce the actual gunmen who shot President Kennedy. More central to the plot, and to the unraveling of it, was the exploitation of this sensitive "Cuban connection" by someone privileged to be cognizant of it, in such a way as to induce the successful assassination cover-up. We shall suggest ^{recruitment of} One can argue that the actual/gunmen, the least complicated part of the plot, came from elsewhere.

Ruby's Youth in Chicago: the Social Function of Gangs

If you drive today through Roosevelt/^{Road}Independence/^{Boulevard}area of Chicago's West Side, it is hard to imagine the hustling ~~overcrowded~~ Jewish ghetto of the 1920's, when Ruby went to school there. ^{After World War II} ~~First~~ the blacks took over from the Jews, and now, more recently, the bulldozers of urban renewal have ^{punched out} ~~knocked~~ many ~~holes~~ in the low urban skyline. To a casual visitor, mindful of the crowded slums on Manhattan's lower East Side, the area is still surprisingly ^{self-respecting,} ~~specious,~~ dignified, the grass ^{Douglas} in ~~Marshall~~ Park well cared-for. But in the 1920's ~~there~~ the West Side, like most of Chicago, was a violent place, part of the urban inner frontier where ethnic gangs, not ~~police~~ uniformed policemen, ruled the pavements. It was in such frontier conditions ^{that} ~~gangs~~ gangs, inevitably, helped sanction some primitive ~~structure~~ social structure in the midst of chaos. And, in this microcosm of American order and disorder, that is how Jack Ruby began his rise into history -- as the member of a famous ethnic gang.

It was the Dave Miller gang (22 WH 322, cf. 22 WH 425^F). Acting as if had no one ~~heard~~ heard of it, ~~an~~ the author of the Ruby section of the ^{WARREN} Report had this to say:

The young men in the group were not organized adherents of any ~~particular~~ particular political creed, but were poolhall and tavern companions from Ruby's Jewish neighborhood who gathered on the spur of the moment to present opposition when they learned that the pro-Nazi and anti-Semitic Bund movement was planning a meeting. (WR, citing (CE 1289, p. 5, 22 W 426).

This ~~in~~ ^{innocent} ~~in~~ ^{gang,} account of the Dave Miller ~~gang,~~ ^{though roughly} ~~though roughly~~ true as far as it goes, is very misleading. To write it, Dr. Goldberg does not even do justice to the source on which it draws, which at least identified Dave Miller as a "a gambling boss of the area" (22 WH (CE 1289, p. 2, 22 W 425). By turning to any history of organized crime, or to the well-indexed Kefauver Hearings, it would not have been difficult to learn ~~what~~ what in any case was an open secret in Chicago: that the Dave Miller gang was an integral part of the Chicago organized crime scene (including 24th Ward Democratic politics) dating back at least to the 1920's.

We know that among the Warren Commission staff Burt Griffin at least was interested in learning more about the Dave Miller gang from as early as February 1964:

Ruby's group was known as the Dave Miller gang, but we have no evidence to indicate whether this group was simply made up of aggressive young men who were looking for trouble and who

were from the Jewish neighborhood in which Ruby lived or whether it was an organized group with a strong political basis (26 W 469).

Unfortunately the Commission did not go to a public library for the easy answer to this question. It went instead to the CIA, and the CIA who proved to be no more helpful ^{on} in this ^{point} area than ^{it was} in other sensitive areas, such as its surveillance of Oswald in Mexico City, where its own reputation was clearly involved. The CIA received this request for information on March 12, 1964, sat on it for six months, and then ^{15,} on September, nine days before the Warren Report was released, ^{which eventually} replied that its records "do not reflect any information" (26WM 466).

The Commission's fatal decision to seek answers "through channels", rather from public sources, suggests that in this case they were ~~more~~ concerned not to disrupt stability ~~than~~ to get at the truth. If they had gone to the Chicago police, instead of the CIA, they would have been assured of the same negative results, for the Chicago police identification records were negative for Dave Miller, despite his convictions on vice, gambling, and booze charges (Ill. Crime Survey, p. 1066). This scandal of sanitized police records for "the notorious Miller brothers, famous in vice, gambling, booze, politics, and gang warfare in the Ghetto" (ICS 1069) was revealed by ^{the famous study of John Landis for} the authoritative Illinois Crime Survey ^{Way back} in 1930; ^{Lawless} also noted the absence of a record for Dave's brother Harry Miller, who, "while a member of the police force, was involved in the narcotics traffic" (ICS 1070).

What Landesco had to say in 1930 about the Dave Miller gang tends more to supplement ~~the~~ the Warren Report ~~rather~~ ^{more} than contradict it:

The attitude of gangs to protect the community's safety against hostile foreign groups in the race conflict has been the basis of the status of gangsters among the law-abiding people in the neighborhood. Around Davey Miller and his gang, including Nails Morton, there is a tradition of defenders of the race. It is the defense of the Jews against the Poles. But there are innumerable homelier every-day incidents of which the following is an instance:

"A young Jewish workman was frequently attacked by gangsters on the way to his shop. He went into Davey Miller's place, told him his story, and Davey Miller assigned two of his gangsters to accompany the young man to his work. The attacks ceased to occur after the Irish gangsters near the shop observed the companions of their victim -- the erstwhile lone Jewish workman." (ICS 1050

TR

When Nails Morton was accidentally killed in 1923, the Daily News reported that five thousand Jews, along with city, state and federal government officials, "paid tribute to Morton as the man who made the west side safe for his race" (Chicago Daily News, May 15, 1923, as quoted in ICS, p. 1031; Allsopp, p. 230). Nevertheless a memorial service a year later had to be postponed when a Jewish general objected to sharing the platform with such gangsters as Terry Druggan, John Torrio, Dave and Hirschie Miller, and "Lovin' Putty" Annixter. What the News had to say then of Morton sums up the anomalous role of the whole gang, and indeed of organized crime in American society:

The incongruous associations ...suggest the life that Morton lived..To one set of acquaintances he was...a dauntless defender of Jewry, and to the police a notorious gangster with the slaying ^{of two} ~~of~~ two policemen charged against him [with Dave Miller's brother Hirschie] (Chicago Daily News, May 13, 1924, in ICS, p. 1032).

In other words, if the Warren Report had not covered up Ruby's participation in the Dave Miller gang, it would have had to look more closely ~~and~~ at the structural importance of that gang, like so many others, in filling the "wild west" legal vacuum of one of America's internal urban frontiers. The gang was socially tolerated because of services it supplied to its ethnic community; and I know of prominent journalists in America ~~wh~~ today who, when questioned about their public denials that organized crime exists, will admit privately their personal gratitude ^{for} ~~to~~ the syndicate ^{in their} ~~in their~~ childhood neighborhood.

~~Chicago is by no means the only city in which organized crime has~~ No doubt there ^{may be} ~~is~~ some such innocent explanation for the ruling consensus of American political scientists and sociologists who insist, recurrently, that the idea of a "~~Mafia~~ Mafia" is only a ^{baseless} ~~a~~ "myth" arising from overeager imaginations of the Kefauver Committee and the old Federal Bureau of Narcotics. (One of America's most famous sociologists/^{actually tried to} ~~explain~~ the Mafia's Apalachin meeting of 1957 as "a loose 'trade association' of criminals...who run their own shows in their own fields," without explaining ^{such details as} ~~why~~ ~~most~~ so many of the families at Apalachin had intermarried as closely as the nineteenth-century royal families of Europe.

Bell, End of Ideology, p. 107. Kunkin, Victim, Guilty.

Ruby, Patrick, and Yaras

The Select Committee has given a ~~more~~ clearer picture of Ruby's West Side associates by focussing on two of them, David Yaras and Lenny Patrick:

? The committee established that Ruby, Yaras, and Patrick were in fact acquainted during Ruby's years in Chicago, particularly in the 1930's and 1940's. Both Yaras and Patrick admitted, when questioned by the FBI in 1964, that they did know Ruby, but both said that they had not had any contact with him for 10 to 15 years. Yaras and Patrick further maintained that they had never been particularly close to Ruby, had never visited him in Dallas, and had no knowledge of Ruby being connected to organized crime. Indeed, the Warren Commission used Patrick's statement as a footnote citation in its report to support its conclusion that Ruby did not have significant syndicate ~~connections~~ associations.

? On the other hand, the committee established that Yaras and Patrick were, in fact, notorious gunmen, having been identified by law enforcement authorities as executioners for the Chicago mob and closely associated with Sam Giancana, the organized crime leader in Chicago who was murdered in 1975....Yaras, for example, was overheard in a 1962 electronic surveillance discussing various underworld contracts he had carried out and one he had only recently been assigned. While the committee found no evidence that Ruby was associated with Yaras or Patrick in the 1950's and 1960's, it concluded that Ruby had probably talked by telephone to Patrick during the summer of 1963 (AR 150-51)

REPEATS
P. 2

additional

The Select Committee had ~~minimal~~ reasons for suspecting that Ruby had been in conspiratorial pre-assassination ^{contact} with Dave Yaros as well as Patrick. It knew that in early November 1963 Ruby had had at least two long distance phone calls to ^a ~~the~~ convicted Teamster in Chicago, goon, Barney Baker, who in turn had phoned Dave Yaros in Miami on the night before ~~the~~ assassination (Scott, Assns, p. 369; 25 WH 244, 295; 9 AH 313). Baker ~~had~~ ^{also} made several phone calls to the ^{in Los Angeles} business phone/of a close friend of Eugene Hale Brading, alias Jim

CAUTION
②
Braden, a former convict with mafia associations who ~~was~~ ^{was} picked up and questioned flew to Dallas from Los Angeles on November 20 or 21 and was picked up/ "behaving suspiciously" by Dallas sheriffs for ~~suspicious~~ ^{suspicious} behavior in Dealey Plaza, right after the assassination (WCD 385, WCD 401, Fensterwald, 444-46). Earlier in ^{reportedly} the fall of 1963 Yaros and Patrick had flown to the west coast and met with high level mafia leaders from Los Angeles, including Nick Licata, a ~~mafia~~ Los Angeles mafia underboss with special ~~responsibilities~~ ^{responsibilities} for Dallas (9 AH 946; Noyes 53, FBI airtel #593; Grim Reapers, p. 182).

As if this web were not complex enough, ^{nearly all of these individuals,} several of the principals, and/or notably Yaros and Patrick, had connections to Cuba ~~and~~ the various anti-Castro plots. For this reason we shall look at the Ruby-Baker-Yaros connection much more closely, not because we know it to be conspiratorial, but because it will throw enough light on the power and extent of Ruby's démimonde to explain how a conspiracy could both put together and then successfully covered up.

First of all, to explain how Ruby might have rationally preferred to face murder charges from the government than to disobey an order from syndicate associates, we must go back to an electronically overheard description, by the participants, of one of Dave Yaras' more celebrated gangland slayings. The victim was William "Action" Jackson, a 340-pound enforcer for Chicago loanshark Sam "Big Juice" de Stefano. Jackson was famous for stripping and abusing the wives of his helpless victims; ~~once~~ he ~~allegedly~~ bit the nipples off the breasts of the wife of one delinquent borrower and spat them out on the floor. But that of course is not why he was murdered: Jackson was suspected of doing what ~~was known as Ruby~~ Ruby certainly did do, informing to the FBI.

The subject of Jackson's murder was first brought up by Fiore "Fifi" Buccieri during a discussion of techniques... Jackson had been observed conferring with two FBI agents at the corner of Jackson and Laramie Streets on the West Side. Shortly afterward, Buccieri and James "Turk" Torello brought Jackson to the "Plant," a place described as having a large meat hook on the wall. There they were joined by ~~Sam~~ John "Jackie the Lackey" Cerone, Dave Yaras and others not mentioned by name. They shot him "just once in the knee," stripped him naked, tied his hands and feet, and hung him on the hook through his rectum for "a little bit of fun." Buccieri's interpretation of fun included a cattle prod (a large battery-powered stick) which he placed against Jackson's penis....While Buccieri was amusing himself with the electric stick, others were playing around with such toys

of torture as icepicks, baseball bats and even a blowtorch. "Then," said Buccieri, "I shoved the fucking stick up his ass and he shit all over the fucking joint. Boy, did he stink." Buccieri's nostalgic account convulsed his audience into fits of hysterical laughter....Credit for the cattle prod was claimed by Verone, who said ~~that~~ he got the idea from "some coppers who used the same thing on hoods" (Demaris, Captive City, pp. 66-67)

Buccieri's first hand account is tersely corroborated by the coroner's report on Jackson, who took three days to die:

Impaled on meat hook, doused with water. Cattle prod (electrical) used in rectum and pubic area. Shot. Limbs cut (apparently with an ice pick)....Incineration of the penis (9 AH 14)

Organized crime does not conceal such brutalities, it advertises them. They are the basis for an alternate system of sanctions in our society, one which ensures that, ~~when necessary,~~ witnesses will forget themselves or commit perjury in courtrooms, policemen will accept bribes (rather than report them,) judges and jury will think very carefully before finding verdicts of "guilty", even non-killers will kill. But the ~~the underworld~~ alternative sanctions should not mislead us into thinking of ~~organized crime~~ as an alternative government; like the rest of our pluralist society, it blends into the government we have. We must keep in mind that, only two years after the torture-murder of Jackson, Yaras was allegedly living it up on the West Coast with a prominent California politician:

In November 1963, an informant advised that in September 1963 there was a meeting at the ~~West~~ Mark Hopkins Hotel in San Francisco which was attended by Dave Yaras, his son Ronald, Leonard Patrick, Louis Tom Nicolo Dragna, and ~~Mimi~~ Licata. Dragna was described as an underboss of La Cosa Nostra in the Los Angeles area. According to the informant, a second meeting of the same group was held several weeks later. Ernest Debs, a Los Angeles County supervisor and a close friend of a major California officeholder, was also allegedly present (9 AH 946).

The political clout of Yaras and Patrick in the Democratic Party dated back to their youthful days with Ruby in the Roosevelt-Independence area, Chicago's 24th Ward, controlled until 1940 by future Democratic kingmaker Jake Arvey. (It was Arvey who, partly to improve his own sullied image, secured the Democratic Presidential nomination of 1952 for his protege, Governor Adlai Stevenson of Illinois.) Patrick's clout in the 24th Ward lasted into the 1960's, when the Jews had left, and the Ward had elected Chicago's first black alderman, Benjamin Lewis. We know this partly from a secret federal report which the Select Committee did not cite:

Advised in 1961 that Ben Lewis...is Lenny Patrick's boy and that he does not do anything without Patrick's O.K. Anyone who operates a book in the 24th Ward is required to give Patrick 50 percent of the proceeds ~~from~~ all operations and the person operating the book must make all payoffs to the police from his own 50 percent. Advised that Patrick could not be stopped

in his gambling and other illicit activities since he was backed politically by Jake Arvey, Sidney Deutsch /former Finance Committee Chairman of the Cook County Board of Commissioners -- died 1961/ and Arthur X. Elrod /who took over ⁶⁵ the 24th ^{ward} ^{Committee} from Arvey in 1940 -- died 1959/. Advised that Patrick grew up in Arvey's ward and that Arvey would often call upon him for strong ~~arm~~ tactics in connection with stuffing ballot boxes (quoted in Demaris, Captive City, p. 183)

The Warren Report ~~mentioned~~ chose to ~~hardly~~ disbelieve reports Jack Ruby (then known as Rubenstein) that ~~Ruby himself~~ was "active in 24th Ward Democratic politics" (22 WH 327, cf. 21 WH 314); ~~WR 785~~ and to assert categorically that Jack's brother Hyman "was the only Rubenstein to participate actively in politics" (WR 785), even though another brother, Earl, testified under oath that he too "worked for the Democratic headquarters" (14 WH 393).
 of Ruby's friends
 In fact many ~~members of the~~ ~~gang~~ who hung out at Dave Miller's restaurant poolroom behind the ⁴²⁵ Democratic and later at the New Lawndale Restaurant (22 WH 352) ended up in politics. befriended
 Two of them first ~~knew~~ future alderman Ben Lewis as the only ~~black~~ player on their basketball team (CCC 63.29, cf. 22 WH 311, 313);
 a third, ^{Bennie Barrish,} who came west with Ruby in the 1930's, played a key role in the ^{a San Francisco mob} ~~Sunol golf course~~ scandal of 1974, when a valuable piece of ~~San Francisco~~ municipal property was leased to an east coast mafia figure (Scott, Cr & C, p. 40).

From the Select Committee we learn that after World War II Lenny Patrick and his brother Jack (who also knew Ruby) operated the at 3714 West Roosevelt Road New Lawndale Restaurant and poolroom/ and used ~~it~~ ^{them} as a headquarters for

their book and wire operations as late as 1963 (9 AH 942-46).

The committee did not point out that/^{ward committeeman} Arthur X. Elrod ran his

insurance business next door at 3712 West Roosevelt Road (CCC 63.31), where West Side gambler Willie Kolatch alias Tarsch was murdered in 1945 (Parole Hearings, p. 448), possibly by Patrick's hand on Elrod's orders (9 AH 945, Captive City, p. 135).

This close alliance between politics and crime in the 24th Ward went back to the glorious mob days of the 1920's, when Utilities magnate Sam Insull, a former secretary to Thomas Edison and vice-president of General Electric, generated a political slush fund for ~~payment from~~ ^{control of the} Democratic Party through 24th Ward politicians. Insull would give ~~Chicago politicians by giving~~ away the utilities' junk at bargain rates to a junk business, the Rosenberg Iron and Metal Company, controlled by 24th Ward committeemen Mike Rosenberg (d. 1928) and Moe Rosenberg, an ex-convict (d. 1934). Jake Arvey in those days was the Rosenbergs' protege, the 24th Ward alderman, and the attorney for both Sam Insull's utilities and the Rosenbergs' junk yard (Captive City, pp. 113-114). As in many ^{convenient} Detroit and other cities, junk contracts ~~could~~ ^{could} serve as a ~~legal~~ ^{legal} cover for either services (strike-breaking, or, as in this case, political corruption) or extortion. But the Rosenbergs used their connections to move into gambling as well; because of their political influence, they were able to place their brother Lew Rosenberg in the Consolidated Wire ^{racing} Service which supplied information to bookmakers throughout the country.

The broad outlines of this gray alliance -- between crime, corporate power, and politics -- seem to have given shape to Ruby's early career as much as Yaras' and Patrick's. ~~On~~ ^{When Ruby came out to} ~~on~~ the west coast with Bennie Barrish and other boys from the New Lawndale poolroom, he and his friends ^{formed} ~~doubled as~~ a circulation team to ^o promote sales of Hearst newspapers, while also selling racing "tip sheets" out at ~~the~~ Santa Anita and Bay Meadows race tracks. ^{Ruby's chief qualification for these jobs seems to have been the years he and his friends had spent work out of a boxing gym in Chicago.} It was from just such young men that ~~the~~ Hearst's national circulation managers in Chicago -- first Moe Annenberg and then Annenberg's successor James Ragen -- had assembled gangs to ensure that ^{new}stands would buy their newspapers, or, on the side, ~~that~~ bookies would buy their racing "scratch sheets" and wire service. Their putting together of the Nationwide Racing Wire Service, though not to be confused with the more murderous activities of La Cosa Nostra, represents one of the forces working in the 1930's towards a national organization of criminal sanctions and corruption. ~~More~~ We shall say more about this in a moment.

~~Some~~ Sometime in this period Ruby was also a travelling salesman for punchboards, a minor but lucrative form of petty gambling aimed largely at children. This would have been a few years after Arthur X. Elrod, then one of the Rosenbergs' 24th Ward precinct captains and private secretary to North Side hoodlum Jack Zuta, served as treasurer of a company which had plans to organize a nationwide punchboard syndicate (Demaris, *Captive City*, 124-25).

In 1937 Ruby went to work ~~from~~ as an organizer for Chicago Local 20467 of the Scrap Iron and Junk Handlers Union (WR 788). It is not ~~immediately~~ certain whether the local was already in the 1930's what it clearly ~~was~~ was in the 1940's and after: a mob-dominated racket for shaking down independents in the junk business. It is clear however that junk peddlers were a target for such racketeering as early as 1927, when a junk peddler was murdered for protesting his payment of "union dues", and the killer, after a courtroom display of his political influence, was acquitted

(Ill. Cr. Survey, pp. 994-96). And in 1939 its office was in the building

f the old mob-dominated Roosevelt Finance Company at 3159 West Roosevelt Road, a few doors from Dave Miller's restaurant. What is most clear is that, once again, there has been ~~resistance~~

(22 WH 435, 345). resistance to a frank disclosure of Ruby's role in Local 20467, which the Select Committee barely mentions (9 AH 1044). For example the prestigious Chicago Crime Commission, after Ruby's murder of Oswald, had this to say in its Report of 1963:

Nine years earlier the Chicago Crime Commission had received requests for information regarding Jack Ruby from the Dallas Police Department. In a letter to the Commission on October 23, 1954 it was stated that...information had been received indicating Jack Ruby had been an officer of the American Federation of Labor Scrap Iron and Junk handlers Union and was involved in the killing of ~~him~~ Leon Cooke, treasurer of the union. In response to this inquiry the Chicago Crime Commission by letter on October 26, 1954 provided the Dallas Police Department with information.... The official inquiry into the murder of union official Leon Cooke

had not implicated Ruby with that crime. Actually, Cooke was fatally shot on December 8, 1939 during a fight with John Martin, president of the union, and died January 5, 1940.

A coroner's jury returned a verdict of "justifiable homicide"

(Chic. Crime Comm. 1963 Report, pp. 97-98)

(repeated in the Warren Report, WR 788)

This information/was accurate, but misleading, ~~because Martin had been~~
~~acquitted as a result of testimony from the sole other witness to~~
~~the killing, who was Jack Rubenstein alias Jack Ruby.~~ Martin had been
 acquitted as a result of testimony from the sole other witness
 personal
 to the killing, who was his/secretary; and the ~~person~~ first to
 give the Chicago Tribune this story of self-defense was the union's
 secretary, Jack Rubenstein alias Ruby (22 WH ~~at~~ 345; Chicago Tribune,
 December 9, 1939, p. 1) If more cannot now be said, it is partly because,
 once again, the records of the Chicago Police Department have been
 stripped of any reference to the killing (22 WH ~~at~~ 345).

In his role as spokesman for Local 20467, Ruby had, not for the last
 time, played a role in U.S. history. The killing of Cooke was a key event
 in the rise to underworld power of Paul Dorfman (another ~~childhood associate~~
 of Ruby's childhood associates 22 WH 382), and his stepson Allen,
 whose ~~fortune~~ would rise with Jimmy Hoffa's but eventually outlast him.
 Bobby Kennedy, ~~who~~ explained this in his 1960 account of organized crime,

The Enemy Within:

By 1949...Jimmy Hoffa had consolidated his position in the Michigan Teamsters; but outside his home state he was still largely unknown. For him, the key to the entire Midwest was Chicago. He needed a powerful ally there -- and he found his man in Paul Dorfman....A slight man with thinning red hair and an almost benign manner, Dorfman took over as head of the Chicago Waste Handlers Union in 1939 after its founder and secretary-treasurer was murdered. In 1957 the AFL-CIO kicked him out for corruption....Red Dorfman is also considered a power in some political circles, both Democratic and Republican....Hoffa made a trade with Dorfman. In return for an introduction to the Chicago underworld...Hoffa turned over to him and his fund the gigantic Central Conference of Teamsters Welfare Fund insurance

(RF Kennedy, The Enemy Within, p. 87)

Thus it was that the two Dorfman's, after first trying out with the pension fund of the junk handlers local, got to turn the mammoth Central States Pension Fund of the Teamsters into a ~~primary~~ powerful source of financial and political leverage for many purposes, from the purchase of a Miami bank with Havana casino connections to investment in Las Vegas

In 1959
 real estate. One of these loans financed a thwarted scheme to ship
 a plane-load of arms to first Cuba and then the Dominican Republic
 (Sheirdan, Fall and Rise of Jimmy Hoffa, pp. 109-12; ~~Espailat~~, 118-51). We shall have
 more to say about that ~~plans~~ ^{arms} deal, which united ~~such~~ ^{such} key elements
 to our story as Jimmy Hoffa, mercenary colleagues of those in the future
 Chicago Junta, and close friends of those phoned by Jack Ruby in 1963.

Ruby's move from Chicago to Dallas in early 1947 did not
 represent a break with the old organized crime circles of his past. On the
 contrary, Ruby's move coincided with a major drive ^{in 1946-47} by Chicago mob figures
 to take over the Dallas underworld; and many figures from Ruby's past
 milieu, such as ^{his friend and} Dave Yaras' brother Sam, moved to Dallas in this period
 (9 AH ~~155~~ ^{22 WH 372} 155). According to official ^{accounts} ~~historians~~ of this important
 event in underworld history, a key figure in this move was Paul Roland
 Jones, working for what he himself described as the Jake Guzik mob
 in Chicago (9 AH ^{516) TP} 514). Jones, a partner in a slot-machine operation
 with Sam Yaras, certainly knew Ruby by October 1947, when both men were
 questioned for their roles in a major opium-smuggling incident in which
 Jones was ultimately convicted (9 AH ^{cf. 9AH 155} 521-23). There were two reasons for
 exculpating Ruby from involvement in that case, but they are self-contradict-
 ory. The Warren Commission chose to believe ^{an} ~~an~~ eyewitness account
 that when Jones propositioned Ruby in Chicago about the narcotics deal, he
 "refused to have any part of it" (23 WH 206, WR 792). The Federal Bureau
 of Narcotics, however, apparently accepted Ruby's own story -- that ^{he had} ~~he had~~
^{never talked to Jones} ~~he had~~ (23 WH 203).
~~day he was not~~ in Chicago at all. The FBI's failure to pursue the
 discrepancy suggests that, at a minimum, Ruby may have been the underworld
 informant who helped break the case.

*

* This discrepancy was overlooked by the Warren Commission, which published both accounts. One of the present authors drew it to the attention of the House Select Committee, which discusses the case for two pages (9 AH 521-23) without mentioning the conflict of testimony. Worse it misquotes a key word ("October" for "August" at footnote 1507), creating a false impression that a simple confusion is involved, rather than criminal false testimony.

Jones' activities in 1946 suggest that he was even then acting on behalf of those Chicago figures in Ruby's past. Jones approached the Dallas Sheriff-elect, Steve Guthrie, with an offer to cut Guthrie in on 50 percent of the profits from ~~the~~ racing wire service in the area. Jones claimed to represent a mob group headed by Chicago ~~big~~ gangster Jake ^GGuzik, who had taken over the wire service following the murder of James Ragen in 1946. (5 Kef 1180-87, cf. 9 AH 516) That Guzik had been responsible for Ragen's murder had indeed been the theory of Chicago police lieutenant William Drury, who brought in Guzik for questioning and secured the indictment of three of his underlings for the shooting. Two of these three were Ruby's old friends Dave Yaras and Lennie Patrick. According to Ovid Demaris, the indictments of Yaras and Patrick were dropped, after one witness was murdered, two recanted their testimony, and the last fled in panic. ~~(Demaris)~~ Meanwhile Drury was suspended and ultimately dismissed from the Chicago Police Force, on the charge of "depriving Jake Guzik of his civil rights" (Demaris, *Captive City*, p. 141).

Whoever murdered James Ragen in 1946, this attempted take-over of the national racing wire service by the Chicago syndicate was a major event of criminal influence over in the history of organized crime -- and ~~not the continuation of~~ corrupt local governments throughout the country. As an expert has written

To attribute half the gang killings and mob violence of the forties and fifties to battles over control of this gambling empire would be a very conservative speculation. Whoever controlled the wire service "drops" in a town became master of gambling activities there. And more often than not he also controlled--the word is responsibly chosen, controlled--the community's local law enforcement agencies. . . . once you have got the patrolman--his lieutenant and his captain and the Chief--taking bribes from your organization for "protection" of a harmless little gambling enterprise, you have got them for all purposes. ¹⁶⁹

(Rufus King,
GAMBLING + ORGANIZED CRIME
pp 27-29)

In December 1946 the then District Attorney of Dallas, Dean Gauldin, whom the Committee lists as ~~an~~ "associated" with Irwin's law firm, dismissed a theft indictment against Jones for no apparent reason (9 AH 1152), ^{Nine years later} ~~in 1955~~ ^{X-22} charges against Jones' friend Jack Ruby were dismissed by Gauldin's successor Henry Wade, the District Attorney who prepared a case against Lee Harvey Oswald in 1963 (23H 88).

START HERE

This of course was precisely the mission of Jones in Dallas; Jones had already retained as attorney a lawyer, T.K. Irwin, who had represented other Chicago mob members in the past (9 AH 1152), and who (Jones later told the FBI) transmitted illicit gambling payments to the appropriate Dallas authorities (23 WH 298, 9 AH 516). ^{And} according to secret recordings of the 1946 Jones-Guthrie meetings, Sheriff-elect Guthrie stated that "We all know that Bill Decker is a payoff man" (9 AH 517); the late Bill Decker, then under-sheriff, was Sheriff in 1963 and thus one of the two men controlling local law enforcement officers in Dealey Plaza on November 22.

But the Ragen killing had national as well as local consequences. About a month ~~before~~ before being shot, Ragen, through the intervention of columnist Drew Pearson, had ~~been~~ agreed to ~~meet with~~ discuss organized crime in Chicago with the FBI. As Pearson wrote in his diary,

I sold the idea to ~~Attorney General~~ Tom Clark, then Attorney General, and the FBI interviewed Ragen at great length. They brought back a multitude of tips, leads, and evidence. Tom Clark told me afterward that it led to very high places. J. Edgar Hoover intimated the same thing. He said the people Ragen had pointed to had now reformed. I learned later that it pointed to the Hilton Hotel chain, Henry Crown, the big Jewish financier in Chicago, and Walter Annenberg, publisher of the Philadelphia Inquirer. The investigation never got off even to a start. Ragen was murdered about a month before he gave the information to the FBI (Diaries, p

By 1963 Henry Crown, ~~managing~~ who bankrolled questionable financial investments by Democratic kingmaker Jake Arvey, had become the leading shareholder in the Kennedy Administration's number one defense contractor, General Dynamics. The controversial award ~~of~~ a defense fighter ~~monumental~~ plane ~~monumental~~, the TFX, had become by November 1963 a scandal for investigation by ~~Senator McClellan's Government Operations~~ a Senate Committee. A committee meeting on November 20, 1963, two days before the assassination, closed with Chairman McClellan's undertaking "to resume hearings next week"; informed ~~minutes~~ ^{journals} like Business Week predicted that the next witness would be Lyndon Johnson's political protege Fred Korth, a banker from Fort Worth, Texas, who had been forced one month earlier to resign as Secretary of the Navy. (Business Week, Nov. 23, 1963, p. 33; Aviation Week, November 25, 1963, p. 25). But Korth would never have to testify. The next meeting of the committee, scheduled for November 1963, actually took place after Richard Nixon became President, in 1969.

The ~~monumental~~ failure of the present House Select Committee to look at these political aspects of the Ragen and Kennedy assassinations is understandable, but unfortunate. In the absence of any investigation, it is impossible to state whether or not there is any relevance to the fact that one of the first contacts between Lee Harvey Oswald and George de Mohrenschildt's Russian community in Dallas-Fort Worth was Max Clark, formerly associated with industrial security at the Fort Worth plant of General Dynamics where the TFX was built. Or in the fact that Fred Korth knew Lee Harvey Oswald's mother Marguerite, having represented one of her husbands in a divorce action against her in 1948 (23 WH 786). Or in the

fact that Albert Jenner, Henry Crown's personal attorney in 1964, was simultaneously the Warren Commission counsel with special responsibility for investigating the possibility of a conspiracy (Meagher, p. 285, Demaris, CC, p. 248). Even without any such investigations, however, it can safely be said that Ruby's connections with men like Yaras, Patrick, and Dorfman raised issues of political as well as judicial significance. It follows that we should not be surprised if some of these ramifications have been overlooked by the present committee. Indeed what we have been given is such an improvement over the performance of the Warren Commission that there is ~~and~~ hope for further revelations in the future.

Ruby's meetings with Paul Roland Jones in 1947 mark the point at which his strange career begins to converge with Lee Harvey Oswald's. For, of all of Ruby's many underworld contacts, Jones is the first whom we know to have already visited Cuba (9 AH 516); he planned to manage a club there in the 1946-47 season. ~~Furthermore~~ At this time, ~~the mob was riding high in Havana; furthermore~~ Lucky Luciano was ~~and future President~~ holding court there after a brief exile to Italy; Prio's brother was acting as Luciano's personal attorney; ~~and although~~ ~~the~~ Histories of organized crime record that such high-level mob affairs as Chicago's ultimate share of the wire service, and the ^{related} murder of its west coast representative Bugsy Siegel, were adjudicated under Luciano's aegis in Havana.

In 1947 the Federal Bureau of Narcotics, convinced that Luciano's return to the Western Hemisphere signified the resumption the flow of narcotics into the United States, ~~management of/pre-war international narcotics trafficking/managed~~ by various threats to have the Cuban government deport Luciano back to Italy. Yet in general the mob's influence did not represent a challenge to U.S. ~~authority~~ ^{influence} in Cuba so much as an extension of it. It was not by accident that the National City Bank of New York leased its Havana racetrack to the New York gangster Meyer Lansky; Lansky's proven ability to corrupt Cuban politicians and judges made it much easier for U.S. corporations to avoid the threat of taxes or nationalization. The system of gray alliances which worked so well in ~~Havana~~ Chicago worked overseas in de facto U.S. colonies like Cuba as well.

In fact the same mob personnel were often involved at home and abroad, ~~as in the case of~~ ^{We can start with} the example of Ruby's old associates Dave Yaros and ~~Lennie~~ Lennie Patrick. A Chicago Crime Commission of 1953 reported

that information was received that Leonard Patrick, Dave Yaros, and Joe Massei, the latter formerly of Detroit, had been operating the Sans Souci gambling establishment in Havana, Cuba (9 AH 948):

The Sans Souci is a good example of how the ~~cash flow generated by~~ casinos could cement a marriage between mob influence. ~~Minion~~ Young Senator Nixon had visited the Sans Souci in April 1952 in the company of a former FBI agent Richard Danner; the trip made headlines in the 1952 elections (a couple of newspapers intimated that the gambling trip involved some

girls) after Nixon involved himself in the matter of a bad check written by a third companion to the club's manager, Norman Rothman. (Messick Lansky 189-90). Rothman, ~~was~~ an important syndicate figure, represented the interests of the Mannarino brothers of Pittsburgh (9 AH before they sold their share of the Sans Souci to Santos Trafficante. 183), ~~He~~ also maintained associations with Meyer Lansky's old protege, Rothman Cuban dictator Fulgencio Batista; and ~~was~~ was partners in a slot machine operation with Batista's brother-in-law, General Roberto Fernandez y Miranda (Parade, Apr. 28, 1963, p. 4). When Batista's fortunes began to wane in the late 1950's, Rothman ~~and the Mannarino~~ financing ~~along~~ hedged his political bets by ~~becoming~~ ~~in~~ ~~the~~ ~~operation~~ ~~of~~ ~~the~~ ~~gun-running~~ ~~operation~~ ~~to~~ ~~anti-Batista~~ ~~forces~~, the ~~Directorio~~ Directorio Revolucionario.

of 1958

In this gun-running operation/we can see a ~~much~~ much stronger convergence of ~~the~~ ~~three~~ ~~disparate~~ ~~worlds~~ ~~that~~ ~~have~~ ~~hitherto~~ ~~appeared~~ ~~to~~ ~~be~~ three disparate worlds: those of the CIA, of Oswald, and of ~~the~~ Jack Ruby. The Directorio Revolucionario, composed largely of University of Havana students, united many future members of the DRE, the SNFE, and other elements who in 1963 were reunited in the Chicago Junta. In its first phase of terrorist activities, ~~a~~ ~~principal~~ ~~/~~ ~~plotter~~ ~~was~~ the same Rolando Cubela who in 1963 (as AMLASH) was contacted by the CIA in connection with the invasion project based in Nicaragua. ~~In its second phase of~~ ~~guerrilla~~ ~~operations~~ ~~in~~ ~~the~~ ~~Escambray~~ ~~mountains~~ The Hoffa arms deal through the Teamsters' Pension Fund, referred to earlier, was intended to supply the American William Morgan with the Directorio Revolucionario;

Cuban gunrunning
 one book has linked Hoffa's ~~partner~~ to Gabriel Mannarino
 (Moldea, The Hoffa Wars, p. 130), and another book has
 suggested that one of Hoffa's partners on the/¹⁹⁵⁹Cuban deal
 (Bernard Spindel, alias "Jack La Rue") was acting on behalf of the
 CIA (Hougan, Spooks, p. 108). ~~Some corroboration for this surfaced in 1971~~
 and two other mafia crime bosses (John LaRocca of Pittsburgh, another
 alleged participant in Hoffa's gunrunning, and Joseph Sica of San Francisco)
 went on trial for charges arising out of a ⁰Teamsters'
 Pension Fund kickback scheme. FBI men in the New York courtroom were
 astonished to discover that the star witness for the defense was
 a local CIA chief, following whose testimony the defendants were
 acquitted (Anson, They've Killed the President, p. 296).

Then there is the testimony of ^{close to Hoffa}
 /Edward Grady Partin, a Louisiana Teamster/who has himself been
 accused of trying to smuggle arms to Cuba (Nation Apr. 27 1964, p. 431).
 According to Partin ~~the three principals in the 1959 deal were Hoffa,~~
 Hoffa's two principal partners in Cuban gunrunning were Cleveland
 Teamster official William Presser (whose sidekick, Louis "Babe"
 Triscaro, flew to Cuba on the 1959 deal (Sheridan 110)) and Teamster
 lobbyist I. Irving Davidson, linked by the Select Committee to the
 two Dallas arms suppliers and
 Haitian arms deal involving/George de Mohrenschildt's Haitian banker
 friend, Clemard Joseph Charles; Moldea, p. 107, 12 AH 57-58).

According to author Dan Moldea

Although

/Davidson is just as insistent that he didn't do business
 with Hoffa as Partin is that he did, Davidson concedes,

"I sold a tremendous amount of tanks and whatnot to

Batista....About a month or two before Batista fell, I

delivered a big package to him." Presser refused to respond

In addition there
 is the statement
 of Charles
 Crimaldi, a Chicago
 syndicate contract
 killer-turned
 government
 informant, that
 Jimmy Hoffa
 was the
 "original liaison"
 between the CIA
 and the mob.
 Former Narcotics
 Bureau official
 Charles Siragusa
 has called
 Crimaldi
 "absolutely
 reliable"
 (Moldea 131)

to Partin's statement (Moldea 107)

^RIn 1960 Davidson attended both party conventions, attempting to use Hoffa's political influence to secure the Democratic nomination for Lyndon Johnson, and the Republican nomination for Richard Nixon. At the time Davidson was a registered lobbyist ~~with~~ the government of Nicaragua, which hosted the 1963 anti-Castro invasion army. Shortly before the conventions Davidson wrote to General Luis Sierra Somoza (whom Paulino contacted for the Chicago Junta in 1963)

I am operating behind the scenes. So far as Nicaragua is concerned, everyone with whom I am dealing knows that I am your registered representative; and everyone knows that much of the money I spend throughout the year is made available to me through your generosity

(Activities of Foreign Principals Hearings,
p. 1587)

Among the ~~beneficiaries of Davidson's largesse~~ ^{convention} those whose/hotel bills were paid for by Davidson were columnists Drew Pearson and Jack Anderson, and Nixon's California campaign manager Patrick Hillings (For. Ag. Hearings, pp. 1617-21, 1605-07).

Compared to Davidson's murky world of gunrunning and behind-the-scenes Jack Ruby's career and that of Norman Rothman, the principal gunrunner, political influence the overlap between ~~Norman Rothman's career and Jack Ruby's~~ is relatively straightforward. In 1959, when Rothman was a part-owner of the Tropicana casino in Havana, Ruby visited the Tropicana as the guest of its casino manager, Lewis J. McWillie, a former gambling operator in Dallas and Fort Worth. Although both Ruby and McWillie claimed this

was merely a social visit, the Select Committee, for complex but persuasive reasons to be presented in a moment, concluded that "Ruby ~~was~~ most likely was serving as a courier" ~~for the gambling interests~~ for the ~~casinointhe~~ gambling interests in the casino -- which at that time included Rothman (AR 152). But McWillie, with whom Ruby was particularly close (9 AH 193, 5 WH 201) was not Ruby's only link to the owners of the Tropicana. At that time Rothman and the Mannarinos were facing charges in U.S. federal court arising out of their gunrunning to the Directorio Revolucionario; their Chicago attorney, Luis Kutner, in 1950 had known Ruby since the 1930's and had arranged for Ruby to give testimony about Chicago mob activities to the staff of Senator Kefauver's Select Committee on Organized Crime. (9 AH 1120) Kutner, a colorful figure whose long career has ranged from representing mafiosi to involvement in Latin American coups and a long crusade for a world habeas corpus, was the first to tell the world about Ruby's connections to Dave Yaros and Lennie Patrick (Washington Post, Nov. 26, 1963, A6; Scott et al., Assassinations, p. 369). The Warren Commission thought Kutner's information important enough to open a name file on him, but never received an FBI Report of the post-assassination interview in which Kutner told what he knew.

Kutner has since told Canadian television that Ruby approached Kefauver him in 1950 with a deal: Ruby would ~~provide information~~ help the Committee with information about Chicago, if in exchange the Committee would (as it in fact did) stay out of Dallas. The failure of both the Warren

Commission and the House Select Committee to ^{report on} ~~investigate~~ this important claim is both unfortunate and characteristic. If the claim of Luis Kutner (a former visiting professor at Yale Law School) is ^{the} correct, then Ruby ^{was} is more than a simple associate of organized crime figures in Chicago, ~~and~~ Dallas, and Havana: he ^{was} ~~is~~ part of the "connection" between upper-world and underworld, through whom the conflicting interests of each are negotiated and resolved. It is particularly important to consider this in the context of Ruby's three trips to ~~Havana~~ during which the Tropicana in Havana in August-September 1959, ~~was~~, as the Select Committee pointed out, Ruby also reported as a PCI (Potential Criminal

Informant) to Dallas FBI agent Charles Flynn (9 AH 151). In other words, even though official records do not show it, Ruby's travels may, like Rothman's gunrunning, had covert government approval. The Warren Commission had received other reports that Ruby

was "the pay-off man for the Dallas Police Department" (WCD 4.529) and "had the 'fix' with the county authorities" (23 WH 372) -- i.e. Sheriff Guthrie Sheriff Decker, identified by his predecessor/as "a payoff man" Dallas (9 AH 517, supra, X-22). After the assassination a former FBI agent told the FBI in San Diego that he had known Ruby in Dallas back in 1948 and believed him to have been influential/^{even} then in the Dallas Police Department (FBI #319). As early as 1956 a federal narcotics informant had told the FBI of a large Dallas-based international narcotics operation, where one participant "got the okay to operate through Jack Ruby of Dallas" (23 WH 369). Once again, ~~both~~ unfortunately and characteristically, both the Warren Commission and the Select Committee (which had been alerted to this report) failed to publish any investigation of it.

~~after Ruby~~

~~Ruby not only knew McWillie and Kutser, but~~

The recurring rumors which link Ruby (like Yaras, Patrick, and Jones) to international narcotics operations have also to be kept in mind when considering Ruby's visits to the ~~maxima~~ Tropicana casino, whose part-owner Norman Rothman was known to law enforcement authorities as an ~~arms and~~ narcotics trafficker (Charbonneau, The Canadian Connection, p. 143) ^{30,} (On June 1959, one month before Ruby's ~~xxxx~~ Havana trip, Rothman was indicted in Chicago on a related conspiracy involving stolen Canadian securities from the multi-million Brockville, Ontario, bank robbery; allegedly the stolen securities were used ~~in~~ as collateral for bank loans which in turn financed heroin deals to pay for the purchase of arms.) Other defendants in the case were Yaras' and Trafficante's partner Sam Mannarino of the Sans Souci, and Giuseppe "Pep" Cotroni, the celebrated "French connection" representative of the Corsican mafia narcotics traffickers in Montreal.)

Narcotics, gun-running, and collaboration with U.S. intelligence: the three are often associated, and there were credible grounds for suspecting all three in the case of Jack Ruby. (Ruby himself spoke of negotiating to send "some four little Cobram guns -- big shipment" to McWillie in Cuba (5 WH 201), cf. 14 WH 543, 26 WH 499)

in prison he later allegedly told ^{both} a friend ^{and a guard} of his concern that now they're going to find out about Cuba, they're going to find out about the guns, find out about New Orleans, find out about everything (9 AH 162) Kantor, p. —)

In fact, Ruby's trips to Havana remain mysterious, except that he was probably acting as a courier for McWillie and/or the ~~employee~~ Tropicana.

For a long time critics have pointed out that the Warren Report talked of a single ~~trip~~ Ruby Havana trip, where in fact it was talking about two. The Select Committee has shown that ~~there was~~ Ruby ^{seems to have} ^{"as a courier"} ~~probably~~ made three trips in a five week period, probably ~~on casino~~ ^{business}. Their argumentation deserves being quoted at length:

Included among Ruby's closest friends was Lewis McWillie. McWillie moved from Dallas to Cuba in 1958 and worked in gambling casinos in Havana until 1960. (35) In 1978, McWillie was employed in Las Vegas, and law enforcement files indicate he had business and personal ties to major organized crime figures, including Meyer Lansky and Santos Trafficante. (36)

Ruby traveled to Cuba on at least one occasion to visit McWillie. (37) McWillie testified to the committee that Ruby visited him only once in Cuba, and that it was a social visit. (38) The Warren Commission concluded this was the only trip Ruby took to Cuba, (39) despite documentation in the Commission's own files indicating Ruby made a second trip. (40)

Both Ruby and McWillie claimed that Ruby's visit to Cuba was at McWillie's invitation and lasted about a week in the late summer or early fall of 1959. (41) The committee, however, obtained tourist cards from the Cuban Government that show Ruby entered Cuba on August 8, 1959, left on September 11, reentered on September 12 and left again on September 13, 1959. (42) These documents supplement records the committee obtained from the Immigration and Naturalization Service (INS) indicating that Ruby left Cuba on September 11, 1959, traveling to Miami, returned to Cuba on September 12, and traveled on to New Orleans on September 13, 1959. (43) The Cuban Government could not state with certainty that the commercial airline flights indicated by the INS records were the only ones Ruby took during the period. (44)

Other records obtained by the committee indicate that Ruby was in Dallas at times during the August 8 to September 11, 1959, period. (15) He apparently visited his safe deposit box on August 21, met with FBI Agent Charles W. Flynn on August 31,² and returned to the safe deposit box on September 4. (16) Consequently, if the tourist card documentation, INS, FBI and bank records are all correct, Ruby had to have made at least three trips to Cuba. While the records appeared to be accurate, they were incomplete. The committee was unable to determine, for example, whether on the third trip, if it occurred, Ruby

traveled by commercial airline or some other means. Consequently, the committee could not rule out the possibility that Ruby made more trips during this period or at other times.

Based on the unusual nature of the 1-day trip to Miami from Havana on September 11-12 and the possibility of at least one additional trip to Cuba, the committee concluded that vacationing was probably not the purpose for traveling to Havana, despite Ruby's insistence to the Warren Commission that his one trip to Cuba in 1959 was a social visit. (17) The committee reached the judgment that Ruby most likely was serving as a courier for gambling interests when he traveled to Miami from Havana for 1 day, then returned to Cuba for a day, before flying to New Orleans. (18) This judgment is supported by the following:

McWillie had made previous trips to Miami on behalf of the owners of the Tropicana, the casino for which he worked, to deposit funds; (19)

McWillie placed a call to Meyer Panitz, a gambling associate in Miami, to inform him that Ruby was coming from Cuba, resulting in two meetings between Panitz and Ruby; (20)

There was a continuing need for Havana casino operators to send their assets out of Cuba to protect them from seizure by the Castro government; (21) and

The 1-day trip from Havana to Miami was not explained by Ruby, and his testimony to the Warren Commission about his travels to Cuba was contradictory. (22)

The committee also deemed it likely that Ruby at least met various organized crime figures in Cuba, possibly including some who had been detained by the Cuban government. (23) In fact, Ruby told the Warren Commission that he was later visited in Dallas by McWillie and a Havana casino owner and that they had discussed the gambling business in Cuba.³ (24)

(AR 151-52)

² In March 1959, Ruby told the FBI he wished to assist the Bureau by supplying on a confidential basis criminal information that had come to his attention. Between April and October 1959, Ruby met with Agent Flynn eight times and gave him a small bit of information about thefts and related offenses. On November 6, 1959, Flynn wrote that Ruby's information had not been particularly helpful, that further attempts to develop Ruby as a PCI (potential criminal informant) would be fruitless and that the file on Ruby should be closed. (25)

³ Earlier, though both he and McWillie denied it, Ruby apparently sent a coded message to McWillie in Havana, containing various sets of numerals, a communication Ruby transmitted to McWillie via McWillie's girlfriend. (26)

The Report, in analyzing Ruby's role as a courier, cites McWillie's own statement that he ~~mentioned~~ made "many trips" from Havana to Miami to deposit money from the Tropicana's owners of record, Martin and Pedro Fox, in Miami banks, specifically the Pan American Bank. (5 AH 113, cf. 5 AH 162). But Ruby's one-day return to Cuba raises the possibility, which the committee staff or messenger apparently considered, of Ruby having served as a courier/in both directions. The Pan American Bank figured prominently in the financing of Cuban gunrunning activities in this period, possibly because its owners included Cuban ~~financial~~ expatriates close to Jose Aleman, Junior, the Miami-based backer of the Directorio.

^a
 R In early 1959 ~~the~~ Pan American Bank's ~~and~~ vice-president, M.K. Lewis, Jr., had met with Cleveland Teamster boss Lou ^Triscaro about the proposed Hoffa-Bartone sale of arms to ~~the~~ William Morgan of the DR. (McClellan Hearings, pp. 19071ss). In early 1959 Ruby himself had contacted/a convicted gunrunner for former Cuban President Carlos Prio Socarras, one of the DR's principal backers, ~~financial~~ (9 AH 590).
 Questioned by the committee staff regarding

sources of income for the gunrunning operations, McKeown stated in an interview that he received money from his Cuban contacts in the office of an attorney who was counsel [sic, Consul?] for Haiti and that the money was always bound in Pan American Bank Building wrappers. McKeown also stated that some U.S. Senators, whom he could not recall, assisted in supplying the arms (9 AH 590).

(MORE)

McKeown also told the committee that through Prio he learned of a plot to assassinate Fidel Castro, and that he later turned down a \$100,000 offer to assassinate Castro himself (9 AH 590).

The committee ^{was} looking closely at ^{the personnel of} CIA-organized crime to get rid of Castro, ^{because of John Roselli's first-hand allegation:} activities focussed on personnel from the Tropicana and the Capri, the two casinos in Havana which Ruby visited and where McWillie was employed. ~~Spent time with Norman Rothman~~ One such person was the Tropicana's part owner, Norman Rothman, since

FBI files on Rothman indicate that a proposal to kill Castro was allegedly made to Rothman as a "quid pro quo" in which Rothman expected to avoid imprisonment for a 1960 gunrunning operation (10 AH 183).

This "quid pro quo", if it actually occurred, ^{might} ~~would~~ tell us more not only about Rothman but also about his attorney, Ruby's friend Luis Kutner, who did somehow managed to have Rothman's gunrunning conviction overturned. The committee deposed Rothman, who described a series of meetings with members of ~~whom~~ the White House and Attorney General's staff, in which assassination came up "just in a casual way". The committee concluded "it is highly unlikely that any such event ever occurred (10 AH 183).

Browder?

The committee was on surer ground with Dino Cellini, a Lansky associate whom McWillie had ~~met~~ who had preceded McWillie as manager of the Tropicana casino (5 AH 164, 101). McWillie visited Cellini at the Trescorchia prison and saw him along with Santos Trafficante and Jake Lansky (5 AH 164-65); ~~but~~ he did not recall Ruby going there, as the British journalist John Wilson Hudson had claimed; but McWillie did go out there with someone (5 AH 107); and "It's possible that it might have been Jack Ruby" (5 AH 148). In 1960 Dino Cellini, through a Washington p.r. man "with previous CIA associations", was promoting support for the political Cuban exile leader ("Mr. Y") whom the CIA, via Robert Maheu and Santos Trafficante, supplied with poison pills for the murder of Castro (10 AH 171, ^{169;} 5 AH 361), cf. 5 AH 325 (Smathers)

The committee also looked at Charles Tourine, chief owner of the Capri where McWillie worked after May 1960 (10 AH 161, Messick, Lansky, p. 196), and allegedly a Trafficante associate in ~~Cuba~~ ^{Havana casinos} (McClellan Hgs, p. 12370). And it looked at Rafael Garcia Bango, ~~a cousin of Aleman's in Cuba and a sign~~ a lawyer both for the Capri casino and for Santos Trafficante (10 AH 184, 5 AH 367). The committee wanted to establish the ^{the identity} "would-be assassin" whom Giancana had met with in the fall of 1960, ^{and} who, according to an FBI memo, "had arranged with a girl, not further described, to drop a 'pill' in some drink or food of Castro" (10 AH 172). The committee noted the claim of Marita Ilona

(Can identify him -
Varona -
are we safe?)

Lorenz, whom it had been told was a mistress of Charles Tourine, that in the fall of 1960 Frank Sturgis, acting for the CIA, gave her two capsules of poison powder, which she was to sprinkle in some food or drink of Castro (10 AH 156)

It also noted the conflation of a ^{CIA} 1977/Task Force Report that this fall 1960 date was too early for the CIA's syndicate operations.

The CIA concluded that "the syndicate may have been acting independently" (10 AH 157) -- excluding, without any ~~proof~~ evidence, the possibility that Lorenz, and/or Sturgis, might have been working with U.S. military intelligence.

In seeking to ~~ascertain~~ ^{fall 1960} identify the go-between in the/poison pill caper, the committee "obtained some evidence...that Trafficante was not traveling to Cuba during this period" (10 AH 170). A more likely candidate, it concluded, was Richard Scalzetti Cain who later

admitted that he had worked covertly for Giancana and been on his payroll while he was a member of the Chicago Police Department from 1956-60, director of a private detective agency from 1960-62, and chief investigator for the ~~Chicago~~ Cook County Sheriff's Office from 1962-64 (10 AH 172).

It noted that Cain had been providing information to the CIA in this period, and that in ~~fact~~ ^{both} November 1960 Cain was ^{also} in contact with the Cuban exile leader ("Mr. Y"), and about to join the anti-Castro resistance in Cuba ^{allegedly} on behalf of "Life magazine, and 64 other newspapers" (10 AH 173).

? "it" - or "staff report"

ref to 12, p. 9?

Varona in Ch. 12, p. 11

TR

There are two reasons why the committee was so concerned to establish the identity of the courier in the fall 1960 poison pill scheme. The first is that it must have wished to deal one way or another with the possibility/that the courier might have been Jack Ruby. The scheme after all might very easily have involved the Capri, Charles Tourine's casino where Lewis McWillie worked. And the committee had ~~just~~ been given a new story, from a friend of Ruby's and McWillie's called Tony ~~Hoppmi~~ Zoppi, that Ruby had visited using Zoppi's plane ticket, McWillie in Havana, not in August 1959, but on "December 17, 1960" ~~this story was corroborated by McWillie under oath (5 AH 169). Such a trip, had it really taken place, would have made~~

~~But~~
The story of the Zoppi plane ticket, ~~factually~~, though not the 1960 date, was corroborated by McWillie under oath to the committee (5 AH 27)

A visit by Ruby to McWillie in December 1960, had it really taken place, ~~would~~ ^{might} have made Ruby appear, once again, to be playing the role of a courier, in this case a possible carrier of pills for an ~~staff,~~ assassination plot. The committee ~~in~~ addition to deposing McWillie, also interviewed Tony Zoppi, who by 1978 had left Dallas and was now working as a publicity man for the Riviera Hotel in Las Vegas, ~~be a part-owner~~ in investment where Giancana was supposed to ~~take care of~~ and where ~~one~~ ^{one}

~~where~~ ~~the employees (Dave Miller, Jimmie Don McMillin and perhaps~~ ~~cf. WCD 5.279)~~
Dave "Dingy" Halper, 22 WH ~~319~~ allegedly knew Ruby from the days ~~four~~ of the Dave Miller gang. Zoppi in ~~his~~ successive interviews by

the committee became much more tenuous about the date, although ~~at~~ ^{one} point he corroborated his claim in a published article of 1973 ~~he had specified that it "was set for~~ ^{(5 AH 173) TP} December 17, 1960" (9 AH 169). The committee, no doubt quite rightly, ^{question about Ruby} decided not to deal with this problematic ~~matter~~ in its report.

It also left unresolved the claim that Frank Sturgis, "acting for on behalf of the ~~Hessien Government~~ CIA" (or else some other agency of the U.S. Government) had given the poison capsules to Marita Lorenz (10 AH 156). The claim that Sturgis, rather than both Ruby, was a courier in this plot is first-hand, from Lorenz and Sturgis.

^R Sturgis himself told an interviewer in 1977 that

In 1958 I was recruited by a CIA station chief in Santiago de Cuba... He turned out to be the vice-consul of the American Consulate in Santiago.... One person whose name I gave to the Senate Intelligence Church Committee did approach me and offer me a million dollars eventually to kill Fidel.... I prepared myself for/getting the green light to eliminate Castro. I prepared a group of officers who I knew were against Fidel, and I instructed them that one day we were going to go ahead and trap Fidel and kill him.... There were several attempts in Cuba that I planned.... The other times were with Marita Fidel's mistress with the ~~mistrasm~~ poison.... The CIA were aware of everything I was doing (High Times, April 1977, pp. 22-32).

Sturgis also claimed that his "first intelligence work" had been some years earlier, for the U.S. Army Security Agency, then as a "courier" for Israeli intelligence (loc. cit., p. 22). In another interview he even named his alleged CIA contact as "the American Consul... Park F. Wooler", i.e. Park Fields Wollam, who three years later was back in Washington as the State Department's CIA liaison for Inter-American Affairs. (Canfield and Weberman, Coup D'Etat in America, pp. 141-42).

Even if one readily agrees with the committee staff report that "Sturgis is not a reliable source" (10 AH 176), his self-incrimination in the assassination plots, corroborated by Lorenz, could and should have been investigated. To begin with, the House Select Committee, which had access to the files of the Senate Select Committee, could have ~~mentioned on the manuscript which~~ resolved whether or not the name of a conspirator ~~was given~~ gave/to the latter. As it was, the House Committee staff report points out that Sturgis "~~probably~~ most probably established contacts with organized crime" (10 AH 176); another witness (the third person who with Sturgis' associate Patrick Hemming and 30-06 Johnson semiautomatic Loran Hall pawned the ~~Winchester~~/rifle in Los Angeles, supra, p. X-) told a Rolling Stone reporter that he often saw Sturgis and Trafficante talking together during their anti-Castro training activities before the Bay of Pigs: "Our ultimate conclusion was that Trafficante was our backer...our money man" (H. Kohn, Rolling Stone, May 20, 1976, p. 45).

The committee staff report also confirmed that "Sturgis probably knew the Cuban official" ^{recruited by Trafficante} in Havana to whom ~~the~~ pills were delivered "and could have been involved with him in an assassination plot" (10 AH 176, cf. ~~150~~ 151). It did not point out Sturgis' ^{possibly conspiratorial} role in suggesting, together with DRE officials, that Oswald had been in Miami and in contact with Cuban intelligence (WCD 1020, Scott et al. Assassinations, p. 360.) And it is only in another staff report, ~~which~~ not cross-referenced,

Paul I know
who this is +
am trying to reach
him.

that we learn of Sturgis' air-raids over Cuba, financed by
and ultimately by alleged gambling interests,
the Chicago Junta, in conjunction with the MIRR of Orlando

Bosch which helped staff the Lake Pontchartrain training camp
(10 AH 91-92).

The main reason for establishing the identity of the couriers
in the poison pill plots, whether Ruby or Sturgis or whoever, was
what the Committee Report refers to obliquely as "John Roselli's
claim of personal knowledge relating to Cuban or underworld
complicity" in the assassination of the President (AR 246).
The Report discusses ^{inaccurately,} ~~very~~ an early and distorted version of this claim
under the rubric of Castro's alleged involvement (AR 114-16), and
makes the reference just cited, without elaboration, in ~~showing~~ arguing
that the FBI "failed to investigate adequately the possibility of
a conspiracy to assassinate the President" (since "The Bureau declined
to investigate the information and did not take any action until
President Johnson personally intervened" (AR 246).

In its discussion of possible organized crime involvement
(the only issue on which Roselli claimed to have personal knowledge)
the Report does not mention the Roselli allegation. It is however
treated fully in a staff report, which quotes the story in the form
in which columnist Jack Anderson, who first ^{heard and published} ~~reported~~ the Roselli claim,
~~_____~~

has been telling it since Roselli's brutal ~~membram~~ murder and dismemberment in August 1976:

Before he died, Roselli hinted to associates that he knew who had arranged President Kennedy's murder. It was the same conspirators, he suggested, whom he had recruited earlier to kill Cuban Premier Fidel Castro....They were under the loose control of Florida's Mafia chieftain, Santos Trafficante....After Trafficante made it back to his Florida haunts, he left part of his organization behind in Havana. Some of his ~~nomtamm~~ henchmen even managed to develop contacts in Castro's inner circle. These were the people Roselli wanted to use to knock off Fidel Castro....Once Giancana and Trafficante set it up, Roselli used the Havana underworld to plot Castro's demise. At first, they ~~monphim~~ tried to plant poison pills, supplied by the CIA, in Castro's food....When this failed, snipers were dispatched to a Havana rooftop. They were caught....According to Roselli, Castro enlisted the same underworld elements whom he had caught plotting against him. They supposedly were Cubans from the old Trafficante organization. Working with Cuban intelligence, they allegedly lined up ~~thim~~ an ex-Marine sharpshooter, Lee Harvey Oswald....According to Roselli's version, Oswald may have shot Kennedy or may have acted as a decoy while others ambushed him from closer range. When Oswald was picked up, Roselli suggested, the underworld conspirators ~~may~~ feared he would crack and disclose information that might lead to them. This almost certainly would have brought a massive U.S. crackdown on the Mafia. So Jack Ruby

was ordered to eliminate Oswald (Jack Anderson, Washington Post, September 7, 1976, reprinted 10 AH 159-60, 5 AH 365), emphasis added).

~~Committee investigators name one Rafael "Macho" Gener as~~

~~"Trafficante's top man in his and the Mafia's relationship with~~

~~Cubans" (5 AH 314)~~

~~Memorandum~~

Roselli was not in a position to give ~~personal~~ first-hand information about Castro, only about the mob and its Cuban associates. The part of his story relating to CIA-mafia plots against Castro has since been amply corroborated. The residual claims of which he might have had personal knowledge --

- a) the anti-Kennedy conspirators were Cubans from the old Trafficante organization
- b) they "lined up" Lee Harvey Oswald
- c) the President's murder led to fears of a massive U.S. crackdown on the Mafia (rather than against Castro)
- d) so Jack Ruby was ordered to eliminate Oswald --

are credible both in themselves and particularly in the light of ~~memorandum~~ *Common sense also corroborates that rule of evidence which says the committee's new revelations. Committee investigators have ~~also~~ that we named identified Rafael "Macho" Gener as "Trafficante's top man in his and the Mafia's relationship with Cubans" (5 AH 314); ^{and} they have established that ~~Gener~~ ^{Gener} and Trafficante negotiated with Jose Aleman, Jr., ^{and} another DR representative, ~~Jose~~ ^{Jorge} Nobregan, ~~who~~ who had established contact*

with the mafia in the DR gunrunning days of the 1950's (5 AH 303-04, 314).

(Aleman himself had turned become a government witness in that case, ~~and~~ against the Trafficante was offering to secure Aleman a loan with the Teamsters Union"

(presumably the Pension Fund controlled by the Dorfman, 5 AH 304) for a

Mannarino brothers and Norman Rothman, but only because he himself faced possible prosecution for illegal gunrunning, 5 AH 310).

a criminal when he incriminates himself or his group.

(Aleman himself

condominium project. Trafficante himself testified that he met Aleman through Gener (5 AH ~~b7d~~ 373).

A proper investigation of Roselli's claims would not have focussed only (or even primarily) on the alleged involvement of Fidel Castro, but on the identity of the Cubans from the old Trafficante organization. If, as seems ~~probable~~ probable, these included contacts of the old Directorio Revolucionario, then the circle of suspects would include the Chicago Junta of 1963, whose military operations in the Dominican Republic were being arranged in October 1963 by Eloy Gutierrez Menoyo of the SNFE and formerly the DR (10 AH 100). If Roselli had meant Trafficante's Cuban lawyer, ^{Aleman's cousin} Rafael Garcia Bango (who in 1966-67 was arrested and jailed in Spain for passing counterfeit American money, 5 AH 310), suspicion would again be directed to the Chicago Junta; for Garcia Bango had presented himself to the CIA as the lawyer for the Capri Hotel and Casino ~~also represented the Capri Hotel investment~~ of "Sugar King" Julio Lobo, of Alpha 66 whose employee Antonio Veciana/was in October 1963 collaborating with Gutierrez Menoyo on the Dominican Republic project (10 AH/100, 184)³⁷. And if Roselli had referred to Cuban colleagues of Trafficante's alleged associate Frank Sturgis (who himself was working for ~~him~~ MIRR on Chicago Junta money ~~in 1963~~, 10 AH 90-91) then this (as we have seen) would have included Cubans with Junta-supported groups such as those at the Lake Pontchartrain training camp. Each of these three/connections (the DR, Garcia Bango, and Sturgis) would equally have cast suspicion on participants in the ~~in~~ October 1963 meeting in Miami about Haiti.

Furthermore the committee's staff reports have highlighted the various ~~elements~~ ^{groups} of the Chicago Junta operations (notably the DRE, and possibly those New Orleans Cubans dealing both with the ^{known} as including the Cubans who had the most extended/contact with Lee Harvey Oswald and thus were/in the best position to have "lined him up" for an anti-Kennedy plot. Most notable among these were the DRE and members who were arrested, tried, and ~~convicted~~ with Oswald, and who later broadcast with him; but we should not ~~and~~ forget those ~~known~~ New Orleans Cubans who dealt both with the training camp (and/or the DRE arms cache) and simultaneously with Oswald's possible base of New Orleans operations, the anti-Communist detective agency of Guy Banister at 544 Camp Street. But there is no reason to isolate these individuals and call them suspects, for the Cubans from the old Trafficante organization had other connections to the narrow world of Lee Harvey Oswald. For example Antonio de Varona, the "Mr. Y" whom Santos Trafficante ~~mentioned~~ brought into the anti-Castro plot (10 AH 169) ^{through Gener (5 AH 360)}, and to whom the CIA via John Roselli supplied poison pills to assassinate Castro (10 AH 151-52), also helped organize the/Cuban Revolutionary Council ^{five} which was once housed at 544 Camp Street (10 AH 61-62), at least ~~known~~ ^{five} or spoken to ^{five} of whose members had seen/Oswald personally. One of these was Silvia Odio's uncle, Dr. Agustin Guitart, who attended Oswald's trial; on November 15, 1963, de Varona spoke to the CRC in New Orleans, and stayed at Guitart's home. (10 AH 62).

Once again (it is worth repeating) the point of this narration is not to ~~suggest~~ incriminate suspicious individuals. It is to show that, despite outward appearances, the mysterious/^{collective} backgrounds of both Oswald and Ruby converge ~~converge~~ rather than diverge as they are brought more and more into focus. And the point of that convergence is precisely the milieu of ^{conspiracy against Castro} the CIA-mafia ~~collaboration~~ which Roselli's leaks to Jack Anderson first brought to public ~~attention~~ notice, and which have since been so amply corroborated.

Over six months after the Select Committee officially went out of existence, its report was released to the press. At a news conference on July 18, 1979, Chairman Louis Stokes summarized the conclusions: "We were satisfied" with the 1964 FBI conclusion that Oswald was the assassin, but not that he acted alone. Both the John Kennedy and Martin Luther King assassinations "probably occurred" as a result of conspiracies. "Consequently, we were forced to make the harsh judgment that the original investigations were seriously flawed."

The report made three recommendations for further investigation: ~~by the Justice Department~~ study one more piece of belatedly discovered photographic evidence (a film by Charles L. Bronson which might show shapes in the sixth-floor sniper's window); study, with the help of the National Science Foundation, "the theory and application of the principles of acoustics to forensic questions," using the Dallas tape as a case study; and then "analyze whether further official investigation is warranted" in either the Kennedy or King murder. (Unfortunately, the recommended acoustics study does not specifically include further analysis of the sounds relating to rear shots, as proposed by Representative Dodd and others.)

At the July press conference, Chairman Stokes defended the recommendation that the Justice Department analyze all the findings, since a determination of individual guilt is not an appropriate task for a congressional committee (and, of course, the Select Committee had already run out of time). "I would hope the Justice Department's decision will be to proceed," he said, "for I believe the American people have a right to know the truth."

Representative Richardson Preyer, who chaired the JFK subcommittee, told reporters that the new acoustical evidence of a shot from the grassy knoll was "as convincing as a new set of fingerprints on a second rifle would have been." He added that "a renewed investigation of the Kennedy assassination by the Justice Department might begin in New Orleans, where Oswald grew up and where he spent the summer of 1963."

Chief Counsel's Blakey's role as the press conference was relatively subdued. When asked if he thought the Mafia had killed President Kennedy, he replied tersely, "I have no public views to state." After months of provocative speculation about how far the report might go in implicating the mob, the final press conference was something of an anticlimax. The report didn't even contain an explicit recommendation that the Justice Department ~~move~~ toward prosecution. But there remained the possibility that the Select Committee was holding back. The New York Times reported the morning of the press conference, "Sources on the Committee said that its published report did not include a long list of investigative leads the committee staff developed. These leads, the sources said, would be made available to the Justice Department should it reopen the investigation." If accurate, the Times' report seemed to suggest not only that the best leads were yet to be revealed, but also that it was by no means certain that the Justice Department would reopen the case. Moreover, the Justice Department would apparently only receive the leads if it decided to reopen the case.

Many critics felt uneasy about leaving the case in the hands of the Justice Department. In the first place, there was concern that the investigation was being turned over to the very agencies which had failed in their original responsibility. Though the current generation of agents should not be judged by the inadequacies of their predecessors, the risk remains that institutional and bureaucratic loyalties will continue to present a conflict of interest. Some critics argue that the case can only be investigated adequately by those whose reputations are untarnished by past performance. Other critics are simply concerned that the Justice Department itself is too political a place for such a sensitive investigation. Campaign promises notwithstanding, Presidents invariably entrust the post of attorney general to a most loyal associate. There is no way to predict who will occupy the White House by the time a renewed investigation would reach its final stages. (In the most dramatic example, even Senator Edward Kennedy must be considered a possibility.) It would be tragic for the investigation to be vulnerable to partisan ~~politi~~

political pressures that might interfere with an indictment.

~~The rest of the final report~~

Critics' concern that the Select Committee's Report did not reveal all the important evidence was heightened when Blakey, as soon as he could speak in an ~~unofficial capacity~~ in an unofficial capacity, told Newsweek that he was firmly of the opinion that the mob did it. The press, meanwhile, was critical of the report for other reasons. Time claimed that the Select Committee's conspiracy conclusion was presented "with an unseemly amount of fanfare and self-justification" and that the conclusion "seems to have outstripped its evidence." Many commentators attacked the acoustic evidence, while applauding the report for confirming Oswald's guilt and absolving the U.S. government of any guilty involvement, even in a cover-up.

Blakey irritated some sections of the press and perplexed many critics by his involvement in a mass paperback edition of the report (entitled, with apparently unintended irony, The Final Assassinations Report). George Lardner of the Washington Post noted in a front-page story that Bantam Books had the paperback edition set in type before the Justice Department had received its copy of the official report. Lardner reported that Blakey had accepted "an honorarium of under \$3000" for a fifteen-page introduction to the Bantam edition of the report. Critics were more troubled that Blakey's comments on the "final" report appeared along with a foreword by Tom Wicker of the New York Times, who stubbornly denied that the acoustics evidence was worth considering. The paperback went on sale in Washington only two days after the committee's final press conference.

Blakey's introduction to the paperback defended the ambiguities and understatement in the report's careful language:

In stating its conclusions about the assassinations in this report, the committee, for good reason, speaks with muted tongue. As I have noted, we were deeply concerned about the inherent risk of a legislative investigation into criminal conduct. We decided, therefore, that our language ought to be moderate and that we ought not state a finding beyond what is absolutely indicated by the evidence.

Few would quarrel with such reasoning. The problem is, rather,

the apparent absence of so much of the evidence uncovered in the Select Committee's investigation. The report properly states that the committee "had a responsibility to state who it believed had participated in each assassination, and what the factual basis was for that conclusion." But its further declaration that "the public disclosure of all the facts" relating to the mandated investigative issues was necessary has a hollow ring. The supporting volumes of evidence clearly do not include all the raw data, or all the relevant details; and there is no official suggestion that certain leads are withheld in the interest of ongoing investigation by the Justice Department.

An example will illustrate the sort of omission which puzzles people who have followed the case closely. In the early summer of 1979, a spate of news stories -- including one by Bob Kur of NBC -- reported a bail payment as a possible link between Oswald and Organized Crime in New Orleans. On August 9, 1963, Oswald was arrested following a street scuffle with anti-Castro Cubans. As indicated in a Warren Commission document, Oswald's twenty-five-dollar bail was apparently paid by a liquor store owner named Emile Bruneaux -- an alleged friend of Mafia lieutenant Nofio Pecora. At least one member of the Select Committee staff viewed the bail link as significant. The report mentions the incident, but conspicuously fails to cite a reference or to mention the liquor store owner's name. (A citation in another context makes clear that the committee did interview Bruneaux, who subsequently died.)

The careful reader wonders whether this link was downplayed because the Select Committee as a whole found the connection tenuous -- or, on the contrary, ^{because} that they found it so significant that the details were saved for confidential Justice Department briefings. A more candid interpretation of the incident might permit the reader to make a more judicious assessment of the Select Committee's deductions in this important area. Are we to think that the Mafia bought a piece of Oswald for a mere twenty-five dollars? If Oswald was already under Mafia control when he passed out pro-Castro leaflets, it is hard to believe that he would not have either been given his bail in advance -- or just left in jail

RUBY AND THE EVENTS IN DALLAS

In the last chapter we saw that Ruby's organized crime background, is entirely consistent with and its involvement in Cuban casinos and gunrunning, ~~was~~ John Roselli's allegation that Oswald was "lined up" for a Kennedy assassination plot, and Ruby ordered to kill him. ~~Ruby~~ But Ruby's background does not merely link him to Oswald through the Cubans involved in DR gunrunning and the New Orleans intrigues of the Chicago junta. Ruby had more direct links in Dallas to the worlds of Oswald, of ~~himself~~ Dallas Police Officer J.D. Tippit (who was also murdered on November 22, 1963), to the alleged strangers he phoned just before the assassination (one of whom phoned Dave Yaras on November 21), ~~and to the Dallas police officer who~~ been a ~~contact~~ to the west coast crime figure apprehended in Dealey Plaza on November 22, and to the Dallas Police Sergeant accused of lying about Ruby's actions on November 24. In all of these connections the common denominator is ~~themselves~~ the one we have already discussed: Ruby's links to politically influential segments of organized crime.

Many of these, and the ones most thoroughly explored by the select committee, concern the Dallas criminals and "police characters" whom Ruby knew with or through Lewis J. McWillie. But we should first look more ~~carefully~~ ^{and employers} closely at the career/of McWillie himself, since he was one of Ruby's closest friends, and Ruby phoned him at least seven times in Las Vegas between June and August 1963 (9 AH 193). In the early 1940's ~~him~~ McWillie worked at various gambling clubs around Dallas; his IRS records show him moving back and forth between the

Southland Hotel, where his employers ^{were} ~~was~~ Bennie Binion, and the ^{and his sidekick Ivy Miller,} which was operated then by Ivy Miller and six years later Blue Bonnet Hotel, ~~which was operated by Ruby's~~ future business partner and backer, Ralph Paul (23 WH 163-64, 5 AH 57, 9 AH 802, 979). These were the days when, in the words of a retired Dallas police captain, the "police force was rotten from top to bottom", ~~which~~ largely because Benny Binion and "the Southland Hotel Group" (backed by mafioso Sam Maceo of Galveston) "had a fix with Mr. Big." Binion's modus operandi, the captain said, was to kill off his ^{sometimes with help} gambling competitors in a hurry, ~~often by~~ ~~murdering~~ the ~~strong~~ of the local DeLois Green gang (~~Sam~~ Reid and Demaris, Green Felt Jungle, pp. 156-58). ~~is said to have~~

George Arthur It was in this period that McWillie/shot and killed a man named McBride, an event about which he was apparently not questioned by the ^{(WCD 686d).} select committee. McWillie successfully claimed it was self-defense; but Paul Roland Jones, in his bugged interviews of 1946 with Sheriff Guthrie, claimed that McWillie killed McBride by accident; he ~~intended~~ should have killed someone else, who was later taken care of. This would explain why the Dallas Police Department, in 1959, identified McWillie as a "gambler and murderer" (23 WH 166). McWillie himself, as by the select committee if he had been involved in the anti-Castro plots, assured them, "I wouldn't assassinate a flea" (5 AH 239). ~~intentionally~~

It was in this period, we should remember, that "payments were made to Attorney T.K. Erwin" (sic, i.e. Irwin, 9 AH 516), and Sheriff ^{detective} Guthrie and Dallas police ~~officer~~ George Butler (who arranged to record Jones' bribery offer) agreed that "We all know that Bill Decker (the

sheriff in 1963) is a payoff man with Bennie Binion" (9 AH 517).
 Things are said to have cleared up in 1946, when Binion, after his
 connection Sheriff Schmid was defeated by Guthrie, withdrew to Las Vegas.
 In ~~the~~ ^{the} ~~next~~ ^{next} five years the gang wars of the Binion era in Dallas had ended,
 DeLois Green had been shot and killed on the steps of Ralph Paul's
 Sky-Vu Club, a quieter era had begun. But then a quieter era was
 part of the promised package which Chicago mob representative Paul
 Roland Jones had promised Guthrie. And by 1950 (at the time of the
 Kefauver Hearings)

all the noise in Dallas was making some of the
 big boys in Vegas nervous. Dave Berman at the Flamingo
 /the Meyer Lansky-Bugs Siegel investment in Las Vegas/
 had talked to Benny /Binion/ a number of times about it,
 warning him that unless the matter was settled soon he was
 going to find himself minus a head....The big eastern mob
 wanted an end put to the feud. It was bad for business
 (Demaris, Green Felt Jungle, pp. 163, 172).

It was at this point that Ruby contacted Kutner with his deal to keep
 the Kefauver Committee out of Dallas.

(Rothman and
 Following his work for the Tropicana (the Fox brothers) and the
 Capri (Charles Tourine and Julio Lobo), McWillie moved on to even more
 interesting employers. On his return to the United States in 1961 he
 worked at the Cal Neva Lodge on Lake Tahoe, where a point holder of
 record was Frank Sinatra and a hidden interest was held by/Sam Giancana,
 the go-between ~~whom~~ between Roselli and Trafficante in the CIA-mafia
 plots. Around this period he worked in Aruba and Curacao in the Caribbean

mob had
 Binion put away

and Clifford A. Jones (5 AH 19, Turner, Gamblers Money, 76); for Jake Kozloff, and in 1963 at the Thunderbird Club in Las Vegas, once again a where ~~x~~/prominent stockholder was former Nevada Lieutenant Governor and Democratic National Committeeman Clifford A. Jones (once officially accused of fronting ~~an associate~~ of fronting/for an associate of (NYT, Nov. 7, 1963, p. 22) Meyer and Jake Lansky)/ McWillie appears to have been among old friends at the Thunderbird. Meyer Panitz, who had worked for McWillie in Dallas and then at the Tropicana in Havana, came with him to the Thunderbird as a box man (23 WH 327, ~~and~~ 5 AH 114-16, 9 AH 177). It was Panitz, a "close friend" of Ruby and McWillie both (5 AH 114-15) whom Ruby flew to visit in Miami after McWillie had phoned him from Havana (AR 152, 23WH 858).

Jake Kozloff and Clifford Jones, together with Sinatra's former investment partner Ed Levinson, another Lansky associate, were three of the most exciting names to surface in the rapidly burgeoning Bobby Baker scandals of November 1963. Ed Levinson ~~and some of his gambling associates~~ was the largest pinholder of record (ahead of Bennie Binion's son Jack) in the Binions' Horseshoe Club in Las Vegas; he also owned the Fremont Hotel which had been built with the help of a loan from the Teamsters Union. Levinson and some of his associates were original stockholders in ~~Bobby Baker's~~ the Serv-U vending ~~company~~ of Senate majority secretary Bobby Baker, and put up \$150,000 in cash to help launch the operation of the company. The operation was a simple one: three major aerospace firms awarded contracts by the Kennedy Department of Defense then turned around and awarded the lion's share of their lucrative

automatic vending machine business in food and drink (\$2.5 million annually at North American Aviation alone) to Bobby Baker's Serv-U Corp. Baker however was not a Kennedy man but Lyndon Johnson's boy; his rise to influence had corresponded ~~to~~ ^{in time with} Johnson's years as Senate Democratic Majority Leader. And it was no accident that Johnson's political backers in Texas, such as ^{oilmen} Clint Murchison and Bedford Wynne, and their lobbyists in Washington, such as Tom Webb and I. Irving Davidson, figured prominently in Bobby Baker's financial wheeling and dealing as well.

Two weeks before the assassination, on November 7, 1963, the New York Times revealed in a front page story that ~~Baker~~ Bobby Baker had intervened with the President of Intercontinental Hotels, a Pan Am subsidiary, to arrange a meeting with Jones, Levinson, and Kozloff, who were interested in securing the leases for the gambling casinos in Pan Am's Latin American hotels. One week later, in another front-page story, the Times revealed that Baker had used his influence (in return for a finders' fee) to speed clearance for import into the United States ~~from~~ of meat products from a Murchison-owned meat-packing plant in Haiti (NYT, Nov. 14, 1963, p. 1). I. Irving Davidson, it later developed, had, as the registered lobbyist for the Murchison interests, been the original contact man on this deal, in mid-1962 (G.R. Schreiber, The Bobby Baker Affair, p. 121). Apparently it was through this deal with the Murchisons' meat company that Davidson first became involved in Haiti, and hence ultimately with George de Mohrenschildt's banking partner ~~Chairman~~ Clemard Joseph Charles (12 AH ~~pp~~ 57-58).

The second of these stories clearly leaked from Bobby Kennedy's Justice Department, and many political observers began to speculate that both of November 1963's great Texas-linked scandals, the Bobby Baker scandal and the related TFX General Dynamics scandal, were being deliberately allowed to surface by the Kennedy brothers with a view to dropping Lyndon Johnson from the Democratic ticket in 1964. In fact ~~minismp~~ the prediction that Kennedy might drop Johnson as a "political liability" was made publicly, in Dallas, on November 21, 1963, by Richard Nixon, ^{(23 WH 941),} shortly after the former U.S. vice-president had ~~minismp~~ reportedly visited ~~minismp~~ a Republican ~~attorney~~ ^{lawyer} who soon became Marina Oswald's attorney.

The Times' story about Baker and three of McWillie's employers (Jones, Kozloff, and Levinson) /showed clearly how the money and influence of gamblers could affect, not just local politics and corrupt police forces, but national politics as well. But the circle of McWillie's employers included not just local gray eminences like Benjamin Binion and national grey eminences like Jones and Levinson, but also the McLaney brothers of the DRE arms cache in Lacombe, Louisiana. ~~At the time of the Warren Commission~~ ^{TP} In 1964, when the Warren Commission astonishingly failed to interview McWillie, he was his good friends working for the McLaney brothers at the Carousel; eleven years later he worked for them in the casino which ~~minismp~~ Mike McLaney had finally obtained in Port-au-Prince, Haiti. ~~McWillie~~ ^{TP} McWillie had known Mike McLaney and had first known since 1946 in Miami; Mike's brother Bill -- "a very good friend of mine" -- along with Mike in Cuba, 5 AH 136-38). It was in Bill's house in Lacombe

Judge Griffin's analysis, which as he stressed was not based on first-hand information, is shrewd and credible. It also creates a special difficulty for the CIA, which twice told the Warren Commission (in response to Griffin's previously cited memo, supra, p. X-6) that its files/and records "do not reflect any information" on McWillie and Ruby-connection (WCD 1054, 26 WH 466). Either McWillie was the McWillie-McLaney connection was relevant to the CIA's "national security" operations, in which case the CIA was dissembling to the Commission; or it was not, in which case the "national security" rationalization for cover-up was not applicable. Either way, the CIA's profession of ignorance about McWillie ~~McLaney~~ was, in the light of what we have seen, a sign of either incompetence or dishonesty. The most likely explanation is that the CIA wished to cover up its own sensitive relationship to McWillie's former employer (Giancana) and associate (Trafficante) -- especially since McWillie's name had just been checked out ~~surfaced~~ in a separate FBI investigation of Giancana on November 20 and 21, 1963, or immediately prior to the assassination (WCD 686d).

It is characteristic of the Las Vegas casinos that both the point-holders who front for the mob, and the employees who work for them "are moved about from casino to casino like pawns on a chessboard" (Reid and Demaris, Green Felt Jungle, p. 51); this serves to confuse the FBI and the Gaming Control Board as to the real facts of ownership. Thus Levinson moved from the Las Vegas Sands in 1957 (with Giancana's partner Frank Sinatra and Sam Maceo's partner Jake Freedman) to ~~the~~ Havana's ^{allegedly} Riviera Casino (where McWillie also ~~worked~~ worked, WCD 686d, cf. 11 AH 300) to be the leading point-holder of record in Bennie Binion's Horseshoe Club in 1963. Like ~~McWillie~~ ~~McWillie~~ worked "on and off many years" for

in 1963. Thus McWillie worked under his old friend Twyman Warner Richardson (later ~~indicted and acquitted~~ in the famous Friars' Club gambling fraud with his old friend Johnny Roselli) at the Capri in Havana, before succeeding him as manager of the Riverside Hotel in Reno. Likewise (5 AH 97-98). Likewise McWillie worked "on and off many years" X55

(5 AH 18)

for Binion and Levinson at the Horseshoe Club/between his stints for the McLaneys at the Carousel (1964-67) and in Haiti (1975) -- just as years earlier he had shunted back and forth between the two Maceo-Binion-Miller hotels in Dallas, ~~in Dallas~~ or from the Clifford Jones operation in Aruba to the Clifford Jones operation at the Thunderbird* The result of McWillie's various movements was to intermingle the CIA's potential embarrassment over the ~~Binion~~ ^{or the McWillie-Richardson-Roselli connection} McWillie-Giancana connection with Lyndon Johnson's potential embarrassment over the McWillie-Levinson/Jones-Bobby Baker connection, either of which might explain the resistance to disclosing the truth about either the McWillie-Ruby or McLaney-DRE gunrunning questions. For that very complicated statement we can substitute a much simpler one: it is not surprising that Burt Griffin found high-level resistance to his sensible, but frustrated, proposal for a fuller investigation of Lewis McWillie.

One should keep in mind that the Bobby Baker scandal, from another point of view, was an outgrowth of the accumulation of illicit ~~Teamsters~~ lobbying power, ^{particularly of the Teamsters.} Of ~~many~~ the names we have mentioned, Baker himself,

* ~~From 1963 to 1964~~

Ed Levinson, I. Irving Davidson, Thomas Webb, Clint Murchison, and Bedford Wynne, all had been associated with projects or proposals to be financed by the Teamsters' pension fund. ^{This is relevant to} ~~Thus~~/the section of the select committee report which argues that ~~Hoffa~~ former Teamsters President James Hoffa "had the motive, means, and opportunity for planning an assassination attempt" against President Kennedy, and had indeed discussed with his aide Ed Partin "the possible use of a lone gunman equipped with a rifle with a telescopic sight" (AR 176). The committee, sensibly, concluded that Hoffa himself had neither the character nor the control over organized crime to have planned such a murder or to have guaranteed the silence of other conspirators (AR 178). But no one could make such a claim about the ~~gamblers and~~ ~~organized crime figures~~ who had enriched themselves from Teamsters Pension Fund largesse during Hoffa's Presidency, including some of

McWillie's close associates and employers. And some of these (such as Ed Levinson at The Fremont) were also special targets of Bobby Kennedy's Justice Department in 1963.

Having noticed the ~~convergence~~ ^{convergence} of the McLaney-DRE/and McWillie-Ruby ^{Oswald} look for gunrunning overlaps, one can ~~ask~~ ^{look for} other such Oswald-Ruby

convergences in this area, and raise the question whether the Cleveland ^{whose gambling interests represented as a young man} Syndicate ~~member~~ Ed Levinson had ~~worked~~ ^{worked} in Newport, Kentucky, ^{and from whom Mike McLaney had taken over the Nacional casino in Havana,} is the same as the "organized ~~gambling~~ ^{gambling} interests in Las Vegas and Cleveland" which the committee report saw behind the "enormous financial backing" for the short-lived Chicago Junta (AR 236-37). The committee seems to have suspected this: it incorporated in its hearings a long FBI ^{contract} affidavit about the 1977/murder of John Nardi, a Cleveland La Cosa Nostra dissident and corrupt Teamsters official (5 AH 388-414). But anything tangible it may have had in this area it must have reserved for the Justice Department.

In various staff reports, the Select Committee, to its credit, "political contacts" did take notice of the ~~support system~~ in both Houses of Congress for this pervasive gray alliance of corrupt political influence. It noted that the Chicago mob had such contacts in the U.S. House in 1960 federal investigators watched while of Representatives (9 AH 14); ~~where one Congressman, "Libonati"~~

one Congressman, Ronald Libonati, "hugged and kissed" in mafia fashion, a high-level in prison, who had once been Chicago mafioso ~~convicted~~ convicted with John Roselli (Demaris, Captive City, p. 158). It printed the report of the Cuban government "from public

sources" that former Senator George Smathers of Florida, the only alleged Senator ~~had had~~ revealed to have had business dealings with Bobby Baker, had intervened with ~~the~~ U.S. officials to help secure the release of Trafficante's and McWillie's friend Dino Cellini from

Tresconia prison-camp in Havana (5 AH 325); ^P Smathers is also said to have intervened ~~in~~ in similar fashion ~~to~~ to save the threatened U.S. citizenship ~~of~~ of Frank Sturgis, who later worked with the Chicago Junta; and to have lobbied ~~with~~ with President Kennedy to have Castro

eliminated or assassinated (Messick, Lansky, p. 191). ^P Smathers' version of this story is that the President asked him what he thought of assassinating Castro; and that "even as much as I disliked Fidel Castro... Church Committee

I did not think it would be a good idea"; ~~Assassinations Staff Report, p. 325~~; Smathers conceded however that he took a "tougher stance" on Cuba than did President Kennedy (Church Committee Assassinations Staff Report, pp.

325-26). ^P The committee also disclosed that one of the CIA's more dissatisfied anti-Castro activists, Carlos Rodriguez Quesada, had been "courting sympathetic military leaders and Senators who disagreed with"

✓ Smathers, like I. Irving Davidson, had been a strong supporter of former Cuban dictator Fulgencio Batista; and he is said to have played "an important role" in the complicated Murchison-Davidson-Baker deal which resulted in penny-a-pound payments to Baker on Haitian meat (Messick, Ly, 24)

THE SECRET SERVICE AT DEALEY PLAZA

Another government report pulls its punches
by Pat Lambert

In an extraordinary public appearance in December 1975 on the television program 60 Minutes, Secret Service Agent Clint Hill broke down and cried. He had just told Mike Wallace how the Secret Service could have saved President Kennedy at Dealey Plaza. According to Clint Hill if he "had reacted about 5/10's of a second faster" he would have reached President Kennedy before the fatal shot and taken the bullet himself.(1) Since Hill was the only key agent who did his job that day, his unsparing personal assessment is ironic.¹ It is also the only entirely honest commentary on the Secret Service performance in Dallas to come out of Washington in the 15 years since President Kennedy's murder.

That performance fell dramatically short of the mark, yet two government investigations have managed to minimize its failure. The Warren Report tiptoed around the problem and finally concluded that the Secret Service agents themselves had "reacted promptly at the time the shots were fired," that it was the "configuration of the Presidential car and the seating arrangements" that prevented the agent nearest the President from reaching him in time.(2) A remarkable combination of newspeak

1. He probably saved Mrs. Kennedy's life by pushing her off the trunk into the back seat; and although two other agents were closer, Hill was the only one who made any real effort to reach the President.

and creative writing that the Report recently released by the House Select Committee on Assassinations could hardly equal. Still, in spirit and intent, this new evaluation is a chip off the same bureaucratic block.

It first raises our expectations by concluding that the Secret Service over-all "was deficient in the performance of its duties," then immediately lowers them again in its discussion of the evidence.(3) Most of that is devoted to how certain threats received by the Protective Research Section (the agency's memory bank) were handled before the assassination. What happened on Elm Street during the shooting, what the agents accompanying the President actually did, and why they did it is covered in one and one-half pages. Actually covered is an extravagant term for the skimpy assessment presented here.

Slapdash rundown is more precise, one that relies heavily on the old record assembled by the Warren Commission. That dependence on 15-year-old data suggests what the text confirms-- where the actions of the Secret Service at Dealey Plaza were concerned, this Committee was unwilling or unprepared to stake out any new ground, to confront any of the fundamental questions that were side-stepped by the Warren Commission originally and have persisted all these years.

It does give us a new alibi, however. Unlike the Warren Commission's inventive indictment of the Presidential car, the loophole it provides is straightforward and serviceable, one that's applicable across the board to all the agents concerned:

The Committee concluded that Secret Service agents in the motorcade were inadequately prepared for an attack by a concealed sniper.(4)

Training and regulations were at fault, not individual responses.

Driver William Greer, for instance, failed to take "evasive action" because his "instructions were to act only at the judgment of the agent in the right passenger seat (Roy Kellerman), who had general supervisory responsibilities..." Greer, the Report contends, "should have been given the responsibility to react instantaneously on his own initiative..."(5) What Greer would have done differently acting on his own we aren't told.

That doesn't really matter because the argument is specious, unsupported by Secret Service written guidelines, and contradicted by testimony from an agency spokesman. The relevant rule set forth in the Secret Service document outlining principles of Presidential protection states:

The driver of the President's car should be alert for dangers and be able to take instant action when instructed or otherwise made aware of an emergency. (emphasis added) (6)

There is no question that Greer was "made aware" of the emergency situation at Dealey Plaza. He told the Warren Commission that after the second shot he saw Governor Connally starting to fall and that he knew the President was "injured in some way."

Secret Service Inspector Thomas J. Kelley, in his testimony to this Committee, made it clear what Greer's "instant action" should have been. When asked about Greer's instructions, Kelley said:

...generally the instructions to the drivers of the cars are to be prepared to get the President away from any dangerous situation.(7)

"Evasive action" wasn't needed. All Greer had to do to get the President "away" from Dealey Plaza was step on the gas; but in fact the car slowed down.² Why? Did Greer receive "instructions" to slow it? Or did he do that on his own initiative"?

2. Exactly when this slowdown occurred is unclear. Some witnesses place it before the final shot, while others (including the Warren Report) say it happened after.(8)

Anyone who doubts Greer was aware of the situation behind him should take a long hard look at the Zapruder film. It shows how Greer used those precious moments while he was supposedly waiting for Roy Kellerman to evaluate the situation and tell him what to do. Just before the fatal shot struck President Kennedy in the head, Greer turned full around in his seat and he was facing that direction when the fatal bullet found its mark. Just why Greer made that quick, complete turn to the rear and what he saw (it would appear he had a singular view of the shot that changed our political history) remains a mystery--Greer denies he did what the film indisputably shows him doing. He claims he only glanced over his shoulder and never turned around far enough to see the President.

The Report makes no effort to examine what Greer actually did at Dealey Plaza, but it would have us believe this: while the President was being assassinated a few feet away, as shots rang out, Governor Connally shouted, and spectators screamed, William Greer sat behind the wheel of the Presidential limousine for more than eight full seconds, his hands tied by the rules, waiting for instructions from his superior.

That interpretation of Greer's failure to react is at odds with common sense, the agency's own guidelines and the unambiguous statement of Inspector Kelley that in case of danger to the President the driver's instruction "is to get the President out of there..."(9)

Roy Kellerman, Senior Agent in Charge. This poor man has enough to answer for without being unfairly saddled with the responsibility for the driver's inaction as well. Sitting in the

right front seat of the Presidential car, Kellerman represented Jack Kennedy's single best hope for survival.

Once the firing began, it was Kellerman's "primary function" to remain "in close proximity to the President," as this Report expresses it.(10) That means it was up to him to see that the so-called defense of last resort was carried out, to use his own body as a human shield, if necessary, to protect the President. Kellerman, of course, did no such thing and this Report is blunt about that, saying Kellerman took no action "to cover the President with his body, although it would have been consistent with Secret Service procedure for him to have done so."(11) Why he didn't the Report doesn't say, nor does it say what he did instead.

We know from the Zapruder film and Kellerman's own testimony that he turned around before the fatal shot and saw the President was wounded. At that moment if he had vaulted into the back seat and pushed the President down, out of the line of fire, Jack Kennedy probably would have survived. Instead Kellerman decided to radio for an escort to a hospital because the President "needed medical treatment."(12) An explanation so inane it would be laughable if the consequences of Kellerman's "decision" weren't so grim. Within seconds the fatal shot struck making any "medical treatment" superfluous.

Did Kellerman really make a deliberate decision not to go to the President's aid? Did he really think it more important to make that radio call? Why is the testimony about that call so vague and contradictory? Why, for instance, does Greer's first FBI interview say he placed it?

Kellerman claimed he started the call before the fatal shot and that while he was talking the final "flurry of shells came into the

car."(13) Why, then, wasn't his transmission heard in the follow-up car? On the contrary, after the last shot was fired, the agent in charge of that car felt compelled to make precisely the same call himself; and he contacted the same agent Kellerman claims he called, Winston Lawson, the advance man riding in the lead car in front of the Presidential limousine.(14) Yet Lawson mentions only one radio message; it came after the shots were fired, exactly when is unclear, and the source isn't identified.(15) If two calls were made, why did Lawson receive only one? Did the call he receive come from Kellerman or from the follow-up car?

There is little in the rest of Kellerman's testimony to inspire confidence. In an early statement to the FBI (later denied) Kellerman claimed he saw the President reaching for his back, a movement that never occurred.(16) He also maintained the President spoke after the firing began, something else that never occurred.³

Just as President Kennedy had the right to expect Kellerman's help, we have the right to know why Kellerman failed him. Was it just a matter of poor judgment? Or a failure of will perhaps? Or was it something else? The Warren Commission understood the necessity of explaining Kellerman's inaction and went to some length to improve on his rationale. It claimed the design of the vehicle and the passengers in the jump seats prevented him from

3. Kellerman's first FBI interview has the President saying, "Get me to a hospital." Though ridiculously improbable, if the President had given such a verbal command, Kellerman could have claimed he was following an executive order when he turned away from the stricken President and reached for the radio. (Kellerman later claimed the President said, "My god, I've been hit," and denied giving the earlier version to the FBI.)(17)

going into the back, even though Kellerman, himself, categorically rejected that suggestion.(18)

This Committee gives us no reason at all, nor does it comment on the Warren Commission's invention, or Kellerman's own excuse; it ignores both equally. That may advance candor by one notch in this instance, but it still leaves the public with an important piece of the puzzle missing.

President Kennedy as scapegoat. The Report's effort to clear the agents of any individual responsibility produces one statement that can only be described as embarrassing:

Had the agents assigned to the motorcade been alert to the possibility of sniper fire they possibly could have convinced the President to allow them to maintain protective positions on the rear bumper of the Presidential limousine and both shielded the President and reacted more quickly when the attack began.(19)

The convoluted, subjunctive mood used here suggests that while the author was thinking about it, he was somewhat reluctant to blame President Kennedy for the way things turned out in Dallas; but the next sentence leaves no doubt about his real convictions:

The committee recognized, however, that President Kennedy consistently rejected the Secret Service's suggestions that he permit agents to ride on the rear bumper of the Presidential limousine...(20)

The message is clear--if only Kennedy had let the agents ride where they wanted to ride, they could have done their job that day.

The Report is certainly justified in pointing out why no agents were riding on the President's car; but it is deliberately misleading to imply that distance alone prevented the outside men on the follow-up car from reaching the President in time. That simply isn't the case.

Clint Hill estimated that after the turn onto Elm Street

only about five feet separated the Presidential limousine and the Secret Service follow-up car.(21) This Committee established that a full 8.3 seconds elapsed between the first shot and the fatal head shot. With that much time the Secret Service didn't need a Bruce Jenner on the outside of the follow-up car in order to reach the President before the fatal shot. Any one of the four men, reacting soon enough, might have made it; certainly the two on either side of the front could have. Why none of them did, why only one came close, is a question any examination of the Secret Service performance in Dallas must deal with. The awkward passage quoted above is this Committee's effort to do that.

The real answer lies in the way the scanning duties are compartmentalized and in the conduct of one particular agent. The outside men had specific areas they were supposed to watch and, as Inspector Kelley told this Committee, their assignments actually required them "to be looking away from" the President.(22) Only one agent was responsible for watching "straight ahead"--Shift Leader Emory Roberts, riding in the right front seat of the follow-up car, who was in charge of this group of men.(23)

Emory Roberts' written statement dated November 29, 1963, clearly states he saw the President's movement as he reacted to the first shot.(24) That movement was also noticed by Presidential Aide Dave Powers, who was directly behind Roberts, and it prompted Powers to tell Kenneth O'Donnell (sitting beside him) that he thought the President was hit; when Clint Hill caught the same movement an instant later, it caused him to break for the Presidential limousine.

Roberts, on the other hand, did nothing. He shouted no alarm, made no effort whatever to alert his outside men that the President might need their help until after the fatal head shot. That's why Clint Hill reacted 5/10's of a second too late; and why John Ready, who was right beside Roberts and closer to the President than Hill, only managed to take a few forward steps before the head shot impacted, making all effort an empty gesture.

The photographic analysis cited by the Committee that showed some agents "were beginning to react approximately 1.6 seconds after the first shot" obviously doesn't refer to Roberts.(25) For some reason, his reaction time was 8.3 seconds plus.

Instead of acknowledging the machinations of the scanning operation and Emory Robert's unfulfilled responsibility, this Report bemoans the fact that agents weren't permitted on the Presidential car, suggesting that Jack Kennedy was the real culprit.

Carrying on the tradition. Fifteen years ago the Warren Commission was determined to reassure the American people about everything, including the Secret Service; and this Report carries on that paternalistic tradition like a kindly uncle obligated to say something comforting to the children at graveside. Just listen:

The Committee found that, consistent with the protective procedures and instructions they had been given, the Secret Service agents performed professionally and reacted quickly to danger...(26)

Professionally? Quickly? Who? The Report doesn't say; the words are meant to sooth, not to inform. And that's not the end of it; there's more:

Although the conduct of the agents was without firm direction and evidenced a lack of preparedness, the Committee found that many of the agents reacted in a positive, protective manner.(27)

Positive? Protective? Many? That fanciful claim is supported by a recitation of the actions of two agents, neither of whom was assigned to President Kennedy (Clint Hill, assigned to Mrs. Kennedy and Thomas Lem Johns, assigned to Lyndon Johnson). What about the agents guarding the President that day? Where were

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they when the guns went off? What did they do that was "positive" or "protective"?

Tucked away in one of its footnotes is a sweet bit of wisdom the Committee should have applied to its text on the Secret Service: "There is virtue in seeing something for what it is, even if the plain truth causes discomfort."(28) If there's one thing we've all gotten use to in recent years its the "discomfort" of unpleasant facts. The plain truth is just what we're asking for; and it seems to be about time someone realized we're up to it.

In the Introduction he wrote for the Bantam edition of this Report, Committee Chief Counsel, G. Robert Blakey, made the following remark:

It was a sobering experience for me to discover failures by our government to the degree that we set out in this Report. The failures were so sobering that some members of the Committee were not willing to carry the conclusions out to the full force of the evidence.(29)

It's impossible to know what government "failures" Mr. Blakey had in mind when he wrote those lines, but the shoe does seem to fit the Secret Service--it certainly failed at Dealey Plaza. The Report acknowledges that much. Yet the real case is never developed. The record is not presented, the obvious questions are not asked, and the conclusion reached--that the agents were merely inadequately prepared for sniper fire--in no way represents the "full force of the evidence."

Conspiracy. This Report's analysis of the JFK assassination communicates a double message throughout. It cries wolf but in a muffled voice hoping not to disturb anyone. It presents acoustical evidence implicating a second shooter that leads to a finding of conspiracy, then it dismisses that conspiracy as politically and socially unimportant (Oswald and friend(s) got lucky). A strange tactic

this unflinching effort to belittle its own findings. Strange, and in the long run, unsuccessful. For despite all its caution, its understatement, its obvious reluctance to do so, this Committee has jarred the ugly conspiratorial door. And who can say where the conspiracy to murder President Kennedy left off?

The Report seems to exonerate everyone, naming and acquitting them, one after another--the Soviet Government; the Cuban Government; anti-Castro Cuban groups; and the national syndicate of organized crime. But don't miss the small print. In the case of the last two, the vindication applies only to the group as a unit and "does not preclude the possibility that individual members may have been involved."

Of course, the clean bill of health extended to the Secret Service, the FBI and the CIA that proclaims they "were not involved in the assassination" stands alone, without that qualifying tag line. But isn't it there anyway, an unstated but obvious fact of life? How can anyone vouch for all the individuals employed by those agencies?

In the discussion absolving the Secret Service of involvement, no mention is made of the performance of the White House Detail during the shooting. Why not? What difference does it make how clean the agency's hands are regarding trip planning and the route taken by the motorcade if we are left with unresolved questions about the non-reaction of the three key agents who were charged with the President's protection that day?

Isn't it reasonable to wonder whether a sophisticated plot to assassinate President Kennedy could have penetrated that circle of men who guarded his life? Doesn't the ubiquitous passivity

that seems to have paralyzed the Secret Service during those crucial 8.3 seconds. give us cause to wonder?

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Chapter 1: End of a Delusion?

By its finding of a second gunman, the House Select Committee on Assassinations has hopefully begun the process of healing the residual national schizophrenia over the Kennedy assassination. We now have the opportunity of ending both the delusion built around the lone assassin, and the myth of an unshakable and malevolent government conspiracy to preserve that legend.

Chapter 2: Acoustical Evidence: The Shot from the Grassy Knoll

New evidence: a Dictabelt recording, made from a stuck Dallas Police motorcycle microphone, picked up the sounds of the shots. Scientific analysis of the echoes proved that one shot came from the grassy knoll in front of the President. The conclusion: conspiracy.

Chapter 3: The Paradox of Dealey Plaza

The Select Committee's work has produced a startling paradox: while a second gunman is now a virtual certainty, the evidence at this moment is stronger than before that all of the wounds were inflicted by a single gunman. There remain unresolved problems with the Committee's reconstruction, such as the 1.7 second interval between the first two shots.

Chapter 4: The Acoustical Evidence and its Critics

The acoustical analysis has stood up well technically. The arguments of the outspoken and influential opposition, often based on secondary or extraneous evidence, have so far failed to undermine the scientific foundation of the second-gunman conclusion. Further studies of the Dallas Police recording might succeed in pinning down the source of every shot.

Chapter 5: The Initial Coverup and How It Worked

For years, it has been argued that the solution to the assassination lies in exposing the coverup. The nature of the coverup suggests that the assassination was plotted in such a way that to unravel it would threaten major governmental interests. False rumors, some threatening world peace, led at least one ranking official to settle on the lone assassin hypothesis without malevolent motives. In the end, the Warren Commission had little alternative but to go along.

Chapter 6: From Garrison to Blakey - 1967 to 1977

Public acceptance of the Warren Report crumbled after it was scrutinized by citizen critics. In 1967, at the time of the unsuccessful Garrison investigation, reports linking the assassination to plots against Fidel Castro agitated the government at its highest levels. Following Watergate, Sen. Richard Schweiker led the first official investigation to successfully prove that there had been a coverup. Pressures for disclosure mounted, leading to the formation in 1976 of the House Select Committee on Assassinations.

Chapter 7: The House Select Committee - Hearings and Report

The Committee's bottom line was conspiracy, but the public hearings and much of the final report left many questions unanswered, and many students of the case frustrated.

Chapter 8: Military Intelligence: The Missing Acquittal

Despite its conviction that Lee Harvey Oswald was an authentic Marxist assassin, the Select Committee could not rule out his possible affiliation with military intelligence. In its acquittal of specific government agencies of involvement in the assassination, the Committee's report conspicuously failed to include military intelligence. The Committee did not speak of coverup, but it was profoundly shaken by the Defense Department's "routine" destruction of relevant files.

Chapter 9: Oswald and Nosenko: The Tale of the Dubious Defectors

Shortly after the assassination, Yuri Nosenko "defected" from the KGB with the message that the Soviet government had not recruited Oswald during his stay in Russia from 1959 to 1962. Nosenko's action led to the most famous internal controversy in CIA history, involving charges of high-level KGB penetration. CIA testimony on the harsh treatment of Nosenko in the U.S. enmeshed the Select Committee in this controversy. The Committee's verdict: Nosenko was a dubious witness, but the KGB did not kill President Kennedy.

Chapter 10: The Mob, the Kennedys, and Oswald

Robert Blakey, chief counsel for the Select Committee and a veteran of the Kennedy administration war on organized crime, became convinced that the mob killed Kennedy. At least with respect to Oswald's links to Carlos Marcello and organized crime, the published evidence does not make a compelling case. The continuing investigation should be made with a wider perspective.

Chapter 11: How a Successful Conspiracy Works

The Select Committee leaned towards a small, simple conspiracy, to which a coverup would have been incidental. A large conspiracy, it suggested, would have been detected. For example, the national commission of the Mafia was cleared by negative wiretap evidence. However, former Warren Commission counsel Burt Griffin persuasively argued that perhaps "it is virtually impossible to prosecute or uncover a well-conceived and well-executed conspiracy."

Chapter 12: Autonomous Operations: Conflicting Elements in U.S. Policy Towards Cuba

U.S. policies towards Cuba during the Kennedy administration ranged from CIA-Mafia plots to kill Castro to a crackdown on raids by Cuban exiles; from discreet indirect support of certain anti-Castro Cubans to exploration of detente. Some of these actions may have taken on a life of their own. The Select Committee concluded that one can not preclude the possibility that individual anti-Castro Cubans were part of the conspiracy which killed President Kennedy.

Chapter 13: The Chicago Junta

A Secret Service investigation of a possible assassination conspiracy, never completed, focussed on members of the Chicago-based Junta del Gobierno de Cuba en el Exilio (JGCE) and their financial backers, including organized gambling interests. In particular, it focussed on a member of a Cuban exile group, the DRE, which was in contact with Oswald. The history of the Chicago Junta alliance illuminates the changing relationship among anti-Castro Cubans, organized crime, and intelligence agencies in 1963.

Chapter 14: The Chicago Junta and the Kennedys

In September 1963, the Kennedy administration moved unambiguously against some of the former casino interests' mercenaries now working for the MIRR and bankrolled by the head of the Chicago Junta. MIRR operations, headed by one of the most extreme anti-Castro terrorists, included a training camp near New Orleans which Oswald was accused of trying to penetrate.

Chapter 15: Oswald and Cubans in New Orleans

On his pro-Castro literature, Oswald used an anti-Castro address (frequented by one or more supporters of the training camp). This is but one of the indications that Oswald's public posture as a leftist may have been staged for right-wing propaganda purposes.

Chapter 16: Oswald in Dallas

There are reports that Oswald in Dallas, as earlier in New Orleans, contacted anti-Castro Cuban groups allied with the Chicago Junta. A second possibility is that a right-wing Oswald look-alike was playing this role. What is certain is that the Oswalds' patron, George deMohrenschildt, met with U.S. Army Intelligence about Haitian operations with anti-Castro overtones.

Chapter 17: Ruby, the Mob, and Politics

The Committee established that Ruby had a number of contacts with underworld figures, some of whom were connected not only to top Mafia leaders but also to the gray alliances in the politics of Chicago, Dallas, and perhaps Los Angeles.

Chapter 18: Ruby, Havana, and the CIA-Mafia Plots

Despite outward appearances, the mysterious backgrounds of Ruby and Oswald blend more and more into each other as they are brought more clearly into focus. The area of that convergence is the milieu of Teamster gunrunning to Cuba, the CIA-Mafia plots against Castro, and the 1963 Chicago Junta alliance.

Chapter 19: From Washington to the Police Basement: The Dimensions of the Case

It is now clear why the Warren Commission could not have followed up on a proposal for a fuller investigation of Ruby's chief ~~associate~~ ^{in Cuba} associate, Lewis McWillie: such an investigation would have ranged into the sensitive areas of CIA-Mafia associations and a political corruption scandal concerning a protege of Lyndon Johnson's. Other sensitive areas not explored by the Commission include still unresolved questions about the performance of Dallas Police Department personnel, including possible assistance to Ruby, when Ruby shot Oswald in the DPD basement.

Chapter 20: Beyond Conspiracy

The Kennedy assassination and coverup cannot be wholly understood in terms of particular individuals and their private conspirations. Our research takes us beyond conspiracy, into on-going gray alliances which underlie the political arrangements of our society and which have not yet been eliminated.

Peter Dale Scott
Paul L. Hoch
Russell Stetler
Josiah Thompson

CHAPTER VIII

MILITARY INTELLIGENCE: THE MISSING ACQUITTAL

A forty-five page chunk of the Select Committee's Report appears under the finding "The Secret Service, Federal Bureau of Investigation, and Central Intelligence Agency were not involved in the assassination of President Kennedy." ^(AR 181) A thirty-page subsection on the CIA includes a significant ^{six-page} digression on the mysterious activities of Defense Department intelligence agencies in relation to the assassination and Lee Harvey Oswald. ^(AR 219-25) A concluding paragraph offers a terse amplification of the finding exculpating the Secret Service, FBI, and CIA of any involvement in the assassination. Despite the long digression on military intelligence, there is not a word to admonish the reader to presume innocence when contemplating the curious behavior of the Defense agencies. Questions and suspicions seem to be left deliberately in the reader's mind. And, off the record, at least three Committee sources have cryptically confirmed their lingering doubts in the area of military intelligence.

The ~~unanswered~~ unanswered questions are in three broad categories: (1) Oswald's defection to the Soviet Union; (2) the role of Army intelligence agents in Dealey Plaza on November 22, 1963; and (3) the role of Army intelligence in providing post-assassination information and misinformation on Oswald. As noted above in chapter five, there are hints in FBI and CIA files that those agencies may have suspected that Oswald was at some time working for another federal agency. A post-assassination FBI memo, for example, regretted the Bureau's failure to put a stop on the defector's passport "particularly since we did not know definitely whether or not he had any intelligence assignments at that time." (As Peter Dale Scott has noted elsewhere, only U.S. intelligence assignments would have mitigated, rather than strengthened, the FBI's need to keep track of Oswald's movements.) Similarly, a CIA Case Officer involved in anti-Castro plots told the Schweiker-Hart Committee that "he does not know to this day ~~whether~~ that Oswald had any pro-Castro leanings." The Select Committee's investigation has produced ~~farther~~ new CIA testimony consistent with the possibility that Oswald was -- or was believed to be -- involved with military intelligence at the time of his defection.

The Deputy Chief of the CIA's Soviet Division (who had testified

cast light on

chiefly about the Soviet defector Nosenko) ~~defended~~ the CIA's failure to assess the potential damage from Oswald's defection after his Marine Corps service at a U-2 base. According to this testimony, it was the responsibility of the Office of Naval Intelligence to determine what sensitive information Oswald ~~had~~ ^{possessed. (12 AH 626)} But the CIA's failure to make a damage assessment constituted only half the puzzle. The Select Committee questioned former CIA Director Richard Helms about the other half: why the CIA didn't try to debrief Oswald when he returned from his abandoned defection. Although the committee didn't press Helms on the issue, it was aware of a CIA memo indicating that contact with Oswald had been considered (contrary to Helms's testimony before the Warren Commission). But the CIA ~~initially~~ told the committee that between 1958 and 1963 it "relied upon the FBI both to make such contacts and report any significant results." ^(AR 209) Surprisingly, Helms gave a different explanation in his testimony.

Under questioning by Representative Fithian about whether a defector's return would ^{have} normally trigger ^{ed} a CIA interview in 1962, Helms replied:

Normally, it would have, except that he would have been regarded by the Agency as a member of a reserve member from the Defense Department and therefore it would have been up to the Navy to take him over and talk to him. (4 AH 178)

Helms repeated this explanation under questioning by senior staff counsel Michael Goldsmith:

Mr. Goldsmith: Would standard operating procedure have called for Oswald to have been debriefed?

Mr. Helms: I would not have thought so, Mr. Goldsmith. I think that the standard operating procedure after he returned to the United States would have been for the Navy to debrief him.

Mr. Goldsmith: Why is that, Mr. Helms?

Mr. Helms: Because he had been a member of the Marine Corps, and I believe he stayed in the Marine Reserve, if I am not mistaken. But in any event, the understanding were that military officers were handled by the intelligence organs of the Defense Establishment. (4 AH 184)

(In fact, Oswald had been given an undesirable discharge from the Marine Corps Reserves on August 17, 1960; shortly before his return to the United States in 1962, he wrote to the Marine Corps seeking a review of the discharge.)

Helms was not asked in the public hearings whether the CIA ever suspected that Oswald had been in the Soviet Union on a mission for military intelligence. But there is indirect evidence that the Select Committee was well aware of this possibility. Private researchers turned up evidence that until ^{around} 1958 all U.S. agents in the Soviet Union, such as false defectors, were controlled by the military intelligence agencies. Despite the transfer of responsibility to the CIA around 1958, it remained a distinct possibility that the Department of Defense was reluctant to yield control of this crucial intelligence-gathering capacity to a rival agency. In short, it might have continued planting a few agents from time to time -- without admitting to the CIA that it was ignoring the official bureaucratic guidelines delineating responsibilities and prerogatives. Helms and the CIA might have suspected a little cheating in the grand arena of interagency competition.

If Oswald were involved in an unauthorized intelligence mission, sponsored by a Defense agency but kept secret from the rest of the intelligence community, many mysteries could be explained. Such an association would not implicate the U.S. military in the Kennedy assassination. On the contrary, any agency which decided to murder the President of the United States would presumably not choose an assassin who could ever be traced to its doorstep. But a supersecret link between Oswald and a covert military intelligence mission would explain the curious behavior of many agencies in the post-assassination investigation.

A researcher who passed on this speculation to a Select Committee staff member found -- much to his surprise -- that the Committee not only knew about the early Defense Department control of planted defectors, but ~~members~~ ^{for} apparently had discussed the issue widely enough ~~that~~ ^{to be} staff members who were not working primarily on intelligence matters were aware of the implications. In this context, the Select Committee's specific failure to preclude the possibility that Oswald did have ties to military intelligence assumes added significance.

The committee's ~~inability~~ inability to resolve its doubts in this important area resulted in large part from the Defense Department's bizarre disclosure that it had routinely destroyed in 1973 an Oswald

file that was never examined by the Warren Commission or any other non-military investigator. According to the Report, "The committee found this 'routine' destruction of the Oswald file extremely troublesome, especially when viewed in light of the Department of Defense's failure to make this file available to the Warren Commission. ~~Specifically~~ . . . without access to this file, the question of Oswald's possible affiliation with military intelligence could not be fully resolved." ^(AR 224) But the situation is even worse than the Select Committee indicates. Back in March 1964, a Warren Commission staff lawyer, ~~Sam~~ ^{Samuel} Stern, realized that the Commission's initial routine request for all pre-assassination Defense Department files on Oswald had not prompted full Pentagon compliance. Stern wrote a rather blunt letter, to which the Defense Department replied five days later that all known material on Oswald had been furnished to the Commission. The statement was clearly false: the only matter for debate is the number and nature of files Defense may have been withholding.

In the fall of 1977, in response to suits by Warren Commission critic Harold Weisberg and others, the FBI began releasing over a hundred thousand pages from its files on the Kennedy assassination. Some of these documents revealed that Army Intelligence in Texas had a pre-assassination file on Oswald. Although this file had been destroyed, the Select Committee did discuss it with someone they considered a credible witness -- Lt. Col. Robert E. Jones.

Jones gave the FBI detailed information on Oswald on the day he was arrested in Dallas. According to the committee, "This information suggested the existence of a military intelligence file on Oswald and raised the possibility that he had intelligence associations of some kind. ~~was~~ The Committee's investigation revealed that he was perceived as a possible counterintelligence threat." ^(AR 221) Jones told the committee his Oswald file contained documents and newspaper clippings; his recollection was that the file was opened in mid-1963 in response to information from the New Orleans Police Department about Oswald's Fair Play for Cuba Committee activities. Immediately after the assassination, Jones went to his office at Fort Sam Houston, near San Antonio, and contacted Military Intelligence Group personnel in Dallas and "instructed them to intensify their liaisons with Federal, State and local agencies and to report back

any information obtained." (AR 222)

The Select Committee not only described Jones as a credible witness; it also chose to disregard documents which are in conflict with his present recollection. In a footnote, the committee states, "Questions had been raised about the contents of some FBI communications on November 22, 1963, that reflected information allegedly provided by military intelligence. In his testimony, Jones clarified several points and corrected several errors in these communications." Since his own files are destroyed, there is no means of testing Jones's testimony against his own documentary records.

One crucial question concerns what Army Intelligence knew about the alleged Oswald alias "A. J. Hidell" -- the name under which the Mannlicher-Carcano rifle was purchased. The Report states that early on the afternoon of the assassination Jones "received a telephone call from Dallas advising that an A. J. Hidell had been arrested or had come to the attention of law enforcement authorities." It concludes that Jones found the name Oswald when checking a file that was linked Oswald and Hidell. Jones now testifies that his indices "indicated there was a file on Lee Harvey ^{Oswald} ~~Oswald~~, also known ^{by the name} as A. J. Hidell." (AR 222) But the known FBI documents make a different point. They suggest that Army Intelligence learned of Oswald's draft card in the name Hidell within an hour and a half of Oswald's arrest. By promptly citing its file on alleged distribution of "Hands Off Cuba" literature by Hidell, the Army quickly produced the name of an apparent political associate of Oswald -- prompting the FBI in Washington soon to instruct its field offices to locate Hidell and interview him thoroughly "concerning any knowledge of or possible participation in plot to assassinate the President."

If, as Jones testified, the Army knew that Hidell was an Oswald alias, they knew something that had escaped the knowledge of all the other intelligence agencies at that time. (In fact, it could only have been known by Oswald and his closest associates -- or ^a conspiratorial control agent.) But if ^{as seems more likely} his present testimony is in error, a mystery remains as to how Army Intelligence ~~learned~~ so quickly connected "Hidell" to the assassination -- and inspired FBI efforts to track down the possible co-conspirator.

not an associate but actually

The question of the accuracy and extent of the Army's pre-assassination files on Oswald is particularly significant in light of a dramatic and provocative post-assassination dispatch of misinformation. On the evening of November 24, a cable went from the Army at Fort Sam Houston to the U.S. Strike Command in Florida. Following up on an earlier phone call, the Army provided background information on the Fair Play for Cuba Committee. The cable then transmitted ^a false information ^{report, allegedly} from Assistant Chief Don Stringfellow of the Dallas Police Intelligence Section claiming that "information obtained from Oswald revealed he had defected to Cuba [sic, not the USSR] in 1959 and is card carrying member of Communist Party." This cable alone has drawn the attention of many critics to the role of the Army's 112th Intelligence Group in those critical November days when many exile groups hoped that the assassination might be blamed on Castro and might prompt U.S. retaliation.

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As we will see in later chapters, military intelligence played its own significant role in the Cuban exile milieu. In addition, it overlaps with other important constituencies in the Dallas drama, such as the Dallas Police Department. (Various

Stringfellow's superiors ^{also officers} Capt. W.P. Gannaway ~~(...)~~ and Deputy Chief George Lumpkin.)
Specific individuals in the local Army Intelligence unit pop up

at crucial points in the unfolding mystery of November 22, 1963: one Army Intelligence agent met with FBI Agent James Hosty that morning; another was inside the School Book Depository when the sniper's rifle was found; the head of the unit helped select an interpreter for Marina Oswald's critical early interviews.

Finally, contrary to a previously published report that the 112th Army Intelligence Group was asked not to provide routine auxiliary support to the Secret Service on November 22, Colonel Jones has testified to the Select Committee that between eight and twelve military intelligence agents did perform liaison functions with the Secret Service in Dallas on the day of the assassination. Jones indicated that these agents who were providing supplemental security "had identification credentials and, if questioned, would most likely have stated ~~that~~ that they were on detail to the Secret Service." ^(AR 134) These agents could answer many questions about

reports of Secret Service personnel in Dealey Plaza at times and in locations which ~~xxxx~~ are inconsistent with the established movements of all the Secret Service men in the presidential motorcade. Most importantly, ^{as we have seen,} * Dallas police officer, ^{Joe Marshall Smith} reported encountering someone on the grassy knoll who said he was a Secret Service agent and had some credentials. ^(AR 184) The time was just after the assassination. If this grassy knoll mystery man was indeed an Army intelligence agent seconded to the Secret Service, his identity is of the greatest importance in the face of the acoustic evidence of a shot from the knoll. One wonders what the Select Committee might have thought about this question -- or how it might have treated the matter if its evidence of a knoll shot had been established six months earlier.

In any event, the Select Committee has left us with intriguing ambiguity in the military intelligence area. It found Colonel Jones credible to the point of dismissing documents that contradicted him. Yet in spite of all its assertions about Oswald the authentic Marxist assassin, it would not rule out his possible affiliation with military intelligence. The Report builds no bridges from military intelligence to the exile milieu and organized crime; yet ^{as one} ~~one cannot~~ read the staff reports ^{one discovers that} ~~without discovering how illusory are the categories which appear to delineate one from the other.~~ ^{there are connections between these apparently discontinuous groups} The Committee did not speak of cover-up, but no governmental action seems to have shaken it quite so profoundly as the Defense Department's "routine" destruction of a file on which history had a most compelling claim.

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overnight rather than leave a trail to ~~Mark~~ the local mob.

In addition to the report's mysterious silence on particular details, it is limited to an unusual degree by its rigid structure. The most striking structural feature of the report is that it is a set of findings, with explanatory text. It is not a chronological reconstruction of what happened in Dallas; nor is it a reflection of the Select Committee's own step-by-step investigation; nor does it deal systematically with the now-refuted Warren Report and its earlier critics. In contrast, the Warren Report had narrative chapters on the assassination, Oswald's detention and death, Oswald's background, etc. Comparatively, ~~marking~~ the Warren Report was an easy sea to navigate. Although ~~it~~ ^{the Warren Report} was criticized at the time of publication because it had only a name index, the Select Committee Report has no index at all (despite a budget in excess of \$5 million). The footnote section lacks running heads to indicate the pages of text to which they correspond. (Committee sources blame the Government Printing Office for all such technical problems, but since the committee staff included at least two professional journalists, their failure to give further attention to problems of publication is difficult to excuse.)

The Select Committee's supporting volumes compare unfavorably in completeness to the Warren Commission's twenty-six volumes. The Warren Commission published all its hearings (five volumes), depositions (ten volumes), exhibits used in the hearings (three volumes), exhibits used in depositions (three volumes), and other miscellaneous exhibits (five volumes). The last five volumes of exhibits are mostly FBI reports and other raw data (in quite unedited form) which were cited in the main report.

The Select Committee published all its public hearings, with the exhibits that were introduced in that context (five volumes). But only a fraction of the executive-session testimony and depositions has been published. There is not even a list of all the witnesses! There are many depositions from possible Organized Crime figures, including associates of Jack Ruby. There are conspicuously few on sensitive intelligence matters.

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Three more Select Committee volumes contain scientific reports, from the panels on photographic evidence, medical evidence, firearms, acoustics, polygraphy, handwriting, and fingerprints; these volumes include many exhibits. The last four volumes are mainly staff reports. Some have many exhibits; others have none. The largest volume is devoted to Organized Crime; another is almost exclusively devoted to anti-Castro activities. Miscellaneous staff reports cover such topics as Oswald in New Orleans, the mysterious Soviet defector Yuri Nosenko, and the equally enigmatic George DeMohrenshildt. Some of the staff reports -- for example, in the area of Cuba plots -- are rich in detail and far more provocative than the report. On the other hand, in some crucial areas of the report (such as the FBI's investigation) there are no published staff reports at all. Most remarkably, some of the evidence cited in the report is not published in the "supporting" volumes. Some is classified; some is simply not there.

The Warren Commission apparently expected that nobody would bother to compare its report with its own published evidence. After fifteen years of critical activity, the Select Committee was not about to make that mistake. But its failure to give the public access to important evidence may have just as serious an effect on the committee's long-term credibility. What the Warren Commission chose not to publish was sent to the National Archives, where most of it has eventually been released. All the withheld material is reviewed every five years, and it is subject to citizen requests under the Freedom of Information Act. Hopefully, none of the Select Committee's unpublished evidence has been destroyed. But since congressional files are exempt from Freedom of Information requests, it will require a special action from Congress to release committee material. While considerations of personal privacy may make it inappropriate to release some files, such concerns should not become a blanket justification for withholding evidence from critical public scrutiny. An uncomfortable irony of the present situation is that the congressional investigations which have effectively broken open the case have also accumulated and withheld more evidence than was ever denied to the public before.

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Besides the frustration of a report that cites unpublished and inaccessible evidence, the serious reader confronts a major structural anomaly. There is a superficial neatness in the way the report ticks off each finding; but this structure hides the historical fact that the conspiracy conclusion -- based on the physical evidence, which comes first in the report -- did not really serve to guide the investigation which led to the findings about possible conspirators. In short, all the evidence implicating the Mafia and exculpating government agencies was gathered before acoustics experts Weiss and Aschkenazy persuaded the Select Committee that there were two snipers. One can only imagine how different the investigation might have been if this acoustics evidence had arrived a year earlier. The committee would presumably have looked at all the Dealey Plaza evidence in a different way -- perhaps even giving more careful consideration to the possibility that Oswald was framed. The probability of a frame-up increases greatly once a conspiracy is accepted.

Let us assume that if the acoustics evidence had come in earlier, Representative Dodd would have succeeded in persuading the rest of the committee to repeat the most sophisticated analysis on the three shots from the rear, as well as the knoll shot. What if such an analysis had proved that one or two of those shots did not come from the sixth-floor Book Depository window, but originated instead, say, in the Dal-Tex or Records Buildings on adjacent corners? The significance would not lie in establishing a third sniper, but in calling into question the three spent cartridge cases allegedly found near the sixth-floor Book Depository window. If there were clear evidence of an effort to pin most of the blame on one gunman -- Oswald -- then it would be difficult to assume that the object of that blame was a witting conspirator.

We can imagine what sort of investigative plan might have been followed if the finding of conspiracy had come at the outset of the investigation. But we do not know what sort of plan was followed. During the September 1978 public hearings, the committee's plan was referred to, and witnesses from the 1964 investigation were politely berated for not having had a proper investigative plan. The Warren

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Commission was properly criticized for an investigation which asked, in essence, who was the assassin and what was Oswald's motive? One hopes that the Select Committee's plan would not reveal any comparable prejudice, but one wonders whether it would reveal neglect of such areas as possible frame-up or Dallas Police involvement.

In the absence of the Select Committee's investigative plan, the report itself appears to suggest that some questions were examined in the wrong context. For example, even before the Warren Commission began its investigation, there were rumors that Oswald had some relationship with a federal agency (such as an informant relationship with the FBI). The report argues that Oswald was not an FBI or CIA informant in its section exculpating those agencies and the Secret Service of any involvement in the assassination. But the point that critics have made over many years is that Oswald's possible relationship with a U.S. agency should be studied in the context of the post-assassination behavior of those agencies. While the Select Committee criticized many aspects of the post-assassination investigation, there is no indication that it gave serious consideration to the possibility that the defective investigation was influenced by a covert relationship to Oswald. As critics have pointed out, it would be ludicrous to assume that a federal agency involved in the assassination would employ one of its informants for the task -- or eagerly implicate that informant as the lone assassin. A more plausible scenario would involve someone outside the agency who knew of Oswald's informant status and spotted him as a perfect patsy, in that the informant relationship would inhibit a proper post-assassination investigation.

The report's rigid structure also tends to highlight any deviations from its finding-and-text format. One anomaly involves findings without text. The Select Committee voted to include findings that the FBI properly investigated Oswald before the assassination and that both the FBI and the Warren Commission "conducted a thorough and professional investigation" into Oswald's guilt. There is not a word of text in support of these

findings. These are the only sections where the report departs from the format of finding followed by text. In the case of the FBI there is not even a staff report on the subject. Could the staff not provide documented support for the finding?

A second anomaly is the appearance in the report of text which does not relate to a finding. In the section dealing with the CIA, much of the text relates to military intelligence, but the report's finding exculpates only the FBI, CIA, and Secret Service. In short, there is a provocative discussion of one U.S. intelligence service whose innocence is not explicitly affirmed in the findings. A close reading of the staff reports strengthens the view that suspicion in the area of military intelligence is one of the Select Committee's hidden messages. In the next chapter, we will address some of the unresolved doubts in the sensitive area of intelligence agencies and the assassination.