JFK assassination records appeals - Edward J. Epstein

Long overdue is response to my appeal from denial of my request relating to the information the FBI gave Edward J. Epstein for his book that during its preparation was reorganized and appeared under the title Legend: The Secret World of Lee Harvey Oswald. The book was financed, published and expensively promoted by Readers Digest, which for years has had a special "in" with the FBI. Records I have obtain leave no doubt that the FBI used the Readers Digest to turn the Ray/King case entirely around. Likewise Epstein has been an apologist for the FBI. Evidence of its secret help to him is visible in some of his work not mentioned in those records not still withheld from the FBIHQ records made available to me as a result of C.A. 77-2155, the general FBIHQ releases. Attorney General Mitchell was so fully aware of this and so much in accord with it that he once promoted some of Epstein's forthcoming writing on coast-to-coast TV.

Epstein's political views, visible from his college-days writings, were congenial to the Hoover philosophy in the FBI and the Angletonian perspective within the CIA. Special villains in his first book are Chief Justice Warren and J. Lee Rankin, both regarded as liberal Republicans.

His anti-Garrison work has the unusual history of first appearing as a magazine article and then being inflated into a book, not as a pre-publication condensation. It, of course, was not unwelcome to the FBI.

That history has since overtaken and rewritten Epstein's defense of the FBI with regard to its campaigns against black activists has been neither a scholarly nor commercial impediment to Epstein's financial success or his literary ventures. Knowledge of Cointelpro, rather than hurting Epstein by having him regarded as a sycophant, resulted instead in his selection for the well-paid job he did in Legend.

In this work, in his appearances and in several lengthy interviews, particularly in unusual ones in New York magazine, Epstein disclosed receiving special assistance, under and outside of FOIA, from the FBI, CIA and National Archives. All have refused my FOIA requests relating to this assassinatance, particularly for copies of the records provided to him. In all cases I made prior requests for the identical information that

was then and since has been withheld by all the agencies involved.

What is unusual about the New York interviews is that they greatly reduced the "exclusive" value of the pre-publication rights of Readers Digest magazine. The value is in the exclusiveness. Yet in this case the New York issues appeared before the Digest condensations.

As propaganda this is effective. As commerical operation it is disasterous to the owner of the condensation rights, which have been "scooped."

In time the concept for the book coincides with the House investigation. In its earliest days the direction of the House investigation was not entirely predictable. From those associated with it, Members and others, all indications were that the committee would go ape on conspiracy theories. All indications also were that the committee would focus on the FBI and CIA, especially as somehow involved with Oswald and thus as involved in conspiracies and the assassination itself.

There is no reason not to credit reports that the Readers Digest advanced a half million dollars prior to publication for this project. All indications are that Epstein spent money as though not to would result in criminal charges against him.

All the FBI records I've seen in the general releases make it clear that the FBI did make an exception of its pose of detachment and "no comment" with Epstein. There are a number of other cases of the generation of phoney paper to cover assistance given to writers who could be expected to write what the FBI wanted and did. While this false paper could be produced to make it appear that no help was given by the FBI there also are other records proving that in fact the FBI did give such help to these approved writers.

(Several are included in C.A.75-1996, where the FBI merely swore falsely to the Court.)

Epstein appears to be atypical in a special way: he exposed a major FBI Soviet intelligence operative within the United States, describing him as "Fedora" and as a double agent.

Whether or not connected, immediately after this Arkady Schevchenko defected from his high UN post, asked for and received political assylum and was soon exposed as the recipient of extraordinary U.S. funding that extended to rather expensive female companionship.

Epstein began with the preconception that is identical with the FBI's. The FBI's is represented by its captioning of the case as "Internal Security-Russia," prior to any real investigation.

The origin of Epstein's project coincides with the special FBI problem coming from the leaking of its long-held secret, that Oswald had gone to the Dallas FBI office and left what all accounts have as a threatening note. As my prior appeals show, even the fact of this was withheld from the Presidential Commission. The suppression, the conspiracy of silence, extended to FBIHQ, where the facts were known.

This Hosty flap, however, tended to credit reports that Oswald had had some kind of FBI role.

Then there was the House committee whose creation appeared likely and whose course at the outset made it certain that the federal intelligence and investigative agencies would be of special interest to it.

So Epstein/Readers Digest came along with this book that was intended to show that Oswald, rather than being an American operative, was a KGB plant and that thus the KGB really killed the American President. This is the thrust of the book and the extensive promotions. (Effective promotions always reach more people than books do.)

George DeMohrenschildt left the first part of an interview with Epstein and blew his brains out. There was a widespread mythology that deMohrenschildt was a KGB agent, allegedly Oswald's "baby sitter." Epstein was so well financed he could pay $5,000 for this interview. He boasts or hundreds of interviews all over the world.

The certainty that Epstein had the official help of which he boasted is established by the content of the book, the condensation, the published interviews and other promotional operations. I am familiar with the available information and have long sought and been denied records the content of which Epstein used.

Copies of all the relevant FBI records I have found in the general releases are attached. They cannot be all.

The original title of the book was "The Legend of Lee Harvey Oswald." A facsimile of the cover appears along with this in advance advertising in the trade press. The publication date then was given as October 1977, at a price of $15.25 for 320 pages. All of this was changed and the book was delayed and rewritten after Epstein received his federal help and turned his federal helpers around.

Epstein's are Angletonian beliefs. Angletonian beliefs are not limited to the CIA of to those who left the CIA along with Angleton.

The book that finally emerged cudgles the CIA as Angleton would have liked. It is hurtful to the FBI and it does appear to have been hurtful to actual FBI intelligence operations. These are the kinds of matters I have never found the FBI to avoid. The exposure of a prime intelligence source, real or unreal, would not be avoided in FBI files. It would be a major interest to the FBI and the subject of internal inquiry.

In fact, to my knowledge, it also was of interest to the Senate Intelligence Committee. By this I mean first-person knowledge.

This also requires the existence of records that remain withheld from me.

While the revised book did not appear until shortly after the release of the FBIHQ records, my Epstein request was much later, following publication. Moreover, from prior experience and from copies of records in my possession, there is every reason to believe that the FBI had access to and created records relating to the original book, the one scheduled for publication long before the FBIHQ general releases.

The FBI long has had its own means of obtaining advance copies and long has gone over advance copies provided by authors and publishers, while presenting a contrary public version of complete detachment.

As I have already informed you the FBI has special "library" facilities, special files for such matters, and its own means of not retrieving existing records and finding only the specially created paper that reflects other than its public relations/operational realities.

With regard to my actual request, withholding is total. The request was rejected. I repeat you have not acted on this now ancient appeal.

Few as are the records included in the general releases they do disclose that Epstein and the Readers Digest did receive special consi deration. They disclose that the FBI looked on the project with favor and did assist it.

The notations added often are not legible. One on the first record, a Not Recorded one of 1/20/76, indicates something special about filing at the lower right-hand corner of the first page.

It also refers to a Digest executive who was author of a big puff piece for the FBI and CIA, John Barron, author of the book KGB. I have read the book. It clearly comes from FBI and CIA records still withheld from others.

Barron was given personal access to Yuri Nosenko. My Nosneko information requests remain without response after some years.

This record leaves no doubt about the friendly relationship between the FBI and the Digest and its personnel. It is explicit here as in many other records. This is not limited to those attached hereto. I note this also as a special aspect of this appeal. The same FBI that deliberately violated the law of the land to totally ignore my requests and then not to comply with them goes out of its way to be helpful to another, albeit a sycophant, and to a publication by means of which the FBI could and did engaged in media manipulation and influence what the Congress could know and do. This is contrary to the purposes of the Act.

Elliptically the second page recommends helping Epstein on the ground that because "of continued interest on the part of the news media... a book dealing factually (sic) with the Assassination, as well as the rumors and conjectures which persist, would serve a worthwhile purpose."

Orwell could not have out it better. From the original concept Epstein's was and was intended to be a conjectural work. It is one of the least factual of the seriously regarded books on the assassination and practises the falteration of fact when actuality is uncongenial with the conjectures. (So you can better understand this, although Oswald's passport is published in facsimile by the Commission, in order to make what could not happen appear to have happened - that Oswald got from London to Helsinki within the passport-limited times - Epstein merely has Oswald leaving London a day earlier than the passport shows. His

citation of alleged proof is to non-existing records rather than the passport record.)

While the FBI refuses to speak to most writers and I re-emphasize refuses to comply with my FOIA requests, here it recommends "that Epstein should feel free to contact us." The Research Section is to be advised. Research Section of the FBI if he is not to be given help, "research"?

Director Kelley approved.

There is no doubt that help was not to be limited to what was published by the Warren Commission or was in the New York Times. For this Epstein did not need the FBI and its own selection of its "Research Section."

According to the next record, Serialized illegibly, dated 2/3/76, Epstein and a research assistant Pam Butler met with a number of FBI people on January 27. These include the addressee, Mr. Moore and two SAs whose names are withheld. This is not a privacy withholding. This is a withholding to hide the identifications of FBI SAs who were part of a propaganda activity and who have special knowledge that could be useful in what the FBI wants to avoid, compliance with my requests and the production of records it thus far has succeeded in not producing. There could not be any agents whose identifications are more important in complying with my special Epstein request and appeal. Of course I appeal all such name withholdings and again remind you that this is directly contrary to Director Kelley's written statement of policy, that no FBI names be withheld in historical-case records. I also remind you that I do not recall receiving a single unexpurgated piece of FBI paper since sending you a copy of this letter by Director Kelley.

If the obliterated name at the bottom of the first page is that of the actual author of the memo that name additionally is important in terms of obtaining compliance with my information request.

A legible notation refers to a memo I do not see in the records I have, of 2/4/76. I do not know whether this is accidental or whether the record is in a different file. This also is true of another notation, on page three, referring to a 2/19 memo. Between the time I reviewed these records and had copies made for you and now I have had a few health problems and my recollection may not be dependable. If I have but did not make copies I

will inform you.

Page 2 makes it clear to anyone familiar with typical FBI ellipsis that a decision to help Epstein was made and that help was or would be offered or both. The areas of Epstein's alleged interest selected for recording in the memo coincide exactly with then current FBI FBI pubic relations and Congressional relations problems. They make no mention of the - known substance of Epstein's book and interests.

That other records do exist is established on this page: "...proposed answers to Epstein's questions will be compiled and submitted for approval." This quite clearly refers to records for which I made formal request quite long ago.

Because of the parallel with what I regard as important on the next page I here note that while you had some difficulty obtaining a copy of what was within the public domain for me, a copy of a statement to the Congress by J.B.Adams, here one was given to Epstein.

This third page is a legal counsel addendum. One FBI worry is reflected and wiped out, "no problems concerning the FOIA in cooperating with Mr. Epstein." Now how could the FBI - even the FBI - worry about FOIA in providing information when providing information is required by FOIA?

One way is apparent and it is reflected by my request. Could the FBI give information exclusively to Epstein? This, of course, is what it did. What they appear really to have been worried about was getting away with it.

The Epstein disinformation having succeeded (recently reprinted in paperback) OLC was right, FOIA as we know it and as the Department lets the FBI get away with, is no impediment to propaganda activities. FOIA is merely ignored, violated or both.

This is further enabled if not added to when appeals are not responded to in a timely manner. In this case not responded to at all.

OLC and "External Affairs" also were fully aware and recommended that the Department be informed that "we are cooperating with Mr. Epstein in the preparation of a book regarding the assassination..."

This requires that I also appeal the failure to search these files in response to my information request as well as for any other policy considerations regarding this blatant

bypassing of and violation of FOIA and of my requests which were made long before Epstein's. Mine still have not been complied with, my appeals still have not been acted upon. My appeals began very long before his (non)request. (Remember my 1976 testimony in C.A.75-1996 and the list of these requests I then gave the Department though counsel and your office on its request when the FBI claimed it could not find them - even after my checks were cashed?)

The third Campbell to Moore memo attached is of 2/27/76, apparently again Not Recorded.

If one is to believe this memo, to believe that it is honest, full and forthright, one would believe that the FBI is a minor adjunct of an ordinary library. It refers to only what is well and publicly known, certainly well known to one with Epstein's past and from his earlier writing. With one exception if Epstein had done nothing but read my books or the New Orleans papers (and he did write a New Orleans book) he would have known it all. It is hardly likely that the FBI spent all that time and money or that Epstein did for what is reflected in this memo. I regard it as a typical cover-the-ass FBI exploit in not saying what really happened and was discussed, in not reflecting the information and other help it gave the known sycophant.

The single exception is on page 2, reference to Oswald's allegedly not having civilian employment that required security clearance. The FBI's language is less unequivocal, referring to the "subject of an applicant-type investigation of the FBI."

Here it is apparent that the FBI did in fact do research because reference is to obscure Warren Commission testimony. In citing 10H191 of the Commission's hearings to Epstein the FBI said that it "shows that the department in which Oswald was employed had no contact or connection with the Army contract work." (Army Map Service and classified.)

What the witness was really asked there is two different questions, did Oswald work on those jobs and if they were "in your department or under your supervision or direction?"

For the head of the photographic department of the printing shop the answer, obviously, is that he was not in charge. For an apprentice like Oswald the answer, obviously, is that he was not assigned to so expert a task. But this does not address whether or not Oswald should have had security clearance or whether he had access to classified information even though not assigned to that printing job.

This is not the only apporpriate comment on the FBI's research, if that is what it was and no more.

That it may have been more can be considered if one examines a page of the transcript the FBI does not cite, page 175. There it is explicit that the plant, which was engaged in classified work, has but a single photographic department, the one to which Oswald was assigned and in which he worked.

Offset printing begins with the photographic department of the printing operation. Printing is accomplished by photographing that which is to be printed. Plates are made from the photographs and the printing is from the plates.

You might want to take administrative note of the fact that I am a recognized publisher if perhaps the country's smallest, that I do my own makeup for printing, that I have worked with the offset photographers in the publication of each and every one of the books I published and own familiar with these operations, and that in each and every one of these publications there was, inevitably, wasted exposed film. Focus, field, reduction and exposure are critical elements that cannot always be hit upon exactly each time. It also is not uncommon for errors to be found in copy after the photographs are shot, leading to other wasted film. So what the FBI did not address to Epstein and where it is subject to being accused of misleading him consistent with what it wants to be believed rather than with reality is in this incomplete "research."

I know of no basis for doubting that with his known past Oswald got a job in a secure area of a printing plant that did important classified work and that in this employment Oswald could have had access to classified information, including discarded film of classified content. I also know of no FBI or any other investigation of this by any official agency. As a right-wing newspaper reporter suspects, there was nothing to prevent an Oswald from slipping a discarded photographs of a classified map under his shirt.

Now if the "Research Section" or any other part of the FBI can produce anything to the contrary and any reports of any investigation of this I remind you any and all such information is within my requests that have not been complied with. I've appealed them.

Serial 5714 include " a blind memorandum from former SA SAM J. PAPICH concerning his revent interview" by Epstein and Butler for the book. SAC Albaquerque did not have to tell FBIHQ that Papich was FBI liaison with the CIA and the airtel does not so state.

This, of course, is in sharp contrast, as are all other Epstein interviews with FBI personnel, with the spurious representations made by the FBI in C.A. 75-1996 and other cases, that it has to withhold SA identifications from me to prevent harassment of the defenseless SAs.

Papich also avoids providing his "past assignment in the Bureau" in his memo. He does provide a long list of FBI, CIA and other people who have spoken to Epstein. One name is obliterated on its first page. In space and in sense the name Nosenko just fits. Of course I appeal this, whether or not it is Nosenko. If it is that merely is another FBI effort to mask its continued withholdings from me under my FOIA requests.

If the name of the alleged CIA employee in Dallas, ostensibly in a public role, given the domestic limitations imposed on the CIA, is known to Epstein there would additionaly be no justification for withholding it. I appeal this.

A copy of the 2/27/76 Campbell memo from the 105-82555 rather than the 62 file is attached to this record.

By the time of the 5/12/76 date of the next record (105-82555), Director to SAC San Antonio, a considerable amount of other information and Epstein interest was known to the FBI. Asjde from internal HQ distribution copies were went to nine field offices and the Mexico Legat. There is partial obliteration of the otherwise illegible notation of "original filed in," which I appeal. This is clearly within my requests and should be neither withheld nor obliterated. I also appeal the withholding of the names of the SAs involved in the Oswald investigation, 10 on pages 2 and 3, probably all with addresses in the directory of the association of former agents in any event.(one still assigned to Mexico in addition.)

Interestingly enought this memo does not extend a caution against speaking to Epstein. But it does make clear that FBIHQ wants to control the FBI information Epstein receives. Again in contrast to its treatment of my requests this record reflects that FBIHQ undertook to inform all the SAs Epstein named of his desire to interview them.

Also attached is the same record from the 62-109060 file, where it is Not Recorded. I cannot now tell you whether by accident here or from difference in FBI filing this second copy is along with Serial 7519. Otherwise they appear to originate from the same copy.

In this 62 file copy designation of the original is partly discernible. It is to a 94 or "Research Matters" file.

I do not recall ever receiving a copy of any record from any such file. Not only is a search of this file relevant in this instant matter, it also is essential to comply with my actual requests in C.A. 75-1996. In view of the current situation in that case as I understand it as well as the long and tedious history of that case I believe an immediate search of and compliance from any files like this 94 file in addition to others I have called to your attention, like the 80 file, is important and I ask for it.

Serial 7519 is of the previous day. In the second paragraph there is an indirect admission of having provided Epstein with other than what the FBI calls "public source information," aka its own "research." Only "most" of what was given Epstein was "public." Therefore some was not.

At the top of page 2 it is disclosed that Sanford Ungar was permitted to interview Legats. Yet in addition to the contrast this provides with the withholdings from me, even in violation of a Court Order in 1996, in fact in the record to which this is attached the identical names are withheld. I do not have to tell you now that at least some of these names have been in the public domain via the FBI's own releases and I believe the others are by other means, including the diplomatic lists. I have provided some as part of other appeals on which you have not acted, particularly with regard to the Mexico City matter that is the subject of this memo.

What this memo recommends and notations indicate was done is that instead of the FBI warning the BAs that they were still under secrecy oath injunction they be informed of the Epstein desire to interview them. This is described as an FBI "courtesy".

On page 3 the name of the Legat, disclosed on the attached Not Recorded Serial, is obliterated. Consistency is not an FBI vice.

Suddenly the FBI is apprehensive about turning down what it without apprehension

withholds from the courts and the Congress: "To turn down Epstein's request...could raise questions in his mind." If turning any request down(as for the names of SAs) is proper why should the FBI fear telling the writer that the request is improper or violates privacy? The obvious inference is that the FBI had something else in mind.

When there was a radical departure from FBI practise, telling the former SAs involved, how to get in touch with Epstein at his New York address, there is also the inference of a big, fat FBIHQ hint to each of these former SAs.

In sharp contrast is the attached record which rather than dealing with the Epstein matter represents normal FBI practise, of not giving other than known sycophants even the time of day. In this case withholdings extend from the name of the writer to that of the Supervisor in the FBI's public part, what it calls "external affairs."

Instead of telling the SA in question how to reach the writer at his home address here the FBI told the writer that the SA "would face the possibility of criminal prosecution under the Privacy Acy of 1974."

Consistency is not an FBI vice with regard to what it called "courtesy" with Epstein. In this case the FBI could have sent the writer copies of public domain information of referred him to the National Archives. The public domain information relating to the person of interest to this writer, the fabrications of one Garrett Brock Trapnell, as earlier released by the FBI, include both his criminal history and his record of serious and in fact dangerous mental illness. (Trapnell has recently been in the news in connection with mother-daughter efforts to fly him out of the federal jail in which is is and attendant deaths. A little "courtesy" with regard to the real Trapnell might have permitted people now dead to be alive and great tragedies to have been averted.)

While not being a lawyer I hesitate to describe the citation of the Privacy Act as a deliberate FBI lie, as a layman with some knowledge of the available FBI information and of the extraordinarily extensive news attention Trapnell's prior criminal career attained I do offer the opinion that a larger factual misstatement is not easy to conjure up. Throughout his criminal life Trapnell has been all over the front pages.

It would have been a legitime function as well as a real courtesy to decent and sane

people to provide the writer with copies of the FBI's own public records of Trapnell's past, like news stories, or to suggest that he consult the New York Times index.

Trapnell records are availabe in the Warren Commission records, including medical records. This particular writer could have been referred to his own metropolitan Baltimore papers. Even to the head of the Perkins State hospital, an identification the FBI made available a decade ago along with the Trapnell medical history and estimates.

I am not indulging in figures of speech and I am not taking time to consult the file I stopped keeping on Trapnell. My recollection is that the last tragedy he caused, with the daughter of the woman who I believe lost her life in an earlier similar adventure to spring Trapnell by air, was about last Christmas.

Besides the deaths to which I refer associated with Trapnell on the public and court records are hicjacking and kidnapping.

Privacy indeed!

I am conjecturing in saying that there have to be other and withheld FBI records besides those the existence of which I indicate by reference to the 94 and similar withheld files. However, I believe it is as reasomable as conjectures can be to believe that when a previously trusted and amply assisted sycophant like Epstein exposes what he himself describes as a top FBI Soviet informant, whether or not his representations are truthful and whether or not it is the now fabled Schevchenko, the FBI must have some relevant records.

Moreover, with the abundant and unhidden evidence that Angleton and associates turned Epstein around and caused a rewriting and re-focusing of his book and all the extraordinary attention it received, and when the net result is a serious accusation that the FBI failed miserably with regard to Oswald and with regard to the assassination investigation, it is impossible to believe that there is no single relevant piece of FBI paper.

I intend this appeal in the broadest possible sense, intend it to apply to the general releases and my requests/suits for field office records and my ignored request and ignored appeal from denial for copies of the information given to Epstein.

Because the same kind of information remains withheld and remains withheld after your testimony in C.A. 75-1996 I am asking my counsel to call this matter to the attention of

the Court in that case.

A hasty check of my file shows that I last wrote you about this last September, long after writing you earlier, more than a year ago.

In this file I found the attached copy of the (obliterated) CRD memo to FBI/FOIA referring to my earlier and also relevant Nosenko request, withwhich to date I have no compliance at all.

The records referred to are, to the best of my recollection, still withheld - after more than a year. I also appeal the withholding of the names, if I have no earlier.

I believe all of this is relevant to my unmet Privacy Act request, another appeal on which you have not yet acted.

I would also like to believe that you and others in the Department will be as hard put to find a reasonable explanation for all of this as I am. With all my prior experience I find it inconceiveable that at the very time the FBI was alleging to a Court, as it did in C.A. 75-1996, that complying with my requests was burdensome and it could not, as the court suggested, assign personnel to comply a decade after my initial requests, it was assigning all this ~~ka~~ higher-level personnel outside of FOIA and going to all this extra trouble for a known sycophant - with its only legal concern the FOIA! (I have only now found a few pages of the 6/30/77 transcript I copied in C.A. 75-1996 and if you doubt my representation of the Department's representations to the Court I'll provide copies. I also made the same request of the FBI after the Court suggested it and instead it refused. In fact it sent Operation Onslaught agents back to field assignments not to hasten overdue compliance in that case.)

There are other FBI records I have not attached. I recall one in which the former CIA expert Raymond Rocca, and Angeltonian who left with him and a liaison with the Warren Commission, actually wrote the FBI encouraging it to help Epstein. While it is not relevant to an appeal from FBI denial it does reflect the predominating official attitude and it does reflect the fact that those of political preconcpetion did provide information still withheld from me under FOIA.