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Suppose either Lee Harvey Oswald, the man accused of assassinating President John F. Kennedy, or Jack Ruby, history's most public murderer, the man who did kill Oswald, had been FBI informants?

Can it be imagined what kind of problems and crises the government would then have had?

In those days the great number of informants the FBI has was not generally known. People were unwilling to believe it and the FBI steadfastly denied it, as does every secret-police force everywhere. But the FBI did - and does - have a vast number of informants broken into two broad categories: "C", for criminal, and "S", representing what to the FBI is "security" but in reality is political. Any one of these, in the prevailing official view, can be more valuable than 1,000 real agents.

Well, the government's problem was even greater, for both Oswald and Ruby were FBI informants!

The FBI, of course, denies it.

Thus, when President Lyndon B. Johnson immediately put J. Edgar Hoover in charge of the official investigation, even though there was no federal jurisdiction, it then not being a federal crime to kill the President, Hoover was put in the position of investigating himself (something he may not have known when the job was given him). This became even more true when, a week later, the Warren Commission was appointed and the FBI became its major investigative arm.

But Hoover's position was much improved by the appointment of the Commission for he was then no longer in the position of reaching and assuming responsibility for the final, official conclusions while he remained able to and, in fact, did dominate those conclusions by controlling what the Commission could and did know and could not know.

These things were well known to the Commission, especially to its respected staff. As with all such bodies, the members are largely figureheads, the staff doing the real work. Members are always selected because of their national stature. They are always too busy to learn and fully comprehend what is going on.

A few of the top-secret executive sessions of the Warren Commission - so ultra secret even its staff was excluded and members were assured they would never even see the stenographic transcripts - read like the ramblings of elderly gentlewomen gathered at a kaffee klatch. They meandered about such things as what their wives had heard, gossiped about federal agencies, sometimes speculated in childish ways about what was outside their understanding.

This Commission, rather than being an exception, was composed of the very busiest of men, men already overcommitted to the public service, except for the two with past intelligence connections, Allen W. Dulles, who presided over the Central Intelligence Agency during the period of its greatest growth and more spectacular disasters, of which the Bay of Pigs is merely the one that led to his forced retirement; and the well-known international banker, John J. McCloy, whose delayed investigation in Dallas, already postponed for six months, was interrupted the first day by his urgent need to fly to Mexico for a hunting expedition.

As a matter of fact, it would have been difficult, if not impossible, to select an acceptable Commission with members on friendlier terms with the government's intelligence community except, possibly, for the chairman, then Chief Justice Earl Warren, and Kentucky's Republican Senator, John Sherman Cooper. The late Senator Richard B. Russell of Georgia presided over the three-monkey legislative supervision of the CIA, a fictional control allegedly exercised but never a reality. House of Representatives Republican Leader Gerald R. Ford, long ho for the CIA, was and remains one of Hoover's most vocal admirers. Until intrusions into his personal life became intolerable for Louisiana Congressman Hale Boggs in the late spring of 1971, when he was Ford's Democratic counterpart, he, too, was Hoover's staunch supporter. Then, when Boggs finally made complaint about the FBI, he still felt compelled to praise Hoover, saying of him no more than that Hoover had grown too old in his 47^{1/2}-year control of the FBI, which he had headed since its creation, then appointed to the job by a liberal Attorney General, Harlan Fiske Stone, later to become a Justice of the Supreme Court.

An overwhelming majority, five of the seven members appointed by the Democratic President, were from the minority Republican Party. This is exceptional, if not entirely unprecedented, in our political history. Intelligence and conservative interests were disproportionately represented. Neither of the two Democrats, both Southerners, Russell and Boggs, was a political disciple of the victim-President. In fact, the one perspective lacking in the Commission was the country's majority, Kennedy philosophy.

The Commission inherited its first crises, of the accused assassin's and his assassin's FBI connections. Its solution was traditional, not invented by Modern American bureaucracy: evasion, semantics, lies and the destruction of evidence.

What it could not get around any other way, it burned, something never until this moment reported.

It took me five years of diligent digging in the suppressed Commission files to get the shocking proof of this, and then it was hidden where one would never think to look for it.

The Commission's Report, 912 pages long and three pounds heavy, was delayed from the first of June until the end of September 1964 by the need to get around this complication in official life - that both the accused assassin and his assassin had been FBI informants. Two months later, the laboring mouse/^{having}brought forth this mountain of words, it birthed an enormity of seemingly persuasive documentation, 26 more enormous volumes of "evidence", an entire range of verbal mountains, all equal in size to the Report itself. They occupy three feet on my bookshelves.

Only an obfuscated fragment of this, the vital evidence and the embarrassing official secret, is anywhere in these estimated 10,000,000 words that to this day have not satisfied most Americans. Not until page 325 of the Report did the Commission get around to its entirely false representation of the hidden fact that both Ruby and Oswald had been FBI informants. Most of the Report is the irrelevant, background and biographical data on Oswald and Ruby. The final substantive chapter, entitled to betoken something there never was, "Investigation of Possible Conspiracy", again in biography, has a

minute subsection of slightly more than two of its 50 pages. This is headed, deceptively, "Oswald Was Not An Agent for the U. S. Government."

I add emphasis to underscore the deception.

Oswald, certainly, was not an "agent" of either the FBI or the CIA. But, without doubt, on June 26, 1962, outside his home in Fort Worth, Texas, sitting in the car of FBI Agent John W. Fain, by Fain's own later admission, Oswald did agree to become an FBI informant.

And Ruby, although you will not find it in either the Report or its yard-long, 26-volume appendage, had been a "criminal" informant of the FBI. This is established, to the degree it can today be learned, in the estimated 300 cubic feet of Commission files now stored in the National Archives. In them, the FBI's representation is that Ruby's services were valueless.

The hidden fact is that, long before his 1962 agreement with the FBI, while still in the Soviet Union, to which he had pretended to defect but never did, Oswald laid claim to serving the government. He did this in writing to John B. Connally, who Oswald thought was still Secretary of the Navy. Connally was about to become governor of Texas. In 1971, although a Democrat, Connally headed the Treasury Department in the Republican Nixon administration.

In preconditioning the public to accept an unacceptable "solution" to the assassination of the popular President, government used "leaks" to the press with consummate skill. But for all the fabled skill of the FBI, no one leak was ever traced to its source. Perhaps one of the reasons is that the most significant, if not, indeed, also the greatest in number, were by the FBI. Again, it was investigating itself. The results were predictable.

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In some of their early private sessions, the transcripts of which were classified "TOP SECRET" and from which all of the staff except the general counsel were excluded, the Commission, frustrated after repeatedly reading in the papers what should have been the closest secrets - and the tailored release of which predetermined and delimited what the Commission might do - questioned Nicholas Katzenbach about this. Katzenbach was then Deputy Attorney General, second to Robert Kennedy alone in the Department of Justice. This is the verbatim transcript:

Sen. Russell: General, I see occasionally in the press articles that purport to have come from the F.B.I. as to bits of evidence and things of that kind. How much of their findings does the F.B.I. propose to release to the press before we present the findings of this Commission?

Mr. Katzenbach: Well Senator, I know the story to which you are referring - -

Sen. Russell: It's been in the papers.

Mr. Katzenbach: Yes. And I know that the Director and Mr. Belmont, who is the man in charge of this particular investigation, are utterly furious at the information that got into the press. I talked with both of them on this subject. They say they are confident it could not have come from the F.B.I., and I say with candor to this committee, I can't think of anybody else it could have come from ...

If it was courageous of Katzenbach to speak so candidly about Hoover and the FBI, it may also account for his short career as Attorney General when he was appointed to that post upon Kennedy's resignation to run for the Senate.

One of the tidbits fed the complacent and largely unquestioning press is this letter. It was then played as in the Report (R386-7), to infer an Oswald proclivity toward violence.

After a dubious and probably fraudulent "hardship" discharge from the Marine Corps, allegedly to support his supposedly destitute mother, granted days before his enlistment expired, instead of caring

for her, Oswald chiseled a few bucks from her and went to the USSR. There he promptly and publicly pretended to surrender his citizenship, all the while being careful not to. The Navy, taking a dim view of what appeared in the papers, changed his honorable discharge. This was Oswald's letter of protest and appeal. It is printed in full in the part of his biography that is in Appendix XIII (R710).

Only what is deliberately misinterpreted as a threat is quoted in the text of the Report, "that he would 'employ all means to right this gross mistake or injustice'." That - and no more.

But, what Oswald actually wrote is that "The story was blown up into another 'turncoat' sensation ...". To this he added a concluding paragraph, entirely ignored by the press as by the Commission. It begins:

I have and allways (sic) had the full sanction of the U.S. Embassy, Moscow USSR, and hence the U. S. Government.

And it concludes by giving the Embassy as reference:

For information I would direct you to consult the American Embassy, Chikovski St. 19/21, Moscow, USSR.

This is neither Oswald's only nor his strongest claim that he served intelligence interests in the U.S.S.R. The others, rather than being merely distorted, were entirely suppressed. I select this one precisely because it was made public and was twisted. Oswald, without refutation, claimed government sanction for his phony "defection".

Allegations that he served the FBI were printed right after the assassination. They attracted little attention then and were soon entirely forgotten. These stories were ignored by the Commission until it dared do so no longer. Then it moved fast, decisively, imagination and originality mixed with its uninhibited use of raw power.

The Secret Service was first and more honest in transmitting reports that Oswald had been an FBI informant. Of all government investigative agencies used by the Commission, the best if still inadequate record is that of the Secret Service. It was the only federal agency with legal jurisdiction when the President was assassinated. But it was immediately frozen out of all crucial areas by the omnipotent FBI. If the Secret Service, subject to bureaucratic pressures as it was, with careers on all levels dependent upon conformity with official policy, did become part of what in an earlier work I described as the "cover-up" of the evidence and the possible solution of the crime, it nonetheless immediately and without deviation presented the Warren Commission with solid proofs that the Commission's predetermined conclusions were untenable. When this happened, the FBI came to the Commission's rescue and the Secret Service remained silent. The FBI began preempting and excluding the Secret Service less than 24 hours after those shots changed the history of the world at 12:30 p.m. Dallas time, November 22, 1963.

The Commission designated its numbered files "Commission Documents" (CDs or CRs). The one numbered 320 contains a report from Special Agent in Charge (SAIC) Lane Bertram of the ^{Secret Service} Houston office.

Its synopsis reads:

Interview with Houston Post reporter Alonso (sic) H. Hudkins III. He states Oswald reported to be on FBI payroll as an informant, and other information.

This "other information" includes unsubstantiated belief that Ruby was part of a conspiracy. The paragraph about Oswald as an FBI informant reads:

On December 17, Mr. Hudkins advised that he had just returned from a weekend in Dallas, during which time he talked

to Allen Sweatt, Chief Criminal Division, Sheriff's Office, Dallas; Chief Sweatt mentioned that it was his opinion that Lee Harvey Oswald was being paid \$200 a month by the FBI as an informant in connection with their subversive investigations. He furnished the alleged informant number assigned to Oswald by the FBI as "S172".

Sweatt was one of the key figures in the immediately corrupted investigation. The assassination was committed a few hundred feet from his office, which was immediately converted into a command post.

(Among the unique functions served there was the confiscation and, to the degree it could be, the suppression of as many as possible of the pictures of the assassination.)

For Nick-

(I published an entire book on this, PHOTOGRAPHIC WHITEWASH: Suppressed Kennedy Assassination Pictures. In the ensuing four years, there has been no complaint from any official on any level in any government, from the Dallas police and sheriff's offices up to the FBI, nor one from a single member or member of the staff of the Warren Commission. There has been no complaint because there is no question about the facts - and because this book represents the first thorough resurrection from official oblivion of the suppressed evidence, of which 150 pages, largely relevant FBI reports and Commission memoranda, are reproduced in facsimile.)

When Bertram's report reached the Warren Commission, File 320 turned out to be one of its many "circular files".

The FBI knew about this before the Secret Service report got from Houston to Washington, and began working on it - and Hudkins.

The Secret Service kept in touch with Hudkins, as he did with it. Dutifully, when he got bits and pieces of information from sources of unknown dependability, he passed them on to the Secret Service. He apparently did not trust the FBI. I have the Secret

Service reports. Later, when the government was in a bind on the question of whether or not Oswald was an agent or informant, Hudkins was defamed as "not very reliable" because he had told federal investigators only what he had himself been told, so they could investigate these tips. This was, after all, their function, not his.

Six pages from two unpublished files, four from 320 and two from 349 (Secret Service Control Nos. 705 and 782), illustrate Hudkins' "unreliability" and the "reliability" of the Secret Service and its source. One example is the report that reached Hudkins "that citizens of the United States had entered into an agreement or plot to assassinate Premier Castro of Cuba," one inference being that this could have inspired Oswald to assassinate Kennedy.

Today there is nothing new in this. It is beyond question. It might have been then to any government intelligence agency of any kind, for some, like the CIA, were involved. Others, like the FBI, had the obligation of enforcing such laws as the neutrality act. A sister agency of the Secret Service, the customs service, conducted raids to frustrate these adventures once President Kennedy forbade them as one result of the Cuba Missile Crisis. A number of the mercenaries involved in this and similar plots had no reluctance in describing them in detail to me. They gave me pictures of their companions, described their preparations, identified those from whom they received assistance, and explained how they failed. In one case, a real CIA agent, also a Bay of Pigs prisoner, told me of a plot against Castro that failed only because, on a last-minute whim, Castro shifted from the jeep in which he had been riding when his convoy stopped. The one he abandoned sustained a direct hit by a bazooka shell - American-supplied. Its occupants were killed.

Hudkins at first believed his source was his paper's Washington representative, Felton West, who later said he knew nothing about it. Bertram's December 12 report to "Protective Research" in Washington, which is the White House security detail, urged that "a member of the Houston Post Washington Bureau by the name of O'Leary not be contacted or in any way be permitted to obtain this information in this report."

Hudkins, learning from West that West claimed not to have been the source, immediately told Bertram of the apparent error and said he would check his notes to learn the identity of his source (File 349).

West had been city editor of the Houston paper before becoming its Washington representative. He was called to the White House and interviewed by the chief of Protective Research and an inspector of the Secret Service. West then identified this O'Leary as "formerly Science Editor of the Houston Post" but said he "had died in New Zealand while accompanying an Antarctic expedition and that Mr. O'Leary was buried in Dallas some few days before the assassination of President Kennedy." (File 320, Control 705)

This O'Leary is the well-known Jeremiah O'Leary of the Washington Star who no doubt would have been surprised to learn of his burial in Dallas as a prelude to the "crime of the century", which he covered. (File 349)

Another of Hudkins' tips is that Lieutenant George Butler, correctly identified as the head of the Dallas Police Juvenile Bureau (although his chief function seems to have been "internal security", seeing to it that there was no Communist subversion in the Dallas Police!), had said of the President in Hudkins' presence, "I'm glad the son-of-a-bitch is dead, but I wish it had not happened in Dallas." Butler, with exactness beyond question, is described as a "rightist".

Considering the extremist groups of the extreme right fringe he addressed and praised, the description is hardly an exaggeration. Nor is it less interesting that it is Butler who reportedly gave the all-clear signal to move Oswald, signifying that the car in which he was to have been spirited away was in place when, in fact, it was not. Had it been, it would have been impossible for Ruby to shoot Oswald, for the one clear spot, the one from which he did shoot, is precisely where the car was supposed to have been.

Butler, when last I heard of him, had quietly been shifted to administration of the jail.

With these reports attributed to Hudkins accurate, not inaccurate, we have a means of comparing his "unreliability" with official "reliability". His unofficial fryingpan seems less black than the official kettle.

But on the subject of the December 17 information, "that Lee Harvey Oswald was being paid \$200 a month by the FBI as an informant in connection with their subversive investigations," the Secret Service was more circumspect. It was handled by telephone - 46 days later.

Typically, that is filed in still another of those round files in which it is so easy to lose things, the mere depositing in different files being enough to make retrieval difficult.

Bertram's January 24, 1964, report to "Chief", James J. Rowley, is Secret Service Control Number 1011. It is in the Commission's File 372, not 320 or 349. It is brief. It reports other forthcoming stories saying Oswald had been an FBI informant and has two other short paragraphs. The first begins, "This will acknowledge receipt of long distance call from Inspector Elliott Thacker on January 23,

requesting information contained" in the first report. The last sentence reads, "This was furnished," that is, by phone.

The second paragraph begins, "Later the return call was made to Inspector Thacker advising that additional information had been received." The barest possible reference is made to that phoned-in information.

The reason for this January 23 phone call will soon become apparent. It was part of a crisis, the Commission's first big one and perhaps its most serious.

A week to the day prior to Hudkins' report to Bertram of what he had been told by Chief Criminal Deputy Sheriff Sweatt, Joseph C. Goulden, then a reporter for the Philadelphia Inquirer, had a story in its Sunday, December 8, issue. Two of its five paragraphs on this subject say:

The FBI attempt to recruit Oswald as an informant, an informed law enforcement source said, was made in September, just after he had moved to Dallas from New Orleans.

(Actually, when Oswald left New Orleans in September, he went to Mexico, thence to Dallas, arriving in October. His wife and daughter had moved to Dallas in September.)

The source said he did not know if the FBI succeeded in hiring Oswald; and the federal agency would not discuss the matter.

An earlier paragraph identifies Oswald's function as "an undercover informant in Castro groups."

But the headline on Goulden's story, consistent with its "lead", is "Ruby Posed as TV Cameraman's Helper to Get at Oswald." This gave the FBI a perfect opening for the use of one of its lesser-known but highly developed skills, obfuscation. So anxious was the FBI to lay

to rest these rumors, that the man it said killed the President was one of its own, that it waited until the ninth day after appearance of Goulden's story to question him. And so penetratingly did they plan to interrogate him that they did it - by telephone!

This was neither the first nor the last time the FBI used the phone to avoid embarrassing confrontation with uncongenial evidence, especially about Oswald's official connections. It was done extensively in New Orleans, to avoid direct contact with those who had knowledge of the assassinated assassin's CIA connections.

In still another of those Commission files, this one No. 391, there is the December 16, 1963, report of Philadelphia Special Agent John R. Wineberg's interview with Goulden. It is from the FBI's Philadelphia File 44-767.

It may help the reader's understanding to know that there was no need for this scattering of these reports on a single subject through so many different Commission files. Many of the more than 1500 numbered ones are greater than book-length. All these larger files contain reports of different dates on varied subjects from different sources. Some are so large that, in binding, one file becomes three volumes. However, the Wineberg reporting is the only thing in Commission File 391.

Its single paragraph tells the entire story:

JOSEPH GOULDEN, Reporter, "Philadelphia Inquirer," telephonically advised that he had contacted the unidentified law enforcement officer in Dallas, Texas, over the week end by telephone, who had previously told GOULDEN in Dallas that JACK LEON RUBY had gained entrance to the basement of the Dallas Police Department by posing as a TV cameraman's helper on the day that LEE HARVEY OSWALD was shot and who had also told him that LEE HARVEY OSWALD at one time had been contacted by the Federal Bureau of Investigation to become an informant. GOULDEN declined to identify the law enforcement

officer after having talked to him on the telephone. He did say, however, that the officer told him that the matter was being "handled through proper channels." GOULDEN said he did not question the officer further as to what these channels were.

Thus, in its pretended investigation of reports that Oswald had been its man, the FBI, in this report, almost escapes mention of it, glossing it over in a clause. But this meager report served a purpose: to fall back upon, if later asked, to support the opinion that "there is nothing to it." The FBI could then say it had interviewed Goulden, who had nothing of value.

But, as with Hudkins, the FBI had to go back to Goulden, again not until after the same crisis, not until February 12. Wineberg's report is in yet another Commission file, No. 463. Consistently, there is nothing else in that file, either. In this case, the FBI Philadelphia Field Office file number is also different, 105-9958. The Headquarters file, in Washington, is 105-3255. The scant, two-paragraph report, required a paragraph of synopsis, each on separate pages.

This is neither as pointless nor as foolish as it seems for the synopsis, intended to save the time of busy officials, succeeds in conveying three deceptions:

HUDKINS in Philadelphia covering National Council of Churches Convention early 12/63, which was before GOULDEN went to Dallas to write assassination story. GOULDEN aware of assassination matter only from what he learned in Philadelphia from news media and recalls no conversation with HUDKINS in Philadelphia in which GOULDEN said OSWALD was FBI informant.

Now, it happens that Hudkins and Goulden were old friends, having both, earlier, covered the Dallas courthouse when Goulden worked there. They remained friends, and when Hudkins was in Philadelphia, on a day easily established and entirely unreported, as Wineberg put it, "HUDKINS was at the GOULDEN residence for dinner and a social evening."

That "Up to this time, GOULDEN had no direct, first-hand knowledge of the assassination and was aware of the assassination only from news media in Philadelphia" is so irrelevant to what Goulden wrote and was published December 8 it amounts to a deliberate misrepresentation, a conscious effort to deceive those who might read Wineberg's report.

The second, shorter paragraph is worth repeating in full:

HUDKINS had covered the assassination story in Dallas for his paper, the "Houston Post," and they did discuss the assassination. GOULDEN said he did not recall that they discussed the possibility of OSWALD's having been an informant of the FBI; however, they did discuss many phases of the case. He also pointed out that anything he (GOULDEN) might have said about the matter would have been based on what he had heard or read in Philadelphia.

One possible, and I think intended, interpretation of the second sentence is to cast doubt on Hudkins' dependability, for had he not failed to tell his good friend of this big story? And who in the FBI was going to ask the Secret Service about its later Hudkins report? Had the Warren Commission had any sincere interest in getting at the truth, it would not have been easy. These Hudkins reports were all in different files - each in a different file - and there are yet others.

The concluding sentence seems pretty clearly designed to convey the notion that, regardless of what he had written, Goulden "had no direct, first-hand knowledge" and "that anything he (GOULDEN) might have said about the matter would have been based on what he had heard or read in Philadelphia."

The FBI was careful to avoid embarrassment either to itself or to the Commission. It went out of its way not to provide copies of the Hudkins or Goulden reporting on Oswald as its "subversive" informant. When, after diligent personal search in the Archives, I

could find no copies there, I wrote the Archivist that the copies of "these reports, as supplied me, have no copies of the pertinent stories written by these reporters. If they are in the files, I would like copies." For six years I have maintained a deposit account at the National Archives. I pay the cost of all such requests in advance. The Xeroxing, in fact, was at a rate three to four times greater than those prevailing commercially. And, no copy of either story was provided.

Thus, any Commission official reading this Wineberg report or its summary would not readily understand that the "investigation" was supposed to be about whether Oswald had been an FBI informant.

In this same letter to the Archivist, I asked for a page from still another file, No. 385. It had not been supplied me. There are five that are relevant, pages 104-108. ~~No doubt by accident,~~ (106) had been omitted.

That page is another deception that cannot be accidental. It is a summary report dealing with what a secondhand source is alleged to have said so elliptically and indefinitely that the actual source of what is attributed to Hudkins cannot be identified from it. The story is too simple, too well-known to have been balled up by accident.

Hudkins had spoken by telephone to Mrs. Ruth Paine, with whom the Oswalds lived ^{in Irving,} near Dallas, Lee returning ~~to the Paine home in sub-~~
^A
~~urban Irving~~ on weekends. They made an appointment for Hudkins to visit her later in the day. During the conversation, Hudkins had mentioned that Marguerite Oswald, Lee's mother, a practical nurse, had told a "socially prominent" woman for whom she had worked that "her son was doing important anti-subversive work." These are the words of FBI Dallas Agent Ivan D. Lee to whom Mrs. Paine had spoken when she

"telephonically advised that she had just talked with" Hudkins by phone. This was, according to Lee's report, FBI Dallas File DL 100-10461 (page 104), on December 28. Lee did not bother dictating his exhausting 109line report until December 31. It was not typed until January 3, 1964, such was the interest of the FBI.

The "socially prominent" woman was located without difficulty (page 107). She is Mrs. Lowell N. Rosenthal. The summary report of this interview, bearing the initials of one of the agents in charge of correlating the Dallas investigation, Robert P. Gemberling, also only 10 lines long, says that the December 29 interview with Mrs. Rosenthal had "previously been reported". This paraphrase of what that report says is:

In this interview Mrs. ROSENTHAL stated that from conversation with Mrs. MARGUERITE OSWALD that her son who was in Russia was working for the U. S. Government in Russia ... (sic)

There was nothing new in this. Mrs. Oswald had so charged directly to the government before her son's repatriation. She had repeated it on every possible occasion. Time after time, when she was later to say it on radio and TV shows, the FBI got tapes of them, clandestinely, and they were thereafter suppressed by the National Archives on direct order of the FBI. Only the existence of an entirely inadequate summary of the Commission's numbered files disclosed that what the FBI was suppressing was public - had been aired on radio and TV! This was contrary to the expressed desire of Commission Chairman Warren and then-Attorney General Robert Kennedy, both of whom desired everything possible be made available for research. They had so directed.

But nobody directs Hoover, who refused to talk to his theoretical boss, the Attorney General, beginning not long after the Attorney

General's brother was assassinated.

On December 29, the day after Hudkins visited Mrs. Paine, the FBI sent Agent Kenneth C. Howe to see her. His report (page 105) quotes her as having "furnished the following information concerning this contact by HUDKINS":

HUDKINS referred to an article which he stated had appeared in the New York Times, either December 26 or 27, 1963, which article conjectured that LEE HARVEY OSWALD probably made a deal with the U. S. Government to work in its behalf in anti-subversive endeavors in return for being granted permission to return to the United States. She stated that the article reportedly goes on to bring out that OSWALD probably was not being watched any more closely than he was by the FBI because OSWALD was working for or on behalf of the government.

After a third paragraph dealing with what Hudkins had quite correctly attributed to Mrs. Rosenthal, Howe wrote,

Mrs. PAINE stated that HUDKINS' primary purpose of (sic) seeing her was in an effort to get some confirmation, if possible, of the possibility OSWALD was actually working on behalf of the U. S. Government prior to the assassination.

This, Mrs. Paine said, she could not confirm.

An entirely different version is given by one of the agents most directly involved, the FBI's Dallas "Oswald expert", James P. Hosty, Jr. He and Agent Bardwell D. Odum interviewed Mrs. Paine January 3, 1964. Their report (page 108) is short, having but nine lines. The first paragraph reads:

Mrs. RUTH PAINE, 2515 West 5th Street, advised that LONNIE HUDKINS of the Houston Post Newspaper, in his contact with her on Saturday, December 28, 1963, had stated that the FBI was foolish to deny that Agent JOSEPH HOSTI (reference to SA JAMES P. HOSTY, JR.) had tried to develop LEE HARVEY OSWALD as an informant. Mrs. PAINE stated she made no comment one way or the other to HUDKINS regarding this remark.

And this, not the Howe fiction, is the nitty-gritty: Did Hosty try to "develop" Oswald "as an informant"?

To this paragraph is appended a single sentence that cannot be true:

Mrs. PAINE stated that she knew that SA HOSTY had not interviewed LEE HARVEY OSWALD.

Mrs. Paine had no way of knowing, one way or the other, whether or not Hosty had interviewed Oswald. Nor is it merely a question of "interviewing". There is the question of pressuring. Further deception is served in what Hosty omits, that he had interviewed both Mrs. Paine and Marina Oswald before the assassination and, what was carefully hidden, had leaned on Oswald further by making defamatory remarks about his wife in the form of questions to Irving neighbors.

Based on these pre-assassination interviews, not all of which are acknowledged in the Warren Report, if Mrs. Paine had been disposed to make a guess about whether or not Hosty had interviewed Oswald, she could not have avoided the possibility Hosty had, for she, personally, had told Hosty how to find Oswald at work.

What better reason for Hosty to quote her as saying "that she knew that SA HOSTY had not interviewed LEE HARVEY OSWALD"?

With the passing of a reasonable amount of time, and without public announcement, Hoover disciplined Hosty and reassigned him to the Kansas City office. Whether the disciplining was for some unspecified transgression or for failing in his mission can only be conjectured; but if it is the former, everyone in the FBI who could do so went out of his way to say the opposite before the Warren Commission.

The effort to make little of varied and needlessly confused accounts of the numerous reports of Oswald as an FBI and/or CIA

informant, so complete that not even copies of the published newspaper accounts remain, if they ever were, in the Commission's files (and no single report says a single clipping is attached), was not a disappointment to the Commission. None of the foregoing - and much more - was hidden from it or its staff. This is not conjecture.

Among the hundreds from whom the Commission took testimony, neither Hudkins nor Sweatt nor Goulden nor the author of the New York Times story was included. The original Dallas source of the story that Oswald had been an FBI informant was not Sweatt but Bill Alexander, the sort of wild-west assistant district attorney, a rough-looking and reputedly rough-acting character. Therefore, the Commission also elected not to take testimony from Alexander (who also had other interesting involvements tending to link him with Oswald, also ignored by the Commission).

How better pursue the truth without fear or diversion, diligently and persistently, wherever it led; what better way of learning whether or not the accused Presidential assassin was or was being recruited to be an FBI informant than by refusing to take testimony from a single one of the sources of published reports that he was?

Here, in the context of their busy lives and other public commitments, it is possible to make a kind of defense of the members of the Commission as distinguished from its staff. This is not to say they are innocent, nor is it to say that these men, all with long careers in government, were not thoroughly familiar with the workings of any bureaucracy, especially one with motives of self-interest and self-preservation. They should have known better. One, much later, confessed to me his belief that "we were never told all about Oswald and his connections."

In the context of their many other pressing preoccupations, it is possible to suggest that the members, particularly on this aspect of the investigation, were the creatures of their staff, were boxed in, had their decisions pre-determined for them. They were somewhat like ringed and chained bulls who, should they dare to run, tread on the chain dangling from a steel ring affixed to the soft tissue between the nostrils. One step on any part of that chain and the pain in the nose is excruciating. The bull pulls up short, stops, then walks slowly, if at all.

The Commission held a number of what are called "executive sessions". These are not uncommon with committees of Congress, commissions and similar bodies. It is a polite way of saying secret sessions. Aside from the members of the Commission, the court reporter and General Counsel J. Lee Rankin, they were alone. Rankin, also a Republican, had been Solicitor General of the United States, the government's lawyer, part of the Department of Justice, where he made and preserved many lasting friendships. Until both realized it was indelicate, his early and suppressed Commission correspondence with Jr. Edgar Hoover began with the salutation, "Dear Edgar".

During one of these sessions, on Monday, February 24, 1964, Chairman Warren, reflecting the lingering concern over whether or not the reports that Oswald had been "an undercover agent for the FBI", raised the question again. What follows is an unedited, verbatim reproduction from pages 1598 and 1599 of the official, TOP SECRET, transcript:

The Chairman. The next item on the agenda is status report on allegation that Lee Harvey Oswald was an undercover agent for the Federal Bureau of Investigation or other Federal investigative agency. Mr. Rankin?

Mr. Rankin. We have enclosed as part of your exhibits here

here what we have in regard to the various affidavits of agents, Mr. Hoover personally, and the interviews that were had with the various Dallas officials and newspaper reporters. We checked out Mr. Hudgkins, as you will recall, who sent me the source of the rumor, and we checked out all other sources, and the reports are here, and they all show negative. There wasn't any disclosure by Mr. Hudgkins. He said he had such information, but he refused to disclose his source, and he did not indicate that he had anything more than the number that he said and the claim that there was such a relationship. That is all here in these reports.

Rankin, who was to become New York City's law officer as its corporation counsel, did not tell the truth. As the reports already cited show beyond any question, Hudkins not only never "refused to disclose his source," but he made it explicit. Further, federal investigators had traced the information from Swett to Assistant D. A. Bill Alexander. The sole purpose served by this blatant lie was to persuade the Commissioners that there was no substance to the reports. As the reader has seen by now, it is anything but true that "we have checked out all the sources, and the reports are here, and they all show negative."

If those, especially of the major media and the eastern intellectual community, particularly those "liberals" who blindly say, in effect, that Earl Warren could make no mistake, forgetting that Jesus trusted Judas, had instead assessed the available evidence alone, they would have known that certainly someone had done wrong. But by their blind, unthinking, irrational and entirely unsupported assault on those who raised questions about the integrity and motives of the official investigation and its conclusions, they may well have made impossible any legitimate defense of the members of the Commission. This one excerpt might open some closed eyes.

This is but the beginning of the story, the tiny particle that can be pieced together from a single aspect of what the Commission

saw unfit to publish when it did publish an estimated 10,000,000 words in a total of 27 tomes.

Gerald

Republican Leader/Ford is a successful politician. He is not, however, renowned for tact or diplomacy. Paid with public funds to be a member of the Warren Commission and thus privy to its secrets, and with a ghostwriter provided by the ever-accommodating taxpayers, his name appears on two different private "Warren Reports", the first appearing in the issue of Life immediately after the official Report appeared and the second a book, "Portrait of the Assassin". The book was first published by Simon and Schuster in 1965. It was re-printed in paperback by Ballantine Books the next year.

The ghost was John R. Stiles, a long-time friend who had managed Ford's first campaign in 1948. Thus, according to the book's final page, "About the Authors", it was "natural ... that Mr. Stiles became Congressman Ford's special assistant throughout the Congressman's ten-month service on the Warren Commission."

Translation from officialese gobbledeygook: The Treasury paid for Ford's ghost. The Commission had its own staff.

What is "natural" is that, with so crass a commercialization, as with all literary effort that supports the Report, no charge of "scavenging" has been leveled at the respectable and respected Congressman. That libel has been reserved exclusively for those who publicly dispute the official mythology about this assassination. As one so defamed, entirely seriously, without fingers crossed or anything like that, I here express my own and I hope what will come to be a national appreciation of Ford's "natural" commercial instincts.

For he is a blabbermouth.

It is for this alone that we are in his debt.

If he said far less than he might and should have, he also said too much for the survival of the official fairytale.

This is the beginning of his book:

No sooner had the Commission investigating President Kennedy's assassination assembled its staff and tentatively outlined methods of operation than it was plunged into an astounding problem. On Wednesday, January 22, the members of the Commission were hurriedly called into emergency session by the chairman. Mr. J. Lee Rankin, newly appointed General Counsel for the Commission, had received a telephone call from Texas. The caller was Mr. Waggoner Carr, the Attorney General of Texas. The information was that the FBI had an "undercover agent" and that that agent was none other than Lee Harvey Oswald, the alleged assassin of President Kennedy!

Prior to that day the newspapers had carried an inconspicuous article or two speculating on whether Oswald could have been an agent of any United States Government agency. Mrs. Marguerite Oswald had made statements that she thought her son must have been tied in with the CIA or the State Department. But now the alarm had been sounded by a high official; and the Dallas prosecutor, Mr. Henry Wade, who had also reported the rumor, was himself a former FBI man.

Individual members of the Commission got the first inkling of the seriousness of Carr's report when they met in emergency session late in the afternoon of the twenty-second of January. Each had received an urgent message to come at 5:30 p.m. to the Commission's office in the Veterans of Foreign Wars Building. My secretary had contacted me immediately. I happened to be in a subcommittee hearing in connection with my normal duties on military appropriations. The other members of the Commission--Chief Justice Earl Warren, Senators Richard B. Russell and John Sherman Cooper, Congressman Hale Boggs, John J. McCloy and Allen W. Dulles--were going about their busy schedules.

On the arrival of the members, each took his place around the eight-foot oblong table. The late hour and the complete disruption of everyone's personal plans added to the atmosphere of tension. I was already overdue to leave the office, go home, change to evening clothes and attend the dedication of the new Museum of History and Technology. The Chief Justice had the same problem. He was the scheduled speaker at this important event.

J. Lee Rankin, General Counsel of the Commission, then reported the startling allegations to the members. They looked at one another in amazement.

The session that followed lasted until after seven. I can not recall attending a meeting more tense and hushed.

The Commission made the decision to ask the Texas Attorney General, District Attorney Wade and any other Dallas officials who had knowledge of these allegations to come at once to Washington and secretly present what they had heard. There should be absolutely no publicity.

The Texas officials slipped into the nation's capital with complete anonymity. They met with Lee Renkin and other members of the staff and told what they knew. The information was that Lee Oswald was actually hired by the FBI; that he was assigned the undercover-agent number 179; that he was on the FBI payroll at two hundred dollars a month starting in September 1962 and that he was still on their payroll the day he was apprehended in the Texas Theatre after having gunned down Officer J. D. Tippit! The officials returned to Dallas after their visit on Friday, January 24. Their presence in Washington was unknown to the press or the public.

This sensation was little noted on publication, has been entirely forgotten except for a few still researching the assassination, and spurred me to more intensive investigations in one of the two most carefully hidden and most important elements of the assassination evidence. The first thing I had written on the assassination, almost as soon as the President was buried, is what is called a "lead and summary" for a magazine article that could not be published. My agent reported that all major magazines were practically terrified and would print only what was consistent with what government said. The topic sentence read, "Lee Harvey Oswald could not have been persona non grata to the FBI."

This modest representation was obvious to one with my background as an investigative reporter, a Senate investigator, and an intelligence analyst. It must have occurred to hundreds, immediately. But the FBI carefully brushed over all the trail.

Sensational as is Congressman Ford's blabbing-for-bucks, it is still a considerable understatement. It in no way discloses - does not even suggest - the unbelievable national scandal, an incredibility like nothing in our history, that immediately followed

and then, save for a single bureaucratic oversight, was completely hidden.

This "crisis" is reported only in Ford's for-personal-profit "Warren Report", not in the official one. The official one bears no hint of this or the fact behind it. There were these three feet containing millions of words of "evidence" the Commission published, but in them no space for this sensation, as there was for none of the small sampling of relevant reports I have just cited.

The Commission did not, on its own, decide to give the mourning nation this large selection of its collection of what, for the most part, is irrelevant. It published these 26 volumes of testimony and appendages only under White House pressure, another fact until now not given the public.

Commission-articulated resistance to publishing much of anything more than a bit of its carefully selected propaganda rambled on for pages in its TOP SECRET executive sessions. Here are a few excerpts from pages 5872-5874:

The Chairman. My thought is this, on that subject. I wonder if we are under any obligation to print this transcript. I think we have to print our report. But to print this appendix is going to cost, as I see there, for 2,000 copies -- if we have 10 volumes, it will cost \$259,000. And 2,000 copies would not be anything. Every Congressman, every Senator would want a number of copies for his libraries and so forth, as they do with the Congressional Record. And it would amount to a vast sum of money.

And why shouldn't we just file our report in printed form, and then file with the transcript. And then if Congress or someone else wants to have it printed later, let them print it.

Mr. Dulles. ... But I quite agree with the Chief Justice, Make this available so nobody can say you have not tried to make the whole thing secret. But to print all the testimony you have taken -- some of it has been terribly detailed. If historians later want to read it over and work on it, well and good, but I don't think anybody would pay any attention to it to begin with.

* * * *

Mr. Dulles. Well, as the Chief Justice says, if Congress wants to appropriate the money to print it, let them do it.

The Chairman. Sure. We would not conceal it. We would make it available to them. If they wanted to print it, they could do it.

Until pressured, it had an entirely different attitude, as disclosed by this excerpt from an early TOP SECRET executive session from which it excluded its staff, access to the transcripts of which, the chairman assured the members, would be denied even its trusted employees:

Rep. Boggs: Mr. Chief Justice, who sees this transcript this man is making here?

Chairman: That is supposed to be Top Secret, between the reporter and this Commission, and no one else. I am sure that is the understanding.

Rep. Boggs: All right.

Chairman: We would not have less than that.

Rep. Boggs: I just wanted to make sure.

What was not classified, that for which there was ample space, is page after page of cheesecake pictures of Jack Ruby's hardfaced and softbodied strippers on the one extreme, their hardness no more related to the assassination than their softness; and on the other, such pseudo-science as the FBI's detailed analysis of hairs found on a blanket known to have been Oswald's. These were pubic hairs, the FBI's science established after hours of the most complicated study, and Oswald's pubic hairs at that. Why it is significant that Oswald's pubic hairs were on Oswald's blanket is an arcane secret of the secret police, but the Commission was impressed. The whole schmeer is in the appended volumes as it is in the Report, complete with enlarged cross-sections (R587), for all the world as though whose pubic hairs were on Oswald's blanket should be of interest to anyone besides his wife.

And thus we can learn, in examining this most subtle "proof" on how the President was assassinated and by whom, by study of this full-page drawing titled, "DIAGRAM OF A HAIR," that each has eight

parts. Imagine that! Each tiny hair, eight parts, no less! They are clearly identified: root, shaft, scales, cuticle, cortex, medula, pigment and cortical fusi. So that all of this could be understood clearly, the FBI's much larger drawing, even in reduction for Commission reproduction, presents the cross-section of a hair blown up to an inch and a quarter.

Now this, to this Commission, was how to solve the assassination. Not by any genuine inquiry into, for example, whether the sole man it ever considered might have been the assassin had such complications in his life as association of any nature, no matter how remote, with government intelligence, either the CIA, the FBI, or both.

These exaggerated examples serve to highlight what really transpired in those TOP SECRET executive sessions.

It is possible to think too harshly about individual members, like Boggs, from looking at their let-down hair, possible to attribute more guilt to them than may be justified. What I believe the Commissioners never realized is how much they were the creatures of their staff, the lawyers they thought served them alone, and the FBI, which did almost all its investigating, if that is what the FBI really did for the Commission.

Some of the members, from time to time, expressed jaundiced views in their TOP SECRET Kaffee klatches. However, Boggs and Ford never lost their faith in the FBI.

The year after they issued their Report, they made a joint television appearance in New Orleans, not for a moment realizing their self-indictment. These are the words of the Associated Press account, from the Washington Post of June 7, 1965:

Both men also expressed the view that if the FBI and the Secret Service had jurisdiction in the investigation of the shooting of President Kennedy, then the killing of Lee Harvey Oswald would not have occurred. The two agencies, they said, would have provided more safeguards for Oswald, the accused assassin.

Aside from a self-indictment for not having said this in their Report, it is an indictment of the Dallas police also not in that Report.

With this mixed picture, part in sharp focus, part fuzzy, a picture of the Commission never before exposed, a picture of Oswald as a government informant and the serious emergency with which this possibility confronted the entire government when he was accused of being the Presidential assassin, and a glimpse of how government functioned when in this unparalleled predicament, we big what to me has been a non-fiction detective story for the more-than-seven years during which I have been trying to ferret out the suppressed evidence.

It comes from rooting out the secreted documents and from extensive personal investigations.

Was Oswald really connected with any federal agency? Was he connected with more than one? Had he had connections, broken them, and was he being harassed to resume them at the time of the assassination?

It may or may not be possible to reach a definitive answer. Certainly, if we do, it will not be with the help of either the CIA or the FBI. The question is one that, in the national interest, must be addressed and, to the degree possible, answered. Before returning to the Commission's secret misconduct on this, acts like nothing in our recorded history - a thing so scandalous and culpable it can hardly be imagined - we should and do examine the strange consistency in

Oswald, beginning with his boyhood, when he did what makes sense only if he conceived himself some kind of amateur spy.

"I Lived Three Lives"

As son and brother, Robert Oswald is an exceptional man. It is not many who can, with no knowledge of their own, summon the inner resources required to call his brother a Presidential assassin and to blame this on his mother. And, when a book ("Lee") not of his writing but bearing his name appeared, Robert was without reluctance in expressing himself. Then the words came from his own mouth - and they promoted "his" book. (It was written by Myrick and Barbara Land.)

In a December 17, 1967, appearance on Dallas TV Station WFAA, as reported by the Associated Press, "I conclude that Lee alone fired the three shots." The subheading later in the story is simple and explicit, "Blames Mother."

This amateur psychiatry did not originate with Robert. From "his" writing, it began with eminent counsel for the Warren Commission:

... I received a telephone call from Wesley J. Liebeler, an assistant counsel ... He told me he was in an isolated cabin or ski lodge working on one chapter of the Commission's Report. He had reached the point where he wanted to reveal Lee's motives for shooting the President, he said, and that was why he was calling me. "When you want to know something," he said, "you go directly to the man who should know the answer."

Robert "knew" so much about his brother he didn't know even the size of his family. Almost anyone Lee knew had seen more of him than had Robert. Thus, this Commission and its counsel in charge of the chapter on "conspiracy," when the question of motive perplexed, as well it should, selected Robert as "the man who should know the answer" - when Robert had no way of knowing - and went "directly" to him, by phone. Liebeler was at Newfane, Vermont.

Even Robert was troubled by this, after "the Commission had spent months on its exhaustive investigations."

Liebeler's amateur psychiatry led from the Warren Commission to teaching law at the University of California at Los Angeles. The amateur psychiatry was not his alone. In questioning Robert, Albert Jenner, who then aspired to the presidency of the American Bar Association, "asked me whether I had seen two films - Suddenly and The Manchurian Candidate." When Robert later saw the second film, "it shocked me," as well it might, there being, to his knowledge, no Queen of Diamonds in Lee's past and nōmskill with the rifle.

Perhaps it is this devotion to amateur psychiatry that leaves voids in the investigation into whether Lee had federal connections of any kind.

Interviewed in New York on publication of his ghost-written book, Robert claimed, in the words of the UPI October 2, 1967, story, "that two days after President Kennedy was killed, Secret Service men suspected the FBI was involved in the assassination." The Secret Service then held the Oswalds in "protective custody."

But, if Robert couldn't give Liebeler Lee's motive, by the time his book was contracted, two and a half years later, he was ready with "additional details of why and how his brother" was the assassin, because, in the words used by AP December 8, 1966, "the public needs more details."

Not the public alone is it that "needs more details," Robert's lofty and non-commercial motive in permitting his name to be put on a book written by ^{others} ~~Myrick and Barbara Land~~. The official investigation needed them, too.

Investigators, police and lawyers are only too familiar with the problem of details and having to get some from sources of dubious#

dependability. But there are some areas, those of least official interest, in which Robert can be the only source, having been Lee's full brother and closest to him in age. He had significant things to say, although they were of no interest to the officials. The question we face is not could Robert know, but how dependable is he in reporting what he knows? Can his word be taken?

I believe that on one significant and officially-ignored element of evidence he reports dependably. But the reader should be able to decide for himself. This again leads to Robert's book.

As did Robert, his publishers, Coward-McCann, Inc., blurred Lee as "a unique and vital document that sheds new light on the influences that led Lee Harvey Oswald to murder." The full-page ad in the October 2, 1967, issue of the trade paper, Publisher's Weekly, boasts of "Robert's efforts to protect Marina from promoters."

All of Robert's earlier professional experience had been with bricks, not protecting widows of accused assassins from "promoters." He worked in a brickyard. His "protection" took the form of assuring that she'd be milked as thoroughly as a prize cow, with 35 percent plus creamed off the top. Only Jack Ruby could have fared worse. The man who shot Lee, with Lawrence Schiller, who was later to call those doubting the Warren Report "scavengers", acting as his agent, got less than half the take.

- If it requires exceptional courage and devotion to high principle to call a brother an assassin and say the blame is the mother's - for pay - if this is true sibling love at its exalted pinnacle, real family pride, the authentic Damon and Pythias bit, Robert's financial involvement with his widowed sister-in-law also was a secret scandal early in the life of the Warren Commission. Of this there was a secret investigation. It is not mentioned in the Report.

The Secret Service took possession of Marina as soon as they could, she, her children and her mother-in-law Marguerite, until the second day after the assassination, having been guests of Life. They spirited the family out of Dallas, to the Inn of the Six Flags, at Arlington. It was managed by James Martin. I tell the entire story in WHITEWASH II: The FBI-SECRET SERVICE COVER-UP, in the chapter, "Scheheresade," basing it on the suppressed evidence I was by that time, the late summer of 1966, able to dredge from the Commission's unused river of evidence in the National Archives.

Held virtually incommunicado, Marina was leaned on heavily. She was not told when her husband was shot, was lied to when she heard of it by accident, and then had to insist on being taken to the hospital, where her husband was already dead. Immediately she was returned to the inn and subjected, despite her anguish and over her objection, to a grilling that exhausted her. With translations from English to Russian and back again, the transcript is 45 pages long. It was when I discovered this transcript that I learned of the early official interest in the mysterious David William Ferrie, later to die under strange circumstances.

Once the Secret Service stopped leaning on her, they became the good guys. The FBI always had been the bad guys to Marina. She blamed them for Lee's loss of each job almost as soon as he got it and for other abuse. She refused to talk to the FBI. It took considerable Secret Service wheedling to break down her reluctance.

Money helped, too.

To put it bluntly, Marina was given a simple choice: Deportation to the Russia she hated or wealth and citizenship in the United States - if she "cooperated." ("... if I wanted to live in this country, I would have to help ...")

She chose fame and fortune.

And here is where Robert's noble ambition, to protect the sister-in-law he hardly knew from the "promoters," became important to the government.

Marina's closest friend, the woman with whom she lived, Mrs. Ruth Paine, spoke Russian. Marina spoke almost no English. She trusted Ruth, and thus had to be separated from her so she could "cooperate," cooperation meaning saying almost anything asked of her to indict her murdered Husband.

When Robert's dedication required instant knowledge, instant knowledge he developed, on the spot.

Robert had never met Ruth or Michael Paine, but he knew all about them the day after the assassination, when he visited Lee in Dallas jail. The brothers spoke by phone, through a heavy glass partition. When Robert asked what would happen to Marina and the kids, Lee said, as Robert reports it, that his friends the Paines would look after them.

"I don't think they're any friends of yours," Robert quotes himself as saying.

When is precisely the instant knowledge he needed to "protect" Marina from the "promoters."

After publication of my second book, I found the untold story in a secret Secret Service report. It was filed February 26, 1964, by Leon L. Gopadze, a Russian-speaking agent assigned to the Los Angeles office. He had been rushed to Dallas and was the link with Marina. Agents Mike Howard and Charles E. Kunkel helped. Gopadze's investigation is the Commission's File 486.

When the Secret Service moved Marina et al. into the Inn of the Six Flags, they delivered her to what was to become a package deal. Martin took it and Marina over. She was later to complain before the

Commission and to ask for relief, which she was able to buy for herself by paying off Martin and others.

Investigation of the financial scandal, or Robert's "protection" from "promoters," is phrased with diplomatic subtleties rather than rough investigator's language. The "request" was made by Inspector Thomas J. Kelley (now assistant director in charge of Protective Research, the presidential-protection unit). It included whether Gopadze's questioning of Marina "was ever conducted in the presence of James Martin" who by then had become her "Business Manager" and "to relate any conversations in which he participated as translator, occurring between Marina Oswald, James Martin and Attorney John Thorne, relative to any business transactions."

Gopadze took it chronologically. He first met Martin at the Inn on November 27, five days after the assassination, three after Marina had been sequestered there. "At this time Marina Oswald was being questioned by FBI Special Agents /James Patrick/ Hosty and /Charles T./ Brown." Hosty, later disciplined, was the Dallas "Oswald expert."

On that occasion all Gopadze heard from Martin is that "Martin stated that he was sorry for Marina Oswald and that he was doing everything to make her comfortable at the Inn." The next day there was "thanksgiving dinner given by the Martins at their residence for Marina Oswald."

The day after Thanksgiving Gopadze "translated to Marina Oswald various suggestions made by Robert Oswald and James Martin concerning the request of the Rosehill Cemetery officials for the removal of the body of Lee Oswald from his grave," motivated by "threats received by them concerning the disinterment and destruction of the body of Lee Oswald. Marina Oswald reluctantly agreed to the cremation" (which, it happens was also devoutly desired by the Commission, none of whose

business it was, as they discussed it in their top-secret executive sessions). She stipulated only that it cost her nothing.

At this time it became "apparent" that "a previous offer had been made by the Martin's (sic) to Marina Oswald to move into their home and become a part of their household."

Marine appeared to have some doubts about Martin's bighearted Texas generosity, first sought "assurance that his family liked her, then wished to know how long she might remain with the Martin's (sic) and under what conditions. James Martin stated that she could stay with them as long as she wished, that they wished no compensation from her other than helping around the house ... At the conclusion of the conversation between Marina Oswald, Robert Oswald and James Martin, Robert Oswald told the Reporting Agent [that is, Gopadze] of his personal dislike of Ruth Paine."

Instant knowledge; instant dislike.

Robert and Marguerite "did not wish Marina to have anything further to do with Ruth Paine. He did not elaborate on his reasons, merely stating that Mrs. Paine was a bad influence on Marina. At this particular time Marina indicated that she would do anything Robert wished her to do and stated that she trusted Robert completely."

This "bad influence" consisted in Ruth's having taken Marina into her home, without charge, arranging for her hospitalization in Dallas while she was delivered of her second child, and having driven all the way to New Orleans for Marina and baby June.

Other reasons for Marina's "trust" and Robert's "dislike" soon became apparent.

November 30 - he recounts it day by day - Gopadze and the entourage were driven from the inn to Martin's residence, 11611 Farrar Street, Dallas.

Marina had gotten Martin's assurance that there was nothing his family desired more than giving free room and board to this poor little poor girl. But when they got to the Martin home, "Mrs. James Martin appeared somewhat perturbed with Marina's presence in the household." Because of the neighbors, Gopadze says. She "suggested changing Marina's appearance, changing her name, etc."

So friendly were the local folk that Martin "was encountering difficulty with the local banks in Dalås in opening a bank account under the name of Marina Oswald."

The poor-little-poor girl had somehow been touched with a magic wand. Within a week of the assassination, money was rolling in.

Martin solved the problem by opening "an account in the name of Marina Martin and would negotiate the donation checks by endorsing them in his name and then depositing the cash in Marina's account." Marina "appeared agreeable at this time."

Gopadze "suggested to Martin that he find a reputable lawyer to transact her legal affairs and a competent financial adviser to assist in her business affairs."

No problem at all for Martin. These experts were waiting in the wings. Meanwhile, Marina "strongly indicated her trust of Mr. Martin in his handling of her affairs."

Grand Prairie Attorney John M. Thorne, known to Martin for some time, "was willing to handle Marina's legal affairs," but not "in any criminal actions." Gopadze assured none were likely.

Thorne came right to the next point:

Mr. Thorn (sic) stated that he could not represent Marina without compensation and also suggested at that time that Mr. James Martin be appointed by Marina as her Business Manager (sic).

Marina "agreed that appropriate contracts should be drawn by Mr. Thorn (sic) for the purpose of binding this agreement. At this time no mention was made relative to the matter of compensation and fees."

In his account, Gopadze intersperses mention of various interrogations of Marina for official purposes. It helps cushion the impact of Robert's "protection" of Marina from those who would exploit her and of her financial good fortune at having been the wife of the accused Presidential assassin, next best thing to owning a gold mine. The apparent oversight on the financial details was remedied two days later, when the contracts were drawn. They

provided for 10% of Marina Oswald's income to go to Mr. Thorn (sic) for attorney's fees; 10% of her income to go to Robert Oswald as her adviser; and 15% to go to Mr. Martin as her Business Manager (sic).

This added five percent to Martin "was to be considered as incidental expenses in connection with finding writers for Marina's stories, etc."

Considering that Harper & Row was to provide Mrs. Priscilla Johnson McMillan to write Marina's book - and by early 1966 had a six-figure investment in what was already, obviously, nonpublishable - this does not seem to have been unfair to Martin. Another remarkable coincidence is that Priscilla Johnson, as a Moscow reporter, had interviewed Lee there on his arrival.

The first "advice" Marina needed and got was not from Robert, who got 10 percent allegedly for this purpose. Gopadze provided it by asking

if the above percentage fees were based on monies received by [Marina Oswald from various contribution and donations from people throughout the United States. Mr. Martin stated that even though the contracts drawn up by Mr. Thorn (sic) seemed to indicate this would be the case, that it could be specifically stated in the contracts that the contracts did not refer to monies received as donations and contributions, and it would be a simple matter to so correct the contracts.

This, as Gopadze said, "was not his duty nor within the sphere of his work to become involved in Marina Oswald's personal affairs," especially when Robert was getting his cut for it. But the government told Marina that if she helped, it would look out for her^g, and here

it did. It cost Robert and the others a percentage of the generous gifts.

Marina was content to be milked, feeling

that if the parties involved could make money for themselves, it would mean money for her, too.

The contracts ran for 10 years. Apparently, she was not told that writers also get paid. What this deal cost her in toto remains unknown.

In all of this, Robert, with his brickyard experience to put at Marina's disposal for a 10 percent cut of her gross, served two purposes: to swing the deal for his partners and the government and to keep Ruth Paine, the one independent person with whom Marina might consult, away from Marina. He succeeded with both, thus earning from his partners Martin and Thorne some of what they might otherwise have kept of what they milked from Marina.

How well he kept Ruth and Marina separated is revealed in this hitherto-unpublished document from the Dallas police files. It is the December 23, 1963, report of Criminal Intelligence Section Lieutenant Jack Revill, meaninglessly entitled, "SUBJECT: CRIMINAL INTELLIGENCE (4)":

The undersigned Officer was assigned, along with two United States Secret Service Agents, at the JAMES HERBERT MARTIN residence, 11611 Farrar, for security purposes on December 21, 1963. Mrs. MARINA OSWALD is presently living at this address. The following report, regarding occurrences during this tour of duty, is submitted for your information.

At 10:40 a.m. Mrs RUTH PAYNE, aka MRS MICHAEL R. PAYNE, was observed at the front door. Mr. MARTIN was told by Secret Service Agents that Mrs PAYNE had been informed that she would not be permitted to see Mrs. OSWALD. Mrs. OSWALD went to the back of the house and remained out of sight while Mrs PAYNE was there. Mr. MARTIN opened the front door and Mrs. PAYNE entered without being invited into the house. She brought some packages which she stated were for the MARTIN children and a package which had come to her address through the mail for Mrs. OSWALD. Mrs. OSWALD'S package was given to Secret Service Agents after she left for examination but the packages for the MARTIN children were not checked. Mrs PAYNE stated that she wanted to get acquainted with Mr. MARTIN, he reminded her that he had come to her house in Irving and picked up Mrs OSWALD'S possessions. Mrs PAYNE said that so many people had been there she did not remember him. Mrs PAYNE expressed a desire to contact Mrs. OSWALD and was told by MARTIN that she was not having any visitors and that he had been asked not to reveal her whereabouts. Mrs PAYNE'S actions indicated that she knew or at least suspected, that Mrs OSWALD was living with the MARTINS. Mrs. PAYNE

left at 12:20 p.m. She drove a 1955 Chevrolet station wagon, color two-tone green, bearing 1963 Texas license number NK 4041 which is registered to her at 2515 West Fifth Street, Irving, Texas.

Mr. MARTIN stated that he thought Mrs. PAYNE had gotten his address from JOE FISHER at the Statler Hotel, she mentioned that she had talked to FISHER.

The Secret Service Agents on duty declined to comment on the relationship between Mr. MARTIN and Mrs. OSWALD or MARTINS reasons for taking her into his home. They stated that Mrs OSWALD had been made some offers, the nature of which they would not disclose, that could bring her a substantial amount of money and they implied that MARTIN was supporting her and going to manage her affairs for a percentage. They stated that as far as the Secret Service was concerned MARTIN might as well have the money as anybody else.

This report was written by Detective T. T. Wardlaw, to whom Revill had assigned his "security" job.

Exactly the same thing happened to the American Civil Liberties Union when its Dallas branch worried about Marina's enjoyment of all her legal rights. In that case, the police had their own interest. They, considering the ACLU "subversive," had planted an agent inside it. The Commission, after entering this report into its evidence as Exhibit 710, physically removed it and replaced it with a totally false explanation in the printed volumes (17Hxvii) saying there is no exhibit of this number ("This number was not used"). I was able to get a copy, even after the Archives denied its existence. This lie is no more accidental than it is pointless.

So, Marina was in good hands. She did cooperate in full. She said what was required of her, avoided deportation, and got her citizenship while she grew rich. And, although a witness to nothing, prospered as the chief witness against her husband - and the first. When it later developed that what she had said before this deal was packaged and delivered was contrary to what was wanted of her, before the Commission, she had a simple and readily-accepted explanation: She swore that she had lied while not under oath but would not lie under oath! The Commission

remained untroubled about this until the end of its days. Then, too late, Senator Russell developed some misgivings about her testimony. Without having really participated in the Commission's work, he nonetheless shook her into changing her story again in a secret hearing held in a Dallas military installation on Sunday, September 6, three weeks before the Report appeared, after it had been set in type and without significant impact on it or its predetermined conclusions.

With this history, we may be better able to appraise two bits of information from Robert that bear very much on whether his brother may have been a federal informant, particularly on whether Lee might have begun life with this as an ambition.

These may seem to be contradictory, yet they may not be. When Look condensed "Lee," it chose to eliminate the second, but inconsistency need not be considered the only possible explanation.

Robert says he believes Lee "first became interested in Communism" in 1954, when Lee was in the ninth grade, rather precocious political development. To this he adds, "I can't help wondering whether it might have been Ferrie who introduced Lee to Communist ideas."

David William Ferrie, homosexual former airline pilot, a brilliant psychopath who died mysteriously in New Orleans in early 1967 while under investigation, held such virulently anti-Communist views that conservative organizations found them too extreme to be listened to. Ferrie was deeply involved in CIA-directed and -financed anti-Castro activities. He claimed to have been a contract employee for the CIA. His godson, Morris Brownlee, told me that Ferrie had introduced him to his CIA "contact."

In using "wonder," the Lands put the right word in Robert's mouth. But the wonder is about what kind of political ideas, if any, Ferrie "introduced." Lee was strongly anti-Communist, despite the official misrepresentation.

Oswald's hatred of Russian Communism and American Communists permeates 150 consecutive pages (283-434) of those of his notes reproduced in Volume 16 of the Commission's appended evidence, which almost nobody has ever seen. Rather vigorously, these say the opposite of what is presented in the Report. In his secret writing Oswald had raged:

The Communist party of the United States has betrayed itself! It has turned itself into the traditional lever of a foreign power to overthrow the government of the United States, not in the name of freedom or high ideals, but in servile conformity to the wishes of the Soviet Union ... /the leaders/ have shown themselves to be willing, gullible messengers of the Kremlin's international propaganda ... the Soviets have committed crimes unsurpassed ... imprisonment of their own peoples ... mass exterminations ... individual suppression and regimentation ... deportations ... the murder of history, the prostitution of art and culture. The communist movement in the United States, personalized by the Communist Party, U.S.A., has turned itself into a "valuable gold coin" of the Kremlin. It has failed to denounce the Soviet Government when similar actions of the U.S. Government bring pious protest. (Spelling improved.)

Where Oswald, in private, speaking his real beliefs, described himself as one "with many personal reasons to know and therefore hate and mistrust Communism ..." (16H442), the Commission prated about what it designated as his "dedication" to "Marxism and Communism."

When there was this gruesome official "What's My Line" with evidence, history and the investigation of the "crime of the century," the real Lee Harvey Oswald could not "please stand up," being safely in his grave. In this Report, even his ghost was kept there. If the real Lee Harvey Oswald sounds more like J. Edgar Hoover than Karl Marx, it is surprising only because of the official decision not to trouble the country with the real details of the real life and beliefs of the real Lee Harvey Oswald.

What Look eschewed appears on page 47 of the book:

One of his favorite programs was I Led Three Lives, the story of Herbert Philbrick, the FBI informant who posed as a Communist spy. In the early 1950s, Lee watched that show every week without fail. When I left home to join the Marines, he was still watching the reruns.

Boyhood devotion to a program glorifying the FBI is hardly the usual apprenticeship for Communist belief. No more than trying to join the Marines at 16 and succeeding at 17. If any conclusion were to be drawn from this, and here there is no reason to doubt Robert, it is more likely that from childhood Lee aspired to emulate Philbrick, to become an FBI informant, a not-unrewarding sideline for young men not prepared for life with a good trade or profession.

And, despite the contrary official conclusions and the official effort to hide all relevant evidence, the one consistent direction in much of Oswald's short life beginning with his favorite TV show is that of informant.

OFFICIAL TRASHING

The Commission preferred its own amateur psychiatry to that of professionals, including its own, Dr. Wilfred Overholser, whose services to the Commission were kept a state secret. Dr. Overholser had formerly headed a government mental hospital. The only planned use of his psychiatry of which I can find any record is that for which he had absolutely no qualification, examination of the film of the autopsy of the assassinated President. If he did that, it remains a secret. The truth is that no evaluation ever made of Oswald is in any way consistent with or justification of the official allegations and the only official one, when he was in the Marines, is ~~that~~ "no abnormalities ~~were~~ noted, in all categories, including psychiatric" (CE 1383).

By means of its own amateur psychiatry, the Commission concluded the assassinated alleged assassin - and there is no credible evidence he was and overwhelming evidence he could not have been the assassin - had a predisposition toward violence, widely interpreted as supposedly coming from sleeping too far into his boyhood with his widowed mother, to reading and spelling defects, and other realities of science that in this case are the devices of fiction.

For all the extensive biographical data on Oswald - and about half the enormous 912-page Report is biographical and utterly irrelevant without probative proof he was the lone assassin - there remains the total absence of what we have considered.

So the reader can fully appreciate how little of the Report is on the assassination, how considerable an understatement it is to say that the official explanation of the crime is largely supposedly biographical information and other such immaterialities, let me cite these statistics: The first chapter of the Report, titled "Summary and Conclusions", was not that alone. It was also the Commission's press release on the Report. It is 25 pages, next to the shortest chapter. The shortest chapter, the second, has 22 pages. Of these, eight are taken up with charts and pictures of the area, leaving 14 pages of text. It is the chapter called "The Assassination" - 14 of 912 pages! This is but a third the length of one of the chapters on Oswald's "Background and Possible Motives," the seventh; about a fourth the length of Chapter 13, "Biography of Lee Harvey Oswald." The subject of by far the least interest in the Report is the assassination. This is the only means by which it could even seem to be pinned on the man immediately accused, before there was a vestige of evidence of any association with the crime at all; the man upon whom it was thus pinned, after what was touted as the greatest criminal investigation in history, by unsubstantiated inferences and the capture of the public and media minds with carefully arranged leaks of the most prejudicial misinformation.

His career from school-day attraction to the flying boy scouts, through his top-secret-plus security clearance, his relationship with a Penkovsky-case principal, his unlikely activities over a period of years, can make sense only as intelligence-oriented. His own claims to this association, the many things tending to substantiate him, and the complete absence of anything that, by even a fly-by-night correspondence detecting-course apprentice, could be considered a real

investigation of any of this, support the belief.

We began with the official hang-up on this tender point of Oswald's official connections without telling the whole story of them, and to that we now return, with the perspective added by that part of his career not hidden beyond retrieval.

Within the context of the preceding chapters, with the distortions, misrepresentations, suppressions, avoided witnesses and investigations, hidden evidence - evidence hidden most of all from the Commission by the FBI, which was supposedly investigating for it - and of evidence that could have shown his associations with it and/or the CIA - there is a background for the Commission's own misconduct so serious it is beyond adequate description in terms the average American can conceive to be the reality.

It is now time to return to the beginning, Congressman Ford's exploitation of official secrets for personal profit, at the cost of breaching faith with his former colleagues on the Commission, after that Commission ceased to exist, when it was not possible to do anything about it. He had made this easier by putting a political crony on the public payroll as his assistant, even though the Commission had its own staff without limitations on its size. The public provided Ford with his ghostwriter.

Ford's taxpayer-subsidized book tells far from the complete story, much, much less than he knew, very much less than he could have said of Oswald as an official informant and the pretense of an investigation of it. The seventh and last veil hid more. Ford restricted himself to just enough to make a story, to what he could seem to refute, leaving himself and the Commission, if judged by his book alone, clean and pure.

That this literary scrimshaw did not work can be attributed to the fact that the rest of the book is junk. When it appeared, few had any way of knowing this sensational beginning was anything but the complete story of Agent Oswald. The book is literary trash, a jumble of irrelevant, prejudicial rehashing of the official, personal defamations of the Oswald family and an all-pervading, contrived anti-Communism, put together with the unknowing paranoia of those who have successfully converted this modern sickness into political careers. The result is an overblown updating of an urbanized "Tobacco Road."

In the steam-cleaned Ford version, the Commission's first knowledge of reports that Oswald had been an informant came from Waggoner Carr's telephone call to Rankin, Hoover's old personal friend from his Solicitor-General days in the Department of Justice. Republican Rankin manipulated the Republican-dominated Commission appointed by the Democratic President (who had become President because of the assassination), who thus fixed upon his Republican opposition responsibility for "investigating" the crime.

It was neither the phone call nor the content of the phone call.

It was the source of the phone call - no stranger.

Waggoner Carr was Attorney General of the State of Texas. His call meant that the Commission had to face the ultimate crisis, an official investigation outside the federal government that might reveal the possible connections between its various spooks and Oswald.

The assassination of John Kennedy was a crime only in Texas. Texas jurisdiction did not end when Ruby assassinated the accused. Only the sanctified fictions, that Oswald was the assassin and that there was no conspiracy, prevents criminal action in the case. Ruby served but two purposes in shooting Oswald: He closed Oswald's mouth

the only safe way - permanently; and he made it possible to avoid consideration of any other culprit.

But, in so doing, he added to Texas' image and conscience troubles because the assassination was committed in its hate environment.

Texas immediately developed new problems: the federal government, the Commission and, most of all, Rankin who, despite his polite manner and smooth words, exercised tight tyrannical control over everything.

The federal government set out to ~~and succeeded in~~ ^{it} immobilizing and nullifying any independent Texas investigation. The strange form this took is set forth lucidly and in detail by Sylvia Meagher, one of the writers who first and most effectively disputed the Warren Report. Her "Accessories After the Fact" remains a basic work four years after publication. Her exposure of the unending federal trickery in vitiating anything Texas might undertake appeared in the July-August issue of the now-defunct small magazine, "The Minority of One," under the title "Wheels Within Deals: How the Kennedy 'Investigation' Was Organized."

It was Machiavellian.

Four days after the President was killed, Carr and Walter Jenkins, then the long-time righthand man of the new President, began conversations taken over by Abe Fortas, who later became a Justice of the Supreme Court. Carr was led to believe that there would be a joint Texas-Department of Justice-FBI investigation. As early as November 26, the Texas part was called a "Court of Inquiry." When the White House began dealing with Carr - and it was then a Texas White House - the federal end had been announced as an FBI investigation,

to be made public by the President. But no sooner had Texas been hog-tied than the White House announced the creation of this special Presidential Commission. Formal announcement was November 29, but work on it had begun sooner. The idea is generally credited to Fortas, but it was earlier the broadcast editorial recommendation of Washington's Radio Station WWDC, where it had been conceived by Irving Lichtenstein, then station vice president. WWDC urged Warren to head the Commission.

As Carr wrote Warren December 5, almost his last letter that was not a protest against some kind of federal duplicity,

The assassination occurred in Texas. The people of Texas share with their fellow countrymen the loss of a great President. Their own Governor was badly wounded. The integrity of Texas justice is deeply involved. I am certain that the people of Texas feel that it is their local responsibility to have their State officials do everything possible to uncover all the facts.

Rankin treated the Texas "Court of Inquiry" like a boy out to make a girl, saying whatever at any moment seemed expedient.

On the other hand, Texas was loose and easy to make. Ultimately, she aborted.

No copies ^{of} ~~that~~ that report were publicly available. Carr's response to my request was to direct me to any Texas college. He considered he had fulfilled his obligation by filing a copy with each.

It would appear that, with all he had to do, such as dealing with Jenkins, Fortas, Rankin and the members of the Commission, Carr had no time for reading newspapers. When he learned about the reports that Oswald had been a federal informant, he phoned Rankin immediately. Unlike Carr, the Commission and its federal investigators did read the papers. In silence and without investigation, they knew all about the newspaper stories. There are no copies in the Commission's files.

(These are not the only things purged. I have obtained a number, some only by accident because misfiled copies were not found and could not be destroyed.)

When I could not locate these clippings I knew the Commission had, I kept after the Archivist to have his staff locate them. It is little known but, aside from becoming custodian of the Commission's files, the Archives also set them up and supervised them. One of my repeated requests was answered by the Archives November 22, 1968 - the fifth anniversary of the assassination - in these words:

No copies of the stories in the Houston Post or the Philadelphia Inquirer which you request have been found in the records of the Commission.

More than a year later, in December,

No copies of the newspaper stories ... or a report of an interview with Hudkins by Special Agent James W. Russell have been found.

I had restricted my requests for copies to those stories I knew the Commission had. Ford was indelicate enough to quote both in his book, four of Goulden's five paragraphs in full. He omitted the one reading

- The revelation that the Federal Bureau of Investigation tried to recruit Oswald as an undercover informant in Castro groups two weeks before Mr. Kennedy's death.

There were others, perhaps the most thorough by Harold Feldman in The Nation.

Hoover, naturally, took a dim view of Feldman. In a December 27, 1964, letter to Rankin, he described it as "a muddy attempt to link Lee Harvey Oswald with the FBI as an informant. Using public source material with no selectivity, Feldman tries to make it appear that this Bureau is suppressing the fact that the assassin was actually one of its 'employees'."

It and two other magazine articles, Hoover said, "are irresponsible, and each is an example of personal bias ..."

What is conspicuously lacking is denial, if only pro forma denial, that there was neither connection nor intended connection between "this Bureau" and Oswald.

But is "using public source material" somehow wrong?

Or is using it "selectively," as in gathering published references to Oswald as Bureau-connected?

Is this an "example of personal bias?"

So, what really panicked Rankin and the entire Commission plus God alone knows who else in the FBI, CIA and throughout the government, was not this late report of the well-known rumor. It had not troubled them as long as they maintained complete control over the investigation. It was the fear that Texas would investigate it, that any kind of official attention would be paid to these recurrent and, as they appeared, credible reports of Oswald's official connection.

Thus, ^{that} /after-working-hours crash meeting which left audiences waiting for speakers, dedications in danger of being delayed, wives and families holding suppers, and desperate, cold fear in all official, in-the-know Washington hearts.

Bearing very much on this is the total absence, in Ford's account, of any reference to the Texas Court of Inquiry. He does not even give the names of those who appeared before the Commission, does not indicate that Carr had a function other than that of Attorney General in this matter. In fact, he stops his narrative of this dramatic event at precisely the point we did in the first chapter, switches to his inadequate account of what was published, and then switches again.

He gives that one scant paragraph on what the unnamed officials allegedly told the Commission, no more. At that, this skimpiness is more than the Commission provided in all 27 tomes. Officially, the Commission was totally silent.

Rankin was equal to his superhuman task, keeping it all quiet.

As he gathered the members of the Commission, so also did he get the court reporter, an over-diligence he was soon to regret - and not repeat.

Ward & Paul, a large, established and reputable court-reporting firm, got the court-reporting contract on Senator Russell's recommendation. As a Senate editor, I had worked with them for years. They are good, thoroughly dependable, and staffed with sufficient competent specialists to deliver several hundred pages of accurate transcript overnight.

They sent an official stenographer named Cantor to that hectic 5:30 p.m. executive session of January 22, 1964. This, and more, I was not to learn until much later and after the greatest difficulty.

Those "TOP SECRET" transcripts were kept in that high security category until an opportunity provided itself for effective official propoganda by making them available to a fine and experienced reporter who knew absolutely nothing about the assassination or its investigation. Any reporter in these circumstances becomes the creature of his sources, for he has no independent information. In this case he planned a story for a mass-circulation magazine, The Saturday Evening Post. For him, they were quietly declassified. Not one of the real researchers who had been plumbing that literary quicksand of those 300 cubic feet of documents was informed of it. Not until after this story appeared

before as large as possible an audience, with extensive attention from the papers and electronic media, did anyone know that these secrets were being leaked. That partisan selection, to which the Archivist had lent himself with official interpretations that were beyond his knowledge, as wrong for him to make as they were in fact, killed any further major-media interest in those executive sessions.

However, once they were thus disclosed, I was able to get a set - all that were declassified, not just the few pages used in the story - for they then could no longer be denied me. They fill a box almost two inches thick, lots of paper. My pointed protest at this unseemly official propaganda and equally pointed questions of the Archivist, unanswered after four years, were followed by the quiet, unannounced retirement of that Archivist. Neither he nor his successor has ever answered these charges of official misconduct.

Nor is this the only case where what had been denied me was provided uninformed reporters who could reach large audiences, another of that period involving The New York Times. These uninformed reporters were used by the government, then distressed by the appearance of a number of books severely critical of the official investigation. It is for this reason I do not name them. In these cases it is the government, most inappropriately the institution of scholarship, the National Archives, that cast itself in this Orwellian role, not the press.

Once I had gone through those hundreds of pages of ~~p~~ the coming together of the elders in such secrecy their trusted staff was excluded from the meetings and during the life of the Commission not even permitted to see the transcripts, I immediately noted the absence of any transcript for January 22, 1964, this dramatic one partially described by Ford. In four cases, all the executive sessions were still suppressed, the reasons given entirely spurious where they could be checked,

inadequate where given if not, in fact, outside the law. In a few instances, several pages were withheld, with explanations provided by slipsheets bearing such explanations as the claim that confidential personnel matters were discussed.

But for this meeting, there was neither transcript nor explanation of its absence, no matter how invalid or fictional.

And so, tediously and persistently, I kept after the Archives, in person and in writing, for a long period of time. In seven months of 1968, in writing alone, I tried a dozen times. The last went without response for more than a half-year.

In some cases, as in my letter of September 5, 1968, I made charges:

Disclosure of these executive session transcripts would be embarrassing to the federal government because they contain evidence of the connection between it and the accused assassin, Lee Harvey Oswald.

There was more than one such session, to my certain knowledge. There were three in a single five-day period alone.

The Archives insisted, as they said in Eckhoff's September 3 letter this answered, "No transcript for the executive session of January 22, 1964, to which you refer has been found among the records of the Commission."

In saying this, Mark Eckhoff, Director of the Diplomatic, Legal and Fiscal Division, told the truth. Unintendedly, he was also helpful in other ways.

The fact is that there is no transcript of that sensational executive session - not anywhere!

Rankin did not forget his old friend, Hoover, nor his concept of his responsibility to the Commission or to what has come to be called the "national interest."

Tracing this out and establishing it was neither easy nor pleasant. After following one blind trail after another, I finally started exploring the Commission's innocuous-seeming "housekeeping" files, the records of its expenditures. There, sure enough, with every penny spent, at least theoretically, having to be accounted for, I found a file labeled, "Ward and Paul - Reporting Services." It all seemed above suspicion to casual examination but, when it was read slowly, it was not at all innocent.

This large file accounted for the taking of all the testimony before the Commission and of depositions taken by the staff in Washington and throughout the country. It holds all of the relevant letters from all of those who forwarded the transcripts. It includes Rankin's penny-pinching with the official investigation of how a President was assassinated. Example: Reducing the number of copies of transcript ordered to below the minimum needed for careful staff and member examination.

There were also records like nothing else in our history.

Among the records of delivery on Ward & Paul printed forms there is Receipt No. 3001. It is dated January 22, 1964. It covers "nine copies of proceedings before the President's Commission on the Assassination of President Kennedy in re TOP SECRET held at Washington, D. C. on January 21, 1964." The receipt is signed by Mrs. Julia T. Eide, Rankin's administrative aide. A release is affixed by rubber stamp. As filled in, it records that delivery was made at 8:55 a.m. January 22 by Jesse L. Ward., Jr., in person. Good, secure service when the boss himself handles it.

Two notes are typed in. At the bottom, near the release, is "ATTENTION: J. Lee Rankin." Under the description of what was delivered is

also, Reporter's notes, master sheets, carbon paper, waste (sic).

I I have the transcript of this executive session. It is numbered

"Volume 4."

Volume 5 is covered by Receipt No. 3013, the next one. It also is signed by Julia T. Eide. It is filled in with identically the same words save for the dates, January 28th, covering the executive session of January 27. Ward again made delivery, at 9:10 a.m.

So, although there was this hectic executive session of January 22, about Oswald as a federal agent, the numbering of the transcripts confirms the Orwellian report of the Archives that it does not exist. But in this great emergency, Ward & Paul did send a court reporter who did record every word said, yet no transcript.

Part of the explanation is disclosed in the trouble Ward & Paul had getting paid. By March 10 the Commission owed them \$4,629.75, all accounted for in a bill directed to Rankin's attention and sworn to by Wayne Birdsell, long-time Ward & Paul manager. The notary is Anthony S. Pastnyck.

The tabulation of transcripts is in chronological order. In some cases, 10 copies were made. If each of the seven members got one and a copy was reserved for printing, there remained at most two copies for the staff to work with.

There is none for January 22.

That is accounted for in a separate entry at the bottom. It reads:

Jan. 22 No write-up (reporter's notes confiscated by Commission).

This is not the full entry. I shall also quote the balance. But I do not want the full impact of this to be lost.

Here, after all that long period of official avoidance of credible reports that Oswald had been a federal informant, the first official acknowledgment of it was rendered non-existent, the Commission having

confiscated the court reporter's notes after ordering that they not be transcribed!

They were not transcribed. No record at all.

Has there ever been anything like this in our history?

A President is assassinated. His accused assassin, himself having been conveniently assassinated while in custody, is alleged to have had government connections. Then the only record of these top-secret deliberations is confiscated and with the greatest care hidden - not once referred to in any of the estimated 10,000,000 officially-published words!

To put it more bluntly, if the official version is correct, if Oswald did kill the President, then the assassin had been accused of being a federal employee and the first official consideration of it is eliminated - totally and permanently.

Can anything warrant a more sinister interpretation?

Any part of it - secrecy or elimination?

Can anything lend more support to the belief that Oswald, whether or not the assassin, had such complicating connections?

There is no possibility of error here. My checking could not have been more thorough. I also obtained a chronological listing (from File PC-2) of all court-reporting services.

These three executive sessions, of January 21, 22 and 27, appear in that order. The same legend appears for all three under "Total Copies," with identical explanations:

"9", followed by "#1 of 9 through 9 of 9."

Following the January 22 session, this is stricken through. After that date, two of the columns are blank. These are headed "Date Shipped" and "Receipt No." All three transcripts are entered as "daily" under

"delivery," meaning first thing the following morning. This includes that of January 22. Like all other entries for that date, this, too, is crossed out.

But the story is even worse.

First, the petty chiseling.

Ford, careful not to mention a word of what was said at that secret meeting, said it lasted over an hour and a half. With long periods of silence, that is many words.

Now, a court-reporting firm cannot exist if all it does is provide a court reporter who takes notes and never transcribes them. Especially not if the reporter does not begin work until after the end of the normal working day, on overtime, and then in an extreme emergency, with all the attendant extra costs. So, for the company's and the reporter's dropping everything else, mobilizing an extra staff for emergency transcription, rushing to the Commission's offices instead of eating supper, giving up a night's plans, Ward & Paul was paid the munificent total of \$24.75!

This was computed on an estimate that seems low, that the hour and a half of executive session would have totaled only 30 pages. These were paid for at \$0.825 per estimated non-page. (250 words per page is a generous estimate.)

Actually, there was no provision for such a contingency in the contract. It does not even charge for the taking of the notes. In accordance with prevailing practice for countless years, payment is on a sliding-scale, per-page basis. This is set forth in the January 7, 1964, proposal that was accepted. It provides a minimum per-page charge of \$1.65 for an original and two copies up to a maximum of \$3.15 for a total of 25 copies.

To this insult and injury was added abuse. Bills were not paid monthly. Handwritten notes on this March 10 bill for January's work read:

Req. #30 sent to Mr. Malin and Miss Dove 3-13-64. It was.
I have it.⁷
3-27 Mr. Ward called to ask when he might expect payment.
3-30 Called Mr. Malin - Talked to Miss Dove = Req sent in
3-17-64 Takes about 10 work days to process.

These notes do not appear on all file copies of the bill. I have copies from other files in which they do not. One discloses only that Ward had to ask for his \$4,629.75.

Next, the true and complete dedication to Orwell.

There is this simple note typed on a plain piece of paper:

2/7/64 - 10:30 a.m.

Mr. Elmer Moore of Secret Service took all as waste material delivered by Ward & Paul to date to be burned with other waste matter at the White House and under supervision of White House Police.

Julia Eide

Other descriptions of what was delivered by Ward & Paul include dictabelts in addition to "Reporter's notes, master sheets, carbon paper."

Prior to burning, the ultimate in thoroughness, also from other sources, "shredding."

Orwell called it the "memory hole," the place everything destroyed was put.

Here, of all the most inappropriate places, the White House was the "memory hole."

The residence of the man who became President only because of

the assassination thus investigated - the complete destruction of the first official consideration of whether the man who made him President had worked for the government!

Alas, this is not the end of the official covering-up of the story of Oswald as some kind of federal agent. It is but the beginning.

When Texas, officially, told Washington what it had long known, Washington could not ignore it. Ford slides over it, saying only that at its January 22 session, "The Commission made the decision to ask the Texas Attorney General, District Attorney Wade and any other Dallas officials (emphasis added) who had knowledge of these allegations to come at once to Washington and secretly present what they had heard."

The others were not only "Dallas" officials. It was the Texas Court of Inquiry plus the Dallas officials who accompanied them. Ford and still-existing official records avoid reference to the official Texas inquiry.

It would not have been more secret.

Ford says of this secrecy only that "The Texas officials slipped into the nation's capital with complete anonymity." With the Washington press corps, that takes some doing.

How it was done is in part indicated in a January 23 telegram to Rankin from Carr's assistant, John Stegall. It reached Washington about noon. The copy in the Commission's "GA 2 Texas" file has this added in Rankin's handwriting, "noted 1-23-64 J L R." It was arranged for the Texans to arrive after dark, after the end of the working day:

Carr party will leave Dallas Braniff Flight #110 at 4:15 P.M. EST arrive National Airport, Washington 7:30 PM. EST.
Regards.

This time Rankin did not repeat the mistake of ordering a court

reporter, as the records already cited show. There were no such services between the January 22 session - the records of which are destroyed - and that of January 27, which soon will interest us. No transcript, no need to use the "memory hole." On the other hand, wisely, as it turned out when Ford sold his blabbermouthing, it was decided that this could not be ignored entirely. Instead, Rankin prepared a MEMO-RANDUM FOR THE FILES. It certainly was not for investigative reporters like me, for it was placed in only those files to which there was no index or guide of any meaningful kind, those then never expected to be seen by anyone - ever. Later, they were not accessible for research when the numbered ones or "CDs" were. By the time they were accessible, most researchers had abandoned their interest, having done their writing, and the commercial press had no interest.

This memo is undated, so there is no way of knowing when it was written. This is not the norm for the man who is so punctilious he notes such things as having read a telegram. When letters were drafted for his signature, the date of drafting was required on all carbon copies. Its subject is, "Rumors that Oswald was an undercover agent." Copies were placed in the "GAI CIA," "Oswald, L. H. Post-Russian Period" and "GAI FBI" files, from which my copy comes.

Here it is, in full: