

Rt. 8, Frederick, Md. 21701
1/24/75

Mr. Seymour Herah
New York Times Washington Bureau
1920 L St., NW
Washington, D.C. 20036

Dear Mr. Herah,

When the appointment of David Belin to head the new whitewashing commission was leaked to the Star-News, I phoned you. When you did not return that call, for the second time on this story, I presumed that you suffer the typical journalistic prejudice about all rather than some called "conspiracy theorists" and did not call back.

I am not now and never have been such a "theorist." And I can conceive of other reasons for your not returning the call that you might have believed persuasive.

Shortly after this my young friend Howard Roffman told me he intended calling to your attention his dialogue with Belin, based in part on my published work and of that in part on the suppressed story of Carolyn Arnold.

For purposes of that correspondence as I remember it Howard took a more restricted approach than I would. He also is unaware that experienced reporters tend to take a jaundiced view of the world, public figures, politicians and official investigators. He likewise may not be fully aware despite his own exceptional work how justified this view of those of whom they write is to reporters. However, because I believe that Belin's record exceeds the corrupt norm, I take the time to tell you what I anticipate Howard may not have.

Belin was not the only Commission lawyer of Nixonian view. He was one, perhaps the only one, of those who had avoided controversy about himself of any magnitude. (What he did with Sylvia Meagher and The Texas Observer is, I believe, reprehensible but it attracted little attention. And his book, published by a Times subsidiary and plugged hard by the Times, resulted in no serious public criticism.)

Although my own experience is that the press could not care less about official perjury and its subornation - repeated cases I established in court went unreported - I call your attention to this Texas Observer business because Mrs. Meagher reported that in effect if not in fact Belin suborned the perjury of a witness named Givens. Belin had an FBI report of an interview with Givens in which Givens said other than officials wanted of him. Givens had been arrested and was vulnerable to police pressure. Belin ignored what Givens had told the FBI and other also contradictory versions he had given and ended up with precisely the falsehood that was essential to framing a case against Oswald.

The part of the Carolyn Arnold story I believe Howard did not find necessary to his correspondence with Belin relates to this. The Commission had to ignore all the evidence that Oswald could not have fired a shot from that rifle and that window. This meant it had to pretend that nobody had seen him for the crucial period, I believe from 11:55 a.m. until a conjectured three minutes after the assassination. They knew this was false. The FBI did not dare suppress the evidence entirely. Instead it corrupted what Mrs. Arnold told it, reporting falsely that she had seen Oswald at about 12:15 and on the first floor. However, Mrs. Arnold actually reported seeing Oswald on that first floor at about 12:25. There is corroboration, some in my first book. These FBI reports are in the third, Photographic Whitewash, in facsimile. The importance of 12:25 rather than 12:15 is that there would otherwise have been the problem of getting Oswald back to that alleged sniper's nest on the 6th floor with enough time to reassemble the alleged murder weapon and still be on time for his alleged rendezvous with destiny. When it took an experienced FBI agent six minutes merely to reassemble the rifle and it took other time to get up there unseen and retrieve the rifle unseen and build the nest unseen and then do the shooting, the need the Commission faced and Belin did more than a normal share of addressing is, I hope,

not entirely invisible.

Belin addressed it in his handling, which means getting corrupted evidence from, other witnesses. One of these was a very young married woman, a high-school kid whose husband had to be destroyed as a witness. They are the Rowlands. I deal with this in my second book. My treatment is also an exposition of how the FBI meets such problems. In any event, what Belin did includes refusing to permit Mrs. Rowland correct misleading testimony he had led her into while altering his own questioning. My chapter "None So Blind," as I recall after so many years, concludes with facsimile reproduction of the typescript of the transcript later printed without Mrs. Rowland's necessary correction. But with Belin's stylistic change of his own words. As I remember it Belin was cunning enough to use the corrected testimony in the Report, which is what attracted attention, attention the enormity of 26 volumes buried and at a time when it was not expected that 26 such volumes would be published anyway. (Yes, I have the once-secret executive sessions at which these matters were discussed.) In the Report what Mrs. Rowland was really saying is invisible.

There is more but I think this is enough for you to decide whether Belin is no more than normally dishonest for a public official and whether he is the kind of lawyer from whom anything that can be called an investigation without blushing can be expected. If you want to see how he handled a witness whose testimony really means that evidence was planted with care, see what he did - complete with sense of humor when a President is assassinated - with Domingo Benavides, in my first book.

At this point and several hours ago I was interrupted by a call from a reporter whose paper and syndicate are breaking a story I had in mind when I left the first message for you. It is, however, only one of the things I then had in mind. Some of your sources and probably those whose interest can be guessed were less than completely forthright with you. I am familiar enough with your work not to believe the alternative, that you lied. However, with the passing of time I am not now disposed to give away in what I could have regarded as the public interest what is a major part of an almost completed draft of a book not on political assassinations.

Belin is not all I had in mind on the second call. However, he is all that Howard mentioned to me several weeks ago. I do have an interest in Howard and how he may be regarded by those of influence in the press. I feel of him as a father does of a son. He has a book now overdue and another accepted with pub date either not set or not communicated to me. The second was completed during his undergraduate days. The first was drafted when he was in high school. However he may have come across to you if as he indicated he got in touch with you, in my opinion he is an exceptionally gifted and exceptionally principled young man. I would be happier if unreasoned prejudice did not wash off on him.

Sincerely,

Harold Weisberg

HR: I see no possibilities at all in a polite approach, no reason for an apologetic one, am not about to cater to

his unthinking prejudices, want to capture his P.S. If you have any interest in the FBI story, I got a good laugh out of the White House line that Ford really does not know if the FBI has a file on him. Today's WxPost. When I know that Ford saw to it that they do in using them in a cheap, hoked-up "clearance" of himself during the days of his Belin association (see Whitewash II), I also know that FBI leaks could embarrass the President of the United States.

I am not sending copies of my books because the Times has all of them; because when it was listing "Books Received" it pretended that mine did not exist, having no commercial imprint (I billed them for the 14th copy of the first!); because of the unconscionable way it treated my work on the King assassination (which among other things has established the need for a trial, provided a defense and led to a new principle of law also not reported by the Times although it is presently before the Supreme Court); and because I do not believe you will see a story.

attention with a challenge, and resent the inherent arrogance of his preconceptions.

CONF.

1/21/75--approx 5:30pm--Just spoke to Seymour Hersh in Washington, I called collect. He said he didn't get my letter yet, but he said he's had everyone come up to him about Belin, and he's been swamped with conspiracy theories and no chance of doing anything. I told him I had something more, letters from Belin proving he was a liar. So what, he asked; he said he tells lies too, but that some apparently neutral people are coming out saying Belin's a decent guy, maybe he's ambitious. I said he's a creek, also told him I'd given the letter to Griswold, thought this might make it more newsworthy. I assured him I wasn't going after any conspiracy theory, was going after Belin's qualifications. He asked how this disqualified, so what if he might have forgotten about something, or tried to get rid of me, or even told a couple lies. I said it was conscious deliberate lying and that he wasn't worthy of public trust. So who is, ~~XXXXXX~~ he asked, and said there is zero chance of toppling Belin. He said the only one they thought they might topple was Griswold cause they know he's almost been indicted but it didn't work. He asked for a specific example of what I had. I told him the Carolyn Arnold story. He said, look don't tease me by holding these little things in front of me. I won't do anything unless I get the whole thing and can read it myself, so he ~~XXXX~~ said either send it to me or forget it. He added I don't have to worry about anything, he won't reveal it, it would be strictly confidential, and he wouldn't use without asking me specifically. I asked him to repeat on the confidentiality, he assured me, and said he wouldn't copy it and return it if I wanted. He said send a Xerox of the whole file and include a covering letter directing him what's important, and he gave me his address. I told him I'd send it.

HR

HAROLD:

CONFIDENTIAL

January 21, 1975

Mr. Seymour Hersh
New York Times Washington Bureau
1920 L St. N.W.
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Dear Mr. Hersh:

Pursuant to our phone conversation today, I am enclosing for your absolutely confidential inspection a Xerox copy of my entire correspondence with David Belin. I have accepted in good faith your promise to me of confidentiality, and I request that, if you do not intend to use this material, that you return it to me.

You asked me to direct you to the relevant points in the letters. My letter of July 12, 1971 asks four questions which are the meat of the exchange, and which Belin never answers after taking the time to write over 15 pages of letters. The four questions reflect on but a fraction of Belin's mis-deeds for the Warren Commission, and the most important one is question four, concerning Carolyn Arnold. Please note throughout how Belin consistently evades what I asked him and quotes me entirely out of context. I took considerable time to point out every such instance to him.

The conditions Belin tried to impose on disclosure of the letters is at page 3 of his letter of August 3, 1971; I gave him my interpretation of these conditions in my letter of August 14, 1971.

The two most important letters are his to me of Sept. 20 (8pp) and my response of Oct. 10 (6pp). Please note on p. 7 of his letter of Sept. 20 he admits he knew of evidence that Oswald had been seen between 12:00 and 12:30, he disclaims having written the false statement contained in the Warren Report, and he calls that statement "a minor overstatement." Please see my response of Oct. 10, bottom of p. 4 to p. 5 to see that this misstatement was anything but "minor." In spite of this admission to me, he wrote in his book (top of p. 232) that no one is known to have seen Oswald between 11:55 and 12:30, and the two witnesses who did are not even listed in his index (Eddie Piper and Carolyn Arnold).

Note near the bottom of p. 3 of my Oct. 10 letter I remind Belin of his Jan. 30, 1964 memo for the Commission in which he pronounced Oswald guilty before his investigation began. I also mention this memo in my letter of Oct. 25. (I have enclosed for you a copy of this 1/30/64 memo from the Warren Commission files.) Now check Belin's book, p. 15, where he writes, "We started with no preconceived conclusions; in fact, I subconsciously wanted to find evidence to prove that Lee Harvey Oswald was not the assassin."

(Note also at p. 14 of his book, he says "Area II, in which Lee Ball and I worked, focused on the determination of who was (or were) the assassin(s) of President Kennedy..." This is false. As the Area II work was outlined as of Jan. 11, 1964, it was called "Lee Harvey Oswald as the Assassin of President Kennedy." A copy of part of that outline from the Commission's files is also enclosed for you.)

If you are interested to know where Belin altered a transcript in his book, go to p. 50, where he represents Domingo Benavides as having identified Commission Exhibit 162 as the jacket worn by the Tippit killer. If you go to the actual transcript at p. 453 of vol. 6 of the Commission's hearings, the exhibit Belin showed Benavides was in fact No. 163, a dark blue, not a light gray jacket. Furthermore, I have seen the page proofs of Belin's book and as of that stage the Ex. Number on p. 50 was 163.

Furthermore, note that I either point out or ask directly about a number of witnesses and pieces of information which seriously contradict the Warren Report and which are in fact totally omitted from the Report--these are listed, for the most part, in my letter to Belin of Oct. 25. None of this information is addressed by Belin in his book, so I think it is quite well founded when I assert that he deliberately suppressed information from his book which contradicts or disproves his assertions. (He does write about the Brennan clothing description, p. 135 of his book, but he twists the progression of Brennan's testimony and makes it seem that it ended as he represents below the middle of p. 136. In fact, when Brennan started describing clothes other than those worn by Oswald, Belin and Allen Dulles very suddenly cut him off and abruptly ended the testimony there--see pp. 161-62 of vol. 3 of the Commission's hearings.)

These points can and do touch only a small part of Belin record, but they are enough to establish that he lied about the assassination and his work for the Commission in a book from which he doubtlessly intended to profit.

Mr. Hersh, I realize, as you tried to say today, that no one is a saint, and everyone, at some point lies. But not everyone was on the official panel investigating the Kennedy assassination, and not everyone is trusted with the job of investigating this massive abuse by the CIA, an investigation which would not be going on if it was not for your work. I felt from the beginning that Ford picked this panel to cover up, and I did not expect and still do not expect that the panel would have an investigator who could not be counted on, shall we say, to protect the establishment's interests as the panel has already made clear it would do. I never expected they would go so far to pick Belin, but now that they have I really think the public is entitled to know what kind of guy he is.

Thanks for your attention. I know you are very busy and I do appreciate your time and thought.

Best wishes,

Howard Roffman
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