

PROBE

The Newsletter of Citizens for Truth
about the Kennedy Assassination

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ARRB Holds "Experts Conference"

by Dennis Effle

On May 16, 1995 a private meeting of experts was held at the ARRB building in downtown Washington. Several members of the Review Board, its support staff and seven invited guests met for a marathon one day session in an attempt to cover a wide ranging agenda of items. They started promptly at 9:00 A.M. and discussed issues well into the evening, taking breaks only to have lunch at the ARRB and dinner at a nearby restaurant.

This group of diverse people were invited to assist the Board in determining a prioritization outline for file search under 16 different agenda topics. A recap session on revisions of priorities offered at the start of the meeting along with recommendations for finding crucial files brought the meeting to a close.

This document speaks for itself and the full agenda—beginning on page 3—is printed here in its entirety.

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Henry Franklin Graff Responds

by Dennis Effle

In reply to our article, "Henry Franklin Graff: Write or Wrong?" which appeared in the March 1995 Issue of PROBE, Mr. Graff has submitted a response for publication.

We gladly open the pages of our publication for a true dialectic with members of the Review Board. It has been our objective to inform readers about the background of all Review Board members and to make readers familiar with the full breadth of their writings on this subject.

We reprint here Mr. Graff's response, which is followed by an editorial reply on the new information contained in his response:

"PROBE and Mr. Lifton are surely not serious in suggesting that I misled the Senate Oversight Committee at the time of my confirmation hearing. I gave a commonsensical response to the question of whether I had made any public statements regarding the assassination of President Kennedy. And I stand by that response. The segment PROBE and Mr. Lifton quote from

my book, *The Modern Researcher*, segment incidentally, written not by me but by my senior collaborator, Jacques Barzun, deals plainly with the difficult problem of historical evidence and not with the Kennedy assassination in the full meaning of the subject that the committee was inquiring about. Nor do the two earlier passing references to the assassination that PROBE and Mr. Lifton ferreted out of the book.

"May I point out that it did not seem relevant to the committee's inquiry, either, for me to say that as an historian who was a professor in the Columbia History Department for almost half a century I must have mentioned the Kennedy assassination countless times in classroom lectures and in public talks outside the University. My widely-used American history textbooks, needless to note, describe the Kennedy assassination. How could they not? I am confident that the committee was well aware that no historian qualified to serve on the

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ARRB UPDATE

• ARRB In New Orleans

The date of June 28, 1995 has been set for the Review Board's next public hearing. The city selected: New Orleans. For those interested in attending, the meeting will take place at the Old Mint Building, Third Floor Auditorium, 400 Esplanade Avenue, New Orleans, LA., at 10:00 A.M..

• Chief Field Investigator

Mrs. Anne E. Buttner, Esq., has been appointed chief field investigator for the Review Board. She's recently been searching for relevant files in the New Orleans area in anticipation of the Board's next hearing there.

• Onward and Upward

Review Board General Counsel, Cheryl Walters has left her position with the Board as of June 1, 1995. While her presence will be missed, she has gone on to bigger and better things. Ms. Walters has accepted a position with the "Moynihan Commission", a presidentially-appointed body tasked with the broader legislative questions of secrecy in government.

The Review Board should work closely with this commission and Ms. Walters to ensure coordination of individual efforts and to establish active liaison within congress for support of extension of their legislative lifetime and continued appropriations should they be requested.

• 498 Days...and counting!

From the date on this publication, May 22, 1995, there are just 498 days left in the Review Board's lifetime.

If extension and funding hurdles are passed (a big "IF" on an election eve) 365 days will be added.

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CTKA

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From the Chairman's Desk:

Along with some other changes to PROBE, this is the first installment of my own personal introduction to the issue. As you can see by the masthead next door, Lisa Pease has now joined our editorial staff and will now be doing the actual layout of each publication. Lisa will be familiar to followers of the JFK forum on the Internet (alt.conspiracy.jfk) and she also will be writing forthcoming articles for us. Dennis Effle, who had been doing the layouts and most of the editorial work, has stepped down as Vice Chairman and has taken a new full-time position and will be traveling and will not be able to devote his attention to CTKA. Please note that there has been a phone and an address change for CTKA as a result of Dennis's departure.

We have dedicated most of this special, lengthened issue to the extraordinary conference called by the ARRB in May. Thanks to Paul Hoch, we can print the actual agenda to that meeting. We think readers will find it both interesting and informative as a gauge to where the ARRB is at today and also as to what direction Mr. Marwell—whose idea the meeting was—is taking. As a general guideline to assassination related files, we think that this survey is a good jumping off point. One reservation is the odd listing of the name "Garrison" under the topic of "Organized Crime". The board should know by now that this placement smacks of the Blakey-Schein-Davis theory, a theory that is being punctured daily as more and more releases are seeing the light of day. Even so, the ARRB should be commended for coming this far this quickly, and CTKA continues to support their efforts.

Again, in our attempt to keep our coverage of the ARRB the most current and complete, we inform you of changes to their staff plus the upcoming public hearing in New Orleans. We also include a reply from Board member Henry Graff to a piece we did on him in our last issue along with Dennis' comments on his points. In relation to our individual coverage of Board members you will also see a clarification about Tunheim's job status, and some rather startling comments by Kermit Hall. In our continued theme of openness, Michael Levy reveals some serious problems with FOIA requests. Dennis has some cogent comments to make on the second mugging of Oliver Stone and shows how this relates to a possible area of interest to the ARRB, namely Nixon's files. Finally, we feature a new catalogue of research materials, many of them available for the first time anywhere. We urge our readers to peruse some of these, many of which are eye-opening. Some of them are being released only due to the JFK Act of 1992. Was it really that long ago?



What is CTKA?

Citizens for Truth about the Kennedy Assassination was organized as a result of the April 1993 Chicago Midwest Symposium on Assassinations. At the end of that conference, it was generally decided that the time had come to create a political action group, which would urge the executive branch of our government to re-open the unsolved assassinations of the 1960s—i.e., the murders of President John F. Kennedy, Senator Robert F. Kennedy, and Dr. Martin Luther King. CTKA endeavors to ensure that the Review Board fulfill its mandate to release *all the remaining records* pertaining to the JFK assassination; to amend the current Freedom of Information Act to render future covert actions more difficult to hide; and to urge the American people to discover the truth about their history.

If you are not already a member of CTKA, please consider supporting our efforts with a subscription to PROBE or a donation to help cover the hidden costs of running a not-for-profit organization. Thanks to all of you who are already CTKA supporters. Let's continue to work together to get the truth out about our collective past.

Experts Conference Agenda

Assassination Records Review Board
Experts Conference Agenda
Washington, D.C.
May 16, 1995

Purpose

The purpose of the Experts Conference is to provide assistance to the Assassination Records Review Board in identifying and locating records related to the assassination of President Kennedy. The Conference will not be considering or debating the merits of particular theories relating to the assassination, but will instead be discussing leads for the pursuit of records. Similarly the discussion will not focus on the merits of prior investigations, including the Warren Commission, the Rockefeller Commission, the Church Committee, or the House Select Committee on Assassinations — except to the extent that discussion of those prior investigations can promote successful strategies, help avoid mistakes, and point to the existence of additional records related to the assassination.

The Conference participants were selected for their expertise, knowledge, experience, and diverse — indeed sometimes irreconcilable — viewpoints. The Review Board does not anticipate, or desire, that the experts will agree on the merits of any particular theory related to the assassination. The goal is the pursuit of relevant records — regardless of what those records might reveal. We hope that all participants will jointly contribute to the important goal of the President John F. Kennedy Records Collection Act of 1992: creating the most complete historical record that is possible.

During the course of the Conference we would like to identify specific, concrete leads for locating records. We would also like to hear suggestions regarding individuals who may be able to provide additional leads, regardless whether the individuals are former government officials who have kept copies of records, former police officers, former records personnel, witnesses who have records, or persons knowledgeable about the organizational structure and records keeping of intelligence agencies (both foreign and domestic).

Assassination Records Review Board
800 E Street, N.W.
Washington, D.C. 20530
(202) 724-0298

Conference Participants

Assassination Records Review Board

Chairman John R. Tunheim, Esq.
Dr. Anna K. Nelson
Dr. William Joyce

Dr. Kermit Hall
Dr. Henry Graff

Experts

Professor G. Robert Blakey
Dr. David Garrow
James Lesar, Esq.
Professor Paul Hoch

Dr. John M. Newman
Mr. David S. Lifton
Professor W. David Slawson

ARRB Staff Participants

Dr. David G. Marwell
Sheryl Walkers, Esq.
Anne E. Buttimer, Esq.
Dr. Mary S. McAuliffe

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Joseph P. Freeman
Laura Denk, Esq.
Robert J. Skowrot
Eric N. Scheinkopf

Note: Hall and
Graff did not
attend.

9:00 Welcome: John R. Tunheim, Chair, Assassination Records Review Board
9:15 Introduction of participants: David G. Marwell

9:30 Agenda: Jeremy Gunn

The Agenda Topics and Issues were designed to stimulate discussion. The Experts are encouraged to propose additional Agenda Items and Issues. Unfortunately, we will not be able to discuss all important topics. The Experts should be prepared to propose priorities for discussion.

CAVEAT: The presence of an issue under one of the agenda topics does not signify that the Review Board has any evidence regarding the existence of records relating to those topics. The issues are listed for the purpose of encouraging discussion only. Similarly, the inclusion of an issue does not signify that the Review Board necessarily believes that there is a nexus between that issue and the assassination of President Kennedy.

12:30 Lunch (at ARRB)

6:00 Break. Dinner at 6:30 at Peasant Restaurant (4 blocks from Assassination Records Review Board)

Agenda Topics:

- No. 1: Experts' Priorities
 - No. 2: Prior Investigations
 - No. 3: Lee Harvey Oswald and Jack Ruby
 - No. 4: CIA Files
 - No. 5: FBI Files
 - No. 6: Organized Crime
 - No. 7: "Local" Records
 - No. 8: JFK Foreign Policy on Cuba and Vietnam
 - No. 9: Pro- and Anti-Castro Activities
 - No. 10: Medical Records
 - No. 11: Military and NSA
 - No. 12: Additional Federal Agencies and Federal Libraries
 - No. 13: Media
 - No. 14: Critics and Interested General Public
 - No. 15: Foreign Records
 - No. 16: Miscellaneous Issues
- Final Agenda Topic: Revisiting Topic No. 1

Agenda Topic No. 1: Experts Priorities

Experts initial summary recommendations of the most important records that the ARRB should pursue and the priorities among Agenda Topics.

1. John Newman
2. Robert Blakey
3. Jim Lesar
4. David Garrow
5. David Lifton
6. David Slawson
7. Paul Hoch

Agenda Topic No. 2: Prior Investigations

Issue: Lessons learned from the Warren Commission and HSCA

- Dealing with federal agencies
- Important leads that were not but should be pursued
- Any areas where agencies demonstrated unexpected sensitivities

Issue: Lessons learned from HSCA procedures for requesting and reviewing agency records

Issue: Records generated by prior investigations

Issue: Garrison investigation

Issue: RFK investigations

Issue: Congressional investigations

Issue: Other semi-official/unofficial investigations

Issue: Military investigations

Issue: Foreign investigations

Experts Conference Agenda, continued

Agenda Topic No. 3: Lee Harvey Oswald and Jack Ruby

- Issue: Additional LHO military records
e.g., Defense Language Institute (Monterey); Uniformed Services Identification and Privilege Card
- Issue: LHO in Japan
- Issue: LHO and Soviet Union
- Issue: LHO police records
- Issue: Other LHO Texas, New York, New Orleans records,
e.g., school records, library records
- Issue: Oswald as FBI Informant
- Issue: Ruby in Cuba
- Issue: Ruby in Las Vegas prior to the assassination
- Issue: Additional Ruby records

Agenda Topic No. 4: CIA Files

- Issue: Oswald's 201
- Issue: Additional Oswald files
CI soft
C/SIG
OS
Staff D
Task Force W/Special Affairs Staff
OO or DCD
- Issue: CIA organizational structure
Role of OS
Role of C/SIG
- Issue: Cuba, MONGOOSE, JMWAVE Task Force W, SAS
- Issue: Bishop and David Morales issue: CIA and NSA
- Issue: Mexico City
David Allee Phillips
Win Scott Back-channel communications to JMWAVE, SAS
Photographs
Tapes
- Issue: CIA personnel in Guatemala (1954)
- Issue: Identifying additional relevant 201 files
- Issue: Identifying additional relevant topic files
- Issue: Stations other than Mexico City
- Issue: Most important living CIA officials to be interviewed
- Issue: Personnel files of the relevant CIA officials

Agenda Topic No. 5: FBI Files

- Issue: Most important living FBI officials to be interviewed
e.g., Warren DeBruys, James Hosty, Cartha DeLoach, Sam Papich
- Issue: FBI "secret" files
Hoover memoranda
High-level internal memoranda
Hoover/Tolson files
- Issue: Other FBI records
Laboratory records
Administrative and policy files
- Issue: Why DeBruys and Quigley were not disciplined
- Issue: FBI records on JFK, JPK
- Issue: FBI national security surveillance
Intercepts of telephone communications
Other clandestine operations
- Issue: FBI and organized crime
Surveillance of key figures
Surveillance of lesser figures (New Orleans, Dallas, Chicago, Miami)

Agenda Topic No. 6: Organized Crime

- Issue: FBI surveillance
- Issue: Local police records on organized crime
- Issue: Other federal agency surveillance and investigations
INS
NSA
Customs
ATF
DEA
- Issue: Organized crime and Cuba
- Issue: Marcello
- Issue: Campisi
- Issue: Trafficante
- Issue: Giancana
- Issue: Ragano
- Issue: Hoffa
- Issue: Garrison

Experts Conference Agenda, continued

Agenda Topic No. 7: "Local" Records

Issue: Local police department files for Dallas, New Orleans, Miami, Tampa, Chicago, New York
 Issue: Other repositories of organized crime records
 Issue: Dallas police officers
 Issue: Dallas attics and basements
 Issue: New Orleans attics and basements
 Issue: Other attics and basements

Agenda Topic No. 8: JFK Foreign Policy on Cuba and Vietnam

Issue: NSC records on MONGOOSE and other Cuban activities
 Issue: White House records on Cuba
 Issue: NSC records on Vietnam
 Issue: White House records on Vietnam
 Issue: RFK, Castro, MONGOOSE and Cuba
 Issue: Interdepartmental Coordinating Committee of Cuban Affairs

Agenda Topic No. 9: Pro- and Anti-Castro Activities

Issue: Fair Play for Cuba Committee
 Issue: Communist Party (USA)
 Issue: Anti-Castro paramilitary and other groups (CRC FRE Alpha 66)
 Issue: CIA and paramilitary groups
 Issue: Cuban intelligence activities in the U.S.

Agenda Topic No. 10: Medical Records

The JFK Assassination Records Collection Act exempts "the autopsy records donated by the Kennedy family" from inclusion within the JFK Collection in the National Archives. Our inquiry should therefore be confined to other medical records. Issue: JFK autopsy records in private hands Issue: Other JFK medical evidence Issue: Connally medical evidence Issue: Tippit medical/autopsy evidence Issue: Missing medical evidence
 Issue: JFK autopsy records in private hands
 Issue: Other JFK medical evidence
 Issue: Connally medical evidence
 Issue: Tippit medical/autopsy evidence
 Issue: Missing medical evidence

Agenda Topic No. 11: Military and NSA

Issue: Oswald military records
 Issue: Military files on Oswald
 G-2/112th MIG
 Other
 Issue: NSA intercepts in 1963
 Scope
 State of cryptography
 Accessibility of data in 1995
 Issue: NSA pre-assassination intercepts (SIGINT, cable, telephone)
 Cuba
 Soviet Union
 Issue: NSA Post-assassination actions
 Tasking
 Traffic analysis
 Cuba
 Mexico
 Issue: Oswald's Uniformed Services Identification and Privilege Card
 Issue: Military defector programs

Agenda Topic No. 12: Additional Federal Agencies and Federal Libraries

Issue: DEA
 Issue: ATF
 Issue: INS
 Issue: NARA
 Issue: Secret Service
 Issue: State
 Issue: Customs
 Issue: IRS
 Issue: Justice
 Issue: JFK Library
 Issue: LBJ Library
 Issue: Ford Library
 Issue: Library of Congress
 Earl Warren Papers
 Curtis E. LeMay
 Alexander Haig (assigned to Cuba matters on July 12 1963)
 Clare Booth Luce
 Cord Meyer Jr.
 U.S. President's Commission on CIA Activities Within the U.S.

Agenda Topic No. 13: Media

Issue: Major networks
 News coverage of assassination
 Subsequent reporting on assassination
 Issue: Local radio and television coverage
 Dallas
 New Orleans

Agenda Topic No. 14: Critics and Interested General Public

Issue: Governmental investigations of critics
 Issue: Interference with publications of critics
 Issue: Evidence in possession of critics (and other investigators)
 Issue: FOIA files

Agenda Topic No. 15: Foreign Records

Issue: Former USSR
 KGB Moscow surveillance of Oswald
 KGB Minsk surveillance of Oswald
 Mexico City Embassy/consulate
 Mexico City — Moscow Center
 Soviet intercepts of Cuban communications
 Soviet knowledge of anti-Castro activities of US government
 Oswald acquaintances (Pavel Golovachev, Ernst Titovitz)
 Soviet investigation of assassination
 Issue: Cuba
 Mexico City Embassy/consulate
 DGI knowledge of anti-Castro activities of US government
 Cuban investigation of assassination
 Issue: GDR/East Germany
 Issue: Israel
 Issue: France
 Issue: Great Britain
 Issue: Japan

Experts Conference Agenda, continued

continued from page 1

Meeting Follow-up:

Several questions have been raised within the research community by this meeting and the selection process that was employed in choosing the attendees. We list the most pertinent questions that have been asked from a crosssection of the research community since knowledge of this meeting came to light.

- 1) Has the Board chosen to implement the "Advisory Board" provision written into the original legislation by appointing this panel of experts?
- 2) What process was employed for selecting those to attend?
- 3) Was there any public notification of this conference prior to its commencement?
- 4) Has the Board changed tactics for gathering input and decided on private consultation vs. public hearings?
- 5) Has there been a public statement by the Board regarding any change in these procedures?
- 6) Will there be any public dissemination of the transcripts from this meeting?
- 7) Are there plans to hold additional meetings of this nature in the future?
- 8) If so, will there be public notification regarding future "private" meetings?

Upon contacting the Review Board's Press and Public Affairs Office, Mr. Thomas Samoluk provided some answers to many of the above concerns:

1) The Review Board has decided to augment their search for important files by establishing the additional conduit of "expert conferences" for private consultation purposes. 2) Public hearings will still be conducted and the Board may hold additional consultations as the need arises. 3) Mr. Samoluk went on to explain that the Board needed specific identification of records and selected some of those in attendance for their knowledge of files while working with previous investigations: Slawson with the Warren Commission, and Blakey with the HSCA. Jim Lesar and John Newman were selected due to their proximity to the Board (local experts) and their general expertise with the recent batch releases of files. No explanation was offered for the selection of others in attendance.

Further, there will be no public dissemination of transcripts from this meeting, as none were produced. There was a report that was "pulled together" by the research support staff of the Board, but this document is being deemed "internal work product" and not for public dissemination. Mr. Samoluk was forthcoming in the Board's reasoning behind this decision. They feel that participants are more open in their responses and a true dia-

lectic is produced if the parties involved can discuss issues with the confidence of privacy. Mr. Samoluk also added that the Board wishes to avoid official association with any information brought forth in this meeting as being relevant to any actual areas of search or concern involved in the Board's work.

Lastly, the issue of whether public notification will be issued in regards to future private meetings was not broached. There were instances of notification of the May 16, 1995 experts meeting through private correspondence with individual members of the research community, but no public notification document could be found by press time.

Feedback:

PROBE has received feedback from some of the attendees of this meeting and they've conveyed to us some general information that does give some background as to how the meeting went. Some participants were very open in sharing their reactions and impressions of this meeting.

The two individuals who offered the most

Agenda Topic No. 16: Miscellaneous Issues

Issue: Gun-running activities in Dallas, New Orleans

Issue: Right-wing groups (other than Cuba)
Minutemen
Paramilitary

Agenda Topic: Revisiting Topic No. 1

Based upon the discussion, have the experts' priorities undergone any revisions from their original suggestions? What should be the highest priorities for the Review Board?

What records should receive priority attention for Board Review?



specific input to the Board were the two individuals who have spent the most time researching through the recently released material: Dr. John Newman and Mr. James Lesar, Esq.

Many staff members were taking copious notes on many of the issues raised during the meeting.

The recording device being used to document this meeting malfunctioned during the afternoon session.

Professor W. David Slawson showed a reluctance in talking about Mexico City events, citing that this information was still "Classified."

Professor G. Robert Blakey argued vociferously for the retention of records to protect "sources and methods" while Dr. John Newman was his adversary for most of the day calling for the release of as much material as possible.

Although the agenda was quite lengthy, members in attendance stayed well into the evening to complete this task.

Board members Dr. Kermit Hall and Dr. Henry Graff were not in attendance. ☺

Errata

A last minute addendum in our last issue of PROBE, one that stated that ARRB Chairman Mr. John Tunheim would turn down an appointment to the federal bench, was in error. In a letter to PROBE, Mr. Thomas Samoluk, Press and Public Affairs Officer for the Review Board, supplied us with this official statement:

"The facts are the following: United States Senator Paul Wellstone of Minnesota has recommended Mr. Tunheim to the White House for a federal district court judgeship in Minnesota. Mr. Tunheim has accepted the recommendation. The process which leads to a formal nomination by the president, to be sent to the United States Senate for confirmation, is in progress. Mr. Tunheim intends to remain as Chair of the Review Board."

After checking with our sources we have reconstructed the inaccuracy in our account. Mr. Samoluk had always stated from the beginning that Mr. Tunheim would remain as Chair of the Review Board and both of our sources for this item had conjectured that he would therefore be refusing this federal position.

Editors' Note:

This new information is a bit troubling. With less than 500 days (from May 22, 1995) to complete their task and with the major caveats of majority vote and extended funding to overcome in extending their lifetime, the positioning of the Review Board's Chairman within the federal judicial apparatus before the majority of files covered by this law are organized and released is disheartening. This appears to be an infraction of the original restrictions written into the "Records Collection Act" that limited current or past government employees from attaining positions on the Review Board. In effect, the Review Board will have a sitting federal judge overseeing the release of government documents; a complication that neither the Conyers nor Glenn committees considered when drafting the original legislation.

We at PROBE have concerns about this new arrangement, especially in the shadow of the current attempt to close down the Review Board in the latest budget proposal, but we have confidence that it will not affect Mr. Tunheim's commendable performance to date. ☺

Kermit Hall Speaks Out

by Dennis Effle

In the March 25, 1995 edition of The Boston Globe, an interview with Board member Kermit Hall was conducted by writer Doris Sue Wong. In this piece Ms. Wong states: "According to Mr. Hall, surveys showed that before the film came out (Stone's "JFK"), 80 percent of the American people believed the Warren Commission's conclusion that Oswald acted alone in the assassination. Following the film's release, 80 percent believed there was a conspiracy."

Mr. Hall should be informed that several surveys dating from the late 1960's have never put American opinion any higher than 40 percent in support of the Warren Commissions' findings.

In the late 1960s, during the aftermath of the Garrison investigation, 65 percent of the public believed there was a conspiracy (New Orleans Times Picayune, Nov. 1969). By the late 1970s, during the HSCA investigation, that number had climbed to over 70 percent (Los Angeles Times, Nov. 1979). On the eve of the debut of "JFK", a Times/CNN poll showed that 73% felt that the assassination was the result of a conspiracy. After the film "JFK" was released a Newsweek/L.A. Times poll showed that figure climbing to the 80 percent figure Mr. Hall quotes in this article.

If Mr. Hall is quoted correctly, he is representing as facts his personal perceptions of public opinion in regards to this case.

How can Mr. Hall be so ill-informed of the facts in this area? One of the prime directives of the legislation that created the Assassination Records Review Board is to restore faith in our government. But we can obtain that only with accuracy and truth.

He is later quoted in the same article as noting that "controversy continues to swirl over whether John Wilkes Booth killed President Lincoln more than a century ago." He may have seen the recent press coverage on the failure of a recent law suit to exhume Booth's body. On this point he was correct. Questions still remain from that case too.

He goes on to state: "Basically, the conspiracy theorist will always be able to find questions to ask that cannot be immediately answered." Mr. Hall should remember that the specific job he has been appointed to complete - supply the American people with the full and complete historical record in regards to government files pertaining to John F. Kennedy's assassination - will stop a greater portion of those questions from having to be asked.

Mr. Hall is engaged in a process that, if executed properly, will help provide the public with the government's documentation and allow them the opportunity to find some of the elusive answers. ☺

COPA Conference in D.C. Oct. 20-22, 1995

The Coalition On Political Assassinations (COPA) is holding their conference in Washington D.C. October 20-22, 1995 at the Omni Shoreham Hotel. Rooms are \$125 for a double, \$105 for a single. Registration is \$150 (early bird) and \$175 (regular). Included this year will be a special awards banquet honoring members of the community.

Call (202) 785-5299 for more information.

Call for Papers

If you are interested in presenting a talk at COPA, send your presentation proposal to COPA Board Member Walt Brown at the following address:

37 East Liberty
Hillsdale, NJ 07642

CTKA's List of Items That Need to be Released by the JFK Review Board

In this special, lengthened edition of PROBE, the editors want to add to the growing list of known documents and items the ARRB should release. In this section, we present a list of documents and other items that we feel are important to this investigation. This serves as a supplement to the May conference information. We encourage our readers to do the same and send in their requests to us. We will then publish the most interesting and forward all of them to the ARRB.

Items we would like to see released:

☐ All records or testimony from the meeting held among Kennedy's advisers—supposedly Walt Rostow, McGeorge Bundy and Bill Bundy—before they suggested the Warren Commission to Lyndon Johnson.

☐ The minutes of the meeting that De Mohrenschildt had in Washington before leaving for Haiti in the summer of 1963.

☐ The tape of the anonymous call made to the Palm Beach County Sheriff's Office upon De Mohrenschildt's death.

☐ The parts of the executive session meetings of the Warren Commission dealing with the hiring of counsels.

☐ All Warren Commission executive session hearings that were taped but not transcribed. This means sections which were prefaced, "off the record."

☐ All papers and correspondence of Warren Commissioner John McCloy during the time he was on that Commission as well as during the time he served as consultant to the 1967 CBS special on the Warren Report.

☐ The actual tape and accurate transcription of all messages from the White House to Air Force One during the flight back from Dallas.



James Angleton



Robert Maheu

☐ The family of James Angleton should be questioned as to any papers taken by him from CIA headquarters when he left the Agency.

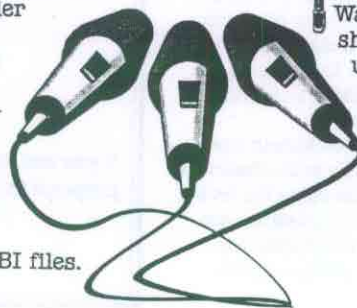
☐ All secretaries and assistants to Angleton and Ray Rocca should be questioned under oath about any papers either left in or taken from Angleton's private safe upon his termination from the CIA.

☐ James Hosty should be questioned under oath about his Oswald reports as to why a) they do not follow standard FBI guidelines and b) they do not correspond to information on Oswald in FBI files.

☐ Robert Maheu should be questioned under oath about any communications between the CIA and any mob figures from 1960-1963.

☐ The authors of the 1967 I.G. Report on the CIA-Mafia plots to kill Castro should be questioned under oath about each and every source used in that report and if the report was sanitized before assuming its final form.

☐ Warren DeBrueys should be questioned under oath about why he was chosen to be chief architect of the first FBI report on the assassination.





- The actual raw reports made by Clay Shaw for the CIA's DCS division from 1948-56. Amazingly, according to researcher Jeff Caufield, these have yet to be declassified.
- All raw data reports on the CIA QK series, especially project QK ENCHANT, from which Clay Shaw garnered his covert security clearance.
- All communications from the CIA to reporter Hal Hendrix in 1963.
- All correspondence between David Phillips and Hal Hendrix during coup operations in the Dominican Republic against Juan Bosch in September of 1963; and between Hendrix and/or Phillips and Richard Helms during the 1972-73 coup against Allende in Chile.
- The 40 or more pages from the HSCA interview with Priscilla McMillan that are still classified.
- The Inspector General's report on the Bay of Pigs, completely unredacted.
- The CIA's records on Jack Ruby.
- All CIA files on Donald Edward Browder, the CIA agent who ran guns with Ruby and who testified in executive session to the HSCA. Also - the full text of his testimony to the HSCA.
- The Church Committee's file on CIA media assets—completely unredacted.
- All correspondence between Nicolas Katzenbach and Hoover, and Katzenbach and the CIA, from November of 1963 up until the submission of the Warren Report to LBJ in September of 1964.
- The near 1000 page file the FBI is known to have on Donald Edward Browder, CIA agent and gunrunner with Jack Ruby.
- The record of the transfer of the copy of the FBI document about Ruth Paine attempting to establish contact with the family of Oswald in the late '50's that went to the Agency for International Development.
- There is an FBI report referring to a letter from Dick Bissell noting the location of 544 Camp Street. Bissell's memo was written on the eve of the Bay of Pigs invasion. We need to see the raw data on which the FBI report is based.
- All papers of New Orleans FBI agent Ernest Wall should be produced in unredacted form, specifically from the summer of 1963 until the submission of the Warren Report.
- All FBI correspondence between Washington D.C. and Walther Sheridan, Richard Townley, and WDSU TV from 1966 through 1967.
- All reports from Kansas City to FBI HQ concerning James Hosty after he was transferred there in 1964.
- Clay Shaw's G-2 File
- The Army Intelligence File on Perminex and CMC (Centro Mondiale Commerciale)
- The Army Intelligence file on Thomas Eli Davis III, which was reportedly turned over to the HSCA but does not exist in the JFK files. Also the CIA files on Thomas Eli Davis. Davis, an ex-con gunrunner who worked with Jack Ruby, was arrested in Algiers in connection with the assassination of JFK. He had on him a letter that referenced Oswald. Let's have the letter as well, be it in the Army Intelligence or other files.

**Send PROBE Your
List. We'll see
that it gets to the
Review Board.**

The files/items I want released are:

1. _____
2. _____
3. _____
4. _____
5. _____

Mail to CTKA. We'll compile a list and report on it in an upcoming issue. We'll also put your requests in the hands of the Review Board. Get going!

PROBE May 22, 1995

FileWatch

FBI Files Misclassified?

In the May 1995 issue of the Fourth Decade (Vol. 2 No. 4), researcher Bill Adams presents the case of the 14 page "Whitter" document. Donnell Whitter figures in the Elrod story connecting Oswald with Ruby. As it turns out, the "Whitter" document contains Whitter's arrest records ("rap sheet") from the Dallas Police Department, the Texas Department of Safety and the FBI. That's it!

Originally designated by the FBI on June 12, 1993 as meeting the requirements of ARRB exemption #5, which states: "the public disclosure of the assassination document would reveal a security or protective procedure currently utilized, or reasonably expected to be utilized, by the Secret Service of other Government agency responsible for protecting Government officials, and public disclosure outweighs the public interest," the FBI later released this document—in its entirety—on August 12, 1994.

Mr. Adams has contacted the director of the FBI, the Attorney General, Congressman John Conyers, and the ARRB about this possible misuse of the ARRB's restriction from release. But to date, he has received no official explanation from any of the people he's contacted as to why this document was held back using the ARRB #5 restriction.

This is a disturbing precedent and happens as the Board stands poised to do battle over restrictions that different agencies are claiming for withholding of documents in their possession.

New Archival Releases

The National Archives is still withholding documents dating back to at least World War I, and that organization represents only one of 26 separate entities that currently withhold government documents. On November 28, 1994 the National Archives issued a "News Release" informing the public that "44 million pages of previously classified documents will be made available on Monday, December 12, 1994." An accompanying list itemized group breakdowns of these holdings, with 21.0 million pages from "World War II and Earlier" and 22.9 Million pages from their "Post 1945" collections.

This initial release of documents comes in response to President Clinton's November 10,

1994, signing of an Executive Order entitled "Declassification of Selected Records Within the National Archives of the United States." These materials will be available at one of the three National Archives facilities in the Washington area: the downtown Archives at Pennsylvania Ave., between 7th and 9th Streets, NW. (202-501-5385), the new College Park facility at 8601 Adelphi Rd., College Park, MD. (301-713-7250) or at the National Records Center at 4205 Suitland Rd., Suitland, MD. (301-763-7410). (For a listing of where each section of these collections can be accessed, contact the National Archives at (202-501-5525.)

Final implementation of this order came with approval of the congressional joint oversight committee for intelligence in the first week of May 1995. Adopted were a few of the key provisions from the ARRB legislation: the automatic presumption of release and justification for postponement is placed on the holder of the document.

In the Archives press release it was also stated that this bulk release of 44 million pages represents approximately 14 percent of the National Archives holdings of classified material. Using their own figures, the Archives total holdings of classified material was an astounding 314,285,714 pages prior to this release—which means that we now only have 270,285,714 pages to go.

But the most amazing aspect of these astronomical figures is that they reflect the holdings of just one organization within the total network of government agencies that withhold classified documents. The figure of 314 million pages has to pale in comparison to the number of classified documents that are still being withheld from public disclosure by all governmental departments.

New Archivist

United States Archivist Trudy Peterson will be leaving her post later this year and President Clinton has nominated John W. Carlin, former governor of Kansas, to replace her. This nomination is extremely controversial since it appears to violate both the spirit and intention of the legislation that established that post: his only qualifications to hold this post are close political association to both William Jefferson Clinton and Senate majority leader, Republican presidential hopeful and Kansas Senator Bob Dole.

Mr. Carlin's nomination is being opposed by the American Historical Association, the Organization of American Historians, the American Library Association and the Society of American Archivists.

The editors of PROBE encourage our readers to contact the Presidential appointments office and voice your displeasure with this nominee. There have to be others from the field of state archivists as well as government, public and college libraries who are more qualified

Obituary

Evelyn Norton Lincoln, personal secretary to John F. Kennedy, has passed away at the age of 85 from natural causes. Mrs. Lincoln was secretary to Mr. Kennedy from his early days in congress up until the time of his death in Dallas, Texas on November 22, 1963. She would later serve in a minor capacity at the Kennedy Library in Boston in organizing President Kennedy's papers. Until her death this year, Mrs. Lincoln visited the Kennedy grave site on each and every anniversary of his death.

FOIA Nightmares: A Personal Odyssey

by Michael Levy

In January of 1992 I began filing a series of Freedom of Information Requests—FOIAs, pronounced "foy-ahs"—the subsequent number of which there was no way at the time I could have predicted. The primary focus of my attention was directed to the Central Intelligence Agency.

I was a man on a mission.

I would receive an initial reply about a request from the CIA signed off by their Information and Privacy Coordinator, John H. Wright. I say "signed off" because in actuality he was more like a

"case officer" who penned the responses. In any event, the letters all read like this:

"Our analysts will review your request, and we will be in touch with you and advise of any problems we have encountered or whether we can search for documents without any additional information."

I would acquire many of these letters as time passed. And the CIA would encounter problems along the way. Some would be resolved by sending additional information. For others, the problem would be that they needed more time for

continued on page 14

Henry Graff's Response

continued from page 1

Assassination Records Review Board has been literally dumb forever on the great, tragic theme of the Board's work."

Effle Responds:

Mr. Graff addresses his response to both PROBE and Mr. Lifton, but Mr. Lifton is only listed parenthetically as having helped to source this material, and had nothing to do with the writing of this short article. The editors of PROBE, alone, accept full responsibility for it's content.

PROBE neither suggested nor implied that Mr. Graff "misled" the Senate Oversight Committee during his confirmation hearing. What we pointed out is a discrepancy in the public record. Mr. Graff was asked a straightforward question: "Have you made any public statement—oral or written—regarding the assassination of President Kennedy....?" His original answer to this question—which was submitted to congress—mentioned an interview with a local newspaper and nothing else.

We hasten to remind Mr. Graff that these submissions and the documentation requested served as the foundation from which the American people based their judgment on recommending whether to support or reject his nomination to the Glenn and Conyers committee. A complete recording of his writings would have made a fully informed judgment possible. Comparatively speaking, other members of the Review Board were quite succinct in their submissions.

The failure to mention this writing (as well as others that he now enumerates), was an oversight that raises serious questions about his forthrightness and his full and total disclosure before that Committee and to the American people.

Despite Mr. Graff's characterization that the main quote cited refers only to the difficulties of historical evidence, it cites, specifically, Warren Commission critics and their methodology of evidence appraisal. In addition, his having "mentioned" the Kennedy assassination "countless times in classroom lectures and in public talks outside the University," and, "My widely used American history textbooks, needless to note, describe the Kennedy Assassination" may have all been innocuous references but the American people should have been presented that material and been allowed to make up their own mind as to whether they fall within "the full meaning of the subject that the committee was inquiring about."

Mr. Graff uses, what he calls, a "commonsensical" approach to what the Committee wanted, but that is, at best, a presumptive process, one which no one else we've contacted was aware of as having existed. As a distinguished educator, how does this use of common sense obviate a responsibility to the citizens of the United States to properly educate them so they could make a well informed decision in regards to his proposed nomination to the Review Board?

We are equally perplexed that Mr. Graff would state that, "I am confident that the committee was well aware that no historian qualified to serve on the Assassination Records Review Board has been literally dumb forever on the great, tragic theme of the Board's work." No one who has read our article on Mr. Graff would claim such a thing. In fact, that point was never even raised.

Nobody claimed that Mr. Graff had ever been "literally dumb" on this issue, just that he didn't tell the American people about all that he had written on it - until this response.

I personally have used Mr. Graff's "The Modern Researcher" for well over a decade. Isn't it odd that the very disciplines that Mr. Graff has had a major part in forming in my own research should lead to these revelations?

Both John Sparrow, the eminent English scholar and primary source for the main quote used in our original article, and Jacques Barzun, a well know French lawyer, as well as Mr. Graff's senior collaborator on "The Modern Researcher," have themselves written extensively on the Kennedy assassination. And both are pro-Warren Commission Report. ☙

Definition Definite

"Assassination Record" Defined

The Review Board has reached a final definition of what constitutes an "Assassination Record." If you would like to read this definition in it's final form, write to the Review Board at 600 E Street, NW, Washington D.C. 20530, or call (202) 724-0088 for a copy.

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PROBE May 22, 1995

The Second Crucifixion of Oliver Stone

By Dennis Effle

liver Stone, the director of 1991's mega-hit "JFK" is being crucified in the press yet a second time. Once again a purloined draft of a script for an upcoming film, this time a biography/entertainment offering on the enigmatic American political figure Richard Nixon, is the basis for preemptive strikes by the media. Has Harold Weisberg been disbursing another stolen screenplay, or is Stone's office the most infiltrated since Garrison's?

In the March 20, 1995 *TIME* magazine, under the footnote of "esoteric findings," there is a list of several items that *TIME* writers characterize as "cud for the director's conspiracy-theorist fans to chew on." Leaving aside the umbrage that readers should feel at being referred to as a multi-stomached lower phylum species, it is odd indeed that the specific items selected to denigrate Stone with have a genuine basis in historical fact. Reality, it appears, is not the proper defense for press hyperbole.

Points from this script that *TIME* takes issue with are: Nixon organized a separate operation from the Bay of Pigs (referred to as Track 1) and three years later this same cell (referred to as Track 2) turns to hit Kennedy; Hoover uses his knowledge of this to threaten Nixon during the 1968 election; E. Howard Hunt blackmails Nixon due to his knowledge of these events; Nixon himself personally erases the infamous 18 1/2 minutes "Gap" because it refers to "Track 2" and Alexander Haig pressures (blackmails?) Nixon into resigning by implying that someone else had a pristine copy of this tape.

Do We Have Time To Deal With This?

But why do these assertions cause *TIME* so many problems? Let's take a look at some of the true history concerning these events and see if we can understand *TIME*'s reluctance to deal with these issues openly and honestly.

Nixon was White House action officer for Operation Pluto in the Eisenhower administration and deeply involved in the day-to-day planning as well as oversight of the entire war against Castro's Cuba. As the record points out, Nixon had knowledge of and worked with many of the extremist factions of this program as well as those involved in

the "Caribbean wars" of that era.

Nixon knew and worked with Bosch, Cordona, Kohly, Hunt, Phillips, Maheu and Helms; as well as many others who harbored and financed these cells. The ill-fated "Bay of Pigs" invasion plan was a product of the Eisenhower administration and was only later adopted and tacitly carried out by the Kennedy administration. Factions of these same elements close to the vice-president did go into remission only to arise once more under the Nixon presidency. In fact, some became permanent fixtures of the covert apparatus all the way through the Reagan/Bush years.

What this article refers to only as "Track 1" and "Track 2" plans could very easily be a reference to any of the panoply of operations began under Eisenhower/Nixon leadership. Operations Condor, Phantasm, Goldflow, Lake, Red Cross and "40" were all progeny of that administration and known to the White House action officer for these activities, then Vice President Richard Nixon.

TIME's limited viewpoint needs expanding. It is astounding that the material existence of this apparatus is still being denied by *TIME* in 1995. These are the historical realities and facts we should be informed about and then taught to deal with. Instead we are presented "the facts" in a context that *TIME* derisively characterizes as "cud" and intimates is not worth our continued concern. But while we're at it, let's digest a few more of these tasty morsels.

The available declassified histories of those times show that with the change of administrations in 1960 some elements of this not-so-secret war disbanded; some were incorporated into other operations; while others simply went inactive and a few went independent, ready to spring into actions of their own choosing at any self determined point in time. And once more, as the available historical record repeatedly shows us, many of these programs were operating without any official direction from the next administration.

Indeed, the HSCA itself investigated several of these allegations at the time of their cursory reinvestigation into the President's murder. One of the HSCA's main areas of focus was the Bayo/Pawley raid of September 1963. This particular incident saw an entire band of U.S. sponsored assassins dispatched

to kill Castro captured—then surreptitiously released back to the U.S. mainland. The HSCA thought that this event was somehow relevant to the President's assassination in Dallas, as recently released documents show.

To this date, files on the full war against Cuba have only partially been released. But the cumulative historical record so far released does document important facts relating to this war and reveals that this information was known only to a compartmentalized cadre of officials within the covert intelligence apparatus, Hoover's Federal police force, select Bureaucratic/Business circles in Washington as well as superior figures from organized crime. All of these elements came together to form integral parts of the planning and implementation stages for these escapades, and Richard Nixon was at the highest level of responsibility dealing with all of these elements. But we should not forget the fact that Dick Nixon was a major player in Cuban covert policy long before "Pluto" heated up.

Gonna Tell On You

If there has been one constant revealed through the study of modern intelligence literature (as well as the study of political science and corporate development during the same comparative time frame) it is that information is power. Blackmail, or as some have put it, "the strategic application of known fact" has been one of the prime driving forces in how information is either exchanged, discovered, or applied.

In the world of intelligence, operatives must be able to get information, establish an archetype for the source and establish a basis for that input to be properly evaluated. Fear of blackmail has been one of the constant concerns of the spy game since its beginning and has always been one of the three standards established for motivation of conduct: Greed and Ideology comprising the others. This was the process accepted as litmus qualifications for establishing Trustworthiness.

Another paradox that has to be dealt with is the proven existence of competing groups using Blackmail against the Blackmailers. This is the warp in the convex mirror of intelligence. This single event has biased the function of intelligence more than any other in this century.

Hoover helped develop it and was one of

the few to have survived to perfect the craft. Dulles, Angleton, and Helms (among others) also developed this discipline to a science. The primary question has always been, and likely always will be, who has what on whom? The answer to that question allows us to view the material in its true light; allows us the ability to see it devoid of motivational spin and ideological prejudices.

By its very nature this discourse produces evaluations to be made of finer gradients on the Big-Bigger-Biggest blackmail secrets scale. What was the Biggest secret known, and who held it against whom?

Nixon and the '68 Elections

By 1968, when Nixon finally reached the White House, many truths relating to events that occurred during the Kennedy administration were known to a slightly wider group of intimates. And lest we forget, many of those events were of major importance: the failed Cuban invasion; the erection of the Berlin Wall; the wars in Laos, Vietnam, and Cambodia; the summits in Vienna, Moscow and Washington; the brinkmanship of the Missiles of October, and the United Nations resolution that became the Nuclear Test Ban Treaty.

To give some historical perspective to this, we should also remember that these major events were going on against a backdrop of: military revolts; NASA's rise and the ascendancy of the Technological/Scientific/Atomic triad; missile accuracy and preemptive strikes programs; deployment of space based ASAT systems; the "Polaris" tactical advantage; establishment of Hot Line communications directly with the enemy; electric company "Executives" put behind bars and steel company dictates reversed by the administration.

The questions of whether Richard Nixon was involved in any of the political machinations that occurred during the 1968 campaign season, to either the Democrats (Bobby and Martin were killed and McCarthy neutralized) or the Republicans, (George Wallace, his competition, was eliminated) have to remain open until more of the sequestered files are fully released. In any event, the true events of the Kennedy administration were indeed known to a wider (but still selective) circle of associates in slightly broader circles by 1968 and it was the Nixon camp that wound up benefiting from the manipulation of much of that information.

An objective study of the entire panorama of information available to us at the present time—at the very least—shows that Nixon is a man who merits special attention concerning many events from the Kennedy presi-

dency including those surrounding his assassination. That's why it's difficult for many people to understand why *TIME* finds it so hard—when faced with an accurate recording of our own history and in light of the available truth about these events—to pose any of the above mentioned points as being in any way implausible.

Revisionism Vs. Truth

One of the main points to have escaped *TIME*'s view is that revisionism is necessarily built into the classification process and thus the process of properly recording our "true" history. This process dictates that we constantly revise our correct understanding as more documents of our true history come to light. But *TIME* doesn't seem to have kept up with the times, nor the release of this new documentation!

When the truth of any event is first classified and then mastered by small interconnecting circles of individuals within the government/intelligence/business bureaucracy, and then begrudgingly released in piecemeal fashion over an ensuing time frame (often decades—and in some cases centuries) we must reconsider past interpretations.

Even scholars have a difficult time setting the record straight. The total number of documents that are made available each year is also staggering. There are many centers across the country that withhold government documents; more still that possess classified presidential papers and innumerable others that retain the private papers of people who once served in positions of public trust. Add to this the scant volume of papers available from public and private corporations and biographical information available on their Board memberships and we can see that the amount of actual truth that makes it through the classification process to the general population each year is scant indeed.

If that new information is then filtered through a media lens that focuses on "old" histories and disproved myths while resisting new interpretations and the correct understandings they impose, then the act of understanding historical reality is next to impossible to obtain.

This situation has led one of my intimates to once cry out in frustration, "Documents, documents, everywhere—and not a page to read!"

But is it any wonder? Revisionist books aren't produced in great numbers to start with, and that's the primary source of exposure of the new documentation. Only on occasion do we see the visual media picking up on these revelations—usually in a scant book

review segment or soundbite mention on the evening "Snooze." While all the morning shows want to book the latest novelist, they shun the academic as boring, the radical as fringe and the refuting author as a heretic—then hide that censorship behind: "not visual enough," "low ratings" and "no sex appeal."

Since the majority of the population doesn't read to start with and most of the literature sold deals in a fictional milieu, then the number of people actually participating in the edification process—and the debate that it engenders—is minute at best.

In our society today, the popular media is delegated far too much importance in shaping our perception of the "truth" of historical reality and it all too often reduces us to the lowest common denominator—nothing more than a soundbite mentality.

The "Real" Paper Chase

This brings up another crucial and materially related point. Why has Richard M. Nixon been allowed to control his presidential papers, still locked up in litigation, (in what today amounts to posthumous possession) and still held beyond anyone's access to official disclosure?

Nixon's infamous lawsuit blocking release of these files has journeyed through a rather lengthy discourse. Now years in the courts, it currently is right back where it started from, and awaits renewed litigation. If any effort to release these files is to be even partially successful, then additional and specific legislation will obviously be needed to accomplish it.

The call should be heard to legislate for the release of all papers, files and related artifacts associated with Richard Milhouse Nixon's Presidency. For only by comparative analysis can anyone ascertain whether the "true" events of his presidency relate to and impact on the wider issue of the accepted history of those times, including the Kennedy assassination. What were the continuity streams from his vice presidency to his presidency, and which ones were active during the Kennedy/Johnson years? Only then can anyone attempt to answer truthfully whether Nixon had knowledge of, participated in, or supported any of these relevant events.

When Richard Nixon is considered in relation to this vortex of power, the additional release of the documented history in regard to those events should not be precluded from release, but instead should be the very first demanded. The record must be factually clarified and the public enlightened about this man and his activities.

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Nixon and Stone

continued from page 13

Nixon not only had some knowledge of all these events but was a major part of the eventual revelation of much of the truth underlying our myths due in large part to the Watergate debacle. Someone did erase that 18 1/2 minutes, and the order to do so, if not the actual act itself, could just have easily come from Nixon himself. We need the full records to make an informed judgment!

But why is *TIME* continuing to extol the myths from our most recent past?

Myths that the Government serves the people and not the corporate elite in an ever expanding "World" marketplace.

Myths that Nixon's foreign policy achievements outweighed his occasional domestic transgressions.

Myths that continue to perpetuate a persona of John Edgar Hoover as a diligent crimebuster, when he undoubtedly would have been convicted—with conviction upheld—if any of the programs he oversaw had become known during his tenure of power.

Myths that continue to obscure the reality behind the real war that ravaged Asia.

Myths that the *Pentagon Papers* were the official "truth" about that war

Myths that cover stories and deceptions aren't part of the "Standard Operating Procedures" (SOP) of our intelligence agencies and its government.

Myths that we've been told the "truth," or something approaching it, about any of the seminal events of our most recent history—all of which remain awash in a sea of lies.

Let's stop dealing with Myths and start facing—and then coming to grips with—the realities of our own history. Let's stop dealing with Myths and start facing—and coming to grips with—the facts of our own history. We can start by releasing all of Nixon's papers. As for *TIME* magazine, it's time to get with the program. It's time for the truth. ☐

As Mark Zaid pointed out before the ARRB, many of the figures involved in Watergate—Hunt, McCord, Sturgis, Novel—are of interest to the JFK case. That's a request—and an observation—that's missing from *TIME*. But, to our readers, that should come as no surprise.—Ed.

**"To sin by silence
while others doth protest makes
cowards out of men."**

—Milla Wheeler Wilcox

Have You Renewed Your *PROBE*
Subscription Lately?

FOIA Nightmares

continued from page 10

processing the request. However, one sticking point for them was that I provide corroboration that I was a "representative of the media." Without this designation you can be charged computer search time and professional and clerical fees for processing the request. The amounts are not insignificant; they can easily range from \$100 to \$300, and more, even if no responsive records are found, or the agency chooses to deny release of the records. Those costs are in addition to photocopying charges of 10 cents a page, after the first 100 pages, which are free.

To be considered a "representative of the media" you do not have to work, per se, for a media outlet. What you do have to present to them is a reasonable "likelihood" that any information you obtain will be disseminated to the public. Freelancing is taken into account, provided you have been published in the past. So I sent Mr. Wright two published articles written by myself. In response, I was granted "representative of the media" status, and was no longer considered in the "all other" category.

I was on my way.

As my outside research progressed, the correspondence began flying back and forth between me and CIA headquarters: more FOIAs, more interim responses, more additional information requests, a few packets of "previously released material to other requesters"—some interesting stuff, but no releases responsive to what I considered my ground-breaking requests.

Then the game changed.

About a year and a half after it all started, and essentially at the end of my FOIA sojourn with the CIA, Mr. Wright wrote requesting that I provide him what I had published making use of the material that I had already received, or he would be rescinding my status as a "representative of the media." Pretty clever on his part, don't you think, since everything that I had received to date had been "previously released to other requesters." That neatly served him in picking my brain of what I perhaps might know that I shouldn't while not having to process my requests for records which had not been previously released unless, of course, I'd be willing to pony up twenty thousand or so for what did or did not exist (at least on their say-so), or according to their whim, what I may or may not receive. Translation: "Denied."

I had been had.

I wrote back telling him that I was helping on a book, that I was not working on an interim piece. That answer did not satisfy him. Moreover, I had provided a letter directed to him by writer Jim DiEugenio, author of the 1992 book *Destiny Betrayed* (Sheridan Square Press, New York), stating my assistance to him on that project. I also provided him a letter by Jim's literary agent of record affirming that he was representing Jim on a future project. In response to this, Mr. Wright now required a book contract of my own before the processing of the requests would proceed.

That did it.

Undoubtedly, here's how Mr. Wright and his colleagues assessed the situation:

1. I was working on a book and had no intention of "merely" writing an article. I was "big-game" hunting.

2. The depth of my requests was such that there was no way I could back any of it up unless I could get to their "bulky" files—material not in their indexed system of records, comparable in business to the second set of books.

3. To the extent I could corroborate whatever I had, the Establishment press wouldn't publish it.

4. To the extent I could get some of what I had published, it wouldn't hit the mainstream press; or it would be too conjectural to be believed, or nothing they would be giving me would be supportive of it anyway.

5. Were I to receive a book contract, their final gambit would be to merely close ranks: "the records don't exist." End of story.

Anyway, I played into it.

At this point I contacted Congresswoman Eleanor Holmes Norton. And President Clinton. And Frederick Hitz, CIA Inspector General. And the Staff of the House Permanent Select Committee on Intelligence, Michael Sheehy. Mr. Hitz and Mr. Sheehy, as it turned out, were not able to take the time from their busy schedules to reply to my grievance about the CIA. When I called Mr. Sheehy a month or so after having written him, he had the staff lawyer on top of my case call me. In sum, I was told the CIA was "adamant" in their position. As an aside, he also said, "they all know you there."

Why wasn't I gratified hearing that?

The response to my letter to the President, signed by Marsha Scott, Deputy Assistant to the President, Director of Correspondence and Presidential Messages,

said this:

"To give your concerns the special attention they deserve, the President has asked me [sic] to forward your letter to the Central Intelligence Agency." I wrote back, after an initial "thank you," that I viewed her approach as "something on the order of having the foxes watching over the chicken coup," and offered taking a different tack. She didn't respond. Evidently she's not programmed for rifts of the second order.

Congresswoman Holmes Norton was an altogether cheerier story, writing three letters over time to the CIA in my behalf while corresponding to me some ten times, counting the ones concerning her contacting the Postal Service regarding the as yet unresolved matter of my mail being rifled from within the postal system.

The CIA responded to the congresswoman, then me again, that unless I could produce a book contract they were unwavering that I remain in the "all other" category, a prohibitively costly assignation.

In one more stand, I asked Mr. Cartwright Moore, Ms. Holmes Norton's senior case worker and my contact at her Constituent Services Office, if he would not have the CIA produce documentation of instances where previously published requesters had been required to have a book contract in hand.

The CIA denied the request, saying information regarding requesters was protected by the Privacy Act. That seemed reasonable and plausible enough, except while all this was going on I had come to find out that information regarding me and one of my requests had been released by the CIA to another requester, reporter Jim Balloch of the Knoxville News-Sentinel. He wanted to know who else was digging into a subject of interest to him, and the CIA had provided him my name with address deleted. He was able to track me down through the research community. I wrote the congresswoman detailing this scenario and suggested that we ask the CIA for documentation of their request that published writers provide copies of their book contracts, leaving confidential information out of course. After a month passed, I called Mr. Moore about the letter. He could not recollect it.

On March 19 of this year I sent Mr. Wright a photocopy of a page from the M & A Book Dealer catalog. On it was listed for sale a treatment for a film documentary by myself which had gone as far as the last cut before the Discovery Channel turned me down. But M & A wanted to sell it. In

writing Mr. Wright, I told him that this ought to satisfy his requirement of having disseminated material to the public received (in part) from the CIA. He has yet to reply.

So what is it that has the CIA so out of joint? What follows is, in part, one of my requests:

Dear Mr. Wright:

This is a request under the FOIA as amended (5 U.S.C. 552). I am writing to make a request of you for a copy of all Agency records pertaining to the so-called "Pentagon Papers," and the CIA's Historical Staff and Office of Special Projects writing of it. I am aware it was written for the purpose of placing the blame for the Vietnam War on the Executive Branch and the Joint Chiefs of Staff; thus, I am likewise requesting of you all records relating to its

intended release for this ultimate motive."

Some of my requests are less provocative, others equally so. But taken together they tell a story, a pretty good one.

One final thought: This story is not about collecting fees: what it's really about is "open government." And we all know the terms for and the outcomes of a closed one. ☪

Michael has been an indefatigable researcher on the JFK case. In keeping with this issue's theme, it should be noted that if the present FOIA strictures were to be realigned towards those of the ARRB, the CIA would at least have to defend its own arrogance and irresponsibility in this and other matters of suspected criminal conduct.
-Ed.



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The next issue of PROBE will feature profiles, articles and documents by prominent writers and researchers such as Anna-Marie Kuhns Walko, Milicent

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PROBE May 22, 1995

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