

My comment in my 4/10/71

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Jim Lesar
CTIA

Dear Jim,

Murphy's law 7b strikes again: just write a letter mentioning that some promised item has not been sent, and it will turn up within two days. So, I thank you for the package containing the Mardian speech, the Ray decision, and the FBI memo; also, your letter of June 8 and the 27 pages to complete my file of the recently released CD's.

Just one minor point on the CD's: CD 1085(1) is actually the last page of the report which is CD 1085(k); that is why it has the same title in the Basic List. This is evidently a clerical error by the Commission staff, as was the separate listing of CD 61 (which is CD 60).

I sleep better at night knowing there are men like Mardian in the Justice Department. This kind of speech - presumably written without the aid of the Department's best writers - is quite revealing of the kind of thinking done by our leaders. On the specific question of justifying more intelligence gathering to prevent assassinations, there is one important distinction he missed. I think the Warren Commission was probably wrong to suggest that some expansion of the scope of Secret Service activities might have prevented the assassination. The SS was essentially concerned with nuts, and I think that is proper. If the President is exposed to the public, no amount of intelligence gathering is going to protect him from a serious, clever, and careful politically-oriented assassination attempt. That is why Mardian's comments on the RFK assassination (page 6) don't make much sense. What might the FBI have added in the way of protection if they had been at the Ambassador rally (and is Mardian admitting they were there)? RFK had no lack of physical bodyguards. And I don't recall anyone saying, as Mardian claims, that the authorities should have known about Sirhan.

Thank you very much for sending me the memo on the FBI and the assassination. I will give you my specific comments first. "N99" means I am referring to the sentence covered by footnote 99.

N5: not quite correct. Compare N3; at N3d that FBI report is described as "of principal importance." Also, I think a couple of exhibit pages from these reports were published. N6 is also incorrect. I and others were after these reports before they were released. CD 1 was first disclosed by Epstein, Weisberg, and Salandria in 1966 and got quite wide press attention, as I recall.

N10. This incorrectly suggests that the FBI refused this information to the Commission, which simply never asked for it.

N11: I would have to dig up the reference, but I am pretty sure that a neutron activation analysis was eventually done.

N12: I suppose you know that it's a lot worse than you indicate here. I have done at least one memo on the Hosty notebook entry that should be in your files already.

N13-14. True, but I can prove to you that the Commission asked for all the junk that they got, and that the FBI even pretended that they did not want to waste the Commission's time with such things. More to the point is that the FBI made no real attempt to provide meaningful indexes, separate out the junk, etc.; they made masterful use of the pretense that they were only gathering facts, not making evaluations. Recall how much more useful the Secret Service reports are in general. And recall how Hoover used this ploy in the Kent State affair.

N15. I thought this was routine and innocent - discoloration for fingerprint testing.

M16. I simply don't believe Marina on this. The microfilm photos of the evidence taken, I believe, quite soon after the assassination show this photo with the hole. CD 102.

P. 2, section 5. If you are tabulating stories like this, I would certainly add the question of the radio log transcripts. What the FBI had the nerve to call a corrected transcript was nothing of the sort. The duplicate tapes that were made early (presumably before the original dictaphone belts got worn down) were not used, and cannot be located now.

P. 3, section 3 - are you suggesting this was unusual?

P. 4, section 4. There is far more significance to this report than you have suggested. I believe you have several of my memos which are relevant. I have had a copy of the report itself since October 1967, and am making use of it in connection with several of my pending Freedom of Information requests. I can send you a copy if you want it, but I would just as soon not have anyone make a big fuss about it, especially if he has not studied it and its background as much as I have.

P. 4, section 5. Hoover's excuse - as presented informally to the Warren Commission - was that the two missing reports you cited were not in that file because they had different titles, and the information in them is in the file (which is not true). That may be the truth, but the FBI should have given the Commission all files with any reference to Oswald. I assume they have an effective cross-indexing system. Also missing from the list in CE 834, and harder to explain innocently, is at least one photograph of a letter written by Oswald to the FPCC before the assassination. (See my memo of April 8, 1971.) I am fairly sure that the file was purged before it was listed for the Commission.

The issue of how much the FBI made available to the Commission figures in one of the Freedom of Information requests listed in my letter of June 9 to you (# 4). It has just been denied, and I would really appreciate your help with my appeal, if you have the time.

Section 6. Good point; I had not noticed that contradiction before. I suspect that Hoover may have fallen back on a semantic evasion - a person who was being carried on the books as a potential informant was not considered an informant. That was almost certainly the case with Ruby. (sic)

Page 5, section 1: it's a long story, but I tend to believe Hosty here. The WC may have missed the point in what you cite in section 2; what the FBI did was suspicious but not necessarily for that reason.

On to some more general comments: After what I had heard, I was pleasantly surprised by this memo. I would certainly not question the honest intent of whoever prepared it. While there are some inaccuracies, I am sure that any similar memo I saw or anyone else tried to put together in a short time would have quite a few errors also. Quite a few sections had good observations which I had previously missed.

Without taking the time to go back over the comments Harold sent me, I do want to express my opinion that he was not justified in jumping on you (and the memo) as he apparently did. However, I recall that he made several general criticisms along the same lines as mine, which follow:

First, unless there was some extreme time pressure, this sort of thing should have been available to me, Harold, and others before being used. (I think I am actually a member of the CIA.) At the very least we could have cleared up some of the minor errors. As for making it available to Boggs, my present reaction is quite negative. My first impression of Boggs' outburst was favorable, but he seems to have come up with nothing. Is there something in the Louisiana air that rots the mind? Does the Napoleonic code have different kinds of logic in it? Boggs reminds me of Garrison, and one of the Long clan whom I saw on TV explaining Garrison's "PC19106" code. We (i.e., the good guys) simply do not need allies like that, especially against the FBI. It is true that most of the charges in the memo against the FBI are, or can be made to seem, charges against the Commission.

I have spent much time studying FBI-Commission communications, especially in "sensitive" areas, and one impression comes through very strongly: Hoover was positively brilliant in writing a record to protect himself. I know how he deceived the Commission, but I can also show you letters from Rankin which thank him profusely for never refusing a request from the Commission - and that is accurate. For example, in one sensitive case, I suspect (but can not quite prove) that the dirty work - turning off a suspicious staff member - was done by Willens, the JD's "liason" with the Commission - and Hoover came out looking clean. I assume you read Navasky's article in the Atlantic some months back about Hoover, RPK, and MLK. A very good article, and ~~unacknowledging~~ everything he pointed out about Hoover's methods sounded just like the FBI we all know about. Boggs would be crazy to take on the FBI with anything less than a 100% solid case, unless he were willing to go into detail about the fine points of bureaucratic buck-passing - and that wouldn't make him look good (or even defensible) in the press.

Although it does not apply to this memo, I would like to say that some of the present and past directors of the CTIA have come up with some of the most incredible nonsense masquerading as fact. I hope that you share my strong bias - that, despite any favorable first reactions, such activities are counter-productive and should be avoided; in particular, the "facts" should be discussed by knowledgeable people before anyone jumps to a conclusion.

I don't like to spend too much time debating things that have already been done, so I haven't gone into all my opinions on this memo, the charges that have been made against it, etc. If ~~it~~ it is not a dead issue, however, I would like to be kept informed.

Sincerely yours,

Paul
Paul L. Hoch

cc: HW