

THE GREATEST SECRET I EVER LEARNED ABOUT THE KENNEDY
ASSASSINATION

By Roger Bruce Feinman

Joe Wershba came closer than anyone else to being my mentor while I worked for CBS News in the mid-Seventies. The only reason I wear a Greek fisherman's cap today is because Joe wore one everywhere he went. I admired him and wanted to be like him. When I knew Joe, he was a producer for 60 MINUTES. Years earlier, while I was still learning penmanship, he had been a field reporter for Edward R. Murrow's "See It Now" series. You probably saw and heard Joe talking about Murrow on a two-part PBS documentary on his career a couple of years ago. Well, Joe Wershba was my Murrow. He knew the business. He also knew the Kennedy Assassination. If Leslie Midgley was the J. Lee Rankin of CBS News, Joe Wershba was its Francis W.H. Adams.

Joe Wershba said to me that the Kennedy Assassination is like a poison in the bloodstream: once it grabbed hold of you, it never let go. He knew that it was all too easy to become lost in the labyrinthine intricacies of the case and hardened in one's positions.

When I worked for CBS News, I had the notion that I knew how broadcast journalists should treat the Warren Report better than some of the most experienced and talented people in the business. They disagreed with me. Eventually, they fired me. I still think that I was right, but I have learned never to tell anyone that he is wrong. Telling someone he's

wrong only makes him defensive. When he gets defensive, his adrenalin starts pumping a little faster, and calm discussion becomes even harder. He can no longer see your point of view, even if you are right. Back then, I thought that the senior management of CBS News was part of the grand conspiracy to cover up the truth about the assassination. They were more than wrong, I felt; they seemed suspicious. I was younger then. I was also frightened by the experience that I had with these men.

Joe Wershba saw that I was lost in the case. The advice he tried to give me was the best advice I have ever received about working on the Kennedy Assassination: "Think of it as if it all happened 100 years ago, and everyone connected with the case was dead."

I did a lot of research about the history of CBS News and its 1964, 1967 and 1975 special reports on the case. I also spoke with some of the people who worked on those shows. Originally, I thought of doing nothing more than writing a memo very much in the same vein that Burton "Bud" Benjamin would later do regarding "The Uncounted Enemy", the special report on the Vietnam War that led to General William Westmoreland's libel suit against CBS. Unlike Benjamin, no one asked me to do this. I wanted to because I believed they would give more credence to an employee than they seemed to give the critics. I have never looked back with regret. But I now wish Benjamin had volunteered.

Once I left CBS News, the idea for a memo grew into a

planned book. One of my early steps toward this project was to try to interview John J. McCloy. I had learned that, during the production of the 1967 four-parter, McCloy and some high-level executives of CBS News had engaged in some private exchanges. His daughter, Ellen, was the Administrative Assistant of Richard S. Salant, then the President of CBS News. She acted as the go-between. This news upset me a great deal. I felt as if I had been given a privileged peek behind a door leading to a dark room. McCloy's refusal to speak with me upset me further. In 1978, when I obtained copies of an exchange of letters between Salant and McCloy concerning my interview request, each comforting the other that no such secret communications had occurred in 1967, I started thinking about Penn Jones' list of mysterious deaths. By then, I had already begun law school. You see, I wanted to become a lawyer and get away with lots of stuff too.

With Joe Wershba and I parted by circumstances, my best friend, Sylvia Meagher, became my only mentor on the assassination. Viewing the HSCA "investigation" then in progress, Sylvia had anguished over participating in Professor Blakey's colloquy with the critics in September 1977. She didn't want to go because she suspected his motives. But she worried that she might be criticized for withholding support from an investigation that the critics had worked so hard to achieve. Without discussing this with anyone, I decided as a matter of conscience that I had to submit my evidence concerning the McCloy-CBS dealings to the HSCA, especially

since McCloy was expected to be called as a witness. I sent Professor Blakey a small collection of documents, carefully selected and arranged to make these dealings seem as conspiratorial as I thought they were. The materials contained defamatory remarks and private information about me that I never intended to be seen other than by the congressional investigators. Looking at these documents in isolation and in the abstract, one might hastily conclude that criminal activity had occurred in connection with the 1967 CBS broadcasts. Perhaps Blakey could get the answers that McCloy refused to give to me. No one on Blakey's staff ever wrote to or called me. I never found out whether he did anything with them. That would be for history to judge. The published volumes appear to indicate that he did not. I continued working on the case in between law school classes.

After the HSCA "investigation", David Lifton's book changed my life. I had known for some time that David once theorized that Brown & Root had erected a camouflaged system of bunkers on the grassy knoll, which he reasoned were removed unnoticed immediately after the assassination. Recalling how neatly David had figured that out, "Best Evidence" seemed, nevertheless, to reach a new high in complications. Here was a man who badly needed Joe Wershba's advice. I knew then that I ought to allow a substantial amount of time to pass before tackling the problem of CBS News. It was the best decision I could have made. Tragically, there were those who arrogated the right to make a different decision pertaining to my work.

Recently, it came to my attention that that small collection of documents I submitted to the HSCA turned up in a file folder at the Assassination Archives and Research Center. I would rather not discuss here how I believe that happened. I learned about it when one whom I once trusted and respected purported to "discover" these documents there. He submitted them to a well-known publication. Then he told me what he had found and what he had done, offering as one of his excuses that these materials had aroused an overwhelming "passion" within him. So, he had peered behind that same door. His confession came on the eve of the publication's original deadline, but a week after he had told some other researchers about his dramatic discovery.

What he seems not to have realized was that I had by now absorbed Joe Wershba's advice. I had grown older and grown up. I had learned to tolerate human fallibility and human foibles somewhat more than I did when I was younger. And time had soothed my passion and indignation, something my friend did not allow time to do for him.

I called Richard Salant, one of the men who hurt me for asking questions about CBS's handling of the Warren Report. I told him I was to blame for years ago setting in motion the events only now taking shape, and sought to assure him that I am not a person who seeks to inflict gratuitous harm on people. I let him know that he would be receiving a call from a reporter. I told him roughly what to expect. Mentally, I removed my name from Penn Jones' list.

By now I knew more about the story of which these documents were only a small, potentially misleading and seemingly incriminating part. I had long ago recognized that John J. McCloy did not grant any press interviews on the Warren Report prior to June 1967, when he sat with Walter Cronkite of CBS. When Edward J. Epstein approached McCloy for an interview in 1965, the former member of the Warren Commission must have thought he was helping a political science student with a term paper. That thesis ultimately became the sensational bestseller, "Inquest". McCloy had been burned. It has been reported several times elsewhere that he was reluctant to be interviewed by CBS.

Salant had the good fortune to be the immediate superior of a daughter of a member of the Commission. He used that opportunity to overcome McCloy's reluctance to state his views for the record. Ultimately, he succeeded. It was only on June 22, just a few days before the broadcasts were to begin, that McCloy gave a lengthy interview to Cronkite. Almost all of that interview is public record. A small snippet was cut from the tape before it aired. McCloy had taken a badly worded jab at Jim Garrison's circus. He immediately expressed his chagrin. CBS did not use the remark. It has done similar favors, most notably in the case of Lyndon Johnson's last interview with Walter Cronkite.

So much for the grand conspiracy. Richard Salant was a lawyer-turned-journalist who got lucky. His solicitude toward McCloy would undoubtedly raise some eyebrows among his peers.

Perhaps he should have temporarily reassigned Ellen McCloy to a job elsewhere in the organization to avoid any question of appearances, but who can say whether he would still have won that exclusive interview, which will unquestionably attract the interest of future historians. He says, "I don't think I did anything wrong." With regard to his communications with McCloy, I think he sincerely believes this, even though he and I disagree about the Warren Report.

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Let it be noted that CBS News asked John J. McCloy to explain the Commission's conclusions. It also asked all of the major critics for their insights.

To imply that McCloy's daughter was hired by CBS specifically to establish some illicit linkage with him, or that her employment was otherwise improper, or that McCloy directed the outcome of the broadcasts, or that CBS News was not solely responsible for the conclusions it reached, belies a false, irresponsible and underhanded snipe founded upon incomplete evidence and inadequate investigation. Such ill-concealed activism in the guise of journalism dares its targets to exorcise their presumed guilt by disgorging all. It is neither criticism nor journalism nor history, but rather gleeful agitation for the sake of agitation, i.e., the cheap shot. It is all the more scurrilous because the new ownership and present management of CBS -- a full generation removed from the principals involved -- cannot respond for events that occurred 25 years ago.

I would have strongly preferred to continue my low-key involvement with this subject and forego a writer's reknown awhile longer. I wanted to leave myself and my personal experience with CBS out of the story. I used to understand

this to be my exclusive prerogative. I write because something bad happened in our neighborhood. Undue harm to reputations and lives may have been caused because someone or some small group of self-styled sleuths became excited. Self-righteousness and eagerness to draw blood from the Establishment -- no doubt nurtured by years of frustration over this case -- obliterated their better judgment and any semblance of respect for someone else's quiet toil and considered judgment. Indeed, my judgment was not even sought in advance by the people who long concealed their possession of these documents. Research was purloined. The law was broken. Agreements were forsaken. Relationships were damaged. Hidden envy erupted. Nerves were frazzled. Facts were muddled. For all of this, Black Rock did not tremble, and we did not progress an inch closer to the truth about who killed John F. Kennedy. Worse, the credibility of the critics' demands for the release of all of the House Committee files may have been shattered, for it is a virtual certainty that Messrs. Stokes and Blakey will argue all the more forcefully for the careful screening of material subject to such obvious abuse. (I now think rightly so and claim some measure of responsibility for it; I have reported this incident to them.) As I write this, it is too early to gauge the full effects.

What is clear is that we need to keep a cool eye on the history of this case. The critics have been and remain but plain, ordinary people seeking redress of a legitimate

grievance from the Government of the United States: its failure to do justice to the 35th President and his accused assassin. In the face of powerful opposition, they have no armor but the facts, not half-baked theories or half-formed conclusions, not supposition piled on top of bad facts, but the cold facts. And their honor. Those who pride themselves on prying documents loose from the government under the FOIA and other lawful processes should blanch at the cynical misappropriation of another's research. There have been many "last windows of opportunity", many revivals of public interest in the case. Sylvia and I were astonished at the level of attention it received around the 25th anniversary. We had thought the case was dead. I am less impressed by the latest hype attending the Stone film. One who participates in the napalming, defoliation, bombing and raping of a tiny country, then back home wears his heart on one sleeve while raking in millions with the other deserves less attention than Mr. Stone receives, and certainly less obsequiousness from some of our colleagues than he enjoys. Would that those who went to jail or left their homes and families for Canada or Sweden, rather than partake of the carnage, could know such fanfare, or a mere sentence in the closing trailer of Stone's "Cliff Notes to the Assassination." The 30th anniversary is less than two years away. The release of the House Committee files may take that long. The critics have already achieved many significant milestones. With patience and perspective they will achieve still more.

3/20/92

4/1/92

Dear Harold,

I suppose it is a tribute to our long years of friendship that - despite our difficulty over Sylvia's papers - when this problem arose in our community, we thought of each other. Thanks for your letter. You may write to me again, your health permitting. We ought to enjoy whatever time we have left.

You never made any secret of your preference for Hood College. I was angry because I wanted Sylvia Stone left alone to make her own decision and, hopefully, get interested in Sylvia's work. He might have done more than Oliver Stone to release the HSCA files. But if that were not the case, I needed the chance to work with her papers for a few months to get the background on the early days.

"Anger" does not describe my reaction to what Jerry has done. I have never been as shocked and dismayed by the behavior of one whom I have known for so long. I'm glad Sylvia did not live to see this; she would have been heartbroken.

Months ago, after the Dallas symposium, Oliver Stone and his researchers began "going to work" on

Jerry, soliciting him to do an article on media reaction to JFK". They had Warren Brown send Jerry a box of clippings.

He and I talked, as we have in the past, about doing the CBS book together. I had never shared documents with him, but I told him about the Melloy stuff in general terms. I wanted Jerry's help particularly with regard to interviewing people with whom I could not comfortably speak. He always told me he'd be "honored", but never seemed willing to arrange his schedule during business trips to New York to accomplish these interviews. I thought he was lazy, as Sylvia had often implied.

Then, several weeks ago, he called me after having an initial meeting with Jonathan Larsen, editor of the Voice. Without my advance knowledge or consent, he had told Larsen he had a friend with stuff on CBS. Now, he asked me to make the Melloy documents available. I said no. This wasn't something to be treated

in a quickie piece that would be lost in the din. I told him that I felt I had the right to pick-and-choose the time and place to do battle with CBS over the use of these materials.

As an accommodation, I told Jerry that, if Loren were interested, I could do a companion piece on other aspects of CBS. He offered to introduce me, but of course he never did.

I had coffee with Jerry and his staff writer pal from The Voice following the March 3rd Town Hall debate over "JFK". It was clear to me that they were out to do a hatchet job to try to embarrass CBS into releasing all its material.

The next day, Jerry was on the train to Washington, where he "found" the documents. He didn't call me about them for another week. When he did, he lied. First he said his co-writer had found them. Then, he admitted his co-writer wasn't even there. The article on the reverse side picks up the story.

To show you how dishonest they were,
Ellen McClellan told the voice staff writer that,
at first, Salant told her she might have
to keep her distance from the project. Of
course, the article as published doesn't mention
this important fact, which vitiates any notion of a
malicious or sinister conspiracy on the part of
Salant-McClellan.

Note: The account of the
Nix informant comes from
a girl who was 10 years old!

The real story here is that McClellan didn't want to
go on TV to defend the Report. He had doubts.
Someone (obviously, LBS) was pushing his
buttons. Someone else (obviously Foley and
Stanton) was pushing Salant's!

The Voice article is undoubtedly the worst
piece of crap Jerry has ever done! It's all
mired in the 1960s, as if there was nothing
more recent in the media to denounce. It
contains several serious ~~errors~~ inaccuracies.
It reads like the tabloid expose it is.

What saddens me most is Jerry's apparent loss of reasoning power. He doesn't seem to be able to think never through. It's as if I never knew him at all! What could he have hoped to accomplish by this?

When I read the voice piece, I began to cry uncontrollably. All of the hurt and pain was dredged up from 16 years ago. I thought I had gotten rid of it. I guess I only buried it.

I will, of course, not work with Jerry in the future. I still have plenty of material, but will never let it out of my hands after this.

Harold, the reasons for my delay are many and complex: lack of funds, my career difficulties, letting that pain recede, fear of legal reprisals (mainly under the Copyright Law, which Congress may soon change in my favor). But I also must tell you that the story of CBS and the

assassination in the story of Paley, Stanton,
Salant and Mudgley & who are either
dead or long-retired — not Conkrite or
Rathen.

I owe Dan. He tried to help my cause
by giving me research assignments on MKK.
What he didn't know was that I was already
a marked man. But the point is, he helped
me. I spoke to him about JFK. He wasn't as
hard-line as Mudgley and Salant. I know he's
still waiting for a break in the case. Do I
kick him in the teeth? No! I will give this
man some slack and not try to destroy his
career for decisions he never made. I will give
him a bit more time to overcome the constraints
of the past now that CBS has a new owner and
the President of CBS News is someone I know
and feel is trustworthy (I sent them this piece
before the voice came out).

The subject of CBS News and the Kennedy Assassination is a case study in the behavior of a major journalism institution in the midst of a crisis of confidence in the government. It is a subject for a competent, thorough, well-written, well-documented job of history and journalistic criticism. Not a sensationalist piece put out to take advantage of the hype over a really boring movie. I want this project to stand or fall on its own merit and serve as a worthy companion to Sylvia's Reveries.

If we were living in the time of Beethoven, and if I had a wealthy patron, perhaps I could afford to sit in my garden and write this tome. I can't. I have to work and commute a full day. I have to put myself in a position where my editorial judgment is unfettered and I can no longer be hust.

In the meantime, I'm working bit-by-bit with the FBI's 1977-78 release, which is on microfiche at the New York Public Library. Saves me the money and time of having to come down.

Take care of yourself, you old coot, and give Fletcher Prouty a kick in the butt for me.

Best regards,

RJF

P.S. Tunney's latest is out, and Kantor's book was received in paper.

If Sylvia's book is received, please see that it is without revision or updating.

By the way, I'm the same age that Sylvia was when she began working on the case.

RJF

1941
The following information was obtained from the records of the
Department of the Interior, Bureau of Land Management, at
Washington, D. C., on August 1, 1941.
The land described in the above is owned by the
United States of America and is located in the
State of California. It is situated in the
County of Santa Clara and is more particularly
described as follows: