
FREE

VOLUME 15, NO. 6 (708)

FEBRUARY 16, 1978

LOS ANGELES

PRESS

OUTSIDE CALIFORNIA 75 CENTS

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JFK ASSASSINATION PROBE

Key Staffers Out: CIA/FBI Accused

Because of the manipulations by the FBI and CIA, the House Select Committee on Assassinations has been forced to divert its focus from possible involvement of the two agencies in the murders. This has effectively destroyed the committee's ability to conduct a full and serious inquiry into the assassination, according to committee sources.

Lawyers, researchers and staff members have been fired, asked to resign or have resigned out of frustration.

The committee's general counsel, Robert G. Blakey, a former professor of law at Cornell has refused to subpoena any documents from the file of the FBI and CIA regarding the two murders. In fact, according to sources, one researcher was asked to leave after requesting that relevant intelligence files be subpoenaed.

During the past few days, I have spoken with a number of investigators, researchers, and lawyers from the Select Committee staff. The overall

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BY MARK LANE

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impression they give is that the committee has "surrendered" to the CIA and FBI.

Specifically, from a variety of sources deep inside the committee, the following information has been developed:

— Two key staffers — the head of the task force investigating the King murder and the chief of research for both assassinations — have resigned in the past few weeks because of restrictions on pursuing CIA and FBI information. Committee Chairman Louis Stokes (D-Ohio) said they resigned on their own initiative. Other sources, including one of the staffers, insist, however, that they were forced off the staff.

Committee Chairman Stokes adamantly denied the charges that there was turmoil on the committee and that the CIA and FBVI stymied the investigation of the assassinations.

— Scientific tests arranged by the staff, including neutron activation analysis, photo-analysis and ballistic tests have destroyed the official reports on the two assassinations. Nevertheless, a report is now being prepared by the committee that does not state that such tests have been conducted. In fact, the report falsely states that such tests will be made in the future.

— One committee investigator gave Blakey a key document — perhaps the most explosive yet — on the proviso that Blakey show it only to top committee members. Blakey agreed and then turned the documents over to the CIA.

— I took a poll of 13 researchers, investigators and lawyers who have participated in one or both of the investigations and who were willing to discuss their conclusions. Of them, 12 said they had seen evidence proving that there

had been a conspiracy in either or both assassinations.

— Nevertheless, Richard Sprague, the former chief counsel to the committee says that he has learned that the committee "plans to issue a final report stating that there was no conspiracy in the King or Kennedy assassinations."

CIA & FBI CONTROL

The Select Committee was established in the fall of 1976 in response to more than one million letters to congressmen from constituents. Almost from its inception, it began to uncover extremely important information about both murders.

Now there are serious questions whether any of that information — particularly that which pertains to the CIA and FBI — will be pursued. And the latest turmoil within the committee recalls what a former FBI agent said at the committee's outset: "The company (the CIA)

and the bureau will have them for breakfast."

The latest resignations, in particular, indicate that the CIA and FBI have the committee under control.

Two weeks ago, Donovan Gay, the chief of research for both investigations, was forced to resign by Blakey. Gay is a scholar and former researcher for the Library of Congress and for the House Subcommittee on Privacy.

According to a reliable source, Blakey called Gay into his office and said, "The CIA has come to me. They said it would be much easier on them if they did not



have to cooperate with you as chief researcher." Gay subsequently resigned, telling his associates that he was forced to resign and that he was, in effect, fired.

Also forced off the committee just a few days ago was Robert Lehner, head of the task force investigating the Martin Luther King death, a former top prosecutor in the New York District Attorney's office, who later had also been pursuing more information from the FBI and CIA.

Sources said that Blakey told Lehner he was displeased with Lehner's investigative plan and wanted the scope of Lehner's inquiries "narrowed drastically."

Blakey wanted Lehner, the sources said, to concentrate solely on the activities of James Earl Ray, in much the same fashion that the Warren Commission had focused solely on Lee Harvey Oswald. Lehner protested, stating that he wanted to investigate all of the circumstances surrounding the murder of Dr. King.

In an effort to keep his job, Lehner went before the full select committee. According to sources, four of the members were extremely upset at the turn of events: Rep. Yvonne Braithwaite-Burke (D-Calif.), Robert W. Edgar (D-Penn.), Stewart McKinney (R-Conn.) and Harold Ford (D-Tenn.). But wanting to avoid an open confrontation, the four eventually agreed with Blakey and the rest of the committee to remove Lehner as head of the King investigation.

Lehner resigned effective the end of this month. Reached in Washington, Blakey refused to comment on the resignations.

THE RAILROADING OF RICHARD SPRAGUE

Lehner and Gay are now the third and fourth major staff figures to depart. In both previous resignations, maneuverings by the CIA and FBI were also a factor.

First to leave was Richard Sprague, the original staff director and general counsel. Sprague is known as a tough and successful prosecutor and head of the investigation in Pennsylvania which led to the arrest and conviction of the men who conspired to murder former mine union leader Joseph Yablonski.

At his first public appearance as head of the committee, Sprague indicated that he intended to run through inquiry and would call every relevant witness and examine every relevant document. He was reminded by a reporter that Jacqueline Kennedy and John Connally were assassination witnesses, and that then President Gerald Ford had been a member of the Warren Commission.

"Do you intend to call any of them?" the reporter asked.

Sprague answered simply, "All of them."

Another national newsman asked Sprague how he could hope to get top secret documents from the FBI and CIA

that the House and Senate Intelligence Committees had been unable to acquire. Sprague said, "We are a congressional committee in form; in substance we are investigating two homicides. We must get every relevant document from the FBI files in Washington and from CIA vaults."

Believing that he could not rely on the CIA, or Department of Justice for impartial investigators, Sprague pieced together a staff of experienced prosecutors who had no previous ties to any of these agencies.

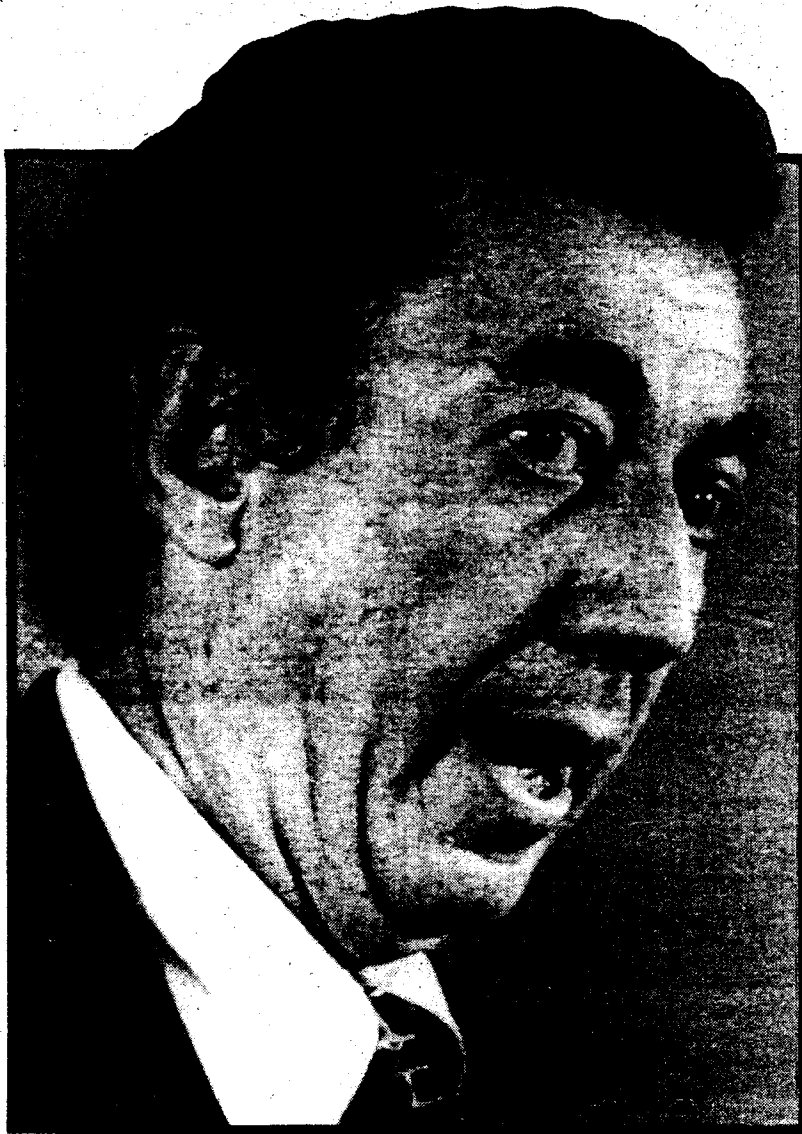
Lehner was put in charge of the King murder, and another prosecutor from the New York District Attorney's office, Robert Tanenbaum, a specialist in organized crime, was named to head the investigation of the murder of President Kennedy.

Sprague also hired Donovan Gay and Gaeton Fonzi, an experienced investigator who previously worked for the Senate Intelligence Committee. Fonzi was particularly knowledgeable about the Kennedy assassination.

With Tanenbaum and Lehner operating under Sprague's direction, Fonzi uncovering evidence in Florida and elsewhere, and Gay establishing a system to handle the material, a serious federal inquiry into both murders got underway in January, 1977.

Two months later, several leading newspapers began attacking Sprague's qualifications and leadership of the committee. Joining in a barrage that many observers believed was fed by information from the CIA and FBI, were the *New York Times*, *Washington Post*, *Washington Star* and *Los Angeles Times*. The most initially harmful stories were by David Burnham of the *New York Times*. Burnham filed a series of articles containing information, much of it discredited, taken in large part from the morgues of the two Philadelphia newspapers. The stories accused Sprague of past prosecutorial misconduct.

In the next month other stories appeared criticizing Sprague's management of the committee, the amount of money he was spending and most damagingly, his purported plans to use certain electronic devices, including voice stress analyzers, during the investigation. Sprague consistently denied that he had any such intentions. Accused of being high-handed with congressmen, Sprague's support in the House quickly eroded as did backing for the Special Committee.



Chief Counsel Richard Sprague, an early victim.

THE FBI LOBBYING CAMPAIGN

Armed with the press criticism of Sprague, the intelligence agencies made a strong effort to use the information to get the committee killed by the 95th Congress. Harold E. Ford, a black congressman from Memphis and a member of the committee charged that "the FBI had

hired former agents to lobby with Congress against the continuation of the Select Committee."

A poll of the House members showed great hostility to Sprague. The Select Committee was told that if it decided to retain Sprague as counsel, it would be likely to be voted out of existence by the House. Sprague was asked to resign and agreed to do so.

— (Almost at the moment this was happening, Fonzi was on his way to see a key witness, George De Mohrenschildt, a Russian emigre who had told the Warren Commission that it was he who had brought Lee Harvey Oswald to Dallas. My own investigations have shown that it was De Mohrenschildt who got Oswald the job at the Texas School Book Depository. De Mohrenschildt had previously been charged by the FBI of being a Nazi spy during World War II. The committee staffers considered him to be a potential source of crucial information. He was found dead from a shotgun blast in the head in his Florida home before he could be questioned. The death was officially labeled a suicide.)

The day after Sprague's resignation, Tanenbaum called a secret meeting of his staff. He informed them that he too would be resigning soon. "I didn't want to resign," Tanenbaum told me later.

"I gave up a good job to go to Washington to investigate the assassination of President Kennedy.

"I knew that the threshold question before us . . . was Oswald's relationship to

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As well as being a recognized investigator on the Kennedy and King assassinations, Mark Lane is the attorney for James Earl Ray, the man accused of the slaying of Dr. Martin Luther King.

Lane reports that a key source on the assassination committee told him that "the results of the scientific examination of the bullet taken from Dr. King's body could provide the basis for a new trial for James Earl Ray."

Lane said he contacted chief committee counsel Robert G. Blakey and, in his capacity as Ray's attorney asked Blakey whether the bullet taken from Dr. King's body had been tested by the committee. Blakey told him, Lane said, "I can't comment upon that."

Lane says he told Blakey that as Ray's attorney he was entitled to any information relevant to his client. He then asked Blakey, Lane said, whether the bullet had been fired from a rifle owned by James Earl Ray. Lane quoted Blakey as replying, "It's not finished, the tests are not finished. I can't comment."

A *Free Press* researcher contacted Blakey, who refused to comment. ●

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the intelligence organizations. This was the single most pressing question.

"It became clear that the intelligence organizations were not going to give us that information and it became clear that the Congress was not going to take on the FBI and CIA in order to get that information. I knew that it was hopeless."

Asked what information he was able to get from the CIA and FBI, Tanenbaum said, "When I left as counsel in charge of the Kennedy assassination committee we had not been able to get a single classified document from either intelligence group."

BLAKEY BACKTRACKS

Blakey succeeded Sprague as the new counsel. Almost immediately he put into effect a new policy, asking the FBI and CIA to run background and security checks on new committee personnel. Sources within the committee say that Blakey has cooperated with the FBI and CIA in a number of significant ways. Most importantly, he has not subpoenaed any documents from either agency, but has relied on their "good will" to deliver requested information. In most cases, committee sources say, the relevant information has not been delivered. The recent resignations indicate that he has strictly limited those requests at the insistence of both agencies.

Committee sources also indicate that several remaining staff members are considering resigning. One reason being cited is the treatment of Gaston Fonzi.

Fonzi purportedly unearthed a document of such enormous potential that it was referred to in hushed terms by the very few who knew of its existence as the "Spanish document." Fonzi gave the document to Blakey on the agreement that he show it only to a few of the most trusted committee members. Blakey agreed, then photocopied the document and sent it to the CIA.

One attempt by some staff members to go public with the document was defeated. According to a committee source, columnist Jack Anderson was given the information about the document but Blakey and the CIA prevailed upon him not to break the story.

At one secret meeting of assassination experts that I attended in Washington, Blakey showed little interest in information about possible CIA and FBI involvement in the assassination and focused in on only one question: Was Fidel Castro behind the murder of JFK? He asked each researcher present to give him whatever evidence they could that might implicate Castro.

Most committee staffers and past employees have been deterred from speaking out by a statement of confidentiality that Blakey had required them to sign. Although Sprague disdained such documents, Blakey had each employee sign a statement which, if breached, would open them to a long stretch in federal prison for contempt of Congress if they discussed what they had learned about the Kennedy assassination. One consequence of such statements is to enable the committee to cover up any evidence it chooses that the staff might develop.

Sprague, who is not under such restriction, recently broke the silence to condemn the current trend of the committee. Indicating that he was alarmed at the recent turn of events, Sprague said, "I am convinced that there is a great deal of very important, and very serious evidence that merits a thorough and impartial investigation." He added, "The Select Committee will not examine that evidence now."

"The committee is now going through the motions by asking for additional funding to give the impression that it is at work. What it is really doing, is putting together statistics to justify and fortify its final statements — its preconceived conclusion — that there was no conspiracy in either case."