

Mr. Dave Overton, News Director
KXAS-TV
3900 Barnett St.,
Fort Worth, TX 76101-1780

4/1/92

Dear Mr. Overton,

A letter from a Dallas friend, enclosing a copy of Ed Bark's 3/28/92 column is my first knowledge of controversy over the series of JFK assassination shows you aired and of allegations of unfairness in them. I write to make an accurate record, if not to correct it.

I'm sorry that Mike Snyder did not send me a cassette of his interview (that was about 3 a.m. when it began!) as I'd asked and he promised. I asked this because I believed at the time that he questioned me as others had not and I wanted the cassette for the historical record, as a substitute for an oral history on those areas of fact and evidence. Now it would enable me to determine whether I in any way misled or misrepresented to Mike. I did not intend to and believe I did not. I did not represent either of the documents in Bark's story (as unpublished. Perhaps the history of their use can help clarify the situation.

I obtained the Katzenbach memo to Bill Moyers via C.A. 77-2155 in federal district court in Washington. It was part of what the FBI referred to as its general releases. That was the FBI's file copy of it. Earlier I'd gotten the Department of Justice file copy and Katzenbach's handwritten draft under FOIA from the Department. For your information, the Department's file copy was from the file of Howard P. Willens, a Department lawyer loaned to the Warren Commission where he was also its liaison with the Department. He is one of the former assistant counsels who only recently proclaimed their purity of spirit and intent, the accuracy and fairness of their work and that they had hidden nothing. As the document itself reflects he held it for some time before filing it. If there is anyone deserving condemnation it is Willens in particular, I believe.

As I am sure I told Mike, Moyers was Katzenbach's channel to LBJ. I think I explained that different officials had different White House channels. Among the FBI's were Mildred Steagall and Walter Jenkins, as I'm confident the LBJ Library will confirm. My knowledge of this comes from FBI, not White House files. This means no more than that Moyers was aware of the content before giving that memo to LBJ. Moyers was not a decision-maker, LBJ was. That memo, by the way, is the beginning of what became within a few days the Warren Commission. Katzenbach did recommend such a commission, the FBI opposed it, LBJ lied to Hoover about it while proceeding with the idea.

I am certain that George Lardner of the Washington Post wrote a story about that memo in late 1977 or January 1978. Aside from Lardner, Mike is the first one to use the memo itself and your station, if it showed the memo to its audience, is, to the best of my knowledge, the first of any element of the media to show the memo itself. I think this is what I told Mike when I gave him a copy of that and other records he wanted.

What Bark refers to as a "transcript from a Warren Commission meeting" is in fact a transcript of an executive session. I obtained it by a separate FOIA action. The Commission decided, on Dulles' motion, not to preserve any record of that rather hairy and emotional session. It overlooked the stenotypist's tape and I was able to compel its transcription for me. The Archives did not use the court-reporting firm. Because of the Top Secret classification it asked the Pentagon to do the transcribing.

As I now recall I got it in early 1975 when I was in New York City to address a gathering at the NYU law school. I was taken ill, with pneumonia. The doctor permitted me to proceed with a scheduled news conference but I had to get a friend to read my speech for me. At that news conference I gave copies of that transcript away. The Washington Post reporter at the press conference was Bill Claiborne and he did write a story on it at that time.

Later that year I published it in facsimile in my Post Mortem. To the best of my knowledge that is the only facsimile reproduction of it. If you showed the actual text to your audience again I believe that you alone of all the media did that.

As Bark was not aware it is commonplace for commercializers and exploiters to present the work of others as their own derring-do. He refers to Mark North and his 1991 stinker of a book as bringing it to light. He could have said the same of an ever worse book, Mark Lane's *Plausible Denial*. Uncredited secondary uses often lead to confusion and misrepresentation.

Without knowing what you aired I have no way of knowing whether it was unfair to Moyers. He was far from alone with knowledge in the White House and many others also had copies and knowledge, especially all the top FBI brass and all have been silent about this memo. Not the least Katzenbach. This gets to how government's work. There is simply an enormous amount of paper that the president's want kept secret and those under them are expected to preserve secrecy. This is understood by those who accept positions of responsibility. Whether this should extend into perpetuity is a judgement each makes for himself. And, unless he has forgotten, has to live with his decision. Most of these people handle many secrets. We have no way of knowing who forgot or remembered what.

The FBI, having made the same decision earlier, also intimidated it and intimidated the Commission into following it.

Aside from believing that you alone showed the actual documents for the first time I believe you also are alone in using both of them together, which gives more meaning. If the official mythology were not set in such deep and hard concrete this should have had the effect of blowing the lid off if it had gotten the attention it deserved.

I would still appreciate the promised nub of the entire interview. Mike did, as he is quoted as saying, spend much time here, and not many do beginning at 3 a.m.! His questioning was good, very good. I do not remember going into some of those things with

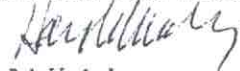
any other reporter and I believe it was information important for the people to have.

Not knowing what you used and knowing there are always time limitations, if you agreed that Katzenbach took pen in hand and wrote his memo as soon as he knew Oswald had been killed and there would be no trial and that he had discussed it first with J. Edgar Hoover, I believe that had never been reported anywhere before.

I hope there was no unfairness in what you aired. There is so much for which so many can be properly criticized, on that memo, beginning with Katzenbach, including Hoover and all his top assistants, the Warren Commission for not learning about it and reporting it, Willens in particular of its staff because he had a copy of it and prates about covering nothing up, and in the White House up to and including LBJ.

As Mike and his also competent and pleasant cameraman/assistant may recall, all those cabinets and boxes of records they saw will be a permanent, public archive at local Wood College. If it is not asking too much I'd appreciate cassettes of your series and other information relating to it for archival deposit. I think it would be good for students to have access to it now. The college has a new, state-of-the-art library that is in use and will be opened or dedicated officially next term, with the major speaker the Librarian of Congress. There will be an informal affair for those of us known as "the friends of" the library on April 25. If you do provide what I ask for I'd like to be able to present it then. The college teaches a course in the politics of assassination in history and political science. The students do prepare papers and theses and they are used by others. I am helping one of these young women now in her study of Oswald's writings and what relates to them. I am confident that she will evolve what is close to entirely new, if that could interest you. If it does I think it would be ~~best~~ better for her not to know about it until she hands it in. However, if you are interested, you can write or speak to her professor, Dr. Gerald McNight. He is one of the few authentic scholars with a good command of fact of the assassination rather than the usually untenable and never proven theories. The college's zip is 21702, its phone is 301/663-3131.

Thanks and best wishes,



Harold Weisberg

I've just noticed the headline on the Bark story jump. It is unfair because it is not true. It says, "Snyder relied on information from one source," apparently referring to me. In fact he relied on official documents that gave him and would have given to any other reporter who was interested and have done with other records for decades. Among reporters and those with a reporting background, alleging a single-source story is to criticize if not to slur. Actually, Mike had the Acting Attorney General as one source and the members of the Warren Commission as another source.

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March 28, 1992

Mr. Harold Weisberg
7627 Old Receiver Road
Frederick, MD 21702

Dear Harold:

I am enclosing a copy of Ed Bark's column in this morning's paper. Harold, I have tried to tell everybody at Channel 5 that you never said that this was the first time anyone had ever seen the transcript of the secret January meeting of the Warren Commission. I have tried to point out that you were using a **PUBLISHED BOOK** to explain the situation to Mike Snyder. He has made everyone who knows anything about the case angry (particularly the FBI) because to hear the promotion spots, you would think that Mike Snyder has single-handedly solved the case. NOW, they are trying to make it appear that YOU misled Mike.

Harold, I wish you would write to Dave Overton, the News Director at KXAS-TV and explain that you never said those things to Mike Snyder. I have done all I can do from this end. I am so provoked that my blood pressure is at a dangerous level.

Mr. Dave Overton
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Has anyone told you that the night of March 6 - morning of March 7, at 1:30 a.m. Saturday morning, someone broke into the back of my house and shot my big, black Chow dog? I had guests and they were just leaving when I heard my dog bark and then a gunshot. I tried to think it was a car back-firing. My guests left and I went to let the dog out before going to bed. She had been shot right between the eyes. It took me three days to find another dog. I bought a pure bred German Shepherd again. (I hated to confess to Buck that he was right about something. We are too damned old to raise puppies again.) I don't hear as well as I once did and a dog will alert you to something happening. Of course, that got my dog killed!

Harold, maybe you won't be as angry as I am about this article (not the article itself, but what prompted it). This is Gary Mack's station. He certainly knew better than to let them run with such irresponsible statements.

Love to you and Lil,



Moyers pooh-poohs Snyder's big 'scoop'



**ED
BARK**
TELEVISION

Bill Moyers has a succinct opinion of Channel 5 reporter Mike Snyder's *JFK: The Final Chapter* series, in which he was portrayed unflatteringly.

"It's scurrilous journalism to put a piece together without talking to the principal," he said in a recent telephone interview from New York. "They never talked to me, never tried to reach me. That kind of, quote, 'reporting,' is to journalism what dog doo-doo is to the sidewalk."

Mr. Snyder disagrees.

"We made multiple attempts to reach him. And I said we would go anywhere anytime," Mr. Snyder says. "And they (associates of Mr. Moyers at WNET-TV in New York) told me that his schedule was as tight to the minute as could be. And they could not spare me any time at all until after maybe June. So I never got to speak to Bill personally."

As detailed in Tuesday's paper, both Mr. Snyder's reports and Channel 5's on-air promotions inaccurately credited him with exclusively uncovering documents that implicated federal officials in a conspiracy to finger Lee Harvey Oswald as the lone assassin of John F. Kennedy. The documents in question — a memo from former deputy attorney general Nicholas — please see **SNYDER** on Page 3C.

Continued from Page 1C.

Katzenbach and a transcript from a Warren Commission meeting — have been printed in several other books, including last year's *Act of Treason* by Austin author Mark North.

Mr. Snyder and Channel 5 news director David Overton have said that they were "totally unaware" of *Act of Treason*.

"There's no way we would have passed it off as being exclusive if we had known otherwise," Mr. Overton says.

But Channel 5 has continued to run a promotion that says in part, "There's only one. In February, one journalist broke stories that blew the lid off the JFK investigation." Accompanying video shows Mr. Snyder in action.

Mr. Moyers, formerly President Lyndon Johnson's press secretary, was portrayed as a conspirator in Part One of Mr. Snyder's series, which aired Feb. 24 during a ratings "sweeps" period.

In a brief "sound bite" taken from the Arts & Entertainment cable network's *Class of the 20th Century* series, Mr. Moyers was shown saying, "The new president (Mr. Johnson) was on Air Force One. So I took a piece of paper and wrote, 'Mr. President, I'm here if you need me. Bill Moyers.'"

Mr. Snyder, standing in front of the White House, then told viewers, "And he *did* need Moyers. Here at the White House, just three days after the assassination, the man who would become the president's press secretary and one of this nation's most celebrated journalists was asked to tell a story. A story out-

Saturday, March 28, 1992

lined in this secret memo sent to the White House. A story that would try, convict and sentence Lee Harvey Oswald as the lone assassin long before the official investigation ever began."

Mr. Snyder showed viewers portions of the two-page memo, including this allegedly damning directive from Mr. Katzenbach: "It is important that all of the facts surrounding President Kennedy's assassination be made public in a way that will satisfy people in the United States and abroad that Oswald was the assassin, that he did not have confederates who are still at large and that the evidence was such that he would have been convicted at trial."

Mr. Moyers says of this portion of Mr. Snyder's report: "Sensational television is not the journalism America needs. This isn't reporting. It's pulling from files and making it fit what you want it to say, whether or not that's what was meant."

Mr. Snyder says he would have "loved to have heard his (Mr. Moyers') explanation of the Katzenbach memo. I'm not afraid to sit there and interview anybody. But for him to then make a scurrilous comment . . . I would say that at least over the years he's *learned* to be a good journalist. Because back then, out of integrity, he should have resigned."

Mr. Snyder's reports made no mention of any effort to contact Mr. Moyers. It would have been simple to do so. As for Mr. Katzenbach, "we had NBC trying to track him down," Mr. Snyder says. "We were told that he said what he had to say to the House assassination committee, and

that was enough."

But Mr. Snyder's report made no mention of what Mr. Katzenbach had to say to the committee. Nor of any attempts to obtain a comment from him.

In Mr. Snyder's defense, Mr. Moyers has been reluctant to talk about his role in the Johnson administration. He declined to be interviewed for Channel 13's *LBJ* documentary series, telecast last year. He says he is strongly considering writing a book about that period of his life. Oliver Stone's *JFK* movie (a cinematically impressive "fraud," says Mr. Moyers) and "doo-doo" such as *JFK: The Final Chapter* have given him even more impetus to write such a book, he says.

This should be said, too.

Channel 5's Mr. Overton, although noting there are "trillions of pieces of information" about the Kennedy assassination, nevertheless allowed sweeping on-air claims to be made about Mr. Snyder's reporting. "Blow the lid off," "for the first time prove," and "for the first time anywhere" — to mention a few.

Mr. Snyder, when told of *Act of Treason* and other books, said, "There are so many of those books, I didn't go back and research."

Instead, he solely relied on information and documents given to him by longtime assassination investigator Harold Weisberg, whose first book, *Whitewash: The Report on the Warren Report*, was published in 1965.

"I spent a long, long time with Weisberg," Mr. Snyder says. "He was the guy who pried them (the

documents) out to begin with. I didn't have cause to not believe him."

Mr. Snyder, who will become co-anchor of Channel 5's 6 and 10 p.m. newscasts Monday, is by no means alone in his zeal to make a name for himself by claiming to have uncovered earth-shaking new information on the Kennedy assassination.

Channel 4's Richard Ray was appreciably more restrained — but no less exploitative — in his February reports on allegedly doctored photographs and suspicious "buys" seen outside the Texas School Book Depository building.

A Current Affair also hauled in a haul in its Kennedy "expose." The even slimier *Hard Copy* claimed its own "exclusive" report on the assassination. *Geraldo*, *The Montel Williams Show* and *The Maury Povich Show* devoted hours to various assassination "experts" and witnesses.

All of this reduces a slain president to the equivalent of an Elvis sighting or another sordid "true story" about how Marilyn Monroe really died. And, of course, it's only going to get worse. Next month brings *The JFK Conspiracy*, a syndicated "live event special" hosted by James Earl Jones.

The two-hour program (April 15 on Channel 21) "will, for the first time" — sound familiar? — "tie together existing evidence and new testimony into a cohesive explanation of the events and people surrounding Kennedy's death."

It obviously has the potential to make even *JFK: The Final Chapter* look good.