

THE MURDER OF PRESIDENT KENNEDY

BY VIVIAN CADDEN

EDITOR'S NOTE: Thirteen years ago it all seemed clear: A deranged man named Lee Harvey Oswald had killed our 35th President. Today some of our highest officials are sure that the full story has not been told, and a new Congressional investigation of the assassination is under way. What do we know now that we didn't know then? On the following pages a gifted reporter tells what she has learned in more than six months of talking to those involved in the original inquiry and those who are undertaking the new one... of tracing the significant omissions and distortions of the Warren Com-

mission... of unraveling the reasons behind the various cover-ups that seem to have involved the FBI, the CIA and, astonishingly, Robert Kennedy himself. A new picture of the assassination of John F. Kennedy is beginning to emerge—one that may shock us even more with revelations about the morality and methods of our government than Watergate did. But our interest in finding out the truth is more than historical. As the director of the new investigation points out, "when you're talking about murder, no one should have an area of immunity.... And there is no statute of limitations on murder."

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In a little-known book called *Portrait of the Assassin*, written soon after the Warren Commission Report was issued, Representative Gerald Ford, who had been a member of the blue-ribbon panel that investigated the assassination of President John F. Kennedy, wrote: "The monumental record of the Commission will stand like a Gibraltar of factual literature through the ages to come."

A month ago, as President Gerald Ford left office, a committee of the House of Representatives was launching a new investigation of President Kennedy's assassination (and that of Martin Luther King). The Warren Report, far from standing through the ages, had limped along for 12 years and lately been dealt another crippling blow. A series of revelations—among them, that on the day of the assassination in Dallas a CIA agent was offering a lethal device to a contact high in the Cuban command, who was to use it to kill Premier Fidel Castro as a first step toward the overthrow of his government with American help—had raised again the question of conspiracy.

The Warren Commission Report has had its critics ever since—and even before—it was released on September 27, 1964, almost a year after the assassination. From the moment that Kennedy was shot in Dallas, the cry of "Conspiracy!" had gone up, and when Jack Ruby killed Oswald on television while he was in the careless custody of the Dallas police, the cry became an uproar.

But while the conspiracy theories have ranged from crackpot to cogent, they have never, until now, basically shaken the confidence of those in high places in the Warren Report. Although the American people have always tended to regard the Report with some skepticism and recent polls have shown them to be more than ever unconvinced by its conclusions, the powers-that-be have always defended it.

But the findings of the Senate Select Committee, headed by Senator Frank Church of Idaho, on the activities of the intelligence community and a somewhat different but equally shocking look into the activities of the FBI and CIA conducted by Representative Otis Pike in the House of Representatives electrified the Congress. Following upon the heels of Watergate and the country's increasing sensitivity to wrongdoing and cover-up in high places, they made it inevitable that the investigation of the assassination of President Kennedy would no longer be left to the journalists and assassination theorists.

"I sat there on that committee and heard a member of the CIA calmly testify that he had actively worked with the Mafia to arrange a hit job on Castro, and I was thunderstruck," said Senator

Richard Schweiker of Pennsylvania, who, with Senator Gary Hart of Colorado, was most responsible for the section of the Church Committee report dealing with the President's assassination.

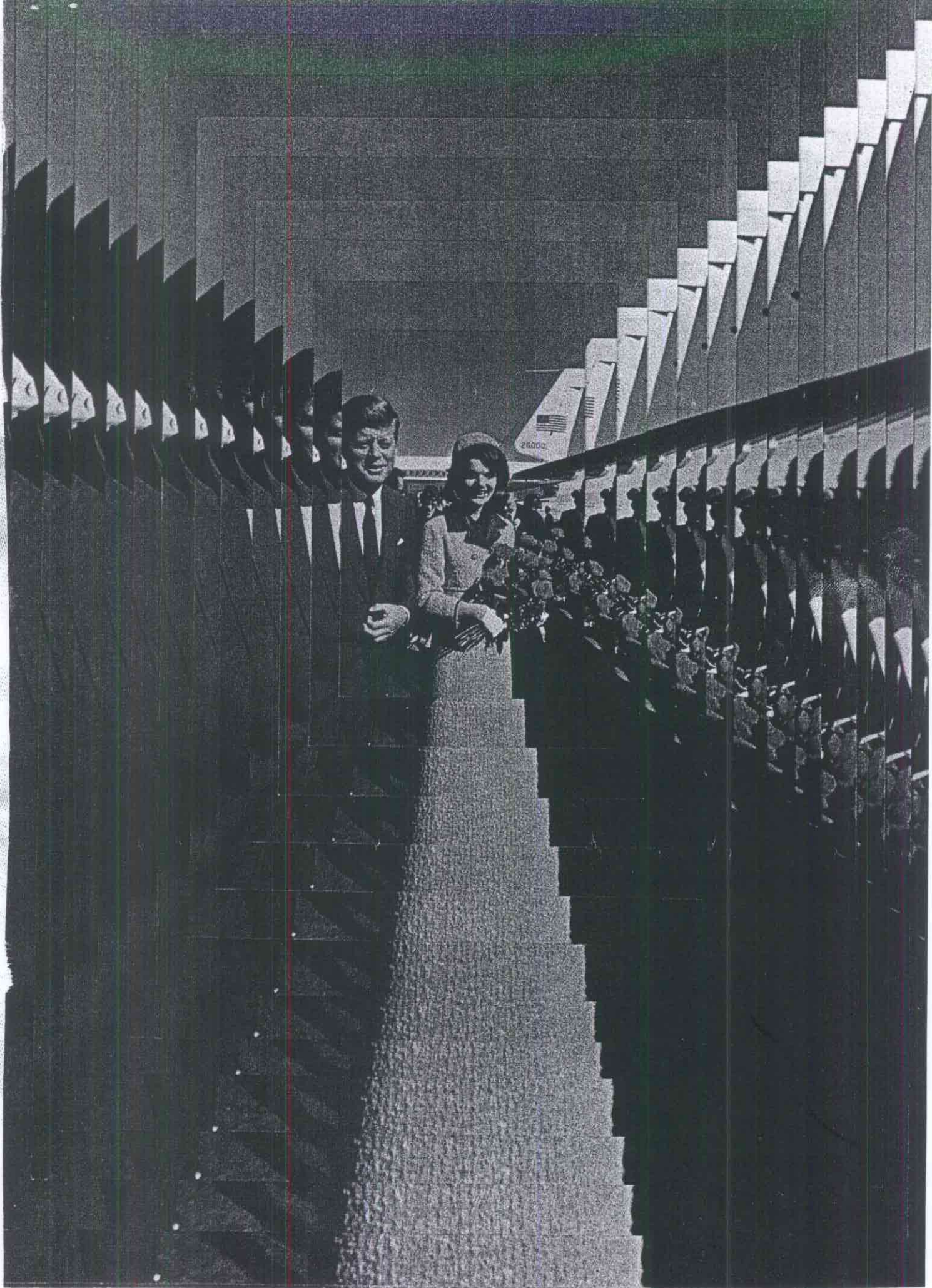
That investigation convinced Schweiker that there was "a cover-up reaching into the White House of Lyndon Johnson itself" and extending through the CIA, the FBI, the State Department and, most mind boggling of all, including Attorney General Robert Kennedy and at least one member of the Warren Commission. This cover-up, he was convinced, made it inevitable that the Commission would never have the crucial information it needed to learn the truth about the tragic events in Dallas.

Gary Hart takes a somewhat milder, although still very serious, view of the facts that were uncovered by the committee. He sees it as not necessarily a coordinated cover-up such as Watergate, but rather as a series of evasions and cover-ups for differing reasons on the part of agencies and people with something to hide—negligence, misfeasance, wrongdoing and lawbreaking of various kinds and, in the case of the Cuban connection, which is emerging as the possible crux of the matter, blunderings, covert cloak-and-dagger activities and gross insubordination in high places.

Before the release of the report last June, Senator Schweiker noted that the Warren Commission was about to collapse "like a house of cards." If that wording may seem too strong, still it is probably closer to the mark than the comment of historian and Kennedy confidant Arthur Schlesinger, Jr., who says that, while he was never "satisfied" with the report, "it may be that the conclusion is correct even though the investigation was imperfect."

"Imperfect" or "collapsed," in any event the Warren investigation was badly flawed and certain to be because no one of any consequence really wanted it in the first place:

- J. Edgar Hoover most certainly did not want it and from the start considered the FBI to be in an adversary relationship with the Commission. It was "them against us," as far as he was concerned.
- Lyndon Johnson didn't want it and only reluctantly decided that he must have such a commission.
- The CIA has never wanted anyone intruding in its affairs—and, as we shall see, had good reason not to have anyone looking into them on this particular occasion.
- The State Department was concerned about revealing anything that would unsettle Soviet-American relations.
- Robert Kennedy was, if not on / turn to page 157



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the record opposed to a full-scale investigation, at least indifferent to it.

The initial investigation in Dallas was made by the FBI, and the most striking thing about it is that almost immediately it became an investigation not of the assassination but of Lee Harvey Oswald.

On the day that Kennedy was killed the FBI issued an "all-points bulletin," ordering all of its field offices to "immediately contact all informants, security, racial and criminal, as well as other sources of information bearing on the assassination of President Kennedy." It was a wide-ranging order for every field office, every agent, to touch base with bombing suspects, hate groups, "known racial extremists and any other individuals who, on the basis of information available in your files, may possibly have been involved."



Fourteen hours later the order was rescinded. "Lee Harvey Oswald has been developed as the principal suspect in assassination of President Kennedy," the new order read—and so it was back to business as usual as far as any other possible participants were concerned.

"Hoover called off the dogs; he shut that trunk," says Senator Schweiker.

J. Edgar Hoover was not the only one to zero in on Oswald with the kind of certainty that precluded searching out facts and following up trails that might lead in other directions. From the moment the President was killed—but increasing in momentum after Oswald's murder—the fear of some monstrous conspiracy that might have serious international repercussions was so great that there was extreme pressure in the highest echelons of government to settle on Oswald as the lone killer.

The Church Committee report relates that three days after the assassination,

Deputy Attorney General Nicholas Katzenbach dispatched the following memo to Presidential Assistant Bill Moyers:

"It is important that all of the facts surrounding President Kennedy's assassination be made public in a way which will satisfy people in the United States and abroad that all the facts have been told and that a statement to this effect be made now.

"1. The public must be satisfied 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.

"2. Speculation about Oswald's motivation ought to be cut off, and we should have some basis for rebutting thought that this was a Communist conspiracy or (as the Iron Curtain press is saying) a right-wing conspiracy to blame it on the Communists."

There is an inevitable temptation to believe that this was, in effect, a memo from Attorney General Robert Kennedy to Lyndon Johnson or, at the very least, that it represented Kennedy's wishes as best interpreted by his deputy. Katzenbach, now general counsel for IBM, says emphatically that Robert Kennedy had nothing to do with that memo and that he (Katzenbach) wrote it entirely on his own. The slain President's brother, Katzenbach says, was "too devastated" to give any leadership at this time. The memo, Katzenbach adds, was intended to get Moyers to prod Lyndon Johnson into appointing a high-level committee to investigate the assassination, a suggestion that Katzenbach says he had already made verbally.

That Robert Kennedy was too devastated and grief-stricken to try to shape policy with regard to investigating his brother's assassination is possible and understandable—but out of character. He was not a man to fall apart in a crisis. That Katzenbach's memo was a call for a high-level investigation seems, on the face of it, unlikely; rather it seems like a call for a noninvestigation.

Bill Moyers now says that he does not remember that particular Katzenbach memo "because there were so many of them swirling around at that time." There were indeed, we learn—and all of them that have been brought to light recently are in the same vein: The country and the world must be assured that Lee Harvey Oswald, acting alone, killed the President and that Jack Ruby, acting alone, killed Oswald.

• Memorandum to the Files by White House Aide Walter Jenkins of a phone call from J. Edgar Hoover right after Oswald was murdered: "The thing I am most concerned about, and so is Mr. Katzenbach, is having something issued so we can convince the public that Oswald is the real assassin."

• Memorandum following J. Edgar Hoover's conversation with Katzenbach on November 26th, relaying Katzenbach's feeling that the FBI report that was to reach Lyndon Johnson's desk on November 29th, just one week after the assassination, should "settle the dust, insofar as Oswald and his activities are concerned, both from the standpoint that he is the man who assassinated the President, and relative to Oswald himself and his activities."

But the dust didn't settle, even though J. Edgar Hoover himself "leaked" the conclusions of the report that it was Oswald and Oswald alone, hoping to stem the clamor for a further investigation. On November 29th, a week after the assassination and after telling Hoover that he would like to "get by" with the FBI report, President Lyndon Johnson appointed the Warren Commission.

The Senate Select Committee notes that "on December ninth, 1963, Deputy Attorney General Katzenbach wrote each member of the Warren Commission, recommending that the Commission immediately issue a press release stating that the FBI report clearly showed that there was no international conspiracy and that Oswald was a loner."

Asked recently whether that didn't seem like a kind of *Alice in Wonderland* parody, a "Verdict first! Trial afterwards!" approach, Katzenbach replied that there were so many wild rumors floating about at the time and that there was a great deal of pressure, particularly from the State Department, to dispel these rumors as firmly and quickly as possible. He was, he says, just trying to scotch those rumors by getting the Warren Commissioners to assure Americans at home and governments abroad that the FBI report, in any event, contained no evidence of a conspiracy.

It becomes clear, then, that in the period immediately following November 22, 1963, the chief concern of the government was to dispel rumors rather than to investigate the assassination, a policy that the government may, in its wisdom, have decided was in the best interest of that uncertain entity we have come to know so well since Watergate—"the national security." But, inevitably, the thesis by which the rumors were to be

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dispelled—that Oswald was the lone killer—became the fixed position of those who so forcefully affirmed it, and they were willy-nilly obliged to defend it against all attacks, lest they themselves fan the rumors. By the time the Warren Commission was appointed a week after the assassination, President Lyndon Johnson, the State Department, the Justice Department, the CIA and the FBI all had a heavy investment in the lone-assassin theory.

Richard Sprague, chief counsel and director of the investigation begun by the House Select Committee on Assassinations in the last Congress, says that a prosecutor or investigator has to be willing "to take each and every avenue; he's got to be willing to travel down any road." Sprague, who as Assistant District Attorney of Philadelphia won more than 60 convictions in first-degree-murder cases, losing only one, suggests that when people are "wedded to a conclusion," there develops a state of mind "which makes them blind to evidence that does not support the conclusion. Everything, he says, "is interpreted in the light of that conclusion and anything that doesn't fit in is ruled out."

Guided skillfully by agencies of government that had much to hide, the Warren Commission traveled down some roads but not down others.

The reluctance of J. Edgar Hoover to cooperate with the Warren Commission and the magnitude of the FBI cover-up are the best documented, the most understandable and, in some ways, the most important.

The Bureau needed first and foremost to cover up its own monstrous inefficiency and therefore its culpability in the assassination. The FBI had a considerable dossier on Oswald. They knew that he was in Dallas and that he worked in the Book Depository Building, which was on the route of the motorcade. They had detailed records of his pro-Castro and brief anti-Castro dealings in New Orleans. They knew about his defection to Russia and his trip to Mexico City where he visited the Russian and Cuban embassies two months before the assassination. An FBI agent, James Hosty was the "Agent in Charge" of Oswald at the time of the assassination. All in all whether Oswald was the lone killer or not, his record was such that the failure of the FBI to notify the Secret Service of his presence along the route was not easily explained away. This much the Warren Commission knew and, in a carefully worded section analyzing the adequacy of Presidential protection, it slapped the FBI on the wrist.

But there was a great deal more that the Warren Commission didn't know the emergence of which pointed to the central flaw in its investigation and which gave powerful impetus to the setting up of the investigations in the Congress.

The Warren Report states that "because of the diligence, cooperation and facilities of federal investigative agencies, it was unnecessary for the Commission to employ investigators other than

the members of the Commission's legal staff."

The Church report says that, "with only minor isolated exceptions, the entire body of factual literature from which the Commission derived its findings was supplied by the intelligence community, primarily, the FBI."

Thus, when the Commissioners concluded that there is "no evidence that Lee Harvey Oswald was part of any conspiracy, domestic or foreign, to assassinate President Kennedy," and then reported that the same conclusion "was also reached independently by Dean Rusk, the Secretary of State; Robert S. McNamara, the Secretary of Defense; C. Douglas Dillon, the Secretary of the Treasury; Robert F. Kennedy, the Attorney General; J. Edgar Hoover, the Director of the FBI; John A. McCone, the Director of the CIA; and James J. Rowley, the Chief of the Secret Service, on the basis of the information available to each of them," one is in the realm of the most dizzying kind of circumlocution.

The Commission did realize that relying exclusively on the agencies for its information might be a little sticky when the facts or rumors called for an appraisal of sensitive questions about the agencies themselves—as, for example, determining whether Lee Harvey Oswald had worked for the FBI, as some rumors had it. Explaining its procedure in such cases, the Report said the Commission would request information from the agencies but also ask questions on the basis of that information and might even inspect the files. Finally, it would require the director of the agency to testify under oath.

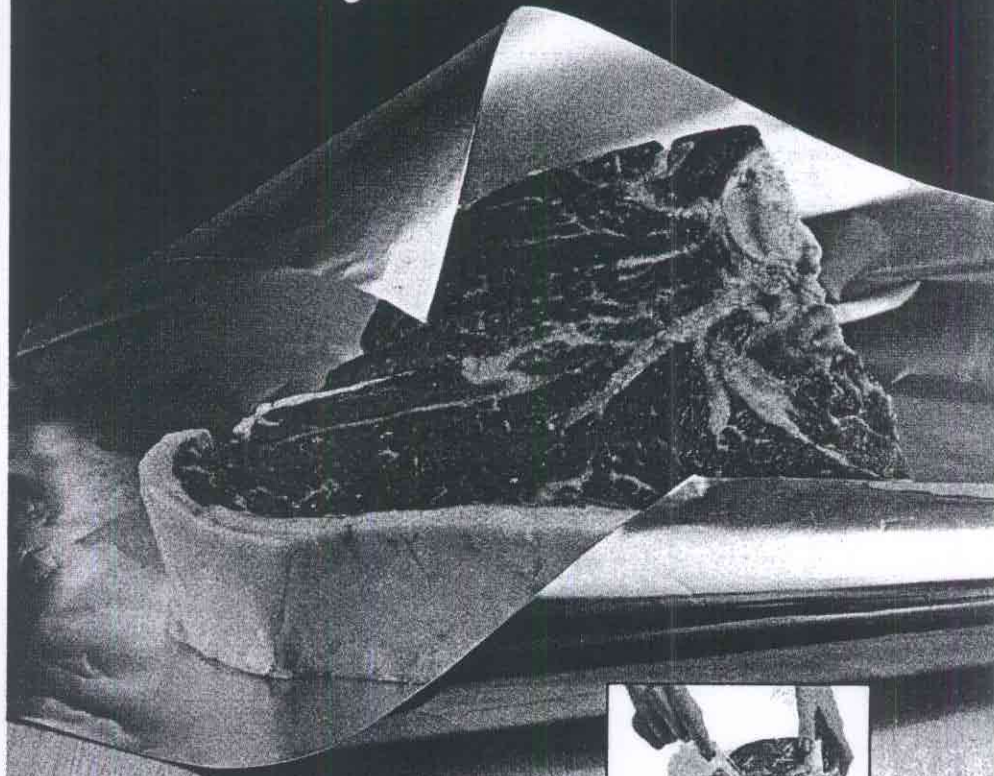
Ex-Representative Thomas Downing, who, with Representative Henry B. Gonzalez, is the man most responsible for the House investigation, has a striking example of how the examination of the question of a possible link between Oswald and the FBI really worked—or didn't work.

Tom Downing is an unlikely sleuth. A longtime conservative Democratic Representative from Newport News, Virginia, he had decided not to seek reelection last November. It was time, he thought, to return to his old law practice and "make a little money for my family."

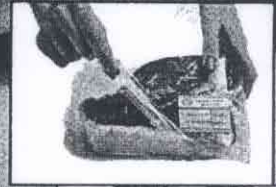
Downing had always accepted the conclusions of the Warren Commission although, as an infantryman in World War II, he had always doubted that one man could have fired those three shots in such rapid succession. But for years he didn't give it much thought. He is typical of a great many people who found that bits and pieces of the scenario did not quite fit together as neatly as they would have liked. John Connally never did believe that there were only three bullets and that it was the same one that killed the President that continued on to wound him. Senator John Sherman Cooper, one of the three surviving Warren Commissioners, says that Connally's testimony about a fourth bullet was "so powerful" that he and the late Senator Richard Russell never really could

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accept the three-bullet theory—a cornerstone of the Commission's conclusion. Robert Oswald, Lee's brother, has always been puzzled, and still is, that no other cartridges were found except those in the Book Depository Building, although Oswald's frequent practicing with the gun was adduced to explain his skill with it. The question of whether all the bullets came from the Book Depository Building or whether, as many spectators believed, one or more came from the grassy knoll near Dealey Plaza was debated by witnesses and nonwitnesses alike.

But on the whole, as time went by, although these questions were not answered, the asking of them came to seem, for most people, nit-picking, and the sheer weight of the Warren Report, with its evidence against Oswald coupled with the general confidence the country still had in the whole machinery of government, served to leave many people with a feeling that the truth had been told—even though there were some missing links. That was how it was for Representative Thomas Downing.

Then, last summer, Downing's son, a student at the University of Virginia Law School, saw the only filmed record of the assassination, made by a bystander named Abraham Zapruder. He was so shaken by it that he got his father and some other members of the Virginia delegation to look at it. In the blowup of the frame, at the actual moment of the shooting, the way in which the President's head fell forward and then shot back and up to the left convinced Downing that there had to be more than one assassin.

"I thought, Do you really want to get involved in this thing?" Downing recalls. His conclusion was that he had to. Twelve years ago, doubts about details of the Warren Report could be and were put on the back burner. In the era of Watergate, and with the revelations of lawlessness in the intelligence agencies, they raised insistent, urgent questions. Under the Freedom of Information Act new pieces of evidence about the assassination began to trickle out and, almost a year ago, Downing went before the House Rules Committee to plead for a new investigation of Kennedy's death.

One of the most persuasive things in his presentation was an account of two secret meetings of the Commission on how to resolve the matter of a possible Oswald-FBI connection.

The minutes of these two meetings were to have been destroyed, Downing said, but they survived and they reveal that "the General Counsel for the Warren Commission, J. Lee Rankin, reported that the two highest law enforcement officials in Texas, Waggoner Carr, the Attorney General of Texas, and Henry Wade, the Dallas District Attorney, both had proof that Lee Harvey Oswald was an employee of the FBI. Rankin suggested that an examination of the FBI records would reveal that Oswald worked for the FBI, but he added that Hoover would probably deny that Oswald was the agent referred to in the FBI

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files. Allen Dulles [the former CIA chief who served on the Commission] assured Chief Justice Warren that Hoover would not tell the Commission the truth, even under oath, if Oswald did work for the FBI. Dulles said that a good agent would lie under similar circumstances.

"The Commission agreed to call the relevant witnesses on the question of Oswald's employment by the FBI and to subpoena Oswald's FBI file as well. By the end of the second meeting, the Commission decided not to call the relevant witnesses and not to subpoena the records of the FBI. Instead, the Warren Commission relied exclusively upon the testimony of Mr. Hoover regarding Oswald's association with the FBI."

This episode is extraordinary enough, but the way in which the Commissioners resolved this question for public consumption is downright chilling. The Report notes that "Director Hoover has sworn that he caused a search to be made of the records of the Bureau and that the search discloses that Oswald 'was never an informant of the FBI and never assigned a symbol number in that capacity, and was never paid any amount of money by the FBI in any regard.' This testimony is corroborated by the Commission's independent review of Bureau files dealing with the Oswald investigation."

The Commissioners knew that the Hoover affidavit wasn't worth the price of the notary's stamp on it. Even more disquieting is their claim of "independ-

ent review." Did the Commission really make an independent review after deciding not to? And is the curious phrase, "files dealing with the Oswald investigation," a way of muddying the question of what files, if any, they did in fact review—and how?

This piece of deception makes one recall the wild, random charges of Marguerite Oswald, Lee's mother, who may turn out to be the Martha Mitchell of the assassination cover-up, actually knowing nothing but sniffing out evil in high places. In 1965 Jean Stafford spent three days with Mrs. Oswald and wrote an article for McCall's, which later became a book called *A Mother in History*. In it Mrs. Oswald is quoted: "If my son was an agent of the U.S. this should be known. I wonder why Chief Justice Warren had tears in his eyes when President Johnson asked him to head up this Commission. Did Chief Justice Warren have to whitewash something the public don't know about?"

Senator Schweiker has still another observation to make about the Hoover affidavit denying any Oswald-FBI connection. "When people swear out affidavits," he points out, "it is customary to say, as one would have in this case, 'To the best of my knowledge and belief Oswald was never an FBI agent, et cetera.' Hoover says nothing like that. He just says that the files didn't yield up that evidence. That's a hole big enough to drive a bulldozer through. We know

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that the FBI had an elaborate filing system with every scrap of paper serialized so that it would be known if anything was missing. But we have a Hoover memorandum relating to 'black bag jobs,' which describes a 'Do not file' procedure—a simple scheme not to show any damaging material in the regular filing activity. Material would be kept in an agent's safe and when necessary destroyed. It made for a perfect cover-up."

This was the case with Oswald's note to FBI Agent Hosty. Special Agent James Hosty had been the Agent-in-Charge of Oswald and had been to the home of Ruth and Michael Paine, in Irvington, Texas, where Oswald's wife, Marina, was staying. He wanted to be advised of Oswald's address in Dallas as soon as Mrs. Paine or Marina knew it. Mike Howard, one of the Secret Service men assigned to protect Marina, Lee's brother, Robert, and his mother, Marguerite, after Lee was killed, says that Marina was terrified of Hosty because when Lee learned Hosty had been coming to the Paine house he flew into a rage and beat her up.

It was Hosty's name, his license number and the address of the FBI office in Dallas in Lee Oswald's address book that first raised the question of an Oswald-FBI connection—particularly because the FBI tore it out before giving the book to the Warren Commission.

In 1975 a Dallas newspaperman learned that some weeks before the assassination Lee Harvey Oswald had visited the offices of the Dallas FBI and left a note for Hosty. The story was checked out and the Church Committee report revealed that Oswald did indeed visit the office, that, failing to find Hosty there, he left a note in an unsealed envelope and that the note was destroyed.

The receptionist recalled that the note read: "Let this be a warning. I will blow up the FBI and the Dallas Police Department if you don't stop bothering my wife." Hosty (who testified before the Warren Commission that one of the reasons he didn't think it important to inform the Secret Service of Oswald's presence in the Book Depository was that he didn't think Oswald was a violent

type) remembered the threat as, "If you don't cease bothering my wife, I will take appropriate action and report this to proper authorities." Hosty's supervisor remembers merely that it was some kind of threat.

An affidavit from Hosty (who still worked for the FBI) to the Senate Committee says that about two hours after Oswald's death, J. Gordon Shanklin, the FBI Special Agent for Dallas, called him into his office and ordered him to destroy the note as well as a memo on it that he had prepared the day before. Shanklin says he never even heard of the note until 1975, let alone ordered it destroyed. In any event, it disappeared with nary a trace of it in the files. So much for "a thorough search of the files" revealing nothing. Hosty, of course, revealed none of this to the Warren Commission.

The extent of the FBI cover-up may be hard to track down in view of the Dulles formula: Good agents will lie. It was not known until recently that 17 agents were disciplined after the assassination, suggesting delinquencies that can only be guessed at now. But this much is certain: The Warren Commission got from the FBI only what the FBI wished to give it, and what it wished to furnish to the Commission would hide, first, its gross negligence in Dallas; second, any Oswald-FBI connection, if there was one; and, third, any information that would, in any way, cast doubt on the Bureau's original investigation and its conclusion that Lee Harvey Oswald acted alone.

The CIA cover-up, in its most important regard, at least—the Cuban connection—required much less diligence than did the FBI cover-up, since so few people within the agency itself were aware of that possible connection. There was no need for minor agents to perjure themselves before the Commission and destroy evidence. They didn't know anything.

But, thanks to the Church Committee, it is now common knowledge that from 1960 to early 1963, the CIA—working with underworld figures—made various attempts to assassinate Fidel Castro. To those who, like Lyndon Johnson, knew only that part of the CIA-Cuban story at the time of the assassination, it was easy to jump to a conclusion: that Castro had Kennedy assassinated in retaliation for the CIA attempts on Castro's life.

President Johnson, while joining in the official acceptance of his Commission's report, apparently had some misgivings about it, since he was told about the Mafia assassination attempts very shortly after he assumed the Presidency. Mike Howard, the Secret Service man who was with Johnson in the White House and who went with him to the LBJ Ranch when the President stepped down from office, was a constant companion during his last years. Howard recalls that Johnson would frequently muse about the Kennedy assassination. "We would be down in Acapulco, sitting around a pool and he would say, 'What do you think, Mike? I was there. I saw it. I know Oswald did it. But there has

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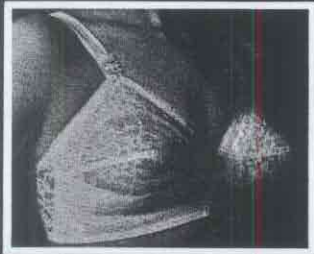
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to be more to it than that...'" Walter Cronkite and newscaster Howard K. Smith both have reported Johnson's hints of conspiracy, with Smith relating that Johnson had said flatly that "Kennedy was trying to get to Castro but Castro got to him first." Richard Helms, the former CIA Director, indicated to the Church Committee that President Johnson had suggested the same thing to him.

It seems highly unlikely, however, that the assassination was in retaliation for the CIA-Mafia attempts on Castro's life, for that operation had ceased abruptly after the Cuban missile crisis, almost a year before Kennedy was killed. At that time the Mafia figures were told that the CIA was no longer interested in killing Castro. At that time, too, some agencies of government moved to crack down on the activities of some of the more extreme right-wing Cuban exile groups lest their attacks on Soviet vessels and other operations lead to confrontation with the Soviet Union. There was among these groups (many of which hated the Kennedy administration for its failure to provide air support at the Bay of Pigs) renewed resentment at the restriction of their activities and lack of support for their operations.

But there is still another chapter in the Cuban connection. In June of 1963 a high-level committee of the National Security Council, known as the "Special Group," decided, the Church Report tells us, "to step up various covert operations to encourage dissident groups inside Cuba, to worsen economic conditions in the country, and to cause the Cubans to doubt the ability of the Castro regime to defend the country."

At this time the CIA renewed its contact with an official high in the Castro government whose code name was AMLASH, and early in September of 1963 met with him for the first time since the Cuban missile crisis. From then on (and continuing until a year after the President's assassination) the CIA held a series of meetings with AMLASH. He proposed the internal overthrow of the Castro government, with the killing of Castro as a necessary first step. At the moment of the shooting in Dallas, a CIA man was assuring AMLASH of explosives and rifles for his coup and offering him a ballpoint pen, which the Church report describes as having "a needle on it which could be used to inject a lethal dose of poison," for the killing of Premier Castro. AMLASH apparently refused it, deeming it inadequate for the job.

Two other events may be significant: On September 7, 1963, the day that the CIA renewed its contact with AMLASH, Castro hastily summoned an Associated Press reporter in Havana and, in an unexpected three-hour interview, warned that, in the event of "terrorist" attempts against the lives of Cuban leaders, Cuba could reply in kind. Could this warning have been in response to the CIA-AMLASH meeting? Was AMLASH a double agent? Were Castro and the CIA acting out a James Bond novel?

At the same time—early September—a member of the Cuban delegation to the United Nations approached William Attwood, a special adviser to the American delegation, and suggested talks between Attwood and Carlos Lechuga, chief of the Cuban delegation, about improving Cuban-American relations. From September through November, Attwood, with President Kennedy's go-ahead, was working on setting up such talks. Just as Castro probably knew of the AMLASH operation, violent anti-Kennedy Cuban exile groups probably learned of the Lechuga-Attwood talks, which raised the dread possibility for them that Kennedy and Castro might come to some measure of coexistence. As Arthur Schlesinger puts it, "Anything Havana knew, Miami knew."

These facts are astonishing enough. What is even more astonishing is that the Warren Commission never got word of any of them. It is apparent that they were systematically withheld from the Commission.

Allen Dulles had been Director of the CIA at the time it was conspiring with underworld figures to assassinate Castro. He said nothing to the Warren Commission. John Sherman Cooper, the former Senator from Kentucky and Ambassador to Germany, who, along with Gerald Ford and John McCloy, is one of the surviving members of the seven-man Commission, says that Allen Dulles never spoke of CIA attempts on Castro's life. Thumbing through the Church report, obviously troubled by it, the Senator says that he had always felt that the Warren Commission report was based upon the most careful and exhaustive investigation. He is probably one of the few people to have read all 26 volumes of hearings before the Commission. Because of the Church report, he feels now that he should read them again. He says, too, "From the time the Commission Report was filed to the present I have always felt that if there were any ground to reopen the investigation, if there is evidence to justify a new conclusion, it most certainly should be looked into." His obvious probity (he and Senator Russell, for example, pressed for a truly independent review of the alleged Oswald-FBI link) and yet his obviously shaken response to the new revelations, which he does not wish to comment on because he expects to be called up in the new investigation, suggest the ugly possibility that certain of the Warren Commission members were keeping information from other members.

Certainly Richard Sprague is troubled by and will look into the matter of the CIA representatives meeting privately with a few of the Commissioners and rehearsing the wording of questions to witnesses in advance of their being called before the Commission.

Senator Schweiker believes that the appointment of Allen Dulles to the Commission was designed to fend off any probing of the Cuban connection. It cannot be considered accidental that the CIA men who were assigned to work with the Warren Commission were entirely ignorant of any Cuban-American

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matters that might have had some bearing on the assassination. They knew nothing of the assassination attempts on Castro; they were not expert in the machinations of Cuban exile groups in this country and American connections to them. They were, in fact, Russian experts, and the whole thrust of the Warren investigation into a possible international conspiracy was directed toward the question of Oswald's defection to and return from the Soviet Union rather than to any possible Cuban question.

As the Church report put it, "The CIA staff exhaustively analyzed the significance of Oswald's activities in the Soviet Union, but there is no corresponding CIA analysis of the significance of Oswald's contacts with pro-Castro and anti-Castro groups in the United States."

In a remarkable book written in 1966, Sylvia Meagher delves into the matter of the extraordinary way in which Oswald, a defector to the Soviet Union, was given such privileged treatment when he and his Russian bride decided they wished to return to the United States and the careless way in which Oswald was granted a new passport.

Again we are caught up in the irrationalities—which may indeed be the rationalities—of Oswald's mother, who says, "He never did tell me why he went to Russia. I have my own opinion. He spoke Russian, he wrote Russian and he read Russian. Why? Because my boy was

being trained as an agent, that's why.... How many Marines are going around reading Russian and getting Russian newspapers?... He was working for his country as an agent. I think that at the age of sixteen Lee Harvey Oswald was being trained as a government agent."

The CIA not only failed to pursue the question of possible involvement of Cubans in the assassination; it discouraged such pursuit. The one United States government official who wanted to press the question was the American Ambassador to Mexico, Thomas C. Mann from the beginning expressed his conviction that the assassination was a conspiracy involving Cubans. During the first week after the assassination he urgently pressed for a follow-up on the possible Cuban connection. The CIA headquarters in Washington warned its Station Chief in Mexico City that the Ambassador was stirring up trouble and that his zeal could lead to a "flap" with the Cubans.

Thomas Mann, whose stint as Ambassador ended a month after the death of the President, says now, "We were instructed to stop our investigation into a possible Cuban connection and to ask the Mexican government to stop it, too. I was puzzled, but I had to believe that Washington knew something I didn't know. After all, Bobby Kennedy was the Attorney General at the time. I felt there was no point in being more Catholic than the Pope."

If there was, as seems certain, an enormous cover-up on the parts of the FBI and the CIA and the State Department and certain members of the Warren Commission, each for his own reasons, there is also the excruciating question of Robert Kennedy—of what he must have suspected about his brother's death and of what he did not wish to be disclosed.

There is no doubt that Robert Kennedy knew of the early CIA-Mafia attempts on Castro's life. Arthur Schlesinger says the Attorney General believed those plots to have been terminated—as they were after the Cuban missile crisis. How much, if anything, Robert Kennedy knew about the AMLASH contact in general and the new assassination plan in particular is difficult to assess. Kennedy knew about the stepped-up operations against Castro designed to undermine his government. When the CIA reestablished contact with AMLASH, the Cuban requested that a meeting be set up with him and the Attorney General so that he could judge the support that the United States was willing to give him for his anti-Castro operation. That meeting was never set up. Instead, a senior officer of the CIA met with AMLASH and was introduced to him as a "personal representative" of Robert Kennedy. It is likely that Kennedy had no knowledge whatsoever of the use of his name with AMLASH. Still he was keenly aware of what the Church

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Committee refers to as "the massive covert operation against Cuba since 1960." And also of the stubborn, arrogant, out-of-hand waywardness of the CIA about Cuba. He was also, as Arthur Schlesinger points out, "one of the three or four men in Washington" who knew that Cuban-American talks were being arranged.

When the President was killed, Robert Kennedy was certainly in a position to link that tragedy with the country's Cuban operations and to steer the Warren Commission in that direction, so that the possible connections might, at the very least, be thoroughly checked out. Yet he, like others in a position to do so, never informed the Warren Commission of the Cuban story as he knew it.

Nicholas Katzenbach says that the Attorney General, understandably, had no enthusiasm for the creation of the Warren Commission since he felt that "nothing could bring his dead brother back." Yet it would seem that Robert Kennedy, of all people, would eventually want to get at the truth behind the murder in Dallas. One can only speculate that his reason for not wishing to get at the truth was his fear of opening up the whole sordid Cuban story. The Kennedy image had been badly tarnished at the Bay of Pigs. It had come out shining after the missile crisis. It could only be tarnished again—as it has been now—with revelations about Mafia figures, the inability to control the Central Intelligence Agency and the fostering, for a time, of a climate of violence in the Cuban exile community.

The Cuban connection is surely one that the new House and Senate Select Committees will examine closely. And if, somewhere in those murky areas of Cuban-American relations, of assassination plots and covert operations, of venom-filled exile groups stockpiling arms with and without the encouragement of the Kennedys, there lies the answer to *why* Kennedy was killed and *why* Oswald was killed, we shall come closer to the truth about the assassination than we ever do in those hundreds of thousands of words in the Warren Report on *how* Kennedy was killed and *how* Oswald was killed. As Senator Gary Hart puts it, "there are two entirely different aspects to the investigation of the assassination. One is concerned with bullets and guns and trajectories and entrance wounds and exit wounds, and that doesn't interest me at all. And the other is who was Lee Harvey Oswald and, if indeed he killed the President, *why did he do it?*"

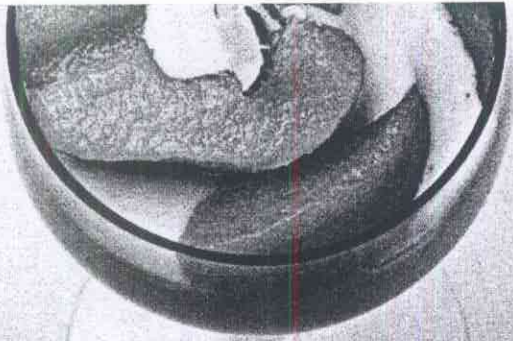
The central problem of the Warren Commission's conclusion that Oswald, acting alone, killed the President and Ruby, acting alone, killed Oswald was that the crucial question of *motive* was never established. As Sylvia Meagher put it in her book on the Warren report, "Those who might have accepted *one* random, unpredictable, motiveless assassin could not easily accept *two*..."⁴ The Warren Commission acknowledged that it was never able to find any rational motive for the killings. It attributed the assassination to Oswald's psychological makeup.

Out of this approach there grew a large body of literature, of which Gerald Ford's *Portrait of the Assassin* was one example, that tried to document the thesis that Lee Harvey Oswald killed President Kennedy because he was incapable of forming "any meaningful relationships" with people. The explanations were legion—and they explained nothing: Lee Harvey Oswald killed President Kennedy because he came from a broken home. Lee Harvey Oswald killed President Kennedy because he had a neurotic and possibly psychotic mother. Lee Harvey Oswald killed President Kennedy because his wife rejected him. And Jack Ruby killed Lee Harvey Oswald because he felt so sorry for Jacqueline Kennedy.

Harrison Salisbury, the *New York Times* expert on the assassination, in his introduction to the Warren Report, which the *Times* published soon after its release, points out that four American Presidents—Lincoln, Garfield, McKinley and Kennedy—were killed by assassin's bullets and unsuccessful attempts were made on the lives of Andrew Jackson and Harry Truman. "In each case—save that of Kennedy—" Salisbury notes, "the perpetrator of the deed and his reason for the act were quickly known. Indeed, in each instance the assassin took as great care to publicize his act and his rationale as he did to carry it out..."

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"And we're in a different climate, a different time. Perhaps the truth, and relating things truthfully, is a little more meaningful after Watergate. We've begun to see that just because you're employed by the government doesn't make it right for you to do wrong. At the time of the Warren investigation men who worked for State or CIA or FBI had a dedication to their agencies which would override their need to tell the truth. Maybe we're in a better position than the Warren Commission was to turn that around.

"Because, when you're investigating murder, the uncovering of what is relevant to the murder overrides everything else. When you're talking about murder no one should have an area of immunity. Keep in mind that in the event there are other participants in the assassination they have never yet been brought to justice. And there is no statute of limitation on murder."

There is still another advantage that the new investigators will have. For the first time since the murder in Dallas there will be a President in the White House who has no stake in anything but the truth about that tragedy. He has no commitment to any theory, no need to fear that the revelations that may emerge can any longer harm the country. Lyndon Johnson, in the midst of it all, may have had reason to "dispel rumors." Richard Nixon, as Eisenhower's Vice-President, had been deeply involved in the preliminaries to the Bay of Pigs invasion, and it was during that administration that the CIA first made its contact with the underworld with a view to eliminating Castro. Nixon also is alleged to have held close ties to Cuban rightist exile groups after he lost the election to Kennedy. President Ford was, of course, a member of the Warren Commission and committed to its findings. President Jimmy Carter has no interest except to let the chips fall where they may—and in that sense the new investigation takes place in a privileged atmosphere.

Representative Gonzalez stresses, too, that the Warren Commission was wholly responsible to the executive branch of

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afternoon until he was killed on Sunday morning, Oswald proclaimed his innocence. In 12 hours of grilling by the Dallas police there was no confession.

Robert Oswald, who saw his brother on Saturday afternoon, 24 hours after he was apprehended, says that in retrospect the most striking thing about Lee was his alertness and his calm. "He wasn't somewhere out in left field. He was aware of what was happening. He was not at all nervous," Robert recalls.

"We talked about some family things—shoes for the baby—and then I cut in and said, 'Lee, they've got your gun. They've got your pistol. What the Sam Hill is it all about?' And he just said, 'Don't believe all that so-called evidence.'"

The absence of a confession plus the absence of a motive made it certain that the Warren Report, with its elaborate discussions of bullets and guns, would never be the final word on the Kennedy assassination.

Richard Sprague, setting up the apparatus for the House Select Committee on Assassinations, feels that despite the passage of time, the disappearance and destruction of evidence and the death of so many people who were involved in the case—and Sprague sees it as a case, "a case of murder"—he may get to the bottom of it. "It's true," he says wryly. "I'm usually at the scene of the murder ten minutes after it's discovered, and here I am at the scene of Kennedy's murder more than thirteen years later. But we have certain advantages that the Warren Commission didn't have."

Sprague made it a condition for taking charge of the investigation that "we won't be pressed for time." And, he says, "we don't have to deliver the whole solution all at once. We will report on and show what has been proven or disproven as we go along. The public watched Watergate unfold, and it made up its own mind. We will let people see what we are finding. We have the advantage, too, of a totally independent team, bringing no baggage of the past with it, not wedded to any theory and having no vested interest in any particular outcome.

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the government and "obedient to the demands and trauma of that moment." He believes that the Commission did the "best job it could in the face of the torrent of events that created it" but that it had no real way of evaluating the facts. He sees the new investigation not as a "reopening of the case" but rather as "the first time that there has been an independent investigation of the assassination of President Kennedy by the Congress." And, he says, "we must start from ground zero, as if the homicide had happened three months ago."

Sprague has no fear about where his investigation may take him, what murky areas it may have to delve into. As far as he's concerned, there are no sacred cows. "I have a feeling you can trust the American people. You don't need to keep the truth from them."

Although he is the son of two psychiatrists, Richard Sprague is not interested in psychological portraits of assassins. He says, with a smile, "I'm not about to find out whether Oswald was nursed at his mother's breast or bottle-fed. My approach to motive is more direct than psychological."

Sprague and the \$6,500,000 investigation he proposes are not without critics. Resistance to the amount of money he requested arose quickly in the new Congress. There followed, too, some attacks on Sprague and his methods. Possibly these are specific, valid criticisms. They may also reveal a deeper reluctance to uncover yet another scandal in government. Still, whether it be the House or the Senate that most vigorously pursues it, there is no doubt that there will be a serious new investigation. Too many people in and out of Congress no longer trust the Warren Report.

Others, like Harrison Salisbury of the *New York Times*, who believe the conclusions of the Warren Report to be sound, nevertheless feel that the new investigations should be undertaken. Salisbury predicts that speculation about the Kennedy assassination will be a permanent feature of "American and world life" and that the "vast majority" will never be satisfied with the Warren Report. (Eighty percent of the American people believe that there was more than one person involved in the assassination.) But "in the light of the fantastic revelations of Watergate and the CIA and FBI—the mind boggles at some of the stuff they've been engaged in—I don't blame people for their doubts." Salisbury thinks they're entitled to another look into the assassination.

Tom Downing, in arguing for a Congressional investigation of the murder of Kennedy, said flatly, "I fear that there was a conspiracy." Since it is the Cuban aspect of the Kennedy case that has occasioned the reopening of it, there is no doubt that it will be a road that the new investigations will pursue most vigorously—although it will not rule out others.

If Cubans were indeed involved in a conspiracy to kill Kennedy, the question then becomes what kind of Cubans—

pro-Castro Cubans or anti-Castro Cubans?

There is in legal doctrine a question that is asked as a tool in hunting down the perpetrator of a crime. The question is *cui bono?* *Who benefits from this murder?*

Though here we are in the realm of speculation with only a few certainties, it seems likely that Fidel Castro had a great deal to lose from the elimination of President Kennedy. While he certainly had no reason to look upon Kennedy as a friend of Cuba's, still he had reason to regard the President, since the missile crisis, as a less virulent foe of his regime than the rabid exile groups. There is reason to believe, too, that Castro astutely perceived the difference between the Kennedy approach to his government and that of the CIA. A French journalist was with the Cuban Premier

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when Kennedy was murdered and, when news came that Lyndon Johnson had been sworn in, Castro's first question was, "What authority does he exercise over the CIA?" Finally, it was Castro who had initiated the Lechuga-Attwood talks, indicating his belief in the possibility, at least, of coming to some détente with the Kennedy administration.

On the other hand, those who had the most to lose from the moderating of American policies toward Cuba were the groups who had counted on American help for a new invasion, the underworld groups and gambling interests who had never given up hope of regaining their lucrative Havana interests—and perhaps the CIA connections of both these groups.

It may be of some significance, a straw in the wind, that both Senator Schweiker and Representative Downing have written introductions to books that hypothe-

size a conspiracy carried out by anti-Castro, right-wing extremists with CIA connections who felt that they had been betrayed at the Bay of Pigs by the failure of the President to provide air support, and that they were being betrayed again, ever since the Cuban missile crisis, by the Kennedys' support of more moderate groups.

Senator Schweiker's preface to Sylvia Meagher's new edition of *Accessories After the Fact—the Warren Commission, the Authorities and the Report* calls it "by far the most meticulous and compelling indictment of the Warren Commission Report." That it most certainly is. In addition to the indictment, however, in a chapter called "The Proof of the Plot" Mrs. Meagher attributes the murder to "reactionary Cuban exiles" linked to the American "ultra right" who shared, she says, "many mutual interests, not the least of which was a hatred for President Kennedy."

"Is it farfetched," Mrs. Meagher asks, "to postulate the formation of a plot among members of those circles to revenge themselves not only against the President whom they consider a Communist and a traitor but also against [Oswald] a Marxist and suspected double-agent who had tried to infiltrate the anti-Castro movement?"

Thomas Downing has written an introductory letter to the paperback edition of a book called *Betrayal*, written by an ex-CIA agent named Robert Morrow, which says of the book's conclusions that it is "a remarkably plausible reconstruction of what could have happened on that dreadful day in Dallas." Morrow, who claims to have flown into Cuba for the CIA with the invasion of the Bay of Pigs, to have worked on the counterfeiting of Cuban currency that was to help wreck the Cuban economy and to have heard the Deputy Director of the CIA call President Kennedy "a traitor," pictures the assassination as a conspiracy on the part of Cuban exiles connected with the CIA and FBI.

Both books—*Accessories After the Fact* and *Betrayal*—suggest that someone was impersonating Oswald and that he never pulled a trigger on either President John Kennedy or Police Officer Tippit. They draw a picture of a conspiracy that includes a Cuban look-alike to Oswald, Jack Ruby and perhaps even Tippit, who had a moonlighting job working for a prominent member of the John Birch Society.

Incredible, mind boggling, hard to imagine? No longer. Not with what we have learned from the Church report on the assassination.

Robert Oswald, Lee's brother, says very carefully that he does not believe that Lee was "directly involved in a conspiracy and, if there was a conspiracy to kill the President, it was separate and apart from Lee's action." That may turn out to be a correct appraisal. The conspiracy, if there was one, may have been swirling around him. Meanwhile, we are reminded again of Marguerite Oswald's random ramblings: "Who used my son? . . . What I want to know is, who used Lee Harvey Oswald?" ■