

Hoover and Kennedy

THIS LETTER is to correct a series of gross distortions of fact made by Athan G. Theoharis in his "review" of my book, *Act of Treason: The Role of J. Edgar Hoover in the Assassination of President Kennedy* (Book World, Dec. 15, 1991).

Theoharis states that I claim Hoover withheld Mafia death threats from the Secret Service before the assassination "because he was fearful that Kennedy might terminate his directorship of the Bureau." This is misleading. Central to my thesis is that federal law, not JFK, would have forced Hoover to retire when he turned 70, near the end of Kennedy's first term. But, once Kennedy was elected, Hoover knew that only an executive order from Kennedy, or the replacement of Kennedy with someone willing to supply one, could save him. When one considers these facts, Hoover's motivation becomes clear.

Theoharis fails to tell readers about Hoover's efforts to protect Vice President Lyndon Johnson during the Billie Sol Estes scandal. Clearly, Hoover had realized that by "protecting" Johnson he could ensure the latter's availability were Kennedy to be assassinated, and gain sufficient leverage to obtain a retirement waiver once the assassination occurred.

Theoharis attacks my research, but *Act of Treason* is a comprehensive analysis of all available, relevant historical data on Hoover's activities during the course of the Kennedy administration as they affected Kennedy and Johnson. The bibliography contains nearly 170 different sources. Data and conclusions I present are supported by more than 2,300 individual citations.

Theoharis claims the historical record does not implicate the Mafia in Kennedy's assassination, calling it "murky and inconclusive." Theoharis is a biographer of J. Edgar Hoover, and his difficulty with the Kennedy assassination is symptomatic. Each of the Hoover biographies I have examined contains little more than a single chapter on the Kennedy administration, and little or nothing on Hoover's machinations concerning the assassination. To properly analyze Hoover's role in the murder of John Kennedy, his biographers must confront the body of historical data that has accumulated since Nov. 22, 1963. This took me over five years, probably the amount of time most biographers spend analyzing Hoover's entire life.

Theoharis makes light of Hoover's attempt to leverage Kennedy with sexual blackmail. Unlike previous officials, John Kennedy ignored Hoover's attempts, thus forcing him to look to other solutions. This ultimately led Hoover to rationalize his decision to allow the Mafia to murder Kennedy. The elimination of JFK would be the "result" of the president's own immorality. As I make clear in *Act of Treason*, Hoover became fixated with the subject of immorality in leadership during Kennedy's term. His speeches are replete with this kind of rhetoric between the fall of 1962 and the assassination.

Finally, Theoharis would have your readers believe that Hoover never saw any of the Mafia death threats made against Kennedy, recorded and reported by his own agents—this despite the fact that Hoover ordered the surveillance program and kept voluminous personal files on both Kennedys. Hoover was statutorily bound to report such threats to the Secret Service. The fact that the director had survived at the top for nearly four decades by obtaining, and withholding, critical and exclusive data from the field escapes mention. Worst yet, Theoharis would have you believe that Hoover's hand-picked assistants, Courtney Evans and Clyde Tolson, men who undoubtedly monitored

electronic surveillance data, simply didn't tell him about it.

The American people have been denied the truth for 28 years—28 years too long. In analyzing the data from both an historian's and an attorney's perspective, I have, with *Act of Treason*, revealed the path to historical resolution. It is time for the lie to stop.

MARK NORTH
Austin, Texas

Athan Theoharis replies: Mark North's protests notwithstanding, his book documents none of his major contentions: that former FBI Director J. Edgar Hoover had concluded that President Kennedy would not allow him to continue as director and thus decided to allow a planned Mafia assassination to go forth; that Hoover and Lyndon Johnson successfully contained the Warren Commission inquiry into the assassination; and that Carlos Marcello "astutely realized" that Hoover and Johnson had an interest in not uncovering the perpetrators of a planned assassination.

Central to his argument of Hoover's "act of treason" was the fact that the FBI had intercepted telephone conversations of crime leaders venting their animosity toward the Kennedys. Whether these conversations document a "contract" or were merely expressions of anger, North's indictment requires proof that FBI officials and Hoover read them as a contract. In the book, North assumes this reading, claiming that such wiretap-intercept records were maintained in Hoover's "personal files." He is wrong. Such intercept records, as other records from "sources illegal in nature" or "highly sensitive" sources, when forwarded from field office to FBI headquarters were maintained separate from the FBI's "central records system" in the Special File room. Access to such records was on a "need to know" basis, and officials in the Special File room would have created dated records of those who had reviewed them. North did not attempt to establish whether the FBI currently maintains such chargeout records.

Second, North insists that Courtney Evans and Clyde Tolson "undoubtedly monitored [and briefed Hoover on] electronic surveillance data," referring to these intercept records. But the FBI's wiretapping of Marcello, and other crime leaders, was the responsibility of Alex Rosen, head of the Criminal Division. Had these intercepted conversations been brought to the attention of Hoover, an FBI supervisor would first have briefed Rosen. Rosen, in turn, would have memoed Tolson. In each case records would have been created. North, however, has uncovered no memos of such briefings.

Could Rosen have concluded that this was too sensitive a matter to create records on, even if securely maintained in the Special File room? If so, he would have briefed Hoover by means of an "informal memo." While the original of such a memo would have been maintained in Hoover's office files, the copy could either have been included in the Special File room or in Rosen's office file. There are no such memos in Hoover's extant Official and Confidential File, and we have no way of knowing whether they would have been filed in Hoover's now-destroyed Personal and Confidential File. In 1953, Hoover ordered the destruction of office files maintained by FBI assistant directors every six months. Was Rosen's office file destroyed pursuant to this requirement, or did it (as in the case of office files maintained by Louis Nichols, D. Milton Ladd, and Clyde Tolson) escape total destruction? Rather than rush to judgment, a more responsible researcher might also have pursued this line of inquiry.