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XVIII Praise of Evil

(On page 36) Phillips admitted seeing, while in/Mexico City CIA station, "transcripts of conversations" in which ^{Oswald} he was talking (as ~~Phillips says on page 37~~ ^{representative} page 37 makes clear) ^{but} to ~~that~~ the government would not let him ^{say whether} identify when he was asked ~~is~~ those conversations were with "Cuban and Russian officials."

When asked on page 38 if the document he saw "while you were at the CIA (station in ~~the~~ Mexico City) relating to visits that Lee Harvey Oswald made," Phillips insisted he had not used the word "visits" and meant "conversations."

Phillips testified on page 39 that the "conversations" ~~consisted~~ of which he read transcripts "consisted on Lee Harvey Oswald's efforts to ^{get} ~~get~~ a visa to travel to Cuba."

When Oswald was in Mexico City Phillips had assumed responsibility for the CIA's "Cuban operations." (page 40) ^{his job} "consisted primarily of knowing what was going on in and around the Cuban ~~embassy~~ embassy." (Page 313) ~~He was~~ Phillips was "in charge of surveillance of the Cuban embassy." (Page 317)

Asked, "Did you see any evidence of Lee Harvey Oswald entering the Cuban embassy at any time in 1963?" Phillips replied, "Yes, I did." (page 334) Then asked, "What evidence did you see that he entered the Cuban embassy?" Phillips replied, "Evidence in the form of reports from a Cuban Embassy source that he was inside."

But when Phillips was then asked, "You had a spy in the Cuban embassy, did you?" (page 315) the government's lawyer kept Phillips from responding (page 315)

The government would not let Phillips answer whether he saw "any photographic evidence of Oswald's entering the Cuban embassy" or if he heard "any electronic evidence or evidence secured electronically about Oswald ~~entering~~ ^{visiting} the Cuban embassy", (page 317)

While ~~it~~ the meaning of some of Phillips' answer may be argued, I think it is clear that in not limiting his response to a "source" inside the Cuban embassy and instead Phillips said he ~~knows~~ saw "evidence" that "Oswald entered the Cuban embassy" Phillips eliminated electronic surveillance" of ^{Oswald} ~~Oswald~~ ^{and a camera} when entering as the source.

"Cuban embassy source" ^{if only a live} could see what electronic surveillance, of course, cannot see,

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 someone entering a building.*

But according to the CIA itself its camera ^{malfunctioned and} did not photograph Oswald entering that embassy. The pictures it produced of someone leaving the USSR embassy, is not of Oswald. Its official response after an official search ^{it said,} disclosed ^{that} it had no such picture.

Although the government objected and ^{d/}prevented Phillips' response, it had years earlier acknowledged officially that he had ^{been} surveilled electronically and photographically. ^{and obscure what it had.} The only ^{purpose} of the government's refusal to let Phillips answer was to stonewall.

I believe there can be no question, before the government's lawyer shushed him, Phillips acknowledged that he had a live source inside that embassy. Phillips' language, his choice of words, makes this clear.

Phillips "transcripts of conversations" (page 36) also refers to more than a single tape. "Transcripts cannot likely come from ^{other than electronic.} any other source, Spies inside their own embassies are not likely to ^{use} shorthand or stenotype machines to record what they can ^{get being seen} get shot for recording, ^{what could} ~~what they should be recording, what can mean only that they~~ were spies.

All of this is to say that the United States had the Cuban embassy in Mexico city covered three ways, photographically, electronically and ^{one or more} by a live source ^{2/} inside it.

The staff at the Cuban embassy in Mexico City was not large and of that staff a non-cuban is a more likely source ^{Duran} than a Cuban. ^{Duras} was not a Cuban or a Cuban citizen.

From what we know, Duran appears to be the most likely CIA source inside that embassy.

~~It~~ That would account for the CIA's concern for her physical well-being when she was picked up by the Mexican police for the second time.

It also is a much more reasonable explanation for ^{Duran's} ~~Duran's~~ failure ^{appear and} to testify before the House assassins committee than ^{same} that ~~she had~~ "business" prevented it.

Any Member of the committee could have ~~she~~ asked her whether she had been a live source of a spy. She would hardly have wanted to ^{d/} admit that an international TV. She certainly would not have wanted to be asked questions about any spying she did. Or even if there was a special ^{a/} reason for going out of her way to help Oswald.

Or he intended making his reader believe that Oswald was a Communist when in fact he was virulently anti-Communist.

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Not ~~appearing~~ ^{appearing} after promising to appear solved that problem the only way it could be solved.

That ~~she~~ had ~~no~~ pressure from the Mexican government to appear after it had said to the United States that she could and would ^{appear} also has few other explanations that fit as well.

There is nothing that can be done about the pictures taken automatically when Oswald entered the embassy. The CIA's explanation, that there was a malfunction, cannot be credited. But there is nothing that can be done about that.

No-Source Posner has a footnote on this in which he says that the CIA's files held no picture of Oswald. It then discovered "that it had a photo of him in its "Insk file." (Before returning to the ^{from the USSR} United States Oswald lived in "Insk.") What makes the CIA explanations even less credible is the certainty that when Oswald defected it did obtain and file pictures of him.

On this same page Posner has one of his disclosure of his own political view. In writing about those who believe it was not the real Oswald in Mexico City Posner says they also believe he "was not even a real Communist." In this Posner says, despite all ^{and all the contrary} his contrary pretenses, that he ~~can~~ believes that Oswald ~~was~~ "a real Communist." (page 186)

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In his additional discussion of the absence of Oswald photos in Mexico City Posner ^{as his source} cites in contradiction of the CIA what he knows will not offend it or be given much credibility, ^{author} Tony Summers. He also writes similarly about ^{the late} James Jesus Angleton, who had headed the CIA's counterintelligence, that he had ^{an Oswald picture} on the desk of ~~xxxxx~~ a former Mexico City station chief.

If Posner had wanted to ~~he~~ could have cited less dependable sources, those more likely to be credited, the newspapers that had earlier carried ~~these~~ ^{an} account of these picture findings. (Page 187)

Posner refers to the tape of an Oswald conversation intercept two more times. On Page 187 he refers to what he ^{was} told by a former House ^a assassins committee investigator ~~the~~. Carrying over to the top of the next page he has another CIA favor, ^{on condition he not be identified by name} it let a "retired official" speak to Posner without identification:

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"The Agency had at one point a recording of Oswald asking to speak to whoever he was going to speak to at the Soviet embassy," Edwin Lopez, a House Select Committee investigator, told the author. "And the Agency had a husband-and-wife team [who were Russian] listen to the tape and transcribe it, and in parentheses, they wrote down—and I talked to both of them: 'This guy speaks English with a broken Russian accent.' Now you and I both know that Oswald did not speak in broken Russian. Well, this is amazing—they have a tape, they sent it up to Washington at one point after the assassination, I have seen the cable and all, and guess what happens to the tape—gone! So all we have left is our transcription, and our conversations with the husband-and-wife team."⁸⁶

However, the tape referred to by Lopez may not even have been a recording of Oswald. A retired Agency official familiar with the Oswald file spoke to the author on the condition he not be identified. "Even if there had been a sound recording, it would have been erased routinely a week after it was made. If we kept every-

thing we recorded, you couldn't find enough warehouses to store them. So once something is transcribed, we don't need the tape, and it's reused. Keeping the tape might be more of an indication that there was a special interest in this fellow. However, since there isn't a tape, no one is sure that we recorded the right person. Just like we made an error in photographing the wrong man, there's a good chance that we might have recorded the same man we photographed, thinking the entire time we had surveillance on Oswald. We've really created our own problems on this one."⁸⁷

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A Blakey

His record on this committee is not that of a man determined to do what that committee was created to do, investigate the ~~can~~ crime itself. He began with ~~the~~ ^qpreconception from his Department of Justice work, ~~that~~ organized crime, on which he was hung up, killed the President. He also set out to put down all the work of all the critics of the official mythology. He began each hearing at which he did this with a calm narration of what that hearing would show. In it he named the critics whose work he then criticized or undertook to refute. ~~In this~~ he avoided mentioning only one of those critics. He never ^{once} mentioned my name ^{once}.

The FBI understood him so well that in its internal records that I obtained in two FOIA lawsuits that were combined, C.A Civil ~~to~~ Actions 78-0322 and 78-~~00~~0420, in deliberating what records it would let that committee see, the FBI actually decided that it would make available only part of what it had already disclosed to me and thus was already public, in the public domain!

Note to Richard: I do have this in two different FBI records but searching for it is now beyond me. I'd love to publish it, too! It is also in that case record and that can be cited as the source.

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In doing Posner ^{this} favor the CIA did ~~feel~~ itself a bigger favor. He spread for it the lies if ^{that it} wanted accepted and did not dare, spread in its own ~~name~~. name. ~~that former committee investigator, Edwin~~
No doubt, Lopez spoke the truth as he knew it. But he refers to that committee's examination of the CIA's record only.

217A here Blakey had a ~~big~~ big mouth, big ideas about himself and his unique talents and reportedly big ideas about his future that are unrealized. I have ~~seen~~ ^{his record on this} no indication ~~that after he signed a secrecy agreement with the CIA that gave it absolute control over what he could see and what he could have, and if it was honest and he had done nothing but read the relevant records it had he would have been far from finished when the committee's life expired it he had done nothing but read those CIA records.~~ ~~committee is not that~~

If ~~he~~ ^{Blakey} had any real idea of how the various agencies work he did not reflect it in those hearings. ~~He so dominated the staff, which also had to sign secrecy agreements,~~ "that those ~~of~~ who might have had the capability were unable to use their capabilities independently."

It is not at all surprising that the CIA's copy of a ~~tape~~ ^{tape} suffered a mysterious disappearance. But it also is not at all certain that there was only a single ~~copy~~ copy of that ~~tape~~ ^{when} ~~there~~ ^{so great} was an interest in it.

The business of the husband wife team of tape transcribers is not new with that committee. Some time before that committee was established by the House that team spoke to Ron Kessler, then a Washington Post reporter. His story was an international sensation. My layer, ^{and I} Jim ~~Lesar~~, happened to be returning to ~~the~~ Washington with a plane switch at Chicago's O'Hare airport. It was a Sunday. When we walked past a newsstand the entire front page of a ^{large} Chicago paper was all ^{of} headlines ^{of} about Kessler's story ^{on Oswald being taped by the CIA.}

Posner's description of the informed spook who spoke to him is of "a retired Agency official familiar with the Oswald file." The first words Posner attributes to him are, ^{sound} "Even if there had been a ^{recording,}" ^{familiar with the Oswald file} and for one ^{known} informed that is a knowing lie, ^{and,} ^{erased,} nothing omitted in quotation, "it would have been ^{erased,} routinely ~~after~~ ^{after} a week after it as made," ^{This} ~~and~~ that is another knowing lie.

It is a lie to ~~say~~ say "even if there was a sound recording" because it is without

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, this is

and as we shall see/is in those records

any question at all that at least one was made and transcribed, Phillips referred to "conversations" in the plural of which he had read transcriptions, as we have seen. *That, too, is in those records.*

"Routine" destruction of intercepted conversations within a week defeats much of the purpose in going to all the cost, trouble and danger ~~of~~ ^{to} being able to make those recordings as well as the purpose for which they are made.

They are not made for the exclusive use or entertainment of the staff of the CIA station that makes and has these tapes. First they are listened to to determine whether anything of value or interest is on them. Then headquarters is notified about them if the tapes themselves are not also sent immediately in some instances. There is no one person at headquarters who can decide whether there is interest in the content ~~of~~ ^{of} the intercept. It is not unusual for more than a single component to be a possible customer for that content. All of this means some ^{headquarters} distribution of what is known about the intercepted information and ^{requires} ~~then~~ time for ~~pos~~ components of possible interest to respond.

There there is also the possibility that other intelligence and police agencies can have an interest. They also are consulted, and they also require time for determinations to be made *and for response.*

So, while it is true, as that lying spoke told the gullible or tolerant or cued-in Posner, it is impossible to preserve all tapes, ^{But,} (it takes time to transcribe them, and it takes time to determine whether there is any interest in them anywhere within the ^{all} government) and they are not "routinely" destroyed within a week.

Moreover, I have FBI records reflecting that it had the one tape officially acknowledged to exist of the many made.

And, contrary to this lying spoke Posner quotes without question, it was not "routinely" destroyed within a week. It was still at the CIA Mexico City station ~~also~~ about two months, which is more than a week, after it was made.

Explaining why I do not now cite these records by their file numbers is an unpleasant reminder of the risks involved in giving strangers unlimited and unsupervised access to my records when I am physically unable to watch them if I wanted to, and I do not want to, just as were I ~~by~~ the writer using the files of another I would not want to be under constant watch.

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= At the outset some things should be clear and unequivocal. One is that I am not charging the Posners with stealing the missing records. I have no solid proof of who did. I cannot pinpoint when they disappeared. But on the other side, with regard to some of those missing files, ^{especially} specifically my files relating to this tape and related communications of which I have a very clear recollection, ~~by~~ nobody ~~has~~ ever expressed any interest in them or asked me if I have them or anything like them. And all the records that I know are missing are missing from what I refer to as my "subject" file. That means that anyone working in that file, which consists of six file drawers, whether or not I knew of it could have been interested in those missing records. However, because we give all who come here also unsupervised access to our copier, ~~very~~, very few people have any interest in or reason for ^a stealing what they can copy. And I did not discover that any of these records relating to that tape ~~was~~ were missing until I went for them to use in this writing. But with regard to ~~this~~ the records relating to this tape, every single one is missing, even ^{this} in a separate file, filed there for a different purpose, administrative appeals under FOIA. One other record I looked for to use in this writing, also relating to something Posner wrote and refuting it, also is gone.

219A To encapsulate, I do not know that the Posners stole anything, I ~~cannot~~ ~~prove~~ am not accusing them of stealing anything, and at the same time, nobody else has ever worked ^{of} in those six file drawers who I have any reason to believe ^{had any reason} for stealing those records. There were copies under several names and subjects.

I am quite limited in my ability to get to and from those files and search them. My searches were duplicated by a friend who ~~was~~ ^{also} here later. He found nothing.

As I tell the story that I know to be true, of records disclosed to me by the FBI in FOIA litigation, I'll indicate the missing files. ~~In~~ some instances even the file folders are gone, too.

As soon as Oswald was identified as the suspected assassin, and all the records I have ^{immediately} seen assumed he was guilty and alone, the FBI needed all the relevant information other agencies had and it needed that information fast. Especially while Oswald lived because then the government had to first make a case against him, then take the case to

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What was stolen is not the only public copies. They are the only readily acces-
sible copies because there is no index to them in the ~~disclosed~~ enormous mass of those
disclosed records from which as I read them I selected these. Stealing them from me
thus made it impossible for any writer or reporter to use them merely because copies
were not accessible. If we think about who might want for these records not ~~to~~ to be
available to be used, the possibilities seem to be limited to the CIA ~~so~~ it can be
protected in its lies and ^{the} Posner, who is so indebted to the CIA and whose book re-
peats its lies *as not to be questioned truth*

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The guidelines the defense presented for

court and then withstand defense cross examination and defense evidence to get a conviction. *The government to convict Oswald*

The FBI, of course, knew what the CIA's Mexico City station had. It had its own Legat Attache or Legat there. The CIA station gave the FBI a tape and an unknown number of pictures of a man said to be Oswald and wasn't to the FBI's Legat. He gave them to an agent on his staff, Eldon Rudd, and Rudd flew to Dallas, the "office of origin" in the FBI's case and operations. *Rudd* He was met at Love Field, the major Dallas airport then, ~~where he was met~~ by Dallas FBI Special Agent Wallace Heitman. Heitman was a "red" specialist in that office. One record of which I have a very clear recollection is ~~the~~ *Heitman's* memo on going to pick Rudd up. It was typed but he ~~added~~ *added* in longhand the time the plane arrived and its identification, by number and by ownership. It was a Navy plane that ~~picked~~ *flew* Rudd up ~~in~~ *from* Mexico City. ~~I never checked to see if it was assigned to the Naval attache there.~~

Without ~~question~~ *question* I had a Heitman file. The folder is ~~still~~ *still* there with a single, ~~unrelated~~ *unrelated* record in ~~it~~. I am not certain that I had a Rudd file but I believe I did. There is none now. ~~I did~~ *I did* have a telephone intercepts file. ~~all~~ *all* that remains in it now is aerox of unrelated pages from a Congressional report. I had one on Mexico City intercepts. I have it no longer.

In my ~~separate~~ *separate* files of administrative appeals in those FOIA lawsuits I filed a number of appeals relating to withholdings of communications generated by this tape ~~in~~ *after it got to* Dallas. ~~xxxx~~ *also* Copies of the documents I had in the subject file were attached to them. All those records relating to those appeals, including the file folders, are gone. Copies of these appeals were also in the subject file. Anyone intended to cleanse my files of what might be embarrassing to them or for any other reason, would by those duplicate copies in the subject file be directed to the file of appeals, in a separate but clearly identified file a cabinet not much more than ten feet away from the subject file.

unfortunately, I am limited in what I can do.

Circulatory impairments that began with ~~venous~~ *venous* thromboses in the leg, obstructions or total blockages in the return circulation; ~~xxxx~~ several post-surgical complications following the successful implantation of a plastic artery in my left thigh; compli-

^{of this and}
 cations follow other surgeries; and open-heart surgery in 1989, with three bypasses
 bypasses made of other arteries in the chest, there being no ^{usable} veins that ^{could} be obtained
 from my legs, have left me feeble and limited in mobility. Most of my records, all ob-
 tained by FBI, are in the basement. I require the use of both hands not to fall in
 going to and from the basement. I am not permitted to stand still other than momentarily
 because the blood then gets down ^{to} the feet, legs and thighs and ^{does not} cannot return. And
 merely ascending the stairs tires me excessively for the rest of that day. The student
 helper I had part-time for several years had graduated from local Hood College and as
 of this writing I have no replacement for her.

Examining the mass of records I obtained by this litigation, about a third of a
 million ^{pages} ~~pages~~ relating to both the JK, JFK and King assassinations, is an enormous task.
 As I read them I indexed ^{at} ^{to be made} copies (and their disposition and before they were filed my
 wife made those copies. The originals are preserved exactly as I received them and
 will be a permanent public archive at Hood College. It is ^{original} ^{that} from these copies my wife made
^{Copies. Some were} some sent to others interested in the subject, ^{From them also} that my "subject" file was created. Replac-
 ing missing "subject" file copies ~~was~~ requires the greatly ^{re-} time-consuming examination
 that when I'm past 80 and have these limitations is impossible for me.

Heitman's notation on his memo indicated he picked Rudd up after midnight or very
 early the morning after the assassination. They rushed to the Dallas field office. ~~and~~
 According to an ambiguous, six-page, single-spaced letter ^{sent} by the FBI over Hoover's
 signature and undoubtedly reflecting what he want to tell James Rowley, head of the
 Secret Service, FBI agents familiar with Oswald looked at the pictures and listened to
 the tape. Without specifying which and with a virtual certainty referring to the picture
 only, Hoover said it as not Oswald. That the tape certainly was of Oswald is indicated
 with what happened with it. This is stated ^{explicitly} in the records I received of which the subject
 file and appeals file copies are missing.

As soon as the tape was listened, to Dallas teletyped a three-page paraphrase of
 it to FBI headquarters. In a very brief period of time headquarters ordered Dallas to
 transcribe the tape. Dallas did that and teletyped it to headquarters. Along with these

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messages the file included several smaller printed memo forms with notations on them. Some of these smaller records had an "a" after the serial numbers assigned to them.

All of the content of all of the records relating to the content of the tape was withheld under FOIA Exemption (b)(4), the "national security" claim. My ignored appeals represent that ~~there was no~~ withholding the content of those records was in violation of the requirements of that ~~claim~~ ^{exemption.} It really required that the information be such that it could lead to a rupture in diplomatic relations or possibly to war.

All of those ^{FBI} messages were during the wee hours of dark.

What this also means is that the tape was in the possession of the FBI, not of the CIA. There ~~also~~ is no basis for assuming that with a tape of that significance a duplicate was not made in Mexico City, before Rudd left for the airport with it,

There also is no basis for assuming that if the CIA wanted that tape back the FBI returned it without making a duplicate of it.

With Oswald the only official candidate for assassin? Impossible that no copies were made and impossible than any were destroyed.

Why all of this is suppressed, why it is lied about on all levels, why the FBI asserted a spurious ⁴⁰ ⁹ claim to withhold the content (other than to its certain knowledge that FOIA lawsuit was before a judge who was virtually an FBI adjunct in court and in what he did and did not, would and would not do) can be conjectured ~~about~~ but there really is no basis for responsible conjecturing.

One ~~thing~~ ^{thing} that is not ~~conjecture~~ ^{conjecture} is that if it ~~were~~ ^{were} not Oswald's voice and if it had no relationship to the assassin, ^{why} the FBI had an absolutely solid reason for withholding it: ~~is~~ ^{is} ~~irrevelancy~~ ^{irrelevance}. It did not make that claim and the contents therefore are not irrelevant.

And in all of this that I have quoted at some length and with absolute fidelity to what Posner wrote and has in his mistitled book Case Closed, the real question is ^{is} ~~the~~ really SuperSpook or ^{death} ~~is~~ ^{it} more likely SuperSpook.

He has the experience as a lawyer and as an investigator to know that when he got glib and self-service ⁴⁶ explanations for the alleged non-existence of any tape there were

in this there is)

Obviously there is no question of disclosing sources or ~~the~~ methods when they were disclosed already, that there was electronic surveillance and that there was a tape made.

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obvious questions. If he had intended anything ~~but~~ more or better than mere blind covering up for the CIA to which he is so indebted he could and should have asked questions. He saw the volume of my files. Each cabinet and each drawer is marked with the identifications of the files contained in them. Although he is careful not to reflect it in his book, he knew that there was a high degree of probability that I could provide him with both questions and answers. He asked me nothing. He therefore wanted nothing. That, I think ~~it~~ can fairly be interpreted as meaning that he knew he had a sure thing and that his professional reputation ^{would be} was not at stake in his book.

Posner ^{gilds} that ugly weed he regards as a lily with a pretended slap on the ~~CIA's~~ CIA's wrist with a bit of down, not even a feather. In a footnote he says "The CIA is its own worst enemy on many of these issues. It is so protective of sources and means of obtaining information, even years after the event, its lack of full disclosure is often interpreted as evidence of conspiracy. But the CIA's failure to be forthright is an inherent part of the intelligence trade, and is not unique to its handling of the Oswald case."

Bravo, Superspook! The CIA could not have said it better for itself!

If in fact it did not say it for itself.

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The CIA itself has not disputed that it has withheld excessively and thus is "its own worst enemy." But those admissions came years later. The rest is undiluted, straightforward justification of the CIA's abuses.

It is not "an inherent part of the intelligence trade" to violate the law and engage in the domestic intelligence that ^{is} was prohibited for it.

It is not "inherent" in "intelligence" to regularly engage in perjury before the federal courts with false claims when the intent and the end is to deny the people access to what is embarrassing to ~~the CIA~~ ^{the CIA}. It had done this time after time after time, with me and not alone with me.

Was it, for a conspicuous example long forgotten, "inherent" in "intelligence" for the first CIA Director ~~ever~~ to go public, Richard Helms, to appear before the convention of American newspaper publishers and tell them, "Trust us-we do not target on Americans"

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when at that very time they were doing that and on an impressive scale - from what has become ^m public alone with there being now way of even guessing how much there was that has not become known?

Is it "inherent" in "intelligence" to take a position on an then ~~interfere~~ with books written by Americans? It did that, too.

Take even the CIA's Canard faithfully duplicated by Posner, that the Oswald tape no longer existed when it did exist the day the President was assassinated. Forget about those "conversations" in the plural to which Phillips attested, can it be believed that with Oswald the lone accused Presidential assassin it is "inherent" and in all ways a norm of "intelligence" for that tape or any other to exist no longer.

One thing ~~can~~ can be said for Posner: he pays his ~~debts~~ debt.

With the attention his book got, this false, this baseless, this ^{shameless} apology for all ^{The CIA's} ~~its~~ many sins, is an ample repayment to it for the help it gave Posner. ^{The} Help that is admitted alone is unprecedented.

- The questions this abdication of all independent judgement, this shameless ignoring of all that is public, this unhidden justification of all the wrong it has done, along with the unprecedented favors it did Posner, ~~excuses~~ are, did he sell his soul? Or was it not his to sell?

There is no excuse for this kind of ^{to} praise for evil.