

Mr. Ben Bradlee
The Washington Post
1150 15 St., NW
Washington, D.C. 20071

11/24/89

Dear Ben,

Today's news about the dropping of charges against Fernandez prompts this letter.

I think there may be an explanation of the government's insistence on denying records asked for by his defense counsel in a UPI story of several years ago the Post did not carry but the Indianapolis Star did.

That story was checked with Bush's office when he was vice president and it refused to deny what UPI had written.

It was sent to me second-hand ~~from~~ by a lawyer who was then a prosecutor in that city. As an undergraduate he has attended seminars - conducted at his university. I can't locate it in my files but I remember it fairly well. UPI should be able to provide it if it interests you.

It reported that Fernandez gave sanctuary for two years to a Cuban who had been convicted of terrorism in Venezuela and had escaped. He is one of those responsible for the bombing of the plane that carried the Cuban fencing team. He protected this escaped terrorist, and I recall the account, in Florida, kept him there knowing he was an escaped terrorist.

To the knowledge of Bush's assistant, Gregg (?) the ambassador to Korea now, I believe.)

I've had a considerable amount of experience with CIA affidavits in FOIA cases in which they swear that information has to be withheld for "national security" reasons. I can't remember a single instance in which this had any degree of legitimacy and it was not uncommon for me to present counteraffidavits in which I cited the official disclosure, including by the CIA, of that withheld information.

I am not suggesting that this is always true but I am saying that it is in the area of my work and litigation not at all unusual.

One of the usual means, and it is a means of avoiding a perjury charge - not that any court I've been before would consider one - is to have someone who does not have personal knowledge make the attestations. Instead he swears to what he claims to have learned from others in the course of his official duties.

Sincerely,



Harold Weisberg