

Mark Zaid
47 South Lake Ave., # 4
Albany, N.Y. 12203

12/14/91

Dear Mark,

Thanks for the letter I've not had time to respond to, the thoughtful card, the appropriate stamps on them and your 12/10 with the useful enclosures. also for the explanation of the misquoting. I'll not be surprised to see some of that in the local paper today. On this subject most reporters are not informed and get lost and try to come close.

I have some of the NSAs but if your library has the Gravel edition of The Pentagon Papers, you'll find them there, I understand.

The difference between secret and classified is that secret is but one of the classes of classification, not the highest.

The executive session transcripts are too much for me to copy but you are welcome to copy them when you are here.

The Head Data retrieval system is great. Never saw it before. Can you retrieve by name from it? Like Oliver Stone? If you can I'd like very much a search for what I've lost here, his early (Jan-March of this year) statement that he would record their history for the people, telling them who killed their President, why and how.

It was about the time his film was announced, about the time Doors was released.

Please excuse the haste. It is 2:30 a.m., I can't help getting up early so I tire more easily later, and today Nightline is coming to interview me on Stone. That will take several hours out of the day.

Thanks and have a good holiday and a good year!



10 December 1991

Harold Weisberg
Route 12
Frederick, MD 21701

Dear Mr. Weisberg,

I received your letter of December 2 which was included with the books I had requested. Thank you for your expediency in the matter.

With reference to the comments made in your letter, let me put your mind at ease on some matters. You are 100% correct about the danger in stating unsupported allegations such as "Oswald worked for the CIA." As a future attorney, I am cognizant of that danger as I sit and write this letter and I was well aware of it the night I delivered the lecture--which is why I never said that statement. Unfortunately, the reporter who wrote the article misinterpreted my comments, although I openly admit I offered evidence to the audience that Oswald was perhaps an agent. From there the audience was left to decide for themselves.

What the reporter was referring to was that I mentioned that because of the many ties Oswald had with intelligence agencies, whether or not he was ever connected with them, would have raised problems with his defense. Quite certainly, Oswald's attorney would have requested classified documents from the FBI, CIA and ONI regarding information they had on Oswald and his activities. These agencies obviously would have been reluctant to disclose their documentation. This constitutes a defense tactic called greymail which translates into: disclose the documents or dismiss the case. In fact, several of the Iran-Contra defendants (Joseph Fernandez for one) had their cases dropped by the government because of this problem. However, the reporter insinuated I had stated that Oswald was definitively a CIA agent when I had not. There were indeed several other minor errors contained in the article which were the result of the author's reporting, rather than any statements I had made.

Incidentally, I was unaware of the reporter's presence in the audience. It was not until the story hit the streets, so to speak, the following day did I become aware he was even there. Carl Weiss, the other gentleman in the story, had been interviewed by the reporter earlier that day concerning a lecture he was to deliver the following night. The newspaper took the liberty to combine the two stories. I have known Carl for over a year and we have talked repeatedly about the case, but believe me when I say our views are quite different where many aspects of the case are concerned. The events he mentioned to the reporter are certainly events I am well aware of, but ones which never entered into any of my lectures at anytime.

My lecture and those which will follow are strictly by the book--the law books, that is. While there have been many attorneys who have worked on the case and written books on the subject, none have ever really handled it solely as a legal matter. I expect to see corroborating evidence to each and every point made in any book which comes out on the subject of Oswald's involvement. I do not give credence to statements or allegations which are unsubstantiated. When, and if, I ever write something on the subject it will be highly footnoted thus giving the reader the opportunity to decide for themselves whom to believe, just as they would if they were sitting in a court of law. After all there are always two sides, at least, to every story. After all that is why there are so many attorneys around in business today.

In regards to your reference to NSAM 263 (and I suppose 273 and 288 also), I do understand they were all "classified" for many years. I believe portions, if not all, of the three documents have been released over the years, including the handwritten working drafts. Is there a difference between "secret" and "classified"? With respect to this I have enclosed two articles written by Marianne Means which were published the week of the anniversary. I sent in an editorial reply to my local paper which was not printed. I gave them the benefit of the doubt that this was done due to the length of my letter so yesterday I dispatched a shorter version. Ms. Means' articles were the only articles printed about the assassination in the newspaper, save mine which I enclosed previously.

Additionally, as you requested, I have enclosed copies of articles pertaining to the upcoming Oliver Stone film. Undoubtedly, you are already in possession of most of these, but accept them with my compliments. I also assume you were sent a copy of the Esquire article as well. I will keep my eye out for additional articles which might be of interest to you.

Furthermore, I would appreciate if you could send me the following information (or hold it for my visit):

- (1) the copy of the Stone script which you acquired;
- (2) copies of the Warren Commission's classified executive sessions;
- (3) copies of NSAM 263, 273 and 288 (if you have them).

Of course, I will be more than happy to cover all copying costs incurred.

I look forward to meeting with you next month. Enjoy the new year celebrations.

Sincerely,



Sent 12-9-91 to
Albany Times-Union

Dear Editor:

I am one of the 116 million Americans born after President Kennedy was assassinated that Hearst Columnist Marianne Means referred to in her November 19, 1991 editorial, "With 'JFK', Stone continues conspiracy fantasy". I was exceptionally alarmed and distressed by the narrowness and historical ignorance that was suggested in Ms. Means' editorial and her subsequent editorial of November 23, 1991, "Cuba and JFK". In order to offer an opposing view in the hopes that history does not remain slanted, I feel compelled to reply to the content of Ms. Means' articles.

Ms. Means suggests Oliver Stone [referring to his upcoming movie] created the rumor that Kennedy had ordered the withdrawal of 1,000 military personnel from Vietnam; an order only to be countermanded by Johnson after JFK's death. She instructs us that Vietnam was not a factor in the assassination of JFK because "this flies in the face of the record." However, Ms. Means is misleading the public.

While it is true that President Kennedy increased the number of Americans in Vietnam, he was following the policies set by the Eisenhower administration. But by mid-1963, Kennedy had been informed by Robert McNamara, his Secretary of Defense, and General Maxwell Taylor, that they had reassessed our Vietnam policy and concluded the U.S. would be able to withdraw all of its military personnel by the end of 1965. Thus, Kennedy signed National Security Action Memoranda (NSAM) 263 on October 2, 1963, which directed the almost immediate withdrawal of 1,000 *Americans* from Vietnam. This meant not only U.S. military personnel but included CIA officers and agents as well. *Stars and Stripes* ran headlines, "President Says--All Americans Out by 1965". But November 22, 1963, changed all that.

On November 24, 1963, President Johnson signed NSAM 273 canceling the troop withdrawal and subtly changing the U.S. objectives in Vietnam from "assistance" to "victory". Shortly thereafter, McNamara and Taylor reported to Johnson that conditions in Vietnam had worsened meriting a major expansion of American presence--in the form of combat troops and clandestine activities--in order to prevent a total communist victory. Within three years the number of Americans in Vietnam had increased to over 300,000. Who was responsible for U.S. escalation in Vietnam is not a hidden answer. By the way, NSAM 263 and 273 still exist and the information set above is verifiable if Ms. Means or anyone chooses to look.

Ms. Means also states it is her opinion that Cuban agents, seeking revenge for the CIA plots upon Fidel Castro's life, were behind the assassination. However, it makes no sense for Castro to have initiated Kennedy's death.

Castro had sent word to Kennedy in September 1963, that he desired to reach some sort of understanding with the U.S. When on November 18, 1963, French Journalist Jean Daniel traveled to Cuba to interview Castro, he carried with him a direct message from Kennedy: The U.S. wished for rapprochement.

According to Daniel, Castro was sincerely interested in this new proposal and expressed deep remorse when word of the assassination reached Cuba. Why then would Castro want Kennedy killed if (1) both Kennedy and Castro had expressed the desire for better relations and (2) Johnson, a devout hawk and a man close to the military-industrial complex which wished Castro removed from power, would be his successor? Surely, Castro could not have been contemplating friendlier relations with the U.S. in the aftermath of Kennedy's death?

Ms. Means further concludes that Oswald was guilty of murder; a verdict never reached by a court of law. I wonder how Ms. Means would react to conclusions that Oswald would not have been convicted had he lived to see his day in court. That the protections which would have been afforded to him by the U.S. Constitution under the Fifth and Sixth Amendments would have resulted in his acquittal or at the very least caused his guilty verdict to be set aside as was Jack Ruby's in 1966, due to unfair pretrial publicity. Judging by Ms. Means' articles I can only conclude that she would disagree with the fact that Oswald, a presidential assassin, would even have been afforded constitutional rights at all.

I would not begin to state that I know the absolute truth about what happened twenty-eight years ago. Nor would or could I begin to rebut each and every of Ms. Means' allegations in great detail in this letter. But without a doubt there is more to the story than that attested to by the Warren Commission or Ms. Means. Ms. Means' views serve as chilling reminders that the pre-Watergate naivete of many Americans still exists. But this is 1991 and those Americans of my generation will no longer sit idly by and listen to the lies concerning the coup d'etat of 1963.

Therefore, I end this letter with a direct challenge to Ms. Means. I offer to her the opportunity to present her views in a public forum and debate the events surrounding November 22, 1963. Ms. Means is quick to condemn the critics of the Warren Commission in print but is she as willing to do so in a forum that will offer immediate response?

Mark S. Zaid

The author is a third year law student and has researched the events surrounding the assassination for a decade.