

NYTimes Files Said to Link Mafia To C.I.A. in '61 Castro Plot

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WASHINGTON, May 19—The Rockefeller commission has learned of documents supporting the charge that the Central Intelligence Agency contracted with the Mafia in a plot in 1961 to kill Cuban Premier Fidel Castro, authoritative sources reported today.

According to these sources, a former top official of the Department of Justice during the Nixon Administration has told the commission in secret testimony that department files contain Federal Bureau of Investigation memorandums that confirm that the C.I.A. was in touch with Sam Giancana, a Chicago rackets chief, and John Roselli, a soldier of fortune with organized crime connections, in a plot to assassinate Mr. Castro.

The existence of the documents is the first public indication that there is written material to support a long-standing

allegation that the agency conspired with organized crime figures in such an assassination attempt.

The file, the sources said, has been found and is now in the hands of John C. Keeney, Acting Assistant Attorney General for the department's Criminal Division.

Mr. Keeney is expected to transfer the documents to the commission, which is looking into Government intelligence operations. He declined to comment on the matter. David W. Belin, chief counsel to the commission headed by Vice President Rockefeller, also declined to comment. This has been standard practice for the commission.

As early as 1967, Jack Anderson, the syndicated columnist, reported allegations that Robert A. Maheu, a former

Continued on Page 21, Column 1

Continued From Page 1, Col. 7

F.B.I. agent and manager of Las Vegas properties for the billionaire Howard R. Hughes, recruited Mr. Giancana and Mr. Roselli in a plot to assassinate Mr. Castro.

According to Mr. Anderson's version, Mr. Roselli, with C.I.A. help, organized one attempted assassination of the Cuban leader in which agents were armed with poison capsules supplied by the agency. In another attempt, these reports said, the group tried to infiltrate rifle sharpshooters into Cuba to kill Mr. Castro during a public meeting.

The sources familiar with the existing files said they did not know if the files went into such detail. But they do confirm that both Mr. Giancana and Mr. Roselli had been working with the C.I.A. at the time, these sources said.

One source said the file contained a memorandum signed by J. Edgar Hoover, the late director of the F.B.I. in which Mr. Hoover discussed whether Mr. Giancana's C.I.A. connections may have protected him from the full weight of a Justice Department prosecution in the mid-nineteen-sixties. Another source said the files showed that Mr. Roselli's relationship with the intelligence agency came up during an investigation of him by the Justice Department.

There is no information available from present sources whether the assassination attempt was approved by President Kennedy or any other high Kennedy Administration official. Two former aides to Robert F. Kennedy, Attorney General at the time, told the New York Times several months ago that Mr. Kennedy told them about the C.I.A. plotting with racket figures.

Plot 'Turned Off'

In interviews, Adam Walinsky and Peter Edelman said Mr. Kennedy told them he had found out about the plot and "turned it off."

The alleged assassination plots took place in 1961, according to several sources and press reports.

In the mid-nineteen-sixties both Mr. Giancana and Mr. Roselli were the subjects of organized crime prosecutions by the Justice Department in separate cases. Mr. Giancana was the subject of a big investigation by the United States Attorney for Chicago, then Edward V. Hanrahan, and the field office of the F.B.I.

He was taken before a Federal grand jury in 1964 and granted immunity but still refused to answer questions. A Federal judge ordered Mr. Giancana jailed under civil contempt for the life of the grand jury. Mr. Giancana spent 12 months in the Cook County jail as a result. He refused to talk.

After his release, Mr. Hanrahan recommended that a new grand jury be called and Mr. Giancana be given immunity and jailed again if he refused to answer questions. The Justice Department decided otherwise and the prosecution was halted. Mr. Giancana later moved to Mexico.

According to sources familiar with the content of the files, Mr. Hoover became concerned that Mr. Giancana had received preferential treatment because of his connection with the C.I.A.

Mr. Hoover, these sources said, noted in the memorandums that Attorney General Kennedy had told him that Mr. Giancana had cooperated with the C.I.A. and that if the Justice put too much pressure on him, greatly he could compromise the agency.

Nevertheless, several sources said the C.I.A. connection was not a factor in the middle-level decision to malt the prosecution. William Hundley, a Washington lawyer formerly in charge of the organized crime section at Justice, said the decision not to bring Mr. Giancana before a new grand jury had been made purely because the department felt this would be

harassment and would rest on shaky legal ground.

He said that at the time he had no knowledge of Mr. Giancana's reported connections with the C.I.A. and that no one above him in the department had attempted to put pressure on him.

Roselli Convicted

It was also in the mid-nineteen-sixties that Mr. Roselli came under Justice Department scrutiny. He was convicted of failing to register as an alien and of conspiracy to rig card games at Los Angeles' Friars Club.

Mr. Roselli's lawyers at one point sought to get clemency for the former gambler on the

grounds of his cooperation with the intelligence agency. A source said that files within the Justice Department both mentioned the request for clemency and confirmed the relationship between Mr. Roselli and the C.I.A. This source said there was no indication that Mr. Roselli received clemency for his work.

"He's done time, hasn't he?" the source asked rhetorically.

Mr. Maheu was unavailable for comment. In the past, however, he has declined to comment on the entire affair. During the civil court trial in his libel suit against his former employer, Mr. Hughes, Mr.

Maheu declared to answer a question about his C.I.A. Connections on the ground that it might compromise national security.

McGuire Inquiry

According to sources familiar with the case, Mr. Maheu made contact with Mr. Giancana after contact with Mr. Giancana after helping Mr. Giancana investigate the personal activities of Phyllis McGuire, one of the McGuire, one of the McGuire singing sisters.

It was after this that Mr. Maheu recruited Mr. Giancana and later Mr. Roselli. Both Mr. Giancana and Mr. Roselli had many connections in pre-Castro

Cuba. One scenario under investigation in Washington is whether the entire affair involving the Mafia figures was in fact an elaborate "cover" story for a real assassination plot.

"If Castro had been killed it would then be possible to make it appear that the mob did the job because Castro had cut off their gambling interests in Havana," a source familiar with this scenario said. Organized crime leaders would privately take credit to support this story, it was said.

Top Administration sources have cautioned that it would be very dangerous "to speculate on whether the plot to kill

Mr. Castro was ever approved on the White House level of government.

Several witnesses before the Rockefeller commission have said that assassinations plots may have been "discussed" at various levels of government but were not approved. John A. McCone, who was the C.I.A. director during this period, has said that whenever the assassination of Mr. Castro was brought up "it was rejected immediately."

The Rockefeller commission was assigned to investigate reported plots to assassinate foreign leaders after President Ford became concerned about in-

formation he received from the present Director of Central Intelligence, William E. Colby.

Mr. Rockefeller has said his commission conducted its investigation from the standpoint of whether domestic laws of the United States or the C.I.A.'s charter have been violated in such plots.

There is no indication now public that the C.I.A. has been involved in an assassination plot that was successfully carried out. The agency has been mentioned in alleged plots involving the late Dominican Republic chief Rafael L. Trujillo and the African leader Patrice Lumumba.