

INCREASE OR DECREASE FONT SIZE



NODULE 27

THE CIA & FBI'S SUPPRESSION OF

*COUP D'ETAT IN AMERICA**THE NATIONAL TATTLER*

On March 31, 1974, *The National Tattler* ran this story: "Key Watergate Figure Placed At Scene When JFK Was Killed." The article stated: "Expert names E. HOWARD HUNT as mysterious 'third man' seen picking up shell minutes after murder, and the CIA refuses to say where its ex-agent was that day. Photos place Watergate Kingpin at scene of JFK assassination. Watergate ringleader at assassination."

The National Tattler printed the photograph of a man whose facial features were barely visible except for the back of a bald head, near the Texas School Book Depository on November 22, 1963. *The National Tattler* claimed this man was HUNT. HUNT sued *The National Tattler*, but *The National Tattler* went bankrupt, and the case never came to court. HUNT'S attorney, William Snyder, stated: "Well, now, Alan J. ajweberman, every time you hear the name ajweberman, the back of a bald head ought to be what goes off in your mind. He is the man who started this..."

Robert B. Olsen of the Rockefeller Commission noted *The National Tattler* article and asked the FBI to investigate. He was referred Assistant Director W. Raymond Wannall. [FBI 62-116391-3 NARA FBI 124-10238-10320] Ellis Rubin wrote to the Rockefeller Commission and stated that HUNT was anxious to get the charges against him resolved because of pending litigation. HUNT'S attorney, Tom Coons, called the FBI and stated "that his law office had received a phone call on January 31, 1975, from a representative of the Rockefeller CIA Commission inquiring about the *National Tattler* story. Mr. Coons said it was his understanding that the Rockefeller Commission had discovered this story through comedian Dick Gregory. Mr. Coons is continuing to represent HUNT and a civil suit is currently pending for damages from *The National Tattler* for falsely accusing Mr. HUNT. Mr. Coons asked if the FBI investigation had been further pursued following the interview of Mr. HUNT, and whether or not any conclusions had been reached. Mr. Coons was informed he should direct a written inquiry to the Director, FBI, Washington, D.C. and he indicated this would be done."

ANALYSIS

The National Tattler was published by Publishers Promotion Agency, 2717 North Pulaski Road, Chicago, Illinois. When HUNT sued *The Tattler* he did so without naming any of its officers. Did the CIA have an asset at *The National Tattler* who planted this story so that HUNT could successfully sue, and thus be vindicated by the courts as having had no role in the Kennedy assassination? Tabloids played an important role in the suppression of the tramp theory. [NARA FBI 124-10238-10321 Barnhardt, Hugh M. 2.5.75]

THE HUNT v. ajweberman LIBEL LAWSUIT

In 1974 HOWARD HUNT was convicted of libel and paid Justo Carrillo, a former member of the Cuban Revolutionary Front, \$6,666.67. [*JUSTO CARRILLO Y HERNANDEZ v. HUNT and Arlington House Pub. Inc.* Law Case 40172, Montgomery County, MD Circuit Court] On July 29, 1976, HUNT filed a \$2.5 million lawsuit that charged Joseph Okpaku's Third Press, and the authors of *Coup D'Etat In America*, with libel. HUNT was imprisoned at Eglin Air Force Base in Florida at this time, finishing his 33-month sentence for the Watergate break-in. Ellis Rubin: "We have chosen this method of putting to rest Canfield and ajweberman's fabrication implicating HUNT in these assassinations. STURGIS intends to file suit as well." [*Miami News* 7.29.76] HUNT listed 30 counts of libel: "HUNT knew OSWALD at 544 Camp Street, New Orleans; HUNT is the short tramp;" and "HUNT knew STURGIS prior to 1972." Ellis Rubin: "Plaintiff alleges that the foregoing assertions are a sheer fabrication by the Defendants, and, in most instances are wholly imagined...By so publishing, Plaintiff alleges that the Defendants, well knowing the name, reputation, and work of the Plaintiff, but contriving and wrongfully and maliciously intending to injure and aggrieve that Plaintiff and to destroy the comfort of his life and peace and tranquillity of his mind, and to thrust upon the Plaintiff unsought false, defamatory, unwarranted and undesired publicity, utterly obnoxious to the Plaintiff...all for the Defendant's advantage, did offer and sell their book to the public for money."

ANALYSIS

HUNT hoped to use libel law suppress the book, *Coup D'Etat in America*. He had superior financial resources to this researcher, at the time, and a very slick attorney.

THE COUNTERCLAIM

In February 1977, after HUNT was released from Eglin Air Force Base, he appeared on Tom Snyder's television interview show. As he was entering the NBC-TV studios, Aron Kay hit him with a shaving cream pie. When HUNT appeared on Snyder's show he commented about the lack of security in the building, then said he had won the lawsuit against the authors of *Coup D'Etat In America*. He added that he had not collected the judgment because Third Press mysteriously went bankrupt: "I've sued for libel against two publishers, one tabloid and one book. As I won the suits, both operations promptly went out of business leaving me a large bag of legal fees to pay, and nothing coming in from the judgments. So I think it's well established

that, certainly in the courts, and in the minds of our judicial bodies, that I was in no way involved in that sort of thing."

We countersued HUNT. During HUNT'S deposition 1977 in the course of *HUNT v. ajweberman*, he was asked to explain why he said he had won the lawsuit, when he had not. He responded: "I had understood at the time I did the Snyder program, that the company had gone out of business in New York, that Mr. Okpaku fled, that one of the defendants could not be served by the, they couldn't give him the default judgment. I said that in good faith but I felt that after a period of time, after the March 23, date that I realized the suit was going to be contested due to the fact that the default judgement had not been rendered."

ANALYSIS

When HUNT was on the Tom Snyder show, he was aware his complaint had been served and that the defendants had engaged an attorney. Friedman had subpoenaed HUNT for a deposition before his release from prison, because he believed HUNT'S incarceration prevented him from filing a libel suit. HUNT was trying to float a false news story.

HUNT AND ALLEN COURTNEY

In March 1977 HUNT appeared on the Allen Courtney radio show in Miami, and claimed Michael Canfield was wanted on charges of Interstate Transportation of a Stolen Motor Vehicle. HUNT was asked:

Q. Do you intend to go on a program such as Allen Courtney again and sing a song such as "Garbology" which we believe would be prejudicial to the fair and impartial hearing on this matter?

A. Well, I may.

Q. You have the right to by law.

A. Yes, I have the right to do so. A self proclaimed "garbologist" should not object to being called that.

Q. May I ask your source of information as to Mr. Canfield's characterization as -- your quote -- a "car thief?"

A. I did not call him that. I said I BELIEVED -- I couched it very carefully -- that to the best of my belief that the source of my information was that the U.S. Marshall in New York was trying to serve a subpoena. And he was being sought in another criminal matter. I got the information when I was in prison, but I can't recall, at this point, how I got it.

ANALYSIS

Joseph Okpaku had fallen several months behind on his payments to the bank for a van he had given us, and the van was still in our possession. This was a civil, not a criminal matter. Eventually the van was repossessed.

THE ATTORNEYS IN *HUNT v. ajweberman*

My major financial backer during this lawsuit was my mother, Sara ajweberman, who lived in Miami Beach. She found Attorney Mark J. Friedman, who offered his services gratis. Mark Friedman employed paralegal Ronald Lowy, now a prominent Miami Beach attorney. Ronald Lowy did the legal research and prepared all of the motions in *HUNT v. ajweberman*. Ronald Lowy was okay. Friedman was not. When Ellis Rubin noted *Coup D'Etat In America* implied the Dealey Plaza team was involved in the assassination of Martin Luther King, Friedman denied I had written this. He instructed me not to answer the question unless ordered to do so by the judge. Ellis Rubin pressed, "Did you want to, by innuendo, convey to the reader that maybe HUNT was involved in the [King] murder?" When I answered "Yes," Ellis Rubin became excited and said, "I don't want to ask any more questions because the case is over!" Mark Friedman exhorted me to change my response. At one point he ordered me to shut up. Ellis Rubin asked the stenographer, "Did you get the 'Shut up?'" [ajweberman Depo. USDC SD Miami 76-1252-Civ-P 7.8.77]

ANALYSIS

There was no evidence that linked HUNT to the King assassination, however, there was evidence that linked his associates to the killing. Canfield, Okpaku and this researcher deserved better representation than that given to us by Mark Friedman, but we could not afford it. Other things, however, were working in our favor: by 1978 HUNT'S Wah Ling alibi was shattered, OSWALD'S letter to HUNT had surfaced, and, thanks to HEMMING, CHRIST had been identified as the third tramp. Ellis Rubin objected to my having invited the media to HUNT'S deposition: "Do you think that Mr. HUNT has a constitutional right to a fair trial?" he asked. I answered: "He certainly, hey wait a minute! I'm the one that's on trial for libel, not Mr. HUNT! He is the plaintiff, I am the defendant." Ellis Rubin answered: "All right." HUNT and Ellis Rubin were beginning to realize that I was going to put HUNT on trial for the Kennedy assassination, rather than him putting Canfield and I on trial for libel.

TADEUSZ WITOLD SZULC

HUNT also used libel litigation in attempt to suppress the work of Tad Szulc. On June 16, 1978, Tad Szulc, who had been an award winning *New York Times* correspondent for 20 years, was deposed in the course of *HUNT V. ajweberman*. Szulc was a personal friend of President

Kennedy who was called to testify before the SSCIA. Szulc said he did not see any documents that placed HUNT in Mexico City. Instead, he relied on interviews of former government officials with one exception. The exception dealt with HUNT'S background. As to the source of the Mexico City allegation, Szulc stated it was provided by a source who "By personal schooling, and my best professional judgment, told me that they had such knowledge." Szulc refused to name his source.

A. It was a person was retired from the Government at the time of the interview to which we refer.

Q. Do you know what section of the Government it was from which they retired?

A. I cannot be entirely clear, because there may have been a situation of temporary assignments from one Government branch to the other, and I do not have the precise knowledge of dates and assignments within different Government parts concerning this person.

Q. Do you know whether or not this person was active in any intelligence activities on behalf of the Government at any time before, or after, your interview?

A. You mean as a professional?

Q. As a Government agent, maybe not necessarily professional, [a]"spook" so to speak, or analyst, but someone who, in their professional capacity, did some sort of Government intelligence function.

A. I would so surmise, but I'm not in a position to prove it, for reasons which I think are clear. [Szulc Depo. - Miller]

Szulc cited journalistic privilege numerous times during his testimony. He refused to divulge his source for this statement that HUNT was a devout Roman Catholic, that he drove a Cadillac which belonged to the CIA, and that HUNT plotted to assassinate Castro. Szulc's source of his statement that HUNT offered U.S. helicopters to the President of Uruguay during an uprising there was the former U.S. Ambassador to Montevideo, Robert Woodward, Jr. Ellis Rubin had the questions certified so that a judge could decide if Szulc was obligated to answer them. On November 2, 1978, after deposing journalist Tad Szulc, HUNT filed a Motion for Order Compelling Discovery. Ellis Rubin persuaded a Federal judge to order Tad Szulc to answer the refused questions; Tad Szulc was redeposed by Ellis Rubin and he responded in the same fashion. A Federal Appeals Court judge overruled the decision of the district judge and HUNT'S case was dismissed. In September 1978 HUNT sued Tad Szulc in a second attempt to uncover the origin of Tad Szulc's data. In early November 1978 a Federal judge ruled Tad Szulc was not obligated to reveal his source, because the matter was a civil case and not a criminal case.

TAD SZULC: HOSTILE FOREIGN AGENT

The CIA suspected Tad Szulc of being an intelligence agent: "Tad Szulc had been under suspicion as a hostile foreign agent since 1948 when the FBI reported (deleted) that he was a communist...He brought himself to the attention of the CIA in August 1959 in Santiago, Chile, by claiming (falsely) to be cleared, and requesting contact with an agency representative...This resulted in continuing watch of his movements and activities because they represented a threat to the cover of Agency personnel. By 1960 his reputation was so widespread that several different CIA officers called for an investigation that would clear up, 'once and for all,' his suspected connections with a hostile intelligence service...In early 1963, at President Kennedy's urging, CIA contact with Tad Szulc was made into a formal relationship and was continued until October 1964. The meetings were used by Tad Szulc to cross check his information from other sources, including various Cuban exiles, and the State Department..." Alfonso Rodriguez, Tad Szulc's contact, stated: "The special friendship and mutual admiration society that has existed between Tad Szulc and Manuel Ray and the JURE is not something that is transparent or easily explained." Tad Szulc convinced President Kennedy to adopt AMTRUNK, a plan to split the Castro regime. AMTRUNK was devised by George Volsky aka Jerzy Stakistaw Ajbuszyc.

JERZY STAKISTAW AJBUSZYC

The CIA reported: "Jorge Volsky is a Cuban citizen of Polish origin, now a permanent U.S. resident, who is currently employed by the USIA office in Miami as editor of the USIA weekly Report on Cuban Developments. Volsky came to the attention of JM WAVE because of his extra-curricular activities which appear to be incompatible with his position as an employee of the United States Government. A conflict of interests appears to have developed in Volsky's case as a result of his position in the USIA office in Miami, his access to various high-level Cuban refugees, his close association with prominent American journalists (one of whom has an entre to high members of the Kennedy Administration) [Szulc] and his involvement for JURE. Analysis shows that he has used his USIA position to obtain information for a leftist political group, has engaged in anti-U.S. propaganda campaigns for it, and may be guilty of duplicity in his dealings with KUBARK. Volsky is a Cuban citizen of Polish origin whose background includes a two to three year period in a Russian prison camp. Because of this background, and the nature of his present political activities, the following compilation and analysis of the material currently available to JM WAVE concerning Volsky are deemed necessary and are hereby presented as prerequisites to the determination of the future course of action to be taken by KUBARK in this case.

Original JM WAVE Operational Interest in Subject.

a. George Volsky first became of interest to KUBARK in February 1963 when it was learned that he was the source of an anti-Castro plan known as Operation Leonardo, designed to split

the Cuban Regime by the recruitment of certain elements of the Rebel Army and Militia in the GOC. This plan had been presented to the State Department through Tad Szulc, editorial writer of the *New York Times* Washington office and State sent in for action to KUBARK Headquarters.

b. The disclosure of George Volsky as the originator of Operation Leonardo came about when a KUBARK case officer contacted Szulc at his home in Washington concerning the plan. Szulc was reluctant at first to reveal the name of the author, but did so when the case officer pointed out that it was necessary for KUBARK to talk to the source in order to clear up the various points. Szulc, saying that he would rely on KUBARK's discretion to safeguard the identity of the source, named Volsky of the USIA in Miami. Szulc related a short biographic sketch of Volsky in which it was revealed that during World War II, Volsky, a Pole, had been a prisoner of war in Russia.

c. At Headquarters' request JMWAVE contacted George Volsky (Deleted) a POA was requested on him. A request was also made that Headquarters check on Volsky's activities prior to his arrival in Cuba. Locally the (Deleted) were requested to provide information on Subject's activities in Cuba. Volsky's knowledge of clandestine methods of operation, together with his Russian prison background and his ingenuity as a middleman in the U.S. Government - CIA activities, made him an excellent candidate for a Communist penetration agent, and that the possibility existed that he might be a RIS singleton, sleeper or stringer. Volsky's contacts in Miami included Raul Chibas Rivas [201-248,160], a member of the JURE Executive Committee...Manolo Ray's right hand man...Volsky was visited by Rogelio Cisneros in Volsky's USIA office." The CIA created a detailed analysis of George Volsky's past in which it questioned whether his interment by the Soviets and the Cubans was bona fide, and pointed to his association with Paul Bethel, "suspected informant for the Castro Regime (Western Hemisphere/4/CI September 23, 1960)." Another CIA document stated: "AMTRUNK, in which he was involved from the beginning, was disastrous for all participants. Although the suspicions have increased, and Szulc's anti-Agency activities have become much more serious and blatant in the 1970's, it has not been possible to clear up any of the suspicions about his motives, or possible connection to a foreign intelligence service. Tad Szulc was reported by an FBI source to have gone horseback riding with a suspect KGB officer, in Washington, in June or July 1971. Szulc's file reflects no regular contact with Bloc diplomats. There have been numerous reviews of his files, and the interest in his activities has extended from the case officer level to the Director of the Central Intelligence Agency...In May 1975 Tad Szulc accused the Agency of rifling the files of U.S. Senators." The CIA claimed that the daughter of Tad Szulc was an associate of Philip Agee and had worked with the DGI in Cuba to expose the CIA. [CIA Interim Report OPS to Split C Regime; CIA Memos on Szulc and Volsky 2.14.77; Extract from Dispatch (deleted) 17410 8.24.64 Subject (deleted) Operational: Amtrunk-1.]

GAETON FONZI

On January 5, 1979, Gaeton Fonzi was a defense witness in *HUNT v. ajweberman*:

Q. Did you introduce Mr. ajweberman to Troy Gustavson and David Marston of Senator Schweiker's office?

A. I don't remember that I did, but I probably did.

Q. Were you told by Mr. Gustavson that he had, in fact, offered Mr. ajweberman a job in the nature of correlating telephone numbers from National Archives documents; are you aware of that employment offer?

A. Not specifically, though I do recall, I think, that idea being discussed at one time or other with members of Senator Schweiker's staff. I would characterize Mr. ajweberman's archives and Mr. ajweberman's knowledge of the archives, as probably one of the most competent in the field.

Q. Prior to your joining the HSCA, did you believe Mr. ajweberman to be making up lies to malign Mr. HUNT?

A. Prior to my HSCA time, I did not believe he was deliberately making up lies to malign Mr. HUNT; no. Prior to my joining the HSCA, I believed there was the possibility of HUNT being involved in the Kennedy assassination.

Q. (Rubin) Fine. The witness has answered the way he felt proper. Thanks for opening that door.

A. (Friedman) That is the whole case. Truth was our defense.

Ellis Rubin cross-examined Gaeton Fonzi:

Q. Were you aware, before you went to work for the HSCA and at the time you read the book *Coup D'Etat In America*, that these photographs had been thoroughly disproved as being E. HOWARD HUNT and FRANK STURGIS by the FBI?...Are you aware that Time-Life, Inc. did a photo analysis examination of those tramp photographs and arrived at the same conclusion as the FBI and the Rockefeller Commission, all of which was reported publicly before Mr. ajweberman wrote his book?

A. Before joining the HSCA, I read the conclusions of the Rockefeller Report...I had some doubts about its conclusions.

ANALYSIS

The testimony of Gaeton Fonzi would have convinced a jury that malice was absent from my motivation since government investigators had examined, and were still examining, HUNT'S role in the assassination of President John F. Kennedy.

THE MOTION FOR SUMMARY JUDGEMENT

One last Amended Motion for Summary Judgment in *HUNT v. ajweberman* was filed. The motion cited *New York Times v. Sullivan*, which made it impossible for a public figure to obtain a libel judgment without proving actual malice on the defendant's part, i.e. the defendant purposefully published false material. A 5-page Memorandum of Law was included with the Motion. Ellis Rubin replied with a motion attempting to show HUNT was not a public figure, since he became so not voluntarily, but as a result of his Watergate arrest, was thrust into the public eye. Ellis Rubin also insisted that malice could be demonstrated by virtue of the HSCA and the Rockefeller Commission, which were comprised of "a number of this country's most esteemed and distinguished citizens and public servants having specifically investigated Defendant's allegations, only to find them without merit..." Ellis Rubin included statements by former CIA employees Mazerov and Kuzmuk. Judge Edward Davis, who was assigned to the case for about two years before it was scheduled to go to trial, ruled that HUNT was a public figure, but that the issue of malice on the part of the defendants had to be considered "in the light most favorable to the Plaintiff," since the defendants had been unable to obtain corroboration for *Coup D'Etat's* photo analysis from an independent source. Thus *HUNT v. ajweberman* would go to trial, but HUNT would have to prove actual malice.

HUNT v. ajweberman

After six years of pre-trial litigation, *HUNT v. ajweberman* was scheduled for trial in early September 1982. Much of the information in this data base was unavailable in 1982, but there was enough for us to win. HUNT paused to consider the unpredictability of the situation - not to mention the troubling fact that none of the defendants had any assets. If he won, it would be a big propaganda victory, but a financial disappointment: in 1975 the first hardcover edition of *Coup D'Etat* had been published by Joseph Okpaku. The second hardcover edition of *Coup* was published in 1992 by Third Press Associates, as was a paperback edition. That year, Ed and Jane Rosenthal of Quick Trading Publishers issued an updated paperback version. In 1976 Joseph Okpaku experienced financial difficulties due to the publication of a biography of Gerald Ford written by the former Press Secretary to Gerald Ford, Jerry terHorst. HUNT had published an article under the byline of Jerry terHorst. Although much of the assets of Joseph Okpaku were tied up in the Jerry terHorst book, it sold poorly and Okpaku fell into debt.

THE KABASH

Joseph Okpaku tried selling the paperback rights to *Coup D'Etat*; editors at, as I recall, New American Library, were interested, but their publisher met with them and stated: "We can't

publish this book, and I can't tell you why." Had he been contacted by the Domestic Operations Division? Had the CIA put the kabash on my book?

NO TRIAL BY JURY

HUNT would have been required to prove actual malice: that the authors knew he was not the tramp, and deliberately lied to defame him. The defense could easily have demonstrated that neither of the authors believed the findings of the blue ribbon panels. The scheduled witnesses for our defense included a reporter from *60 Minutes*, who is now a producer of *Prime Time Live*, James Wilde of *Time* magazine, New York City Police Department Detective William Barret, and Congressman Henry Gonzalez. They would have attested to our responsibility as researchers, unmotivated by malice. Our new attorney was Bruce Stahl, who I met when I worked at New York City Police Headquarters in relation the lawsuit STURGIS had filed against the New York City Police Department. I paid Stahl a \$5,000 retainer and agreed to pay him a thousand dollars a day for trial time, plus costs and transportation and any court fees. A few hours before we were scheduled to fly to Miami for the trial Bruce Stahl called to say: "HUNT is dropping his lawsuit. We can't force him to sue. We could go ahead with our counter-suit but that would be on a limited basis. HUNT is willing to pay Michael Canfield \$200 in damages for his statement on the Tom Snyder show."

When news of the settlement reached the media, *The New York Post* ran a story that suggested HUNT'S actions were suspicious in light of his statements in which he insisted he wished to vigorously prosecute the case.

HOWARD HUNT DROPS JFK PLOT LIBEL SUIT [NY Post 9.6.82]

Watergate burglar E. HOWARD HUNT has dropped his \$2.5 million libel suit against the authors of *Coup D'Etat in America*, which contains allegations that HUNT and fellow-Watergater FRANK STURGIS masterminded the JFK assassination after setting up LEE HARVEY OSWALD to take the rap. HUNT the career CIA spy whose cover was blown by the Watergate arrest, mysteriously dropped the suit after six years of expensive litigation just as jury selection was about to begin in federal court in Fort Lauderdale, Florida, where HUNT lives...ajweberman told our Richard Johnson that HUNT sued for libel because 'he felt I was a penniless Yippie and thought he could get a default judgement.' (If HUNT felt that way, it might very well be because ajweberman has in the past indeed been known as a Yippie 'garbologist'... ajweberman hired lawyer Bruce Stahl and got depositions from former CIA Director Richard Helms and former Counter-Intelligence Chief, JAMES ANGLETON...Stahl says he's disappointed the suit was dropped because an open trial in Federal Court, with witnesses under subpoena, would have been the best way to find out what really happened that day in Dallas. When HUNT was cross-examined and asked why he had suddenly dropped his lawsuit he responded: "When I attempted to find out from Mr. Rubin in what courthouse I should appear, what room of the courthouse I should appear for the trial the next morning, I

was told by his office that there would not be any trial, that he had settled the matter, and furthermore, that he would not be in town. He had previously taken on as a client a Saudi Arabian sheik, or princeling, named Al Fasi and he was chasing all over the country with him, and as far as I know Mr. Rubin wasn't even in town the eve of the trial...In any event, I had assumed that my requirements for case settlement had been met by Mr. Rubin, and that a check from Mr. ajweberman for \$5,000 would be forthcoming. I learned the following day Mr. Rubin had told the opposing attorneys who had come to Miami for the trial, that - I forgot the term - but it was going to equal out, nobody would charge anyone for anything and they would scrub the case. That was done, I must add reluctantly, without my authorization." HUNT was then asked if the case had been dismissed on his behalf without payment to him of even a penny, and if there had been no apology or retraction whatsoever from the defendant journalists. He answered, "That is correct." Some time later, Gordon Winslow found that Ellis Rubin had checked into the Miami Heart Institute the night before the trial was to begin. The case, however, had been settled by this time. [*New York Post* 11.4.78; *Wash. Post* 9.6.78; *Miami Herald* 9.25.78] During another matter HUNT stated: "Resuscitation of these old charges, which I thought had been laid to rest by my suit against ajweberman, and there had been, ever since the ajweberman book was published, and I had filed suit, there had been accusations of these wild charges."

ANALYSIS

Why should the charges have been laid to rest when HUNT *lost* the lawsuit? HUNT was a bold faced liar.

ANGLETON'S "HUNT DOCUMENT"

In 1977 HSCA investigator Edward Lopez reported he heard about, *but had not seen*, a CIA document signed by ANGLETON and Richard Helms projecting: "Some day we are going to have to account for HUNT'S presence in Dallas on November 22, 1963." Edward Lopez commented in June 1993: "It could have been someone in CIA who told us about this document, someone we interviewed. It is possible that ANGLETON could have told us about this document during his interview. I bet it was, it is very possible it might have been ANGLETON himself who told us. I think it was him."

ANALYSIS

The existence of such a document was too good to be true. First: no CIA Staff member would have put a statement like this in writing. Second: why would ANGLETON have revealed its existence? Would he want to buttress the theory HUNT was in Dallas, when doing so might have revealed his own role in the coup? On January 5, 1978, Ellis Rubin questioned me about the document and was told: "The nature of the memorandum seems to change from source to source. So there is some doubt in my mind as to its existence."

VICTOR MARCHETTI

After the call from Edward Lopez in 1977, I called my one time friend and former associate, Victor Marchetti, who said it looked like "the Agency was going to burn HUNT during a limited hangout." Victor Marchetti agreed to investigate. Victor Marchetti testified that he received information that two other reputable journalists were working on the story. Victor Marchetti called William R. Corson, who allegedly verified that such a document existed. Victor Marchetti: "Dr. Corson, who then elaborated upon the [document] and told me it was written by JAMES ANGLETON and written to former Director Richard Helms, that it had been initialed by Sammy Halpern....One point here I met with Dr. Corson. He claimed that he had discussed the matter with JAMES ANGLETON. And that it was from him, he had gotten the story from ANGLETON, he said that ANGLETON said he wrote the memorandum, gave the date, January 7, 1966, and it was from him...And besides wondering about HUNT'S presence in Dallas, on that faithful day...ANGLETON wrote in the memo HUNT was not involved in any sort of an operation for him, and asked if he was doing something for the Director? He said the Director, who was then Richard Helms, sent the memorandum down to the Deputy Director of Plans, who was FitzGerald and he is now dead, where it was initialed by one of his aides, Sammy Halpern. Corson said ANGLETON seemed to be very worried about the fact that he completed the memorandum, and said something about how the CIA had aided in HUNT'S Chinese cover story." [HUNT v. SPOTLIGHT 2.1.85 p68] The notes of Victor Marchetti read: "Meanwhile V.M., asked B.C. to check out memo, with his sources on committee and in intelligence circles, no solid confirmation, but he felt A.J.'s information was accurate."

WILLIAM R. CORSON

William R. Corson was a career Marine officer who served as a Naval attache; as a member of the U.S. Country Team for Communist China; as a member of the Far East Inter-Agency Defector Committee; as a Secretary to the President's Special Group (CI) Joint Department of Defense - CIA Counterinsurgency Committee Staff; as a Special Assistant to the Director of Advanced Research Projects of the Department of Defense; and as the Officer in Charge of the Southeast Asia Intelligence Evaluation Program (Systems Analysis) which was headed by the Assistant Secretary of Defense. William R. Corson was interviewed telephonically by this researcher on June 1993: "I saw JIM [ANGLETON] on and off all the time." William R. Corson was then asked about CI/SIG: "That's an acronym that I am unfamiliar with. I have a pretty good understanding of the operations that JIM had. That's a new one. I just never heard of it. It sounds like it should be more associated with the Office of Security, rather than with ANGLETON'S outfit." William R. Corson said he did not recall if he did, or did not, verify the existence of the document to Victor Marchetti. [Corson William telephone 301-299-3608]

JOSEPH TRENTO

On August 20, 1978, *The Wilmington, Delaware, Sunday News Journal*, ran an article by Joe

Trento entitled: "Was HOWARD HUNT in Dallas the Day JFK Died?" It read: "Washington: A Secret CIA memorandum says that HUNT was in Dallas the day JFK was murdered, and that top Agency officials plotted to cover up HUNT'S presence there. Some CIA sources speculate that HUNT thought he was assigned by higher-ups to arrange the murder of OSWALD. Sources say HUNT, convicted in the Watergate conspiracy in 1974, was acting chief of the CIA Station in Mexico City in the weeks prior to the Kennedy assassination. OSWALD was in Mexico City, and met with two KGB Agents at the Russian Embassy there immediately before leaving for Dallas, according to the official Warren Commission report. The 1966 Secret memorandum, now in the hands of the HSCA, places HUNT in Dallas on November 22, 1963. Richard Helms and JAMES ANGLETON initialed the memorandum, according to investigators. [In other descriptions of the document, it was dated January 7, 1966, and initialed by both Desmond FitzGerald and Sam Halpern of the Office of the Inspector General of the CIA.] According to sources close to the HSCA the document reveals, 'Three years after Kennedy's murder Helms and ANGLETON were elevated to their highest positions in the CIA, [ANGLETON was CI Chief from 1954 to 1974. He was not promoted during this period; Helms was elevated to the position of the Director of the Central Intelligence Agency] they discussed the fact HUNT was in Dallas on the assassination day and that his presence there had to be kept Secret.' Helms and ANGLETON thought that news of HUNT'S presence in Dallas would be damaging to the Agency should it leak out. Helms and ANGLETON felt that a cover story, giving HOWARD HUNT an alibi for being elsewhere the day of the assassination, ought to be considered.' Committee sources told the *Sunday News Journal* that both Helms and ANGLETON had been questioned by Committee investigators but that the issue of the memo was not raised with either witness...When ANGLETON was questioned by committee staffers, he was evasive according to a source who was present. ANGLETON could not be reached for comment. Asked to explain why a potentially damaging coverup plot would be put on paper, one high level CIA source said, 'The memo is very odd. It was almost as if ANGLETON was informing Helms, who had just become Director, that there was a skeleton in the family closet that had to be taken care of and this was his response...It was also learned from CIA sources that during the time the Warren Commission was investigating the Kennedy assassination, ANGLETON met regularly with a member of the Commission, Allen Dulles. Dulles on a weekly basis, briefed ANGLETON about the direction of the investigation.'"

Later, Joe Trento explained his sources let him see the memorandum. The article also contained lines that suggested that either Richard Helms or ANGLETON was a mole. This was Joe Trento's first article about the assassination and it was picked by the Associated Press.

ANALYSIS

The HSCA did not have this document. Edward Lopez said he heard of it, but had not seen it, yet Joe Trento described his source as close to the HSCA. ANGLETON was questioned by the HSCA. Still later in the piece, he described the source as inside and outside the CIA. ANGLETON had been inside the CIA as its CI Chief, and outside the CIA when he was forced to resign in December 1974. The only part of the document Joe Trento quoted from which

gave it some degree of authenticity was the reference to providing an alibi for HUNT: the CIA considered placing HUNT at meeting in Washington, D.C. with Richard Helms, Enrique Williams and STURGIS.

When ANGLETON testified in *HUNT v. ajweberman*, he was asked about this memorandum. He replied that no such document existed. ANGLETON was asked if Joe Trento had spoken with him about the article. ANGLETON testified: "After publication, I had a telephone call from Trento. He said he was calling from the office of William Corson, who is the *Penthouse* representative, and an ex-Marine Colonel and he, I think his first question was, 'Have you heard from HOWARD HUNT?' and I said 'No' and his next questions, it was a whole series of staccato questions, and I told him my lunch was getting cold and I was at the Army-Navy club and that was the end of it."

In his deposition during the course of *HUNT v. ajweberman*, ANGLETON said he knew Joe Trento since 1976. Why did ANGLETON claim Joe Trento waited until *after* the piece was published to contact him? Logically, Joe Trento should have contacted ANGLETON before the article went to press, since ANGLETON'S initials were allegedly on the document. According to ANGLETON, the first question Joe Trento asked ANGLETON was: "Have you heard from HUNT?" rather than "Can you confirm the facts of the article?" This sounded as if they had had previous contact.

In 1993 Joe Trento told Dick Russell that ANGLETON was his source for the document: "In 1978 ANGLETON called and asked me to come down for lunch at the Army-Navy Club. He said he wanted to talk to me about something. This was as the HSCA's investigation was winding up, and he told me a number of things concerning the Kennedy assassination and its aftermath. Then he explained some very complicated counter-intelligence operations. 'Did you know HOWARD HUNT was in Dallas on the day of the assassination?' What I am trying to tell you is, 'Some very odd things were going on that were out of control.' Then ANGLETON added the possibility that HUNT was there on orders from a high-level KGB mole inside the Agency - and that this should have been looked into at the time." Joe Trento elaborated: "JAMES ANGLETON was dead, and my bond was no longer in effect. There are a few things you must understand. Khrushchev's former mistress was running Yuri Nosenko. She was in charge of the OSWALD case. She ran the KGB. Read *Widows*. She was instrumental in Khrushchev's overthrow. The attempt to overthrow him was directly linked to Kennedy's removal. Nobody ever knew who she was except us, and there's reasons for that I can't get into. *You* have HUNT going on to Dallas to kill Kennedy. He was doing an investigation of the Cubans. The Cubans had gotten out of control. He didn't know there was going to be an assassination. You are giving the Agency far too much credit. They knew the Cubans were playing with the Cuban DGI and the Soviet KGB and American organized crime." Joe Trento was asked, "You mean the anti-Castro exiles were in league with Castro's secret police?" He answered, "For years. Did you know SANTOS TRAFFICANTE was a Castro agent? It's in his FBI records. I don't believe your book. I can only go on what I know and what I found out." Joe Trento was asked if HUNT'S presence in Dallas had made him suspicious about HUNT having been a tramp. He

responded, "Of course. But I don't know it. HUNT was in Dallas to find out what the fuck was going on? They hadn't had a clue to what was going on with the Cubans, and ANGLETON was furious."

According to Joe Trento, after this conversation, ANGLETON arranged for the HUNT memorandum to be delivered to him. ANGLETON claimed he had simultaneously alerted the HSCA using Senator Howard Baker as his intermediary, and had sent a copy to Senator Howard Baker's Committee. Joe Trento added: "It was all handled in a way that ANGLETON was not the source...My guess is it was ANGLETON himself who sent HUNT to Dallas, because he didn't want to use anybody from his own shop." [Russell, *Man Who Knew Too Much*, p475] Joe Trento was asked why a footnote in the HSCA Report stated: "During the course of the HSCA a rumor was circulating that the HSCA had uncovered a memorandum in CIA files indicating HUNT was in Dallas on November 22, 1963. The rumor was not founded on fact. In addition, HUNT gave the HSCA a sworn deposition in which he denied the allegation, and the HSCA found no evidence that contradicted HUNT'S deposition." [HSCA R p91] Joe Trento: "I can't deal with what they said in the Report. But if you believe everything in that HSCA Report..." Joe Trento believed that ANGLETON had no part in the assassination of President John F. Kennedy: "This re-creation of ANGLETON as a villain has been part of the cover-up. The fact that ANGLETON had a serious Kennedy assassination investigation going within the CIA because the FBI was not trusted, the Warren Commission had been compromised by President Johnson, was sort of a last vestige of finding out anything official about the Kennedy assassination. ANGLETON'S firing in 1974 ended any hope of that ever being resolved. I knew JIM ANGLETON for the last 20 years - my first stories about him appeared in the early 1970's."

SENATOR HOWARD BAKER

Joe Trento told Dick Russell that Senator Howard Baker gave the memorandum to the HSCA. Dick Russell wrote this in his book. Senator Howard Baker's aide, Fred Marcum, stated in June 1993: "I took the page from Russell's book in and discussed that with Senator Baker, and he has absolutely no recollection of any of that ever happening. And he even went back and talked to some staff people who would have been aware, who were involved in things of that nature, and they concurred, nobody has any memory of that whatsoever." Robert Blakey stated: "I don't know if that memorandum exists. There was a controversy of some kind about that we found a memorandum in the CIA that indicated that HUNT was in Dallas that day. We never found a memorandum like that. We never got it from any source. We never had any evidence that HUNT was anywhere other than with his family in D.C. Period. And everything else is just smoking mirrors by critics of one kind or another." On another occasion Robert Blakey was quoted as saying: "This memorandum does not exist. It never happened. It is a lie. The story has done great damage to HUNT." Joe Trento advised: "Call Blakey and ask him about a break-in that occurred in the HSCA safe involving a CIA official. Two hundred documents were stolen out of the HSCA safe after my story appeared. The CIA reassigned this man. That's when the memorandum was removed, along with documents of more

significance." When Joe Trento was asked if he copied the document, Trento was non-committal. He was told, "I assume you did not copy it since if you had, the burglary would be irrelevant." He answered, "They didn't want the copy." I asked: "They wanted an original?" "No. They didn't want the document, period. Can I make a challenge to you? I want you to write that I don't have the document. And I'm putting you on warning now. We'll go to court and I'll take everything you have." Trento does not have this document. When Joe Trento was informed that Senator Howard Baker had disclaimed any knowledge of the document he stated: "I'm glad that you're so trusting that a guy, who had to leave the Senate because he faced a 12 count indictment, is your source. Did you talk to Howard Liebengood? He was the Baker aide who dealt with ANGLETON." Howard Liebengood, formerly with the Senate Select Committee on Presidential Campaign Activities, was contacted. He said he had had contact with ANGLETON, but was never given the document. Howard Liebengood: "I have never seen the document. I have seen the tramp pictures and heard the theory that one was HUNT. I can damn well guarantee you I never got anything from ANGLETON. Baker's never seen it, never heard of it, neither have I. I spent a lot of time with JIM ANGLETON over a number of years and we talked about lots of things, including the Kennedy assassination. He believed OSWALD was a Soviet sleeper agent. I wouldn't even want to begin to speculate what went on in JIM ANGLETON'S mind. I never figured him out."

ANALYSIS

ANGLETON had forged this document or had fabricated its existence as part of his campaign to dissuade the HSCA from investigating the HUNT/Dallas connection. By having created this document and perpetrating the leak that the HSCA had it in its possession, when it clearly did not, ANGLETON maneuvered the Committee into a position of defensiveness at its own guilt about damaging HUNT'S reputation. The HSCA believed HUNT was being unjustly accused as to his presence in Dallas. Ellis Rubin called the HSCA and demanded a public hearing about this document. [HSCA 180-10083-10453] In 1985 HUNT testified: "A memorandum, spurious or not, had been foisted off on the Committee by the CIA or by a private individual."

ANGLETON'S DEPOSITION IN *HUNT V. ajweberman*

On May 17, 1979, ANGLETON was deposed regarding the document. First, he denied any professional or social relationship with HUNT. A CIA attorney who accompanied ANGLETON that day stated: "A search was undertaken to locate a document and effort proved negative." ANGLETON was given a copy of the Trento piece. After reading it, he remarked:

A. I say, I've never read so much disinformation all the way on through, and I think I will probably turn this over to my attorney for my own purposes. I mean, I'm serious about this: this is really extraordinary.

Q. Now in that article you just read, there's a CIA source quoted in there to the effect that Mr.

HUNT thought he'd been assigned to arrange for OSWALD'S murder. Do you recall that in the article?

A. I don't know. I can't. I mean this thing jumps all over the place.

Q. Having now read the Marchetti and Trento articles, do you recall ever having seen any memoranda, or ever having any information or inquiries regarding thoughts by the CIA on Mr. HUNT'S involvement with the events that occurred in Dallas?

A. Never. Emphatically never. I would also like to further add that any matter of great importance that would have come to our attention would not have necessarily have been the Subject of a memorandum. It would have been a telephone call immediately to the Director or to the Deputy General, the Deputy Director and there would, and the modus operandi would be, that there would be a meeting immediately, before the sun set, so to speak, so I couldn't see myself sitting down, writing a memorandum. I would be on the Secret phone or jack box stating, 'We've received such-and-such information.'

Q. I am quoting from the Trento article, "HSCA sources told the *Sunday News Journal* that... Helms and ANGLETON had been questioned by HSCA investigators but that the issue of the memo was not raised with either witness."

A. I made a long statement to the HSCA in my first appearance...when I was under oath regarding that allegation.

Q. The allegation that HUNT was in Dallas?

A. That's right. I stated it was a fabrication...I, of course, when I made the statement I took, I mean, my, I charged them as to their security of allegiance because in other words, I was speaking from all source information on a variety of delicate subjects on the understanding that, by way of a letter from Carlucci of CIA, that there was an arrangement between the HSCA and the Agency, the Agency would have the right to delete classified information, and I wanted also to be, know what, where I stood in terms of my oath in terms of disclosure. Therefore, I was perfectly free to speak with all source information, knowing that it would be going through the Agency prior to publication. And so, therefore, I was concerned when I read this article that quoted HSCA members, alleged HSCA members speaking to Trento.

Q. When did you first read the Trento article?

A. I think on that - somebody sent it to me very shortly after it was published.

Q. All right. Did you contact Mr. Trento?

A. I'm not certain. I know that when I read it, that it was very near my appearance, and I think it may have stimulated my inquiries to the Agency about parameters and my oath and all that type of thing. In fact, I think they hand-delivered to me, because of a little slowness on their part, what the agreement was.

Q. Did you make any inquiry of the HSCA whether or not they had such a memo?

A. I did. I volunteered, but they didn't give me any statement one way or the other.

Q. You volunteered what?

A. I volunteered the Trento article with that, which I don't think they had even seen it.

Q. Did you ask the staff how did Trento get this information?

A. I did indeed; charged them as to their security. They were embarrassed. They didn't admit or deny, but their whole demeanor was one of being quite shocked.

Q. Did you ever talk about this article with Mr. Helms?

A. I discussed the general problem of Trento with Mr. Helms. I might add that Mr. Helms lives, has a summer place in Llewes and, therefore, he has friends in Wilmington, and he has his Sunday afternoons ruined by telephone, long distance telephone calls from people from Wilmington who'll give him the good news regarding Trento's latest.

HELMS' DEPOSITION IN *HUNT V. ajweberman*

Later that afternoon Richard Helms testified: "I happened to see it on the day it appeared, but I have no knowledge of any such memorandum, and I thought that the allegation, such as it was, that HUNT had been in Dallas, had been disposed of by the Rockefeller Commission Report, and I know nothing further about this. I don't even know where Mr. Trento is alleged to have gotten his information from. Trento's article rather sweetly and gently suggests that either ANGLETON or I may have been a mole in the Agency. I suppose that is the honest history which we ought to protect?" The honest history that Helms made reference concerned a remark this researcher made to Richard Helms during his deposition. Helms was shown a copy of CHRIST'S photograph:

Rubin: May I ask where that photograph comes from, what is that piece of paper?

ajweberman: It is from an underground newspaper.

Helms: An underground newspaper? I didn't know we had underground newspapers. Do we have underground newspapers in this country?

ajweberman: Fortunately, yes, we do.

Helms: But, they're underground from what or from whom? This is for my edification.

ajweberman: They're underground from people who want to suppress the truth about American history, okay?

Richard Helms said he complained to Gannett Incorporated, the parent company of *The Sunday News Journal*, which then sent a reporter to interview him. Neither ANGLETON, Richard Helms nor HUNT sued Joe Trento. HUNT explained: "I am a man of limited means and I can't afford to sue everyone, kooks included, who make false, defamatory statements about me." Joe Trento stood by his story, and a retraction was never printed. Ellis Rubin warned: "I can't say that *The Sunday News Journal* is an underground newspaper, but I hope to bury it soon." The CIA obtained the original manuscript of the Joe Trento article. [CIA 22309 rel. 3.91] Ellis Rubin died on December 12, 2006. He had been fighting cancer for more than six years.

HUNT v. SPOTLIGHT

On May 7, 1980, HUNT sued Victor Marchetti and *Spotlight* for an article about the alleged document that placed HUNT in Dallas on November 22, 1963. [USDC Miami 80-1121-CIV-JWK] The organization behind *Spotlight*, Liberty Lobby, funds the Institute for Historical Review. This Nazi front group was dedicated to proving the murder of six million Jews by the Nazis never took place. Mark Levy, head of the Jewish Defense Organization, [JDO, POB 159 NYC, 10150] discovered that Conrad Grieb, who was part of a Nazi spy network operating in the United States in the early 1940's, worked with *Spotlight*. [Carlson *Undercover* p161, 199, 200-3] The attorney who represented *Spotlight*, Miles McGrain, agreed that *Spotlight* would abide by the stipulation that HUNT had nothing whatever to do with the assassination of President John F. Kennedy and was not in Dallas on that day. In his closing argument he characterized the article as false, but not libelous, since no malice was intended by Victor Marchetti. Miles McGrain professed "the main thrust of the article was to tell readers that the CIA was at it again, and that HUNT was going to be a scapegoat." Willis Carto, the head of Liberty Lobby, testified to this. [Telephone Carto at 202-546-5611] Willis Carto also stated: "*Liberty Lobby* has been one of the victims of the *Yipster Times*. They have published our telephone number, urging their people to telephone us at our expense and to use our number to make telephone [credit card] calls." Victor Marchetti did not testify. The General Counsel of the CIA, Stanley Sporkin, assembled a series of affidavits from Thomas B. Cormack, Executive Secretary of the CIA, William R. Katapish, Director of the OS, and George L. Marling of the Operations (Plans) Directorate, in which they swore no document existed in CIA files placing

HUNT in Dallas. HUNT testified that he had just remarried, and his new wife was troubled by the recurrent allegations that he was in Dealey Plaza: "For one thing, she had been aware that I was involved in litigation against a prior publisher, to wit, the authors of *Coup D'Etat in America*...Her feelings were, if there was no truth to the allegations, then why are they being repeated constantly?" HUNT submitted the Final Report of the HSCA as evidence in his favor. The judge ruled it inadmissible because of the prior stipulation that HUNT was not in Dealey Plaza. HUNT claimed that his oldest daughter "had been institutionalized, and from the hospital her psyche was very sensitive. She became very distraught and again I had to reassure my children that I had nothing to do with the Kennedy assassination, and I was being persecuted for reasons unknown to me." (HUNT was supposed to have been with his daughter on November 22, 1963.) HUNT blamed this on me for the *Spotlight* article: "My opinion is that it came from the writing of Alan J. ajweberman, either from his scurrilous piece in the *Yippie Times*, or in his book *Coup D'Etat*, for which I have current litigation." HUNT was asked if ajweberman had identified him as one of the tramps. He said, "No." HUNT was asked, "Have you ever lied under oath?" He answered: "I have." During HUNT'S testimony in the second *HUNT v. SPOTLIGHT* trial he was asked: "Is it correct that ajweberman and Canfield identified you as one of the tramps?" HUNT responded: "That is true."

ANALYSIS

Spotlight lost. *Spotlight* had not used truth as a defense; it claimed absence of malice. The *Spotlight* rarely told the truth, and their deceitful defense was characteristic of the newspaper.

THE SECOND *HUNT v. SPOTLIGHT* TRIAL

An Appeals Court Judge ordered a new trial in the matter of *HUNT v. SPOTLIGHT*. In January 1985 the second *HUNT v. SPOTLIGHT* trial took place. Mark Lane questioned HUNT about each instance he had committed perjury during the Watergate proceedings. Mark Lane read all of the charges in HUNT'S complaint in *HUNT v. ajweberman* and pointed out to the jury that HUNT had lost. HUNT produced three witnesses, all co-workers at the CIA Domestic Operations Division, who testified he was in Washington, D.C., on November 22, 1963. Although ANGLETON never testified in *HUNT v. SPOTLIGHT*, former CI/SIG staff member Newton S. Miler was going to testify on behalf of HUNT. After waiting five days in Miami he was deposed instead. Newton S. Miler said he never heard of Marita Lorenz, or of FRANK STURGIS being a CIA agent. Edward Petty reported "Documents about OSWALD first arrived at the CIA Staff. The Routing Sheet has an initial 'SM.' Now that could be Scotty Miler." At the trial, Mark Lane could not produce the CIA document that placed HUNT in Dallas. Victor Marchetti testified that he had heard about the document from William R. Corson, but had never seen it. Marita Lorenz did not appear to tell her story under oath in Federal Court. Despite all of this, HUNT lost.

WHY THIS RESEARCHER IS STILL ALIVE

HEMMING

If the rogue CIA agents were responsible for a fraction of the deaths listed in this book, what prevented them from having killed this author? HEMMING told this researcher: "You and Canfield are cartoon characters. You have never been the biggest threat to any of these people, A.J. I hate to disappoint you, but you're not taken very seriously. If you were Woodward or Bernstein, or even Gaeton Fonzi, or even Gerald Posner, and you came out with this kind of shit with citations to authority, you'd have all kinds of problems. There ain't nobody worried about you. Nobody's ever seen your book. I'm afraid to give you the bad news. It was a valuable contribution. You got some serious people started with your book. At that time nobody had done zip-fuck. The Senate had done their CIA shit. They wouldn't be in the business. There wouldn't have been a HSCA if you hadn't bullshited these people to death. I've got to give you credit. You stirred up some shit."

HARASSMENT

In December 1973, soon after my interest in the tramp shots became public knowledge, a "Time magazine reporter" named "Jed Horne" visited me. "Jed Horne" wanted to know if any new tramp shots had surfaced. He was told there were none. When a study of my telephone records revealed I called Neil Hickey Gallo, who was related to the Gallo crime family, someone broke into his apartment and examined all his papers. The only things missing were some gold rings. A few months later, Frederick Cash drove me to CIA headquarters. The security guard at the gate made a routine notation of his license plate number. A week later, someone broke into the home of Fred Cash by cutting the window glass and then examined every piece of paper in there. Nothing was stolen.

INTIMIDATION

In the Spring and Summer of 1974 I lived in the apartment of John Foster Berlet in Washington, D.C., and conducted research at the National Archives. Michael Canfield worked with Congressman Henry Gonzalez and lobbied the United States Congress for the passage of Congressman Henry Gonzalez's bill to establish a HSCA. One evening, upon my return from the National Archives, I found that there was no electricity in the apartment of "Chip" Berlet. The fuses were still good. I went to the basement and discovered that someone had removed the backup fuses from their sockets. Returning home to my building in Manhattan the next night, I found the lights were out there too. The fuses were still good in the apartment and in the basement. A Con Edison crew came and explained that someone opened the manhole in front of the building and turned off the power.

ANALYSIS

Was this a prelude to my entrance into the world of eternal darkness? HEMMING told this researcher: "It was not accidental. Who is the ultimate sponsor? Who pays for it and calls the shots? It's either someone in the Agency, or someone jealous of protecting the agency, or whatever."

GAIL BEAGLE

In the Fall of 1974 Congressman Henry Gonzalez's aide, Gail Beagle, was attacked by a Washington, D.C., street gang.

BARKING DOGS AT 6:00 A.M.

In early 1975 the FBI visited my neighbors in Manhattan. At that time I lived at 6 Bleecker Street, between Bowery and Elizabeth Streets. The agents convinced Jerry Cotter, who worked at a rehabilitation center for alcoholics, that I was a dangerous radical. He released barking dogs in a courtyard in the back of my building at 5:30 a.m. each morning. When confronted, he said: "I let the dogs loose because they told me you were un-American." A lawsuit was filed against him. [*ajweberman v. Jerry Cotter* Civil Court 118626 1975] This researcher is interested in finding the current whereabouts of Cotter.

CARLOS B. GONZALEZ

On April 26, 1975, Carlos B. Gonzalez, the brother of Congressman Henry Gonzalez, was arrested following a shootout in which two policemen were seriously wounded. The shooting occurred at the residence of Carlos B. Gonzalez's ailing mother, where he had gone after escaping from a maximum security hospital for the criminally insane.

HENRY GONZALEZ

Someone took a pot shot at the Congressman as he left a speaking engagement in San Antonio.

MAE BRUSSELL

There were reports that other researchers were threatened around this time. Mae Magnin Brussell stated that in 1975 she was contacted by "Julie" who said she worked for Peter Dale Scott as an indexer. Mae Brussell told how "Julie" visited her, accompanied by two men. Instead of doing research, however, "Julie" walked out with one of the men and left Mae Brussell alone with the other. Several years later, "Julie" called to tell her the man she left in the home of Mae Brussell had murdered "the Perloff girl" at Stanford University. [*New York Daily News* 5.21.89; *World Watcher International Tape #835*, Side 2 as cited by John Judge] Mae

Brussell, who was the first to link Dallas and Watergate, often dealt in paranoia. Mae Brussell believed the CIA was behind the deaths of many cultural figures including The Big Bopper - who died in a plane crash. Nonetheless, even paranoids have real enemies. Mae Brussell died of ovarian cancer on October 3, 1988.

THE UNSEALED DOCUMENT

The FBI tried to arrest me in 1975 for allegedly unsealing a document detailing the role of STURGIS as an informant for the Drug Enforcement Administration. FBI Agents went to the Miami Federal courthouse and questioned Assistant Court Clerk Gloria Walters. Gloria Walters told them that the document had not been sealed. The FBI took fingerprints from it. When I returned to Miami a few months later, the Bureau put me under surveillance and determined the time of my return flight to New York City. While at the airport, I put down a bag of newspaper clippings to make a telephone call; the bag was stolen. An attache case that contained important documents never left my hand. I deplaned in New York City and walked toward the baggage claim area. Two New York City Police Department detectives starred at me, then arrested a Cuban about ten feet behind me. I have never determined the significance of this.

BLACKLISTED

When the first edition of *Coup D'Etat in America* was published in 1975 an unknown group circulated *Forthcoming Books - Internal Memo #32* [9.1.76] which announced that HUNT had sued the authors of *Coup D'Etat in America*. *Forthcoming Books* listed everyone involved in the production of *Coup D'Etat in America*, and claimed that the bibliography of *Coup D'Etat in America* was careless, citing an error by the typesetter: a book was mistitled *Heroin in Southeast Asia*, rather than *The Politics of Heroin in Southeast Asia*. Another error in the bibliography of *Coup D'Etat in America* concerned Julius Mader's *Who's Who in the CIA*: "Here they give the East German address for Mader but manage to get it garbled through misspellings and elimination of a house number - such *careful* research!" The authors had a copy of *Who's Who in the CIA*, an esoteric publication. *Forthcoming Books* referred to a advertisement in the underground newspaper, *Yipster Times*, for the "Who Stole John F. Kennedy's Brain?" demonstration. *The Yipster Times* was another publication not readily available. *Forthcoming Books* summarized all the reviews of *Coup D'Etat in America* that had appeared to date, accused Joseph Okpaku of being a Communist who was funded by the Ford Foundation, and ended with the sentence: "To paraphrase Chairman Mao: 'Let a thousand lawsuits bloom; let a couple of authors get their lumps.'" The FBI: "Repeated searches of central records system indices revealed no information identifiable with *Forthcoming Books*." [FBI ltr. Bresson to ajweberman 2.12.79]

CORD MEYER AND THE INVISIBLE GOVERNMENT

When Random House published *The Invisible Government*, Cord Meyer visited Random House and offered to purchase the entire first printing of the book to keep it from public view. [NYT 12.25.77] David Wise reported that when *The Invisible Government* was published, "The CIA prepared a lengthy, detailed analysis of the book, designed to discredit it and the authors..." The CIA tried to generate hostile book reviews by activating its media assets. William Buckley wrote a column attacking it. [Wise *The American Police State* p192]

BERNARD FENSTERWALD

During 1975 "Bud" Fensterwald was this researchers major antagonist. He did all that he could to discredit my work. Bernard Fensterwald was born August 2, 1921, in Nashville, Tennessee, the son of a wealthy clothing merchant. In 1941 his mother, Blanche Fensterwald, was a delegate to the Southern Conference on Human Welfare, sponsored by the Southern Regional Council. According to Julius Mader, the CIA had used the Southern Regional Council in some unspecified manner during the 1960's. [FBI MURKIN 44-3886-4358; FBI WFO 62-112697-1] The NY Office of the FBI prepared a report on Blanche Fensterwald on August 24, 1956. She was mentioned in four other FBI files. In 1942 Bernard Fensterwald graduated Magna Cum Laude from Harvard. He served in the Navy in World War II, and received a degree from Harvard Law School in 1949. That year, Bernard Fensterwald was the Subject of an FBI applicant type investigation. Bernard Fensterwald entered the Georgetown University School of Advanced International Studies, a private institution, and received an M.A. in 1950.

FENSTERWALD AND SENATOR JOSEPH McCARTHY

In February 1950 Senator Joseph McCarthy (Rep.-WI) claimed that the State Department was harboring more than 200 members of the Communist Party. Senator Joseph McCarthy demanded that the State Department fire them. These charges were largely unfounded. In the from 1951 to 1956 Bernard Fensterwald worked for the State Department as an Assistant Legal Advisor. Bernard Fensterwald defended several State Department employees accused by Senator Joseph McCarthy of Communist affiliation. Some may have been CIA agents who used State Department cover. Senator Joseph McCarthy: "Case No. 11: This individual was an OSS analyst from July 1943 to August 1945, and was employed in the State Department Map Intelligence Division after August 1945. He is a regular reader of the *Daily Worker*. He has a job with the CIA as of today." [FBI 121-23278-13X]

McCARTHY AND CHARLES DAVIS

The FBI reported: "On November 5, 1951, Agent (Deleted) received a telephone call from a man who identified himself as Mr. Kingsburgh who was residing at the Rex Hotel on West 47th Street. Mr. Kingsburgh stated that he had information which he wanted to report to the Bureau of Narcotics, but that he did not want to speak over the telephone. He wanted to speak to an agent in person. Agent (Deleted) made an appointment to see Mr. Kingsburg at 10:00 p.m. the

same day at his hotel room.

"At this time Mr. Kingsburgh stated his correct name was Charles Davis, and that he had just returned to the United States from Switzerland on October 22, 1951. He stated that he was being subpoenaed by a Senate Committee on November 26, 1951, which is investigating Senator Joseph McCarthy of Wisconsin. Davis said that he had worked for McCarthy [in Switzerland], but now is working for the men that are seeking the ouster of McCarthy from the Senate. He said that McCarthy abandoned him. Davis stated that McCarthy had given a Senate Committee certain papers detrimental to him, the contents of which he would not reveal to the interviewing agents. Davis stated that he was in New York City keeping out of sight, and working with certain lawyers here uncovering information on McCarthy. He also said there were other lawyers in Washington with whom he was working on this project. Davis would not reveal the names of any of these persons with whom he was working. Davis stated that overseas, he had worked with the CIA and was known by that Agency.

"Davis stated that the information he had related to one (deleted) who owns an import and export business located at (deleted). He stated that (Deleted) was a heavy contributor to Senator McCarthy's campaign fund, having contributed \$50,000. He further stated that (Deleted's) firm imports spices and other articles from the Far East and, that along with the regular imports, he may be smuggling narcotics into the United States." Davis was asked if he had any concrete evidence of this. He replied that the attorneys in Washington had the documentation.

"During the initial part of the interview when Davis spoke of McCarthy abandoning him the reporting agent tried to get further details as to Davis' relationship with McCarthy and reasons for him saying McCarthy had abandoned him. Davis refused to elaborate. It should be noted, however, that in the past month the newspapers carried dispatches from Switzerland of an American named Charles Davis. These news reports linked Davis with Senator McCarthy. It is the opinion of the reporting agent that the allegations made by Davis regarding the traffic in narcotics by (Deleted) are unfounded and the reason for Davis' statements can best be understood by his own statement during the interview when he expressed himself that 'It would be a crushing blow to Senator McCarthy if it could be shown that one of his backers was involved in the illegal importation of narcotic drugs.'" [Bureau of Narcotics District 2 NYC 11.6.61]

McCARTHY AND THE CIA

In 1953 Senator Joseph McCarthy led a Senate fight against the confirmation of intelligence community insider Charles E. Bohlen as Ambassador to the USSR. The attacks of Senator Joseph McCarthy on the CIA culminated on July 9, 1953, when his assistant, Roy M. Cohn, called the Agency and demanded that William Bundy, a Special Assistant to the Deputy Director of Intelligence, testify before Senator Joseph McCarthy's Committee. Allen Dulles

refused to allow William Bundy to appear. When NIXON backed Allen Dulles, Senator Joseph McCarthy was defeated. William Bundy became head of the International Organization Division of the CIA, London CIA Chief of Station, and Assistant Deputy Director, (Plans) under CIA Director William Colby. [Winks *Cloak & Gown* p444]

SENATOR McCARTHY AND MORPHINE

On December 2, 1954, the Senate voted to censure Senator Joseph McCarthy. As his power waned, so did his health. He frequently visited Bethesda Naval Hospital. Reports spread that he had a nervous break-down. Senator Joseph McCarthy lost weight, and his appearance became gaunt. He was frequently absent from the Senate. Mrs. McCarthy told friends he was suffering deep spells of depression. Victor Lasky wrote, "Robert Kennedy found that his good friend, McCarthy, was suffering from a serious liver ailment. In the Senator's last months Bobby frequently called on him to sustain his morale." Senator Joseph McCarthy, 48, died in Bethesda Hospital on May 2, 1957. The death certificate of Senator Joseph McCarthy indicated his cause of death was "Hepatitis, acute, cause unknown. Interval between onset and death 2 weeks. Length of stay 4 days." No autopsy was performed.

ANALYSIS

It was generally believed Senator Joseph McCarthy was a chronic alcoholic and his liver became susceptible to hepatitis because of his drinking problem. But there were other forms of hepatitis: infectious, usually spread by fecal matter, and serum, carried by the blood. Drug addicts were often susceptible to serum hepatitis. In 1978 Washington columnist Maxine Cheshire wrote: "McCarthy died at the age of 47. Doctors listed his death as being due to a noninfectious, seldom fatal, hepatitis, 'cause unknown.'"

Maxine Cheshire (born April 5, 1930), reported in *The Ladies Home Journal* that, according to former BBND agents, Senator Joseph McCarthy was a morphine addict who legally received his drugs from a Washington, D.C., pharmacist. Harry Anslinger, the Director of the Bureau of Narcotics had authorized the druggist to fill the prescriptions. Harry Anslinger, according to one of the retired agents, wrote about Senator Joseph McCarthy's problem (without naming him) in *The Murderers*. The co-author of Harry Anslinger, Will Ousler, confirmed this. He told Maxine Cheshire that Senator Joseph McCarthy was the addict described as "one of Congress' most influential members. He headed one of the most powerful committees. His decisions and statements helped to shape and direct the destiny of the United States and the Free World." *The Murderers*: "I learned on incontrovertible evidence that this legislative leader was a confirmed morphine addict who refused rid himself of addiction. There was an imminent danger that the facts would become known and used to the fullest in the propaganda machines of our enemies. On the day he died I thanked God for relieving me of my burden." Senator Joseph McCarthy had told Anslinger that if his supply were cut off, he would deal with pushers. *The New York Times* reported: "There were a number of mysterious angles about Senator

McCarthy's final illness. When he first entered the hospital, Mrs. McCarthy said it was for treatment of an old knee injury, but as his condition became more serious the hospital described his ailment as 'hepatitis.' This was an internal ailment but the reports from the hospital were that he was being treated in the neurology ward." [Maryland Dept. of Health Certificate of Death; Lasky *RFK* cited in *The Assassination of McC* by Medford Evans p252]

BERNARD FENSTERWALD IN CONGRESS

SENATOR THOMAS C. HENNINGS

In 1957 Bernard Fensterwald left the State Department and was hired by Senator Thomas C. Hennings (Dem.-MO) as an investigator for the Senate Committee on Constitutional Rights. In 1957, with his mother, Fensterwald visited the Soviet Union. In 1957 the FBI stated, "Fensterwald has gone out of his way to be helpful." On May 14, 1957, Fensterwald contacted Louis B. Nichols of the FBI. Senator Henning had been asked to introduce legislation to block the deportation of Pierre LaFitte. (LaFitte was mentioned in Ovid Demaris' *Green Felt Junge*, a book about Las Vegas gambling interests). "I told Fensterwald that this, of course, was a matter for the Immigration Service and on a purely personal and confidential basis the Senator should be exceedingly cautious before he got out on a limb; that if he inquired into LaFittes background he would find an extensive record; and that under no circumstances would the Bureau support LaFitte. I told him officially, of course, we could not take a position but that, personally, we would hate to see some friend embarrassed and he should be very cautious. Fensterwald stated that was enough for him. (Paragraph deleted)" [FBI 66-18621-269] In 1959 Fensterwald was the Subject of an applicant-type inquiry conducted by the FBI.

SENATOR ESTES KEFAUVER

In 1955 Bernard Fensterwald was a foreign policy advisor to Senator Kefauver (Dem.-TN). In 1956 Senator Kefauver accepted the Vice-Presidential nomination on the Adlai Stevenson ticket, but both were defeated by the re-election of Dwight Eisenhower. On March 12, 1961, Bernard Fensterwald replaced Paul Rand Dixon as an investigator for the Senate Antitrust and Monopoly Subcommittee headed by Senator Estes Kefauver. Paul R. Dixon became head of the Federal Trade Commission. In 1961 Senator Estes Kefauver was investigating the drug industry. Hank Messick reported Senator Estes Kefauver fired Bernard Fensterwald.

In May 1963 Kefauver was hospitalized in Bethesda Naval Hospital with a case of Asian influenza. On August 8, 1963 Kefauver was hospitalized at Bethesda with what was described as a mild heart attack. He first believed he was suffering from acute indigestion. Tests at the hospital disclosed the heart attack. He was ordered to get several weeks of bedrest, however his condition worsened and on August 10, 1963 - while awaiting open-heart surgery at Bethesda Naval Hospital, Kefauver died of a ruptured aorta which caused a massive hemorrhage. His body was taken home to Madisonville for burial and no autopsy was

performed. The cause of death was listed as a dissecting aneurysm, or ballooning of the aorta. Was this a drug-induced myocardial infarction?

The possible motive here theoretically may have involved the CIA winning the confidence of the mob along with eliminating a likely Vice Presidential candidate had Lyndon Johnson not decided to forgo name a Vice President and instead waited for the 1964 elections. President Johnson did not want to erode democracy.

SENATOR EDWARD V. LONG

In 1960 Senator Thomas C. Hennings died, and Edward Vaughan Long (born July 18, 1908) was appointed to take his place in Congress. Senator Edward V. Long was elected to a full six year term in 1962. Senator Edward V. Long was named Chairman of the Subcommittee on Administrative Practice and Procedure in 1963.

ANALYSIS

In the mid-1960's Senator Edward V. Long was approached by Teamster Union boss James Hoffa, who was shopping for a congressional committee to investigate the tactics of United States Attorney General Robert F. Kennedy. Jimmy Hoffa was intent on retaliating against United States Attorney General Robert F. Kennedy for having exposed the connections of the Teamsters Union to organized crime, and for having indicted him on wiretapped evidence. Senator Edward V. Long agreed to take up Jimmy Hoffa's fight against Robert F. Kennedy's alleged violations of civil liberties - for a price.

SENATOR LONG, SHENKER AND HOFFA

Senator Edward V. Long was connected to Jimmy Hoffa through Attorney Morris Shenker, who worked on a five-figure retainer for Jimmy Hoffa. Senator Edward V. Long had received \$48,000 from Morris Shenker for having referred Jimmy Hoffa to him. Senator Edward V. Long admitted living in the same Washington, D.C., apartment building as Jimmy Hoffa and said he had met him on several occasions.

Senator Edward V. Long selected Bernard Fensterwald as his Chief Counsel. Bernard Fensterwald was described as a heavy John F. Kennedy financial supporter who harbored a grudge against the Kennedys for having failed to give him the Ambassadorial post he had coveted. [William Lambert *Life* 5.26.67] Bernard Fensterwald demanded the FBI reveal the names of organized crime figures who were the Subjects of mail covers.

ANALYSIS

By 1966 the CIA had an interest in protecting certain members of organized crime, since the

CIA worked with them in anti-Castro plotting. When ever the CIA had an interest in something, such as McCarthy going after CIA agents under State Department cover, Fensterwald was on the scene.

ROBERT MAYEU

Senator Edward V. Long planned to call Robert Maheu to testify about invasions of privacy by private investigators. The CIA feared that its involvement with Robert Maheu and Johnny Rosselli would have surfaced during these hearings. The CIA reported: "Upon notification for appearance before the Subcommittee, Mr. Maheu contacted his attorney, Edward Morgan of Washington, D.C. Mr. Morgan in turned contacted Mr. Morris Shenker, an attorney in Saint Louis, Missouri, who personally knows Senator Edward V. Long. It is reported that a meeting was arranged to discuss the appearance of Mr. Maheu before the Subcommittee which meeting was attended by Senator Long, his staff assistant Mr. Bernard Fensterwald (who is performing the staff work for the Subcommittee hearings) Mr. Morgan and Mr. Shenker."

On June 6, 1966, Robert Maheu told Director of Assistant Deputy Director of Security, (IOS) James P. O'Connell, that he got "the impression from Morgan, who is still dealing with the Saint Louis attorney, a personal friend of Senator Long, that the Committee has done some additional checking, and earlier information regarding Maheu's activities may not be as solid as earlier believed. I next asked Robert Maheu if Bernard Fensterwald had actually identified Sam Giancana, Onassis, Niarchus etc. by name as he had previously indicated to Colonel Sheffield Edwards and myself. He replied in the affirmative, and speculated that this convinced him someone has been 'talking.' He conjectured that several people knew about the bug on Onassis's New York office, including Taggart who, to date, has not contacted him. (Deleted) former CIA employee, and a John Geraghty (phonetic), a free lance newspaperman who was employed by him at the time. In the case of Sam, Ed Dubois and a couple of his technicians were aware of Maheu's tie-in with Giancana. While Bob was not identified in the press as being involved, he was definitely linked as a result of the technicians identified in the press as being involved, he was definitely linked as a result of the technician, who, when arrested and detained at the Sheriff's office in Las Vegas, failing to locate Dubois, telephoned Maheu directly at the Kennelworth Hotel, Miami Beach, in the presence of Sheriff's personnel, to advise him of his compromise. According to Maheu, neither Dubois nor his employees, were aware of the true relationship between Maheu and Sam." The CIA then reported: "According to Maheu, Shenker has some strong hold on Senator Long and also has Bernard Fensterwald indebted to him as he got Fensterwald his job...Maheu claims that this case could be "closed-up" if we merely approach Senator Long, and say that the questioning of Maheu might be harmful to the national security. He implies that while Senator Long has agreed not to call him, the Senator is looking for something on which to base this decision and our approach would be sufficient to clinch the situation." The CIA felt "...Fensterwald will approach us about any problem areas from our point of view." [CIA Memo DD/CIA from Houston 6.21.66]

The CIA reported: "In 1966 information was received by the Agency indicating that the Senate

Administrative Practices Subcommittee, under the chairmanship of Senator Edward Long, had advised Maheu that his testimony was desired concerning his relationship with Onassis, Savros Niarchos, Sam Giancana and (Deleted). The Subcommittee interest was invasion of privacy and particularly the use of audio devices by private investigators. In July 1966, Senator Long was alerted to the fact that the Agency had had sensitive operational contacts with Maheu. Senator Long was told that the Agency had used Maheu over the years, on a number of occasions, but that he never had been asked to engage in any wiretapping and had never engaged in any such activities on our behalf. Office of Security files do not indicate whether or not Maheu did appear before this Subcommittee, although it appears that he did not."

Robert Maheu never testified. The subcommittee held widely publicized hearings and damaged Robert F. Kennedy, but not the CIA. The CIA compiled a dossier on Senator Edward V. Long. [NYT 1.17.75 p9]

The Internal Revenue Service leaked word of Morris Shenker's payment to Senator Edward V. Long to William Lambert of *Life* magazine. When William Lambert's piece appeared, Bernard Fensterwald came to the defense of Senator Edward V. Long. The FBI stated: "A review of data regarding certain of Long's legal clients (deleted) shows connections with the hoodlum element and activities of questionable legality." [FBI 92-6054-2227] In January 1975 Bernard Fensterwald testified on behalf of Morris Shenker at a Hearing of the Gaming Control Board in Nevada.

In 1967 Senator Edward V. Long was called before the Senate Ethics Committee and questioned about his connections to Jimmy Hoffa. In 1967 Frederick Praeger published *The Intruders* by Senator Edward V. Long. The book was dedicated to Fensterwald. Senator Edward V. Long was forced to resign in December 1968. The government service of Bernard Fensterwald ended with the downfall of Senator Edward V. Long. [FBI WFO 112697-1; NYT 3.28.73] In November 1971 Fensterwald stated that the FBI "was lax in investigating organized crime because many Congressmen had connections with the mafia." [62-113904-40]

THE DEATH OF EDWARD LONG

On November 6, 1972, ex-Senator Edward V. Long died. On the night of his demise, Edward V. Long told his secretary that he had eaten some candy which tasted bitter and that he feared he had been poisoned. In April 1973 the body of Edward V. Long was exhumed. The only identifiable substances found in his stomach were parts of an undigested apple. [NYT 5.3.73]

THE COMMITTEE TO INVESTIGATE ASSASSINATIONS

In January 1969, two months after having left Senator Edward V. Long's "Get Robert F. Kennedy Subcommittee," Bernard Fensterwald founded the Committee To Investigate Assassinations, which was allegedly dedicated to finding the real assassins of John F.

Kennedy. ANGLETON'S Deputy, James Hunt, asked the FBI for more information on the Committee To Investigate Assassinations. [FBI 62-19060-6681] The CIA: "Our records show that Richard Sprague, a management consultant and photographic researcher, appeared in a New York Times article of May 24, 1968, in which he claimed that within an hour of the assassination of President Kennedy three men may have been pulled off freight cars in a railroad yard near Dealey Plaza. We have no further identifiable record of him."

ANALYSIS

The Committee to Investigate Assassinations was formed by Fensterwald and Sprague, not to reveal the truth about the Kennedy assassination, but to suppress it. A lot of researchers like Jim Lesar, Kevin Walsch and others were fooled by Fensterwald and worked with him and were influenced by him.

BERNARD FENSTERWALD AND JAMES EARL RAY

In the Spring of 1970 James Earl Ray hired Bernard Fensterwald as his attorney; he fired him in 1976. In June 1974 Bernard Fensterwald filed a motion to grant James Earl Ray a new trial on the basis of alleged collusion between William Bradford Huie and the former attorneys of James Earl Ray.

Bernard Fensterwald was involved with a lot of bogus activity surrounding the King assassination. In September 1974, Robert Livingston, a Memphis lawyer and Special Deputy Sheriff, held a press conference at which he announced: "There were three gunmen, one from the underworld who is now serving a sentence in a Canadian prison and proposes to testify to give a complete expose of the King murder case and to give names and telephone numbers of the four...wealthy, socially prominent Americans...one black...who hired him...for \$100,000 to kill King."

Robert Livingston contacted Memphis attorney Russell X. Thompson and asked him to represent these hired killers, who agreed to testify if they were granted complete immunity. Russell X. Thompson was known as a liberal, and represented the NAACP. Russell X. Thompson received a phone call from one of the alleged gunman who wanted \$3000 to come to Memphis.

Bernard Fensterwald and Robert Livingston allegedly met one of the gunman in Detroit, then took him to Tennessee to see James Earl Ray. James Earl Ray refused to speak with him and the "hired gun men" story proved false. Priscilla Johnson's former husband, George McMillan, believed he knew the identity of one of the hired gun men. George McMillan did a book on the Martin Luther King killing, *Portrait of an Assassin*. "I have always believed that James Earl Ray did it alone" said George McMillan. In 1994 James Earl Ray became suspicious of Bernard Fensterwald: "When he first started representing me he appeared very diligent; however, after

he obtained the evidentiary hearing in the Memphis Federal Court he appeared to become very defensive in prosecuting the matter. He wouldn't permit his associate, Jim Lesar, to ask certain witnesses questions. Lesar's intentions were okay but he did not have the experience to brief a H.C. case. After the evidentiary hearing in Memphis, Fensterwald asked me to let Lesar file the briefs to the 6th circuit and argue them at the hearing. At that time Lesar was young and not a cr. attorney. The next time I saw Fensterwald was 15 years later (1990), I think, in Brushy Mountain prison. He showed me a picture along with some information about a dude named Smith...Fensterwald asked if Smith was Raoul. Now Smith was an Anglo and I assumed he spoke with a Texas accent, i.e. he had very little in common with Raoul. About three months ago I filed an FOIA request with the FBI/JD asking for Fensterwald's private files." [ltr.from Ray to AJW 8.31.94, 5.4.94; MURKIN FBI 44-38861-5955, 5950, 5957, 5948, 5947]

JAMES McCORD AND FENSTERWALD

On May 24, 1972, JAMES W. McCORD retained Bernard Fensterwald as his counsel in Watergate. After he was arrested at Watergate, McCORD was going to blame the break-in on the CIA, but McCORD changed his mind. McCORD stated: "I have released Gerald Alch as my defense attorney in the Watergate case [and hired Bernard Fensterwald who put up \$40,000 bail for McCORD]. In a meeting recently in which our defense plans for Watergate trial were discussed, Alch persisted in a proposal that I claim *the Watergate operation was a CIA operation*. That is flatly untrue, and when I rejected it, he then went on to make a second proposal. The second proposal then was that I claim that the four Cubans and I cooked up the bugging operation on our own. This was also untrue." [Ervin Hearings p3444] Gerald Alch denied McCORD'S charges. He said that McCORD'S statement that he told McCORD that his CIA records could be altered to support the claim Watergate was a CIA operation was also false.

Gerald Alch, a former associate of F. Lee Bailey who is now a judge in Massachusetts, testified to the Senate Select Committee on Illegal Campaign Activities: "Bernard Fensterwald said to McCORD, 'The reporters have been asking me whether or not you or I had ever had any past relationship? I told him that we had...Well, after all, you have in the past submitted me checks which were donations to the Committee To Investigate Assassinations.' McCORD smiled and said 'That's right.'"

McCORD ASSOCIATES

The Committee To Investigate Assassinations was funded by McCORD ASSOCIATES, which for all practical purposes, was a CIA proprietary. The CIA reported that U.S. Attorney Earl Silbert "is aware that Ralph True was going to go to work for McCORD. [He] would like to know of any other individuals who possibly had been talked to by McCORD when looking toward employment." The CIA listed 12 former CIA employees who had applied to McCORD

ASSOCIATES for work:

- (1) William Francis Shea. Entered On Duty 1951, Office of Strategic Research, DDI Intelligence Officer (deleted). The Office of Personnel referred Mr. Shea to McCORD Associates in 1971, and Dr. Edward M. Gunn indicated that Mr. Shea is affiliated with the Institute for Protection and Safety Studies, Inc.
- (2) Therese Mae Shea. Entered on duty at the CIA in 1948. Wife of William Francis Shea. Hired by McCORD as secretary.
- (3) James Corbin Fitchett. Entered On Duty 1951. Was supposed to be hired June 30, 1972, to work with the Committee to Re-elect President NIXON.
- (4) Ross Ward Lambert as former OSS employee, served with the Agency from January 11, 1965, to August 9, 1971, and was a GS-13, Contract Employee assigned to the Special Operations Division/DDP, at the time of his resignation. Mr. Lambert served (deleted). Took job elsewhere.
- (5) Louis Edgar Sherrad. Served with the Agency from July 2, 1952, until January 31, 1969, when he resigned. Security Officer assigned to the Security Research Staff. Background centers on industrial and physical security.
- (6) Ralph Orlando True. Entered On Duty 1950. Still Agency employed. Ralph Orlando True was also supposed to retire on June 30, 1972, and join McCORD ASSOCIATES.
- (7) Dr. Edward Mansfield Gunn. Entered On Duty 1955. Served with the Agency until May 31, 1971, and was a GS-17, Deputy Director of Medical Services, at the time of his retirement. Dr. Gunn was interviewed by an Office of Security representative on June 19, 1972, and discussed in some detail his involvement with the Institute for Protection and Safety Studies, Inc. which is affiliated with McCORD Associates and occupies space in the same offices. Hired.
- (8) Dr. Jacob Victor Golder. Former GS-15, Chief of Psychological Services Staff/Office of Medical Services.
- (9) Harry Thayer Mahoney. Entered On Duty 1951. In 1972 he was a GS-14 Operations Officer assigned to Western Hemisphere Division/DDP. He had been acquainted with HOWARD HUNT and McCORD through the years. In 1976 Harry T. Mahoney worked for the Burns International Investigation Bureau. Mahoney had written CIA Agent David McLean a letter mentioning FRANK STURGIS. [Harry Mahoney 1110 Shady Lane, Wheaton, Il. 60187 AFIO 1994; *Counterspy* Spring 1976]

(10) James Louis Baker. Entered On Duty 1951. Contract was allowed to expire on June 24, 1972. GS-12. Operations Officer assigned to (deleted). Not interviewed by McCORD because he took a job with the Bureau of Narcotics and Dangerous Drugs effective as of June 26, 1972.

(11) George Theodore Stanton. Served with the Agency from August 4, 1947, to January 8, 1972, and was a GS-14, Operations Officer, assigned to the Counter-Intelligence Staff/DDP. Dr. Gunn indicated that Mr. Stanton has been serving as a consultant to the Institute for Protection and Safety Studies, Inc.

(12) Walter Edward Brayden. Entered On Duty 1947. Hired. Intelligence Officer, DD/P. In April 1972, he served as guard for Mrs. Martha Mitchell on a trip to Chicago. The CIA reported that McCORD "gave him his expense account money in ten new one hundred dollar bills. McCORD wanted Braydon to carry a gun, and when Braydon showed reluctance McCORD told him it was OK since he was working to the Attorney General of the U.S. O'Malley also said that Brayden performed security sweeps of the office of the Committee to Re-elect the President." [CIA Memo For: DD/Pers/SP Subject: Meeting with Frank O'Malley]

THE DEATH OF MARTHA MITCHELL

Martha Mitchell died on June 1, 1976. She was 57. Her physician, Dr. Klaus Mayer, attributed her death to multiple myeloma, a rare type of malignancy that attacked bone marrow, complicated by hemorrhage and terminal bronchial pneumonia. Martha Mitchell was unconscious as a result of a heart attack. In 1994 Dr. Klaus Mayer stated: "There was nothing suspicious about her death. She had a not-so-rare type malignancy which is almost always fatal, and in her case, it was. She was bleeding from the G.I. tract, but that's not so unusual either. She drank a fair amount. Her illness was complicated by hemorrhage and terminal bronchial pneumonia because she was on cortisone-like drugs which provoke that sort of thing. She had an autopsy. When we saw her she was slowly, but surely, going to die of a disease that everybody I've ever known would die of. She was being treated for bone marrow cancer before I saw her. That was a straight forward disease. There is no way of giving it, or inducing it. Not even radiation. What is interesting is how she was treated in California after she squealed on the NIXON administration. She claimed, and I have no evidence to work on, things like that may have occurred before she suspected it. But not for a period of time. No one got near her at the hospital or at home. She was in the advanced stages of a malignant disease."

ANALYSIS

Most of the applicants referred to McCORD ASSOCIATES by the CIA were hired. What they were to do for McCORD ASSOCIATES remained a mystery. For example, Dr. Edward Gunn, an associate of HUNT, was an expert at poisoning people. HUNT told the Church Committee: "He was known in the Agency as Manny Gunn. He became known to me as a sort of

unorthodox practitioner of medicine in the sense that if you needed something, some recherche medical information, you went to Manny Gunn and he provided it. It develops now that in recent months they say that he knew a good deal more about poisons than I believed him to know." McCORD knew CHRIST and ANGLETON. McCORD was in Dealey Plaza disguised as a Secret Service agent. Why had he supported an organization like the Committee To Investigate Assassinations which was supposed to uncover his crime?

McCORD, LOUIS RUSSELL AND FENSTERWALD

Louis Russell was the intermediary between McCORD ASSOCIATES and Bernard Fensterwald. Born in Louisville, Kentucky, Louis Russell was the son of an FBI Agent. In 1937 he joined the Bureau, and worked there until 1944, when he was forced to leave because of alcoholism. From 1945 to 1954, Louis Russell worked as an investigator for the House Un-American Activities Committee and became its Chief Investigator in 1949. Louis Russell worked with NIXON on the Alger Hiss case. In 1954 he was fired for drinking, but was reinstated by Senator James O. Eastland (Dem.-MS), and remained with the House Un-American Activities Committee until 1966. In January 1972 Louis Russell met with JAMES McCORD, and was hired by the Committee to Re-elect President NIXON and by McCORD ASSOCIATES. [FBI DC 139-166 rel. 6.27.72]

Louis Russell was interviewed by Special Agents of the FBI on June 29, 1972: "He does not recall ever receiving a phone call on April 25, 1972, from McCord Associates to the phone number 234-9746 which is the pay telephone located in the hall of the rooming house where he resides. He advised that he does know JAMES McCORD of McCORD Associates and that he is employed by JAMES McCORD. He stated that the phone call could have been taken by any of the tenants living in the rooming house...He first met JAMES McCORD in January or February 1972 at Scholls Restaurant in Washington, D.C. at which time McCORD asked him to work for him as an investigator for the National Committee to Re-elect the President. He stated that McCORD said he was recommended to by someone, whose name he did not disclose. Russell advised that this is probably correct as he has done investigative work in an around Washington, D.C. for some time. He said his first job was to do a background check on a female, name 'Jane' (LNU) who was in the employ of the National Committee to Re-elect the President. He said for that job he received \$40 paid by check in advance by McCORD. His next job was a background check on a male 'hippie' messenger for the National Committee to Re-elect the President. He said for that for this job he received \$25. He advised he was also asked to check out a magazine by the title of *The Sociables* and a woman by the name of Rita Gerin. He gave written reports to McCORD on all the above cases. On June 1, 1972, McCORD put him on retainer of \$710 per month to continue until the Presidential Election was over with the purpose of investigating Jack Anderson to determine the source of Anderson's information. He furnished McCORD with one report on Anderson for which he received \$75. He stated that he worked this case solely during the month of June but that now that the 'Democratic Committee Bugging Incident Occurred' he does not know if he will still be employed by McCORD. He advised that he also worked for McCORD as a security guard at

1701 Pennsylvania Avenue, Northwest, Washington, D.C. for about two weeks prior to being put on retainer by McCORD. He said that it was his understanding he was employed by the National Committee to Re-elect the President and was hired by JAMES McCORD. His checks were drawn on the Maryland National Bank on the account of Mr. and Mrs. James McCORD or McCORD Associates. He couldn't remember which.

"He said that he saw JAMES and Mrs. McCORD last night at their home, but that they did not discuss the break-in of the Democratic National Headquarters, nor did McCORD give any information as to Russell's current employment status with the National Committee to Re-elect the President. As far as the Anderson investigation was concerned Russell stated that he was never told what person, or persons, in the National Committee to Re-elect the President was interested or requested the Anderson investigation.

"Russell advised that his background concerning investigative work started in 1937 when he was a Special Agent for the FBI. He was employed by the FBI from June 1937 until 1944, when he left the FBI because of personal reasons; i.e. first wife committing suicide and his becoming a heavy drinker. He stated that most of his work in the FBI was in the Washington, D. C. area. After 1944 he worked in many varied jobs and found work wherever he could. From 1945 until 1954 he worked as an investigator for the House Committee on Un-American Activities and was fired in 1954 for drinking, but was reinstated in 1957 by Francis B. Walter. He stayed with the House Committee on Un-American Activities until 1967. Since that time he has worked varied jobs, but mainly doing investigations and background checks for clients. He admitted that at one time he was an alcoholic, and a member of Alcoholic's Anonymous. He ran a home for Alcoholics Anonymous from February 1969 to 1970. He stated that his name has appeared in the following books: *Six Crisis* by RICHARD NIXON, *The Committee* by Walter Goodman and *The Witness* by Whitaker Chambers."

The Senate Select Committee on Illegal Campaign Practices stated in its Minority Report: "The Committee did review evidence of a potential link between JAMES MCCORD and the security guard force [of the Watergate Hotel] in the person of Mr. Louis Russell as follows. On June 8, 1973, Mr. F. Kelly Chamberlain, ex-Vice President of General Security Services, Inc. (In charge of the Watergate security force), advised the staff the Mr. L. J. Russell did 'piece work' for that organization between December 1971 and March 1972. Chamberlain stated that Russell's work had no relation to the Watergate complex and that he had no knowledge of any acquaintance between Russell and Frank Willis, the guard who reported the possibility of illegal entry on June 17, 1972, to the police...The Louis Russell referred to by Mr. Chamberlain is the same person employed by JAMES MCCORD on June 16, 1972, through June 17, 1972. Russell advised the staff that he had worked for General Security as late as January 1972, but that he did not know Frank Willis...Russell stated that he never met any Watergate figures other than MCCORD; was not aware of MCCORD'S Watergate-related plans or activities until learning of the arrests in the newspapers on June 18, 1972. Russell did state that he had eaten at the Howard Johnson's Motor Lodge across from the Watergate on the night of June 16, 1972, but that his presence there on the eve of the break-in was merely coincidental...On

July 3, 1972, Russell told the FBI that he had eaten at the Howard Johnson's Motor Lodge between 8:30 p.m. and 10:30 p.m. on June 16, 1972, because he had fond memories of that restaurant. Russell asserted he did not see McCORD while he was at Howard Johnson's and was able to identify photographs of Baldwin and HUNT, but he could not remember where he had seen them. On May 9, 1973, Russell advised the Chief Counsel of this Committee that he maintained no bank account prior to 1969 and could produce no statements for the Committee. Mr. William Birely advised the Committee on August 27, 1973, that he had known Russell for approximately two years and that he employed Russell as a researcher on a part-time basis and rented Russell quarters adjacent to his office space. He described Russell as a Democrat who was extremely critical of President NIXON. Louis James Russell died on July 2, 1973, without being reinterviewed by the staff."

On July 2, 1973, about a month after Judge Gerald Alch testified about McCORD'S connection to Fensterwald, Louis Russell, 61, was found dead of a heart attack in the home of his daughter in Maryland. He had previously been in Washington Adventist Hospital, but had been released about ten days before he died. He was never questioned by the Senate Select Committee on Illegal Campaign Activities. The request of Alger Hiss for a ruling on the death of Louis Russell was turned down. [Yakovlev *Wash. Silhouettes* p122]

McCORD stated: "A false allegation was made shortly after March 23, 1973, that E. HOWARD HUNT and FRANK STURGIS were in Dallas at the time the President was killed, and a photograph was circulated purporting to be HUNT and STURGIS there at the time. Persons I know circulated and touted the story to the press, knowing the allegation was false in its entirety, and further that the men in the photographs bore no resemblance whatever to HUNT and STURGIS. I know that HUNT was not in Dallas and had no connection whatever with the President's death...Great anguish and damage has been done to HUNT, and no doubt will be taken into consideration by a parole board considering his release from prison." [McCORD ltr. to Dan Schultz 12.17.76] On November 10, 1973, McCORD threatened to sue Paul Krassner, the publisher of the *Realist*, for libel, after Krassner ran an article by Mae Brussell that linked McCORD to Dealey Plaza.

McCORD AND LEE PENNINGTON

Leonard W. Pennington, left his job with the FBI, where he served as liaison with the American Legion, to help organize the American Security Council. Pennington became the Internal Security Editor and Washington Bureau Chief of the American Security Council. In 1964, Lee Pennington was involved in an investigation of the assassination of President John F. Kennedy for the American Security Council. The Director of the American Security Council, John Fisher, also a former FBI Special Agent, telephoned the FBI in 1964 and told the Bureau that Lee Pennington knew someone who knew the Paine family. [NYT 7.3.73; FBI CG 62-6115 12.5.63] From 1983 to 1984 John Fisher raised money for the Nicaraguan Contras. In 1985 he joined the World Anticommunist League (whose members included Alpha-66) in its fight against the Sandinistas.

The report of Senator Howard Baker on the CIA's involvement in Watergate stated that Lee Pennington was a "domestic agent...possibly in violation of the CIA's Charter." In August 1975 there was a break-in at the home of Senator Howard Baker, however, no valuables were reported missing. [Wise *American Police State* p164]

THE TWO PENNINGTONS

The CIA reported:

"The Pennington Matter: For many years a man named Lee Pennington has been retained by the CIA as a Confidential Informant. His compensation from the CIA has been \$250 per month. Mr. Howard Osborn stated that he has no idea what kind of information has been supplied to the Agency by Pennington in exchange for the compensation paid him.

"In August 1972 Mr. Osborn was on vacation during the time his deputy (Deleted) was in charge of the Office of Security. (The Office of Security had been designated by the DCI as the liaison with all other governmental agencies and departments relating to Watergate matters).

"While Mr. Osborn was on vacation an FBI Agent named Arnold Parham contacted the Office of Security and requested information on a man simply known as 'Pennington.' The request was directed to Steve Kuhn of the Office of Security. Steve Kuhn's Deputy, Hollis Whitaker, took the request of Agent Arnold Parham to (deleted) and asked whether the FBI should be given the names of *both* Penningtons or just one of them. (Deleted) [Gaynor] instructed Whitaker that Parham should be supplied only with the name of *Cecil* Harold Pennington, a retired employee of the CIA, who was not related in any way to *Lee* Pennington. [Cecil Harold Pennington was a former CIA Staff Employee, who retired in 1961.] (Deleted) instructed Whitaker that Lee Pennington's name should not be given to Parham."

On August 25, 1972, the FBI reviewed *Cecil* Pennington's CIA file. The FBI found: "No indication from CIA record that *Cecil* Pennington served as McCORD'S supervisor." When the FBI interviewed *Cecil* Pennington, it found that "he was associated with, and was a co-worker (not supervisor) of McCORD, but has had no contact with McCORD since he retired in April 1961."

The CIA reported: "(Deleted) [Gaynor] instructed Hollis Whitaker that *Lee* Pennington's name should not be given to Parham. (Deleted) would have known that JAMES McCORD, while he was employed in the Office of Security, had acted as the Case Officer for *Lee* Pennington, that McCORD was involved in the Watergate break-in, and that the FBI was really interested in *Lee* Pennington.

"Howard Osborn states that all of the above information came to his attention in February 1974

and that he had no knowledge of it until that time.

"Lee Pennington and a man named (Deleted) were the only two confidential informants who Osborn can think of who were employed as such by the Office of Security during his tenure with that office. (This is in addition to CIA employees and the employees of propriety investigating companies who have been used as informants.) [Several lines deleted]

"Mr. Pennington was apparently terminated as a CIA informant on December 31, 1973. Howard Osborn states that he started action to terminate (Deleted) in about January or February 1973. He thought that (Deleted) had never provided anything to the Office of Security and that it was no crime to have a domestic informant.

"Both Pennington and (Deleted) had been informants for the Office of Security for many years. They had been retained in that capacity even before Osborn became Deputy Director of Security in 1963.

PENNINGTON BURNS McCORD'S FILES

"In February 1974, in connection with a search of files in the Office of Security, some indication was turned up the Howard Osborn had been informed in January 1973 about the fact that Lee Pennington had entered the home and office of McCORD at the request of Mrs. McCORD on January 22, 1972, to locate and destroy records which would have revealed a 'link' between McCORD and the CIA. Howard Osborn denies that he ever received any such information. The information was allegedly given to him by Paul Gaynor, Chief of Security Research, in the Office of Security.

"Paul Gaynor retired in 1973 at the request of Osborn, who had been directed to cut out a GS-16 from his staff in a personnel reduction move. He states that Mr. Gaynor accepted his request gracefully and retired.

"Osborn and Paul Gaynor have never discussed with each other the subject of Lee Pennington or the deception practiced on the FBI in August 1972. Osborn does not think that Gaynor opened up the subject, but he does believe that Gaynor has testified before either one of the Congressional Committees investigating Watergate of the Special Prosecutor's Office.

"After Mr. Gaynor retired, Lou Vasaly of the Office of Security has handled contacts with (Deleted) and Pennington. In January or February 1974 Mr. Osborn sent Sidney Steinbridge of the Office of Security to New York to terminate (Deleted)."

On September 1, 1972, Lee Pennington was interviewed by the FBI. Lee Pennington stated: "He has been acquainted with McCORD since the mid-1950's and since the Watergate incident on June 17, 1972, Lee Pennington met with McCORD about six times. One or two

days after McCORD'S arrest, Lee Pennington brought dinner to the McCORD family at their residence. He made no mention of having seen Mrs. McCord burn any papers or that he participated in such a burning. We did not recheck with CIA as there was no reason to do so." In January 1973 Howard Osborn, the Director/Office of Security of the CIA ordered that all CIA files about Lee Pennington be removed from the CIA Watergate files. As a result of this, the Director/Office of Security was forced to resign. No investigation concerning Lee Pennington's involvement in the alleged burning incident was requested by the Special Prosecution Force. [5.1.74 Memo Agent Angelo J. Leno, WFO/USA Earl J. Silbert]

PAUL GAYNOR

Senator Howard Baker said Lee Pennington burned McCORD'S files in McCORD'S home, two days after the Watergate break-in. Senator Howard Baker believed Lee Pennington told Paul Gaynor of this activity in June 1972. Paul Gaynor, who had been slated to be hired by McCORD ASSOCIATES after his retirement, denied it, although he could not deny his association with McCORD: "On June 23, 1972, Leo J. Dunn, Deputy Director, Personnel Security, CIA, advised telephone number (deleted) is a CIA number for Paul Gaynor who would retire as of June 30, 1972, as Chief, Research Division, Office of Security, CIA. Dunn furnished a June 21, 1972, memorandum regarding (deleted) association with McCORD and a copy of his biographical data." [FBI Bufile 4679-647X]

McCORD communicated with Paul Gaynor after Watergate. In a memorandum for the Director of the Central Intelligence Agency, Richard Helms, from CIA Inspector General William V. Broe, *Potential Flap Activities, Contacts With Watergate Figures* [5.21.73 rel. 8.15.76], it was noted: "McCORD had written letters to the Agency since his arrest. The first dated July 29, 1972, was addressed to Richard Helms and was handled as a routine crank letter until it was recognized that the "JIM" who signed it was McCORD. Later letters from McCORD were addressed to Paul Gaynor at his home address. The fact that these letters have been received has been very tightly held. No action was taken in regard to them." The letters reported that pressure was being put on the burglars to blame the CIA for Watergate. Richard Helms never gave the letters to Watergate prosecutors, however, in May 1973, they were uncovered by the Office of the Inspector General of the CIA and released.

Lee Pennington spoke with Senator Howard Baker, in February 1972; he died suddenly of a heart attack on December 19, 1972. Lee Pennington did not testify before the SSCIA or the Ervin Committee. His relationship with McCORD and the Office of Security of the remained a mystery. [CIA 777-336A; Ross & Wise *Inv. Gov.* p187; Baker Report p14; NYT 1.5.75; FBI CG 62-61115-12.5.63]

BERNARD FENSTERWALD'S LAW PARTNERS

On September 18, 1972, a message from (deleted) was sent to the Acting Director of the FBI,

Attention Domestic Intelligence Division, captioned "Bernard Fensterwald Jr. - Freedom of Information Act." It read: "Rebucab September fifteen last. (Four paragraphs deleted) Ltr to CIA September 22, 1972." [FBI 62-112697-18] In November 1973 the CIA had an interest in Bernard Fensterwald's assassination research conference and supplied the FBI with a schedule.

Bernard Fensterwald went into partnership with the co-counsel of John Dean, Robert McCandless. Robert McCandless was linked to Southern Capital, which John Marks, a former State Department Intelligence Analyst, called "the CIA's largest remaining proprietary." [*Miami Herald* 7.18.76] John Marks wrote: "Lawyers who have had ties with CIA proprietaries have also represented well-known figures in politically charged cases. Robert McCandless resigned as a partner (from Burwell, Hansen and McCandless) in 1973 in order to serve as co-counsel to John Dean. Jeb Magruder, another key witness against NIXON aides in Watergate trials, had a lawyer, James Bierbower, who had served as Vice President of Southern Air Transport, one of the CIA's largest air proprietaries. To complete the circle, James Bierbower worked out of the same office, in the mid-1960's, as Southern Capital's Marvin Evans, and Marvin Evans later shared space with the Robert McCandless firm." [Agee & Wolfe *Dirty Work* p133] Robert McCandless commented to this researcher: "I never had anything to do with anything other than law firms. I don't know what you mean. None of it is true, I never had any ties to Southern Capital. I never shared space with Marvin Evans. He has his facts wrong."

Bernard Fensterwald's offices were above those of Intertel. In 1975 Senator Howard Baker revealed that Bernard Fensterwald had a CIA file. [*NYT* 1.17.75] In late 1976 the *Washington Star* ran an article, "IS FENSTERWALD A CIA PLANT?," written by Bill Choyke of the Capitol Hill News Service that concerned Bernard Fensterwald's attempt to become Chief Counsel of the HSCA: "Committee Vice Chairman Rep. Henry Gonzalez, the Texas Democrat who introduced the first resolution calling for an assassination inquiry, has privately voiced his strong opposition to Fensterwald having any role on the committee, even as an unofficial advisor...In a telephone interview Fensterwald first acknowledged that he had connections with the CIA and then scoffed at the suggestion. 'I am on the payroll,' he said. However, when pressed, he said he had 'nothing to do with the CIA. There us absolutely no reason to think I am a member of the CIA, absolutely no vestige of evidence of any kind.'" In another interview Bernard Fensterwald was asked: "The Committee To Investigate Assassinations has long been suspected by some people of being somehow connected with the CIA and you yourself being labeled possibly a CIA agent or CIA plant. Are you in fact a CIA agent of any sort?" Bernard Fensterwald responded: "No, I'm a full-time lawyer. Neither I, nor my partner, have ever been affiliated with the CIA, or worked for the CIA ,either with, or without, pay in any way, shape or form. I have no idea where the rumor started. I don't know anyone that knows anything about my history that has ever made such an accusation. On the converse side, going back to the early 1960's, when I worked for the Senate, as counsel for one of its committees, I did an investigation on the CIA, and since then I have represented a number of clients in cases against the CIA, to the extent that if there's any evidence at all, it points in the other direction." [Interview with *Wash. Star* Staff writer Michael J. Satchell.] This article was

reprinted in the Classified *CIA Operations Center News Service* and marked "Distribution II." [*Allen v DOD CIA 20866- 0815*] In 1977 Bernard Fensterwald was audited by the Internal Revenue Service. [*Wall Street Journal 3.23.77*]

JOHN ARTHUR PAISLEY

In June 1979 Bernard Fensterwald represented the family of John Arthur Paisley. John Arthur Paisley was a former CIA official who worked for the Agency on a contractual basis, who, according to Tad Szulc, was involved with Yuri Nosenko. The two men became friends, and John Arthur Paisley frequently visited Yuri Nosenko. *Inquiry Magazine* reported: "Mary Ann Paisley thinks her husband's death may be related to Yuri Nosenko...At the request of Senator Birch Bayh of Indiana, the Chairman of the Senate Intelligence Committee, the FBI began a counter-intelligence analysis of the Paisley case...the Director of the Central Intelligence Agency Stansfield Turner says Yuri Nosenko has 'no recollection of ever meeting Paisley.'" Author Jim Hougan cited a letter Mrs. Paisley wrote to Stansfield Turner, in which she mentioned that she had worked for Kathrine Hart [the wife of John L. Hart] when she was in the CIA. ANGLETON told *Look Magazine*, "To my knowledge Paisley was never involved in the clandestine side. I have doubts that he knew Yuri Nosenko." [cited in *Inquiry 11.15.79*] Joe Trento and William R. Corson reported John Arthur Paisley worked with Bruce Solie. Bruce Solie, 75, died on December 25, 1992, after 28 years of CIA service.

John Arthur Paisley was sailing on the Chesapeake Bay on September 23, 1978. In his possession was a briefcase of Secret documents that dealt with the Soviets. The next day John Arthur Paisley was found in the bay, with two diver's belts weighing a total of 38 pounds strapped to his upper abdomen. The autopsy report stated the cause of death was a "Gunshot wound, penetrating head, close contact range. Entrance in left occipital parietal region with powder deposition within wound and on skull. Crania-cerebral injury. Missile recovered, large caliber, deformed, jacketed, lead. Trajectory: left to right (cannot be further evaluated)."

ANALYSIS

The gun was never recovered. Was the death of John Arthur Paisley a suicide or a murder? Had John Arthur Paisley put on the weight belts, leaned over the edge of the boat, shot himself, then fallen overboard with his gun? The Maryland County Coroner concluded: "John Paisley, a 55 year old white male showing advanced decomposition changes, died of a penetrating gunshot wound to the head. The manner of death is undetermined. Signed Russell S. Fisher, M.D., Chief Medical Examiner." The boat belonging to John Arthur Paisley was found by Maryland Park Rangers. The CIA was first on board and recovered the Secret documents. Why had John Arthur Paisley taken these documents with him if he intended to kill himself? Bernard Fensterwald called the CIA and asked the Agency to "make available for him to interview a number of Agency personnel that appear in a telephone list finder which belonged to Mr. Paisley." [CIA FOIA Req. #F93-0041 OGC-2 Routing and Record Sheet

1.29.79]

HEMMING AND FENSTERWALD

HEMMING told this researcher: "Fensterwald gave me a lot of money, and went through a lot of files, with no return to him at all. He was supposed to give me \$100,000 cash (because he didn't want it traced to him) to reorganize his office. Fensterwald said, 'You're so close to this shit everybody's wondering why you couldn't stop it, or not appear to be part of it.' There's shit he didn't want to know cause he didn't need his family threatened. Bud put McCORD on the phone in May 1975. I had talked to him on the phone during the Garrison investigation. He introduced me to Oliver Stone. What if I told you about a hypothetical classic CIA penetration operation, and Fensterwald financed it for me? You wouldn't be surprised? Kennard Smith, who had worked with Elliot Ness, recommended a covert operation in which people could get killed. There would be shooting. Bud didn't want him to set that up by himself. Fensterwald's CIA people had told him that's risky shit, we don't deal in that area. This means palace-level intrigue. We don't do that kind of stuff anymore. He didn't clear it with them, but he told them where he was going to go, and who he was going to talk to. I'm not saying the date, cause I'm not going to go into the operation. Fensterwald reminded me of Pawley. He was serious minded when it came to the security of this country. He loved the goddamned Jews too much." In 1976 HEMMING asked for "All reports, records and files held by the FBI, CIA, and other agencies, reference to activities of the defendant acting as an investigator concerned alleged CIA activities involving divers conspiracies on the parts of John O'Hare, AKA Colonel Grey, John Kern, and former treasury agent Kennard Smith." [USDC Miami 76-371-CrCa] It was suggested to HEMMING that Bernard Fensterwald did damage control for the Agency. He responded: "Could be. If somebody hired him to do something that's completely legal and was in the parameters of the law profession, what the fuck is he to say or do? And he did it two or three times and it worked out real good, hey, who's he to challenge who the client is? I don't think Fensterwald thought the CIA was the enemy of the United States."

LYNDON LAROUCHE

When Lyndon LaRouche was indicted for Obstruction of Justice in 1987 he hired Bernard Fensterwald as his attorney. On April 2, 1991, Bernard Fensterwald, 69, died of a heart attack at his home in Alexandria, Virginia. He had become a Senior Partner in Bernard Fensterwald and Alcorn. [FBI 62-112697-18 w/h]

ANALYSIS

Fensterwald's death was his greatest contribution to assassination research.

THE CHARLES HARRELSON HOAX

In the late 1970's Charles Harrelson was released from a Texas prison having served five years for a contract murder. On May 29, 1979, Charles Harrelson murdered Federal Judge John Wood in San Antonio, Texas. Judge John Wood was scheduled to preside over the drug trial of Charles Harrelson's associate, James Chagra, whose trial was to begin the morning the judge was shot. The police linked Charles Harrelson to the killing of Judge John Wood through a prison informant who told authorities that James Chagra had given him the details of the murder of Judge John Wood. In September 1980, when Texas State Police arrested Charles Harrelson on drugs and weapon charges, Harrelson, intoxicated by free base cocaine and cornered by the police, held a gun to his head and confessed to "killing a federal judge." Then he stated "I killed Kennedy, too."

ANALYSIS

When Charles Harrelson realized that he had made a self-incriminating statement, he decided to take credit for the assassination of President John F. Kennedy, to discredit his first confession. He added, "I killed Kennedy too."

Charles Harrelson was an alleged associate of the CARLOS MARCELLO crime family as well as an acquaintance of R.D. Matthews, an associate of JACK RUBY. Charles Harrelson, 25 years old in 1963, had never been connected with the assassination by the media or by any Government agency before he confessed. The news media discovered the story and when photographs of Charles Harrelson were circulated, some researchers believed that he was one of the tramp who were marched through Dealey Plaza and photographed.

THE CHAGRA BROTHERS

During the trial of Charles Harrelson, the brother of James Chagra, Attorney Joseph Chagra, was a government witness against Harrelson. Joseph Chagra told jurors that when he visited Charles Harrelson "in jail in September 1980, Charles Harrelson told him about a will in which he admitted having killed Judge Wood and President Kennedy...Joseph Chagra testified that Charles Harrelson 'drew a map of Dealey Plaza to show me where he was standing when Kennedy was shot.'"

Charles Harrelson's "will" was a handwritten note he had left after fleeing a Houston motel room, in which he specified that, if killed, his body should be cremated and the ashes sprinkled over the Judge John Wood Memorial Federal Courthouse in San Antonio. The "map of Dealey Plaza" was a diagram Charles Harrelson sketched while Joe Chagra visited him in jail. It pinpointed a lake east of Dallas, where part of the murder weapon had been hidden. The jury didn't believe Joe Chagra's story about the Kennedy assassination. Charles Harrelson was found guilty of murdering Judge John Wood.

On October 2, 1980, "(Deleted) (PROTECT IDENTITY) advised that in a recent conversation

(deleted) Travis Irwin...advised (deleted) that he (Irwin) had spoken to Jimmy Chagra...At that time Chagra told Irwin that Charlie Harrelson was currently in custody at Houston, Texas, and Harrelson had previously written a note allegedly admitting that he (Harrelson) was responsible for the assassination of President John Kennedy, as well as the murder of Judge Wood. In addition the note was alleged to have stated that while Harrelson personally and solely assassinated Kennedy, he assisted Larry Culbreath in the murder of Judge Wood and Culbreath actually fired the weapon killing the Judge but Harrelson had planned t he 'hit' and received payment for the contract." [NARA 124-10179-10129 - 4 pages w/h as unrelated to the JFK Assassination]

In the mid-1980's Charles Harrelson retracted his confession: "On November 22, 1963, I was with a friend at 12:30 p.m. having lunch in a restaurant in Houston, Texas. I did not kill JFK and it was not me in the picture. I was not in my right mind when I confessed..."

ANALYSIS

Although ten years had elapsed since the Harrelson story first appeared, and although he had retracted his confession, in 1990 the story received wide exposure in the tabloids. The Harrelson/Tramp story was widely disseminated for two reasons. The first was that *Cheers* star Woody Harrelson was involved. The second was that the CIA was aware that Oliver Stone's film was about to rekindle an interest in the assassination of President John F. Kennedy. *The New York Observer* had carried an article that stated that Oliver Stone was thinking of basing his movie on *Coup D'Etat in America*. By having its stringers at the various tabloids run this story, the CIA hoped to cause more confusion regarding the identity of the tramps. The CIA did a good job. Numerous people asked me if one of the tramps was really the father of Woody Harrelson? Charles Harrelson was joined by criminal Chauncey Holt, who claimed he was the HUNT tramp. *The Globe*: "I Helped Cheer's Star's Dad Kill JFK." [*Globe* 1.14.92]

Gerald Posner dealt with the tramps by listing HUNT, STURGIS, Charles Harrelson and Chauncy Holt as those who researchers suggested were the tramps, then he named Harold Doyle, John Gedney and Gus Abrams as the real tramps who were "sleeping in the railroad car when the police arrested them. The men had no connection to the events at Dealey, and the conspiracy press suddenly and quietly abandoned the issue."

END OF NODULE.

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