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MEMORANDUM

Date: October 24, 1995
From: Hickman Ewing
To: File
Subject: Telephone Call from Reed Irvine

At approximately 1:05 p.m., Monday, October 23, 1995, I received a telephone call from Reed Irvine, *Accuracy In Media*. He asked me if I had read the latest article by Ambrose Pritchard in London's *Sunday Telegraph*. I told him I had just received a copy by FAX, but had not yet read it. He said that I really needed to read that.

He said that it describes the role of a witness by the name of Patrick Knowlton. He said that this person was not even described in the Fiske Report. He said the Park Police didn't even interview him. Apparently the FBI spelled his name "Nolton."

Because the name was spelled "Nolton" in the materials Reed Irvine got, he gave up on trying to find him. Apparently Knowlton was badgered by the FBI but would not give in. The FBI tried to get the witness to change his statement.

According to Irvine, he was going to call this to the attention of Arlin Specter, who was heading the Senate hearings on Ruby Ridge. He said that if Ruby Ridge was bad, this is also bad. In addition to trying to get him to change what he said, perhaps the FBI misspelled his name on purpose in order that people could not talk to him.

The Pritchard article apparently stated ~~ent~~ in the end that Starr is a man of integrity and asked why would he throw away his reputation lightly over the Vince Foster investigation.

Irvine said he had spoke to three groups in the last week. He said the interest is very intense on this issue.

He asked me if I had received a copy of the Sprunt report. I told him I had received this very morning and would be looking at it. I also told him that Brett Kavanaugh already had a copy and was highlighting it. Irvine said, "yes, but he wouldn't share it with you." I told him that Brett did a lot of things and then advised me about that. I told him Brett's impression of the Sprunt report was he'd done some good analysis.

Memorandum to File
October 24, 1995
Page Two

Irvine said that all Sprunt had to work with was the public stuff. He said that in his opinion it would be a good idea if we hired Sprunt to go through and organize all of the material, including what is not public at this point. He said Sprunt is not trying to get rich off of this and would be glad to do this.

Irvine said that the Park Police or FBI also had misspelled the name of another witness, Mark Feist, or Frist.

THE OTHER SIDE OF THE STORY'S MEDIA CRITICS

Reed Irvine is founder and chairman of Accuracy in Media and Accuracy in Academia, both located in Washington, D.C. Mr. Irvine edits the twice-monthly AIM Report, writes a syndicated weekly newspaper column with Joe Goulden, and broadcasts a daily radio commentary, *Media Monitor*, with Cliff Kincaid. He is author of the book *Media Mischief and Misdeeds* and co-author of *Profiles of Deception* and *The News Manipulators*. In addition to giving numerous radio and print interviews, Mr. Irvine keeps an active speaking schedule that includes regular appearances on TV public affairs programs like *Crossfire* and *The MacNeil-Lehrer NewsHour*.



Joseph C. Goulden, AIM's director of media analysis and associate editor of the AIM Report, is the author of 18 books, including *Fit to Print*, about A.M. Rosenthal and The N.Y. Times. During his ten years as a newsman, Mr. Goulden worked for the *Marshall(Texas) News Messenger*, *The Dallas Morning News* and *The Philadelphia Inquirer*, where he served as Washington bureau chief. The numerous honors that Mr. Goulden has received for his work include a National Magazine Award, the magazine equivalent of a Pulitzer Prize.



A fulltime writer since 1968, some of Mr. Goulden's other books include *The Superlawyers*, a national bestseller; *The Best Years*, a Book-of-the-Month club main selection; *Korea: The Untold Story of the War*, and *The News Manipulators*, co-authored with AIM colleagues Reed Irvine and Cliff Kincaid. A frequent guest on radio and TV news and public affairs programs, Mr. Goulden is also in demand on the nationwide lecture circuit.

What Our Viewers Think

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"A dream come true!"

-- Martha Lant, Port St. Lucie, Florida

"AIM's TV show is one I never miss."

--Thomas Koch, Eugene, Oregon

What is Accuracy in Media?

Accuracy in Media is a non-profit, citizens' watchdog of the news media that promotes fair, balanced and accurate news coverage. Annual memberships that include 24 issues of our fact-filled newsletter, the *AIM Report*, are available for a tax-deductible contribution of \$25.00.

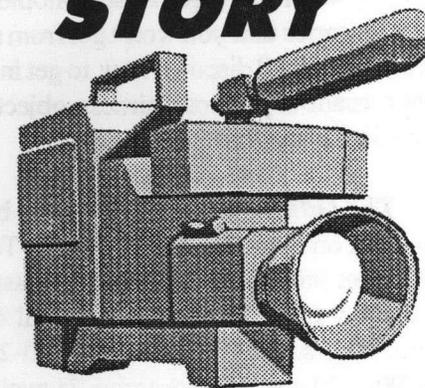
For a script list or further information about Accuracy in Media and our television program, *The Other Side of the Story*, contact Deborah Lambert, AIM, 4455 Connecticut Ave. NW, Washington, DC 20008. Phone (202) 364-4401, FAX (202) 364-4098.

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*If you're fed up
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THE OTHER SIDE OF THE STORY



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WHY DOES AMERICA NEED THE OTHER SIDE OF THE STORY?

If you've ever gotten angry at how the news media manipulate facts, distort important stories--or ignore them altogether--now you can fight back.

Tune in to *The Other Side of the Story*, sponsored by Accuracy in Media, America's first and foremost watchdog of the news media.

The Other Side of the Story, co-hosted by AIM chairman **Reed Irvine** and author/journalist **Joseph C. Goulden**, goes behind the scenes and re-reports stories that the media have botched and bungled.

You will finally get to see another side of important stories that you won't get from any other source. Plus, you'll discover how to get involved in a vital crusade to promote fairness, objectivity and balance in the media.

The Other Side of the Story is broadcast every week on National Empowerment Television (NET) from 9:00p.m. to 10:00p.m., Eastern time and re-aired at the following times (all times are Eastern): Thurs. 1:00-2:00 a.m. and 1:00-2:00 p.m., Fri. 4:00-5:00 a.m. The program is available via satellite on Galaxy 7-Transponder 20V and on selected cable and broadcast outlets around the country.

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Tom Schatz, head of Committee Against Government Waste, and **Bob Cote**, head of Step 13, discuss how government disability payments to drug addicts and alcoholics fund their addictions.

* * *

Black Conservatives: The Ignored Minority

Emanuel McLittle, editor/publisher of *Destiny* magazine, reveals how mainstream media ignore views of emerging black conservative movement.

* * *

America Tells TV: Clean Up Your Act!

Terry Rakolta, head of Americans for Responsible Television, describes her crusade to clean up the airwaves.

* * *

Why Johnny Can't Read

Attorney **Robert Unger** and reading expert **Bob Sweet** discuss how a flawed NBC *Dateline* segment maligned the "Hooked on Phonics" reading program.

* * *

Pasteurization By Irradiation

Dr. James Steele, public health expert, counters myths about food irradiation.

Affirmative Re-Action

Contractor **Arnold O'Donnell** and government administrator **Stanley Dea** discuss how affirmative action should promote equal opportunity, not preferential treatment and quotas.

* * *

Assault on the Religious Right

AIM president **Murray Baron** and **Matthew Brookes** of the National Jewish Coalition discuss how the media blast religious conservatives to downplay troubles of Democrats.

* * *

What's Next for South Africa?

Dr. Sipo Mzimela, Zulu cabinet official in the Mandela government, discusses South Africa's political with columnist and author **Allan Brownfeld**.

* * *

Newt Age NPR

Larry Jarvik, Washington editor of COMINT, and congressional staffer **Quin Hillyer** discuss how good business sense could help NPR survive in the marketplace.

* * *

Navy's Deviant Diversity Day

Col. Robert Maginnis and **Peter LaBarbera** discuss how taxpayers fund gay propaganda.

Videotapes of *The Other Side of the Story's* recent broadcasts are available for only \$13.95 postpaid.

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Called AIM -

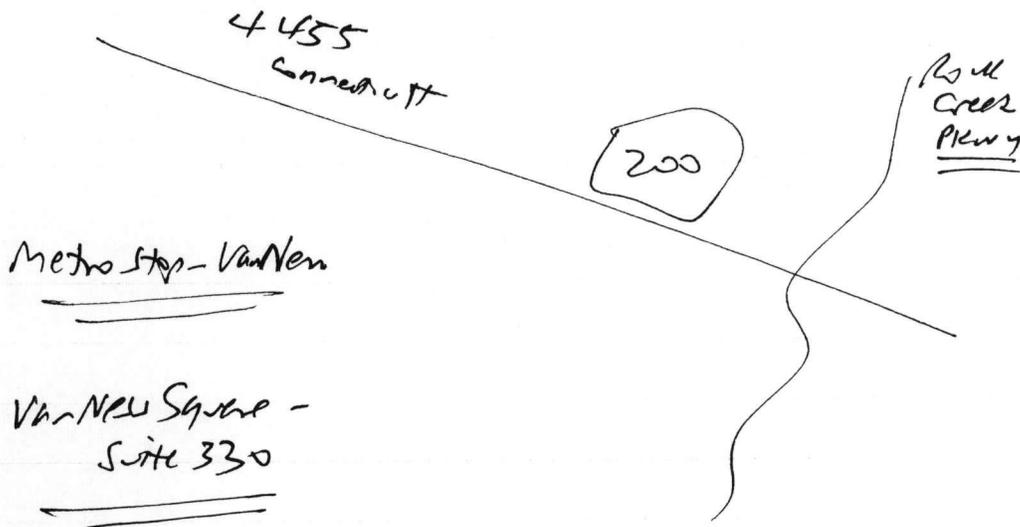
202-364-4401

~~Reed Irvine~~ Reed Irvine ✓
Hickory to

© Vince Foster diary (pocket) - none found...

Did he keep desk diary of pocket diary.

© 1030 - Thurs.



"We'll put you on our TV show to talk about the Foster case."

have resulted in more blood on Foster's skin and clothing than was observed. Monroe said this was proven by the fact that more blood was spilled when Foster's body was moved from Fort Marcy Park.

"However, two experts I interviewed have said that measures could have been taken to minimize the spillage of blood. I also discussed this with one of Fiske's pathologists, Dr. Donald Reay. He thought that this would not preclude some smearing. And, of course, there was some smearing—the contact stain on the right cheek and jaw, evidence that Fiske and his pathologists had decided to sweep under the rug. Dr. Reay acknowledged that if the head was not moved by one of the early observers, the bloodstain presented a serious challenge to the theory that Foster killed himself on the spot where his body was found."

Did the Times Find the Answers?

Lelyveld said the Times had investigated "all the allegations concerning Foster's death." Irvine asked how they resolved the bloodstain mystery. "If they haven't resolved it," he wrote, "you owe it to your readers to point out that this is an unsolved mystery that Kenneth Starr should investigate." The same was true of the hair, fibers and semen the FBI lab found on Foster's underwear. Professional investigators we talked to told us that Fiske's failure to check out this evidence was appalling.

Irvine also pointed out that Foster's long absence on the afternoon he died had not set off any alarm bells because it was not unusual for him to absent himself for long periods of time without saying where he was going. The investigators had not tried to determine if there was any pattern to these absences.

Nor had they laid to rest the rumors that Foster and other administration officials from Arkansas had the use of a secret apartment. Reporters tried to check out the rumor that this was an apartment controlled by the Secret Service in the Lincoln Towers apartments in Arlington, but they couldn't prove or disprove it. The FBI could easily find the answer. Did they try? They aren't saying.

We sent Lelyveld a copy of a letter we had sent to independent counsel Kenneth Starr listing many other unanswered questions about the Foster case, but we added one more that we had not sent to Starr. A gun expert had pointed out that the supposed gunshot residue markings on both of Foster's index fingers would have necessitated "an extremely unnatural and awkward grasp, totally inconsistent with what both experience and logic show us to expect of a suicidal person with a gun in their hand, directed at themselves."

Straighten Us Out, Please

Irvine concluded his letter with a request that the Times cooperate with AIM in the search for answers, saying he would welcome an opportunity to discuss these and other questions with the reporters who investigated the questions

about the Foster death. "Since they have devoted so much time to the investigation, perhaps they could straighten me out," he wrote. "I have never said that Foster was murdered, but I do believe the evidence now available indicates that he may have died, under what circumstances we do not know, some place other than on the berm in front of the second cannon at Fort Marcy Park."

Because Foster worked in the White House, Irvine said, "We should not be content with an inept investigation that leaves a number of important questions unanswered and with an official report based on material that the government refuses to make public, e.g., the complete and unredacted Park Police Report, the crime scene photographs and the reports submitted by the FBI agents who worked on the investigation for Fiske. Will the Times add its voice to those who are asking that these materials be made public and that Starr undertake a more thorough investigation?"

This letter to Lelyveld was answered by a call from a Times reporter named Dean Baquet. He wanted an appointment to discuss the Foster case. The date of his visit kept changing, and we finally sent him what we had written about the case and some supporting documents. After giving him ample time to study this material, we called to check the status of his investigation. He then told us that he had decided not to pursue it further because, as we reported in the November-A report, "there would be one unanswered question after another." He saw little hope of finding "definitive answers" to the interesting questions we had raised. He resisted admitting that he didn't have an answer to the bloodstain mystery while refusing to tell what it was. Dogged questioning finally broke through that pretense. He had no answer to this fatal flaw in Fiske's findings.

Stories Without Answers

On November 12, the Times published two stories on page one that appeared to contradict Baquet's claim that they couldn't waste time on stories where the chances of getting definitive answers were slim to zero. One of the stories, headlined "Unsolved Rwanda Mystery: The President's Plane Crash," informed readers that it was widely assumed that the plane carrying President Habyarimana of Rwanda that crashed last April was shot down, but it said that "the case will never be resolved to everyone's satisfaction." Much of the lengthy story was devoted to explaining why not.

The same day, the Times reported the findings of a two-month investigation by two of its star reporters into a possible link between recent USAir plane crashes and the airline's financial difficulties. It must have become obvious early on that the chances of finding such a link were slim, but the Times did not abandon hope of coming up with a juicy expose. They found nothing significant, but the front-page, three-column headline didn't reveal that. It posed the question: "Troubles at USAir: Coincidence or More?" The reader had to go through the entire article to learn that "coincidence" was the right answer. FOIA # none (URTS 16370) DocId: 76105682 Page 9



NOTES FROM THE EDITOR'S CUFF

By Reed Irvine

AIM Report

January-A 1995

AIM'S TV SHOW SCORED ANOTHER SCOOP ON DEC. 21 WHEN OUR GUESTS WERE Thomas R. Spencer, Jr. and Kathryn Serkes, the lawyer and spokeswoman respectively, for the Association of American Physicians and Surgeons and two other groups that sued Hillary Clinton, *et al.*, for violating the Federal Advisory Committee Act. That afternoon, Judge Royce Lamberth issued an order asking the U.S. attorney to determine if criminal contempt and perjury charges should be brought against defendant Ira C. Magaziner, the senior White House adviser who managed the task force that put together Clinton's health care plan. The judge said Magaziner lied when he swore in March 1993 that all the health care task force members were federal government employees. He and other defendants also withheld documents that the court had ordered be made public. On Dec. 21, the judge, satisfied that all the documents had finally been released, dismissed the suit, mooted civil charges of contempt and perjury. That night, Spencer and Serkes explained on our show that this was a big victory for the plaintiffs. They got the secret task force records and they believe the defendants will be ordered to pay their legal fees. Magaziner may face criminal charges. We got the story. ABC, CBS and NBC all missed it.

WHEN THE PUBLISHER OF THE NEW YORK TIMES AGREED THAT AIM HAD RAISED questions about Vince Foster's death that deserved to be investigated, I thought our newspaper of record would look into the matter. But reporters decide what's news, not publishers. Dean Baquet, a Times reporter, was asked to look into what we had done on the Foster case. Baquet admitted there was "some interesting stuff that remains unanswered," but he said the Times had to devote its limited resources to "the ones that have...definitive answers." The Foster case, he said, "feels to me like...the ultimate resolution is just not going to be there...there would be one unanswered question after another."

I TOLD EXECUTIVE EDITOR JOE LELYVELD THAT I HAD BEEN TOLD THAT THE TIMES "doesn't have the resources to look into the unanswered questions about the Foster death raised by AIM" and that "investigating those questions would probably only raise more questions, and that it is not likely that these would ever be resolved." Baquet hit the ceiling. "What I said," he told me, "is that *nobody* is ever going to answer all the questions to *your* satisfaction." When I said I had the conversation on tape, his memory improved. He said, "I probably said there were unanswered questions. That's not the same thing as saying it hasn't been satisfactorily answered." I tried hard to get Baquet to give me a satisfactory explanation for the movement of Foster's head. After considerable sparring he finally said, "I don't, you know, I just don't, I just don't feel comfortable at this point answering that kind of question for you." I said, "Because you don't have an answer." He replied, "And you don't either, though. Okay?"

THAT IS A CLEAR ADMISSION THAT THE TIMES HAS NO GOOD EXPLANATION FOR THE movement of Foster's head. That leaves open the possibility that Foster's body was moved. I can think of only one reason why Baquet and Lelyveld don't want to tell their readers about the movement of the head and the questions it raises. They don't want to cast doubt on Fiske's findings. We are still waiting for Lelyveld's response to my letter of Dec. 9 in which I listed 24 unanswered questions about the Foster case. The first four are hard questions that will never be answered unless someone does a lot more digging. The other 20 are questions that the official investigators should be able to answer. The answers will reveal how well or how poorly they have done their job, and they may help us find the answers to those four hard questions.

WANTED: ANSWERS

1. Since all those who viewed Foster's body in Ft. Marcy Park have said his head was facing straight up and since the FBI Lab and Fiske's panel of pathologists all agree that at some point after he died his right cheek had rested on his right shoulder, picking up a bloodstain, who moved the head into the face-up position?

2. When and where and why did this movement occur?

3. What was the origin of the carpet and other fibers and the blond human hair found on Foster's underwear?

4. Where was Foster between 1:10 p.m. when he left his office and the time his still warm body was found over four hours later?
5. Is it impossible, as the Fiske report states, for the body to have been moved from some other place to Ft. Marcy?
6. Can the semen found in Foster's shorts by the FBI lab be explained by traumatic shock or is it more consistent with sexually induced ejaculation? Why didn't Fiske's four pathologists address this question?
7. Did Foster or his secretary keep a desk calendar to record his appointments? If so, what became of it?
8. Did Foster normally carry a pocket diary to record appointments and phone numbers? If so, what happened to it?
9. Is it true, as the Park Police were told, that the only log kept of Foster's phone calls was of the calls to him that he did not take?
10. Why did Foster's executive assistant, Deborah Gorham, tell me that she never has and never will talk about the Foster case and then evade answering whether she was under pressure to maintain silence, first saying, "No comment," and then, when I pointed out she had not denied it, saying, "I didn't even hear the question?"
11. Were Foster's bank accounts ever checked to see if he was making any large payments that depleted his checking account, causing Mrs. Foster to inquire about his pay schedule according to the Park Police report of the interview with Mrs. Gorham?
12. One of the women in the Foster/Nussbaum office said Foster was frequently away from the office without informing them where he was. Are there records, such as logs of the phone calls he didn't take and Secret Service records of when he entered and left the secured parking area, that might indicate whether or not there is any pattern to these absences?
13. Has the rumor that there was a secret house or apartment to which the senior officials who had come to Washington from Little Rock could repair for relaxation been investigated by the FBI and shown to be without foundation?
14. Did the FBI check to see if Foster knew or had any contact with Jon Walker, an RTC official said to have been involved with the Madison criminal referrals, who committed suicide a few weeks after Foster's death by jumping from a balcony of the Lincoln Towers apartment building in Washington where the secret apartment mentioned above was rumored to be?
15. Why wasn't Mrs. Foster questioned until nine days after his death and then in the presence of her lawyer who informed the police that she was not waiving the lawyer-client privilege?
16. Was the handgun found in Foster's home in Washington after his death registered or traceable and was there any obvious reason why he would have not used this weapon rather than the old, untraceable gun with only two bullets that was found in his hand?
17. We were told that the Park Police believed that Foster gripped the revolver butt with his dominant left hand and pulled the trigger with his right thumb, but this is inconsistent with the autopsy finding of what was presumed to be black gunshot residue on the left index finger as well as the right. (The Park Police report does not indicate that any tests were made for powder burns on either Foster's hands or face.) The gun experts we have consulted say that for residue to be left on even one index finger would require a grip that would be extremely awkward and therefore highly improbable. Question: What is the FBI's theory about how the gun was held?
18. The Park Police say that Dr. Beyer, the doctor who performed the autopsy, informed them that the X-rays showed no bullet fragments in Foster's head and Dr. Beyer checked the form indicating that X-rays were taken. He told the FBI there were no X-rays because the equipment was broken, but I found this was a lie. It appears that the FBI simply accepted Beyer's falsehood without checking it. Is this a good indicator of the quality of their investigation?
19. Whose palm print was found on the so-called suicide note?
20. The Park Police insist that the torn up note was not in Foster's briefcase when they examined the briefcase. Assuming they are right, where was the note really found and why were all but one of the torn pieces planted in the briefcase?
21. The alleged underexposure of all the 35 mm. photos of the crime scene has appalled veteran investigators and given rise to allegations that this could not have been accidental. What is their explanation? Didn't they use a modern automatic camera?
22. Why were the police investigators prevented from searching Foster's office and home for evidence?
23. Why has the report of the Park Police interview with former White House Counsel Bernard Nussbaum not been released in its entirety?
24. Why aren't all of the Park Police and FBI investigative reports and the crime scene photos taken by the Park Police being made available to the press and public?

We again wrote to Lelyveld, contrasting the space the Times had given to these two stories with the statement by Dean Baquet that they couldn't afford to devote resources to checking out the unanswered questions about the death of Vincent Foster. We said, "Obviously the Times does have resources to do thorough investigative reporting when it thinks the matter is important. Airline safety is important, of course. If the fatal crashes of USAir planes could be tied to safety violations caused by the airline's financial difficulties the story might win a Pulitzer Prize....Perhaps these reporters could have used their time more constructively on an investigation of the Foster death. They might have found evidence that would lay the suspicions to rest, or they might have discovered that the suspicions have some validity. In either case, they would not have felt compelled to write a story that essentially misled the readers in order to justify their efforts."

Lelyveld's Reply

Lelyveld fired back, charging that our letter turned on "a tendentious if not willful misinterpretation" of what Dean Baquet had told us. "As I understand it," Lelyveld wrote, "he did not say we lack the resources to keep investigating Vince Foster's death. He pointed out something that is obvious: that we have to make choices when it comes to deciding how to deploy our considerable reportorial resources and that these choices turn on our best calculations of guesses on what we might be able to turn up. It's not quite a legal standard of probable cause, but it's something approaching that."

In his first letter Lelyveld had described as "tantalizing" a statement by one forensic expert that the retention of the gun in Foster's hand was suspicious. But now he said that he didn't find such unanswered questions as how the dead man's head moved from his shoulder to the face-up position "compelling." He said, "We worked on the story and didn't think we were getting anywhere or that there was anywhere to get. That was our judgment and if something happens to cause us to revise it, we'll do so without hesitation." Defending the USAir investigation, he acknowledged that they had not found the airline to be unsafe, but they had discovered "some disturbing patterns in its training and maintenance practices."

"You're saying," he concluded, "a similar effort in the Foster case would lead to more disturbing conclusions. If we believed that, we'd make the effort. But that has not been our judgment." He didn't mention the lengthy front-page story about the unanswered questions in the death of the president of Rwanda. Perhaps he thought it went without saying that a mysterious death in Rwanda is of greater interest to the readers of the Times than one involving a close friend and senior aide of Bill and Hillary Clinton.

Two Dozen Questions for the Times

To answer Lelyveld's charge that we had perhaps willfully misinterpreted Baquet's explanation of why he was not able to do more for Foster's death, we sent him a 17-page transcript of two phone conversations Irvine had with

Baquet. We cited this passage as justification for paraphrasing his explanation as we did:

BAQUET: ...we have a tremendous number of things that we have to make a call about investigating. One reason I've kept going to this is because I do respect the work you guys have been doing. You've done a lot of digging. But here's my point...we have to juggle through a tremendous number of things that we're going to put limited resources on. As I read the stuff about Foster, while there is some little stuff and some interesting stuff that remains unanswered....it feels to me like the ultimate resolution...is just not going to be there....The ones that have answers and that have definitive answers are the ones we have to put more time in. And this one just feels to me like it would be sort of unraveling something—that there would be one unanswered question after another, because that really ultimately is the way forensics works....And this just feels like one that there's just not going to be an answer to on the points that you want....I can't make the call to go after that one because I think I'm going to pull up in four months with another thing that's not answerable."

We have provided Lelyveld with a partial list of the "interesting stuff" that remains unanswered about Foster—24 questions in all. We will put all of them in the Notes. We pointed out that all but four of them don't require independent investigation. They are simply questions that the authorities responsible for the Foster investigation should be asked to answer. We sent most of these questions to Kenneth Starr, the independent counsel, soon after he took the job. We also sent them to Congressman William Clinger, then ranking Republican on the House Government Operations Committee, now the chairman. We thought Mr. Clinger would be able to supply some of the answers since he had expressed complete satisfaction with the Park Police and Fiske reports. An aide who first promised us a reply, later had to say that the Congressman had decided against making any comment. Starr has been even less communicative than Robert Fiske, his predecessor.

"Don't Need Another Kennedy Mystery"

In urging Lelyveld to try to find the answers to the easy questions that bear on the adequacy and competence of the investigative work already done, Irvine pointed out that in a conversation he and Joe Goulden had with Arthur Ochs Sulzberger, Sr. last June, the chairman of the Times had agreed that the Foster case smelled bad and said, "We don't need another Kennedy mystery to go on for 30 years."

Irvine reminded Lelyveld that the Times had been instrumental in getting both the House and Senate to investigate the so-called "October Surprise" theory that the Reagan-Bush campaign in 1980 had persuaded Iran to withhold the release of the American hostages until after the 1980 elections. The investigations proved what AIM said when the Times began that campaign—that the October Surprise story was a hoax. Today, far from demanding that Congress investigate Foster's death, the Times won't even tell its readers that there are interesting unanswered questions about it.

Irvine wrote: "What I had hoped you were going to do when Dean Baquet first contacted me was to tell your readers about the questions and press the official investigators to come up with some answers. I told him that in our October 17 conversation. I said, 'What I would like to see a paper as powerful as The New York Times do is join in asking for the release of [the FBI investigators'] reports.' To which he replied, 'Oh, I'll talk to the guys about doing that. That's a legitimate...I'm willing to file for all those reports.'

"How much effort does that take? How much time does it take to write a story based on what has already been

published elsewhere about the unanswered questions? If there is nothing to them, why let them fester and feed suspicions of conspiracies to cover up crimes? Now is the time to try to get the answers while the witnesses are still around whose testimony can be taken under oath and whose memories are fresh. You ran a page-one story about the unanswered questions about the death of the president of Rwanda. Why can't you now do a story about the unanswered questions about the death of Vincent Foster?"

The letter with these questions was sent December 9. We are waiting for the reply.

HEY, AL, WHERE'S THE APOLOGY?

Al Hunt, the silver-maned Washington columnist for the Wall Street Journal, and a loose-tongued talking head on CNN's "Capital Gang" show, has taken an unsightly tumble off his moral high horse. Now the question arises whether Hunt will have the decency to apologize for slandering David Brock of The American Spectator during a tirade on the TV show on November 12.

Denouncing Brock's 1993 book, *The Real Anita Hill*, Hunt said he had written "an ideological diatribe" that "makes no pretense at honest reporting." He praised a new pro-Hill book, *Strange Justice*, by Jane Mayer and Jill Abramson, as being written by "two very highly respected reporters" who had the added virtue of being his colleagues at the Journal.

Now Brock has published an article in *The American Spectator* that sends Hunt's duo tumbling to the canvas, a clear knockout. He asserts—and proves, in our view—that "*Strange Justice* rivals the Washington Post's Janet Cooke episode and the October Surprise 'scandal' as one of the most outrageous journalistic hoaxes in recent memory." His references are to the Washington Post reporter who fabricated a story about an 8-year-old heroin addict, and to the yarn that the Reagan-Bush campaign won the 1980 election by bribing Iran to hold the embassy hostages.

Brock utterly destroys the credibility of Mayer and Abramson. *Strange Justice* sources whom he interviewed "tell me they were either flatly misquoted or misrepresented, or refused to confirm information attributed to them...In addition to relying on fake evidence, doctored quotes, and unsupported hearsay, the book is brimming with anonymous and discreditable sources. Key figures were never interviewed. Where evidence does not fit the authors' point, it is ignored entirely. And a whole array of alleged facts—small and large—are simply wrong."

The full-page excerpt which the Wall Street Journal ran to promote the book featured Kaye Savage, the only person whose allegations had not been previously reported. Mayer and Abramson say she told them that she visited Thomas's apartment in 1982, soon after his divorce. She is quoted as saying that the walls of the main room, as well as the bath and galley kitchen, "were papered with [Playboy] centerfolds of large-breasted nude women." The floor contained "a huge, compulsively organized stack of Playboy magazines," five years worth.

But when Kaye was interviewed on ABC's "Turning Point" show, she told of seeing only one centerfold, in the kitchen. The story about the entire place being plastered with naked women had vanished. Suspicious, Brock interviewed Kaye, and he relates that she told him that Mayer and Abramson had written a "colored-up, sensationalized interpretation" of what she had told a Senate staff member back in 1991. She said then that she had seen only two pinups, and that after reading page proofs of her interview she had asked Mayer and Abramson to make corrections. But they (and their paper) used the inaccurate account.

Was even Kaye's scaled-down number accurate? Brock interviewed six other persons who visited Thomas's apartment during the period; none reported seeing any centerfolds on the wall. They noted also that Thomas's 9-year-old son was a frequent visitor, and they doubted the justice would have exposed him "to that sort of environment."

Did Thomas really leech after Hill? Thomas's close friend and mentor, Senator John Danforth, has done his own book on the case, *Resurrection*. Danforth reveals something that Thomas told fellow Judge Lawrence Silberman—that "his first reaction on hearing that Anita Hill had charged him with sexual harassment was that 'she wasn't attractive at all, and she had bad breath.'"

We recommend strongly that you read Brock's article. He throws down a challenge not only to Mayer and Abramson (who wisely refuse to debate him) but also to the Wall Street Journal and to ABC News, which avidly promoted the book. Neither organization publicized Brock's rebuttal. Silence further damages their credibility.

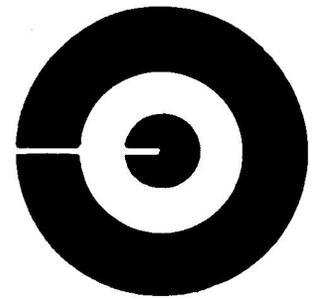
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WHITEWATER HEARINGS: BIG NEWS MISSED

Watkins p. 3

Dan Rather set the tone for the "CBS Evening News" coverage of the Senate Whitewater hearings when, on the opening day, July 18, he reported "the launch of a new Republican offensive." That was his description of hearings that had been authorized two months earlier by a Senate vote of 96 to 3. He told his viewers the purpose was "to reraise old questions," implying that he didn't expect them to produce much news, and reinforcing that message by relegating this opening day story to second place behind a story about Clinton again changing his position on affirmative action.

Over the next three weeks, Rather's newscasts devoted a mere 16 minutes to covering the 80 hours of Senate Whitewater hearings. While CBS reported or mentioned the hearings on 10 of the 13 days on which they were held, they were never the top story of the day on CBS or the other networks. On the final day, Rather wrapped up the story as he began it, declaring, "The Republican tag-team offensive is now winding down, at least for now."

And that was the *best* of the coverage by the three broadcast networks! ABC's "World News Tonight" with Peter Jennings reported or mentioned the Senate hearings on only 6 of the 13 days for a total of nine minutes. The "NBC Nightly News" with Tom Brokaw aired three reports and two brief mentions totaling eight minutes. PBS uncharacteristically preempted its regular programming to devote its daytime hours to live coverage of portions of three competing hearings—Senate and House on Whitewater and the House on Waco. But many public broadcasting stations did not air all or some of them. CNN squeezed in some of the hearings when it was not covering the Simpson trial live. Those who wanted to view the complete hearings on most days had to watch or tape them on C-SPAN2, beginning after the Senate adjourned at 10:00 p.m. or later.

The scant media coverage reflected the influence of White House spin: (1) Whitewater has been thoroughly covered and no new information remains to be disclosed. (2) The Clintons have "cooperated fully" in giving the Senate all relevant documents. (3) Anything pertaining to Vince Foster is ghoulish and prolongs the pain of the Foster family. (4) The hearings are politically motivated and their only purpose is to ensure the Clinton

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Good example: Peter Jennings in his first report: "The public is very skeptical about these hearings. Sixty-seven percent of the people we asked in our latest ABC/Washington Post poll say the hearings are more to embarrass the President than to investigate legitimate issues."

Were These Hearings Necessary?

The purpose of the hearings was not to reraise old questions, as Dan Rather claimed. It was to seek *answers* to the questions raised by the suspicious behavior of White House officials immediately after Vincent Foster's death. The police requested that the office be secured, but three White House officials entered it and one of them allegedly removed files within hours after Foster's death. Police and Justice Department officials were barred from searching the office, prompting Deputy Attorney General Philip Heymann to ask White House Counsel Bernard Nussbaum if he was hiding something. The Senate had a duty to try to find the answer to that question.

Rather knew this. CBS correspondent Bob Schieffer said in his second-day report that the Republicans had "tried again to find out if the White House had tried to block the FBI from entering Foster's office because they were afraid they would see documents there detailing the President's involvement in the Whitewater deal." He added, "So far there is no real evidence that is what the White House was trying to do." Rather asked, "What in terms of substance have they come up with?" Schieffer assured him, "Not a lot really, but it is going to be embarrassing to the White House. Clearly on the night that Foster died, people there ran amok. No one seemed

to be in charge. But it seems to be blunders by a lot of people that were under great stress. There is no sign yet that they really did anything illegal." Calling on the Clinton spin, he warned the Republicans against giving the impression that they were "trying to exploit the grief of the Foster family."

Will They Get Away With Perjury?

Before the hearings began, the White House handed favored reporters a few documents from Foster's files showing that he was working on Whitewater-related matters for the Clintons. They hoped this would be treated as old news when it came up in the hearings, and they weren't disappointed. The reporters didn't even ask why these documents weren't given to Independent Counsel Robert Fiske last year. His report said, "Whitewater was not an issue of any significance within the White House during that period," and it concluded that it was not a factor in Foster's death. It probably wasn't, but it was certainly on his plate.

The hearings produced evidence that the White House went to dangerous lengths to keep Foster's Whitewater file and other Clinton papers from being seen by law enforcement officers. This evidence indicates that Margaret "Maggie" Williams, the First Lady's chief of staff, risked being charged with perjury when she denied removing any documents from Foster's office the night of July 20, 1993, the day Foster died.

Henry P. O'Neill, an 18-year veteran of the uniformed Secret Service, testified that shortly after 10:40 p.m. that night he saw Bernard Nussbaum and two "figures" that he believed to be female enter the suite where the offices of Nussbaum and Foster were located. When O'Neill returned to lock the suite an hour later, he said he saw three people coming out, Nussbaum, Maggie Williams and Williams' assistant, Evelyn Lieberman. He said Williams carried a stack of folders to her office nearby, smiling as she passed him. O'Neill reported the suite locked at 11:41 p.m. He didn't disclose this until he was interviewed by the FBI in April 1994. He was very straightforward, and efforts by the Democrats to shake his testimony failed.

Williams was equally firm in denying O'Neill's story. She said, "I took nothing from Vince's office. I didn't go into Foster's office with anything in mind concerning any documents that might be in his office. I did not look at, inspect or remove any documents." Her attorney testified that two lie detector tests, one arranged by him and one by Independent Counsel Kenneth Starr at his suggestion, had shown her to be "non-deceptive" in response to questions about removal of files or papers. But Bob Novak charged in a column in The Washington Post on July 31 that she had taken "several practice tests—destroying the validity of the process."

Williams testified that Hillary Clinton had called her three times the night of Foster's death, first from the Air Force plane flying her to Little Rock, and twice after landing. Williams denied that Mrs. Clinton had asked her to do anything about any files, but her replies were less categorical and confident than her replies to earlier questions. Asked if Mrs. Clinton had referred in her phone call to any files, Williams replied, "No, I don't recall that." Asked if Mrs. Clinton gave her any instructions to handle certain

files, to remove certain files or in some way protect certain files, Williams resorted to this Clintonesque evasion: "I believe the intent of her call was to tell me that Vince Foster was dead. Past that, as I said before, I don't remember anything else in the conversation. But given the tenor of the conversation, I can't imagine that anything else was said other than that."

Williams testified that her removal of Clinton personal files from Foster's office to a closet in the residence on July 22, which was first reported on December 20, 1993 by The Washington Times, was done at Nussbaum's request. Barring the police, the FBI and the Justice Department lawyers from examining any of Foster's files or papers, Nussbaum, earlier that day, had personally inspected the files, briefly describing each one to the law enforcement officers and putting them in piles, two of which were designated Foster personal and Clinton personal.

Williams testified that late that afternoon Nussbaum asked her to have the Clinton files delivered to their personal attorney, Robert Barnett. Williams said it was late, she was tired and she didn't want to wait for Barnett's messenger, so she called Mrs. Clinton in Little Rock and told her she was going to have the files stored in the residential quarters until arrangements were made for Barnett to pick them up. She said Mrs. Clinton did not object. She had no good explanation for transferring the files to a less secure area. Even Senator John Kerry (D-Mass.) said it defied common sense.

The explanation was disclosed by Tom Castleton, the intern in Nussbaum's office, and Carolyn Huber, the President's director of personal correspondence. Castleton testified that he had carried a box of files to the residence. He said Maggie Williams told him that the contents of the box had to be reviewed by Mrs. Clinton. Carolyn Huber testified that Maggie Williams "called and said that Mrs. Clinton had asked her to call me to take the papers up to the residence up in our third-floor office..." Huber said she accompanied Castleton and had him put the box in a closet.

Other White House staffers testified about Mrs. Clinton's interest in keeping Foster's files from prying eyes. Associate Counsel Steven Neuwirth testified that Nussbaum told him Mrs. Clinton had "expressed concern" about the Park Police or anyone else having "unfettered access" to the papers. He said Nussbaum had heard of these worries from Susan Thomases, a New York lawyer who is Mrs. Clinton's close friend and adviser. Another Associate Counsel, Clifford Sloan, made notes the day after Foster's death that said, "Get Maggie—go thru office—get HRC and WJC stuff." The initials are those of the First Couple.

Maggie Williams' concealment of Mrs. Clinton's role in the transfer of files from Foster's office to the residence on July 22 adds to the doubts about her denial that Mrs. Clinton asked her to go to Foster's office on the night of July 20. The hearings revealed new evidence supporting O'Neill's story that she removed file folders that night.

Search For The Smoking Gun

Deborah Gorman, Foster's secretary, testified about an odd experience she had on July 22 that indicates that Nussbaum

**NOTES FROM THE EDITOR'S CUFF***By Reed Irvine*

WE HAVE TRIED IN THIS REPORT TO COVER SOME OF THE MORE IMPORTANT REVELATIONS that came out of the 80 hours of Whitewater hearings held by the Senate Select Committee chaired by Sen. Al D'Amato. The hearings were disappointing in that D'Amato would not permit any questions pertaining to the investigation of Foster's death. He totally accepted the judgment of the Park Police and the Fiske report that Foster killed himself in Fort Marcy Park, even though he publicly acknowledged after the hearings were recessed that the investigation had been botched, leaving many questions that should be answered. He said he planned to go into this after Kenneth Starr completes his review. He said he planned to interview experts privately and issue a report. I think that's a terrible idea. We have too much secrecy surrounding the investigation of Foster death. What is needed now is a public airing of the evidence and those unanswered questions.

D'AMATO'S HEARINGS WOULD HAVE BEEN FAR MORE PRODUCTIVE IF HE AND HIS colleagues had approached them with the understanding that the investigation of Foster's death should have followed the rule that such deaths must be treated as homicide until evidence is found that rules that out. The minority counsel, Richard Ben-Veniste, used D'Amato's acceptance of the suicide finding to deny that law enforcement officers had any right to conduct searches of Foster's office or home. The Republicans set out to show that the White House had obstructed justice by not sealing Foster's office, by not letting the police or FBI or Justice Department lawyers search it and by not allowing files and documents in the office to be examined before turning them over to the private attorneys for the Clintons and Mrs. Foster.

THE MAJORITY COUNSEL DIDN'T MAKE THE POINT THAT THE POLICE HAD THE RIGHT to demand that all these things be done because they were investigating a possible homicide. The fact that the Park Police themselves did not assert that claim was a problem. D'Amato and his colleagues should have exposed this basic error, emphasizing that this was why the investigation was botched. That would have helped the public understand that the obstruction of the investigation by the White House was a serious matter.

THE JUSTICE DEPARTMENT UNDERSTOOD THIS. DAVID MARGOLIS, ONE OF TWO HIGH-ranking Justice Department lawyers who were sent to the White House on July 22 to assist in the search of Foster's office, was angered by Nussbaum's refusal to let anyone else examine any documents or files. According to notes made by Michael Spafford, a lawyer who was there representing Mrs. Foster, Margolis "felt he had clear legal grounds for a subpoena, since it was a crime on federal property, and if foul play were involved he would have jurisdiction to investigate as possible assassination."

DEPUTY ATTORNEY GENERAL PHILIP HEYMANN WAS ALSO ANGRY BECAUSE HE thought he had an agreement with Nussbaum that his two attorneys would be allowed to examine the first page of each document in the office to determine if it was relevant to the case. He told Nussbaum he was going to recall the two lawyers because if they stayed "they would have no useful function, and it would simply look like they were performing a useful function, and I don't want this to happen." Nussbaum said he would call back after he consulted with someone—he didn't say who. Instead of calling back, he went ahead with his review of the papers, with the Justice Department attorneys, the police and the FBI relegated to the role of onlookers. That made Heymann even more angry. He testified, "I remember saying to him, 'Bernie, are you hiding something?' And he said, 'No, Phil, I promise you we're not hiding something.'" Heymann told the committee, "You have to, in any such situation, wonder whether it's just clumsiness and paranoia, or whether there's some other reason." Heymann subsequently resigned his post and returned to teaching at Harvard.

THE WHITEWATER HEARINGS IN BOTH THE SENATE AND HOUSE AND THE WACO hearings, all of which took place around the same time, didn't appear to do any damage to Clinton's popularity. CNN and ABC News/Washington Post polls after the hearings ended showed Clinton run-

ning substantially ahead of Republican front-runner Bob Dole in a two-man race. This reflects the poor media coverage of the hearings that we discuss in this report. In ten days following Attorney General Meese's disclosure that money from the Reagan Administration's arms sales to Iran had been used to help the Nicaraguan freedom fighters, ABC devoted, on the average, over 80 percent of its evening news show to this story, and CBS and NBC gave it 65 percent of their time. For the 12 days of the Senate Whitewater hearings, the coverage by CBS on the evening news averaged 6 percent and on ABC and NBC 3 percent. This was for coverage of testimony that reeked of perjury by top White House officials and complicity in a conspiracy "to hide something" by those officials and those who were giving and transmitting orders. In those ten days after Meese's disclosure, I thought Reagan was going to have to resign. He weathered the storm, but he plummeted in the polls. In the wake of these sensational revelations about the Clinton White House, Clinton's poll ratings rose. Despite the disillusionment of many in the Washington press corps with Clinton, they have remarkably little interest in exposing wrongdoing in his administration.

ON JULY 27, I HAD A CALL FROM A REPORTER WITH THE NEW YORK TIMES WHO SAID he was going to shock me. He and another reporter had been assigned to do a big story on Vincent Foster's death, and he wanted some help from me. I told him there were two things that would be indispensable—a set of the two volumes of hearings issued by the Senate Banking Committee last January and a copy of what I call a concordance to those volumes prepared by Hugh H. Sprunt, Jr. of Dallas. Hugh, a Foster case buff, has organized, summarized, cross-referenced and analyzed the mass of information in the Hearings. His 161-page report is useful both to those who have the two volumes and to those who don't have the time or patience to read those 2,672 pages of hearings. It comes unbound and you can order it for the copying cost of \$12.00 plus \$4.00 for shipping from Bel-Jean Printing Co., 7415 Baltimore Boulevard, College Park, MD 20740, phone 301-864-6882.

WHEN I CALLED THE TIMES REPORTER TO FIND OUT WHAT HAD BECOME OF HIS FOSTER story, he said the editors had rejected it because it didn't have enough new information in it. Since the Times has run almost nothing about the unanswered questions about Foster's death, it is hard to imagine any story on the subject that wouldn't be new to its readers. But since the reporters hadn't bothered to acquire copies of either the Hearings or the Sprunt report, they couldn't have done much of a story without plagiarizing what Chris Ruddy, Ambrose Evans-Pritchard and AIM have written. However, they now have both the Hearings and the Sprunt report, so they can now do a decent story if they try.

WILL THE HOUSE INVESTIGATE THE FOSTER DEATH? NEWT GINGRICH IS REPORTED to have asked Cong. Steven Schiff (R-NM), a former prosecutor, to take a careful look at the evidence in the Foster case and advise him on whether or not hearings are warranted. I have been told by a Republican Party official that there is a feeling in some quarters that if any charges are brought against Bill or Hillary Clinton now, they may succeed in getting a court to follow the precedent set in the Paula Jones suit, i.e., delaying everything until Clinton is out of office. That could explain D'Amato's odd behavior.

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and Williams knew that files had been removed from Foster's office. She said Nussbaum called her into Foster's office and, with Maggie Williams present, asked her "to state to him... what were the file folders that were in the file drawers that contained the President's and First Lady's personal and financial documents." When Gorham pulled out the drawer, she saw that the index she had made listing all the folders in that drawer was missing. Saying nothing about that, she began reading off the titles from the folders. Nussbaum quickly stopped her, saying he would do it himself.

This strange exercise didn't pique the curiosity of the Senators or the media. Nussbaum and Williams weren't asked to explain it, but it appears that they wanted Gorham to see that the index was missing. Perhaps they thought she would mention it, giving them an excuse for suggesting that she replace it with a new one before the police and Justice Department lawyers arrived to search the files later that day. No such request was made of her, but someone did create a replacement index, dating it that same day.

We know that because minority counsel Richard Ben-Veniste showed Gorham printouts of two indexes for that file drawer that were said to have been found by the White House in a computer in the counsel's office. One was dated July 22, 1993. Gorham denied that she created it, pointing out that it did not conform to her practice of writing each title on a single line. She also testified that she had not touched the files or the indexes in her computer after Foster's death. Ben-Veniste then showed a second index that appeared to be identical in content to the first, but was undated and had each title on a single line. Gorham would not say that it was the one she created because she could not recall all the titles she had listed.

Senator Kit Bond (R-Mo.) in questioning Gorham brought out the fact that there was a Whitewater folder in that drawer and that it was not listed on either of the indexes shown by Ben-Veniste. He read off a list of other files that were not listed that Gorham said might have been in the drawer. She said there was no reason she would have omitted listing any of the files that were in the drawer.

This suggests that on the night of Foster's death, when the window of opportunity was wide open, some folders were removed from that file drawer together with the index. The index had to be removed because it would show that folders were missing. In putting Gorham through that odd exercise, Nussbaum and Williams must have been demonstrating concern that the missing index could come to the attention of the investigators who were coming to search the office that day. The creation of an index to replace it, omitting some of the files listed on Gorham's index, would be an attempt to cover up the removal of those files.

The dated index Ben-Veniste introduced shows that someone forged a replacement for Gorham's index after Foster's death. All that is lacking is hard proof that it did not include all the files on Gorham's list. The undated index shown by Ben-Veniste raises doubts about that because Gorham could not say that it was not her original. The committee has subpoenaed the hard drive of the computer used by Gorham to see if it can retrieve her original index. If the original lists Whitewater and other files that aren't on

the index dated July 22, 1993, this would be the smoking gun supporting perjury charges against Maggie Williams and cover-up charges against those who conspired to create the forged index. This could engulf the First Lady.

CBS reported that the index had disappeared but said nothing about the two forged indexes. ABC and NBC didn't even do a story on the hearings that day. The New York Times and Washington Times both said that Gorham had been unable to identify "an electronic version" of the missing index that was "found on a computer in the counsel's office," but neither mentioned the evidence indicating that those versions may be fakes that could be part of a cover up. The Washington Post story didn't even mention that an index was missing.

Foster's Supersecret NSA Binders

Deborah Gorham also revealed that Foster had given her two National Security Agency one-inch ring binders to put in the safe that was kept in Nussbaum's office. She said one was white, but she did not recall the color of the other. The NSA is a supersecret agency that has the capability of intercepting communications around the globe. Its materials carry cosmic classifications and must be kept in special high security areas and safes. This startling and puzzling revelation was made when Gorham was deposed by Senate committee investigators, but no one even mentioned it during the hearings.

Our intelligence sources say they cannot conceive of any reason why Vince Foster would have a security clearance authorizing him to hold NSA binders, and Nussbaum's safe would not qualify as a sufficiently secure repository for such material. That is shown by the fact that Patsy Thomasson, who had no security clearance at all, was able to get into the counsel's suite and rummage through Foster's papers on the night he died.

Gorham said that although she opened the safe to put in material for Nussbaum after Foster's death, she did not notice whether or not the NSA binders were still there. Why they were there or what became of them remains a mystery that should be cleared up. Rumors were already circulating that Foster was a CIA agent on the one hand and that that he was selling U.S. secrets to foreign countries on the other. His possession of NSA material will fuel such stories. If the committee does not deal with this matter openly, such rumors are bound to flourish. Reporters were able to get Gorham's deposition, but the only one to mention the NSA binders was Ambrose Evans-Pritchard of the London Sunday Telegraph.

When Did The White House Know?

Another intriguing statement in the hearings that went unnoticed was made by David Watkins, the Clinton aide in charge of White House administration. Explaining why he called his assistant, Patsy Thomasson, at 10:30 p.m. the night of Foster's death and asked her to go to Foster's office, Watkins said that he knew that the Park Police had already been in touch with the Secret Service "for some five hours." Five hours would put the first contact at

5:30 p.m., 40 minutes before the Park Police found Foster's body, which would be weird, to say the least. But there are claims that the Secret Service and some people in the White House knew of Foster's death prior to 7:00 p.m., much earlier than the White House has reported. These claims are based on telephone calls made from the White House to the governor's mansion in Little Rock, from Fort Marcy to the Secret Service in the White House and from the White House to the Air Force plane carrying Mrs. Clinton to Little Rock.

The refusal of the White House to release the phone records of the times of these calls creates suspicion that the calls were made earlier than the White House wants to admit. Watkins was in a position to have access to those records. Perhaps his statement, though exaggerated, reflected knowledge that the White House was informed of Foster's death as much as 90 minutes sooner than it has publicly admitted. The media have shown no interest in this at all. The Senate committee is trying to get the records of calls to and from Mrs. Clinton, but if the media were doing their job they would press the committee to demand the release of all these records. If the White House learned of Foster's death before 7:00 p.m., the Senators should find out why the White House claims it was not informed until after 8:00 p.m. and the President wasn't informed until after 9:00 p.m.

The Note That Will Not Fly

Associate Counsel Steven Neuwirth demonstrated at the hearings how he found the torn-up note that was supposedly overlooked at the bottom of Foster's briefcase for six days. He turned the briefcase with the opening to one side. He claimed that this resulted in pieces of yellow paper falling out. It was a frustrating demonstration for those who saw it on TV, because the Senators didn't ask that scraps of paper be put in the briefcase to see if they would fall out. We conducted our own test using a similar briefcase and 27 scraps of paper on AIM's TV show. We couldn't get any scraps of paper to fly out even when we shook the briefcase while holding it in the position demonstrated by Neuwirth. No investigative reporters put Neuwirth's claim to this simple test, showing the lack of interest on the part of the media in following up disclosures at the hearings with any investigative work of their own. In the Watergate and Iran-Contra hearings, the reporting helped drive the investigations. During the Whitewater hearings there has been little reporting by the media, much less any investigation.

It is highly improbable that the note was found torn up in the briefcase. The absence of Foster's fingerprints suggests that he neither wrote nor ripped it. Suspicion that it was forged gained support from another strange incident recounted by Linda Tripp, Nussbaum's secretary. She testified that late in the evening of July 26, the day the note surfaced, she recalled Associate Counsel Cliff Sloan coming out of Nussbaum's office and asking for a typewriter. She asked why he needed a typewriter when they had five computers, but he wanted a typewriter. She pointed out it would be difficult to move one of the two typewriters in the counsel's office because the cords were taped to the floor. She said, "I offered to get him a typewriter from elsewhere. He indicated that was not some

thing he chose for me to do at that point, and he went back in the office." She said that "to her best recollection" it was Sloan, but Sloan denied being there.

Why would Nussbaum and his associate counsel need a typewriter? If they wanted to type out the text of the note, why not use Nussbaum's computer? Or, if it had to be done on a typewriter, why only one from that office? Could it be that they wanted a typewriter that Vince Foster might have used because they thought that a typed note would be better than what they had?

Cop Calls Nussbaum A Liar

Detective Peter W. Markland of the Park Police testified that at the search of Foster's office conducted by Bernie Nussbaum, he had a "clear view" of the briefcase when Nussbaum spread it open "with both hands" and said it was empty. After the note turned up, Markland said, he confronted Nussbaum and told him it would have been "impossible for him to have missed the note...and I was accusing him of lying." Markland said, "I do not believe...the note was found in the manner Mr. Nussbaum represented." The Washington Times made that the lead of its front-page story. Other papers and the networks didn't even mention it.

Nussbaum Proves It

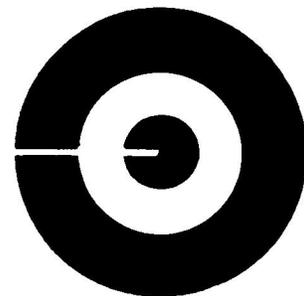
Deborah Gorham testified that the day after the note was found, Nussbaum subjected her to an interrogation about what she had seen in Foster's briefcase, asking her the same questions many times. Gorham said she told him that she had noticed nothing but a file folder and the color yellow. She said Nussbaum asked repeatedly if it was paper, could it have been lined paper, what could it have been? She refused to speculate, telling only what she recalled seeing—the top of a file folder and the color yellow.

When questioned about this, Nussbaum denied that he had "grilled" Gorham. He claimed that he was only trying to find out if she had any information about the note, such as when Foster wrote it and when he tore it up. The trouble with that answer is that Gorham hadn't even been told that the note had been found. She obviously couldn't give him any information about a document that she didn't know existed. Was he perhaps trying to find out if she had seen enough to challenge the explanation they were planning to give on how the note had been found?

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XXIV- 15

WAS FOSTER'S "SUICIDE" NOTE FORGED?

The Senate Whitewater hearings have devoted many hours to the so-called suicide note of former White House Deputy Counsel Vincent Foster that was allegedly found torn up in his briefcase six days after his death. The scraps of paper were allegedly found by Steven Neuwirth, a White House Associate Counsel who was boxing up Foster's personal belongings to be returned to his family. Neuwirth testified that he took the scraps to White House Counsel Bernard Nussbaum.

The note was undated and unsigned. It said nothing whatever about suicide or farewells to Foster's family. It did suggest that Foster was unhappy about criticism directed at him and the Clintons. This was accepted as evidence that Foster was sufficiently depressed to commit suicide.

The Park Police, who were investigating Foster's death, asked Sgt. Larry Lockhart, U.S. Capitol Police handwriting expert, now retired, to verify that the note was written by Foster. Lockhart was shown the note and a copy of a signed letter known to have been handwritten by Foster. He gave a written opinion that the note and the letter had probably been written by the same person.

On August 6, Reed Irvine met with Lockhart, showing him a sheet of paper with 12 words that were found in both the Foster letter (Senate Banking Committee Hearings 1994, p. 1714) and the note. They had been copied and enlarged greatly on a copying machine. Lockhart was told that these words came from two documents, neither of which was identified. He was asked if, in his professional opinion, all 12

words had been written by the same person. Lockhart proceeded to divide the words into two groups based on differences that he observed. In one group he placed four words from the letter and one from the note. In the other group he placed six words from the note and one from the letter. In other words he made only one mistake in grouping the words known to have been written by Foster and the words taken from the unsigned note. That was a capital "I" written in cursive script.

When shown blow-ups of parts of the two documents so he could see the context of the words, Lockhart said "very possibly" and "probably" the two documents were written by different persons. At that point he didn't know that he was reversing the opinion he gave the Park Police in July 1993. When that was brought to his attention he argued that Foster's handwriting could have been affected by depression or the medication he understood he was taking. The reversal of his opinion had been taped with his knowledge, but he declined to state publicly that the authenticity of the note should be rechecked, using additional documents known to have been written by Foster and employing magnification.

A few days later, another professional handwriting expert took the same test we gave Lockhart with identical results. After bringing this to the attention of the Senate Select Committee, the Justice Department and several journalists, we obtained some additional samples of Foster's handwriting and a better copy of the note than the one we copied from the August 2 Wall Street Journal. (Please turn to the Notes from the Editor's Cuff for the rest of this story.)

MEDIA SURRENDER IN THE DRUG WAR

By Cliff Kincaid

The American people have heard a lot about the book deal that House Speaker Newt Gingrich made with Rupert Murdoch's HarperCollins publishing house. But they have heard far less about what is actually in the book, *To Renew America*, in which in one of the most provocative chapters, "Ending the Drug Trade and Saving the Children," Gingrich declares the drug problem a national disgrace and offers a seven-point plan to turn the situation around, including

tougher penalties for drug use, tougher sentences for drug dealers and an intensified military/intelligence effort against drug lords abroad. On July 14, during a public appearance, Gingrich discussed his views on the drug problem, saying that there should be a national referendum pitting legalizing drugs against much tougher measures. Gingrich said the latter approach, which he favored, would win with 80 percent of the vote.

A public opinion survey issued by the Times Mirror Center for the People & The Press on June 25 indicates that Gingrich is correct. Asked what should be the nation's foreign policy priorities, 75 percent of the public said stopping international drug trafficking. This came before such other concerns as terrorism, international competitiveness, illegal immigration, the global environment, trade with Japan and the war in Bosnia.

The irony is that the Gingrich approach is not even being presented as an option by our major media. Instead, the American people are being treated to program after program endorsing a further *weakening* of our efforts. Music Television (MTV) directed such a program, titled "Straight Dope," at America's young people in August of last year, airing it no fewer than six times. Another program, this one directed at adults, was ABC's April 6 television network special, "America's War on Drugs: Searching for Solutions," which put forward a variation of drug legalization known as "harm reduction," in which the government directly dispenses or authorizes the use of currently illegal drugs such as cocaine, heroin and marijuana. The objective is to control the drug problem and reduce drug-related violence. But the show was as flawed as its producer, Jeff Diamond, the former "NBC Dateline" producer who took the blame for rigging two GM pickup trucks in an effort to insure that they would catch fire in a crash. Dr. Herbert Kleber of the Center on Addiction and Substance Abuse at Columbia University was interviewed by correspondent Catherine Crier for over an hour and tells AIM he refuted every point that ABC tried to make. But none of his interview aired.

Thomas Constantine, director of the Drug Enforcement Administration (DEA), said a key flaw in the program was the failure to explain how such a "harm reduction" approach might work in the U.S. Would all drugs be legalized? Would they be provided to children? If not, would law enforcement still be necessary to protect them? And what would stop a black market from developing with drugs stronger or cheaper than the government-approved variety? Constantine's point was that the ABC solution would very well result in the worst of all worlds—more drug use, more law enforcement, and more drug-related violence. New York Times columnist A.M. Rosenthal called the ABC drug program "the worst effort at dealing with a major American problem ever aired" because it was stacked in favor of those advocating one form of drug legalization or another.

Cronkite's Hidden Agenda

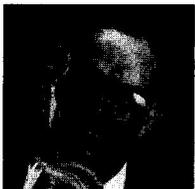
An equally flawed program was aired on the Discovery cable channel on June 20. In this case, the narrator and executive producer was an old friend of Rosenthal—former "CBS Evening News" anchorman Walter Cronkite. Rosenthal was supposed to be a featured participant in this program, titled "The Drug Dilemma: War or Peace." The Discovery channel sent out a news release on June 2 announcing Rosenthal's participation in the show. AIM has learned that Rosenthal, a proponent of an aggressive war on drugs, was interviewed for more than an hour. But none of it aired. Sanford Socolow, an executive producer of the Cronkite show, acted surprised when we told him that we knew that Rosenthal had been interviewed for the program. While insisting the show was balanced, Socolow (JRTS 16370) Donald 70105682 Page 19

why the Rosenthal interview was junked. The only authentic proponent of the war on drugs interviewed in the hour-long program was President Clinton's National Drug Policy Director, Lee P. Brown. He was given a few seconds at the end of the show to defend the prosecution of the drug war. But the use of Brown hardly makes the program objective. Brown, a former New York City police commissioner, is not considered the most articulate proponent of the anti-drug point of view. In regard to the Gingrich comments cited earlier, for example, Brown embarrassed himself by issuing a hasty press release saying that by offering two diverse options on the drug issue, the House Speaker was being "defeatist" and had "abdicated responsibility." Brown made it seem as if Gingrich was himself endorsing the legalization option. Senator Richard C. Shelby says that Brown's office has been so ineffective in the war on drugs that it should be abolished and that his \$10 million budget could be better spent on drug interdiction.

Rather than being partisan by directing his fire at the House Speaker, Brown should take aim at television networks like ABC, the Discovery channel and even MTV. The Discovery channel program is particularly noteworthy because of Walter Cronkite's association with it. Once dubbed "the most trusted man in America," Cronkite still carries a lot of credibility with those members of the public unfamiliar with his real record. To be sure, Cronkite did not explicitly endorse drug legalization, per se, on the program. But he did promote the "harm reduction" option, which is generally how the legalizers are describing their approach these days, and he endorsed the formation of a high-level federal commission to re-study the issue, a long-time objective of the drug lobby. One pro-drug activist, in a message on the Internet computer network, noted, "The ABC drug legalization program...was the first major bold media step in the coming change of opinion, and this Cronkite thing was just another nudge along the way to the final destination." The activist added, "If Cronkite had come out in direct support of drug legalization, most people would have dismissed him and what he said." That made the "harm reduction" approach an absolute necessity because few people actually understand its horrifying ramifications. The "final destination," as this activist made clear, is "total drug legalization."

A Domestic Tet

Wayne Roques, former demand reduction specialist with the DEA, commented that Cronkite's reporting on drugs reminded him of how Cronkite misreported the Tet offensive in the Vietnam War as an enemy victory, when it was actually a defeat for the Communists. "His deceptive reporting helped create an anti-Vietnam atmosphere that resulted in our 'Peace with Honor' surrender," Roques said. "Now, Mr. Cronkite has applied his considerable skills and grandfatherly image to demoralizing the American people relative to the drug problem and the efforts to combat drugs in our society on behalf of the counterculture that would lead us to the abyss of drug legalization." At the end of the show, Cronkite invoked the name of former Defense Secretary Robert McNamara, an architect of our Vietnam debacle, in saying that if we don't change our approach we may one day say we were as wrong in the war on drugs as McNamara says we were wrong in the Vietnam War. However, Cronkite missed the point. We



NOTES FROM THE EDITOR'S CUFF

By Reed Irvine

AIM Report

August-A 1995

THE LEAD STORY IN THIS ISSUE, ABOUT THE POSSIBILITY OF THE MISLABELED "suicide" note allegedly found in Vincent Foster's briefcase being a forgery, was set and ready to go to press last week when additional samples of Foster's handwriting fell into our hands. Rather than try to make space for the rest of the story in the body of the report, I decided to tell it here. Please read the story "Was Foster's 'Suicide' Note Forged?" before reading these Editor's Notes.

THE NEWLY ACQUIRED SAMPLES OF FOSTER'S HANDWRITING ARE ALL NOTES written on lined paper, as was what we will call the "torn-up note" to distinguish it from the rest. The new material shows that the letter written by Foster, which was used by the police and by us as the exemplar to determine whether the torn-up note was in his handwriting, was written with greater care than his notes. What first led us to think the note might be a forgery was the marked difference in the overall appearance of the writing.

THESE SAMPLES ALSO SHOW THAT FOSTER WAS NOT ALWAYS CONSISTENT IN THE way he wrote words. The test we gave Lockhart and our other expert relied on differences in the way Foster wrote the few words that appeared in both the letter and the torn-up note, mainly the word "the." The three "the's" found in the letter were all quite similar. It was apparent to the experts and others that the "the's" in the torn-up note differed from those in the letter. There are two "the's" in the new samples, and in my opinion they are closer to those in the letter than to those in the torn-up note, but there are differences that might cause experts to disagree. I must also point out that we now have a better photocopy of the torn-up note than the one we copied from The Wall Street Journal. Seemingly minor distortions in the old photocopy were a factor in persuading me that the note was not written by Foster.

THE CASE FOR FORGERY IS CONSIDERABLY WEAKENED BY THE NEW SAMPLES AND the improved photocopy of the note. They have convinced me that I made a mistake in thinking that Lockhart and the other expert we consulted were too conservative in saying only that it was "probable" that the two documents were written by different people. I concluded that the note was a hoax and I said so on TV, radio and in one of our syndicated columns. I should have recognized that the available evidence was not adequate to support such a serious charge. This was a mistake, and we have corrected it on our TV and radio program and in our column.

THIS DOESN'T MEAN THAT WE ARE RULING OUT THE POSSIBILITY OF FORGERY. I want to see more analysis using the new material. I think the technique we used of showing the analysts blowups of individual words and partial text must be employed in this case because the political implications of a finding of forgery are so enormous that I doubt if many experts, knowing what is involved, would want to stick their necks out. Some people are unwilling to believe that a conspiracy of this magnitude could have been engineered by anyone in the White House. Others are eager to believe it. Either way, feelings influence judgment.

I INVITE YOU TO JUDGE WHETHER THERE IS A BASIS FOR FURTHER INQUIRY INTO THE possibility that the note was a hoax. Reproduced below are five lines of handwriting, one from the torn up note, two from the new notes and two from the Foster letter. Here are some things I suggest you look at carefully: (1) capital "T's": There are none comparable to the one in line one in the other notes or the letter; (2) "the's": All "the's" that begin with a lower case "t" in the letter and new notes have two garlands (saucer-like curves) after the downstroke of the "h." Only two of the seven in the torn-up note have two garlands. Like the two in the first line, four have an acute angle instead of the first garland and one has a single garland that is barely curved; (3) the crossing of the terminal "t's": The style used in the "not" and "meant" in the first line is used on 5 of the 8 terminal "t's" in the torn-up note. It is found in only 3 of the 40 terminal "t's" in the new notes and the letter.

I was not meant for the job or the spotlight!

2. Improper to reduce basis by improper tax benefit

See Ruckel's view - no significant

I am returning your check no. 04820598

interest & dividends were owned by

FORMER DEPUTY ATTORNEY GENERAL PHILIP HEYMANN TOLD THE SENATE WHITE-water committee that the White House handling of the Foster investigation had created a suspicion of wrongdoing even where there may have been no wrongdoing. The handling of the note has certainly provided abundant grounds for suspicion. What wrongdoing is being covered up is something for Congress and the Independent Counsel to discover. The claim that the note lay unnoticed in Foster's briefcase for three days is hard to believe. Associate White House Counsel Steven Neuwirth's claim that the pieces of yellow paper fell out of the briefcase when he turned it on end is even more unbelievable. We experimented with a very similar briefcase on our TV show, putting in scraps of paper and turning the briefcase on end. No paper fell out even when I shook the briefcase, proving once again that the pull of gravity is vertical not horizontal. The 30-hour delay in turning the note over to the police is suspicious. I haven't been able to think of any reason to refuse to release photocopies of the note other than fear that it would be subjected to independent investigation of its authenticity.

WHY WAS THE AUTHENTICATION OF THE NOTE ENTRUSTED TO SGT. LOCKHART OF the U.S. Capitol Police, not the FBI? Could Sgt. Lockhart, who worked for Congress, be expected to tell the White House that what purported to be a note written by Vincent Foster was possibly written by someone else? Sgt. Lockhart, now retired, expressed surprise that no fingerprints were found on the note. He told me that paper holds latent prints very well, sometimes for decades. It should have been possible to find Foster's finger prints all over a note that he is supposed to have written and torn into 28 pieces within a few weeks of his death. It is equally strange that no fingerprints of Bernard Nussbaum and Steven Neuwirth, the two senior White House officials who found and assembled the note, were not on a single one of the pieces that they put in place. Were they wearing gloves?

THE SECRETARIES IN THE NUSSBAUM/FOSTER OFFICE EXPRESSED DISBELIEF THAT anyone as meticulous as Foster would tear the note into little pieces and then leave it where it would be found. Equally strange is the way the note was torn. Judging from the tears shown in the photocopy, it was first torn vertically into four strips. It appears that the first two strips were then put together, perhaps folded in half, and torn horizontally into six pieces each. Then the second two strips were put together, not folded, and torn horizontally into eight pieces each. That is a very odd way of tearing up paper. I can think of no reason why Foster would want to do it that way, but I can see a reason why those who assembled it might do so. If the purpose of the exercise was to increase the credibility of the story that the scraps of paper had been overlooked, small pieces were preferable. But it would have been somewhat more difficult and messier to reassemble the entire note if it was all torn into small pieces. That might be why the strips with most of the writing was torn into larger pieces. It also appears that the horizontal tearing was designed to minimize the damage to entire lines of text. The eight horizontal tears traversed only seven words in the entire text.

THOSE SCRAPS OF YELLOW PAPER COULD BE THE KEY TO SOLVING SOME OF THE mysteries surrounding the death of Vincent Foster. The stench of perjury at the Senate Whitewater hearings was overpowering. Indictments might force out the truth.

WHAT YOU CAN DO: Two cards are enclosed, one addressed to Walter Cronkite about his program on drugs and the other (URTS 16370) to a publication of your choice about the Foster note.

lost in Vietnam because of a failure of political will by people like McNamara and because of media misreporting by people like Cronkite! This is the same explosive mix that threatens our efforts to keep our young people drug-free. The lesson of Vietnam, which applies to the war on drugs, is that we must have the will to carry the effort forward to a successful conclusion, and that the media can't be permitted to join the enemy side.

Ironically, as Cronkite was telling the nation that we were going overboard in the war on drugs, the U.S. Sentencing Commission was acting to reduce federal penalties for dealing crack cocaine, growing marijuana plants and laundering drug money. This amazing series of actions, which has received virtually no media attention, reflects President Clinton's influence on the commission, which sets penalties for all federal crimes. The commission is now dominated by Clinton appointees. Unless Congress overturns the commission recommendations by November 1, they will go into effect. This continues a pattern of activities under the Clinton Administration that have seriously weakened America's war on drugs. To cite yet another example, Dr. Rachel Ehrenfeld, the author of two books on the drug problem, *Narco-Terrorism* and *Evil Money*, points out that, under Clinton, the Justice Department has eliminated the money-laundering section of the Criminal Division and has moved attorneys with expertise in prosecuting drug-money-laundering cases to other areas.

Big Money Backs Drug Legalization

Why are the media surrendering in the war on drugs? The Clinton Administration's backing away from the problem is certainly one factor. But another explanation is suggested in a special "action update" sent by a group called the Drug Policy Foundation (DPF) to its members around the country, attempting to solicit support for the ABC program. The DPF said the cards and letters of support, to be sent to producer Jeff Diamond, would demonstrate that there is a "large constituency" for programs like this. But the DPF "action update" was revealing for acknowledging that its own officers, members and associates were "well-represented" on the program. DPF said three members of its board and the winner of one of its DPF awards were on the program. Under these circumstances, it's no wonder the DPF liked the show. It would have been nice if ABC had been equally forthright in acknowledging that a special interest group whose leadership is committed to legalizing drugs had such a major influence in the program.

Who is behind the DPF? The answer turns out to be George Soros, a controversial billionaire who runs an offshore investment fund with financial interests as diverse as casinos and a Colombian bank previously accused of laundering drug money. Soros, who poses as a humanitarian, runs literally dozens of organizations around the world, including the Open Society Fund, headed by a former national director of the ACLU, Aryeh Neier. Why isn't ABC investigating his empire and sending a top investigative reporter to question him about his role in the drug legalization movement? This is a story that the major media are reluctant to touch. But Dr. Kleber, for one, thinks it's worthy of attention: "It's interesting now that Soros has put over \$10 million into this

legalization effort that suddenly the media have become much more sympathetic to his point of view." Most of this \$10 million has gone to the DPF.

It appears that the DPF and another Soros-supported organization, Drug Strategies, were instrumental in putting together the Walter Cronkite special on the Discovery channel. Ironically, the president of Drug Strategies, Mathea Falco, was presented on the program as an opponent of drug legalization who wanted more emphasis on drug treatment. Along with Brown, she was given a few seconds at the end of the program to say negative things about legalization. But this was very misleading, if not dishonest. Falco, who served as an Assistant Secretary of State for International Narcotics Control in the Carter Administration, is not considered a hard-line opponent of drug legalization by those intimately involved in the anti-drug movement. Indeed, the Carter Administration made a name for itself with its soft-on-drugs policies.

Dr. Peter Bourne, Special Assistant to President Carter for Health Issues, testified in favor of the decriminalization of marijuana. Bourne, who later resigned following charges he had used cocaine and improperly written a prescription for a controlled substance, was a close associate of Falco. In fact, the book, *High in America: The True Story Behind NORML and the Politics of Marijuana*, says that Falco had been "put in the top drug-policy job at State" by Bourne. NORML is the acronym for the National Organization for the Reform of Marijuana Laws, at whose parties Bourne had reportedly used cocaine. Veteran anti-drug fighter Malcom Lawrence, a former foreign service officer who also worked on narcotics matters for the State Department, charges that "one of Ms. Falco's basic and long-time objectives has been the decriminalization of marijuana." For this reason, when Falco was reportedly being considered for the position now held by Lee Brown, Lawrence came out in strong opposition to her.

Cop-Killer Defender Honored

Even more significant was the role of attorney Kevin Zeese, identified as a "consultant" to the Cronkite show. Zeese, a former top official of NORML, served as a vice president and counsel to the DPF. His official biography identifies him as the author of the *Drug Testing Legal Manual 1988* and co-author of *Drug Law: Strategies and Tactics*. He is also described as the editor of criminal defense manuals "focusing on the defense of drug cases." It is not known if Zeese has personally represented drug users or dealers, but it is clear that he has been of critical assistance to lawyers who do.

At one DPF conference, Zeese presented a \$10,000 cash award on behalf of the DPF to a controversial lawyer, Tony Serra. At the event, Serra said to applause from the audience that he smokes marijuana (and sometimes hashish) every day of his life. An article distributed by the American Lawyer news service said he quit his first job as a deputy district attorney and then moved to the Haight-Ashbury district of San Francisco, where "he suffered a sea change in identity" and "experimented with hallucinogenic drugs and radical philosophies." The article added, "Tony Serra likes drug dealers. He believes his murder clients are 'innocents' driven

to desperate acts by sociopolitical forces beyond their control. Serra doesn't simply represent criminal defendants; he wills himself to become them." The article quoted Serra as saying, "My sustenance is drugs and murder. I'll try any political case that comes along. If you kill a cop, I'll pay to take the case." It also said, "Serra described how, in the past, wakes were conducted in his office to commemorate narcotics traffickers who had died, as it were, in the line of duty. As Serra tells it, bits of their charred remains would be mixed with a small amount of the drug the decedents specialized in selling. 'If it was coke, we'd snort up their bones,' Serra elaborates, adding that marijuana dealers went into his hash pipe."

This background helps us understand the kind of crowd that the DPF has become involved with. But Sanford Socolow, an executive producer of the Cronkite show, acted unaware of the fact that his own consultant, Kevin Zeese, had extensive dealings with the DPF and NORML and that Zeese specialized in offering advice on drug cases. Socolow then tried to downplay Zeese's role, saying he just made a few calls. Yet Zeese is also listed in the official transcript as a source of information for the program.

Flawed Data, Flawed Remedies

Regarding the substance of the show, Cronkite followed what now seems like a predictable pattern, saying that the drug war is too expensive, too harsh and there are too many drug offenders in prison, displacing truly violent criminals. We need new approaches, Cronkite said, including free needles for drug addicts, to reduce the spread of AIDS. This is an aspect of the "harm reduction" approach that Cronkite talked about at length. In fact, however, Cronkite's perceived need to offer an alternative to the "all-out war" on drugs was contradicted by statistics that he himself felt obligated to recite: so-called "casual" drug use among Americans has been reduced by half since 1985, and drug use among high school students had consistently declined from 1985 to 1991. "In 1992," Cronkite said, "that trend suddenly reversed. Today, war or no war, drug use in the schools is going back up." Cronkite asked, "What do we do now? Redouble our efforts, pour ever more billions into the 'war' we've been fighting these past ten years, get tougher still, build more prisons?"

Despite this rhetorical flourish, this wasn't a serious option for Cronkite, and he didn't bother to explain why drug use had started back up. Could it have something to do with the fact that many experts say the Clinton Administration has abandoned the war on drugs? Could it have something to do with the return of pro-drug messages in music and films? Could it have something to do with the reemergence of a pro-drug lobby that confuses young people about the dangers of illegal drugs? None of these questions was asked, much less answered, by Cronkite.

On a practical level, building more prisons is certainly an option. But Cronkite did his best to argue against that by citing, in case after case, the high costs of keeping someone incarcerated. In this way, he argued that money was limited and that the best thing to do was save the available space for really dangerous criminals, not drug offenders. Cronkite didn't include any of these questions in

lowered if politicians would stand up to the liberal judges and their ACLU allies who coddle the criminals and if legislation is passed to end prison perks. Rep. Dick Zimmer, who has introduced a bill to do just that, says the perks include in-cell television, pornographic materials, computers and modems, in-cell coffee pots, musical instruments and even catered prime rib dinners.

Another option in the war on drugs is more drug testing. The Supreme Court has upheld a drug testing program of student athletes by an Oregon high school. The school started the tests after disruptions in class got out of hand and after evidence suggested that student athletes were not only drug users but leaders of the drug culture. Yet one of the main themes of the Cronkite program was that we are already being tough enough. For instance, Cronkite claimed that "almost a million and a half Americans are already serving time in federal, state and local prisons, mostly for drug offenses." The source for this alarming statement was supposed to be a Department of Justice publication, *Crime in the United States*, but no year for this data was given and no page number from the report was offered.

There's just no way this figure can be correct. It appears that Cronkite and his consultant, Kevin Zeese, confused federal figures with those at all levels of government. It is certainly true that drug law violators make up a growing share of the prison and jail population. The Bureau of Justice statistics publication, *Drugs and Crime Facts, 1994*, reveals that drug offenders made up 61 percent of federal inmates, 21 percent of state prison inmates, and 23 percent of those in local jails. But this does not translate into "most" of the million and a half people in prison being drug offenders because the federal figure is such a small percentage of the overall number. On the federal level in 1991, the latest year for which figures are available, the number of convicted drug offenders was only 17,349. Of these, 73 percent went to prison. In any case, the notion of drug "offenders," which may sound relatively harmless to some, does not mean drug users. Princeton University criminal justice expert John DiIulio says that only 2 percent of those admitted to federal prison in 1991 were convicted of pure drug possession. Most of those serving prison time are major traffickers. On the federal level, the average quantity of drugs involved in these crimes was large: 6 pounds for heroin, 2 pounds for crack cocaine, 183 pounds for powder cocaine, and 3 1/2 tons for marijuana. Does Cronkite want these people to be released from prison to make room for others?

Cliff Kincaid shares the microphone with Reed Irvine on AIM's daily radio show, Media Monitor.

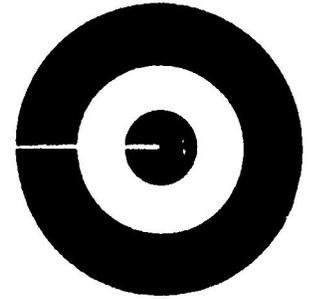
What You Can Do

See the Editor's Notes.

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AIM

BULLETIN



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FOR IMMEDIATE RELEASE

Are critics of the investigation of the death of White House aide Vincent Foster simply irresponsible conspiracy theorists as some in the media have charged? Or are they level-headed skeptics, who have refused to be taken in by an orchestrated cover-up?

Accuracy in Media will hold a symposium to carefully examine the numerous questions that still remain unanswered nearly two years after Vincent Foster's death.

Expert panels will examine the investigation of Foster's death and the media's coverage of this potentially explosive story.

Some of the panelists include: **Jerris Leonard**, former Asst.U.S. Attorney General; **Daniel F. Rinzel**, former Chief Counsel, Permanent Subcommittee on Investigations; **Theodore Weisman**, Public Defender for the State of Maryland; **Ambrose Evans-Pritchard**, reporter, London Sunday Telegraph; **Chris Ruddy**, reporter, Pittsburgh Tribune-Review; **John Dinges**, editorial director, National Public Radio; **Joseph C. Goulden**, journalist, AIM director of media analysis; and **Reed Irvine**, chairman, Accuracy in Media.

The symposium will take place from 9:00 a.m. to 12 noon on Thursday June 15 at the Ramada Plaza Hotel, 10 Thomas Circle, Washington, D.C.

*Further information about this event may be obtained by contacting
Danielle Martin or Tom Fitton at Accuracy in Media (202) 364-4401.*
FOIA # none (URTS 16370) DocId: 70105682 Page 24

Wanted: A Fair Trial For Vincent Foster!

Would it be fair to convict O.J. Simpson of murder on the basis of the evidence presented by the police and prosecutors without any challenge from his lawyers?

Of course not! But Vincent W. Foster, Jr., a close friend and senior aide to President Clinton and the First Lady, has been convicted of a crime -- suicide (always punished by death) without a single lawyer or friend rising to his defense and challenging the flimsy evidence on which the police and prosecutors based their verdict.

Vince Foster deserves a defense. You wouldn't want to be remembered as a weakling and a coward who abandoned your family without a parting word, leaving them tortured with the thought that they might bear some responsibility for your death. And neither would Vince Foster.

Seeing a gun in Foster's hand and no sign of a struggle, the Park Police leaped to the conclusion that he had killed himself. They based their entire investigation on that assumption without first learning the answers to these important questions.

	Answer Now Known
1. Did the gun belong to him?	Very doubtful
2. Were his fingerprints on the gun?	No
3. Was his blood found on the gun?	No
4. Could the bullet that killed him be found nearby?	No
5. Could skull fragments and brain tissue be found nearby?	No
6. Could any splatter or mist from the head wound be found on the vegetation near the body?	No
7. Were the blood stains on his face and clothing consistent with suicide?	No
8. Was there any proof that the fatal wound was caused by a bullet fired from the gun found in his hand?	No
9. Had anyone nearby heard a gun shot?	No
10. Were there powder burns consistent with suicide?	No
11. Was there any evidence that he had walked the 200 yards through the park to the spot where his body was found?	No
12. Was the position of his body consistent with suicide?	No
13. Had he given any indications to family, friends or co-workers that he was contemplating suicide?	No
14. Had he put his affairs in order, preparing for death?	No
15. Did he have a plausible motive for suicide?	None known
16. Was he visibly depressed or behaving in an unusual manner when last seen alive?	No
17. Did he leave a suicide note?	No
18. Did he have plans for important or pleasurable activities in the days ahead?	Yes
19. Where and with whom did he spend his last hours?	Not known
20. Could the possibility of homicide disguised as suicide be ruled out?	No

The police failed to follow the rule that they must treat a violent unattended death as a homicide until they find sufficient evidence to rule out that possibility. They disregarded or dismissed all the evidence that indicated his death was not suicide. Special prosecutor Robert B. Fiske, Jr. reopened the case after the Park Police investigation and verdict came under serious attack. Fiske showed that he had no desire to get the truth by (1) refusing to launch a grand jury investigation and (2) issuing a report that deliberately misrepresented and ignored the strongest evidence that absolved Foster of killing himself.

The establishment media have abetted this coverup by refusing to report that gaping holes have been found in the case against Vincent Foster. Believing that Foster deserves better, Accuracy In Media has published a report, "The Trial of Vincent Foster," showing how a good lawyer could easily demolish the case for suicide, using evidence already available, most of it in the two volumes of hearings and documents released by the Senate Banking Committee last January.

Here Are Some Of The Shocking Revelations You Will Find In This Dynamite Report:

- How both the Park Police and Fiske disregarded the proof that supposed powder burns on Foster's index fingers actually show that he did not fire the gun.
- How the police and Fiske concealed the evidence that Foster didn't own the gun found in his hand.
- How they brushed aside the evidence that this gun was not used to kill Foster.
- How they ignored the evidence that Foster was not shot where his body was found.
- Why their claim that the body could not have been moved is false.
- Why Fiske accepted a motive for suicide that had been ridiculed by the White House press corps and repudiated by the President's press secretary.

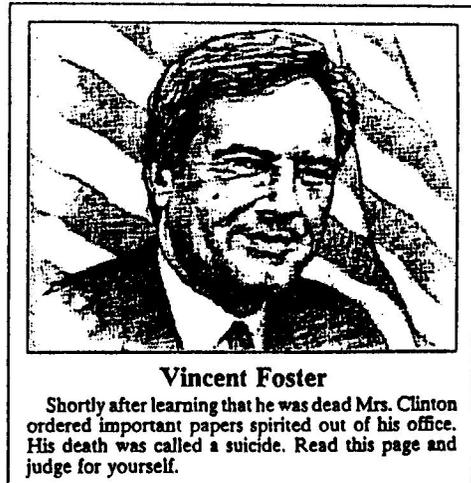
Will Kenneth Starr Find The Truth?

Independent counsel Kenneth Starr reopened the investigation of Foster's death last January, with witnesses being questioned before a grand jury for the first time. Miquel Rodriguez, Starr's assistant in charge of the grand jury investigation, was making significant progress when he abruptly resigned on March 20.

Christopher Ruddy, writing for The Pittsburgh Tribune-Review, reported that Rodriguez resigned because Starr's deputy, Mark H. Tuohey III, was interfering with his conduct of the probe. It described Tuohey as "close" to Associate Attorney General Jamie Gorelick.

Ruddy reported that Rodriguez had turned up "significant" new photographic evidence bearing on the case and "strong evidence" that the gun found in Foster's hand had been "moved or switched." He gave these reasons for Rodriguez's resignation.

- He was not permitted to subpoena all the witnesses he wanted, including independent experts outside the FBI.
- He was not permitted to call witnesses when he wanted them.
- He was asked to show witnesses new evidence in advance of being questioned.
- There were objections to his using services of forensic experts and laboratories not connected with the FBI.



A Message To The News Media

We are outraged that you have told America almost nothing about the GRAND JURY INVESTIGATION of Vincent Foster's death and the interference that led to the resignation of prosecutor Miquel Rodriguez.

Why aren't you asking questions like these?

- If the goal is to find the truth, why the delay in questioning important witnesses and why the objections to hearing testimony from independent forensic experts?
 - Why did prosecutor Miquel Rodriguez resign?
 - Was Rodriguez close to exposing a highly embarrassing coverup?
 - Does his departure signal abandonment of any serious reinvestigation of Foster's death?
 - Is it wrong to question witnesses about new evidence without telling them about it in advance?
 - Should grand jury witnesses be given ample opportunity to coordinate their stories?
 - Since the FBI has endorsed the reports being questioned, doesn't the use of outside experts make sense?
- Your silence is an outrage. We think it is unconscionable for you to do nothing to expose what looks like a massive coverup. Why the silence?

A MESSAGE TO READERS OF THIS AD

We are running this ad because we are disgusted with the media blackout of the questions about Vince Foster's death. Please help us run ads like this in papers all over America. Unless there is a nationwide outcry demanding that the media tell the American people the truth, the coverup is likely to continue.

Send your tax deductible contribution today to help us defeat the media blackout.

MAIL THIS GRASSROOTS PETITION TODAY

Accuracy In Media, Dept. 1
 4455 Connecticut Ave., N.W.
 Washington, DC 20008
 Yes, I think the American people are entitled to the whole story. Please run ads giving the facts about the Foster case all over America and distribute FREE copies of your report, "The Trial of Vincent Foster." Please keep the major media informed of the response you are getting.
 My tax-deductible contribution to help fund this important effort is
 \$5000 \$1000 \$500 \$250 \$100
 \$50 \$25 \$10 \$5
 Check enclosed. Charge my VISA MC AMEX
 Card # _____ Exp. _____
 Send FREE Report: "The Trial Of Vincent Foster"
 Name _____
 Address _____
 City _____
 State _____ Zip _____

Accuracy In Media, Inc.
4455 Connecticut Ave., N.W.
Washington, D.C. 20008
202-364-1401



Western Journalism Center

FOR IMMEDIATE RELEASE:

For more information,
call Joseph Farah
at 916-852-6300

'60 Minutes' to challenge Foster probe

The only reporter in the country working full-time investigating the death of White House deputy counsel Vincent Foster will be the target of a "60 Minutes" segment by Mike Wallace this Sunday night.

Wallace's producer, Bob Anderson, leaked to the New York Daily News that the intent of the CBS News piece is to "attack, debunk and pretty much dismantle the notion that Foster was murdered and that the murder was covered up at the highest levels of government." Though Ruddy has never suggested Foster was murdered, Anderson revealed that his work will be the focus of the "60 Minutes" report.

"We expect that Ruddy and his backers will come back at us," Anderson told the Daily News. "They will say they raised dozens of questions," while Anderson acknowledges that "60 Minutes" only mentions a few of them.

Ruddy, a former reporter for the New York Post now with the Pittsburgh Tribune-Review, is an associate of the Western Journalism Center, a non-profit, tax-exempt corporation that sponsors investigative reporting projects.

For Immediate Release

October 8, 1995

Contact: Joseph Farah
The Western Journalism Center
916-852-6300

CBS "60 MINUTES" Whitewash on Foster Doesn't Make It

This evening CBS "60 Minutes" aired a segment, narrated by Mike Wallace, in an attempt to close the case on the controversy of Vincent Foster's death.

"They failed," Joseph Farah, Executive Director of the Western Journalism Center stated. The WJC has supported the investigative reporting of Christopher Ruddy, a journalist with the Pittsburgh Tribune-Review.

Ruddy, the lone American journalist investigating the death and official investigations into the late White House lawyer's death, was a key a target of Wallace's "60 Minutes" hatchet job.

"Anyone with half a brain could see they didn't do what Ruddy has done--compare the known facts to expert forensic opinion," Farah said. Instead they had to manipulate and edit Ruddy's lengthy interview and distort the facts of the case.

They did not even mention that Independent Counsel Starr says the investigation is on-going, and has forensic scientist Henry Lee looking into the case.

Farah detailed some of the key elements of the "60 Minutes" hatchet job:

1. Foster was right-handed, Ruddy reported Foster was left-handed.

Wallace never mentioned that it was the Boston Globe which first reported Foster was left-handed. Ruddy, in fact, is the first to have reported Foster was right-handed. Ruddy told "60 Minutes" in March of this year that Foster was right-handed.

2. 60 Minutes gave credence to Dr. Haut, the medical examiner, when he contradicted what Ruddy had reported: that Haut had seen little blood at the death scene under Foster's body.

In a tape recorded interview with Haut, Haut told Ruddy, "There was not a hell of a lot of blood on the ground. Most of it had congealed on the back of his head." Ruddy told Wallace during his interview that he had the tape.

Was Wallace interested in the tape, or confronting Haut with it to ask him why he changed his story? Apparently not. Wallace didn't even confront Haut with his statement to the FBI, which is not consistent with the story he is now giving "60 Minutes."

The bottom line is this: "60 Minutes" and Mike Wallace didn't want to find the the truth, it just wanted to use Haut to rebutt Ruddy and cast doubt on his reporting.

The amount of blood under the body should not be in dispute, if the police had the scene photos. The investigator who took those particular Polaroid's says they are missing. Just

like the 35mm film, another set of Polaroid's and the X-rays taken at the autopsy. "60 Minutes" could have asked what happened to this critical evidence, but they didn't.

3. Carpet fibers found on Foster's body were the result of walking across carpets and that Foster's house had just been carpeted.

Nice try. Carpet fibers of seven different colors were found on almost every piece of clothing, including Foster's underwear. They don't get swept up from walking across carpets, as Wallace asserted. *If this important trace evidence could be from the Foster home, why weren't they matched to it by the FBI?* If the fibers could be from anywhere, as Wallace also asserted, why conduct the test in the first place?

The really crucial aspects of Ruddy's investigation were omitted by "60 Minutes": seven leading forensic experts say the powder burns on Foster's hand are inconsistent with suicide; the gun found in Foster's hand was never positively identified as being his; Foster's eyeglasses were found 19 feet from his head; two witnesses said they saw two men (not Foster) in and around Foster's car--one with the hood up, just before the police arrived; Foster's car keys were not found on his body in the park. The Park Police never handled the case properly, and the record shows Fiske accepted the police investigation at face value.

"These are just a few of the items Ruddy has detailed in almost two years on this case, asking the type of questions Mike Wallace and '60 Minutes' can't or are afraid to," Farah said. "Even ABC's 'Nightline' had to admit Ruddy had raised legitimate questions about the case," Farah added.

"60 Minutes" also omitted the very serious statement former FBI Director William Sessions made last year, stating that the investigation into Foster's death was "compromised" from the beginning. "Wallace couldn't even mention this because if the original investigation was 'compromised', then the center piece of Wallace's argument - that the case is closed because the official investigations say it is, falls," Farah explained.

Also shocking was the fact that Wallace withheld key evidence that Foster's body was moved: the FBI lab found not a trace of soil on Foster's shoes, despite a 700 foot trek through the park. Wallace had good reason not to mention this. *Wallace admitted to Ruddy during their off-air interview he had found soil on his own shoes he tested after taking the same walk while at Fort Marcy Park.*

"No evidence," Mike, or just no evidence you think the American people should know about.

Christopher Ruddy is available for media interviews by calling 916-852-6300. His reports are available from the Western Journalism Center at 1-800-WJC-5595.

PITTSBURGH
Sunday Tribune-Review

Oct. 8, 1995

10/08/95 16:47:29 VIA FAX

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501 221 8787 DEBBIE GERSHMAN

Page 001

AT THE BORDER

Customs Service falters with drug interdiction

By Christopher Ruddy
FOR THE TRIBUNE-REVIEW

WASHINGTON — ~~The federal fiscal year ended just one week ago, and annual statistics being compiled by the U.S. Customs Service will show the amount of cocaine seized at our borders has plummeted by nearly 40 percent since President Clinton took office.~~

According to a Customs spokesman, in the first 11 months of Fiscal 1995, the federal service interdicted 144,000 pounds of cocaine.

At that rate, Fiscal 1995 will

■ U.S. flounders in efforts to stop speed smuggling. Story A9

have produced the lowest amount of cocaine seized in the past five years, little more than half of the amount seized during the Bush administration's last fiscal year, 1992.

Experts and sources in Customs say the drop-off in seizures of cocaine — the Big Daddy of the illegal narcotics trade — is largely the result of a Clinton administra-

PLEASE SEE DRUGS/A10

DRUGS FROM/A1

tion shake-up of Customs enforcement's senior staff, dramatic cuts of Customs' enforcement budget, and de-emphasis of Customs' role in stopping illegal drugs at the nation's borders.

The changes come as statistics show the use of cocaine and other illegal narcotics is on the rise again, reversing a downward trend from earlier this decade.

"I would think that cuts in enforcement have resulted in an increase in the supply, distribution and usage of cocaine," said John Bellizzi, executive director of the International Narcotics Enforcement Officers Association, which includes agents of Customs and the Drug Enforcement Administration.

One high-ranking Customs enforcement official, requesting anonymity, told the *Tribune-Review*, "Enforcement people are all depressed because this administration does not want us to have authority, and doesn't want us to have operational money."

The source also indicated the numbers may be worse than they appear, having been boosted late this summer by one unusually large interdiction: a plane loaded with 24,000 pounds of cocaine in San Diego.

According to this year's National Drug Control Strategy, published by the White House's Office of National Drug Control Policy, a de-emphasis of interdiction at the borders began in 1993 after a National Security Council memorandum argued for "a shift away from past efforts that focused primarily on interdiction in transit zones to new efforts that focus on interdiction in and around source countries."

②

Soon thereafter, President Clinton signed a Presidential Decision Directive implementing the new policy, which some say has effectively clipped Customs' wings.

Of seven key areas where federal money is spent to control drugs, such as drug treatment and education, interdiction is the only area to have seen its funding cut.

"While all other agencies involved in drug interdiction will require additional resources in FY 1996, the U.S. Customs Service will not," reads the National Drug Control Strategy.

According to the Office of National Drug Control Policy, Customs has borne the brunt of cuts in interdiction funding. The service's 1994 budget was \$572 million; it will drop to \$500 million under the president's proposal for Fiscal 1996.

The cuts have particularly affected Customs' aviation and marine units, which had been credited with earlier successes in cutting the drug flow.

Another indicator of failing enforcement is a precipitous drop in the number of drug-related arrests by Customs since 1992. For the first 11 months of Fiscal '95, Customs made 6,389 drug-related arrests, compared to 9,600 such arrests in the previous 12 months.

Customs itself seems unable to explain the drop in cocaine seizures.

"There's no figuring out the trends," said spokesman Dennis Shimkoski. He noted that marijuana statistics have gyrated over the past several years without any particular explanation. As to whether cuts in enforcement funding have

'I would think that cuts in enforcement have resulted in an increase in the supply, distribution and usage of cocaine.'

— John Bellizzi

EXECUTIVE DIRECTOR, INTERNATIONAL
NARCOTICS ENFORCEMENT OFFICERS
ASSOCIATION

thwarted efforts to interdict cocaine, he said he "couldn't speculate."

MEXICAN BORDER

The most telling sign of diminishing Customs enforcement effort is at the Mexican-American border. The Office of National Drug Control Policy calculates that about 70 percent of all cocaine coming into the United States comes across that border.

Sen. Diane Feinstein, D-Calif., has been the administration's fiercest critic on drug interdiction policy, particularly as it relates to California's shared border with Mexico. In a letter to Treasury Secretary Robert Rubin (Customs is an agency of the Treasury Department) in August, Feinstein pointed out that in 1993 Customs seized four tons of cocaine at the border.

But since Customs fully implemented a new policy in 1994, "not a single pound of cocaine was confiscated from more than two million trucks that passed through three of the busiest entry points along the southwest border," Feinstein wrote.

That new policy, referred to as the "line release program," allows cargo shippers that are considered low-risk to be whisked through the border, bypassing inspections.

The program gives the special status to drivers and entire trucking lines that have gone through extensive background checks. Administration officials have promoted the program as consistent with the North American Free Trade Agreement, which calls for freer access across borders for signatory nations.

Earlier this year, Feinstein told the *Los Angeles Times* that the program had to be re-evaluated. She questioned whether "increased trade and reduced border control is worth increased narcotics shipments."

Feinstein spokeswoman Susan Kennedy said that since the senator made her criticism, Customs made "a number of refinements" to the program that the senator is reviewing.

Last month, Customs Commissioner George Weise slapped a moratorium on new applications for shippers and trucking companies to participate in the program. Weise admitted that the program has a defect: it allows smugglers to place narcotics on trucks that are part of the program.

As an answer to critic's complaints and a drop-off in seizures, this past February Customs initiated Operation Hardline, which added agents and introduced more rigorous inspections along the U.S.-Mexican border. Despite the media hoopla over Operation Hardline, sources familiar with Customs activity on the border said the emphasis remains on "trade and facilitation," and Customs enforcement personnel are not encouraged to do rigorous inspections.

Staffing at border crossings is still said to be short-changed. At the El Paso station, for example, a source said the site remains 17 positions below its full authorization.

The lax Mexican border inspections are symptomatic of falling standards at all entry points, a ranking Customs official said.

Previously, inspectors conducted random checks of arriving air passengers, as many as 10 percent of any given flight. They also performed occasional "blitz" inspections, checking 100 percent of all arriving passengers from a particular plane.

For the most part, Customs has abandoned that system in favor of an Advanced Passenger Information System. Under the new system, passenger lists are checked against a Customs database of potential smugglers, and individuals are targeted for inspection before the plane even arrives.

But one official said the system is faulty because the database is incomplete and can't really predict potential smugglers. It also depends on foreign airline personnel inputting proper and honest information about the passenger's name and date of birth.

Concerns have been raised by a number of new administration proposals to relax border inspections, the most radical of which were in Vice President Al Gore's National Performance Review aimed at "reinventing" government. One proposal called for an open border between the United States and Canada.

4

In August, Customs announced that it had rejected some proposals, including the open border with Canada. However, some of the task force's proposals were accepted and are being tested at Miami International Airport, which has been designated as a "Reinvention lab."

One idea that was first called "the upper-crust program" exempts first-class and business-class passengers from Customs inspections. One congressional staffer found the notion laughable. "What's stopping a drug dealer from buying a first-class ticket?" he asked, noting the small expense compared to the value of smuggled drugs.

While drug-transporting individuals — sometimes called "mules" — usually carry a small volume of drugs, their cargo is extremely valuable. A pound of pure cocaine can have a market value of \$1 million. That price tag explains why "mules" have taken extraordinary means to hide drugs from Customs, for example by swallowing small condoms filled with cocaine.

The changes at Customs "are only one indication the Clinton administration is not making drug control a priority," said John Walters, who was acting director of the Office of National Drug Control Policy during the early days of the Clinton administration. "Clinton hasn't provided the leadership, and has cut monies, authorization and drug control as a priority across the board."

MEMO

TO: File
FROM: Hickman
DATE: June 26, 1995
RE: AIM postcards

A couple of weeks ago there was a second press conference held by the group Accuracy In Media, whose director is Reed Irvine. It was reported back to us that at the press conference, various people were urged to send postcards to Hickman Ewing, Henry Lee, and an editor with the Washington Post concerning Miguel Rodriguez briefing Henry Lee. In the written materials handed out, which I received a copy of, under the "What can you do?" section, there was a statement to the effect that they could send the "attached cards" to Ewing, Lee, and the Washington Post.

I had alerted Misty Jackson in our Little Rock office to let me know if and when these cards started arriving. We had received approximately 2500 such cards addressed to Ken Starr about a month ago.

As of Friday, June 23, we had not received any such cards in the Little Rock office. When I went into my Germantown office on Saturday, June 24, two cards had arrived, addressed to me as "Deputy Independent Counsel" at my Germantown office address.

The text of the card is as follows:

"Is the request that Dr. Henry Lee examine and evaluate the evidence in the Vincent Foster death a sign that the aggressive reinvestigation of this case did not end with the departure of Miguel Rodriguez? I hope so. But Dr. Lee is busy with 375 homicide cases, and he cannot be expected to come up with answers to the many questions that hang like a dark cloud over Foster's death.

"To facilitate his task, I strongly suggest that you arrange to have Rodriguez brief Lee and explain what these questions are. I also suggest that you recommend that Rodriguez be asked to resume the vigorous grand jury investigation he was conducting."

On Saturday afternoon, June 24, I received 23 additional such cards. All of them were identical. Most had return addresses, and several had some comments printed on them.

On Monday morning, June 26, I FAX'ed a copy of this card to Brett Kavanaugh and John Bates in the Washington, D.C. office, and

one to Debbie Gershman in the Little Rock office.

*Emily--I would expect that we will receive a volume of these cards. For now, please put all of these cards in one place, with a rubber band around them. I would like to keep a count of how many of these cards come in everyday. Thus, if you can note how many cards come in, it would be appreciated. If you are going to be in on Tuesday morning, I would appreciate it if you would call me at the Little Rock office concerning this.

HICKMAN EWING, JR.
ATTORNEY AT LAW
2124 S. GERMANTOWN RD.
GERMANTOWN, TN 38138

Phone: 901-755-2597

Facsimile: 901-755-7609

FACSIMILE TRANSMISSION COVER SHEET

TO: BRETT KAVANAUGH
JOHN BATES
OIC-WDC

DATE: 6-26-95

FAX#: 202-514-8802

FROM: HICKMAN EWING

FAX #: 901-755-7609

RE: AIM Post Cards

Total number of pages transmitted (including this page): 2

Message:

Began receiving postcards (all alike)
at my Memphis Office on Friday (2)
and Saturday (23).

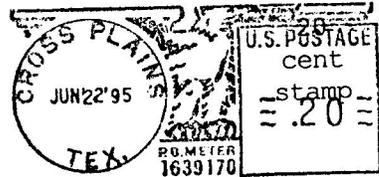
Believe these to be the ones referenced
at AZM Press Conference. People were
asked to send the cards to Ewing, Henry Lee,
and The Washington Post.

I will arrive at Little Rock office
about 1030 Monday morning.

W. E.

cc: OIC LR (D. Bershman)
501-221-8707

The David Holmes Agency
P.O. Box 117
Cross Plains, Tx 76443



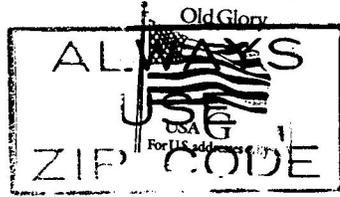
Mr. Hickman Ewing, Jr.
Deputy Independent Counsel
2124 Germantown Road
Germantown, TN 38138



Dear Mr. Ewing:

Is the request that Dr. Henry Lee examine and evaluate the evidence in the Vincent Foster death a sign that the aggressive reinvestigation of this case did not end with the departure of Miquel Rodriguez? I hope so. But Dr. Lee is busy with 375 homicide cases, and he cannot be expected to come up with answers to the many questions that hang like a dark cloud over Foster's death.

To facilitate his task, I strongly suggest that you arrange to have Rodriguez brief Lee and explain what these questions are. I also suggest that you recommend that Rodriguez be asked to resume the vigorous grand jury investigation he was conducting.



Mr. Hickman Ewing, Jr.
Deputy Independent Counsel
2124 Germantown Road
Germantown, TN 38138



Box 11128, Washington, DC 20008-0328
Dear Mr. Ewing:

Is the request that Dr. Henry Lee examine and evaluate the evidence in the Vincent Foster death a sign that the aggressive reinvestigation of this case did not end with the departure of Miquel Rodriguez? I hope so. But Dr. Lee is busy with 375 homicide cases, and he cannot be expected to come up with answers to the many questions that hang like a dark cloud over Foster's death.

To facilitate his task, I strongly suggest that you arrange to have Rodriguez brief Lee and explain what these questions are. I also suggest that you recommend that Rodriguez be asked to resume the vigorous grand jury investigation he was conducting.

Why not start all over
by exhuming Mr. Foster's
body?

Thomas Banta

Thomas Banta

The Vincent Foster Affair--Many Questions and Few Answers

June 15, 1995

Schedule

What is the Evidence?

9:00-10:30 am

Reed Irvine, *Chairman, Accuracy in Media*

Joseph Goulden, *Director of Media Analysis, Accuracy In Media*

Christopher Ruddy, *Pittsburgh Tribune-Review*

Ambrose Evans-Pritchard, *London Sunday Telegraph*

Jerris Leonard, *Former Assistant Attorney General*

Daniel Rinzel, *Former Chief Counsel, Senate Permanent Investigation Sub-committee*

Hugh Sprunt, *Writer, Financial Consultant*

John Rees, *Information Digest*

John Stafford, *Attorney, Newsletter Editor and Publisher*

Jan Helfeld, *Independent Television Producer*

Why the Media Blackout?

10:45 am-noon

Reed Irvine, *Chairman, Accuracy in Media*

Joseph Goulden, *Director of Media Analysis, Accuracy In Media*

Christopher Ruddy, *Pittsburgh Tribune-Review*

Ambrose Evans-Pritchard, *London Sunday Telegraph*

Cliff Kincaid, *Columnist/Commentator*

Floyd Brown, *Citizens United*

Amy Moritz, *National Center for Public Policy Research*

John Dinges, *Editorial Director, National Public Radio*

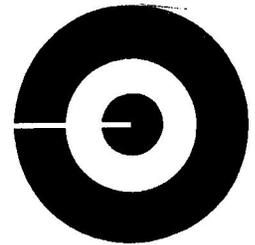
Gary Martin, *Media Critic*

Ted J. Smith, *Professor of Communications, Virginia Commonwealth University*

There will be a short break between the two panels, from 10:30 until 10:45 am.

FOIA # none (URTS 16370) DocId: 70105682 Page 38

ACCURACY IN MEDIA



Presents

***"The Vincent Foster Affair--Many
Questions and Few Answers"***

Thursday, June 15, 1995

9:00 am-12 noon

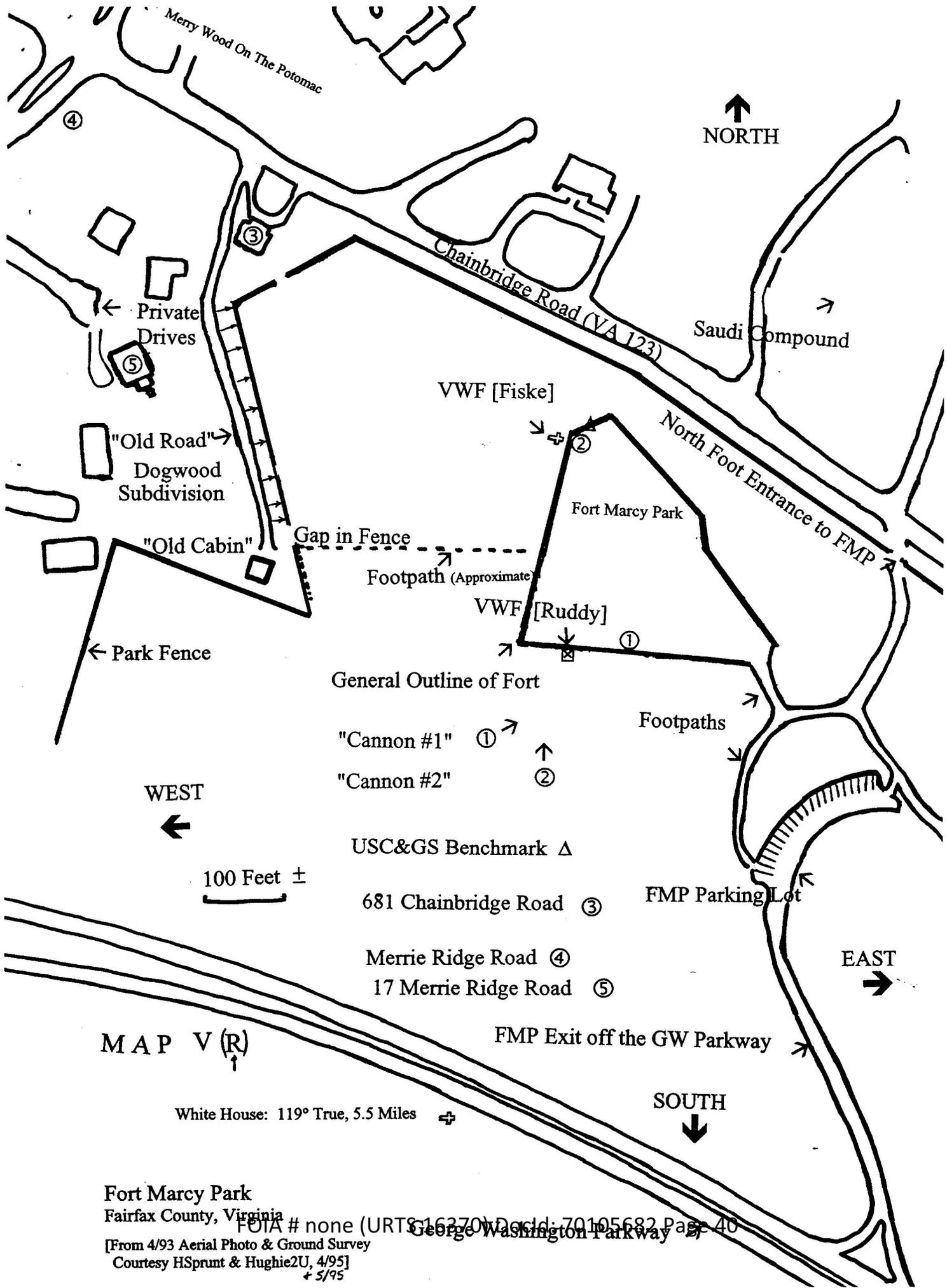
Ramada Plaza Hotel

10 Thomas Circle

Washington, DC



Accuracy In Media, Inc.
4455 Connecticut Ave. NW, #330
Washington, DC 2008
(202) 364-4401
FAX: (202) 364-4098



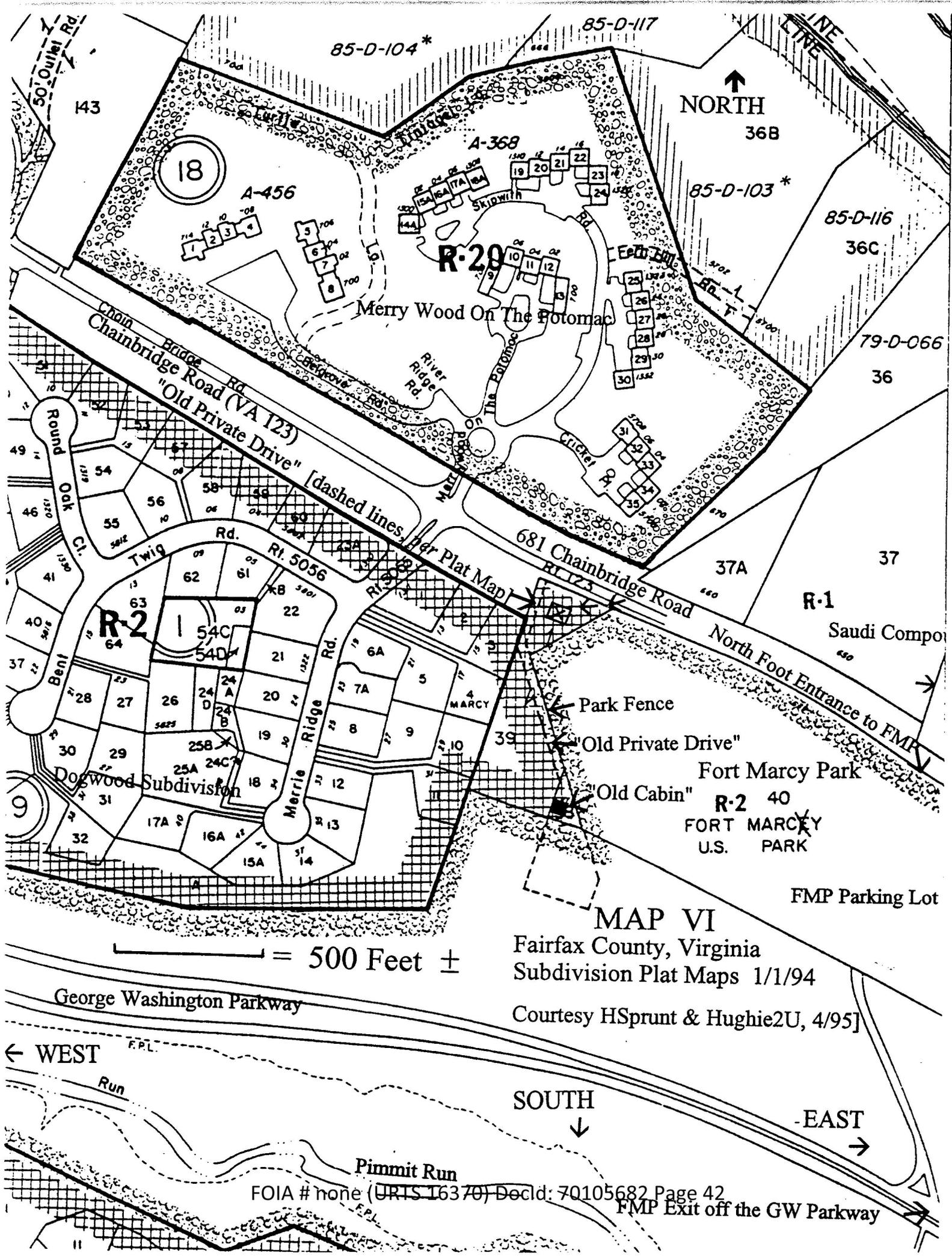
Fort Marcy Park

Fairfax County, Virginia

[From 4/93 Aerial Photo & Ground Survey
 Courtesy HSprunt & Hughie2U, 4/95
 + 5/95

FOIA # none (URTS 16270) DocId: 70105682 Page 40

George Washington Parkway



18

R-20

R-2

R-2 40

85-D-104*

85-D-117

NORTH

36B

85-D-103*

85-D-116

36C

79-D-066

36

37A

37

R-1

Saudi Compon

Park Fence

"Old Private Drive"

Fort Marcy Park

"Old Cabin"

FORT MARCY
U.S. PARK

FMP Parking Lot

MAP VI

Fairfax County, Virginia
Subdivision Plat Maps 1/1/94

Courtesy HSprunt & Hughie2U, 4/95]

500 Feet ±

George Washington Parkway

← WEST

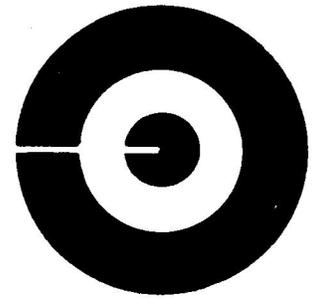
SOUTH

→ EAST

Pimmit Run

AIM AIM

DEPORT REPORT



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Fax: 202-364-4098

Reed Irvine, Editor
Joseph C. Goulden, Associate Editor

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April-A 1995

XXIV-7

THE TRIAL OF VINCENT FOSTER

The attention of much of the nation has been riveted on the trial of O.J. Simpson as his "dream team" of high-priced lawyers fight tooth and nail to convince a jury that O.J. did not kill Nicole Brown Simpson and Ronald Goldman.

Simpson's lawyers are making heroic efforts to overcome an avalanche of evidence pointing to their client's guilt. They have left no stone unturned in their effort to create reasonable doubt in the minds of the jurors and the public. They have challenged the competence and integrity of the detectives and charged that their investigation was flawed. They have combed California for witnesses who might help them undermine the prosecution's case. They found a Nobel laureate chemist to help them attack the validity of the damning DNA findings. No matter how outlandish their arguments, they have captured the media's attention.

By contrast, another prominent individual has been judged by the authorities and the media to be guilty of a killing without the benefit of any defense that has been reported by any of the TV networks or national newspapers or news magazines. Not a single lawyer was engaged to expose the serious flaws in the investigation of his case or the hasty rush to judgment based on incomplete, flimsy evidence. Even the family and close friends of the accused failed to rise to his defense. They all meekly accepted the findings of the police without closely examining the evidence, much of which was not made known to them and to the public until nearly a year after the killing.

The accused himself was silent. He was unable to speak out in his own defense because he was dead. The failure of others to speak out on his behalf is hard to explain. He was not the kind of person who would be immediately suspect of committing such a crime. He was an upstanding citizen with an excellent reputation. He was not a nobody. He was a high White House official and a close personal friend of the President and the First Lady. His name was Vincent W. Foster, Jr. He was accused of killing himself.

Suicide is different from murder, to be sure. It is a crime that by definition is always punished by death. It is also punished by the indelible stain it leaves on the reputation of the killer-victim. That punishment is particularly severe for a man of high character and

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reputation. He would not want to be remembered as a coward who would inflict grievous hurt and hardship on his loved and loving wife and children, to escape some petty embarrassment. Nor would he want it said that he was so cruel that he would desert them without a parting word, sentencing them to live tortured by the thought that perhaps they were somehow to blame for his death.

The Rush To Judgment

That punishment was inflicted on Vincent Foster by police investigators who jumped to the conclusion that he had killed himself because they found a gun in his hand and no sign of any struggle. They made and acted on that determination before they knew the answers to many vital questions, including these:

1. Did Foster own the gun found in his hand?
2. Did that gun fire the bullet that killed him?
3. Were his fingerprints on the gun?
4. Was there any blood on the gun?
5. Was the fatal shot fired where the body was found?
6. Was the spent bullet found there?
7. Were bone fragments from his skull found there?
8. Was any blood splattered on the vegetation?
9. Did gunshot residue show that he had fired the gun?
10. Was the attitude of the body consistent with suicide?
11. Were the spilled blood and blood stains consistent with suicide on the spot where the body was found?
12. Had anyone heard the shot?
13. By whom and where was he last seen alive?
14. Was he familiar with this little-known park?
15. Was there any evidence such as dirt or traces of vegetation on his shoes, socks and trousers that

showed he had walked from where his car was parked to where his body was found?

16. Did he have a motive for killing himself?
17. Through actions or words had he given anyone the impression that he might commit suicide?
18. Did he leave a suicide note?
19. Did he put his affairs in order as if preparing for death?
20. What was he doing in the hours before his death?
21. Was there any reason to suspect foul play?
22. Would anyone have had reason to kill him?
23. Was there any reason to think he might have been killed?
24. Could he have died elsewhere and been moved to the park?

The Park Police investigators reached and acted on the conclusion that Vincent Foster had killed himself while they were still at the crime scene on the night of July 20, 1993, but they did not officially make this charge until August 11. They carried out their investigation based on the assumption that it was a suicide. Explaining to Senate Banking Committee investigators why his investigation of the crime scene had not been more careful and thorough, Sgt. John C. Rolla of the U. S. Park Police said: "If there's some suspicion, which there wasn't then, is not now and never has been, then, yes, it would be more of a crime scene." (Banking Committee Hearings, p. 436)

Even though he saw none of the usual splatter of blood and tissue on the vegetation surrounding Foster's body, Rolla had no doubt that Foster had inflicted the wound found in his head with the .38 caliber Colt revolver found in his hand. No doubts were aroused by the failure to find the bullet or the fragments of skull that it blew out of Foster's head. Rolla said he "probed" for the bullet and the Park Police claimed they searched for it with a metal detector the next day, but without success. A thorough FBI search eight months later failed to find either the bullet or the skull fragments.

With that as a beginning, let us imagine what a lawyer like Robert Shapiro or Johnny Cochran or F. Lee Bailey, the Simpson "dream team," would do if hired to defend Vincent Foster against the charge that he had killed himself. Let's call this figment of our imagination Johnny Bob Lee, a famous Arkansas defense attorney, and pretend that he has argued his case in a court hearing. We will assume that the media were as eager to report his words as they are those of the Simpson lawyers and will summarize what they might have said.

HEADLINE: LEE CLAIMS FOSTER SUICIDE FAKED, POLICE FOOLED BY GUN

Johnny Bob Lee charged today that the police had no evidence to prove that the gunshot that killed Vincent W. Foster, Jr. was fired at the spot where his body was found. They found no bullet, no skull fragments and no splatter of blood and tissue on vegetation surrounding Foster's body. (Banking Committee Hearings, p. 2123) The hard evidence that Foster shot himself was *all missing*, Johnny Bob declared.

The veteran defense lawyer charged that Park Police had not even tested Foster's hands for powder burns to prove that he had fired the gun that was found in his hand. He said the dark mark on Foster's right index finger that they assumed to be a powder burn could have been eye shadow for all they knew. He pointed out that the autopsy report showed a similar mark on Foster's left index finger, and this presented a problem for the police which they had simply ignored. Rather than being proof that Foster had fired the gun, Lee argued that these marks were actually evidence that Foster's death was a homicide disguised to look like a suicide.

Lee said gun experts all agreed that if the marks were powder burns, they had to come from the gap between the cylinder and the barrel of the .38 Colt revolver. For both right and left index fingers to have been exposed to the gases from that gap, Foster would have had to fire the gun while gripping the cylinder with both hands. He said that is not only an awkward, unnatural way to fire a revolver, it is impossible.

Lee pointed out that even Park Police technician Peter Simonello had testified that Foster could not have fired the gun while gripping the cylinder with both hands. (Banking Committee Hearings, pp. 662-663). The police and the FBI had nevertheless cited the powder burns as proof that Foster had fired the gun. "Isn't it interesting," Lee told the court, "that we have what are said to be black powder burns on both index fingers, where they shouldn't have been, but none on Foster's face, where they should have been. And these Keystone cops and our vigilant news media, didn't even find that suspicious! They were blinded by the gun in Foster's hand!"

Gun Should Have Aroused Suspicion

Lee said the gun that convinced the police they were dealing with a suicide is actually additional evidence of a disguised homicide. He said the police found no evidence to prove that gun killed Foster. He promised to call experts who would testify that the damage done to Foster's mouth and skull by the shot fired inside his mouth would be more consistent with a smaller caliber weapon. They would say that the blast from a weapon that powerful would have scorched the inside of his mouth and the recoil would have knocked out or chipped some of his front teeth. No such damage was found.

Experts would also testify that in the absence of cadaveric spasm (instant rigor mortis) the gun should have fallen from Foster's hand or been dislodged when it struck the ground, Lee said. He argued that the gun in Foster's hand should have been cause for suspicion that the suicide was faked.

That suspicion should have been heightened, Lee said, when no fingerprints were found on the exposed surfaces of the gun. Lee said Foster would have sweated profusely if he made the long walk from the parking lot, and his prints should have been on the gun if he had handled it. But if the gun were planted, Lee said, those doing the planting would wipe it clean and try to put Foster's prints on it. With a cold corpse, he said that isn't easy.

The absence of blood on the gun was additional evidence that it was not the gun that killed Foster, Lee said. The gun was



NOTES FROM THE EDITOR'S CUFF

By Reed Irvine

AIM Report

April-A 1995

THIS AIM REPORT WAS INSPIRED BY THE DOGGED EFFORTS BEING MADE BY O.J. Simpson's lawyers to win the acquittal of their client. It occurred to me that it would be interesting to see a clever lawyer mount a similar defense of Vincent W. Foster, Jr. Not knowing any lawyers willing to do that, I created one and named him Johnny Bob Lee, using the first names of Simpson's attorneys, and put myself in his shoes. I made extensive use of the two-volume collection of documents relating to the investigation of Foster's death published by the Senate Banking Committee under the title "Hearings Relating to Madison Guaranty S&L and the Whitewater Development Corporation—Washington, D.C. Phase." In performing this exercise, I was driven to a conclusion that I had previously refused to draw—that Vincent Foster did not take his own life. That is what the evidence tells me. I think you will agree.

WHEN INDEPENDENT COUNSEL KENNETH STARR REOPENED THE FOSTER INVESTIGATION last January using a grand jury, it appeared that he, unlike his predecessor, Robert Fiske, was determined to learn the truth. But on Feb. 22, The Wall Street Journal ran a page-one story by Ellen Pollock and Viveca Novak saying that little was likely to come of Starr's Whitewater investigation. It said that anyone counting on Starr's finding "a solution to the mystery of a top White House official's death—was it really suicide or was it murder?—is destined to be disappointed." On March 23, the Journal ran another front-page story by Ellen Pollock trashing the handful of people who have been pointing out the serious flaws in the Foster investigations. She named Chris Ruddy, whose stories for the New York Post beginning in January 1994 reopened the Foster case; Joe Farah, whose Western Journalism Center has been buying space in national newspapers to reprint Ruddy's stories from the Pittsburgh Tribune Review; James Davidson, publisher of Strategic Investment newsletter; and Pat Matriciana of Jeremiah Films. Davidson and Matriciana have each produced excellent videos on the Foster case. Pollock sought to leave the impression that these are all "conspiracy buffs" who are spreading wild rumors about the Foster case to sell videos and rake in contributions. My letter responding to Pollock (see the overleaf) appeared in the Journal on April 11, together with letters from Davidson, Farah and Gary D. Martin.

I FOUND ON TALKING TO ELLEN POLLOCK THAT SHE DOESN'T KNOW MUCH ABOUT the serious flaws in the Foster investigations. She accepts the Fiske report as gospel. Her answer to all my efforts to get her answers to the big unanswered questions was, "I don't want to argue any point with you. I'm not going to." I saw that she was being used by someone who hoped to discredit any investigation, much as she had been used a year earlier to discredit Chris Ruddy's stories. She had a story in The Wall Street Journal on April 4, 1994 saying that Robert Fiske would issue his report before the end of April and would confirm that Foster committed suicide. That was one of the leaks that prompted the New York Post to halt Ruddy's aggressive reporting on the Foster case. Ruddy recently showed that when that story ran, Fiske's investigation was still in its preliminary stage. He had not yet interviewed the most important witnesses in the case and the FBI lab had not reported on its findings.

THE MOST DISTRESSING NEWS COMES NOT FROM POLLOCK BUT FROM RUDDY, WHO reported on April 6 that Miguel Rodriguez, the prosecutor in charge of the grand jury investigation of the Foster case had resigned in March. Ruddy's sources said Rodriguez left "because he believed the grand jury process was being thwarted by his superior." That would be Mark H. Tuohey, III, a Democratic activist said to be close to Associate Attorney General Jamie Gorelick. Rodriguez was said to be upset by interference in the choice of witnesses and delays in quizzing them. In three months, only a dozen witnesses have been questioned, and some key people have yet to be summoned. Ruddy quoted Thomas Scorza, a former federal prosecutor and a professor of legal ethics, as saying that he would have resigned under the circumstances described, but he would have made a public stink about it. Rodriguez has not made a stink. A former colleague of Starr's commented that Starr is a fine man but he suffers from a desire to please everyone. It appears in this case that he decided to please Mark Tuohey and sacrifice Miguel Rodriguez, whose determined efforts to learn the truth were making some people in Washington FOIA # 100-100000000 (URTS 16370) DocId: 70105682 Page 45

Letters to the Editor

Vince Foster: Big Questions Remain

Your March 23 page-one article labeling critics of the botched investigations of the death of Vincent W. Foster Jr. as "conspiracy buffs" reflects the fact that most journalists who have written about this case want to believe the official reports and refuse to examine critically the evidence they present.

You say that those who have pointed out flaws in the investigations are "generating elaborate and scurrilous rumors about his suicide." You describe Christopher Ruddy, the first reporter to challenge the findings of the Park Police investigation, as "the king of Foster conspiracy theorists." You say that Mr. Ruddy and many other conspiracy theorists "stop short of saying they have proved murder." You say this "may be because so many of the theorists' suspicions can be explained away by a cursory reading of a report by Robert Fiske, the former independent counsel."

A cursory reading of Mr. Ruddy's stories should have shown you that rather than weaving conspiracy theories and generating scurrilous rumors about Mr. Foster's death, Mr. Ruddy did what you and other journalists should have done. Hearing charges that the Park Police investigation had been bungled, he did his own investigation. He was the only reporter who interviewed the EMS personnel and

Park Police officers who had seen Foster's body as it lay in Fort Marcy Park. He reported that some of them and experts he consulted had doubts about the quick rush to judgment that this was a suicide. There was the unusual posture of the body (laid out as if it was in a coffin), the paucity of blood, the gun in the hand, the failure to find the bullet or bone fragments from the exit wound in Foster's skull and his shiny shoes in a dusty park.

As Mr. Ruddy pursued the story for the New York Post, he found many flaws in the Park Police investigation, all resulting from their failure to observe the rule that unattended violent deaths should be investigated as a homicide until there is enough evidence to rule out that possibility. The Park Police admitted that they didn't immediately check Mr. Foster's car for fingerprints because "it was obviously a suicide."

Mr. Ruddy neither generated nor disseminated rumors. He reported facts that exposed serious flaws in the Foster investigation. Your article's statement that many of the suspicions raised were explained away by the Fiske report is inaccurate. The Fiske report actually revealed even stronger evidence that cast doubt on the finding that Foster killed himself in Fort Marcy Park. The appended FBI lab

report concluded that Foster's head had not always been in the face-up position in which it was found. This was proven by the blood on his right shoulder and on his right cheek and jaw.

Mr. Fiske's rejection of the alternative explanation—that the blood indicates that the body was moved—was based on the claim of his four pathologists that moving the body would have resulted in a lot of blood being spilled on Mr. Foster's clothing and skin. One of these pathologists (Dr. Donald Reay) has since acknowledged that this could have been controlled by bandaging the exit wound.

The Park Police investigators apparently made no tests for gunshot residue on Foster's hands or face, but the autopsy reported that black marks presumed to be gun smoke were observed on both index fingers in front of the gap between the cylinder and the barrel, precluding the possibility of his having a firm grip on the gun to aim it. It would be awkward to have even one hand in that position and senseless to have two. It would have been difficult to aim the gun accurately, risking incurring an injury that would paralyze but not kill.

These are only a few of the unanswered questions that have been posed by those that you berate as "conspiracy buffs" who generate "scurrilous rumors" about Foster's death. If you don't have the answers, you could at least tell your readers what the questions are.

REED IRVINE
Chairman
Accuracy in Media Inc.

WHAT'S MAKING SOME PEOPLE NERVOUS IS THE NEW EVIDENCE RODRIGUEZ FOUND. Ruddy's story on Rodriguez's resignation cites three important advances: **1. Photographic evidence not previously available to the investigators; 2. Strong evidence that the gun in Foster's hand had been moved or switched; 3. Development of a clear theory that the body was moved.** No. 1 suggests good prints have been obtained from the underexposed Park Police negatives. No. 2 suggests the prosecutors have reason to believe that the police may have substituted the .38 Colt revolver for the large caliber automatic that paramedic Richard Arthur said he saw under Foster's hand. This helps explain why Rodriguez subjected the police to such rough grilling. Ruddy and *The Sunday Telegraph* have reported other Park Police cases that raised doubts about their honesty and their competence.

WHAT YOU CAN DO: Miguel Rodriguez's resignation is disturbing. It suggests that Starr has decided not to play hardball. He will get no heat from the media for that. I fear the worst unless more is done to bring the facts in this AIM Report to the attention of the public. I suggest that we buy space in key papers to print this report or portions of it. If you agree, please fill out and return the coupon below. Also send the enclosed card or a letter to Kenneth Starr.

TO: Reed Irvine, AIM, 4455 Connecticut Ave., N.W., Washington, D. C. 20008

[] By all means, buy space to reprint "In Defense of Vincent Foster." I will help pay for it.

[] Enclosed find my check [] Charge my VISA/MC/AMEX # _____

(Please circle) \$10,000, \$5,000 \$1,000, \$500, \$100, \$50, \$25, \$10

Expires _____

Name _____

Address _____

City, state, zip _____

FOIA # none (URTS 16370) DocId: 70105682 Page 46

supposedly fired with the muzzle pressed against the soft palate in Foster's mouth, creating a bloody mess. How come, Lee asked, the gun came out clean? The FBI lab tests found not a trace of blood or tissue on the gun. Lee said it was unfortunate that the Park Police processed the gun for fingerprints before it was tested for blood, because this provided an excuse for the tests turning out negative for blood. He said that if there was any blood, it should have been easily visible, but no one saw any. Lee was sure none would have been found if the testing had been done in the proper order. He said the FBI found a trace of DNA on the gun, but it did not tie the gun to Foster. Its origin was unknown, and it was common to 6 percent of whites and 8 percent of Hispanics and blacks. (Banking Committee Hearings, p. 1919).

Another flaw in the theory that Foster used that gun to kill himself is that it was not his gun, Lee said. He charged that the Park Police and Fiske created the impression that Foster owned that .38 Colt even though they had evidence that this was not true. Lee pointed out that Foster's widow and his grown children could not recall ever seeing that gun. The police had sent a photo of the gun to Sharon Bowman, Foster's sister, and had gotten back a message via a White House aide that it resembled one her father had owned that may have been given to her brother Vince. (Banking Committee Hearings, p. 2169)

Johnny Bob said Sharon Bowman's son, Lee, who had hunted with his grandfather and had used his guns, told the FBI that his grandfather owned a revolver that may have been .38 caliber, but "he didn't remember the black handle and the dark color of the metal." (Banking Committee Hearings, p. 1807). Foster's widow said the gun was "not the gun she thought it must be—a silver six-gun, large barrel." (Banking Committee Hearings, p. 2227) Lee said that Peter Markland, the Park Police officer who interviewed Mrs. Foster, included the "silver six-gun, large barrel" remark in his notes but omitted it from his report. Lee said this was because the authorities did not want it known that the revolver Foster owned was silver, not black.

A gun was found in Foster's home, he said, but it was never described in any reports. Lee said it had to be the silver gun mentioned by Mrs. Foster. Describing it would have ruined the effort to tie the black .38 Colt to Foster. He described the Colt as a typical "drop gun," an untraceable weapon used to stymie a criminal investigation. He said there was no evidence that Foster ever owned or even touched that gun while alive. He pointed out that the man who found the body was certain there was no gun in either hand. The only EMS worker to describe the gun said it was a big brown and black automatic, not a black revolver. He even drew a picture of it. (Banking Committee Hearings, pp. 883, 1564) Lee said that if the police didn't tamper with the evidence, they certainly let their conclusions shape the way they viewed it.

HEADLINE: LEE CLAIMS BODY WAS MOVED

Johnny Bob Lee, continuing his indictment of the Park Police and Fiske/FBI investigations of Vincent Foster's death today, asserted that evidence presented in official reports proved that Foster's body had been moved to Fort Marcy Park.

Lee said the absence of blood and tissue splatter on the vegetation near Foster's body was a good indication that he was not shot on the spot where the body was found. That, he said, was confirmed by the paucity of blood at the crime scene. He pointed out that Corey Ashford, who handled the bagging of the body, couldn't remember getting blood on his uniform or his disposable gloves. (Banking Committee Hearings, p. 1347) Others had said there was a pool of blood under Foster's head, but it was only visible when the head was moved. There was some blood on the right shoulder of Foster's white shirt, some on his right cheek and jaw, and two dried tracks of blood that had flowed from his right nostril and the right corner of his mouth over and under his right ear to the back of his neck. There was also a spot of blood on his shirt in the area of his right rib cage. The FBI lab found traces of blood on one of his shoes and his belt. (Banking Committee Hearings, p. 243)

Lee said the paucity of blood and the absence of splatter indicated that the shooting and most of the bleeding occurred elsewhere. That was where the missing bullet, bone fragments and splatter might have been found had the case been investigated as a homicide promptly and vigorously. Lee said evidence that the body was moved was found in an FBI lab report dated May 9, 1994, which said that the blood on Foster's right shoulder and on his right cheek and jaw showed that at some point, his face had rested on his shoulder. Blood from his mouth and nose soaked the shoulder of his shirt, and this left what is called a transfer stain on his cheek and jaw. Lee quoted the report as saying: "The available photographs depict the victim's head not in contact with the shirt and therefore indicate that the head moved or was moved after being in contact with the shoulder. The specific manner of this movement is not known." (Banking Committee Hearings, p. 242)

Lee rejected the explanation for the movement of the head given in the Fiske Report—that one of the early observers on the scene moved it. He said there was no evidence to support this. Everyone who saw the body at the crime scene said the head was face-up and denied that they moved the head or saw anyone move it.

Lee also dismissed the contention by Fiske and his team that if the small amount of blood found on Foster's clothing and skin was proof that the body had not been moved. They claimed that moving the body would have caused more spillage of blood. (Banking Committee Hearings, p. 226) But Lee said that experts agreed that such spillage could be minimized by using bandages. Lee said that the altered position of the head, combined with the evidence that the shot had not been fired in Fort Marcy Park, proved that the body was moved. He pointed out that that could explain the blood found on the lower part of Foster's shirt, his belt and one shoe, stains that did not fit the suicide-in-the-park scenario.

Lee said the movement of the body also explained why it was laid out as if in a coffin, as one of the EMS personnel described it, head up, arms at his sides, and legs extended. "Laid out" is the right word," he said. "Foster did not fall in that position. He didn't sit on that steep, dirt slope in his shiny dress shoes and his neat pin-striped pants, blow out his brains and then extend his legs and drop his arms to his sides. He was carried to that spot and gently

laid out with a gun in his hand. That is why his shoes and pants were not in the least bit soiled by the long walk up the dusty path from the parking lot. Fiske's pathologists said this 'laid out' position was just what was to be expected if Foster sat down on the hill and shot himself. (Banking Committee Hearings, p. 54) They and those who planted the gun forgot one thing. If Foster's right thumb was inextricably trapped in the trigger guard, gravity alone would not have determined where the right arm fell. The gun's powerful recoil would have forced his lifeless hand away from his body, and his right arm would have been found at least partially extended to the side."

HEADLINE: NO FOSTER SUICIDE MOTIVE, LEE SAYS

"Nothing about this case is more absurd, "Johnny Bob Lee declared, "than the sudden discovery a week after Vince Foster's death that he was suicidally depressed." He pointed out that none of Foster's family, close friends or co-workers, including the President, could think of any reason why he would have committed suicide when they were first questioned. All said that he was behaving normally.

Lee noted that when White House press secretary Dee Dee Myers first said at a press briefing a week after Foster's death that he had been "having a rough time," reporters protested that this contradicted all that they had been told previously. Lee recalled that Myers backed down saying, "There was absolutely no reason to think that Vince was despondent. Nobody believed that." She then agreed with a reporter who said that Foster certainly wouldn't kill himself over the White House travel office scandal and over the Wall Street Journal's complaining that it couldn't get a picture of him. Myers said, "I would certainly never intimate that he would. There's no way we'll ever know why."

But, Lee pointed out, in the absence of any better explanation, the Wall Street Journal/travel-office-induced depression soon became accepted as the reason for Foster's alleged suicide. It was incorporated in the Fiske Report in June 1994, and has gone unchallenged by the news media. (Banking Committee Hearings, pp. 186-192)

Lee said it was sad that so many people accepted this, most of all his friends and family. "Vince Foster was a man of strong character and a tough minded lawyer," Lee declared. "It is ludicrous to think that such trifles would cause him to take his life and abandon his loved ones. I propose to take the testimony of all the co-workers and friends who said they had seen no evidence of any altered behavior or depression, ranging from his secretary to the President and First Lady. But let me cite one who is already on the record, Linda Tripp, the executive assistant he asked to bring him a hamburger for lunch from the White House cafeteria. Tripp said she was surprised to find that he had sent an intern to see what was taking her so long. She said she hadn't been gone very long and that he must have been in a rush. He left the office right after finishing the hamburger. In a rush to commit suicide? The man eats his hamburger while reading a newspaper and leaves, saying, 'I'll be back.' Was he rushing off to kill himself? Incredible! (Banking Committee Hearings, p. 1534)

"Experts will tell you that the activities and behavior of Vince Foster prior to his death are definitely not those of a despondent and suicidal man. He had just returned from a pleasant weekend with his wife and friends on the Maryland eastern shore. His sister Sharon was arriving from Arkansas for a visit that night, and he planned to take her to lunch at the White House. A lawyer friend was flying in from Denver to see him the next day, and he had an appointment with the President the day after. Nothing devastating had happened and no impending catastrophe loomed before him. He was not mentally imbalanced and there is no way that he would forsake those he loved most without even saying goodbye or leaving a note of explanation simply because he was having a little trouble sleeping. Vince Foster did not rush from his office with the intention of killing himself. He had neither a motive nor the means to do so."

HEADLINE: WHO KILLED VINCE FOSTER, LEE ASKS

Johnny Bob Lee, the Arkansas attorney who took on the unusual task of defending Vincent W. Foster, Jr. against the government's charge that he killed himself, wound up his defense today, claiming that he had proved that Foster did not commit suicide in Fort Marcy Park by shooting himself in the mouth with a .38 Colt revolver that was found in his hand. Stressing that there was nothing to connect that gun to Foster, Lee said that the former White House Deputy Counselor had neither the means nor the motive to kill himself that afternoon.

Lee said that in showing that Foster did not commit suicide and that his body was moved to the spot where it was found, he had accomplished all that he set out to do. It was the duty of the government, not him, to find out how, why and at whose hand Vince Foster died. That, he said, was a duty that the Park Police, the FBI, and Robert Fiske, the former independent counsel, had all ducked, choosing to ignore all the evidence that pointed to Foster's innocence in order to avoid the difficult task of finding the truth. He charged that they were abetted in this by virtually all the news media. They had eagerly accepted a motive for Foster's suicide that they had once agreed was absurd. They had ridiculed as wild conspiracy theorists the few journalists who had the integrity and courage to dig up the evidence and expose it to public view. The great New York Times had refused to report even the unanswered questions about Foster's death, saying it feared it would only discover more unanswered questions.

Lee said he hoped that independent counsel Kenneth Starr would focus on trying to answer the question, "Who killed Vincent Foster?" He said he himself had no idea who it was or why they did it, but he hoped that Foster's real friends would now come forward and give Kenneth Starr their full cooperation in his efforts to find the answer to that question. He asked the news media "to take off their blinders" and join in the search for those responsible for Foster's death.

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10-23-95

AIM Video

The Other Side of the Story

NET

5:52pm

"60 Minute Bungled Vincent Foster Story"

RI, JB

RI - Wallace vicious attack on Ruddy

FBI making shambles of FMP
They aren't going to find it
Wasting time & \$.

5:55pm

① OJ --- is he out of work

Len Cheney - Violence Ag. Women Act - civ. rts suit (Fed)
Robt Shrum.

JB CP. to King - Stacy Koon

BC Justice Dept doesn't have guts to do it.

FTwd

② Al Hunt - cp Simi Valley verdict

Wallace long history of doing hatchet jobs ... also some good stuff

Except for Program > Clinger ... Hamilton - he committed suicide in FMP

RI - Hamilton - widow Foster's attorney

3 points raised -

CR - equiv. of a date by shooting

① RI v. LH - Boston Globe -

~~RI~~

② Dr. Hunt -

told CR - saw little blood

except - Hunt/MW

edited out
CR tape - "

FBI - little blood

CR - Constance

- Ashford

- Arthur

- Fiske Rgt - little blood

Never found any bone fragments -

CR - we had experts

(Hunt 302 - no blood on vegetation

RI - quote Pete Fallon - FZ

CR - offered

RI - i) FBI in Park (mo. - the 1 piece

of evid.
→ ~~Starr~~
Lee -

Picture - chain bridge entrance - path
- now all trees/stumps cut down
- Park devastated.

CR - dirt path - soil on shoes -
MW found soil on his shoes
FBI didn't find soil on F. shoes.

Break

CR - don't think Clinger knows much - only 1 young man walking on it - no homicide experience.

- Sessions fired
next day - VF died
Sessions = this led to compromise of investig.

③ carpet fibers

Did Lisa
say this
to us?

Hamilton says - Lisa put new carpet in;
diff. colors

CR - They got body

7 diff. fibers ... includ. on underwear
No one verified type fibers in F's home/office -

Forensic experts back up CR

Collins

MW

Gun in his hand.

CR - made fm at least 2
1913

consistent

Mrs. F. not able to i.d.

Same assertion from

→ Mrs. F. (now says in NYork) can i.d.

FW (not drunk?)

FW not made him out to be
CR } Liar, charlatan

"It looks like horse race fixed."

MW

Lisa

White House

① RI/MW tel call recorded -

. will put it on paper - what forensic evid?

Break

Carlor

Why F. died?

AR awash w/ drugs, Tyson, BCOZ, WW money?

CR - VF their pers. &

- let's determine how died -

Then Why died?

RI

eyeglasses → 19'

(VJ) gun → in hand

soil - no

(VJ) carpet - yes

CR - MW (??) almost

Solution →

Henry Lee - gave a talk
Path Conv in FL -
ought to exhume the body

MR

RI - I was talking to another person today -
brain removed - but talk should be exhumed, find
another word -

CR - FBI friend - will not find Willet

- Will know it's a murder, if they find grass stains & soil are found on VP's shoes ---

Jb - ^{Phil} Stinson told by Touhey - Starr decided suicide -

(CR) Starr has never done proper investigation.

Lead pros resigned b/c ^{Mr} T. would not let him have full GI powers

CR - Rodriguez

^{CR} According to Rodriguez -

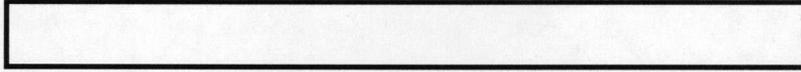
Caller

Widow & her lawyer - say suicide

Typically close business associate / family suspect -

Patterson

HRC Birthday Party - 1990



10-12-95

AIM

RI - JG

10:45
1:45

Turkey - Stinson ---

Phone Records!

- Gavin
- Watkins - 1030 - no prob in office then -
had known for 5 hrs ---
[5:30, ~]

Rolla - Dan Walters # / Secret Service

Wall of Indifference -

Talk to me ---
yesterday
listen

• Prints on car -
Report? ... 2 guys -
Scal:cp

Sprint Report - has gone over conflicting stories -
conclude

Fiske sent out 302's to Ark Comm - but not back up handwritten
note, etc. - for want of time, etc.

Helpful to release

i.e.
Dudly
Judith / Marie Frist - - - 2 people

FOIA # none (URIS 16370) DocId:70105682 Page 56
Who made mistake --- that wrong car. Carl Braun note.
(... - ...)

FBI re-interview Judy - that isn't what you told PP -
"I didn't tell that" ...

Fiske Rpt - "couple saw n'thy unusual ..."

No forensic evid. died in Park

Asked people at scene did you move head?

Phys. evid. -

① Everybody who saw head fin on - even Kyle ---
pressure of FBI agents ---

② Blood drainage tracks
Chris wrong - head diff. positions
dried blood ---

③ Kyle - [ew] credible?
Apr 94 - went to scene ...
confused - could not see what he said he saw in car

④ WZ - credible - very credible?
↑ Hispanic in car - glared at him - nervous ... (lookout?)

→ Police artist ... ? (draw Hispanic)
saw binoculars in w/ car

Arthur - very interesting -

all call - why didn't he stay -

two public telephone to Turkey Run

brown/black gun - automatic - square handle - .45 / 9 mm

small cal. bullet wound on neck (+ another ENT)

Gonzalez - bullet wound in rt. temple (understand he changed - agree w/ Arthur)

[Lee told perfect pathology - ought to exhume body]

[AIM talk ought to exhume]

MR - removed brains... can't follow bullet track.

Purvis - LR - martini - bullet wound hairline back of neck -
size of dime

- Underkerr won't talk.

X-rays - should have been taken!

- Berger's shirt / form
to Marisette

- Then says there are more - machine broken

- excised repair --- AIM 5m

New 6-15; 1st svc call 10-27; minor adjustment -

Before SBC - I don't have any x-rays in my file ---

didn't say & didn't take any (avoided perjury)

- X-rays disappeared.

- Just like crime scene photos ---

at least 1/3 vanished, 1v 13

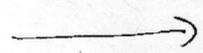
More than stipines -

That's why I agree w/ R. that police are
dirty on this.

Why taken to FMP, so USPP would have jurisdiction,
to cover it up.

R. trying to break the weakest one.
R. very suspicious of Gavin.

• DEC was supposed to fly into Andrews...



• AF plane - phone records.
FBI

① Helen Dickey phone call -
search - what time? release records...

USSS Memo 10:02 pm

NOT. F.W. at 8:30 F body found in pkg lot - dead.

{ Take it is a plant - SS write memo - time 8:30 found in
car... } ... Justice Dickey start ...



Gorham called in by BN, MW -
read the files - title -

wanted her to see her index was missing...

- 2 other created later...
summary Rpt

Handwritten
index

WWD's Folder - not to read

FOIA(b)6
FOIA(b)7 - (C)

7-15-93

→ Psychiatrist 302 - "in a bind..."

Sheila knows ... Ever asked?

NSA

Resolving C's -

→ Graham - 2 NSA binders in office safe for VF?

Why did VF have ...

What happened to it?

2 fat manila envelopes---

1) "eyes only - Bill K -"

2) "Janet Reno"

What?

2 guns in house

- silver plated revolver ...
- LF 302

Shannon Lee J.

• Gun in hand

• Arthur Bin/GMK automatic

{USPP has guns (rice trust)}

• The revolver is a blue/black

• Why did Fornhill dash over on scooter
so quick ... w/o permission?

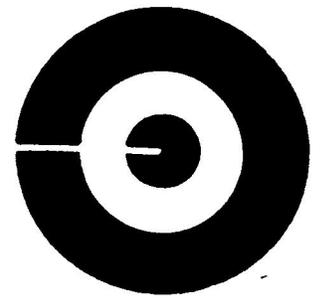
Sprint - too quick

FOIA # none (URFS 16370) DocId:70410568 Page 60

• Another cop came up w/ drop gun ... later

AIM HIM

REPORT REPORT



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XXIV-11

THE WASHINGTON POST STILL DOESN'T "GET IT"

The Washington Post won a Pulitzer Prize when two young reporters, Woodward and Bernstein, pursued the Watergate story while the journalistic pack ignored it. Fifteen years later when the Iran-Contra scandal broke, Post executive editor Ben Bradlee said he and his colleagues were having "the most fun since Watergate," suggesting a touch of partisanship to the Post's investigative reporting. The Post management denied this, but at the Post's annual shareholder meeting on May 11, Reed Irvine and Joe Goulden punctured the Post's pretense that it is just as interested in digging up stories that embarrass Democrats as stories that hurt Republicans.

Irvine cited five examples: (1) refusal of the Post to report evidence indicating that Vincent W. Foster, Jr. didn't commit suicide in Fort Marcy Park; (2) refusal to report the resignation of Miquel Rodriguez, the prosecutor in charge of the grand jury investigation of Foster's death, because of interference with his investigation; (3) the Post's publication on April 27, 1986 of a two-page summary of all Reagan nominees accused, rightly or wrongly, of legal or ethical violations and its failure to publish a list of Clinton nominees similarly accused; (4) the jest by Senator Jesse Helms (R., N.C.) about Clinton's unpopularity in North Carolina which was treated by the Post as a threat on the President's life; and (5) refusal to report Senator Joe Biden's (D., Del.) crack suggesting that Speaker Gingrich is a racist.

Joe Goulden added the Post's failure to report recently revealed evidence that the FBI and BATF had mishandled the attack on the Branch Davidians at Waco and its refusal to cover the demonstration sponsored by the Federation for American Immigration Reform (FAIR) to demand stronger measures to halt illegal immigration.

Irvine said the Post's news coverage shows a scarcity of reporters and editors who have a feel for news and views important to conservatives. He noted that Michael Getler, the Post's deputy managing editor for diversity, was focusing on race, gender, geographic origin and socio-economic background. Irvine said this was inefficient and worthless, that it would be better to seek out individuals with different philosophies and viewpoints. Getler had rejected IR's

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suggestion, and so did Donald Graham, the chairman of The Washington Post Company. Here are excerpts of the lively discussion between Graham and the AIM representatives.

The Vincent Foster Case Blackout

IRVINE: A short while ago, I provided you with some information concerning questions about the death of Vincent W. Foster, Jr.....You said you had turned this over to the editor. I would be interested in knowing whether you've had any response. ...There was a press conference on April 27....Experts from New York City...analyzed the evidence out at Fort Marcy Park—reenacted the crime scene and made other analyses—and concluded that the overwhelming evidence was that he did not commit suicide in Fort Marcy Park. The Post did not send a representative to the press conference. It did not use any of the wire stories reporting on the press conference. The story...was on the front page of the London Sunday Telegraph. It was reported in the London Times. I was even interviewed by BBC about it.

But here in Washington, except for The Washington Times, no mention of it. There were AP stories, Reuters stories, Cox [wire service] stories. Could you...agree that perhaps the Post's lack of interest in going into this might reflect the absence on the news staff...of anyone who views this as being an interesting or important question?

GRAHAM: No, I do not agree.

IRVINE: Could you then explain why the Post has been so negligent and so silent? We have the case of Miquel Rodriguez. I'd be interested...to ask the directors here if any of them know the name of Miquel Rodriguez. I dare say none of them do. Are there any exceptions? I'd like you to raise your hand.

suggesting that the Speaker was a racist, the Post refused to report it. It had been on the front page of the Wilmington paper and had been on the AP wire. AIM called the suppression of this story to the attention of both the Post's media critic and its ombudsman, but neither wrote about it. Finally, Al Kamen, one of the paper's columnists, took an interest in it and put it in his column.

Irvine said this proved his point that the Post lacked reporters and editors who would go after a story like this in the same way they had gone after Newt Gingrich. He said the Post had a reporter, Serge Kovalski, whose assignment appeared to be digging up dirt on Gingrich, but he saw no evidence that anyone on the staff was interested in digging up or reporting stories like the Biden smear of the Speaker.

As another illustration of this double standard, Irvine held up a two-page story published by the Post on April 27, 1986, about ethics in Washington. It listed the names, many with photos, of every person nominated or appointed by Ronald Reagan who, up to that date, had been accused of criminal wrongdoing or ethical violations—including stock dealings, business and financial problems, veracity, actions involving future and former employers, travel reimbursements and abuse of perks. The story named over 100 individuals, many of whom had been completely cleared of the charges made.

Irvine observed that the first two years of the Clinton administration was marked by an extraordinary number of allegations of legal and ethical violations against persons nominated or appointed to high government positions. Independent counsels had been appointed to investigate matters involving the President and the First Lady and the Secretary of Agriculture (who resigned). Independent counsels were under consideration for the Secretaries of Commerce and Housing and Urban Development. The Associate Attorney General was indicted, the Deputy Secretary of the Treasury resigned with the possibility of an indictment hanging over him, and the President's own counsel resigned under a cloud. Nominees to such high posts as Attorney General and Director of Central Intelligence had been forced to withdraw. But The Washington Post had not yet provided its readers with a story comparable to the one it did on the Reagan administration listing all the nominees and appointees who had come under fire. Irvine asked if the Post was going to wait five years before publishing that story. Don Graham responded, "Entirely fair question. I will pass on your comment."

Waco Wake-up Call

Joe Goulden suggested that the Post could perhaps increase its circulation (which has been declining) if it paid serious attention to conservatives and their functions, as well as to some of the issues inciting public anger in the country.

GOULDEN: You surely noticed what happened last November. We had a change of control in this town. And I think we have a lot of people in this town who are very interested in the conservative movement—what it means, what it does. I get the sense listening to the talk shows—a lot of your columnists and commentators appeared on these after the election—that much of the media were caught totally by surprise. I agree with what Reed said earlier—I

think the Washington Post still hasn't "got it"—to paraphrase your popular radio ad—about what is happening in this country, particularly concerning the conservative movement.

There is something that is not really a conservative issue but strikes me as relevant now—what's happening in Oklahoma City. The current issue of *The New Yorker* magazine has a long article by Peter Boyer....He explores some of the flaws of the investigation, and he quotes at length two prominent FBI consultants who were talking with [Attorney General Janet] Reno and the [FBI] before the bloody, fiery raid...on the Branch Davidian compound and the conflicting evidence or opinions they were giving the Attorney General before this was launched.

He also quotes Senator John McCain as saying, "This story stays alive in the belly of the nation through faxes, through bulletin boards and things of this sort. The main media are ignoring it." I began to pick up about six months ago, through calls to our own office, the depth of public rage about this issue. This had people inflamed. There was a lot of wild stuff going around—in fact, you profiled one of the larger purveyors of the conspiracies in your Style Section this morning, Linda Thompson, the woman from Indiana.

I have seen The Washington Post investigative teams at work. You have a doomsday machine that can go off and do a heck of a lot of good work and find this sort of thing. We're not talking now about differing opinions about what happened at Waco. We have two people who have spoken on the record—in fact, one of these chaps has written an op-ed piece for the Boston Globe, a professor at Harvard [Dr. Alan Stone] who's a consultant to the Bureau. Another [Dr. Dean M. Kelley] has written an article for a religious magazine in New York [*First Things*] about the doubts they were expressing to Janet Reno about this and why they were saying, "Do not force a confrontation, you're going to have bodies in there."

What a bloody tragedy! And I think it led directly to what happened in Oklahoma City last month. My question to you is: How can a news organization with the resources of the Post manage to miss a story like this—that there is a great discontent in the land about what the BATF and the FBI did at Waco and in the Randy Weaver affair?

I think one reason conspiracy theorists thrive is that the mainstream media ignore legitimate concerns they raise. I guess my question comes down to this, do you know of any plans by The Washington Post news department now to take a second look at the Waco tragedy?

GRAHAM: Well, I can tell you that they're thinking about it—because I, too, had read the Boyer piece that you referred to because it was passed on to me by one of the editors of the Post who said it was well worth reading.

GOULDEN: Does that disturb you—reading that piece in *The New Yorker* rather than finding it in The Washington Post two months ago?

GRAHAM: Can I say that we know everything of importance that's going on in this town or in the country or the world? No, we do not. And we try to continually keep our ear to the ground and find out more and keep after it. In general, Joe, the aim of Post news coverage is to cover the news fairly and inclusively. The aim of our commentary pages is to present a balance of opinion, including liberal opinion and including conservative opinion. We've been—for many, many years—the home paper for George Will and

Charles Krauthammer—we've printed Robert Novak's commentaries in this paper for more than 30 years—to begin—but not end—the list of conservative commentators in our pages—so, we would like to think that we present a balance of opinion and our aim is indeed the one that you suggested—which is to understand stories presented—whatever the source—and do our best to report them fully and completely.

Extraterrestrial Coverage

With AIM faulting the Post for not finding room to report the stories discussed above, radio talk show host and Post shareholder Les Kinsolving took aim at a Post story given extensive coverage.

KINSOLVING: Mr. Chairman, at last year's meeting, in response to a question about The Washington Post's publishing Dr. John Mack's article on alien abductions, you denied emphatically that you believe we are being invaded by creatures from outer space aboard UFOs, which I will say I found very relieving. (Laughter) But this week's page-one story was headlined "UFO Abduction Tales Not Quite So Alien; Supernatural Stories Not So Odd Anymore." Does this mean that you have changed your mind and you now believe that, as the Post reported, a space craft stopped a motorist, Michael Burshod, on I-70 near Baltimore, where I broadcast, and four-foot aliens with big black eyes fiddled with his manhood, while further along on I-70, the Post reported, the Sykesville Monster being hunted by citizens using rabbits as bait and firing ammo? That is in The Washington Post, not the National Enquirer, and I'm wondering: Have you had a change of heart on UFOs and creatures and so forth?

GRAHAM: No. (Laughter)

KINSOLVING: Well then, could you explain if you still don't believe in this, why are we covering extraterrestrial on page one of The Washington Post, an allegedly serious newspaper? And if you're going to get into this realm, why are you neglecting the continuing reports of Elvis sightings? Can we get an explanation of this? What is going on, Don?

GRAHAM: Once more you've given me the opportunity to remind you that while I am the publisher...frankly I'm not always able to account for the editor's state of mind in choosing a particular story for inclusion in the paper. Now, as I recall the story...it did not say that these events had occurred. They said, in a somewhat bemused tone, that Mr. Whateverhisnamewas—Burshod—said that these events had occurred and that others did as well. Why have we not given similar news coverage to the accounts...about Elvis? Frankly, I'm quite unable to account for it.

Fallout And Follow-up

The Post ran a full-page article on the Waco affair on May 28, quoting Dr. Alan Stone and other outside consultants who had warned the FBI against forcing a confrontation with the Branch Davidians.

On June 4, Sue Schmidt, the Post reporter responsible for coverage of the Vince Foster story, called AIM saying she wanted to find out more about our criticism of her work. She

said she and her editor would be interested in meeting with us to find out where we were coming from and what we hoped to accomplish with the full-page ads we were running about the need for a fair trial for Vince Foster. (The ad appeared in The New York Times the day before she called.) We have agreed to a meeting.

Out Of Touch

On May 22 the Times Mirror Center for the People and the Press issued a 121-page study illustrating just how out of sync journalists are with the general public. The survey found that 46% of the public described themselves as conservative or very conservative compared to only 5% of journalists in the national media. The journalists labeled themselves moderate (64%) and liberal or very liberal (24%), but their views on social issues are far from middle of the road. No fewer than 83% of those in the national media said homosexuality should be accepted and only 4% said it should be discouraged. A majority of the general public (53%) believes that homosexuality should be discouraged and only 41% say it should be accepted. Many in the national and local media (47% and 56%, respectively) agreed with the charge that the personal values of people in the news media make it difficult for them to understand and cover such things as religion and family values. These figures support AIM's contention that the media need to adopt a radically different approach to achieve meaningful diversity.

Reed Irvine put it this way at the Post annual meeting: "Newspapers and news magazines deal with information and ideas. What news and ideas interest different people cuts across gender, race, geographical and educational lines. The great divide is between conservatives and liberals. It is increasingly recognized that the growing popularity of talk radio is in large measure due to the fact that the Limbaughs, Liddys, Norths and Kinsolvings are giving the public information and views they do not get in the establishment media.

"Several years ago the Post acknowledged that it did not give adequate coverage to the annual Right to Life march because it did not have anyone on its news staff who thought this was an interesting and important event. I believe that has been corrected.

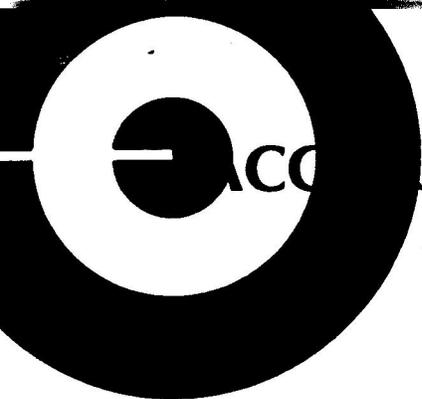
"But it is easy to demonstrate that the Post is still lacking in reporters and editors who value news and viewpoints on a wide variety of issues important to conservatives. This can best be remedied by an affirmative action program to add more conservatives to the staff of the Post and Newsweek."

What You Can Do

Send the enclosed cards, or your own cards or letters, to Leonard Downie at The Washington Post, Hickman Ewing, Jr. and Dr. Henry C. Lee.

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From the desk of
REED IRVINE



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July 6, 1995

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Ms. Meg Greenfield
Editorial Page Editor
The Washington Post
Washington, D.C. 20071

To the editor:

I was mildly surprised to see my photo in your July 4 editions in juxtaposition with a headline reading, "Conspiracy Die-Hards Promote Theories Linking Foster to NSA, Mossad, Inslaw." The photo was captioned, "Reed Irvine ...ads tout shocking revelations."

Readers who did not persevere through the 15th graph of Susan Schmidt's story probably think that I am one of those die-hards who thinks Vincent W. Foster, Jr. was engaging in espionage for the Mossad. I am grateful to Ms. Schmidt for partially setting the record straight in acknowledging that I told her that I considered such stories "off the wall." In doing so, however, she described me as "one of the most intrepid Foster conspiracy theorists." I searched her story in vain for any mention of any conspiracy theory that I had invented or disseminated. Certainly none was discussed in the long interview I gave her or the one I gave her editor, Marilyn Thompson. Indeed, Ms. Thompson commented in parting, "You have certainly done your homework."

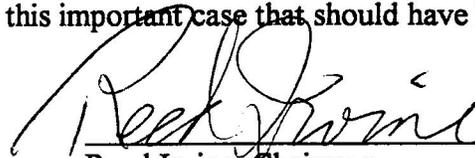
None of the product of the investigatory work done by Chris Ruddy, the reporter for the Pittsburgh Tribune-Review, to whom we are all indebted for our information about the serious flaws in the investigations of Foster's death, found its way into Ms. Schmidt's story. It is topsy-turvy journalism that devotes nearly half of a story to "off the wall" conspiracy theories and one sentence to the facts showing that the finding of suicide-in-the-park was made prematurely and that evidence to the contrary was ignored or brushed aside.

Miquel Rodriguez, the prosecutor Kenneth Starr assigned to conduct the grand jury investigation of the death, clearly understood that the earlier investigations had been marred by both incompetent and dishonest treatment of the evidence. His efforts to get at the truth did not sit well with Starr's Democratic deputy, Mark Tuohey III, and reports indicate that Rodriguez resigned because he did not want to participate in another whitewash.

That was last March. I was pleased to see Ms. Schmidt finally inform Post readers of this disturbing development only three months after it was first disclosed by Chris Ruddy in the Pittsburgh Tribune-Review and two months after I discussed it at the Post's annual meeting.

Having broken the ice with a 1,500-word article about the "off-the-wall" conspiracy theories, I hope the Post will now tell its readers about the other startling facts about the Foster case that Chris Ruddy, Ambrose Evans-Pritchard, AIM and a few other intrepid fact-seekers have uncovered.

And when and if it does, I hope it will tip its hat to Richard M. Scaife's Pittsburgh Tribune-Review for undertaking the investigative reporting on this important case that should have been done by The Washington Post and The New York Times.

A handwritten signature in black ink, appearing to read "Reed Irvine", written in a cursive style.

Reed Irvine, Chairman
Accuracy in Media, Inc.

The Washington Times

DATE: 9-17-95PAGE: B3

REED IRVINE / JOSEPH GOULDEN

Why the Foster inquiry continues

Those who have accepted the nearly unanimous opinion of the media that all the evidence shows former White House Deputy Counsel Vincent W. Foster Jr. died of a self-inflicted gunshot wound in Fort Marcy Park must be wondering why FBI personnel were discovered on Sept. 12 in the park making a third search for the bullet that killed Foster. The same journalists who correctly predicted last year that Independent Counsel Robert W. Fiske Jr. would affirm the suicide finding have been saying that Mr. Fiske's successor, Kenneth W. Starr, has reached the same conclusion and that only a handful of "conspiracy theorists" disagree.

Why, then, did Mr. Starr order yet another search for the missing bullet? Neither he nor the FBI are saying. Dr. Henry C. Lee, the noted criminalist whom Mr. Starr engaged to review the evidence, told Mr. Starr's investigators they would have to make another search for the bullet.

Dr. Lee, who heads the crime lab of the Connecticut State Police, is a highly respected expert who has testified in a number of high-profile criminal trials, including that of O.J. Simpson. He has been provided with both the evidence turned up by the official investigations and that found by the few independent investigators who have taken an interest in this case. He is also known to have shown an interest in talking to Miguel Rodriguez, the former assistant independent counsel who con-

ducted a very thorough grand jury investigation of Foster's death until interference from Mark Tuohey III, an active Democrat with close ties to the Justice Department, caused him to resign last March. Mr. Rodriguez reportedly turned up significant new evidence that led him to question the integrity of both the Park Police and Fiske investigations.

Dr. Lee showed in his testimony in the O.J. Simpson case that he is good at spotting errors and omissions in police investigations. In the Foster case, he knows that the only

evidence the police had that Foster died on the spot where his body was found was the body itself. They found no bullet, no skull fragments, no brain tissue, no blood spatter on the surrounding vegetation and no evidence that anyone had heard a gunshot. In addition, there was the evidence pointed out by the FBI crime lab that Foster's head had been moved after his death. Bloodstains showed that at some point his right cheek and jaw had rested on his shoulder, but when the body was found his head was face up.

No one on the scene ever saw the head in any other position and no one saw anyone move it. This provides support for the theory that Foster died elsewhere and that his body was transported to the park and carefully laid down on the spot where it was found. That theory is supported by other evidence, including the attitude of the body,

the absence of dirt and grass stains on the shoes and the otherwise inexplicable discovery of Foster's eyeglasses, with a speck of gunpowder on them, 13 feet down hill from where his feet rested.

Mr. Fiske's pathologists dismissed the movement of Foster's body as the explanation for the undisputed movement of his head, saying it

would have resulted in more blood spilled on Foster's skin and clothing than was observed. However, that could have been prevented by bandages and careful handling of the body, as one of Fiske's pathologists acknowledged when we questioned him.

Dr. Lee knows all this, and it is reasonable to assume he has told Mr. Starr that at this late date it will be difficult to conclude from the available evidence that Foster died in the park unless they find the bullet that killed him.

That would explain why the FBI is making such a determined search for the bullet. In their first effort in April 1994, they tried very hard, and they turned up a dozen bullets, none of which came from the .38 revolver found in Foster's hand. They began their most recent search late in the afternoon on Sept. 12, closing the park until 1:00 p.m. the next day, and then closing it again on the Sept. 14.

This suggests either that Kenneth Starr is determined to prove that Foster killed himself in Fort Marcy Park, or that he wants to be able to say that he spared no effort to find the evidence and that in its absence he cannot say that was where Vince Foster died.

Reed Irvine is chairman of Accuracy in Media. Joseph C. Goulden is AIM's director of media analysis.

Foster Probe Setback Ignored

Reed Irvine
and Joseph C. Goulden

Independent Counsel Kenneth Starr reopened the investigation into the death of former Deputy White House Counsel Vincent W. Foster, Jr. last January, convening a grand jury for the first time.



The investigation was assigned to Associate Independent Counsel Miguel Rodriguez, an assistant U.S. attorney in Sacramento.

Rodriguez began by challenging the Park Police's investigation of Foster's death. He questioned them aggressively, producing photographic evidence they had not previously seen. One of the officers expressed amazement at what was revealed by the blown-up Polaroids and the prints from underexposed negatives that had not been processed with state of the art technology. The FBI special photo lab could do this processing, but it was never asked to do it. The Park Police and the FBI agents working for Fiske had shown no interest in having it done. This may explain why Rodriguez did not entrust the work to the FBI. He had it done by a private firm, surprising and discomfiting the witnesses.

Miguel Rodriguez was obviously not inhibited by any predisposition to validate the finding that Foster had committed suicide. According to press reports, some of the Park Police officers involved in the Foster case were so worried by his tough interrogation that they demanded assurances that they were not the targets of the grand jury investigation. Three witnesses had reported seeing a brief case on the seat

dence is said to show that the gun in Foster's hand had been moved or switched after some pictures had been taken by the police officers. That would obviously arouse any prosecutor's curiosity.

We don't know all the important questions being asked by Miguel Rodriguez, and we may never know the answers. Rodriguez is no longer on the case. He resigned abruptly, on March 20.

Accuracy In Media

of Foster's car in the Fort Marcy parking lot. The brief case was not among the items listed by the police as having been found in the car. Rodriguez obviously wanted to know what happened to the brief case.

He apparently also wanted to know why officer Kevin Fornshill, who was on duty guarding the nearby entrance to CIA headquarters, left his post and dashed over to Fort Marcy on his scooter even though other officers and emergency medical technicians were on the way. Fornshill was reported to be the first to find the body. Even though Fornshill was not there very long, Rodriguez kept him on the witness stand for five hours, evidently trying to ascertain why he was there and what he did.

Rodriguez's new photographic evi-

He gave no reason, but according to a report by Chris Ruddy, written for the *Pittsburgh Tribune-Review*, he felt that his investigation was being hindered by one of his superiors.

Timing and surprise can be crucial in a grand jury investigation. If witnesses are given time to coordinate their stories, the chances of catching them in contradictions are greatly reduced. The leisurely pace at which witnesses were being called after the grand jury's first furious week appeared to leave ample time for witnesses, especially those at higher levels in the Park Police organization, to be briefed on what their underlings had said and what the prosecutor wanted to know.

Rodriguez's superior, Mark Tuohey II, scoffs at the suggestion that there was any

delay or interference with the investigation. He says that stories in the press that the investigation of Foster's death is near completion and that Starr will confirm Fiske's findings are false. Tuohey, a respected and experienced prosecutor, acknowledges that he has been a friend of Associate Attorney General Jamie Gorelick for many years, but he denies that he is a Democratic activist. He would give no explanation for Rodriguez's resignation, saying he would have to speak for himself.



We talked to Rodriguez. We asked him if it was true that there had been interference with his investigation and if reports that he had found important new photographic evidence were correct. We also asked if it was true that he had refused to rely on the FBI for processing the photos and for other technical assistance. His answer to each of these questions was "no comment." A simple "no" would have been appropriate if it were the truth.

Miguel Rodriguez's departure is a victory for those who don't want the truth about Foster's death known. That includes most of our media. They have not pretested Rodriguez's resignation as a scandal. They haven't even reported it.

"60 MINUTES" ABETS A COVERUP

By Reed Irvine

As FBI agents working for Whitewater independent counsel Kenneth Starr were heading into their fifth week of an exhaustive search for the bullet that killed former White House Deputy Counsel Vincent W. Foster, Jr., "60 Minutes" aired a vicious attack on Christopher Ruddy. Ruddy is the reporter who forced the reopening of the Foster investigation in January 1994, six months after the White House thought it had buried the case for good.

Ignoring the fact that Starr's agents were literally making a shambles of Fort Marcy Park in their inch-by-inch search for the missing bullet, Mike Wallace tried to convince viewers that there are no grounds for questioning the theory that Foster committed suicide in the park.

Wallace claimed that some sloppy police work had enabled Ruddy "to raise all sorts of questions about Foster's death." He said, "We've dealt with the most important ones. We've examined the others." The program ended with the statement that the evidence supported only one conclusion: Foster committed suicide in the park.

Wallace claimed he had dealt with the most important questions raised about Foster's death. That was absolutely false. The most important questions in this case are those that strike at the heart of the suicide-in-the-park theory for which there are no good answers. The main ones are discussed in this article. Four of them were brought to Wallace's attention before his program aired. They were all ignored. His questions were selected on the basis of how easily they could be answered or

dismissed, not for their importance.

The question they chose to feature in their tease at the very beginning of the show was one about the gun being found in Foster's right hand. This had surfaced as a significant question early in 1994 when The Boston Globe reported that Foster was lefthanded. It was considered strange that a "lefty" would shoot himself with his right hand. However, this was not regarded as an important issue by close students of the case because there were plausible ways in which he could have held the gun and pulled the trigger with his non-dominant hand. Since a family member finally disclosed last spring that Foster was actually righthanded, Wallace knew that this long-dead question could be attacked without fear of contradiction.

Wallace brought up the question about carpet fibers found on most of Foster's clothes, including his underwear, simply because he had a plausible explanation--that the clothes were intermingled by the police. That may or may not be true. The importance of the carpet fibers is only that they should have been checked out because they might have revealed where Foster spent his last hours.

The only question Wallace addressed that is relevant to the current debate over Foster's death is the claim that the small amount of blood observed at the scene is an indication that he did not die in the park. The fact that there was little blood on and around the body was noted by the medical technicians. Sgt. George Gonzalez told the FBI that "there was not much blood at the scene for the manner in which the victim died." Corey Ashford, who lifted the body by the shoulders, cradling the head, said he "did not recall seeing any blood and did not recall getting any on his uniform or his disposable gloves."

"60 Minutes" ignored them, focusing on Dr. Donald Haut, the part-time county medical examiner who approved the removal of the body. Ruddy has Haut on tape saying, "There was not a hell of a lot of blood on the ground." Wallace asked Haut if he told Ruddy "there was an unusual lack of blood at the scene." He said, "No,"

saying that there was "plenty of blood" for Foster to have died there.

Dr. Haut told the FBI that the amount of blood was small and that he didn't recall seeing blood on Foster's shirt or face or any blood on the vegetation around the body. There was no visible blood spatter, blown-out brains, or skull fragments. Told that Foster had shot himself with a .38 revolver, Haut said it must have been a low velocity bullet because he had seen more damage done by a .25 caliber. The spent cartridge in the revolver was a high velocity.

Mike Wallace didn't mention all this because the small amount of blood, together with the absence of skull fragments, brain tissue and blood spatter, supports the theory that Foster died elsewhere, not the theory that he shot himself in the park.

This is why the FBI has spent a month trying to find the missing bullet. Dr. Henry C. Lee, the noted criminalist hired by Starr last June to review the forensic evidence in the Foster case, told Starr's staff that they would have to make another search for the bullet. Lee has also told professional colleagues that he believes Foster's body should be exhumed.

Dr. Lee is familiar with some of the evidence that was discovered by Miquel Rodriguez, the former assistant independent counsel who was conducting a thorough grand jury investigation of Foster's death until he resigned last March. A source close the investigation says he quit because Starr's deputy, Mark Tuohey III, an active Democrat with close ties to the Justice Department, began obstructing his probe. Tuohey has reportedly told friends that Kenneth Starr is going to reach the same conclusion as his predecessor, Robert Fiske, about Foster's death.

That was not the direction in which Rodriguez was headed. He was discovering new evidence that cast serious doubt on that finding. He found in an enhanced crime scene photo evidence of trauma and a possible puncture wound on the right side of Foster's neck. That would confirm reports of two emergency

medical technicians on the scene. One of them, Richard Arthur, told the FBI he saw what appeared to be a small caliber bullet wound at the jawline under Foster's ear. He said blood from that wound had drained onto Foster's right shoulder. Arthur, who had seen many more homicides and suicides than the inexperienced Park Police officers who were in charge of the investigation, classified the death as a homicide.

X-rays might reveal whether or not Foster suffered a small caliber bullet wound in the neck. Bullet fragments or traces of lead in the skull could be analyzed to determine whether they came from a bullet identical to the unexpended round found in the gun in Foster's hand. This is probably why Lee would like to see the body exhumed.

The autopsy report does not mention any trauma on the neck, but the medical examiner, Dr. James Beyer, who was 75 years old at the time, has a record of overlooking significant wounds. In this case Beyer checked the box for X-rays on the autopsy form and told the attending police officer that X-rays showed no bullet fragments in the skull. Nine months later, he told the FBI he anticipated taking X-rays but couldn't because the machine was out of order.

I checked with the company that installed and serviced the equipment. Their records showed it was installed a month before and the first service call was made three months after Foster's death. Apparently no official investigators tried to learn which of Beyer's contradictory statements about the X-rays were true.

In his book, *Gunshot Wounds*, Vincent DiMaio, says, "X-rays should be taken in all gunshot wound cases whether the missile is believed to be in the body or to have exited." Dr. Beyer knows this, and it is hard to believe that he would have violated this rule in such an important case. Perhaps the X-rays were "lost," as were at least a third of the backup Polaroids that were taken by the Park Police. That loss has been admitted. Only 13 remain.

There is no forensic evidence supporting the theory that

Foster shot himself in the park with a 1913 untraceable .38 Colt revolver on which neither his fingerprints nor blood was found. The police found no one who had heard a gunshot and no witnesses who had seen Foster alive in the park. But they did find two witnesses who told them that they had seen two men, one sitting inside and one standing beside Foster's car with the hood up, in the Fort Marcy parking lot only minutes before Foster's body was discovered. The police misreported what they had been told and did not treat this as having any connection with Foster. The FBI got the story straight nine months later, but Robert Fiske said in his report that this couple had not seen "anything unusual."

There is more evidence that Foster's body was moved than that it was not. The FBI crime lab pointed out that bloodstains on Foster's cheek and jaw showed that his head had been moved after his death. There is no evidence that any of the personnel who found the body moved the head.

The police found Foster's eyeglasses 19 feet down the slope from his head. The FBI found a speck of gunpowder on the glasses, showing that they had been close to a gun when it was fired. The suicide-in-the-park theorists cannot explain how a shot in the mouth caused the glasses to fly forward so far.

No dirt or grass stains were found on Foster's shoes even though he would have had to walk 250 yards through the park to the spot where his body was found. Mike Wallace admitted to Ruddy that he got "some dirt" on his shoes when he made that walk. He didn't think Foster's dirtless shoes were important enough to discuss on his program.

One of the strangest aspects of this case is the refusal of the White House to clear up the question of when it learned of Foster's death. A 911 call reporting a body in Fort Marcy Park was made at 6:00 p.m. Fire Department units and a U.S. Park Police officer arrived at the park 10 to 12 minutes later, and several additional officers, including the shift commander, Lt. Pat Gavin, had arrived by 6:30. Foster's wallet and White House ID were in his unlocked car. When the Fire Department personnel

left the scene at 6:37 p.m. they knew Foster's name and that he was a White House employee.

The handwritten notes of Park Police Sgt. John Rolla suggest that soon thereafter he obtained Foster's Washington address and phone number by calling the Secret Service Presidential Protection Division. But Lt. Gavin, the senior officer present, claims he didn't learn Foster's identity until 8:30 p.m., when he notified the Secret Service. President Clinton claims that he was not notified until well after 9:00, when he was on the "Larry King Live" show.

David Watkins, the former assistant to the President in charge of White House administration, told the Senate Whitewater committee that at 10:30 p.m. the Secret Service had known about Foster's death for "some five hours." That would be around 5:30, before the 911 call was made. But Watkins said that he was first notified at 8:15 or 8:30 p.m.

Helen Dickey, Mrs. Clinton's social secretary, called Arkansas Gov. Tucker from the White House to tell him of Foster's death. The call went through state trooper Roger Perry who says it could have been made as early as 5:30 p.m. and as late as 8:00 p.m., Eastern time. The White House has steadfastly refused to release the telephone records that would show exactly when the call was made.

If Roger Perry is right about Dickey's call being made no later than 8:00 p.m., the White House will have to explain why it has insisted that it didn't know of Foster's death before the 8:30 call from Lt. Gavin and why the President insists he was not told until well after 9:00. If the call was made before 6:30 p.m., it could doom the Clinton presidency, because there is no possible innocent explanation for Dickey's call if it was made before Foster's body was identified.

Senator Alfonse D'Amato, chairman of the Senate committee investigating Whitewater, plans to question Helen Dickey. What he must do is get the phone records of her call and all other calls that will show when the White House was first informed.

Those records may be the key to unraveling the Foster mystery.

Mike Wallace was told this before his program aired. Instead of pitching in to try to get at the truth, he viciously attacked those who have been doing the investigating that the establishment media should have done. In a phone conversation after the program aired, I asked Wallace to name one piece of forensic evidence that proved Foster shot himself in the park. I had to repeat that request literally ten times before he finally said he would answer in writing. I anticipate a long wait.

10/11/95

R. Emmett Tyrrell's nationally syndicated column, a critique of Mike Wallace's "60 Minutes" feature on the Vincent Foster death, follows:

R. EMMETT TYRRELL

An insufficiently celebrated truth of politics is that political partisans do not want peace and sweet reason to reign. They do not want lowered voices. Republicans and Democrats, conservatives and liberals relish controversy, the stinging phrase, vanquishing the loyal opposition, preferably to hell. All the fashionable lamentation we hear from the politically involved boo-hooing about the "meanness" of politics is sheerest hokey.

Consider "60 Minutes" recent — and welcome — vow to get to the bottom of the death of Vince Foster, the White House counsel who in the summer of 1993 probably committed suicide in Fort Marcy Park outside Washington. Mike Wallace and the other personages at this venerable "newsmagazine" call themselves journalists and thus presume they will be perceived as being above politics. It is always possible a journalist can float free from politics, but the other night when I watched Mr. Wallace's race through a chaos of familiar facts and deceptions I came to the conclusion that Mr. Wallace has all the lust for the combat and controversy of the politically committed. He simply lacks the honesty to admit his commitments.

I turned to the "60 Minutes" program "What About Vince Foster" because I am at one with columnist William Safire who has said to TV host Charlie Rose, "the investigation [into Foster's] death was a farce."

Too many discrepancies between the Fiske Report on that death, the FBI Report, and other witnesses shout out for attention. I have commissioned and am about to publish in the American Spectator a report on the unanswered questions regarding Foster's death; I hoped Mr. Wallace and "60 Minutes" would put some to rest or perhaps bring up additional questions. Unfortunately, all I got was a whirl of melodrama and sneers against those who believe that something sinister befell Foster.

If I had to bet money today I would bet Foster committed suicide at the scene where his body was found. On that Mr. Wallace and I agree, but "60 Minutes" has utterly ignored most of the outstanding questions about the Foster death. Mr. Wallace even fudges the question of whether Foster was

Viewers left in the dark at Fort Marcy

depressed. He says his major source and the Foster family judged Foster to have been in a "clinical depression" provoked by work. But all his major source says on screen is that Foster was "very unhappy" about the Zoe Baird and Kimba Wood nominations and "did take some of the blame on himself." This is "clinical depression"?

Mr. Wallace's major source is James Hamilton, the Foster family's lawyer. There's investigative journalism at its most investigative! Deborah Gorham, Mr. Foster's executive assistant, never appears on the show. She told the FBI that Foster was "not depressed." The FBI's report says "she did not see anything in Foster's behavior that would have indicated a distressed state of mind." Maybe Mr. Wallace did not interview Ms. Gorham because her views are misrepresented in the Fiske Report. There they are used to substantiate the claim that Foster was depressed. This deceit by the authors of the Fiske Report provoked me to review other discrepancies relating to this death. Apparently Mr. Wallace does not mind being lied to.

Contrary to the Fiske Report, the first person to see the corpse, a man known to the investigation as "Confidential Witness," denies there was a gun in Foster's hand. When asked about a photo leaked to ABC showing a gun in Foster's right hand, he declared "this is not a picture of what I saw." It has yet to be explained how Foster could shoot himself and leave no finger prints on the gun in his hand. Nor were there any on his suicide note. The bullet that smashed through his skull could not be found at the scene nor could skull fragments. The origin of the gun remains a doubt.

first Mrs. Foster did not recognize it; now she says she does. A family member ventured that it belonged to Foster's father. A nephew who hunted with his grandfather denied it. Foster walked 700 feet into the park before shooting himself, but the only debris on his feet was mica, a substance so widely distributed in the area as to have no significance. It was on Foster's clothes and even on vegetation nearby. There remain discrepancies as to what x-rays may or may not have been taken. And there is a discrepancy as to when the White House was informed of the death.

The "60 Minutes" program is helpful in explaining heretofore puzzling carpet fibers that appeared on Foster's clothing, even his underwear. The authorities had simply dumped all his clothing into the same bag. Yet "60 Minutes" is downright dishonest in treating another matter, the amount of blood at the death scene. Wallace interviews a medical examiner, Dr. Donald Haut, who insists there was not "a suspicious lack of blood" at the death scene. Very dramatically he denies he ever told reporter Christopher Ruddy otherwise. Mr. Ruddy is the reporter for the Pittsburgh Tribune-Review whose energetic investigations have kept the above questions alive. The "60 Minutes" program makes Mr. Ruddy look a fool.

Yet unmentioned by Wallace is the fact that at least two witnesses have testified to the FBI that there was little blood. Moreover in the FBI report, Dr. Haut's statement reads, "No blood was recalled on the vegetation around the body... although the volume of blood was small, Haut did recall that the blood was matted and clotted under the head." Worse still for "60 Minutes' credibility is that Mr. Ruddy taped his interview with Dr. Haut, and there Dr. Haut says "there was not a hell of a lot of blood on the ground." Most of it had congealed on the back of his head. Mr. Wallace knew of Dr. Haut's taped interview with Mr. Ruddy when he put together his deceitful exchange with Dr. Haut and Mr. Ruddy. He chose not to listen to it.

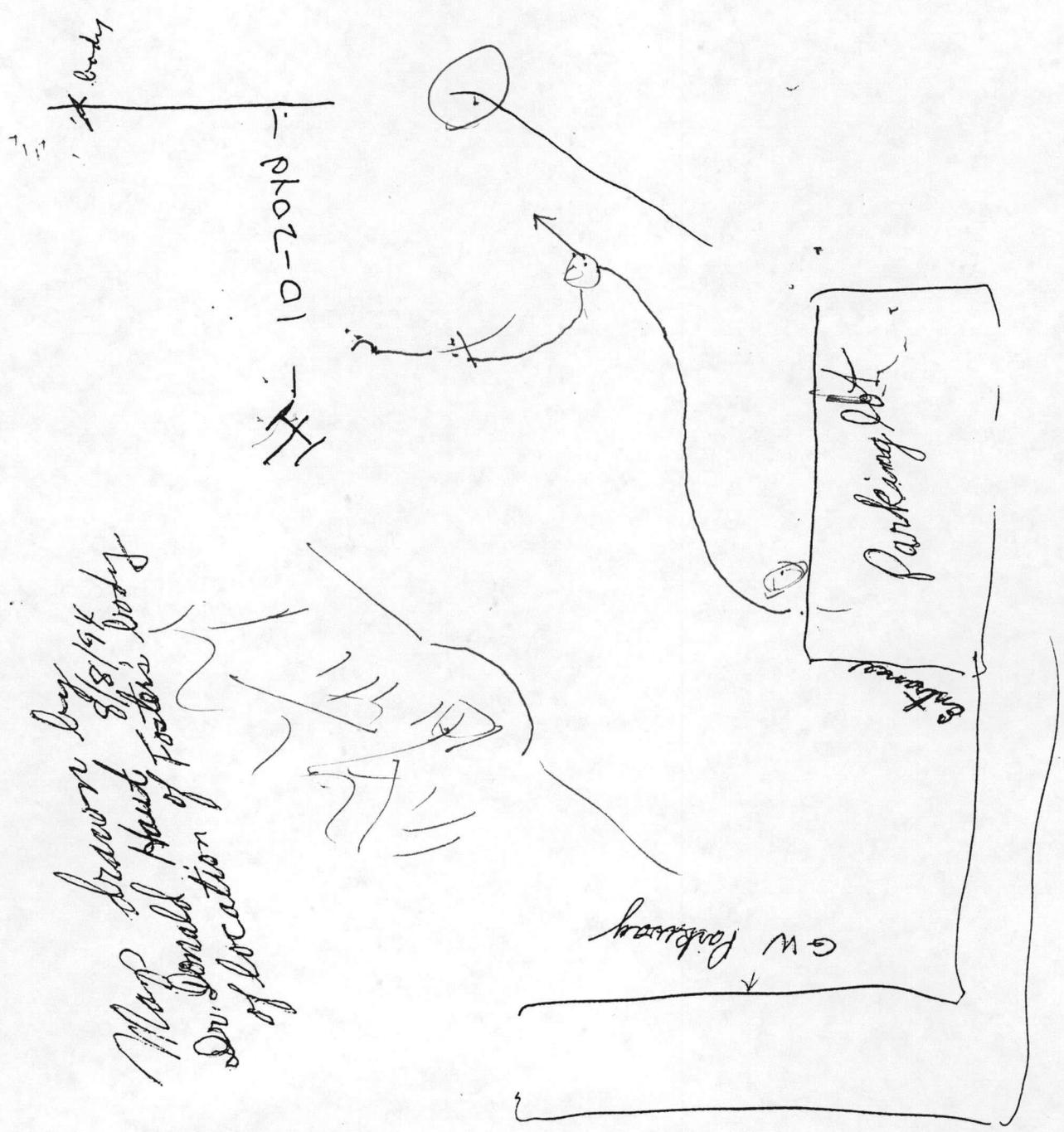
Now who is the fool?

R. Emmett Tyrrell is editor-in-chief of the *American Spectator*.

WASHINGTON, D.C., FRIDAY, OCTOBER 13, 1995 *

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The Washington Times



Map drawn by
 Dr. Donald Foster
 of location
 of body
 8/18/88
 8/19/88

ACCURACY IN MEDIA

Commentary by Reed Irvine and Joseph C. Goulden

October 11, 1995

MIKE WALLACE'S FAKE FOSTER PROBE

On October 8, as the FBI was heading into its fifth week of an exhaustive search for the bullet that killed former White House Deputy Counsel Vince Foster, "60 Minutes" aired a vicious attack on Christopher Ruddy, the reporter who forced the reopening of the Foster investigation in January 1994, six months after the White House thought it had buried the case for good.

Ignoring the fact that FBI agents were literally making a shambles of Fort Marcy Park in their inch-by-inch search for the missing bullet, Mike Wallace claimed his own investigation found that there are no valid grounds for questioning the theory that Foster committed suicide in the park.

Wallace acknowledged that some sloppy police work had enabled Ruddy "to raise all sorts of questions about Foster's death." He said, "We've dealt with the most important ones. We've examined the others." His program ended with a declaration that the evidence supported only one conclusion: Foster committed suicide in the park.

Wallace's claim that he had dealt with the most important questions raised about Foster's death was false. There are a number of questions for which there are no answers that are consistent with the suicide-in-the-park theory. Wallace ignored all of them. He discussed only three questions that he thought could be answered easily or dismissed, claiming he had examined all the others.

One was why the gun was found in Foster's right hand even though The Boston Globe reported that he was lefthanded. That was never an important issue because, as the police suggested, he could have gripped the gun with his left hand and pulled the trigger with his right thumb, which was found caught in the trigger guard. Since a family member finally disclosed last spring that Foster was actually righthanded, Wallace knew that this long-dead question could be attacked without fear of contradiction.

Wallace ridiculed a suggestion that carpet fibers found on most of Foster's clothes may have come from his body having been rolled up in a carpet and moved. Many people have criticized the investigators for not trying to find out where the carpet fibers came from, but few, if any, have seriously suggested that the body was rolled up

in a carpet. "60 Minutes" suggested the carpet fibers were from Foster's home and that they got on every piece of his clothing because they were all put in the same bag. That may or may not be true, but the carpet fibers are important only because they might have revealed where Foster spent his last hours if their origin had been discovered.

The only question Wallace addressed that is relevant to the ongoing debate over Foster's death is the claim that the small amount of blood observed at the scene is one of several indicators that he did not die in the park. The fact that there was little blood was noted by the medical technicians who found the body. One of them, Sgt. George Gonzalez, told the FBI that "there was not much blood at the scene for the manner in which the victim died." Corey Ashford, who lifted the body by the shoulders, cradling the head, said he "did not recall seeing any blood and did not recall getting any on his uniform or his disposable gloves."

"60 Minutes" ignored them, focusing on Dr. Donald Haut, the part-time county medical examiner who approved the removal of the body. Chris Ruddy has Haut on tape saying, "There was not a hell of a lot of blood on the ground." Wallace asked Haut if he told Ruddy "there was an unusual lack of blood at the scene." He said, "No," saying that there was "plenty of blood" for Foster to have died there, creating the illusion that Ruddy had misquoted him.

But Dr. Haut told the FBI that the amount of blood was small and that he didn't recall seeing blood on Foster's shirt or face or any blood on the vegetation around the body. Dr. Haut concluded from this that a low velocity bullet had been used, but the spent cartridge case in the gun in Foster's hand was stamped "HV," meaning high velocity.

Mike Wallace didn't mention all this because the small amount of blood, together with the absence of skull fragments, brain tissue and blood spatter and the fatal bullet, means there is no forensic evidence to prove that Foster shot himself in the park. That is why the FBI has spent a month looking for the missing bullet.

We asked Wallace in a phone conversation to cite one piece of forensic evidence that supported the suicide-in-the-park theory. He ducked and dodged. After we asked the question literally ten times, he said, "I'll tell you what I'll do. I'll put it on paper." When we reminded him of that promise the next day, he asked, "What do you mean by forensic evidence?"

This is one of the country's best investigative reporters? As Mike himself might say, give us a break!