

assassination of President Kennedy and the history of the CIA and thus qualifies as beneficial to the public.

I. The public benefits from the information relating to congressional oversight of the CIA that was released as a result of this lawsuit

2. On August 18, 2013, the Associated Press published and distributed a lengthy article (1908 words) entitled, "5 Decades Later Some JFK Probe Files Still Sealed," by reporter David Porter. The article ("AP Story") was published widely. It appeared on at least twenty eight (28) established news and information sites on the Internet. The article highlighted new information about the problems faced by official investigative bodies when dealing with the CIA.

3. The AP story reported the reaction of Ohio judge Burt Griffin, a former Warren Commission attorney, to the revelations at the heart of *Morley v. CIA*: the close and secretive relationship deceased undercover operations officer George Joannides ("Joannides") had with anti-Castro and anti-JFK exiles who called attention to Oswald's pro-Castro activities three months before the assassination of President Kennedy. That organization, the Directorio Revolucionario Estudantil or "DRE," was funded by the CIA.

The article stated: "The Warren Commission, which concluded in 1964 that Oswald acted alone and was not part of a conspiracy, was never told about the CIA's possibly relevant anti-Castro activities, despite the fact

that former CIA director Allen Dulles was a Warren Commission member. Warren Commission staff counsel Burt Griffin, now a retired judge, calls it "an act of bad faith" by the CIA.

"I think they had an obligation to tell the chief justice [Earl Warren] about that [the CIA's relationship with Oswald's antagonists], and then that decision would have been his and the commission's to make," Griffin said.

4. The article also quoted G. Robert Blakey, general counsel of the House Select Committee on Assassinations (HSCA), about the difficulties he faced in investigating the CIA. "If I'd known Joannides was the case officer for the DRE, he couldn't have been liaison; he would have been a witness. Do I think I was snookered, precisely like the Warren Commission was? Yes."

5. The experiences of Judge Griffin and Mr. Blakey are instructive and their relevance is not limited to the story of JFK's assassination. From the Associated Press, literally millions of Americans were exposed to new information about the difficulties facing official investigators when they try to establish accountability for CIA actions.

II. The public benefits from information about Joannides' role in the JFK assassination story that was released as a result of *Morley v. CIA*.

6. The AP story cited the appellate court's ruling on the benefit of the litigation. "Records about individuals allegedly involved in President Kennedy's assassination serve a public benefit," the decision said.

7. Among its other accomplishments, *Morley v. CIA* generated four new, previously unavailable records about the role of George Joannides' role in the JFK assassination story.

8. The first of the new record produced by the litigation is a travel document related to Joannides' travel to New Orleans on April 1, 1964. This document was not provided in response to my original FOIA request. It was released in December 2004 in response to the lawsuit. As I pointed out in my Sixth Declaration in this case, the document shows that Joannides traveled to New Orleans on the same day the Warren Commission sent a letter to DRE delegate Carlos Bringuier in New Orleans saying a Commission attorney would like to interview him in the coming weeks. See Exhibit 1 hereto (Warren Commission to Bringuier, April 1, 1964.) Bringuier was interviewed by a Warren Commission attorney on April 7-8, 1964. Thus, this evidence indicates Joannides went to New Orleans to perform duties related to his service as chief of the psychological warfare operations branch in Miami at the same time the Warren Commission was interviewing a member of the organization that he guided, monitored and

funded. In light of Judge Griffin's comment to the Associated Press that the CIA's failure to disclose Joannides' actions in 1963 as they related to the DRE in New Orleans was an "act of bad faith," this document illuminates why: because the CIA concealed Joannides' presence in New Orleans from the Warren Commission at the time the Commission was launching its investigation there.

9. The second record of special significance produced by the litigation is a travel document which shows that Joannides traveled to New Orleans on May 20, 1964. This document corroborates that Joannides' official duties as chief of psychological warfare operations branch of the Miami station in 1963-64 included activities in New Orleans. It sheds light on why the CIA concealed Joannides' actions from the Warren Commission.

10. A third historically significant record is the photograph of Joannides receiving the Career Intelligence Medal in July 1981, two years after he finished his assignment working with Prof. G. Robert Blakey and the HSCA. This award is relevant to the JFK assassination story because it shows the CIA honored Joannides for the actions he took in relation to the JFK assassination story in 1963-64 and in 1978.

11. According to the CIA, the Career Intelligence Medal is given for “an individual’s cumulative record of service reflecting a pattern of increasing levels of responsibility or increasingly strategic impact and with distinctly exceptional achievements that constitute a major contribution to the mission of the Agency.” See CIA Web site: <https://www.cia.gov/library/publications/additional-publications/the-work-of-a-nation/items-of-interest/medals-of-the-cia.html>. Joannides' service in 1963 and 1978 was part of the "pattern of increasing responsibility." His assignment in 1962-64 as chief of the psychological warfare Operations in Miami (and related activities in New Orleans,) was that of "a first echelon supervisor of individuals performing an intelligence task." Fifteen years later, his supervisor in 1978 stated that he was "the perfect man" for the job of Principal Coordinator for the HSCA. The medal photo revealed that the CIA, as an institution, not only shared this view but thought it worthy of official honor.

12. The CIA did not provide the photo in response to my FOIA request. The photo was only produced as part of the Agency's compliance with the Court of Appeals ruling of December 2007.

13. A fourth significant record uncovered by this litigation is the citation for Joannides' medal, also provided in compliance with the Court of

Appeals 2007 decision. The citation lauds Joannides for 28 years of service "in diverse assignments of increasing responsibility at Headquarters, the domestic field, and overseas." This language provides additional corroboration that Joannides was honored, in part, for his actions as they related to the JFK assassination story. His HSCA assignment was the culmination of his increasing responsibilities at CIA headquarters. His tenure in Miami was the culmination of his assignments in the domestic field. The citation makes clear that the CIA did not exempt any periods of his career from approbation. Rather, the citation stresses the entirety of his career performance, which obviously included his assignments in 1963-64 and 1978. Whatever one makes of George Joannides' role in the JFK assassination story, he was honored for it. That fact was unknown before this litigation.

III. Widespread media coverage of *Morley v. CIA* confirms the public benefit of records released

14. The AP story was published on at least twenty-nine (29) Web sites of credible mainstream news/opinion organizations. The fact that more than two dozen editors independently chose to publish the AP story indicates a consensus among journalistic professionals that publicizing the results of the *Morley v. CIA* FOIA lawsuit is in the public interest.

15. Seven established, credible, and widely read news sites published a photograph of Joannides receiving the Career Intelligence Medal obtained via the FOIA lawsuit. They were: *Baton Rouge Advocate* (Louisiana); *Pueblo Chieftain* (Colorado); *San Angelo Standard Times* (Texas); Channel 11 in Dallas-Fort Worth, KOMO News in Seattle; *Daily Mail* (U.K.); and *Regina Leader-Post* (Canada).

15. These Web sites have a combined daily readership of more than eight million people.

16. Four news sites in the Dallas-Fort Worth picked up on the story, demonstrating broad interest in the results of the litigation in the metropolitan area where JFK's assassination took place. They were: the Dallas Morning News, the Fort Worth Star-Telegram, WFAA in Dallas, and WCBS in Dallas-Fort Worth.

17. The sites that picked up the story were politically diverse. The *Huffington Post* is known for its liberal tendencies. The *Pittsburgh Tribune Review* is a conservative publication. Lew Rockwell.com is popular with libertarians. This breadth of coverage shows that the information generated by the lawsuit is of broad public interest and is not confined to people of a narrow partisan or ideological viewpoint.

18. The Web sites that picked up on the story were geographically and demographically diverse, including news organizations based in California, Texas, Pennsylvania, Minnesota, Louisiana, Washington, D.C. and Washington state, as well as Canada and the United Kingdom. Interest in the results of the lawsuit is not confined to any one part of the country.

19. Here is a list of the 29 news Web sites that published the AP story and (where available) how many people visit those sites on a daily basis. Of course, not all visitors to these sites read the article. The readership on individual articles is proprietary information and not shared by news organizations. The daily readership numbers are intended to indicate how many people could have read the AP story about *Morley v. CIA* in each news outlet.

20. In the nation's capital, the newspaper of record, the *Washington Post*, published the AP story about the results of the lawsuit.

See http://www.washingtonpost.com/national/5-decades-later-some-jfk-assassination-files-still-sealed-researchers-demand-transparency/2013/08/17/d4a27154-075e-11e3-bfc5-406b928603b2_story.html. (The original article is available only by purchase.) The Washington Post site has an average of 553,000 daily visitors, according to the Post's marketing department.

21. The *Huffington Post*, one of the popular news sites on the Internet published the AP story about the results of the lawsuit. See http://www.huffingtonpost.com/2013/08/17/jfk-files_n_3773282.html). The Huffington Post has 4,442,373 U.S. visitors daily, according to Quantcast, an industry standard Internet monitoring firm

22. The *Pittsburgh Tribune Review*, a mainstay of the conservative press in America, published the AP story about the results of the lawsuit. See <http://triblive.com/usworld/nation/4549872-74/cia-joannides-conspiracy#axzz2exokV8S0>. Triblive.com has site has 58,433 U.S. visitors daily, according to Quantcast.

23. The *Christian Science Monitor* published the AP story about the results of the lawsuit. See <http://www.csmonitor.com/USA/Latest-News-Wires/2013/0817/50-years-later-sealed-JFK-files-still-raise-questions>. The Monitor has 191,940 U.S. visitors daily, according to Quantcast.

24. The leading TV news channel in Dallas published the AP story about the results of the lawsuit on its web site of WFAA Channel 8 in Dallas. See <http://www.wfaa.com/jfk/Five-decades-later-some-JFK-assassination-files-still-sealed-220068041.html>.

25. The leading news site in Dallas, the *Dallas Morning News*, published the AP story about the results of the lawsuit. See <http://www>.

dallasnews.com/news/jfk50/explore/20130818-5-decades-later-some-jfk-probe-files-still-sealed.ece. The Dallas Morning News has 130,000 daily visitors, according to its marketing department.

26. Another leading newspaper in the Dallas area, the *Fort Worth Star-Telegram*, published the AP story about the results of the lawsuit. See <http://www.star-telegram.com/2013/08/17/5088955/5-decades-later-some-jfk-files.html>) The Fort Worth Star-Telegram has 57,932 U.S. visitors daily, according to Quantcast.

27. The Web site of Channel 11, CBS Dallas Fort-Worth published the AP story about the results of the lawsuit and published a photo of George Joannides obtained via this FOIA litigation. See <http://dfw.cbslocal.com/2013/08/17/jfk-probe-files-still-sealed-50-years-later/>.

28. The *Daily Mail* in the United Kingdom, one of the most widely read news sites in the world, published the AP story about the results of the lawsuit and a photo of George Joannides obtained via this FOIA litigation. See <http://www.dailymail.co.uk/news/article-2396284/Researchers-believe-thousands-Kennedy-assassination-files-shed-light-CIA-Oswald-connection.html>. The *Daily Mail* has eight million daily visitors, according to the Audit Bureau of Circulation.

29. The *Pueblo Chieftain*, the leading newspaper in that Colorado

city, published the story online along with a photo of George Joannides obtained via this FOIA litigation. See <http://www.chieftain.com/home/1760982-120/cia-assassination-files-joannides>. The *Pueblo Chieftain* has 5,572 U.S. visitors daily, according to Quantcast.

30. KOMO News in Seattle, Washington published the AP story about the results of the lawsuit and a photo of George Joannides obtained by this FOIA litigation. See <http://www.komonews.com/news/national/5-decades-later-many-JFK-probe-files-still-sealed-220048341.html>.

31. The *Baton Rouge Advocate*, the newspaper of record in the Louisiana capital, published the AP story about the results of the lawsuit and published a photo of George Joannides obtained via this FOIA litigation. See <http://theadvocate.com/home/6779541-125/researchers-want-access-to-some>) The *Baton Rouge Advocate* has 48,596 U.S. visitors daily, according to Quantcast.

32. The *San Angelo Standard Times* (Texas) published the AP story about the results of the lawsuit and photo of George Joannides obtained via this FOIA litigation. See <http://www.gosanangelo.com/news/2013/aug/17/still-sealed-after-50-years/>. The *San Angelo Standard Times* has 9,072 U.S. visitors daily, according Quantcast.

33. The *Regina Leader-Post* in Saskatchewan, Canada published the

AP story about the results of the lawsuit and published a photo of George Joannides obtained under via this FOIA litigation. See <http://www.leaderpost.com/news/assassination+papers+still+secret/8805194/story.html>.

34. The *St. Paul Pioneer Press*, the leading news site in the state of Minnesota, published the AP story about the results of the lawsuit. See http://www.twincities.com/national/ci_23883822/5-decades-later-some-jfk-probe-files-still.

35. The *San Jose Mercury News*, a Pulitzer Prize-winning news organization, published the AP story about the results of the lawsuit. See http://www.mercurynews.com/bay-area-living/ci_23884302/5-decades-later-some-jfk-probe-files-still. The *San Jose Mercury News* has 134,656 U.S. visitors daily, according to Quantcast.

36. The *Monterey Herald* in California published the AP story about the results of the lawsuit. See http://www.montereyherald.com/localnews/ci_23886389/fight-still-release-jfk-files. Monterey Herald has 7,015 U.S. visitors daily, according to Quantcast.

37. The *Intelligence News*, a defense industry news site published the AP story about the results of the lawsuit. See <http://www.theintelligence.com/2013/08/17/trove-of-jfk-assassination-probe-files-still-sealed-5-decades-later/>.

38. The *Vancouver Sun* in Canada published the AP story about the results of the lawsuit. See <http://www.vancouver.sun.com/news/decades+later+some+assassination+files+still+sealed/8802405/story.html>. The *Vancouver Sun* has an average of 48,033 daily visitors, according to Comscore, an internet monitor.

39. The *Bend Bulletin* in Oregon published the AP story about the results of the lawsuit. See http://www.bendbulletin.com/article/2013_0819/NEWS0107/130819990/. The *Bend Bulletin* has an average of 3,999 daily visitors, according to the Bulletin.

40. The *Alliance Review* in Ohio published the AP story about the results of the lawsuit. See: <http://www.the-review.com/editors%20pick/2013/08/19/five-decades-later-some-jfk-probe-files-still-sealed>.

41. The *Tacoma News-Tribune* in Washington state published the AP story about the results of the lawsuit. See <http://www.thenewstribune.com/2013/08/18/2736828/50-years-later-some-jfk-files.html>. The Tacoma News-Tribune has 41,032 daily visitors, according to Quantcast.

42. The Web site of KHOU in Houston, Texas published the AP story about the results of the lawsuit. See <http://www.khou.com/news/texas-news?fid=220068041&fPath=/news/local/&fDomain=10247>.

43. In Burlington Vermont, the *Free Press* published the AP story

about the results of the lawsuit. See <http://www.burlingtonfreepress.com/viewart/20130817/NEWS04/308170022/50-years-later-some-JFK-assassination-files-still-sealed>.

44. The *Redding Record-Searchlight* in California, published the AP story about the results of the lawsuit. See <http://www.redding.com/news/2013/aug/17/five-decades-later-some-jfk-i-investigation-files-s/>. The *Redding Record-Searchlight* has 12,628 U.S. visitors daily, according to Quantcast.

45. *Lubbock Online* in Texas published the AP story about the results of the lawsuit. See <http://lubbockonline.com/filed-online/2013-08-17/5-decades-later-some-jfk-probe-files-still-sealed#.UjXCQWRATns>.

46. The *Austin Statesman-American* in Texas published the AP story about the results of the lawsuit. See <http://www.statesman.com/news/news/opinion/5-decades-later-some-jfk-probe-files-still-sealed/nZkyB/>.

47. LewRockwell.com, a popular site for libertarian commentary, published the AP story about the results of the lawsuit. See http://www.lewrockwell.com/2013/08/no_author/why-are-the-jfk-assassination-files-still-secret/. LewRockwell.com has an average of 25,466 visitors daily, according to Quantcast.

IV. The information obtained about George Joannides' actions is beneficial to scholars of the Central Intelligence Agency

48. In his 2007 book about the CIA, "Legacy of Ashes," *New York Times* reporter Tim Weiner, recounted the story of U.S. intelligence-gathering on Lee H. Oswald before President Kennedy was killed.

49. On p. 263 of "Legacy of Ashes," (First Anchor Books edition, 2008) Weiner wrote: "By early 1962, the CIA, the FBI, the Pentagon, the State Department and the Immigration and Naturalization Service all had files on Oswald. In August 1963, Oswald had a series of confrontations in New Orleans with members of the Cuban Student Directorate, a CIA-financed anti-Castro group whose members reported to their case officer that they suspected Oswald was trying to infiltrate their ranks. By October 1963, the FBI knew him as a possibly deranged Marxist who supported the Cuban revolution, who was capable of violence and who had been in recent contact with Soviet Intelligence officers."

50. After Oswald was arrested on November 22, 1963 and charged with shooting the President, deputy CIA director Richard Helms named a senior officer, John Whitten, to review all incoming reports about Oswald. According to Weiner's account, "It took two weeks before he [Whitten] was allowed to read the FBI's preliminary investigative reports."

51. "For the first time," Whitten testified years later, "I learned a myriad of vital facts about Oswald's background which apparently the FBI had known throughout the investigation and had not communicated to me."

52. According to Weiner's account, the CIA official responsible for liaison with the FBI was Counterintelligence Chief James Angleton.

53. In secret sworn testimony, Whitten later specified what Angleton had withheld. "Oswald's involvement with the pro-Castro movement in the United States was not at all surfaced to us [meaning him and his staff] in the first weeks of the investigation."¹

54. Oswald's involvement with the pro-Castro movement had been first publicized by members of the Cuban Student Directorate (also known as the Revolutionary Student Directorate or "DRE") in August 1963.

Declassified CIA records released to the Assassination Records Review

¹ On May 7, 1976 Whitten testified to the Senate Select Committee on Intelligence Activities under the pseudonym "John Scelso." For his work on the Oswald investigation, see "Testimony of John Scelso, p. 6. Available here:

<http://www.maryferrell.org/mffweb/archive/viewer/showDoc.do?docId=1439&relPageId=12>). On May 25, 1978, Whitten testified under oath to the House Select Committee on Assassinations (HSCA). For the "Oswald's involvement quote, see "HSCA Interview of John Scelso," p. 166. Available here:

<http://www.maryferrell.org/mffweb/archive/viewer/showDoc.do?docId=251&relPageId=170>).

Board showed that Mr. Joannides was responsible for the handling of the AMSPELL program at the time of the DRE's contacts with Oswald.

55. In Weiner's judgment, Angleton's conduct was "an obstruction of justice."²

56. Thus the information generated by *Morley v. CIA* complements and enhances what is known about the CIA in this period, shedding new light on James Angleton's alleged obstruction of justice in the investigation of the assassination of President Kennedy. As the appellate court stated, "Records about individuals allegedly involved in President Kennedy's assassination serve a public benefit."

I declare under penalty of perjury that the foregoing is true and correct. Executed this 23th day of September, 2013.

JEFFERSON MORLEY

² *Legacy of Ashes*, p. 265.