

Chapter 7

Pursuit of Records and Information from Non-Federal Sources

I firmly believe that the Board has an obligation to seek out assassination records from all sources; public and private. The goal of Congress in passing S. 3006 was to ensure broadest possible disclosure of the records relating to the assassination. The fact that a document exists only in private hands should not deter the Board in any way from seeking to compel its transmission to the National Archives. --Judge Tunheim at the Review Board nomination hearings.

Through fair and impartial application of the criteria developed by the Review Board and keeping in mind always the express purposes of the enabling legislation, I believe that the Review Board should be as aggressive as it needs to be to achieve disclosure of relevant records. That also applies to records held by private citizens... --William Joyce at the Review Board nomination hearings.

A. Pursuit of Records and Papers from Private Citizens and Organizations

The Review Board actively encouraged private citizens and organizations who possessed assassination records to donate them to the JFK Collection to make the collection as historically rich as possible. Fortunately, private citizens were willing to donate materials, often in the form of a Deed of Gift, to the collection. The Review Board also received countless essays, interview transcripts and books, usually not accompanied by a Deed of Gift. These, too, will become part of the JFK Collection. Below is an overview of materials donated by private citizens.

1. Gary Aguilar: Interviews with Drs. Humes and Boswell

Dr. Gary Aguilar of San Francisco provided the Review Board with an audiotape of his 1994 telephone interviews with Dr. James J. Humes and Dr. "J" Thornton Boswell, the two Navy prosecutors at President Kennedy's autopsy.

2. Richard Barnes: AP Wire Copy

Richard Barnes, a former Associated Press reporter, donated to the JFK Collection AP wire copy for November 22 through November 26, 1963. The material chronicles the first AP news reports of President Kennedy's assassination, Lee Harvey Oswald's arrest, Jack Ruby's shooting of Lee Harvey Oswald, and President Kennedy's funeral. Barnes, a San Francisco-based AP reporter in 1963, obtained permission from his editor to keep the wire copy, which would otherwise have been thrown away.

3. Dr. George Burkley

The Review Board contacted the children of deceased Vice-Admiral George G. Burkley, former military White House physician to Presidents Kennedy and Johnson, to find out if their father had deposited his papers at any institution, or if they possessed any assassination records. The staff came up empty-handed.

According to House Select Committee on Assassinations' records, Burkley's personal attorney apparently told the HSCA that his client believed there was a conspiracy to kill President Kennedy. Mr. Illig, Burkley's attorney, however, is now deceased. The Review Board staff asked Burkley's daughter, the executor of his estate, to sign a waiver allowing the Review Board access to papers at Illig's law firm, but she declined to sign and return the waiver.

4. Edward Scannell Butler: Materials from the Information Council of the Americas

Chapter 6 of this report discusses the Review Board's attempts to locate government records on Edward Scannell Butler (see Chapter 6) and his organization, the Information Council of the Americas. INCA is a New Orleans-based clearinghouse for anti-communist information, and particularly for anti-Castro Cuban information.

Although Butler allowed Review Board staff to view INCA files, he said he could not provide copies of them to the JFK Collection until he catalogued the material. He also declined the Board's offer to send its staff members to New Orleans to determine what INCA records would be of value to the JFK Collection.

5. Mrs. Marion Ebersole: Records of Dr. John J. Ebersole

The Review Board staff contacted the widow of Dr. John J. Ebersole, the Navy radiologist who was on duty the night of President Kennedy's autopsy at Bethesda National Naval Medical Center. Although he was not yet board-certified, he served as the consulting radiologist during the procedure. Ebersole said she did not have any of her husband's personal papers or any assassination records.

6. President Gerald Ford: Desk Diaries

President Gerald Ford donated to the JFK Collection selected entries from his desk diaries (calendars) from 1963 and 1964 during the period that he served as a member of the Warren Commission. The Review Board staff reviewed the calendars for relevance and selected excerpts for donation to the JFK Collection with the cooperation of President Ford.

7. Justice Abe Fortas

Former Supreme Court Justice Abe Fortas, who was an adviser to President Johnson, kept papers that include drafts of President Johnson's and Lady Bird Johnson's written statements to the Warren Commission and documents rebutting passages from William Manchester's book, "The Death of a President." Fortas donated his papers to Yale University, but the Review Board

secured the assassination-related material for the JFK Collection. NARA will open Fortas' assassination-related papers in January 2001, which is the same date that Yale will open the remainder of his papers.

8. Captain J.W. "Will" Fritz

Dallas Police Department Captain J.W. "Will" Fritz served as Lee Harvey Oswald's primary interrogator when Oswald was in police custody from the afternoon of November 22 until the morning of November 24, 1963. Fritz was the chief of Dallas Police Department's Homicide and Robbery Bureau. In November 1997, the Review Board acquired and released handwritten notes that Fritz apparently made following his interviews with Oswald. Prior to this acquisition, it was believed that no handwritten notes of Oswald's interrogation by the Dallas Police Department existed.

9. Jim Garrison

The late Jim Garrison was the New Orleans District Attorney who investigated and prosecuted Clay Shaw for conspiracy to assassinate President Kennedy and was portrayed in Oliver Stone's film, "JFK."

Garrison's family donated 15,000 pages of his assassination papers, which include records from his investigation and prosecution of Shaw, as well as other files on individuals or subjects that Garrison believed to be connected to the assassination.

10. James P. Hosty Jr.

In November 1996, the Review Board interviewed James P. Hosty Jr., the FBI agent responsible for handling the Lee Harvey Oswald and Marina Oswald cases when they lived in Dallas. Hosty was present during the initial Dallas police interrogation of Oswald and took contemporaneous handwritten notes. Although the notes were believed to have been destroyed, Hosty donated the notes, and other materials relating to the assassination and the FBI's investigation to the JFK Collection.

11. Wesley Liebeler

Wesley Liebeler, former assistant counsel to the Warren Commission, testified before the Review Board at its Los Angeles public hearing in September 1996. At the time of his testimony, Liebeler provided to the Review Board copies of six chapters from his unfinished book on the assassination. In addition, Liebeler provided the Review Board with a report on the Zapruder film written by UCLA Physics professor Brian Jones. Liebeler had apparently requested that Jones examine the Zapruder film and prepare the report.

12. David Lifton: Medical Evidence

David Lifton, author of "Best Evidence: Disguise and Deception in the Assassination of John F.

Kennedy," testified before the Review Board at its public hearing in Los Angeles in September 1996. During his testimony, Lifton announced that he would donate to the JFK Collection his 35mm "interpositive" of the Zapruder film. Interpositives are valuable because they are made directly from internegatives, which in turn are made from the original film. They therefore provide denser colors and better resolution than projection prints.

Lifton also donated compact disk copies of interviews he conducted with medical witnesses from both Parkland Hospital in Dallas and Bethesda National Naval Medical Center. Some of Lifton's medical interviews date from as early as 1966.

In addition, Lifton provided the Review Board staff with audiotapes, videotapes, and transcripts of selected witness interviews. Lifton's donations are now in the JFK Collection.

13. Holland McCombs

Holland McCombs, now deceased, was a Life magazine correspondent in Dallas at the time of the assassination. A private citizen told the Review Board that there were assassination records in Mr. McComb's papers, which are housed at the Paul Meek Library of the University of Tennessee at Martin. In July 1996, a Review Board staff member reviewed hundreds of boxes of McComb's papers and located seven boxes relating to his interest in the assassination. The Board staff marked approximately 600 records and transferred photocopies of those records to the JFK Collection.

14. Richard Case Nagell

In his book *The Man Who Knew Too Much*, author Dick Russell wrote about Richard Case Nagell, a former Army Counterintelligence Officer who told Russell he: (1) had conducted surveillance on Lee Harvey Oswald for both the CIA and the KGB; (2) had been recruited by a KGB agent (masquerading as a CIA operative) to persuade Oswald *not* to participate in a plot against President Kennedy; (3) had been instructed by the KGB to kill Oswald if he could not dissuade him from participating in the plot; (4) was in possession of a Polaroid photograph that had been taken of himself with Lee Harvey Oswald in New Orleans; (5) had audio tape recordings of Oswald and others discussing a forthcoming assassination attempt on President Kennedy; and (6) had sent a letter, via registered mail, to FBI Director J. Edgar Hoover in September, 1963, warning of a conspiracy to kill President Kennedy in late September, 1963 in Washington, D.C. (and had documentary proof of the mailing of said letter).

The Review Board sent a letter to Nagell dated October 31, 1995, requesting that Nagell contact the Review Board's Executive Director to discuss any assassination records he might have in his possession. Subsequently, the Review Board was informed that Nagell had been found dead in his Los Angeles apartment the day after the ARRB's letter was mailed. (The coroner ruled that he died as a result of natural causes.)

A member of the Review Board staff traveled twice to California to inspect the effects of Nagell in an attempt to find assassination records. During the first trip, the Review Board staff

member, along with Nagell's son and niece, inspected Nagell's apartment in Los Angeles. During the second trip, the Review Board staff member inspected, again with the assistance of the son and niece, material contained in some footlockers found in storage in Phoenix, Arizona. The Review Board staff did not locate any of the items that Dick Russell references above.

A considerable amount of documentary material on Nagell from the U.S. Secret Service and the U.S. Army's Investigative Records Repository (IRR) was placed in the JFK Collection as a result of the JFK Act and the efforts of the Review Board staff.

The CIA processed as part of its sequestered collection a 201 and Domestic Contacts Division file on Nagell. The Review Board staff also reviewed a CIA Office of Security file on Nagell. The entire file was designated an assassination record.

15. New Orleans Metropolitan Crime Commission

The Metropolitan Crime Commission is a private, anti-crime organization that, since the 1950s, has investigated public corruption and organized crime in the New Orleans area. HSCA staff members reviewed MCC records on organized crime figures, such as Carlos Marcello, and on the Garrison investigation. The MCC also granted the Review Board permission to review its records. Board staff members initially identified 12 boxes that they believed would enhance the JFK Collection.

About half of the MCC records copied by Board staff concern New Orleans District Attorney Garrison's investigation of the assassination. The remaining half of the records are files that had belonged to Guy Banister. Most of the Banister material dates from the early 1950s when he worked for the New Orleans Police Department. A large number of those documents -- NOPD "Internal Affairs" investigative files detailing small-time police corruption -- were irrelevant to the Kennedy assassination.

Review Board staff members designated only the MCC documents that were not exclusively related to NOPD's internal affairs as assassination records. It still was a sizable number. Ultimately, the Board added some 3,000 pages of MCC records to the JFK Collection.

16. Gerald Posner

Gerald Posner, author of the book "Case Closed," testified before Congress during debate over the JFK Act that he had interviewed both Navy autopsy prosecutors, Drs. Humes and Boswell. When asked if he would donate his notes of those interviews to the JFK Collection and if he had any audiotapes of those interviews, Posner responded, "I would be happy, Mr. Chairman, to ask Drs. Humes and Boswell if they would agree for their notes to be released to the National Archives." The Review Board's initial contact with Posner produced no results. The Review Board never received a response to a second letter of request for the notes.

17. Frank Ragano

Frank Ragano, who died in 1998, was an attorney for alleged organized crime figures. He acknowledged that both Jimmy Hoffa and Santo Trafficante were his clients. In Ragano's 1994 book, "Mob Lawyer," Ragano claimed that Jimmy Hoffa used him as a messenger to ask Trafficante and Carlos Marcello to arrange for the murder of President Kennedy. Ragano further wrote that in 1987 Trafficante confessed to him that he, Trafficante, had been involved in the assassination.

Ragano also stated in his book that he possessed original, contemporaneous notes of meetings with organized crime figures. To determine whether Ragano's notes were relevant to the assassination, the Review Board subpoenaed the notes and deposed Ragano. He produced several handwritten notes regarding the assassination, but he could not definitively state whether he took them during the meetings or later when he was working on his book.

The Review Board submitted the original notes to the Secret Service to see if it could determine when Ragano created the notes, but the Secret Service was unable to provide a conclusive answer. Ragano's testimony to the Review Board is now available to the public in the JFK Collection as a transcript and an audio recording. Ragano's notes are attached to his deposition transcript.

18. J. Lee Rankin: Warren Commission Papers

James Rankin Jr., the son of the late J. Lee Rankin, the general counsel of the Warren Commission, testified at the Review Board's public hearing in Los Angeles and subsequently agreed to donate his father's papers to the JFK Collection. J. Lee Rankin's Warren Commission files include memos and handwritten changes to draft chapters of the commission report that commission members Gerald Ford, John McCloy and Allen Dulles, among others, recommended.

19. Clay Shaw: Personal Papers and Diary

Clay Shaw, the New Orleans businessman that District Attorney Jim Garrison prosecuted for conspiracy to murder President Kennedy, left personal papers with one of his friends. The Review Board acquired the papers for inclusion in the JFK Collection. The papers, which fill seven boxes, include Shaw's diary from the time of the trial; records from Shaw's criminal case; and Shaw's correspondence, business records, passports, personal records and photographs.

20. Walter Sheridan

In its effort to comply with the JFK Act, the John F. Kennedy Library reviewed its holdings for groups of records that could contain assassination records. Among others, it found the records of Walter Sheridan, an investigator who worked for Robert F. Kennedy and later for NBC. The library identified folders of materials, primarily notes, related to Sheridan's work as an investigative reporter for NBC covering the prosecution of Clay Shaw. In 1967, Sheridan produced an hour-long television special on the assassination.

In 1994, the library informed Sheridan that it was processing his records and sending them to the JFK Collection at NARA. Sheridan requested that the library return the identified assassination records to him, and the library honored his request. Sheridan, however, died in January 1995. NBC then claimed it owns the rights to the Sheridan papers. The dispute is now pending.

21. Martin Underwood

Martin Underwood, a former advance man for Presidents Kennedy and Johnson, was a member of President Kennedy's advance team in Texas in November 1963. A researcher who worked with Seymour Hersh on his book, "The Dark Side of Camelot," told the Review Board that Underwood claimed that President Johnson sent Underwood to Mexico City in 1966 or 1967 to see what he could learn about the Kennedy assassination. Underwood allegedly met with Win Scott, former CIA chief of station in Mexico City.

The researcher provided the Review Board with copies of handwritten notes, on White House stationery, ostensibly documenting Underwood's meeting with Scott. The notes state that Scott told Underwood that the CIA "blew it" in Dallas in November 1963. On the morning of November 22, the agency knew that a plane had arrived in Mexico City from Havana, and that one passenger got off the plane and boarded another one headed for Dallas. Underwood's notes state that Scott said that CIA identified the passenger as Fabian Escalante.

The researcher also stated that someone instructed Underwood to follow Judith Campbell Exner on her 1960 train trip from Washington, D.C., to Chicago, during which she was alleged to have carried money between Senator Kennedy (the Democratic party nominee) and organized crime boss Sam Giancana.

The Review Board staff informally interviewed Underwood. Underwood confirmed that he traveled to Mexico City in 1966, but said that he went to advance President Johnson's trip and not to look into circumstances surrounding President Kennedy's assassination. While in Mexico City, Underwood met with Scott concerning the details of President Johnson's trip. During Underwood's meeting with Scott, he said they did discuss President Kennedy's assassination and that Scott told him the story that the researcher relayed to the Review Board.

When Review Board staff asked Underwood about any notes he may have taken, he initially claimed to have no memory of any notes. Upon viewing copies of the notes that the researcher provided to the Review Board, Underwood said that he had written the notes in 1992 or 1993 for a researcher to use for Hersh's book. Underwood explained that the notes are on White House stationery because he has a lot of extra White House stationery left over from his work with President Johnson.

Underwood could not remember whether he had contemporaneous notes from his meeting with Scott. He also denied that he followed Judith Campbell Exner on a train and that he had no knowledge about her alleged role as a courier.

After the informal interview, Underwood forwarded to the Review Board a set of typed notes

from his 1966 trip to Mexico City and his meeting with Scott. The typed notes documented Underwood's activities in Mexico City and briefly mentioned his meeting with Scott. The notes do not mention Underwood's conversation with Scott about the Kennedy assassination. Instead, the notes state that Underwood sought Scott's assistance in staging a big welcome for President Johnson. The Review Board subsequently requested Underwood to testify under oath, but due to health problems, he was not available. Underwood's notes now are part of the JFK Collection.

22. Edward Wegmann

Cynthia Wegmann, the daughter of the late Edward Wegmann, a New Orleans lawyer who assisted in defending Clay Shaw during his conspiracy trial, testified before the Review Board at its New Orleans hearing and donated his assassination-related papers to the JFK Collection.

Wegmann's collection includes some documents from Garrison's office files that Wegmann and his colleagues obtained from former Garrison investigator William Gurvich. While working for Garrison, Gurvich became disenchanted and decided to quit. Before leaving, he made copies of Garrison's memoranda and witness interviews. He later gave his copies to Shaw's attorneys. The Wegmann papers contain some 6,000 pages and are now in the JFK collection.

23. Dallas Sixth Floor Museum Records

The Sixth Floor Museum in Dallas, Texas, is dedicated to providing information to the public about President Kennedy's assassination, and it contains an archives section that holds original films and documents. The museum is on the sixth floor of the former Texas School Book Depository, the exact location from which Lee Harvey Oswald allegedly shot President Kennedy.

The Review Board wanted to identify the museum records that should be part of the JFK Collection. After deposing Sixth Floor Museum officials and negotiating with them, the Review Board secured copies of Parkland Hospital records on the medical treatment of President Kennedy; autopsy records for Lee Harvey Oswald, Jack Ruby and Dallas police officer J.D. Tippit; court papers from Jack Ruby's criminal trial; Parkland physician Dr. Charles J. Carrico's papers; and several home movies depicting the Presidential motorcade in Dallas.

24. Thomas W. Wilson

On September 11, 1998 Mr. Thomas W. Wilson of Pennsylvania made a presentation to Review Board staff summarizing his 8 years of research into the authenticity and significance of the JFK autopsy images and the Zapruder film, and additional study of the Mary Moorman Polaroid photograph, using "photonics" as a technological tool.

Mr. Wilson donated the following materials to the JFK Collection: (1) A 20-page "executive summary" of his work; (2) A graphic presentation of Mr. Wilson's research conclusions about President Kennedy's head wounds, using "A.D.A.M." software to display his conclusions; (3) A 20-minute audiotape of a discussion between Mr. Wilson and former Navy x-ray technician Jerrol Custer, dated 3/28/98; and (4) A commercially-sold videotape summarizing his work.

Mr. Wilson believes he possesses a considerable amount of scientific and physical evidence, accumulated over 8 years (from 1988-1996), proving his contention that President Kennedy was shot from the front, not from behind. He is willing to donate *all* of this material to the JFK Collection if FBI or Department of Justice officials will first allow him to make his full two-day presentation on the evidence he has collected regarding the Moorman photograph, the Zapruder film, and the autopsy photographs of President Kennedy.

B. Pursuit of Audio-Visual Material from Private Citizens and Organizations

Below is a list of the audio-visual material from private citizens and organizations that the Board was able to obtain.

1. Tom Alyea: Film from Inside the Texas School Book Depository

Tom Alyea, a cameraman for Dallas television station WFAA, shot film while he was trapped in the Texas School Book Depository, which was sealed by the Dallas Police Department after the assassination. Alyea's footage includes shots of the sixth floor sniper's nest.

In May 1996, Review Board staff met with Alyea, who agreed, in writing, to donate his original 16mm film to the JFK Collection. Alyea gave the film to the JFK Collection at that time, and as agreed, the Review Board sent Alyea a 16mm positive copy and a 16mm negative copy.

Alyea later decided that he wanted the Board to return the film to him. The Review Board, however, could not do so because the film was then at the National Archives, a federal agency, and therefore came under Section 5 of the JFK Act. Section 5 requires agencies to place all assassination records in their possession in the JFK Collection.

2. Charles Bronson: Film of Dealey Plaza

The Review Board approached the family of the late Charles Bronson, a private citizen who filmed the scenes in Dealey Plaza shortly before and after President Kennedy's assassination, and requested that they consider donating Bronson's film. The family declined.

3. CBS Outtakes

The Review Board approached executives at CBS, the network holding the largest volume of television coverage and subsequent specials about the assassination, to request that they consider donating their outtakes to the JFK Collection. CBS owns rare interview outtakes with individuals such as Marina Oswald Porter.

CBS agreed to donate its outtakes from its television specials to the JFK Collection. The Review Board anticipates that CBS' records eventually will become part of the JFK Collection.

4. Robert Groden

Robert Groden, a photo-optics technician, was the first to publicly screen the famous Zapruder film as a motion picture. Subsequently he served as an unpaid photographic consultant for the HSCA.

Groden's collection of assassination photos and films is renowned throughout the assassination research community, and many suspect that Groden made unauthorized copies of the HSCA's photos and films when he worked with the committee. A few researchers believe that Groden kept original photos and films and returned copies to the committee.

One researcher believes that Groden may have a photograph from the President's autopsy that is not in the National Archives. The researcher recalled he had seen an autopsy photograph at Groden's home in 1980 that was not in NARA's official collection. The researcher urged the Review Board to find this "extra" photograph.

The Review Board subpoenaed all original and first-generation assassination films in Groden's possession, and deposed Groden. Under oath, Groden claimed he did not possess any original or first-generation assassination films or images of any kind. With the help of NARA, the Board collected Groden's materials, studied their provenance, and returned them in July 1998. Groden did not turn over to the Review Board any autopsy photographs that are not already part of NARA's official collection.

5. Lt. Everett Kay: Audio Surveillance Tape

Lt. Everett Kay (Ret.), formerly with the Miami Police Department Intelligence Unit, donated to the JFK Collection an audio surveillance tape of a November 9, 1963, meeting between Miami police informant William Somersett and Joseph Milteer, who alleged that President Kennedy would be killed by a rifle shot from an office window.

6. Vincent Palamara: Interviews with Secret Service Personnel

Vincent Palamara conducted extensive interviews with former Secret Service personnel. Palamara donated three audio cassettes containing these interviews to the JFK Collection.

7. David Powers: Film of Motorcade

David Powers, a close aide to President Kennedy, was riding in the Secret Service follow-up car directly behind the President's limousine on November 22, 1963. Close by President Kennedy's side, he filmed many of the President's activities that day with his home movie camera. His film ends minutes before the motorcade entered Dealey Plaza. The Kennedy Presidential Library holds the original film, but Powers, now deceased, graciously agreed to make a copy of his film available in the JFK Collection.

8. David Taplin: November 24, 1963, Coverage of Dallas Police Department

Gerald Nathan Taplin Sr. filmed the exterior of the Dallas Police Department building on the

morning that the DPD scheduled its transfer of Lee Harvey Oswald to the county jail. On that morning Jack Ruby shot Oswald inside the DPD building. The Taplin film contains images of the arrival of the armored car that the DPD intended to use as a decoy during the Oswald transfer, footage of other film crews covering the event, and scenes on the street. David Taplin, Gerald Taplin Sr.'s grandson, donated a videotape copy of his grandfather's film to the JFK Collection.

9. Stephen Tyler

In 1992, Stephen Tyler produced "He Must Have Something," a 90-minute television documentary about Jim Garrison's investigation of President Kennedy's assassination. Tyler testified at the Review Board's public hearing in New Orleans, and announced that he would donate to the JFK Collection a copy of his documentary along with the outtakes of approximately 30 interviews that he conducted for the documentary. Among those interviewed are former District Attorney Jim Garrison, New Orleans witness Perry Russo, and Warren Commission critic Mark Lane.

10. Janet Veazey: KTVT outtakes

In November 1995, the Review Board launched a special initiative in Dallas, appealing to residents to consider donating any film or photographs they may have relating to the assassination. As a result, the Review Board acquired important KTVT outtakes from Janet Veazey.

Veazey had the film because her father's friend, Roy Cooper Jr., was a photographer at KTVT in Dallas. Cooper retrieved the outtakes from the KTVT trash and spliced them together, creating a 45-minute, 16mm silent film. The original film, already in the JFK Collection, contains footage of President Kennedy and Mrs. Kennedy in Dallas and the aftermath of the assassination. A first generation copy of these outtakes are now also part of the JFK Collection.

11. Moses Weitzman

Moses Weitzman is a special effects film expert who employed Robert Groden as a trainee and junior level staffer in the late 1960s. Weitzman worked for his client, Time-Life, on the original Zapruder film in the late 1960s and was the first to enlarge the 8mm Zapruder footage to 35mm format.

Although Weitzman gave his best Zapruder footage to Time-Life, he retained some imperfect 35mm internegatives (exhibiting track and framing error) he had made directly from the original Zapruder film. Weitzman used these internegatives to demonstrate his technical ability to enlarge 8mm film directly to a 35mm format.

Weitzman made these imperfect internegatives available to Groden during the late 1960s. Most likely Groden used prints made from these internegatives when he publicly screened the Zapruder film in the mid-1970s. Weitzman testified about the historical importance of the Zapruder film at the Review Board's April 1997 public hearing, and he donated a 16mm copy to

the JFK Collection. Weitzman informed the Review Board that he no longer possesses any Zapruder film materials.

12. Robert White: Evelyn Lincoln Materials

In January 1997, the Review Board contacted the beneficiaries of Evelyn and Harold Lincoln's wills to determine whether Evelyn, President Kennedy's personal secretary, had accumulated assassination-related items.

One of the beneficiaries, Robert White, who collected Kennedy memorabilia and had been friends with the Lincolns for more than 20 years, apparently had more than 100,000 items in his collection. Many of them were Evelyn Lincoln's, including an entire file cabinet and Kennedy memorabilia such as briefcase, signing table, rocker and stereo.

After the Review Board sent a letter to White, he contacted an attorney. In a February 1997 letter to the Board, his attorney stated that White "did not receive nor was he in possession of any assassination-related artifacts and/or memorabilia originating from the Lincolns or from any source."

White agreed to speak with Review Board staff on April 10, 1997. At this meeting, White provided a brief, handwritten list of the items Evelyn Lincoln had left him in her will. White also briefly described his involvement with cataloguing and appraising the items in the two Lincolns' estates. White reiterated that his inventory of the estate did not reveal any items related to the assassination, other than the diaries and appointment books that had been bequeathed to the Kennedy Library.

After meeting with White, the Review Board continued to receive information that White possessed assassination-related items and later learned that White planned to auction items from his collection at Guernsey's auction house in New York City on March 18 and 19, 1998. The Board, with the help of the Department of Justice, subpoenaed White, requiring him to produce all objects and records relating to the Kennedy assassination, and all records pertaining to the Kennedy and Johnson administrations on Cuba, the FBI, the CIA, organized crime and other topics. The subpoena also sought inventories of White's collection and a list of items that White had received as a beneficiary of the Lincolns' wills.

The Review Board staff deposed White in March 1998. During the deposition, White described his friendship with Evelyn Lincoln and discussed the various Kennedy-related objects that she had given him. In certain cases, White relayed Lincoln's comments or documentation about the provenance of various objects. Among the records that White produced were Texas trip advance sheets, a Secret Service White House Detail photograph book, memoranda authored by President Kennedy, and 23 White House Dictabelt tapes. The Board found that four of the memoranda written by President Kennedy contained classified, national security information, and forwarded them to the Information Security Oversight Office.

On the last day of his deposition, White told the Review Board that he had just donated the

Dictabelts to the Kennedy Presidential Library. The Dictabelts contain telephone conversations, dictations and discussions between President Kennedy and other individuals. Specific topics on the Dictabelts include President Kennedy's dictation during the week of November 4, 1963; discussions of the Berlin Crisis; conversations regarding the Cuban Missile Crisis; and thoughts dictated by President Kennedy on November 12, 1963.

C. Pursuit of State and Local Government Records

An assassination record ... includes, without limitation: All records collected by or segregated by all federal, state and local government agencies in conjunction with any investigation or analysis of or inquiry into the assassination of President Kennedy...ⁱ

1. New Orleans District Attorney Files

Harry F. Connick Sr., District Attorney of New Orleans, testified at the Review Board's New Orleans public hearing in June 1995. Connick stated that he was in possession of former District Attorney Garrison's investigative files. He said he intended to donate the files to the JFK Collection.

Several days later a package from New Orleans arrived in the Review Board's offices. It contained what appeared to be original transcripts from the grand jury Garrison convened for his investigation of Clay Shaw.

The man who mailed the records, a former Connick investigator, said that Connick had given them to him to throw out when Connick was cleaning out the District Attorney's office. Instead, the investigator took the materials home and stored them in his basement. When he heard about the Review Board's effort, he said he felt compelled to send the transcripts to the Board.

Connick responded by demanding that the Board return the records to the District Attorney's office. He said the records were the property of the state of Louisiana and were subject to the seal of the Louisiana state courts. Connick further warned that unless the Review Board returned the grand jury records, he would not donate the Garrison investigative records.

The Review Board refused. Since the records were in the possession of a government office, namely the Review Board, the Board believed it was compelled by the JFK Act to review, organize and process them for inclusion in the JFK Collection.

A flurry of subpoenas followed. Connick subpoenaed the Review Board for the grand jury records; the Review Board subpoenaed Connick for the investigative records. With the Department of Justice's help, the Review Board successfully argued that Louisiana could not subpoena a federal agency for the records. Connick, however, was unable to fend off the Review Board's subpoena for the Garrison files. Connick sued unsuccessfully. Both the investigative records and the grand jury transcripts are now in the JFK Collection.

2. Dallas City and County Records

On November 22, 1963, immediately after President Kennedy was shot, David Burros, a Dallas motorcycle policeman, found a piece of bone on Elm Street in Dealey Plaza. The policeman gave the bone fragment to Deputy Constable Seymour Weitzman, who presumably gave it to the Secret Service. The Secret Service then sent the fragment to the White House physician, then Rear Admiral George Burkley. The Secret Service placed medical materials from the autopsy in the safe of Robert Bouck, the chief of the Secret Service's Protective Research Section. However, the April 26, 1965, inventory of Bouck's safe did not list this bone fragment (or any others in Burkley's possession in November 1963) as part of its contents.

The Review Board staff wrote to the Dallas County records management officer and the Dallas city archivist to find out if they had any photographs, X-rays, or other records in their files regarding this bone fragment. Neither archive had any record of it.

D. Pursuit of Records from Foreign Governments

Assassination records and additional records and information may be located at, or under the control of, without limitation . . . Foreign governments.ⁱⁱ

In an effort to compile a more complete record of the assassination, the Review Board focused considerable attention on an effort to obtain copies of records contained in the files of foreign governments. The JFK Act states that it is the "sense of Congress" that the Department of State should take steps to obtain such records which have been the object of much interest since the assassination. In particular, the Board focused much of its efforts on the KGB records thought to be maintained both in Russia and in Belarus, and on Cuban and Mexican government records. Congress anticipated, and indeed specifically provided in the JFK Act that the Department of State "should contact" the Russian government and "seek the disclosure of all records of the former Soviet Union" relating to the assassination.ⁱⁱⁱ Furthermore, the Department of State was required to "cooperate in full with the Review Board" in seeking disclosure of relevant records.^{iv} While the Department of State occasionally helped facilitate contacts with foreign counterparts, and individual State Department employees provided helpful assistance and advice, overall the Department of State was more of a hindrance than a help to the Review Board. The Board certainly expected much more help than it received from a Department that obviously did not consider pursuit of foreign records about the Kennedy assassination to be a priority. Letters of request to the Department from the Board went unanswered for long periods of time, cables that contained communications from foreign sources or from United States embassy personnel to the Board sat for months on the desks of State Department employees without being transmitted to the Board, and important opportunities were missed because the Department did not believe the issue was important enough to raise. The Review Board has identified significant records, but does not believe that these collections will be obtained in full until the Department of State determines that such an effort is an important priority.

1. Russia

The Review Board believes that the records of the former KGB exist in Moscow that (1) reflect surveillance of Lee Harvey Oswald and Marina Oswald during 1959-1962, and that (2) reflect the Soviet investigation into the circumstances of the Kennedy assassination. The United States Embassy made requests for these records and a Review Board delegation later visited Moscow and met with representatives of three different archives where it was believed that records existed. The Board received a number of individual records which have been released in the JFK Collection but was unsuccessful in obtaining permission to review or copy the larger sets of files which exist in Moscow. The Board received a significant boost to its efforts when Vice President Gore asked Russian Prime Minister Chernomyrdin in March 1998 to release the files. Unfortunately, the issue was not again raised in September 1998 during the Clinton-Yeltsin summit meeting. Additional approaches to the Russians continue, but the Review Board strongly recommends that the United States government in general, and the State Department in particular, continue to pursue the release of these important KGB records.

2. Belarus

With the assistance of the United States Embassy in Minsk, Chairman Tunheim, Board Member Hall and Executive Director Marwell in November 1996 reviewed the extensive KGB surveillance file kept in Minsk by the Belarussian KGB. The file details over two years of extensive surveillance and analysis by the KGB of Lee Harvey Oswald during the time that he resided in the Belarussian capital. Some of these records were utilized by Norman Mailer in his book *Oswald's Tale*. The Board was unable to obtain a copy of the file, in part due to the deteriorating relationship between the United States and Belarus in 1997-98. Mailer's collaborator in *Oswald's Tale*, Lawrence Schiller, agreed, in response to the Board's request, to donate copies of documents from the Minsk files, but the records will not be released in the JFK Collection until a later date. Additional efforts are still underway to obtain the files which are unquestionably of strong historical interest. Again, the Board strongly recommends that all possible efforts be made to obtain for the American people this important record of the activities of accused assassin Lee Harvey Oswald during the years prior to the assassination.

3. Cuba

The Review Board initiated a dialogue with Cubans stationed in the Cuban Interest Section in the Swiss Embassy to try to find out if the Castro government has any records relevant to the assassination. The chief of the Cuban Interest Section, who agreed that the release of Cuban records would be beneficial to Cuba and the United States, launched an effort to locate records. However, he noted that record-keeping in Cuba was spotty in the years immediately following Castro's rise to power, and suggested the Review Board might obtain more information by interviewing Cuban officials about the situation in Cuba just after the assassination.

The Review Board continued to actively work with officials in the Cuban Interest Section to determine what, if any, information exists in Cuba relating to the assassination.

4. Mexico

Since the Mexican government conducted an investigation into the activities in Mexico City of Lee Harvey Oswald, and the Direccion Federal deSeguridad (DFS), the Mexican Federal Security Service, conducted interrogations of Silvia Duran, who met with Oswald in Mexico City, the Review Board sought Mexico's cooperation in its search for additional records. At the behest of the Review Board, the Department of State requested the Mexican government to search its files for possible records relevant to the assassination. To date, the only records the Mexican government has made available to the JFK Collection were copies of the same diplomatic correspondence between the Mexican Foreign Ministry and the Department of State that it submitted to the Warren Commission. Copies of these communications already were in the JFK Collection.

5. Other Governments

The Review Board also requested records that were relevant to the assassination from other foreign governments. The Board received records from the archives of Great Britain and Canada. These records are now available in the JFK Collection.

E. CONCLUSION

The JFK Act paved the way for a single government entity, for the first time, to be able to search for, identify and assemble donations from citizens and local governments, and then place them in a central location open to the public.

Although not all of the Board's efforts were successful, the Review Board hopes that the fact that it strenuously upheld its mandate to search for, obtain, and disclose assassination-related material in an open and documented fashion will help restore trust in the government's desire and ability to be responsive to citizens' concerns.

Public hearings held in several cities by the Review Board, independent researcher "expert's conferences," and working luncheons held with Review Board staff and Board Members, were instrumental in providing leads that proved most useful to the search for records.

The Review Board is grateful for the contributions made by citizens who participated in these meetings, made important research suggestions to the Review Board, and donated assassination records so that all citizens can enjoy access to these important materials.

CHAPTER 7 ENDNOTES

i. 44 C.F.R. § 1400.1.

ii. 44 C.F.R. § 1400.3(I).

iii. *President John F. Kennedy Assassination Records Collection Act of 1992*, 44 U.S.C. § 2107, section 10(b)(2) (Supp. V 1994).

iv. JFK Act, § 10(b)(3).