

DRAFT of PROPOSED RESPONSE TO NYT EDITORIAL

The New York Times' July 6, 1997 editorial on the Kennedy and King assassinations ("The Amnesty Option") made factually inaccurate assertions about the assassination of President Kennedy. Since these assertions underlie The Times' call for "appointment of an independent panel" to re-examine the Kennedy assassination, it is important that they be corrected.

First, the Times reported that "there are *no* official investigations extant" in the Kennedy case (emphasis added). This is misleading. In fact, there is an independent federal agency that is currently working to open all U.S. Government records relating to the Kennedy assassination. This agency -- the Assassination Records Review Board ("Review Board") -- was created by Congress in 1992 pursuant to the President John F. Kennedy Assassination Records Collection Act. Although not empowered to re-investigate the assassination of President Kennedy, it was empowered to obtain and release United States Government records relating to the assassination. These records have been, and are continuing to be, placed in a collection at the National Archives in Washington, D.C. and these documents are today open to the public. Many of these records will clarify the historical record regarding the assassination, regarding who Lee Harvey Oswald was, and regarding the Government's handling of the investigation into President Kennedy's murder. For example, the public can now see the FBI's main files on Oswald and on the Kennedy investigation, the CIA's "201" file on Oswald, the Secret Service's file on the Kennedy assassination, the Marine Corps records on Oswald, the file on Oswald maintained by the Office of Naval Intelligence, and the State Department's files on Oswald to name just a few. While the Review Board takes no position on any theory of the assassination, or on the question of whether a new investigation into the assassination should be convened, it is dedicated to assuring that the most complete and accurate historical record is compiled on the JFK assassination. Any call for a new investigation into the JFK assassination should at least consider the current process that is now taking place to publicly release all records relating to the assassination.

Second, The Times' call for a new investigation is based on the erroneous and highly misleading assertion that there were recently "two new disclosures about the Kennedy assassination." Based on these "new disclosures," the Times suggests that "re-examination" of certain conspiracy theories in the Kennedy assassination is warranted. The Times states, for example, that "new information became public about the Central Intelligence Agency's attempt to enlist the Mafia in an assassination plot against Fidel Castro." Although a document on the Castro assassination plot was recently released by the CIA, the facts regarding the Castro plots were previously investigated and made public by two Congressional committees -- the Senate's Select to Study Governmental Operations With Respect to Intelligence Activities in 1975 and the House Select Committee on Assassinations in 1978. The CIA's attempted use of the Mafia to kill Castro is hardly a new revelation, as the Times editorial suggests.

The Times also reported that “Former President Gerald Ford cast new doubt on the single-bullet theory by disclosing that he altered the Warren Commission finding about the entry point of a bullet to President Kennedy’s back.” This statement is highly misleading by suggesting that President Ford himself recently acknowledged that he “altered” a pre-existing Warren Commission “finding” regarding the bullet entering the President’s “back.” In fact, the papers of the Warren Commission’s General Counsel were recently released and they showed President Ford’s changes to a draft of the Warren Commission Report. When asked to comment after the release of these papers, President Ford said he made the changes as “an attempt to be more precise.” While the significance of the changes and President Ford’s explanation can be argued (and the Review Board takes no position on how to interpret them), the Times posited one interpretation as conclusive. The public should be shown the text and the revisions that were made so that they themselves can decide whether or not the changes are meaningful. We set forth, therefore, the sentence of text and how Ford proposed to change it, which was as follows: “A bullet had entered [his] **the back of his neck** at a point slightly [above the shoulder] **and** to the right of the spine.”

We agree with The Times’ calls for “[g]reater clarity” about the Kennedy assassination in order to “end the wild speculation that gnaws at America’s faith in itself and its government institutions.” But the factually misleading assumptions in The Times’ editorial does not contribute to further clarity but, in fact, muddies the factual record regarding the Kennedy assassination. We are disappointed that The Times would be so sloppy with the facts on such an important piece of this country’s history.