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ASSASSINATION RECORDS REVIEW BOARD

Personnel Building  
Board Room H-160  
450 North Grand Avenue  
Los Angeles, California

Tuesday,  
September 17, 1996  
10:00 a.m.

1 COMMITTEE MEMBERS:

2

HONORABLE JOHN R. TUNHEIM  
3 U.S. District Court Judge  
District of Minnesota

4

DR. HENRY F. GRAFF (not present)  
5 Professor Emeritus of History  
at Columbia University

6

DR. KERMIT L. HALL  
7 Dean, College of Humanities  
and Professor of History at  
8 the Ohio State University

9 DR. WILLIAM L. JOYCE  
Associate University Librarian  
10 for Rare Books and Special  
Collections at Princeton University

11

DR. ANNA K. NELSON  
12 Adjunct Professor of History at  
American University

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DAVID G. MARWELL  
14 Executive Director

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1	<u>SPEAKERS:</u>	<u>PAGE</u>	3
2			
3	Robert Tanenbaum	9	
4	Former Deputy Counsel for the House Select Committee on Assassinations Author of <u>Corruption of Blood</u>		
5	Eric Hamburg	30/117	
6	Co-Producer of the Oliver Stone Movie <u>Nixon</u> , and former Congressional staff assistant of the President John F. Kennedy		
7	Assassination Records Collection Act of 1992		
8	Wesley Liebeler	46	
9	Former Assistant Counsel to the Warren Commission and currently a Professor at UCLA		
10	James Rankin	56	
11	Son of former General Counsel to the Warren Commission, the late J. Lee Rankin		
12	David Belin	61	
13	Former Assistant Counsel to the Warren Commission and author of <u>November 22, 1963: You Are The Jury</u> and <u>Final Disclosure: The Full Truth About The</u> <u>Assassination of President Kennedy. Executive</u> <u>Director of the Rockefeller Commission, 1975.</u>		
14			
15	James DiEugenio	84	
16	Author of <u>Destiny Betrayed: JFK, Cuba and the</u> <u>Garrison Case</u>		
17			
18	David Lifton	103	
19	Author of <u>Best Evidence: Disguise and Deception</u> <u>in the Assassination of John F. Kennedy</u>		
20	Steve Tilley	123	
21	National Archives, Caretaker of the JFK Collection		
22			
23			
24			
25			

P R O C E E D I N G S

CHAIRMAN TUNHEIM: Good morning everyone. We call

1 to order this public hearing of the Assassination Records Review  
2 Board. I want to welcome everyone here today to this public  
3 hearing in Los Angeles. We're very pleased as a review board  
4 to be here and very pleased that you were able to join us this  
5 morning.

6           The Assassination Records Review Board is an  
7 independent federal agency that was established by the Congress  
8 for a very important purpose. That purpose being to identify  
9 and secure for the American people all of the materials and  
10 documentation concerning the tragic assassination of President  
11 John F. Kennedy 33 years ago in Dallas.

12           The objective is to provide for the American people  
13 a complete public record of this national tragedy, and to lift  
14 the veil of secrecy that has surrounded the records of the  
15 assassination for so many years. And to present files that are  
16 fully accessible to any American citizen who wishes to see them,  
17 who wishes to study them, and to try to understand.

18           The members of the Review Board, which is a part time  
19 citizens' panel, were appointed by President Clinton. To my  
20 right on the end is Doctor William Joyce, the Associate Librarian  
21 at Princeton University. And to my immediate right is Doctor  
22 Anna Nelson, Professor of History at American University in  
23 Washington, D.C. To my left, Doctor Kermit Hall who is the Dean  
24 of the College of Humanities at Ohio State University. Doctor  
25 Henry Graff, Professor Emeritus of History at Columbia

1 University was unable to be with us today as the fifth member<sup>5</sup>  
2 of the Board. My name is John Tunheim, I'm the Chair of the  
3 Assassination Records Review Board, and I am a United States  
4 District Court Judge in the State of Minnesota. Also up here  
5 today is the Executive Director of the Review Board, the top  
6 staff member for the effort, David Marwell. We have a number  
7 of other staff members who are with us today, Jeremy Gunn, Tom  
8 Samoluk, Tracy Shycoff and Eileen Sullivan.

9  
10 I must emphasize before we begin today, that it is  
11 not the mandate of the Review Board to reinvestigate the  
12 assassination and to try to determine the answers of all the  
13 mysteries and questions that are still swirling around this  
14 event.

15 The Review Board is, however, on a search for records.  
16 Our primary focus has been, as it should be, a review and release  
17 of federal government records. Records that have been held by  
18 agencies of the federal government for the past 30 some years.  
19 But the Review Board is also seeking records, documents,  
20 photographs and other materials, whatever form they may be in,  
21 that will enable the American public to see the complete record  
22 of the death of their President and its aftermath.

23 We are nearing the end of our second year of existence  
24 and we have made significant progress. We've issued rulings  
25 on close to 2,500 records, federal records, and another 23 or  
2,400 are in the category of consent releases by the agencies

1 following our rulings on similar issues. Those add to a  
2 collection that is growing by the day at the national archives  
3 in College Park, Maryland. Later in our hearing we will hear  
4 from Steve Tilley who is our liaison at the National Archives.  
5 He will bring us up to date on the current status of the  
6 Collection.

7  
8 The Review Board has nearly completed its review of  
9 the Central Intelligence Agency's corps file on the  
10 assassination, the Oswald 201 file. We're nearing completion  
11 of review of the corps files maintained by the Federal Bureau  
12 of Investigation on the assassination and have made significant  
13 progress at this stage on the records that were maintained by  
14 the House Select Committee on Assassinations, which investigated  
15 the assassination in the late 1970s.

16 We have secured now much of the record of the Jim  
17 Garrison saga in New Orleans. The only criminal prosecution  
18 that was taken involving the assassination. Other private  
19 parties have made significant contributions to the Board, to  
20 the Collection, to the American public, including new films that  
21 have been recently discovered from the day of the assassination.  
22 We've made significant progress recently on military records  
23 including the NSA, for which we hope to have announcements very  
24 soon regarding the release of those records. And we've made  
25 significant attempts to try to clarify the medical evidence,  
one of the more enduring of the mysteries surrounding the

1 assassination. We hope to release materials concerning the  
2 medical evidence somewhere around the end of this year.

3 Much progress has been made by the Review Board and  
4 its staff thus far, but there is still much to be done and that  
5 is why we are here today in Los Angeles.

6 We're going to hear testimony today from a number of  
7 experts, individuals who we believe will greatly assist the Board  
8 in its search for records. Many more individuals have indicated  
9 an interest in testifying today. We simply don't have time to  
10 accommodate everyone. We thank them for their interest. We  
11 hope that those who are not able to testify today will provide  
12 the Review Board with written testimony and information that  
13 will be able to assist the Board.

14 The Board has held previous hearings in Dallas, in  
15 Washington, in Boston, and New Orleans, and those hearings have  
16 been extraordinarily helpful to the Board as its gone through  
17 its work over the past two years. And although the Review  
18 Board's review of classified records must by necessity occur  
19 in private out of the public eye, the Board does feel strongly  
20 that ongoing reports of the work of the Review Board should be  
21 as public as possible. The public hearings have given us an  
22 opportunity to hear from the public and to be able to adjust  
23 our work in response to legitimate interests that have been  
24 expressed to us by members of the public.

25 Before we hear our first witness this morning in Los

1 Angeles, we have one matter of business that we'd like to take<sup>8</sup>  
2 care of as a Board and that has to do with the extension of our  
3 existence for an additional year. When Congress past the  
4 original law The President John F. Kennedy's Records Collection  
5 Act of 1982, they specified the Review Board was to be in  
6 existence for a period of two years with a third year as the  
7 Board's discretion. When the Act was repassed several years  
8 later to give us additional time because of the slow start up,  
9 that provision was also contained in the new Act. The Board  
10 has made a determination that it is important to continue this  
11 effort for an additional year and we need to go about our business  
12 of doing that. Doctor Hall.

13 DR. HALL: Well pursuant to Section 701 of the  
14 President John F. Kennedy Assassination Records Collection Act,  
15 I move the Review Board extends its life for one additional year  
16 to October 1, 1997.

17 CHAIRMAN TUNHEIM: Is there a second?

18 DR. NELSON: Second.

19 CHAIRMAN TUNHEIM: It's been moved and seconded that  
20 the Review Board extend its existence for one additional year  
21 until October 1 of 1997. All in favor of that motion say aye.

22 BOARD MEMBERS: Aye.

23 CHAIRMAN TUNHEIM: Opposed?

24 (No response.)

25 CHAIRMAN TUNHEIM: It's carried.

1                   Again, I want to thank all of you for your interest  
2 today and now we are going to move on and hear from our first  
3 witness.

4                   Our first witness today is Robert Tanenbaum. He is  
5 a former Deputy Counsel for the House Select Committee on  
6 Assassinations in the late 1970s. He is the author of Corruption  
7 of Blood a fictionalized account of his experience with the  
8 committee investigating the assassination of President Kennedy.  
9 Mr. Tanenbaum, welcome.

10

ROBERT TANENBAUM

11

Former Deputy Counsel for the House Select Committee on

12

Assassinations in the late 1970s

13

Author of Corruption of Blood

14

15 MR. TANENBAUM: Good morning. You look at me in  
16 stunned silence. I'm here at the request of you to answer  
17 questions, And if you have any I'd be delighted to answer any.

18

19 I purposely avoided not giving you a statement because I'm not  
20 here to urge you or to do anything other than to release every  
21 document you can get your hands on. I could tell you that if  
22 Richard Sprague and I stayed with the committee, there was no  
23 document that we would have kept away from the American people.

24

25 And when I say "document" I include in that films or other pieces  
of evidentiary value. We saw nothing frankly that should not  
be given to the American people and I say that Judge and members  
of the panel when you mention classified material. We were

1 representing at the time an investigation of a legislative branch <sup>10</sup>  
2 of government. We looked into certain executive intelligence  
3 agency activity of the Executive Branch and we did not feel that  
4 any of that material -- certainly none of it should have been  
5 redacted and the material we're looking for, particularly from  
6 the executive intelligence agencies were reports of the  
7 homicides, those two homicides, of two extraordinary Americans.  
8 But, the focus was to deal with these cases as homicides.

9 CHAIRMAN TUNHEIM: Well, would it be possible, Mr.  
10 Tanenbaum, for you to give us really just a brief overview of  
11 your career and how you came to be involved with the House Select  
12 Committee on Assassinations.

13 MR. TANENBAUM: I attended college and law school at  
14 the University of California at Berkeley and went to work for  
15 District Attorney Frank Hogan in New York County. And while  
16 there I served as bureau chief of the criminal courts of the  
17 felony trial bureau and deputy chief and for a period of time  
18 acting chief of the homicide bureau, and while there tried  
19 several hundred cases to verdict.

20 While I was there I was asked to come down to the  
21 committee. I didn't apply for it in any fashion and Richard  
22 Sprague was the chief counsel and I met with members of the  
23 committee and Mr. Sprague, both at Mr. Sprague's office in  
24 Philadelphia and in Washington. I had no real intimate  
25 knowledge of the library of books that had been written to that

1 point on the assassination. And wanted assurance from the 11  
2 committee simply that whatever the facts were we would be  
3 permitted to tell the American people. And that is if Oswald  
4 did it from the facts and he did it alone, we were prepared to  
5 say that. If he didn't, based upon the evidence, we too wanted  
6 to have the ability to say that. We wanted to have and clear  
7 investigation as we did for example in dealing with homicides  
8 on the streets of Manhattan. And, again, I emphasize that  
9 because of course we're dealing with two extraordinary Americans  
10 that is Doctor Martin Luther King and President Kennedy, what  
11 the cases were to be analyzed by individuals who had a lot of  
12 experience trying homicides. And that's how I came to be at  
13 the committee. Thereafter I have been in private practice and  
14 have written ten books all of which are based upon my own  
15 experiences as an assistant district attorney and otherwise in  
16 the legal profession.

17 DR. JOYCE: Can you help us to understand a little  
18 bit about the nature of your responsibilities in your work for  
19 HSCA and how long you were there?

20 MR. TANENBAUM: I started on or about the first week  
21 of December, 1976, and remained to a period of time, as I best  
22 can recall, in the summer of 1977. I was responsible, and was  
23 chief counsel and assisted the subcommittee in investigating  
24 the assassination of President Kennedy, although deputy chief  
25 to the whole committee investigating the homicides. And the

1 organization was broken down into the Kennedy side and the King<sup>12</sup>  
2 side.  
3

4 I had with me fortunately expert detectives, some of  
5 whom I had worked with in New York County, who had been detectives  
6 for 20 to 30 years just dealing with homicides. And during that  
7 time, the focus of our investigation that was most fruitful had  
8 to deal with the anti-Castro Cuban CIA connection to the  
9 assassination. And that is to say briefly, we tried to deal  
10 with documentary evidence rather than with individuals who were  
11 now coming forward in 1976/77 who might allege that they saw  
12 acts in 1973 that they didn't bother to tell anybody about for  
13 13/14 years. And some of those documents and material that we  
14 had was somewhat shocking to me having had been in law enforcement  
15 as a DA, and that is to say, when I came across for example an  
16 executive committee transcript that was -- and bear with me I'm  
17 going back approximately 20 years, 19 years on this, and it's  
18 not something I think about on an everyday basis. Although I'm  
19 troubled by what happened in Washington, frankly, and that is  
20 to say that the Congress really wasn't interested in pursuing  
21 the truth, which is why Richard Sprague and I left. And I'll  
22 get to that in a direct response to a question. But with respect  
23 to the investigation, the executive committee transfer for  
24 example of approximately January 20th, 23rd, 27th, in that period  
25 of time when the Attorney General of Texas, Henry Wade the

1 District Attorney and Leon Jaworsky counsel to the Attorney <sup>13</sup>  
2 General, on the transcript spoke to the Chief Justice and said  
3 in substance, as I recall, that they had information from  
4 unimpeachable sources that Lee Harvey Oswald was a contract  
5 employee of the CIA and the FBI. And the Chief Justice said  
6 well we'll investigate that. And yet in substance on the record  
7 Allen Dulles says not so fast. What do you mean says the Chief  
8 Justice, to which Allen Dulles replies, well if you ask J. Edgar  
9 Hoover whether or not Oswald was an employee of the FBI he's  
10 simply going to say, no. To which the Chief Justice responded,  
11 do you mean to tell me if I were to call an agent in here under  
12 oath he would not tell the truth? And Dulles said, if he were  
13 a good agent. The Chief Justice said, well, who will he tell  
14 the truth to? And Dulles replied, maybe the President.  
15

16  
17 Coming again from the office of Frank Hogan, from my  
18 experience was an a political meritocracy, I was stunned with  
19 that kind of revelation. It didn't -- that was one of many.

20 I was also stunned and sadly disappointed when David Phillips  
21 gave testimony before the committee at executive session. And  
22 in fact lied to the committee. He told the committee that on  
23 or about October 1st, 1963, Lee Harvey Oswald went to Mexico  
24 City and in Mexico City went to the Russian Embassy and telephoned  
25 the Cuban Embassy. And that photographs were then taken and  
there was a tape recording of that conversation. He was -- we

1 found out, bottom line, that the photographic equipment had<sup>14</sup>  
2 broken down and he indicated so that the wrong photograph of  
3 Oswald with the wrong description on the telex of Oswald's  
4 alleged appearance in Mexico City was sent out to the executive  
5 intelligence agencies and otherwise, and so they didn't have  
6 the real photograph. He also importantly misled the committee  
7 by saying that the tape of that telephone conversation was  
8 destroyed. And in the ordinary course he said they were  
9 destroyed every six or seven days. I imagine they did that for  
10 purposes of economy or recycled them. I don't know what he meant  
11 by that. We of course then came up with a document that was  
12 dated November 23rd from J. Edgar Hoover indicating that they  
13 agents who had investigated the case and who had spoken to Oswald  
14 for approximately 17 hours had listened to the October 1st tape  
15 in Mexico City of an individual who identified himself as Lee  
16 Harvey Oswald in the Russian Embassy calling the Cuban Embassy  
17 and these agents stated that the voice on the tape is not the  
18 voice of Lee Harvey Oswald. Antonio Veciana material on Alpha  
19 66, the anti-Castro Cuban activity with this Maurice Bishop,  
20 from the evidence we had at the committee, was David Phillips  
21 that it was in our judgment based upon the information we had,  
22 was somewhat shocking in that according to Veciana, unsolicited  
23 basically, he was telling our investigators that in fact he with  
24 Maurice Bishop, David Phillips was with Lee Harvey Oswald. We  
25 had photographs of Oswald with Clay Shaw and David Ferrie. We

1 had information of Oswald being in Clinton, Louisiana with Ferrie <sup>15</sup>  
2 and other anti-Castro individuals and various soldier of fortune  
3 types who were contracted employees of the CIA. We came across  
4 a film of anti-Castro Cubans -- who were identified a anti-Castro  
5 Cubans -- not on the film but people who we recognized -- and  
6 these soldier of fortune types with the contract employees CIA,  
7 the Sturgess', the Hemmings and other individuals. Again, it  
8 was somewhat shocking to me because I learned that PS 238 in  
9 Brooklyn when I was in public school, that there was the Army,  
10 Navy, Air Force and Marines and Coast Guard, I didn't know about  
11 any secret armies that were existing in America.

12 We came across some material from Earl Warren, I think  
13 was probably the most troubling to me, and that was his point  
14 of view to his staff that existing conditions were going to  
15 override principle in this case. I had the greatest respect,  
16 still do, for Earl Warren as a great Chief Justice and he had  
17 a remarkable career here in California both as district attorney  
18 -- I should say as District Attorney for Alameda County and of  
19 course as Attorney General and governor. But I guess it was  
20 best summed up almost three years ago when I appeared for the  
21 first time at the 30 year anniversary at a convocation in Chicago  
22 where I was on a panel with Mr. Bert Griffin, who I believe is  
23 a judge now in Ohio, who was one of the counsel for the Warren  
24 Commission. And he indicated that -- some of the counsel when  
25 he said "we"-- to the Warren Commission, didn't believe, didn't

1 really trust our investigators, the CIA and FBI people, but we <sup>16</sup>  
2 wanted to keep them close to us because we had nobody else to  
3 rely on.  
4

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7  
8           The troubling aspect of course in all of this is, there  
9 could be no compromise. There was no compromise from our point  
10 of view with respect to the investigation of this case. We held  
11 no brief for either side or any point of view other than where  
12 the facts were leading us, period. And when it became clear  
13 that we had to recall David Phillips to the Committee, when it  
14 became clear that we had to probe into this area that burst  
15 forward like ripe peaches falling from trees, the CIA's  
16 involvement with anti-Castro Cubans and Lee Harvey Oswald, where  
17 the Committee almost shut us down virtually. That is to say,  
18 we could no longer make long distance telephone calls. We had  
19 franking privileges removed. But fortunately I had two people  
20 in the field, Al Gonzalez who was an outstanding detective for  
21 many many years in the 20s and perhaps 30s, I forget I can't  
22 recall exactly, in New York as a homicide detective, and another  
23 investigator, Gaeton Fonzi, who had worked for the church  
24 committee and was working in Florida in the Miami area and they  
25 were able to give us a lot of information. So in that regard

1 I was somewhat stunned having as I said represented the people<sup>17</sup>  
2 in New York County and somewhat shock, as I earlier mentioned,  
3 from Richard Helms that he was stonewalling the Warren Commission  
4 to his people. They'll forget about things, they won't remember  
5 when we ask them for it, don't give it right away. Judge, you  
6 must have dealt with in some of these cases where you have the  
7 arguments on discovery and material is not given over and given  
8 over late. But what we're talking about here is not one isolated  
9 case. We're talking here about the mirror of America's  
10 conscience and that mirror did not reflect the kind of truth  
11 that we care about as American. So to me it's always been an  
12 American issue, and the reason why I say the Congress was not  
13 interested in this to the extent that -- when I say "this" I  
14 mean to say finding the truth in this case -- is that there is  
15 no political way to investigate a case. There's no  
16 Republican/Democratic way to analyze evidence. So, in the  
17 compromise of what the Congress does, as it was designed by the  
18 Constitution, you can't compromise on a criminal investigation.  
19 That is to say, it's okay if we tell the American people 70  
20 percent of the truth, but they can't handle the other 30 percent.  
21 And that gets me back to what his Honor said with respect to  
22 classified material. I don't believe that -- and this is from  
23 my own experience and during a period time in the homicide bureau  
24 in New York County, I was responsible for thousands of homicide  
25 regrettably that occurred on the streets of Manhattan on a yearly

1 basis -- that some people I don't believe are injected with gold<sup>18</sup>  
2 in their veins and stamp a document top secret or secret or  
3 otherwise, and therefore it should remain that way in perpetuity  
4 and we poor John Doe Americans are unable to look at them. Not  
5 with the track record I will say with respect to those individuals  
6 at that time who were in the executive intelligence agencies  
7 with that record of deceit and deception. It is a said  
8 commentary, and it's heartbreaking for me to have seen it. And  
9 its the primary reason why Richard Sprague and I left. The  
10 reason was I wanted the Committee to go forward. We didn't want  
11 to shut anything down and have a grandstand play with respect  
12 to what our opinions were. I don't believe I have a monopoly  
13 on what happened here. I don't know what happened. I do know  
14 that I don't think from my experience that Lee Harvey Oswald  
15 could be convicted in any courtroom in America. That's not  
16 saying much. O.J. Simpson wasn't convicted. But the fact is  
17 based on the problems in this case starting from eye witness  
18 testimony and right down the line, I wouldn't want to be the  
19 D.A. to have to explain this to a jury. So the integrity of  
20 the evidence is in question. But I was heartbroken, and am  
21 heartbroken, that these events occurred by our government. And  
22 I'm hopeful that in some fashion that what is left of these  
23 records will be released because when a former Secretary of  
24 Defense testifies -- or rather writes a book -- and keep in mind  
25 my book Corruption of Blood mentioned in these papers is a novel.

1 Is a work of fiction. Unfortunately we on the Committee  
2 investigating this case found the Warren Commission report to  
3 be a piece of fiction and it wasn't meant to be. But when I  
4 read a book about the former Secretary of Defense saying that  
5 he lied to the United States Senate about whether or not America  
6 should go to war, and I reflect upon an individual who I happened  
7 to see whose name is Fuller whose father is Chestie Fuller and  
8 this young man represents to me the lying of individuals in  
9 government and the distortion of American history and the results  
10 that flow therefrom -- he as you may know wrote a Pulitzer Prize  
11 book about his experience. He stepped on a mine in Vietnam and  
12 he was there for about five to eight weeks in that period and  
13 he lost his limbs. He has no legs and his hands were virtually  
14 blown apart. A couple of years ago he took his life. He  
15 represents those 59,000 who died, 500,000 or so who were in  
16 hospitals. The reason I mention that is, if we had the  
17 justification to pursue a war then we should have told the  
18 American people what that was. If in fact we had a report that  
19 told us what the truth was about the assassination of President  
20 Kennedy then our government had a direct responsibility to tell  
21 the American people what the truth was. And if they didn't find  
22 that it was Lee Harvey Oswald, but they could have told us where  
23 they were in the process of what they were doing, from my point  
24 of view as one humble American, I certainly would have been  
25 satisfied with that accurate historical record. But I wasn't

1 going to participate any longer when I found out that the Congress<sup>20</sup>  
2 was not going to tell the truth. I didn't want to participate  
3 in an historical fraud. And as I have mentioned on occasion,  
4 publicly my daughter when I was in Washington was three years  
5 old, she's now a junior at UCLA, and I didn't want to look at  
6 her years later and put my rubber stamp on a report that I knew  
7 was a fraud because it looked good on my resume and then maybe  
8 I can get a job on a council somewhere and do a teach somewhere  
9 in a university as is taking place on occasion. But it's more  
10 important to me then and it's more important to me now not to  
11 do what's right for the resume but to deal with the truth.

12 So that's a long winded answer to the question and  
13 I apologize for it.

14 CHAIRMAN TUNHEIM: With respect to records, part of  
15 the collection of the House Select Committee on Assassinations  
16 that you played a role in developing, are there other records  
17 or groups of records that you recall that perhaps were not put  
18 into the Collection that we can be looking for? Any ideas for  
19 us?

20 MR. TANENBAUM: Well, the only area that was of value  
21 to us was this anti-Castro Cuban/CIA connection. And there were  
22 a lot of records with respect to Antonio Veciana, who had formed  
23 Alpha 66 with the help of Bishop Phillips and the whole connection  
24 of Oswald with the intelligence community. That was the prime  
25 area. Where they are today of course I have no idea. Where

1 they were put when I left I also have no idea, but they were<sup>21</sup>  
2 there when I left.

3 DR. NELSON: I'm interested in your point of view on  
4 what should be closed and what should be open, because you know  
5 of course that we have a broad mandate and we've done all that  
6 we possibly can to do that. And many of the documents that you  
7 saw that were restricted, or in the archives and are not open  
8 to the public, I wonder if you were at all troubled because this  
9 has been raised for us to decide, I wonder if you've been troubled  
10 by privacy interests in these documents. That's a little bit  
11 different issue, but one that also faces us as we decide on  
12 opening documents.

13 MR. TANENBAUM: I wasn't looking for a disclosure  
14 aspect while we were in Washington with respect to anything  
15 having to do with personnel, having to do with backgrounds of  
16 individuals who were investigators, they weren't relevant to  
17 what in fact was being investigated.

18 What I'm talking about are the standard investigative  
19 forms of what individual from the government spoke to whom and  
20 what was said and when it was said and what if any follow up  
21 was made as in the ordinary course you do in an investigation.  
22 You take over homicide investigation in any city in America  
23 you look at police reports, unredacted. And that's the manner  
24 in which we wanted those documents. We weren't interested in  
25 sources and methods or embarrassing any individuals. That's

1 the last thing we wanted to do. All we wanted was what was the <sup>22</sup>  
2 information that was given with respect to a whole range of  
3 issues. Some of those issues, frankly, were the issues of  
4 individuals who were at the grassy knoll area running away.  
5 One got called back by an officer and an individual was running  
6 out of the depository shortly after the shots were fired, who  
7 had Secret Service identification. And in fact the Secret  
8 Service didn't know who they were because all the Secret Service  
9 agents in Dallas at the time were in the motorcade.

10  
11           There are areas that are very very prime for  
12 disclosure. And again, I have to repeat, I saw nothing when  
13 I was in Washington, that would cause me not to turn over in  
14 its entirety the material that I'm referring to. For example,  
15 the Helms' documents, the Executive Committee transcripts, the  
16 material from the FBI, whether it was from the Director, Mr.  
17 Hoover, to supervisory personnel or otherwise having to do  
18 with this case. It seems to me -- and for example the material  
19 from Earl Warren and his discussions having to do with his own  
20 staff. If it will enrich the historical record as to what  
21 happened or as to what the motivations of these individuals were,  
22 then it seems to me then the balance in the equation should be  
23 for disclosure.

24           DR. HALL: I have a two-part question for you. Part  
25 one is, I think in your answer to Judge Tunheim about what other  
materials might be there, you didn't speak to the question of

1 the film that you mentioned both in your probe interview as well<sup>23</sup>  
2 I believe in Corruption of Blood that deals with anti-Castro  
3 Cubans and the group that was there. So I wonder if you could  
4 speak to that particular matter. And then let me if I could  
5 give you the other half of this and wrap it up into one big ball.  
6 Do you have any materials from your days with the HSCA?

7 MR. TANENBAUM: Let me take the last question first.  
8 I have no documents at all. Anybody can go into my office and  
9 they won't find any land deals there either or anything else.  
10 And that's even in my private office. But certainly when I  
11 was in the government the same was true. I have nothing and  
12 walked in as -- walked out I should say as I walked in.

13 As far as where the film is, again, I can only tell  
14 you that all of the material I assume was in the same place,  
15 and that is where all the documents were kept in the document  
16 area as well as -- and when I say "documents" I include in that  
17 statement witnesses and memos that were drafted, films, medical  
18 evidence and other pieces of evidentiary value. So I can't tell  
19 you exactly what room it was in, but we had it in our possession.

20 DR. HALL: And that film had been obtained from the  
21 Georgetown University library?

22 MR. TANENBAUM: That's my best recollection is that  
23 our investigators, researchers found it in the Georgetown  
24 library archives as I recall.

25 DR. HALL: And just for the record, the significance

1 of this film if it were now recovered, would be?

2 MR. TANENBAUM: If it showed -- again, it could be  
3 Sherlock Holmes again. It could be everything it could be  
4 nothing. On one hand it shows a lot of anti-Castro Cuban players  
5 with CIA contract people in a military training setting. It was  
6 some speculation, somewhat unclear, as to the direct identities  
7 of some of these people, and as I stand here now I'm not going  
8 to tell you exactly who they were. But, it was some of the major  
9 players in this whole case.

10 Now, does that mean, for example, and in direct answer  
11 to your question, Mr. Hall, that if we continued our probe into  
12 the anti-Castro Cuban connection with the CIA that that would  
13 show that the CIA in some fashion was responsible for the  
14 assassination, I can't say that and will not say that. And it  
15 doesn't mean also that Lee Harvey Oswald didn't act alone, I  
16 can't say that. But there's certain medical evidence and other  
17 evidence that suggests that perhaps he did not act alone. That's  
18 a whole different area of inquiry. So with respect to the film,  
19 it was just another piece of this great mosaic of trying to  
20 understand and recapture what occurred at a time. And that's  
21 one of the reasons why it was a fascinating view.

22 DR. HALL: But the critical piece here, this is a piece  
23 of material that you had previously seen in the course of your  
24 role as an investigator that is at the moment not available --

25 MR. TANENBAUM: Again, I don't know where it is

1 -- but, yes, I did see that as my role on the Committee.

2 DR. HALL: Thank you.

3 CHAIRMAN TUNHEIM: In your role with the Committee,  
4 did you have anything to do with the probe into possible organized  
5 crime connections?

6 MR. TANENBAUM: Yes, we tried to probe and go down  
7 every avenue. That was one of the things that Dick Sprague and  
8 I were committed to doing before we started. Again, as I said,  
9 Judge, we didn't have any preconceptions. And, again, if the  
10 evidence showed that it was Oswald who acted alone without  
11 foreign intervention, that was it. We held no brief one way  
12 or the other. Notwithstanding the impact we had from various  
13 sources, both from within the government and from without who  
14 had antithetical points of view and they were convinced of their  
15 positions. We weren't as fact finders. But we did from our  
16 point of view check that area pretty carefully. We found some  
17 what we considered to be tough talk but no connection. Had we  
18 continued on perhaps and gone into the CIA activities with  
19 organized crime, we can only speculate. But we certainly at  
20 the time did not conclude that the mafia did it. That was  
21 something that we did not -- we just couldn't do based upon the  
22 unavailability of evidence.

23 DR. JOYCE: In the work that you did for the Committee,  
24 you had gotten involved and were working for more than a year  
25 and left under circumstances that you describe as your own

1 dissatisfaction with the commitment of the Congress to the  
2 support of this enterprise. Were there any inquiries or  
3 initiatives that you have wondered about over the years,  
4 specifically whether there may have been areas, avenues of  
5 approach that you wished you might have taken that you could  
6 recommend to us as potentially fruitful in terms of identifying  
7 additional records.

8 MR. TANENBAUM: Let me if I may set the record straight  
9 on how it was that we left, if that's permitted.

10 CHAIRMAN TUNHEIM: Go ahead.

11 MR. TANENBAUM: I'll be brief. I was asked by the  
12 Committee sometime in early 1977 when we were no longer funded,  
13 to speak to the membership of the House and I did. I actually  
14 almost prevailed speaking at all 435 of my bosses, another  
15 phenomenon in a criminal investigation, which is a very difficult  
16 thing to deal with. In any event, it became apparent that the  
17 Members of the House were not going to vote for the Committee  
18 if Richard Sprague stayed on and that was the excuse in my mind,  
19 I use the word "excuse" to the extent that -- based upon the  
20 requests we were making to continue the probe, which were denied,  
21 that the excuse was Richard Sprague. God only knows why. He  
22 was a brilliant lawyer and he was a terrific prosecutor. He  
23 worked with our inspector for many years and you know his  
24 background I'm sure. And I can testify that he's a man of  
25 extraordinary integrity. And I told that to him the night before

1 our vote, which was some time on or about March 30th/31st, 1977.<sup>27</sup>

2 And we went to see our chairman, who's a dear friend of mine  
3 to this day, Lou Stokes, Congressman Lou Stokes, and Dick  
4 resigned. And I virtually told him that the honorable thing  
5 to do would be that we resigned -- I say "we," he was the focus  
6 of it -- because we didn't want individuals to stand in the way  
7 of this investigation even though we felt it wasn't going to  
8 be what we thought it should be, perhaps we would be wrong and  
9 good things would result. That is, the truth would come out.

10

11 So that's the reason why he resigned. I was then  
12 offered his job and could not accept it because I had to ask  
13 him to resign and I didn't want to live with the notion that  
14 there was a capillary in my body that might have suggested that  
15 and I took his job. So I didn't do that. And stayed for the  
16 transition. And that's the reason why I waited until the new  
17 chief counsel was in place. And that was sometime -- I believe  
18 I left in July of '77.

19

20 But the major area, and I can't overemphasize this,  
21 focused on the government and what the government knew about  
22 Lee Harvey Oswald, the whole Hosty episode, as I'm sure you're  
23 all experts on, and what the CIA was doing with Lee Harvey Oswald.

24

25 And what he was doing in New Orleans with anti-Castro Cubans,  
26 Rabid anti-Castro Cubans, and to get everything you could get  
27 from the government with respect to it. And how this government

1 today could want to hold that information and feed the kind of  
2 anti-government feeling that results from non-disclosure is  
3 really beyond my comprehension. Because from everything I've  
4 said and observed during that period of time, and said today,  
5 that notwithstanding total disclosure it still didn't appear  
6 from what we had seen that it was a conclusion that would in  
7 fact come up with a result that is somewhat different from what  
8 we have to the extent that we have someone else or another group.

9 That's not to say that based upon the evidence that we uncovered,  
10 that members of our staff believe that Oswald alone was  
11 responsible for the assassination. We had another opinion, most  
12 respectfully, based upon the evidence. That would be the  
13 medical, ballistic, lack thereof and contradictions and other  
14 kinds of information evidentiary wise which I won't go into  
15 unless you want me to.

16 CHAIRMAN TUNHEIM: Thank you very much, Mr.  
17 Tanenbaum, I appreciate your testimony this morning.

18 MR. TANENBAUM: Thank you.

19 CHAIRMAN TUNHEIM: Our next witness is Eric Hamburg.  
20 Mr. Hamburg was the co-producer of the Oliver Stone movie Nixon,  
21 the former congressional staff assistant who was involved in  
22 the passage of the President John F. Kennedy Assassination  
23 Records Collection Act of 1992. Welcome Mr. Hamburg.

24 ERIC HAMBURG

25 Co-producer of the Oliver Stone Movie Nixon and Former

1 Congressional Staff Assistant Involved in the Passage of the <sup>29</sup>  
2 . President John F. Kennedy Assassination Records Collection  
3  
4 Act of 1992

5 MR. HAMBURG: I am a film producer here in Los Angeles  
6 working with Oliver Stone. As you mentioned I co-produced the  
7 film Nixon and also edited the book of the film. And in a prior  
8 incarnation before coming to Hollywood I worked for about eight  
9 years on Capitol Hill in Washington as an aid to Senator John  
10 Kerry of Massachusetts and also the representative Lee Hamilton  
11 of Indiana. And while on Congressman Hamilton's staff I worked  
12 extensively during 1991/92 on the legislation which became the  
13 President John F. Kennedy Assassination Records Collection Act  
14 of 1992. And it was this legislation, as you know, which created  
15 the Assassination Records Review Board. So it's very gratifying  
16 to be here and appear before you today.

17 I can assure you from personal experience that this  
18 bill could never have been past by Congress if not for Oliver  
19 Stone's film JFK. I can tell you more about the whole sequence  
20 of events if you're interested. But basically following the  
21 release of that film in late 1991, the Congress was inundated  
22 with letters from the American public demanding the release of  
23 the secret government files on the assassination. And many  
24 prominent members of Congress who had previously been  
25 indifferent to this issue, or even who had actively opposed  
release of the files, changed their positions shortly after the

1 release of JFK. The American public have Oliver Stone and his <sup>30</sup>  
2 film to thank for the legislation that created this Review Board  
3 and allowed the opening of the JFK files. And I hope no one  
4 has any doubt about that.

5           It was obvious then and is still clear today that the  
6 American people want to know the truth about who killed  
7 President Kennedy and why. That is why this law was past and  
8 this Board created. I hope that you will never lose sight of  
9 this fundamental fact as you pursue your work. The American  
10 people overwhelming believe that there was a conspiracy to kill  
11 President Kennedy. The poles over the years, starting long  
12 before Oliver Stone made JFK, have shown that 80 percent to 90  
13 percent of the American public believe that there was a  
14 conspiracy and that they have not been told the full truth.  
15 These figures remain the same today.

16           While we do not yet know the full story, it is  
17 gratifying to know that an estimated two million to three million  
18 pages of government documents related to the assassination have  
19 been released since the passage of the JFK Bill. You can correct  
20 me if I'm wrong on those figures but that's what I'm told. The  
21 Review Board should be commended for the role that you have played  
22 in facilitating the release of these documents. And I would  
23 particularly commend you for fighting for the release of  
24 documents pertaining to the Garrison investigation, which have  
25 been withheld by New Orleans District Attorney Harry Connick

1 and also for seeking the release of some certain documents which  
2 the FBI has sought to withhold. It is very important that all  
3 of these documents be released and made public. It should be  
4 remembered that it was the intent of Congress to make all  
5 documents and files available in uncensored form to the maximum  
6 extent possible. Indeed, when this legislation was introduced  
7 Senator David Boren, who was then Chairman of the Senate  
8 Intelligence Committee, stated that it was the intention of the  
9 bill sponsors that "99.99999 percent of all assassination  
10 related material should be made public. And only in the rarest  
11 circumstances would a name or a word be blacked out from a  
12 document." Unfortunately this standard has not been met. The  
13 FBI, and also in some instances the CIA, seem to have a mind  
14 set dating back to the days of the cold war, and Army intelligence  
15 to my knowledge has yet to release any documents, or almost any  
16 documents at all, and also very little I think from Naval  
17 intelligence. Frankly it is ridiculous, in my opinion, to think  
18 that 33 years after the events in question, there are still  
19 sources and methods to be protected. And in any case, the  
20 public's right to know about the facts about the assassination  
21 outweighs any such considerations after this length of time.

22 In my view all of the documents from these agencies should be  
23 released unredacted as soon as possible. Any material that is  
24 withheld will simply serve to undermine public confidence in  
25 this entire process. I would just second in what Mr. Tanenbaum

1 in that regard.

2           With this in mind I would like to make a few suggestions  
3 as to areas which I think can and should be pursued in relation  
4 to additional documents. One area that has been a particular  
5 interest to me personally has been the question of Cuba and the  
6 possible participation of Cuban exiles, that is to say  
7 anti-Castro Cuban forces, in the assassination plot. Most  
8 serious researchers who have studied the assassination have  
9 concluded that there were most likely elements of three groups  
10 involved in the plot, rogue elements of U.S. intelligence  
11 agencies, elements of organized crime, or the mafia, and elements  
12 of the Cuban exile groups in the United States. The plot, if  
13 there was one, most likely evolved out of the assassination plots  
14 against Fidel Castro which involved these three groups.

15           I have long felt that for many reasons, including  
16 barriers of language and culture, we have had perhaps the least  
17 understanding of the Cuban "element." For this reason, I was  
18 very interested when the Cuban Government put forward a  
19 semi-official version of their view of the assassination events  
20 in late 1993. I myself made two trips to Cuba in 1994 and spent  
21 a total of about two weeks there holding extensive meetings with  
22 General Fabian Escalante, the Cuban official in charge of their  
23 investigation of the JFK assassination. I also had additional  
24 conversations with General Escalante and his colleague Arturo  
25 Rodriguez at a conference last year in Rio de Janeiro. I was

1 very impressed by the depth and extent of the Cuban's knowledge  
2 about these events and also the potential for useful exchanges  
3 of information and documents with the Cubans. Needless to say,  
4 Cuba is a communist country and is not a democracy, and any  
5 information emanating from Cuba must be treated with appropriate  
6 caution. Nevertheless, Cuba has a great volume of files and  
7 documents which are relevant to this case. They have many files  
8 dating back to the early 1960s on Cuban exile groups and specific  
9 individuals as well as mafia and CIA figures who were active  
10 in Cuba. Many of these would be very relevant to your work and  
11 would be of great interest.

12           As you may know, the House Select Committee on  
13 Assassinations did visit Cuba and met with Fidel Castro and other  
14 Cuban officials in pursuit of any information relevant to their  
15 inquiry. I believe in 1978. I would strongly recommend that  
16 this Board do likewise. Notwithstanding the fact that the  
17 United States does not maintain diplomatic relations with Cuba,  
18 I believe that the Cuban Government would be receptive to such  
19 an approach and would be willing to produce files and documents  
20 which have not yet been made public. This is a treasure-trove  
21 of information that has not yet been tapped and could be one  
22 of the most productive areas of inquiry left to be explored.

23           I'd just like to mention some specific points in trying  
24 to be helpful and put some new information on the record which  
25 has not been made public to my knowledge. Specifically General

1 Escalante has stated in interviews conducted for the book ZR<sup>34</sup>  
2 Rifle by Claudia Furiati, a Brazilian journalist, that he  
3 believes two Cuban exiles, Alatio DeValle and Herminio Diaz  
4 Garcia, took part in the assassination in Dallas. He told me  
5 that this was based on informant reports by Cuban sources which  
6 are in their files. He also named three Chicago mafia figures,  
7 Dave Yaras, Lenny Patrick and Richard Cain, which he believes  
8 were in Dallas and also involved in the plot. Again this is  
9 based, he says, on their informant reports. It would be very  
10 important to retain any documents which Cuba could provide to  
11 substantiate these claims, and he did show me files of such  
12 documents. But I did not retain copies of them. I am not an  
13 official representative of the U.S. Government, but they do  
14 exist.

15  
16 I would like to mention a couple of other specific  
17 points which are examples of the kind of information which could  
18 be gained from the Cuban documents and also from related U.S.  
19 documents. These are specific points which I had followed up  
20 with General Escalante and on which he provided new information  
21 to add to what we already know from American documents. One  
22 is in the area of Lee Harvey Oswald's mysterious trip to Clinton,  
23 Louisiana in August of 1963. It has never been clear why Oswald  
24 went to Clinton or what he was doing there. I was intrigued  
25 by the fact, that according to information obtained by Jim

1 Garrison's investigators, Oswald had told people in the Clinton  
2 area that he was living or staying with a Cuban doctor at the  
3 local hospital named Frank Silva, or Francisco Silva. I asked  
4 General Escalante to check his files and see if he had any  
5 information on this individual. He reported back that according  
6 to his sources Silva's full name was Francisco Silver Clarence  
7 and that he was related to a Frank Bartes, whose full name was  
8 Francisco Bartes Clarence. Bartes lived in New Orleans and was  
9 a close associate of Carlos Bringuier the head of the Cuban group,  
10 DRE, in New Orleans, who had a street brawl with Lee Harvey Oswald  
11 in August of '63. This incident took place shortly before  
12 Oswald's trip to Clinton. Bartes appeared at Oswald's court  
13 hearing after the incident on August 12, 1963 as a show of support  
14 for Bringuier. Bartes is discussed extensively in the book  
15 Oswald and the CIA by John Newman. I know you've heard from  
16 Mr. Newman before, where he is described as a CIA informant and  
17 operative. General Escalante even speculated that Frank Silva  
18 and Frank Bartes may actually have possibly been the same person  
19 since both shared the first and last names of Francisco Clarence.  
20 This information would appear to provide a Cuban connection  
21 to Oswald's trip to Clinton, which is very interesting.  
22 Obviously this should be followed up with a request for documents  
23 to corroborate this information. And it's my understanding that  
24 Doctor Silva is still living in Baton Rouge, Louisiana, I  
25 believe.

1                   General Escalante also provided additional  
2 information on another mysterious exile named Carlos Roca, who  
3 is discussed in the book Oswald Talked by Ray and Mary La  
4 Fontaine. Roca was also member of the Cuban exile group DRE,  
5 which was funded and run by CIA under the code name of AMSPELL.  
6       The DRE issued a press release in Mexico City on December 8,  
7 1963 stating that Carlos Roca and three other DRE members had  
8 been killed in a battle in Cuba's Excambre Mountains in  
9 mid-September of '63. The others were identified as Andre  
10 Tartabul, Julio Garcia and Sergio Perez. According to  
11 Escalante's information only Tartabul was actually killed in  
12 this battle. Furthermore he stated that Roca, according to him,  
13 was seen in Miami a day or two after the assassination of  
14 President Kennedy in the company of Juan Manuel Salvat another  
15 member of the DRE. According to Escalante's information they  
16 were on their way to Nicaragua at that time. Escalante said  
17 that Roca was also connected to Carlos Bringuier in New Orleans  
18 who operated a business there called Casa Roca or Roca House.  
19       Roca had gone to religious school in Cuba with Jose Bringuier,  
20 the brother of Carlos Bringuier, and after the Cuban revolution  
21 Roca had sought asylum in a Latin American Embassy in Havana  
22 along with Jose Bringuier, according to this information.  
23 Escalante also stated that his files indicated that Roca was  
24 a qualified single engine pilot. He pointed out that in Jim  
25 Garrison's investigation David Ferrie had told investigators

1 that he traveled to Houston after the assassination and was  
2 supposed to pick up two of the assassins who were flying from  
3 Dallas in a single engine plane. One of them was a Cuban named  
4 Carlos who would be flying the plane, and Escalante speculated  
5 that this may in fact may have been Carlos Roca.

6  
7 According to Escalante's files Mr. Salva was in  
8 Dallas, he says, during the week of November 2nd, went to Miami  
9 and then on to Nicaragua with Roca. He also stated that Mr.  
10 Salva allegedly was in Mexico City when the allegedly false story  
11 about Roca's death was published in early December. Escalante  
12 that according to his information Salvat was an agent of David  
13 Phillips of the CIA, as was Angel Gonzalez, the DRE in Mexico  
14 City who issued the press release. He told me that his source  
15 was a human source for intelligence and that he had filed some  
16 documents to substantiate this.

17 Escalante speculated that Roca and the other DRE  
18 captain's name in the press release Julio Garcia and Sergio  
19 Perez, may have been in the assassination of President Kennedy.

20 He thought that after the assassination they were probably taken  
21 to a Cuban exile training camp at a place called Monkey Point  
22 in Nicaragua near the border with Costa Rica. He thought that  
23 they probably had been killed there between sometime between  
24 November 22nd and December 8th, and then a false press release  
25 was allegedly issued in Mexico City stating that they had been  
killed in a battle in Cuba in September. While I have no way

1 to know if this is true, and I'm not endorsing Escalante's views,  
2 this is obviously an area which should be followed up. If there  
3 are documents to corroborate any of this they should be sought  
4 and made public. In Escalante's view the Cuba's exile groups  
5 DRE, Alpha 66, MRR and Commandos L, were all linked to each other  
6 and to the assassination. All available information and  
7 documents on these groups and others, such as CRC and other Cuban  
8 exile groups, UIR, there are a number of them, should be sought  
9 from both U.S. and Cuban sources in my opinion.

10           Escalante has also named another exile associate,  
11 Isidro Borjas, as being the person who was handing out leaflets  
12 with Oswald in front of the International Trade Mart in New  
13 Orleans on August 16th, 1963. You've probably seen pictures  
14 of these two men in their skinny ties handing out their leaflets.

15       And this identity of this Latin appearing man has always been  
16 a mystery, so he's identified him. Brojas was also a member  
17 of the DRE. Borjas is also discussed in John Newman's book and  
18 I believe his picture appears there. He was interviewed by the  
19 House Select Committee, Borjas was, and told them that the DRE  
20 had relayed information to the CIA In August 1963, on Oswald's  
21 contacts with Bringuier in New Orleans. The DRE is discussed  
22 at length in both the Newman and La Fontaine books and is likely  
23 to have been a key group in the assassination conspiracy.

24           In this connection I would like to mention that it  
25 is my understanding that a large collection of files on the DRE

1 have recently been donated to the University of Miami by Mr.  
2 Salva, who I referred to earlier. These should be sought by  
3 the Review Board and added to the Collection at the National  
4 Archives, since it will be recalled that the University of Miami,  
5 where they are presently located, was formerly the home of the  
6 CIA's JM/WAVE's Station, it may not be the most suitable  
7 repository for these documents.

8           Escalante also told me that Cuba has numerous files  
9 on David Morales, formerly the second in command of the JM/WAVE's  
10 Station. Escalante believes that Morales may have been in  
11 Dallas on November 22nd, 1963 and may have been in charge of  
12 the assassination operation on the ground in Dallas. He  
13 speculated that Morales may have been the person driving the  
14 Nash Rambler which allegedly picked up Oswald outside the book  
15 depository. Morales is discussed in the book The Last  
16 Investigation by Gaeton and Fonzi. Escalante also told me that  
17 according to his sources, Morales had met with Rolando Dubelo,  
18 alias Amlesh, who was a CIA asset, in Paris in September or  
19 October of 1963 as part of the CIA's ongoing effort to assassinate  
20 Fidel Castro. He believes that this was related to the plot  
21 against President Kennedy as well.

22           There's much more, but this should be sufficient to  
23 illustrate why I feel it is important to seek any files and  
24 documents pertaining to the assassination from the Government  
25 of Cuba. I hope that you'll pursue this area. I also think

1 that the Review Board should seek any files on this matter held <sup>40</sup>  
2 by other foreign governments, especially the governments of  
3 Russia, Belarus, France, Japan and Mexico. As you know Oswald  
4 lived both in Russia and what is now Belarus whose capital is  
5 Minsk for an extensive period of time. We know that the KGB  
6 had an extensive file on Oswald. Parts of this file has been  
7 made available to ABC news and to author Norman Mailer among  
8 others. The Review Board should also seek that file. The  
9 French government reportedly assisted in the publication of a  
10 book called Farewell America about the Kennedy assassination  
11 and would have files pertaining to what has been called the French  
12 Connection to the assassination. This is discussed in the book  
13 Conspiracy by Anthony Summers among others. And of course  
14 Oswald allegedly made a mysterious trip to Mexico in 1963. Any  
15 files on this held by the Mexican Government, for example, the  
16 DFS, which is their intelligence arm, should also be sought.  
17 Oswald also spent time at the Atsugi Air Force Base in Japan  
18 and the Japanese Government may have files on his time in Japan.  
19

20 Another area which should be pursued is the question  
21 of Kennedy and Vietnam and whether the assassination may have  
22 had any relationship to Kennedy's efforts to end the U.S.  
23 involvement in the war, which has been the subject to  
24 considerable controversy. Government records on this issue  
25 should be sought by the Board, specifically a tape of a crucial

1 national security council meeting of October 2nd, 1963 that was <sup>41</sup>  
2 held by the Kennedy Library in Boston, this should be made public.

3 Also all records of the Honolulu conference of November 20th  
4 and 21st, 1963, which dealt with this issue, should also be made  
5 public.

6 I would also suggest that the Review Board seek to  
7 obtain files and documents from the collections of private  
8 researchers and organizations. And as I'm sure you are aware,  
9 many of the prominent and private JFK researchers have their  
10 own extensive collections of documents as do some of the leading  
11 private research organizations. All of these collections  
12 should be sought and copies of these documents made available  
13 to the public at the National Archive to the maximum extent  
14 possible.

15 I'm also submitting a copy of a letter that has been  
16 sent to the Review Board by Marina Oswald Porter the widow of  
17 Lee Harvey Oswald. Mrs. Porter's letter details a number of  
18 areas of documents which should be pursued. It is my  
19 understanding that many of the documents mentioned in her letter  
20 still have not been released. And I would also like to mention  
21 that Mrs. Porter called me yesterday and asked me to submit an  
22 additional statement to you in connection with this hearing,  
23 and I've given some copies to Mr. Samoluk of that statement which  
24 is sort of a personal statement from here. So I would ask that  
25 that be included in the record.



1 there's a myth that somehow the trail is cold and that no one <sup>43</sup>  
2 is still living that could provide the information. That's not  
3 true at all. There are many people still living who could  
4 provide very useful information to you.

5           The Review Board has been entrusted with a great  
6 responsibility by Congress and by the American people. I hope  
7 that you will bear this in your minds as you pursue your work  
8 over the next year. I don't think that you will want to be  
9 remembered by history as the Warren Commission, the House Select  
10 Committee, and other official bodies have been remembered  
11 leaving a legacy of doubt, distrust and unanswered questions.

12       The American people expect more from you. I commend you for  
13 the work you've done so far. You have set an important precedent  
14 for the opening up of closed chapters in our history, one which  
15 I believe should also be followed in other areas of our history  
16 as well. I hope that you will continue your work in the spirit  
17 of openness, accountability and in search for the truth wherever  
18 it may lead. Thank you.

19           CHAIRMAN TUNHEIM: Thank you, Mr. Hamburg. We're  
20 running a little short of time so we don't have time to ask any  
21 questions this morning. I hope that you will permit us to follow  
22 up with you on a number of these areas that appear to be very  
23 fruitful.

24           MR. HAMBURG: Sure, I would be happy to do that.

25           CHAIRMAN TUNHEIM: Next we would like to hear from

1 Wesley Liebeler. Mr. Liebeler is a Former Assistant Counsel<sup>44</sup>  
2 to the Warren Commission and currently a Professor of Law at  
3 UCLA. Welcome Mr. Liebeler.

4 WESLEY LIEBELER

5 Former Assistant Counsel to the Warren Commission  
6 Currently a Professor of Law at UCLA  
7

8 MR. LIEBELER: Thank you. When Tom Samoluk called  
9 me and asked me to come out here and testify, my first question  
10 was what in heaven's name about. But in talking with him I told  
11 him that I had in my own possession two documents that might  
12 be of interest. One if a report of a study that was done by  
13 a member of the faculty of the UCLA Physics Department back in  
14 1965 or 1966, by the name of Brian Jones. And what happened  
15 was David Lifton raised some questions about the head jerk and  
16 shoulder buckle in the President's body just after he was struck  
17 by the final bullet in the Zapruder film frame 312 or 313. The  
18 questions were raised about the apparent backward movements of  
19 the President's body after the Zapruder film 313. Even though  
20 Mr. Lifton was apparently aware of the fact, they didn't tell  
21 me this, the frames -- the President's body apparently moved  
22 forward right at frame 312, between 312 and 313. But, whatever,  
23 I just started teaching at UCLA and I've talked to some people  
24 at Life Magazine and made arrangements to them to make a set  
25 of the Zapruder slides available in their office in Beverly

1 Hills. I called the Chairman of the Physics Department at UCLA  
2 and told him who I was and asked him if there would be anybody  
3 over there in the physics department who would be interested  
4 at these frames in the offices of Life Magazine and writing a  
5 report on this particular question what happened, what kind of  
6 motion was exhibited by the President's body right around frames  
7 312, 313 and thereafter of the Zapruder film. And this young  
8 fellow Brian Jones walked into my office several days later I  
9 never heard back from them until Jones walked into my office  
10 -- and I must say, he was very dubious about me since I had,  
11 as you have heard from two witnesses this morning, was associated  
12 with the notorious institution called the Warren Commission.

13 But Jones went over and went through these frames with a fine  
14 tooth comb and eventually wrote a report and I have three copies  
15 of it here which I would like made available to the Commission.  
16

17  
18 His conclusions were that the movement of the  
19 President's body speaks for itself. I won't address it. But  
20 it was not inconsistent with a shot -- movement was not  
21 inconsistent from a shot from the rear.

22 Mr. Stone's movie did produce some things. There's  
23 no question about that. My wife told me that I had to go to  
24 it and I said I absolutely refused. I said, I'm not going to  
25 pay five cents to go and see that piece of crap. Well, she said,  
you have to go you owe it to yourself and presumably to

1 prosperity. And she said, I'll pay. That's the only time she's<sup>46</sup>  
2 ever taken me to the movies in the entire time we've known each  
3 other. So she paid and I went to the movie. I was quite frankly  
4 interested in a lot of it because a lot of it was said in New  
5 Orleans and many of the people that were portrayed fictitiously  
6 for the most part in the movie were people whose names I was  
7 familiar with because I was the staff lawyer who was basically  
8 responsible for deciding which of these people in New Orleans  
9 who were associated with Oswald, or might have been associated  
10 with Oswald, which of them to depose, to ask questions of  
11 ourselves. And that decision was basically made by going  
12 through the FBI Secret Service reports to see what had already  
13 developed. So David Ferrie, and many of these people associated  
14 with him, I read the reports on them and decided it wasn't useful  
15 to take their deposition because the information developed by  
16 the agency was adequate to the event. We did take Cossman and  
17 Gears' testimony. I think I took his testimony and Odio's  
18 testimony as well in Dallas.

19           What I did was, after I saw the movie I went down to  
20 the stacks in the library in the law school of UCLA and I dug  
21 out the work of the House Committee. I am sort of I guess should  
22 be ashamed to say I never looked at it before. It had been laying  
23 down there covered with dust and I started to look at it and  
24 I was pleased to find my friend -- who later became my friend  
25 -- Bob Blakey is not here to hear this compliment, I think some

1 of the work was extraordinarily good. Particularly their theory  
2 of the single bullet theory. Their analysis of the alignment  
3 and the trajectory problems that they studied and came up with  
4 a completely different approach than the Warren Commission did.

5 The Commission worked from the window down. The House as you  
6 know started down in the car and worked back up. The results  
7 were essentially the same. The work of the House Committee  
8 confirmed the work of the Warren Commission. And the medical  
9 work.

10 I was pleased to become a friend of Mike Boden. He  
11 and I fell in love almost instantly. I offered him a deal.  
12 I said, Michael will you do my autopsy and I reported that to  
13 my wife. And she said you better tell Doctor Boden that I'm  
14 not going to have you autopsied. So I told Mike to make damn  
15 sure that I was autopsied under those circumstances. But I  
16 haven't done his will and so far he hasn't done my autopsy.

17 But in any event I sat down and started going through  
18 the House materials, and decided for about the third time that  
19 I was going to write a book about this. And I did a lot of stuff  
20 and of course lost interest in it and had basically forgotten  
21 about it until I was talking to Tom Samoluk earlier this summer.

22 And I told him about this material that I had that was so far  
23 just on computer disks that were here in my office at UCLA and  
24 he said that he thought the Committee ought to have it so I came  
25 out a few days early and dug it out and ran it off and did a

1 little bit of work on it. And have -- this is the typescript  
2 that I have and it has to be copied from that, which I'm going  
3 to copyright stamp. I'm not giving it to you but it's for your  
4 use as you see fit.

5           The first six chapters of that I talk about the shots  
6 that hit the President, Governor Connally's wound, the force  
7 of the shots, who fired the shots, the single bullet theory and  
8 the question of trajectory, alignment and the single bullet  
9 theory, on which issues the House Committee and the Warren  
10 Commission were almost 100 percent in agreement. There are  
11 discrepancies as to the autopsy and the next chapter is entitled  
12 "evaluation of the autopsy," which wasn't as we all know the  
13 best in the world. And also I make reference to the fact of  
14 what I regard as the failure or the remissness, if you will,  
15 of the Warren Commission in not using the autopsy photographs  
16 and x-rays to make sure that the drawings that these doctors  
17 made were right. And it turned out they weren't. But that's  
18 unfortunate and water over the dam. I also have a chapter on  
19 the President's backward movement at the time of the head shot.

20           And then two chapters on acoustical evidence and evaluation  
21 of the acoustical evidence. And that's what I want to focus  
22 on primarily in terms of what I think -- if you haven't done  
23 this, would be a good thing for you to do.

24  
25

1                   The House Committee on the basis of acoustical  
2 evidence appeared on a tape recording, or a dictabelt, or  
3 whatever the recording of the Channel One of the Dallas Police  
4 Department. These were studied by both Bolt, Barak and Newman  
5 in Cambridge and then again by Weiss and Askenazi for the House  
6 Committee, later by a Committee set up by the -- at the request  
7 of the Justice Department which found that this was all nonsense,  
8 which I believe it was. But the last chapter of material here  
9 is the evaluation of the acoustical evidence. And it's really  
10 strange if you just -- Sheriff Bowles is not a sheriff in Dallas.  
11 I'm sure you've talked to him in Dallas. I hope at least Bowles  
12 testified before you or you got Bowles' materials. If you  
13 haven't got Bowles materials then by all means get them. He  
14 wrote a piece of this and went through the tape and listened  
15 to it and put together a time line, which is in the materials  
16 that I'm giving you. With respect to the movement of this  
17 motorcycle that had the open microphone through which this  
18 recording was made. For about five and a half minutes this  
19 microphone was stuck open while this motorcycle was doing  
20 something. Part of the time it was moving, part of the time  
21 it was sitting. But of course this is extremely important as  
22 to what exactly that motorcycle was doing during this period  
23 of time. For about two minutes, right in the middle of this  
24 -- for the first two minutes, 132 seconds, there's the sound  
25 of motorcycle engine noise running. It's a Harley Davidson

1 Motorcycle. I've listened to the tape. Perhaps you have too.

2 You can't miss it, okay, here's this old Harley chugging along  
3 at a regular constant speed for 132 seconds, during which time  
4 the motorcycle is supposed to be accompanying the motorcade right  
5 down main street in Dallas where the crowds are pressing in on  
6 the motorcycle -- on the motorcade to where the President's car  
7 has to stop. The motorcycle doesn't stop it chugs right along.

8 People are screaming and waiving and yelling at the President  
9 in the motorcade, this microphone is wide open, there isn't a  
10 single iota of sound crowd noise on that tape, not one. Just  
11 132 seconds chug, chug, chug, chug while the motorcade is coming  
12 down the main street of Dallas with all of these people shouting  
13 and screaming. The motorcade is stopping, the people are --  
14 the Secret Service people are jumping off of the back of the  
15 car running up to protect the President is barely moving, but  
16 the motorcycle is going along happily for 132 seconds without  
17 slowing down. That creates a rather serious problem. Of course  
18 it suggests the motorcycle wasn't in the motorcade at all, which  
19 is quite clear. Then the motorcycle slowed down. And the  
20 theory was it slowed down to make the turn into Houston Street  
21 and then Bolt, Barak and the House Committee, which I think is  
22 an extraordinary failure, they tell us that the motorcycle's  
23 noise didn't increase. That the engine noise didn't increase  
24 for 13 seconds. Thirteen seconds is relevant because by that  
25 time that 13 second period had stopped, ended after the first

1 132 seconds, the so-called shots had been fired. The impulses, <sup>51</sup>  
2 or whatever, wave forms on these tapes, were on the tape at that  
3 time. So all the House Committee tells us is that the motorcycle  
4 noise didn't increase for 13 seconds. Well there's still  
5 another two minutes of tape where it's open. The very  
6 interesting question is, what in heaven's name was on the tape.

7 And Bowles goes through this in great detail. The motorcycle  
8 engine is at very slow idle. It revs up at a little bit then  
9 it starts to move, it slows down again, maybe another motorcycle  
10 comes up, it slows to idle. Somebody's whistling in the  
11 background. This is during the time that the motorcade is racing  
12 off to Parkland Hospital with the sirens screaming including  
13 the siren of McClain's motorcycle, which was supposed to be the  
14 one from which this tape was recorded.

15 Then, most interestingly, about 121 seconds after the  
16 motorcycle engine noise has slowed down, all of a sudden we hear  
17 sirens. What we hear is the sound of sirens approaching very  
18 faint, then they grow loud, then they become very loud and then  
19 they fade away again. This was supposedly recorded on a  
20 motorcycle that was in the motorcade. Obviously, it was not  
21 in the motorcade. It was never in Dealey Plaza.

22 I think that this acoustical evidence and the  
23 conclusions of the House Committee, as to the possible fourth  
24 shot from the grassy knoll and the possible conspiracy has been  
25 thoroughly discredited. But it doesn't seem to make much

1 difference what the facts are, and I think in that sense you<sup>52</sup>  
2 do have a hopeless task. Because no matter what the facts are,  
3 people like the fellow who spoke here before, and Mr. Lifton,  
4 and people like that will still not be satisfied as to what the  
5 actual facts appear to be.

6           So, I would think that -- I would get whatever Bowles  
7 had of materials. I would get whatever materials Bowles, Barak  
8 and Newman has on this. And then of course the -- I apparently  
9 left it in my briefcase -- but the Ballistic Acoustics Committee  
10 that had studied this, at the request of the Justice Department,  
11 may also have some material. I'm pretty sure they do. And I  
12 would think it would be useful to get all of this stuff together  
13 so that if someone wants to analyze this stuff later on they  
14 can do it. I think that's basically the purpose of this group  
15 is to get this stuff together so it is there for history, because  
16 I'm sure we will never be through with this, unfortunately.  
17 There's nothing you can do that the Warren Commission and the  
18 House Assassination Committee can do. You are not anymore  
19 superhuman than the rest of us. But get this material on the  
20 acoustic evidence that's my primary recommendation. Thank you  
21 very much.

22           CHAIRMAN TUNHEIM: Members of the Board, are there  
23 any questions for Mr. Liebeler?

24           DR. NELSON: Well I think he made an interesting point  
25 and that is that it is our task to find out the documents and

1 the facts in them. And a great many other people will have to  
2 deal with the truth, whatever that is. Thank you very much.

3 MR. LIEBELER: Thank you.

4 CHAIRMAN TUNHEIM: Next we're going to hear from Mr.  
5 James Rankin. Mr. Rankin is the son of the former General  
6 Counsel to the Warren Commission, the late J. Lee Rankin. He  
7 will testify about his father's personal papers related to his  
8 work for the Warren Commission. Welcome, Mr. Rankin.

9 JAMES RANKIN

10 Son of Former General Counsel to the Warren Commission the  
11 Late J. Lee Rankin

12 MR. RANKIN: Good morning, Chairman and members of  
13 the Assassination Records Review Board. I am pleased and proud  
14 to be here today. As you said my father was General Counsel  
15 of the Warren Commission. Some of you may know he was also  
16 Solicitor General in the Eisenhower administration and he was  
17 the Attorney General in charge of the Office of Legal Counsel,  
18 which gave advice to President Eisenhower. Later he was  
19 corporation counsel for the City of New York under Mayor John  
20 Lindsey. So he had quite a public legal career.

21 I have some prepared remarks, but I would first like  
22 to inject a personal note. My father never discussed his work  
23 with his family. None of us knew that he had 17 cartons of  
24 records related to the Warren Commission until about six months  
25 ago. He had a total of 80 boxes of his professional

1 correspondence and papers, 17 of which are Warren Commission  
2 things.

3           As the family has looked at these -- my brother is  
4 the only one that's looked at these carefully besides Mr. Gunn,  
5 we realized he had a central role in the Commission's  
6 investigation and report. So, as I said, my brother and Mr.  
7 Gunn are the only ones who have reviewed this and my comments  
8 are based upon what I've learned from them. My brother has  
9 prepared a summary of the contents of these cartons, which I'm  
10 going to leave with the Board.

11           During his tenure on the Warren Commission my father  
12 acted as a principal intermediary between the members of the  
13 Commission and the very talented Commission staff, some of which  
14 are here today. In this capacity he was in the unique position  
15 of witnessing both the liberations of the Commission and the  
16 research work, analysis and drafting performed by the staff.

17  
18           I will describe briefly some of the Warren Commission  
19 materials that father retained. First, and I brought them with  
20 me today -- I'm going to turn them over to Mr. Marwell at the  
21 end of my remarks -- are loose leaf notebooks kept by my father's  
22 secretary, Julie Idee, which are daily logs of every telephone  
23 call and every conference that my father had during the time  
24 he worked on the Warren Commission. They also report frequently  
25 the time each staff member reported for work and left, often

1 leaving after 9:00 o'clock at night.

2           Secondly, there are many original memoranda prepared  
3 for my father by staff members of the Warren Commission.  
4 Although it is my understanding that most, if not all of these  
5 memos are available as copies at the National Archives. My  
6 father's collection includes many signed originals. Some of  
7 the originals are by people who have become eminent in the world  
8 of politics and law. For example, there are signed originals  
9 by Senator Arlen Specter, Professor Norman Redlick, Professor  
10 John Healey, Mr. David Bellham, who is here today, Professor  
11 Wesley Liebeler, and others.

12           Third, the papers contain numerous drafts of the  
13 various chapters of the Warren Report. Many of these drafts  
14 contain original handwritten comments by Gerald Ford, Allen  
15 Dulles, John McCloy, Senator Richard Russell, and of course my  
16 father. These drafts provide an extremely valuable look at the  
17 development of the analysis and the understanding of the  
18 Commission members over time. It is my understanding in all  
19 that some of the drafts previously have been available in the  
20 archives. My father's papers contain many more drafts and also  
21 include the original handwritten annotations.

22           Finally there are many miscellaneous papers that range  
23 from press clippings to financial information about the  
24 Commission and its pledge. Information on the publication of  
25 a final report who was to get original copies and so forth.



1 a great mass of evidence and persuading seven stubborn men.  
2 This you did with calm and just plain hard work. I enjoyed every  
3 minute of my work with you and am proud of the report of which  
4 you are the main artisan. All best wishes Allen Dulles."

5 My family and I would like to contribute all of my  
6 father's papers that relate to the Warren Commission service  
7 to the American people to be included in the National Archives.  
8 We would also like to mention that the remainder of his papers  
9 are being donated to the University of Nebraska Law School where  
10 my father graduated with his law degree.

11 Thank you. I would like to turn these things over to  
12 Mr. Marwell.

13 CHAIRMAN TUNHEIM: Thank you very much, Mr. Rankin.  
14 These materials will certainly enrich the records that the  
15 Review Board has been compiling and we thank you very very much  
16 on behalf of the Review Board. I wonder if members have any  
17 brief questions for Mr. Rankin while he's up here.

18 DR. NELSON: I have no questions, but I think this  
19 is a marvelous thing to enrich history and its view. Those of  
20 us who deal with documents, love annotated documents. They're  
21 very very rich and we are very grateful to you. Thank you.

22 (Applause.)

23 CHAIRMAN TUNHEIM: Next we're going to ask David Belin  
24 to come forward please for testimony. Mr. Belin is the Former  
25 Assistant Counsel to the Warren Commission. He's also the

1 author of two books on the assassination. One is entitled  
2 November 22, 1963: You Are the Jury, the other is entitled Final  
3 Disclosure, the Full Truth About the Assassination of President  
4 Kennedy. Mr. Belin also served as Executive Director in the  
5 Rockefeller Commission of 1975 which investigated CIA  
6 involvement of assassinations of foreign leaders. Mr. Belin,  
7 welcome.

8 DAVID BELIN

9 Former Assistant Counsel to the Warren Commission

10 Author of November 22, 1963: You are the Jury  
11 Final Disclosure: The Full Truth About the Assassination  
12 of President Kennedy

13 Executive Director of the Rockefeller Commission in  
14 in 1975, Investigating CIA Assassinations of Foreign Leaders

15  
16 MR. BELIN: Thank you, Judge. I have a formal  
17 nine-page typewritten statement with a couple of exhibits  
18 attached, which I'm going to leave with you when I am finished.

19 It has some interlineations because I was out of the office  
20 yesterday. I did not have the time to get the final changes  
21 made.

22 I want to summarize, highlight, a portion of what my  
23 formal statement includes. A vocal group of assassination  
24 revisionists are poised like scavengers to attach the  
25 Assassination Records Review Board. They will play to the

1 grandstand when the Board has completed its work crying out "If<sup>59</sup>  
2 you would have released everything we would have finally found  
3 the truth about the assassination." Leading this group will  
4 be individuals associated with JFK, the greatest electronic  
5 coverup fraud ever perpetrated on America's movie screens. Jack  
6 Filente, President of the Motion Picture Association of America,  
7 has denounced JFK, and these are his words, "A hoax, a smear  
8 and pure fiction that rivals the Nazi propaganda films of Lenny  
9 Reiffenstahl. In Filente's words, and I'm quoting, "In scene  
10 after scene Mr. Stone plasters together the half true and the  
11 totally false and from that he manufactures a plausible in much  
12 the same way young German boys and girls in 1941 were mesmerized  
13 by Lenny Reiffenstahl's Triumph of the Will in which Adolph  
14 Hitler was depicted as a new born god. Both JFK and Triumph  
15 of the Will are equally both a propaganda masterpiece and equally  
16 a hoax." Unfortunately the standards of JFK are also  
17 incorporated in another widely seen electronic  
18 misrepresentation of the truth, the five hour Arts and  
19 Entertainment cable network series, The Men Who Killed Kennedy,  
20 which also covers up the truth about the assassination.

21           The challenge this Assassination Records Review Board  
22 faces is how to best discharge its duties in the face of a  
23 torrential downpour of disinformation that has dominated the  
24 media world and will continue after the work of this Board is  
25 completed. It is in this context that I have come to Los Angeles

1 to share my prospectus with the Board. And so there's no  
2 misunderstanding of the dangers that you face, you've just heard  
3 Mr. Hamburg, co-producer of the film Nixon with Mr. Stone, say,  
4 Remember, if you don't release everything, remember, there's  
5 going to be a legacy of doubt, distrust, unanswered questions  
6 in which he aligned the Warren Commission as well as the House  
7 Select Committee on Assassinations. And that's the challenge  
8 that you face.

9  
10 Now, in addressing the challenge you face I'm going  
11 to have two alternative recommendations, but in order to get  
12 these in perspective I want to first start with a frame of  
13 reference to understand how I approach this issue. First, as  
14 you know I served as Counsel to the Warren Commission in 1964.

15 I was one of the two lawyers concentrating on what we called  
16 Area Two, the determination of who killed President Kennedy,  
17 which was expanded to who killed Officer Tippett.

18 We interviewed the witnesses at the time shortly after  
19 the event when their recollections were the freshest, and  
20 therefore the best. In undertaking our investigation we  
21 followed but one standard, a standard that was established by  
22 Chief Justice Earl Warren in our very first meeting. "Truth  
23 is our only goal." It was the standard Lee Rankin followed.

24 It was the standard that Professor Liebeler followed. It was  
25 a standard that all of us followed.

In 1975 President Ford appointed me as the Executive

1 Director of the Commission on CIA activities within the United  
2 States. It became known as the Rockefeller Commission because  
3 Vice President Rockefeller served as its chairman. By the way,  
4 another member of the Commission was Ronald Reagan. In my  
5 investigation I was the first outside person to uncover the fact  
6 that the CIA had been engaged in assassination plots directed  
7 against foreign leaders. Information that had been wrongfully  
8 held from the Warren Commission. So what did I do? Well, in  
9 the fall of 1975 after I returned to my law practice in Des Moines,  
10 I filed Freedom of Information Act requests from the unique  
11 perspective of having had access to all of the CIA files  
12 concerning the assassination of President Kennedy, having had  
13 access to the Warren Commission files, and so I filed these  
14 requests asking that all of the documents be released from the  
15 CIA files concerning the assassination and the remaining two  
16 or three percent of the Warren Commission files that hadn't been  
17 released. Now having interviewed the key witnesses I already  
18 knew what the facts were, I can say absolute certainty Lee Harvey  
19 Oswald was the lone gunman that killed President Kennedy, wounded  
20 Governor Connally and killed Dallas Police Officer J.D. Tippett  
21 on November 22, 1963. Neither the CIA or any other governmental  
22 agency was in any way directly or indirectly involved, nor any  
23 so called rogue elements directly involved. The evidence beyond  
24 a reasonable doubt was Oswald was the lone gunman. Jack Ruby  
25 was in no way conspiratorially involved. As a matter of fact,

1 unbeknownst to most people he offered to take lie detector tests  
2 which confirmed that everything he told the Warren Commission  
3 was true.

4           In an effort to help the public understand the truth  
5 about the assassination, I have written two books. Royalties  
6 of both books have been donated to charity, as well as all of  
7 my speaking engagements, writing fees of anything connected with  
8 the assassination.

9           Now with this background as to what my perspective  
10 is, I want to contrast this with what I call "the assassination  
11 revisionists and their coverup of the truth" because it's  
12 important that although you're not here to determine whether  
13 the Warren Commission was right or wrong, I think it's important  
14 for you to understand the nature of what takes place because  
15 it's going to better help you to discharge your responsibilities  
16 as you seek to complete the record of your work.

17           Let me use two examples from JFK one of which involves  
18 a murder which I call "the Rosetta Stone" to understand the truth  
19 about the assassination. Officer Tippett, J.D. Tippett, was  
20 killed by Lee Harvey Oswald 45 minutes after the assassination.

21           The Tippett murder is such an open and shut case that one wonders  
22 how the American public could be so readily deceived by  
23 assassination revisionists. William Scoggins the cab driver  
24 who was parked in his cab, whose testimony I took in the spring  
25 of 1964 in Dallas, told how he heard shots. He looked up and

1 saw the policeman fall, saw the gunman come as close to him as  
2 10 or 12 feet muttering either "poor damn cop" or "poor dumb  
3 cop." Scoggins identified Oswald as the gunman. So did five  
4 other witnesses, Barbara Davis, Virginia Davis, Sam Guinyard,  
5 Ted Callaway, Helen Markham. Not only do you have sid  
6 eyewitnesses who identified Oswald as the gunman, but you found  
7 cartridge cases at the scene of the Tippett murder, which Barbara  
8 Davis, Virginia Davis, and a witness by the name of Domingo  
9 Benavides, turned over to the police. Those cartridge cases  
10 came from Oswald's revolver that he pulled out in the Texas  
11 theater as the police approached.

12           The bullets in Tippett's body, according to the FBI  
13 ballistic experts, were too mutilated to be ballistically  
14 identifiable. An independent expert, Mr. Joseph D. Nicol, said  
15 one of them could be identified as coming from Oswald's revolver.

16           Now, in the face of these facts, showing Oswald's  
17 guilt, JFK and a host of revisionist books portrays the Tippett  
18 murder as having been committed by two people, neither one of  
19 whom was Oswald. Common sense would say to anyone that the  
20 Dallas Police Department would have moved heaven and earth to  
21 try and find who killed one of their police officers if it wasn't  
22 Lee Harvey Oswald. By the way, common sense would also say that  
23 if Oswald was not the lone gunman who killed President Kennedy,  
24 nearly killed Texas Governor John Connally, Jacqueline Kennedy,  
25 Robert Kennedy and Governor Connally, would have left no stone

1 unturned to find out who the gunman was. Now that's one example<sup>64</sup>  
2 of the Tippett film.

3           The other thing that I'm going to talk about is perhaps  
4 the most flagrant lie of JFK because it occurs at the very end  
5 of the film after the movie action is over. In essence the lie  
6 is in two parts and it is a permanent indictment of Hollywood  
7 in general, and Warner Brothers and Oliver Stone in particular.

8       Here is what viewers see on movie screens on an video tapes  
9 on a film that has been distributed to classrooms across the  
10 country with a JFK study guide finance in part by Warner Brothers.

11       Here's what it says in print after the movie is over, "A  
12 Congressional investigation from 1976 to 1979 found a probable  
13 conspiracy in the assassination of John F. Kennedy and  
14 recommended the Justice Department investigate further." Now  
15 here is what they say. "As of 1991 the Justice Department has  
16 done nothing." What the movie did in a single paragraph was  
17 to state two lies, one by omission and one by commission. And  
18 then put this in a cosmetic framework because the movie at the  
19 end is dedicated to the young and whose spirit the search for  
20 the truth marches on.

21           First the lie of omission. The movie viewers have  
22 just seen Oswald depicted as an innocent patsy and Earl Warren  
23 depicted as a coverup participant. Now, the findings of that  
24 1976 to '79 investigation, as everyone knows who knows the  
25 findings, were that Oswald fired all of the shots that struck

1 President Kennedy and Governor Connally. That the  
2 single-bullet theory of the Warren Commission is correct. That  
3 Oswald was the lone gunman who killed Officer Tippett. All of  
4 this is directly contrary to JFK and Jim Garrison's theory, that  
5 was just enunciated here by Mr. Hamburg, of triangulation. The  
6 fact that Oliver Stone and Warner Brothers mentions a  
7 Congressional investigation without mentioning the conclusion  
8 that Oswald was the one who killed President Kennedy and Officer  
9 Tippett, is one major lie by omission.

10           Related to this lie of omission is another key related  
11 fact. The last minute switch of a majority of the Congressional  
12 Committee believing in probable conspiracy that was based on  
13 reported acoustical evidence, which in 1982 was scientifically  
14 disproved by the Committee on Ballistic Acoustics. Professor  
15 Liebeler has just talked about that. It was not the whole  
16 Committee who fell victim to this. It was a Committee majority.  
17 There were dissenting reports filed as you know.

18  
19           But as bad as these lies of omission were, the big  
20 lie of commission is even worse, and that's what you people face  
21 as consider what you're going to do toward the end of your review.  
22 The allegation that as of 1991 the Justice Department has done  
23 nothing, is not some actor making a statement as part of a movie  
24 plot, it is Warner Brothers and Mr. Stone telling the American  
25 public, indeed the entire world, that there was a recommendation

1 for the Justice Department to investigate further, and that as <sup>66</sup>  
2 of 1991 the Justice Department has said nothing. How could  
3 Hollywood, how could Warner Brothers, how could Oliver Stone  
4 dare to make such a false statement when the truth was so readily  
5 ascertainable. Here are the facts: A majority of the House  
6 Select Committee on Assassinations on the basis of acoustical  
7 evidence, concluded there was a fourth shot fired from the grassy  
8 knoll that missed everything. One hundred twenty five feet  
9 fired down hill did not only miss the limousine -- the occupants  
10 in the limousine. But because the minority disagreed there was  
11 a recommendation that the Justice Department investigate  
12 further. What happened next was that the Federal Bureau of  
13 Investigation, which is part of the Department of Justice,  
14 undertook further investigation and prepared a report on  
15 November 19, 1980, concluding the acoustical evidence findings  
16 were not valid. However, there was substantial question whether  
17 or not that FBI investigation was scientifically sound.  
18 Therefore, the Justice Department requested in the fall of 1980  
19 that the National Research Council establish the Committee on  
20 Ballistic Acoustics. It was comprised of outstanding  
21 scientists from across the country, was chaired by Doctor Norman  
22 Ramsey a Nobel Professor of Physics from Harvard. As of May  
23 17, 1982, the Committee on Ballistic Acoustics published a 96  
24 page report. The introduction on page three completely  
25 disproved the lies of the JFK script that said as of 1991 the

1 Justice Department had done nothing because here's what it said,  
2 "The Committee on Ballistic Acoustics was established by the  
3 National Research Council in the fall of 1980 in response to  
4 the requests from the Department of Justice for a review of the  
5 methodology employed in the evaluations of the recorded acoustic  
6 data out of the conclusions about the existence of a shot from  
7 the grassy knoll." Now in my written statement I include  
8 highlights from the conclusions of that Committee. They found  
9 out, number one, there was no scientific basis for the purported  
10 acoustical evidence conclusions. Number two, they found there  
11 was independent evidence that showed that the so-called  
12 electronic impulses took place a minute after the assassination.  
13 And, number three, they pointed out, as Professor Liebeler has  
14 said, that the dictabelt was not evidently in the motorcade --  
15 or not on a motorcycle -- or not recorded from a stuck microphone  
16 in a motorcycle in the motorcade because it didn't pick up the  
17 sounds of sirens as the motorcade sped from the assassination  
18 scene. There was no sound of revving up of motorcycle engines.  
19 There were sounds of chimes but there were no chimes in Dealey  
20 Plaza.

21           Officer McClane, by the way, who was the driver of  
22 the motorcycle that the House Committee experts said had the  
23 stuck microphone said, "My microphone wasn't stuck."

24           Now we've heard a lot about the dangers of Hollywood  
25 and violence, but as bad as all of Hollywood's violence is, the

1 deliberate dissemination of lies attacking our government and  
2 governmental institutions is even worse. Trust is the mortar  
3 that holds the structure of our government together, and when  
4 a Hollywood film dedicated to the young and whose spirit the  
5 search for truth marches on lies to the young as everyone else  
6 that the assassination of a president was a coup d'etat  
7 undertaken by agencies of the United States Government and  
8 covered up by the Chief Justice of the United States, it's a  
9 terrible attack on citizen trust. When the truth is submerged  
10 in survival of a free society and civilization is threatened  
11 and from a long range standpoint nothing could be worse than  
12 this electronic downpour of lies.

13

14

Now with the foregoing as a frame of reference, I make  
15 these two alternative recommendations to this Board. First  
16 alternative, this is the one that I prefer, I would urge that  
17 the Assassination Reviews Board release every single document  
18 in CIA files concerning the assassination of President Kennedy  
19 and also all the remaining Warren Commission files, about two  
20 percent of those files, that have not previously been released.

21

Having had access to all of this information, I know that it  
22 will not in any way diminish the validity of the determination  
23 by the Warren Commission and the determination of the House  
24 Select Committee on Assassinations that Lee Harvey Oswald was  
25 the lone gunman that killed President Kennedy, wounded Governor

1 Connally and killed Officer Tippett on November 22, 1963. <sup>69</sup> And  
2 it would not in any way diminish the findings of the Warren  
3 Commission at the House Select Committee on Assassinations, that  
4 all of the shots that struck President Kennedy and Governor  
5 Connally were fired by Lee Harvey Oswald from the southeast  
6 corner sixth floor window of the Texas School Depository  
7 Building. Although I am well aware of the arguments that the  
8 CIA and the National Archives may make concerning personal  
9 privacy and protection of sources and methods. I believe that  
10 the CIA is precluded from raising these kinds of issues because  
11 it does not have what in the law is called "clean hands." The  
12 reason is that the CIA improperly withheld from the Warren  
13 Commission evidence of CIA assassination plots against Fidel  
14 Castro. Evidence that was very important for the Warren  
15 Commission to have in light of its investigation into the  
16 possibilities of foreign conspiracy and counter-conspiracy.  
17 The public in the long run will be far better served to have  
18 this information released, not just because it will reconfirm  
19 the findings of the Warren Commission, but because it will also  
20 destroy whatever remaining arguments there are by assassination  
21 revisionists like the JFK crowd who falsely assert that the  
22 withholding of these files is part of a continuing coverup when  
23 in fact it is they who are the ones who cover up the truth about  
24 the assassination. That alternate number one basically  
25 conforms to what I did personally in 1975 when I called in the

1 National Archives and the CIA to release everything.

2           Now if you choose not to do this, and I know thus far  
3 you are not released everything, but you always have the  
4 opportunity to change your minds before your charter is over.

5       If you choose not to do this then at the second best alternative,  
6 I would suggest the following: I believe this Assassination  
7 Records Review Board should affirmatively state in its final  
8 report the following: A) There is no document that has not been  
9 released that in any way whatsoever diminishes the determination  
10 of both the Warren Commission and the House Select Committee  
11 on Assassinations that all of the shots that struck President  
12 Kennedy and John Connally on November 22, 1963, were fired by  
13 Lee Harvey Oswald from the southeast corner sixth floor window  
14 of the School Book Depository Building.

15           B) There's no document that has not been released that  
16 in any way whatsoever that diminishes the determination of both  
17 the Warren Commission and the House Select Committee on  
18 Assassinations that Lee Harvey Oswald killed Officer J. D.  
19 Tippett.

20           C) There's no document that has not been released that  
21 in any way whatsoever diminishes the determination of the  
22 findings of the Committee on Ballistic Acoustics, which  
23 concluded there was no scientific validity to the erroneous  
24 acoustical evidence which persuaded a majority of the House  
25 Select Committee on Assassinations to conclude there was a fourth

1 shot fired from the grassy knoll by an unseen gunman who missed  
2 not only hitting the occupants of the presidential limousine  
3 but the limousine itself.

4 D) There is no document that has not been released  
5 that in any way whatsoever shows that Jack Ruby, who volunteered  
6 to take the lie detector test, a test which confirmed that  
7 everything he told the Warren Commission was true, was in any  
8 way conspiratorially involved in the assassination.

9 E) If the Board is unwilling to make the foregoing  
10 statements, which having had access to all of these documents  
11 I know to be true, then the Board at the very least should release  
12 to the public any document which the Board feels precludes it  
13 from making the foregoing affirmative statements. Otherwise  
14 assassination revisionists will falsely accuse the Board of a  
15 coverup just as they have falsely accused Earl Warren. And I  
16 wrote these words before I heard what Mr. Hamburg said because  
17 that was a threat that he's made to you. Anyone who has had  
18 access to the Warren Commission files and the CIA assassination  
19 files as I have had, knows that these are the facts. Moreover  
20 I not only have the knowledge of the files, but I also have the  
21 knowledge of having interviewed the key witnesses to the  
22 assassination of President Kennedy and the murder of Officer  
23 Tippett in 1964 shortly after the events occurred when the memory  
24 of these witnesses were the freshest and best.

25 I am attaching to my formal statement and incorporated

1 by referenced copies of March 17, 1992 and June 25, 1993, pieces <sup>72</sup>  
2 that I wrote for the New York Times. The fee for these pieces,  
3 like the royalties for my books about the Kennedy assassination,  
4 I have previously said have been turned over to charity. I have  
5 no financial interest in the outcome of what this Assassination  
6 Records Review Board does. However, what I do have is a deep  
7 concern about the electronic dissemination of lies about the  
8 assassination and movies like JFK and cable television programs  
9 like the five hour A and E entertainment series The Men Who Killed  
10 Kennedy. And it is for this reason that I have flown to  
11 California to make this presentation before this Assassination  
12 Review Board and because I care for the truth and I care for  
13 my country.

14  
15 In closing I want you to know that for me as I speak  
16 today, the ultimate issue is not who killed President Kennedy,  
17 wounded Governor Connally and killed Officer Tippett. I already  
18 know the answer to that, it was Lee Harvey Oswald. For me the  
19 ultimate issue is whether there will be any change in the present  
20 course and direction of the electronic media as profit seeking  
21 corporations and individuals if priority to misrepresentations  
22 and deceit over truth going so far as to infiltrate our school  
23 system with the virus of lies, the present course of the  
24 electronic media poses a clear and present danger for the future  
25 of democracy in America. If I leave any legacy on this earth,

1 beyond my five wonderful children, it will not be that historians  
2 will ever remember the name of David Belin, but what I have done  
3 for more than 25 years in standing up for the truth, and defending  
4 Earl Warren might in some small way be a tiny beacon of light  
5 that will point the way to people of vision and idealism who  
6 will recognize that truth is the foundation of civilization.

7 They will understand how important it is for Americans to  
8 understand the truth about the assassination of President John  
9 F. Kennedy. They will understand how important it is to expose  
10 the misrepresentations of assassination revisionists and the  
11 electronic downpour of deceit in movies like JFK and television  
12 programs like The Men Who Killed Kennedy. They will help  
13 resurrect the reputation of Earl Warren, who has been the victim  
14 of libel and slander of which perhaps the worst was the false  
15 testimony by Oliver Stone before a Congressional Committee in  
16 April, 1962 that Earl Warren was partially senile. And above  
17 all, they will help restore trust and confidence in government,  
18 the mortar which binds a free society.

19 Thank you very much. I'd be happy to answer any  
20 question you want. There isn't any question that anyone can  
21 ask about who was the government that killed President Kennedy  
22 and Officer Tippett that I can't answer if you give me a chance.

23 Of course 30 second television bites doesn't do that, but I  
24 am at your will.

25

CHAIRMAN TUNHEIM: Questions members?

1 DR. JOYCE: Mr. Belin, your work both with the Warren  
2 Commission and the Rockefeller Commission, exposed you to a great  
3 many records. I'm wondering if either in your own case or in  
4 those of your colleagues if you're aware of any records still  
5 in private hands as an outcome of that work that we might be  
6 interested in pursuing?  
7

8 MR. BELIN: These are documents that I think are the  
9 most important documents in private hands, and I'll tell you  
10 a story about it. It's the original copy of the Zapruder film.  
11 It's the best copy. It's the easiest one to see as Professor  
12 Liebeler said, that from frame 312 to 313 there was movement  
13 of the President's head forward. By the way, it was not just  
14 his head that moved backward after frame 313, it's his head and  
15 his body. And experts from both the Rockefeller Commission and  
16 the House Select Committee on Assassinations, showed that it  
17 was a mass of neurological damage which caused this extremity  
18 body movement backwards. In 1975 Time Magazine was deciding  
19 what to do with this original film. I wrote to the chief  
20 executive officer, or one of the officers of Time and I said,  
21 you know, this is a national treasure. If you're going to sell  
22 it I have a private foundation that would like to get a copy  
23 of it, pay for it and turn it over to the National Archives because  
24 that's where it belongs. Instead what they did, is they either  
25 sold it for a nominal sum or gave it back to the Zapruder family.

1 I really think the Zapruder family has a moral obligation to  
2 turn that Zapruder film, and whatever original copies of slides  
3 was made from that -- we sent a set of the slides over to the  
4 National Archives. And I would really urge this Assassination  
5 Records Review Board to ask the Zapruder family to do that.  
6 Mr. Zapruder got a lot of money for that film. Newspapers  
7 reports purported to say that he turned over \$25,000 to Officer  
8 Tippett's widow replying that that's all he got. From Life I  
9 think the family got about \$150,000. Today that's worth like  
10 close to a million dollars. But I really think that's the one  
11 thing that could be turned over.

12 The only other thing that I think -- I think you've  
13 seen everything in the -- or are getting access to see everything  
14 in the CIA files, and I just don't -- I would urge that you not  
15 let them stonewall you with this protection of sources and  
16 methods. The CIA really has unclean hands and they will learn  
17 something by not being able to protect this. So learn this so  
18 that the next time there's any kind of a presidential commission  
19 which says that agencies will cooperate and do everything  
20 possible, they will do it. They will say, remember what happened  
21 to us when we didn't do it with the Warren Commission. We  
22 eventually, because of the Assassination Records Review Board,  
23 had to disclose everything. So that would be my advice to you  
24 people. But you're the final judges.

25 DR. NELSON: Well as you know, Mr. Belin, we've made

1 great effort to do what you're asking us. We are opening very  
2 many documents that have been opened and we are not very  
3 protective as far as the agency is concerned.

4           One of the things I wanted to ask you though, I was  
5 reminded as you were talking, it has been suggested that it wasn't  
6 so much that the Warren Commission was subject to disbelief but  
7 that after the Warren Commission the documents were withheld  
8 and that it was the withholding of documents for almost 30 years  
9 that actually stimulated the suspicions surrounding the Warren  
10 Commission. Do you think that was possible? Do you think --  
11 we will hopefully not have to face that. But has it ever entered  
12 into your thinking about this?

13           MR. BELIN: Well, Doctor Nelson, I have been very  
14 candid in saying that the Warren Commission made a major mistake  
15 in one particular area of documents. And by the way, this is  
16 probably initial response to Doctor Joyce. The Warren  
17 Commission at the request of the Kennedy family, Robert Kennedy,  
18 determined not to release the Kennedy autopsy photographs and  
19 x-rays. And Professor Liebeler is absolutely right, we should  
20 have had access to the original autopsy photographs and x-rays.  
21       The rationale was that whatever exhibits we had would be turned  
22 over to the public. Earl Warren basically was persuaded by  
23 Robert Kennedy not to have these released. I think the Kennedy  
24 family felt as a matter of privacy -- perhaps they didn't want  
25 magazines to publish as the last pictures of President Kennedy

1 these horrible photographs and x-rays. I never saw them myself<sup>77</sup>  
2 until the Rockefeller investigation when we had a panel of  
3 experts because charges were made that the CIA was involved in  
4 the assassination and the shots came from the front. So we  
5 had an independent panel of experts to review this.  
6

7  
8 Now I believe that you are absolutely correct that  
9 one of the reasons that there was misbelief in the Warren  
10 Commission findings was that these autopsy photographs and  
11 x-rays were not released. And as soon as you have anything not  
12 released, people say what else haven't you released. The fact  
13 is that 19 of 20 doctors on four different medical panels,  
14 including the House Select Committee, Rockefeller Commission,  
15 the Ramsey Collect Panel and the original autopsy panel, say  
16 that all the shots came from the rear. But more important than  
17 that, ballistically you have the bullets. The nearly whole  
18 bullet taken off Governor Connally, and the ballistically  
19 identifiable portions of the bullet that struck President  
20 Kennedy's head. Those were shown to have come from the rifle  
21 found in the School Book Depository Building. The cartridge  
22 cases found in the window, Howard Brennan saw the gunman fire,  
23 came from that rifle. Now what can you do about the people that  
24 say, well what about the rest of the exhibits? The problem  
25 you'll face is that you have some issues involving sources and  
methods on privacy. And the other part of the problem is what

1 I was trying to illustrate in giving the two key examples, and  
2 there are hundreds of others, of lies, when people basically  
3 -- every document involved in the Tippett murder has been  
4 released. And this is something you ought to consider in your  
5 final report. Every document involving the Tippett murder has  
6 been released. You have six eye witnesses identifying Oswald.

7 You've got the identifying evidence. And yet these people say  
8 that Oswald didn't kill Tippett, what can you do about that?

9 What can you do when the end of the film JFK after all the plot  
10 is over, they say something in words and black and white that  
11 says the Justice Department has done nothing, when the Justice  
12 Department basically specifically asked the National Research  
13 Council to do something which they did when they formed the  
14 Committee on Ballistic Acoustics.

15 And therefore I'm going to say that it's up to you  
16 to consider including in your report examples of this, and that's  
17 what I say is the alternative, if you don't want to release  
18 everything I think you five good people, who have no connection  
19 with the Warren Commission, no connection with the House Select  
20 Committee, no connection with the Rockefeller Committee, can  
21 honestly say, well, if we've chosen not to release anything or  
22 redact anything it's not because it in anyway suggests that  
23 Oswald is not the lone gunman who killed Kennedy and wounded  
24 Connally. It does not suggest that Oswald was the gunman who  
25 killed Tippett. It does not suggest that the ballistic -- that

1 the Commission on Ballistic Acoustics was inaccurate. It does <sup>79</sup>  
2 not suggest that Jack Ruby didn't tell the truth when he testified  
3 for the Warren Commission. It's because we really think that  
4 this is the particular source and method, or this is a particular  
5 matter of privacy that we could not disclose. And that's why  
6 I'm here today.

7 CHAIRMAN TUNHEIM: Thank you very much, Mr. Belin,  
8 for your testimony today.

9 MR. BELIN: I have copies of my written statement,  
10 which I will give to each one of you.

11 CHAIRMAN TUNHEIM: Very well.

12 MR. BELIN: And I'll give typed copies which will take  
13 care of the final drafts which will take care of the  
14 interlineations.

15 CHAIRMAN TUNHEIM: Thank you very much, we appreciate  
16 it.

17 The next witness today is Mr. James DiEugenio. He  
18 is the author of a book entitled Destiny Betrayed: JFK, Cuba  
19 and the Garrison Case, which is an analysis of New Orleans  
20 District Attorney Jim Garrison's inquiry and of the  
21 assassination itself. Mr. DiEugenio.

22 JAMES DIEUGENIO

23 Author of Destiny Betrayed; JFK, Cuba and the  
24 Garrison Case

25 MR. DIEUGENIO: Thank you. I am kind of stunned after

1 Mr. Belin's presentation.

2 I would like to welcome the Review Board here and thank  
3 you for coming to beautiful downtown L.A. I appreciate the  
4 opportunity to offer anything I have to say about here, and I'll  
5 get right to some of the main points I think concerning the Board  
6 and what they should be seeking to declassify.

7 According to some of the sources I have in Washington,  
8 some of the executive session transcripts of the Warren  
9 Commission have yet to be declassified. That was a couple of  
10 months ago. I don't know what the situation is now. But those  
11 are very important, because I think a lot of them -- the ones  
12 that were declassified since 1993 show that the Warren Commission  
13 had a problem. I don't know what Mr. Liebeler or Mr. Belin had  
14 to say about this, but the Warren Commission definitely had a  
15 problem with this single-bullet theory. And I think if you look  
16 at the transcript Mr. Rankin actually says it in those exact  
17 words. So if there are still executive session hearings that  
18 are not declassified yet, I think that they would have those  
19 kind of interesting tid bits in them which I think go right to  
20 the heart of the problem.

21 Also, the executive sessions of the House Select  
22 Committee should also be next on the agenda. And because these  
23 are some very interesting people like Richard Helms and James  
24 Angleton and Robert Maheu, that the public needs to look at.

25 Also, all of the communications between Robert Blakey and his

1 chief aid, Gary Cornwall, need to be declassified. These would <sup>81</sup>  
2 be like, I imagine, the working papers going towards the final  
3 draft of the HSCA report. And if they aren't there then Mr.  
4 Cornwall and Mr. Blakey should be subpoenaed because they would  
5 most likely have them. I find it very hard to believe that they  
6 would just be destroyed. Any other documents that especially  
7 Mr. Cornwall took with him -- I don't think Mr. Blakey took  
8 anything with him because the last days of the Committee he was  
9 actually calling CIA and asking them to come over and give him  
10 documents. So Mr. Cornwall probably did take some stuff. I  
11 don't think Mr. Blakey did.

12           As time goes on, the figure of Clay Shaw becomes more  
13 and more fascinating, and even the official record on Clay Shaw  
14 is incomplete. In 1967 the CIA answered a query by Ramsey Clark.

15           In this communication they stated that they had -- that Mr.  
16 Shaw had filed 30 reports with the CIA as of a DCAS agent, Domestic  
17 Contacts. According to my sources at the Archives there's nine  
18 of those reports. What happened to the others? And if there  
19 is no written record is there any notation of any kind of oral  
20 communications.

21           Also, since JFK came out, the story about Clay Shaw  
22 being solely a Domestic Contact agent has completely collapsed.

23           And we have Shaw working in some top secret projects like ZR  
24 Cliff and also something called QKENCHANT. And Victor Marchetti  
25 has since said that in his opinion if Shaw had a high covert

1 security clearance, as it appears that he did, he was not working  
2 in DCS, he was probably working in DOD, Domestic Operations under  
3 Tracy Barns.

4           To figure that puzzle out the documentation on  
5 QKENCHANT needs to be thoroughly declassified and analyzed.  
6 And what makes this even more curious is, which is kind of ironic,  
7 we have the documentation of E. Howard Hunt's QKENCHANT  
8 clearance, that was declassified. And according to those  
9 documents that clearance went all the way up to the Director  
10 of Central Intelligence. So I don't understand why we don't  
11 have Shaw's documentation on his clearance. And after we have  
12 the documentation someone has to get more documents explaining  
13 what the purpose of this program was, and I wouldn't ask the  
14 CIA.

15           Staying with Clay Shaw. Shaw was also on the board  
16 of a mysterious trade organization called Permanex, and the CIA  
17 has a file on this in DDP. Which is interesting in itself because  
18 directorate of plans is an operational kind of organization.

19           So I would like to get that declassified. The present state  
20 department cables on permanex are incomplete in two senses, in  
21 that the state department documents we have are redacted. And  
22 then they stop at 1959 although Permanex continued at least into  
23 1965 in Rome and Johannesburg, and I find it hard to believe  
24 they would only have documents when it was in Switzerland. So  
25 I'd like to see that extended.

1                   Also, on the intelligence, who seems to be very  
2 reluctant about cooperating with the Review Board, is supposed  
3 to have a file on Permanex, which would make sense since Shaw  
4 looks like he was an Army intelligence officer during World War  
5 II. So I would ask for both from Army intelligence, that is  
6 the file on Permanex and Shaw's military intelligence file.  
7 Only the military file was declassified to my knowledge.

8                   About Lee Harvey Oswald. I strongly urge the Board  
9 to interview John Armstrong about some of his new discoveries  
10 about who, what or whatever Lee Harvey Oswald was because he's  
11 becoming a more and more complex kind of a figure.

12                   The FBI seemingly knew about this and the Bureau  
13 attempted to cover up Oswald's espionage role with what looks  
14 like a forgery of the films -- the photos of the evidence  
15 discovered at the Paine household and taken over to the Dallas  
16 jail. And John has actual -- I mean, pretty undeniable evidence  
17 that this was the case. And of course this concerns the  
18 mysterious Minox Camera.

19                   All the tax records on Lee Harvey Oswald, the ones  
20 that he filed and the W2s that were supposed to be filed by his  
21 employees, have to be collected in one place and analyzed.  
22 Armstrong has evidence that the W2 that was submitted is a false  
23 one. It was made up in 1964, which of course is impossible.  
24 And the overwhelming evidence that Oswald was an FBI informant  
25 is I think has gotten to a critical mass. So I would suggest

1 that the Review Board depose James Hosty and Warren DeBrueyes.

2 And I would use John Newman's book as a guide to question James  
3 Hosty. And I have some interesting letters that Mr. DeBrueyes  
4 wrote to the FBI when he was being called on to testify by the  
5 House Select Committee, which I think the Board should see if  
6 you don't have them already. He seems to be kind of nervous  
7 about a certain set of files that pertain to Lee Harvey Oswald.

8 And DeBrueyes is important -- and I think he's still alive  
9 because I interviewed him in 1994 -- because he was the FBI's  
10 contact with the Cuban exiles in New Orleans, which from other  
11 witnesses that you've heard, is a pretty important connection.

12 He was chosen by Hoover to do the FBI's first examination of  
13 the Kennedy assassination. And also it was DeBrueyes who after  
14 talking to Marina, it was him who figured out that Oswald shot  
15 General Walker. And his logic was, since Oswald shot Kennedy  
16 in the head and the shot of Walker was aimed at his head, they  
17 must have been the work of the same man.

18 Every single file on Ruth and Michael Paine has to  
19 be located and declassified in its total entirety. And there's  
20 a reason why Ruth Paine was asked more questions than anybody  
21 else by the Warren Commission. And there's a reason why there  
22 is no record of her being interviewed by the House Select  
23 Committee. There's evidence that Michael Paine bought a car  
24 for Oswald that he tried to apply the payments on. There's this  
25 Minox Camera controversy. The Paines had told differing stories

1 about this Minox Camera over time and they don't coincide with  
2 each other.

3  
4           And recently declassified FBI documents says there  
5 was an Oswald sighting in 1963 in Antioch, Ohio. That's where  
6 Ruth Paine attended college. Curiously the guy who stepped  
7 forward and said that wasn't Oswald, it was me, is a guy called  
8 Carl Hyde, this guy is Ruth Paine's brother. Then there's this  
9 mysterious surfacing of the third backyard photograph supposedly  
10 at a meeting between De Mohrenschildt and the Paines in 1965.

11           And most analysts agree that it's this particular photograph  
12 that shows strong evidence that defers to was forgeries. Once  
13 files are declassified that refer to Michael Paine, they should  
14 be called in for depositions and try and explain these curious  
15 events and the different remarks they have made through time  
16 on this case.

17           In the declassified version of the Lopez report there  
18 is a reference in that report to a supposedly complimentary  
19 report that was supposed to be contained within it or right next  
20 to it, and when I interviewed Eddie Lopez on this point he thumbed  
21 through the report for a few seconds and said, "It's not here  
22 anymore." In fact, there's even a footnote in the note section  
23 of that report that is blanked out. It's not blacked out, it's  
24 blanked out. And Eddie said to me words to the effect, well,  
25 if I'd have been them I'd have taken it out also. The title  
to that report is, "Was Oswald an Agent of the CIA."

1                   Robert Blakey should be asked about this particular  
2 point since he stayed on after most of the workers left and took  
3 part in rewriting the report and some of the volumes. And Robert  
4 Blakey is another guy I think he merits doing a deposition with  
5 if for nothing else his behavior about the Regis Blahut affair,  
6 which I'm sure most of you are aware of where a CIA liaison was  
7 caught with his prints on the autopsy photographs.

8                   I would also like to try to get to the bottom of how  
9 Mr. Blakey got this job in the first place. If it turns out  
10 to be true that Chris Dodd played a role in this I think that  
11 is significant.

12                   The Bay of Pigs first appeared to be a bizarre blunder  
13 than one author has termed it "A perfect failure." And as time  
14 goes on there's pieces of evidence that emerge from the record  
15 that indicate that there's elements of subterfuge to help insure  
16 it was a failure. And there's indications that some of these  
17 people that were involved in this deliberate botching of the  
18 Bay of Pigs also resurfaced at the time of the Kennedy  
19 assassination. So I think it's important that the Board get  
20 the top secret internal report on the Bay of Pigs. And I know  
21 someone who knows the author of that report and he's struggling  
22 with the CIA right now to get it declassified and I wouldn't  
23 -- I would urge you to try and subpoena it from him rather than  
24 struggle from the CIA over getting it.

25                   Relating to that, there's a tape by a suspect

1 who surfaced during the Garrison investigation. And this guy <sup>87</sup>  
2 resurfaced during the House Select Committee. Two of this guy's  
3 interviews have been declassified. The audio tape itself has  
4 not yet been declassified according to my sources. Now, this  
5 tape is important because it's supposed to have been recorded  
6 during the polygraph examination, and during this polygraph  
7 examination he talks about a connecting point between the New  
8 Orleans and the Dallas parts of the conspiracy involving such  
9 people like Sergio Acachas Smith. Although that tape was made  
10 during the House Select Committee inquiry, the investigator,  
11 Lawrence Dulska actually paid to have the polygraph examiner do  
12 it. So you might be able to simplify it since it was not paid  
13 for by government funds, that might be a point of getting it  
14 declassified as fast as possible. And in fact you might want  
15 to go back to the polygraph guy himself, he might have a copy  
16 of it.

17           There's another tape that is held by a private party.  
18           And this is an audio tape of another suspect, Lorann Hall.  
19           And this was made during the time of the Garrison investigation  
20           when Hall was under intense pressure and being actually harassed  
21           and some people say physically harassed to stop him from talking.  
22           At this time Hall went to this guy and presented him an audio  
23           tape. And he said, keep this in case anything happens to me  
24           and then release it to the press if something does. Well nothing  
25           happened to Lorann Hall and this man still has the audio tape,

1 which he says he has never listened to. So I strongly suggest  
2 that you subpoena that and get that in the National Archives.

3  
4 And I hope some day that the Board actually get into  
5 the National Security Agency because I think -- I would like  
6 to see all the files on Walter Sheridan who is supposed to have  
7 been a counter-intelligence chief at the NSA and who was a chief  
8 obstructionist at the time of the Garrison investigation.

9 The Board has the HSCA transcript of the Shaw trial.

10 But according to what I've looked at, there are still witness'  
11 testimony that you don't have and that's because these were  
12 recorded in stenographic notes. The stenographic notes are not  
13 part of the record or else the Board has not had them transcribed  
14 yet. If you don't have the stenographic notes then I think you  
15 should send Mr. Montague down to Miss Helen Dietrich's son down  
16 in New Orleans who probably still has the stenographic notes  
17 and those should become a part of the record.

18 I don't have to tell the Board that Guy Banister is  
19 an important figure in all this intrigue. There's two leads  
20 outstanding pertaining to Guy Banister's files. One is a man  
21 named Allen Campbell who is a former employ of Guy Banister who  
22 is still alive and who recently moved from New Orleans to  
23 California. His brother Dan Campbell told me that Allen  
24 actually has some of the original files removed from Banister's  
25 office at 544 Camp Street. And also Ed Hazland relates that  
in his book he was actually shown these files by Ed Butler down

1 in New Orleans when Butler and Al Knoxa<sup>89</sup>, Jr. were part of the  
2 contra-resupply effort going to New Orleans in the 1980s. So  
3 I would strongly suggest that you subpoena both of those people  
4 to see if they still have any of these files. Dan Campbell told  
5 me Allen still has them, and Allen Campbell confirmed this with  
6 me in an interview I did with him in 1994.

7  
8 In a recent memo found in the Garrison's files it's  
9 revealed that William Walter, a former employee of the FBI, told  
10 Garrison in 1973 that the FBI through Wackenhut, the Metropolitan  
11 Crime Commission and Aaron Kohn, had wire tapped his office.

12 DR. HALL: What was the year again, I'm sorry?

13 MR. DIEUGENIO: Of the interview with --

14 DR. HALL: Yes.

15 MR. DIEUGENIO: And these taps led to the technical  
16 services branch of the FBI headquarters in New Orleans. These  
17 tapes were transcribed and then sent to Washington. Walters  
18 knew this because he had worked there and his wife had actually  
19 done the transcribing. Both he and his wife should be subpoenaed  
20 to see if they have any physical evidence left of that wiretapping  
21 operation, which was probably illegal.

22 And this relates to the defleeced Justice Department  
23 on Garrison, which according again to my sources in Washington,  
24 is about 90 percent withheld at this time. And it's awaiting  
25 a third agency review. And that agency is probably the CIA,

1 since many of the -- on these classified files shows that the  
2 FBI liaison person with the Justice Department was James Hunt,  
3 who appears to be James Angleton's operations officer. And this  
4 is significant because the Justice Department, to put it mildly,  
5 offered no help to Garrison at anytime, actually monitored and  
6 impeded his investigation. And James Angleton seems to be the  
7 man at the CIA who at this time appears to be running Lee Harvey  
8 Oswald. That file is very important in my opinion, and that  
9 should be pretty high on the priority list at this time.

10 Now the equivalent of that file at the CIA would also  
11 be important, but the location on this one would be more complex.

12 There's a long 1967 CIA memo referring to Garrison's discovery  
13 of the Cuban exile training camp at Bellechase. This trust looks  
14 like it was held in trust to the CIA through Schlumberger Tool  
15 Company, and this was used to prepare Cuban exiles at the time  
16 of the Bay of Pigs invasion. This very detailed memo on this  
17 camp could only have come from someone who had imminent knowledge  
18 of it at an operational level. And this was written by David  
19 Phillips. The routing of this memo goes to six places within  
20 the CIA. This includes a special counter-intelligence file on  
21 Jim Garrison. It goes to James Angleton and it also goes to  
22 the infamous Office of Security headed at that time by Paul  
23 Gainer, the other man in the CIA who had extensive files on Lee  
24 Harvey Oswald, and according to Jim Hogan, kept a separate file  
25 on homosexuals in employ of the CIA. I think that routing sheet

1 and the memo should be studied to see if it can take you to  
2 anywhere else within the CIA so you can start looking at these  
3 files to see what the CIA had on Garrison. And that becomes  
4 important because in the interview I did with Robert Tanenbaum  
5 he said that he actually saw a memo out of Richard Helms' office  
6 that concerned the monitoring and the harassment of Garrison's  
7 witnesses at the time of the Clay Shaw trial.

8  
9 Besides the names involved and their association with  
10 Oswald and the Warren Commission and the House Select Committee  
11 coverup activity, there's one other reason why I think that those  
12 last two files really should be looked at and pursued vigorously,  
13 and that's because of some notes and records I came across quite  
14 accidentally. They were written by a former employee of the  
15 CIA who had some knowledge of these activities first hand. And  
16 I'd like to read an altered and edited version of those notes  
17 and the reasons why it's edited and altered will become clear.

18 "I disagree with you on the House Committee Report. It is a  
19 continuing coverup of the original Warren Commission coverup.

20 The part seeking to neutralize the political motivations for  
21 the crime are of course ludicrous and contemptuous of the public.

22 Unlike you I know the report is a coverup because in the late  
23 1970s I decided to write up a synopsis of both my role in and  
24 knowledge of the conspiracy and the coverup. I was directly  
25 involved in the latter. I prepared this summary when I was  
debating whether or not to testify before the House Select

1 Committee. The synopsis turned out to be quite a document. In 92  
2 it I detailed the detailed subterfuge involved in the Aisle of  
3 Pines and Giron Bay parts of the Bay of Pigs operation. This  
4 was aided in part by Guy Banister. That debacle in turn set  
5 the stage for the conspiracy to kill John F. Kennedy. I went  
6 on to list five major parts of this elaborate CIA early  
7 disinformation plan  
8 to insure the safety of the conspirators. Number one, the  
9 coverup of Oswald's provocateur status. Number two, the  
10 squirreling away of the Castro assassination plots. Number  
11 three, the staged handling of the Mexico City charade with the  
12 help of KGB double agent Valerie Kastakoff. This helped to  
13 enlist the rest of the government into a coverup or risk World  
14 War III mode. Number 4, Howard Osborne and the Office of  
15 Security's successful disguising of Clay Shaw's true agency  
16 status from J. Lee Rankin, Jim Garrison and the House Select  
17 Committee. Number 5, the office of security's efforts to  
18 confuse the public to the secret sponsoring of books like  
19 Appointment in Dallas written by CIA asset Hugh McDonald. The  
20 effort to both create and destroy Garrison's hopeless  
21 investigation was headed by Osborne along with Helms and Dulles.  
22 The point of this was to capture, blunt and finally wreck the  
23 efforts of the critics to reopen a timely reinvestigation. In  
24 that sense a discreditation of Garrison completed the initial  
25 coverup. In the affidavit I name many of those I work with

1 operationally in that phase. This include CIA press stringers  
2 both here and abroad and the FBI agents involved through the  
3 criminal division of the Department of Justice. That particular  
4 phase of the coverup continued with the phony charges against  
5 Garrison by DOJ's Galinghouse. These also originated in the  
6 Office of  
7 Security. That's one that I myself refused to work on.  
8 Although begun by Osborne Office of Security continued the  
9 coverup through Gambino. This was needed since Bill Coleby  
10 sacked Osborne during his struggle with James Angleton over Yuri  
11 Nosenko and other matters. At this stage OS shifted to another  
12 level what with the Bass tapes of the church committee and the  
13 Schweiker report. This led to the untimely death of William  
14 Harvey since in the last ditch effort Angleton had hinted between  
15 leaving the plot between Harvey, Osborne, Helms and Dulles.  
16 This is what appears to be elaborate and obfuscatory internal  
17 defenses at CIA whose linchpin is the Nosenko controversy.  
18 I also listed what I knew about the actual conspiracy  
19 since it was planned simultaneously with the coverup are  
20 essentially one in the same. I listed the probable main assassin  
21 behind the fence a CIA/mafia contract assassin and former agent.  
22 I listed the weapons used directly silenced rifles designed  
23 by Mitch Warbell and the ammunition which was frangible  
24 projectile pellets. Needless to say, what happened at that  
25 committee I decided not to testify."

1 I am unable to check out all of this. A lot of it  
2 does seem true and it could only be written by someone within  
3 the CIA. The details were just not available at that time.  
4 But that's another reason why I think that those particular files  
5 will be useful. And if you can't get anything out of them I  
6 would subpoena the survivors of James Angleton and Paul Gainer.

7 One last word, if I can editorialize like some of these  
8 other people have before me, even though I was told I was only  
9 supposed to get 15 minutes. This Review Board is really in my  
10 view the last ditch hope for ever getting the truth about the  
11 Kennedy assassination. And even though a lot of people say it  
12 doesn't matter, I think if you'll examine the record it does  
13 matter. And the reason it matters is very clear from Kevin  
14 Phillips book Arrogant Capital. In that book he displays a chart  
15 of the increasing cynicism about government. And that chart  
16 begins a nose dive in 1964. And Kevin Phillips is no liberal  
17 or John F. Kennedy lover, but he's simply an honest man. And  
18 he said that nose dive was precipitated by the issuance of the  
19 Warren report and I tend to agree with that.

20 After the film JFK brought this terrible state of  
21 affairs to public consciousness you five people were then  
22 appointed to begin speaking frankly and knowledgeably about what  
23 had happened to these files and where they can be located today.  
24 Very few people, including myself, think that you'll be able  
25 to finish this task, and if that occurs I believe the attempt

1 to reconstitute this Committee must be made. If you don't try  
2 and at least half heartily or whatever to do so, then I think  
3 you're going to lose the moral high ground in this struggle,  
4 which I think today that you still have. If you don't take that  
5 seriously then I think that basically this will be another failed  
6 investigation. And I understand it's not really an official  
7 investigation, but it is an investigation into the total amount  
8 of files that are left and some of the validity of the evidence.

9 And since you have the right to depose people on the validity  
10 of that evidence, there are some people that should be cross  
11 examined on this point and they should be out there for the record  
12 for the American public to see.

13 And if you decide not to attempt to reconstitute, then  
14 I think a really honest final report has to be written in which  
15 you actually detail where you tried, where you failed, who you  
16 got cooperation from and who you didn't from. That's the kind  
17 of report that Bob Tanenbaum, who's one of the very few heroes  
18 in this whole travesty would have written if he would have been  
19 forced out at the end of the House Select Committee instead of  
20 at the beginning. In that way the research can get to others  
21 who will keep after this long after you're gone. They will be  
22 able to make an honest judgment about your work.

23 I prefer that you attempt to reconstitute. This  
24 country has lost five hundred billion dollars through the S and  
25 L crisis, through lack of oversight. A hundred and eighty

1 billion dollars in a war in Vietnam which never would have  
2 happened if proper oversight would have been installed in the  
3 first place. Billions more in the secret arming of Iraq from  
4 a lack of oversight. And if we can use that kind of money,  
5 approaching a trillion dollars, then we can sure spend the  
6 peanuts to reconstitute this Committee to finally get some truth  
7 about what happened in 1963.

8 Thank you.

9 CHAIRMAN TUNHEIM: Thank you, Mr. DiEugenio. We have  
10 about a minute or so for questions if there are any from members  
11 of the Board.

12 DR. HALL: I have a very brief question, a very direct  
13 question with a simple answer. As I have understood your  
14 testimony, you indicate that you have sources that have knowledge  
15 about documents in the existing governmental system. Would you  
16 be willing to share the names of those sources with us?

17 MR. DIEUGENIO: Do you mean those nameless sources  
18 I talked about in Washington?

19 DR. HALL: Yes.

20 MR. DIEUGENIO: Yes. Peter Villa, who goes to the  
21 Archives all the time, and Bill Davy.

22 DR. HALL: Thank you.

23 CHAIRMAN TUNHEIM: Thank you very much. We  
24 appreciate your testimony here today.

25 Our next witness is Mr. David Lifton. Mr. Lifton is

1 the author of Best Evidence: Disguise and Deception in the  
2 Assassination of John F. Kennedy. It's a book that focused on  
3 the medical evidence in the case and he's currently working on  
4 a book about Lee Harvey Oswald. Welcome, Mr. Lifton.

5 \\  
6 \\

7  
8 DAVID LIFTON

9 Author of Best Evidence: Disguise and Deception in the  
10 Assassination of John F. Kennedy

11 MR. LIFTON: Chairman Tunheim, Members of the Review  
12 Board, I want to thank you for asking me to testify here today.

13 From everything I've observed the Review Board is doing  
14 excellent in getting classified documents released to the extent  
15 allowed by law. In addition, although I know you are not  
16 chartered by Congress to reinvestigate, I suspect that when you  
17 close shop the record will show that you have taken the most  
18 significant steps possible to clarify the record 33 years after  
19 the event.

20 Although transcripts have not been released, the fact  
21 that you have deposed the three autopsy doctors and the autopsy  
22 photographer constitutes a significant milestone and indicates  
23 your seriousness of purpose in attempting to answer unanswered  
24 questions while there's still an opportunity to do so. Because  
25 in the final analysis what you believe about the assassination  
of President Kennedy is really a function of what you believe

1 about the integrity of the autopsy and the body of the President  
2 at the time of that autopsy.

3           On a personal level let me provide an example in  
4 another area of what this law has meant to me, and would mean  
5 to any future researcher or historian who wants to discuss the  
6 planning of the Dallas trip and particularly how the motorcade  
7 route was selected. Jerry Bruno, who worked closely with JFK  
8 was the political avanceman for the Dallas trip. The Warren  
9 Commission never interviewed him. Not only didn't they  
10 interview him they didn't appear to know who he was. I have  
11 seen one memo in the Archives in which one Warren Commission  
12 attorney said, he heard there was a Bruno connected with the  
13 planning of the trip. Maybe they should look into that. Well,  
14 they never did.

15           Bruno's role was first discussed in the William  
16 Manchester book Death of a President. In 1971 Bruno published  
17 his own book Advance Man with Jeff Greenfield, who we regularly  
18 see on ABC evening news, a book in which he spelled out in detail  
19 the argument between himself and Governor Connally and other  
20 Texas political players over the Dallas luncheon site, which  
21 in turn determined the motorcade route. In 1976 the House Select  
22 Committee on Assassinations was created. I went to Washington,  
23 D.C. spoke with Belford Larson the staff attorney in charge of  
24 that area. He too had never heard of Bruno and was unaware of  
25 the fact that Bruno had written a book. I told him who Bruno

1 was and why he must be called. The document Belford Larson wrote  
2 summarizing my meeting with him is now available. In 1978 Bruno  
3 was deposed by the HSCA, but when the HSCA report was released  
4 in 1979 the transcript of his testimony was not included in the  
5 published documents. In fact, it had been placed under seal  
6 for 50 years, which meant it would be available in 2028, 28 years  
7 past the millennium. Maybe by that time we'll know whether  
8 there's life on Mars. Now, in 1994, as a result of the JFK Act  
9 that transcript is available, and it is immensely important.

10

11

I would like you to know what this law has meant to  
12 me in terms of my own time scale. I was 31 years old when I  
13 read Bruno's book, 36 years old when I met with HSCA and said  
14 call Bruno, you must call Bruno, 38 years old when he was deposed  
15 in a closed-door session, 40 years old when the HSCA report was  
16 released, and I found to my chagrin that the Bruno testimony  
17 was locked up for 50 years. And then two years ago when I was  
18 54, and because of this law, I was finally able to read Bruno's  
19 sworn testimony, for which I believe I was somewhat responsible.

20

Future generations will not have to go through that  
21 process pursuing an assassination record for the better part  
22 of a lifetime. And I commend the Congress for passing this law  
23 and a Review Board for doing their level best to implement it.

24

My main reason for appearing here today is to discuss  
25 my imminent transfer to the ARRB of my earliest and most

1 significant interviews of Parkland and Bethesda medical  
2 witnesses, an important part of the database for my book Best  
3 Evidence. I'm not here to propound or defend any theories, but  
4 rather to lay the ground work for making available to future  
5 generations of researchers substantial portions of the data on  
6 which I rely.

7           When I interviewed these doctors, and other witnesses,  
8 starting in '66, I asked questions no one had thought to ask  
9 before. For example, what was the length of the tracheotomy  
10 incision made in Dallas? The value of these accounts are that  
11 these are the earliest answers on record to these new and  
12 significant questions.

13           Jumping ahead to 1982. When I had obtained the  
14 autopsy photographs made available via an intermediary by a  
15 retired Secret Service agent, James Fox, I brought these  
16 photographs to Dallas and was the first person to show several  
17 of the Dallas medical staff the pictures, basically asking is  
18 this what you saw? The Commission never did that, nor did the  
19 House Select Committee 13 years later in their investigation.

20           None of the Dallas doctors were ever shown autopsy photographs  
21 by any official investigative body. My 1982 and '83 interviews  
22 in which I did exactly that are on the list of what I am donating  
23 in addition to the imminent transfer of my audio tape interviews,  
24 which I've already agreed to with Mr. Samoluk. I'm also willing  
25 to provide transcripts of my 1989 and '90 filmed interviews with

1 several of these same doctors, if desired.

2           Turning now to the report of the two agents who  
3 attended the autopsy, James Sibert and Francis O'Neill. I  
4 interviewed Sibert in early November 1966 questioning him about  
5 the statement in his FBI report in which he quotes the head  
6 pathologist at Bethesda autopsy, Commander Humes, is saying it  
7 was "apparent" that when the President's body had been put on  
8 the table there had been "surgery of the head area namely in  
9 the top of the skull." Sibert said the statement was true.  
10 I tape recorded the conversation. I am donating a reference  
11 copy of that tape to the ARRB for transfer to the JFK Records  
12 Collection. And for those concerned with the taping of  
13 telephone conversations this was 30 years when the laws were  
14 quite different and in any event all statutes have run and I  
15 might add that I only tape recorded the FBI in cases of national  
16 security.

17           I interviewed Commander Humes, the lead autopsy  
18 pathologist, on November 2nd, 1966 and November 3rd, 1966, just  
19 days after he had been shown the Kennedy autopsy photographs  
20 for the first time. I also questioned him about the surgery  
21 statement and the Sibert/O'Neill report. Substantial portions  
22 of those conversations are printed in my book. I am donated  
23 high quality reference copies, computer enhanced I might add,  
24 to the ARRB for transfer to the JFK Records Collection.

25           In 1967 I interviewed Godfrey McHugh, Kennedy's Air

1 Force aid who attended the autopsy in attempting to develop a  
2 chain-of-possession on the President's body, something the  
3 Warren Commission never did. I interviewed the members of the  
4 military casket team who transported the Dallas coffin from  
5 Andrews Air Force Base to Bethesda Naval Hospital. These  
6 include General Phillip Wehle, the Commandant, or the Commander,  
7 of the Military District of Washington as well as all the members  
8 of the team which met Air Force One upon its arrival from Dallas.

9 The same squad, as it turned out, who escorted the body to grave  
10 site on Monday, November 25th. The members of the casket team  
11 include Hubert Clark, the young sailor from New York; James LeRoy  
12 Felder, the Army Sergeant from South Carolina; Timothy Cheek  
13 for the Marines from Florida; Coast Guardsman George Barnum from  
14 Lake City, Minnesota and Army Special Fourth Class Douglas  
15 Mayfield from San Diego. I even interviewed Lieutenant Burr  
16 the Army Captain whose memory was largely lost by 1967 when he  
17 took a bullet in the head in Vietnam, and who I was able to speak  
18 with when a nurse brought a telephone to his bedside at the  
19 hospital where he was recuperating from his near fatal wounds.

20 What hospital, John F. Kennedy Hospital in Memphis, Tennessee.

21 None of these men were interviewed by the Commission.

22 Moreover, I am also contributing my copy of Coast Guardsman  
23 George Barnum's written report made in December, '63, an account  
24 of which has many valuable details and one that was written  
25 because a relative of his, who had a connection -- a distant

1 connection with the Lincoln assassination from a previous  
2 generation -- told young George write everything down it may  
3 be important. Well, it is.

4           Finally, I have brought with me today a very special  
5 copy of the Zapruder film of President Kennedy's assassination.

6       And this relates somewhat to what attorney Belin was referring  
7 to earlier. As everyone knows the original was an eight  
8 millimeter positive. Copies of that film were immediately made  
9 for the FBI and the Secret Service, and within days Zapruder  
10 sold the original to Time Life. Although it was reported at  
11 the time that he obtained \$25,000 for his film. In fact, the  
12 contract, which I provided ARRB shows he was paid \$150,000.

13 And that would be about a half million dollars today. I disagree  
14 with Belin who said it would be a million. I had a banker compute  
15 this and that's one of the many things we would probably disagree  
16 on is the rate of inflation since 1963. The payments were made  
17 in a series of six \$25,000 payments that occurred shortly after  
18 the first of each year through 1968. Despite the substantial  
19 price paid for the film, for all rights, it was not exploited  
20 by Time Life as a motion picture film,

21 i. e., it was never shown on TV or sold in any documentary form  
22 as a moving pictures. No newsreels, no TV specials, nothing.

23       Yet one of the most controversial aspects of the film were never  
24 addressed by the Warren Commission was the violent backward  
25 motion of the head depicted on the frames following the fatal

1 shot. What this means has been debated back and forth over the  
2 years. Passions run high on both sides. For reasons I never  
3 understand, the Warren Commission failed to address the issue.

4 In other words, if we're to believe the record, the Warren  
5 Commission apparently didn't notice the very thing which has  
6 fueled the assassination debate for three decades. And of  
7 course the public didn't even know it was an issue because Time  
8 Life chose not to show it as a motion picture film after paying  
9 \$150,000 for those exclusive rights. I might add, Professor  
10 Liebeler appeared here this morning and put the B.K. Jones  
11 report, a fellow from UCLA, on the table here and his contributing  
12 it. Thank you very much Professor Liebeler we already have that  
13 in the Archives. That was contributed 15 or 20 years ago with  
14 the Rockefeller Commission when that was already submitted to  
15 try to explain the backward snap of the head. But in anyway  
16 it's being resubmitted and I suppose there's no real danger in  
17 recycling that sort of thing.

18 The film is important for another reason. Because  
19 Zapruder was filming through a telephoto lens, some of the frames  
20 show the wounds and so the film constitutes an unusual  
21 photographic record of the President's wounds in Dallas. In  
22 order to do any work with the Zapruder film, whether about the  
23 wounds or about the motions shown, the velocity, the car, et  
24 cetera, the clearest possible copy is required. In commercial  
25 production applications a device known as an optical printer

1 is normally used to copy motion picture film frame by frame  
2 particularly if blowups are to be made. But optical printers  
3 are not designed to accept home movies which are an eight  
4 millimeter format. In 1967 Life sent the film to Manhattan  
5 Effects, later EFX, a New York City film lab. Where film  
6 technician Moses Weitzman designed a device permitting a high  
7 quality full commercial optical printer to accept an 8 millimeter  
8 home movie film. Then in one fell swoop he enlarged the Zapruder  
9 film from 8 millimeter to 35 millimeter format. The kind used  
10 in standard motion picture work. The result is stunning as  
11 anyone knows who has seen the movie JFK, or who has purchased  
12 a laser disk copy of that film. One reason for the clarity is  
13 that Weitzman used a liquid gate, or a wet gate as it's called,  
14 which permits a liquid of the same index of refraction as the  
15 emulsion of the film to come in contact with the frame when it  
16 is imaged. The result is that scratches are eliminated or  
17 greatly reduced in the copy. The very best of these 35  
18 millimeter negatives and interpositives were given to the  
19 customer Time Life and I would hope that Review Board would  
20 attempt to locate these with all resources you have available  
21 to you. They are a priceless record of our history. But with  
22 regard to the 35 millimeter negatives, known as technician  
23 copies, which Weitzman kept in his lab, these he gave to another  
24 researcher and they remain as they always have, completely  
25 unavailable to the research community. But in 1990 before that

1 transfer took place, I had the opportunity to work with one of  
2 these 35 millimeter negatives. The best of the lot I'm told.

3 One which had been loaned to the producer of the TV show Nova  
4 by Weitzman. First I supervised making  
5 high quality timed liquid gate contact interpositives. Then,  
6 using funds provided by several researchers -- and this project  
7 cost between 10 and \$15,000 -- I rented the services of an optical  
8 lab in New York and for about a week I worked at the optical  
9 printer taking the next step that would be necessary by an  
10 archivist in order to preserve the record and create a progenitor  
11 for all future 35 millimeter prints. Operating the printer  
12 myself I also made high quality liquid gate interpositives from  
13 the 35 millimeter negative. Then I made interpositive blowup  
14 sequences directly from that same 35 millimeter interneg. Some  
15 focusing on Kennedy, some on Connally, some on the two Secret  
16 Service agents in the front of the car.

17 I'm holding here one of those 35 millimeter  
18 interpositives. It's a timed liquid gate contact  
19 interpositive, which I am today donating to the ARRB for  
20 placement in the JFK Records Collection. From this archival  
21 item, this 35 millimeter interpositive, it should be possible  
22 to make many negative positive pairs. That is, this 35  
23 millimeter interpositive can be the progenitor of many 35  
24 millimeter internegatives and they in turn can be used to create  
25 35 millimeter positives, whether they be slides or motion picture

1 film. Although I defer to Moses Weitzman, you can call this  
2 item the Lifton interpositive made from the Weitzman  
3 internegative. I cannot over emphasize the high quality of the  
4 original Weitzman internegative. One researcher who has worked  
5 in this area tells me that although he has bought rights for  
6 the film from the Zapruder family, when it comes to actually  
7 using pictures for his book, the negative from this  
8 interpositive, producers' positive images that are clearer than  
9 he can obtain from the corresponding source item at the National  
10 Archives. It does not surprise me that this is the case because  
11 Weitzman is a fine technical person and the internegative he  
12 made, which was done in 1967, is certainly equal and probably  
13 better than anything made by Life for the FBI or Secret Service  
14 back in '63 and '64, and may be better than anything made today  
15 in 1996 depending upon what has happened to the original film  
16 over the intervening decades.

17           With regard to this item, I am donating this negative  
18 to the ARRB without any copyright claim whatsoever. This copy  
19 has one limitation, the left hand 20 percent. The images between  
20 the sprocket hole is not visible precisely because it was copied  
21 on a standard commercial optical printer. Which brings me to  
22 my final point. I would like the Zapruder family, i.e., the  
23 LMH Company, to donate the original Zapruder film to the JFK  
24 Collection in the National Archives. As mentioned before, they  
25 were paid \$150,000 from 1963 through 1968. Plus the contract

1 indicates additional monies from foreign and other sales. 108  
2 about 1975 Life sold the film back to Zapruder for \$1.00. Then  
3 the process started again. The film remains in the control of  
4 the Zapruder family. Tens of thousands of dollars have been  
5 flowing to the Zapruder family every time a significant Kennedy  
6 assassination anniversary rolls around. Every time any  
7 producer or network or broadcast entity wants to do a film on  
8 this subject. To the Zapruder family I ask, when is enough  
9 enough. I have been in too many situations where people, serious  
10 researchers or producers, could not use this film because they  
11 could not afford it. I myself could not use the Zapruder film  
12 in the best evidence research video. A serious video dealing  
13 with issues pertaining to the autopsy and distributed nationally  
14 by Rhino Video via MCA, because of the extraordinary \$1.00 per  
15 cassette charge that Henry Zapruder, Abe's son, told me, "Sounded  
16 about right for a royalty." And so we use a diagram instead.  
17 And so I say to the Zapruder family, donate this film to the  
18 National Archives, not a copy but the original. It is the  
19 Rosetta Stone for this case and the issue now is authenticity.  
20 If the film has not been tampered with then it is an accurate  
21 record of the wounds and it is a time clock of the assassination.  
22 However, and more importantly, if the film has been tampered  
23 with in some way, as may have alleged and I might add I believe,  
24 then that matter must be investigated in the future. In short,  
25 it represents an assassination record that has to be clarified

1 and that cannot be done properly by examining a copy. This is  
2 the week to do it, Mr. Zapruder. Inscribe yourself in the book  
3 of life forever. Donate your father's film to the JFK Collection  
4 at the National Archives. Remove all copyright constraints,  
5 it is the right thing to do. I am now handing over a list of  
6 audio interviews I intend to be donating to the Archives, plus  
7 this film.

8           Again, I want to thank the Review Board for the work  
9 they are doing. I think few people in the public realize the  
10 enormous number of documents involved or the complications  
11 involved in organizing such a huge database and clearing it for  
12 release. Thank you all.

13           CHAIRMAN TUNHEIM: Thank you very much, Mr. Lifton.  
14 Thank you so much for the donations. They are very significant  
15 and I think will be very helpful to the interest of the American  
16 public. Any questions for Mr. Lifton?

17           (No response.)

18           CHAIRMAN TUNHEIM: Thank you very much.

19           Our last witness today is Mr. Steve Tilley from the  
20 National Archives. Before I ask Mr. Tilley to come forward if  
21 we ran out of time earlier in the hearing when Eric Hamburg was  
22 up, and I wonder Mr. Hamburg if you'd be willing to come back  
23 up. There's several members who have a couple questions for  
24 you before we turn to Mr. Tilley. Doctor Hall.

25           DR. HALL: Yes, Mr. Hamburg, thank you very much.

1 I have two questions and I'm going to state them as succinctly  
2 as I can in the hope that you will respond with equal directness  
3 in view of the hour.

4           First I'm wondering, especially in light of the  
5 testimony we've heard this morning and the substantial  
6 disagreement I think that exists about what occurred at the  
7 assassination and the role and significance of the movie JFK  
8 whether you or Oliver Stone or Warner Brothers would be willing  
9 to share as part of the Collection of material that would go  
10 into the National Archives, those items that would pertain to  
11 the conclusions you reached in the film itself.

12           MR. HALL: Well, let me just set the record straight  
13 on one part. I cannot claim any credit for the film JFK. I  
14 wish I could. I personally think it was a great film. But I  
15 was in Washington at that time. I was working on Congressman  
16 Hamilton's staff. I was not a producer on JFK, although I was  
17 on Nixon. So I can't really speak for the making of that film.

18           I could convey the request to Oliver. I'm not sure specifically,  
19 but whatever materials would be relevant to you that he could  
20 provide, or that we could provide, I'm sure that we would be  
21 happy to do that.

22           I don't really want to rehash the whole debate over  
23 JFK, I think that's been done adinfinitum. I mean, I think as  
24 we would say in Washington, I'm going to put Mr. Belin down as  
25 undecided and just leave it at that. He has a right to his

1 opinion, and that's fine.

2 DR. HALL: My goal is not to rehash it either, and  
3 I think the Board's goal isn't that as well. But the film does  
4 I think serve an important purpose in the public debate and it  
5 would be interesting to have whatever materials figure in the  
6 reconstruction of the historical events that it depicts, the  
7 kind of sources, the kind of information that were used in the  
8 film. It might be an appropriate part of the JFK Collection.

9 MR. HAMBURG: Sure, absolutely. I think as far as  
10 the Garrison material, Zack Sklar, who was the co-author of the  
11 screen play had a lot of it because he had been the editor on  
12 Garrison's book On the Trail of the Assassins. That was how  
13 he came into the process. And he co-wrote the screenplay. And  
14 he had a lot of the Garrison files, which I believe he's donated  
15 to the AARC in Washington. He may still have some and we may  
16 have some materials. There was a lot of research that went into  
17 that film. I mean, I will say this, there was a book published  
18 -- Doctor Nelson was talking about the value of annotated  
19 manuscripts. An annotated version of this script was published,  
20 which contained all the sources that were used that were drawn  
21 upon. I think Oliver has made the point many times, there was  
22 nothing really new in that film. It was all drawing on the work  
23 that had been done by other researchers and investigators.

24 DR. HALL: Well there is I think kind of an interesting  
25 set of issues related to how one comes to make these conclusions

1 and then transmits them more generally. And of course for those  
2 of us who have seen the movie Nixon there are similar assertions  
3 that are made in somewhat what strikes me in vaguer tones with  
4 a disclaimer at the end.

5 MR. HAMBURG: We did also publish and edit an  
6 annotated version of the Nixon script. I did edit that book.  
7 It's been published, it's available. In fact, I gave a copy  
8 to Mr. Samoluk. And you know we, again, did a lot of research  
9 from a lot of sources, not all of which agree with each other.  
10 And I would leave it to the historians to draw the final  
11 conclusions. We've had an exchange, as you know Doctor Nelson,  
12 she had published a piece criticizing Oliver, criticizing our  
13 film and we responded.

14 DR. NELSON: That's not quite.

15 MR. HAMBURG: Well let me just say this, I think  
16 there's considerable evidence for the proposition that Nixon  
17 knew about the plots against Castro, was involved in them. We  
18 drew on the work of Michael Beschloss, Arthur Schlesinger or  
19 Fawn Brody and John Newman among others who are very reputable  
20 historians. Now there may be other historians who disagree,  
21 that's fine. I do think though that members of the Board should  
22 be a little bit careful in expressing an opinion on issues which  
23 are relevant to the matters under review by this Board. I think  
24 that can lead to an appearance that there's a lack of objectivity,  
25 which I think can be very damaging to the credibility of the

1 Board potentially. I think Mr. Tunheim knows as a Federal Judge,  
2 that if you were sitting on a case and you published an article  
3 expressing an opinion on the merits of the case that was under  
4 review, you would probably be recused from that case. So I just  
5 think that for the sake of objectivity it's important to be very  
6 careful about that.

7 DR. NELSON: Mr. Hamburg, my article, which was in  
8 the article of Higher Education, had to do with access to the  
9 Nixon documents. And I believe my point was that this is what  
10 happens when you don't release documents. So it was not a direct  
11 -- it had nothing to do with the JFK film. It had to do with  
12 the Nixon film, and actually had to do with what we are now doing,  
13 that is to say releasing documents.

14 MR. HAMBURG: No, I agree with your basic point that  
15 the Nixon --

16 DR. NELSON: I didn't want to mislead the audience.  
17

18 MR. HAMBURG: We wrote a letter responding. I think  
19 --

20 DR. NELSON: Of course and that was fine.

21 MR. HAMBURG: -- some of the opinions expressed, that  
22 of peace. But, you know, I agree with that basic point. I would  
23 say on that point that Nixon in his own memoirs said that he  
24 was never able to get from the CIA all of the files that he had  
25 requested pertaining to Cuba and the Bay of Pigs and so on.

1 This is in his own memoirs. And we've cited that in our book.

2 But it's important to seek those files because as we've pointed  
3 out it was his own Chief of Staff Haldeman who expressed the  
4 opinion that the Bay of Pigs thing was Nixon's code word for  
5 the Kennedy assassination. There are references on the White  
6 House tapes, particularly June 20th and June 23rd, '72, to that  
7 matter. I think it would be worth trying to get from the CIA  
8 those files which Nixon himself as President was unable to obtain  
9 from the CIA.

10 DR. HALL: Again, in the interest of time, I wonder  
11 if I might pose a question to you here. Your testimony, both  
12 written and oral, has indicated that you believe the Cuban  
13 government would be receptive to the Board meeting with it with  
14 regard to materials that they hold ranging across a spectrum  
15 of activities including perhaps the operations of their own  
16 internal security officials, which of course would be  
17 interesting indeed. Can you tell me on what basis you reach  
18 that conclusion?

19 MR. HAMBURG: Well, as I said, I spent considerable  
20 time there. And I'm not an official government person, although  
21 I had worked on this legislation and worked in the Congress.

22 I personally met with Fidel Castro with a number of his top  
23 officials and advisors and I spent many many hours and days with  
24 General Escalante who was in charge of their investigation.  
25 And I think they're very eager to present this information, but

1 I think they're looking for --

2 DR. HALL: The Cuban government hasn't said to you,  
3 Gee, why don't you tell the Review Board that we would be  
4 delighted to speak with them on this matter.

5 MR. HAMBURG: No, they haven't said that  
6 specifically. But they did complain to me, for example, that  
7 the Warren Commission did not do enough to request information  
8 which they had within their purview. And I think the House  
9 Select Committee didn't really go as far as they could have with  
10 this. But, I'm just expressing my opinion. I think Mr. Gunn  
11 of your staff has actually met General Escalante at a conference  
12 in Nassau. I wasn't able to get to that conference. I'm just  
13 saying they have a lot of files. What he's told me is, basically  
14 these files go back to the period of '60 to '63. And they are  
15 not computerized or -- they have to go back and dig these things  
16 out, but they have voluminous files. They had a lot of  
17 informants in the Cuban community in Miami, in New Orleans, in  
18 Dallas and elsewhere, and they have a lot of files which basically  
19 are relevant to this matter which I think -- I think if an official  
20 request were made they would be receptive. Castro himself has  
21 made statements that he would make these available if they were  
22 requested.

23 DR. HALL: Thank you very much.

24 CHAIRMAN TUNHEIM: Thank you, Mr. Hamburg.

25 Mr. Steve Tilley. Mr. Tilley has been from the

1 beginning the Review Board's liaison at the National Archives.

2 He is the caretaker of the JFK Collection and he is going to  
3 provide for the Review Board an update on the contents of the  
4 Collection. And in the past has provided very helpful  
5 information for the Board. Welcome Steve and thank you.

6 STEVE TILLEY

7 National Archives, Caretaker of the JFK Collection.

8 MR. TILLEY: Thank you very much, Mr. Chairman. It's  
9 always a pleasure to appear before the Board.

10 The President John F. Kennedy Assassination Records  
11 Collection Act of 1992 gave seven specific responsibilities to  
12 the National Archives, but for the purposes of today's discussion  
13 I will touch on the three that are the most important for the  
14 research public.

15 First, within 45 days of the statute being signed,  
16 the Archives was required to prepare and make available standard  
17 identification forms used by all government offices in  
18 describing assassination records. Furthermore, the Archives  
19 was required to insure the creation of a database for  
20 identification forms to serve as an electronic finding aid to  
21 the Collection. This database has been available since the  
22 Collection opened for research in August of 1993. It currently  
23 contains over 175,000 identification forms, and as of last  
24 February is available for research via the internet. I have  
25 with me some blue book marks which we have had published at the

1 Archives and we've had them available out on the table and this  
2 gives the internet address for the Collection for those who want  
3 to research it via the internet.

4 I want to emphasize that the database does not contain  
5 the actual text of documents. The database consists of the  
6 record identification forms created by each agency as the  
7 documents were reviewed. Secondly, the database has not been  
8 updated to reflect decisions made by the Review Board and other  
9 changes in the status of some documents. The National Archives  
10 is currently working on that issue and we hope to be able to  
11 start updating the database within a few months.

12 My second responsibility was to establish the  
13 President John F. Kennedy Assassination Records Collection.  
14 On December the 28th, 1992, the National Archives established  
15 the Collection by an announcement published in the Federal  
16 Register on December the 21st of that year. This announcement  
17 also solicited open assassination records from all federal  
18 offices for inclusion in the collection. As established on that  
19 date the Collection consisted of open records already in the  
20 custody of the National Archives including the Warren  
21 Commission, the Secret Service, the criminal division of the  
22 Department of Justice, a portion of the CIA's 201 personality  
23 file on Lee Harvey Oswald and donated records from several  
24 presidential libraries.

25 A third responsibility, which we shared with other

1 government offices, was to identify, review and make available  
2 to the public all assassination records that could be disclosed  
3 under the provisions of the law within a 300 day review period.

4 All records reviewed during this period were required to be  
5 entered into the database and have a record identification form  
6 attached. At the end of the review period the newly released  
7 records were made available, including the remainder of Oswald's  
8 201 file, the first portions of the CIA segregated collection  
9 of related assassination records, the records of the House Select  
10 Committee on Assassinations and records of several DOJ  
11 components, although none from the FBI.

12 The first records of the FBI were transferred in  
13 December of 1993 beginning with the headquarter and field office  
14 files on Jack Ruby. Since then the FBI has transferred records  
15 relating to Lee Harvey Oswald, Marina Oswald, David Ferrie, Clay  
16 Shaw, Sam Giancana, Marie DeLorenz, Carlos Marcellos, Santos  
17 Trafficante, and many other individuals and subjects. We are  
18 scheduled to receive approximately 40 additional boxes of FBI  
19 records on Friday of this week. My understanding is that those  
20 records particularly apply to Johnny Rosselli and additional  
21 files at the FBI are also under review.

22 The CIA made additional transfers of records in  
23 September and December of 1994 providing the remaining portions  
24 of the segregated collection. The records transferred in  
25 September related primarily to the CIA's work with the Cuban

1 exile groups in the early 1960s, while the latter transfer of  
2 consisted of the notes taken by HSCA staff members during its  
3 review of CIA documents. I must point out, however, that only  
4 a portion of the Oswald 201 file and the notes of the HSCA staff  
5 members can be searched in the database. The CIA has run into  
6 difficulty with their program for creating data disks and we  
7 are waiting for the transfer of the remainder of these data disks  
8 for their records.

9  
10 The Collection includes the assassination related  
11 records of the Church and Pike Committees. While we have 41  
12 boxes of Church Committee records, a review of the Committee's  
13 published report and certain Committee documents indicates that  
14 there are additional assassination related records still in the  
15 custody of the Senate Select Committee on Intelligence. There  
16 have been contacts with the staff of the Committee to pursue  
17 this issue. The data disks of the records are still in our  
18 custody having been recently transferred and we plan to add them  
19 to the database shortly. We have recently identified  
20 assassination records among the records of several Congressional  
21 Committees already in our custody. The records of the Senate  
22 Internal Securities Sub-Committee of the Senate Judiciary  
23 Committee contain transcripts of executive session testimony  
24 and other documents relating to Ruth Paine, General Edwin Walker  
25 and the Fair Play For Cuba Committee. The records of the House  
Unamerican Activities Committee contain a variety of files on

1 several individuals along with files on the Fair Play For Cuba  
2 Committee.

3           The records of the Senate Select Committee on Improper  
4 Activities in the Labor or Management Field, known as the  
5 McClelland Committee, may contain assassination records. The  
6 index of these records remains in the custody of the Senate  
7 Committee on Government Operations. But a sampling of entries  
8 under Carlos Marcello and Santos Traficante produced references  
9 that indicate the probability of assassination relation  
10 documents among the records of the Committee.

11           Finally the records of the Sub-Committee on Government  
12 Information of Individual Rights of the House Committee on  
13 Government Operations, known as the ASZUG Committee, contain  
14 documentation concerning access of records to the Warren  
15 Commission and the Kennedy autopsy materials. We are working  
16 with the staffs of the various committees to add these relevant  
17 records to the Collection.           In the last year there have  
18 been some significant additions to the Collection. In 1995,  
19 the Secret Service turned over the shift reports of the agents  
20 protecting the President for November, 1963. Earlier this year  
21 the Service released records from the files of Chief James Reilly  
22 plus documents relating to the organization of the Service for  
23 the years 1961 and '62.

24           In October '95 the State Department released  
25 additional documents from the passport office. In April of this

1 year NARA received one cubic foot, approximately 2,500 pages,<sup>121</sup>  
2 of the Rockefeller Commission and the staff of the Ford White  
3 House from the Ford Library. These documents were released as  
4 a result of a review of the records of the Rockefeller Commission  
5 and the Ford White House staff by a CIA team which spent a week  
6 at the library. The remaining records of the Commission are  
7 still under review by the CIA and other agencies.

8           There are also acquired records donated by individuals  
9 under deeds of gift. The papers of Jim Garrison and Edward  
10 Wegmann were donated to the Collection after the public hearing  
11 in New Orleans. In July of this year motion picture film taken  
12 in Dallas on the November the 22nd, 1963, was donated by Janet  
13 Veazey and Helen Sturgess Anderson.

14           A great deal of material remains under review by  
15 various agencies. The FBI continues to review related documents  
16 and the criminal division of the Department of Justice is  
17 currently reviewing the previously withheld portions of that  
18 office file on the assassination. We have yet to receive any  
19 records from the Immigration and Naturalization Service.

20           The Postal Service indicated last year they were  
21 almost ready to transfer a file on the investigation of the sale  
22 of Oswald's rifle through the mail, but we have not received  
23 that file at this time.

24           Various components of the Department of Defense  
25 continue to locate and review documents related to the



1                   MR. TILLEY: A couple of million.    A couple of <sup>123</sup>  
2 million, yeah. We probably have more than 175,000 records in  
3 the database as we continue to add things. But of course the  
4 database only reflects the documents that were reviewed since  
5 the passing of the statute. It doesn't reflect those documents  
6 which were open which was a considerable amount of material.  
7 So we have a great number of documents available.

8                   CHAIRMAN TUNHEIM: Thank you very much, Steve. Thank  
9 you for your continued help.

10                  MR. TILLEY: Yes, sir.

11                  CHAIRMAN TUNHEIM:            It's been a very  
12 interesting and provocative hearing this morning with testimony.  
13 I think the Review Board has certainly heard very good advice  
14 from quite a number of people. I do want to particularly thank  
15 James Rankin, Wesley Liebeler and David Lifton for their  
16 donations of records and physical material. That information  
17 will be very helpful to the American public.

18                  We are going to hold the record open from this hearing  
19 for a period of time in case there's additional testimony that  
20 anyone wishes to submit. What day will it be open --

21                  MR. MARWELL: October 11th.

22                  CHAIRMAN TUNHEIM: It will be open until October 11th.  
23 So, any additional testimony the Board would be very pleased  
24 to accept.

25                  There being no further business to come before the

1 Assassination Records Review Board today, is there a motion to  
2 adjourn?

3 DR. HALL: So moved.

4 DR. JOYCE: Second.

5 CHAIRMAN TUNHEIM: All of those in favor of adjourning  
6 say aye.

7 (Aye)

8 CHAIRMAN TUNHEIM: Opposed?

9 (No response.)

10 CHAIRMAN TUNHEIM: It's carried. This meeting of the  
11 public hearing of the Assassination Records Review Board is  
12 adjourned.

13 (Proceedings in the above-entitled matter concluded  
14 at 1:05 p.m.)

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