

ASSASSINATION RECORDS REVIEW BOARD

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PUBLIC HEARING

Auditorium
Old U.S. Mint
400 Esplanade Avenue
New Orleans, Louisiana

Wednesday, June 28, 1995

The above-entitled public hearing commenced,
pursuant to notice, at 10:00 a.m.

BEFORE:

JOHN R. TUNHEIM,
Chairman

PRESENT FOR THE BOARD:

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KERMIT L. HALL, Member
WILLIAM L. JOYCE, Member
ANNA K. NELSON, Member
DAVID G. MARWELL, Executive Director

PARTICIPANTS:

THE HONORABLE LINDY BOGGS
THE HONORABLE HARRY F. CONNICK, SR.
WAYNE EVERARD
MICHAEL L. KURTZ
STEPHEN TYLER
CYNTHIA ANNE WEGMANN
STEVEN D. TILLEY

P R O C E E D I N G S

[10:09 a.m.]

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3 CHAIRMAN TUNHEIM: A call to order, this public
4 hearing of the Assassination Records Review Board. Welcome
5 everyone here to our hearing today in New Orleans. We're very
6 happy to be here.

7 We're happy to be in New Orleans for a number of
8 different reasons: The importance of this city in terms of
9 overall understanding of this very tragic event, the
10 assassination of President Kennedy, the fact that the only
11 criminal prosecution associated with the assassination of
12 President Kennedy took place here in New Orleans, and the fact
13 that the prime suspect in the case, Lee Harvey Oswald, was born
14 here and spent time here in the months before the assassination.

15 We are on a search for records. Our mandate from
16 the Congress of the United States is to find all of the records
17 associated with the assassination of President Kennedy, put
18 them all together in one collection at the National Archives
19 freely available to the American public to review, to come in,
20 to study, to understand and to make their own minds up about
21 what happened on that tragic day in Dallas 31 plus years ago.

22 It's important for closure to this event to have a
23 complete collection of the records. While one of our central
24 focuses as a Board is a review of Federal records, particularly
25 records that are held at the CIA and FBI and other Federal

1 investigative agencies, records that we are in the process of
2 reviewing now, we are also interested in state and local records,
3 in records that are in private hands because, as I said, what
4 we'd like to see in the end and what the Congress has tasked
5 us with is creating as complete a collection of the records
6 of the assassination of President Kennedy as possibly can be
7 done in this period of time years later.

8 Just a short bit of history. The Assassination
9 Records Review Board was created by an act of Congress passed
10 in 1992 and signed into law by President Bush. Within the
11 following year, the Board members were appointed, confirmed
12 by the Senate and we have the begun the process of surveying
13 records in the Federal Government.

14 We, in fact, just last week ordered the release in
15 full of 16 records that were held by the CIA, records that had
16 been only partially released in the past. We're hopeful that
17 those records will be available to the public and to researchers
18 within the next month. So the process of reviewing the records
19 is underway.

20 We've held other public hearings. We held a public
21 hearing in Dallas, a public hearing in Boston. Part of our
22 mission is to communicate with the American public, to give
23 you an opportunity to let us know where records are. It's very
24 important for us to have the cooperation and assistance of the
25 public because we can't possibly know where all the records

1 are ourselves. So our appeal to the public is to let us know
2 where records are, even if you don't know for sure, if you have
3 a hunch. We're happy to follow up on any leads that anyone
4 might have.

5 I have to emphasis that it's not the role of this
6 board to reinvestigate the assassination of President Kennedy.

7 It's not our responsibility to come up with a conclusion as
8 to what happened in Dallas 30 years ago. But it is our
9 responsibility to find the records and we have sufficient powers
10 to be able to do that, as given to us by the Congress.

11 We're a short term agency. We will sunset on October
12 1 of 1997. We fully expect to be done with our work by that
13 time and hopefully in the end we will have a collection of
14 millions of records at the National Archives that will be freely
15 available to the public and to researchers. Then the public,
16 hopefully, will be able to understand and make up their own
17 minds about what happened, the assassination.

18 A couple of other points. The Board has met in the
19 past to discuss and finally approve a definition of what an
20 assassination record is. It's my understanding that the final
21 definition is published today in the "Federal Register." So
22 that process is now been completed.

23 I also want to make a special note of thanks before
24 we begin to Lyon Garrison and the Garrison family, who have
25 donated records from the personal files of Jim Garrison to the

1 Board for inclusion in the public collection of the JFK
2 assassination records. So I'd like to just publicly
3 acknowledge that donation and thank the Garrison family for
4 their willingness to make Mr. Garrison's records part of the
5 national collection related to the assassination of President
6 Kennedy.

7 I want to extend a special welcome to all of you here
8 today and especially our witnesses. As I said, we're on the
9 search of records and that's the focus of the testimony today,
10 where records might be, leads that we might be able to follow.

11 This is an issue of trust for the American public, an issue
12 of trust in their government, and we hope that through our work
13 we can restore some of the trust that perhaps has been lost
14 over the past 30 years with the veil of secrecy that has shrouded
15 some of the records of this very tragic event.

16 I'd like to call our first witness to the stand this
17 morning and extend a special welcome. Congresswoman Lindy
18 Boggs is here to testify before us this morning, the wife of
19 Hale Boggs, who, of course, was a member of the Warren Commission
20 in 1964. We're especially honored that she has agreed to
21 testify today. Mrs. Boggs

22 MS. BOGGS: Thank you, Mr. Chairman. Mr. Chairman
23 and members of the Committee, welcome to New Orleans and a
24 special welcome to Anna Nelson, who we were very sorry to lose
25 from New Orleans and from her service to our city and state

1 and Tulane University. We're very happy to have her back for
2 awhile.

3 And welcome to this grand ole building where you have
4 assembled in a splendid effort to uphold the finest traditions
5 of our Constitutional heritage.

6 In this era of cynicism about government, your mission
7 is of critical importance. Devoted to the archival history
8 of our nation and to those institutions that preserve and
9 distribute it, I served for several years on the National
10 Historical Publications and Records Commission at the National
11 Archives, as a member from the U.S. House of Representatives.

12 I currently serve as a member of the National Archives
13 Foundation Board. I think I'm the Vice President, but I'm not
14 quite sure.

15 I salute your dedication to your task and am pleased
16 to cooperate with you and I have assured Mr. Samoluk from your
17 Commission that he has my consent to examine the papers of my
18 husband, Hale Boggs, who, of course, was a member of the Warren
19 Commission, at the Tulane University Library.

20 Hale's service on the Warren Commission demanded
21 untold hours of hearings and of reading of transcripts, and
22 also of heartbreaking experiences concerning the assassination
23 of his good friend, Jack Kennedy, and the removal of him as
24 an inspiring young leader of our nation.

25 When the metal-bound loads of testimony would arrive

1 on our doorstep at home every night, I wished fervently that
2 I could read and digest it and put it into outline form, as
3 I sometimes did with some of the other voluminous testimony
4 from less sensitive hearings. But, of course, I was precluded
5 by security standards from doing so. Consequently, Hale read
6 far into the night on many occasions and his attitude was
7 indicative of the devoted service rendered by all of the members
8 of the Warren Commission.

9 Following Hale's death, Chief Justice Warren often
10 repeated to me that Hale's language that -- and I
11 paraphrase -- according to the evidence submitted to this
12 Commission, Lee Oswald has assassinated the President, and that
13 this language resulted in the unanimous signing of the report
14 by the commissioners.

15 My feeling has always been that if new evidence was
16 discovered and new hearings conducted as a result, that Hale
17 would applaud those efforts. Consequently, when Congressman
18 Lou Stokes, a Democrat of Ohio, who chaired the Special Committee
19 to examine new findings and to review the existing testimony,
20 I spoke out in favor of extension of his committee on the floor
21 of the House during the general debate.

22 Prior to my arrival on the floor, my colleague,
23 Congressman Dave Treen of New Orleans, and I attended a luncheon
24 with young scholars specially selected from the New Orleans
25 area for this trip to Washington. When Dave asked for a show

1 of hands among the thoughtful young Americans about any doubts
2 concerning the Kennedy assassination and about the necessity
3 to extend the wake of Mr. Stokes' committee, at least two-thirds
4 of the students vigorously thrust their hands up.

5 So, Mr. Chairman and the members of this committee,
6 I strongly thrust up my hand and my encouragement to this
7 Commission, and I wish you well in your continued quest for
8 truth and justice. Thank you.

9 CHAIRMAN TUNHEIM: Thank you, Mrs. Boggs. If you
10 wouldn't mind, if members of the Board have any questions for
11 you.

12 MS. BOGGS: I would be delighted, Mr. Chairman.

13 CHAIRMAN TUNHEIM: Any questions?

14 MS. NELSON: I don't know that I have a question so
15 much as I have a comment. That is that I'm not surprised that
16 you supported the archival record and also the fact that there
17 might be new information.

18 Is there a sense that -- did your husband have a sense
19 that the Warren Commission was happening so fast that, in fact,
20 other information would come out? Do you think that was that
21 sense during the Warren Commission?

22 MS. BOGGS: I think that when they read all the
23 testimony that came to them each night that they felt a great
24 deal of information had come their way. However, there were
25 obvious feelings of wanting to know more about certain areas

1 of the investigation, wanting to have filled in some of the
2 unanswered questions, and of course, that was why it was so
3 necessary for Hale to be able to say that according to the
4 testimony submitted to the Commission, that Oswald was the
5 assassin.

6 MS. NELSON: It's interested the public a great deal
7 as to how members of the Warren Commission were chosen? There
8 have been various members of the public who have questioned
9 that. Do you remember how Congressman Boggs was?

10 MS. BOGGS: Well, Hale was one of the first people
11 who suggested to President Johnson that there should be a
12 commission.

13 MS. NELSON: I see.

14 MS. BOGGS: Hale was devoted to President Kennedy,
15 and there was some talk following the assassination that Hale
16 had warned the President not to go to Dallas. The connotation
17 was that it would be physically dangerous for him to do so.

18 That was not Hale's message to the President because
19 just a few weeks prior to that the President was coming to New
20 Orleans to dedicate the new wharf and the President said to
21 Hale that he had some warning that he should not come to New
22 Orleans. Hale had answered when the President of the United
23 States can't go to a city of the United States and be protected,
24 we've come to a very difficult time in our nation's history,
25 and encouraged him to come.

1 But Hale's warning the President about going to Dallas
2 was that there was great in fighting among the members of the
3 Democratic party and the Democratic stars in the state and he
4 didn't want the President to become involved in a factional
5 disagreement.

6 So that I'm happy to have another opportunity to lay
7 that rumor to rest.

8 MS. NELSON: Thank you very, very much.

9 MS. BOGGS: I thank you.

10 MR. HALL: Mrs. Boggs, knowing what our job is, is
11 there any place in particular where you might send us to look
12 for documents?

13 MS. BOGGS: I hope that you have examined all the
14 documents from the Louis Stokes' Committee and I'm certain that
15 you have been in touch with Congressman Stokes. He is an
16 extraordinarily reliable member of Congress and a searcher
17 always for the truth. He would be a source of tremendous help
18 to you.

19 Also, I think that what you're doing in reaching out
20 to people who are in the public sector, just people who are
21 perhaps have information, have documents, have recorded perhaps
22 conversations and so on, that you're doing the correct thing.

23 Of course, you are to judge these were valid expressions or
24 not. But the expressions should be there for the public to
25 see, whether you consider them valid or not. I am very pleased

1 that you are involved in that quest.

2 CHAIRMAN TUNHEIM: Thank you very much, Mrs. Boggs.
3 We really appreciate your testimony this morning.

4 MS. BOGGS: Thank you very much.

5 [Applause.]

6 CHAIRMAN TUNHEIM: Our next witness is the Honorable
7 Harry F. Connick, Sr., the District Attorney of New Orleans.
8 His office possesses records from the investigation into the
9 assassination of President Kennedy and the prosecution of Mr.
10 Clay Shaw, which was conducted by former District Attorney James
11 Garrison in the late 1960s. Good morning, Mr. Connick and thank
12 you.

13 MR. CONNICK: Good morning. Thank you very much.
14 I want to compliment you after some prolonged thought and
15 deliberation about the propriety of what to do with these records
16 that we have. I compliment you for attempting to do what I
17 think is a necessary undertaking. Your folks came down to our
18 office and we made available to them the viewing of what records
19 that we have in our office that were left.

20 At my understanding from talking to people who had
21 some familiarity with this investigation and prosecution, there
22 was a substantial amount of material at one time and that what
23 we have left how when we took office in 1974, in April of 1974,
24 we, in essence, had one file cabinet with five drawers of
25 material in it. Then in 1990, we turned some of those materials

1 over to the public library and I think they're going to make
2 that available to you.

3 But we think that what you are doing is important
4 and we think that what we can hopefully add to what you're doing
5 will clarify some of the clouded areas of the past and make
6 sense out of what happened.

7 CHAIRMAN TUNHEIM: Thank you. Questions?

8 MR. HALL: Mr. Connick, do you have any idea whether
9 the documents that have been held at your office have remained
10 the same since the donation that was made to the public library

11 MR. CONNICK: Did they remain the same?

12 MR. HALL: Yes. Has there been any official
13 deletions of those materials?

14 MR. CONNICK: No, the materials that I have in my
15 office and have had for 21-1/2 years have been I think under
16 fairly close control and we really haven't had to give access
17 except on maybe one occasion, shortly after we took office.
18 But most of that is intact. A lot of it, though, is missing
19 and was taken before we took office. This is my understanding.
20 Where that is, I don't know.

21 I might also answer one of the questions that you
22 posed to Congresswoman Lindy Boggs. There are a lot of folks
23 that were connected with that investigation and prosecution
24 and were in that office from that time of the trial. So we
25 took office in '74. I think that a lot of that material is

probably in their custody.

1
2 I think those files were rifled and I think they took
3 from those files things that would be of great interest to the
4 American public and to the world as a matter of fact, because
5 of what happened in that case and the tragedy of the whole short
6 prosecution. But what we have has been fairly well untouched
7 for 21-1/2 years until very recently.

8 MR. HALL: Thank you.

9 CHAIRMAN TUNHEIM: Mr. Connick, are there lists
10 available of prior employees of the Office that we might be
11 able to follow up on --

12 MR. CONNICK: Yes.

13 CHAIRMAN TUNHEIM: And see?

14 MR. CONNICK: Yes. I think anyone down here in New
15 Orleans who followed that prosecution can give you that
16 information, too. But we have some of that information, if
17 not all of it, and can let you have it.

18 For instance, I was talking to someone who was very
19 close to the investigation at that time. I was told that there
20 was an index, there was a record kept, an archive as a matter
21 of fact, of everything that came into that office connected
22 with that investigation and prosecution, and all those things
23 are gone. We'll be happy to work with you and your folks to
24 make information and possible leads available to them so you
25 perhaps can recover some of that.

1 MR. JOYCE: Mr. Connick, in addition to the Clay Shaw
2 prosecution by Mr. Garrison, have you become aware of other
3 information that might be related to the assassination of
4 President Kennedy that would be local in its orientation and
5 that we might want to pursue?

6 MR. CONNICK: Not really, not really. I wasn't in
7 the United States Attorneys Office at that time of the Clay
8 Shaw trial and was removed from any direct contact with anything
9 that happened in that building. But I don't know of anything.

10 I know I spoke to our Clerk of Court this morning.
11 There was some question about this Zapruder film because it
12 was not in my office when we went there. I was asking him if
13 he had turned over to you information that the Clerk's Office
14 had in connection with the prosecution of Mr. Shaw. He informed
15 me that he had made available to you these things, but did not
16 know whether that particular film was in that packet or not.

17 MR. JOYCE: I see. Thank you.

18 MR. HALL: Do you know if the public servant under
19 Louisiana law removed materials relating to this investigation
20 whether that would be a violation of Louisiana law?

21 MR. CONNICK: Our criminal code calls that theft

22 MR. HALL: It's pretty simple.

23 MR. CONNICK: It's pretty clear that you have no right
24 to take something that belongs to the state. If a public servant
25 removes documents, as they obviously did in Mr. Garrison's

1 office, then that would constitute a violation of our law on
2 theft.

3 MR. HALL: Would you say that over the past quarter
4 of a century, maybe over the past 30 years, the level of record
5 keeping in the District Attorney's Office can best be described
6 as diligent and systematic?

7 MR. CONNICK: Well, when we went into office, it was
8 a pretty sorry state of affairs. We immediately took an
9 inventory of everything that we were inheriting from Mr.
10 Garrison and we found that it was not a very well managed office
11 and that things were run in a very slipshod manner.

12 We set about to correct that by bringing in a computer
13 system and by accounting for every record that we were
14 responsible for, every police report, where that police report
15 or where that case went, whether it was accepted or refused
16 or referred to another law enforcement body. But it was -- it
17 took us a while to compile that. It was in bad shape. Thank
18 you very much.

19 CHAIRMAN TUNHEIM: Thank you, Mr. Connick. You've
20 been extraordinarily helpful and generous with your time and
21 staff time and we appreciate that. Thank you.

22 Next, we'd like to hear from Mr. Steve Tilley, who
23 is the person in charge of the JFK Collection at the National
24 Archives. Mr. Tilley works closely with us. We're an
25 independent agency. He works for the National Archives, but

1 he's the person who is in charge of the collection and he
2 periodically provides updates to the Board on additions that
3 have been made to the collection and he will give us an update
4 today. Welcome, Steve.

5 MR. TILLEY: Thank you, Mr. Chairman. It's a
6 pleasure to appear before the Board again.

7 On the Kennedy Act, the John F. Kennedy Act, mandated
8 seven specific responsibilities to the National Archives, but
9 for our purposes today I'll discuss that I think are probably
10 the most important as far as the public is concerned.

11 First, within 45 days of the statute being signed,
12 the Archives was required to prepare to make available standard
13 identification forms for use by all government offices in
14 describing assassination records. Further, the Archives was
15 required to ensure the creation of a database for these
16 identification forms to serve as an electronic finding aid to
17 the collection.

18 Of course, as the Board knows and as anybody who has
19 researched with us knows, this, in fact, has been accomplished
20 and the database is up and running at this time. It currently
21 contains about 120,000 forms, records we say or forms. It's
22 important to point out that the database does not contain the
23 actual documents themselves. It is not a scanned type situation
24 where the actual text are in the database. This is a database
25 of the record identification forms that have been created by

the agencies as they reviewed their records.

1 At this time, the database can still only be searched
2 by members of the National Archives staff, but we are continuing
3 to work on getting this thing available via the Internet, which
4 is a development I know the research community is awaiting.
5

6 Our second responsibility was to establish the
7 President John F. Kennedy Assassination Records Collection.
8 On December 28, 1992, we established the collection based on
9 an announcement published in the "Federal Register" on December
10 21. This announcement also solicited open assassination
11 records from all Federal agencies.

12 Now since the Archives already had custody of most
13 of the open records, this is primarily just a technical event
14 designating the follow records as part of the collection: It
15 was the records of the Warren Commission; the records of the
16 Secret Service; part of the records of the Department of Justice,
17 the Criminal Division case file, which we already had custody
18 of; records of the Central Intelligence Agency, the CIA having
19 already transferred the first portion of Lee Harvey Oswald's
20 201 personality file in September of 1992; and personal papers
21 and donated records from our presidential libraries.

22 A third major requirement was, along with other
23 government agencies, was to identify, review and make available
24 to the public all assassination records that were closed that
25 could be disclosed within a 300-day review period. All records

1 reviewed in this 300-day review period were required to be
2 entered into the database and have a record identification form
3 attached.

4 At the end of the 300-day review period, which was
5 August 23, 1993, the Archives made available the newly released
6 records, which included the remainder of the CIA's 201 file,
7 along with other records which we've deemed the "segregated
8 collection"; records from several components of the Department
9 of Justice, however, none from the Federal Bureau of
10 Investigation at that time; the records pertaining to the
11 President Kennedy assassination from the House Select Committee
12 on Assassinations; and records from our presidential libraries.

13 Now the first FBI records were transferred in December
14 of 1993, beginning with the records on the investigation of
15 Jack Ruby. Since then, we have also acquired records on
16 the -- their file on Lee Oswald and also their file on the
17 assassination itself. The FBI has also transferred files on
18 related individuals, such as Marina Oswald, David Ferrie and
19 Clay Shaw and on related subjects, such as its liaison file
20 with the House Select Committee on Assassination and the Church
21 Committee. Also files on certain individuals related to
22 organized crime, such as Sam Giancana. Other files are also
23 under review at the FBI.

24 In September of '94, the CIA made an additional
25 transfer of approximately 30,000 pages of material as part of

1 the segregated collection, and these records relate primarily
2 in CIA's with Cuban exile groups in the early 1960s.

3 At this time, though, I should point out that only
4 a portion of the 201 file is available on the database, can
5 be searched through the database. We're still waiting for the
6 transfer of disks, dated disks from the CIA for the remainder
7 of their records.

8 Now we also have the records of the Church Committee
9 and the initial transfer took place in January of 1994. We
10 currently have approximately 40,000 pages of this material.
11 There are additional records under review at the committee.
12 Once again, we cannot search these in the database at this time.

13 The committee hasn't turned over their disks yet.

14 There are also three boxes from the records of the
15 Pipe Committee that have been transferred. It's important for
16 the research community to remember that those two committees
17 looked at a number of different subjects dealing with the
18 activities of the CIA, primarily domestic activities outside
19 their charter, and potential involvement with the assassination
20 of President Kennedy was only one aspect of their charge and
21 we have other records related to that particular aspect of their
22 work.

23 We have State Department records. We have received
24 approximately 17,000 pages of State Department records. We
25 also have records of the Naval Criminal Investigative Service,

which includes records of the Office of Naval Intelligence.

1
2 Records from presidential libraries. We have a
3 number of records from five of our libraries. The three that
4 had the most materials, of course, are the Johnson Library,
5 the Kennedy Library and the Ford Library. Materials from the
6 Johnson Library include transcripts and tape recordings of
7 conversations of President Johnson that are related to the
8 assassination.

9 All conversations of December and November of '63
10 have been released in the interest of having total disclosure
11 so there would be no idea that perhaps certain conversations
12 in that most important period right after the assassination
13 were being withheld. From January to '64 on then, assassination
14 related conversations have been released.

15 All tape recordings that have been identified by the
16 staff of the library have been released with -- there are a
17 few which have some minor deletions. Not every conversation
18 has a transcript and the Archives does not make transcripts
19 of records and the transcripts that do exist were made by the
20 staff of the White House or persons working for President Johnson
21 on a private basis at the time he working on his memoirs, "The
22 Vantage Point."

23 The Kennedy Library has released desk diaries,
24 telephone messages, and telephone logs of Attorney General
25 Robert F. Kennedy for the years 1961 to 1964. There are some

1 gaps in these records, however, and they've also released copies
2 of the Secret Service gate post log for the White House.

3 Now just in the past month, Kennedy Library has also
4 released papers from the -- documents from the papers of Theodore
5 White, that deal with the so-called "Camelot Papers" and based
6 on an interview he did with Mrs. Kennedy on November 29, 1963.

7 They have just recently been released and have been added to
8 the collection.

9 Now in November of 1994, the CIA sent a team of
10 reviewers to the Ford Library to review records of the
11 Rockefeller Commission, which are in the custody of the Ford
12 Library. That review has resulted in the release of
13 approximately a third of those records. We are still awaiting
14 copies of those records to be sent by the staff of the Ford
15 Library. The remainder of that file is still under review by
16 the CIA.

17 At this time -- well, let me just say one other thing
18 in reference to court materials.

19 There are some Federal court records at our record
20 center in Fort Worth that do apply to Clay Shaw and to Jim
21 Garrison. My understanding is that Mr. Shaw eventually had
22 to get a restraining order through the Federal courts in New
23 Orleans to basically keep Jim Garrison away from him and we
24 have found out that there are files down there and we are getting
25 copies of those and we'll be adding them to the collection as

1 soon as possible. Of course, they'll be open. Shouldn't be
2 any problem with any withholdings there.

3 CHAIRMAN TUNHEIM: Are those records, Steve, in Fort
4 Worth did you say?

5 MR. TILLEY: Yes.

6 CHAIRMAN TUNHEIM: And they're not held under any
7 seal of court at this time?

8 MR. TILLEY: I'm sorry.

9 CHAIRMAN TUNHEIM: They're not held under any seal,
10 any court seal at this point?

11 MR. TILLEY: No, they're just part of the holdings
12 of the U.S. District Court record group down there and we've
13 had people down there go through the finding agent and identify
14 these case files that apply to this. So they are going to be
15 copying those and then sending them to us.

16 Around this time the collection is approximately
17 doubled since the time we opened it August of 1993, well over
18 a million pages of documents so far. We are awaiting additional
19 records to be transferred from other agencies and, of course,
20 records that will come to us through the activities of the Review
21 Board.

22 I'll be glad to answer any questions the Board may
23 have, sir.

24 CHAIRMAN TUNHEIM: Thank you, Mr. Tilley. Are there
25 questions?

1 MS. NELSON: You keep mentioning gaps. Can you tell
2 us a little bit more because, of course, gaps are what we as
3 a board have to deal with, those things that are not open?
4 Can you tell us a little bit more about the gaps, for example,
5 gaps in some of the collections from the Kennedy Library?

6 MR. TILLEY: Sure. The particular instance that I
7 mentioned is that the desk diaries for Robert Kennedy, the desk
8 diaries, which are basically a calendar of his daily events
9 with his meetings and et cetera that on there, the diary for
10 1963 is missing. The Library staff indicates that it was never
11 in the possession of the library. It was never turned over
12 to the library by the Kennedy family. So that's one example
13 where there is a gap.

14 There are also gaps in some of the telephone logs
15 for that period. I believe we're missing both '62 and '63 on
16 the telephone logs. So that's an example of a gap that does
17 exist.

18 MS. NELSON: Are there similar gaps in the Johnson
19 Library?

20 MR. TILLEY: Not really, no. I don't think there's
21 anything like that. We have a complete listing of all of the
22 tape recordings that are in the Johnson Library and the library
23 staff has been listening to all the tape recordings since the
24 law was passed and has identified what they say are all the
25 assassination related tape recordings.

1 Now they have recently informed us that a couple of
2 more have been identified that will eventually come to us.
3 But there is an ongoing review and I really don't think we can
4 say there's any gaps there. They seem to have a good control
5 of what they have.

6 MS. NELSON: The documents that are turned over by
7 the government agencies have deletions? That's the gaps?

8 MR. TILLEY: Well, yes. I mean many of the records
9 that have been transferred by agencies do have deletions in
10 them. In its initial transfer in '93, the CIA estimated that
11 approximately 10 percent of their records were released in full,
12 10 percent denied in full and 80 percent released with deletions.

13 My experience in looking at the records and in dealing with
14 them over the past couple of years, I would say that's probably
15 a fairly accurate guess.

16 There's no doubt that the FBI records also contain
17 many, many deletions of information within them. So when I
18 say gaps, I'm talking about things which should be there and
19 aren't. As far as deletions, just many, many documents in the
20 collection do have deletions that have been made by the reviewing
21 agencies.

22 CHAIRMAN TUNHEIM: Mr. Joyce?

23 MR. JOYCE: Mr. Tilley, you refer to a number of
24 instances in which the agencies have not provided the disks
25 necessary to provide information for the database for the

1 collection. Can you elaborate on the reasons why that might
2 be the case and what effects that's had on access to the
3 collection by researchers?

4 CHAIRMAN TUNHEIM: Well, I think in certain instances
5 it's probably because they're doing a lot of quality control
6 checking on the disks. They're trying to make them as accurate
7 as possible. They're going back and putting in more -- when
8 they have records come back that have been on coordination with
9 another agency, they're holding it so they can try to put that
10 information into it so it'll be as final as possible before
11 they transfer it to us.

12 I think in several instances, particularly with the
13 FBI, it's also a question that have so many people working and
14 they're just continuing to review documents and they continue
15 to add documents to the disks. But I won't say that it hasn't
16 had an effect on our ability to service the collection.
17 Certainly, we have not been able to do as good a job in providing
18 access to particularly the records of the CIA without having
19 these data disks available to us.

20 What we have done is we have tried to create some
21 more traditional archival finding aids, which we call folder
22 title list, where we list the title of every folder that's in
23 a box and provide a paper listing to the researchers, so they
24 can at least get some idea of what is in that particular box
25 or what's in that folder. But it's obviously not as detailed

1 nor nearly as complete as a document level finding, which the
2 database is.

3 I mean the database lists every document that's in
4 the collection. So it's obviously had some effect on our
5 ability to help the researchers.

6 MR. JOYCE: Thank you.

7 CHAIRMAN TUNHEIM: Thank you, Mr. Tilley. I'm
8 constantly struck by the immense volume of the records that
9 are accumulating at the National Archives and we're going to
10 be providing a few more for you.

11 MR. TILLEY: I'm sure you are, sir.

12 CHAIRMAN TUNHEIM: Thank you.

13 MR. MARWELL: I have one question.

14 CHAIRMAN TUNHEIM: Go ahead, David.

15 MR. MARWELL: We've learned today that members of
16 the public have donated records to the collection. Can you
17 just tell us what will happen to those records, the records
18 that Mr. Connick spoke about and the Garrison family records?

19 MR. TILLEY: Sure. The Archives has a small gift
20 collection that we have maintained from before where folks have
21 wanted to donate records to the Federal Government. We have
22 procedures where the donation will be received by our Projects
23 Division, we call it, our Archival Projects Division and someone
24 from our staff will probably examine the records at some time
25 and do what we call an appraisal on it.

1 The appraisal generally would be done to make sure
2 that, in fact, the records are worthy of retention by the
3 National Archives as history of the Federal Government.
4 Obviously, I think in this instance that will be a perfunctory
5 event because obviously these records are worthy of retention
6 as part of the collection. But there is a bit of a paper process
7 we have to go through.

8 But we will have it -- we'll have the records
9 appraised, have a formal document signed, which says they are
10 worthy of retention in the National Archives, and then once
11 the record is transferred to us, then we have a certain period
12 of time in order to process them.

13 Our projects people will then go through the records.

14 If they are not well-arranged, we'll try to arrange them in
15 some sort of form. If they are properly arranged, we will then
16 accept them as they are. We'll identify them in some manner
17 with some sort of a finding aid.

18 Then what we will have to do, I think there's no doubt,
19 that we will then to do record identification forms on each
20 document so that they will be part of the database. That will
21 be a time consuming process obviously. I would think that we
22 will try to make some accommodation with the research community.

23 We won't sit back and spend six months or a year doing that
24 process, which for a large collection of records could very
25 well take that long because it is a time consuming process doing

1 this data entry. However, we'll probably try to do it in stages
2 and have other records available with some of a sort less
3 creative finding aid, if you will, for research.

4 But that will be the process. We will bring them
5 in, do some marketable processing on them and then as soon as
6 possible, make them available.

7 Let me just say one more thing, I think it will be
8 also -- the Board should know that James L. Rankin, Jr., the
9 son of J. Lee Rankin, the General Counsel of the Warren
10 Commission, has contacted us, has written to us and has indicated
11 that he wishes to donate his father's papers to be stored with
12 the records of the Warren Commission, approximately seven boxes.

13 I'm not sure how much volume we're talking about.

14 People from our Records Center, Records Branch, out
15 in Laguna and Miguel in California -- I'm sorry -- San Bruno
16 in California, will be in contact with Mr. Rankin in the near
17 future to start the process of having those records made part
18 of the JFK Collection. We're looking forward to adding those
19 to the collection.

20 CHAIRMAN TUNHEIM: It's an important addition to the
21 collection.

22 MR. TILLEY: Yes, I think it is.

23 CHAIRMAN TUNHEIM: Thank you, Mr. Tilley.

24 MR. TILLEY: Thank you, sir.

25 CHAIRMAN TUNHEIM: Our next witness this morning is

1 Cynthia Ann Wegmann. Mrs. Wegmann is the daughter of the late
2 Edward Wegmann, a member of the legal team that defended Clay
3 Shaw at the 1969 assassination conspiracy trial. Good morning,
4 Mrs. Wegmann.

5 MRS. WEGMANN: Yes. I am Cynthia Wegmann, daughter
6 of Edward F. Wegmann, who was Clay Shaw's civil attorney for
7 some 20 years before this tragic event occurred. At that time
8 I was 16, a senior at the Academy of Sacred Heart here in New
9 Orleans and totally outraged. I spent the next two years in
10 New Orleans at Daddy's side and at Mr. Shaw's side trying to
11 assist and at the same time being totally wide-eyed at the facts
12 and the allegations and utter insanity of it.

13 The records that we are making available to the
14 Assassination Board are the records that were maintained for,
15 prepared for trial by my father, his brother, Billy, Irving
16 Diamond, who was the criminal attorney in charge of the defense
17 team, and Sal Panseca. These are the investigation files and
18 the statements taken and whatever we could grasp at in order
19 to attempt to defend this mass tangle of a web that was conceived
20 and then pursued.

21 What is amazing to me now, some 30 years later -- I
22 guess it's not that -- 25 years later, is that despite the fact
23 that after a 40-day trial, a 55-minute deliberation by 12 jurors
24 and a resounding acquittal, that Clay Shaw's name remains
25 besmirched, that he can be portrayed as a buffoon in films,

1 that the true nature of the man has been hidden and destroyed.

2 I believe that anyone who takes a look at these records
3 will realize how amorphous, how little evidence, if any, there
4 was, and it's for this reason that my mother and I and my brothers
5 would like to make this record available to the public.

6 The unfortunate thing in my view is that the records
7 do not tell the story of the man, Clay Shaw, whose true courage
8 has been -- his reputation has been ruined -- that I met him
9 as a 16-year-old and found him to be a gentleman in every sense
10 of the word, a man of dignity, an enormous presence and only
11 learned later of his contributions to the city; of the fact
12 that he had envisioned the World Trade Mart.

13 He had started it, he had a great deal to do to
14 encourage trade with the Port of New Orleans, both in South
15 America, France, Belgium. He received awards from those
16 countries -- that when he was in the Army he received the Quade
17 Gaie from France, the Legion of Merit and the Bronze Star from
18 the United States, that he made the first restoration of our
19 French Market.

20 He restored singlehandedly on his limited resources
21 some nine buildings in the Quarter, which remain restored today.

22 He was a playwright. He spoke several languages -- Spanish,
23 French, English and something else. I don't remember
24 what -- and that I would hope that anyone who sees what these
25 records reveal would know that he was a victim, someone chosen

1 to be the patsy, somebody who could make an otherwise fictional
2 investigation gain publicity.

3 Had Clay not died in 1974, some seven years after
4 his arrest and five years after his acquittal, I believe that
5 he would have been vindicated by the civil suit that was brought
6 on his behalf. But because of the quirk in Louisiana
7 inheritance laws at that time, this was considered a personal
8 action and he died without any heirs, any descendants or
9 ascendants. His mother died just months before he did.

10 So I would hope that once the public sees that what
11 they're was or what little there was, that then they would allow
12 him to remain at rest. Thank you.

13 CHAIRMAN TUNHEIM: Thank you, Mrs. Wegmann. If we
14 could ask you a few questions if you wouldn't mind.

15 MRS. WEGMANN: Sure.

16 MR. JOYCE: Mrs. Wegmann, in addition to the records
17 that you've very generously agreed to make available to the
18 Board, would there be other materials that you might guide us
19 to look after to see if there might be supplements to what you've
20 given us?

21 MRS. WEGMANN: Mr. Joyce, I'm not certain. When my
22 father died in '89, I was left with the contents of his office,
23 which included these records. The contents moved to various
24 places. Clay's records moved to my attic. I believe that there
25 is one more file box somewhere in the depths of my attic space

1 that contain perhaps the records of the civil suit.

2 I know that Daddy was the lead counsel on the
3 injunction suit and I believe that in the boxes that I gave
4 Mr. Samoluk yesterday are the contents of that injunction suit
5 that was held before Christenberry.

6 What else may be there may simply be the contents
7 of the civil damage action and perhaps Clay's will file, which,
8 if it is his will file, I believe would be privileged and since
9 there's nobody to ask if we could make it available, I don't
10 believe that we can. I believe that that remains, but for the
11 public matters, public record matters, very confidential. But
12 there's nothing -- if I find it, I will make it all available
13 to you.

14 I don't believe that either Mr. Diamond or Mr. Panseca
15 or my Uncle Billy have any records because they have referred
16 people to me. But certainly I would believe that Mr. Diamond
17 and Billy Wegmann and Sal Panseca should be contacted to see
18 if they have anything in addition to what we retained in our
19 office.

20 MR. JOYCE: Thank you.

21 CHAIRMAN TUNHEIM: Dr. Hall?

22 MR. HALL: District Attorney Connick told us that
23 the thought his predecessor in that office presided over at
24 least some theory that some records were taken that properly
25 belong in the public record. Often the case is that the people

1 who know best what's taken are the people that didn't take them
2 but wish they could find them.

3 I'm curious whether you would have any suggestions
4 for us about individuals that we might turn our attention who
5 might have private records -- public records now held privately
6 that relate to the actions of District Attorney Garrison.

7 MRS. WEGMANN: I don't but for the copies that were
8 turned over to us as the -- us -- them. I was a baby -- at
9 the defense team. When Mr. Gervich left, he made a copy of
10 Garrison's investigation file up to that point. But it was
11 a Xerox copy and it only goes through the date of his departure,
12 which was sometime in June of 1967. Since Garrison's
13 investigation only started in February, then that's the only
14 copy that we have.

15 MR. HALL: Well, that's, I think, a particularly
16 important point here because one of the ways at getting at the
17 issue of some of these supposedly missing documents is, in fact,
18 the copies that would have been available to --

19 MRS. WEGMANN: Well, those are included in the
20 records that I turned over to you -- Mr. Samoluk, yesterday.

21 MR. HALL: So it would be interesting to know the
22 veracity of the essential criminal discovery process and the
23 extent to which it really was shared with the defense. But
24 that's very helpful. I appreciate it very much.

25 MS. NELSON: You mentioned that Clay Shaw died

1 without heirs. Do you know if he had papers? Do you know what
2 happened to his papers or possessions?

3 MRS. WEGMANN: Clay left his worldly goods, since
4 his mother had died, I believe to Jeff Bidison. But I
5 believe -- I don't know if Mr. Bidison is any longer alive. Edith Stern

6 I was married in '73 and after that we wrote the
7 briefs, my father and I, to try to sustain the civil action
8 after his death. But what happened to his papers then, I don't
9 know. I became an admirer to the attorney and didn't go on
10 to save the world from evil, to save a few votes.

11 MR. HALL: You really went for the world of the arcane
12 then.

13 MRS. WEGMANN: Right.

14 MS. NELSON: But the reason I asked is that very often
15 boxes of records do survive in a curious way as they are moved
16 about and, you know, you just never know what happens.

17 MRS. WEGMANN: Rosemary James I believe also stayed
18 very close to Mr. Shaw until his death, Mrs. Stern, Father
19 Sheridan is now dead. He was a counselor and a supporter for
20 Clay during the trial. I, unfortunately, just don't know.

21 MS. NELSON: That's all right.

22 CHAIRMAN TUNHEIM: Well, thank you very much, Mrs.
23 Wegmann. I think the American public will be forever grateful
24 for your donation of these records, to try to set the record
25 straight.

1 MRS. WEGMANN: Thank you.

2 CHAIRMAN TUNHEIM: Thank you. Our next witness this
3 morning is Mr. Stephen Tyler, who is the producer and director
4 of a 1992 documentary entitled, "He Must Have Something: The
5 Real Story of Jim Garrison's Investigation of the Assassination
6 of JFK" Thank you, Mr. Tyler, for joining us today.

7 MR. TYLER: Thank you, Mr. Chairman, members of the
8 Board. Welcome to my home town.

9 As you've stated, in 1992 I produced a 90-minute
10 television documentary on Jim Garrison's investigation into
11 the assassination of President Kennedy, entitled, "He Must Have
12 Something." This film was funded by a grant from the Louisiana
13 Endowment for the Humanities, the state affiliate of the
14 National Endowment for the Humanities.

15 My goal in producing this program was to present an
16 oral history of the case. I was interested in the impressions
17 of people who had had some involvement in the trial or had at
18 least observed it closely. In keeping with the humanities based
19 theme of this project, I was particularly interested in how
20 the Shaw case illuminated what it was and is to be a New
21 Orleanian.

22 The sometimes carnival atmosphere of the trial, with
23 its rogues, gallery of witnesses and colorful attorneys for
24 both sides, typified a view of the city that has since become
25 as cliched as it is regrettably accurate. Furthermore the

1 notion that New Orleans is really just an overgrown small town
2 were everybody knows one another, more like two degrees of
3 separation rather than the putative six, was never more
4 dramatically apparent than in the trial of the State of Louisiana
5 vs. Clay L. Shaw.

6 The Shaw case encompassed all the elements which make
7 us natives view the city with such an intense mixture of love
8 and hate, a place whose undeniable charm masks a political legacy
9 and tolerance of corruption -- social, political,
10 economic -- the likes of which are rarely seen north of, say,
11 Guadalajara.

12 It was this sense I was trying to convey in "He Must
13 Have Something." It was never meant to be an investigative
14 journalism piece. I was never so much interested in Mr. Shaw's
15 guilt or innocence as much as I was the reasons New Orleanians
16 held an opinion one way or the other.

17 Still, I began work on that program thoroughly
18 convinced that the jury in the Shaw trial had reached the proper
19 verdict, a belief shared by the vast majority of New Orleanians
20 to this day. I firmly held to this belief throughout production
21 and post-production and well into several screenings of the
22 program, including a featured presentation at the Fourth Annual
23 New Orleans Film and Video Festival and, yes, even after the
24 release of Oliver Stone's motion picture, "JFK."

25 Stone's disputable depiction of Jim Garrison as a

1 Capra-esque "one man against the system epic hero" outraged
2 me at the time with its depictions of Clay Shaw as a sinister,
3 menacing fop taunting the noble Garrison with an air of imperious
4 smugness, a characterization that contradicted everything even
5 Garrison himself told me about Shaw. In fact, in my 1990
6 interview with him, Garrison spoke admirably of Shaw's dignity
7 in the face of the catastrophic effects Garrison's investigation
8 had on the defendant.

9 But for all its faults, the film "JFK" openly led
10 to a new road on my personal assassination journey just as I
11 had reached the end of another. This voyage had begun in 1967
12 when as a 12-year-old New Orleanian, Shaw's arrest and trial
13 two years later was the first public event I followed on
14 television and in newspapers with any level of sophistication
15 or even understanding.

16 The fact that Oliver Stone with his access to all
17 the available research on the assassination would feel so
18 strongly about Shaw's guilt planted the first seeds of
19 disillusionment and doubt about everything I thought I knew
20 about this peculiarly New Orleans story. But the event that
21 did the most to chip away at my assumptions about Jim Garrison's
22 legacy, was my attendance in October 1992 at the Second Annual
23 Assassination Symposium on John F. Kennedy in Dallas.

24 The assassination research community, a loosely
25 defined network of citizen researchers dedicated to uncovering

1 the truth about this hideous crime, is characterized by nothing
2 as much as its factionalism, and certainly there are factions
3 which accept the verdict delivered by the Shaw jury in 1969.

4 But this conference in Dallas in 1992, as soon as
5 I was identified as the producer of "He Must Have Something,"
6 I found myself besieged by the alliance which vehemently
7 proclaims Shaw's guilt to this day. I was approached time and
8 time again as "the guy who thinks Clay Shaw is innocent" by
9 people who hadn't even seen my program and I quickly found myself
10 barraged by their claims of evidence inculpating Shaw.

11 I suddenly felt like the child confronted with the
12 suggestion that Santa Claus does not exist, that I was being
13 ridiculed for believing that a fat man really could squeeze
14 through a chimney with a bag of toys over his shoulder. I did

15 comes from having one's accepted notions challenged by others.

16 It was at this point that I decided to learn more not only
17 about Clay Shaw, this Tangipahoa Parish boy, who by all accounts
18 loved my hometown every bit as much as its most ardent native,
19 but about President Kennedy's assassination in general.

20 I regret I never had the opportunity to meet Clay
21 Shaw. I truly do not know if the man was anything other than
22 the distinguished retired businessman and French Quarter
23 preservationists most Orleanians remember him to have been.

24 I do believe, however, to answer the rhetorical
25 question suggested by the title of my film, that Jim Garrison

1 had something. Many of his theories have since been confirmed
2 by evidence not available to him, in many cases denied him by
3 representatives of Federal and state governments at the time
4 of the Shaw trial. I also have come to believe there is reason
5 to question whether Mr. Shaw might have been less than forthright
6 in some of his trial testimony.

7 Documents that have since been declassified suggest
8 the defendant was less than truthful in his denial of any
9 involvement with the Central Intelligence Agency. Whether this
10 involvement was necessarily an indication of any sinister intent
11 is a question that can only be conclusively answered by full
12 and complete release of any relevant, still classified
13 documents.

14 My interest still lies in the peculiarly New Orleans
15 aspects of the Kennedy assassination, although my focus has
16 shifted from the purely humanistic, the why, to the
17 investigative, the who, what, where and how. To that end, I
18 would like to submit to this august body that the following
19 documents, all of which have particularly relevance to the New
20 Orleans aspect of the assassination, be located, identified,
21 declassified and made available to the American public for its
22 perusal via permanent storage in the National Archives:

23 All the research files compiled by District Attorney
24 Jim Garrison and his staff, including those still in the
25 possession Orleans Parish District Attorney's Office; and any

1 and all files Mr. Garrison had in his possession during his
2 tenure as appeals court judge, including those which might have
3 been entrusted by Judge Garrison to his appeal court's staff
4 for safekeeping; all classified documents regarding Clay L.
5 Shaw, including, but not limited to, the Domestic Contact
6 Reports made by Mr. Shaw to the Central Intelligence Agency
7 in the '40s and '50s; all files regarding Mr. Shaw's involvement
8 with a CIA project code named QKENCHANT, for which Mr. Shaw
9 had been assigned a covert security approval in 1962; the United
10 States Army Intelligence files and any other classified files
11 on European trade organizations known alternately as Permandex
12 and/or Central Mondolli Commerciality, on whose boards Mr. Shaw
13 served; the Inspector General's report on the Bay of Pigs,
14 completely un-redacted; the Church Committee's file on CIA media
15 assets completely un-redacted; all files pertaining to INCA,
16 the Information Council of the Americas, including, but not
17 limited to those in the Alton Ochsner Collection; all research
18 compiled by Messrs. Wegmann and Irving Diamond in preparation
19 for the defense of Mr. Shaw, including any records pertaining
20 to Mr. Shaw's original counsel, Guy Johnson -- and obviously
21 Mrs. Wegmann has already referred to this earlier today; and,
22 finally, all notes and materials compiled by Messrs. L.J. Delsea
23 and Robert Buras during their work for the House Select Committee
24 on Assassinations in the late '70s.

25 For my part, I am offering to the National Archives

1 not only a copy of my completed 90-minute film, "He Must Have
2 Something," but out takes from the 30-some on camera interviews
3 from which the final program was culled, some 25 hours of
4 materials, approximately one-third of which I have right here.

5 The more I learn about this case, the more I am
6 appalled by the shameless bias of the mainstream news media
7 against any account of the assassination other than the one
8 promulgated by the Warren Commission. Even if one accepts the
9 widely held notion that mainstream media is inherently liberal
10 and would automatically question any version of the official
11 story, it seems ironic that whenever reports are filed by
12 "Newsweek," "Time," "Esquire," "Washington Post," they tried
13 out all the Warren Report apologists who heap scorn upon
14 conspiracy theorists, regardless of their credibility.

15 The fact is that every mass opinion poll taken over
16 the years on the subject indicates an overwhelming skepticism
17 about the Warren Report. One month before publishing George
18 Lardner's censorious essay on Oliver Stone's "JFK," the
19 "Washington Post" conducted a survey that showed 59 percent
20 of the American public believed in some sort of conspiracy and
21 that only 19 percent agreed with the Warren Commission's
22 findings.

23 As far as film and television, my field of endeavor,
24 the overwhelming majority of programs produced by the commercial
25 networks and PBS over the years have, for the most part,

1 ultimately embraced the findings of the Warren Commission.
2 Perhaps the traditional media's attitude towards the
3 assassination for the past three decades can best be epitomized
4 by a recent program entitled, "Who Killed JFK: The Final
5 Chapter."

6 This 1993 program, produced by CBS News and aired
7 by them that November on the occasion of the 30th anniversary
8 of the assassination, was co-written by Dan Rather and staffers
9 from "Newsweek" and the "Washington Post" and hosted by Rather
10 and concluded with the host averring on camera, "Despite all
11 the attacks, the Warren Commission's main conclusions have so
12 far passed the test of time. There is no proof and very little,
13 if any, credible evidence of any conspiracy. The facts,
14 including much hard physical evidence, do indicate one man was
15 the assassin, Lee Harvey Oswald. Any contrary conclusions are
16 speculation based less on fact than imagination, often by people
17 who divine things the ear cannot hear and the eye cannot see."

18 So with one fell swoop, the heir to Walter Cronkite's
19 throne, the senior spokesman for the network that gave us Edward
20 R. Murrow, on the occasion of that network's definitive
21 investigative conclusion on the 30th anniversary of President
22 Kennedy's death, dismisses 30 years of dogged, relentless
23 research by serious scholars as the ravings of a collective
24 schizophrenic.

25 Dan Rather's claim is simply, profoundly untrue.

1 We, the people, deserve more, and if those 59 percent of us
2 who believe in some form of a conspiracy and 81 percent of us
3 who just disagree with the Warren Commission's findings in spite
4 of what the nation's leading media want us to believe, don't
5 constitute an underserved constituency, then I don't know what
6 does.

7 [Applause.]

8 MR. TYLER: The President of the United States was
9 assassinated over 30 years ago and, notwithstanding the Warren
10 Commission's conviction of Lee Harvey Oswald, we still don't
11 know all of those who were responsible. There can be no greater
12 goal than uncovering the truth. I sincerely believe "that
13 serious inquiry into the assassination mystery illuminates and
14 enlivens something in us all." to quote James DiEugenio, author
15 of a compelling 1992 study of the Garrison investigation,
16 entitled "Destiny Betrayed."

17 The American public believes the truth has been hidden
18 from them for over three decades. If there is truly nothing
19 to hide, then there is no better reason for any and all classified
20 documents to be herewith declassified. Only then can the
21 people's trust be restored. Only then can the healing begin.

22 Thank you.

23 [Applause.]

24 CHAIRMAN TUNHEIM: Thank you, Mr. Tyler. We may have
25 a few questions for you, if you don't mind.

1 MR. TYLER: Certainly.

2 MS. NELSON: I think the most valuable thing that
3 you probably have are the oral interviews that are the out takes.

4 It's very difficult to find things like that 30 years after
5 the fact, 20 years after the fact. Who were some of the people
6 that you did interview? Just New Orleanians or people who were
7 associates of --

8 MR. TYLER: No. I mean people outside of New Orleans
9 would have been people who had some connection with the case,
10 for example, Mark Lane, the author; James Faelin, a journalist
11 who covered the trial for the "Saturday Evening Post," at the
12 time; people like that, former Governor John McKeithen.

13 MS. NELSON: Were they people who knew Shaw? Anyone
14 who knew Oswald?

15 MR. TYLER: Certainly, certainly. I mean again
16 that's the thing about New Orleans, that everybody knows
17 everyone else. You know New Orleans is always sort of held
18 it a badge of honor that Oswald was born here. They don't like
19 what he did necessarily or allegedly did, but they're proud
20 of the fact that he's from here.

21 I think unfortunately though the mystery becomes the
22 celebrant theme because you never know -- people's memory is
23 selective. You never know, in today's lexicon, what different
24 people's agendas are. The fact of the matter is just because
25 I have all these out takes, it begs the question that everybody

1 that talked to me was being completely forthright. I would
2 like to think that my faith in humanity is such that they are,
3 but I've grown a little more disillusioned over the years.

4 CHAIRMAN TUNHEIM: Bill.

5 MR. JOYCE: Mr. Tyler, you said that there were
6 theories that Jim Garrison had about the activity of Clay Shaw
7 and that there was information that could not have been available
8 to him that now was available. I was wondering if any of that
9 information that you referred to may still be in private hands
10 and is not accessible for researchers or the public more
11 generally to be aware of and, if so, if you can direct us to
12 where some of that might be.

13 MR. TYLER: From what I understand, you're already
14 on the right track. Judge Garrison's files over the years had
15 evidently become spread out in a variety of different areas.

16 Some of them were even still at Judge Garrison's home. Some
17 were also, as District Attorney Connick were saying, in the
18 current District Attorney's Office.

19 Some were evidently also transferred to the Court
20 of Appeals Office. I would hope that you might talk to some
21 of the people on the Appellate Court staff during Judge
22 Garrison's tenure regarding any of those documents, some of
23 which I'm relatively certain had been entrusted to that staff
24 for their safekeeping and since Judge Garrison's death I don't
25 know what the status of those documents is.

1 MR. MARWELL: Do you base your claim that some of
2 the records were given to staff for safekeeping on some evidence
3 that you have or is it --

4 MR. TYLER: Yes. I mean what's been told by
5 somebody. I've not been able to corroborate that necessarily,
6 but I would suggest that it bears further investigation. Any
7 of the people who worked in Judge Garrison's office at the time
8 might be able to clear that up one way or the other.

9 MR. HALL: Are there any key persons, Mr. Tyler -- and
10 I ask you this question in the context as someone who comes
11 to us as an authority on the character and state of the culture
12 of this city. Are there any individuals connected with the
13 Garrison investigation that we ought to inquire about
14 specifically with regards to records?

15 MR. TYLER: Being an alleged or putative expert on
16 the culture of New Orleans is a blessing as well as a curse.
17 We're very parochial here, and I don't necessarily mean that
18 as a pejorative term. Much of the information that I have
19 acquired in the succeeding years since this assassination film
20 that I produced has come from people outside of New Orleans
21 who look at this case, who look at this city, with a more
22 objective eye.

23 Everyone I've ever spoken to, for example, echoes
24 the same impressions that Mrs. Wegmann did and I have no doubt
25 whatsoever that those are accurate impressions. The question

1 that needs to be answered is, Are there other aspects of Mr.
2 Shaw's political or professional life that may have led Mr.
3 Garrison's on his path, perhaps not as accurately or as directly
4 as it needed to be, but to bear further scrutiny?

5 None of that would necessarily have to impugn Mr.
6 Shaw's reputation. But there are questions that remain
7 unanswered about affiliations with government agencies,
8 intelligence agencies and so forth.

9 MR. HALL: A fair amount of what you've written
10 elsewhere or presented elsewhere that I've seen suggests that
11 Clay Shaw's homosexuality figured to some significant degree
12 in the working out of Garrison's relationship in going after
13 him. Am I correct in that judgment?

14 MR. TYLER: Well, I'm very hesitant to make anything
15 resembling a definitive conclusion about that. I mean I have
16 my own opinions about a sort of psychoanalytic culture approach
17 to that, if you will. But for what it's worth, my personal
18 is to illustrate by example is that I believe that
19 notwithstanding his testimony that Mr. Shaw knew David Ferrie
20 and I've always assumed over the years that Mr. Shaw testified
21 under oath that he did not know Mr. Ferrie because of the fear
22 of potential embarrassment that that might bring him,
23 considering the fact that evidently Mr. Ferrie was a rather
24 notorious homosexual in certain circles in New Orleans at the
25 time.

1 I have since come to suspect that Mr. Shaw's reticent
2 about being forthright about his relationship with Mr. Ferrie
3 also might have had political connections, namely a mutual
4 involvement with the Central Intelligence Agency. Now whether
5 that involvement was purely benign, whether it was benign in
6 the sense that it was motivated by a sense of patriotism, however
7 misguided, I don't know.

8 But whether that connection had any sort of sinister
9 intent or sinister result, I don't know that either. But I
10 think that there are documents that sort of chart Mr. Shaw's
11 involvement with that agency, which will help us clear up this
12 question once and for all.

13 As I indicated, for example, this program called
14 QKENCHANT, one of the cryptonyms that the CIA is fond of, there
15 are documents that have thankfully been released which clearly
16 indicate in black and white that Mr. Shaw had a covert security
17 approval number with that program. Now that's smoke. Whether
18 there is fire there as well, we need to conclusively determine.

19 So Mr. Shaw's legacy can be accurately portrayed and
20 considered.

21 CHAIRMAN TUNHEIM: Mr. Tyler, to the extent that
22 David Ferrie, just referred to, was investigated by Mr.
23 Garrison, are there records we should be pursuing relative to
24 David Ferrie in your point of view?

25 MR. TYLER: The short answer is yes, absolutely.

1 I personally believe that David Ferrie is the key to unlocking
2 once and for all the mystery of the assassination and questions
3 about whether there was a conspiracy of any sort.

4 Mr. Ferrie has left quite an interesting trial behind
5 him. As far as being able to point you in specific directions,
6 I don't know. I would be interested in knowing more about any
7 kind of work Mr. Ferrie might have been doing in terms of medical
8 research, particularly as it might have been endorsed or
9 sanctioned somehow by the Ochsner Medical Institutions. That's
10 just a personal question that I have. I don't mean to suggest,
11 nor making any kind of accusation, but I would like to know
12 more about that.

13 Mr. Ferrie was an interesting man indeed and any and
14 all documents or records pertaining to Mr. Ferrie -- for example,
15 his autopsy reports are still in the hands of the current New
16 Orleans Parish coroner. Some have suggested, Mr. Garrison
17 included, that those reports indicate Mr. Ferrie's demise as
18 being something that might have had a sinister connection.

19 MS. NELSON: If I could just ask briefly, we've
20 concentrated on the record trial of all the people involved
21 in the Garrison trial. I think we are assuming that Lee Harvey
22 Oswald came and went without much of a trial, except what is
23 known, handing out leaflets.

24 Do you have any impressions of the climate in New
25 Orleans at the time that he was a young man handing out flyers

on the streets of New Orleans?

1 MR. TYLER: Well, for example, what I can tell you
2 about that is --

3 MS. NELSON: And where we might go for people who
4 had some sort of records of that?

5 MR. TYLER: I think people need to remember, and
6 certainly Professor Kurtz is much more better qualified to
7 comment on this than I am, but in the late '50s and early '60s
8 around the time of Castro's rise to power, New Orleans was
9 obviously a hotbed of anti-Castro activity. Personally,
10 anecdotally, I have had people tell me that there are many
11 occasions that they would be at social functions where
12 anti-Castro Cuban exiles would be vociferously complaining
13 about that S.O.B. Castro. What can we do to get rid of him?
14 Why isn't Kennedy doing more? And Clay Shaw was at these
15 parties at time to time.

16 Again, you take a case like that, maybe it's just
17 completely innocent. We don't know. We don't know.

18 MS. NELSON: There is no indication --

19 MR. TYLER: I was attempting to answer your question
20 about the atmosphere at the time. What you have to remember
21 about the atmosphere at the time was that there was fervent
22 anti-Castro sentiment in this city and Oswald's trial in and
23 out of that has been documented --

24 MS. NELSON: Oh, yes.
25

1 MR. TYLER: With varying degrees of accuracy and I
2 think conclusiveness.

3 MS. NELSON: What about the attitude toward President
4 Kennedy?

5 MR. TYLER: Well, I mean think New Orleans being one
6 of the most Catholic cities in the world, certainly they felt
7 a particular affinity for President Kennedy for that reason
8 alone. Beyond that, I think those people who might have had
9 a political agenda or leaning of any kind, whether it's
10 anti-Castro Cuban activity or whatever, you know their feelings
11 about Kennedy would flow in that direction.

12 MS. NELSON: But, in fact, you don't know of any other
13 sources of records or documents that have not been revealed
14 about Oswald and the anti-Castro groups?

15 MR. TYLER: As I mentioned in my earlier statement,
16 there very well might be some information in the files of the
17 organization INCA, Information Council of the Americas. Also,
18 I think the personal files that were in the office of the late
19 Guy Banister, which evidently have never been accounted for,
20 very well might have information regarding what you're talking
21 about. Best of my knowledge, those files have never been
22 located nor has their location, wherever it is, been confirmed.

23 I presume they might have been destroyed, but we don't know.

24 CHAIRMAN TUNHEIM: Mr. Tyler, one of the issues
25 facing the Board as we go through this process is what to devote

1 primary amount of our resources to. Given the fact that the
2 assassination of President Kennedy occurred during an age when
3 television had come into American living rooms, there is a great
4 amount of material, we believe, that is in the possession of
5 television networks and local television stations, the kind
6 of out takes of the sort that you are donating to our collection,
7 the published collection today.

8 How great a priority would you advise us to set on
9 seeking out takes, copies of videotapes, that might be held
10 by the media?

11 MR. TYLER: I frankly would be a little dubious about
12 any probative value that that might have. I think that
13 certainly the State Archives in Baton Rouge already have much
14 footage from WWL, the CBS affiliate from the time. The New
15 Orleans Public Library -- Mr. Everard could talk more
16 conclusively about that -- has a little bit of footage from
17 the ABC affiliate.

18 I think most of what you're going to find there is
19 the sort of images that we've seen, you know, many, many times
20 that are sort of like rocks at the bottom of a stream where
21 the waters float over them for so long that all the rough edges
22 are gone.

23 I would recommend that more of your efforts be devoted
24 towards trying to find those actual files and documents that
25 I enumerated earlier.

1 CHAIRMAN TUNHEIM: Thank you very much, Mr. Tyler.
2 I know we appreciate your donation and the public will, your
3 sharing of your work. Thank you very much.

4 MR. TYLER: My pleasure.

5 CHAIRMAN TUNHEIM: Our next witness this morning is
6 Dr. Michael L. Kurtz, Professor of History at Southeastern
7 Louisiana and author of a 1982 book on the assassination of
8 President Kennedy that's entitled, "Crime of the Century."
9 Dr. Kurtz, welcome and thank you for joining us.

10 DR. KURTZ: Thank you, Mr. Chairman. By way of
11 introduction, let me give the Board a very brief background
12 on my qualifications for testifying before the Board today.

13 I'm one of the very academicians who researched and
14 written about the assassination of President Kennedy. In
15 addition to my book, "Crime of the Century," published by the
16 University of Tennessee Press, I have published two scholarly
17 articles on the assassination in the journals "The Historian"
18 and "Louisiana History." I presented papers on the
19 assassination at meetings of such professional organizations
20 as Phi Alpha Theta, the Southern Historical Association and
21 the Louisiana Historical Association.

22 Now I've given lectures and appeared on panels at
23 places as diverse as Tulane University, Georgia Southern
24 University, Harris County Community College in Texas, and so
25 forth.

1 My purpose in appearing before the Board today is
2 to provide you with suggestions about the acquisition of records
3 as defined by the Act itself. So I will turn to that topic
4 immediately.

5 First, one passage in a recent book about President
6 Kennedy's foreign policy relationships with Soviet Premier
7 Nikita Khrushchev, "The Crisis Years," by Michael Beschloss,
8 struck me as very odd. I'd like to quote the passage from page
9 682 of that book.

10 "Richard Helms, who at the time was Deputy Director
11 of Plans for the CIA" -- this is in early 1964 I might add,
12 the context -- "found Johnson distracted well in 1964 by his
13 worry that Kennedy had been assassinated by conspiracy. As
14 Helms recalled, the Agency was" -- in here Beschloss is quoting
15 Richard Helms -- ""very helpful to Johnson on this" and meet
16 the new president's request for an independent CIA study.
17 Motion picture of the Dallas motorcade and autopsy photographs
18 were sent to the agency."

19 In his footnotes, or I should say end notes, Mr.
20 Beschloss cites a personal interview with Richard Helms as the
21 source of this statement. I urge the Board to pursue this
22 matter, if, in fact, the CIA did conduct its own investigation
23 of the assassination simultaneously with that of the Warren
24 Commission, all records pertaining to that investigation
25 should, of course, be included in the JFK Records Collection

in the National Archives.

1 As far as I know, nothing pertaining to that special
2 CIA investigation that Helms mentioned to Beschloss has ever
3 been made public. Certainly nothing in the existing
4 assassination documentation refers to the CIA's having received
5 access to autopsy photographs. I recommend that the Board
6 exercise its legal authority under the Act and, if necessary,
7 subpoena Mr. Helms and interview Mr. Beschloss about this
8 subject and require the CIA to release unedited any and all
9 of its records concerning this 1964 investigation.
10

11 Secondly, I urge the Board to conduct a survey of
12 the documentary record if, indeed, any exists to ascertain
13 precisely when and how the Kennedy family came into legal
14 possession of the autopsy photographs and X-rays and other
15 related materials. I myself have received run-arounds and
16 evasions from the National Archives, the Secret Service and
17 the Kennedy Library about this matter. The family's legal
18 control over these materials has been upheld in Federal court,
19 but at no time has any documentation ever been produced to
20 determine the origins of the family's legal control.

21 I know of no case anywhere in the United States where
22 the family of a deceased has legal control over the autopsy
23 records of that individual. For example, the Kennedy family
24 does not have legal control over the autopsy records of Senator
25 Robert Kennedy. The State of California quite properly has

1 control over those records. How did the Kennedy family come
2 to have legal possession of those records is a fundamental
3 question for which some trial of evidence under the broad
4 definition of record should exist

5 I urge the Board to, in addition to interviewing Burke
6 Marshall, who, of course, is the Kennedy family's legal
7 representative on this particular matter, the deed to the
8 National Archives in 1966, and conduct a systematic review of
9 all records of the Secret Service, especially that agency's
10 Protective Research Division, which assumed original custody
11 of the materials the night of the autopsy. Additionally,
12 the Board should review all records of the Bethesda Naval
13 Hospital about this matter.

14 Furthermore, along the same general lines, I urge
15 the Board to conduct an intensive investigation into records
16 dealing with the certain actions taken by the Secret Service
17 in 1963. I have communicated with the Secret Service, the
18 Kennedy Library, National Archives about this matter and all
19 of them say no such documentation or records exist. Surely
20 some records exist.

21 Why did the Secret Service remove President Kennedy's
22 body from Dallas and transport it to Washington? What Federal
23 statute gives the Secret Service jurisdiction over a
24 presidential corpse? As far as I know, there is none in
25 existence. Why were three Secret Service agents present at

1 the autopsy at Bethesda Naval Hospital? I don't know. No
2 documentation has ever been produced to document that.

3 Why did Roy Kellerman take possession of the autopsy
4 photographs, the unprocessed negatives and the X-rays at the
5 time of the autopsy? What legal authority did Kellerman have
6 to possess these materials and then turn them over to Robert
7 I. Bouck, the head of the Protective Research Service of the
8 Secret Service, when at that time Lee Harvey Oswald was still
9 alive and these autopsy records were properly legal documents
10 that should have been under the jurisdiction of Dallas District
11 Attorney Henry Wade, not the Secret Service of the United States?

12 Why did Secret Service Agent James Fox make a private
13 set of autopsy photographs for himself? What legal possession
14 did he have over those autopsy photographs and what legal
15 authority did Fox have to sell these so-called couched set of
16 photographs to David Lifton in 1988 and authorize Lifton to
17 reproduce them?

18 Why did Robert Bouck turn over the autopsy materials
19 to Robert Kennedy in 1965, that is through the Evelyn Lincoln
20 and Angela Novello chain that the House Committee tried to track
21 down? But what legal authority did Robert Bouck have? What
22 legal authority did Robert Kennedy have over Robert Bouck?
23 As far as I know, there was none. Robert Bouck answered to
24 the head of the Secret Service, who answered to the President
25 of the United States, not to a senator from Massachusetts.

1 These are records that I think the Board should
2 certainly try to investigate and not simply accept the word
3 of an agency of the United States that no such records exist.

4 Surely some trial of evidence exists about these questions.

5 As Steve Tyler was talking -- and, by golly, I wish
6 I had gone before him instead of after him -- he did such a
7 good job of his presentation. I disagree in the sense that
8 I think that the Board should attempt to obtain all out takes
9 of all television documentaries produced about the Kennedy
10 assassination from the time it occurred until the present.

11 For example, in 1967 CBS did a four-hour long special
12 hosted by Walter Cronkite. We know for a fact that hundreds
13 of hours of film was made, four hours aired minus the
14 commercials. I'd like to see the Board obtain these original
15 records, the out takes of these documentaries, because I think
16 that they could contain very valuable information.

17 For example, CBS conducted a firing test of the man
18 with a car cannon and showed only a brief flash on the screen.

19 The complete out takes could certainly provide some additional
20 information about that ballistics evidence.

21 Numerous other pieces of evidence should also be obtained from
22 these, the out takes of these documentaries.

23 Now in another matter, although conspiracy theories
24 about the Kennedy assassination abound, many of them ludicrous
25 and ridiculous, one that remains a plausible one, supported

1 by a substantial amount of evidence, is the so-called Cuban
2 connection to the assassination. Lyndon Johnson's
3 often-quoted statement to two sources, Howard K. Smith and
4 Joseph Califano, that "Kennedy was trying to get Castro but
5 Castro got him first." The possibility of Cuban government
6 complicity in the assassination certainly cannot be ruled out.

7 I implore the Board to demand the immediate release
8 of all records of the CIA, FBI, Defense Department, National
9 Security Agency, State Department and any other agency of the
10 United States Government under its jurisdiction under the Act
11 pertaining to U.S.-Cuban relations during the period 1959 to
12 1963, especially any and all records concerning the
13 assassination plots against the life of Fidel Castro.

14 In addition, I would like -- although Mr. Tilley
15 mentioned that the Lyndon Johnson Library has been very
16 cooperative in this matter, it's quite clear from what he did
17 not say that the John F. Kennedy Library has not been cooperative
18 at all, that the Board should request, even though the Act does
19 not give the Board this authority since this falls under the
20 private deed exemption to the Act -- I believe I'm correct in
21 saying that -- that the Board should at least publicly implore
22 the John F. Kennedy Library to allow its staff members to listen
23 to all White House tapes made during the Kennedy Administration
24 and especially conversations between John Kennedy and Robert
25 Kennedy and any other individuals concerned with U.S.-Cuban

relations during that period.

1
2 The same, by the way, could be true -- I'm not aware
3 of the existence of such -- of any tapes from the Eisenhower
4 presidency since these activities, of course, originated in
5 1960 under Eisenhower's Administration.

6 One record potential record comes from a rather
7 surprising source, H.R. Haldeman. In his memoirs, "The Ends
8 of Power," Haldeman actually refers to the Kennedy assassination
9 as the underlying topic of the infamous smoking gun Watergate
10 tape of June 23, 1972, in which Haldeman and Nixon discuss the
11 payment of money to certain Cuban associates of E. Howard Hunt,
12 which was the primary subject of that conversation, although
13 not the specific reason that Nixon got himself into very deep
14 trouble and resigned a few days later, money that originally
15 came from some of Nixon's campaign contributors.

16 I recommend that the Board research Mr. Haldeman's
17 papers, as well as those of the Nixon White House tapes to
18 determine the source of Haldeman's rather surprising reference
19 to the Kennedy assassination within the context of that smoking
20 gun conversation.

21 As Mr. Tyler briefly mentioned the name of Guy
22 Banister, certainly Guy Banister remains an enigmatic figure
23 in this case for the relationship, if any, between Oswald and
24 Banister during the spring and summer of 1963. As I have in
25 my book and I'll repeat it here today, I myself saw Banister

and Oswald together in New Orleans in the summer of 1963.

1 On the first occasion, Banister was debating
2 President Kennedy's civil rights policy with a group of college
3 students, including myself. Oswald was in the company of
4 Banister. At the time -- this is the late spring of 1963 -- I
5 was a senior at what at that time was the Louisiana State
6 University in New Orleans, although today it's called the
7 University of New Orleans.

8 Banister was not discussing anti-communist, for which
9 he is most widely known, but rather racial integration, and
10 Banister was certainly a rabid segregationist to say the least,
11 vehemently critical of President Kennedy's civil rights
12 policies.

13 Now the possible racist connections of Lee Harvey
14 Oswald to Guy Banister lead to another recommendation of the
15 Board to peruse the FBI files on such topics as Leander H.J.
16 Perez, Sr., the Citizens Council of Greater New Orleans and
17 a title that, of course, only the FBI under J. Edgar Hoover
18 could have developed, "Communist Infiltration of the NAACP."

19 There is an actual FBI file with that title. References to
20 Guy Banister may be found also in various papers from the
21 DeLesseps Chep Morrison Collection from Tulane University and
22 from the New Orleans Public Library.

23 Speaking of Tulane University, I'd like also the Board
24 to investigate whether any of the papers of Leon Hubert, who
25

1 was a law professor at Tulane School of Law, are at the Tulane
2 Library because Mr. Hubert was junior counsel for the Warren
3 Commission and that is a possible source of material.

4 Congresswoman Boggs' testimony earlier made me think of that.

5 My time has expired. With no time limit, I could
6 easily provide the Board with innumerable other potential
7 sources of information and concerning the availability of
8 records pertaining to the assassination.

9 In conclusion, I would like to state for the record
10 that the more than three decade long history of obfuscation
11 and suppression of records about the assassination of President
12 Kennedy needs to be ended as expeditiously as possible. In
13 that light, I urge this Board to exercise its authority under
14 the Act, to release all records pertaining to the assassination
15 without exception, and to instruct the National Archives to
16 make them available for immediate public inspection. Thank
17 you.

18 CHAIRMAN TUNHEIM: Thank you, Dr. Kurtz. Appreciate
19 your testimony today and your advice to us. Certainly
20 additional advice that you have that you weren't able to pass
21 along today, we'd certainly appreciate it in writing because
22 we will follow up on your suggestions.

23 DR. KURTZ: Yes, for example, Mr. Samoluk of your
24 staff has contacted me about reproducing the preliminary hearing
25 transcripts of the Clay Shaw trial, which we have at our library

1 at Southeastern Louisiana University. We're trying to figure
2 out the logistics of doing that right now.

3 They don't lend themselves to Xeroxing, probably an
4 optical scanner, but be assured that we will provide the Board
5 with copies of all of those transcripts of those Clay Shaw
6 preliminary hearings and a few other pieces of materials that
7 our library has and I, myself, have in personal possession.
8 We'll certainly share copies with the Board.

9 CHAIRMAN TUNHEIM: Excellent. Would you mind if we
10 ask you a few questions, the members of the Board?

11 DR. KURTZ: Not at all.

12 MR. HALL: Mr. Kurtz, Dr. Kurtz, Professor Kurtz --

13 DR. KURTZ: Doesn't matter. Same person.

14 MR. HALL: You concentrated a good deal on Cuba and
15 potential connection of Cuba to the assassination of the
16 President. I wonder have you thought through or addressed the
17 question in the relationship of Mexico to Cuba and where Mexico
18 stood in the light of the New Orleans and Louisiana economy
19 and political community in 1963?

20 DR. KURTZ: You're talking about the Mexican
21 Government now in your question. Not much to be quite honest
22 with you. At the time, I don't recall that Mexico itself had
23 any major relationship with the United States other than what
24 was common knowledge. I did not think of Mexico as a source
25 of any kind of perhaps intelligence activities, although Mexico

1 City, of course, was a beehive of different kinds of intelligence
2 activities and Oswald's famous trip there in September of 1963
3 has generated a lot of controversy.

4 But I don't really see a great deal of connection
5 there, directly or indirectly, except that Mexico was a conduit
6 to which the U.S. could communicate with the Cuban government
7 of course.

8 CHAIRMAN TUNHEIM: Any questions?

9 MS. NELSON: Professor Kurtz, are you aware of the
10 recent release from the FBI of records -- an interview with
11 someone -- or a memo I believe it is -- of someone who saw Castro
12 reenact the assassination, the assumption behind that being
13 that he didn't have anything to do with it? Are you aware of
14 that?

15 DR. KURTZ: Yes. Yes, I am. I'm also aware of
16 Castro's denials of having participated in the assassination
17 of President Kennedy and also of the fact that a particularly
18 strong majority of the community of Kennedy assassination
19 scholars who agree with me that there was a conspiracy in the
20 assassination; do not agree that Castro was the mastermind
21 behind it.

22 Nevertheless, I do not take Castro's denials with
23 a grain of salt -- I mean I take them a grain of salt and I
24 certainly do not take Castro's experiments with the rifle to
25 see whether or not one man could fire the shots any more than

I do CBS experiments with a rifle --

1
2 MS. NELSON: So, basically, you think there are more
3 references out there?

4 DR. KURTZ: Oh, yes. I think there's a great deal
5 more that we can learn that even members of the Church Committee
6 did not have access to concerning all of this business. I think
7 there's a great deal more.

8 I mentioned, for example, the National Security
9 Agency as a potential source of information. I don't know that
10 there are records but, nevertheless, I think it's an avenue
11 of investigation the Board should pursue.

12 CHAIRMAN TUNHEIM: Dr. Kurtz, are you aware of any
13 records that the government of Cuba or in private hands on the
14 island of Cuba that might be relevant to all of this that we
15 should be seeking? Are you aware of anything there?

16 DR. KURTZ: I wouldn't be surprised that there are.
17 I am not aware of any at all, Mr. Tunheim. Frankly, I would
18 think that the Board would waste its time communicating with
19 Premier Castro about this matter. He's not going to cooperate
20 any more fully than he did I think with the House Select Committee
21 on Assassinations.

22 CHAIRMAN TUNHEIM: Could you just follow up on a point
23 that you made in your testimony, Dr. Kurtz, about the Kennedy
24 family's control of the autopsy materials. I was curious about
25 why that is significant to you, I mean as part of this entire

1 picture. Maybe you can explain that a little more to me.

2 DR. KURTZ: It's significant, Mr. Tunheim, because
3 the Kennedy family has persistently refused to make these
4 records available to serious, honest researchers and scholars.

5 Not only historians and academicians, but also many people
6 highly qualified in the areas of forensic pathology, such as
7 Dr. John Nichols and Dr. Milton Helpern, were specifically
8 turned down by the Kennedy family in their request to inspect
9 the autopsy materials under the deed of gift in the National
10 Archives.

11 I realize, of course, that today we have -- the copies
12 have been so widely reproduced and so forth, but as you yourself
13 have heard in testimony in the previous meeting from Dr. Aguilar,
14 I believe, there are so many questions that still remain about
15 the whole broad subject of the medical evidence in this case.

16 I think that this is something that needs to be pursued as
17 thoroughly as possible and any and all records pertaining to
18 this needs to be made public.

19 CHAIRMAN TUNHEIM: Thank you, Dr. Kurtz. I just want
20 to add that I found the introduction that you wrote to your
21 book, "Crime of the Century," to be particularly good at putting
22 together a lot of the different theories that are out there.

23 I found that very useful and I just wanted you to know that.

24 DR. KURTZ: Thank you.

25 CHAIRMAN TUNHEIM: Thank you for your testimony today

1 and your advice to us.

2 Our next witness this morning is Wayne Everard. Mr.
3 Everard is the archivist for the City of New Orleans Archives.

4 He oversees the records at the New Orleans Public Library that
5 are from the investigation into the assassination of President
6 Kennedy conducted by the District Attorney's Office. Welcome,
7 Mr. Everard.

8 MR. EVERARD: The city archives, I should say first
9 of all, is the official archives for the City of New Orleans.

10 It happens to be administered by the New Orleans Public Library.

11 But we are a separately ordained creature.

12 We've been in the JFK assassination business I guess
13 for about 20 years now. I should say right off that our records
14 have always been open to the public with a few procedural
15 limitations, and have been used by a number of researchers over
16 the years.

17 In 1974, we received a series of New Orleans Police
18 Department arrest books and included in that was the volume
19 that contained the record of Oswald's arrest on August 9, 1963
20 in New Orleans. Later NOPD accessions have included a offense
21 reports, such as the one for Jack Martin's complaint on November
22 22, '63 against Guy Banister and also the report of Ferrie's
23 initial --David Ferrie's initial arrest on November 25, 1963.

24 Also in the Police Department records is a series
25 of police crime scene photographs, including images made of

Ferrie's apartment following his death in 1967.

1
2 We have also records from the New Orleans Parish
3 Coroner's Office, including several documents involving the
4 Ferrie autopsy report, although the original autopsy file, which
5 included views of Ferrie's body before and after the autopsy
6 and additional photographs of the apartment, were requested
7 to be returned back to the Coroner's Office in 1988, and that
8 file is still over there.

9 Even the library's records itself include a file on
10 the assassination, beginning with the following day after the
11 assassination where FBI agents went to the library to ask about
12 Oswald's reading proclivity, since it turned out that he was
13 a patron of the library, of our Napoleon Branch.

14 Since then this book has turned up. They were
15 cleaning out the branch last year I guess to turn it into a
16 children's library. This is actually a copy of Taylor
17 Caldwell's, "The Arm in the Darkness," and it has a little card
18 in the back that has written in, "Due on September 9, 1963,
19 Checked out by Lee Harvey Oswald." Now whether this is real
20 or somebody just added that little note, who knows. But it's
21 one of our few Oswald artifacts that we have in the collection.

22 But our biggest and most significant assassination
23 related record series actually didn't come to the library until
24 1990, and you've already heard a little bit about it this
25 morning. I'll give you sort of a blow-by-blow description of

1 how we got them and also some description of what is in this
2 collection.

3 Early in 1990, the city librarian received a call
4 from the File Room supervisor for the District Attorney's
5 Office. They were interested in purging their case files from
6 the 1950s and 1960s. Apparently, the Office was looking for
7 ways to save money. They were storing these records in a private
8 records warehouse and I'm sure the charges were pretty fierce.

9 The File Room supervisor realized that these were
10 historically significant records and didn't just want to destroy
11 them and he probably had been talking with the Clerk of Criminal
12 Court who had, just a year before that, deposited some of their
13 older records with the Archives. So he was talking to us to
14 see if we were interested in accepting the district attorney's
15 records as well.

16 I went and made an on site inspection of the records
17 and found out that there were a few boxes, three boxes I think
18 actually, marked JFK Assassination, and any doubts about whether
19 we wanted to accept the entire donation were dispelled by the
20 opportunity to collect some of these things.

21 On February 13, 1990, we did transfer the district
22 attorney's records from their warehouse to the Central Library.

23 After some preliminary arrangement and description, I drafted
24 a donation agreement which the Executive Assistant District
25 Attorney signed on March 1, 1990, turning files over to the

City Archives collection.

1 There were only these few boxes with JFK markings.
2 We actually hoped that as we were transferring the records
3 other things would turn up, but nothing additional did turn
4 up.
5

6 I should stop at this point and say that these were
7 files that, as far I can tell, totally different from the files
8 that the District Attorney's Office still has, which are locked
9 up in a separate room over there and these things were in boxes
10 off in a warehouse ten miles away from the District Attorney's
11 Office. So there were probably some differences in the records,
12 and I'll talk about that a little bit more.

13 After we got these records and I looked at them more
14 carefully, it turned out, indeed, they did include original
15 materials from the Garrison investigation and for several
16 reasons we decided very early on that we would microfilm the
17 collection before we did anything in the way of making them
18 available to the public.

19 I arranged the records and did some archival
20 description on them and I'll read you briefly, a little bit
21 more in detail, a description of the records. Again, the
22 original records were in three boxes, probably somewhere in
23 the neighborhood of two cubic feet because of the way they were
24 stored. They include materials apparently collected by
25 Garrison and his staff during the investigation, also included

1 a photocopy of portions of the court record in the case of
2 Louisiana vs. Clay Shaw and other cases related to the
3 investigation, correspondence files and one file of
4 miscellaneous material.

5 The correspondence sub-series includes general
6 correspondence of the District Attorney's Office during the
7 period. The period is 1966 to 1973, as well as letters dealing
8 specifically with the assassination investigation. Many of
9 the letters that are relevant to the assassination are in the
10 nature of fan mail, people writing letters encouraging Garrison
11 to continue the investigation, asking him to come speak to their
12 groups and that sort of thing.

13 But there are also letters to and from reporters and
14 other representatives of the news media and letters from people
15 from around the country are offering their own assassination
16 theories and commenting on Garrison's. Those are two of the
17 major groups in the correspondence category.

18 There were a few letters dealing with complaints
19 lodged with the State Bar Association against Garrison by
20 attorneys who are representing witnesses in the Shaw case.
21 There's one letter from Garrison to Marina Oswald Porter,
22 telegram from Lee Oswald's mother, letter from Garrison to
23 Irving Diamond, who was Shaw's criminal attorney, concerning
24 details of the case. So there's some interesting substantive
25 material in there.

1 Also there's a memo from Garrison to one of his
2 assistants concerning the David Ferrie autopsy, which you have
3 talked about and heard a little bit about earlier from Mr. Tyler.

4 I'll just read a very brief portion of that. Garrison to his
5 assistant, dated December 11, 1967.

6 "I think we should make a thorough investigation of
7 the possibility that Ferrie committed suicide by means of
8 Proloid. This is particularly justified by an earlier
9 statement of his -- I believe it was made to Perry Russo -- to
10 the effect that he knew how to commit suicide and leave no traces.

11 "I would appreciate it if you" -- referring to his
12 assistant -- "would handle this operation. Dr. Begnetto has
13 promised to provide us with a statement saying that Ferrie had
14 high blood pressure and should not be using Proloid. I believe
15 that Lou Ivan" -- another of his assistants -- "has had some
16 initial investigation done in this area. I think we should
17 prepare, if possible, a complete case for the Proloid
18 possibility, supported by statements from pathologists and
19 other qualified doctors. I am sure that if we are able to
20 develop this factually, Dr. Chetta will reconsider the initial
21 conclusion that death was due to natural causes."

22 Garrison goes into this a little bit in his book,
23 "On the Trial of the Assassin." Apparently no blood samples
24 were saved so that didn't proceed beyond this memo or beyond
25 the investigation that this memo led to.

1 Among the letters -- and again I'll just mention two
2 of them of giving us some sort of a flavor of what is in this
3 collection. It's a letter of August 16, 1967, from Melvin Belli
4 to Jim Garrison. Belli was a former attorney who represented
5 Jack Ruby after he was tried for murder of Oswald.

6 "Dear Jim, I see the bastards are still after us,
7 but if they weren't, then we wouldn't know who are friends were."

8 He goes on to say, "How are things going with you? I hope
9 sometimes to get down your way and say hello, and whenever you
10 get out this way, publicly or privately, be sure and let me
11 know beforehand. If you're just John Jones, you shall remain
12 such and I'll stash you away in the damnedest penthouse you've
13 ever seen this side of the Cape of Good Hope."

14 The second letter is dated August 27, 1967. It's
15 a copy of Garrison's letter to Lord Bertram Russell, who Garrison
16 acknowledges in his book had been an early supporter of his
17 investigation, one paragraph, Garrison identifies in the
18 beginning of the letter a coalition of anti-Castro Latins and
19 the Minute Men organization as the President's killers and then
20 Garrison goes on to say:

21 "Above the operative level, insulated and removed
22 to the point of being very nearly invisible, appeared to have
23 been individuals whose political orientation can only be
24 described as Neo-Nazi. We regard the defendant, Clay Shaw,
25 as being a member of this group. These individuals appear to

1 have rather unusual international connections and it is not
2 unlikely that they might have had earlier relations with the
3 Gayland Intelligence apparatus instituted in Germany.

4 "Elements of the Gayland apparatus appear to have
5 been digested by our own CIA during the course of the Cold War
6 apparently because of their possible value in fighting
7 communism. Even as I have described this neo-Nazi aspect, I
8 am sure that it sounds somewhat fanciful. Because of the
9 unbelievability of this part of the picture, I have found it
10 necessary to refrain from mentioning it. It is bad enough that
11 the press describes the more obvious parts of the conspiracy
12 as unbelievable without my supplying them with new fuel.

13 "Nevertheless, the essentially Fascist origin of the
14 assassination is inescapable, more about which I will be happy
15 to tell you when I have a little more time.

16 Again, this is three excerpts from probably 1,000
17 or so pages in the collection. They give some flavor for what
18 is included in there.

19 We did, after I completed this inventory, precede
20 with our plans to microfilm the collection. We've produced
21 360 millimeter rolls of film and I gave Tom Samoluk a set of
22 those films this morning, so you will have those for the
23 collection.

24 We didn't really announce availability of these
25 records again until we had finished filming them for security

1 reasons. We didn't really seek any publicity for the records.

2 We made announcements to the local state and regional archival
3 newsletters, and until "Times-Picayune" article last week about
4 this hearing, I don't think that the local press had ever carried
5 any stories about our collection of Garrison materials.

6 But they have been used. We've had several
7 researchers request them in house and the records, the
8 microfilms, are out in public accessible areas. We really don't
9 have any statistics on how many people have used them. We did,
10 when we did the film, is make two sets of films so that one
11 would always be available for interlibrary loan, and we have
12 had several interlibrary loan requests since they've been
13 available.

14 We did enter a catalog record for the material into
15 the OCLC database and we also just this year added a copy of
16 the inventory to our worldwide web site on the Internet. So
17 we are trying to let the world know that we have these and we're
18 willing to let everybody who wants to, use them.

19 At the 1993 Annual Meeting of the Society of American
20 Archivists, which was here in New Orleans, I participated in
21 a session on the assassination records. I discussed our
22 holdings and how they were used, pretty much as I've done here
23 this morning.

24 But two of the other presenters on the panel were
25 from the National Archives and their description of the whole

1 Assassination Records Collection Act and how they were
2 implementing it and everything was very interesting to me and
3 sort of inspired me after the session was over to go back and
4 write letters to the New Orleans Police Department and to
5 District Attorney Connick asking them to once again look and
6 see if it were additional records and to consider making them
7 available in the spirit of the Federal legislation.

8 The Police Department responded that they had no
9 additional materials. I have no idea what they looked at in
10 order to come to that conclusion. But that was their answer.

11 The district attorney, however, did assign one of his chief
12 assistants to work with me on the matter. On October 14, 1993
13 I met with him at the District Attorney's Office, where he did
14 show me the collection, which again was in a separate room,
15 locked room away from all the rest of the records. It seemed
16 to me at the time that it was more than one file cabinet, but
17 I didn't really have a lot of time to look at the records and
18 just very brief impressions is all that I came away with.

19 We discussed the possibility of those records being
20 added to the donation that we had already received from the
21 District Attorney's Office, but nothing further came from that
22 discussion.

23 Last month I got a letter from the District Attorney
24 advising me that they were planning to donate additional
25 materials to the library. Immediately thereafter I learned

1 of this Board's interest in New Orleans records and have since
2 learned that the District Attorney will now be turning the
3 records over to the National Archives, rather than to us,
4 although in discussion with Tom Samoluk this morning, it sounds
5 like we can work out some kind of a deal where we can get copies
6 of those records to be kept with our records at the Public
7 Library. We would very much like to have local accessibility
8 to those records continue.

9 I look forward to working with you all and the National
10 Archives in the future on this never ending story.

11 CHAIRMAN TUNHEIM: Thank you, Mr. Everard. Are
12 there questions, members of the Board?

13 MR. JOYCE: Mr. Everard, one of the ways that
14 repositories are able to supplement their holdings is when their
15 librarians and archivists encounter researchers who come to
16 use the collection.

17 I'm wondering in the case of your collection, if
18 you've encountered any researchers who have been able to provide
19 you with additional information about the records already in
20 your custody and the possibility that there may be other records
21 out there somewhere that might be relevant? Do you have
22 information like that or any guidance that might be of use to
23 us?

24 MR. EVERARD: No, I really don't. We have had people
25 use the records, but they have very much tended to close mouthed

1 about what they were finding and what value they found in the
2 records and really haven't gotten into those kinds of
3 discussions and possibly because we have microfilmed them and
4 we don't have the usual kinds of contacts between researcher
5 and archivist that would be necessary in the case of original
6 records. We don't get the full sense of how and who are using
7 the records.

8 But, no, I haven't really had those kind of
9 discussions with researchers. People have asked questions
10 about the existence of other records, and I've tried to answer
11 those to the best of my ability, but no leads from outside like
12 that.

13 MR. JOYCE: Thank you.

14 CHAIRMAN TUNHEIM: Go ahead, Dr. Hall.

15 MR. HALL: If I may, I'd like to say a word of praise
16 on behalf of the New Orleans City Archives and New Orleans Public
17 Library. I had the pleasure of doing research in your library
18 and in the archives and it's really substantive materials, one
19 of the best facilities in the entire south.

20 MR. EVERARD: Thank you.

21 MR. HALL: But having said that now, I'm actually
22 trying to figure out how the New Orleans City Archives works.
23 I'm particularly interested in the way in which the materials
24 come to you in 1990. This is a call initiated apparently out
25 of the Room Supervisor of New Orleans District Attorney's Office

concerning their interest in purging their files.

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Now how do you do business here in New Orleans?

[Laughter.]

MR. HALL: How do you go about --

MR. EVERARD: Good question.

MR. HALL: Is there a process for systematic review, a kind of diligent oversight of records that are --

MR. EVERARD: We, again, we --

MR. HALL: To be brought to the Archives?

MR. EVERARD: We are the municipal archives. Our mandate is to collect records of the City of New Orleans and we have a -- maybe it's not all that strange, although it seems strange to me, a governmental arrangement here where although the City of New Orleans and Parish of Orleans are coterminous, there are offices at the parish level which are not part of the municipal government. Therefore, we have no mandate or legal authority to collect records from the District Attorney's Office, records from courts and records from the coroner, which are all parish, or by extension, state agencies.

There has been I'd say over the years a failure on the part of those parish/state agencies to provide their own archival mechanisms. Also efforts by the state archives to collect those have met with resistance on the local level.

MR. HALL: I think this was a particularly important and worthy note because we could, I think, readily become

confused here about the process of finding records in Louisiana.

1 MR. EVERARD: Right. A lot of the things that
2 happened early on were before my time, but I can give you a
3 little bit of knowledge about how some of these things work.

4 For example, the civil court records in New Orleans were in
5 the custody of the Civil District Court, which is one of these
6 parish/state agencies. In the early '70s, my understanding
7 is that they were just going to throw away all of their old
8 records because they didn't have any way to take care of them
9 any more.

10 Members of the local history community found out about
11 this and approached the head of the archives, Collum Hammer,
12 my boss, about a possibility of taking these records, and he
13 did that. He agreed and signed a deposit agreement with the
14 judges and we have all the civil court records for involvements
15 in our collection, although they are not technically part of
16 the City Archives collection.

17 Similar kinds of arrangements were made with the
18 coroner over the years and we have large expanses of files at
19 the Coroner's Office.

20 In the late '80s, we made a similar arrangement with
21 Criminal Court to take their early records, from 1831 to 1931,
22 and immediately thereafter -- and this was what lead me to think
23 that maybe the reason the District Attorney's people approached
24 us is because they had been discussing with the Clerk of Court,
25

1 who is right across the street from them, about how to take
2 care of records they no longer felt a need to maintain
3 themselves. Out of that discussion, came the approach to the
4 city librarian and ultimately the records coming to us.

5 The records that we did take on donation at the time,
6 probably something in the neighborhood of 165 cubic feet, case
7 files from approximately 1955 to 1960, already the capital cases
8 and other first class cases have been removed. So these are
9 the less important cases. But included in that were these three
10 boxes that were marked JFK.

11 They were not trying to keep these from us. The file
12 clerk alerted me to the fact that these records were included
13 and we probably would have taken them anyway, but this certainly
14 made an easier decision for us to go ahead and do this.

15 MR. HALL: Can I just one other question to go along
16 with this. As a matter of course in Louisiana, where are grand
17 jury materials archived?

18 MR. EVERARD: My understanding is with the District
19 Attorney's Office. I have no direct knowledge of that.

20 MR. HALL: Well, let me then, if I could, spin the
21 question around the other way. Do you have any grand jury
22 materials in the City Archives?

23 MR. EVERARD: There are some very old 19th century
24 records that came to us with the Criminal Court accession that
25 we made in 1989 and there are things like maybe witness books

1 and such. I don't think there are any actual testimony case
2 files or anything like that. We do have reports that the grand
3 jury made of their inspections of the criminal justice system.

4 But those were public reports which I'm sure were widely
5 distributed.

6 There are -- and this maybe will give you a little
7 bit more indication of some of the confused state of records
8 over at the courthouse. In one of our accessions of records
9 from the Coroner's Office, there were maybe five or six boxes
10 of records from the District Attorney's Office that came in,
11 probably because they were sharing temporary storage space over
12 in the courthouse. There were maybe two or three grand jury
13 reports included in that file, which I will not release because
14 it is my understanding that grand jury testimony is confidential
15 and not public record.

16 MR. HALL: It is an interesting situation though when
17 a District Attorney comes and testifies and says that at least
18 when he came into office the records that would be especially
19 prudent to us were in a state of disarray and some confusion,
20 that there may have, in fact, been public materials that were
21 put into private hands. I think he used the word "thievery"
22 to describe that activity.

23 And then to realize as well that the legal authority
24 by which those records are maintained in Louisiana seems to
25 be at least confused as to where they are ultimately to be

1 located, and that we could, in fact, be in the position where
2 a fair amount of materials, some of which turned out to be prudent
3 to understanding the assassination, were potentially going to
4 be destroyed saved for the good judgment of some of the staff
5 in your office.

6 MR. EVERARD: I think you might want to, if you
7 haven't already, talk to the State Archives, just talk to them
8 about these matters of jurisdiction and also about the
9 possibility that they may have some records that would be --

10 MR. HALL: Well, that's clearly the direction that
11 I'm headed in. I think that's something worth being explored
12 because the criminal records or court records, as I understand
13 it, in Louisiana are in an anomalous archival position.

14 MR. EVERARD: You'll also recall -- and I don't have
15 an exact cite here -- but somewhere in Garrison's book he refers
16 to the fact that when he went back to do research in his records
17 he discovered that they had been stolen.

18 CHAIRMAN TUNHEIM: Thank you very much.

19 MS. NELSON: We might defend Louisiana a little bit
20 by saying that's true of other states, too.

21 MR. EVERARD: Thank you.

22 CHAIRMAN TUNHEIM: Any other questions for Mr.
23 Everard?

24 [No audible response.]

25 CHAIRMAN TUNHEIM: Thank you, Mr. Everard. We

1 appreciate your testimony today and look forward to working
2 with you. Thank you.

3 We have one additional witness today before we
4 complete this morning's public hearing. Mr. Eltan William
5 Killam, who is a relative of a deceased individual whose name
6 has come up in connection with the assassination, and Mr. Killam
7 would like to present to us some of the research that he's done
8 on that person. Good morning.

9 MR. KILLAM: Yes. Thank you, Mr. Chairman. I
10 appreciate the opportunity to address this Board.

11 Just to give you a little background on myself, I've
12 been a criminal defense lawyer for 21 years specially in homicide
13 cases. So I am a little bit familiar with the investigation
14 of criminal cases and the rules of evidence and what hearsay
15 may be and I know some of the things I may tell you this morning
16 would not necessarily be admissible in court as hearsay, but
17 it's still research.

18 Back when Henry Thomas Killam died in Pensacola,
19 Florida, I was just 15-years-old. Prior to his death, my
20 household had received a number of calls after the Kennedy
21 assassination seeking Henry Thomas Killam. I'm a distant
22 cousin of Mr. Killam. He was one of the first suspicious deaths
23 in the wake of the Kennedy assassination. At the time of Hank
24 Killam's death, he had lived previously in Dallas and was married
25 to a long time employee of Jack Ruby, Wanda Joyce Davis Killam.

1 Hank was a large, imposing individual, approximately
2 6' 4", 250 pounds. I have information that he worked as either
3 a bouncer, a bar tender or a hanger out of sorts at Ruby's
4 Carousel Club. Other researchers and family friends have
5 uncovered the following about Killam's relationship to the JFK
6 assassination:

7 Immediately after the assassination, Killam was
8 questioned by the FBI in Dallas. Prior to living in Dallas,
9 Killam was on probation in Pensacola, where he acted as an
10 informant for the Sheriff's Department and the County's
11 Solicitor's Office. But Dallas FBI requested that the County
12 Solicitor's Office in Pensacola pick up Killam after the
13 assassination of John F. Kennedy.

14 While in Dallas, Killam painted houses with a John
15 Carter, who was a Beckly Street occupant and possibly helped
16 Oswald find a place to stay at the request of Ruby. It's been
17 reported that Killam also resided at the Beckly Street address
18 and also shared a bathroom with Oswald.

19 Within approximately one week after the
20 assassination, Killam returned to Pensacola a very frightened
21 man and spoke to various people about the circumstances
22 surrounding the assassination. He claimed he had special
23 knowledge and carried around a large wallet filled with
24 newspaper articles pertaining to the assassination. Killam
25 had stated that he had been in meetings in New Orleans and in

Dallas where the assassination had been discussed.

1 Killam was also a frequent visitor to New Orleans
2 and liked to go to the Show Bar and, as the committee may know,
3 that's where Jada was employed, and I understand that she rode
4 around in a red Chevrolet Impala convertible that was parked
5 in the garage of Jack Ruby.

6 Killam was picked up for violation of probation in
7 Pensacola in 1963, in December of '63. He was in jail for
8 approximately two weeks, but was checked out of jail daily and
9 allowed to spend his days in a local bar. Killam told the owner
10 of the bar that he had special knowledge of the assassination
11 and that he had been involved in the transportation of a woman
12 associated with Ruby.

13 While in Pensacola, the FBI interviewed and
14 polygraphed him and they generated memorandums about these
15 interviews, and I've had FBI agents in Pensacola tell me they
16 generated memorandums, which I have not been able to obtain
17 from the National Archives.

18 Killam left Pensacola for Tampa in order to escape
19 the harassment of the FBI. He was interviewed in Tampa, which
20 produced a statement that's in the Warren Commission Report,
21 which does not coincide with what he told anybody in Pensacola.

22 I have tried to talk to the FBI agents in Tampa that interviewed
23 him down there. They have refused to talk about their
24 interviews with Mr. Killam.
25

1 Killam was forced to come back to his mother's house
2 in Pensacola. He stated to the County Solicitor's Investigator
3 in Pensacola, who I've personally interviewed two weeks prior
4 to his death, that there were little dark people following him
5 around, who he described as either Mexicans or Cubans, and that
6 they were out to kill him.

7 There was also a man dressed as a priest who was
8 following him around Pensacola at that period of time, and I
9 know that Frank Sturgis was known to carry around a priest
10 outfit. Of course, David Ferrie paraded around as a priest
11 and also his former roommate, Raymond Broshears. I feel like
12 there's a good possibility that one of the three of them was
13 in Pensacola during that period of time shadowing Mr. Killam.

14 On the day this priest was sighted, this was
15 independently verified by the minister for Mr. Killam who was
16 present at his house and witnessed the person across the street
17 watching the house. I talked to Mr. Killam's probation officer
18 who personally took two FBI agents over to Mr. Killam's house
19 because he had talked to Mr. Killam and had been advised of
20 the information regarding special knowledge concerning the
21 assassination. He told the probation officer that the only
22 person that he would reveal the full story of what he knew about
23 the assassination to would be Lyndon Johnson.

24 After the interview with the FBI, they advised the
25 probation officer that Mr. Killam needed psychiatric help.

1 That psychiatric help was never forthcoming because the next
2 morning Killam was dead. His death occurred on March 17, 1964
3 in the early morning as a result of a single slash that was
4 three inches deep into his jugular vein. Officially the death
5 was ruled as a suicide or an accident, that he had apparently
6 jumped or fell through a plate glass window. There were no
7 other cuts on his body.

8 In 1967, his brother Earl tried to have his body
9 exhumed. This was in the wake of the Garrison investigation.

10 That was denied by local authorities citing no association
11 between the assassination and the death of Mr. Killam.

12 I've independently received CIA documents and other
13 material not provided to the JFK archives pertaining to Killam.

14 I feel that other FBI documents do exist and this is because
15 of the number of encounters that I have verified that Mr. Killam
16 did have with the FBI.

17 I realize that this one little individual is maybe
18 not important in the grand scheme of things, but it does present
19 to this Board the problems that one person has in trying to
20 obtain information from the Archives, which they may be denied
21 this information by the FBI and for that reason I'm not able
22 to put together a total view of what happened.

23 I've listened to the other witnesses testify. I can
24 tell you about some of the things that I'm concerned about on
25 a broader scale that might available to this committee to

1 request. I understand that the CBS footage of what happened
2 in Dallas on 11/22 has never been released by the network, that
3 it may show a Studebaker that Oswald allegedly escaped the book
4 depository in.

5 I was watching a show not too long ago where they
6 were discussing Haldeman's diary. In Haldeman's diary, there
7 was a section classified that dealt with a conversation that
8 Richard Nixon had with LBJ regarding getting the Democrats off
9 his back over Watergate that was classified as being something
10 to do with national security. I feel like it had something
11 to do with this 18-minute gap that's been discussed.

12 You've talked about stuff missing from Mr. Garrison's
13 file. I believe there's evidence that there were a number of
14 people in the Garrison investigation, investigators that were
15 CIA "moles" that carted off large amounts of information. I
16 know of one individual, a William Boxley, who went back to Texas.

17 I know that his widow gave the information that Mr. Boxley
18 left behind to a researcher over there, a J. Gary Shaw, who
19 has all of Mr. Boxley's information.

20 I think that Mr. Boxley's part in Garrison's
21 investigation dealt with the players in the Carousel Lounge
22 and I think that's where you're going to find a major void in
23 what actually occurred in Dallas.

24 The other thing that I can suggest to you is that
25 there is no statute of limitations on the crime of first degree

1 murder. The State of Texas still has jurisdiction. They've
2 just recently buried Governor John Connally with bullet
3 fragments. You might consider digging him up and doing some
4 ballistic work on those fragments.

5 I find it hard to believe that Fidel Castro could
6 orchestrate events at Bethesda Naval Hospital and the book
7 depository in Dallas and disagree with Professor Kurtz on that.

8 I think that Mr. Castro would be valuable, especially right
9 now since he has Robert Vesco and Donald Nixon in custody and
10 certainly they have a lot of information concerning that
11 18-minute gap.

12 I appreciate the time that the committee has given
13 me to address you.

14 CHAIRMAN TUNHEIM: Thank you, Mr. Killam. Any
15 questions?

16 MR. JOYCE: Mr. Killam, I think you said that the
17 published interview by the FBI with your relative in Tampa did
18 not coincide -- I think was the language you used -- with a
19 lot of information in Pensacola that he had given the FBI.
20 I'm wondering, first, how do you know that and, second, whether
21 there might be documentation that supports that, that could
22 be made available to the Board or that you can direct us to?

23 MR. KILLAM: I have interviewed three of the four
24 wives allegedly married to Mr. Killam. Upon his return from
25 Dallas, he told one of them specifically that he knew Lee Harvey

1 Oswald and also know Jack Ruby, that he has special knowledge
2 concerning the assassination. I've also interviewed a niece
3 of Mr. Killam's, who talked to him several days before his death.

4 She related to me that he told her that he knew Lee Harvey
5 Oswald and also knew Jack Ruby. I've also interviewed several
6 other people who verified the same information.

7 There's also some information that's published by
8 Penn Jones. Penn Jones' research would be very valuable in
9 this regard. He published an article where he described the
10 fact that Mr. Killam lived in the rooming house with Oswald
11 on Beckly Avenue and was seen in the company of Oswald before
12 the assassination.

13 Certainly, this doesn't coincide with Commission
14 Exhibit 1451, which states that Killam had no knowledge of Lee
15 Harvey Oswald and just had a very brief encounter with Mr. Ruby
16 at the club over the fact that his wife was a cigarette girl
17 there and she knew nothing about him other than that he had
18 some dogs and she had fed him some pizza and they had gotten
19 mad about that incident and that was the extent of the Commission
20 exhibits interview with Mr. Killam and, of course, the FBI
21 agents who interviewed him are still alive and well in Tampa
22 and they won't talk about it. Of course, they're under some
23 oath, I understand, not to discuss things that went on.

24 CHAIRMAN TUNHEIM: Thank you very much, Mr. Killam.
25 We appreciate your testimony this morning or this afternoon,

1 I guess.

2 This brings us to the close of our public hearing
3 today in New Orleans. I should mention -- I neglected to
4 earlier -- that our colleague Dr. Henry Grass was unable to
5 be with us today, could not join us.

6 The testimony that we've received this morning I think
7 has been very helpful and very interesting, giving us some
8 excellent leads, and more importantly, giving us some
9 significant groups of records for inclusion in the JFK
10 Collection at the National Archives, which, after all it the
11 ultimate goal of our Board.

12 I want to also emphasize something that I think is
13 important and I try to emphasize to people and that is the
14 independence of this Board. We're five private citizens who
15 are not full-time employees of the Federal Government. We are
16 an independent agency. We are not beholden to any other agency
17 of the Federal Government so that we can make our decisions
18 about these records in a totally independent fashion.

19 I think it's important always to emphasize that
20 Congress was very expressedly concerned about making sure this
21 Board was viewed as independent so it could make its own
22 decisions without influence from other branches of the Federal
23 Government.

24 We appreciate very much the donations that have been
25 made to the collection by the individuals who have testified

1 here this morning and other individuals in the New Orleans area
2 and certainly any information that comes up subsequent to this
3 hearing that would be important for the Board to know about,
4 we encourage you to contact us. Our address is on materials
5 that is at the back desk there. We do have an office in
6 Washington and we would appreciate any help the public can give
7 us.

8 We are going to adjourn this public hearing portion
9 of our meeting. We're going to resume our meeting with simply
10 a meeting of the Board at 2:00 p.m., either in this room or
11 the room right behind the partition. This is a meeting that's
12 been noticed in the Federal Register. On our agenda for the
13 meeting, if you care to attend, is some housekeeping matters
14 about scheduling our next meeting of the Board, a report on
15 some regulations that we are currently in the process of
16 publishing, dealing with the Sunshine Act, the Freedom of
17 Information Act, and the Privacy Act, and then a discussion
18 and a vote on the types of procedures the Board is going to
19 follow for review of Federal Government records that have been
20 postponed by the agencies that possess them.

21 So that will be on our agenda beginning at 2:00 and
22 anyone is welcome to attend that part of our meeting today.
23 If there's no other business to come before the Board, at this
24 time I will adjourn the meeting and we'll be back at 2:00 p.m.

25 [Whereupon, at 12:40 p.m., the public hearing was

concluded.]

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