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## Chapter Six: Pursuit of Additional Records and Information

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### A. Records Related To Lee Harvey Oswald

Since November 22, 1963, the question of what US Government records existed on Lee Harvey Oswald has never been answered to the satisfaction of the public. Thus, one of the primary focuses of the requests for additional information and records has been the search for all records held by the US Government on Lee Harvey Oswald. Each agency has been requested to check their archives, files and databases for information directly related to either Lee Harvey Oswald or his wife Marina Oswald. In many cases the work of the Review Board has been to release greater amounts of previously known records on the Oswalds such as the CIA's 201 files on Lee Harvey and Marina Oswald or the FBI's files on Lee Harvey Oswald. In other cases, the Review Board's search for records has uncovered new records, such as the CIA's security file on Lee Harvey Oswald, or resulted in the release of previously denied records, such as the original files on the Oswalds from the Immigration and Naturalization Service.

#### 1. Pre-assassination records [MICHELLE--Brief Overview]

*a. CIA.* At the time of assassination of President John Kennedy, the CIA held four types of records which contained information on Lee Harvey Oswald: a 201 or personality file which was released to the public in 1992, an Office of Security file which nearly duplicated the pre-assassination 201 file, HTLINGUAL records, and records within a general file on Americans who had defected to another country.

*i. Security File.* A search of the Office of Personnel Security database produced the original Office of Security's subject file on Lee Harvey Oswald (#0351164) established circa 1960. The first volume of the Security file contains 19 documents, material similar but not absolutely identical to the pre-assassination volume of Oswald's 201 file. An

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additional six documents, which appear to pre-date the assassination were identified in later volumes of the Security file. The Office of Security file has been released to the public. Additional information on this file can be found in the CIA Additional Requests for Information and Records under #16.

*ii. Records in the Defector File.* The 12 volume Defectors file (#0341008) was established circa 1950 for the purpose of recording information on US citizen who defected to other countries and information on foreign citizens considering defecting to the United States. A member of the Review Board staff reviewed the entire Defector file for records related to Lee Harvey Oswald. The records on Lee Harvey Oswald found in Defector files included research notes, press clippings, and duplicates of records found in the Security file. These records were all marked by the Review Board staff as assassination records for inclusion in the JFK Collection at the National Archives. Additional information on this file can be found in the CIA Additional Requests for Information and Records under #16.

*iii. HTLINGUAL records.* [MICHELLE--Awaiting CIA full response]

*b. FBI.* (mainly on \$\$ transferred to USSR) [LAURA & KEVIN]

*c. Secret Service.* [KIM]

*d. IRS/Social Security Administration.* To resolve any dispute regarding Lee Harvey Oswald's employment history or sources of income, the Review Board sought to inspect and publicly release Internal Revenue Service and Social Security Administration records on Oswald. However, IRS would not open up these records, citing Section 6103 of the IRS Code, which prohibits disclosure of tax-related information (the JFK Act explicitly preserved this confidentiality provision). Accordingly, the Review Board asked Marina Oswald to consent to the release of Oswald's tax returns, but she would not do so. The Review Board also requested IRS to consider any legal avenue for releasing these records, but IRS concluded -- in a 20-page legal analysis -- that Oswald's tax records could not be released to

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the public. Oswald's tax return records, and other tax related information in Warren Commission files, remain closed to the public.

Nonetheless, the Review Board inspected certain quarterly reports submitted by Oswald's employers to the Social Security Administration and thereby verified Oswald's employment history and income through records that, we believe, were not inspected by the Warren Commission. The records are consistent with what is known and reported about Oswald's employment and income. **See [cite Doug's memo].**

*e. INS records on Lee and Marina Oswald.* One of the issues that have related to Lee Harvey Oswald and Marina involve their admittance to the United States in 1962. The public has often asked how Lee Harvey Oswald could have been allowed to re-enter the United States after defecting and how Marina could have been allowed to leave the Soviet Union when emigration was not normally permitted. Regarding this issue, the Review Board secured from the Immigration and Naturalization Service the public release of its original files on Lee and Marina.

## **2. Military records.**

Members of the public have long wondered whether the Marine Corps conducted a post-assassination investigation of Lee Harvey Oswald, circa late 1963 and early 1964, and produced a written report that has not yet been seen. Similarly, many have wondered whether ONI conducted a post-defection, "net damage assessment" investigation of Lee Harvey Oswald, circa 1959 or 1960. (Some evidence exists for both, based on human recollection.<sup>1</sup>) Some have wondered whether Oswald was an "authentic" defector, or part of a false defector program run by an agency of the U.S. government, or a false defector sent on a mission to the USSR for one particular purpose, and then used for different purposes by some members

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<sup>1</sup>In Volume 11 of the HSCA report, a section was written that attempted to deal with allegations of a possible military investigation of Oswald by the Marine Corps following the assassination; also, some former USMC associates of Oswald have told researchers that they recall civilian investigators asking questions about Oswald following his defection in late 1959 or early 1960.

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of the intelligence community following his return to the United States.<sup>2</sup>

*a. Military identification card.* Leads provided by researchers Ray and Mary LaFontaine in both an 11/22/92 newspaper article in the Houston Post titled “Oswald I.D. Card May Be Missing Link,” and in their book *Oswald Talked: The New Evidence in the JFK Assassination* (pages 65-90, and 390-391), as well as in a Paul Hoch 3/8/93 “Echoes of Conspiracy” newsletter (pages 5-7), led to the subject of Oswald’s DD-1173 Military I.D. card being assigned to an ARRB staff member on the Military Records Team as a research project. Documents germane to the issues surrounding the DD-1173 I.D. card were obtained from the St. Louis Federal Records Center from the personnel files of other Marines who had served with Oswald (for comparison purposes), and also from the U.S. Marine Corps and the U.S. Army’s Military History Institute. Staff member Douglas Horne wrote a close-out memo on this subject (file series 4.50), titled “Oswald’s DD 1173 I.D. Card,” originally published on August 7, 1996, with a Final Revision Date of February 20, 1997.

*b. USMC records.* The Marine Corps was unable to locate in files searched at both USMC HQ in Quantico, and at the Federal Records Center in Suitland, Maryland, any internal investigation of Lee Harvey Oswald (other than correspondence already published in the Warren Report and its volumes) from either the immediate post-defection period (1959-60), or from the post assassination period (1963-4). [The Review Board asked the Marine Corps to search for such records because of allegations made to the HSCA that there had been a “military (*i.e.*, USMC internal) investigation” of Lee Harvey Oswald following the assassination, and because of hearsay concerning a government damage-control investigation in 1959 or 1960 at MCAS El Toro immediately following Oswald’s defection to the USSR.]

*i. paper USMC Headquarters copy of enlisted personnel file*

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<sup>2</sup>Author Anthony Summers writes in his book *Conspiracy* that former CIA official Victor Marchetti told him in a 1978 interview that ONI ran a “fake” defector program, run out of Nag’s Head, South Carolina, in which three dozen, maybe forty, young men were trained to appear to be disenchanting, disillusioned youths who had rejected the West and wanted to see what communism was about—hence their defection, to see how the USSR and Eastern Bloc treated defectors, and to study USSR and KGB methods of recruitment, and “doubling.”

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*and medical file.* In 1997 the Review Board transferred to the JFK Collection the original (paper) copies of Lee Harvey Oswald's USMC Enlisted Personnel File, and Medical Treatment File. [Previously, they had been maintained at USMC Headquarters in Quantico, Virginia, and had only been available in microfiche format via FOIA requests made to the Marine Corps.]

*iii. additional relevant USMC Unit Diaries, supplementing the work of the HSCA.* The Review Board was successful in obtaining from USMC Headquarters at Quantico, Virginia USMC Unit Diaries from units in which Oswald served that complement the partial collection of Unit Diaries in the HSCA's records. Together, the ARRB and HSCA Unit Diary records appear to constitute a complete Unit Diary record. Researchers who wish could compare Oswald's in-and-out transfer dates in his personnel file with original entries in the pertinent diaries to see if they correspond.

*c. Possible ONI post-defection investigation.* Through fortuitous circumstance, the Review Board staff became aware of a Mr. Fred Reeves of California, who was reputed to have been in charge of a post-defection "net damage assessment" of Oswald by ONI shortly after his defection to the USSR. Mr. Reeves was contacted, interviewed twice by telephone, and then flown to Washington, and interviewed in person by the ARRB staff. [The in-person, unsworn interview was tape-recorded, and the three written interview reports are dated August 5, August 13, and September 16, 1997, respectively.] Mr. Reeves was a Navy civilian Intelligence Operations Specialist with the 11th Naval District (San Diego) District Intelligence Office in 1959. He told the Review Board staff that about a week or so after Oswald defected, two officers from ONI in Washington, one of them Rufus Taylor (who was Director of Naval Intelligence in 1964), called him and asked him to conduct a background investigation at El Toro MCAS, Oswald's last duty station prior to his discharge from the Marine Corps. Mr. Reeves said that he went to El Toro, copied Oswald's enlisted personnel file, obtained the names of many of his associates, and mailed this information to ONI in Washington. He said that the post-defection investigation of Oswald was run by ONI in Washington, directing various agents in the field. Although he did not interview anyone himself, he said that later (circa late 1959 or early 1960) he did see approximately 12-15 "119" reports concerning Oswald (OPNAV Forms 5520-119, ONI's equivalent of

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an FBI FD-302 investigative report), cross his desk. He said he was aware of "119" reports from Japan and Texas, and that the primary concern of the reports he read on Oswald were in attempting to ascertain what damage had been done to national security by Oswald's defection. Mr. Reeves said he had also seen 8 to 10 "119" reports on Oswald after the assassination, but that he was confident he was not confusing the two events in his mind. He seemed quite credible in his recollection that the two investigations were separate and distinct events. On March 25, 1998, ARRB staff members met with 2 NCIS records management officials, one of whom personally verified that he had searched (with negative results) for DIO records from the San Diego, Dallas, and New Orleans District Intelligence Offices in 1996, including "119" reports from the time period 1959-1964, during an extensive search of record group 181--and that the search included any records that would have been related to Oswald's defection. Thus, while the three Review Board staff members who interviewed Mr. Reeves found his recollections of a "net damage assessment investigation" of Lee Harvey Oswald by ONI following his defection to the Soviet Union to be credible, and even persuasive, the Review Board could locate no documentary evidence to substantiate his claims.

**3. In the USSR [MICHELLE]**

- a. CIA operations in Moscow.*
- b. American Embassy personnel.*
- c. Search for American Embassy records.*
- d. DCD/OO Alleged Debriefing of LHO.*

**4. In Mexico City [IRENE]**

- a. Technical surveillance.*
  - I. Audio and photographic.*
  - ii. Tapes, transcripts, and pictures in existence.*

- b. *Cable traffic.*
- c. *Win Scott files.*
- d. *Sylvia Duran.*
- e. *Legat administrative files.* [LAURA AND KEVIN]
- f. *Anne Goodpasture deposition.* [JEREMY??]

## **B. Records On Cuba**

It was first publicly alleged by journalists in 1967, and then publicly revealed during the Senate's Church Committee hearings during the mid-1970s, that the U.S. government had sponsored assassination attempts at various times against Fidel Castro. Castro, of course, presumably knew about many of these attempts long before the U.S. public, and many historians and researchers have wondered whether he retaliated by assassinating President Kennedy. The Review Board sought to find records that would illuminate a slightly different but related area of interest, namely, the degree of U.S. sponsorship of potential uprisings and military coups within Cuba, and possible U.S. plans to invade Cuba with overt military force; i.e, the armed forces of the United States. If found and opened, the Board felt that such records would be of interest not only to mainstream historians, but also to many who feel there was a conspiracy to kill President Kennedy--for example, evidence of serious, or imminent, contingency plans to invade Cuba with U.S. military forces during the Kennedy administration, if found, could provide either a motive for retaliation by Castro, or a motive for domestic malcontents who may have been extremely displeased that such plans were not being carried out by the administration. It was clear that all sides interested in Cuba policy following Castro's rise to power, or in the Kennedy administration's foreign policy, would be very interested in any records the Review Board could find that would illuminate U.S. government policy deliberations on Cuba. Furthermore, accused assassin Lee Harvey Oswald's connection with the Fair Play for Cuba Committee makes a search for any records on U.S. Cuba policy relevant to the assassination. The degree to which U.S. policy toward Cuba following President Kennedy's assassination may (or may not) have changed was another reason for

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searching for such records, for any such records would surely enhance the historical understanding, or context, of the assassination.

**1. CIA records.** Most of the relevant CIA records on Cuba identified by the Review Board staff existed in the CIA Sequestered Collection prior to the Review Board beginning its requests for additional records and information. Additional records pertaining to the period 1960-1964 were identified from some contemporary working files of a CIA office concerned with Latin American issues. Most of these records concerned the existence or activities of the JMWAVE station in Miami. Small numbers of records pertaining to Cuba or U.S. anti-Cuban activities were identified in the records of the Directorate of Operations and in the files of several senior officers of the CIA during the 1960-65 period. The records which were marked assassination records, were processed for inclusion in the JFK Collection at the National Archives.

**2. Military records.** The Review Board staff located military records on Cuba in four different collections of records.

*a. Joint Staff Secretariat.* First, personnel of the Information Management Division of the Joint Staff Secretariat spent approximately 210 man-hours searching for records related to both Cuba and Vietnam policy in Record Group 218 at the National Archives. Among forty different FRC boxes and 8 Hollinger boxes of RG 218 materials, staff members of the Information Management Division flagged selected records from the time period 1961-1964 from the files of Joint Chiefs of Staff Chairmen Lemnitzer, Taylor and Wheeler, and selected records from 1961-1964 from the Central Files of the Joint Staff, for examination and consideration by the Review Board Staff. Of the records reviewed, 146 of the 147 records flagged were considered by the staff to meet the requirements for either assassination records, or "EHUs," records that enhance the historical understanding of the assassination, or of the Kennedy administration and its policies. Approximately 2 out of every 3 records from RG 218 were related to Cuba policy; approximately 1 out of every 3 was related to Vietnam policy. About half of these Cuba records date from 1962, and half from 1963; very few records on Cuba from RG 218 originated in 1961 or 1964. All JCS records in the JFK Collection are part of the "202" number series.

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*b. Army.* JFK Liaison officer at the National Archives, Mr. Steve Tilley, identified 6 FRC boxes (Accession Number 69A6412) containing the Cuba policy papers of Mr. Joseph Califano from 1963. During this period of time Mr. Califano was both General Counsel to Secretary of the Army Cyrus Vance, and also Special Assistant to the Army Secretary. Mr. Tilley, and Military Records Team Leader Mr. Tim Wray, jointly decided (and the Review Board agreed) to simply consider the 6 boxes of “Califano Papers,” in their entirety, as either assassination records, or “EHUs.” During 1963, Secretary of the Army Vance was designated as “DOD Executive Agent” for all meetings of the government task force titled the “Interdepartmental Coordinating Committee on Cuban Affairs,” or ICCCA. As his special assistant, Mr. Califano often represented him at meetings of the ICCCA, and was completely “in the loop” on all ICCCA policy deliberations; thus, this collection is a unique find, and reflects much of the interagency planning activities related to Cuba during 1963. All Califano Papers in the JFK Collection are part of the “198” number series.

*c. Office of the Secretary of Defense.* A small number of records (approximately 40) from the personal papers of Secretary of Defense Robert McNamara at the National Archives contain some records on Cuba policy, and have had JFK Collection RIFs created for them by the Review Board staff under the Office of Secretary of Defense (OSD) “195” number series. Although from a Deed of Gift collection, this collection is different from that of the autopsy materials in that the Deed of Gift does not restrict access of the pertinent materials to the government.

*d. Joint Chiefs of Staff history.* Two separate volumes of The History of the Joint Chiefs of Staff, written by Dr. Walter S. Poole (namely, Volume VIII: 1961-1964, Part II--The Succession of Crises; and Volume VIII: 1961-1964, Part III--The Global Challenge), were identified by the Review Board staff as “EHUs.” Dr. Poole is presently in the process of updating and rewriting these two volumes to improve their scholarship. Following this, Dr. Poole will submit the volumes for a security review, and the Joint Staff Secretariat will coordinate the forwarding of the sanitized version of each volume to Steve Tilley, JFK Liaison offer at the National Archives, for inclusion in the JFK Collection as EHUs. [This is not expected to happen until sometime well after the ARRB shuts down, presumably

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sometime in 1999.]<sup>3</sup>

The first three categories of Cuba records mentioned above were processed for declassification in accordance with JFK Act standards via the vehicle of the ARRB-Sponsored Joint Declassification Sessions, from the summer of 1997 through the summer of 1998.

### 3. Presidential library collections [IRENE]

#### C. Records On Vietnam

The debate among historians continues over whether President Kennedy would have escalated U.S. involvement in the Vietnam War had he lived, or whether he would have lessened involvement and even withdrawn. The Review Board, therefore, sought to locate any records that would illuminate this debate, and similarly illuminate any differences in Vietnam policy (if any) between the Kennedy administration's mid-and-late 1963 policy, and the Johnson administration's 1964 policy in Vietnam. Much of the interest here, as in the case of the Review Board's search for Cuba records, is in enhancing the historical understanding, or context, of the assassination. Individual citizens who study the documents found will determine for themselves whether they are directly relevant to the assassination, or not.

**1. CIA records.** Given the non-policy nature of CIA records, few records on Vietnam existed in the CIA Sequestered Collection prior to the Review Board beginning its requests for additional records and information, and few records were added as a result of these requests. A small number of records pertaining to Vietnam were identified in the files of the Directorate of Operations and in the contemporary files of several senior CIA officials from the period 1963-65. Some records marked as assassination records concern CIA reporting on the assassination of South Vietnamese President Ngo Dinh Diem and his brother in November 1963. Many of the Vietnam records examined by the Review Board staff dealt

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<sup>3</sup>In *The Succession of Crises*, chapters on Cuba are Chapter VIII, "The Cuban Debacle," and Chapter XI, "The Cuban Missile Crisis." In *The Global Challenge*, the one chapter pertaining to Cuba is Chapter XV, "Countering Communism in Latin America."

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wholly with CIA and military liaison and operations after 1965. The few Vietnam records identified as relevant to the assassination of President John F. Kennedy have been processed for inclusion in the JFK Collection at the National Archives.

**2. Military records.** The Review Board staff located military records on Vietnam in three different collections of records.

*a. Joint Staff Secretariat.* Personnel of the Information Management Division of the Joint Staff Secretariat spent approximately 210 man-hours searching for records related to both Cuba and Vietnam policy in Record Group 218 at the National Archives. As in the case of the Cuba records cited above in Section II, Vietnam records were flagged from within the 1961-1964 records of JCS Chairmen Lemnitzer, Taylor and Wheeler, and the Central Files of the Joint Staff for the same time period. Of the 146 flagged records that the Review Board staff agreed pertained to either Cuba or Vietnam, about one third were related to U.S. policy or activities in Vietnam. Most of the Vietnam records originated in 1963 or 1964; a small number dated from 1961.

*b. Office of the Secretary of Defense.* A small number of records (approximately 40) from the personal papers of Secretary of Defense Robert McNamara at the National Archives contain some records on Vietnam policy, and have had JFK Collection RIFs created for them by the Review Board staff under the Office of Secretary of Defense (OSD) "195" number series. Although from a Deed of Gift collection, these records are different from the autopsy materials in that the Deed of Gift does not restrict access of the materials to the government.

*c. Joint Chiefs of Staff history.* A three-part Joint Chiefs of Staff official history titled "The Joint Chiefs of Staff and the War in Vietnam, 1960-1968," made available by the Joint Staff Secretariat, was photocopied for transmission to the Review Board staff and placement in the JFK Collection. The Review Board agreed to the Executive Director's recommendation to treat this document as an "EHU," with the proviso that it not be RIFed, and not be designated an assassination record. As released to the Review Board staff, the document is reputed to be in the same "open" format in which it can be obtained at the OSD Office of History through any

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FOIA request, having already been sanitized by the CIA (with minimal redactions).

**4. Presidential library collections.** [IRENE]

**5. Church Committee testimonies.** Among the major issues involving Vietnam was the assassination of President Diem and his brother in November 1963 (shortly before President Kennedy's assassination). The Review Board secured the public release of classified testimony on this issue by CIA officials William Colby and Conein Lucien before the Church Committee [we're still awaiting the latter testimony from SSCI]. Their testimony had been cited as a major source for the Church Committee's report on the Diem assassination, but had been classified for over 20 years.

*a. William Colby* [RON]

*b. L. Conein* [RON]

*c. Other CIA types re: Diem assassination* [RON]

**D. Records of Senior Agency Officials** [Brief Overview Needed]

**1. CIA** The CIA maintains relatively few records as the personal or working files of senior Agency officers from the 1950's and 1960's. Most files are incorporated into the general filing system under the office held by the individual at the time. Thus, beyond the records of the Directors of Central Intelligence and their Deputy Directors, it is difficult to identify files as the personal working files of an individual senior officer. Even the working files identified as belonging to the DCIs and the DDCIs lean heavily toward correspondence files, briefing papers, and working files on general subjects rather than in depth collections of detailed material. The Review Board staff reviewed requested files of DCIs Allen Dulles and John McCone, DDCIs Charles Cabell and Marshall Carter, and the office files of the Deputy Director of Plans (DDP) (now the Directorate of Operations) for the time period 1958-1998. All records identified as of possible relevance to the assassination of President Kennedy were marked for processing as assassination records and inclusion in the JFK Collection at the National Archives.

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*a. Allen Dulles.* Most of the files of Director of Central Intelligence Allen Dulles are being released under the CIA's Executive Order 12\_\_\_\_ declassification program. The Review Board staff did review some of Dulles' papers and his office calendars for the period. Some pages of the calendars, showing Dulles' official and social activities were marked for processing as assassination records.

*b. John McCone.* (DCI) An index to the files of Director of Central Intelligence John McCone was examined by the Review Board staff and files of possible relevance to the Kennedy assassination were selected. These files were examined and relevant documents were marked for processing as assassination records. Because of the sensitive and world-wide nature of these records, particularly of briefing papers prepared for the DCI, only the relevant portions of the records were processed as assassination records. The remaining portions were processed according to Review Board guidelines as Not Believed Relevant or NBR. According to an internal document inventory in the McCone files, McCone at one time did have a file on the Kennedy assassination. However, a 1985 **[CHECK DATE]**, note written by a CIA historian inventoring the files indicates the absence of any Kennedy assassination file at that time. Both the inventory and the note were marked as assassination records.

*c. Charles Cabell.* (DDCI) The records of DDCI Charles Cabell for the period 1959-1962 were examined by the Review Board staff. These records consisted mostly of personal correspondence, official correspondence, and briefing papers (often copies of those prepared for the DCI). Only a small number of records were marked as relevant. Like the McCone records, due to the sensitive and world-wide nature of these records, only the relevant portions of the records were processed as assassination records. The remaining portions were processed according to Review Board guidelines as Not Believed Relevant or NBR.

*d. Marshall Carter.* (DDCI) The records of DDCI Marshall Carter for the period 1962-1965 were examined by the Review Board staff. Like the records of DDCI Cabell, these records consisted mostly of personal correspondence, official correspondence, and briefing papers (often copies of those prepared for the DCI). Only a small number of records were marked as relevant. Like the McCone records, due to the

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sensitive and world-wide nature of these records, only the relevant portions of the records were processed as assassination records. The remaining portions were processed according to Review Board guidelines as Not Believed Relevant or NBR.

*e. Richard Bissell, William Colby, and Richard Helms.*(DDP)

The Review Board staff was provided with a massive index to the complete files of the office of the Deputy Director of Plans later the Deputy Director of Operations. This index was carefully reviewed and files of possible relevance to the assassination were chosen for review. These chosen files were reviewed page by page for relevant documents, particularly during the period 1959-1965. According to CIA, all of the records of Richard Bissell, William Colby, and Richard Helms for this time period are incorporated in these office files or were not saved and thus no longer exist. Documents marked as assassination records were processed for inclusion in the JFK Collection at the National Archives. Again, due to the sensitive and world-wide nature of many of the documents, portions identified as assassination records were reviewed while non-relevant portions were declared Not Believed Relevant (NBR) under the guidelines of the Review Board.

*f. James J. Angleton.* (CCI) [MICHELLE--Awaiting CIA response]

*g. C. Tracy Barnes.* [MICHELLE--Awaiting CIA response]

*h. Lawrence Houston.* Lawrence Houston was the General Counsel for CIA for much of its early years, however few of his working papers still exist today. The Review Board staff reviewed a small number of papers identified as belonging to the files of Lawrence Houston or the Office of the General Counsel for the time period 1959-1964. None of Houston's papers were marked as assassination records. A file held by the Office of the General Counsel concerning CIA records held by the Warren Commission was identified as an assassination record and marked for inclusion in the JFK Collection at the National Archives.

*i. William Harvey.* [MICHELLE--Awaiting CIA Response]

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## 2. **FBI** [LAURA & KEVIN--Brief Overview]

*a. Hoover and Tolson Records, including "Official and Confidential" files, chronological files, and phone logs.* The Review Board sought to ascertain whether FBI Director Hoover and Associate Director Clyde Tolson kept any separate records on President Kennedy's assassination within their own personal or working files, including within the famous "Official and Confidential" (O&C) files maintained by Hoover. Within the O&C files, the Review Board designated as assassination records the two O&C files on John Kennedy, the O&C file relating to Secret Service-FBI agreements on Presidential protection, a memorandum regarding Hoover's conversation with Lyndon Johnson about the assassination (from the Johnson O&C file), and several other documents from the O&C files. Since Hoover's telephone logs are publicly available in the FBI's reading room, the Review Board saw no need to designate those as assassination records. Finally, Hoover maintained various subject files (apart from the O&C files), including materials on the assassination. The Review Board asked the FBI to locate these materials, but the FBI (so far) has been unsuccessful. *See* January 8, 1998 Review Board Staff Memorandum regarding Assassination Records Among the Files of J. Edgar Hoover.

The Review Board also reviewed the Tolson files, which consisted solely of original memoranda from Director Hoover. Unfortunately, the chron file started with January 1965, and the FBI could not account for any 1963-64 files that Tolson may have maintained. Several documents were identified as assassination records. *See* February 12, 1998 Review Board Staff Memorandum regarding Review of Clyde Tolson Files.

*b. Miscellaneous administrative files from the Director's Office.*  
[LAURA & KEVIN]

## 3. **Secret Service** [KIM]

## 4. **US Military and/or Department of Defense**

Attempts were made to find records of the following Senior Agency Officials: Secretary of Defense McNamara (because of his direct and daily involvement in Cuba and Vietnam policy), and Rear Admiral Rufus Taylor,

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Director of Naval Intelligence (because of an affidavit--uncovered during the Review Board's work with the Navy--he provided to Defense Secretary McNamara dated September 21, 1964, certifying under oath that Lee Harvey Oswald was never utilized as an agent or informant for the Office of Naval Intelligence). The Review Board located about 40 records from the files of Defense Secretary McNamara (record series "195") considered relevant to Cuba or Vietnam policy; ONI could not locate any files of Rear Admiral Rufus Taylor.

### **E. Pro and Anti-Castro Cuban Matters**

Both the Warren Commission and the HSCA considered the possibility that pro-Castro or anti-Castro activists had some involvement in the assassination of the President. Both pro and anti-Castro Cuban groups in the United States had contact with Lee Harvey Oswald. The Warren Commission looked into Lee Harvey Oswald's Communist and pro-Castro sympathies, including his involvement with the Fair Play for Cuba Committee, and his September 1963 trip to Mexico City during which he went to the Cuban Consulate. In addition, the Church Committee, an internal CIA Task Force, and the HSCA all re-examined the extent to which the Cuban government, or pro-Castro activists in the United States might have been involved in the assassination. With regard to anti-Castro Cuban groups, the HSCA considered the possibility that anti-Castro groups were involved in the assassination, and they examined the significance of Oswald's contacts with individuals who were active in anti-Castro activities. The HSCA concluded that anti-Castro Cuban groups did have the motive, means, and opportunity to kill the President.

Given the amount of time that prior investigative bodies spent considering the possibility that either pro or anti-Castro Cuban forces may have played a role in President Kennedy's assassination, the Review Board wanted to collect and process all relevant records that still existed in the Government. To the extent that pro and anti-Castro Cuban groups coordinated their activities in the United States, the FBI would be likely to have investigative records on their activities. As such, many of the Review Board's efforts to uncover records beyond those that prior investigative bodies may have seen focused on the FBI's records.

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## 1. Fair Play for Cuba Committee

The Fair Play for Cuba Committee (“FPCC”) was a pro-Castro national organization headquartered in New York. The FPCC had chapters in many cities, but Lee Harvey Oswald was its founding and, it seems, only member in New Orleans. In the summer of 1963, Oswald distributed handbills that he had printed that advocated “Hands Off Cuba!” and invited members of the public to join the New Orleans chapter of the FPCC. The Warren Commission and the Congressional committees that investigated the assassination discuss Oswald’s connection to the FPCC in their respective reports. As such, the Review Board’s routine processing of Federal agency records from Warren Commission files and files concerning other Congressional committees contain a number of records on the FPCC. Not all FPCC records, however, found their way into the existing collections. Where Review Board staff noticed gaps in the documentation regarding the FPCC, it requested that Federal agencies provide access to additional records and information.

*a. FBI field office files.* As part of its processing of the “core and related” and “HSCA Subject” files, the FBI did not process any records from the FBI’s New York and Dallas field office files on the FPCC. Thus, the Review Board staff requested access to these two field office files.

The Review Board staff located eight assassination records in the Dallas field office file, most of which were duplicates of headquarters records that the FBI had already processed as part of its “core and related” files or HSCA files.

The New York field office file proved to be much more voluminous than either the Dallas or New Orleans files and it yielded more assassination records. A number of the records that the Review Board staff designated as assassination records from the New York file involved June Cobb, a woman who was an intelligence asset during the 1960-64 period, primarily for the CIA but also for the FBI, regarding Castro, Cuba and the FPCC. She also has some links to Marita Lorenz’ story. Finally, she is linked to the assassination as the asset who first informed the CIA of Elena Garro De Paz’s allegation that Oswald attended a "twist" party in Mexico City with Sylvia Duran. For the above reasons, the Review Board staff recommended that any FPCC documents that referenced June Cobb be processed as

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assassination records. The remaining records that the Review Board found to be assassination-related involved the FBI's efforts to infiltrate and disrupt the FPCC.

The bulk of the remaining records that the Review Board staff designated as assassination records from the New York FPCC file involve the FBI's investigation of the FPCC. Many researchers view Oswald's role in the FPCC as an indication that he may have been an asset of one or more U.S. intelligence agencies. That is, they theorize that he was a plant, an intelligence asset sent on a counterintelligence mission against the FPCC. Given this theory, Review Board staff designated as assassination records those documents which address the urgency with which the Bureau viewed the FPCC, the priority the Bureau placed on infiltrating the group, and Bureau intentions/plans to initiate counterintelligence activities against the group. The Review Board staff employed similar reasoning in designation records as assassination-related in the Cuban COINTELPRO file referenced below.

*b. CIA records on Richard Gibson. [MICHELLE]*

## **2. Cuban COINTELPRO**

Early in its tenure, the Review Board reviewed the FBI's FOIA "reading room" records on the FBI's counterintelligence program against pro-Castro Cubans -- primarily the FPCC and the July 26th Movement -- during the early 1960s. The Review Board's review of the reading room materials led the Review Board to make a request to the FBI for a Headquarters file entitled, "Cuban Matters -- Counterintelligence Program -- Internal Security -- Cuba" and for any other Headquarters files documenting efforts by the FBI or other agencies of the U.S. Government to disrupt, discredit, or bring into disrepute the FPCC or its members or activities. The FBI made records available and, but for some very recent, unrelated documents, the Review Board designated all records in the Cuban COINTELPRO file as assassination records.

Records designated from the COINTELPRO file include membership and mailing lists that the FBI obtained concerning the FPCC and the July 26th Movement. The file further details the FBI's basis for

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initiating its counterintelligence program against the two pro-Castro organizations. Finally, the file provides details concerning the methods that the Bureau used to disrupt the activities of the FPCC and the July 26th Movement.

### **3. Anti-Castro Activities; IS-Cuba.**

In the spring of 1996, the Review Board staff received a letter from a member of the research community noting that one of the “Hands Off Cuba” pamphlets that appeared in the New Orleans FPCC file contained a cross-reference to a file entitled “Anti-Castro activities; IS-Cuba” and numbered NO 105-1095. The Review Board staff determined that this particular file was not already part of the JFK Collection, and then requested that the FBI provide access to all files bearing the above-referenced caption from Headquarters and from the New Orleans, Miami, Tampa, New York, and Dallas field offices during the relevant time period.

After reviewing New Orleans file 105-1095, the Review Board staff recommended that two volumes of the file be designated in their entirety as assassination records.

### **4. Cuban Intelligence Activities in the U.S.; Cuban Situation** [LAURA & KEVIN]

### **5. Anti-Castro Cuban groups, including DRE, Alpha 66, SFNE, JURE, FRD, CRC, and Comandos-L**

In an effort to gather and review records relating to the activities of prominent anti-Castro Cuban groups who might have had some involvement in the assassination of President Kennedy, the Review Board requested the FBI to provide access to files on the above-referenced anti-Castro Cuban groups for HQ and the New Orleans, Miami, Tampa, New York, and Dallas field offices. The FBI kept voluminous files on the anti-Castro Cuban groups. Review Board staff members reviewed hundreds of volumes of records in search of assassination-related material. The files did yield approximately 70 assassination records from various files.

Most of the relevant CIA records on the anti-Castro Cuban groups

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identified by the Review Board staff existed in the CIA Sequestered Collection prior to the Review Board beginning its requests for additional records and information. Additional records pertaining to the period 1960-1964 were identified from some contemporary working files of a CIA office concerned with Latin American issues. Most of these records concerned the existence or activities of the JMWAVE station in Miami. Small numbers of records pertaining to U.S. anti-Cuban activities were identified in the records of the Directorate of Plans and in the files of DCI John McCone. The records which were marked assassination records, were processed for inclusion in the JFK Collection at the National Archives.

**6. Threats against the life of Fidel Castro** [Brief Overview Needed]

*a. CIA DS&T records.* At the request of the Review Board, the CIA searched the databases and records of the Directorate of Science and Technology (DS&T) for any additional files on possible assassination attempts against the life of Fidel Castro. In the early 1960's, the Technical Services Division (TSD), which developed or studied various technical means of assassination, was a part of the Directorate of Plans (now the Directorate of Operations). Later administrative shifts moved TSD (renamed the Office of Technical Service) to the DS&T and the files of the relocated office were incorporated into the DS&T system. Only one record, a handwriting analysis, was located from this new search. The record was reviewed by the Review Board staff and deemed not relevant to the assassination of President John F. Kennedy.

*b. DOJ Balletti file.* [LAURA & KEVIN]

*c. FBI file.* [LAURA & KEVIN]

**7. American Gambling Interests in Cuba**

As part of its efforts to gather records relating to a Cuban connection to the assassination, the Review Board staff requested that the FBI provide access to any and all Headquarters, Miami, Tampa, and Havana Legat files captioned, "American Gambling Interests in Cuba."

The Miami field office (into which all Havana Legat files were

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forwarded when the Legat closed) and Tampa field office reported to FBI headquarters that they did not have any files with the above-referenced caption. The Review Board staff did not locate any material in the headquarters files that was related to the assassination of President Kennedy.

Most of the files that the FBI located consisted of pre-1959 records monitoring the activities of Florida racketeers who were trying to establish gambling and hotel facilities in Cuba.

### **8. Sergio Arcacha-Smith, Antonio Veciana and Bernardo de Torres**

Sergio Arcacha-Smith, Antonio Veciana and Bernardo de Torres were anti-Castro Cuban activists in the early 1960s. Arcacha-Smith was the New Orleans representative to the Cuban Revolutionary Council until 1962, and in that capacity used an office in the building at 544 Camp Street. The 544 Camp Street address was printed on FPCC literature distributed by Lee Harvey Oswald in New Orleans in August of 1963. Veciana was the head of Alpha-66, a violent anti-Castro organization that was in paramilitary operations against Castro's Cuba as well as assassination attempts against Castro himself. Veciana testified to the HSCA that he was an agent of the US government, and that he met Lee Harvey Oswald in Dallas in 1963 in the presence of his American handler. Torres was a Cuban exile living in Miami who later worked with New Orleans District Attorney Jim Garrison in his investigation of the assassination. The HSCA reviewed the Headquarters files on Arcacha-Smith, Veciana, and de Torres. The Review Board requested an additional search for files from Headquarters, New Orleans, Houston, and Dallas field office files to determine whether the FBI had any other assassination related information on these three individuals. The Review Board designated 33 documents for processing as assassination records from the many files produced responsive to this request. The designated documents were primarily concerned with reactions to assassination within the Cuban exile community.

### **F. Defectors**

Because the Warren Commission and HSCA were interested in studying whether Lee Harvey Oswald was treated by the Soviets the same as other defectors to the Soviet Union, both upon his entry into and his exit from that

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country, and because many assassination researchers are equally interested in studying whether the U.S. government treated Oswald the same following his departure from, and upon his return to, the United States as other U.S. defectors, this topic is of interest to virtually everyone who studies the assassination of President Kennedy.

**1. Robert Edward Webster files [MICHELLE]**

**2. ONI's extant files on defectors to-and-from the communist bloc [DOUG]**

**G. Yuri Ivanovich Nosenko [MICHELLE--WORK ON THIS]**

KGB Lieutenant Colonel Yuriy Ivanovich Nosenko first secretly contacted the CIA in Geneva in June 1962. One and one half years later on February 4, 1964, he defected to the United States for what he said were ideological reasons. His case became the single most difficult counterintelligence case in the history of the CIA to date. Nosenko's information on the assassination of President Kennedy made his bona fides of more importance than simply a means to determine his true identity or whether he was the prototype of a KGB disinformation plot against Western intelligence agencies.

The conflict over Nosenko began two and a half years prior to his actual defection, in December 1961, when Anatoliy Golitsyn, a 1960 KGB defector, predicted that the KGB would dispatch false defectors after him to discredit him and confuse Western intelligence agencies as part of a massive disinformation campaign. Golitsyn, who had described a darkly intentioned monolithic Russian master deception plan and Soviet intelligence agencies of brutal efficiency, claimed that Nosenko was the most important of these fake defectors and that any Soviet sources who came later and supported Nosenko's bona fides would also be false. Golitsyn was wholly believed by Counterintelligence Chief James Angleton, who shared Golitsyn's world view. Golitsyn argued that any CIA officers who believed Nosenko should be considered as moles themselves.

Nosenko's first four meetings with the CIA in Geneva in June 1962 produced an intelligence bonanza and the two CIA officers (George Kisevalter and Peter Bagley) who met with him believed he conclusively

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proved his bona fides. During his debriefings in 1964, Nosenko provided detailed information about Lee Harvey Oswald's stay in the USSR which, he said, had come across his desk routinely as the deputy chief of the Second Chief Directorate (SCD) department responsible for watching American visitors in the USSR.

With Golitsyn arguing against Nosenko's bona fides, plans were made in March 1964, to imprison Nosenko and begin hostile interrogations to find any shifts in his information. On April 2, Deputy Director for Plans Richard Helms and Soviet Division Chief David Murphy met with the Deputy U.S. Attorney General and obtained legal approval from the Justice Department to imprison Nosenko so that he could not communicate with his supposed KGB controllers. On April 4, he was imprisoned in an attic room in a CIA safe house near Washington. Nosenko was kept in solitary confinement, subjected to physical and mental torture, and submitted to hostile interrogations from April 4, 1964 to October 27, 1967 first at the safe house and then in a specially built cement house in Virginia. Despite over three years of severe treatment, Nosenko's original story remained unchanged, no "confession" was forthcoming, and no evidence was produced indicating he was, as Golitsyn still claimed, a fake defector.

On August 8, 1968, Nosenko was polygraphed for the third time by an Office of Security specialist. During the examination, Nosenko was asked whether he had told the truth about Oswald and the Kennedy assassination; the polygraph operator found only positive responses to the questions. Security Officer Bruce Solie submitted a comprehensive report in October 1968 which evaluated all of Nosenko's information, to date, and concluded that he was what and who he had claimed to be all along. After a review of his case by the Soviet Division, Nosenko was finally released from CIA custody on March 1, 1969 and employed as an independent consultant by the CIA.

In the 35 years since Nosenko first approached the CIA in Geneva, no prima facie evidence has ever emerged to prove that he was a KGB provocation and subsequent defectors have affirmed him as a bona fide defector. He has identified many hundreds of Soviet intelligence officers, provided a considerable quantity of useful information on the organization, doctrine and methods of the KGB, and conducted numerous special studies

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on Soviet subjects. Today, Nosenko is seventy years old, recently retired as a contractor from the CIA, an American citizen, married, and living quietly in the Sunbelt.

**1. CIA records. [MICHELLE--WORK ON THIS]**

The information on Yuriy Ivanovich Nosenko contained in the CIA Sequestered Collection microfilm consists of approximately 3500 pages of interviews, transcripts, memos, and reports. Of the total, approximately 1200 have been released to the public as open in full or with only minor redactions. Of the 1200 released pages, roughly 800 contain information directly relevant to Lee Harvey Oswald and the Kennedy assassination. It is the staff's judgement that, after an initial review, the remaining 2300 pages are unrelated to the assassination of President Kennedy and should be processed as "NBR." These NBR records consist of such items as general family and professional contact information, Soviet intelligence methodology and operations, and Soviet navy information dating to Nosenko's early career in Soviet Naval Intelligence.

**FROM NBR MEMO**

The information on Yuriy Ivanovich Nosenko contained in the CIA Sequestered Collection microfilm consists of approximately 3600 pages of interviews, transcripts, memos, and reports. Of the total, approximately 1200 pages have been released to the public as open in full or with redactions. Of the 1200 released pages, roughly 800 contain information directly relevant to Lee Harvey Oswald and the assassination of President John F. Kennedy. Although all of these 800 pages have been released in redacted form, we have asked the Agency to re-review them under the standards of the JFK Act before we submit them to the Board.

After my review of the Nosenko records and our discussion of the issues, it is my judgment that the remaining approximately 2400 pages are unrelated to the assassination of President Kennedy and should be processed as "NBR." These NBR records, which are described on the attached list, consist of such items as general family and professional contact information, Soviet intelligence methodology, personalities, and specific operations, and Soviet Navy information dating to Nosenko's early career in Soviet Naval Intelligence. Much of the information consists of various attempts by the Agency in the 1960's to establish

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Nosenko's bona fides. The October 1968 Solie Report, which has been released in redacted form and will be re-reviewed under the JFK Act, establishes Nosenko's bona fides. The conclusions of the Solie report were reaffirmed in a 1976 report by John Hart. A brief summary of the conclusions of the Hart Report will also be processed for release.

The approximately 2400 pages of proposed Nosenko NBR records have been reviewed carefully to confirm that they contain no material helpful to a deeper understanding of the assassination. During the review some additional material, not previously released, which may add to an understanding of the Nosenko story, was marked relevant and identified for processing and review.

## **2. FBI records. [LAURA & KEVIN]**

### **H. Records on Organized Crime**

The question as to whether organized crime played a role in a possible conspiracy to assassinate President Kennedy is one that nearly every Government investigation into the assassination has addressed. Thus, the Review Board processed a large number of files on organized crime figures and organized crime activities simply because Federal agencies made their organized crime files available to previous Government investigations. For example, the FBI's "Segregated Collection" contains large portions of the FBI's files on organized crime figures such as Santos Trafficante, Carlos Marcello, Angelo Bruno, Frank Ragano, the Lansky brothers, Johnny Roselli, Nick Civella, Frank Sinatra, and Joe Campisi. The majority of records that Review Board analysts processed in these files were *not* directly assassination-related, but because prior investigative bodies considered these men to be relevant, the records have been included in the JFK Collection. In several instances, however, the Review Board pursued additional records that had not been reviewed by prior investigative bodies.

#### **1. Sam Giancana.**

From the time he was a young man, Sam Giancana rose within the Chicago organized crime syndicate until he became syndicate leader in 1957. After an 8 year stint in Mexico, Giancana was deported back to Chicago

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where he was murdered in 1975, shortly before he was scheduled to testify before the Church Committee. The Review Board considered Giancana to be of historical interest with respect to the Kennedy assassination for a number of reasons: (1) Giancana was involved in the CIA plots to assassinate Fidel Castro, (2) Giancana expressed hostility toward the Kennedys because of the Kennedy's war against organized crime, (3) Giancana had associates in common with President Kennedy (namely, Frank Sinatra and Judith Campbell Exner), (4) Giancana allegedly contributed to Kennedy's 1960 presidential campaign, (5) Giancana was allegedly linked to Joseph P. Kennedy through the illicit liquor trade.

The FBI's Headquarters file on Sam Giancana consists of 37 volumes of records dating from 1954 to 1975. When the Review Board staff began to review the FBI's "main" file on Sam Giancana (FBI file number HQ 92-3171) in early 1995, it realized that the FBI had only designated for processing under the JFK Act sections 17-18 and 20-37 of the Giancana file. Section 17 of the file began with the year 1963, and so the FBI had not designated for processing any volumes of records that predated January 1, 1963. Apparently, the HSCA had requested access to the entire FBI file on Giancana, but the FBI provided only portions of its file to the HSCA. The Review Board staff requested and received access to sections 1-16 and section 19, spanning the years 1958-1962. After reviewing the additional volumes, the Review Board determined that the earlier dated material would make a valuable contribution to the JFK Collection. The FBI agreed to process volume 19, and the Review Board designated volumes 1-16 as assassination records in the summer of 1995.

## **2. BriLab**

Many of the books on the assassination of President Kennedy discuss the possibility that Carlos Marcello, alleged organized crime boss of New Orleans, was involved in the assassination. In the late 1970s, the FBI investigated Marcello on an unrelated matter -- the bribery of organized labor. As part of the "BriLab" investigation, the FBI conducted approximately eight months of electronic surveillance on Marcello's home and on his office at the Town and Country Motel. According to several sources, the "BriLab" tapes contained conversations in which Carlos Marcello or his brother Joseph admitted that they were involved in the

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Kennedy assassination.<sup>4</sup>

The FBI maintains its tapes and transcripts from the surveillance, but because the FBI's source of authority for the surveillance was 18 U.S.C. § 2501 *et seq.* ("Title III"), the "take" from the surveillance was under court seal. Thus, the assassination research community was not able to confirm or reject allegations that the tapes or transcripts contain information relevant to the assassination.<sup>5</sup> Once the Review Board staff obtained a court order allowing it access to the materials, the staff reviewed all of the transcripts from the FBI's surveillance on Marcello in New Orleans. Although the staff did not locate the specific conversations that the researchers mentioned, it did locate thirteen conversations that it believed to be assassination records. Most of the conversations took place in the summer of 1979 during the period that the HSCA released its report. The conversations primarily focused on Marcello's reaction to the HSCA's allegations that he may have been involved in the assassination. With the help of the U. S. Attorney's Office in the Eastern District of New Orleans, the Review Board staff obtained an order to release transcripts of the thirteen conversations to the public.

### 3. Metropolitan Crime Commission

The MCC is a private, anti-crime organization which, since the 1950s, has investigated public corruption and organized crime in the New Orleans

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<sup>4</sup>See, e.g., G. Robert Blakey and Richard Billings, *Fatal Hour* (page) (1981); Anthony Summers, *Conspiracy* 503-504 (1980); Gerald Posner, *Case Closed* 459-460 (1993); John H. Davis, *Mafia Kingfish*, 519-524 (1989); Ronald Goldfarb, *Did the Mob Kill JFK?*, *Washington Post*, Dec. 10, 1995 at C3:1.

<sup>5</sup>When the FBI determines that electronic surveillance is a necessary component of a particular investigation, the FBI goes to a Federal court and obtains authorization pursuant to Title III to establish the surveillance. Title III operates to automatically place *all* materials obtained from the overhear under court seal. Then, if the U.S. Attorney wants to use the tapes in a prosecution, they have to petition the Federal court to have the seal lifted only for the portions of the tapes that will be played at trial. The practical effect of this procedure is that everything that is *not* played at trial remains under seal. Thus, in order for the Review Board staff to obtain access to the BriLab surveillance, it had to move to unseal the materials for the purpose of its review. Then, when the Review Board staff located assassination records within the BriLab materials, it requested the Title III court to unseal the records for the purpose of public disclosure.

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area. HSCA staffers Patricia Orr and Ann Taylor reviewed the MCC's records on the organized crime figures such as Carlos Marcello and MCC records on the Garrison investigation. The Review Board believed that the MCC records involving organized crime figures in the New Orleans area were of particular interest and contacted the MCC to determine whether the MCC would allow the Review Board staff to review its records. The MCC agreed to provide access to the records, and in the summer of 1996, Review Board staff members traveled to New Orleans to review MCC records. Reviewers identified a number of records that they believed should be included in the JFK Collection. The Review Board and the MCC agreed that the MCC would allow copies of the MCC records to become part of the JFK Collection.

The Review Board copied and 12 boxes of MCC records in New Orleans. Approximately half of the MCC records that the Review Board staff copied consisted of information concerning former District Attorney James Garrison's investigation into the assassination. All Garrison investigation files became part of the JFK Collection. The remaining half of the records consisted of files that formerly belonged to Guy Banister. Despite the enormous interest in Banister activities during the late 1950s and early 1960s, the vast majority of the MCC's Banister material date from the early 1950s when Banister worked for the New Orleans Police Department. A large number of the MCC's Banister records are N.O.P.D. "Internal Affairs" investigative files that detail small time corruption of N.O.P.D. police officers. Because the internal affairs investigative files were not relevant to the assassination of President Kennedy, Review Board staff members designated as assassination records only those documents that were *not* exclusively related to the internal affairs of the N.O.P.D. Ultimately, the Review Board added approximately 3000 pages of MCC records to the JFK Collection.

## **I. Warren Commission Staff and Critics**

Given that the Warren Commission constituted the first official investigation into the events surrounding the assassination of President Kennedy, the Review Board clearly had an interest in ensuring that all Federal agency records on the Warren Commission and its activities became part of the JFK Collection. Although the agencies processed a large

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number of Warren Commission era documents as part of the core files, the Review Board staff wondered whether Federal agencies such as the FBI and the CIA opened and maintained files on the Warren Commission staff members because they were working for the Warren Commission. Likewise, the Review Board staff wondered whether Federal agencies such as the FBI and CIA opened and maintained files on critics of the Warren Commission because they were criticizing the Warren Commission's conclusions.

### **1. FBI files on Warren Commission staff**

In an effort to determine whether the FBI opened or maintained files on Warren Commission staff, the Review Board made a request for any FBI headquarters file references on Warren Commission Assistant Counsel Norman Redlich. While reviewing the files provided in response to the Review Board's request for Norman Redlich's files, the Review Board staff observed a reference to General Counsel J. Lee Rankin's request that the FBI conduct a background investigation on Redlich and also on Assistant Counsel Joseph A. Ball. The staff then asked for FBI headquarters file references on Rankin and Ball, as it seemed that the FBI may have maintained a file on Ball's investigation. Redlich's file also showed that the Civil Service Commission ("CSC") had conducted a background investigation on Redlich *before* Rankin asked the FBI to do an investigation, so the Review Board staff wondered whether the CSC may have done background checks on other Warren Commission staff members. In an effort to determine whether similar files existed at the FBI for other Warren Commission staffers, the Review Board extended the request to include Assistant Counsel Leon D. Hubert, Jr. (whose file the Review Board thought may also contain references to Hubert's career in New Orleans politics.) In addition, the Review Board asked the FBI to provide a statement on whether it opened any files, individually or collectively, on other individuals who worked as Warren Commission Assistant Counsels or staff members, because of their employment by the Warren Commission.

In response to the Review Board's request, the FBI provided all of its headquarters file references on all of the Warren Commission staff members.

From the Redlich request, the Review Board did designate as assassination-related a group of records on Redlich within the FBI's file on

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the Emergency Civil Liberties Committee. Otherwise, although Review Board staff did locate some assassination-related records, the FBI had already processed most of the records as part of the core files. The Review Board staff did *not* locate any information to indicate that the FBI systematically kept records on Warren Commission staff members simply because they were employed by the Warren Commission.

**2. CIA and FBI files on Warren Commission critics**  
[MICHELLE--Awaiting CIA response]

In an effort to determine whether the FBI opened or maintained files on Warren Commission critics because they criticized the Warren Commission's work and findings, the Review Board requested access to all records on Mark Lane and to all pre-1973 Headquarters file references to the other Warren Commission critics listed below.

*a. Mark Lane.* When the Review Board began to process the FBI's "core and related" files, it noted that a number of records that mentioned the name Mark Lane cross-referenced the FBI's main file on Lane. Because the main file was not in line for JFK Act processing, the Review Board requested access to all file references to Mark Lane or to Lane's Citizens Committee of Inquiry in the files of FBI Headquarters and the New York field office. The Review Board staff's examination of the Lane main file revealed that approximately eight volumes of the file contained a significant percentage of documents relating to the Kennedy assassination. The Review Board identified those volumes as records that should be processed under the JFK Act. In addition to the Lane main file, the Review Board designated as assassination-related the entire file on the Citizens' Committee of Inquiry, as well as records in the FBI's Communist Party COINTELPRO file, and a select few records about Lane that appeared in the files of other individuals. The Review Board's inquiry revealed that the FBI did maintain substantial files on Lane's professional and personal activities, and kept detailed files on Lane's political activism.

*b. Harold Weisberg.* FBI files containing the name Harold Weisberg contained documents concerning Weisberg's previous employment with the Department of State (including a 1940s loyalty review and records regarding his resignation), Weisberg's public participation in political issues,

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and Weisberg's published work as a journalist. A significant majority of the documents on Weisberg were dated before 1960. The only assassination-related file on Weisberg that the FBI produced in response to the Review Board's request was the FBI file on a FOIA lawsuit that Weisberg brought against the Department of Justice. This FOIA litigation file, number 197-636, contains ten serials. The Review Board recommended that the FBI process the FOIA litigation file as an assassination record under the JFK Act.

*c. Josiah Thompson.* FBI files containing the name of Josiah Thompson dealt primarily with Thompson's activities as an anti-Vietnam war activist, and especially with Thompson's alleged violation of Selective Service laws. Review Board staff located one assassination-related document that the FBI had processed as part of the "core" file on the JFK Assassination. The document was about the book *Six Seconds in Dallas*. The Review Board instructed the FBI to process the document as a duplicate of the record that appeared in the "core" files.

*d. Edward J. Epstein.* FBI files containing the name Edward Jay Epstein addressed Epstein's general journalistic activities, including a significant amount of information on his work related to the Black Panther Party. The few assassination-related records in Epstein's file were processed by the FBI as part of their "core" files on the JFK Assassination Investigation and the Warren Commission. Thus, the Review Board staff did not designate any additional records as assassination records.

*e. Paul Hoch.* FBI files containing the name of Paul Kenneth Hoch dealt solely with Hoch's activities as an anti-Vietnam war activist. The few assassination-related records in Epstein's file were processed by the FBI as part of their "core" files on the JFK Assassination Investigation and the Warren Commission.

*f. David S. Lifton.* The name David S. Lifton appeared only in the FBI's "core" files on the JFK Assassination Investigation and the Warren Commission. The FBI did not produce any additional files that contained Lifton's name.

*g. Sylvia Meagher.* FBI files relating to Sylvia Meagher

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contained five documents that the Review Board believed to be assassination-related. The FBI processed these five documents as part of the “core” files on the JFK Assassination Investigation and the Warren Commission. One of the five documents was an internal FBI document that discussed purchasing Meagher’s Warren Commission index. Two of the five documents were letters that Meagher wrote to Director Hoover in 1966, and the remaining two documents related to a letter that Meagher wrote to *Time* magazine in 1966. The Review Board instructed the FBI to process these five documents as duplicates of records that appeared in the “core” files.

## **J. Zapruder Film**

In the spring of 1996 the Review Board staff began considering which photographic issues might be worth pursuing as “research projects,” within the spirit of the JFK Act--namely, in regard to what might be done either to answer questions about chain-of-custody, or provenance, of selected film records; or to enhance, or better preserve, selected film records. (From the beginning, it was understood that the Review Board would not endeavor to reach conclusions regarding what various films say, or do not say, about the events of the assassination, since image interpretation is subjective.)

### **1. Staff examinations of films designated as “in-camera” original, and first-generation copies, by NARA**

An ARRB staff member was asked by the Head of Research and Analysis to examine the Zapruder films at NARA designated as the original and two Secret Service copies (believed to be first-generation copies), and record observations made about the characteristics of these films. The purpose was twofold: to record observations that could be used later by others who could not obtain physical access to these films, and also to determine whether there was merit in proceeding with examinations by Kodak. Two memos produced as a result were written by staff member Doug Horne, and are dated August 2, 1996, and April 9, 1997, respectively. Subsequently, what apparently is the third first-generation copy made on 11/22/63 was located in the possession of the LMH Co., during the ARRB staff’s inspection of the LMH Co. inventory in the company of Jamie Silverberg. A third memo recording the circumstances of the discovery of

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this item, also written by Doug Horne, is dated April 15, 1997.

## **2. Eastman Kodak's *Pro Bono* Work for the Review Board Related to the Zapruder Film**

The ARRB staff first met with the Eastman Kodak Company in June of 1996 in Washington, and discussed a wide variety of possible research topics. At this meeting, on June 11, Kodak reaffirmed its intent to provide a limited amount of *pro bono* work for the Review Board, and requested that the Review Board staff define its broadest possible range of potential interests in writing. This was done in a Review Board letter to Eastman Kodak dated July 26, 1996.

Telephonic liaison was established and discussions continued with Eastman Kodak laboratory officials in Rochester, New York. A meeting was held in Washington between Eastman Kodak technical experts from Rochester (Mr. James R. Milch and Mr. Roland J. Zavada), and Review Board staff, on September 11, 1996, at which time the Review Board staff identified three major areas of interest: (1) possible enhancement and, if necessary, optical (film) analysis of autopsy images; (2) possible digitization and enhancement of the Zapruder film, as well as edge print analysis of the original and first generation copies, and study of the optical characteristics of the Zapruder camera in relation to perceived "anomalies" in the original film; and (3) study of the provenance of film materials subpoenaed by the Review Board from Mr. Robert J. Groden for examination. Kodak laboratory experts from Rochester viewed the original Zapruder film, a Secret Service first generation copy, and some of the Groden materials for the first time during a visit to the National Archives.

In a January 7, 1997 letter addressed to the Review Board, Kodak offered to contribute up to \$ 20,000.00 of labor and materials to the ARRB in *pro bono* work--the equivalent of roughly 35 man-days of effort.

The Review Board staff defined and prioritized a list of potential work items in a February 6, 1997 letter to Kodak; Eastman Kodak responded with an April 14, 1997 letter that itemized, by cost, the potential work items identified in the February 6 Review Board letter.

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In depth discussions were held between the Review Board staff, the National Archives JFK Liaison representative (Mr. Steve Tilley), and Eastman Kodak officials during an August 21, 1997 meeting in Rochester, New York. In addition to making arrangements for the digital preservation and enhancement of the autopsy images of President Kennedy, Mr. Roland J. Zavada, a retired Eastman Kodak film chemist who was formerly Kodak's pre-eminent 8 mm film expert, was identified as the consultant rehired by Kodak to attempt to write a "primer" explaining the optical operating characteristics of Abraham Zapruder's 8 mm Bell and Howell home movie camera, the relationship (if any) between the camera's optical operating characteristics and perceived "anomalies" in the original film, and questions about the provenance of the original film and the first generation copies. (It was subsequently determined that "provenance" issues included studying the paperwork chain-of-custody documents that exist today; conducting interviews of surviving personnel involved in the development of the original film, and the exposure and subsequent development of the 3 first generation copies; studying manufacturer's edge print and processing lab edge print, and optical printer characteristics.) In addition, Mr. James K. Toner of Kodak (Laboratory Head, Imaging Sciences Resources Lab) presented a methodology for making the best possible direct digitization of the original Zapruder film, in the event that course of action was pursued by the Review Board and the National Archives.

In September, 1997, Mr. Toner and Mr. Zavada visited Washington and, in addition to studying selected autopsy film and x-ray images of President Kennedy at the National Archives, also studied perceived anomalies in the inter-sprocket areas of the original film, and the emulsion characteristics and edge print characteristics of what the Archives presumes to be the camera-original Zapruder film and the two Secret Service first generation copies. Following this visit, Mr. Zavada began writing his extensive report on Zapruder film issues, which expanded in scope as his research into camera optics and printer characteristics continued. This report should have been provided to the Review Board by Eastman Kodak, for transmittal to the JFK Collection at the National Archives, prior to ARRB shut-down on September 30, 1998.

Eastman Kodak deserves the highest accolades for the spirit of public service demonstrated by its selfless *pro bono* work for the Review Board. In

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expending approximately \$ 53,000.00 on work related to the digitization and enhancement of autopsy images, and approximately \$11,000.00 on work related to Zapruder film issues, Eastman Kodak significantly exceeded its original estimate of \$ 20,000.00 maximum in donated labor and materials.

### **3. The Review Board Staff's Study and Clarification of Paul Hoch's FOIA Lead "CIA Document 450"**

The ARRB staff located and interviewed two former employees of the CIA's National Photographic Interpretation Center (NPIC) and questioned them about "CIA Document 450," a 1970s FOIA release--original document undated--that indicates NPIC had a version of the Zapruder film, made "internegatives" and "copies" and conducted a "print test," and conducted a shot-and-timing analysis based on interpretation of the film's content.

Both men interviewed indicated that the internegatives made were of single frames only, and the prints made (from these same internegatives) were of single frames only--for briefing boards--and that they never reproduced (or altered) the film as a motion picture. They identified portions of the document related to this activity--magnification and reproduction of small motion picture frames as prints. To this extent, the document has been demystified. However, other questions, such as who conducted the shot-and-timing analysis, and who assembled the briefing boards, remain unanswered. Staff member Doug Horne's memo dated July 16, 1997 records the details of Review Board staff interaction with these two men.

### **4. Fate of the Zapruder film: final resolution of the "takings issue," when known; *i.e.*, status of the film's ownership as of time of publication of the Final Report. [RON]**

**K. Ballistics [LAURA]**

**L. Gun Running [????]**

**M. Foreign Government Records [LAURA--Need Brief Overview]**

**1. Russia and Byelorussia**

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The Review Board made extensive attempts to secure Soviet Government records, including KGB files, maintained on Lee and Marina Oswald during the 1959 to 1962 time period. These records relate to KGB surveillance of Oswald while he lived in the Soviet Union. They are quoted and relied upon in Norman Mailer's book, *Oswald's Tale*, and apparently reflect Oswald's activities and conversations during his two-year stay in the Soviet Union. These records were never seen by the Warren Commission, by any Congressional investigation of Kennedy's assassination, or by the American public. These records are unquestionably of historical importance. In fact, Congress specifically recognized this by including in the JFK Act its sense that the State Department should attempt to secure from Russia all Soviet Government records relating to the assassination.

In conjunction with the Department of State, the Review Board met with representatives of the Governments of Belarus and Russia and requested the KGB records, but the request was denied. The Review Board then approached the writers of *Oswald's Tale* (Mr. Mailer and Lawrence Schiller) to ask that they donate their copies of these KGB records. They denied our request. The Review Board then asked the Department of Justice to subpoena the records from Mr. Schiller on the grounds that the Review Board could not obtain the records from the Russian or Belarussian Governments and that, to the Review Board's knowledge, Mr. Schiller held the only copy of these records within the United States. The Department of Justice refused to issue the subpoena, a decision with which the Review Board strongly disagreed. At the time of this Final Report, the KGB records on Oswald had not been secured.

2. **Cuba** [LAURA]
3. **Britain** [LAURA]
4. **Canada** [LAURA]
5. **Germany** [LAURA]

N. **Name Searches** [Need Brief Overview]

1. **John Abt**
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Following his arrest on November 22, 1963, Lee Harvey Oswald stated to representatives of the media, that he wanted to be represented by John Abt. Abt was an attorney who had represented the Communist Party, USA.<sup>6</sup> Abt's primary residence was in New York City, but he was spending the weekend of November 22, 1963 at his cabin in Connecticut. Thus, the Review Board requested access to the FBI's files on John Abt from FBI headquarters and from the New York and New Haven field offices. Although the New Haven office reported that it had no file references to Abt, the FBI made available records from headquarters and from the New York field office. The Review Board designated twenty-four records (all dated after November 22, 1963) for processing under the JFK Act. Some of the designated records primarily relate to whether Abt and Oswald knew each other prior to President Kennedy's assassination. The remainder of the records involve Communist Party meetings at which attendees discussed the Kennedy assassination.

## **2 Edward Becker**

Edward Becker has made claims that, in September 1962, he met with Carlos Marcello and three other men, and heard Marcello threaten to have President Kennedy killed. The HSCA reviewed the FBI's headquarters file on Edward Becker (92-9927) and, as such, the FBI processed it under the JFK Act. The Review Board requested access to the Los Angeles field office file on Edward Becker, as well as access to the control file on the Los Angeles informant who discredited Becker's allegation. The Review Board designated two documents from the Los Angeles field office file on Becker and one document from the Los Angeles informant's control file. All three of the designated records concerned Becker's allegation that Marcello threatened President Kennedy.

## **3. Carlos Bringuier [????]**

## **4. George Bush [MICHELLE]**

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<sup>6</sup>*The Worker* newspaper, to which Oswald subscribed, often mentioned Abt.

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**5. Ed Butler and Information Council of the Americas (INCA)**  
[MICHELLE add CIA when available]

Edward Scannell Butler debated Lee Harvey Oswald in New Orleans in the summer of 1963 on the radio station WDSU. The radio debate occurred shortly after Oswald was arrested for disturbing the peace in August 1963. Following the assassination, but before President Johnson formed the Warren Commission, Butler testified before a Senate Internal Security Subcommittee regarding his contact with Oswald. Butler has long been associated with the Information Council of the Americas (INCA), a New Orleans-based clearinghouse for anti-communist information, and particularly for anti-Castro Cuban information.

The Review Board requested access to all FBI headquarters and New Orleans field office files on Edward Scannell Butler and the Information Council of the Americas. The Review Board designated five records to be processed under the JFK Act. All of the designated records concern Butler's contact with Oswald in August of 1963.

In addition to FBI files referencing Butler, the Review Board learned that Mr. Butler's organization, INCA, had records that may be relevant to the JFK Collection. In an effort to learn more about the INCA Collection, Review Board staff members made contact with Mr. Butler to request any records or information he may have that would be useful to have in the JFK Collection. The Review Board staff did speak to Mr. Butler by telephone several times, and when staff members were in New Orleans working on other matters, Mr. Butler allowed the Review Board staff to view the INCA files that were in storage. The INCA Collection had been moved a number of times and was not well-catalogued when Review Board staff reviewed it. Mr. Butler's position throughout the Review Board's talks with him was that, until he could arrange for the cataloguing of the material, he would not be willing to donate materials to the JFK Collection. Mr. Butler declined the Review Board's offer to send staff members to New Orleans to sift through the material to determine what was relevant, but said that he might consider donating the material to the JFK Collection when he was finally able to catalogue it.

**6. Claude Barnes Capehart** [MICHELLE]

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## **7. Lawrence Cusack**

The late Lawrence Cusack was a prominent New York attorney in the 1950s and 1960s who represented, among other clients, the Archdiocese of New York. The Review Board received information that Mr. Cusack performed some legal work for Joseph P. Kennedy and that Mr. Cusack's son was engaged in an attempt to sell a group of allegedly salacious documents regarding Mr. Cusack's professional (but secret) relationship with John F. Kennedy. The documents at issue allegedly contained information regarding John F. Kennedy's relationship with Marilyn Monroe and with various mafia figures. When the media became aware that Mr. Cusack's son was trying to sell the records, they questioned the authenticity of the documents. The media reported that the documents were forged.

In an effort to determine whether the FBI had any information on Lawrence Cusack's relationship with the Kennedy family, the Review Board requested access to all FBI headquarters and New York field office files on Lawrence X. Cusack. The Review Board did not find any assassination records in the materials provided by the FBI.

## **8. Adele Edisen, Winston de Monsabert, Jose Rivera**

Dr. Adele Edisen has written several letters to the Review Board and has also provided public testimony before the Review Board. In her letters and testimony, Dr. Edison has stated that, in New Orleans on November 24, 1963, she recounted to an FBI agent and a Secret Service agent her knowledge of apparent dealings between Dr. Jose Rivera, Mr. Winston de Monsabert, and Lee Harvey Oswald in 1963. The Review Board requested FBI records on these individuals from FBI headquarters and field offices in Baltimore, Dallas, Denver, New Orleans and Washington, D.C. The FBI retrieved only a few records relating to the the individuals referenced above, all of which were designated as assassination records.

## **9. Billie Sol Estes**

In the 1980s, Billy Sol Estes made allegations that Lyndon Johnson was involved in the assassination of President Kennedy. Estes was

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reportedly a con artist who claims to have had a financial relationship with Lyndon Johnson. The Review Board requested access to all FBI headquarters files on Billie Sol Estes. The Review Board designated eight serials for processing as assassination records under the JFK Act. All of the designated records concern Estes' alleged knowledge of persons connected to the assassination of President Kennedy.

#### **10. Judith Campbell Exner**

Judith Campbell Exner claims to have been the link between President Kennedy and the Mafia, specifically Sam Giancana and Johnny Roselli. She was introduced to JFK by Frank Sinatra during the Presidential primary campaign in the spring of 1960. She claims to have had a love affair with JFK that lasted from the winter of 1960 until March of 1962. In 1975 she gained attention in the national media when she made these allegations in testimony before the Church Committee in its investigation of the CIA plots to assassinate Fidel Castro. Between 1976 and 1997, Ms. Exner filed numerous lawsuits against the FBI seeking access to all information held in government records on her. The Review Board requested access to all FBI headquarters and field office main files on Judith Campbell Exner. The FBI produced several small field office files containing press clipping collected on Ms. Exner, as well as several files which reflect Ms. Campbell's efforts to gain access to information on her in the FBI's files. The FBI also produced several files with references women with names similar to Judith Campbell Exner. The Review Board designated as assassination records all serials which were either main files on Ms. Exner, or made reference to Ms. Exner. The Review Board also designated the entire FBI file on the murder of Johnny Roselli which was produced under this request.

#### **11. H.L. Hunt and family and Clint Murchison and family**

There have been allegations that the assassination of President Kennedy was masterminded by wealthy Dallas oilmen H.L. Hunt and Clint Murchison. The Review Board requested access to all FBI headquarters and Dallas field office files on the following individuals during the period 1960 through 1969: H.L. Hunt; Nelson Bunker Hunt; Lamar Hunt; Clint Murchison, Sr.; Clint Murchison, Jr.; and Paul M. Rothermel. There were

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many documents with references to the Hunts, the Murchisons and Rothermel, but the documents were primarily concerned with their business dealings or their political activities. The Review Board designated ten documents from the files produced in response to this request. Each of these newly designated assassination records were dated after President Kennedy's assassination, and were concerned with allegations that either the Hunts or the Murchisons were involved in the assassination.

## **12. Joseph P. Kennedy**

In the years following the assassination of President Kennedy, rumors have stated that Kennedy's 1960 campaign for the Democratic nomination and the Presidency were funded by Joseph P. Kennedy's organized crime connections. Given that Joseph P. Kennedy was a prominent American who served in many high-level government positions, the Review Board limited its request for FBI files on Joseph P. Kennedy to: (1) a list of file numbers and case captions of files where Mr. Kennedy was the main subject of the file; and (2) field office files for the 1956 FBI investigations of Mr. Kennedy in connection with his appointment to the Presidential Board Consultants on Foreign Intelligence Activities of the U.S. Government. The Review Board singled out the 1956 background investigation because of its proximity to the 1960 presidential election, and the allegations of organized crime influence during that election. The Review Board also requested that the FBI provide a list of file numbers and case captions that contained documents mentioning Joseph P. Kennedy. The vast majority of records that the FBI produced concerning Joseph P. Kennedy were not related to the assassination of President Kennedy. The Review Board found only three records that it believed to be assassination-related, all relating to threats that were made by private citizens to Joseph P. Kennedy and his sons.

## **13. Oswald LeWinter**

In 1997, the Review Board received a query from a researcher as to whether one Oswald Le Winter had any tie, current or past, with the CIA. According to the researcher, David Mantik had met Oswald LeWinter in California. At that time, Mr. LeWinter claimed to be the current Deputy Director of Counterespionage for the Central Intelligence Agency with

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information on the assassination of President John F. Kennedy. The Review Board staff examined the records of the CIA and the FBI on Mr. LeWinter. All the evidence located by the Review Board staff indicates that Mr. LeWinter is a well known fabricator with an interest in intelligence and law enforcement activities who frequently appears with various claims in connection with sensational or unusual news events. There is no indication in the records that Oswald LeWinter has ever been employed by or worked for the CIA in any capacity. Further, there is not, and never has been, a CIA title or position equivalent to a “Assistant or Deputy Director of Counterespionage.”

#### **14. John Thomas Masen**

John Thomas Masen was a Dallas area gun dealer who was arrested on gun smuggling charges two days before the assassination of President Kennedy. During the fall of 1963, Masen supplied arms to the Directorio Revolucionario Estudiantial (DRE), an anti-Castro group based in Miami. The FBI interviewed Masen during the assassination investigation regarding allegations that he may have sold 6.5 mm Mannlicher-Carcano ammunition to Lee Harvey Oswald. Masen’s alleged connections to Lee Harvey Oswald are detailed *Oswald Talked* by Mary and Ray La Fontaine, which was published during the Review Board’s tenure. The Review Board requested access to FBI files on John Thomas Masen from the following locations: Headquarters (105-12547); San Antonio (105-2886); Dallas (105-1686); and Miami (105-8229). The FBI reported that the Miami field office file had been destroyed, but the Review Board designated as assassination records the Headquarters, San Antonio, and Dallas field office files in their entirety. These files describe the FBI’s investigation of Masen in 1963 and 1964, and his association with the DRE.

#### **15. John McVickar [MICHELLE]**

#### **16. Elizabeth Catlett Mora**

Elizabeth Catlett Mora was a prominent American communist who lived in Mexico City in the early 1960s. Mora was an associate of Vincent T. Lee, head of the FPCC, and traveled to Cuba with him in December of 1962. The Review Board requested access to Headquarters and Mexico

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City files references to Mora to determine if the Communist community in Mexico City had any contact with Oswald during his trip to Mexico City in the fall of 1963. The Review Board designated twelve serials from the Headquarters file on Mora which concerned the Oswald investigation in Mexico City.

**17. Richard Case Nagel** [MICHELLE--Awaiting CIA response]

**18. Gordon Novel** [MICHELLE--Awaiting CIA response]

**19. Orest Pena**

Orest Pena was New Orleans bar owner and an anti-Castro activist. Pena and Oswald obtained passports on the same day in the summer of 1963. Pena testified before investigative committees, and claimed he was an FBI informant. In an effort to verify his claims that he was an informant, the Review Board requested access to any headquarters or field office files under the "134" or "137" classification (the FBI file classification for its informant source files). The FBI found no files responsive to this request.

**20. Carlos Quiroga**

Carlos Quiroga was an anti-Castro Cuban activist in New Orleans who had contact with Lee Harvey Oswald in the summer of 1963. Quiroga received Oswald's flyer on the FPCC, contacted Oswald, and feigned interest in the group. In addition, Quiroga spent time with Oswald in an effort to determine whether the FPCC was a serious pro-Castro group in New Orleans. The Review Board requested access to all Headquarters and New Orleans field office files regarding Carlos Quiroga. The Review Board designated six serials from New Orleans file 105-1095.

**21. Charles Small**

Charles Small was a prominent American communist who lived in Mexico City in the early 1960s. The Review Board requested access to Headquarters and Mexico City files references to Small to determine if the Communist community in Mexico City had any contact with Oswald during his trip to Mexico City in the fall of 1963. The Review Board designated as assassination records eighteen serials from the files produced in response

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to this request. These documents were primarily concerned with the Mexico City communist community's reaction to the assassination and to the fact that Oswald had visited Mexico City shortly before the assassination.

## **22. Clarence Daniel Smelley**

Clarence Daniel Smelley was a member of the International Brotherhood of Teamsters in Birmingham, Alabama who alleged in 1964 that he had information in his possession that Teamster President Jimmy Hoffa had conspired to and carried out the assassination of President Kennedy. The Review Board requested access to FBI Headquarters file 72-1561, "James Riddle Hoffa; Clarence Daniel Smelley; Unknown Subjects", as well as the corresponding Memphis and Birmingham field office files. The Review Board designated the entire headquarters file, 72-1561, for processing under the JFK Act. This file documented the Bureau's investigation of Smelley and his allegation. The corresponding Memphis and Birmingham field office files were destroyed in the 1970s.

## **23. Richard Snyder**

Richard Snyder was the Department of State consular officer on duty at the American Embassy in Moscow when Lee Harvey Oswald appeared at the Embassy to announce his defection in October 1959. Though Snyder had at one time briefly worked for the CIA, the Review Board staff could locate no evidence that he still had any connection to the CIA at the time of Oswald's defection. The CIA's records on Snyder are included in the Sequestered Collection and have been sent to the National Archives.

## **24. Marty Underwood**

Marty Underwood was a political operative who worked for both President Kennedy and President Johnson. He traveled to Texas with President Kennedy in November of 1963. It has been alleged that Mr. Underwood was charged with following Judith Campbell on a trip she made in April of 1960 from Washington to Chicago carrying a satchel full of cash to be delivered from then-candidate Kennedy to Chicago mafia boss Sam Giancana. The Review Board requested access to any and all file references to Marty Underwood. The FBI produced two documents responsive to this request, and neither records contained any assassination

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related information.

## **25. General Edwin Walker and the Minutemen**

General Edwin Walker was a retired Major General who was a right-wing political activist. He was forced into retirement from the U.S. Army in 1961 for distributing right-wing literature to soldiers under his command. General Walker was involved in organizing the protests of James Merideth's matriculation to the University of Mississippi in the fall of 1962, as well as protests of Adlai Stevenson's visit to Dallas in October of 1963. General Walker lived in Dallas in 1963, and after the events of November 22-24, 1963, Marina Oswald alleged that it was Lee Harvey Oswald who shot at General Walker's home in April of 1963. The Review Board was interested in whether the FBI had any information which indicated that Walker or his followers had: 1) expressed any desire to assassinate President Kennedy; 2) any contact with Lee Harvey Oswald; or 3) any information regarding Walker shooting. The Review Board requested access to Headquarters and Dallas field office files on General Walker, the Minutemen, the Headquarters file number 100-439412 and the Dallas field office file number 105-1475. The FBI produced numerous files in response to this request, and the Review Board recommended 191 documents from the various files produced. These documents concerned threats against President Kennedy and members of the Kennedy administration, or reactions within the right-wing political community to the assassination of President Kennedy.

### **0. Miscellaneous** (By Agency) [Brief Overview Needed]

#### **1. CIA** [MICHELLE--Brief Overview]

##### *a. HTLINGUAL.*

*b. The U-2 connection and the fake manuals.* Many researchers have wondered whether Lee Harvey Oswald learned enough about the U-2 airplane during his time at Atsugi, Japan to provide useful information to the Soviets as to its airspeed and altitude or whether he might have played a different role regarding Soviet knowledge of the airplane. In his 1994 personal memoir, Ben Rich, the former director of Lockheed's research and

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design “Skunk Works,” recounts a story of four false test flight manuals produced by the flight engineers at the Skunk Works at the request of Richard Bissell. The false test flight manuals contained incorrect information on the plane’s weight, speed, altitude, and load factor limits. Rich says that the four manuals were produced and artificially aged but how or if the CIA got them to the Soviets only Bissell knew.

The suggestion was made that perhaps Oswald, or others like him, had carried these fake manuals into Soviet hands. In an effort to locate evidence to confirm Rich’s story, the Review Board staff contacted several individuals who had been involved with the U-2 program at CIA. In addition, the Review Board staff examined numerous files from the earliest days of the U-2 including some of the original test flight manuals. The Directorate of Science and Technology could find no mention of any fake U-2 manuals in its archives or database and Lockheed, when queried, reported that records of that age, if they still existed, were neither indexed nor archived. In short, the Review Board staff was unable to find any individual who had ever heard of any fake U-2 manuals or any record which even hinted at the existence of any manuals. With Rich and Bissell both deceased, the existence or plans for four fake U-2 manuals remains a mystery.<sup>7</sup>

c. *The Family Jewels document.* The 693 page “Family Jewels” is not a single written document or report. It is a collection of separate memoranda or letters from individuals, branches, divisions, and offices within CIA each, as then Director of Central Intelligence (DCI) James Schlesinger requested, detailing acts or programs which the author or authors believed might possibly violate the charter of the CIA. There is also some correspondence with non-CIA individuals included. Though no time limit was placed on responses, the majority of the material detailed in the “Family Jewels” is from the late 1960's and early 1970's. In some cases there are multiple copies of memoranda as different authors attached previous branch, office, or division materials to individual treatises, retorts, elaborations, or addenda. There is no table of contents, sequence, or organizational

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<sup>7</sup>Ben R. Rich and Leo Janos, *Skunk Works: A Personal Memoir of My Years At Lockheed*. New York: Little Brown, and Company. 1994.

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rationale. The pages are stamped consecutively and appear roughly to be numbered in the order in which they were received.

In response to the Review Board's informal request CIA-IR-08, the staff reviewed a redacted but still classified copy of the 1973 "Family Jewels" memoranda directed by DCI Schlesinger and compiled largely by his successor William Colby. Redactions were marked where they appeared in memoranda by offices or individuals which might possibly have information relevant to the assassination of President John F. Kennedy. A member of the Review Board staff then met with the Information Review Officer for the DCI records and a representative from the Historical Review Group's JFK Program. They reviewed the "Jewels" page by page examining the redactions by geographic location and time frame. If a redaction dealt with an event or action well outside the time frame of the assassination and in a country not generally considered relevant to the assassination, the redaction was not reviewed in detail. If a redaction was within the time frame, the redacted material was reviewed in full. For example, a redaction dealing with an event in Vietnam in 1972 would not generally have been reviewed while a redaction dealing with an Office of Technical Services program in 1964 would have been examined in full. Portions of 27 pages were marked as assassination records to be processed for inclusion in the JFK Collection at the National Archives.

**2. FBI [LAURA & KEVIN--Brief Overview]]**

*a. "Research Matters" file on John F. Kennedy.* The Review Board requested access to file number 94-37374 in the summer of 1995. The file was one of the 164 files that comprised J. Edgar Hoover's "Official and Confidential (O&C)" files, which were removed from Hoover's office after his death and are currently maintained by the FBI as a group to maintain their integrity. The file consists of five volumes, and three "EBFs," or enclosures behind file. The Review Board believed that the entire file should be processed under the JFK Act standards. The FBI agreed, and the file was placed in the JFK Collection in the spring of 1998. The file consists of a mix of material relating to John F. Kennedy. Volumes 1, 2, 3, and the first half of Volume 4 are all dated before the assassination. The second half of Volume 4 and Volume 5 contain documents that are dated after the assassination and consist of condolence letter and later-dated miscellaneous material relating to John F. Kennedy. The earliest documents

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in the file are dated in the late 1940s, when John F. Kennedy was running for and was elected to Congress. The pre-assassination file contains social and professional correspondence between Kennedy and Director Hoover. It also contains a significant number of newspaper articles and information about elections in which Kennedy ran. Once Kennedy became President the file began to catch information about Presidential protection and liaison with the Secret Service. Newspaper articles continue to appear with some frequency. The file also contains letters, call, and comments from members of the public to the FBI generally and Director Hoover specifically relating to President Kennedy. The file also contains typical FBI reports from informants and other sources who made comments about the President in the course of reporting to FBI agents.

*b. Liaison with other Federal agencies.* In his Warren Commission testimony, Secret Service agent Rowley commented that, had Federal agencies shared their information relating to Lee Harvey Oswald, the Government could have compiled a list of at least 18 items that would have alerted the Secret Service that Oswald was a threat to the President. In light of the allegations that Federal agencies neglected to adequately share law enforcement information, the Review Board staff members believed that 1960s era information relating to liaison between Federal government agencies on law enforcement matters generally and matters affecting Presidential protection specifically would be relevant for purposes of the JFK Collection.

*i. Secret Service/Protection of the President.*

*ii. Treasury/Dillon Commission.*

*iii. CIA.*

*iv. NSA.* The files relating to FBI liaison with the National Security Agency for the years 1959-1964 were reviewed by the Review Board staff. No assassination records were identified in these primarily administrative files.

*v. Customs.*

*vi. ATF.*

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*vii. Office of Naval Intelligence.*

**3. Secret Service [KIM]**

- a. Protective Research Section reports.*
- b. Shift reports.*
- c. Eileen Dineen memoranda.*

**4. Army**

The Review Board's two primary concerns with Army records were: (1) to open the counterintelligence files at the Investigative Records Repository (IRR) at Fort Meade; and (2) to determine whether Army intelligence units had any regular protection responsibilities for the President as part and parcel of their normal duties circa 1963. The Review Board's first Military Records Team Leader, Mr. Tim Wray (a retired Army Colonel and history instructor at West Point), instituted a series of interviews with individuals who had been in Texas military intelligence units in 1962 and 1963, and wrote a memo titled "Army Intelligence in Dallas," dated February 21, 1997, addressing the second question above. The details of INSCOM's counterintelligence collection at IRR are discussed below.

*a. U.S. Army's Investigative Records Repository (IRR).* This facility at Fort Meade in Maryland, a part of the Army's Intelligence and Security Command (INSCOM), contains investigative files on individuals of a counterintelligence interest to the Army. The IRR worked closely with the Review Board staff to open as much as possible of 37 case files on individuals, and one additional file consisting of an assortment of extracts from various Army Intelligence Regulations that the Review Board Staff culled from the Army's files at Carlisle Barracks in Pennsylvania. Of the 37 case files on individuals, 34 were studied by the HSCA, and 3 additional files were identified by the Review Board staff as assassination-related. Among the 34 IRR case files studied by the HSCA are those on Richard Case Nagell; Mitchell Livingston Werbell, III; Gerald Patrick Hemming; Manuel Artime; Orlando Bosch; Manuel Ray; Antonio Veciana; and Carlos Prio Socarro.

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The 3 additional case files declared as assassination records by the Review Board staff are those on Alfredo Mirabal Diaz; Jordan James Pfuntner; and Clemard Joseph Charles.

*b. Army Security Agency records and files.* The Review Board's search for Army Security Agency Files was frustrating and unsuccessful. No operational records of ASA electronic surveillance from the early 1960s could be located. If such records had been found, the goal would have been to target raw surveillance, or surveillance summaries of selected groups, to assess the possibility of pre-assassination foreknowledge of the events of November 22, 1963, or post-assassination reaction of the same groups.

A visit was made by two Review Board staff members to INSCOM Headquarters at Fort Belvoir in July, 1998, at which time they met with the official INSCOM historian and his colleague. A unit history was examined which gave a generic description of ASA surveillance activities in Mexico City in 1963. The one paragraph that addressed this activity was short, not very detailed, and described the ASA surveillance effort of the Cuban and Soviet Embassies as largely unsuccessful, due to technical difficulties. This paragraph did not provide any raw intelligence or surveillance data.

*c. 1973 Army Inspector General report on domestic surveillance abuses in the U.S.* In 1997 the Review Board staff requested that the Army's Inspector General Office locate and provide a copy of its own 1973 I.G. report on domestic surveillance abuses in the United States, in the hope that this document, when located, might mention domestic surveillance activity in the early 1960s and thus provide leads to the Review Board. (This report was cited with precision in a Church Committee Report.) The Army I.G. office responded to the Review Board staff that its own Inspector General Report, cited in the Church Committee Report, could not be located.

## **5. White House Communications Agency**

WHCA was, and is, responsible for maintaining both secure (encrypted) and unsecure (open) telephone, radio, and telex communication between the President and the government of the United States. Most of the personnel that constitute this elite agency are U.S. military communications specialists, many, in 1963, from the Army Signal Corps.

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On November 22, 1963, WHCA was responsible for communications to and from Air Force One and Two, the White House Situation Room, the mobile White House, and with the Secret Service in the motorcade.

a. *The unedited Air Force One voice transmission audiotapes from the flight of Air Force One (SAM 26000) from Love Field to Andrews AFB on 11/22/63.* The Review Board sought to locate any audio recordings of voice communications to or from Air Force One on the day of the assassination, including communications between Air Force One and Andrews Air Force Base during its return flight from Dallas to Washington, D.C. As many people are now aware, edited audio cassettes of open (“in-the-clear”), non-encrypted voice conversations to-and-from Air Force One, Andrews Air Force Base, the White House Situation Room, and the Cabinet Aircraft carrying the Secretary of State and other officials on November 22, 1963 have been available from the LBJ Library since the mid-1970s, and from the National Archives since the LBJ Library deposited copies with the Archives in accordance with the JFK Act. The edited version of these tapes consists of about 110 minutes of voice transmissions; a disclaimer at the beginning of the recordings indicates that the tapes are “edited and condensed.” The post-assassination flight from Love Field in Dallas, Texas to Andrews Air Force Base in Maryland lasted approximately 2 hours and 17 minutes, and during this period Air Force One was using four frequencies, 3 of them continuously for the entire flight. The amount of material that may have been edited and condensed could therefore be considerable. Since the edited version of the tapes contains considerable talk about both the forthcoming autopsy on the President, as well as the reaction of a government in crisis, the tapes are of considerable interest to assassination researchers and historians.

The paper trail is sketchy, and quite cold, but here is what is known: the LBJ Library staff is fairly confident that the tapes originated with the White House Communications Agency (WHCA). The LBJ Library staff told the Review Board staff that the tapes were received from the White House as part of the original shipment of President Johnson’s papers in 1968 or 1969. According to the LBJ Library’s documentation, the accession card reads: “WHCA ?” and is dated 1975. The Review Board staff could not locate any records indicating who performed the editing, or when, or where.

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Repeated written and oral inquiries of the White House Communications Agency did not bear fruit. They were not able to produce any records whatsoever that illuminated the provenance of the edited tapes in any way.

An ARRB staff member (Doug Horne) wrote a memo on October 17, 1995 about what is known about the provenance and content of the Air Force One edited tapes.

*b. WHCA Log of calls through the White House Switchboard on the day of the assassination. [RON]*

**6. Presidential Library Materials [IRENE]**

*a. William Manchester interviews.*

*b. JBK tapes at the JFK and LBJ Libraries.*

*c. RFK Tapes from JFK Library.*

**P. Pursuit of State and Local Records and Information [EILEEN]**

**1. New Orleans District Attorney files**

**2. Dallas City and County records**

Responding to leads from the research community, the Review Board staff sent two different correspondence packages to Dallas--one to the Dallas County Records Management Officer, and the other to the Dallas City Archivist, in an attempt to find out whether there were any existing photographs, x-rays, or other records in their files regarding the so-called "Weitzman" (or "Burros") bone fragment. [These are two alternate designations for a piece of bone, presumably cranial bone from President Kennedy, found on Elm Street in Dallas by a motorcycle policeman (possibly David Burros or David Burroughs) on 11/22/63, immediately after the shooting, and turned over to deputy constable Seymour Weitzman by the motorcycle patrolman. This bone fragment was couriered to the White House physician, Rear Admiral Burkley, by the Secret Service, but cannot be

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found today.]

Neither archive approached by the Review Board could find any records related to the “Weitzman” or “Burros” fragment.

### **3. Dallas Sixth Floor Museum records**

The Sixth Floor Museum in Dallas, Texas is a museum dedicated to providing information to the public on President Kennedy’s assassination, and it has an archives section that holds original films and documents relating to the assassination. The Museum is located on the sixth floor of the former Texas School Depository from which Oswald shot President Kennedy. The Review Board sought to identify any significant records held by the Museum that, in its determination, should be available in the JFK Collection. After deposing archival officials of the Sixth Floor Museum and thereafter negotiating with the Museum, the Review Board secured for the JFK Collection the Museum’s donation of copies of: Parkland Hospital records regarding medical treatment of President Kennedy; autopsy records for Oswald, Ruby, and police officer Tippit; court papers regarding the criminal trial of Jack Ruby; papers of Dr. Charles J. Carrico, one of the attending physicians at Parkland Hospital; and various home movies depicting the Presidential motorcade in Dallas. [Status of McKenzie papers re Marina Oswald unclear]

### **4. Miami records**

#### **Q. Pursuit of Private Records and Information**

The pursuit of materials from private citizens and private entities proved to be fruitful and greatly enhanced the historical record of the assassination of President Kennedy.

Private citizens donated, often in the form of a Deed of Gift, their own materials to the JFK Collection for the benefit of historians, researchers, and students of the assassination. The Review Board also received countless essays, interview transcripts, and copies of books written by members of the public, most often not accompanied by a Deed of Gift, and these materials have been transferred to the JFK Collection among the files

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of the Review Board (See 5.1 file series.)

**1. Photographs, Movies, Video, and Audio** Notable donations from private citizens and entities include photographs, movies, video, and audio materials.

*a. KTVT out takes.* In November of 1995, the Review Board launched a special initiative in Dallas, appealing to the public to turn over any film or photographs it may have that relates to the assassination. As a result, the Review Board acquired important outtakes from KTVT television in Dallas. The original 45 minute long, 16mm film containing scenes of President and Mrs. Kennedy in Dallas, and subsequent footage of the aftermath of the assassination, was donated by Janet Veazey. Ms. Veazey's father's friend, Roy Cooper Jr., was a photographer for KTVT. Mr. Cooper retrieved the outtakes from the trash and spliced them together, creating a 45 minute silent film. The original of this film now resides in the JFK Collection.

*b. Taplin film.* Another home movie from a private citizen was donated to the JFK Collection from Mr. David Taplin. Mr. Taplin's grandfather, Gerald Nathan Taplin, Sr., filmed the exterior of the Dallas Police Department building on the morning that Lee Harvey Oswald was to be transferred to the county jail, but instead was shot inside the building. The film has images of the arrival of the armored car that Oswald was to have been transported in, footage of other film crews covering the event, and scenes on the street. A copy of this film has been added to the JFK Collection.

*c. Robert Groden.* In 1996, the Review Board subpoenaed any original or first generation assassination films that may have been in the possession of Mr. Robert Groden, in order to determine whether he (a) had any, and (b) if he did, study the provenance of those materials. In response to a Justice Department subpoena requested by the Review Board, Mr. Groden appeared for a two-part deposition held in the states of Delaware and Texas. The Review Board felt this action was necessary because the Archives was not in possession of either the original Nix film or Muchmore film, and their whereabouts was unknown to the Review Board staff; furthermore, the location of certain alleged high quality first generation 35

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mm internegatives made directly from the original Zapruder film was also unknown; and likewise, the generation, and provenance, of certain prints of President Kennedy's autopsy published by Mr. Groden was unknown. Mr. Groden claimed under oath to possess no original or first generation assassination films or images of any kind. His materials were returned to him in July 1998. The two deposition transcripts are filed in the 4.50 series.

Mr. Stephen Barber assisted the Review Board in its preparation for the Robert Groden Deposition by preparing an affidavit of his recollections regarding various films he had seen in the possession of Mr. Robert Groden.

He recalled that he had seen an autopsy photograph of President Kennedy at Mr. Groden's home in 1980 that was not purported to be in the official collection, and felt strongly that the Review Board should attempt to "find" this photograph. The Review Board staff definitively determined that all of these prints turned over by Mr. Groden in response to subpoena represented images in the official collection at the National Archives; Mr. Groden did not submit to the Review Board any autopsy photographs not held by the government. Furthermore, independent study of the autopsy materials chain-of-custody revealed to the Review Board staff that the inventory of autopsy materials has remained exactly the same since the materials were transferred to the Archives on October 31, 1966.

*d. Moses Weitzman.* Moses Weitzman is a special effects film expert who employed Mr. Robert Groden as a trainee and junior level staffer in the late 1960s. Mr. Weitzman pioneered the direct blowup of 8 mm motion pictures to 35 mm motion pictures (through modification of an optical printer shuttle) in his work with the original Zapruder film in the late 1960s for Time-Life. Although Mr. Weitzman told the ARRB he gave his best work products to Time-Life, the customer for whom he was working, he nevertheless admitted to retaining some 35 mm internegatives (with slight framing and track error) made directly from the Zapruder original film for the purposes of being able to demonstrate his technical capability of enlarging 8 mm films directly to 35 mm format. It was these less-than-perfect work products (internegatives) that he allowed Mr. Groden to have access to during the late 1960s, and apparently it is these products that are the source for the Zapruder film public showings made by Mr. Groden during the mid-1970s. Mr. Weitzman educated the Review Board staff on some basics of film reproduction and identification, and also

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examined the 35 mm prints of the Nix and Muchmore films provided for examination by Mr. Groden. Furthermore, Mr. Weitzman donated, via the Review Board, a 16mm copy of the Zapruder film that had been in his possession to the JFK Collection, and testified about the importance of the Zapruder film to history at the Review Board's public hearing on this subject held in April 1997.

*e. David Lifton.* David Lifton, author of *Best Evidence: Disguise and Deception in the Assassination of John F. Kennedy*, testified at the Review Board hearing held in Los Angeles in September 1996. During his testimony, Mr. Lifton announced that he was donating to the Review Board his 35mm interpositive of the Zapruder film, as well as audiocassette copies of interviews he conducted beginning in 1966 with medical witnesses at both Parkland Hospital in Dallas and at Bethesda Medical Center. These materials have been transferred to the JFK Collection **(PENDING)**.

*f. David Powers film.* Another example of film footage acquired for the JFK Collection by the Review Board is the film taken by Kennedy aide David Powers. Mr. Powers was riding in the motorcade in Dallas in the car behind President Kennedy. Mr. Powers ran out of film minutes before the motorcade entered into Dealey Plaza. This film is held by the JFK Library, and a copy was made and transferred to the JFK Collection.

*g. Stephen Tyler documentary.* In 1992, Mr. Stephen Tyler produced a 90 minute television documentary about Jim Garrison's investigation into the assassination, "He Must Have Something." While testifying at the Review Board's public hearing held in New Orleans in June 1995, Mr. Tyler announced that he would be donating a copy of his documentary, along with the outtakes of approximately 30 interviews that he conducted for the documentary. Among those interviewed for the documentary are Jim Garrison, Perry Russo, and Mark Lane.

*h. CBS out takes.* The Review Board held meetings with executives at CBS Television, the network holding the largest volume of television coverage of the assassination and subsequent specials about the assassination. This material contains rare interview outtakes with individuals including Marina Oswald Porter. In the spirit of the JFK Act,

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CBS donated its outtakes from these specials to the JFK Collection. **(PENDING)**

*i. Walter Sheridan.* In its effort to comply with the JFK Act, the Kennedy Library reviewed its holdings for groups of records that could possibly contain assassination records. The records of Walter Sheridan were on deposit with the Library. The Library identified and created record identification forms for thirteen file folders of material related to Sheridan's work as an investigative reporter on the Garrison prosecution of Clay Shaw. The Library contacted Mr. Sheridan to inform him that his records would be processed and sent to the JFK Collection at NARA. Mr. Sheridan requested that the Library return the identified assassination records to him. The Library honored this request. Walter Sheridan died [find out when]. Letter to Nancy Sheridan from the Review Board. No response. **Subpoena to Nancy Sheridan in February/March 1997. Negotiations with her attorneys (Miller Cassidy LaRocca and Lewin). Subpoena to Herbert J. Miller. Negotiations with Miller. Miller produced records. Miller interviewed (how detailed should we be here?).** In September the Review Board filed a motion in U.S. District Court to have the Nancy Sheridan subpoena enforced. Nancy Sheridan filed a motion to quash. NBC filed to intervene to be a party to the suit. In February 1998, the Review Board entered settlement discussions with Nancy Sheridan and NBC. After weeks of drafting an agreement, settlement discussions were abandoned and the Review Board again asked the Court to enforce the subpoena. The Court asked the parties to return to the negotiations, and the matter is pending. **[DOES THIS FIT UNDER MOVIES?]**

*j. James Doyle film footage.* James Doyle - donated film footage that may show Oswald in New Orleans in summer 1963, still photos of film. **[NOT NECESSARILY BEING INCLUDED IN THIS CHAPTER]**

*k. Mark Oakes.* Mark Oakes -- donated videotapes created by him with supporting info. **[NOT NECESSARILY BEING INCLUDED IN THIS CHAPTER]**

*l. Evelyn Lincoln and Robert White.* In January, 1997, the Review Board began the process of contacting the beneficiaries of the wills

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of Evelyn and Harold Lincoln. Evelyn Lincoln had been the longtime personal secretary to President Kennedy, and had reportedly accumulated numerous items relating to the late President. Ms. Lincoln died on May 11, 1995, and her husband, Harold, died on June 26, 1995. Both Lincolns left virtually identical wills, with the same residuary beneficiaries. The Review Board's purpose in contacting the beneficiaries was to ascertain whether the Lincolns had bequeathed them any assassination-related items.

One of the beneficiaries of the Lincoln will was Mr. Robert White, a Baltimore collector of Kennedy memorabilia who was reported to have had in excess of 100,000 items in his collection.<sup>8</sup> Mr. White had been personal friends with the Lincolns for in excess of twenty years. Many of the items in Mr. White's collection reportedly came from Ms. Lincoln. Among the items Mr. White received as a beneficiary of the Lincoln will were an entire file cabinet and "Kennedy Memorabilia such as brief case, signing table, rocker and stereo."

Upon receiving the Review Board's correspondence, Mr. White contacted an attorney. In a February 1997 letter, the attorney stated that Mr. White "did not receive nor was he in possession of any assassination-related artifacts and/or memorabilia originating from the Lincolns or from any source." Nevertheless, Mr. White agreed to speak with Review Board staff on April 10, 1997. At this meeting, Mr. White provided a brief, hand-written list of the items he had received under Ms. Lincoln's will. Mr. White also briefly described his involvement with inventorying and appraising the items in the Lincolns's estates. White reiterated that his inventory of the estate did not reveal any items related to the assassination, other than the diaries and appointment books that had been bequeathed to the Kennedy Library.

After meeting with Mr. White, the Review Board continued to receive information from various sources that Mr. White did in fact possess more items related to the assassination. The Review Board also learned that Mr. White was scheduled to auction many items from his collection at Guernsey's

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<sup>8</sup>Glenn Collins, *Kennedy Mementos to be Sold at Auction*, *The New York Times*, December 23, 1997, at A19.

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auction house in New York City, on March 18 and 19, 1998. The Review Board thus requested that the Department of Justice issue a subpoena duces tecum to Mr. White. The subpoena, served on January 9, 1998, requested to depose Mr. White and required that he produce all objects and/or records that related to the assassination of President Kennedy; all records that pertained to President Kennedy and Johnson's administrations on such subjects as Cuba, the FBI, the CIA, and Organized Crime. The subpoena also sought inventories of Mr. White's collection and a list of items that Mr. White had received as a beneficiary of the Lincolns' wills.

The Review Board staff took the deposition of Mr. Robert White, in the presence of his attorney, Mr. Robert Adler, on March 3, 1998 and on March 6, 1998. During the deposition, Mr. White described his friendship with Evelyn Lincoln and discussed the various Kennedy-related objects that she had given to him. In certain cases, Mr. White relayed Ms. Lincoln's comments or documentation about the provenance of various objects. Among the records that Mr. White produced for the Review Board's inspection were Texas trip advance sheets, Secret Service White House Detail photograph book, Memoranda authored by President Kennedy, and twenty-three White House Dictabelt tapes. Four of the memoranda that were authored by President Kennedy contained classified, national security information, and were ultimately forwarded by the Review Board to Mr. Steven Garfinkel of the Information Security Oversight Office for their review.

On the last day of his deposition, Mr. White informed the Review Board that he had just donated the Dictabelts to the President John F. Kennedy Library. The Dictabelts contain telephone conversations, dictations and other discussions involving President Kennedy and other individuals. Specific topics of the Dictabelts include: dictation by President Kennedy during the week of November 4, 1963; discussion of the Berlin Crisis; Conversation regarding the Cuban Missile Crisis; and thoughts dictated by President Kennedy on November 12, 1963. The Review Board also acquired important audio materials from the public that relate to the assassination of President Kennedy. The Review Board deposed Mr. Robert White, a private collector who has a voluminous collection of Kennedy memorabilia. Mr. White had in his possession...*[insert language from Kim]*. **[DOES ALL OF THIS FIT UNDER RECORDINGS????]**

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*m. Additional audio gifts.* The Board received additional audio materials from members of the public. Everett Kay donated an audio surveillance tape of Joseph Milteer. Mr. Vincent Palamara, who has conducted extensive interviews of former Secret Service personnel, donated three audiocassettes containing these interviews.

*n. Unsuccessful negotiations.* Alyea and Bronson films -- never acquired although negotiations took place.

## **2. Private Papers and Records**

The Review Board received extensive paper files from private citizens.

Many of these people played a role in prior government investigations into the assassination, and others are surviving family members of these individuals. The Review Board praises their efforts to place these important records into the JFK Collection so that they are available to the American public.

*a. James Garrison papers.* Some of the first private records to be made a part of the JFK Collection came from the family of Jim Garrison and Edward Wegmann. After being approached by the Review Board, the family of the late Jim Garrison agreed to donate a collection of records on the assassination of President Kennedy that Garrison kept at his residence. The 15,000 paged collection included records from his investigation and prosecution of Clay Shaw, as well as other files on individuals or subjects that Garrison believed to be connected to the assassination.

*b. Edward Wegmann papers.* The family of the late Edward Wegmann, who was a member of the legal team that defended Clay Shaw, agreed to donate Mr. Wegmann's files. Some of the documents in the Wegmann collection came from the office files of District Attorney Garrison. William Gurvich, an investigator for Garrison, made copies of many internal memoranda and witness interviews from the district attorney's files when he left the office after becoming disenchanted with Garrison and the investigation. He turned the documents over to Clay Shaw's attorneys. There are approximately 6,000 pages of material in the Wegmann collection.

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*c. Clay Shaw papers.* To make this collection of Garrison-era material even more complete, the Review Board acquired the personal papers of Clay Shaw. (NOTE: We received copies of part of the collection from David Snyder, a retired New Orleans reporter, and then later received the complete, original set of materials from Jack Sawyer, who wishes not to be named.) The papers were kept by one of Shaw's friends, and in May 1997 he donated the seven boxes to the Review Board. The collection of Shaw's materials includes a diary, records from his criminal case, correspondence, business records, his passports, personal records, and photographs.

*d. President Ford's desk diaries.* President Gerald Ford donated his desk diaries that he kept while serving on the Warren Commission. These diaries provide insight into the day-to-day operations of the Warren Commission. The calendars were transferred to the JFK Collection in July 1998.

*e. J. Lee Rankin papers.* In July 1997, the Review Board announced that the personal files of the late J. Lee Rankin, General Counsel of the Warren Commission, were available to the American public. The files were donated by Rankin's son, attorney James Rankin, Jr., who several months prior had testified at the Review Board hearing held in Los Angeles. The files include memos and handwritten changes to the draft chapters of the final report that were recommended by Commission members, including Representative Gerald Ford (R-MI), John McCloy, and Allen Dulles.

*f. Wesley Liebler papers.* Mr. Wesley Liebler, former Assistant Counsel to the Warren Commission, also testified at the Review Board's hearing in Los Angeles in September 1996. He handed over to the Review Board a copy of six (*double-check this number*) chapters that he has written for a book that was not completed. He also submitted a report that was done at his request by a former UCLA faculty member in the Physics Department, Brian Jones. The report pertains to the Zapruder film, specifically the kind of motion exhibited by President Kennedy when he was struck by bullets.

*g. James Hosty and J. W. Fritz notes.* The Review Board also acquired the handwritten notes of two individuals who had interrogated Oswald while in custody after the assassination. Former FBI agent James P.

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Hosty, Jr., was deposed by the ARRB staff in ~~XXX~~ 199X. At this time Mr. Hosty donated notes that he said he took during his interrogation of Oswald.

Mr. Hosty testified to the Warren Commission that he destroyed these notes, as was routine, but he said that he later found them. A few years later, in November 1997, the Review Board announced the acquisition and release of notes taken by former Dallas Police Captain J.W. "Will" Fritz. Captain Fritz headed the homicide and robbery bureau, and he was the primary interrogator while Oswald was in custody from the afternoon of November 22 until the morning of November 24, 1963.

*b. Martin Underwood.* Martin Underwood, a former advance man for Presidents Kennedy and Johnson, was part of the advance team that went to Texas in November 1963. The Review Board's primary interest in Underwood was to clarify and obtain additional information regarding Underwood's alleged contact with Win Scott, a former CIA Chief of Station in Mexico City, several years after the assassination. The Review Board first received information on Underwood's meeting with Scott from Gus Russo who had interviewed Underwood as part of his research for Seymour Hersh's book, *The Dark Side of Camelot*. Russo informed the Review Board that President Johnson had sent Underwood to Mexico City in 1966 or 67 to see what he could learn about the Kennedy assassination which he had regarded as one of the two "cancers" attacking his presidency. Russo gave the Review Board copies of Underwood's handwritten notes, which were penned on White House stationery, ostensibly documenting his meeting with Win Scott.

The handwritten notes stated that Win Scott confided in Underwood that the CIA "blew it" in Dallas in November 1963. On the morning of November 22, 1963, CIA had intelligence information that a plane arrived in Mexico City from Havana. A mysterious passenger got out of the plane and then boarded another plane for Dallas. According to these notes, Win Scott told Underwood that CIA had identified this passenger as Fabian Escalante.

Review Board staff interviewed Mr. Underwood in person in July, 1997. This meeting was conducted informally and off-the-record. Underwood was cooperative and loquacious about his days as an advance man, but his account of his meeting with Win Scott differed from the version furnished by Gus Russo. Underwood explained that he went to Mexico

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City in 1966 to advance President Johnson's trip and to ensure that there would be a big crowd for him as there had been for President Kennedy. He stated that the Mexico City trip was so successful that it turned out to be the career maker for him. He recounted how he had met with Win Scott whom he knew to be the person who "could make the wheels go round." The purpose of the trip had nothing to do with the assassination of Kennedy, however, the subject of the assassination came up in course of their conversation. When asked about the specifics of his conversation with Win Scott, he went on to retell essentially the same story that he had given in the handwritten notes, i.e. CIA's surveillance of the mysterious passenger at the Mexico City airport. Underwood was under the impression the Win Scott had a guilty conscience about the assassination because he felt that CIA could have done more to prevent it. Scott apparently lamented the fact that since the Mexico City airport was outside of CIA's jurisdiction, he could do nothing other than pass the information on to the FBI in Dallas. According to Underwood, Scott was distressed that the FBI did nothing with the information and that it should have shared it with the Secret Service as a routine procedure.

Mr. Underwood initially claimed to have no memory of any notes he took regarding his trip to Mexico City. When shown the copy of the notes that Gus Russo had given to the Review Board, Mr. Underwood did remember writing the notes but explained that he had written the notes in 1992 or 1993 for Mr. Russo who had sought his story as part of the research he was conducting for Seymour Hersh's book. When later asked why they were written on White House stationery, Mr. Underwood explained that he had a lot of White House stationery left over from his days working under President Johnson. When the Review Board asked whether he had the originals of these notes, Mr. Underwood could not remember.

Subsequent to this meeting, after the Review Board requested Mr. Underwood to agree to be interviewed under oath, Underwood forwarded to the Review Board a different set of typed notes of his trip to Mexico City and meeting with Win Scott. These typed notes documented Underwood's activities in Mexico City and briefly mentioned his meeting with Win Scott. However, in these typed notes dated April, 1966, Underwood made no mention of his conversation with Scott about the Kennedy assassination. These notes strictly spoke of Underwood's seeking the Chief of Station's

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assistance in staging a big welcome for President Johnson. They backed up this part of the story that he had shared personally with the Review Board.

The Review Board staff also sought to verify additional information provided by Russo and Hersh, that Underwood had knowledge of the alleged connection between President Kennedy, Judith Campbell and Sam Giancana. To this end, the Review Board wanted to follow up on a story that Underwood had been instructed to “keep an eye” on Judy Campbell Exner during a 1960 train ride to Chicago to deliver a satchel of money to Giancana. Underwood denied both having ever been on a train with Ms. Campbell and having any knowledge of her making a delivery to Giancana.

In light of the discrepancies in what Marty Underwood told the Review Board and what he allegedly shared with Russo, the Review Board wanted to give Underwood the opportunity to tell his story under oath. Do to serious health problems, Mr. Underwood has been unavailable to meet with the Review Board again and has declined repeated invitations to make a statement under oath. **[DOES THIS WHOLE STORY BELONG UNDER THE PRIVATE PAPERS SECTION??]**

*i. Frank Ragano papers.* Mr. Frank Ragano, who passed away in 1998, was an attorney for Jimmy Hoffa and Santo Trafficante, major figures associated with organized crime. In 1994, Mr. Ragano published his book *Mob Lawyer*, which purported to be “the inside account of who killed Jimmy Hoffa and JFK.” In his book, Mr. Ragano claimed that Jimmy Hoffa had used Ragano as a messenger to ask organized crime figures Trafficante and Carlos Marcello to arrange for the murder of President Kennedy. Mr. Ragano wrote that Trafficante, in 1987, confessed to involvement in President Kennedy’s assassination. The book, co-authored by *New York Times* reporter Selwyn Raab, stated that original notes of Ragano supported his assertions.

Believing Mr. Ragano might possess original, contemporaneous notes regarding meetings with organized crime figures relating to the assassination of President Kennedy, the Review Board subpoenaed the notes and deposed Mr. Ragano (G.. Robert Blakey, former counsel to the House Select Committee on Assassinations, had also recommended that the Review Board depose Mr. Ragano). Mr. Ragano produced several handwritten

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notes regarding the assassination, but he could not definitively, and under oath, state whether they were written contemporaneously with his meetings in the 1960's or later in connection with his book. See Transcript of Frank Ragano Deposition, dated February 11, 1997. The Review Board submitted the original notes to the Secret Service to see if the notes could be dated. The results of the Service's analysis was inconclusive. See July 1, 1997 Review Board Staff Memorandum on the Secret Service Report Re Ragano Notes. Copies of the relevant notes are included as exhibits to the deposition of Mr. Ragano. The transcript and audio recording of Mr. Ragano's testimony are available to the public as part of the Review Board's records.

*j. John Mohr papers.* In an attempt to locate any records of FBI Director J. Edgar Hoover and Associate Director Clyde Tolson regarding the assassination, the Review Board subpoenaed the estate of John Mohr, former Assistant to the FBI Director. Mr. Mohr had died in early 1997. Mr. Mohr reported directly to Director Hoover and Associate Director Tolson at the time of the assassination and was executor for the estate of Mr. Tolson. In addition, Mr. Mohr was involved in the controversial disposition of Mr. Hoover's files upon Hoover's death in 1972.

With the cooperation of Mr. Mohr's family, the Review Board staff was able to inspect materials that Mr. Mohr had in his possession on the assassination.

The Review Board confirmed that these materials were copies of publicly available material. See August 14, 1997 Review Board Staff Memorandum Regarding Review of John Mohr Records.

*k. Warren DeBrueys.* In June of 1996, Review Board staff travelled to New Orleans and, while there, interviewed Warren DeBrueys, retired FBI agent and current member of the Metropolitan Crime Commission ("MCC") in New Orleans. **Jeremy should write the section about the interview with DeBrueys since I was not there.** In addition to the interview, Mr. DeBrueys was in possession of eight boxes of MCC records relating to the Garrison investigation and the Kennedy assassination.

The Review Board did obtain copies of the MCC records for the JFK Collection, as explained in the "MCC" section under the "organized crime" heading in this chapter.

*l. Ed Butler and the Information Council for the Americas.*

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*m. Letters to the HSCA and Church Committee Staff.* [Kim]

*i. Eileen Dineen.*

*ii. Kevin Walsh.*

*n. Holland McCombs papers.* The Review Board staff reviewed several donated collections of records relating to the Kennedy assassination at the Special Collections Division of the Georgetown University Library. Among these collections were approximately 90,000 pages of documents released under the Freedom of Information Act in the late 1970s. Georgetown acquired redacted versions of the FBI files on Lee Harvey Oswald, Jack Ruby, and the JFK Assassination Investigation following their release under the FOIA. These records did not receive much use over the years at the Georgetown Library, and Georgetown decided that they would donate them to the JFK Collection at NARA.

### **3. Deeds of Gift** [EILEEN--Brief Overview Needed]

*a. Georgetown University FOIA collection.* The Review Board staff reviewed several donated collections of records relating to the Kennedy assassination at the Special Collections Division of the Georgetown University Library. Among these collections were approximately 90,000 pages of documents released under the Freedom of Information Act in the late 1970s. Georgetown acquired redacted versions of the FBI files on Lee Harvey Oswald, Jack Ruby, and the JFK Assassination Investigation following their release under the FOIA. These records did not receive much use over the years at the Georgetown Library, and Georgetown decided that they would donate them to the JFK Collection at NARA.

*b. Associated Press wire copy.* The Review Board acquired the minute-by-minute account contained in the Associated Press (A.P.) wire copy of the events of November 22 through November 26, 1963 from Mr. Richard Barnes, a former A.P. reporter. The material chronicles the first news reports of the shooting of President Kennedy, the arrest of Lee Harvey Oswald, Jack Ruby shooting Oswald, and the funeral of President Kennedy. Mr. Barnes was assigned to A.P.'s San Francisco Bureau at the time of the

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assassination. He asked the news editor if he could keep these reports, as they would routinely be thrown out. Mr. Barnes took possession of the wire copy approximately one month after the assassination, and held on to the material since then. Mr. Barnes donated a copy of these materials, and the wire reports are now a part of the JFK Collection.

*c. Abe Fortas papers.* The Review Board secured the donation of copies of certain papers of Abe Fortas, former Supreme Court Justice and advisor to President Johnson. These include drafts of President Johnson's and Mrs. Johnson's written statements to the Warren Commission, as well as material rebutting points in William Manchester's *The Death of a President*. Consistent with the original donation of Fortas' papers to Yale University, the assassination-related materials will be opened in January 2001.

**[EILEEN--ARE ANY OF THE PEOPLE ON THIS ORIGINAL LIST GOING IN THIS SECTION??]**

3. Charles Bronson (**pending**)
4. James Doyle (film footage that may show LHO in New Orleans in summer 1963, still photos of film)
8. Everett Kay (Joseph Milteer audio surveillance tape)
9. James Marrs (photo, map of Dealey Plaza)
11. Vince Palamara (three audiocassettes marked "Secret Service Contacts" -- interviews)
17. Janet Veazey (film footage taken in Dallas the day Kennedy was assassinated)

**R. Medical Evidence**

In the minds of many, the medical evidence in the assassination of President Kennedy, in concert with the ballistics evidence and film recordings of the events in Dealey Plaza, is the most important documentation in the case, as indeed it would be in any homicide. Since there were arguably more apparent discrepancies and ambiguities in the medical evidence of President Kennedy's assassination than in the film or ballistics areas, and since Congressman Stokes, former Chair of the House Select Committee on Assassinations, had encouraged the Review Board to look into any perceived irregularities or ambiguities in the medical evidence,

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the Review Board focused on this area much more than film or ballistics evidence. Published below, vitrually in its entirety, is the Staff Medical Report released with the Review Board's medical documents on July 31, 1998.

### **1. Medical issues**

Properly conducted forensic autopsies are an important component of homicide investigations. Doctors (or "prosectors") who conduct full forensic autopsies of gunshot victims should consider ballistics evidence, speak with the doctors who treated the victim before his death, examine thoroughly the clothing the victim wore at the time of the shooting, conduct a thorough and conscientious autopsy, and create a detailed, specific, and fully documented accounting of the cause of death. In cases where a suspect is subsequently tried in court for murder, the doctor who performed the autopsy typically will be cross-examined and challenged on even the most minute of issues related to the cause of death. The autopsy and court records become evidence that can be fully examined and evaluated by medical and forensic experts.

One of the many tragedies of the assassination of President Kennedy has been the incompleteness of the autopsy record and the suspicion caused by the shroud of secrecy that has surrounded the records that do exist. Although the professionals who participated in the creation and the handling of the medical evidence may well have had the best of intentions in not publicly disclosing information – protecting the privacy and the sensibilities of the President's family – the legacy of such secrecy ultimately has caused distrust and suspicion. There have been serious and legitimate reasons for questioning not only the completeness of the autopsy records of President Kennedy, but the lack of a prompt and complete analysis of the records by the Warren Commission.

Among the several shortcomings regarding the disposition of the autopsy records, the following points illustrate the problem. First, there has been confusion and uncertainty as to whether the principal autopsy prosector, Dr. James J. Humes, destroyed the original draft of the autopsy or if he destroyed notes taken at the time of the autopsy. Second, the autopsy measurements were frequently imprecise and sometimes inexplicably absent.

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Third, the prosecutors were not shown the original autopsy photographs by the Warren Commission, nor were they asked enough detailed questions about the autopsy or the photographs. Fourth, the persons handling the autopsy records did not create a complete and contemporaneous accounting of the number of photographs nor was a proper chain of custody established for all of the autopsy materials. Fifth, when Dr. Humes was shown some copies of autopsy photographs during his testimony before the HSCA, he made statements that were interpreted as suggesting that he had revised his original opinion significantly on the location of the entrance wound. These shortcomings should have been remedied shortly after the assassination while memories were fresh and records were more readily recoverable.

The President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (JFK Act), did not entrust the Assassinations Records Review Board with the mission of investigating the assassination or of attempting to resolve any of the substantive issues surrounding it. But the JFK Act did authorize the Review Board to pursue issues related to the documentary record, including the completeness of records and the destruction of records. In an informal discussion with the Review Board, Congressman Louis Stokes, former Chairman of the House Select Committee on Assassinations (HSCA), strongly encouraged the Review Board to do what it could to help resolve issues surrounding the documentary record of the autopsy. He advised the Board that the medical evidence is of particular importance and that he hoped that it would do all it could to complete the record. Despite being hampered by a thirty-year-old paper trail, the Review Board vigorously pursued additional records related to the medical evidence and the autopsy.

The first step taken by the Review Board in regard to the medical evidence was to arrange for the earliest possible release of all relevant information in the Warren Commission and HSCA files. Prior to the passage of the JFK Act, the files from the HSCA contained numerous medical records that had never been released to the public. After the JFK Act came into effect, but before the Review Board was created, the National Archives released many of these records. Once the Review Board staff was in place in November 1994, it attempted to identify all remaining records that appeared to be connected to the medical evidence and arranged for their

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prompt release.<sup>9</sup> All of these records were sent to the National Archives by early 1995 without redactions and without postponements.

The Review Board queried several government entities about possible files related to the autopsy, including the Bethesda National Naval Medical Center, the Armed Forces Institute of Pathology, the military services, the Naval Photographic Center, the Senate Select Committee on Intelligence (for Church Committee Records), and the President John F. Kennedy Library. The Review Board also attempted to contact all former staff members of the House Select Committee on Assassinations. With the exception of the autopsy photographs and x-rays, which are exempt from public disclosure under the JFK Act, the Review Board has now arranged for the release of *all* governmental records related to the autopsy. There are no other restricted records related to the autopsy of which the Review Board is aware.

The Review Board's search for records thereupon extended to conducting informal interviews of numerous witnesses, taking depositions under oath of the principal persons who created autopsy records, and arranging for the digitizing of the autopsy photographs. A list of the reports and records related to the actions taken to complete its work is attached to this memorandum. Most of the reports are included in the Master Set of Exhibits that is being released on July 31, 1998. The remainder will be available to the public upon the transfer of the Review Board's files to the National Archives in September 1998.

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<sup>9</sup> Members of the research community contacted the Review Board and identified records that were apparently related to medical evidence that had not yet been released. Those records were tracked down and released.

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There were many notable successes resulting from the Board's work, a few of which may briefly be mentioned here. With the generous and public-spirited cooperation of Kodak, the National Archives, the FBI, and a representative of the Kennedy family, the Review Board was able to provide secure transportation to ship the autopsy photographs to Rochester, New York, to be digitized on the best digital scanner in the world. The digitized images will be capable of further enhancement as technology and science advance. The digitizing should also provide assistance for those who wish to pursue the question whether the autopsy photographs were altered.<sup>10</sup> The Review Board also was able to identify additional latent autopsy photographs on a roll of film that had (inaccurately) been described as "exposed to light and processed, but showing no recognizable image." Again with the generous cooperation of Kodak, the latent photographs were digitized and enhanced for further evaluation. These digitized records have already been transferred to the JFK Collection at the National Archives.

On another front, through painstaking staff efforts, the Review Board was able to locate a new witness, Ms. Sandra Spencer, who worked at the Naval Photographic Center in 1963. She was interviewed by phone and then brought to Washington where her deposition was taken under oath in the presence of the autopsy photographs. Ms. Spencer testified that she developed post-mortem photographs of President Kennedy in November 1963. In another deposition under oath, Dr. Humes, one of the three autopsy prosecutors, finally acknowledged under persistent questioning – in testimony that differs from what he told the Warren Commission – that he had destroyed both his notes taken at the autopsy and the first draft of the autopsy report. Autopsy prosecutor Dr. "J" Thornton Boswell, in an effort to clarify the imprecision in the autopsy materials, marked on an anatomically correct plastic skull his best recollection of the nature of the wounds on the President's cranium. The autopsy photographer, Mr. John Stringer, in painstaking and detailed testimony, explained the photographic procedures he followed at the autopsy and he raised some questions about whether the

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<sup>10</sup> Although the Review Board does not offer opinions on the substantive issues related to the assassination, it believes that trained medical personnel will possibly be able to provide additional illuminating explanations regarding the autopsy after examining the enhanced images. It should be noted, however, that although the digitizing significantly enhanced the clarity of the images, many questions are likely to remain unanswered.

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supplemental brain photographs that he took are those that are now in the National Archives. His former assistant, Mr. Floyd Riebe, who had earlier told several researchers that the autopsy photographs had been altered based upon his examination of photographs that have been circulating in the public domain, re-evaluated his earlier opinion when shown the actual photographs at the National Archives.

Perhaps the most difficult and challenging aspect of the Review Board's work on the medical evidence was the preparation and taking of the depositions of the principal persons with knowledge about the autopsy and autopsy records. Although conducting such work was not required by the JFK Act, the Review Board sought to obtain as much information as possible regarding the documentary record. Accordingly, it identified all of the still-living principal persons who were involved in the creation of autopsy records and brought them to the National Archives. For the first time, in the presence of the original color transparencies and sometimes first-generation black-and-white prints, the witnesses were asked questions about the authenticity of the photographs, the completeness of the autopsy records, the apparent gaps in the records, and any additional information in their possession regarding the medical evidence. The witnesses came from as far away as Switzerland (Dr. Pierre Finck) and as close as Maryland (Dr. Boswell). The questions were placed to the personnel in a straightforward but pointed manner. There was no attempt made to trick the witnesses, although they were asked questions, when appropriate, about prior inconsistent statements. In conducting the depositions, the Review Board staff sought to approach the questioning in a professional manner and without prejudging the evidence or the witnesses.

There were three closely related problems that seriously impeded the Review Board's efforts to complete the documentary record surrounding the autopsy: a cold paper trail, faded memories, and the unreliability of eyewitness testimony. An example of the cold paper trail comes from Admiral George Burkley, who was President Kennedy's military physician and the only medical doctor who was present both during emergency treatment at Parkland Memorial Hospital and at the autopsy at Bethesda Naval Hospital. In the late 1970s, at the time of the HSCA's investigation, Dr. Burkley, through his attorney, suggested that he might have some additional information about the autopsy. Because Dr. Burkley is now

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deceased, the Review Board sought additional information both from his former lawyer's firm and from Dr. Burkley's family. None agreed to supply any additional information.

Memories of course fade over time. A very important figure in the chain-of-custody on the autopsy materials, and the living person who perhaps more than any other would have been able to resolve some of the lingering questions related to the disposition of the original autopsy materials, is Robert Bouck of the Secret Service. At the time he was interviewed he was quite elderly and little able to remember the important details. Similarly, the records show that Mr. Carl Belcher, formerly of the Department of Justice, played an important role in preparing the inventory of autopsy records. He was, however, unable to identify or illuminate the records that, on their face, appear to have been written by him.

Finally, a significant problem that is well known to trial lawyers, judges, and psychologists, is the unreliability of eyewitness testimony. Witnesses frequently, and inaccurately, believe that they have a vivid recollection of events. Psychologists and scholars have long-since demonstrated the serious unreliability of peoples' recollections of what they hear and see. One illustration of this was an interview statement made by Dr. Robert Grossman, one of the treating physicians at Parkland. He explained that he was in Trauma Room Number 1 with the President. He recounted how he observed the First Lady wearing a white dress. Of course, she was wearing a pink suit, a fact known to most Americans. The inaccuracy of Dr. Grossman's recollection probably says little about the quality of the doctor's memory, but it is revealing of how the memory works and how cautious one must be when attempting to evaluate eyewitness testimony.

The deposition transcripts and other medical evidence being released by the Review Board should be evaluated cautiously and prudently by the public. Often the witnesses contradict not only each other, but sometimes themselves. For events that transpired almost thirty-five years ago, all persons will have failures of memory. It would be more prudent to weigh all of the evidence, with due concern for human error, rather than take single statements as "proof" for one theory or another.

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## 2. Autopsy records

Numerous leads were received from members of the public quite knowledgeable of the assassination's medical issues, regarding possible sources of additional autopsy records beyond those already produced by the Navy and the U.S. Secret Service. Some of the results of the Review Board's attempts to pursue these leads are provided below.

*a. Interviews with the children of Dr. George Burkley.* The Review Board staff contacted the children of deceased Vice-Admiral George G. Burkley, MC, USN, former military White House physician to Presidents Kennedy and Johnson, in an attempt to find out whether their late father had deposited his papers at any institution, or whether they themselves were in possession of any assassination records. They said he left no papers, and they were not in possession of any assassination records. The Review Board staff attempted to get the late Admiral's daughter, the executrix of his estate, to sign a waiver allowing access to any attorney-client privileged papers that may presently be in the possession of the law firm of Mr. Illig, formerly George Burkley's personal attorney, who is also now deceased. Unfortunately, she refused. [HSCA files indicate Mr. Illig had approached the House Select Committee on Assassinations and said that his client, Vice-Admiral Burkley (retired), was of the belief that there was a conspiracy to kill President Kennedy, and wanted to discuss it with the HSCA. This was the reason for the Review Board staff's interest.]

*b. Dr. Janet Travell.* Before her death, the Review Board staff contacted Dr. Janet Travell, formerly the private White House physician to President Kennedy, to ascertain whether she had any knowledge of, or connection with, President Kennedy's autopsy--or any knowledge as to disposition of autopsy materials that are presently missing. She said she had no involvement with the autopsy whatsoever, and had no knowledge about disposition of autopsy materials that were previously inventoried, but are presently unlocated.

*c. Interview with Mrs. Marion Ebersole.* The ARRB staff contacted the widow of Dr. John J. Ebersole, the Navy radiologist who, although not board-certified at the time, was on duty the night of President

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Kennedy's autopsy at Bethesda NNMC, and served as consulting radiologist during that procedure. She said she had neither any personal papers of Dr. Ebersole, nor assassination records.

*d. Gerald Posner.* In an exchange of letters with the Review Board's General Counsel, Mr. Posner was asked if he would donate to the JFK Collection his notes and tape recordings (if there were extant tape recordings) of interviews he claims to have conducted with Drs. Humes and Boswell, the 2 Navy prosecutors, while researching his book *Case Closed*. [Mr. Posner, while under oath before the Legislation and National Security Subcommittee of the House Committee on Government Operations on November 17, 1993, had stated that both Navy autopsy prosecutors--Drs. Humes and Boswell--had reversed their original Warren Commission opinions on the location of the entry wound in President Kennedy's cranium while before the HSCA forensic pathology panel, from a "low" entry wound to one 4 inches higher, and had verified that reversal to him during his interviews of them. When asked by another witness, Mr. James Lesar, whether he would donate his notes of those interviews to the JFK Collection at the National Archives, and whether he had any audiotapes of those interviews, Mr. Posner responded--see pages 112-113 of subject hearing--"I would be happy, Mr. Chairman, to ask Drs. Humes and Boswell if they would agree for their notes to be released to the National Archives."] Mr. Posner declined the Review Board's first attempt to get him to donate his notes of these interviews to the ARRB for placement in the JFK Collection, and never responded to the Review Board's second letter.

*e. Gary Aguilar.* Dr. Gary Aguilar of San Francisco was kind enough to provide an audiotape of his 1994 telephonic interviews with Dr. James J. Humes and Dr. "J" Thornton Boswell, the two Navy prosecutors at President Kennedy's autopsy. He also provided suggested lines of questioning to the Review Board staff prior to its depositions of the Bethesda prosecutors.

*f. David Mantik.* Dr. David Mantik of Rancho Mirage, CA provided extensive information to the Review Board staff regarding his study of the President Kennedy's cranial x-rays. In addition, he also provided proposed questions in advance of depositions of the Bethesda prosecutors.

*g. Kathleen Cunningham.* LPN Kathleen Cunningham provided extensive research leads into HSCA and Warren Commission testimony prior to the Review Board's depositions of the Bethesda prosecutors.

*b. Randy Robertson.* Dr. Randy Robertson provided detailed information to the Review Board about both his analysis of President Kennedy's cranial x-rays, and about research leads in Warren Commission and HSCA testimony.

*i. David Lifton.* At the request of the Review Board General Counsel, Mr. Lifton provided audiotapes, videotapes, and transcripts of his previous interviews of John Stringer, Floyd Riebe, Jerrol Custer, Edward Reed, and James Sibert that materially assisted the staff in preparing for depositions of these Bethesda autopsy participants.